

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

vs

Clifford Taylor et al and 37000 Acres more
or less of land in Rappannock County Virginia
Defendants.

In the
Circuit Court
of Rappannock Co.
Virginia. At law
No. 149.

To the Plaintiff and Messrs Weaver and Armstrong its
Attorneys.

Please take notice that on the 16th day of June 1932
at 10 A.M., we will file in the Clerks Office of the Circuit
Court of Rappannock County at Washington, Virginia a petition
a copy of which is hereto attached, in which petition it is
prayed that this suit insofar as it relates to the claim of
William H. Grannis be removed to the United States District Court
for the ^{Western} District of Virginia; and that at the same time we will
file also therewith a bond with sufficient surety, a copy of which
is hereto attached; and that at said time or as soon thereafter as
Counsel can be heard, we shall request the Court's approval of said
bond and the granting of the removal as prayed in said petition,
and also ask for such other and further relief as justice of the
cause may require.

William J. Lanston

Attorney for William H. Grannis
Claimant.

Service of copy of the above notice and petition ad-
mitted this 14th day of June 1932, but such admission of service
to be of no effect other than if said copy was served
on me by an officer authorized to serve notices
Plaintiff's Attorneys.

W.C. Armstrong
Atty for above named
Petitioner

#149

In the
Circuit Court for Rappahannock County of Virginia.

In re

The State Commission on
Conservation and Development of the State of Va.
Plaintiff.

vs

Clifton Ayler et al.

Copy of letter to Plaintiff attorneys.

Mr. Clerk:--

Please file etc.

William T. Larkin

Service of Copy admitted
this day of 1932.

Attorney for Plaintiff.

FILED IN
CLERK'S OFFICE
RAPPAHANNOCK COUNTY

June 15, 19*32*
Teste: *Jos. M. Settle* Clerk

William T. Larkin.
American Building.
Baltimore, Md.

Judge Williams
10 mi -

The Commonwealth of Virginia,

LOUDOUN

To the Sheriff of the County of ~~Rappahannock~~, Greeting:

WE COMMAND YOU THAT YOU SUMMON Judge J.R.H. Alexander

FOR }
WITNESS } .25

Washington, Virginia

to appear before the Judge of our Circuit Court of the County of Rappahannock at the Court-house thereof, on the 24th day of May, 1934, at 10:00 o'clock A. M., to testify and the truth to say on behalf of the STATE COMMISSION ON CONSERVATION & DEVELOPMENT in a certain matter of controversy in our said Court before the said Judge depending and undetermined between STATE COMMISSION ON CONSERVATION & DEVELOPMENT, IN THE MATTER TO BE HEARD AT WASHINGTON, VA., ON MAY 24, 1934, Plaintiff and arising out of W.H.Grannis' motion

Defendant

And have then there this writ.

WITNESS: J. M. SETTLE, Clerk of our said Court, at the Courthouse, the 18th day of May, 1934, and in the 158th year of the Commonwealth.

Jas. M. Settle
Clerk.

The Commonwealth of Virginia

To the Sheriff of the County of Rappahannock, Greeting:

WE COMMAND YOU THAT YOU SUMMON Judge J. R. H. Alexander
vs. }
SUBPOENA
FOR
WITNESS

to appear before the Judge of our Circuit Court in the County of Rappahannock at the Court-
house thereof, on the 24th day of May, 1934, at 10:00
o'clock A.M., to testify and the truth to say on behalf of the STATE COMMISSION ON
CONSERVATION & DEVELOPMENT in a certain matter of controversy in our said Court depending and unde-
termined between STATE COMMISSION ON CONSERVATION & DEVELOPMENT, IN
THE MATTER TO BE HEARD AT WASHINGTON, VA., ON MAY 24, 1934, ¹⁰
and arising out of W.H. Grinnia's motion

And have then there this writ.

Witness: J. M. Settle, Clerk of our said Court, at the Courthouse, the 18th
day of May, 1934, and in the 18th year of
the Commonwealth.

J. M. Settle
Clerk.

Judge Wadley
1000

The Commonwealth of Virginia,

To the Sheriff of the County of Loudoun, Greeting:

We COMMAND YOU THAT YOU SUMMON Judge J.R.H. Alexander

FOR WITNESS

Washington, Virginia

to appear before the Judge of our Circuit Court of the County of Rappahannock at the Court-house thereof, on the 24th day of May, 1934, at 10:00 o'clock A.M., to testify and the truth to say on behalf of the STATE COMMISSION ON CONSERVATION & DEVELOPMENT in a certain matter of controversy in our said Court before the said Judge depending and undetermined between STATE COMMISSION ON CONSERVATION & DEVELOPMENT, IN THE MATTER TO BE HEARD AT WASHINGTON, VA., ON MAY 24, 1934, Plaintiff and arising out of W.H. Grannis' motion

Defendant

And have then there this writ.

WITNESS: J. M. SETTLE, Clerk of our said Court, at the Courthouse, the 18th day of May, 1934, and in the 158th year of the Commonwealth.

Jas M. Settle Clerk.

*Legal services of the witness
summons is accepted this
May 2/22*
To the Sheriff of the County of Rappahannock, Virginia
WE COMMAND YOU THAT YOU SUBPOENA

vs. }
FOR
WITNESS

to appear before the Judge of our Circuit Court of the County of Rappahannock at the Court-
house thereof, on the 24th day of May, 1934, at 10:00
o'clock A.M., to testify and the truth to say on behalf of the STATE COMMISSION ON
CONSERVATION & DEVELOPMENT in a certain matter of controversy in our said Court before the said Judge depending and unde-
termined between the STATE COMMISSION ON CONSERVATION & DEVELOPMENT, IN
THE MATTER TO BE HEARD AT WASHINGTON, VA., ON MAY 24, 1934, Plaintiff
and Defendant arising out of W.H. Gramms' motion

And have then there this writ.

Witness: J. M. Settle, Clerk of our said Court, at the Courthouse, the 18th
day of May, 1934, and in the 18th year of
the Commonwealth.

J. M. Settle
Clerk.

The Commonwealth of Virginia,

To the Sheriff of the County of Rappahannock, Greeting:

WE COMMAND YOU THAT YOU SUMMON Judge H. W. Bertram

FOR
WITNESS

at Washington, Virginia
to appear before the Judge of our Circuit Court of the County of Rappahannock at the Court-
house thereof, on the 24th day of May, 1934, at 10:00
o'clock A. M., to testify and the truth to say on behalf of the STATE COMMISSION ON
CONSERVATION & DEVELOPMENT
in a certain matter of controversy in our said Court before the said Judge depending and unde-
termined between STATE COMMISSION ON CONSERVATION & DEVELOPMENT, IN THE
MATTER TO BE HEARD AT WASHINGTON, VA., ON MAY 24, 1934, Plaintiff
and arising out of W.H. Grammis' motion.

Defendant

And have then there this writ.

WITNESS: J. M. SETTLE, Clerk of our said Court, at the Courthouse, the 18th
day of May, 1934, and in the 158th year of
the Commonwealth.

Jos. M. Settle
Clerk.

The Commonwealth of Virginia

To the Sheriff of the County of Rappahannock, Virginia

WE COMMAND YOU THAT YOU SUBPOENA
FOR
WITNESS

5.6 miles to Charlesville

11 1/2

to appear before the Judge of our Circuit Court of the County of Rappahannock of the Court

on the 24th day of May, 1934, at Rappahannock Circuit Court,

to testify and the truth to say on behalf of the STATE COMMISSION ON

in a certain matter of controversy in our said Court the day of

STATE COMMISSION ON CONSERVATION & DEVELOPMENT, IN THE

19

MATTER TO BE HEARD AT WASHINGTON, VA., ON MAY 24, 1934,

and arising out of W.H. Gramms' motion.

Defendant

And have then there this writ.

Witness: J. M. Settle, Clerk of our said Court, at the Courthouse, the 18th

day of May, 1934, and in the 18th year of

the Commonwealth.

Jos M. Settle

Clerk.

Service Accepted
H. W. [unclear]

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

vs

Clifton Ayler et al and 37.000 acres
more or less of Land in Rappahannock
County of Virginia. Defendants.

Petition for the removal
to the United States Dis-
trict Court for the ~~WESTERN~~
District of Virginia.

In the
Circuit Court of Rap-
pahannock County Vir-
ginia. At Law No.149.

TO THE HONORABLE; THE JUDGE OF THE SAID COURT.

The petition of William H. Grannis, of the City of Philadelphia, State of Pennsylvania, by William T. Larkin his Attorney respectfully submits;

1. That the action above entitled has been brought in the Circuit Court for Rappahannock County of Virginia, and that said action is still pending therein.

2 That said action is of a civil nature and that the matter and amount in dispute exceeds the sum of three thousand dollars (\$3,000.00) exclusive of all interest and costs, as will appear from the claim filed in this cause.

3 That the controversy herein is between citizens of different States; that the plaintiff was at the time of the commencement of this suit and still is, a citizen of the State of Virginia, residing in said State, and that your petitioner William H. Grannis was at the time of the commencement of this suit and now is a resident of the State of Pennsylvania, residing in the City of Philadelphia, and a citizen of said State and City at this time.

4 That said action is returnable to the ~~18th~~ ^{18th} day of ~~July~~ ^{May}, and your petitioner has 60 days from said Date to file exceptions to the report of the appraisal Commission, which time has not yet expired.

5. That your Petitioner desires to remove this suit insofar as it relates to his claim filed in this cause before trial thereof into the United States District Court for the ^{Western} District of Virginia.

Petition for the removal
to the United States Dis-
trict Court for the
District of Virginia.

TO THE HONORABLE THE JUDGE OF THE SAID COURT.

The petition of William H. Grannis, of the City of Philadelphia, State of Pennsylvania, by William T. Larkin his Attorney respectfully submits;

1. That the action above entitled has been brought in the Circuit Court for Rappahannock County of Virginia, and that said action is still pending therein.

2. That said action is of a civil nature and that the matter and amount in dispute exceeds the sum of three thousand dollars (\$3,000.00) exclusive of all interest and costs, as will appear from the claim filed in this cause.

3. That the controversy herein is between citizens of different States; that the plaintiff was at the time of the commencement of this suit and still is, a citizen of the State of Virginia, residing in said State, and that your petitioner William H. Grannis was at the time of the commencement of this suit and now is a resident of the State of Pennsylvania, residing in the City of Philadelphia, and a citizen of said State and City at this time.

4. That said action is returnable to the day of July, and your petitioner has 60 days from said date to file exceptions to the report of the appraisal Commission, which time has not yet expired.

5. That your petitioner desires to remove this suit inasmuch as it relates to his claim filed in this cause before trial thereof into the United States District Court for the District of Virginia.

6 That your Petitioner offers herewith a bond with good and sufficient surety for its entering into the District Court of the United States for the District of Virginia within thirty days from the filing of this petition, a certified copy of the record in this suit and for the paying all costs which may be awarded by the said District Court if said Court shall hold that this action was wrongfully or improperly removed thereto.

And your Petitioner therefore prays that this Court accept and approve this petition and said bond and surety and that this Court pass an order approving and directing the removal of this suit into the United States District Court for the ^{Western} District of Virginia, pursuant to the Statutes of the United States, and that no further pleadings or proceedings may be had in this Court in connection with the claim of the said William H. Grannis as filed in this cause.

And your Petitioner will ever pray etc.

William P. Larkin

Attorney for William H. Grannis.

William H. Grannis
Petitioner.

State of Pennsylvania, S.S.
City of Philadelphia.

I hereby certify that on this 25th day of May 1932, before me personally came William H. Grannis, the above petitioner, and made oath in due form of law that the matters and things set out in the above petition are true to the best of his knowledge and belief.

In witness whereof I have hereto subscribed my name and affixed my official seal this day above mentioned.

Bill M. Tomlinson

Notary Public.

NOTARY PUBLIC

My Commission Expires March 5, 1933

ORDER OF COURT.

This Cause coming on for a hearing upon application of William H. Grannis, claimant in this cause for an order removing this cause to the District Court of the United States for the ~~Western~~ District Of Virginia at Law, and it appearing to the Court that the said William H. Grannis has given written notice to the Counsel of record for the plaintiff, together with copies of his petition and bond for removal as is required by law, and it further appearing that the claimant has filed his petition for such removal, duly conditioned with good and sufficient surety as provided by law, and it appearing further to the Court that this is a proper cause for removal to the United States District Court;

NOW THEREFORE IT IS ORDERED, BY THE CIRCUIT COURT OF Rappahannock COUNTY, STATE OF VIRGINIA, this 15th Day of June 1932, that this cause insofar as it relates to the claim of William H. Grannis, is hereby removed to the District Court of the United States for the ^{Western} District of Virginia and the Clerk of this Court is hereby directed to make up a certified copy of the Record of this suit as to the claim of William H. Grannis and transfer the same to the District Court of the United States for the ^{Western} District of Virginia at Harrisonburg Virginia on or before thirty days from the date of this ~~xxx~~ petition filed in this Court, and it is further ordered that the said petition and the bond tendered therewith be and they are hereby accepted and approved and that all further proceedings in this Court be stayed.

J. St. Alexander
Judge Circuit Court
Rappahannock County

Virginia:
Clerk's Office of Rappahannock Circuit Court, June 15th, 1932.
The foregoing vacation order was this day received in the said office and entered upon the Common Law Order Book of said Court as by law provided.

Teste: Jas. M. Settle, Clerk.

#149

In the
Circuit Court of Rappahan-
nock County of Virginia.

In re
The State Commission on Con-
servation and Developement
of the State of Virginia, etc

vs

Clifton Ayler and others.

in Law No.149.

Petition and order of Court
for removal to U.S. District
by William H. Grannis, as
claimant.

Mr. Clerk:--

Please file etc.

William T. Larkin
Copy of petition and order
of Court admitted this 14th
day of *June* 1932. such admis-
sion to have no other effect
than it said petition and order
was served on me by
Attys for Plaintiff
An officer duly authorized
to serve notices

*W.C. Armstrong Atty
for Petitioner*

William T. Larkin,
American Building.
Baltimore, Md.

FILED IN
CLERK'S OFFICE
RAPPAHANNOCK COUNTY

June 15, 1932
Teste: *Jas. M. Settle*, Clerk

The Commonwealth of Virginia,

To the Sheriff of the County of Rappahannock, Greeting:

WE COMMAND YOU THAT YOU SUMMON Judge H. W. Bertram

FOR WITNESS

at Washington, Virginia. to appear before the Judge of our Circuit Court of the County of Rappahannock at the Court-house thereof, on the 24th day of May, 1934, at 10:00

o'clock A. M., to testify and the truth to say on behalf of the STATE COMMISSION ON CONSERVATION & DEVELOPMENT in a certain matter of controversy in our said Court before the said Judge depending and unde-

termined between STATE COMMISSION ON CONSERVATION & DEVELOPMENT, IN THE

MATTER TO BE HEARD AT WASHINGTON, VA., ON MAY 24, 1934, Plaintiff

and arising out of W.H.Grannis' motion.

Defendant

And have then there this writ.

WITNESS: J. M. SETTLE, Clerk of our said Court, at the Courthouse, the 18th day of May, 1934, and in the 158th year of the Commonwealth.

Jos. M. Settle Clerk.

The Commonwealth of Virginia

To the Sheriff of the County of Rappahannock, Virginia

WE COMMAND YOU THAT YOU SUBPOENA
FOR
WITNESS

5.6 miles to Charles City

11 1/2

to appear before the Judge of our Circuit Court of the County of Rappahannock of the Court

on the Rappahannock Circuit Court,

to testify and the truth to say on behalf of the

in a certain matter of controversy in our said Court before the day of

terminated between STATE COMMISSION ON CONSERVATION & DEVELOPMENT, IN THE

19.....

MATTER TO BE HEARD AT WASHINGTON, VA., ON MAY 24, 1934.

and arising out of W.H. Grinnis' motion.

Defendant

And have then there this writ.

Witness: J. M. SETTLE, Clerk of our said Court, at the Courthouse, the

day of May, 1934, and in the

the Commonwealth.

Jos M. Settle

Clerk.

Service Accepted
H. W. [Signature]

5.6 miles to Charles City
10.00 per day

Judge William
110 mi -

The Commonwealth of Virginia,

LOUDOUN

To the Sheriff of the County of ~~Rappahannock~~, Greeting:

WE COMMAND YOU THAT YOU SUMMON Judge J.R.H. Alexander

FOR }
WITNESS }
}

Washington, Virginia

to appear ~~before the Judge of our Circuit Court of the~~ County of Rappahannock at the Court-
house thereof, on the 24th day of May, 19 34, at 10:00

o'clock A.M., to testify and the truth to say on behalf of the STATE COMMISSION ON
CONSERVATION & DEVELOPMENT

in a certain matter of controversy in our said Court ~~before the said Judge~~ depending and unde-
termined between STATE COMMISSION ON CONSERVATION & DEVELOPMENT, IN

THE MATTER TO BE HEARD AT WASHINGTON, VA., ON MAY 24, 1934, ~~Plaintiff~~

~~and~~ arising out of W.H.Grannis' motion

~~Defendant~~

And have then there this writ.

WITNESS: J. M. SETTLE, Clerk of our said Court, at the Courthouse, the 18th
day of May, 19 34, and in the 158th year of
the Commonwealth.

Jas M. Settle
Clerk.

*Legal service of the writ
summons is accepted this
May 2/2/34*

SUBPOENA
FOR
WITNESS

vs.

to appear before the Judge of our Circuit Court of the County of Rappahannock at the Court-
house thereof, on the 24th day of May, 1934, at 10:00
o'clock A.M., to testify and the truth to say on behalf of the STATE COMMISSION ON
CONSERVATION & DEVELOPMENT in a certain matter of controversy in our said Court, the day of the depending and unde-
termined between STATE COMMISSION ON CONSERVATION & DEVELOPMENT, IN
THE MATTER TO BE HEARD AT WASHINGTON, VA., ON MAY 24, 1934, Plaintiff
and Defendant arising out of W.H. Grannis' motion

And have then there this writ.

Witness: J. M. Satter, Clerk of our said Court, at the Courthouse, the 24th
day of May, 1934, and in the 1882nd year of
the Commonwealth.

J. M. Satter

Clerk.

Mr. William T. Larkin, Atty. for William H. Grannis

1932. To Jas. M. Settle, Clerk Rappahannock Circuit Court, Dr.

" Tax on Deed or Deed of Trust

" Fees Recording Deed of Trust

" Commissioner of Revenue

" Recording Plat

June 18, 20, 21- To copy of record of The State Commission
on Conservation & Development of the State of
Virginia vs. Clifton Ayloe et als -----

\$10 00

The copy is now ready to be mailed to Clerk
of U.S. District Court at Harrisonburg, Va.

C. R. C. C.

Virginia. In the Circuit Court for Rappahannock County.

In re
State Commission on Conservation and vs Clifton Ayler et al
Development of the State of Virginia. Claimant William H. Grannis.

Now comes William H. Grannis, claimant to a right, estate, and claim under the condemnation proceedings, replying to show cause order to the petition of the complainant for a judgment in rem, and opposes the entry of the said judgment, for the reasons that the value set upon his estate by the said appraisal commission has been excepted to in due time as is required under the act; that his exceptions sets out clearly and specifically his reasons for the exception, that his exceptions has not been unconditionally overruled, withdrawn nor dismissed, but is of record in this Court undetermined, with an order from the board of Arbitrators promising a date at which a hearing will be granted the claimant a hearing on his exceptions to the report of said Board of Appraisers as to the value of his interest, estate and claim.

Having answered the order of nisi as he is advised he is required to do, he prays an early hearing on his exceptions.

And as in duty bound etc.

Claimant. *William H. Grannis* *William J. Hardin*
Attorney for Claimant.

Sworn to before me the subscriber a Notary public of the State of Pennsylvania in and for the City of Philadelphia, this 2nd day of February 1934 by William H. Grannis, the Claimant.

Belle M. Toulinson
Notary Public.

NOTARY PUBLIC
My Commission Expires March 3, 1937



In the
Circuit Court for
Pappahannock Co. Va

In vs
State Commission on
Conservation & Develop-
ment of the State of
Virginia vs

Clifton Ayler et al
In Term 149

Petition of H. D. Lanning
appearing entry of judgment
in favor of tracts 54-54-1
54-11. and reasons therefor

Mr. James Settle - Clerk
Please file etc.
William T. Larkin
Attorney for claimants

William T. Larkin
407 American Building
Baltimore, Md

KNOW ALL MEN BY THESE PRESENTS;

That William H. Grannis of the City of Philadelphia, State of Pennsylvania, as principal and the United States Fidelity & Guaranty Co as surety, are held and firmly bound unto the State Commission on Conservation and Development of the State of Virginia, in the penalty of five hundred dollars for the payment of which well and truly to be made to The State Commission on Conservation and Development of the State of Virginia, its successors, we bind ourselves, our successors and assigns, jointly and severally and firmly by these presents.

Upon condition nevertheless that whereas the said William H. Grannis has filed his petition in the Circuit Court for Rappahannock County of Virginia for the removal of a certain cause therein pending in which the said The State Commission on Conservation and Development of the State of Virginia is the plaintiff, and William H. Grannis as a claimant and one of the defendants, to the District Court of the United States for the ^{Western} District of Virginia.

Now if the said William H. Grannis shall enter in the District Court for the United States for the ~~Western~~ District of ~~VIRGINIA~~ within thirty days from the date of the filing the said petition for removal a copy of the record in said suit and shall well and truly pay all costs that may be awarded by said District Court of the United States, if said Court shall ~~not~~ hold that said suit was wrongfully or improperly removed thereat, then this obligation shall be void; otherwise it shall remain in full force and effect.

IN WITNESS WHEREOF, the said William H. Grannis has signed his name and affixed his seal, also the signature and seal of the said The United States Fidelity & Guaranty Co by its proper attorney in fact proper officer, this 26 day of May 1932.

Witness:
B. M. Tomlinson
Sworn to & subscribed this
26 day May, 1932
B. M. Tomlinson

William H. Grannis SEAL
The United States Fidelity & Guaranty Co
of Baltimore, Md. by Sheppard & Associates
County Realty Co. atty in fact R. A. ...

NOTARY PUBLIC
My Commission Expires March 5, 1933



#149

In the
Circuit Court for Rappahan-
nock County of Virginia.

In ~~EE~~
The State Commission on
Conservation and Develop-
ment for the State of Vir-
ginia. Plaintiff.

vs

Clifton Ayler et al etc.
Defendants.

Bond to secure costs on the
removal of William H. Gran-
nis as claimant.

Mr. Clerk:--
Please file etc.

Attorney for Claimant

Service of Copy of Bond ad-
mitted this 14 day of June
1932 but such admission to
be of no greater effect than
if served by an officer
W. C. Armstrong
Attorney for Plaintiff.
Phelan

William T. Larkin,
American Building.
Baltimore, Md.

FILED IN
CLERK'S OFFICE
RAPPAHANNOCK COUNTY

June 15, 19 *32,*

Teste: *Joe M. Smith* Clerk

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

Petitioner.

vs.

At Law No.149.

Clifton Aylor and others
and 37,400 acres, more or less,
of land in Rappahannock County,
Virginia

Defendants.

In the matter of the claim of W.H.Grannis.

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE WESTERN DISTRICT
OF VIRGINIA, ON OCTOBER 10, 1932.

This day came The State Commission on Conservation and Development of the State of Virginia by Weaver and Armstrong, its attorneys, and exhibited to the Court the record of the above entitled proceeding, from which it appears that said proceeding was removed, upon the petition of the said W.H.Grannis, from the Circuit Court of Rappahannock County, Virginia, to this Court on June 15, 1932;

And thereupon said State Commission on Conservation and Development, by its said attorneys, moved the Court to remand said proceeding to the Circuit Court of Rappahannock County, Virginia, upon the grounds set forth in writing and accompanying said motion;

Upon consideration whereof, it appearing to the Court that this proceeding should be remanded to the Circuit Court of Rappahannock County, Virginia, upon the grounds asserted in support of the motion to remand, it is accordingly so ADJUDGED AND ORDERED.

AND IT IS ORDERED THAT THE CLERK OF THIS COURT do strike this proceeding from the docket of this Court, and do certify a copy of this order to the Clerk of the Circuit Court of Rappahannock County, Virginia.

It is further ADJUDGED AND ORDERED that the State Commission on Conservation and Development, of the State of Virginia do recover of said W.H.Grannis its costs in this behalf expended.

A Copy: Teste: K. S. Todd, Deputy Clerk.

VIRGINIA: Clerk's Office of Rappahannock Circuit Court,
Oct. 11, 1932.

The foregoing order was this day received in
the said office and entered upon the Common Law Order
Book of said Court.

Teste: Jas. M. Settle, Clerk.



Handwritten notes in the right margin:
1932
Rappahannock County
Clifton Aylor
37,400 acres
June 15, 1932
W.H. Grannis

149

Order Remanding Case.
From U.S. Court to
Ct. of App. Va.

The State Commission
on Conservation and Development
of the State of Virginia,
vs.
At Law No. 149.
Petitioner.
Defendants.
Giffon Aylor and others,
and 37,400 acres, more or less,
of land in Rappahannock County,
Virginia.
In the matter of the claim of W.H. Grannis.

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE DISTRICT OF VIRGINIA

This day came The State Commission on Conservation and Development of the State of Virginia by Robert and Associates, its attorneys, and exhibited to the Court the record of the above entitled proceeding, from which it appears that said proceeding was removed, upon the petition of the said W.H. Grannis, from the Circuit Court of Rappahannock County, Virginia, to this Court on June 15, 1932;

And thereupon said State Commission on Conservation and Development, by its said attorneys, moved the Court to remand said proceeding to the Circuit Court of Rappahannock County, Virginia, upon the grounds set forth in writing and so certifying said motion; Upon consideration whereof, it appearing to the Court that this proceeding should be remanded to the Circuit Court of Rappahannock County, Virginia, upon the grounds asserted in support of the motion to remand, it is accordingly so ADJUDGED AND DECREED.
AND IT IS ORDERED THAT THE CLERK OF THIS COURT DO AT THE THIS proceeding from the docket of this Court, and do certify a copy of this order to the Clerk of the Circuit Court of Rappahannock County, Virginia.

It is further ADJUDGED AND DECREED that the State Commission on Conservation and Development, of the State of Virginia, do recover of said W.H. Grannis its costs in this behalf expended.
A Copy: Teste: W. S. [Signature], Deputy Clerk.

VIRGINIA: Clerk's Office of Rappahannock Circuit Court,
Oct. 11, 1932.
The foregoing order was this day received in the said office and entered upon the Common Law Order Book of said Court.
Teste: [Signature], Clerk.



THE STATE COMMISSION ON
CONSERVATION and DEVELOPEMENT
of the STATE of VIRGINIA PETITIONER.

vs

CLIFTON AYLER ET AL, and
THIRTY*SEVEN THOUSAND,
FOUR HUNDRED ACRES, MORE OR
LESS ACRES OF LAND, IN
RAPPAHANNOCK COUNTY VIRGINIA,
DEFENDANTS, ET AL

in the
CIRCUIT COURT for
RAPPAHANNOCK COUNTY
VIRGINIA.
CONDEMNATION PROCEED*
INGS,
AT LAW, NO. 149.

To the Honorable,

J. R. M. Alexander,

Judge of the said Court.

The claimant, William H. Grannis, prays leave of Court
to file and Amendment to his claim heretofore filed in this Cause.

William H. Grannis

Leave is hereby granted, as prayed.

*subject to any exceptions,
which may be properly raised.*

J. R. M. Alexander

Claim of William H. Grannis *Amended Claim*
In the Circuit Court of Rappahannock County, Virginia, No. 221, At Law.
The State Commission on Conservation and Development of the State of Virginia, Petitioner, vs. Clifton Avler et al and 37000 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, ~~ask~~ *after* leave of the Court to file this as his answer to said petition and to said notice.

My name is William H. Grannis
My Post Office Address is 407 American Bldg., Baltimore, Md.

I claim a right, title, estate or interest in a tract or parcel of ~~land~~ *timber* within the area sought to be condemned, containing about 6641-1/2 acres, on which there are the following buildings and improvements: and the timber on which 2107-1/2 acres is in Warren County and 5570 is in Rappahannock County.

This land is located about 3 miles from Flint Hill Virginia, in the Magisterial District of said County.

I claim the following right, title, estate or interest in the tract or parcel of ~~land~~ *timber* 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 the sole owner of the timber on the 6641-1/2 Acres

The land owners adjacent to the above described tract or parcel of land are as follows:
North See Deed from J. J. Miller to William H. Grannis, date
South May 3, 1922 and recorded in Rappahannock County Deed Book
East and in Warren County Deed Book
West _____

I acquired my right, title, estate or interest to this property about the year 1922 in the following manner:

I purchased this tract of timber from John J. Miller, now deceased, at the price of 166415.00 and ~~was~~ *Crucid at 40.510.100 feet* ~~land~~ *timber by growth*

I claim that the total value of this tract or parcel of ~~land~~ *timber* with the improvements thereon is \$ 230,235.57. I claim that the total value of my right, title, estate or interest, in and to this tract or parcel of ~~land~~ *timber* with the improvements thereon is \$ 202,642.7

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: See full description by Metes and Bounds from the Deed from John J. Miller to William H. Grannis.

Since the purchase in 1922 there has been an estimated growth of about 2025605.5 feet making a total stand at this time 2025605.5 feet at a price (Continue remarks if necessary on the back).
of 4.75 per m foot

Witness my signature (or my name and mark attached hereto) this 14 day of November 1938 at Philadelphia Pennsylvania City William H. Grannis
STATE OF VIRGINIA, COUNTY OF Philadelphia, To-wit:

The undersigned hereby certifies that William H. Grannis 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 18 day of November, 1938.

Belle M. Toulson
Clerk of the Court, or Special Investigator or Notary Public, or Justice of the Peace.

See reverse side for additional remarks.

Establish the value of this timber, at a price used by the U. S. Government recently received for timber of the type and kind and character.

William H. Grannis
Lawyer

In addition to the Saw Timber there is on this tract the following 199,000 R-R Ties of a value of 5 Cents each or

44,700 Telegraph Poles of a value of 50¢ ea 22,350.00
 10,500 Cards of Locust Pin Timber of a value of \$ 2.00 per Card 21,000.00
 \$ 43,350.00

Saw Timber of a value of 199,394.97
 \$ 252,694.97



STATE OF VIRGINIA, COUNTY OF GILES
 The undersigned hereby certifies that the above named claimant personally appeared before him and things appearing in his above answer are true to the best of his knowledge and belief, and that he is a Notary Public for the County of Giles, State of Virginia.
 Witness my hand and seal this 11th day of March, 1933.
 Notary Public for the County of Giles, Virginia.

SUBJECT MEANS BY WHICH WILLIAM H. GRANNIS, THE CLAIMANT, ARRIVES AT THE VALUE OF HIS ESTATE AND INTEREST IN AND TO THE TIMBER IN WARREN AND RAPPAHANNOCK COUNTIES, STATE OF VIRGINIA, AND PRAYED TO BE TAKEN AS A PART OF HIS CLAIM.

TIMBER ONLY Standing timber located in Warren and Rappahannock Counties, State of Virginia, containing 6,641½ acres of original growth Hardwoods, this timber is all in the Shenandoah National Park area, of which the State of Virginia is now taking over for Park purposes.

OWNER OF TIMBER This timber was purchased by a deed of conveyance from John J. Miller, to William H. Grannis, the claimant, in May 1922, the deed calling for all of the timber, regardless of kind and size, lying and standing upon the lands, at a cost of \$66,415.00, and is of record in the Circuit Courts Clerk's Office of each County.

QUANTITY OF TIMBER In April 1922, this timber was cruised by Mr. E. W. Cornwell, a competent timber cruiser, to yield 6,100 board feet per acre, of sawing timber, making a total of - - - - 40,510,100 feet. There has since been cut and sold - - - - 528,000 "

Balance of sawing timber on tract - - - - 39,982,100 feet.

INCREASED GROWTH OF TIMBER It is a fact, recognized by all competent timber men, that timber of the kind on this tract, will increase in growth from 7% to 10%, every ten years, and to be conservative in this claim, will allow a growth of 5%, which will add an additional amount of timber in eight years, of 1,999,100 feet, making a total amount of timber as of April 24th, 1930 - - - - 41,981,200 feet.

At the time of the purchase, the following quantity and kinds, was on the land in the two Counties.

White Oak	16,502,500 feet.
Mixed Oak (mostly Red)	11,953,800 "
Yellow Poplar	4,648,700 "
Chestnut	3,984,600 "
Hickory	3,420,500 "

This is in addition to the Telegraph Poles, Railroad Cross Ties, and Locust Pin Timber shown below.

VALUE OF TIMBER In order to arrive at a just value of compensation for this timber, I will use the price that the United States Government received for timber of this kind and quality, standing in the tree, which price was \$4.75 per M board feet.

This gives the sawing timber on the 6,641½ acres, a value of - - - -	\$199,394.97
205,000 R.R. Cross Ties @ 5¢ each	\$10,250.00
6,000 R.R. Cross Ties SOLD @ 5¢	<u>300.00</u>
	9,950.00
45,000 Telegraph Poles @ 50¢ each	\$22,500.00
300 Telegraph Poles Sold @ 50¢	<u>150.00</u>
	22,350.00
10,500 Cords Locust Pin timber @ \$2.00 per cord	<u>21,000.00</u>
TOTAL VALUE of marketable timber as of April 24th 1930.	\$252,694.97

SUBJECT

In arriving at the value of the standing timber, I have first taken the value of the manufactured lumber, that the timber on this tract will produce at the market value per M feet, when loaded on board cars, at the time of the condemnation, namely; April 24th 1930, then I have deducted the production charges, including all charges for logging, sawing, delivering to and loading on board cars, together with overhead charges.

SALES

This timber when manufactured for the Cabinet Trade, will bring an average sale price of not less than \$40.00 per M feet F.O.B. cars Front Royal, Virginia. i.e.

41,999,200 feet @ \$40.00 per M ft. \$1,679,638.00

FOR WHICH IS TO BE DEDUCTED
THE FOLLOWING

Stumpage- 41,999,200 ft. @ \$5.00
per M feet \$209,956.00

Logging to
sawmill- 41,999,200 ft. @ \$8.00
per M feet 335,929.60

Sawing and
piling at
sawmill- 41,999,200 ft. @ \$4.00
per M feet 167,964.80

Delivering
on cars- 41,999,200 ft. @ \$6.00
per M feet 251,947.20

Overhead
costs- 41,999,200 ft. @ \$3.00
per M feet 125,973.60 1,091,771.20

If this timber was cut and marketed at the time
of condemnation, it would net the owner, this sum \$577,867.80

In the
Circuit Court for
Rappahannock Co.

State Commission on
Conservation and
Development of VA

^{vs}
Clefton Tyler et al

Amended claim of Melba
H. Graum's, after claim of
Court first had

Mr. Clerk:

Please file etc

William F. Larkin
Attorney for Plaintiff

William F. Larkin
407 American Bldg
Baltimore, Md