

County: Madison
District: Roberson

#62- Fincham, A.B.

Acreage Claimed: 60 A. Assessed: 132 A. Deed: 132 A.
Value Claimed: \$750.00 Assessed: \$878.00 Deed: \$400.1927

AREA: 36 A. (By actual S.)

Location: U. S. Positions 11-12-13. Part outside the Park Area.

Incumbrances, counter claims or laps: None known.

Soil: Sandy loam, cove and slope type. Very rocky and badly damaged by fire.

Roads: Secondary dirt road 10 miles and 10 miles of hard surface to Culpeper, the nearest shipping point.

History of tract and condition of timber: Most of the merchantable timber has been removed from this tract, the remaining stand consists of about 5 M. ft. of poplar, hemlock and oak. (5 M. @ \$2.00 - - - - \$10.00) *Total Value Timber \$25.00*

Improvements: None.
Orchard: 5 old apple trees, poor cond. @ ^{\$4.00} (50¢ -- \$2.50)
44 peach trees @ 50¢ - - - 22.00
\$26.00

Acreage and value of land by types:

Type:	Acreage:	Value per acre	Total value
Slope	15	\$2.00	\$30.00
F.C.	3	10.00	30.00
F.R.	12	4.00	48.00
Cove	16	3.00	48.00
	<u>46</u>		<u>\$156.00</u>

Total value of land: \$156.00
Total value of orchard: 24.50
Total value of timber 10.00
\$190.50

Average value per acre: 4.14

Claim of A. B. Finckham
In the Circuit Court of Madison County, Virginia, No. 82, At Law.
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 A. B. Finckham
My Post Office Address is Nethers 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 60 ^{more or less} acres, on which there are the following buildings and improvements: 65 bearing peach trees

This land is located about 1 miles from Nethers Virginia, in the Robertson 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 J. M. Jenkins
South A. B. Finckham
East " "
West Birdie Lisk

I acquired my right, title, estate or interest to this property about the year 1895 in the following manner:
by securing deed from Sam prints Biss

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 \$ _____.

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 17 day of July, 1930.

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

The undersigned hereby certifies that A. B. Finckham 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 July, 1930.

A. J. Hillard
Witness to mark

L. P. Rider J. P.
Clerk of the Court, or Special Investigator or Notary Public, or Justice of the Peace.

Claim of _____
In the Circuit Court of _____ County, Virginia, No. _____
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 _____ acres, on which there are the following buildings and improvements: _____

This land is located about _____ miles from _____ Virginia, in the _____ 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.)

The land owners adjacent to the above described tract or parcel of land are as follows:
North _____
South _____
East _____
West _____

_____ acquired by right, title, estate or interest to this property about the year 1934, in the following manner: _____
I claim that the total value of this tract or parcel of land with the improvements thereon is \$ _____
I claim that the total value of my right, title, estate or interest 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 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 _____ day of _____, 1930.
STATE OF VIRGINIA, COUNTY OF _____
To-wit: _____

The undersigned hereby certifies that the above named claimant personally appeared before him and made oath that the matters and things appearing in his above answer are true to the best of his knowledge and belief, this _____ day of _____, 1930.

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

Handwritten: July 1936 - Justice of the Peace

Handwritten: A. J. ...

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. 62 : 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. 62 \$ 271.00; 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;

A. B. Fincham

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 A. B. Fincham, to give 5 acres 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. 62 \$ 10.00 : 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)

NAME

P. O. ADDRESS

STATE COMMISSION ON CONSERVATION

& DEVELOPMENT

BY Geoff M. [Signature]

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 desire 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 1/9-1934

Justice Attorney General

The State Commission on Conservation and Development of the State of Virginia
V. At Law No. 37
J. F. 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 favor of the State has been entered in the proceedings concerning the use of the
Petitioner the fee simple estate in the tract(s) of land numbered
Tract No. _____

STATE OF VIRGINIA) SS
COUNTY OF WARREN)

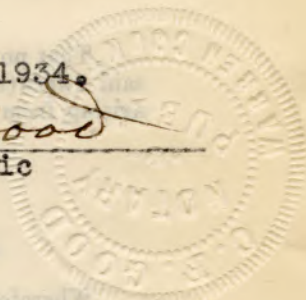
Personally appeared before me the undersigned Notary
Public in my said State and County, E. K. Stokes, who being
duly sworn, deposed and said that she is an employee of the
State Commission on Conservation and Development in immediate
charge of the records of the Shenandoah National Park Division
thereof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

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

Chas. H. Good

NOTARY PUBLIC Notary Public

My Commission Expires Sep. 8, 1934



Wherefore your undersigned prays (s) that (he) (they) be made a party (parties) herein under the
provisions of Section 51 of the Public Park Condemnation Act and that an order be entered for the
distribution of said award(s) set forth in said judgment in favor of the undersigned (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 avers (s) is as follows: Tract No. ES _____ \$ 10.00. Tract
No. _____ \$ _____ Tract No. _____
The undersigned further avers (s) that (leave this space blank unless there is some other parti-
cular matter to be brought specially to the attention of the court.)

F. O. ADDRESS

NAME

STATE COMMISSION ON CONSERVATION

A DEVELOPMENT

Chas. H. Good

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 own form if 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.

VIRGINIA. IN THE CIRCUIT COURT OF MADISON COUNTY.

The State Commission on Conservation &
Development of the State of Virginia, Petitioner,

v.

D. F. Anderson, et als, defendants.

In Re: Distribution of proceeds of condemnation
for Tract No. 62.

This day came the State Commission on Conservation & Development, by counsel, and moved the Court to enter an order directing the Treasurer of the State of Virginia, to pay to it, out of the proceeds of condemnation of Tract No. 62, the sum of Ten Dollars (\$10.00) representing the amount of a certain pledge made by A. B. Fincham, who claimed to be the owner of said tract, to said State Commission on Conservation & Development, as a contribution for the establishment of Shenandoah National Park, and in support of its said motion, the said Commission exhibited to the Court, its motion in writing setting forth all the facts in relation thereto, which has been heretofore filed herein.

Upon consideration whereof, it appearing to the Court that, the claim of said Commission is not based upon any lien, either on the land condemned, or on the proceeds of condemnation and that said commission has failed to obtain the consent of the parties entitled to the proceeds of condemnation, to the payment of its claim, it is accordingly adjudged and ordered that the motion of the Commission for the payment of said claim out of the proceeds of condemnation for said tract, be and the same is hereby denied.

Enter
J.S.

VIRGINIA. IN THE CIRCUIT COURT OF MADISON COUNTY.

The State Commission on Conservation & Development of the State of Virginia, Petitioner,

v.

... defendants.

In Re: Distribution of proceeds of condemnation
for Tract No. 82.

This day came the State Commission on Conservation & Development, by counsel, and moved the Court to enter an order directing the Treasurer of the State of Virginia, to pay to it, out of the proceeds of condemnation of Tract No. 82, the sum of Ten Dollars (\$10.00) representing the amount of a certain pledge made by A. B. Finham, who claimed to be the owner of said tract, to said State Commission on Conservation & Development, as a

contribution for the establishment of Shenandoah National Park, and in support of its said motion, the said Commission exhibited to the Court, its motion in writing setting forth all the facts in

relation thereto, which has been heretofore filed herein. Upon consideration whereof, it appearing

to the Court that the claim of said Commission is not based upon any lien, either on the land condemned, or on the proceeds of con-

demnation and that said Commission has failed to obtain the consent of the parties entitled to the proceeds of condemnation, to the

payment of its claim, it is accordingly adjudged and ordered that the

proceeds of condemnation for the payment of said claim out of the proceeds of condemnation for said tract, be and the same is hereby denied.

BOOK 9
LAW ORDER
PAGE 363