

NAME OF CLAIMANT

#153 - Harnsberger, C. G.

Number of Acres: 53

Location: West and over Rocky Mountain, and entirely within the Park area.

Roads: Two miles over county dirt road to Yancey, the nearest shipping point.

Soil: Sandy loam of fair depth and fertility with considerable small loose rocks. The slopes are gentle and moderate to the west.

History of Tract and condition of timber: The tract has been cut over at various times for many products. There is a thin stand of yellow pine up to 9" DBH with a few small oaks.

Improvements:

None.

Acreage and value of types:

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

Ridge:

| | | | | |
|--------|----|---|--------|----------|
| Slope: | 53 | @ | \$3.00 | \$159.00 |
|--------|----|---|--------|----------|

Cove:

Grazing Land:

Fields Restocking:

| |
|----------------|
| 50.00 |
| <hr/> \$209.00 |

Cultivated Land:

Orchard:

Minerals:

Value of Land: \$

Value of Improvements: \$159.00

Value of Orchard: \$

Value of Minerals: \$

Value of Fruit: \$

Value of Timber: \$

Value of Wood: \$50.00

Value per acre for tract: \$ 3.94

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

Geo. H. Pen CLERK.

Claim of Chas. G. Hansburger
In the Circuit Court of Rockingham County, Virginia, No. 1829, At Law.
The State Commission on Conservation and Development of the State of Virginia, Petitioner, vs.

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

My name is _____
My post office address is _____

I claim a right, title, estate or interest in a tract or parcel of land within the area sought to be condemned, containing about 53 acres, on which there are the following buildings and improvements:

no improvements

This land is located about 1 1/2 miles from Shelton Virginia, in the Hammock Magisterial District of said County.

I claim the following right, title, estate or interest in the tract or parcel of land described above: (In this space claimant should say whether he is sole owner or joint owner, and if joint owner give names of the joint owners. If claimant is not sole or joint owner, he should set out exactly what right, title, estate or interest he has in or to the tract or parcel of land described above.)

I am sole owner w/ fee

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

North Masam H. Long
South James Crawford
East Haller estate
West Masam H. Long

I acquired my right, title, estate or interest to this property about the year 1889 in the following manner:

By deed from W. M. Hansburger
dated from 1. 1889. Duly recorded in
D. B. 40 p. 209.

I claim that the total value of this tract or parcel of land with the improvements thereon is \$ 265. 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 \$ 265.

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 \$ _____.

(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: Good location for home
for servant or laboring man
having convenient to James
along the river. Also has good
indications of manganese. (Continue remarks if necessary on the back).

Witness my signature (or my name and mark attached hereto) this 3rd day of February, 1930.

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

The undersigned hereby certifies that Chas. G. Hansburger 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 3 day of Feb, 1930.

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

Commission Expires Sept. 3th, 1934

2/13/31

Claim of J. O. Harschberger
In the Circuit Court of Rockingham County, Virginia, No. 1829, At Law.
The State Commission on Conservation and Development of the State of Virginia, Petitioner, vs. Cassandra Lawson Houser

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 J. O. Harschberger
My post office address is Shaler, 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 50 acres, on which there are the following buildings and improvements: none

This land is located about 2 miles from Shaler Virginia, in the Horseshoe 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.)

As undivided one-seventh interest in fee. The other shares are owned as follows:

The land owners adjacent to the above described tract or parcel of land are as follows:
North Chas. Davis
South Laura Haugler
East Public road
West Claimants

I acquired my right, title, estate or interest to this property about the year 1897 in the following manner:

By inheritance from Chas. M. Harschberger

I claim that the total value of this tract or parcel of land with the improvements thereon is \$ 750.00. 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 \$ 107.14

I am the owner of 2.64 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: All of the land in question, some 314 acres, is being used for a hearing camp. The size of the tract is important in handling mineral developments see back. D (Continue remarks if necessary on the back).

Witness my signature (or my name and mark attached hereto) this 16 day of February, 1930.

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

The undersigned hereby certifies that J. O. Harschberger 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 17 day of Feb., 1930.

Filed in the Clerk's Office
Rockingham County, Va.
FEB 18 1930
Clerk

Geo. S. Harschberger
Counsel

W. P. Taylor
Clerk of the Court, or Special Investigator or Notary Public, or Justice of the Peace.

Not. Prey, Va.
~~Patent~~

- (1) Alfred L. Hausheper
- (2) Charles P. Hausheper, Sibson, Va
- (3) Kate M. Duff " " "
- (4) Annie Florence Firebaugh, Richmond
Wm. M. Firebaugh
- (5) {
 - Walter V. Davis, Greensboro, N. C.
 - J. C. Bishop &
 - J. M. T.
- (6) {
 - Wm. M. Parkersley, an infant, Greensboro, N. C.
 - J. A. Parkersley
 - J. C. Bishop
- (7) Annie P. Hausheper,

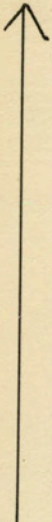
one
share

⊙ A portion of the 264 Acre tract has been developed & shown to contain large & valuable quantities of manganese. What fuel should be placed on this 50 acres, so far as the minerals are concerned, and so far as its deduction from the larger tract is concerned, will be left to date of hearing.

Continue remarks if necessary on the back
Witness my signature for my name and mark attached hereto this
STATE OF VIRGINIA, COUNTY OF
The undersigned hereby certifies that
The above named defendant personally appeared before him and made oath that the matters
and things appearing in his above answer are true to the best of his knowledge and belief
this _____ day of _____ 1930
Notary Public for Justice of the Peace

County: Rockingham
District: Stonewall

#153- Harnsberger, C.G.



M.H. Long

S

Jacob Yost, Tr.

Richard C. Morris

LEGEND:

Slope

Scale - 1" = 20 chains

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 52,561 acres, more or less,
in Rockingham County, Virginia.

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

NOV 4 1932

Robert L. Harts Clerk

Statement made by C.G. Harnsberger pursuant to a decree entered in the above entitled cause on October 25, 1932, in response to Item No. 2 of the inquiry made in said decree.

Your respondent says that his interest in certain mineral lands situate on Huckleberry Mountain in the eastern portion of Rockingham County, Virginia, was not reported at all in the report made by the Board of Appraisal Commissioners, as has been fully set forth in his objection to the confirmation of said report, heretofore filed in this cause. A plat showing the lands in which your respondent has certain mineral interests is filed with his claim in this matter.

Your respondent does not deem it necessary for an accurate survey to be made of the exact amount of mineral lands within the Park area, for he is not excepting to the acreage but to the fact that no mineral interest whatever was allowed him.

C. G. Harnsberger
By Counsel.

Geo. S. Harnsberger
Counsel.

No. 42

RETURN IN FIVE DAYS TO
J. ROBERT SWITZER, CLERK
Circuit Court of Rockingham County
HARRISONBURG VIRGINIA

STATEMENT

OF) Geo. S. Harnsberger, p.q.

C. G. HARNSBERGER (+ Jarman Hines)
(H. A. Hensley)
Filed 8/26/33

STATEMENT OF COSTS, POSTAGE, ETC.:

In re Arbitration Agreement submitted to the Governor, arising in or out of the condemnation proceedings pending in the Circuit Courts of Virginia under authority of the Shenandoah National Park Act.

State Commission on Conservation
and Development of the State of
Virginia

vs.

Cassandra Lawson Atkins and others
and 52,501 acres of land in Rock-
ingham County.

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

AUG 26 1933

Robert Switzer Clerk

In re exceptions of C.G.Harnsberger.

To the Hon. Philip Williams, Chairman of the
Park Land Arbitration Board.

In reply to the rules issued by said Arbitration Board on August 16, 1933, and in reply to your call therein made, the undersigned begs to say:

(a) There is no number on the map of the lands in Rockingham County given this claim by the Appraisal Board, as the same is based entirely on a mineral right. The claim was filed, as is shown by the papers heretofore filed in this matter, but the Appraisal Board did not make any allowance for minerals.

(b) This mineral right exists in 235 acres of land within the Park area.

(c) As the claim now under consideration is based entirely upon the mineral rights therein asserted, the requirements in this section do not in their entirety apply.

Suffice it to say here:

(1) That, although the claim of ten thousand dollars was asserted by exceptant before the Appraisal Board for mineral rights, nothing was allowed by said Board.

The geological reports for both the State of Virginia and the United States show that said mineral rights are located within the manganese ore-bearing belt along the western slope of the Blue Ridge Mountains. See Bulletin 17 of the Virginia Geological Survey. This survey was prepared in co-operation with the United States Geological Survey. The lands in which said mineral rights exist have been partially prospected, and ore of approved analysis has been found, and, from such prospecting as has been done, it is believed that said ores exist in commercial quantities. As this tract of land is located about mid-way between the Palmer lands on Naked Creek and the Harnsberger lands at Elkton and in the same ore-bearing belt, it is believed that the statement made by W.C.J. Bartells and referred to in the reply made by the Palmers is equally applicable to the mineral rights of exceptant, and the statement attributed to Mr. Bartells and contained therein is asked to be read in connection herewith.

The \$10,000.00 claimed in this matter is not the full value of the royalty on the ore sought to be taken in this proceeding, but, as the property has to be developed, and as it takes money for such development, no larger sum is asked.

The Appraisal Board did not make any allowance for incidental damage to that portion of the mineral lands which are left out of the Park area. In this the Appraisal Board erred, because it is a well known and recognized fact in mining that the greater the acreage the more valuable the mining interest, for the simple reason that it gives more area for prospecting and development. Your exceptant, therefore, asks that a proportionate allowance be made for that part of his land lying outside of the Park area.

Your exceptant requests that this matter be heard at the same time with the other exceptions in regard to the manganese mineral rights, as the primary evidence in all of these cases will

be the same, only varying as it pertains to the particular tract under consideration.

C.G. Harnsberger

State of Virginia,

City of Harrisonburg, to-wit:

This day C.G. Harnsberger personally appeared before me, F. Flavia Converse, a Notary Public in and for the City aforesaid, in the State of Virginia, in my City aforesaid, and, being duly sworn, deposes and says:

I have read the above statement, and believe the statements of facts contained therein to be true.

C.G. Harnsberger

Subscribed and sworn to before me this 26th day of August, 1933.

F. Flavia Converse
Notary Public.

HENSLEY, H. A.
42
ROCKINGHAM COUNTY

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

SEP 9 1933

Robert Smith Clerk

IN RE. ARBITRATION AGREEMENTS submitted to the Governor arising in or out of Condemnation Proceedings pending in the Circuit Court of Virginia under authority of the Shenandoah National Park Act.

SUMMARY STATEMENT OF PETITIONER:

EXCEPTANTS: Harnsberger, C. G. & Jarman Heirs

ORIGINAL CLAIM: Acreage 236 : Value \$ 10,000: Inc. Damages, None.

VALUE PLACED ON TRACT BY PETITIONER'S APPRAISERS:

| <u>TRACT NO.</u> | <u>VALUE</u> | <u>INCIDENTAL DAMAGES</u> |
|------------------|----------------|---------------------------|
| 42 | \$612.00 (fee) | None |
| 42 | 000 (M/R) | : |

BOARD OF APPRAISAL COMMISSIONERS FINDINGS:

MAP NUMBER OF TRACT: 42

VALUE OF TRACT:

| <u>TRACT NO.</u> | <u>VALUE</u> | <u>INCIDENTAL DAMAGES</u> |
|------------------|----------------|---------------------------|
| 42 | \$892.00 (fee) | None |
| 42 | 000 (M/R) | |

We do not concede that the exceptant has any mineral rights of any market value whatsoever in or under this tract, or that the mineral rights in or under this tract add anything to the value of the fee simple estate therein.

W. C. Armstrong
W. C. Armstrong, Attorney
for Petitioner

Subscribed to and verified before me this the 8 day of September, 1933.

Emma K. Stokes, Notary Public