





Claim of James N. Dyer  
In the Circuit Court of Madison County, Virginia, No. \_\_\_\_\_, At Law.  
The State Commission on Conservation and Development of the State of Virginia, Petitioner, vs. W. D. Anderson + others

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

My name is James N. Dyer  
My Post Office Address is Old Rag, 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 13 acres, on which there are the following buildings and improvements: Wedding house, barn + other outbuildings

This land is located about 1/2 miles from Old Rag P.O. Virginia, in the Robeson 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).

Sole owner

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

North Jno. Q. Dyer  
South W. J. Dyer  
East Jno. Q. Dyer  
West Geo. W. Dyer

I acquired my right, title, estate or interest to this property about the year 1920 in the following manner:

By purchase

I claim that the total value of this tract or parcel of land with the improvements thereon is \$ 500.00. 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 \$ \_\_\_\_\_

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 23 day of July, 1930.

James N. Dyer

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

The undersigned hereby certifies that Jas. N. Dyer 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 23 day of July, 1930.

A. H. Carey

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

Claim of *James H. Payne*  
In the County Court of *Madison* County, Virginia, No. *13*  
The State Commission on Conservation and Development of the State of Virginia, Petitioner, vs. *W. D. Anderson + others*

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

My name is *James H. Payne*  
My Post Office Address is *Old Pop, 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 *1.3* acres on which there are the following buildings and improvements: *nothing there*

The land is located about *1/2* miles from *Old Pop, Va.* in the Magisterial District of said County.

The following right, title, estate or interest in the tract or parcel of land described in this space claimant should say whether he is sole owner or joint owner, and give names of the joint owners. If claimant is not sole or joint owner, he should state what right, title, estate or interest he has in or to the tract or parcel of land above described.

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 in this property about the year *1922* in the following manner: *by purchase*

I claim that the total value of this tract or parcel of land with the improvements thereon is \$ *200.00*. 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 \$ *200.00*.

I am the owner of *1.3* 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 \$ *200.00*. (In the space below should be set out any additional statements or information as to the 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 *23* day of *July*, 1930.

STATE OF VIRGINIA, COUNTY OF *Madison*  
To-wit: *James H. Payne*  
The undersigned hereby certifies that *James H. Payne* 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, and things appearing in his above answer are true to the best of his knowledge and belief.

this *23* day of *July*, 1930.

Clerk of the Court or Special Investigator or Notary Public or Justice of the Peace

*Filed July 23, 1930.*  
*W. D. Anderson*

NOTE—This need not be filed until the record discloses that the awards have been paid into the custody of the Courts.

**Virginia: In the Circuit Court of Madison County at Madison, Virginia**

The State Commission on Conservation and Development of the State of Virginia . . PETITIONER.  
V. At Law No. 82

D. F. Anderson and others, and Fifty-Five Thousand (55,000) Acres, more or less, of  
land in Madison County, Virginia . . . . . DEFENDANTS

Comes now the undersigned and shows to the Court:

That a judgment in rem has heretofore been entered in this proceeding condemning to the use of the  
Petitioner the fee simple estate in the tract(s) of land numbered as follows: Tract No. 95 :  
Tract No. \_\_\_\_\_ : Tract No. \_\_\_\_\_ ;

and described in the report of the Board of Appraisal Commissioners appointed herein and shown, num-  
bered, and delineated on the County Ownership Map filed therewith, upon payment into the custody of  
the Court of the sum(s) set out in the said judgment as constituting the award(s) therefor, as follows:

Award on Tract No. 95 \$ 338.00 ; on Tract No. \_\_\_\_\_ \$ \_\_\_\_\_ ; on Tract No.  
\_\_\_\_\_ \$ \_\_\_\_\_ ;

That the report of the said Board sets forth that the following named persons claim, or appear to  
have a claim to an interest in the said tract(s) of land or in the proceeds arising from the condemnation  
thereof;

James N. Dyer

That the Petitioner has paid into the custody of the Court the said sum(s) set out in said judgment  
as constituting the award(s) for the fee simple estate in the said tract(s) of land;

That your undersigned, on the date of the said judgment in rem condemning the said tract(s) of  
land, owned or was (were) entitled to the following interest in the said tract(s) or in the proceeds  
arising from the condemnation thereof:—

By reason of Contribution pledge, obligating the owner,  
James N. Dyer, to give 1 acre of his land within the Park  
Area to the Park Project.

That no other person or persons than the undersigned are entitled to share in the distribution of the  
said award(s) except the following named persons whose interest in said tract(s) or in the proceeds  
arising from the condemnation thereof on the date of entry of said judgment was as follows:

Wherefore, your undersigned pray(s) that [he (they) be made a party (parties) herein under the  
provisions of Section 21 of the Public Park Condemnation Act, and that] an order be entered for the  
distribution of said sum(s) set forth in said judgment in rem as constituting the award(s) for the fee  
simple estate in the said tract(s) condemned as aforesaid, and for the payment to the undersigned of the  
said award(s) or of as much thereof as the Court may find that the undersigned is (are) entitled to

receive, and which the undersigned aver(s) is as follows: Tract No. 95 \$ 1.25 : Tract  
No. \_\_\_\_\_ \$ \_\_\_\_\_ : Tract No. \_\_\_\_\_ \$ \_\_\_\_\_ ;

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

NAME

P. O. ADDRESS

STATE COMMISSION ON CONSERVATION  
& DEVELOPMENT

BY

*Collett Marshall*

NOTE—A supply of this blank form has been placed in the Clerk's office for the convenience of interested  
parties. No one is required to use this form, as the form is not prescribed by law, and claimants can  
either change or modify it as they deem necessary, or present their motions in any form they may de-  
sire which meets with the approval of the Court. This blank form may not and probably will not cover  
all cases. It has been printed merely as a suggestion of a form of a motion which may be used, subject  
to the approval of the court in each case.

*Filed 1/9/34*  
*Esti. Cassan*

Notary Public  
The State Commission on Conservation and Development of the State of Virginia  
V. At Law No. 22  
R. E. Anderson and others, and Fifty-Five Thousand (55,000) Acres, more or less of  
land in Madison County, Virginia  
Comes now the undersigned and shows to the Court:  
That a judgment in rem has heretofore been entered in this proceeding  
Petitioner the fee simple estate in the tract(s) of land numbered  
Tract No. \_\_\_\_\_

STATE OF VIRGINIA) SS  
COUNTY OF WARREN )

Personally appeared before me the undersigned Notary Public in my said State and County, E. K. Stokes, who being duly sworn, deposed and said that she is an employee of the State Commission on Conservation and Development in immediate charge of the records of the Shenandoah National Park Division thereof having to do with claims of the Commission for distributive shares of condemnation awards in the Shenandoah National Park condemnation proceedings pending in the Circuit Courts of Virginia, by reason of contracts and agreements entered into with the owners of lands sought to be condemned in these proceedings, and that the within claim is just and correct.

Witness my signature this 8th day of January, 1934.

*Charles F. Good*  
Notary Public

NOTARY PUBLIC

My Commission Expires Sep. 8, 1934



Notary Public  
I, the undersigned, do hereby certify that the foregoing is a true and correct copy of the original as the same appears to me.  
In testimony whereof, I have hereunto set my hand and the seal of my office at \_\_\_\_\_, Virginia, this \_\_\_\_\_ day of \_\_\_\_\_, 1934.  
Notary Public

NAME \_\_\_\_\_  
P. O. ADDRESS \_\_\_\_\_  
STATE COMMISSION ON CONSERVATION  
BY \_\_\_\_\_

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In the Circuit Court of Madison County, Virginia,  
State Commission on Conservation and Development  
of the State of Virginia,

Petitioner -

Vs

D.F. Anderson and others and 55,000 acres of  
land in Madison County, Virginia,

Defendants -

On this, the 2nd day of February, 1934, came James N. Dyer, and on his motion, leave is given him to file his application for the payment of \$338.00, the amount of the award set out in the judgment of condemnation for Tract No. 95 and heretofore paid into Court. And it further appearing from the report of the Board of Appraisal Commissioners heretofore filed in this cause and in the petition for judgment and condemnation entered herein on the 4th day of December, 1933, that, in the opinion of petitioner, the said James N. Dyer is invested with a superior or better right or claim of title in and to the said Tract No. 95, or to the proceeds arising from the condemnation thereof, and that the record of this cause does not disclose any denial or dispute by any party or person in interest as to the title to said Tract No. 95, or to the proceeds arising from the condemnation thereof, except as herein provided, and it further appearing to the Court that all taxes due or payable upon said Tract No. 95 have been paid except for the year 1933. Upon consideration whereof, it is considered and ordered by the Court that the sum of \$338.00, paid into Court as just compensation for Tract No. 95, be paid out and distributed as follows:

(1) To N.G. Payne, atty. Madison, Va. donation to Park	\$1.25
(2) To B.S. Utz, Treas. Madison, Va. for taxes	\$4.00
(3) To N.G. Payne, atty. Madison, Va. fee and costs	\$7.50
(4) To N.G. Payne, Executor, Madison, Va. bond and interest	\$26.21
(5) To James N. Dyer, Oldrag, Virginia, balance	\$299.04

And the Clerk of this Court is directed to transmit a certified copy of this order to the Treasurer of Virginia, who shall pay out said fund as above provided, the items set forth aggregating the award set out in the judgment of condemnation for Tract No. 95, taking from said parties to whom the fund is payable as aforesaid, receipts therefor, and certifying such payment to the Clerk of this Court for appropriate entry thereof as provided by law.

entry thereof as provided by law. and certifying such payment to the Clerk of this Court for appropriate parties to whom the fund is payable as aforesaid, receipts therefor, out in the judgment of condemnation for Tract No. 95, taking from said fund as above provided, the items set forth aggregating the award set of this order to the Treasurer of Virginia, who shall pay out said And the Clerk of this Court is directed to transmit a certified copy

- (5) To James N. Dyer, Olden, Virginia, balance \$299.04
- (4) To K. G. Payne, Executor, Madison, Va. bond and interest \$28.21
- (3) To K. G. Payne, atty. Madison, Va. fee and costs \$7.50
- (2) To R. S. Utz, Treas. Madison, Va. for taxes \$4.00
- (1) To K. G. Payne, atty. Madison, Va. donation to Park \$1.25

be paid out and distributed as follows:

sum of \$338.00, paid into Court as just compensation for Tract No. 95. liberation whereof, it is considered and ordered by the Court that the on said Tract No. 95 have been paid except for the year 1933. Upon con- and it further appearing to the Court that all taxes due or payable up- ceeds arising from the condemnation thereof, except as herein provided,

person is interested as to the title to said Tract No. 95, or to the of this case does not disclose any denial or dispute by any party of the proceeds arising from the condemnation thereof, and that the record of the petitioner, the said James N. Dyer is invested with a superior title or claim of title in and to the said Tract No. 95, or to the before filed in this case and in the petition for judgment and condemna- appearing from the report of the Board of Appraisal Commissioners here- tion for Tract No. 95 and heretofore paid into Court. And it further of \$338.00, the amount of the award set out in the judgment of condem- his motion, leave is given him to file his application for the payment On this, the 2nd day of February, 1934, came James N. Dyer, and on land in Madison County, Virginia, D. F. Anderson and others and 55,000 acres of

State Commission on Conserva-  
tion and Development -  
Vs  
(Order for the Distribution  
of the award - Tract No. 95  
D. F. Anderson and others -

Enter -  
*A. H. J.*  
Judge -

Defendants -  
Petitioner -

In the Circuit Court of Madison County, Virginia,  
State Commission on Conservation and Development  
of the State of Virginia.

LAW ORDER  
BOOK 9  
PAGE 151  
Encl 152



NOTE—This need not be filed until the record discloses that the awards have been paid into the custody of the Courts.

**Virginia: In the Circuit Court of Madison County at Madison, Virginia**

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

V. At Law No. 82

D. F. Anderson and others, and Fifty-Five Thousand (55,000) Acres, more or less, of land in Madison County, Virginia . . . . . DEFENDANTS

Comes now the undersigned and shows to the Court:

That a judgment in rem has heretofore been entered in this proceeding condemning to the use of the Petitioner the fee simple estate in the tract(s) of land numbered as follows: Tract No. 95: Tract No. \_\_\_\_\_: Tract No. \_\_\_\_\_;

and described in the report of the Board of Appraisal Commissioners appointed herein and shown, numbered, and delineated on the County Ownership Map filed therewith, upon payment into the custody of the Court of the sum(s) set out in the said judgment as constituting the award(s) therefor, as follows:

Award on Tract No. 95 \$338.00; on Tract No. \_\_\_\_\_ \$\_\_\_\_\_; on Tract No. \_\_\_\_\_ \$\_\_\_\_\_;

That the report of the said Board sets forth that the following named persons claim, or appear to have a claim to an interest in the said tract(s) of land or in the proceeds arising from the condemnation thereof;

**James N. Dyer -**

That the Petitioner has paid into the custody of the Court the said sum(s) set out in said judgment as constituting the award(s) for the fee simple estate in the said tract(s) of land;

That your undersigned, on the date of the said judgment in rem condemning the said tract(s) of land, owned or was (were) entitled to the following interest in the said tract(s) or in the proceeds arising from the condemnation thereof:—

**The undersigned claims the entire fee simple interest in said award, and in the said land -**

That no other person or persons than the undersigned are entitled to share in the distribution of the said award(s) except the following named persons whose interest in said tract(s) or in the proceeds arising from the condemnation thereof on the date of entry of said judgment was as follows:

**James N. Dyer and wife on the 18th day of April, 1933, conveyed the said land to E.A.Carpenter, Trustee, to secure to N.G.Payne, Executor of S.L.Bazzle a bond for \$25.00, with interest from date -**

Wherefore, your undersigned pray(s) that [he (they) be made a party (parties) herein under the provisions of Section 21 of the Public Park Condemnation Act, and that] an order be entered for the distribution of said sum(s) set forth in said judgment in rem as constituting the award(s) for the fee simple estate in the said tract(s) condemned as aforesaid, and for the payment to the undersigned of the said award(s) or of as much thereof as the Court may find that the undersigned is (are) entitled to receive, and which the undersigned aver(s) is as follows: Tract No. 95 \$338.00: Tract No. \_\_\_\_\_ \$\_\_\_\_\_: Tract No. \_\_\_\_\_ \$\_\_\_\_\_;

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

**The taxes for 1933 have not been paid - The deed of trust is recorded in deed of trust book# 7, page 462 -**

NAME	P. O. ADDRESS
<i>James N. Dyer</i>	<i>Oldrag, Virginia -</i>
<i>Georgia Dyer</i>	_____
_____	_____
_____	_____
_____	_____

*Witness*  
*N.G. Payne*

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This is to certify that there are . No. . . . delinquent taxes of record in my office to the amount of \$ . . . . . against the tract of land owned by . . . . James N. Dyer . . . . . which is designated as Tract No. 95 . . . . ; Tract No. . . . . ; Tract No. . . . . on the County Ownership Map filed in my Office in the action at Law pending in the name and style of the Commission on Conservation &c., vs. W. D. Anderson, and others.

Given under my hand this .29. day of . . January . . . . , 1934 .

..... *A. H. Case* ..... Clerk ..  
Circuit Court, Madison County, Virginia  
By *Bertha W. Patti* ..... Deputy  
Clerk

This is to certify that there are ..... 1933 taxes of record  
in my office to the amount of \$ 4.00. . against the tract of land  
owned by ..... James H. Dyer .....  
..... which is  
designated as Tract No. 95 . . ; Tract No. . . . . ; Tract No. . . . .  
on the County Ownership Map filed in my Office in the action  
at Law pending in the name and style of the Commission on  
Conservation &c., vs. W. D. Anderson, and others.

Given under my hand this 27 . . day of . January . . . . ., 1934 .

.....  
Treasurer, Madison County, Virginia

By ..... Deputy  
Treasurer