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IJ comes to aid of property owners

Black residents threatened with eminent domain

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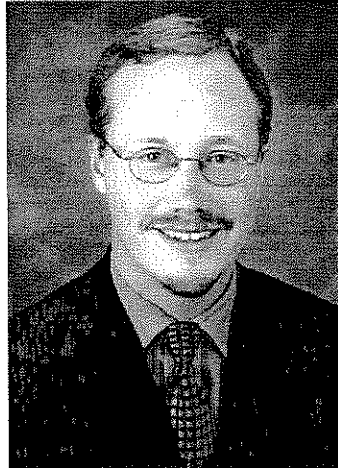
A senior level staff attorney with the powerful Institute For Justice, a Washington, D.C.-based public interest law firm that litigates eminent domain abuse cases nationwide, will join local civil rights leaders Thursday during a meeting with rural Madison County black residents threatened with eminent domain surrounding the nearly \$1 billion Nissan project.

Scott Bullock, senior attorney at the Institute For Justice says that his firm has been following the plight of several residents in the Ragsdale Road community in Gluckstadt, MS since mid-November when residents themselves first learned that their land was targeted for acquisition by the Mississippi Development Authority for the \$930 million Nissan truck manufacturing facility.

MDA officials desiring to acquire private land for the benefit of Nissan, a private manufacturing conglomerate, have threatened mainly black residents with eminent domain procedures.

Eminent domain is the legal process that a public entity uses to take private land for public use.

However, Robert Wood of



Scott Bullock

the Harris, Dunbar, and Geno law firm, which was hired by the MDA to acquire land for the Nissan project, told a group of reporters last Wednesday that the land belonging to three residents that has yet to be acquired "is needed for storing the vehicles after they are manufactured" by the Nissan facility.

Lonzo J. and Matilda Archie, Andrew Archie, Jr., and Percy Lee and Minnie Pearl Bouldin collectively own the 27 acres of land in dispute located at the southern most end of the core site of the Nissan plant.

The property owners hired Monroe, LA-based attorney James E. Ross, Jr. to help them with land negotiations once the MDA withdrew its administrative settlement offer on January 9.

"I was advised on today that the state's administrative settlement offer was still on the table for acceptance by my clients. We have repeatedly asked for pertinent information and documents as a part of our counteroffer. However, there has been no movement between the parties," stated Ross.

Ross indicated that the MDA

may be headed towards eminent domain procedures, if stalled talks can't be restarted.

"However, I believe that the people of Mississippi will frown heavily on any eminent domain procedures for Nissan," added Ross.

The Institute for Justice says that eminent domain should be used for public uses like roads, bridges, highways and public schools, "not for private economic development."

"We are giving a serious look at what is happening to the property owners in Madison with the construction of the Nissan plant," said Bullock.

"We look forward to learning more about the project Thursday and seeing whether Mississippi is respecting the constitutional rights of property owners in

Nissan project," he concluded. the Mississippi Southern Christian Leadership Conference executive secretary Stephanie Parker-Weaver said that the SCLC, the Archie and Bouldin property owners, and their attorney James Ross, "welcome the Institute For Justice and Attorney Bullock to Mississippi."

Parker-Weaver also said that "friendly" negotiations were ongoing between MDA officials and Ross on behalf of the Bouldin and Archie families.

"Negotiations about the land acquisition are going pretty good right now with Attorney Ross at the helm.

"However, only because the MDA has repeatedly threatened these property owners with eminent domain, must we be prepared for war in times of peace," she added.

The Institute for Justice's website (www.ij.org) says the public interest organization works to restore substance to the constitutional requirement that property

can only be taken for public use, not for the benefit of private parties.

In 1998, the Institute successfully defended Vera Coking, an elderly widow from Atlantic City, against the attempts by a New Jersey state agency to condemn her house of more than 35 years for Donald Trump's casino across the street.

The Institute also successfully spearheaded a campaign against eminent domain abuse in downtown Pittsburg, where the city mayor proposed taking more than 60 buildings and 120 privately owned businesses to give the property to a developer to build an urban shopping mall.

In November 2000, the mayor abandoned his plans and pledged not to use eminent do-

In October 2000, the Institute also filed a lawsuit in federal court district court in New York challenging New York's unconstitutional eminent domain procedures and asking for an injunction to prevent the condemnations of business properties and a church.

In December 2000, the Institute also challenged eminent domain abuse in New London, Connecticut where the government wants to take private property to hand over to private developers to build a health club and office space.

Attempts to reach Wood for comment were unsuccessful.