

NAME OF OWNER CLAIMANT

#326-a ---- Alexander, John A.

Number of Acres: 74

Location: Located north of the Madison Run Road, adjoining on the north the lands of William Harper Estate, on the east the lands of Frank Littell; on the south T. W. Crawford, and on the west William Harper Estate and John Harper Estate.

Roads: -

Soil: -

History of Tract and condition of timber: --

Improvements: None.

Acreage and value of types:

Types	Acreage		Value per acre	Total Value
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Ridge:

Slope:	71	@	\$3.00	\$213.00
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Cove:

Grazing Land:

Fields Restocking:

Cultivated Land:	3	@	20.00	60.00
	<u>74</u>			<u>\$273.00</u>

Orchard:

Minerals:

Value of Land: \$ 273.00

Value of Improvements: \$

Value of Orchard: \$

Value of Minerals: \$

Value of Fruit: \$

Value of Timber: \$

Value of Wood: \$

Value per acre for tract: \$ 3.70

Incidental damages arising from the taking of this tract: \$ NONE.

Geo. H. Pen CLERK. 34

NAME OF CLAIMANT

Number of Acres: 111

#326-I -- Alexander, John A. -
Lap on Annie H. Morris.

Location: Mile Run. This tract is entirely within the Park area.

Roads: Three miles over county road to Island Ford.

Soil: Slope.

History of Tract and condition of timber: The cleared land on this tract appears to have been badly managed and is in a rather non-productive condition.

Improvements: Log dwelling: 14x14', kitchen 18x18', shingle and paper roof, 1½ story, occupied by tenant, water supply - spring.

Acreage and value of types:

Types	Acreage	Value per acre	Total Value
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Ridge:

Slope:	88	\$3.00	\$264.00
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Cove:

Grazing Land:	23	15.00	345.00
	111		\$609.00

Fields Restocking:

Cultivated Land:

Orchard:

50.00

Minerals:

Value of Land: \$609.00

Value of Improvements: \$ 50.00

15.00
\$674.00

Value of Orchard: \$15.00

Value of Minerals: \$

Value of Fruit: \$

Value of Timber: \$

Value of Wood: \$

Value per acre for tract: \$ 6.07

Incidental damages arising from the taking of this tract: \$ NONE.

Geo. H. Ben.

CLERK. 35

ROCKINGHAM COUNTY

NAME OF CLAIMANT

#326-II - Alexander, John A. -
Lap on A. L. & W. A. Shaver.

Number of Acres: 25

Location: Big Run. Entirely within the Park area.

Roads: Four miles over county road to Island Ford.

Soil: Slope.

History of Tract and condition of timber: This tract has been completely cut over and burned over repeatedly.

Improvements:

Acreage and value of types:

Types	Acreage	Value per acre	Total Value
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Ridge:

Slope:	25	@ \$3.00	\$75.00
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Cove:

Grazing Land:

Fields Restocking:

Cultivated Land:

Orchard:

Minerals:

Value of Land: \$75.00

Value of Improvements: \$

Value of Orchard: \$

Value of Minerals: \$

Value of Fruit: \$

Value of Timber: \$

Value of Wood: \$

Value per acre for tract: \$ 3.00

Incidental damages arising from the taking of this tract: \$ NONE.

Geo. N. Pen

CLERK.

NAME OF CLAIMANT

#326-III - J. A. Alexander Lap on J. W. Hinkle

Number of Acres: 71

Location:

Roads:

Soil:

History of Tract and condition of timber:

Improvements:

Acreage and value of types:

Types	Acreage		Value per acre	Total Value
Ridge:				
Slope: --	55	@	\$3.00	\$165.00
Cove:				
Grazing Land: --	<u>16</u>	@	30.00	<u>480.00</u>
	71			\$645.00

Fields Restocking:

Cultivated Land:

Orchard:

Minerals:

Value of Land: \$ 645.00

Value of Improvements: \$

Value of Orchard: \$

Value of Minerals: \$

Value of Fruit: \$

Value of Timber: \$

Value of Wood: \$

Value per acre for tract: \$9.08

Incidental damages arising from the taking of this tract: \$ None

Geo. W. Pen. CLERK

County: Rockingham
District: Stonewall

326-I John A. Alexander

Acreage Claimed:

Assessed

Deed

Value Claimed:

"

"

Location: Mile Run. This tract is entirely within the Park area.

Laps:

Soil: Slope

Roads: 3 miles over county road to Island Ford.

History: The cleared land on this tract appears to have been badly managed and is in a rather non-productive condition.

Improvements: Log Dwelling 14 x 14, kitchen 18 x 18, shingle/roof, 1 1/2 and paper story, occupies by tenant, water supply--spring.

\$100.00
100.00
15.00

Orchard

Value of land by types:

<u>Type</u>	<u>Acreage</u>	<u>Value per acre</u>	<u>Total value</u>
(Burned) slope	38	\$1.50	122.00
Tillable	23	15.00	345.00
	111		467.00

Total value of land	\$ 467
Total value of improvements	100
Total value of orchard	15
Total value of tract	582
Average value per acre	5.24

County: Rockingham
District: Stonewall

326

~~362~~ 11 - John A. Alexander
(Lap on A. L. & W. A. Shaver)

Acreage Claimed: Assessed Deed

Value Claimed: " "

Location: Big Run. Entirely within the Park area

Laps: Lap on A. L. & W. A. Shaver

Soil: Slope

Roads: 4 miles over county road to Island Ford.

History: This tract has been completely cut over and burned over repeatedly.

Improvements: None.

Value of land by types:

<u>Type</u>	<u>Area</u>	<u>Value per acre</u>	<u>Total Value</u>
Slope	25	\$1.25	\$31.25

Total value of land: \$31.25

Total value of improvements:

Total value of timber

Total value of tract: 31.25

Average value per acre 1.25

No. of Tracts

#1 & 1-a

County: Augusta
District: Middle River ✓

#326
#326-a

County: Rockingham
District: Stonewall

#219

County: Albemarle
District: White Hall

#136

County: Greene
District: Monroe

Alexander, John A.

Acreage Claimed: 22,700

Assessed: 22,600

Deed: 22,380
1920

Value Claimed: \$103,520

Assessed: \$16,000

Deed: --

Location:

The greater part of this tract lies on the west side of the Blue Ridge in Rockingham County, Virginia. It extends from Hawksbill Creek on the north to Black Rock and Trayfoot Mountains on the south. Small portions extend into Augusta, Albemarle and Greene Counties. The Park boundary follows the western boundary of the tract between positions 175 and 176, between 237 and 243 and between 247 and 266. Three small parcels of land, one of 14 acres in Rockingham County and two of 7 acres and 10 acres respectively, or 31 acres in all, lie outside the Park boundary.

Incumbrances, counter claims or laps:

Are as follows:

Annie H. Morris ---
A. L. & W. A. Shaver ---

111 A.
25 A.
136 A.

Roads:

The Brown's Gap road extends through the southern part of the tract from Brown's Cove in Albemarle County to Grottoes, a station on the Norfolk and Western Railway in Rockingham County which is about two miles from the western boundary of the tract. Other stations on the Norfolk and Western Railway near the western boundary are Lewis and Island Ford. Numerous old woods roads used in cooling and logging operations extend into the tract.

Soil:

Ridge type. This covers the tops and a large portion of the slopes of the spur ridges. It is steep with many cliffs, and much of the surface is covered with large loose rock. The soil is thin and dry. Most of this area is covered by growth of scrub oak. The result of repeated fires.

Slope type varies greatly from a deep and fertile sandy loam with little rock and very little slope on lower edges to a thin and poor sandy loam which is very steep and rocky. A portion has not been burned recently, but some of it has been severely burned in the last two years.

Cove type is a sandy loam of a good depth and fertility; few rocks; gentle slopes.

(continued)

County: Augusta
District: Middle River

#1 & 1-a -- Alexander, John A.

Soil: Cont'd--

Tillable land on Madison Run is of fair depth and fertility with some loose scattering rock. On Hawksbill Creek a few acres has been cleared and is in cultivation. It is steep with considerable rocks and only fair fertility.

History of tract and condition of timber: This tract was worked for iron ore at one time, but has not been operated for a great many years. The data available indicates that any mineral value assigned to the property would be purely speculative. The more accessible parts of this tract were cut over many years ago, 1865 to 1879, to provide charcoal for an iron furnace located on Madison Run. On this portion of the tract practically no timber was left.

About 1900 the chestnut oak timber was cut for bark. Since the bulk of the stand was comprised of chestnut oak, the bark operations removed the greater part of the remaining timber.

Small portable mills have operated periodically over the tract for many years removing any timber which could be reached without too great difficulty.

The unauthorized removal of little patches of bark, locust posts and other products have helped to clean up anything which might have been over looked in previous operations.

Repeated incendiary fires have run over the tract destroying the reproduction, and injuring the immature and the old timber remaining. In many places, even the soil itself has been burned with the result that extensive portions have been rendered non-productive, and almost worthless.

Rockingham County

- ✓(1) On Swamp Run there is a thin stand of yellow pine with some mixed oak, scattered over an area of approximately 1500 acres which runs about 1 m. feet per acre.
- ✓(2) On Madison Run there is an open mixed stand of oak and pine, short, scrubby and of poor quality ranging in size from 10" to 20" DBH on an area of about 1600 acres.
- ✓(3) On Deep Run there is an open stand of oak and pine with oak predominating, ranging in size from 10" to 20" DBH on an area of 200 acres.
- ✓(4) On Lewis Run there is a stand of scattered oak and pine ranging in size from 10" to 22" DBH, of fair quality on an area of about 1000 acres.
- ✓(5) On Big Run and its tributary Rocky Mountain branch on an area of about 750 acres there is an open stand of white and yellow pine, poplar, oak, hickory, and other species of good length and quality. The bulk of this timber lies in the hollow or on the lower slopes, near the head of the stream, and only about one mile from the top of the Blue Ridge. It is the largest and most desirable block of timber remaining on the tract.

Cou. : Augusta
District: Middle River

#1 & 1-a -- Alexander, John A.History of tract and condition of timber: (cont'd)

- (6) On Mile Run there is a scattered stand of pine and oak estimated to contain 50 M. feet.
(7) On Two Mile Run there is a scattered stand of pine and oak estimated to contain 50 M. feet.

Augusta County

1-a -- On this tract there is a block of approximately 50 acres supporting an open stand of mixed oak and pine estimated to contain 50 M. feet.

There is no merchantable timber on those parts of the tract lying in Albermarle and Greene Counties.

These bodies of timber and the stumpage prices are itemized as follows:

#326 - Rockingham County

✓ Swamp Run	--	150 M. @	\$1.50 --	\$225.00
✓ Madison Run	--	250 M. @	1.50 --	375.00
✓ Deep Run	--	65 M. @	1.50 --	97.50
✓ Lewis Run	--	480 M. @	1.50 --	720.00
✓ Big Run	--	1275 M. @	2.00 --	2550.00
Mile Run	--	50 M. @	1.50 --	75.00
Two Mile Run	--	50 M. @	1.50 --	75.00
Total		2320 M.		\$4117.50

Augusta County

Tract #1 -- (200 cords of wood)

Tract #1-a -- 50 M. @ \$2.00 -- 100.00

(400 cords of wood)

Grand Total 2370 M. 4217.50

600 cds. wood @ 50¢ = 300.00

\$4517.50

Improvements: There are the following improvements on the property:

Very old log dwelling: 17x50', paper and board roof, 2 brick chimneys, 2 story, walls are log, poor condition, occupied by tenant, pillar foundation -- \$150.00
New frame barn: 18x20x16', paper roof, good condition -- 150.00
Frame hen house: 10x14', paper roof, fair condition -- 20.00
Frame hog pen: 6x10', paper roof, fair condition -- 5.00
New frame stable: 8x10', paper roof, good condition -- 25.00
Log dwelling: 14x20', 2 rooms with frame kitchen, 14x16', 1 room, shingle and paper roof, 1 story, fair condition, occupied by tenant, water supply is well -- 150.00

(continued)

County: Augusta
District: Middle River

#1 & 1-a -- Alexander, John A.

Improvements: Cont'd --

Log barn: 12x16', board roof, poor condition --	\$ 5.00
Frame meat house: 9x9', paper roof, good condition --	25.00
Frame hen houses: 8x10', and 10x10', paper roof, fair condition --	25.00
Log corn house: 6x12', paper roof, poor condition.	5.00
17 fruit trees, 15 years old, fair condition.	25.00
	<u>\$585.00</u>

Value of land by types: (Rockingham County)

Type	Acreage	Value per acre	Total Value
Slope	7996	2.25	\$17881.00
Ridge (burn)	8806	.50	4403.00
Slope (burn)	2500	1.25	3125.00
Cove	223	4.50	1004.00
Grazing	2	18.00	36.00
Tillable	25	15.00	375.00
Woodland grazing	2	8.00	16.00
	<u>19854</u>		<u>\$26950.00</u>

Total value of land	\$26950.00
Total value of timber	4117.50
Total value of improvements	585.00
Total value of tract	<u>\$31652.50</u>

#326-a ----- Rockingham County

Value of land by types:

Type	Acreage	Value per acre	Total Value
Slope	71	\$3.00	\$213.00
Tillable	3	20.00	60.00
	<u>74</u>		<u>\$273.00</u>

Total value of land	\$273.00
Total value of timber	
Total value of improvements	
Total value of tract	<u>\$273.00</u>

#1 ---- Augusta County

Value of land by types:

Type	Acreage	Value per acre	Total Value
Slope	370	\$4.00	\$1480.00

(cont'd)

County: Augusta
District: Middle River

#1 & 1-a -- Alexander, John A.#1 --- Augusta County: Cont'd --

Total value of land	\$1480.00
Total value of timber	100.00
Total value of improvements	--
Total value of tract	<u>\$1580.00</u>

Tract #1-a -- Augusta County:Value of land by types:

Type	Acreage	Value per acre	Total Value
Slope	328	\$3.00	\$984.00
Ridge	65	.50	32.50
Total	393		<u>\$1016.50</u>

Total value of land	\$1016.50
Total value of timber	300.00
Total value of improvements	--
Total value of tract	<u>\$1316.50</u>

Tract #219 - Albemarle County:Value of land by types:

Type	Acreage	Value per acre	Total Value
Slope (burn)	68	\$1.50	\$102.00

Total value of land	\$102.00
Total value of timber	--
Total value of improvements	--
Total value of tract	<u>\$102.00</u>

Tract #136 - Greene County:Value of land by types:

Type	Acreage	Value per acre	Total Value
Slope (burn)	641	\$1.00	\$641.00
Grazing	2	15.00	30.00
Fc	1	10.00	10.00
	644		<u>\$681.00</u>
Total value of land		\$681.00	
Total value of improvements		--	
Total value of timber		--	
Total value of tract		<u>\$681.00</u>	
Average value per acre		\$1.06	

(continued)

County: Augusta
District: Middle River

#1 & 1-a -- Alexander, John A.

SUMMARY FOR TRACT

Rockingham County

<u>Tract #</u>	<u>Acreage</u>	<u>Land Value</u>	<u>Timber Value</u>	<u>Imp't. Value</u>	<u>Total Value</u>
326	19,554	\$26,950.00	\$4117.50	\$585.00	\$31,652.50
326-a	74	273.00	-	-	273.00

Augusta County

1	370	1,480.00	100.00	-	1,580.00
1-a	393	1,017.00	300.00	-	1,317.00

Albemarle County

219	38	102.00	-	-	102.00
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Greene County

136	644	681.00	-	-	681.00
Totals	21,103	\$30,503.00	\$4517.50	\$585.00	\$35,605.50

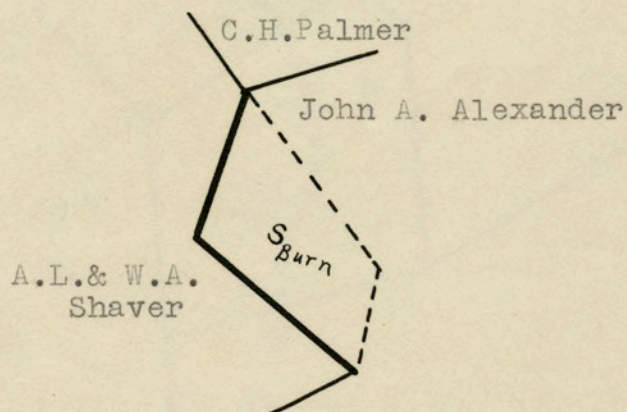
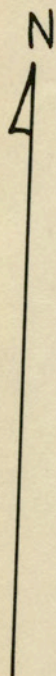
Average value per acre \$1.69

County: Rockingham
District: Stonewall

326-II

~~#362-II~~ - Alexander, John A.

(Lap on A. L. & W.A. Shaver)

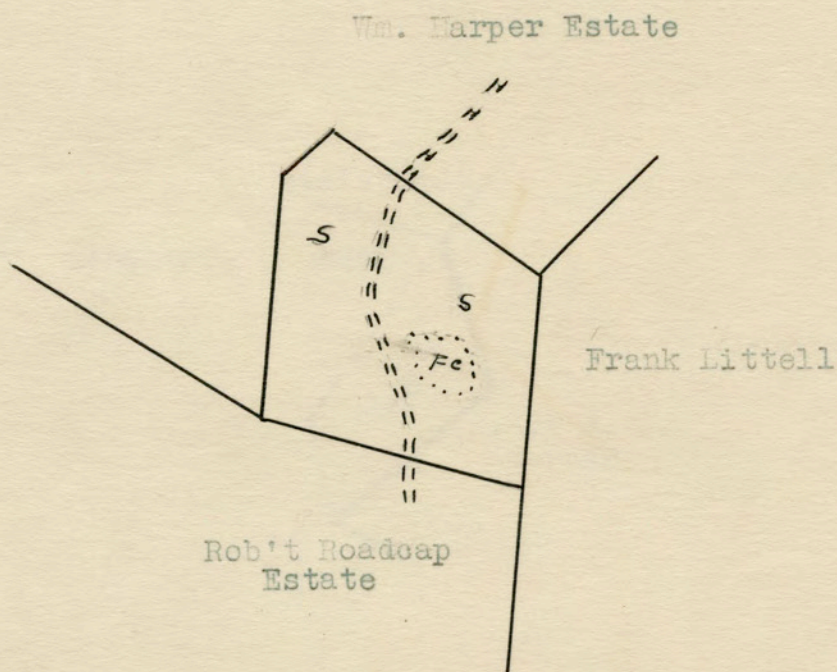
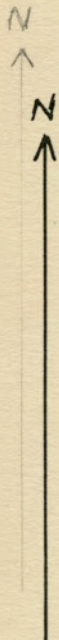


LEGEND:

Slope
Scale - 1" = 20 chains

#326-a Alexander, John A.

County: Rockingham
District: Stonewall



LEGEND:

Slope Fields Cultivated

SCALE:

1 Inch = 20 Chains

REPORT ON THE ACREAGE
of the
JOHN A. ALEXANDER TRACT
In
ROCKINGHAM, AUGUSTA, ALBEMARLE
&
GREENE COUNTIES

The last survey of this tract before the survey made by state and federal officers for the Shenandoah Park, was made by J. M. Irvine, Deputy Surveyor of Augusta County, for some of the parties interested in the tract. Mr. Irvine reported 22,380 acres as the net acreage of the tract.

There are several deductions to be made from this in order that it may represent the land reported upon by the state as the John A. Alexander Tract.

1st. There are several small parcels outside the park boundaries, totaling - 31 acres

2nd. The John H. Mace tract #312-b was not excepted by Irvine - 84 acres

3rd. A group of tracts near Simmon's Gap lie inside the Irvine survey, but were not excepted by him, totaling - 540 acres
655

This 655 acres, deducted from the 22,380 reported by Irvine, leaves 21,725 acres, as Irvines acreage of the tract reported upon by the state as Alexander land.

The State's reports cover land as follows:

Rockingham County #326, 326-I, 326-II, 326-a --	19764
Augusta County #1, 1-a --	763
Albemarle County #219	68
Greene County #136, 136-a --	<u>645</u>
Total	21240

There is a difference between this and Irvines acreage of 485 acres. The boundaries of the tract were laid down on the map prepared by the state in accordance with Irvines' survey, excepting only such modifications as were made necessary by actual ties made by the U. S. G. S. surveys in running the park boundary. The difference, which amounts to approximately 2% is easily accounted for by the more exact measurements resulting from a transit survey, such as that made by the U. S. G. S.

The computed acreage, resulting from all obtainable data, is 21240 acres in the four counties.

W. N. Sloan
W. N. Sloan,
Chief Engineer,
Park Service.

ROADS: The Brown's Gap road extends through the southern part of the tract from Brown's Cove in Albemarle County to Grottoes, a station on the Norfolk and Western Railway in Rockingham County which is about two miles from the western boundary of the tract. Other stations on the Norfolk and Western Railway near the western boundary are Lewis and Island Ford. Numerous old woods roads used in cooling and logging operations extend into the tract.

SOIL: Ridge type: This covers the tops and a large portion of the slopes of the spur ridges. It is steep with many cliffs, and much of the surface is covered with large loose rock. The soil is thin and dry. Most of this area is covered by growth of scrub oak. The result of repeated fires.

Slope type varies greatly from a deep and fertile sandy loam with little rock and very little slope on lower edges to a thin and poor sandy loam which is very steep and rocky. A portion has not been burned recently, but some of it has been severely burned in the last two years.

Cove type is a sandy loam of a good depth and fertility; few rocks, gentle slopes.

Tillable land on Madison Run is of fair depth and fertility with some loose scattering rock. On Hawksbill Creek a few acres has been cleared and is in cultivation. It is steep with considerable rocks and only fair fertility.

HISTORY OF TRACT AND CONDITION OF TIMBER: This tract was worked for iron ore at one time, but has not been operated for a great many years. The date available indicates that any mineral value assigned to the property would be purely speculative. The more accessible parts of this tract were cut over many years ago, 1865 to 1879, to provide charcoal for an iron furnace located on Madison Run. On this portion of the tract practically no timber was left.

About 1900 the chestnut oak timber was cut for bark. Since the bulk of the stand was comprised of chestnut oak, the bark operations removed the greater part of the remaining timber.

Small portable mills have operated periodically over the tract for many years removing any timber which could be reached without too great difficulty.

The unauthorized removal of little patches of bark, locust posts and other products have helped to clean up anything which might have been overlooked in previous operations.

Repeated incendiary fires have run over the tract destroying the reproduction, and injuring the immature and the old timber remaining. In many places, even the soil itself has been burned with the result that extensive portions have been rendered non-productive, and almost worthless.

Rockingham County

(1) On Swamp Run there is a thin stand of yellow pine with some mixed oak, scattered over an area of approximately 1500 acres which runs about 1 M. feet per acre.

(2) On Madison Run there is an open mixed stand of oak and pine, short, scrubby and of poor quality ranging in size from 10" to 20" DBH on an area of about 1600 acres.

(3) On Deep Run there is an open stand of oak and pine with oak predominating, ranging in size from 10" to 20" DBH on an area of 200 acres.

(4) On Lewis Run there is a stand of scattered oak and pine ranging in size from 10" to 22" DBH, of fair quality on an area of about 1000 acres.

(5) On Big Run and its tributary Rocky Mountain branch on an area of about 750 acres there is an open stand of white and yellow pine, poplar, oak, hickory, and other species of good length and quality. The bulk of this timber lies in the hollow or on the lower slopes near the head of the stream, and only about one mile from the top of the Blue Ridge. It is the largest and most desirable block of timber remaining on the tract.

(Continued)

History of tract and condition of timber:

(6) On Mile Run there is a scattered stand of pine and oak.

(7) On Two Mile Run there is a scattered stand of pine and oak.

IMPROVEMENTS: There are the following improvements on the property:

Very old log dwelling: 17x50', paper and board roof, 2 brick chimneys, 2 story, walls are log, poor condition, occupied by tenant, pillar foundation.

New frame barn: 18x20x16', paper roof, good condition.

Frame hen house: 10x14', paper roof, fair condition.

Frame hog pen: 6x10', paper roof, fair condition.

New frame stable: 8x10', paper roof, good condition.

Log dwelling: 14x20', 2 rooms with frame kitchen 14x16', 1 room, shingle and paper roof, 1 story, fair condition, occupied by tenant, water supply is well.

Log barn: 12x16', board roof, poor condition.

Frame meat house: 9x9', paper roof, good condition.

Frame hen houses: 8x10' and 10x10', paper roof, fair condition.

Log corn house: 15 years old, fair condition.

Acreage and value of types:		Acreage and value of types:	
Types	Acreage	Value per acre	Total Value
Ridge	10.00	\$1.00	\$10.00
Slope	10.00	\$1.00	\$10.00
Cove	10.00	\$1.00	\$10.00
Grazing Land	10.00	\$1.00	\$10.00
Fields Restocking	10.00	\$1.00	\$10.00
Cultivated Land	10.00	\$1.00	\$10.00
Orchard	10.00	\$1.00	\$10.00
Minerals	10.00	\$1.00	\$10.00
Value of Land: \$			\$10.00
Value of Improvements: \$			\$10.00
Value of Orchard: \$			\$10.00
Value of Minerals: \$			\$10.00
Value of Fruit: \$			\$10.00
Value of Timber: \$			\$10.00
Value of Wood: \$			\$10.00
Value per acre for tract: \$			\$10.00

GEORGE B. WHITE
ATTORNEY AND COUNSELOR AT LAW
RICHMOND, VIRGINIA

March 9, 1931

Mr. J. Robert Switzer, Clerk,
Harrisonburg,
Virginia.

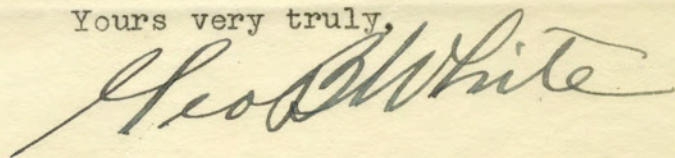
Dear Mr. Switzer:

I will appreciate it if you
will file in case No. 1829 At Law, which is
proceeding by State Commission on Conservation
and Development of the State of Virginia, the
within closed answer of Wallace C. Saunders.

Thanking you for your courtesy,

I am

Yours very truly,

A handwritten signature in cursive script, reading "Geo B White". The signature is written in dark ink and is positioned below the typed name "Yours very truly,".

GBW:RS

CASE NO. 1829 AT LAW

VIRGINIA:

IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY

The State Commission on Conservation
and Development of the State of
Virginia,

vs.

Cassandra Lawson Atkins et als and
52 561 acres, more or less, of land
in Rockingham County, Virginia,

Petitioner,
Filed in the Clerk's Office
Rockingham County, Va.

MAR 10 1921

J. Robert Saunders Clerk
Defendant.

Claim of Wallace C. Saunders

The undersigned, Wallace C. Saunders, in answer to the petition filed in this court by the State Commission on Conservation and Development of the State of Virginia, and in response to the notice of condemnation awarded upon the filing of said petition and publication thereon, asks leave of the court to file this his answer to said petition and publication of notice.

Respondent's name is Wallace C. Saunders, whose post office address is 330 West Leigh Street, Richmond, Virginia.

Respondent states that he has a right, interest and judicially determined lien in, to and upon that certain tract of land lying and being in Rockingham County, Virginia, within the area sought to be condemned, and known as the Mount Vernon tract, containing about twenty-one thousand acres; that the record legal title to said land stands in the name of John A. Alexander; that said John A. Alexander is the record title owner of the mineral rights in fifteen hundred acres of land adjoining and considered a part of said Mount Vernon tract, on all of which respondent has a lien for the sum of \$11,500.00 with interest thereon at six per centum per annum from September 8th, 1924.

Respondent states that the metes and bounds of said land are shown by plat of survey of said Mount Vernon tract in the possession of petitioner; that petitioner has in its possession full information of the true lines of said land and the acreage therein contained.

Respondent states that he is advised and believes that the total value of said land and mineral right is in excess of \$125,000.00; that there are other valid liens against said land for large sums of money, to-wit, \$75,000.00 and that the value of said land and mineral rights sought to be condemned and taken by petitioner is a sum in excess of all valid liens against the same.

Your respondent, under the provisions of Chapter 410, Section 12, of the Acts of the General Assembly of the State of Virginia, approved March 23rd, 1928, demands that the value of said land and all interest in and rights proposed to be condemned and taken by petitioner be submitted to and ascertained by a jury under instructions of the court upon the law and upon the relevancy and the legal effects of evidence, in the same manner as is usual and customary in jury trials in cases at law, without the necessity of a view of the premises by the jury.

Respectfully submitted this 9th day of March, 1931.

Wallace C. Saunders
By Counsel

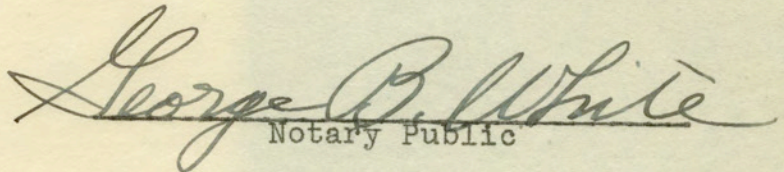
Geo. B. White
501 Law Building,
Richmond, Virginia,
Counsel for
Wallace C. Saunders.

State of Virginia,

City of Richmond, to-wit:

The undersigned hereby certifies that Wallace C. Saunders, the above named claimant, personally appeared before him and made oath that the matters and things appearing in his above answer are true to the best of his knowledge and belief.

Given under my hand this 9th day of March, 1931.


Notary Public

CASE NO. 1829 AT LAW
VIRGINIA:

IN THE CIRCUIT COURT
OF ROCKINGHAM COUNTY

The State Commission on
Conservation and Development
of the State of Virginia,

vs.

Cassandra Lawson Atkins et
als and 52 561 acres, more
or less, of land in Rockingham
County, Virginia.

*Claim of
Wallace P. Saunders
330 W. Leigh Street
Richmond, VA*

*Geo B White
501 Law Bldg
Richmond, VA
Atty.*

*Filed
since last
statement of
fees made
up - 8/7/31*

12.00

72.40

VIRGINIA:

IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY

The State Commission on Conservation
and Development of the State of
Virginia,

Petitioner,

vs.

Cassandra Lawson Atkins et als and
52 561 acres, more or less, of land
in Rockingham County, Virginia,

Defendant.

CASE NO. 1829 AT LAW

This day came Wallace C. Saunders, by counsel, and on
motion, the court doth adjudge, order and decree that Wallace
C. Saunders be, and he is hereby, allowed until March 18, 1931,
to file his answer to the petition in this matter.

*Emt
HUB*

*19
162*

*Answer
Filed 3/10/31*

VIRGINIA:

IN THE CIRCUIT COURT
OF ROCKINGHAM COUNTY

The State Commission on
Conservation and Development
of the State of Virginia

vs.

Cassandra Lawson Atkins et
als and 52 561 acres, more
or less, of land in Rockingham
County, Virginia.

*Sent for this
Geo. White
for Wallace C. Saunders*

DIVISION COUNSEL B. & O. R. R. CO.

LOCAL COUNSEL VALLEY R. R. CO.

RUDOLPH BUMGARDNER
ATTORNEY AT LAW
ROOMS 9 AND 11 MASONIC TEMPLE
SUCCESSOR TO BUMGARDNER & BUMGARDNER
STAUNTON, VA.

March 11th, 1931.

Mr. J. Frank Blackburn,
Clerk,
Harrisonburg, Virginia.

Dear Sir:-

Condemnation John A. Alexander Lands
Mount Vernon

I am herewith enclosing answer of John A.
Alexander in the above proceeding, in pursuance of leave
of court to file same on or before March 18th.

Will you please note same as duly filed.

Very truly yours,

Rudolph Bumgardner

RUDOLPH BUMGARDNER.

Copy to Mr. George B. White,
501-4 Law Building,
Richmond, Virginia.

RB/HFL
Enclosure

Claim of John A. Alexander.

IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY, VIRGINIA, No. 1829 at Law

The State Commission on Conservation
and Development of the State of Virginia

PETITIONER

vs

Cassandra Lawson Atkins and others, and
Fifty Two Thousand Five Hundred Sixty One
(52,561) Acres, more or less, of land in
Rockingham County, Virginia.

DEFENDANTS

The undersigned, in answer to the petition of the State Commission on Conservation and Development of the State of Virginia, and in response to the notice of condemnation awarded upon the filing of said petition and published in accordance with the order of the Circuit Court of Rockingham County, Virginia, and by special leave of said court, in its order rendered on the 18th of February, 1931, asks leave to file this his answer to said petition and to said notice.

The name of the Petitioner is John A. Alexander, care Rudolph Bumgardner, Staunton, Virginia, (Rudolph Bumgardner, Esq., Staunton, Virginia, agent and attorney).

The undersigned is the owner in fee of the following tract or parcel of land within the area sought to be condemned, which is improved with several buildings of more or less value, viz,

(1) The fee in a parcel of land described in the deed as 22,700 acres, more or less, shown by the recent Park survey to contain 20,704 acres; which lands are underlaid with valuable minerals, contain valuable timber, and considerable areas of which are fitted for agriculture.

(2). The mineral rights in 1500 acres contiguous or adjoining.

Your petition acquired said tract and mineral rights in the year 1914, by deed of A. E. Johnson, Trustee, to John A. Alexander, dated August 22, 1914, of record in the Clerk's Office of Rockingham County in Deed Book 118 page 444, said deed being also

of record in the Clerk's Offices of the Counties of Augusta, Green and Albemarle, wherein small portions of said tract are located.

By virtue of certain suits, confirmatory deeds, etc., the title to said lands has been completely cleared up, quieted and settled.

Your Petitioner claims that the total value of the tract of 22,700 acres (20,704 according to the Commission's figures) of which he owns the fee simple title, including the timber and underlying minerals, is \$5.00 an acre or \$103,520.00, the value of the estate in the underlying minerals and mining rights in 1500 acres of which other parties own the surface and timber, is \$3000.00. There is no provision, so far as Petitioner is advised in the Park Act, as in the Act controlling the acquisition of lands by the Federal Government for forestry reserve, for the retention of minerals and future mining of same under the regulations prescribed by the Government; so that the condemnation for Park purposes means destruction of the mineral values as respects the land owner. The Commission ^{had} has/its surveys and plots made of the above mentioned land and is fully informed as to all details respecting metes and bounds, contiguous owners, etc.

Petitioner represents that, while he is the owner in fee of the land and mineral rights above mentioned, by reason of encumbrances and a subsisting decree of sale, your Petitioner's rights are nominal as respects the actual disposition of the proceeds, other than his interest to see that the land yields its full value for application upon the outstanding liens, and consequent reduction of personal liability upon Petitioner.

In the chancery causes heard together and now depending in the Circuit Court of Rockingham County, under the short court styles of Wallace Saunders, et als. vs. John A. Alexander; Home Building and Loan Association vs. same; and Commonwealth of Virginia vs. same, the liens have been ascertained, and by decree of sale entered in said causes on the 25th day of July, 1930, as modified

by later decrees, the following have been appointed Commissioners of the Court for the purpose and directed to make sale of said lands, viz. Rudolph Bumgardner, J. Frank Blackburn, Wallace A. Williams, George B. White, F. S. Taverner Jr., George A. Walker and Herbert J. Taylor. The liens, which will consume the proceeds of the land, are as follows:

- (1) Commonwealth of Virginia for taxes.
- (2) Home Building and Loan Association, of Staunton, Va.
- (3-a) E. W. Feuchtenberger, of Charlottesville, Va.,
 - b. State and City Bank and Trust Company of Richmond.
 - c. Wallace C. Saunders of Richmond, Virginia.

After the liens had been settled and agreed upon, the Kanawha National Bank of Charleston, Charleston, West Virginia, intervened by petition asserting a lien which was rejected. An appeal has been granted from the decree rejecting said lien, and said cause, under the short court style of Kanawha National Bank of Charleston vs. John A. Alexander et als, is pending on appeal in the Supreme Court of Appeals of Virginia at Staunton.

These lienors, represented by court commissioners, are the substantial owners of the land, whose rights are directly affected in said condemnation proceedings and who should be permitted to intervene and protect their respective rights and interest.

So far as respects your Petitioner, ever since the Park project was set on foot, he has been anxious and desirous ~~to~~ of negotiating and effecting a sale of said lands to the Park Commission and is willing and desirous to effect such a sale at any reasonable and fair price; the title is good, and there has never been a time at which a sale could not be accomplished on reasonable terms; and your Petitioner is at a loss to understand the necessity for condemnation proceedings if the public authorities are willing to allow and agree to a fair and compensatory price for the land they desire to acquire.

Your Petitioner's sole requirement in the case is that the court will protect his rights as land owner, and the rights of the lienors, whose property is being requisitioned without effort to negotiate or treat in respect to the value or terms of a sale.

Your petitioner reserves all rights guaranteed to him by the condemnation statute, and reserves the right to demand a jury to be impanelled for ultimate determination of the value of said land and mineral rights in the event that a fair allowance be not made by the Commission or by the Board appointed to view the land and make an award.

Witness my signature this 11th day of March, 1931.

John H. Alexander by
Rudolph Bumgardner his agent and attorney

State of Virginia,

County of Augusta, to-wit:

The undersigned hereby certifies that Rudolph Bumgardner, Agent and Attorney for the above named claimant, personally appeared before her and made oath that the matters and things appearing in his above answer are true to the best of his knowledge and belief.

This 11th day of March, 1931.

M. G. Campbell.
Notary Public.

Filed in the Clerk's Office
Rockingham County, Va,

MAR 12 1931

J. F. Blackburn
Clerk

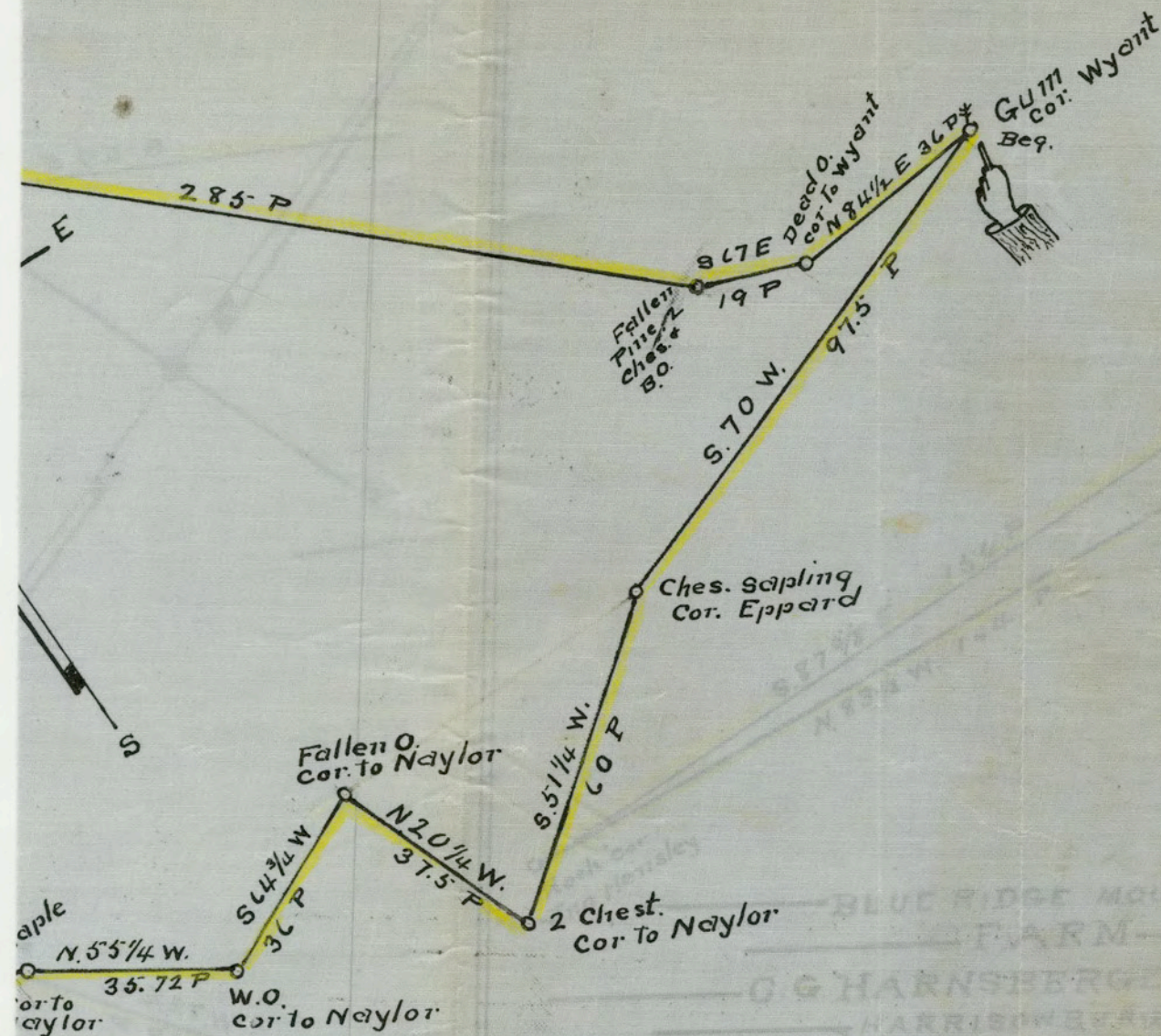
The State Commission on Conser-
vation and Development of the
State of Virginia - Petitioner

vs.: Answer of John A. Alexander

Cassandra Lawson Atkins and
others, and Fifty two Thousand
Five Hundred Sixty One (52,561)
Acres, more or less, of land
in Rockingham County, Virginia.
Defendants

Of this tract approximately 236 Acres
lies within the Park Area.

N.H.S.



BLUE RIDGE MOUNTAIN
FARM
G. G. HARNESBERGER
HARRISONBURG, VA.
ACCORDING TO SURVEY
COMMISSIONERS REPORT
JUNE 17 1903
SCALE 1" = 40'

S. 46 1/2 E.
74 P
stk cor: Wyant
S 12 3/4 E
19 P
stk
cor: H. Wyant

S. 49 E

Cor.
1121 land
ad

Old
land
surveyed
312 A 1 R 16 P
at
L & X.

North
95-32 P

stk
cor: Eddy
Mt.
N. 68 1/2 W.
18.6 P
stk
N. 58 W.
13 P
stk
N. 39 W
18.6 P
Ash slip
N. 39 W.
11.5 P
to Ash slip
in Wolf Run
stk cor to
Naylor
N. 18 W
32 P
2 Walnuts
cor to
Naylor
N. 62 3/4 W.
66 P
2 C.O.
cor to Naylor
N. 72 1/4 W.
48 P

The Commonwealth of Virginia,

To the Sheriff of ^{Roanoke} ~~Augusta~~ County, Greeting :

You are hereby commanded to summon J. A. Finke

to appear before the Circuit Court of Augusta County, at the Court House thereof, on the 25th
day of October 1927, to show cause, if any he can, why he should
not be required to pay the sum of \$187.50 on the purchase of the tract of
land in Rockingham County, Virginia, known as "The Burrows Tract," purchased
by him in the cause of John A. Alexander's Trustees vs John A. Alexander et al.,
pending in said court, and the estimated proportionate share of costs of suit
and sale charged against said tract, and trustees commissions ; or upon his ^{failure} to
do so why the said tract of land should not be re-sold at his risk and costs.

And have then and there this writ. Witness HARRY BURNETT, Clerk of our said Court, at the Court House, the
12th day of October 1927, in the 152nd year of the Commonwealth.

Harry Burnett Clerk.

Filed & marked as by the 1 in Guide & Burrows,
~~11~~

This deed made and entered into this 15th day of January, 1920 ,
by and between R.V.Lancaster, Jr., and Nell Bonner Lancaster, his wife,
parties of the first part and A.J.Burrows, party of the second part,

W I T N E S S E T H

That for and in consideration of the sum of Thirty five Hundred
Dollars (\$3500.00) paid and to be paid as follows, to-wit: Nineteen
Hundred and Eighty-seven Dollars and Fifty Cents (\$1987.50), cash in
hand paid by said party of the second part to said parties of the
first part, the receipt of which is hereby acknowledged, Five Hundred
and Twelve Dollars and Fifty Cents, (\$512.50) is paid by the assumption
by said party of the second part of the payment of a certain bond in
the principal sum of Five Hundred Dollars (\$500.00) with interest
thereon from August 21st, 1919, executed by R.V.Lancaster Jr., and Nell
Bonner Lancaster to Ward Swank, and secured by deed of trust to J.R.
Switzer, Trustee, over the property hereinafter conveyed, recorded
in Deed Book 108 at page 297, in the Clerk's Office of Rockingham
County, Virginia; payment of which said bond and the interest thereon
from August 21st, 1919, said party of the second part hereby expressly
assumes; and the residue of the purchase price, to-wit: One Thousand
Dollars (\$1000.00), is to be paid on the 15th day of January, 1921; which
said deferred payment last mentioned is evidenced by a certain bond in
the sum of One Thousand Dollars (\$1000.00) of even date herewith, executed
by A.J.Burrows to R.V.Lancaster, Jr., bearing interest, payable annually
at 6% per annum from date, and to secure the payment of which said bond
said party of the second part has this day executed to Ward Swank, Trustee,
a deed of trust over the ~~p~~roperty hereinafter conveyed; -----in considera-
tion of which said cash payment, assumption of debt, and execution of bond
said parties of the first part hereby bargain, sell, grant and convey, with
General Warranty of title unto said party of the second part all of
those two certain tracts or parcels of land, situate in Stonewall Magis-
terial District, Rockingham County, Virginia, containing in the aggregate

549 $\frac{1}{2}$ acres, though the same is sold and hereby conveyed in gross and not by the acre, and bounded as follows. TRACT # 1: Beginning at a stake near some tall pines corner to D.P. Shulor and R.V. Lancaster, and running with the latter S. 22 $\frac{3}{4}$ W. 132 poles to a small pine, S. 40 E. 20.85 poles to a stake near several small pines, N. 44 E 100.6 poles to a stake on ridge above Deep, or Stillhouse, Run, N. 39 $\frac{1}{2}$ E. 82 poles to a stake on ridge, corner to Jno. M. Alexander, and with him N. 28 W. 268 poles to a stake on outside line of survey, S 49 W. 16.2 poles to a stake and pile of stones corner to Henry Raines, and with him, S. 74 W. 30 poles to a small white oak near the creek, corner to the said Raines and D.P. Shulor, thence leaving Raines and running with Shulor up the various courses of the creek S. 28 E 180 poles to a stake S. 23 $\frac{1}{2}$ W. 55 poles to the beginning. Containing 100 acres. TRACT # 2 : Beginning at a stake corner to Jno. M. Alexander, along base of mountain N. 39 E. 230 poles to a stake on ridge N. 8 $\frac{1}{2}$ W. (364) poles to a stake N. 67 E. 100.6 poles to a stake on top of bank on North side of Upper Lewis Run, S 52 E 30 poles to a stake, thence leaving said Run and running with the mountain N. 57 E. 180 poles to a stake N. 17 W. 185 poles to a stake on line of Mrs. Walker, and with same S 43 $\frac{1}{2}$ W. 174.2 poles to a stake S. 84 W. 105.5 poles to a stake, S 45 W 49.75 poles to a stake S 9 W 138 poles to a stake, in a bunch of small pines on bank above road, S 43 W 38 poles to a stake, N 52 W 42 poles to a stake on bank above a small drain, N 18 E 40 poles to a stake in edge of Richard Morris's field, and corner to same, thence with Morris N. 72 W 80 poles to a Black Oak, corner to Sam Lewis and Jno. Wheat and with the latter S 52 $\frac{1}{2}$ W 72.2 poles to a stake corner to John Shifflett and with him S. 28 E 80^{***} poles to the beginning. Containing 465 acres. Excepting, however, from the above metes and bounds a certain tract of 15 $\frac{1}{2}$ acres heretofore conveyed by these grantors to John Shifflett by deed dated October 24th, 1916, duly of record in the Clerk's Office of Rockingham County, Virginia, in Deed Book 106 at page 156; which said Shifflett tract

*** S 52 $\frac{1}{2}$ W 20 poles to a stake on Jno. M. Alexander's line, and with him S 28 E 176 poles

is included within the metes and bounds given but is excluded from the present conveyance. The land hereby conveyed is the same land conveyed to R.V.Lancaster, Jr. by A.E. Johnson, Trustee, by deed dated April 14th, 1914, recorded in Deed Book 102 at page 510, in the Clerk's Office of Rockingham County, Virginia, excepting the tract of 15½ acres heretofore conveyed to John Shifflett and above referred to. Reference to all of the aforesaid deed is here made. A road way is hereby reserved for the County Road along the present location, or other location that may be agreed upon.

Witness the following signatures and seals.

R.V.Lancaster, Jr. (SEAL)

Nell Bonner Lancaster (SEAL)

\$3.00 in Stamps

State of Virginia, City of Suffolk, to-wit:

I, Pym Wilson, a Notary Public in and for the County and State aforesaid, whose term of office expires on the 3rd day of March, 1923, hereby certify the R.V.Lancaster, Jr., and Nell Bonner Lancaster, his wife, whose names are signed to the foregoing deed bearing date of January 15th, 1920, have personally appeared before me in my said County and acknowledged the same. Given under my hand this 17th day of January, 1920

Pym Wilson, N.P.

Virginia: In the Clerk's Office of the Circuit Court of Rockingham County, The foregoing deed of bargain and sale was this day presented in the office aforesaid, and is, together with the certificate of acknowledgment annexed, admitted to record this 28 day of January, 1920.

Teste: J.F. Blackburn, Clerk

A Copy:

Teste: Anna Harrison, Dep. Clerk.

Lined & marked as Ex #2 in Link & Burrows

This deed made the 14th day of October, 1918, between Charlton A. Alexander and Helen S. Alexander, husband and wife, and James A. Alexander and Mildred T. Alexander, husband and wife, all parties of the first part and A. J. Burrows and J. A. Finke, trading as Burrows & Company, parties of the second part,

W I T N E S S E T H:

That for and in consideration of One Thousand Dollars (\$1000.00) of which \$200.00 is paid in cash, and the balance is evidenced by the five (5) notes of the parties of the second part for \$160.00 each, of even date herewith, and due respectively one each year for five (5) years after date, and bearing interest at the rate of 6% per annum, payable annually, receipt of all of which consideration is hereby acknowledged, the said Charlton A. Alexander, Helen S. Alexander, James A. Alexander and Mildred T. Alexander, parties of the first part, do grant, sell and convey with covenants of general warranty unto A. J. Burrows and J. A. Finke, trading as Burrows & Company, parties of the second part, all of a certain tract or parcel of land situated in Rockingham County, State of Virginia, known as a part of the Mt. Vernon Tract of land, and being a part of the same land conveyed to A. E. Johnson, Trustee, by Jacob Yost, Trustee et al, by deed dated the 17th day of May, 1913, and duly recorded in deed book 137 at page 338 of the Circuit Court Clerk's Office of Augusta County, Virginia, and bounded as follows: viz: Beginning at a stone corner to Wheat S-49-W 32.2 poles to a stake corner to R. V. Lancaster, Jr., and with him S-28-268 poles to a stake, N. 39½ E. 65 poles to a stake on side of ridge, N-28 W. 256 poles to a stake on Wheat's line, and with the same S-52½-W. 27½ poles to the beginning, containing 100 acres, more or less. A roadway is hereby reserved for the County road along the present location or other location that might be agreed upon. The parties of the first part covenant that they are seized in fee simple of said land, and have the right to convey the same; that they have done no act to encumber the same; that the grantees shall have quiet and peaceful possession, free from all encumbrances;

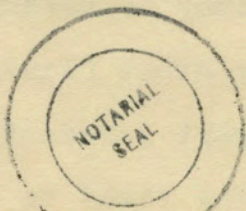
and that they will make such further assurances of title as may be requisite. A vendor's lien is hereby specifically retained to secure the prompt payment of the principal and interest of the said notes according to their tenor and effect; it being understood and agreed, in and for the said consideration, that if default is made in the payment of any of the said notes or interest thereon, that the holder thereof may declare all of the remaining notes due and at once payable.

Witness the following signatures and seals this
October 14, 1918.

	Charlton A. Alexander	(SEAL)
	Helen S. Alexander	(SEAL)
(\$1.00) in stamps)	James A. Alexander	(SEAL)
	Mildred T. Alexander	(Seal)

State of Mississippi
County of Hinds
City of Jackson

I, the undersigned Notary Public in and for the above named city, county and state, certify that Charlton A. Alexander, Helen S. Alexander, James A. Alexander and Mildred T. Alexander, whose names are signed to the writing herein, bearing date of October 14th, 1918, have this day acknowledged the same before me, as their own act and deed, in my said county. Witness my hand and seal this October 21st 1918.



L. Barrett Jones

Notary Public

My commission expires Dec. 20, 1918.

Virginia: In the Clerk's Office of the Circuit Court of Rockingham
This Deed from Charlton A. Alexander &c to A.J. Burrows &c was this
County, Oct. 29, 1918, day presented in the office aforesaid, and is
together with the certificate of acknowledgement annexed admitted
to record.

Teste: J.F. Blackburn Clerk

Release

The five(5) notes for \$160 each, mentioned and described
in the annexed deed, and secured by lien therein retained, were
assigned to John M. Alexander, and have now been fully paid to him
as such assignee, and I hereby release the said lien as to said
five notes this 17th day of May 1921.

J.M. Alexander by

Teste: J. Robert Switzer, D.C.

Ward Swank, Atty.

A COPY:

Teste: Anna Harrison, Deputy Clerk.

49
C O P Y

IN THE CIRCUIT COURT OF AUGUSTA COUNTY, VIRGINIA:

Alexander, J. A.'s Trustees,

v.

DECREE

Alexander, J. A., et als.

This cause came on this day to be heard upon the papers formerly read and the report of the Trustees of the sale of the office building, personal property therein contained, and the Burrows tract in Rockingham County, and was argued by counsel.

And it appearing to the Court from the said report of the Trustees that the prices obtained are fair and adequate, the sales therein reported on:-

1. The office building for \$42010.00 to the Board of Supervisors of Augusta County.
2. The Office equipment for \$225.79, and
3. The A. H. Burrows tract in Rockingham County for \$2000.00 to J. A. Fink.

And it further appearing that the purchasers have complied with the terms of sale, except that the Board of Supervisors have elected to pay cash for the office building purchased by them, it is adjudged ordered and decreed that the sales to the aforementioned purchasers, be, and the same are hereby confirmed.

And it further appearing to this Court that J. A. Fink bought in the Burrows tract in Rockingham County for the sum of \$2000.00 to protect a debt owed to him on the property and secured by a vendor's lien on the said property, it is adjudged ordered and decreed that J. A. Fink do pay into the hands of the Trustees the sum of \$187.50 for his estimated proportionate share of the court

costs which was charged against the Burrows tract, and the Trustees' commissions and the costs of the sale of that property.

It is further adjudged ordered and decreed that the Trustees, Curry Carter and Thos. R. Nelson, do forthwith proceed, according to the report of the Master Commissioner in this cause, to disburse the funds they now have in hand arising from the sale of the McComb Orchard, the office building, the personal property sale of the office equipment of J. A. Alexander, the timber sold to J. C. Robertson heretofore reported in this cause, and the apple crop sold off the Hancock place, heretofore reported.

And it is further adjudged ordered and decreed that the said Curry Carter and Thos. R. Nelson, Trustees, do make deed to the Board of Supervisors of Augusta County, and upon the payment of the costs of sale and costs of suit and Trustees' commissions, that they do execute a deed to J. A. Fink for the Burrows tract in Rockingham County, and for the drawing and executing of the above deeds they are to receive the sum of \$7.50 for each deed drawn.

It is further adjudged ordered and decreed that this cause be referred back to the Master Commissioner to determine the proportion of the costs incurred in this suit that ought to be charged against the various funds arising from the sale of the properties heretofore sold.

VIRGINIA:

IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY

The State Commission on Conservation
and Development of the State of
Virginia,

Petitioner,

vs.

Cassandra Lawson Atkins et als and
52 561 acres, more or less, of land
in Rockingham County, Virginia,

Defendant.

CASE NO. 1829 AT LAW

This day came George B. White, one of the Special Commissioners appointed by this court in the consolidated causes of Saunders vs. Alexander, etc., and on his motion, the court doth adjudge, order and decree that the said Commissioners be, and they are hereby, allowed until March 18, 1931, to file their answer to the petition in this matter.

*Answer
filed 3/12/31*

*ent
HUBB*

*19
/ 162*

VIRGINIA:

IN THE CIRCUIT COURT
OF ROCKINGHAM COUNTY

The State Commission on
Conservation and Development
of the State of Virginia

vs.

Cassandra Lawson Atkins et
als and 52 561 acres, more
or less, of land in Rockingham
County, Virginia.

*Look for them
Geo. B. Hill
Special Commissioner*

*Filed
Nov. 18, 1931*

IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY, VIRGINIA, No. 1829 at Law

The State Commission on Conservation
and Development of the State of Virginia

PETITIONER

vs

Cassandra Lawson Atkins and others, and
Fifty two Thousand Five Hundred Sixty One
(52,561) Acres, more or less, of land in
Rockingham County, Virginia.

DEFENDANTS

The undersigned, in answer to the petition of the State Commission on Conservation and Development of the State of Virginia and in response to the notice of condemnation awarded upon the filing of said petition and published in accordance with the order of the Circuit Court of Rockingham County, Virginia, and by special leave of said court, in its order rendered on the 18th day of February, 1931, asks leave to file this his answer to said petition

and to said notice, *and requests to be made party defendants to these proceedings*

The name of the Petitioner is Kanawha National Bank of Charleston, West Virginia, in care of F. S. Tavenner, agent and attorney for said bank, with address at Woodstock, Virginia.

The undersigned respectfully states that it has a right interest and judicially determined lien, to and upon that certain tract of land lying and being in Rockingham County, Virginia, within the area sought to be condemned and known as the Mount Vernon tract, containing about Twenty Two Thousand Seven Hundred (22,700) acres, more or less, in fee, and the mineral rights in Fifteen Hundred (1500) acres, contiguous to, or adjacent the Mount Vernon tract of real estate.

The undersigned states that the metes and bounds of said land are shown by plat of survey of said Mount Vernon tract in the possession of petitioner; that petitioner has in its possession full information of the true lines of said land and the acreage therein contained.

The undersigned states that he is advised and believes that the total value of said land and mineral right is in excess of \$125,000.00; that ~~there are other valid liens against said land for large sums of money, to-wit: \$75,000.00~~ *the amount of lien of undersigned is in excess of \$10,000.00* and that the value of said land and mineral rights sought to be condemned and taken by petitioner is a sum in excess of all valid liens against the same.

The undersigned reserves all rights given to it by the condemnation Statute, and reserves the right to demand a jury to be impanelled for ultimate determination of the value of said land and mineral rights.

Given this 18th day of November, 1931.

*Kanawha National Bank of
Charleston, West Va.
Caj. F. S. Tavernner, Jr. Atty and
Agent*

The State of Virginia,
County of Rockingham, to-wit:

The undersigned hereby certifies that F. S. Tavernner, of Woodstock, Virginia, agent and attorney for above mentioned claimant, personally appeared before her and made oath that the matters and things in the above answer, are true to the best of his knowledge and belief.

Given this 18th day of November, 1931.

*Margie Bauers, Deputy Clerk
Rockingham County, Va.*

Filed in the Clerk's Office
Rockingham County, Va.

NOV 20 1931

J. Robert Smith Clerk

IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY, VIRGINIA, No. 1829 at Law

The State Commission on Conservation
and Development of the State of Virginia

PETITIONER

vs

Cassandra Lawson Atkins and others, and
Fifty Two Thousand Five Hundred Sixty One
(52,561) Acres, more or less, of land in
Rockingham County, Virginia.

DEFENDANTS

The undersigned, Special Commissioners, appointed by the Circuit Court of Rockingham County, Virginia, by decree entered in said cause, on the 25th day of July, 1930, and subsequent decrees in the causes of the Home Building and Loan Association, a corporation, vs. John A. Alexander and others; Wallace C. Saunders vs. John A. Alexander and others; Commonwealth of Virginia vs. John A. Alexander and others, in answer to the petition of the State Commission on Conservation and Development of the State Commission of Virginia and in response to the notice of condemnation awarded upon the filing of said petition and published in accordance with the order of the Circuit Court of Rockingham County Virginia, and by special leave of said court, in its order rendered on the 18th day of February, 1931, asks leave to file this their answer to said petition and to said notice.

The undersigned respectfully state as special commissioners they have certain rights in that certain tract of land lying and being in Rockingham County Virginia, within the area sought to be condemned and knownⁿ as the Mount Vernon Tract, containing about Twenty Two Thousand Seven Hundred (22,700) acres, more or less, in fee, and the mineral rights in Fifteen Hundred (1500) acres, contiguous to, or adjacent the Mount Vernon tract of real estate.

The undersigned state that the metes and bounds of said land are shown by plat and survey of said Mount Vernon tract filed in these proceedings, which plat and survey gives information of the true lines of said land and the acreage therein contained.

The undersigned states that they are advised and believe that the total value of said land and mineral right is in excess of \$125,000.00; that there are valid liens against said land for large sums of money: approximately \$90,000.00, and that the value of said land and mineral rights sought to be condemned and taken by petitioner is a sum in excess of all valid liens against the same.

Given this 18th day of November, 1931.

F. S. Tavernner, Jr.

Walter A. Williams Jr.

George B. White

Geo. E. Walker

Special Commissioners

The State of Virginia,
~~County of Rockingham,~~ to-wit:
City of Harrisonburg

The undersigned hereby certifies that F. S. Tavernner Jr., George E. Walker, Walter A. Williams Jr., and George B. White, Special Commissioners, personally appeared before me in my ~~county~~ ^{city} aforesaid, and made oath that the matters and things in the above answer, are true to the best of their knowledge and belief.

Given this 19th day of November, 1931.

Ethel Lewis, N. P.
City of Harrisonburg Va.

LAW OFFICES
FRANK S. TAVENNER, JR.
WOODSTOCK, VIRGINIA

Nov. 20, 1931.

Mr. J. Robert Switzer, Clerk,
Harrisonburg,
Virginia.

Dear Bob:

I obtained from the Clerk's Office for use in the condemnation proceeding the claim filed in behalf of John A. Alexander in law case 1829, as well as the claim of Wallace C. Saunders. When the Commission adjourned yesterday afternoon, the Clerk's Office was closed. I am, therefore, forwarding to you these two claims.

I am likewise inclosing claims to be filed in the said cause by State Planters Bank & Trust Company and the Commissioners of the Court in the Alexander case. Will you please mark these two latter claims filed?

With kindest regards, I am

Yours very truly,

F. S. Tavenner, Jr.

Inc. 4
FSTJr:G

IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY, VIRGINIA, No. 1839, at Law

Filed in the Clerk's Office
Rockingham County, Va.

NOV 21 1981

The State Commission on Conservation and
development of the State of Virginia

Robert S. Smith Clerk
PETITIONER

vs

Cassandra Lawson Atkins and others, and
Fifty Two Thousand Five Hundred Sixty One
(52,561) Acres, more or Less, of Land in
Rockingham County, Virginia.

DEFENDANTS

The undersigned, in answer to the petition of the State Commission on Conservation and Development of the State of Virginia, and in response to the notice of condemnation awarded upon the filing of said petition and published in accordance with the order of the Circuit Court of Rockingham County, Virginia, and by special leave of said court, in its order rendered on the 18th day of February, 1931, asks leave to file this their answer to said petition and to said notice.

The name of the Pettitioners are The National Bank and Trust Company of Charlottesville, Virginia, and Ida Irene Feuchtenberger, representatives of the estate of E. W. Feuchtenberger, in care of George E. Walker, attorney for said representatives, whose address is Charlottesville, Virginia.

The undersigned respectfully states that they have a right, interest and judicial determined lien of \$10,500.00, with interest thereon, from September 8, 1924, to and upon that certain tract of land lying and being in Rockingham County, Virginia, within the area sought to be condemned and known as the Mount Vernon tract, containing about Twenty Two Thousand Seven Hundred (22,700) acres, more or less, in fee, and the mineral rights in Fifteen Hundred (1500) acres, contiguous to, or adjacent the Mount Vernon tract of real estate.

The undersigned states that the metes and bounds of said land are shown by plat and survey of said Mount Vernon tract in the possession of petitioner, and now filed in these proceedings which gives information of the true lines of said land and the acreage therein contained.

The undersigned states that they are advised and believe that the total value of said land and mineral right is in excess of \$90,000.00; that there are valid liens against said land for large sums of money, approximately \$90,00.00, and the value of said land and mineral rights sought to be condemned and taken by petitioner in excess of all valid liens against same.

Given this 19th. day of November, 1931.

Geo. E. Warr

Attorney for National Bank and Trust Co.
of Charlottesville, Virginia and Ida Irene
Feuchtenberger, Representatives of Estate
of E. W. Feuchtenberger, deceased.

Subscribed and sworn to before me this 20th day of
November, 1931.

Clara C. Ward

Notary Public for Albemarle County

My commission expires on the 26th day of April, 1934.

NOV 20 1931

J. Robert Smith Clerk

IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY, VIRGINIA, No 1829 at Law

The State Commission on Conservation
and Development of the State of Virginia.

PETITIONER

vs

Cassandra Lawson Atkins and others, and
Fifty Two Thousand Five Hundred Sixty One
(52,561) acres, more or less, of land in
Rockingham County, Virginia.

DEFENDANTS

The undersigned, in answer to the petition of the State Commission on Conservation and Development of the State of Virginia, and in response to the notice of condemnation awarded upon the filing of said petition and published in accordance with the order of the Circuit Court of Rockingham County, Virginia, and by special leave of said court, in its order rendered on the 18th day of February, 1931, asks leave to file this its answer to said petition and to said notice.

The name of the Petitioner is, State-Planters Bank and Trust Company, of Richmond Virginia, in care of Walter A. Williams Jr., attorney for said bank, with address, 1101 East Main Street, Richmond Virginia.

The undersigned respectfully states that it has a right, interest and judicially determined lien of \$13,000.00, with interest thereon, from September 8, 1924, to and upon that certain tract of land lying and being in Rockingham County, Virginia, within the area sought to be condemned and known as the Mount Vernon tract, containing about Twenty Two Thousand Seven Hundred (22,700) acres, more or less, in fee, and the mineral rights in Fifteen Hundred (1500) acres, contiguous to, or adjacent the Mount Vernon tract of real estate.

The undersigned states that the metes and bounds of said land are shown by plat of survey of said Mount Vernon tract in the possession of petitioner: that petitioner has in its possession full information of the true lines of said land and the acreage therein contained.

The undersigned states that it is advised and believes that the total value of said land and mineral right is in excess of \$125,000.00: that there are valid liens against said land for large sums of money: approximately \$90,000.00, and that the value of said land and mineral rights sought to be condemned and taken by petitioner is in excess of all valid liens against the same.

Given this 18th day of November, 1931.

State Planters Bank & Trust Co.
by Walter A. Williams, Jr.
Att.

The State of Virginia,
City *Harrisonburg*
~~County~~ of ~~Rockingham~~,

to-wit:

The undersigned hereby certifies that Walter A. Williams Jr., of Richmond Virginia, attorney for above mentioned claimant, personally appeared before me and made oath that the matters and things in the above answer, are true to the best of his knowledge and belief.

Given this 19th day of November, 1931.

Ethel Lewis, N. P.
City of Harrisonburg, Va.

IN THE CIRCUIT COURT OF ROCK-
INGHAM COUNTY, VIRGINIA.

The State Commission on Con-
servation and Development of
the State of Virginia

Petitioner

v. AT LAW no. 1829

Cassandra Lawson Atkins and
others and Fifty-two Thous-
and and Five Hundred Sixty-
One (52,561) Acres of land,
more or less, in Rockingham
County, Virginia

Defendants

O R D E R

We ask for this:

*Dr. H. M. Leighton
Herbert Taylor
Geo. E. Walker
Wm. A. Williams Jr.
T. S. Tamm, Jr.
George B. White*

IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY, VIRGINIA:

The State Commission on Conservation and Development
of the State of Virginia - - - - - Petitioners
v. AT LAW NO. 1829
Rockingham County, Va.

NOV 21 1933

Cassandra Lawson Atkins and others and Fifty-two Thous-
and and Five Hundred Sixty-One (52,561) Acres of Land,
more or less, in Rockingham County,
Virginia - - - - - Defendants.
J. Robert Smith Clerk

To the Honorable H. W. Bertram, Judge of the said Court:

Your petitioners respectfully represent unto your Hon-
or that there is now depending in the Circuit Court of Rockingham
County on the chancery side thereof three certain causes under the
name and style of Wallace C. Saunders, suing on behalf of himself
and all other creditors, Complainant, v. John A. Alexander et als.,
Defendants, Home Building and Loan Association, Complainant, v. John
A. Alexander et als., Defendants, Commonwealth of Virginia, Com-
plainant, v. John A. Alexander et als., Defendants, which said chan-
cery causes by proper decree of the court are being heard together.

Your petitioners further show that the State Commis-
sion on Conservation and Development of the State of Virginia insti-
tuted condemnation proceedings for the purpose of condemning the
said real estate for National Park purposes. Your petitioners are
now informed that an order in the nature of a judgment in rem was
this day entered by this court in the said condemnation proceedings,
condemning to the use of the State Commission on Conservation and
Development of the State of Virginia, in fee, a tract of 19,554 acres,
a part of the land in the bill and proceedings mentioned, known as
the Mount Vernon Tract, and ascertained and determined the value of
the fee simple estate together with the amount of the incidental dam-
ages resulting from the condemnation thereof to be Forty-five Thous-
and Seven Hundred Dollars (\$45,700.00), the tract so condemned being
designated in the said order as tract No. 326.

Your petitioners aver that those who appear to have any claim of right, title, estate or interest in or to any of the lands condemned as Tract No. 326 or to the proceeds arising out of the condemnation thereof or to the incidental damages arising from such condemnation as set forth in the said report filed by special investigators and the Board of Appraisal Commissioners, appointed herein, after diligent search made for such persons as set out in said report, have been judicially determined to be those parties set out in the report of Laird L. Conrad filed in the said consolidated causes and dated March 15th, 1933, as amended and modified by agreement and supplemental agreement between certain of the parties to the said cause bearing date the 26th day of October, 1931, and the 3rd day of November, 1931, respectively, approved and directed to be confirmed by order of the Supreme Court of Appeals of Virginia entered therein on the 12th day of November, 1931.

Your petitioners further aver that the record in this proceeding does not disclose any denial or dispute by any party or person in interest of such averments, statements or charges as are set forth in this petition.

Wherefore, your petitioners aver that the said parties judicially determined by the report of Laird L. Conrad as amended and modified by agreement and supplemental agreement as hereinabove set forth, to be the only persons having any claim of right, title, estate or interest in the proceeds of the sale of the real estate condemned herein as tract No. 326, are entitled to receive the award of \$45,700.00 adjudged to be paid in this condemnation proceeding for said tract No. 326, and that the said award should be forthwith paid by the Treasurer of the State of Virginia to the Circuit Court of Rockingham County, Va., and placed to the credit of the court in said consolidated causes to be paid and distributed by the Clerk of said court under the future order of the court in said consolidated causes, but before distribution is made in the said consolidated causes, all taxes due and unpaid on said real estate designated as

as Tract No. 326, shall be paid.

The prayer of this petition is, therefore, that the court enter an order in this case directing that the aforesaid award be paid forthwith in accordance with the provisions of the statute in such cases made and provided.

Respectfully submitted.

Wallace C. Saunders
By Geo. B. White,
Counsel.

National Bank & Trust Co. of Charlottesville Va
and Ida L. Feuchtenberger Exors of E. W
Feuchtenberger

By Geo. E. Walker. Counsel.
Horne Bldg Loan Assn,
By Geo. H. Peyton & Herbert J. Taylor
Counsel

State-Planters Bank & Trust Company
by Walter A. Williams, Jr.
Counsel

Kanawha National Bank of
Charleston, West Virginia.
by: H. S. Tammes, Jr.
Counsel.

IN THE CIRCUIT COURT OF ROCK-
INGHAM COUNTY, VIRGINIA

The State Commission on Con-
servaion and Development
Petitioner

V. AT LAW NO. 1829

Cassandra Lawson Atkins and
others and Fifty-two Thous-
and and Five Hundred Sixty-
one (52,561) Acres of Land
more or less, in Rockingham
County, Virginia

Defendants

P E T I T I O N

IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY, VIRGINIA:

The State Commission on Conservation and Development
of the State of Virginia - - - - - Petitioner

v. AT LAW NO. 1829 ORDER

Cassandra Lawson Atkins and others and Fifty-two
Thousand and Five Hundred Sixty-One (52,561) Acres
of Land, more or less, in Rockingham County,
Virginia - - - - - Defendants

21st day of November 1933

This ~~day~~ came Home Building & Loan Association, Kanawha
National Bank of Charleston, West Virginia, the National Bank of
Charlottesville, and Ida I. Feuchtenberger, Executors of E. W. Feuch-
tenberger, deceased, State-Planters Bank and Trust Company and Wal-
lace C. Saunders, by counsel, and by leave of court filed their pe-
tition herein, dated the 2nd day of November, 1933.

Upon consideration whereof, it appearing to the court
that a judgment was entered in this proceeding on the 2nd day of
November, 1933, condemning to the use of the State Commission on
Conservation and Development of the State of Virginia, in fee, a
tract of 19,554 acres, known as the Mount Vernon Tract, and desig-
nated in the order of judgment as Tract No. 326, it being a part of
the land described in the bill and proceedings hereinafter men-
tioned, which ascertained and determined value of the fee simple es-
tate, together with the amount of the incidental damages resulting
from the condemnation thereof, was \$45,700.00.

And it further appearing from the petition and the
record that those who have any claim of right, title, estate or
interest in or to any of the lands condemned, as Tract No. 326, or
to the proceeds arising ^{out of the} ~~from the~~ condemnation thereof or to the
incidental damages arising from such condemnation are those parties
included among the parties to the consolidated causes, under the
name and style of Wallace C. Saunders, suing on behalf of himself
and all other creditors, Complainant, v. John A. Alexander et als.,

Defendants, Home Building & Loan Association, Complainant, v. John A. Alexander et als., Defendants, Commonwealth of Virginia, Complainant, v. John A. Alexander et als., Defendants, and whose claims are audited and reported by L. L. Conrad, Commissioner in his report dated the 15th day of March, 1935, and filed in said consolidated causes, as amended and modified by agreement and supplemental agreement between certain of the parties of the said causes bearing date the 26th day of October, 1931, and the 3rd day of November, 1931, respectively, approved and directed to be confirmed by order of the Supreme Court of Appeals of Virginia, entered therein on the 12th day of November, 1931, it is accordingly so adjudged, ordered and decreed.

And it further appearing to the court that the record in this proceeding does not disclose any denial or dispute by any party or person in interest as to the title to said Tract No. 326 or to the proceeds arising from the condemnation thereof; and that it is proper to make payment of the said award of \$45,700.00 to the Circuit Court of Rockingham County, Virginia, to be placed to the credit of said court in the said consolidated causes for administration and distribution under the order of the said court to be made in said consolidated causes, it is therefore further adjudged, ordered and decreed that the said award of \$45,700.00 be ~~paid~~ paid by the Treasurer of the State of Virginia to the Circuit Court of Rockingham County, Virginia, and placed to the credit of the said Court in said consolidated causes, to be distributed by the Clerk of the said Court under the future order of the court in said consolidated causes, but before distribution of said award of \$45,700.00 is made by order of the court in said consolidated causes, all taxes due and unpaid on the said tract No. 326 shall be paid, *It is ordered that a certified copy of this order be transmitted by the Clerk of this court to the Treasurer of Virginia for his authority to act hereunder,*

Ent
RWB

70/37

CASE NO. 1829 AT LAW

Filed in the Clerk's Office
Rockingham County, Va.

SEP 28 1932

Robert Lutz Clerk

VIRGINIA:

IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY

The State Commission on Conserva-
tion and Development of the State
of Virginia,

Petitioner,

vs.

Cassandra Lawson Atkins et als and
52,561 acres, more or less, of land
in Rockingham County, Virginia,

Defendant.

Exceptions of Wallace C. Saunders to
the report of the Board of Appraisal
Commissioners and Special Investiga-
tors filed in this proceeding in the
Clerk's Office of this court on the
2nd day of August, 1932.

Exceptions taken by the defendant, Wallace C. Saunders,
who has a right, interest and judicially determined lien in, to
and upon that certain tract of land lying and being in Rockingham
County, Virginia, within the area sought to be condemned and
known as the Mount Vernon tract, containing about 21,000 acres,
to the report of the Board of Appraisal Commissioners and Special
Investigators, which was filed in this proceeding in the Clerk's
Office of this court on the 2nd day of August, 1932, which said
report sets out, among other things, the findings of the said
Board of Appraisal Commissioners of the facts of value of the
various parts of land of divers ownerships within the area sought
to be condemned.

The said defendant ^{and} exceptant, Wallace C. Saunders,
excepts to the said report of the Board of Appraisal Commissioners
and Special Investigators, filed in this cause, upon the follow-
ing grounds:

*Withdrawn by leave of Court
Dec. 5, 1932. See Common
Law Order # 19, page 465.
W. Saunders, D.C.*

1st. That under the provisions of Chapter 410, Section 12 of the Act of the General Assembly of the State of Virginia, approved March 23, 1928, this defendant and exceptant, who, being entitled to be heard, had the right to demand, and he did demand that the value of said land and all interest in and right proposed to be condemned and taken by petitioner be submitted to and ascertained by a jury under instructions of the court, upon the law and upon the relevancy and the legal effects of evidence, in the same manner as is usual and customary in jury trials in cases at law, without the necessity of a view of the premises by the jury.

2nd. That the findings of the said Board of Appraisal Commissioners of the facts of value of the said parcel of land wherein this defendant and exceptant had interest, were based upon proceedings, testimony, hearings and acts, which this defendant and exceptant states although not intended as actual fraud and partiality, constituted in law and fact fraud, partiality and gross error.

3rd. That the proceedings, hearings and testimony authorized and directed to be found under the said Act of the General Assembly of Virginia of 1928, ^{Chapter} section 410, are contrary to the rights of this defendant and exceptant under the provisions of the Constitution of the State of Virginia and of the United States.

Wherefore this defendant and exceptant prays that the court decline to accept, disapprove and set aside all finding or findings of fact or facts relating to and concerning the land or lands in and to which this defendant and exceptant has rights and interests, as contained in the said report ~~by~~ the Board of Appraisal Commissioners and Special Investigators, and

VIRGINIA:
IN THE CIRCUIT COURT OF ROCKING-
HAM COUNTY

CASE NO. 1829 AT LAW

The State Commissioner on Con-
servation and Development of
the State of Virginia

vs.

Cassandra Lawson Atkins et als
and 52,561 acres, more or less,
of land in Rockingham County,
Virginia.

Exceptions of Wallace C. Saunders
to the report of the Board of
Appraisal Commissioners and Spec-
ial Investigators filed in this
proceeding in the Clerk's Office
of this court on the 2nd day of
August, 1932.

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Geo B White
att'y for Wallace C. Saunders

Geo B White
Counsel for
Wallace C. Saunders

Wallace C. Saunders
By Counsel

that the rights and interests of this defendant and exceptant
in and to the said land be submitted to and ascertained by a
jury under the provisions of Section 12 of the said Act.

CASE NO. 1829 AT LAW

VIRGINIA:

IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY

The State Commission on Conservation and Development of the State of Virginia,

Petitioner,

vs.

Cassandra Lawson Atkins et als and 52,561 acres, more or less, of land in Rockingham County, Virginia,

Defendant.

This day came Wallace C. Saunders, by his attorney, and prayed leave to withdraw the exceptions of Wallace C. Saunders to the report of the Board of Appraisal Commissioners and Special Investigators, filed in this proceeding in the Clerk's Office of this court on the 2nd day of August, 1932, which leave is granted and the said exceptions are accordingly withdrawn.

cut HUB

19 / 465 12/5/32

VIRGINIA:

IN THE CIRCUIT COURT OF
ROCKINGHAM COUNTY

The State Commission on Con-
servation and Development of
the State of Virginia

vs.

Cassandra Lawson Atkins et als
and 52,561 acres, more or less,
of land in Rockingham County,
Virginia.

CASE NO. 1829 AT LAW

Order permitting withdrawal of
exceptions of Wallace C. Saunders

*Order for entry
of judgment
for Wallace C. Saunders*

IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY, VIRGINIA

The State Commission on Conservation
and Development of the State of Virginia

vs.

Cassandra Lawson Atkins and others, and
52,561 acres, more or less, of land in
Rockingham County, Virginia.

Upon the motion of Annie Laurie Baugher, by counsel, leave is hereby given
her to withdraw the exceptions filed by her to the report of the Board of Appraisal
Commissioners and the same is accordingly done.

Enter:

AWB

Judge

11/4/32

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WALKER & TIMBERLAKE

ATTORNEYS AT LAW

CHARLOTTESVILLE, VIRGINIA

GEO. E. WALKER
L. CAPERTON BEIRNE, JR.
CHARLOTTESVILLE, VA.

S. D. TIMBERLAKE, JR.
STAUNTON, VA.

December 19, 1933

Judge H. W. Bertram
Harrisonburg
Virginia

Dear Judge:

I am herewith enclosing you an order to be entered in the case of State Commission on Conservation, etc., v. Atkins, etc., along with copy of letter from Mr. George B. White, of Richmond, Va., which is self explanatory.

I have written to Messrs. Taylor and Peyton, of Staunton, Va., and also Mr. Frank S. Ravenner, of Woodstock, Va., asking that they immediately communicate with you and give their approval.

With regards, I am

Very truly yours,

G. E. Walker

GEW-CWL

P. S. Won't you please insert in the order the name of the Bank in which the money is to be deposited.

G. E. W.

December 16, 1933

Mr. George E. Walker
Charlottesville, Va.

Dear George:

Mr. Walter Williams and I had a talk with Mr. John Purcell, State Treasurer, and Major Gibson and Mr. Collins Denny, assistants to the Attorney-General, about the order entered in the park cases November 21, 1933, directing that the award of \$45,700.00 be forthwith paid by the treasurer of the State of Virginia to the Circuit Court of Rockingham County, Virginia, and placed to the credit of said Court in said consolidated causes.

In view of the language of the order, Major Gibson and Mr. Collins Denny thought that this order should be amended or supplemented by a further order directing in what place or bank the award should be deposited. This is in effect my suggestion made in a letter to you sometime ago that we should have a further order entered in this cause.

You will note that the order provides: "It is therefore further adjudged, ordered and decreed that the said award of \$45,700.00 be forthwith paid by the Treasurer of the State of Virginia to the Circuit Court of Rockingham County, Virginia, and placed to the credit of the said Court in said consolidated causes - - -". This language is construed as requiring the Treasurer to place the fund to the credit of the Court in said causes, but does not direct where or in what bank. When the order was drawn, this was not an oversight on our part, but we were ignorant as to whether the fund would be set up in the Treasurer's office to the credit of the Court in said causes. As soon as we can get award to the credit of the court in said causes, a check will be forthwith drawn and deposited as directed.

If you and Mr. Tavenner think proper, you might send a copy of my letter to Judge Bertram and, no doubt, he would enter a nunc pro tunc order (whatever that is) which would cover the suggestions of the assistants of the Attorney-General.

When Major Gibson first took the matter up with me, he was under the impression that until the money was distributed to the parties entitled thereto, there might be some question of liability on the State in the event all or any part of the fund was lost, and suggested that said fund should be well secured. Mr. Gibson and Mr. Denny have waived raising any question as to insuring the fund, but, of course, it is to our material interest to see that

-2-

the fund is placed in some good solvent bank, preferably a National Bank.

I am ready to cooperate with you and Mr. Tavenner at any time in preparing an order in the Alexander cases ordering distribution of the fund.

With best wishes, I am

Yours truly,

GEO. B. WHITE

IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY, VIRGINIA:

The State Commission on Conservation and Development
of the State of Virginia - - - - - Petitioner

vs.

AT LAW NO. 1829

ORDER

Cassandra Lawson Atkins and others and Fifty-two
Thousand and Five Hundred Sixty-One (52,561) Acres
of Land, more or less, in Rockingham County,
Virginia - - - - - Defendants

This cause came on this day to be again heard upon
the papers formerly read, and was argued by counsel.

It appearing to the court that on the petition of
Home Building and Loan Association, Kanawha National Bank, of
Charleston, West Virginia, the National Bank of Charlottesville
and Ida I. Feuchtenberger, Executors of E. W. Feuchtenberger,
deceased, State-Planters Bank and Trust Company and Wallace C.
Saunders, dated the 2nd day of November, 1933, and filed by
leave of court under order entered in this cause on November 21,
1933, in which said order entered on November 21, 1933, the
court did adjudge, order and decree that the award of \$45,700.00
be forthwith paid by the Treasurer of the State of Virginia, to
the Circuit Court of Rockingham County, Virginia, and placed to
the credit of said court, in said consolidated causes, to be
distributed by the Clerk of the said court under the further
order of the court in said consolidated causes.

And it further appearing to the court from statement
of counsel that the Treasurer of Virginia interprets the said
order as being mandatory on him, and it appearing that the said
order does not designate where the said award of \$45,700.00

shall be placed or deposited to the credit of the said court in said consolidated causes, it is adjudged, ordered and decreed that said award of \$45,700.00 be forthwith paid by the Treasurer of the State of Virginia to the Circuit Court of Rockingham County, Virginia, and placed in First National Bank of Harrisonburg Virginia to the credit of said court in said consolidated causes, under the name and style of Wallace C. Saunders, suing on behalf of himself and all other creditors, Complainant, v. John A. Alexander et als., Defendants, Home Building & Loan Association, Complainant v. John A. Alexander et als., Defendants, Commonwealth of Virginia, Complainant, v. John A. Alexander et als., Defendants, to be distributed by the Clerk of the Circuit Court under the future order of the court, to be entered in said consolidated causes.

It is further ordered that the Clerk of this court do forthwith mail a certified copy of this order to the Treasurer of Virginia, at Richmond, Virginia.

Ent
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12/21/33

VIRGINIA:

IN THE CIRCUIT COURT OF
ROCKINGHAM COUNTY

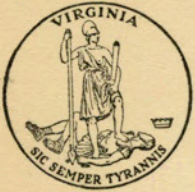
The State Commission on Conser-
vation and Development of the
State of Virginia

vs. AT LAW NO. 1829

Cassandra Lawson Atkins and
others, etc.

ORDER

We ask for this -
Dated A. Williams
att. for State Planning Bank & Trust Co.
Hendersonville, N.C.
Wm. E. Waverly, att. for Nat Bank
Trust Co. of N.C. of E.W. Funderburg



JOHN M. PURCELL
TREASURER OF VIRGINIA

Commonwealth of Virginia

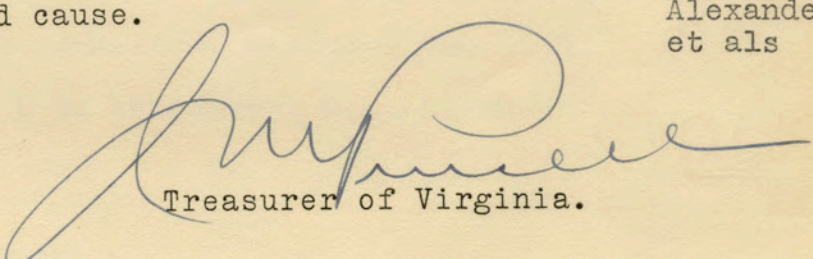
TREASURER'S OFFICE

RICHMOND, VA.

December 22, 1933

This is to certify that I, J. M. Purcell, Treasurer of Virginia have this 22 day of December in accordance with an order of the circuit court of Rockingham County dated 12/21/33 in the cause of the State Commission on Conservation and Development of the State of Virginia

vs. Cassandra Lawson Atkins
Circuit Court of Rockingham County in consolidated causes of paid to Wallace C. Saunders etc. v. John A. Alexander et als, Home Building and Loan Association v John A. Alexander Commonwealth of Virginia
\$ 45,700.00 being in full settlement of tract # 326 v John A. Alexander et als
in the above mentioned cause.


Treasurer of Virginia.



JOHN M. PURCELL
TREASURER OF VIRGINIA

Commonwealth of Virginia

TREASURER'S OFFICE

RICHMOND, VA.

December 22, 1933

Circuit Court of Rockingham County in
consolidated causes of Wallace C. Saunders
etc. v. John A. Alexander et als; Home
Building and Loan Association v. John A.
Alexander; Commonwealth of Virginia v.
John A. Alexander et als.

Harrisonburg, Virginia

Received of J. M. Purcell, Treasurer of
Virginia, the sum of \$ 45,700.00, in accordance
with an order of the Circuit Court of the county
of Rockingham Co. entered on the 21st day
of November 1933, in the matter of the State
Commission on Conservation and Development v the
above named court and others, being
full and complete settlement for the tract of land
known in said proceeding as # 326.

First Nat'l Bank Harrisonburg Va

Wm H. Byrd

*Quit & return to clerk
circuit court*

Sign original and duplicate
and return to the Treasurer
of Virginia.



JOHN M. PURCELL
TREASURER OF VIRGINIA

Commonwealth of Virginia

TREASURER'S OFFICE

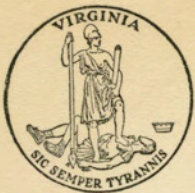
RICHMOND, VA.

August 11, 1934

This is to certify that I, J. M. Purcell, Treasurer of Virginia have this 11 day of August in accordance with an order of the circuit court of Rockingham County dated 8/7/34 in the cause of the State Commission on Conservation and Development of the State of Virginia vs. Cassandra Lawson Atkins and others paid to Geo. S. Harnsberger, Attorney for J. W. Hinkle \$ 645.00 being in full settlement of tract # 326-111 in the above mentioned cause.

J. M. Purcell
Treasurer of Virginia.

By W. H. Young
DEPUTY TREASURER OF VIRGINIA



JOHN M. PURCELL
TREASURER OF VIRGINIA

Commonwealth of Virginia

TREASURER'S OFFICE

RICHMOND, VA.

August 10, 1934

Geo. S. Harnsberger, Attorney for J. W. Hinkle

Received of J. M. Purcell, Treasurer of
Virginia, the sum of \$ 645.00, in accordance
with an order of the Circuit Court of the county
of Rockingham entered on the 7th day
of August 1934, in the matter of the State
Commission on Conservation and Development v _____
Cassandra Lawson Atkins and others, being
full and complete settlement for the tract of land
known in said proceeding as # 326-111.

Geo. S. Harnsberger
Att'y for J. W. Hinkle

Sign original and duplicate
and return to the Treasurer
of Virginia.

11/5/34

VIRGINIA: IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY

THE STATE COMMISSION ON CONSERVATION AND DEVELOPMENT
OF THE STATE OF VIRGINIA, - - - - - PETITIONER

VS.

ORDER

CASSANDRA LAWSON ATKINS ET ALS, AND FIFTY-TWO THOUSAND
FIVE HUNDRED AND ^{eight} ONE (52,561) ACRES MORE OR LESS OF
LAND IN ROCKINGHAM COUNTY, VIRGINIA, - - DEFENDANTS

On the 2nd day of January, 1934, came the petitioner by Counsel and exhibited to the Court the record of the above entitled proceeding, and showed to the Court that the County Ownership Map, filed with and made a part of the report of the Board of Appraisal Commissioners herein, did not set out or have delineated thereon the tract No. 326-III described in the said report and therein referred to as being shown and delineated on the said County Ownership Map; that prior to the filing of said report and map the said Board directed S. H. Marsh, by whom the map was originally prepared, to cut off from Tract No. 244 as shown on said map a portion thereof, as to which there appeared to have arisen conflicting claims of ownership, and to give to the said portion of said tract the separate Tract number 326-III, under which number it was referred to and described in said report; and that by inadvertance the said S. H. Marsh failed to comply with the said instructions of the said Board.

Whereupon the Petitioner moved the Court to authorize and direct the said S. H. Marsh to insert upon the said map the necessary lines, words and figures so as to show thereon the said amendments and corrections as directed by the said Board.

Upon consideration whereof, subject to the exception or objection of any interested party to this proceeding interposed prior to the proposed condemnation of the said Tracts No. 244 and 326-III as shown on said map either before or after

its amendment as prayed by the Petitioner, it is ordered that the said amendments and corrections be made by the said S. H. Marsh; and, in obedience to the above order this day appeared said S. H. Marsh in open court, and made the said corrections and amendments on said map, and on the margin of said map, and connected with said tracts by a line of reference, inserted the following explanatory note of reference "See order of."

It is further ordered that the Clerk of this Court forthwith insert, immediately after the said marginal note, the date of the entry of this order.

out of order

20 / 17