

NAME OF CLAIMANT

#243 - Moore, Minnie

Number of Acres: 98

Location: Head of Hawksbill Creek, and entirely within the Park area.

Roads: Seven miles of good dirt road to Yancey, the nearest shipping point.

Soil: (See reverse side for Soil information)

History of Tract and condition of timber: The tract has been cut over at various times in the past, and there is no merchantable timber. There is a fair stand of some oak and hickory with a few yellow poplars and white pine up to 16" DBH.

Improvements: None.

Acreage and value of types:

Types	Acreage		Value per acre	Total Value
Ridge:				
Slope:	56	@	\$5.00	\$280.00
Cove:				
Grazing Land:	42	@	30.00	1260.00
	<u>98</u>			<u>\$1540.00</u>

Fields Restocking:

Cultivated Land:

Orchard:

Minerals:

Value of Land: \$ 1540.00

Value of Improvements: \$

Value of Orchard: \$

50.00
\$1590.00

Value of Minerals: \$

Value of Fruit: \$

Value of Timber: \$ 50.00

Value of Wood: \$

Value per acre for tract: \$16.22

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

Geo. N. Pen CLERK.

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

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 Minnie E. Moore
My post office address is Marble Hill, 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 92 A acres, on which there are the following buildings and improvements: _____

*Filed
1/13/30*

This land is located about 1.0 or 1.2 miles from Elkton Virginia, in the General 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.)

Sole owner by will of J. S. Moore

The land owners adjacent to the above described tract or parcel of land are as follows:
North Ella F. Hickell, J. C. Armstrong and wife P
South Begonre
East _____
West _____

I acquired my right, title, estate or interest to this property about the year 1911 in the following manner:

Will of J. S. Moore. See deed Book No. 91 page 271

I claim that the total value of this tract or parcel of land with the improvements thereon is \$25,000.00 and 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 \$ _____.

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: _____

(Continue remarks if necessary on the back).

Witness my signature (or my name and mark attached hereto) this 13 day of Jan, 1930.

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

The undersigned hereby certifies that Minnie E. Moore 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 13 day of Jan, 1930.

J. M. Smith
Clerk of the Court, or Special Investigator or Notary Public, or Justice of the Peace.

County: Rockingham
District: Stonewall

#243 - Moore, Minnie E.

Acreage Claimed: 92 A. Assessed: 88 A-69 P. Deed: 98 A-69 P.

Value Claimed: \$2300.00 " \$400.00 "\$1000.00(1911)

Location: Head of Hawksbill Creek and entirely within the Park area.

Incumbrances, counter claims or laps: None known.

Soil: Sandy loam of good depth and fertility except for few shaley spots. There is a small amount of loose rocks and few out-crops found on the slope. The wooded portion is steep with west exposure. The first class grazing land has gentle to moderate slopes with good blue grass turf, few weeds and no brush. The second class has poor soil with many rocks and weeds. The third class is steep and has not been cleared very long. The turf is in patches with considerable logs, blackberries, rocks, brush and bare soil. There is not much water on the tract.

Roads: Seven miles of good dirt road to Yancey, the nearest shipping point.

History of tract and condition of timber: The tract has been cut over at various times in the past, and there is no merchantable timber. There is a fair stand of some oak and hickory with a few yellow poplars and white pine up to 16" BBH.

Improvements: None.

Value of land by types:

<u>Type</u>	<u>Acreage</u>	<u>Value per acre</u>	<u>Total Value</u>
Slope	46	\$3.00	\$138.00
Fg I	20	45.00	900.00
Fg II	8	18.00	144.00
Fg III	14	14.00	196.00
	<u>88</u>		<u>\$1378.00</u>

Total value of land \$1378.00
Total value of tract 1378.00
Average value per acre 15.66

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. 243 : 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. 243 \$ 1590.00, 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;

Minnie E. Moore

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, Minnie E. Moore, to give 5 acres of her 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. 243 \$ 15.00 : 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

Robert Marshall

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.

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

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. 1839

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. 243 . . .

STATE OF VIRGINIA)
COUNTY OF WARREN) SS

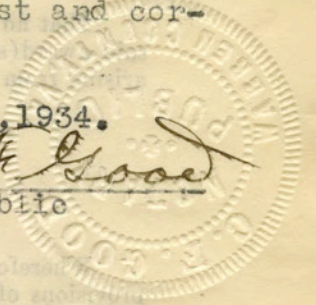
Personally appeared before me the undersigned Notary Public in my said State and County, E. K. Stokes, who being duly sworn, deposed and said that she is an employee of the State Commission on Conservation and Development in immediate charge of the records of the Shenandoah National Park Division thereof 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.

Elias F. Good

NOTARY PUBLIC Notary Public

My Commission Expires Sep. 8, 1934



Therefore your undersigned party (they) be made a party (parties) herein under the provisions of Section 91 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. 243 \$ 18.00 : Tract No. . . . \$. . . : Tract No. . . . \$. . . :
The undersigned further aver(s) that: (Leave this space blank unless there is some other party next matter to be brought specially to the attention of the court.)

NAME
STATE COMMISSION ON CONSERVATION & DEVELOPMENT
BY *[Signature]*

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 alterations can be made or modified 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.



JOHN M. PURCELL
TREASURER OF VIRGINIA

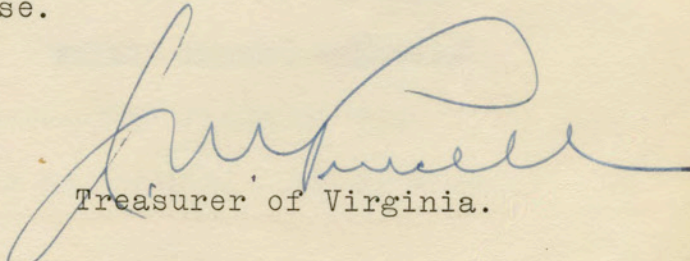
Commonwealth of Virginia

TREASURER'S OFFICE

RICHMOND, VA.

May 28, 1934

This is to certify that I, J. M. Purcell, Treasurer of Virginia have this 28 day of May in accordance with an order of the circuit court of Rockingham County dated 5/25/34 in the cause of the State Commission on Conservation and Development of the State of Virginia vs. Cassandra Lawson Atkins paid to Minnie E. Moore \$ 1,590.00 being in full settlement of tract # 243 in the above mentioned cause.


Treasurer of Virginia.



JOHN M. PURCELL
TREASURER OF VIRGINIA

Commonwealth of Virginia

TREASURER'S OFFICE
RICHMOND, VA.

May 28, 1934

Minnie E. Moore

Received of J. M. Purcell, Treasurer of Virginia, the sum of \$ 1,590.00, in accordance with an order of the Circuit Court of the county of Rockingham entered on the 25th day of May 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 # 243.

Minnie E. Moore

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

IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY, VIRGINIA

The State Commission on Conservation and Development

vs.

Cassandra Lawson Atkins, and others.

On this, the 25 day of May, 1934, came Minnie E. Moore and on her motion leave is given her to file her application for the disbursement of the sum of \$1,590.00, the amount of the award set out in the judgment of condemnation for Tract No. 243, and heretofore paid into Court.

And likewise came Effie C. Hilbert, John R. Moore, Mabel C. Longley, Earl E. Moore and Claude T. Moore, who asked permission to file their answer to said application, which is accordingly filed.

And it appearing to the Court that the said Effie C. Hilbert, John R. Moore, Mable C. Longley, Earl E. Moore and Claude T. Moore have assigned and transferred any interest they may have in the said fund arising from the condemnation of Tract No. 243, to the said Minnie E. Moore; that the said Minnie E. Moore is invested with a superior or better right or claim of title in and to the said tract of land No. 243 than any other person or persons and that the record in this cause does not disclose any denial or dispute by any party in interest as to the title to said Tract No. 243, or to the proceeds arising from the condmenation of said Tract No. 243, and it further appearing to the Court that all taxes due on said Tract No. 243, have been paid, upon consideration whereof it is considered and ordered by the Court that the said sum of \$1,590.00 paid into Court by petitioner as just compensation for Tract No. 243 be paid unto said MinnieE. Moore and the Clerk of this court is directed to transmit a certified copy of this order to the Treasurer of Virginia, who shall pay unto said Minnie E. Moore the said sum of \$1,590.00, the amount of theaward set out in the judgment of condemnation for Tract No. 243, taking from the said Minnie E. Moore a receipt therefor, and certifying such payment to the Clerk of this Court for appropriate entry

2.

thereof as required by law.

Enter:

HUB Judge

20
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IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY, VIRGINIA

The State Commission on Conservation and Development,

vs.

Cassandra Lawson Atkins and Others

The answer of Effie C. Hilbert, John R. Moore, Mable C. Longley, Earl E. Moore and Claude T. Moore to a petition filed in the Circuit Court of Rockingham County by Minnie E. Moore for the distribution of the sum of \$1,590.00, being the award for Tract No. 243.

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 they are the only sons and daughters of the late J. S. Moore and that they are all above the age of 21 years; that they assign and transfer their interests in said tract of land No. 243, or in the fund arising from the condemnation thereof, to their mother, Minnie E. Moore, and request the Court to pay the entire fund to her.

And they will ever pray, etc.

Effie C Hilbert.

John R. Moore

Mabel C. Longley

E. E. Moore

C. T. Moore

IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY, VIRGINIA

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

vs. At Law No. 1829

Cassandra Lawson Atkins and Others Defendants

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

Your petitioner, Minnie E. Moore, 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 situated on the Blue Ridge Mountain, in the eastern portion of Stonewall District, Rockingham County, Virginia, which tract is described in the report of the Appraisal Commissioners herein, and shown, numbered and delineated on the County Ownership Map, filed therewith, as Tract No. 243, at the price of \$1,590.00, this being a part of the tract of land which was conveyed to the late J. S. Moore, husband of petitioner, by A. S. Bader, by deed dated November 22, 1910, and recorded in the Clerk's Office of this Court in Deed Book No. 91, at page 271, the said J. S. Moore having departed this life in the year 1911, the said tract of land passed to your petitioner and Effie C. Hilbert, John R. Moore, Mable C. Longley, Earl E. Moore and Claude T. Moore, children of petitioner and the said J. S. Moore, under the last will of said J. S. Moore which is recorded in the Clerk's Office of this Court in Will Book No. 8, page 394. A copy of said will marked "Exhibit Will", is hereto attached and prayed to be read as a part hereof.

Your petitioner further shows to the Court that all taxes against said property have been paid to and including the year 1933, and she herewith files certificates to that effect from M. H. Harrison, Treasurer of Rockingham County, and J. R. Switzer, Clerk of the Circuit Court of Rockingham County, which certificates are marked Certificates Nos. 1 and 2, respectively, and prayed to be read as a part hereof.

Your petitioner further says that the said property is unincumbered and that no person other than herself and hereaforesaid children is entitled to share in the distribution of the said award.

Your petitioner, therefore, prays that she be allowed to file her petition in these proceedings; that the said Effie C. Hilbert, John R. Moore, Mable C. Longley, Earl E. Moore and Claude T. Moore be made defendants herein and required to answer, but not under oath; 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 cause may require.

Minnie E. Moore

Ralph H. Bader
Counsel.

State of Virginia,

County of Rockingham, to-wit:

This day Minnie E. Moore, the petitioner in the above matter, personally appeared before me, Hazel B. Wagner, a Notary Public ⁱⁿ and ~~and~~ for ^{the} County of foresaid and being first duly sworn, deposes and says that she is the petitioner in the above named matter, that she is acquainted with the facts therein set forth, and that the said facts are true and correct to the best of her knowledge and belief.

Hazel B. Wagner, Notary Public

I, J. S. Moore, being of sound mind and disposing memory do make and publish this my last will and testament, hereby revoking all former wills by me at any time made.

(1) I direct my executrix to pay all my just debts of every kind and nature.

(2) I bequeath to my children, Effie C. Hilbert, John R. Moore, Mabel C. Moore, Earl E. Moore and Claude T. Moore the proceeds of a life insurance policy of Five Thousand Dollars, and they to receive each therefrom One Thousand Dollars.

(3) I devise and bequeath to my wife Minnie E. Moore all the residue of my property, both personal and real and the same to be held and used by her for her comfort and support as well as for the care, support and education of my children in such ways as she may deem right and proper: and I also direct that at her death that all my property of every kind and nature, remaining in her hands shall pass to my children, and they to receive share and share alike thereof.

(4) I hereby appoint my wife Minnie E. Moore, the executrix of this my last will and testament and of whom no bond shall be required in administration. In witness whereof I have hereunto written my name opposite my seal this the 15th day of August, 1911.

J. S. Moore (SEAL)

✓ The said testator, J. S. Moore, signed this instrument, and declared the same as and for his last will and testament in our presence, and we at his request and in his presence, and in the presence of each other, have hereunto subscribed our names as attesting witnesses.

P. E. F. Good

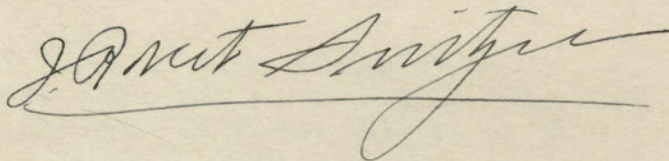
Clarence Jackson

Certificate No. 1

TO WHOM IT MAY CONCERN:

I hereby certify that there are no delinquent taxes in my office against a said tract of 88-1-29 acres of land assessed in the name of Minnie E. Moore, said land being situated in the park area in Stonewall District, Rockingham County, Virginia.

Given under my hand this 11th day of May 1934.

A handwritten signature in cursive script, reading "Janet Switzer". The signature is written in dark ink and is positioned above a horizontal line.

Clerk of the Circuit Court of Rockingham County, Virginia

M. H. HARRISON

TREASURER OF ROCKINGHAM COUNTY

HARRISONBURG, VIRGINIA

Certificate No. 2

TO WHOM IT MAY CONCERN:

I hereby certify that the records in this office show that the 1933 taxes have been paid on a certain tract of 88-1-29 acres of land assessed in the name of Minnie E. Moore situate in the Park Area in Stonewall District, Rockingham County.

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

Given under my hand this
10th day of May 1934.

M. H. Harrison

Treasurer

RALPH H. BADER
ATTORNEY AT LAW
HARRISONBURG, VIRGINIA

*
131.74
131.74
131.74

395.22*
131.72
131.72
131.72
131.72

526.88*
~~121.90~~
3.90
2.00
116.00

243.80*

395.22
526.88
243.80

1,165.90*

121.90

1044.00

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