

TRACT NO.	VALUE	INCIDENTAL DAMAGES	AGGREGATE.
See footnote b 48	\$4760.00	6360.00 None	\$4760.00 6360.00
" " a 50	865.00	1015.00 None	865.00 1015.00
" " " 76	4782.00	4965.00 None	4782.00 4965.00
" " " 81	1500.00	2009.80 None	1500.00 2009.80
" " " 84	2300.00	2993.22 None	2300.00 2993.22
" " "242	2878.00	3280.00 None	2878.00 3280.00
" " c244	15.00	None	15.00
" " a312-a	1172.00	1563.00 None	1172.00 1563.00
" " "312-b	733.00	768.50 None	733.00 768.50
" " "325	4744.00	5326.00 None	4744.00 5326.00
" " c326-III	645.00	None	645.00
" " a335	2095.00	2164.35 None	2095.00 2164.35
" " "336	125.00	90.00 None	125.00 90.00
" " "337	9675.00	10,209.45 None	9675.00 10,209.45
" " c357	2700.00	None	2700.00
" " a368	1300.00	1710.60 None	1300.00 1710.60
" " "371	5100.00	5490.29 None	5100.00 5490.29
" " "372 ✓	1436.00	2160.00 None	1436.00 2160.00
" " c372-I ✓	227.00	None	227.00

See Exception numbered Seven in the body of the report filed by the Board of Appraisal Commissioners with reference to the above set out values of tracts numbered 48, 50, 76, 372, and 372-I.

Footnote a: Arbitration finding. See order entered February 28, 1934
Footnote b: See order entered January 23, 1934.
Footnote c: See Table II Report of Board of Appraisal Commissioners.

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125
2/29/34

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

V.

CASSANDRA LAWSON ATKINS AND OTHERS AND FIFTY-TWO THOUSAND,
FIVE HUNDRED AND SIXTY-ONE (52,561) ACRES OF LAND, MORE OR
LESS, DEFENDANTS.

On the 28th day of February, 1934, came the petitioner in the above styled proceeding by counsel, and exhibited to the Court the record thereof, including the judgment in rem entered herein on the 2nd day of November, 1933, condemning tracts No. 223, and No. 338, and No. 219, as numbered and described in the report of the Board of Appraisal Commissioners herein, to the use of the petitioner upon the payment into the custody of the Court of the sum of \$1340.00 for tract No. 223, and \$690.00 for tract No. 338, and \$303.00 for tract No. 219.

And thereupon petitioner showed to the Court that, notwithstanding the condemnation of the said tracts No. 223 and No. 338 as aforesaid, and, notwithstanding the fact that the petitioner has heretofore paid into the custody of this Court the respective amounts set forth in said judgment in rem as the respective awards for the taking of said tracts, petitioner thereafter entered into or confirmed an agreement with one R. D. Crawford under the terms of which it agreed to submit questions as to the value of certain mineral rights claimed in said tract by the said Crawford to arbitration, and entered into an agreement with certain claimants of tract no. 338 under which it agreed to submit questions as to the value of the fee simple estate in the said tract No. 338 to arbitration.

Petitioner further showed to the Court that as a result of the said arbitration the value of the mineral rights claimed by said Crawford in said tract No. 223 was ascertained and determined to be \$3.90; and that the value of the fee simple estate in tract No. 338 was ascertained and determined to be \$920.00; and

that the findings set forth in Table II of the Board of Appraisal Commissioners herein, have been amended by increasing the value set forth therein for the fee simple estate in tract No. 223 by the sum of \$3.90, and the value of the fee simple estate in tract No. 338 by \$230.00.

Whereupon petitioner prayed leave of Court to pay into the custody of the Court the sum of \$3.90 for the use and benefit of the person or persons entitled to compensation for the mineral rights in the said tract No. 223 valued in said arbitration at \$3.90; and further prayed leave of Court to pay into the custody of the Court the sum of \$230.00 for the use and benefit of the person or persons entitled to receive the amount set forth in the said judgment in rem as the award for the taking of said tract No. 338, the said sum of \$230.00 being in addition to the sum of \$690.00 mentioned in the said judgment in rem as the award for the taking of the said tract No. 338, which sum of \$690.00 has heretofore been paid into the custody of this Court.

Petitioner further showed to the Court that by a stipulation entered into with William Morris, one of the claimants herein, for the payment of compensation for improvements placed upon tract No. 219 since the date of the filing of the report of the Board of Appraisal Commissioners herein, petitioner has agreed to pay into the custody of this Court the sum of \$150.00, the stipulated value of said improvements, for the use and benefit of the person or persons entitled to receive the amount set forth in the said judgment in rem, as the award for the taking of the said tract No. 219 as shown and described in the report of the Board of Appraisal Commissioners herein.

Upon consideration whereof, leave is granted the petitioner to pay into the custody of this Court the said sums

of \$3.90; \$230.00 and \$150.00 for the use and benefit of the person or persons entitled thereto under the terms and conditions upon which, as above set out, petitioner prayed leave to deposit the same; payment of the said amounts into the custody of this Court to be made by payments of the same to the Clerk of this Court.

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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
and Five Hundred Sixty-One (52,561) Acres of Land, more or
less in Rockingham County, Virginia - - - Defendants.

On the 28 day of February, 1934, came the petitioner
in the above styled proceeding, and exhibited the record in
said proceeding, including the report of the Board of Appraisal
Commissioners therein, Table II and III thereof, and the County
Ownership Map filed therewith; and including also the several
exceptions and objections to said report and motions to dis-
approve and decline to accept the same filed with the record,
and theseveral motions of petitioner praying the dismissal of
the said exceptions, objections and motions, under authority of
Section 35 of the Public Park Condemnation Act, on the said ex-
ceptions, objections and motions, the several answers thereto,
and the supporting affidavits filed with the record; and in-
cluding also the order of this Court, setting this proceeding
for hearing on the 28th day of February, 1934, and the affidavits
filed in the record, showing the form and manner in which, in
compliance with the terms of the said order, copies thereof were
furnished to the several exceptants, objectors and movants men-
tioned in the table hereinafter set out, and to their counsel
of record.

Petitioner further exhibited to the Court reports of
the findings of arbitrators as to certain matters submitted to
them under arbitration agreements hereinafter mentioned, which
reports petitioner moved the Court to order filed with the
record.

And thereupon petitioner showed to the Court that arbitration agreements had been entered into by and between the petitioner and a number of the exceptants to the report of the Board of Appraisal Commissioners herein; that under authority and in pursuance of the said arbitration agreements, arbitrators were duly appointed, arbitration hearings were duly had, and that the above mentioned arbitrators' reports set forth the findings of the said arbitrators acting under authority of the said arbitration agreements.

Petitioner further showed to the Court that, inter alia, questions as to the value of the fee simple estate in the numbered tracts of land within the area described in the petition herein, shown in the following table, and described under their respective numbers in the said report of the Board of Appraisal Commissioners herein, and as to incidental damages which will arise upon the condemnation thereof, were duly submitted to the said arbitrators, in pursuance of the said agreements, by the petitioner and some or all of the respective exceptants, objectors and movants whose names are set ^{out} after each of the said numbered tracts in the said table, which table is as follows:

TABLE

TRACT
NUMBER

50	Wesley A. Dean
76	John K. Haney
81	E. E. Lam and E. C. Lam
84	Maude M. Shipp
223	Crawford, R.D., Mineral right claim
242	Annie R. Begoon
244	J. W. Hinkle
312-a	John J. Mace, James G. Mace, Eliz. Mace Via, R. H. Mace, Julia Mace Spitzer, Charles M. Mace and for heirs at law of Ben F. Mace.
312-b	Same exceptants as to tract 312-a.
325	Robert T. Miller, by Hamilton Haas, Attorney.
326-III	Same exceptant as to tract 244.
335	Herbert G. Patterson
336	Herbert G. Patterson and Allen B. Patterson
337	Herbert G. Patterson, Howard H. Patterson, David H. Patterson
338	Elizabeth Crawford, Mary C. Canada - Known as C. D. Crawford Estate. J. G. Fulton, Jr.
357	Elijah Catterton
368	E. C. Lam
371	Margaret Mundy
372	G. Luther Kite
372-I	Same exceptant as to tract 372.

Thereupon petitioner, by counsel, moved the Court to amend the findings as to value and damages set forth in Tables II and III of the said report of the Board of Appraisal Commissioners to conform with the findings of the said arbitrators; and, thereafter, to overrule and dismiss the several motions to disapprove the findings of the said Board of Appraisal Commissioners and the several objections and exceptions thereto, submitted by the several exceptants, objectors and movants whose names are set out in the above table, on their several exceptions, objections and motions, the answers thereto, and the supporting affidavits filed with the record, whether or not they or any of them are not lawfully bound by the findings of the said arbitrators, by reason of their omission or failure in fact to execute and enter into the above mentioned arbitration agreement, or by reason of any defect in form or of substance in the execution of said arbitration agreement, or by reason of any lack of power to execute the said arbitration agreement.

Upon consideration of all which it is adjudged and ordered that the findings as to value and incidental damages as shown in Table II and Table III of the said report of the Board of Appraisal Commissioners as to the numbered tracts set forth in the above set out table should be and are amended in so far as that may be necessary to make the said findings conform with the findings set forth in the said reports of findings by the said arbitrators; and the said amendments having been made, it is further adjudged and ordered, that the several motions to disapprove the findings of the Board of Appraisal Commissioners, and the several exceptions and objections thereto, filed by the several exceptants, objectors and movants mentioned in the above set out table should be and are overruled and dismissed, on their several exceptions, objections and motions,

the answers thereto, and the supporting affidavits filed with the record, whether they did or did not, in fact, severally execute and enter into the above mentioned arbitration agreements with the petitioner in such form and with such effect that they were and are lawfully bound by its terms and conditions.

It is further adjudged and ordered that the above mentioned amendments in the amounts of value and incidental damages set forth in Tables II and III of the report of the Board of Appraisal Commissioners herein, be made to appear by the Clerk of this Court, on the face of the said tables, accompanied with appropriate references to the date of entry of this order, by inserting the amended amounts of value in Table II of said report in red ink by the side of the numbered tract to which they relate, and by inserting with red ink in Table III of said report a note setting forth whether or not any findings as to the amount of incidental damages was made by the said arbitrators, and if the amount of any such incidental damages was found by the said arbitrators, the amount thereof and the numbered tract out of the condemnation of which such incidental damages were found to arise; all in substantially the form and manner and in the exact amounts as shown below:

TABLE II

For amendments in amounts of value of tracts 50, 76, 81, 84, 223, 242, 312-a, 312-b, 325, 335, 336, 337, 338, 368, 371, 372, see order entered herein _____, 1934.

TRACT
NUMBER

50	\$ 1070.00
76	5248.00
81	2009.80
84	2993.22
223	1343.90
242	3280.00
312-a	1563.00
312-b	768.50
325	5326.00
335	2164.35
336	90.00
337	10,209.45
338	920.00
368	1710.60
371	5490.29
372	2163.00

TABLE III

No findings as to incidental damages by Arbitrators. See order entered herein _____, 1934.

It is further adjudged and ordered that the above-mentioned reports of arbitrators be filed with the record of this proceeding:- to-wit, a report bearing date February 19, 1934, and signed by Jos. A. Glasgow, Lemuel F. Smith and Philip Williams: and a report bearing date February 21, 1934, and signed by J. R. H. Alexander, H. W. Bertram and Philip Williams.

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STATE COMMISSION ON CONSERVATION AND DEVELOPMENT

WILLIAM E. CARSON, CHAIRMAN, RIVERTON
COLEMAN WORTHAM, VICE CHAIRMAN, RICHMOND
JUNIOUS P. FISHBURN, ROANOKE
E. GRIFFITH DODSON, NORFOLK
RUFUS G. ROBERTS, CULPEPER
THOMAS L. FARRAR, CHARLOTTESVILLE
LEE LONG, DANTE

R. A. GILLIAM
EXECUTIVE SECRETARY AND TREASURER

RICHMOND, VA.



Shenandoah National Park Division

S. H. MARSH, SUPERVISOR
PHONE 84, FRONT ROYAL

BUREAUS OF THE COMMISSION

GEOLOGICAL SURVEY
WATER RESOURCES AND POWER
FOREST SERVICE
PARKS AND LANDSCAPE ENGINEERING
ARCHAEOLOGY AND HISTORY
STATE PUBLICITY

ADDRESS YOUR REPLY TO
FRONT ROYAL, VA.

March 5, 1934

George S. Harnsberger, Esq.
Attorney-at-Law
Harrisonburg, Virginia

Dear Sir:

Copy of letter addressed to you by the Chairman of the Arbitration Board, dated March 1st has just come to hand.

I enclose copy of letter we are addressing to Judge Smith, which will take care of the Annie R. Begoon Tract No. 153, Greene County.

With regard to the H. G. and A. B. Patterson Tract No. 336 in Rockingham County, it will be our purpose to make proper provision for the payment of not only the award set forth in the judgment in rem already entered, condemning this tract to the use of the petitioner, but also the difference between the award of the Board of Appraisal Commissioners, \$125.00, and the award of the Arbitration Board, \$90.00.

We believe it will be simpler for all parties, and cause less confusion, if we simply deposit in the custody of the Court for the use of the person entitled to the award on Tract No. 336, the sum of \$35.00.

I enclose a draft of an order under which the petitioner is granted leave to make this deposit, and I will be obliged if you will explain the situation to Judge Bertram, and move the entry of this order, advising us as to the exact date of its entry.

We will then deposit this sum at or about the same time we deposit the awards set out in the judgment.

Yours very truly,

A. C. Carson 

Enclosures:
CC of letter to Judge Smith
Copy of draft of order

IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY, VIRGINIA.

Harrisonburg, Va.
March 15, 1934

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

to

J. Robert Switzer, Clerk
Circuit Court of Rockingham County, Virginia

ENTERING FOLLOWING ORDERS: <i>etc.</i>			
<u>1932</u>			
Nov. 17	Order	granting leave to Mary E. Wyant to withdraw exceptions to Report	\$.25
Dec. 5	"	granting leave to Wallace C. Saunders to withdraw exceptions to Rep.	.25
<u>1933</u>			
Aug. 21	"	granting leave to E. C. Lam to file answer to petition	.25
Oct. 5	"	asking for order of judgment in rem	6.00
" 23	"	dismissing as to Tract #149	.50
" 25	"	as to hearing on exceptions	2.00
" 30	Mailing	165 copies of order of 10/25/33 pursuant to said order	16.25
Nov. "	Certifying	to Court above mailing pursuant to said order,	.50
Nov. 2	Order	allowing First National Bank of Hinton, W. Va., to file petition,	.25
" 4	Order	of judgment in rem	5.00
" "	"	continuing to December Term	.25
" "	"	granting leave to Annie Laurie Baugher to file petition	.25
Dec. 21	"	dismissing certain tracts	1.00
<u>1934</u>			
Jan. 2	"	appoing Guardian ad Litem for Mace infants,	.50
" "	"	overruling objections, etc., as to Mace infants	1.00
" "	"	granting leave to A. L. and J. F. Moubray to file petition	.50
" "	"	as to corrections on Map filed with Report of Board of App. Com'rs	1.00
" "	"	inserting notation on Map pursuant to said order of 1/2/34	.25
" 9	"	as to payment into Court of awards,	<u>3.00</u>
Carried forward,			\$ 39.00

Carried forward, 39.00

<u>1934</u>			
Jan.	22	Order as to motion to dismiss objections--Vernon W. Foltz	2.00
"	26	" asking for order of judgment in rem	6.00
Feb.	28	" as to Tracts Nos. 223, 338, 219,	1.00
"	"	" as to amending findings as to value and damages set forth in Tables II and III of Report,	2.00
"	"	" Making notations on Tables II and III, pursuant to order 2/28/34,	1.50
"	"	Order of judgment in rem,	5.00
Mar.	9	" for payment into Court on Tract #336	<u>1.25</u>
			\$ 57.75

Filing statements of <u>landowners</u> pursuant to rules issued by Arbitration Board;	}	
Filing Statements of Petitioner, same;		45.00
Postage, etc.		
<u>SEE SEPARATE SHEETS FOR DETAILS.</u>		

TOTAL, \$ 102.75

The following long distance calls paid for by Clerk:

11/3/33, (Levi)	\$.60	
10/28/33 (Switzer)	.70	
11/21/33 (Judge Bertram)	<u>.70</u>	2.00
Copies of deeds for Mr. Stoneburner, (2/28/34)		.75
	<u>Grand Total</u>	<u>\$ 105.50</u>
		Clerk.

*Received check in
payment May 17, 1934
M. Bauers, D.C.*

IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY, VIRGINIA.

Harrisonburg, Va.
March 15, 1934

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

Dr.

to

J. Robert Switzer, Clerk
Circuit Court of Rockingham County, Virginia

666

FILING STATEMENTS OF LANDOWNERS PURSUANT TO
RULES ISSUED BY ARBITRATION BOARD;

FILING STATEMENTS OF PETITIONER, SAME;

POSTAGE, MAILING, ETC.

<u>LANDOWNER</u>	<u>TRACT NO.</u>	<u>FEE</u>
Annie R. Begoon	242	\$ 1.50
C. J. & Robert M. Burke	227, 260	1.50
Jos. E. Carrickhoff	210	1.50
Elijah Catterton	357	1.50
D. M. Clarke	277	1.50
Julia L. Comer	123	1.50
Wesley A. Dean	50	1.50
Emma V. Gibbons) Hunter M. Gibbons) Mary Gibbons Snapp)	163	1.50
Thomas L. Yancey) Emma V. Gibbons) S. M. Yancey) Nettie I. Mauzy) Julia Estes) A. S. Yancey) Frank W. Yancey)	163 HEIRS-AT-LAW OF WM. B. YANCEY	1.50
John K. Haney	76	1.50
C. G. Harnsberger	42	1.50
J. O. Harnsberger, etc.	70-I	1.50
J. T. Heard	41, 41-a, 64-c	1.50
Annie E. Hedrick	248, 248-a	1.50
J. W. Hinkle	244, 326-III	1.50
	CARRIED FORWARD,	22.50

<u>LANDOWNER</u>	<u>TRACT NO*</u>	<u>CARRIED FORWARD,</u> <u>CARRIED FORWARD,</u>	<u>PRE 50</u>
A. S. Kemper	276		1.50
Sallie A. Kite	3, 372-I		1.50
E. E. & E. C. Lam	81		1.50
E. C. Lam	368		1.50
J. H. Lewin	256, 256-a		1.50
M. H. Long	152		1.50
R. T. Miller	325		1.50
A. L. & J. F. Moubray	166		1.50
Margaret E. Mundy	371		1.50
R. O. Nizer	40		1.50
H. G. Patterson	335		1.50
H. H. Patterson)	337		1.50
D. H. Patterson)			
H. G. Patterson)			
Maude M. Shipp-	84		1.50
Sara L. Upp	71		1.50
Thomas L. Yancey	213		<u>1.50</u>

TOTAL..... \$ 45.00

_____, Clerk.

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And thereupon petitioner showed to the Court that, notwithstanding the condemnation of the said tracts No. 223 and No. 338 as aforesaid, and, notwithstanding the fact that the petitioner has heretofore paid into the custody of this Court the respective amounts set forth in said judgment in rem as the respective awards for the taking of said tracts, petitioner thereafter entered into or confirmed an agreement with one R. D. Crawford under the terms of which it agreed to submit questions as to the value of certain mineral rights claimed in said tract by the said Crawford to arbitration, and entered into an agreement with certain claimants of tract no. 338 under which it agreed to submit questions as to the value of the fee simple estate in the said tract No. 338 to arbitration.

Petitioner further showed to the Court that as a result of the said arbitration the value of the mineral rights claimed by said Crawford in said tract No. 223 was ascertained and determined to be \$3.90; and that the value of the fee simple estate in tract No. 338 was ascertained and determined to be \$920.00; and

that the findings set forth in Table II of the Board of Appraisal Commissioners herein, have been amended by increasing the value set forth therein for the fee simple estate in tract No. 223 by the sum of \$3.90, and the value of the fee simple estate in tract No. 338 by \$230.00.

Whereupon petitioner prayed leave of Court to pay into the custody of the Court the sum of \$3.90 for the use and benefit of the person or persons entitled to compensation for the mineral rights in the said tract No. 223 valued in said arbitration at \$3.90; and further prayed leave of Court to pay into the custody of the Court the sum of \$230.00 for the use and benefit of the person or persons entitled to receive the amount set forth in the said judgment in rem as the award for the taking of said tract No. 338, the said sum of \$230.00 being in addition to the sum of \$690.00 mentioned in the said judgment in rem as the award for the taking of the said tract No. 338, which sum of \$690.00 has heretofore been paid into the custody of this Court.

Petitioner further showed to the Court that by a stipulation entered into with William Morris, one of the claimants herein, for the payment of compensation for improvements placed upon tract No. 219 since the date of the filing of the report of the Board of Appraisal Commissioners herein, petitioner has agreed to pay into the custody of this Court the sum of \$150.00, the stipulated value of said improvements, for the use and benefit of the person or persons entitled to receive the amount set forth in the said judgment in rem, as the award for the taking of the said tract No. 219 as shown and described in the report of the Board of Appraisal Commissioners herein.

Upon consideration whereof, leave is granted the petitioner to pay into the custody of this Court the said sums

of \$3.90; \$230.00 and \$150.00 for the use and benefit of the person or persons entitled thereto under the terms and conditions upon which, as above set out, petitioner prayed leave to deposit the same; payment of the said amounts into the custody of this Court to be made by payments of the same to the Clerk of this Court.

C. J. W. M.

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121

VIRGINIA: IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY.

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V. AT LAW NO. 1829

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the said exceptions, objections and motions, under authority of
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ceptions, objections and motions, the several answers thereto,
and the supporting affidavits filed with the record; and in-
cluding also the order of this Court, setting this proceeding
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filed in the record, showing the form and manner in which, in
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242	Annie R. Begoon
244	J. W. Hinkle
312-a	John J. Mace, James G. Mace, Eliz. Mace Via, R. H. Mace, Julia Mace Spitzer, Charles M. Mace and for heirs at law of Ben F. Mace.
312-b	Same exceptants as to tract 312-a.
325	Robert T. Miller, by Hamilton Haas, Attorney.
326-III	Same exceptant as to tract 244.
335	Herbert G. Patterson
336	Herbert G. Patterson and Allen B. Patterson
337	Herbert G. Patterson, Howard H. Patterson, David H. Patterson
338	Elizabeth Crawford, Mary C. Canada - Known as C. D. Crawford Estate. J. G. Fulton, Jr.
357	Elijah Catterton
368	E. C. Lam
371	Margaret Mundy
372	G. Luther Kite
372-I	Same exceptant as to tract 372.

Thereupon petitioner, by counsel, moved the Court to amend the findings as to value and damages set forth in Tables II and III of the said report of the Board of Appraisal Commissioners to conform with the findings of the said arbitrators; and, thereafter, to overrule and dismiss the several motions to disapprove the findings of the said Board of Appraisal Commissioners and the several objections and exceptions thereto, submitted by the several exceptants, objectors and movants whose names are set out in the above table, on their several exceptions, objections and motions, the answers thereto, and the supporting affidavits filed with the record, whether or not they or any of them are not lawfully bound by the findings of the said arbitrators, by reason of their omission or failure in fact to execute and enter into the above mentioned arbitration agreement, or by reason of any defect in form or of substance in the execution of said arbitration agreement, or by reason of any lack of power to execute the said arbitration agreement.

Upon consideration of all which it is adjudged and ordered that the findings as to value and incidental damages as shown in Table II and Table III of the said report of the Board of Appraisal Commissioners as to the numbered tracts set forth in the above set out table should be and are amended in so far as that may be necessary to make the said findings conform with the findings set forth in the said reports of findings by the said arbitrators; and the said amendments having been made, it is further adjudged and ordered, that the several motions to disapprove the findings of the Board of Appraisal Commissioners, and the several exceptions and objections thereto, filed by the several exceptants, objectors and movants mentioned in the above set out table should be and are overruled and dismissed, on their several exceptions, objections and motions,

the answers thereto, and the supporting affidavits filed with the record, whether they did or did not, in fact, severally execute and enter into the above mentioned arbitration agreements with the petitioner in such form and with such effect that they were and are lawfully bound by its terms and conditions.

It is further adjudged and ordered that the above mentioned amendments in the amounts of value and incidental damages set forth in Tables II and III of the report of the Board of Appraisal Commissioners herein, be made to appear by the Clerk of this Court, on the face of the said tables, accompanied with appropriate references to the date of entry of this order, by inserting the amended amounts of value in Table II of said report in red ink by the side of the numbered tract to which they relate, and by inserting with red ink in Table III of said report a note setting forth whether or not any findings as to the amount of incidental damages was made by the said arbitrators, and if the amount of any such incidental damages was found by the said arbitrators, the amount thereof and the numbered tract out of the condemnation of which such incidental damages were found to arise; all in substantially the form and manner and in the exact amounts as shown below:

TABLE II

For amendments in amounts of value of tracts 50, 76, 81, 84, 223, 242, 312-a, 312-b, 325, 335, 336, 337, 338, 368, 371, 372, see order entered herein _____, 1934.

TRACT
NUMBER

50	\$ 1070.00
76	5248.00
81	2009.80
84	2993.22
223	1343.90
242	3280.00
312-a	1563.00
312-b	768.50
325	5326.00
335	2164.35
336	90.00
337	10,209.45
338	920.00
368	1710.60
371	5490.29
372	2163.00

TABLE III

No findings as to incidental damages by Arbitrators. See order entered herein _____, 1934.

It is further adjudged and ordered that the above-mentioned reports of arbitrators be filed with the record of this proceeding:- to-wit, a report bearing date February 19, 1934, and signed by Jos. A. Glasgow, Lemuel F. Smith and Philip Williams: and a report bearing date February 21, 1934, and signed by J. R. H. Alexander, H. W. Bertram and Philip Williams.

*Aut
HWB*

*21
122*

STATE COMMISSION ON CONSERVATION AND DEVELOPMENT

WILLIAM E. CARSON, CHAIRMAN, RIVERTON
COLEMAN WORTHAM, VICE CHAIRMAN, RICHMOND
JUNIOUS P. FISHBURN, ROANOKE
E. GRIFFITH DODSON, NORFOLK
RUFUS G. ROBERTS, CULPEPER
THOMAS L. FARRAR, CHARLOTTESVILLE
LEE LONG, DANTE

R. A. GILLIAM
EXECUTIVE SECRETARY AND TREASURER

RICHMOND, VA.



Shenandoah National Park Division

S. H. MARSH, SUPERVISOR
PHONE 84, FRONT ROYAL

BUREAUS OF THE COMMISSION

GEOLOGICAL SURVEY
WATER RESOURCES AND POWER
FOREST SERVICE
PARKS AND LANDSCAPE ENGINEERING
ARCHAEOLOGY AND HISTORY
STATE PUBLICITY

ADDRESS YOUR REPLY TO
FRONT ROYAL, VA.

March 5, 1934

George S. Harnsberger, Esq.
Attorney-at-Law
Harrisonburg, Virginia

Dear Sir:

Copy of letter addressed to you by the Chairman of the Arbitration Board, dated March 1st has just come to hand.

I enclose copy of letter we are addressing to Judge Smith, which will take care of the Annie R. Begoon Tract No. 153, Greene County.

With regard to the H. G. and A. B. Patterson Tract No. 336 in Rockingham County, it will be our purpose to make proper provision for the payment of not only the award set forth in the judgment in rem already entered, condemning this tract to the use of the petitioner, but also the difference between the award of the Board of Appraisal Commissioners, \$125.00, and the award of the Arbitration Board, \$90.00.

We believe it will be simpler for all parties, and cause less confusion, if we simply deposit in the custody of the Court for the use of the person entitled to the award on Tract No. 336, the sum of \$35.00.

I enclose a draft of an order under which the petitioner is granted leave to make this deposit, and I will be obliged if you will explain the situation to Judge Bertram, and move the entry of this order, advising us as to the exact date of its entry.

We will then deposit this sum at or about the same time we deposit the awards set out in the judgment.

Yours very truly,

A. C. Carson 

Enclosures:
CC of letter to Judge Smith
Copy of draft of order

IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY, VIRGINIA.

Harrisonburg, Va.
March 15, 1934

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

to

J. Robert Switzer, Clerk
Circuit Court of Rockingham County, Virginia

ENTERING FOLLOWING ORDERS: <i>etc.</i>			
<u>1932</u>			
Nov. 17	Order	granting leave to Mary E. Wyant to withdraw exceptions to Report	\$.25
Dec. 5	"	granting leave to Wallace C. Saunders to withdraw exceptions to Rep.	.25
<u>1933</u>			
Aug. 21	"	granting leave to E. C. Lam to file answer to petition	.25
Oct. 5	"	asking for order of judgment in rem	6.00
" 23	"	dismissing as to Tract #149	.50
" 25	"	as to hearing on exceptions	2.00
" 30	Mailing	165 copies of order of 10/25/33 pursuant to said order	16.25
Nov. "	Certifying	to Court above mailing pursuant to said order,	.50
Nov. 2	Order	allowing First National Bank of Hinton, W. Va., to file petition,	.25
" 4	Order	of judgment in rem	5.00
" "	"	continuing to December Term	.25
" "	"	granting leave to Annie Laurie Baugher to file petition	.25
Dec. 21	"	dismissing certain tracts	1.00
<u>1934</u>			
Jan. 2	"	appoing Guardian ad Litem for Mace infants,	.50
" "	"	overruling objections, etc., as to Mace infants	1.00
" "	"	granting leave to A. L. and J. F. Moubray to file petition	.50
" "	"	as to corrections on Map filed with Report of Board of App. Com'rs	1.00
" "	"	inserting notation on Map pursuant to said order of 1/2/34	.25
" 9	"	as to payment into Court of awards,	<u>3.00</u>
Carried forward,			\$ 39.00

Carried forward, 39.00

<u>1934</u>			
Jan.	22	Order as to motion to dismiss objections--Vernon W. Foltz	2.00
"	26	" asking for order of judgment in rem	6.00
Feb.	28	" as to Tracts Nos. 223, 338, 219,	1.00
"	"	" as to amending findings as to value and damages set forth in Tables II and III of Report,	2.00
"	"	" Making notations on Tables II and III, pursuant to order 2/28/34,	1.50
"	"	Order of judgment in rem,	5.00
Mar.	9	" for payment into Court on Tract #336	<u>1.25</u>
			\$ 57.75

Filing statements of <u>landowners</u> pursuant to rules issued by Arbitration Board;	}	
Filing Statements of Petitioner, same;		45.00
Postage, etc.		
<u>SEE SEPARATE SHEETS FOR DETAILS.</u>		<hr/>

	TOTAL,	\$ 102.75
The following long distance calls paid for by Clerk:		
11/3/33, (Levi)	\$.60	
10/28/33 (Switzer)	.70	
11/21/33 (Judge Bertram)	<u>.70</u>	2.00
Copies of deeds for Mr. Stoneburner, (2/28/34)		.75
	<u>Grand Total</u>	<u>\$ 105.50</u>
		Clerk.

*Received check in
payment May 17, 1934
M. Bauers, D.C.*

IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY, VIRGINIA.

Harrisonburg, Va.
March 15, 1934

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

Dr.

to

J. Robert Switzer, Clerk
Circuit Court of Rockingham County, Virginia

666

FILING STATEMENTS OF LANDOWNERS PURSUANT TO
RULES ISSUED BY ARBITRATION BOARD;

FILING STATEMENTS OF PETITIONER, SAME;

POSTAGE, MAILING, ETC.

<u>LANDOWNER</u>	<u>TRACT NO.</u>	<u>FEE</u>
Annie R. Begoon	242	\$ 1.50
C. J. & Robert M. Burke	227, 260	1.50
Jos. E. Carrickhoff	210	1.50
Elijah Catterton	357	1.50
D. M. Clarke	277	1.50
Julia L. Comer	123	1.50
Wesley A. Dean	50	1.50
Emma V. Gibbons) Hunter M. Gibbons) Mary Gibbons Snapp)	163	1.50
Thomas L. Yancey) Emma V. Gibbons) S. M. Yancey) Nettie I. Mauzy) Julia Estes) A. S. Yancey) Frank W. Yancey)	163 HEIRS-AT-LAW OF WM. B. YANCEY	1.50
John K. Haney	76	1.50
C. G. Harnsberger	42	1.50
J. O. Harnsberger, etc.	70-I	1.50
J. T. Heard	41, 41-a, 64-c	1.50
Annie E. Hedrick	248, 248-a	1.50
J. W. Hinkle	244, 326-III	1.50
	CARRIED FORWARD,	22.50

<u>LANDOWNER</u>	<u>TRACT NO*</u>	<u>CARRIED FORWARD,</u> <u>CARRIED FORWARD,</u>	<u>PRE 50</u>
A. S. Kemper	276		1.50
Sallie A. Kite	3, 372-I		1.50
E. E. & E. C. Lam	81		1.50
E. C. Lam	368		1.50
J. H. Lewin	256, 256-a		1.50
M. H. Long	152		1.50
R. T. Miller	325		1.50
A. L. & J. F. Moubray	166		1.50
Margaret E. Mundy	371		1.50
R. O. Nizer	40		1.50
H. G. Patterson	335		1.50
H. H. Patterson)	337		1.50
D. H. Patterson)			
H. G. Patterson)			
Maude M. Shipp-	84		1.50
Sara L. Upp	71		1.50
Thomas L. Yancey	213		<u>1.50</u>

TOTAL..... \$ 45.00

_____, Clerk.