

NAME OF CLAIMANT

#77 - Smith, Q. E.

Number of Acres: ---309 A.

Location: Both sides of old and new Spottswood Trail near Swift Run Gap.

Roads: Seven miles over Spottswood Trail to E, kton.

Soil: Sandy clay of different depth and fertility; on an average it is a good depth, somewhat rocky along the stream. It is north of the new Spottswood Trail and has moderate slopes with northwest and southwest exposure.

History of Tract and condition of timber: Most of the tract was cleared many years ago and has been grazed and cultivated since. With the exception of several small portions which have been neglected in recent years it has grown into pines and locust. The wooded area has been cut over repeatedly in the past. The present stand consists of mixed oaks, poplar, and hickory along the stream and some yellow pine on the slopes.

Improvements: See other side.

Acreage and value of types:

Types	Acreage		Value per acre	Total Value
Ridge:				
Slope: --	65	@	\$5.00	\$325.00
Cove: --	8	@	10.00	80.00
Grazing Land: --	218	@	42.00	9156.00
Fields Restocking: --	12	@	20.00	240.00
Cultivated Land: --	6	@	30.00	180.00
	<u>309</u>			<u>\$9,981.00</u>

Orchard:

Minerals:

Value of Land: \$	9981.00	
Value of Improvements: \$	1435.00	1,435.00
Value of Orchard: \$	150.00	150.00
Value of Minerals: \$		50.00
Value of Fruit: \$		<u>\$11,616.00</u>
Value of Timber: \$		
Value of Wood: \$	50.00	
Value per acre for tract: \$	37.58	

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

Geo. H. ... CLERK

NAME OF CLAIMANT

CONTINUED FROM REVERSE SIDE

W. E. Smith - 717

Improvements: DWELLING----Log, 14x20', shingle roof, 3 rooms, log finish--poor condition, abandoned-----OLD BARN ----Log 16x42x16', shingle roof, fair condition----SUMMER KITCHEN----Log, 12x14x10', shingle roof, poor condition----STABLE----Log, 10x12x10', shingle roof, poor condition----DWELLING---Log and frame 25x36', metal roof, 4 rooms, ceiled, abandoned, poor condition, 2 story----ROAD CAMP BUILDING----Frame-10x40x10', paper roof, fair condition----SHEEP SHED---Frame 18x26x12', with shed, 18x36x16' (attached) poor condition---STABLE----Frame, 10x12x10', shingle roof, poor condition----GRANARY & SHED---Frame, 20x25x12', metal roof, fair condition----GARAGE AND SHED----Frame, 18x24x10', metal roof, fair condition----DWELLING----Log, 24x20' with annex 20x16x8', 2 story, 5 rooms, log finish, poor condition, occupied owner----BARN----Log and frame, 36x46x12', metal roof, fair condition----SPRING HOUSE----Frame 9x14x8', shingle roof, poor condition----HEN HOUSE----Frame, 22x24x10', shingle roof, poor condition--HEN HOUSE----Frame, 10x18x5', metal roof, fair condition----ROAD SHANTY---Frame, 8x14x8', paper roof, fair condition.---

Improvements: See other side.

Average and value of types:

Total Value	Value per acre	Average	Types
\$325.00	\$5.00	8	Slope: --
80.00	10.00	8	Cove: --
215.00	45.00	8	Grazing Land: --
240.00	20.00	8	Fields Restocking: --
180.00	30.00	8	Cultivated Land: --
<u>\$2,981.00</u>		303	Orchard:

Minerals:

Value of Land: \$ 981.00

Value of Improvements: \$ 1455.00

Value of Orchard: \$ 150.00

Value of Minerals: \$

Value of Fruit: \$

Value of Timber: \$

Value of Wood: \$ 50.00

Value per acre for tract: \$ 37.58

Incidental damages arising from the taking of this tract: \$

W. E. Smith

Claim of Q. E. Smith
In the Circuit Court of Rockingham County, Virginia, No. _____, At Law.
The State Commission on Conservation and Development of the State of Virginia, Petitioner, vs. Q. E. Smith

304

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, asks leave of the Court to file this as his answer to said petition and to said notice.

My name is Q. E. Smith

My post office address is Swift Run, Va.

I claim a right, title, estate or interest in a tract or parcel of land within the area sought to be condemned, containing about 304 acres, on which there are the following buildings and improvements: 3 dwellings, 3 stables, henhouse, granary, 2 corn cribs, 1 cow barn, hog pen, 2 shanties and 140 furit trees

This land is located about 6 miles from Elkton, Virginia, in the Stonewall Magisterial District of said County.

I claim the following right, title, estate or interest in the tract or parcel of land described above: (In this space claimant should say whether he is sole owner or joint owner, and if joint owner give names of the joint owners. If claimant is not sole or joint owner, he should set out exactly what right, title, estate or interest he has in or to the tract or parcel of land described above.)
I am sole owner

The land owners adjacent to the above described tract or parcel of land are as follows:

North T. B. Hensley

South Carrie James

East Elsie B. Baugher

West W. H. Baugher

I acquired my right, title, estate or interest to this property about the year 1918 in the following manner:

By deeds from Andrew Hensley, J. M. Dean, T. B. Hensley and Edward Herring

I claim that the total value of this tract or parcel of land with the improvements thereon is \$ 15000.00. I claim that the total value of my right, title, estate or interest, in and to this tract or parcel of land with the improvements thereon is \$ 15000.00.

I am the owner of _____ acres of land adjoining the above described tract or parcel of land but lying outside the Park area, which I claim will be damaged by the proposed condemnation of lands within the Park area, to the extent of \$ _____.

(In the space below should be set out any additional statements or information as to this claim which claimant desires to make; and if practicable he should also insert here a description of the tract or parcel of land by metes and bounds).

Remarks: 250 acres of this land is in sod and used for grazing purposes

(Continue remarks if necessary on the back).

Witness my signature (or my name and mark attached hereto) this 14th day of February, 1931, 1930. Q. E. Smith

STATE OF VIRGINIA, COUNTY OF Rockingham, To-wit:

The undersigned hereby certifies that Q. E. Smith 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, this 14th day of February, 1931, 1930.

H. B. G. Gentry No
Clerk of the Court, or Special Investigator or Notary Public, or Justice of the Peace.

2/16/31
J. F. B.

County: Rockingham
District: Stonewall

#77 - Smith, Q. E.

Acreage Claimed: 304 A. Assessed 309 A. Deed:
Value Claimed: \$15,000. " \$3020.00 " (102 A -1919
for \$5000/00 - 61 A.-1909
for \$1200.00 -146 A.-1917
for \$2920.00

Location: Both sides of old and new Spotswood Trail near Swift Run Gap.

Incumbrances, counter claims or laps: None.

Soil: Sandy clay of different depth and fertility, on an average it is a good depth, some what rocky along the stream. It is north of the new Spotswood Trail and has moderate slopes with northwest and southwest exposure.

Roads: Seven miles over Spotswood Trail to Elkton.

History of tract and condition of timber: Most of the tract was cleared many years ago and has been grazed and cultivated since. With the exception of several small portions which have been neglected in recent years it has grown up into pines and locust. The wooded area has been cut over repeatedly in the past. The present stand consists of mixed oaks, poplar and hickory along the stream and some yellow pine on the slopes. The wooded area is estimated to cut an average of 6 cords of fuelwood per acre or a total of 390 cords valued @ 50¢ per cord -- \$195.00

Improvements: Dwelling: Log 14x20', shingle roof, 3 rooms, log finish, poor condition, abandoned --- \$15.00
Old barn: Log 16x42x16', shingle roof, fair condition- \$50.00
Summer kitchen: Log 12x14x10', shingle roof, poor " 5.00
Stable: Log 10x12x10', shingle roof, poor condition - 10.00
Orchard: 3 acres valued @ \$40.00 per acre for trees only --- 120.00
Dwelling: Log and frame 25x36', metal roof, 4 rooms, celled, abandoned, poor condition, 2 story, 100.00
Road camp building: Frame 10x40x10', paper roof, fair condition --- 50.00
Sheep shed: Frame 18x26x12', with shed 18x36x16', (attached) poor condition -- 60.00
Stable: Frame 10x12x10', shingle roof, poor condition- 15.00
Granary and shed: Frame 20x25x12', metal roof, fair "-125.00
Garage and shed: Frame 18x24x10', metal roof, fair "- 30.00
Dwelling: Log 24x20' with annex 20x16'x8', 2 story, 5 rooms, log finish, poor condition, occupied by owner-350.00
Barn: Log and frame 36x46x12', metal roof, fair condition -- 250.00
Spring house: Frame 9x14x8', shingle roof, poor condition -- 25.00
Hen house: Frame 22x24x10', shingle roof, poor condition -- 50.00
Hen house: Frame 10x18x5', metal roof, fair condition- 20.00
Road shanty: Frame 8x14x8', paper roof, fair condition- 15.00

1290.00

G. A.

County: Rockingham
District: Stonewall

#77 - Smith, Q. E.

Cont'd

Value of land by types:

<u>Type</u>	<u>Acreage</u>	<u>Value per acre</u>	<u>Total Value</u>
Cove	8	\$5.00	\$40.00
Slope	65	3.00	195.00
F g I	146	30.00	4380.00
F g II	72	20.00	1440.00
F c	6	35.00	210.00
F r	12	6.00	72.00
	<u>309</u>		<u>\$6337.00</u>

Total value of land \$6337.00

Total value of improvements 1290.00

Total value of timber 195.00

Total value of tract 7822.00

Average value per acre 25.31

Note: The grazing land north of the new Sptoswood Trail is poorer than that on the rest of the tract. Due to the presence of briers, sumach and loose surface rock, therefore it has been given a lower value.

Virginia: In the Circuit Court of Rockingham County.

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

PETITIONER,

V. At Law No. 1829.

Cassandra Lawson Atkins and others,
and Fifty-two Thousand, Five
Hundred and Sixty-One (52,561) Acres
of land, more or less,

DEFENDANTS.

On this, the 3 day of *January* ~~December~~, 1933, came Q.E.

Smith, and, on his motion, leave is given him to file his application for the payment of the sum of \$11,616.00, the amount of the award set out in the judgment of condemnation for Tract No. 77 and heretofore paid into the court, and thereupon Myrtie A. Long, The Bank of Elkton, Incorporated, Annie C. Moore, Ralph H. Bader, Executor of A.S. Bader, and Hirsch Brothers tendered their respective answers to said petition, which answers are hereby accordingly filed, and it appearing from the report of the Board of Appraisal Commissioners, heretofore filed in this cause, and in the petition for judgment and condemnation entered herein on the 2d day of November, 1933, that, in the opinion of the petitioner, the said Q.E. Smith is invested with a superior or better right or claim of title in and to the said tract of land No. 77, or to the proceeds arising from the condemnation thereof except as hereinafter provided, and it further appearing to the Court that all taxes due or taxable upon said Tract No. 77 have been paid; upon consideration whereof, it is considered and ordered by the Court that the said sum of \$11,616.00, paid into Court as just compensation for said Tract No. 77, be paid out and distributed as follows:

- (1) To D.W. Earman, Attorney for Myrtie A. Long, the sum of \$517.00;
- (2) To ~~GEO. S. HARNSBERGER~~ The Bank of Elkton, Incorporated, the sum of \$2,300.00;

- (3) To K.C.Moore, Attorney for Annie C.Moore, the sum of \$1,016.00;
- (4) To Ralph H.Bader, Executor of A.S.Bader, the sum of \$1,016.00;
- (5) To H.W.Wyant, Attorney for Hirsch Brothers, the sum of \$711.20;
- (6) To Q.E.Smith, the sum of \$5,805.80.
- (7) And the Clerk of this Court is directed to retain the sum of \$250.00, the same to be held by him subject to the future order of the Court in this matter. Said sum of \$250.00 is being held on account of the claim of the heirs of Sarah J.Dean, formerly Sarah J.Allen, to eight acres of land described in the deed from Allen P.Lam and others to Clarissa Allen and Sarah J.Allen, dated July 10, 1880, which deed is duly of record in the Clerk's Office of this Court in D.B.18, Page 275.

And the Clerk of this Court is directed to transmit a certified copy of this order to the Treasurer of Virginia, who shall pay out said fund as above provided, the items above set forth aggregating the award set out in the judgment of condemnation for Tract No. 77, taking from said parties to whom the fund is payable as aforesaid receipts therefor, and certifying such payment to the Clerk of this Court for appropriate entry thereof, as provided by law.

Enter.

HUB

Judge.

no
/ 72

IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY, VIRGINIA.

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

v.

Cassandra Lawson Atkins, and others
and Fifty-two Thousand, Five Hundred
and Sixty-one (52,561) acres of land,
more or less.

The separate answer of Myrtie A. Long to a petition
filed in this cause in the Circuit Court of Rockingham County
by Q. E. Smith.

This respondent for answer to said petition, or to so
much thereof as she is advised it is material for her to answer,
answers and says:

That it is true that petitioner and his wife conveyed
the real estate described in said petition situate on the Blue
Ridge Mountain in Rockingham County, Virginia, known and designated
on the map of the park lands as Tract No. 77 to D. W. Earman,
Trustee by deed dated May 30, 1932 recorded in the Clerk's Office
of this Court in Deed Book 152, page 312, to secure the payment of
the principal sum of Five Hundred Dollars (\$500.00), as evidenced
by a certain Homestead Waiver bond of even date with said deed
made by Q. E. Smith and wife, said bond being payable to your
respondent, Myrtie A. Long two years after date, which said bond
in the sum of Five Hundred Dollars (\$500.00) with interest from
May 30, 1933, is now held and owned by your respondent.

Respondent joins in the prayer of said petition for the
distribution of said fund as set out therein.

And she will ever pray, etc.

Myrtie A. Long
By Counsel

D. W. Earman
Counsel

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

The joint and separate answers of Annie C. Moore, Ralph H. Bader, Executor of A. S. Bader, deceased, and Hirsch Brothers, to a petition filed in this cause in the Circuit Court of Rockingham County, Virginia, by Q. E. Smith.

These respondents for answer to said petition or to so much thereof as they are advised it is material for them to answer, answer and say that it is true that petitioner and his wife conveyed three adjacent tracts or parcels of land, situate on the Blue Ridge Mountains in Rockingham County, Virginia, known and designated on the map of the Park lands as Tract No. 77, to K. C. Moore and Ralph H. Bader, Trustees, by deed dated November 19, 1932, recorded in the Clerk's Office of this Court, in Deed Book No. 153, at page 392, to secure the payment of the principal sum of Two Thousand Seven Hundred Dollars (\$2,700.00) as evidenced by three bonds bearing even date with said deed, made by Q. E. Smith and wife, all of which bonds are payable to bearer four months after date, two in the sum of One Thousand Dollars (\$1,000.00), each, and one in the sum of Seven Hundred Dollars (\$700.00); bond No. One for One Thousand Dollars (\$1,000.00) being now held by your respondent, Annie C. Moore; Bond No. Two for One Thousand Dollars (\$1,000.00) being now held by your respondent, Ralph H. Bader, Executor of A. S. Bader, deceased; and Bond No. Three for Seven Hundred Dollars (\$700.00) being now held by your respondent, Hirsch Brothers.

Respondents further say that it is true that interest has been paid on said bonds to the 19th day of September, 1933,

Your respondents join in the prayer of said petition for the distribution of said fund as set out therein and that they will ever pray, etc.

K.C. Moore
Attorney for Annie C. Moore

Annie C. Moore

Ralph H. Bader
Attorney for Ralph H. Bader,
Executor of A. S. Bader, dec'd.

Ralph H. Bader, Executor
of A. S. Bader, dec'd

Herschel N. Hyant
Attorney for Hirsch Bros.

Hirsch Brothers
By counsel

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Virginia: In the Circuit Court of Rockingham County.

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

vs. Upon Petition of Q.E. Smith.

Cassandra Lawson Atkins and others.

The answer of The Bank of Elkton, Incorporated, to the
petition filed by Q.E. Smith in the above entitled proceeding.

For answer to said petition, or to so much thereof as
respondent is advised it is proper for it to answer, your re-
spondent answers and says:

That it is true, as alleged in the petition that your re-
spondent is the holder of a negotiable, homestead waiver note ex-
ecuted by the said Q.E. Smith and his wife, and secured by a deed
of trust as in said petition alleged, which note is in the princi-
pal sum of \$2,300.00, and is now carried by your respondent in
that amount.

That it is further true, as alleged in said petition, that
said note is secured by deed of trust upon the lands of the said
Q.E. Smith which have been condemned in the above proceedings and
for which the said Q.E. Smith was awarded the sum of \$11,616.00.

Your respondent avers that it is entitled to be paid the
sum of \$2,300.00 out of said award of \$11,616.00, and prays that
his interest and right in this matter may be protected.

And now, having fully answered, your respondent prays to
be hence dismissed, with its costs in this behalf expended.

The Bank of Elkton, Inc.
By Counsel.

GEO. S. HARNESBERGER
Counsel.

Virginia: In the Circuit Court of Rockingham County.

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

PETITIONER,

V. At Law No. 1829

Cassandra Lawson Atkins and others
and Fifty-two Thousand, Five Hundred
and Sixty-One (52,561) Acres of land,
more or less,

DEFENDANTS.

TO THE HON. H. W. BERTRAM, JUDGE OF SAID COURT.

Your petitioner, Q. E. Smith, respectfully represents:

That a judgment in rem has heretofore been entered in this proceeding, condemning to the use of the petitioner the fee simple estate in a tract of land formerly the property of your petitioner, situate on the Blue Ridge Mountain, in the eastern portion of Stonewall District, Rockingham County, Virginia, which tract is described in the report of the Board of Appraisal Commissioners appointed herein, and shown, numbered, and delineated on the county ownership map, filed herewith, as Tract No. 77, at the price of \$11,616.00.

Your petitioner further show to the Court that all taxes against said property have been paid to and including the year 1933, and he herewith files certificates to that effect from M. H. Harrison, Treasurer of Rockingham County, and J. Robert Switzer, Clerk of the Circuit Court of Rockingham County, which certificates are marked "Ex. Certificate No. 1" and "Ex. Certificate No. 2" respectively, and the same are prayed to be read as a part hereof.

Your petitioner further shows to the Court that the liens as hereinafter set forth are the only liens binding the property heretofore condemned in this proceeding. These liens are as follows:

(1) A deed of trust lien to secure the payment of a bond for

\$500.00, dated May 30, 1932, made by Q.E. Smith and his wife, with interest from date, interest payable annually, which said bond is payable to Myrtle A. Long, or order, two years after date. Interest has been paid upon this bond to May 30, 1933. The balance due, therefore, is the sum of \$500.00, with interest from May 30, 1933. This bond is secured by a deed of trust of even date with said bond, made by the said Q.E. Smith and his wife, conveying the property heretofore condemned in this matter to D.W. Earman, Trustee, which deed of trust was duly recorded in D.B. 152, Page 312, in the Clerk's Office of Rockingham County. An attested copy of said deed of trust is herewith filed, marked "Ex. Deed of Trust No. 1," and the same is prayed to be read as a part hereof.

(2) A deed of trust lien to secure the payment of a negotiable note in the sum of \$2,300.00, dated October 11, 1932, made by Q.E. Smith and his wife, and payable 120 days after date to The Bank of Elkton, Incorporated, which note has been renewed from time to time, and is now held by the said Bank. This note is secured by a deed of trust of even date with said note, made by Q.E. Smith and his wife, conveying the property heretofore condemned in this matter to Geo. S. Harnsberger, Trustee, which said deed of trust was duly recorded in said Clerk's Office, in D.B. 153, Page 253. An attested copy of said deed of trust is herewith filed, marked "Ex. Deed of Trust No. 2," and prayed to be read as a part hereof.

(3) A deed of trust lien to secure the payment of the sum of \$2,700.00 evidenced by three bonds dated November 19, 1932, made by Q.E. Smith and his wife, all of which bonds are payable to bearer four months after date, two in the sum of \$1,000.00 each, and one in the sum of \$700.00. One of the bonds for \$1,000.00 is now held by Annie G. Moore. The other bond for \$1,000.00 is now held by Ralph H. Bader, Executor of A.S. Bader, and the bond for \$700.00 is now held by Hirsch Brothers. Interest on all of said

bonds has been paid to September 19, 1933. The balance, therefore, due under this deed of trust, is the principal amount hereinabove set forth with interest from September 19, 1933.

That no other person or persons than your petitioner and the parties holding said obligations above referred to, namely, Myrtie A. Long, The Bank of Elkton, Incorporated, Annie E. Moore, Ralph H. Bader, Executor of A. S. Bader, and Hirsch Brothers, are entitled to share in the distribution of said award.

Wherefore, your petitioner prays that he may be made a party herein and be allowed to file his petition in these proceedings; that the said Myrtie A. Long, The Bank of Elkton, Incorporated, Annie E. Moore, Ralph H. Bader, Executor of A. S. Bader, and Hirsch Brothers may be made parties defendant to this petition and be required to answer the same, answer under oath being waived; that an order may be entered in this proceeding for the distribution of said award, and that your petitioner may have such other and further relief as the nature of the case may require.

Q. E. Smith

GEO. S. HARNSBERGER
Counsel.

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

This day Q. E. Smith, the petitioner in the above entitled matter, personally appeared before me, F. Flavia Converse, a Notary Public in and for the City aforesaid, in the State of Virginia, in my City aforesaid, and being duly affirmed, deposes and says:

I am the petitioner in the above entitled matter. I am acquainted with the contents of the above petition, and do hereby

state that the matters of fact therein set forth are true, to the best of my knowledge and belief.

A G Smith

Subscribed and sworn to
before me this 15th day of
December, 1933.

L. Flavia Converse,
Notary Public.

M. H. HARRISON
TREASURER OF ROCKINGHAM COUNTY
HARRISONBURG, VIRGINIA

I hereby certify that the records of my office show that Quinton E. Smith has paid the taxes for the years 1932 and 1933 on his several tracts of land aggregating approximately 303 acres, which lands are situate in the Blue Ridge Mountains, Stonewall District, Rockingham County, Virginia.

All taxes prior to that time, if any be unpaid, are a matter of record in the Clerk's Office of said County.

Given under my hand this 15 th day of Decèmber 1933.

M. H. Harrison
Treasurer of Rockingham County.

I hereby certify that the records in my office do not show any delinquent taxes against the tract of about 303 acres in Stonewall District assessed in the name of Q. E. Smith, except for the tax year 1932, but which by the accompanying certificate of M. H. Harrison, County Treasurer, is shown to have been paid, since the same was returned to my office.

Given under my hand this 15th day of December, 1933.

J. Robert Switzer
Clerk of the Circuit Court of
Rockingham County, Va.

By Margaret Brannum, D. C.

*Law Office of
Geo. S. Harnsberger
Harrisonburg, Va.*



JOHN M. PURCELL
TREASURER OF VIRGINIA

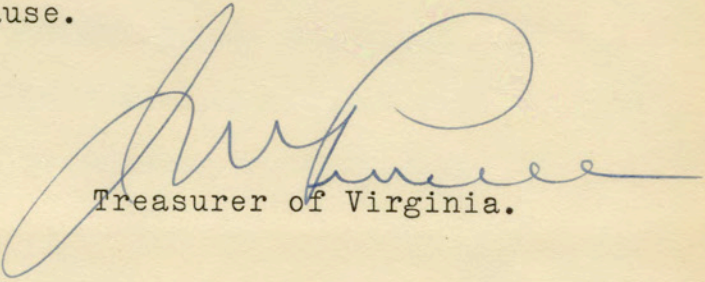
Commonwealth of Virginia

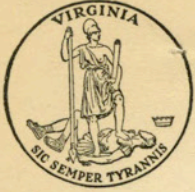
TREASURER'S OFFICE

RICHMOND, VA.

January 5, 1934

This is to certify that I, J. M. Purcell, Treasurer of Virginia have this 5 day of January in accordance with an order of the circuit court of Rockingham County dated 1/3/34 in the cause of the State Commission on Conservation and Development of the State of Virginia vs. Cassandra Lawson Lawson paid to K. C. Moore, Attorney for Annie C. Moore \$ 1,016.00 being in full settlement of tract # 77 in the above mentioned cause.


Treasurer of Virginia.



JOHN M. PURCELL
TREASURER OF VIRGINIA

Commonwealth of Virginia

TREASURER'S OFFICE

RICHMOND, VA.

January 5, 1934

K. C. Moore, Attorney for Annie C. Moore

Received of J. M. Purcell, Treasurer of Virginia, the sum of \$ 1,016.00, in accordance with an order of the Circuit Court of the county of Rockingham entered on the 3rd day of January 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 # 77.

*K.C. Moore, attorney for
Annie C. Moore.*

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



Commonwealth of Virginia

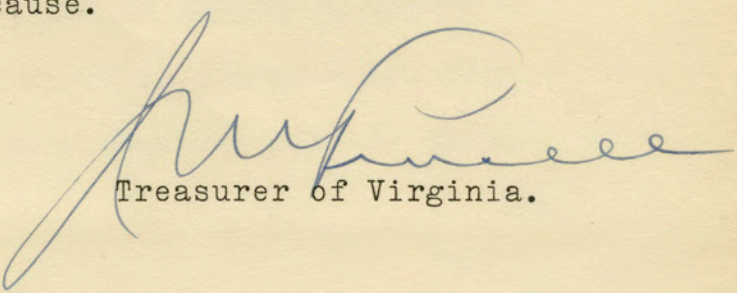
TREASURER'S OFFICE

RICHMOND, VA.

JOHN M. PURCELL
TREASURER OF VIRGINIA

January 5, 1934

This is to certify that I, J. M. Purcell, Treasurer
of Virginia have this 5 day of ^{January} ~~XXXX~~ in accordance
with an order of the circuit court of Rockingham County
dated 1/2/34 in the cause of the State Commission
on Conservation and Development of the State of Virginia
vs. Cassandra Lawson Atkins
paid to D. W. Earman, Attorney for Myrtle A. Long
\$ 517.00 being in full settlement of tract # 77
in the above mentioned cause.


Treasurer of Virginia.



JOHN M. PURCELL
TREASURER OF VIRGINIA

Commonwealth of Virginia

TREASURER'S OFFICE

RICHMOND, VA.

January 5, 1934

D. W. Earman, Attorney for Myrtie A. Long

Received of J. M. Purcell, Treasurer of Virginia, the sum of \$ 517.00, in accordance with an order of the Circuit Court of the county of Rockingham entered on the 3rd day of January 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 # 177.

*D. W. Earman, Attorney for
Myrtie A. Long*

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



JOHN M. PURCELL
TREASURER OF VIRGINIA

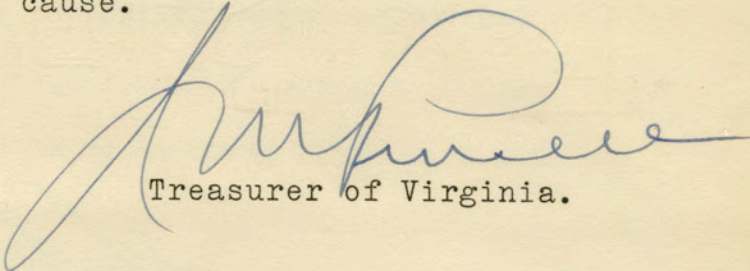
Commonwealth of Virginia

TREASURER'S OFFICE

RICHMOND, VA.

January 5, 1934

This is to certify that I, J. M. Purcell, Treasurer of Virginia have this 5 day of January in accordance with an order of the circuit court of Rockingham County dated 1/2/34 in the cause of the State Commission on Conservation and Development of the State of Virginia vs. Cassandra Lawson Atkins paid to The Bank of Elkton, Inc. \$ 2,300.00 being in full settlement of tract # 77 in the above mentioned cause.


Treasurer of Virginia.



JOHN M. PURCELL
TREASURER OF VIRGINIA

Commonwealth of Virginia .

TREASURER'S OFFICE
RICHMOND, VA.

January 5, 1934

The Bank of Elkton, Inc.

Received of J. M. Purcell, Treasurer of Virginia, the sum of \$ 2,300.00, in accordance with an order of the Circuit Court of the county of Rockingham entered on the 3rd day of January 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 # 77.

*The Bank of Elkton, Inc.
J. W. Wright, Cashier*

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



JOHN M. PURCELL
TREASURER OF VIRGINIA

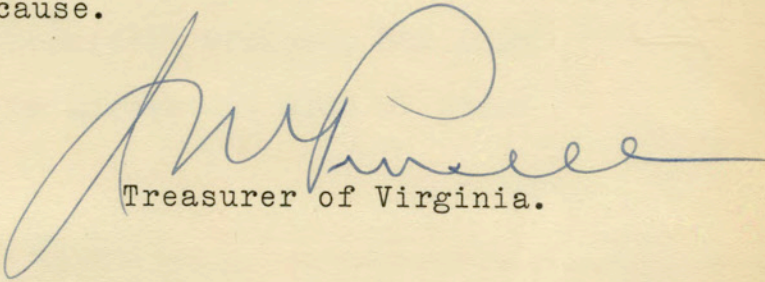
Commonwealth of Virginia

TREASURER'S OFFICE

RICHMOND, VA.

January 5, 1934

This is to certify that I, J. M. Purcell, Treasurer of Virginia have this 5 day of January in accordance with an order of the circuit court of Rockingham dated 1/3/34 in the cause of the State Commission on Conservation and Development of the State of Virginia vs. Cassandra Lawson Atkins paid to Ralph H. Bader Executor of A. S. Bader \$1,016.00 being in full settlement of tract # 77 in the above mentioned cause.


Treasurer of Virginia.



JOHN M. PURCELL
TREASURER OF VIRGINIA

Commonwealth of Virginia

TREASURER'S OFFICE

RICHMOND, VA.

January 5, 1934

Ralph H. Bader, Executor of A. S. Bader

Received of J. M. Purcell, Treasurer of Virginia, the sum of \$ 1,016.00, in accordance with an order of the Circuit Court of the county of Rockingham entered on the 3rd day of January 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 # 77.

Ralph H. Bader
Executor of A. S. Bader Deaf.

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



JOHN M. PURCELL
TREASURER OF VIRGINIA

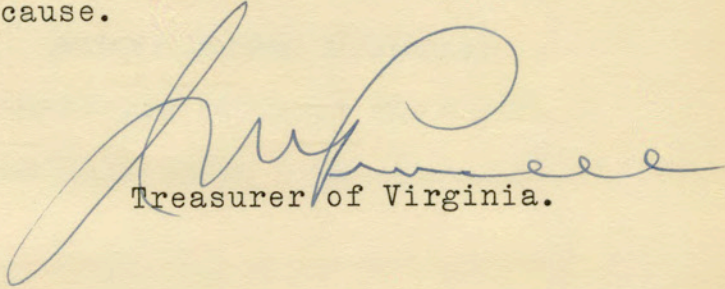
Commonwealth of Virginia

TREASURER'S OFFICE

RICHMOND, VA.

January 5, 1934

This is to certify that I, J. M. Purcell, Treasurer of Virginia have this 5 day of January in accordance with an order of the circuit court of Rockingham County dated 1/3/34 in the cause of the State Commission on Conservation and Development of the State of Virginia vs. Cassandra Lawson Atkins paid to H. W. Wyant, Attorney for Hirsch Brothers \$ 711.20 being in full settlement of tract # 77 in the above mentioned cause.


Treasurer of Virginia.



JOHN M. PURCELL
TREASURER OF VIRGINIA

Commonwealth of Virginia

TREASURER'S OFFICE

RICHMOND, VA.

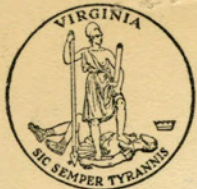
January 5, 1934

H. W. Wyant, Attorney for Hirsch Brothers

Received of J. M. Purcell, Treasurer of Virginia, the sum of \$ 711.20, in accordance with an order of the Circuit Court of the county of Rockingham entered on the 3rd day of January 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 # 77.

*H. W. Wyant Attorney for
Hirsch Brothers*

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



JOHN M. PURCELL
TREASURER OF VIRGINIA

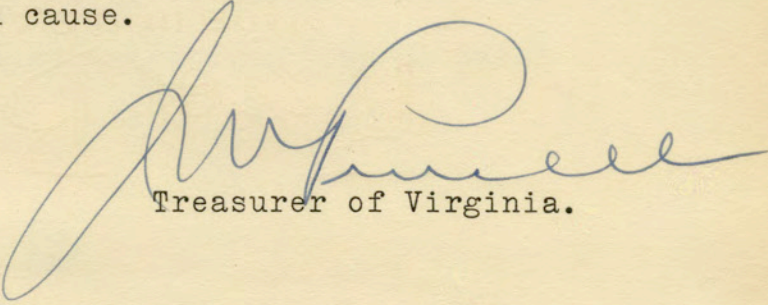
Commonwealth of Virginia

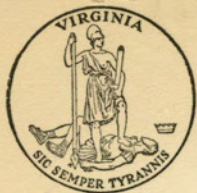
TREASURER'S OFFICE

RICHMOND, VA.

January 5, 1934

This is to certify that I, J. M. Purcell, Treasurer
of Virginia have this 5 day of January in accordance
with an order of the circuit court of Rockingham County
dated 1/3/34 in the cause of the State Commission
on Conservation and Development of the State of Virginia
vs. Cassandra Lawson Atkins
paid to Q. E. Smith
\$ 5,805.80 being in full settlement of tract # 77
in the above mentioned cause.


Treasurer of Virginia.



JOHN M. PURCELL
TREASURER OF VIRGINIA

Commonwealth of Virginia

TREASURER'S OFFICE

RICHMOND, VA.

January 5, 1934

Q. E. Smith

Received of J. M. Purcell, Treasurer of Virginia, the sum of \$ 5,805.80, in accordance with an order of the Circuit Court of the county of Rockingham entered on the 3rd day of January 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 # 77.

Q. E. Smith

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

NOTE—This need not be filed until the record discloses that the awards have been paid into the custody of the Courts.

Virginia: In the Circuit Court of Rockingham County

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

V. At Law No. 1829

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

Comes now the undersigned and shows to the Court:

That a judgment in rem has heretofore been entered in this proceeding condemning to the use of the Petitioner the fee simple estate in the tract(s) of land numbered as follows: Tract No. 77 : Tract No. : Tract No. ;

and described in the report of the Board of Appraisal Commissioners appointed herein and shown, numbered, and delineated on the County Ownership Map filed therewith, upon payment into the custody of the Court of the sum(s) set out in the said judgment as constituting the award(s) therefor, as follows:

Award on Tract No. 77 \$11616.00; on Tract No. : ; on Tract No. : \$;

That the report of the said Board sets forth that the following named persons claim, or appear to have a claim to an interest in the said tract(s) of land or in the proceeds arising from the condemnation thereof;

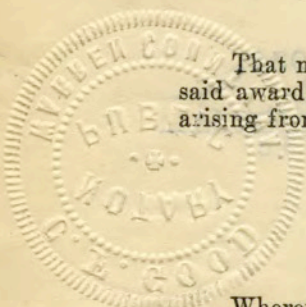
Q. E. Smith

That the Petitioner has paid into the custody of the Court the said sum(s) set out in said judgment as constituting the award(s) for the fee simple estate in the said tract(s) of land;

That your undersigned, on the date of the said judgment in rem condemning the said tract(s) of land, owned or was (were) entitled to the following interest in the said tract(s) or in the proceeds arising from the condemnation thereof:—

By reason of contribution pledge, obligating the owner, Q. E. Smith, to give 9 acres of his land within the Park Area to the Park Project.

That no other person or persons than the undersigned are entitled to share in the distribution of the said award(s) except the following named persons whose interest in said tract(s) or in the proceeds arising from the condemnation thereof on the date of entry of said judgment was as follows:



Wherefore, your undersigned pray(s) that [he (they) be made a party (parties) herein under the provisions of Section 21 of the Public Park Condemnation Act, and that] an order be entered for the distribution of said sum(s) set forth in said judgment in rem as constituting the award(s) for the fee simple estate in the said tract(s) condemned as aforesaid, and for the payment to the undersigned of the said award(s) or of as much thereof as the Court may find that the undersigned is (are) entitled to receive, and which the undersigned aver(s) is as follows: Tract No. 77 \$27.00 : Tract No. : \$: Tract No. : \$;

The undersigned further aver(s) that: (Leave this space blank unless there is some other pertinent matter to be brought specially to the attention of the court)

NAME	P. O. ADDRESS
STATE COMMISSION ON CONSERVATION	-----
& DEVELOPMENT	-----
BY <u>Crist Marshall</u>	-----
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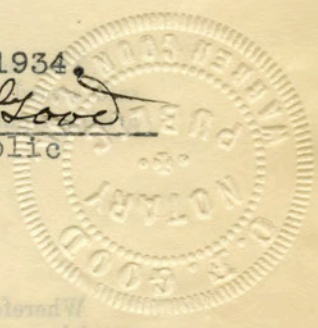
NOTE—A supply of this blank form has been placed in the Clerk's office for the convenience of interested parties. No one is required to use this form, as the form is not prescribed by law, and claimants can either change or modify it as they deem necessary, or present their motions in any form they may desire which meets with the approval of the Court. This blank form may not and probably will not cover all cases. It has been printed merely as a suggestion of a form of a motion which may be used, subject to the approval of the court in each case.

Virginia: In the Circuit Court of Rockingham County
The State Commission on Conservation and Development of the State of Virginia . . . PETITIONER
V. At Law No. 1832

That a judgment in rem has heretofore been entered in this Court
Petitioner the fee simple estate in the tract(s) of land numbered
STATE OF VIRGINIA)
COUNTY OF WARREN) SS

Personally appeared before me the undersigned Notary Public in my said State and County, E. K. Stokes, who being duly sworn, deposed and said that she is an employee of the State Commission on Conservation and Development in immediate charge of the records of the Shenandoah National Park Division thereof having to do with claims of the Commission for distributive shares of condemnation awards in the Shenandoah National Park condemnation proceedings pending in the Circuit Courts of Virginia, by reason of contracts and agreements entered into with the owners of lands sought to be condemned in these proceedings, and that the within claim is just and correct.

Witness my signature this 8th day of January, 1934.
Chas H Good
NOTARY PUBLIC Notary Public
My Commission Expires Sep. 8, 1934



Whosoever your undersigned party(s) that [he (they) be made a party (parties) herein under the provisions of Section 21 of the Public Park Condemnation Act, and that] an order be entered for the distribution of said sum(s) set forth in said judgment in rem as constituting the award(s) for the fee simple estate in the said tract(s) condemned as aforesaid, and for the payment to the undersigned of the said award(s) or of as much thereof as the Court may find that the undersigned is (are) entitled to receive, and which the undersigned aver(s) is as follows: Tract No. . . .

STATE COMMISSION ON CONSERVATION
NAME
T. O. ADDRESS

Note - A copy of this blank form has been placed in the Clerk's office for the convenience of interested parties. No use is required to use this form, as the form is not prescribed by law, and citizens can make their own form, or have their attorneys or business men make one for them. If you wish to have a copy of this form, you may obtain one from the Clerk of the Court. This blank form may not and probably will not be used in any case. It has been printed merely as a suggestion of a form of a notice which may be used in the event of the need in each case.

VIRGINIA. IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY.
IN VACATION.

The State Commission on Conservation & Development,
of the State of Virginia, - - - - - Petitioner,

v.

Cassandra Lawson Atkins, et als, defendants.

In Re: Distribution of proceeds of condemnation for Tract No. 77,
Q. E. Smith, \$27.00.

This day came the State Commission on Conservation
& Development by counse, and moved the Court to enter an order
directing the Treasurer of the State of Virginia, to pay to it
out of the proceeds of condemnation of Tract No. 77, the sum of
\$27.00, representing the amount of a certain pledge made by Q. E.
Smith, who claimed to be the owner of said tract, to said Com-
mission on Conservation & Development, as a contribution for the
establishment of Shenandoah National Park and in support of its
said motion, the said Commission exhibited to the Court, its
motion in writing setting forth all the facts in relation thereto,
which has been heretofore filed herein.

Upon consideration whereof, it appearing to the
Court, that the claim of said Commission is not based upon any
lien either on the land condemned, or on the proceeds of condem-
nation, and that said Commission has failed to obtain the consent
of the parties entitled to the proceeds of condemnation, to the
payment of its claim, it is accordingly adjudged and ordered
that the motion of the Commission for the payment of said claim
out of the proceeds of condemnation for said tract be and the
same is hereby denied.

July 22, 1935. The Clerk of the Circuit Court of Rockingham
County, will enter the foregoing order upon the Common Law Order
Book of his Court as a vacation order.

Given under my hand in vacation this 13 day
of August, 1935.

H. W. Bertram Judge
of the Circuit Court of Rockingham Co. Va.

70/387