

NAME OF CLAIMANT

#312 - Mace, John H.

Number of Acres: 8

Location: Madison Run. Part outside the Park area. U. S. Positions 226 and 227.

Roads: Two miles via dirt road to Port Republic, the nearest shipping point.

Soil: Sandy loam, cove type along the creek. The field restocking is fairly well stocked with white and yellow pine.

History of Tract and condition of timber:

Improvements:

None.

Acreage and value of types:

Types	Acreage		Value per acre	Total Value
-------	---------	--	----------------	-------------

Ridge:

Slope:

Cove:	4	@	\$10.00	\$40.00
-------	---	---	---------	---------

Grazing Land:

Fields Restocking:	4	@	15.00	60.00
	<u>8</u>			<u>\$100.00</u>

Cultivated Land:

Orchard:

Minerals:

Value of Land: \$100.00 20.00

Value of Improvements: \$

Value of Orchard: \$

Value of Minerals: \$

Value of Fruit: \$ 25.00

Value of Timber: \$ 20.00

Value of Wood: \$ 25.00

Value per acre for tract: \$ 18.12

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

Geo. N. Pen

CLERK. 14

ROCKINGHAM COUNTY

NAME OF CLAIMANT

#312-d - Mace, John H.

Number of Acres: 297 ✓

Location: Brown's Gap, White Oak Run and other headwaters of Madison Run.

Roads: Six miles fair mountain road to Grottoes.

Soil: Loam - shallow on upper slopes, medium over most of area, deep, well watered and fertile in cove. Full of fine shale and larger rock except in cove where rock content is moderate. Exposures southwest and northwest.

History of Tract and condition of timber: With exception of a few remnants, last saw timber was cut two years ago. Pine oak stand mostly under 9" with scattered defective trees up to 18". Abundant reproduction of oaks and other hardwoods with yellow pine thick in places. Older trees show excessive fire damage, younger ones very little. Most of saw timber can be seen from Madison Run road. In cove, is an excellent stand of young oak and a little pine in which white oak is predominant.

Improvements:

NONE.

Acreage and value of types:

Types	Acreage		Value per acre	Total Value
Ridge:	44	⊙	\$1.00	\$44.00
Slope:	215	⊙	3.00	645.00
Cove:	<u>38</u>	⊙	5.00	<u>190.00</u>
	297			\$879.99

Grazing Land:

Fields Restocking:

Cultivated Land:

Orchard:

Minerals:

Value of Land: \$879.00

100.00

Value of Improvements: \$100.00

Value of Orchard: \$

193.00

Value of Minerals: \$

\$1172.00

Value of Fruit: \$

Value of Timber: \$193.00

Value of Wood: \$

Value per acre for tract: \$ 3.60

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

Geo. N. Persi CLERK.

NAME OF CLAIMANT

#312-b -- Mace, John H.

Number of Acres: 84

Location: Brown's Gap.

Roads: Eight miles fair mountain road to Grottoes.

Soil: Gravelly, shaley loam of medium depth. Fertile. Rock outcrop on ridge. Rocky everywhere, but not excessively so over most of area (perhaps 25% of surface covered) Slopes moderate to steep. Exposure mainly northwest.

History of Tract and condition of timber: Partly cleared for grazing. About 1 acre good garden. Fire damage not great in recent years. Original timber removed long ago. Second growth hardwood - pine stand in mostly oaks and dead chestnut. Cut into freely from time to time for fuel. Not cut for sawlogs for more than 20 years. Part of chestnut cut 12 years ago.

Improvements:

(See reverse side for improvement information)

Acreage and value of types:

Types	Acreage		Value per acre	Total Value
Ridge:	8	@	\$1.00	\$8.00
Slope:	63	@	2.50	157.50

Cove:

Grazing Land:

Fields Restocking:

Cultivated Land:	13	@	25.00	325.00
	<u>84</u>			<u>\$490.50</u>

Orchard:

Minerals:

Value of Land: \$ 490.50 125.00

Value of Improvements: \$125.00

Value of Orchard: \$15.00 15.00

Value of Minerals: \$

Value of Fruit: \$ 52.50

Value of Timber: \$ 52.50

Value of Wood: \$ 50.00 50.00

Value per acre for tract: \$ 8.72 \$733.00

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

Geo. N. Pen CLERK.

NAME OF CLAIMANT

IMPROVEMENTS: Dwelling: Log, about-16x18', 2 rooms, shingle roof, 1 story, log walls, poor condition, occupied by tenant, spring water, pillar foundation.
Smoke house: Log, 8x12', shingle roof, fair condition.
Old house: Unoccupied, 10x12', one room, log, board roof, poor condition.
Hen house: Log, 8x10', board roof, poor condition.

Roads: Eight miles fair mountain road to Grottoes.

Soil: Gravely, shaly loam of medium depth. Fertile. Rock outcrop on ridge. Rocky everywhere, but not excessively so over most of area (perhaps 25% of surface covered). Slopes moderate to steep. Exposed mainly northwest.
History of tract and condition of timber: Partly cleared for grazing. About 1 acre good garden. Fire damage not great in recent years. Original timber removed long ago. Second growth hardwood - pine stands mostly oaks and dead chestnut. Cut into fuel from time to time for fuel. Not cut for sawlogs for more than 20 years. Part of chestnut cut 12 years ago.

Improvements:

(See reverse side for improvement information)

Acreage and value of types:

Type	Acreage	Value per acre	Total Value
Ridge:	2	\$1.00	\$2.00
Slope:	25	2.80	70.00
Cove:			
Grazing land:			
Fields Restocking:			
Cultivated land:	13	28.00	364.00
Orchard:	24		
Minerals:			
Value of Land:			400.00
Value of Improvements:			218.00
Value of Orchard:			218.00
Value of Minerals:			0.00
Value of Fruit:			0.00
Value of Timber:			22.00
Value of Wood:			20.00
Value per acre for tract:		\$ 2.72	

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

CLERK

County: Rockingham
District: Stonewall

#312 John H. Mace

Acreage Claimed: Assessed 11 acres Deed 11 $\frac{1}{2}$
Value Claimed: " \$30.00 " 1892 \$1.00 etc.

Location: Madision Run. Part outside the park area, U. S. positions
226 and 227.

Laps: None known.

Soil: Sandy loam, cove type along the creek. The Fr is fairly
well stocked to the White and Yellow Pine.

Roads: 2 miles via dirt road to Port Republic the nearest shipping
point.

History: This tract has about 5000 ft of saw timber consisting
of Oaks, White Pine and others and about 5 cds of fuel
wood per acre on 4 acres, 20 cds of wood @ .50 per cd \$10.00
500 ft saw timber @ \$4.00 per M. \$20.00

Improvements: None.

Value of land by types:

<u>Type</u>	<u>Area</u>	<u>Value per acre</u>	<u>Total Value</u>
cove	4	5	\$20.00
Fr	4	15	60.00
	<u>8</u>		<u>80.00</u>

Total value of land \$80.00

Total value of improvements

Total value of timber 30.00

Total value of tract \$110.00

Average value per acre 13.75

County: Rockingham
District: Stonewall

#312-a J. H. Mace

Acreage Claimed: Assessed 587A Deed:

Value Claimed: " \$ 290.00 "

Location: Brown's Gap, White Oak Run and other headwaters of Madison Run.

Laps: None

Soil: Loam--shallow on upper slopes, medium over most of area, deep, well watered and fertile in cove. Full of fine shale and larger rock except in cove where rock content is moderate. Exposures S. W. and N. W.

Roads: 6 miles fair mountain road to grottoes.

History: With exception of a few remnants, last sawtimber cut 2 years ago. Pine-oak stand mostly under 9" with scattered defective trees up to 18" Abundant reproduction of oaks and other hardwoods with yellow pine thick in places. Older trees show excessive fire damage, younger ones very little. Most of sawtimber can be seen from Madison Run road. In cove, is an excellent stand of young oak and a little pine in which white oak is predominant.

Improvements: None

Value of land by types:

<u>Type</u>	<u>Acreage</u>	<u>Value per acre</u>	<u>Total Value</u>
Cove T	38	\$5.00	190.00
Slope T	215	3.00	645.00
Ridge	44	1.00	44.00
	<u>297</u>		<u>879.00</u>

Total value of land \$ 879.00

Total value of iprovements 00

55 M @ 3.50

Total value of timber 192.50

Total value of tract 1071.50

Average value per acre 3.60

312-b J. H. Mace

Acreage: Claimed: Assessed 587a Deed:

Value Claimed: " \$290.00 "

Location: Brown's Gap

Laps: None

Soil: Gravelly, shaley loam of medium depth. Fertile. Rock outcrop on ridge. Rocky everywhere, but not excessively so over most of area (perhaps 25% of surface covered). Slopes moderate to steep. Exposure mainly N. W.

Roads: 8 miles fair mountain road to Grottoes.

History: Partly cleared for grazing. About 1 acre good garden. Fire damage not great in recent years. Original timber removed long ago. Second growth hardwood--pine stand mostly oaks and dead chestnut. Cut into freely from time to time for fuel. Not cut for sawlogs for more than 20 years. Part of chestnut cut 12 yrs. ago.

Improvements:

Dwelling--log, about 16 x 18, 2 rooms, shingle roof, 1 story, log walls, poor condition, occupied by tenant, spring water, pillars foundation	\$100.00
Smoke house--log, 8 x 12, shingle roof, fair cond.	35.00
Old house, unoccupied, 10 x 12, one room, log, board roof poor condition	40.00
Hen house--log, 8 x 10, board roof, poor condition	15.00
Total bldgs.	190.00

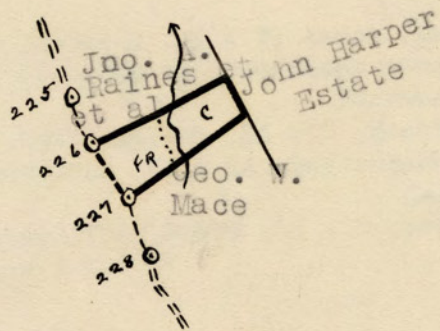
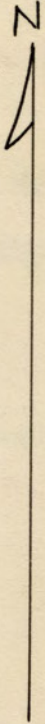
Value of land by types:

<u>Type</u>	<u>Acreage</u>	<u>Value per acre</u>	<u>Total value</u>
Tillable	13	\$10.00	\$130.00
Slope T	63	3.00	189.00
Ridge	8	1.00	8.00
	84		327.00

Total value of land	\$327.00
Total value of improvements	190.00
Total value of timber	
15MC @3.50	52.50
Total value of tract	569.50
Average value per acre	6.77

#312 - John H. Mace

County: Rockingham
District: Stonewall



LEGEND

Cove - Restocking
Scale - 1" = 20 chains

Claim of John H Moore
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. _____

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 John H Moore
My post office address is Grottoes 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 577+ 1/4 = 609 1/2 acres, on which there are the following buildings and improvements: Partly enclosed by fence

This land is located about 4 miles from Grottoes Va Virginia, in the Stewart 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.)

By purchase with fee simple title

The land owners adjacent to the above described tract or parcel of land are as follows:
North A. J. Downs "Big survey"
South A. J. Downs
East "Big survey"
West Big survey & A. J. Downs

I acquired my right, title, estate or interest to this property about the year 1890 in the following manner:
in different tracts 220 "Harris Tract" 222 A "Murray" Tract
65 A Murray Tract & 85 "MUTTY Tract"

I claim that the total value of this tract or parcel of land with the improvements thereon is \$ 160,055.00. 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 \$ 160,055.00.

I am the owner of None 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 \$ None but small portion

(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:
220 A. "Harris Tract" has fine & valuable mineral spring and
222 A "MUTTY Tract" contains valuable iron ore & manganese deposits
65 A contains fine young timber manganese & iron ore deposits & 87 A
grazing land (Continue remarks if necessary on the back).

Witness my signature (or my name and mark attached hereto) this 16th day of Feby 1931, 1930. John H. Moore

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

The undersigned hereby certifies that John H 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 16th day of Feby 1931, 1930.

2/16/31

[Signature]
Clerk of the Court, or Special Investigator or Notary Public, or Justice of the Peace.

Claim of E. D. Ott
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. Cassandra Lawson Adkins and others and 52,561 acres

more or less, of land in Rockingham County, Virginia, Defendants.
The undersigned, in answer to the petition of the State Commission on Conservation and Development of the State of Virginia, and in response to the notice of condemnation awarded upon the filing of said petition and published in accordance with the order of the Circuit Court of Rockingham County, Virginia, asks leave of the Court to file this as his answer to said petition and to said notice.

My name is E. D. Ott

My post office address is Harrisonburg, Virginia

I claim a right, title, estate or interest in/a ^{proceeds of} tract or parcel of land ^{owned by John H. Mace} within the area sought to be condemned, containing about 389 acres, on which there are the following buildings and improvements: See claim filed by owner

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

I claim the following right, title, estate or interest in the ^{proceeds of 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.)

\$200.00 with interest from May 7, 1922, evidenced by bond of John H. Mace

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

North _____

South _____

East _____

West the proceeds of

I acquired my right, title, estate or interest to this property about the year 1921 in the following manner:

Deed of trust dated May 7th, 1921, to H. W. Wyant, Trustee from John H. Mace ~~widow~~ duly recorded in D.B. 119 p. 498

I claim that the total value of this tract or parcel of land with the improvements thereon is \$_____. 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 \$ as set out above.

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 17th day of February, 1930. E. D. Ott

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

The undersigned hereby certifies that E. D. Ott 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 17th day of February, 1930.

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

Mace

owned by John H. Mace

Filed in the Clerk's Office
Rockingham County, Va.
FEB 18 1931
Clerk

IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY, VIRGINIA.

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

vs.

Cassandra Lawson Atkins, and others, and 52,501 acres
of land in Rockingham County, Virginia.

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

SEP 30 1932

J. Robert Switzer Clerk

The exception of A. Lovice Keezel, executrix of the
last will and testament of Charles M. Keezel, deceased, to the
Report of the Board of Appraisal Commissioners filed in the
above styled case on August 2, 1932.

Charles M. Keezel on the 18th day of February, 1931,
through his attorney, E. D. Ott, having filed a claim in the
above styled case, asserting an interest in the proceeds to
arise from the condemnation of the lands of John H. Mace
involved in the above case, more particularly reported under
the findings of said Board, as Nos. 312, 312a and 312b, by
reason of the execution by John H. Mace on the 7th day of May,
1921, to him of a certain bond for the principal sum of \$200.00
due six months after date, on which the interest is unpaid from
the 7th day of May, 1922, the said bond being secured by deed of
trust from said John H. Mace and wife to H. W. Wyant, Trustee
on said land, dated the 7th day of May, 1921, and recorded in
the Clerk's Office of Rockingham County, Virginia, in Deed Book
119 at page 498, and the said Board of Appraisal Commissioners
having failed to report the said claim under the proper heading
in their said report, the undersigned excepts to the failure of
said Board so to do, and prays that the said report may be
corrected in such way as the Court may deem proper to set up the
aforesaid claim.

A. Lovice Keezel

As executrix of the last will and testament
of Charles M. Keezel, deceased.

Exceptant.

By *E. J. Ott*
Her attorney.

C. R. WINFIELD

Attorney at Law
BROADWAY, VIRGINIA

November 15, 1933.

Mr. J. Robert Switzer,
Clerk of Rockingham County,
Harrisonburg, Va.

Dear Sir:

Enclosed find petition of John B. Peale ,
addressed to Judge Bertram, asserting the lien of
judgment held by petitioner against John J. Mace,
one of the heirs-at-law of John H. Mace, decd., whose
lands are about to be taken for purposes of the Shenan-
doah National Park .

Will you please bring the petition to the
attention of Judge Bertram?

Yours very truly,

C. R. Winfield
C. R. Winfield

Enc.

CRW:EK

TO THE HONORABLE H. W. BERTRAM, JUDGE OF THE CIRCUIT
COURT FOR ROCKINGHAM COUNTY :

Your petitioner, John B. Peale, respectfully represents that on the 7th, day of February 1931, he obtained before R. C. Moore, a Justice of the Peace of Rockingham County, a judgment against one, John J. Mace in the principal sum of One Hundred Seventy Four & 90/100 Dollars (\$174.90) , with interest thereon from June 16th, 1925, and \$3.75 costs; that said judgment was on the 25th, day of February 1931, duly docketed in the Office of the Clerk of Rockingham County, in Judgment Docket No. 15, at page 55; that execution issued on the said judgment and was duly returned unsatisfied .

Your petitioner further represents that the said John J. Mace is one of the heirs-at-law of one John H. Mace , late, of the County of Rockingham, who on the ___ day of _____ 19___ , died intestate; that said John H. Mace had title to a number of tracts of land in and about the Blue Ridge section in said County of Rockingham, which lands, your petitioner is advised, are now about to be taken for purposes of the Shenandoah National ^{Park} Forest .

Your petitioner therefore prays his said judgment may be satisfied out of any interest in the said tracts of land inherited by the said John J. Mace from the said John H. Mace, and that all other proper relief may be given.

John B. Peale
By Counsel

C. R. Winfield
of Counsel.

Lee Wampler
W. Douglas Hunsberger

10 - 10 am

THE COMMONWEALTH OF VIRGINIA:

TO THE SHERIFF OF ROCKINGHAM COUNTY, GREETING:

You are hereby commanded to summon Dr. A. S. Kemper,
W. S. Shover, J. Holmes Moore, Herbert Snapp, and ^{Mrs. Maud Higgs} ~~J.M.~~ Smith,
to appear before the Board of Arbitrators, at the Court House of
Rockingham County, Virginia, on ~~Tuesday~~ ^{Wednesday}, the 10th day of January,
1934, 10 a. m., to testify and the truth to say on behalf of the
Defendants in the condemnation proceedings of State Commission on
Conservation and Development of the State of Virginia v. J. J.
Mace.

And have them and there this Writ.

IN WITNESS WHEREOF, I hereunto set my hand, as the
Clerk of the Circuit Court of Rockingham County, Virginia, at
the Court House thereof, this, the 6th day of January, 1934,
and in the 158th year of the Commonwealth.

Robert Switzer, Clerk.
By Margie Bowers, D.C.

Executed on the 9 Day of Jan, 1934 by delivering a true copy of the
within summon to Dr A.S.Kemper, W.S.Shover, J.Holmes Moore, Herbert
Snapp, and Mrs Maud Higgs each in person, J.M.Smith not found in
my bailwick.

St. Newman Deputy for C.R.Fawley, S.R.C.

Handwritten notes on the left margin, including the number '4' and several lines of illegible cursive text.

Handwritten notes on the right margin, including the date 'Jan 10 1934' and other illegible cursive text.

To J Robert Switzer Clerk

In the matter of arbitration
I have set for hearing
on Wed. Jan 10 1934
at 10 A.M. please issue
subps for the following
witnesses for me.

- ① Dr A. S. Kemper
- ② W. S. Glover
- ③ J. Holmer Moore
- ④ Ruby Pickers (Standarville)
- ⑤ " "
- ⑥ Herbert Snapp
7. Smith
8. Lee Wampler
9. W. Ingles Havershagen
10. Mrs. Maude Higge

consideration the value of the mineral spring located upon said lands, which spring has a recognized worth because of the commercial value of said waters.

(3) That the price per acre allowed for the land by said Appraisal Board is totally inadequate and confiscatory, said land being worth much more than the amount allowed by the Board.

(4) That the finding of said Board was based upon a mistake of law as to the nature and effect of the evidence produced before said Board by the said John H. Mace.

(5) That the said Board of Appraisal Commissioners also erred in not making any allowance for the manganese and iron ores located upon said lands, which are of considerable value.

The claim filed by John H. Mace is herewith referred to and asked to be read in connection herewith.

The affidavits attached hereto are asked to be read in support of these exceptions.

John C. Mace
Charles G. Mace
Elizabeth Mace via
R. A. Mace
Julia Mace Spryzer
St. Charles M. Mace
and for News at Law
J. Ben. F. Mace

By Counsel.

Geo. S. Harnsberger
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 and 52,501 acres of land in Rockingham County.

The affidavit of John J. Mace, to be read in connection with the motion filed by him and the other heirs at law of John H. Mace, deceased, to have the findings of the Board of Appraisal Commissioners disapproved in connection with its findings Nos. 312, 312-a, and 312-b.

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

John J. Mace this day 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:

The said John H. Mace departed this life, intestate, after having filed his claim in this matter, and left him surviving as his heirs at law the parties named in the motion filed to have the findings of the Board of Appraisal Commissioners in this matter disapproved.

I am thoroughly acquainted with the lands in controversy in this matter and with the mineral spring located thereon. The lands in question have been surveyed, and said lands contain 512 acres, instead of the 389 acres allowed by said Appraisal Board. About this, there can be no dispute. There is located upon these lands a mineral spring of commercial value. Any valuation given to said lands which ignores the recognized value of said spring is erroneous, because it leaves out of consideration one of the chief elements of value of said lands.

I have been in the timber business for a number of years, have owned and operated saw-mills and stave mills, and am convinced that the findings of said Appraisal Board as to the value of the timber upon said lands are totally inadequate and confiscatory. While the lands in question have not been cleared and developed as grazing lands, yet these lands afford considerable grazing, especially in dry seasons, and cattle owners have resorted thereto when cleared grazing lands have failed. The Appraisal Board apparently did not take this matter into consideration in fixing its value upon said lands.

These lands contain both manganese and iron ores; the iron ore shows upon the land itself, and can be easily developed. The manganese ore merely shows by its out-croppings, and has not as yet been developed, but it lies in the ore belt along the western slope of the Blue Ridge Mountains and in a formation that would indicate its existence. The State Geologist was with me upon the land, and admitted that it contained considerable iron and manganese ore.

John J. Mace

Subscribed and sworn to before
me this 21st day of September,
1932.

F. Flavia Comese
Notary Public.

IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY, VIRGINIA.

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

vs.

Cassandra Lawson Atkins and others
and 52,501 acres of land
in Rockingham County.

The affidavit of P.B.F. Good, to be read in connection with the motion filed by John J. Mace and the other heirs at law of John H. Mace, deceased, to have the findings of the Board of Appraisal Commissioners disapproved in connection with its findings Nos. 312, 312-a, and 312-b.

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

This day P.B.F. Good 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:

In or about 1924, I was employed by John A. Alexander, the owner of the Mount Vernon tract of land in the Blue Ridge Mountains, to make a survey of land belonging to various parties within the inclusive survey of said Mount Vernon tract. Among these several surveys which were made at that time was the land belonging to John H. Mace. I find among the tracts at that time surveyed out for Mr. Mace the Joshua Reese tract of 222 acres and the Harris tract of 220 acres and the Evans Reese tract of 65 acres, and a Joshua Reese tract of 80 acres lying on top of the Blue Ridge Mountain. I find that there is an interlock of 80 acres between the Harris tract of 220 acres and the Joshua Reese tract of 222 acres, thus leaving in the aforementioned tracts of land 507 acres, according to my survey and the calculation thereof at the time the same was made, which was done in company with John

Irvine, Deputy County Surveyor of Augusta County, Virginia. This does not include a tract of 8 acres lying on the Browns Gap Road, about two miles distant from the tracts heretofore mentioned.

I have been informed that the Park Appraisal Board has only allowed 389 acres in this area of 507 acres, which is clearly erroneous. I find in observing the appraisal value by the Park Appraisal Board that they allowed about \$8.00 per acre for the 80 acre tract situate on top of the Blue Ridge Mountains, and the land having considerably greater value, especially the Joshua Reese tract that contains some valuable timber and a valuable mineral spring, they only appraised at about \$4.00 per acre.

[Handwritten signature]

Subscribed and sworn to
before me this 19th day of
September, 1932.

L. Flavia Converse,
Notary Public.

See Re: Shenandoah
National Park
vs: Heirs of
John H. Mear, decd.

Petitioner, John B.
Deale, asserting
lien of judgment
v. John G. Mear.

C. R. W.

See over for prices.

MELVIN C. SNYDER
ATTORNEY AT LAW
KINGWOOD, W. VA.

Sample of Bosco Blue Cover, fine quality, linen finish.

Quantity	Printed from type	Embossed from your Steel Die.
100	\$2.75	\$4.25
200	4.00	5.50
250	4.75	6.00
500	8.50	10.90
1000	14.50	18.00

We have this same quality in Grey and Canary colors.
Please check off the quantity you desire and return this to
us, together with the wording for your card.

BALTIMORE OFFICE SUPPLY CO.

IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY, VIRGINIA.

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

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

Vs.

1829

MAY 6 1933

Cassandra Lawson Atkins and Others, and fifty-two thousand,
five hundred and sixty-one (52,561) acres, more or less
of land in Rockingham County, Virginia.

Robert S. Smith Clerk

Written Statement made by E. D. Ott and A. Lovice
Keezell, Executrix of the last will and testament of Chas.
M. Keezell, deceased, pursuant to a decree entered in the
above entitled cause on October 25, 1932.

In compliance with the order entered in the above
entitled cause on October 25, 1932, and in response thereto
the said E. D. Ott and A. Lovice Keezell, executrix of the
last will and testament of Chas. M. Keezell, deceased, state
that the tracts of land within the area sought to be condemned,
the ownership of which is claimed by John H. Mace, to-wit:

#312, John H. Mace, 8 acres, situate near Port Republic,
Virginia,

#312a, John H. Mace, 297 acres, situate in Brown's Gap,
not far from Grottoes, Virginia,

#312b, John H. Mace, 84 acres, situate in Brown's Gap,
not far from Grottoes,

with reference to which they have heretofore filed their claim
of lien thereon, are believed by them to be the same tracts of
land which were found by the Board of Appraisal Commissioners
to be the tracts owned by the said John H. Mace and described
in the report of the said Board of Appraisal Commissioners;
that E. D. Ott has heretofore filed his claim of lien against

the lands of John H. Mace mentioned in the above styled cause for \$200.00 with interest from January 1, 1924, the same arising by reason of the execution of a certain bond by John H. Mace for \$200.00 dated the 7th day of May, 1921, payable to E. D. Ott six months after date, bearing interest from date, on which interest has been paid until January 1, 1924 as aforesaid; that Chas. M. Keezell through his attorney E. D. Ott (the said Chas. M. Keezell having since departed this life, and A. Lovice Keezell having qualified as executrix of his last will and testament) has heretofore filed his claim of lien against the lands of John H. Mace mentioned in the above styled cause for \$200.00 with interest from May 7, 1922, the same arising by reason of the execution of a certain bond by John H. Mace for \$200.00 dated the 7th day of May, 1921, payable to Chas. M. Keezell six months after date, bearing interest from date, on which interest has been paid until May 7, 1922 as aforesaid; that both of said bonds are secured by a deed of trust from John H. Mace and wife to H. W. Wyant, Trustee of date the 7th day of May, 1921, duly of record in the County Clerk's Office of Rockingham County, Virginia in Deed Book 119, page 48.

E. D. Ott
A. Lovice Keezell, Executrix
of the last will and testament
of Chas. M. Keezell dec'd
By E. D. Ott, her atty.

IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY: VIRGINIA.

THE STATE COMMISSION ON CONSERVATION
AND DEVELOPMENT OF THE STATE OF
VIRGINIA, Petitioner

Vs.

Lawson Atkins, et al
CASSANDRA ~~ATKINS LAWSON~~ ET ALS, Defendants.

This 2nd day of January, 1934, again came petitioner by counsel, and exhibited to the Court the record of the above styled proceeding, including the order entered herein heretofore on this day appointing Geo. S. Harnsberger, guardian ad litem for the infants therein named; and thereupon came the said infants by their said guardian ad litem and by leave of court the answer of said infants, answering by and through said guardian ad litem, as well as the answer of said guardian ad litem in proper person under oath was allowed to be, and was accordingly filed; and likewise came Charles M. Mace, an adult, by S. L. Devier, his counsel; whereupon it was made to appear to the court that the other interested claimants to Tracts Nos. 312-a, 312-b, have agreed in writing with petitioner to submit their several claims as to facts of value and damages with respect to said tracts to Honl Phillip Williams, H. W. Bertram, and J. R. H. Alexander, as arbitrators.

Thereupon petitioner, by counsel, moved the court to overrule and dismiss the several motions, objections, and exceptions of said infants, and of said guardian ad litem of said infants, and of said Charles M. Mace to the report of the Board of Appraisal Commissioners filed herewith in respect to said tracts 312-a, and 312-b.

At the same time it was stipulated in open court that should the findings of said arbitrators with respect to facts of value and damages as to said tracts be for a greater sum than that ascertained and fixed by said report of said

Board of Appraisal Commissioners, then and in that event petitioner will consent and unite with the said infants and Charles M. Mace in a motion to the Court to modify the findings of the Board of Appraisal Commissioners in conformity with the findings of the said Board of Arbitrators, but that as to the said infants and the said Charles M. Mace the findings of the said Board of Appraisal Commissioners shall in no event as to facts of value and damages with reference to said tracts be reduced.

And said motion was thereupon argued by counsel.

Whereupon the court doth sustain the motion of petitioner and doth overrule and dismiss said respective motions, objections and exceptions of said infants and of said guardian ad litem and of said Charles M. Mace, it abundantly appearing that the interests of said infants will be promoted thereby.

Ent mws

~~20~~
70

In the Circuit Court of Washington
County, Virginia.

The answer of

Lena Mae, Fay Mae, Clinton
Mace, Phyllis Mae and Edward Mae

infants of tender years, by

Geo. P. Hansberger
in the Conservatorship proceedings of the State Commission
Guardian ad Litem, to a bill of complaint exhibited against
as Conservator and Developer v. Cassardie Adkin
Tinson and others, in the said Court, by

Respondents answering by their Guardian ad Litem to so much of

the Complainant's Bill as they are advised it is

material for them to answer unto, answer and say that

they know nothing of the truth of the matters of fact

alleged in the Complainant's petition Bill and neither admit nor deny the

same; but call for full proof. That they are infants of

tender years, and ask the aid of the Court in the protection of

their interests. Having fully answered, they

pray to be hence dismissed with their costs, and as in duty

bound will ever pray, etc.

Geo. P. Hansberger
Guardian ad Litem.

Sworn to before me this 2nd day of January, 1934.

J. R. Smith
(Clerk of Court, N.P.)

IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY: VIRGINIA.

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

VS

Lawson Atkins
CASSANDRA ~~ATKINS LAWSON~~ ET ALS, DEFENDANTS.

O R D E R

John J. This 2nd day of January, 1934, came Petitioner by Counsel and exhibited to the court the record in the above styled proceeding, and it was made to appear that since the filing of the report of the Board of Appraisal Commissioners and since the filing of his exceptions thereto on the 21st day of September, 1932, John H. Mace, claimant of an interest in certain lands sought to be condemned herein which are designated as Tracts Nos. 312, 312-a and 312-b on the County Ownership Map filed in this proceeding, has departed this life leaving certain infants who would seem to have a claim or interest in the said lands sought to be condemned, the ^{names} ~~names~~ of which infants are as follows: Leona Mace, Fay Mace, Clinton Mace, Phyllis Mace and Elwood Mace, all of Harriston, Virginia.

Whereupon it is ordered that George S. Harnesberger, a discreet and competent attorney at law, practicing at the bar of this court, be and hereby is appointed and designated as guardian ad litem for each of the above named infants, who shall represent and defend the rights of each of them in the above styled proceeding.

The Clerk is directed to deliver a copy of this order to the said guardian ad litem.

Geo. H. W. S.

20 / 70

Claim of Chas. M. Keezel
Rockingham
In the Circuit Court of _____ County, Virginia, No. 1829, At Law.
The State Commission on Conservation and Development of the State of Virginia, Petitioner, vs. Cassandra Lauren Atkins and others and 52,561 acres
more or less, of land in Rockingham County, Virginia, Defendants.
The undersigned, in answer to the petition of the State Commission on Conservation and Development of the State of Virginia, and in response to the notice of condemnation awarded upon the filing of said petition and published in accordance with the order of the Circuit Court of Rockingham County, Virginia, asks leave of the Court to file this as his answer to said petition and to said notice.

My name is Chas. M. Keezel

My post office address is Penn Laird, 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 389 acres, on which there are the following buildings and improvements: See claim filed by owner

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

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.)

\$200.00 with interest from May 7, 1922, rendered by and to John H. Mace

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

North _____

South _____

East _____

West _____

I acquired my right, title, estate or interest to this property about the year 1921 in the following manner:

Deed of trust dated May 7, 1921, to H. W. Wyant

Trustee from John H. Mace (widower) duly of record in D.B. 119 page 488

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

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 17th day of February, 1931

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

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 17th day of February, 1931.

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

Filed in the Clerk's Office
Rockingham County, Va.
FEB 18 1931

Clerk

Mace

IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY, VIRGINIA.

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

vs.

Cassandra Lawson Atkins and others and 52,501 acres of land in Rockingham County.

[Handwritten signature]
Clerk

SEP 21 1932

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

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

The motion of John J. Mace, James G. Mace, Elizabeth Mace Via, R.H.Mace, Julia Mace Spitzer, Charles M. Mace, and on behalf of the heirs of Ben F.Mace, deceased, the same being all of the heirs at law of John H. Mace, deceased, praying said Court to disapprove and to decline to accept the findings of the Board of Appraisal Commissioners, heretofore appointed by said Court in said matter, wherein said Board reported, under its findings Nos. 312, 312-a, and 312-b, as filed in the Clerk's Office of said Court, that the said John H. Mace only owned 389 acres of land in Rockingham County in the Park area, which lands are situate on and near the crest of the Blue Ridge Mountains, on White Oak Run in Browns Gap, about six miles east of Grottoes, to which lands the said Board of Appraisal Commissioners gave an average value of approximately \$5.00 per acre.

The grounds of said motion are as follows:

- (1) That the acreage allowed to the said John H. Mace is erroneous, in that the said John H. Mace was seised in fee of at least 512 acres of land situate as aforesaid, instead of the 389 acres allowed by said Board of Appraisal Commissioners. It thus appears that there is a shortage of 123 acres in its allowance.
- (2) That the said Board of Appraisal Commissioners further erred in making up its estimate of the value of the said lands of the said John H. Mace, in that it did not allow or take into