

Rappahannock County

Wakefield District

NAME OF CLAIMANT

#23 - Harper, Edith M.

Number of Acres: 154 - 4

Location: On Spruce Pine Creek, a tributary of Indian River.

Roads: It is about  $3\frac{1}{2}$  miles by a poor country road to the State Highway near Flint Hill, thence 12 miles to Front Royal, the nearest shipping point.

Soil: Sandy Clay loam, fair depth and fertility. Slopes moderately steep.

History of Tract and condition of timber: Cleared land has been grazed for many years. Tanbark removed about thirty years ago. Other products removed at various times. 110 acres estimated to cut 978 feet per acre or 107,580 bd.ft. Five acres covered with locust reproduction.

Improvements:

Acreage and value of types:

Types	Acreage	Value per acre	Total Value
✓ Slope:	115	@ \$2.50	\$287.50
Cove:			
✓ Grazing Land:	39	@ 10.00	<u>390.00</u> \$677.50

Cultivated Land:

Orchard:

Minerals:

✓ Value of Land: \$ 677.50	
Value of Improvements: \$	
Value of Orchard: \$	
Value of Minerals: \$	
✓ Value of Timber: \$ 690.00	<u>690.00</u>
Value of Wood: \$	\$1367.50
✓ Value per acre for tract: \$ 8.88	

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

No evidence before us as to mineral value and we do not feel justified to allow any mineral value.

*Geo. N. Pen*  
Clerk

CLERK

CLAIMANT  
NAME OF ~~OWNER~~

Clarke, Edley M.- Timber Right on  
Edith Harper Tract.

Number of Acres:

Location:

Roads:

Soil:

History of Tract and condition of timber:

Improvements:

Acreage and value of types:

Types	Acreage	Value per acre	Total Value
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Ridge:

Slope:

Cove:

Grazing Land:

Fields Restocking:

Cultivated Land:

Orchard:

Minerals:

Value of Land: \$

Value of Improvements: \$

Value of Orchard: \$

Value of Minerals: \$

Value of Fruit: \$

Value of Timber: \$ 50.00

Value of Wood: \$

Value per acre for tract: \$

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

*Geo. H. Pen.*

CLERK



Lies in Edith's Harper tract.

Claim of Edley M. Clark  
In the Circuit Court of Rappahannock County, Virginia, No. 149, At Law.  
The State Commission on Conservation and Development of the State of Virginia, Petitioner, vs. Clifton Aylor et al and  
37400 acres

more or less, of land in Rappahannock 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 Rappahannock County, Virginia, asks leave of the Court to file this as his answer to said petition and to said notice.

My name is Edley M. Clark  
My Post Office Address is Shut 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 10 acres, on which there are the following buildings and improvements: None

This land is located about 6 miles from Shut Hill, Virginia, in the Stokefield 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 acquired right under deed from Annie M. Dearing, Ex'trix of J.C. Walter to cut & remove timber off said tract. This parcel of land was reserved in deed of record in Deed Book "X" page 144 for use of home farm.

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

- North Edith Harper
- South R.A. Jones
- East \_\_\_\_\_
- West J.T. Miller

I acquired my right, title, estate or interest to this property about the year 1930 in the following manner:

by deed from Annie M. Dearing, Ex'trix of J.C. Walter, deed.

I claim that the total value of this tract or parcel of land with the improvements thereon is \$ 200.00. 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 \$ 200.00.

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: I own 99.75 acres of cleared land near above property, but not adjoining same. The ten acres above was reserved for use of my said farm as no wood is on same, and I figure my other farm is damaged at least \$200<sup>00</sup> by taking all wood land. (Continue remarks if necessary on the back).

Witness my signature (or my name and mark attached hereto) this 25<sup>th</sup> day of August, 1930.

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

The undersigned hereby certifies that Edley M. Clark 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 25<sup>th</sup> day of August, 1930.

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



23

The State Commission on Conservation and Development of the State of Virginia, Petitioner, vs. [Name], Defendant. In the Circuit Court of [County], Virginia, No. [Number]. At Law. Claim of [Name] of [Address] 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 [County], Virginia, asks leave of the Court to file this as his answer to said petition and to said notice.

My name is [Name] My Post Office Address is [Address] I claim a right title estate or interest in a tract or parcel of land within the area sought to be condemned, buildings and improvements thereon, acres on which there are the following [Acres]

This land is located [Location] miles from [Location] the [County] District of said County. I claim the following right title estate or interest in the tract or parcel of land described above: [Description] and if joint owner by 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.

The land owner adjacent to above described tract or parcel of land are as follows: North [Name] South [Name] East [Name] West [Name]

I acquired my right title estate or interest in this property about the year [Year] in the following manner: [Manner]

I claim that the total value of this tract or parcel of land with the improvements thereon is \$ [Value]. 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 \$ [Value]. I am the owner of [Acres] 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 \$ [Value]. (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: [Remarks]

(Continue remarks if necessary on the back.)

Witness my signature (or my name and mark attached hereto) this [Day] day of [Month], 1930. To-wit: [Signature] STATE OF VIRGINIA, COUNTY OF [County] The undersigned hereby certifies that 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 [Day] day of [Month], 1930.

Clerk of the Court or Special Investigator or Notary Public or Justice of the Peace.

Claim of  
Edley M. Carb.

Filed in Clerk's office  
Aug. 25 - 1930  
T. J. M. Butler  
Clerk



Claim of Edith G. Harper  
In the Circuit Court of Rappahannock County, Virginia, No. 149, At Law.  
The State Commission on Conservation and Development of the State of Virginia, Petitioner, vs. Clifford Aylor et als., and 14,700 acres

more or less, of land in Rappahannock 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 Rappahannock County, Virginia, asks leave of the Court to file this as his answer to said petition and to said notice.

My name is Edith G. Harper  
My Post Office Address is c/o Edgar S. McKaig, Esq., 500 Morris Building Philadelphia, Pennsylvania

I claim a right, title, estate or interest in a tract or parcel of land within the area sought to be condemned, containing about 200 acres, on which there are the following buildings and improvements: None

This land is located about 5 miles from Flint Hill Virginia, in the Wakefield 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**

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

- North Thos. H. Seiler & Geo. W. Rowling
- South M. J. Riley, Jas. Smoot & R. L. Jones
- East M. J. Riley
- West Thos. H. Seiler, Geo. J. Miller & Miller Estate

I acquired my right, title, estate or interest to this property about the year 1924 in the following manner: 150 acres by Deed dated August 6, 1924 and recorded in Circuit Court of Rappahannock, Deed Book No. 32 page 260; 50 acres by Deed dated August 6, 1924 and recorded in Circuit Court of Rappahannock, Deed Book No. 32 page 261.

I claim that the total value of this tract or parcel of land with the improvements thereon is \$ 500,000.00. 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 \$ \_\_\_\_\_

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: This property was acquired for its mineral value. The owner will gladly consider a conveyance of the surface rights with the reservation of the mineral rights for the purposes of the Shenandoah National Forest, but if she is to be deprived of her right to take out minerals, she will have to make claim for compensation accordingly.

(Continue remarks if necessary on the back).

Witness my signature (or my name and mark attached hereto) this \_\_\_\_\_ day of June, 1930.

Edith G. Harper  
STATE OF ~~VIRGINIA~~ Pennsylvania, COUNTY OF Philadelphia, To-wit:

The undersigned hereby certifies that Edith G. Harper 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 \_\_\_\_\_ day of June, 1930.

Beatrice M. Lynch  
Clerk of the Court, or Special Investigator or Notary Public, or Justice of the Peace.



Claim of Edith G. Harper  
In the Circuit Court of Rappahannock County, Virginia, No. 149, At Law.  
The State Commission on Conservation and Development of the State of Virginia, Petitioner, vs. Clifford Aylor et als., and 14,700 acres

more or less, of land in Rappahannock 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 Rappahannock County, Virginia, asks leave of the Court to file this as his answer to said petition and to said notice.

My name is Edith G. Harper  
My Post Office Address is c/o Edgar S. McKaig, Esq., 500 Morris Building Philadelphia, Pennsylvania

I claim a right, title, estate or interest in a tract or parcel of land within the area sought to be condemned, containing about 200 acres, on which there are the following buildings and improvements: None

This land is located about 5 miles from Flint Hill Virginia, in the Wakefield 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**

The land owners adjacent to the above described tract or parcel of land are as follows:  
North Thos. H. Seiler & Geo. W. Rowling  
South M. J. Riley, Jas. Smoot & R. L. Jones  
East M. J. Riley  
West Thos. H. Seiler, Geo. J. Miller & Miller Estate

I acquired my right, title, estate or interest to this property about the year 1924 in the following manner: 150 acres by Deed dated August 6, 1924 and recorded in Circuit Court of Rappahannock, Deed Book No. 32 page 260; 50 acres by Deed dated August 6, 1924 and recorded in Circuit Court of Rappahannock, Deed Book No. 32 page 261.

I claim that the total value of this tract or parcel of land with the improvements thereon is \$ 500,000.00. 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 \$ \_\_\_\_\_

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: This property was acquired for its mineral value. The owner will gladly consider a conveyance of the surface rights with the reservation of the mineral rights for the purposes of the Shenandoah National Forest, but if she is to be deprived of her right to take out minerals, she will have to make claim for compensation accordingly.

(Continue remarks if necessary on the back).

Witness my signature (or my name and mark attached hereto) this \_\_\_\_\_ day of June, 1930.  
Edith G. Harper  
STATE OF ~~VIRGINIA~~ Pennsylvania, COUNTY OF Philadelphia, To-wit:

The undersigned hereby certifies that Edith G. Harper 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 \_\_\_\_\_ day of June, 1930.

Beatrice M. Lynch  
Clerk of the Court, or Special Investigator or Notary Public, or Justice of the Peace.



Claim of  
Edith G. Harper

Clerk's Office Poppo's Co.  
Filed July 17-1930  
Jas. M. Suttie, Clerk

Claim of Edith G. Harper  
In the Circuit Court of the State of Virginia  
The State Commission on Conservation and Development  
Petitioner vs. Clifford Aylor et al., Respondents

more or less of land in Rappahannock 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 order of condemnation awarded upon the filing of said petition and published in accordance with the order of the Court of Rappahannock County, Virginia, as above, and to said notice.

My name is Edith G. Harper  
My Post Office Address is c/o Edgar S. McKee, Esq., 500 Morris Building, Philadelphia, Pennsylvania  
I claim a right, title, estate or interest in a tract or parcel of land within the area sought to be condemned, containing about 200 acres, on which there are the following buildings and improvements: None

This land is located about 5 miles from West Hill, Virginia, in the Wakefield 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

The land owners adjacent to the above described tract or parcel of land are as follows:  
North: Mrs. J. S. Suttie & Co., W. A. Suttie  
South: N. J. Suttie & Co., S. J. Suttie  
East: N. J. Suttie  
West: Mrs. J. S. Suttie & Co., S. J. Suttie

I acquired my right, title, estate or interest to this property about the year 1924 in the following manner: 150 acres by Deed dated August 6, 1924 and recorded in Circuit Court of Rappahannock, Deed Book No. 32 page 260; 50 acres by Deed dated August 6, 1924 and recorded in Circuit Court of Rappahannock, Deed Book No. 32 page 261.

I claim that the total value of this tract or parcel of land with the improvements thereon is \$ 500,000.00. 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 \$

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.)

This property was acquired for its mineral value. The owner will gladly consider a conveyance of the surface rights with the reservation of the mineral rights for the purposes of the Shenandoah National Forest, but if she is to be deprived of her right to take out minerals, she will have to make claim for compensation according to law.

(Continue remarks if necessary on the back.)

Witness my signature (or my name and mark attached hereto) this \_\_\_\_\_ day of \_\_\_\_\_ 1930

To-wit: Edith G. Harper  
STATE OF VIRGINIA COUNTY OF PHILADELPHIA

The undersigned hereby certifies that the above named claimant personally appeared before me and made oath that the matters and things appearing in his above answer are true to the best of his knowledge and belief, and things appearing in his above answer are true to the best of his knowledge and belief, this \_\_\_\_\_ day of \_\_\_\_\_ 1930

Notary Public or Special Investigator or Clerk of the Court  
Jas. M. Suttie, Clerk  
ROTARY CLUB  
500 Morris Building



#23-Harper, Edith E.

Acreage Claimed:

Value Claimed:

Examined By:

Location: On Spruce Pine Creek, a tributary of Indian River.

Incumbrances, counter claims, laps, etc. None known.

Roads: It is about  $3\frac{1}{2}$  miles by a poor country road to the State Highway near Flint Hill, thence 12 miles to Front Royal, the nearest shipping point.

Soil: Sandy clay loam, fair depth and fertility. Slopes moderately steep.

History of tract and condition of timber:

Cleared land has been grazed for many years. Tanbark removed about thirty years ago. Other products removed at various times. 110 acres estimated to cut 978 feet per acre or 107,580 Bd. ft. five(5) acres covered with locust reproduction.

Improvements: None in park area.

Acreage and value by types:

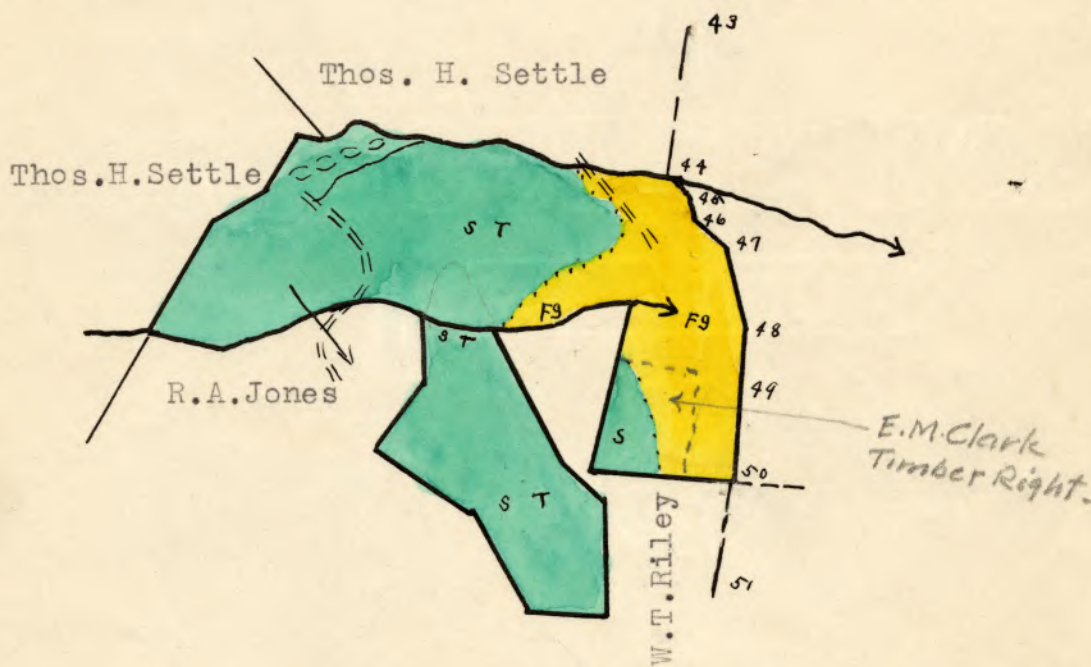
<u>Types:</u>	<u>Acreage:</u>	<u>Value per A.</u>	<u>Total Value</u>
Field (Gr)	39	\$10	\$390.
Slope	115	\$2	230.
	<u>154</u>		<u>\$620.</u>

Value of Land-- \$620.00  
 Value of Timber--  
 107,580 ft. @ \$4.- 430.32  
\$1050.32

Value per Acre- \$6.84



#23-Harper, Edith E.



LEGEND:

- |       |               |
|-------|---------------|
| Cove  | Orchard       |
| Slope | Grazing Land  |
| Ridge | Tillable Land |

Scale - 1" = 20 Chains



VIRGINIA:

IN THE CIRCUIT COURT OF RAPPAHANNOCK COUNTY, VIRGINIA:

THE STATE COMMISSION ON CONSERVATION  
and DEVELOPMENT, Petitioner.

Answer and exceptions  
of  
Edith M. Harper.

vs

CLIFTON AYLOR, et als, and 37,400 acres  
of land, more or less, Defendants.

Your respondent, Edith M. Harper, excepts to the Commissioners report filed in the Clerk's office of the Circuit Court of Rappahannock County, Virginia, on the 18th day of May, 1932, in the above styled cause, for the following reasons:

- (1) That said Commissioners only allowed the sum of \$1367.50 to your respondent for her said land, which sum is far below the actual amount paid by your respondent for the said land,
- (2) That said sum is absolutely inadequate, unfair and unjust,
- (3) That said Commissioners made a mistake in the acreage of said land; allowing your respondent for only 154 acres, when records show that the tract actually consists of over 200 acres,
- (4) That said Commissioners absolutely ignored the mineral value of said land; allowing your respondent nothing whatsoever therefor.

Your respondent would show unto the Court that the tract of land proposed to be taken contains some of the most valuable timber in this county, and that said timber is worth at least the sum of \$2000.00, whereas said Commissioners only allowed the sum of \$690.00 therefor; your respondent would further show unto the Court that said tract of land was formerly owned by The Rappahannock Copper Company, a corporation capitalized at \$900,000.00, and organized to extract or mine the large deposits of copper and other minerals on said land; that your respondent later acquired this land and believes the mineral value alone



to be worth many times the sum allowed by the Commissioners; and she would further show that she has heretofore filed a claim in this cause asking that she be allowed the sum of \$500,000.00 for her said land.

Your respondent would show that the tract of land proposed to be taken will be found in Record No. 149, tract 23.

Therefore, your respondent and exceptant prays that she be not deprived of her said property without just compensation, and that she be allowed at least the sum of \$500,000.00, which she believes to be the true value of her said property; and your respondent further prays that the Court appoint other disinterested appraisers to appraise her property, or that she be granted a jury trial, and she will ever pray, etc.,

Respectfully submitted,

Edith M. Harper

By Counsel

C. W. Chely

Geo. W. Little

Counsel

Subscribed and sworn to before me this 15<sup>th</sup> day of July, 1932.

Balt. Miller

Clerk in Charge



THE STATE COMMISSION ON  
CONSERVATION AND DEVELOPMENT,  
Petitioner.

vs

CLIFTON AYTOR, et als, and  
37,400 acres of land, more  
or less, Defendants.

Answer and Exceptions of

Edith M. Harper

FILED IN  
CLERK'S OFFICE  
RAPPAHANNOCK COUNTY

1934

Teste:

*Edith M. Harper*  
*Edith M. Harper, Clerk*



VIRGINIA: IN THE CIRCUIT COURT OF RAPPAHANNOCK COUNTY.

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

VS

CLIFTON AYLOR, ET ALS, AND THIRTY-SEVEN THOUSAND  
FOUR HUNDRED (37,400) ACRES OF LAND, MORE OR LESS,  
IN RAPPAHANNOCK COUNTY, ----- DEFENDANTS

AFFIDAVIT

State of Virginia,

County of Rappahannock, to-wit:

R. E. Manuel, being duly sworn, deposes and says that he has had experience in metallic ore mining; that a number of years ago he was employed by the Rappahannock Copper Co., and also by one Alfred B. Iles, as foreman of operations in opening copper mines on or near what is known as Mount Marshall, in Rappahannock County, Virginia; that when employed by the Rappahannock Copper Co., whose tract of land adjoined certain lands formerly owned by J. J. Miller, he assisted in building roads to and from the mine so as to provide an outlet for the ore to be hauled to the railroad at Front Royal, Virginia; that he also assisted in the work of blasting the quarries and extracting the ore; that during the period of about twelve months in which the company operated, several shafts or quarries were sunk to a considerable depth, and from these quarries he has seen a considerable amount of ore removed, which in his opinion contained large deposits of copper; that although he is not able to express an opinion as to what per cent the ore would assay, he is of the opinion that it contained sufficient copper to make the mine a paying proposition; and that he was advised that the company discontinued operations solely because of the fact that their capital was insufficient to further develop the mine.



R E Manuel

Subscribed and sworn to before me this 28  
day of July, 1933.

Bert W. Allen  
Clerk to Clerk

ATTEST  
NOTARY PUBLIC  
STATE OF OHIO  
JUL 28 1933



*Attest of N.S. Howard.  
Elijah Harper. To act*

day of July, 1883.

*W. S. Howard*  
FILED IN  
CLERK'S OFFICE  
RAPPAHANNOCK COUNTY  
*July 28 -* 19 *83*  
Teste: *Jas. M. Smith*, Clerk







Lime	17.42
Magnesia	1.09
Iron Oxid	12.46
	<u>99.83</u>

Sample #2.

Copper	11.487%
Gold	None
Silver	1.2 oz. per ton, value \$.60 per ton.

Analysis of Gangue.

Silica	57.55%
Alumina	13.27
Lime	12.99
Magnesia	3.05
Iron Oxid	11.74
	<u>98.60</u>

Sample #3.

Copper	64.18%
Gold	None
Silver	Trace

Analysis of Gangue

Silica	80.16%
Alumina	3.21
Lime	4.02
Magnesia	3.33
Iron Oxid	5.96
	<u>96.68</u>

Sample #4.

Copper	9.85%
Gold	None
Silver	1 oz. per ton, value \$.50 per ton.

Analysis of Gangue

Silica	66.40%
Alumina	12.77
Lime	11.06
Magnesia	1.50
Iron Oxid	6.97
	<u>98.70</u>

Reports of Ellsworth Maltby Shipp and William F. Hayhurst.

That subsequently I visited the property, went over the outcrops on it, - examined a number of the old prospect holes to obtain a general idea of the ground.

That from the surface indications, I believe the mineral prospects to be of the best; that the next step would be core drilling the property, further analyses of the samples so obtained and the working out of a definite value for the ore body in situ; that this work would involve the expenditure of a considerable



sum of money, but that in your deponent's opinion it would be most inequitable and unjust to compensate the owner for this land as land only without taking the mineral value into consideration.

That, in his opinion, an equitable way would be for the State Commission to acquire title to the surface only with a reservation in the owner of the mineral rights, such as has been done by the Federal Government in various National Forest projects, notably in Pennsylvania in the oil bearing section of that State.

Sworn to and subscribed  
before me this 10 day  
of August, 1933.

R. J. Orndel

Anna B. Hedley  
Notary Public.  
Jou Ex 3/137





VIRGINIA: IN THE CIRCUIT COURT OF  
RAPPAHANNOCK COUNTY

THE STATE COMMISSION ON CONSERVA-  
TION AND DEVELOPMENT OF THE STATE  
OF VIRGINIA, Petitioner

vs.

CLIFTON AYLER, ET AL., AND THIRTY-  
SEVEN THOUSAND FOUR HUNDRED  
(37,400) ACRES OF LAND, MORE OR  
LESS, IN RAPPAHANNOCK COUNTY,  
Defendants

AFFIDAVIT ON BEHALF OF EDITH G.  
HARPER.

FILED IN  
CLERK'S OFFICE  
RAPPAHANNOCK COUNTY

August 17 - 19 33.

Teste: *Jos. M. Smith*, Clerk



VIRGINIA:

IN THE CIRCUIT COURT OF RAPPAHANNOCK COUNTY:

THE STATE COMMISSION ON CONSERVATION  
and DEVELOPMENT

Petitioner

vs

CLIFTON AYLOR, et als, and 37,400 acres  
of land, more or less

Defendants

At Law No. 149

Your respondent, Edith M. Harper, in obedience to an order entered in these proceedings on the 30th day of August, 1932, comes and says that to the best of her information, knowledge and belief the tract or parcel of land, within the area sought to be condemned, owned by her and with reference to which she has heretofore filed her objections to the report of the Board of Appraisal Commissioners, is, with the exception of the number of acres given, the same tract or parcel of land which was found by the said Appraisal Commissioners to be the land owned by her, and which is shown and delineated on the map returned with the report of the Board of Appraisal Commissioners, read together with the said report and the exhibits thereto attached, the said tract of land being described as containing 154 acres, and being designated in the said report as Tract No. 23.

Respectfully,

Edith M. Harper

By Counsel

Geo. W. Settle

E. W. Chelf

Counsel

E. W. CHELF  
ATTORNEY AT LAW  
WASHINGTON, VA.



The State Commission on  
Conservation & Development

VS

Clifton Aylor, et als, and 37400  
acres od land, more or less

Written Statement of  
Edith M. Harper as to  
ownership of Tract # 23

FILED IN  
CLERK'S OFFICE  
RAPPAHANNOCK COUNTY  
Sept. 13<sup>th</sup> 19 32  
Teste: Jas. M. Scott Clerk