

# **Torn From The Land With Help From Their White Lawyer, A Black Mississippi Family Loses a Farm**

**By Todd Lewan  
Associated Press Writer**

*Part Three of a series  
Part 1 available in The Authentic Voice*

CARTHAGE, Miss. -- For years, Turf Smith lived alone in a cabin in the woods, serving as a caretaker of a 158-acre estate shared by 25 family members who were scattered around the country.

He had long wanted to carve out 2 acres for himself to build a new house, said two of his children, Quillie and Gene Smith. But, families being as they are, one of his relatives would not agree.

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A white lawyer heard of Smith's plight, his children said. The lawyer told the elderly black farmer he could help by asking a judge to partition the property, giving family members separate titles to their allotted shares. Smith, who is now dead, agreed.

However, the petition the lawyer filed on Turf Smith's behalf asked the court to sell the entire estate at auction if it could not be divided fairly among the heirs. The sale of the entire estate, Smith's children said, was not something he planned or imagined would happen.

Court records show that many heirs to the property never responded to the suit. The family, mostly rural folk, was widely scattered, Quillie and Eugene Smith said. They didn't understand what was happening or have the money to hire a lawyer to fight it.

The judge who heard the case appointed three special commissioners to determine what should be done. County records show that one of the panel members, Lynn O. Young, a county forester who has since died, had numerous land dealings with timber companies, and a real estate speculator named W.O. Sessums.

The panel recommended a partition sale. Because not all of the 158 acres were of the same quality, the land could not be divided equally among the heirs, the panel told the court. So, the judge ordered an auction.

The sale was set for 1978. Turf Smith, with help from his nephew, Maxwell Smith, scraped together \$41,000 in cash and loans to try to keep the land in the family, but they

never had a chance. Sessums quickly bid the price up and bought 156 of the 158 acres for \$98,000, court records show.

Smith was able to buy the final 2 acres, which the court sold separately for his benefit, for \$1,200.

Months later, Sessums sold his 156 acres for an undisclosed sum to a subsidiary of Georgia Pacific Corp., property records show.

From the auction, each Smith heir received as little as \$245 to as much as \$8,000, court records show. But the land that had been their legacy since the early 1920s was gone.

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**-- Robin Keegan**

The property now is assessed at more than \$225,000, and believed to have a market value of much more because it has quality hardwoods and shoulders a highway.

"We paid a fair market price and have clear title on the land," Robin Keegan, a senior spokeswoman for Georgia Pacific, said. "Our records contain nothing to suggest that anyone at Georgia Pacific knew anything about the family's dispute over the land."

Sessums died three years ago, according to his wife, Mary. She said Young routinely tipped her husband to land opportunities. "We bought some land through Lynn Young. He bought several tracts like that at the courthouse, you know -- commission."

Turf Smith died in 1981. Today, Quillie Smith and her five siblings own the land their father left them.

"Two acres," she said. "That, and the history, is all we have left."

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EDITOR'S NOTE – Associated Press Writer Allen G. Breed contributed to this report.