

NAME OF CLAIMANT
#47 - Hensley, Sol J.

Number of Acres: 280

Location: On Dean Mountain.

Roads: One and one-half miles of steep rough road to county road near Mt. Pleasant; thence four miles to Elkton.

Soil: Sandy clay of good depth and fertility over most of the tract. There are some very rocky outcrops in the upper portion of the tract. There are moderate slopes with northwest and southwest exposure.

History of Tract and condition of timber: A large portion of the tract was cleared many years ago and has been grazed and cultivated since. The wooded area has been cut over repeatedly in the past. The present stand consists of mixed oaks, hickory, and some hemlock and pine. It is estimated to cut 300 bd. ft. per acre. 29,500 bd. ft. An average of 4 cords of fuel-wood. 388 cords.

Improvements: Dwelling: Log, 18x24', 2 story, porch 8x16', shingle roof, brick flues, 6 rooms, log finish, basement 18x24', 2 rooms, poor condition, occupied by tenant. Barn: Log, 12x18x12', shingle roof, poor condition. Orchard: 3/4 acre.

Acres and value of types:

Types	Acres		Value per acre	Total Value
Ridge:				
Slope:	45	@	\$5.00	\$225.00
Cove:	29	@	10.00	290.00
Grazing Land:	148	@	40.00	5920.00
Fields Restocking:	49	@	20.00	980.00
Cultivated Land:	<u>9</u> 280	@	30.00	<u>270.00</u> \$7685.00

Orchard:

Minerals:

Value of Land: \$ 7685.00

405.00

Value of Improvements: \$ 405.00

50.00

Value of Orchard: \$

50.00

Value of Minerals: \$

\$8190.00

Value of Fruit: \$50.00

Value of Timber: \$

Value of Wood: \$50.00

Value per acre for tract: \$29.35-

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

Geo. H. Pini CLERK.

REPORT ON THE ACREAGE
of the
S. J. HENSLEY TRACT #47.

This tract is made up of four parcels of land conveyed to S. J. Hensley at different times. Three of these tracts were conveyed to Hensley by O. B. Cooley and their acreages are as follows:

1st -- A tract of 281 A. 281 A.

2nd -- A tract of 9 A. 9 A.

3rd -- A tract which in the deed to Cooley, calls for 24 A., 2 R., and 23P., but which in Cooley's deed to Hensley is described as follows: "Supposed to contain 25 acres, but actually contains only 10 or 12 acres."

My computation of this tract by its own calls, checks the 12 A.

John A. Hensley deeded to S. J. Hensley	-	2 A.
Total deeded to S. J. Hensley in this tract		--304 A.

Sold by Hensley to Daniel T. Dean	24
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Balance belonging to Hensley	280 A.
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The deed from Hensley to D. T. Dean, noted above, calls for 15 acres. However, we located its lines, and computed the acreage to be 24, as shown above.

This shows 280 acres belonging to Hensley, according to his deeds, and this amount should be covered by ~~the~~ report, as my computation checks the acreages called for in the deeds, except as heretofore noted.

Our report gives 264 acres, the difference being due probably to horizontal measurement.

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

NAME OF CLAIMANT

#47-a - Hensley, Sol J.

Number of Acres: 313

Location: On Bush Knob near Roach Gap and Powell Gap.

Roads: Three miles of fair dirt road to Spotswood Trail near Swift Run; thence four miles to Elkton.

Soil: Sandy clay of fair depth and fertility; somewhat rocky over most of tract with moderate to steep slopes; northwest, and southwest exposure.

History of Tract and condition of timber: Large portion of tract cleared many years ago. A considerable part of this cleared portion has been neglected in the past ten years, now grown up to locust, yellow pine and sumach. The wooded area has been cut over repeatedly in the past. Stavewood is now being removed from the tract. The present stand consists of mixed oaks, poplar, hickory and etc.

Improvements: Dwelling: Log, 16x24', 1½ story, shingle roof, stone flues, 3 rooms, ceiled and log finish, very poor condition, occupied by tenant.

Acreage and value of types:

Types	Acreage		Value per acre	Total Value
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Ridge:

Slope:	216	@	\$5.00	\$1080.00
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Cove:

Grazing Land:	66	@	20.00	1320.00
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Fields Restocking:	19	@	15.00	285.00
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Cultivated Land:	12	@	20.00	240.00
	313			\$2925.00

Orchard:

Minerals:				65.00
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Value of Land: \$ 2925.00		150.00
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Value of Improvements: \$150.00

Value of Orchard: \$65.00		50.00
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Value of Minerals: \$

Value of Fruit: \$

Value of Timber: \$

Value of Wood: \$50.00

Value per acre for tract: \$ 10.16

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

Geo. H. Pen CLERK.

Claim of Sol J Hensley
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. Sol J Hensley one track of 290 on Dean but 334 a on Powells gap 624 a in two tracks
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 Sol J Hensley
My post office address is Elkton Virginia

I claim a right, title, estate or interest in a tract or parcel of land within the area sought to be condemned, containing about 624 acres, on which there are the following buildings and improvements: Two Dwellings two Stables Four orchards gold and copper ore alot of cord wood some saw timber and pulp wood
This land is located about 4 1/2 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 I bought and paid for the land with money from cattle and sheep grazed on the land

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

North Dean Dean Jack Baugher
South John A Hensley Powels Rob Burk
East Josh Dean gap 334a John Funkehouse
West Sam Lam Marientgard Chas Shiplett

I acquired my right, title, estate or interest to this property about the year 1900 in the following manner:

Bought and paid for it with money from Cattle and sheep grazed on the land

I claim that the total value of this tract or parcel of land with the improvements thereon is \$ 28950.00. 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 \$ 28950.00.

I am the owner of 400 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 \$ 2000.

(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: my 400 a of farming land will be damaged from the fact I will have to change my way of doing business cant feed cattle and sheep brought to make but little. I graze on the mountain in summer at home in winter (Continue remarks if necessary on the back).

Witness my signature (or my name and mark attached hereto) this 15 day of December, 1930.

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

The undersigned hereby certifies that Sol J Hensley 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 7 day of Feb, 1930.

Wm Hugh M. P.
Clerk of the Court, or Special Investigator or Notary Public, or Justice of the Peace.

Most of the land covered with Blue grass

290 acre known as crader falls

290 a cedar falls has grazed 100 cattle all summer
Last summer didnt have but 50 cattle too calts
They went there april 1 and come out Nov 30
was there 8 month and put on more than \$2.00 a mo
50 cattle 8 mo \$2.00 per head a mo made more than \$800.

Fruit rent and fire wood from farm 100.

334 a Bowells gap grazes 80 for 6 mo \$1.50 720.

The two farms pays 6% on \$27000.

Damage to home farm \$2000
\$29000.

off for tax 50.
Amount due = 28950.

I dont binde my self to close at the
above price for a longer period than
18 months from the above date

yours Truly
Sol J. Hensley

County: Rockingham
District: Stonewall

#47 - Hensley, S. J.

* Acreage Claimed: 624 A. Assessed: 286 Deed: 315 (1909)
Value Claimed: \$28,950. " \$1430.00 "\$3100.00

Location: On Dean Mountain.

Incumbrances, counter claims or laps: None known.

Soil: Sandy clay of good depth and fertility over most of the tract. There are some very rocky outcrops in the upper portion of the tract. There are moderate slopes with north-west and southwest exposure.

Roads: One and one-half miles of steep rough road to county road near Mt. Pleasant; thence four miles to Elkton.

History of tract and condition of timber: A large portion of the tract was cleared many years ago and has been grazed and cultivated since. The wooded area has been cut over repeatedly in the past. The present stand consists of mixed oaks, hickory and some hemlock and pine. It is estimated to cut 300 bd. ft. per acre - 29,500 b. ft. valued @ \$2.00 per M. - \$59.00
An average of 4 cords of fuelwood valued @ 25¢ per A. 97.00
388 cords valued @ 25¢ -- \$156.00

Improvements: Dwelling: Log 18x24', 2 story, porch 8x16', shingle roof, brick flues, 6 rooms, log finish, basement 18x24' 2 rooms, poor condition, occupied by tenant -- \$150.00
Barn: Log 12x18x12', shingle roof, poor condition - 20.00
Orchard: $\frac{3}{4}$ acre valued @ \$40.00 per acre -- 30.00
\$200.00

Value of land by types:

Type	Acreage	Value per acre	Total Value
Cove	29	\$5.00	\$145.00
Slope	68	3.00	204.00
Fg	148	35.00	5180.00
Fc	9	30.00	270.00
Fr	10	8.00	80.00
	<u>264</u>		<u>\$5879.00</u>

Total value of land \$5879.00
Total value of improvements 200.00
Total value of timber 156.00
Total value of tract \$6235.00
Average value per acre 23.24

* Includes Tract #47-a

County: Rockingham
District: Stonewall

#47-a - Hensley, S. J.

Acreage Claimed: 624 A. Assessed: 274 A. Deed: Purchased 105 A.
40 P. 1918 for \$1000.00
*Value Claimed: \$28,950. " \$1310.00 3 A 0144 P. 1921 for
\$97.50; 55 A. (Supposed
Location: On Bush Knob near Roach Gap and Powell to be 110 A.) 1915 for
Gap. \$400.00; 112 A. 1915
\$600.00;

Incumbrances, counter claims or laps: None known.

Soil: Sandy clay of fair depth and fertility; somewhat rocky over most of tract with moderate to steep slopes; northwest, northwest and southwest exposure.

Roads: Three miles of fair dirt road to Spotswood Trail near Swift Run; thence four miles to Elkton.

History of tract and condition of timber: Large portion of tract cleared many years ago. A considerable part of this cleared portion has been neglected in the past ten years, now grown up to locust, yellow pine and sumach. The wooded area has been cut over repeatedly in the past. Stavewood is now being removed from the tract. The present stand consists of mixed oaks, poplar, hickory and etc. Estimate that there are 250 cords of fuelwood accessible for use of tenant valued @ 50¢ per cord -- \$125.00.

Improvements: Dwelling: Log 16x24', 1½ story, shingle roof, stone flues, 3 rooms, ceiled and log finish, very poor condition, occupied by tenant -- \$50100

Value of land by types:

Type	Acreage	Value per acre	Total Value
Slope	216	\$3.00	\$648.00
Fg	66	15.00	990.00
Fc	12	15.00	180.00
Fr	19	6.00	114.00
	<u>313</u>		<u>\$1932.00</u>

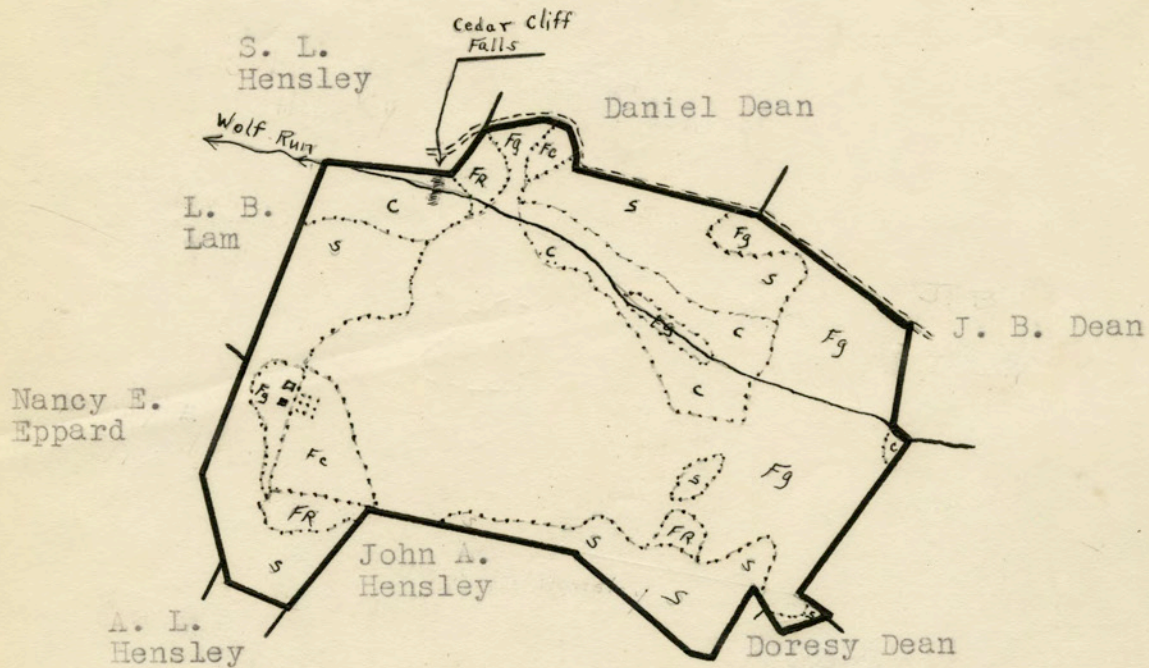
Total value of land \$1932.00
Total value of improvements 50.00
Total value of timber 125.00
Total value of tract \$2107.00
Average value per acre 6.73

* Includes Tract #47

Note -- Acreage over runs deeded and assessed acreage. This is due to the fact that the 55 acre tract purchased in 1915 contained more than what the deed called for.

#47 - Hensley, S. J.

County: Rockingham
District: Stonewall



LEGEND

Cove - Slope
Grazing - Tillable
Restocking

Virginia: In the Circuit Court of Rockingham County.

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

PETITIONER,

V.

At Law 1829.

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

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

On this 4 day of January, 1934, came John T. Harris,
Ralph H. Bader, and Geo. S. Harnsberger, Special Commissioners in
the chancery cause of Solomon J. Hensley's Creditors vs. Solomon
J. Hensley and others, and, on their motion, leave is given them
to file their application for the payment to Geo. S. Harnsberger,
Special Receiver and bonded commissioner in the said cause, of
the sum of \$3,190.00, the amount of the award set out in the judg-
ment of condemnation for tracts designated as 47-a and heretofore
paid into court.

And it appearing from the report of the Board of Appraisal
Commissioners heretofore filed in this suit and in the petition
for judgment of condemnation entered herein on the 2d day of
November, 1933, that in the opinion of the said State Commission
on Conservation and Development Solomon J. Hensley was invested
with a superior or better right or claim of title in and to said
tracts of land designated as 47-a, and that the record in said
condemnation proceedings does not disclose any denial or dispute
by any party or person interested as to the title to said tracts
designated as 47-a, or to the proceeds arising from the condemna-
tion thereof, except the lien indebtedness thereon as set out in
the report of Master Commissioner L. L. Conrad filed in this Court
in the pending chancery cause of Solomon J. Hensley's Creditors

vs. Solomon J.Hensley and others, and it appearing to the Court that under a decree of sale heretofore entered in said chancery cause Jno.T.Harris, Ralph H.Bader, and Geo.S.Harnsberger were appointed Special Commissioners to sell certain real estate of the said Solomon J.Hensley, which included the said tracts designated as 47-a, and that, in pursuance of said decree of sale said Geo.S.Harnsberger has executed bond in the said chancery cause in the penal sum of \$5,000.00;

Upon consideration whereof, it is considered and ordered by the Court that the said sum of \$3,190.00 paid into court as aforesaid as just compensation for the said tracts designated as 47-a be paid unto the said Geo.S.Harnsberger, Special Receiver, for distribution under the orders of this Court in said chancery cause, 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 the said Geo.S.Harnsberger, Special Receiver, the said sum of \$3,190.00, the amount of the award set out in the judgment of condemnation for said tracts designated as 47-a, taking from the said Geo.S.Harnsberger, Special Receiver, receipt therefor and certifying such payment to the Clerk of this Court for appropriate entry thereof as required by law.

Enter.

 HCB
Judge.

20
74

Virginia: In the Circuit Court of Rockingham County.

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

PETITIONER,

V.

At Law 1829.

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

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

Your petitioners, Jno.T.Harris, Ralph H.Bader, and Geo.
S.Harnsberger, Special Commissioners of the Circuit Court of
Rockingham County, Virginia, in the chancery cause therein pend-
ing in the name and style of Solomon J.Hensley's Creditors vs.
Solomon J.Hensley and others, respectfully represent:

That, by decree entered in the said chancery cause on the
2d day of October, 1933, your Commissioners were appointed as such,
with directions to sell certain real estate of Solomon J.Hensley,
including the tracts of land hereinafter referred to, at public
auction at the front door of the County Court House, in the City
of Harrisonburg, Virginia, and, in accordance with the directions
of said decree, the said Geo.S.Harnsberger executed before the
Clerk of this Court a bond in the penalty of \$5,000.00 as Special
Receiver of the funds to be derived from the sale of certain
lands belonging to the said Solomon J.Hensley, including the
tracts hereinafter more specifically described, an attested copy
of which bond is here filed marked "Ex.A" and prayed to be read as
a part hereof, and an attested copy of the said decree of sale
is also here filed marked "Ex.B" and prayed to be read as a part
hereof.

That your petitioners as such Commissioners have not ex-
ecuted the said decree of sale by reason of the pendency of cer-
tain proceedings in the above entitled action at law for the

condemnation of the said real estate. That, as appears from the said decree of sale, your Commissioners were directed to sell certain adjacent tracts of land situate in Powell's Gap on the Blue Ridge Mountains, containing 225 acres, more or less. That, in the said condemnation proceedings, a judgment in rem therefor has heretofore been entered condemning to the use of the petitioners therein the fee simple estate of Solomon J. Hensley in the said tracts of land aggregating 225 acres, which tracts are described in the report of the Board of Appraisal Commissioners appointed in said condemnation proceedings, and shown, numbered, and delineated on the County Ownership Map filed therewith as No. 47-A, at the price of \$3,190.00. That the State Commission on Conservation and Development of the State of Virginia has paid into the custody of this Court the said sum of money set out in said judgment as constituting the award for the fee simple estate of Solomon J. Hensley.

That the said Solomon J. Hensley, on the date of the said judgment in rem condemning the said tracts, owned a fee simple interest in the said tracts subject to the liens thereon; that an account of the said liens on the said tract is set forth in the report of Commissioner L. L. Conrad, filed in the said chancery cause of Solomon J. Hensley's Creditors vs. Solomon J. Hensley and others; that no other person or persons are entitled to share in the distribution of the said award except as set out in said Commissioner's report; that any unpaid taxes will be paid under the order of the Court in the said chancery cause.

Wherefore, your petitioners pray that if need be they may be made parties herein under the provisions of Section 21 of the Public Park Condemnation Act, and that an order be entered for the distribution of the said sum as aforesaid and for the payment to Geo. S. Harnsberger, Special Receiver, of the said award, to-wit,

the sum of \$3,190.00, for the said tracts designated as No.47-a, to be disbursed by him under the orders of this Court in the said chancery cause.

Wm. J. Harris,
Geo. S. Harnsberger,
Ralph W. Bader,
Special Commissioners.

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

This day Geo.S.Harnsberger 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 sworn, deposes and says:

I am the Special Receiver heretofore appointed in the chancery cause of Solomon J.Hensley's Creditors vs. Solomon J.Hensley, &c.; I have read the above petition, and do here state that the matters of fact contained therein are true.

Geo. S. Harnsberger

Subscribed and sworn to before me this 4th day of January, 1934.

F. Flavia Converse, Notary Public.



JOHN M. PURCELL
TREASURER OF VIRGINIA

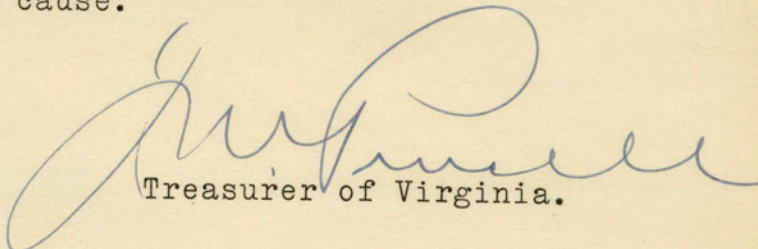
Commonwealth of Virginia

TREASURER'S OFFICE

RICHMOND, VA.

January 6, 1934

This is to certify that I, J. M. Purcell, Treasurer of Virginia have this 6 day of January in accordance with an order of the circuit court of Rockingham County dated 1/4/34 in the cause of the State Commission on Conservation and Development of the State of Virginia vs. Cassandra Lawson Atkins paid to Geo. S. Harnsberger, Special Receiver, Harrisonburg, Va. \$ 3,190.00 being in full settlement of tract # 47-a in the above mentioned cause.


Treasurer of Virginia.



JOHN M. PURCELL
TREASURER OF VIRGINIA

Commonwealth of Virginia

TREASURER'S OFFICE

RICHMOND, VA.

January 6, 1934

Geo. S. Harnsberger, Special Receiver

Harrisonburg, Virginia

Received of J. M. Purcell, Treasurer of
Virginia, the sum of \$ 3,190.00, in accordance
with an order of the Circuit Court of the county
of Rockingham entered on the 4th 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 # 47-a.

Geo. S. Harnsberger
Special Receiver

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. 47-a :
Tract No. _____: Tract No. _____;

and described in the report of the Board of Appraisal Commissioners appointed herein and shown, num-
bered, 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. 47-a \$ 3190.00 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;

Sol. J. Hensley

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, Sol. J.
Hensley, to give 25 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. 47-a \$ 75.00 : Tract
No. _____ \$ _____: Tract No. _____ \$ _____;

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

NAME

P. O. ADDRESS

STATE COMMISSION ON CONSERVATION
& DEVELOPMENT
BY Elliot 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 de-
sire 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.

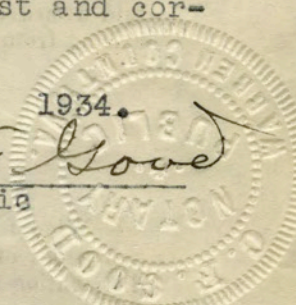
STATE OF VIRGINIA §
COUNTY OF WARREN § SS

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.

NOTARY PUBLIC
My Commission Expires Sep. 8, 1934

Charles F. Gove
Notary Public



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. 47-a,
S. J. Hensley, \$75.00.

This day came the State Commission on Conservation
& Development by counsel 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. 47-a, the sum of
\$75.00, representing the amount of a certain pledge made by S. J.
Hensley, 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 ~~re~~ 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 condemnation, 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 Com-
mission for the payment of said claim out of the proceeds of conde-
mnation for said tract be and the same is hereby denied.

~~Dated~~

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

August, 1935.

Given under my hand in vacation this 13 day of

H. W. Bertram Judge
Circuit Court of Rockingham County, Va.

70/387