

**REPORT OF FINDINGS FROM HISTORICAL I-495 RIGHT-OF-WAY RECORDS RESEARCH
PREPARED BY FRIENDS OF MOSES HALL
FEBRUARY 2022**

In 2021, Friends of Moses Hall (FMH) received documents in response to our Maryland Public Information Act (PIA) requests to MDOT SHA. These documents, per our PIA request, included correspondence, appraisals, and other records pertaining to specific Right-of-Way (ROW) file numbers and court cases for the development of I-495 from the late 1950s through the early 1960s. Our PIA request was limited to those records involving landowners along the section of I-495 at Seven Locks Road. Friends of Moses Hall and others have been examining these documents and are alarmed by some of our findings.

FMH once again stresses that the original I-495 construction had significant economic, physical and social impacts on this historically black community through land takings and the splitting of this once vibrant Gibson Grove community in Cabin John. Furthermore, systemic racism ingrained in the state's land takings resulted in black landowners being compensated significantly less than adjacent white landowners. Different values were assigned to properties based on the race of the landowner, even though the properties were in the same neighborhood or even abutted each other. Additionally, there are noticeable record-keeping disparities between ROW files for black and white landowners. Many black landowner files delivered to us were heavily and inappropriately redacted, were of poor scanning copy quality compared to those of white landowner files, and contained scant records and/or inaccuracies. For example, the Morningstar Moses Cemetery file (MD SRC ROW files 46729 and 48363) incorrectly identified the site as "Moses Lodge #74" (Liber 344/F 274), a distant Order of Moses property located in Emory Grove. Additionally, the size of the land taking for this property was found to be inconsistent among the records reviewed.

Alarming, Law Case file 10749 "State Roads Commission vs. Mickens et al" involving Peter Jones property in MD SRC ROW file 48288 contains a "First and Final Account" of payouts in the case and we note specifically a 1963 payout to The McGuire Funeral Service, Inc. in the amount of \$411.00 (**See Attachment 1**). This indicates that the MD SRC knew that burials were on the site, casting doubt on MDOT SHA's current claim of prior ignorance when burials were found within the ROW by ground penetrating radar (GPR) study done in July 2021. The Jones property was directly adjacent to the Morningstar Moses cemetery property (**See Attachment 2**).

One notable example of racial inequity inherent in the original I-495 land takings can be found in the Peter and Dorcas Jones files (Law Case 10749 for MD SRC ROW file 48288). The assessed value for the 2.5-acre parcel was \$6,250.00 and the state's valuation for the complete taking of this land was \$5,000 (\$2,000 per acre). The case went to trial, with the state arguing that even the \$5,000 valuation was excessive. We highlight the following appraisal notes from Law Case 10749:

MD SRC ROW File 48288, scanned in three file sections for FMH, contains an appraisal from Samuel E. Bogley Realtors appraisal (Robert Lebling appraiser*) dated 2/20/1961. It valued the property at \$5,000 and noted "There are no improvements on the subject property. The surrounding neighborhood improvements at Seven Locks Road and along the deeded right of way, previously referred to, are of poor quality and negro inhabited. (See photographs herein)." Note that a photo of Moses Hall lodge is one of the referred photographs. See Peter and Dorcas Jones MD SRC ROW File 48288, file 1 of 3, digital image 49-50 of 91.

Mr. Lebling's appraisal goes on to state: "It should be noted that the assessment on this property is extremely excessive in relation to the two nearest adjoining properties, both of which have access from dedicated and County maintained streets which the subject property lacks." The valuation summary states: "Seven Locks Road in this neighborhood consists of negro colony occupying, generally speaking, inferior and sub-standard homes in the price bracket ranging from an irreducible minimum of \$250 to around \$10,000. This value depressing influence has a very marked effect on the selectability of land in this negro inhabited pocket." See Peter and Dorcas Jones MD SRC ROW File 48288, file 1 of 3, digital image 51-52 of 91.

The state's appraiser incorrectly states that the Jones and Morningstar Moses properties did not have road access from Seven Locks, while noting that the adjacent Farrar property had access to Seven Locks. In fact, all three properties had road access to Seven Locks.

*Robert Lebling conducted a number of appraisals for the I-495 land takings, but he was also a white landowner in the area subject to a land taking (MD SRC ROW file 46734) — an apparent conflict of interest.

The Jones defendants in Law Case 10749 retained a professional appraiser named Adolph C. Rohland to provide testimony at trial. The jury in the Jones Case 10749 ultimately awarded the Jones heirs \$7,210 plus interest (~\$3,000/acre) for a complete taking. Mr. Rohland was paid \$225 for his service in the case.

Only one other eminent domain case for a black landowner went to trial in the Gibson Grove community, which was Law Case 10748 State Roads Commission vs. Elizah Harris et al (heirs to Mary Eliza Harris, daughter of Peter Jones) for SRC ROW file 46730. Harris' heirs were awarded a total of \$3,500, with interest, at trial for a complete taking of 0.5 acres, including what the state's appraiser described as a "negro occupied" "shack" and 1-story frame "bungalow".

With the exception of these black landowner estate cases that went to trial, the ROW records for the Gibson Grove community revealed that black landowners were paid \$2,000 to \$2,500 per acre for their properties by the state. In stark contrast, white landowners were paid \$3,500 to \$7,000 per acre.

Wealthier white landowners in this area, such as the neighboring Lillie [sic] Stone estate (MD SRC ROW files 40826 and 46732), retained legal counsel to secure larger payments of \$4,000 per acre plus "damages" in the amount of \$21,000. Word of these larger payouts quickly spread within the white community in this area, causing other white landowners, like Frederick Farrar (MD SRC ROW file 46727), a US Navy doctor, to contest state payout offers. Although he initially demanded \$55,000, in the end, Farrar was paid \$33,000 for the state's taking of approximately 3.5 acres with a stucco cinder-block dwelling on the premises.

The apparent racial inequity evident in the records for the original I-495 construction project, as well as the detrimental social and economic impacts directly related to the project, set the stage for ongoing degradation of the Gibson Grove community in Cabin John, along with its historic and cultural resources. The psychological and economic damage inflicted on these once thriving and resilient communities is evidence of a history of racial inequity in infrastructure projects in Maryland.

FRIENDS OF MOSES HALL
ATTACHMENT 1

State Rds Comm vs. Andrew Mickens and Jones' heirs

STATE OF MARYLAND)	
)	
Plaintiff)	
)	
v.)	Law No. 10749
ANDREW MICKENS, et al)	
Defendants.)	
)	
FIRST AND FINAL ACCOUNT		

Mr. James Harris		\$ 244.01
Mrs. Ida Stewart Hall		338.63
Mrs. Sarah Thompson		330.87
Mr. Charles Harris		40.67
The McGuire Funeral Service, Inc.		711.00
Mrs. Delores Crawford		48.81
Mrs. Susie Walker		48.80
Mr. Charles Harris		48.80
Miss Elizabeth Harris		48.81
Mrs. Helen Branch	Executors Fee	48.80
Joseph N. Dodson		529.27
Estate of Fannie Dodson		411.75
Mr. Andrew Mickens		767.94
Mrs. Lelia Lane		767.93
Mr. Walter Stewart		442.07
Miss Julia Stewart		376.47
Miss Julia Stewart		
Mrs. Sadie Cross		48.80
Mr. Leroy Harris		48.80
Mr. Herbert Harris		48.80
Mrs. Hazel McKay		48.80
Mr. Ernest Harris		48.81
Mrs. Jessie Toney		244.01
Lester Harris		244.01
Mrs. Hester Harris		71.80
Mr. Worthy Harris		40.67
Mrs. Cecelia Lindsay		40.67
Mr. Leonard Harris		40.66
Mr. Percy Harris		40.67
Mrs. Lucille Cook		40.67
Newman Insurance Agency		45.00
Mrs. Mabel G. Matthews		140.61
Mrs. Mildred Alexander		140.60
Mrs. Edna G. Lindsay		140.61
Mrs. Edna E. Gordon		140.60

Total \$ 6489.19

Deposit in Riggs Bank 4th Branch
Jan 28 - 1963 \$ 6,488.49
Paid as above 6,489.19
Balance \$ 1.30

Submitted by Joseph N. Dodson

Subscribed and sworn to before me this 29th day
of January 1964

FRIENDS OF MOSES HALL ATTACHMENT 2

