

NEWSLETTER

NOVEMBER, 2011

Billy Bearden

In an earlier Newsletter, I described Billy Bearden as a “contact” of 40th Georgia Regimental Historian Kay Borden. That is true but it is not the whole description. I was in a hurry at the time and I didn’t dig into the files to refresh my memory. I did recall that Kay Borden and 40th Georgia descendant Jon Perryman, also of Marietta, Georgia, responded to an invitation to speak to Billy’s SCV Camp meeting.

Billy is a descendant of Private Thomas Drew of the 41st Georgia. Billy is also a very active member of the Haralson Invincibles SCV Camp 673. He resides in Carrolton, Georgia and also has historical ties to the famous Cobb’s Legion. In addition, he is the “Go To” guy and a “sparkplug” of all CSA subjects in his area. Of special note is his stalwart defense of the Confederate Battle Flag.

I did not intend to slight his position or his background. The use of one adjective came out of haste and I hope that these comments will correct the omissions. We are pleased and fortunate to have a connection with him. The following article is a summary of an incident that blew up about the time the last Newsletter was sent out.

Flag Thefts at Yellow Dirt Baptist Church Cemetery

The Yellow Dirt Baptist Church Cemetery is a rural cemetery in Heard County, Georgia. It is located near an unpaved road that is over one mile from the nearest blacktop. One has to go behind the church location, through a gate and fence to get to the cemetery.

The cemetery is surrounded by the land of the Hal B. Wansley Power Plant, near Lowell, Georgia. It is owned and operated by Southern Power, which, like the Georgia Power Company, is a subsidiary of the Southern Company.

The cemetery has eight graves that are marked with U.S. Veterans Administration headstones that identify them as graves of Confederate Veterans. Two of these graves are for members of the Georgia Brigade.

A descendant of Private J.P. Shelnett, a Confederate Veteran who is buried there, reported to Billy Bearden that someone had stolen the flags that were placed on the graves.

Some members of the Haralson Invincibles, SCV Camp 673, replaced the flags. During the following week, the new flags were removed. On October 18, the descendant who reported the initial flag removal replaced the new ones. In a few days the cemetery was checked and the second set of flags had been stolen.

Battle of Plant Wansley

Several local newspapers ran articles, a flurry of e-mails were dispatched, Facebook comments made, phone calls made and meetings with representatives of Georgia Power were conducted. I would rather not try to reconstruct the exact chain of events, but rather will try to give a summary of highlights. **Billy Bearden** led the charge for the SCV.

Billy searched a Heard County parcel map and found that the cemetery was owned by the Cemetery. He interviewed a Shelnett descendant and was told that Plant Wansley only owns the nearby church building, not the cemetery.

He contacted Georgia Power media relations and was told that the flags were removed by Georgia Power employees, and if they were replaced they would be removed again. Media relations officials said that they own the property where the cemetery is located and that they will enforce company policies regarding anything that may be placed there. A statement was issued that said in part, (bold added by me on key words) “ As part of our policy to prevent harassment in the workplace, Georgia Power prohibits any individual on company property from displaying or circulating in the **workplace** any written or graphic material that denigrates or shows hostility or aversion toward an individual or group based on age, color,

disability, gender, national origin, race, religion, sexual orientation, or **veteran status**. This includes **any flag that the company has determined** may create such a situation.”

Billy Bearden informed them of three Georgia laws and several Federal laws that concern the graves and status of Confederate Veterans. He gave them the entire text and explained the specific violations.

Additionally, he contacted the Head of Security at Plant Wansley and asked the name of the employee who stole the flags. It is currently strongly suspected that the individual is a black female guard, who in the past has been severely reprimanded for making anti-white statements. He was even given her first name.

Billy explained that the Heard County Sheriff's Office had a Sergeant assigned to the case and was waiting to press charges per violation of multiple Georgia laws.

About this point corporate lawyers and other administrators got involved. The outcome was a 30 day period to research the ownership of the cemetery via a title company. Those 30 days will be up about November 18. This thirty day period also gives Georgia Power time to research the various Federal and Georgia laws involved and review specific corporate policies.

General Barton and Stovall History/Heritage Association Involvement

Quite a number of e-mails were written as the above events evolved. I got a copy of these e-mails, as did others in our association. I received e-mails, phone calls and written messages from some of our members. I read the newspaper articles and followed the postings via the Internet. All comments were read and pondered.

There were remarks made that centered on the proposition that GBSHHA should weigh in with an official letter sent to Georgia Power and to others such as newspaper editors and the Sheriff Department.

While this was going on, I recalled taking Gary Goodson's statements on how we would operate as an association and adding to them to establish a By Laws that would be submitted to the IRS. By Laws have to be approved by the IRS before non-profit status is awarded. **Vice President Harris Griggs** and I worked on this in late 2004 and early 2005. Another document called *The Articles of Association* had to be submitted too.

Both *By Laws* and *Articles of Association* were submitted and both approved by the IRS in 2005. They passed on the first submission, which is rare.

I recalled that there was language that prohibited the association from being involved in political activities. I thought that the language also included not being involved in legal issues. I did not dig through the files to find the documents and reread them word for word. That was my fault. As I later found out, legal issues are not excluded.

Political activities would include endorsement or opposition to political candidates for offices or support or opposition to potential laws and regulations. The intent was to keep our money, energy and focus out of the swirl of political subjects that might arise. Instead, we would focus on education, heritage and history of the regiments and men in those regiments.

There was a delay in sending any letter of any kind while the By Laws and Articles were found and read. Soon, the 30 day period of investigation was in motion. The graves of two of our soldiers at the Yellow Dirt Cemetery are part of our heritage and our history.

GBSHHA Potential Response

I have taken the position of “lying in the weeds” until the results of the 30 day investigation can be completed. After that, the Georgia Power Company may change their official position. The Heard County Sheriff Office will complete their investigation. The County Prosecutor will decide if they want to cite the largest tax source in the county, Georgia Power, who has been in operation since 1972. How will the existing laws be upheld?

After these issues have some clarity, we can respond. Our words have to be carefully crafted and sent to the organizations that will see that the laws are followed and that the heritage of our Confederate Veterans is protected, as set in law.

I believe we have the right to defend ourselves and our ancestors. This cemetery has two of our ancestors. With those graves, we do have "a dog in the fight".

I have been thinking about specific sentences and words that might be used in a letter. A letter, on our letterhead, has to be thoughtful, accurate and as powerful as it can be when our position is expressed. Please give me a call, send a letter or e-mail, if you want to discuss. A member that is closer to the action than me is developing a draft letter which may be used in the future. So, that is the situation as of mid-November.

My winter phone number is (760) 636-4019 and e-mail is wmikegriggs1@dc.rr.com

41st Georgia Battle Flag

Lee Ivester, 52nd Georgia Regimental Historian, noticed that in the September / October issue of *Confederate Veteran*, **Martin Tant**, of SCV Lt. Robert D. Powell Camp 1817 in Blountville, Tennessee, was pictured with the 41st Georgia Battle Flag. The flag was in the archives of the Museum of the Confederacy in Richmond. He was there in honor of his g. g. grandfather who served in the 41st Georgia.

Martin Tant lives in Kingsport, TN and he became a member in 2004. He remains on our contact list and I hope he will decide to rejoin in the future. Paid membership is our chief financial support.

Thanks Lee for the close reading in the magazine.

Cartersville, Georgia Congress 2012

Kay Borden, 40th Georgia Regimental Historian, Marietta, Georgia, has completed the hotel part of her recon for the 2012 Congress to be headquartered in Cartersville, GA. Despite her very busy business travel schedule, she was able to check out the details on several hotels and report her detailed findings to me. She made a recommendation, and it was accepted, to headquarter at the Marriott Fairfield Inn & Suites, 20 Canyon Parkway, Cartersville, GA. It is located at Exit 288 on I-75.

The room rates will be \$89 for seniors over 62 and \$99 for rooms without the senior discount. They have free parking and a free hot breakfast for guests. The rooms may be reserved at 1-770-387-0400. Tell them you are with the General Barton and Stovall Convention. Please see the Agenda on the website for more details.

By the time you read this, I expect the contracts to be signed and returned. The contracts will include meeting rooms, sleeping rooms' rates, use of lobby for registration and other details. This hotel will allow a banquet meal to be catered if we go that way. This means we have been successful in beating out weddings, reunions, other conventions that might want to use the meeting room and rooms while we are there.

Finance Report

During the Columbia Congress in September, I gave a report to the Executive Board about our financial status. The short version is that increased bus costs and new flag purchase minimums plus new meal deposits were draining our reserves. It would be close if we were able to cover our bills.

I am happy to report that we have a balance of \$28.62 plus a generous donation from a member that has replenished some of our reserve funds. That is cutting it about as close as we can. We are in the black and that is good.

The current balance was influenced by: Some dues that were paid late; transfer of Savings to Checking; Congress fees and a donation paid after the Congress was completed and the Silent Auction produced more money than last year.

Additionally, I went to Bank of America and reviewed the commercial account that non-profits have to have with their bank. After some detailed discussion I found that if a Business Debit Card was taken out, the Service Fee of \$11.00 per month would go away. I also learned that the Service Fee for a commercial account increases to \$14.00 per month next year. The Debit Card has to be used at least once per month to eliminate the Service Fee. I can do that and have done that in October and November and have saved \$22.00.

Bank of America was selected in 2004 so that money could be deposited anywhere in the US. The Debit Card rules were probably in the fine print but I am certain that no bank account person ever explained what the use of the card would do for us and no one through the years asked if we wanted to have a Business Debit card.



That is what I have for this month. The next issue should be out about mid-December.

Mike Griggs
President