











Claimant #138 - Fray, J. D. and H. B.

Cont'd---

Summary of Squatters on J. D. & H. B. Fray #138.

No	Name	Acreage	Total Value
138-I	Woodward, Marvin S.	21	\$500.00
138-II	" Chas. S.	10	\$335.00
138-III	Broyles, James M.	20	\$470.00
138-IV	Sowers, John H.	54	\$610.00
138-V	Hurt, G. W.	16	\$420.00
		<u>121</u>	<u>\$2335.00</u>

Note: In event all or any of the above squatters claims are allowed, such amount should be deducted from J. D. & H. B. Fray #138.

*L. W. Farmer Sec*

Claimant #138 - Fray, J. D. and H. B.

Acreage Found: 1134                      Assessed: 1064

Location: South side of Haywood Mountain, wholly within the Park Area.

Incumbrances, counter claims or laps: See summary below.

Soil: Loam in bottom; sandy loam on slope; south slopes steep with rock outcropping.

Roads: Ten miles to Criglersville; thence seventeen miles to Culpeper, the nearest railroad.

History of tract and condition of timber: Timber on upper slopes is scattered and of poor quality. On the lower slopes there is a stand of white oak, chestnut oak, poplar etc. The land has not been burned in recent years. The timber is scattered and the stand is so thin that it cannot be considered merchantable. A nominal value of \$1.00 per M has been assigned:

White Oak.....	220 M. Ft.
Chestnut Oak.....	70 M. Ft.
Poplar.....	40 M. Ft.
Red Oak.....	30 M. Ft.
Miscellaneous.....	40 M. Ft.
	400 M. @ \$1. \$400.

Improvements:

See Squatters reports attached. Total value of improvements \$1315.00.  
Total value of fruit trees. \$157.00.

Value of land by types:

<u>Type</u>	<u>Acreage</u>	<u>Value per acre</u>	<u>Total Value</u>
Slope	1025	\$2.00	\$2050.00
Cove	30	\$5.00	\$ 150.00
Fr	9	\$5.00	\$ 45.00
Fc & Fg	70	\$10.00	\$ 700.00
	1134		\$2945.00.

Summary:

Total value of land.	\$2945.00
Total value of timber.	\$ 400.00
Total value of improvements.	\$1315.00
Total value of fruit trees.	\$ 157.00
Total value of tract.	\$4817.00

Summary of Squatters on J. D. & H. B. Fray #138.      2335.00  
2482.00

<u>No</u>	<u>Name</u>	<u>Acreage</u>	<u>Total Value</u>
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Total value of land .....	\$133.00
Total value of improvements ...	235.00
Total value of timber .....	<u>34.00</u>
Total value of tract .....	\$402.00
Average value per acre .....	\$7/45



COUNTY: MADISON  
 DISTRICT: ROBERSON

#138 - Fray, J. D. & H.B.

Acreage Claimed: No claim.      Assessed: 1064      Deed: No sheet.

Value Claimed:      Assessed: \$1064.00      Deed: 1123 A.

Location:      South side of Haywood Mountain, wholly within the Park area.

Incumbrances, counter claims or laps:      See Summary below.

Soil:      Loam in bottom; sandy loam on slope; south slopes steep with rock outcropping.

Roads:      Ten miles to Criglersville; thence seventeen miles to Culpeper, the nearest railroad.

History of tract and condition of timber:      Timber on upper slopes is scattered and of poor quality. On the lower slopes there is a stand of white oak, chestnut oak, poplar, etc. The land has not been burned in recent years. The timber is scattered and the stand is so thin that it can not be considered merchantable. A nominal value of \$1.00 per M. has been assigned:

White Oak.....	205 M. ft.
Chestnut Oak.....	60 M. ft.
Poplar.....	35 M. ft.
Red Oak.....	30 M. ft.
Miscellaneous.....	36 M. ft.
	366 M. @ \$1. = \$366.00

Improvements:      None.

Acreage and value of land by types:

<u>Types:</u>	<u>Acreage:</u>	<u>Value per acre</u>	<u>Total Value</u>
Cove	30	\$5.00	\$150.00
Slope	988	1.50	1482.00
	1018		\$1632.00

Total value of land.....\$1632.00  
 "      "      "      timber..... 366.00  
 "      "      "      tract .....\$1998.00

Average value per acre:      ....\$1.96

(Continued)

Summary of Acreage And Value of Small Tracts  
Lying Within The J. D. & H. B. Fray Tract #138-  
Claimed By Squatters, For Which Lap Reports Have  
Been Prepared.

	--				Value of			
	Slope	Fr	Fg	Fc	Land	Inpr'ts	Timber	Fruit
#138-V - Geo. & Lucy Hurt-	1	3	0	12	\$103.50-	\$170.00-	0	\$12.00
#138-IV- J. H. Sours	42	0	7	5	133.00	235.00	\$34.00-	--
#138-III-James H. Broyles	0	0	14	6	112.00	140.00	0	- 22.50
#138-II -C. S. Woodward	0	0	0	10	70.00	170.00	0	- 10.00
#138-I -M. S. Woodward	0	5	11	5	119.50	215.00	0	--
	43	8	32-38		\$538.00	\$930.00	\$34.00	\$44.50

Value of land .....	\$538.00
Value of improvements .....	930.00
Value of timber .....	34.00
Value of fruit trees .....	44.50
Total value of tract .....	<u>\$1546.50</u>

Total acreage of laps .... 121

Total value of tract not lapped .....	\$1998.00
Total value of laps .....	1546.50
	<u>\$3544.50</u>

Total area of tract not lapped .....	1018
Total area of laps .....	121
	<u>1139</u>

Average value per acre of entire survey ..... \$3.11

Squatter

County: Madison  
District:

#138-I -- Marion S. Woodward  
on  
H. B. & J. D. Fray #138.

Acreage Claimed: *Not* Assessed: *No* Deed:  
Value Claimed: Assessed: Deed:  
Area: 21 Acres

Location: South slope of Haywood Mountain - fenced.

Incumbrances, counter claims or laps: Squatter on H. B. & J. D. Fray #138.

Soil: Sand clay, good depth, fair fertility, moderately rocky, steep to gentle slopes, south and east exposures.

Roads:

History of tract and condition of timber: Cleared many years ago. Small area of home tract cultivated, remainder grazed. Tract #2 cleared many years ago, cultivated for some time. Large portion neglected for many years now grown up to briars, sumach, etc., remainder of tract cultivated.

Improvements: 4 Room Dwelling 13x34  
Barn 14x19  
Hen X 6x6  
Corn X 6x7  
8x12  
Total value Improvements \$290.00  
" " fruit trees 25.00

Value of land by types:

Type	Acreage	Value per acre	Total Value
Fc - Home tract #1)	1	\$7.00	\$7.00
Fg	11	7.00	77.00
	12		\$84.00
Fr - Tract #2)	5	1.50	\$7.50
Fc	4	7.00	28.00
	9 A.		\$35.50

Total acreage - 21.

Total value - \$119.50.

Total value of land	\$119.50
Total value of improvem'ts	215.00
Total value of tract	<u>\$334.50</u>
Average value per acre	\$15.93

(Squatter)

County: Madison  
District:

#138-II -- Woodward, Charles S.

Acreage Claimed: 10 A.

*J.D. + N.B. Fray #138*  
(Assessed)

*no* Deed:  
( None )  
Deed:

Value Claimed:

Not assessed.  
(Assessed)

Area: 10 Acres

Location: On southeast slope of Haywood Mountain.

Incumbrances, counter claims or laps: Squatter claim on on H. B.  
and J. D. Fray #138.

Soil: Clay loam, fair depth and fertility, very rocky, moderate slopes, southeast exposure.

Roads:

History of tract and condition of timber: Cleared some years ago,  
cultivated since - fenced with brush and logs.

Improvements:

<u>Dwelling:</u> Log, 12x15', shingle roof, 1½ story, fair condition, spring water supply, solid foundation, valued at --	\$100.00
<u>Barn:</u> Log, 8x10x8', shingle roof, fair condition --	20.00
<u>Kitchen:</u> Log, 12x13', 1 story, shingle roof-	35.00
<u>Corn crib:</u> Log, 6x12x6', shingle roof, fair condition --	10.00
<u>Hen house:</u> Log, 6x10x5', shingle roof, poor condition --	5.00
<i>Total value Improv. \$210.00**</i>	
<i>Total value ground trees \$25.00**</i>	
	<u>\$170.00</u>

Value of land by types:

<u>Type</u>	<u>Acreage</u>	<u>Value per acre</u>	<u>Total Value</u>
Fc	10	\$7.00	\$70.00

Total value of land .....	\$70.00
Total value of improvements.....	170.00
Total value of orchard .....	10.00
Total value of tract .....	<u>\$250.00</u>
Average value per acre .....	\$25.00

(Squatter)

County: Madison  
District:

#138-III -- Broyles, James M.

*J. D. Fray*  
*H. B. Fray*

Acreage Claimed:

Assessed:

*no* Deed:

Value Claimed:

Assessed:

Deed:

Area: 20 Acres

Location: Southwest slope of Haywood Mountain. Entirely fenced by rail.

Incumbrances, counter claims or laps: Squatter on H. B. & J. D. Fray #138.

Soil: Sand clay, good depth, but only fair fertility; somewhat rocky; moderate slopes; south and west exposure.

Roads:

History of tract and condition of timber: Cleared many years ago, grazed and cultivated since. Grazing area somewhat neglected, consequently a large percentage of the surface is occupied by briars, sumach and other weeds.

Improvements:

<u>Dwelling:</u> Log and frame, 16x32', 3 rooms, shingle roof, 1 1/2 story, log finish, poor condition, occupied by owner, spring water supply, solid foundation-	\$95.00
<u>Barn and shed:</u> Log and frame, 12x20', shingle roof, poor condition --	10.00
<u>Corn house:</u> Log, 12x16', shingle roof, fair condition --	15.00
<u>Hen house:</u> 6x10', poor condition --	5.00
<u>Cellar:</u> Stone, 12x14', shingle roof, fair condition --	15.00
<i>Total value Improv \$210.00</i>	
<i>Total value fruit trees \$60.00</i>	
	<u>\$140.00</u>

Value of land by types:

Type	Acreage	Value per acre	Total Value
Fc	6	\$7.00	\$42.00
Fg	14	5.00	70.00
	<u>20</u>		<u>\$112.00</u>

Total value of land .....	\$112.00
Total value of improvements.....	140.00
Total value of orchard .....	22.50
Total value of tract .....	<u>\$274.50</u>
Average value per acre .....	\$13.72

(Squatter)

County: Madison  
District:

#138-IV - Sowers, John Henry

*J. D. X<sup>on</sup> H. B. Fray #138*

Acreage Claimed:

(Assessed)

*no* Deed:

Value Claimed:

Not assessed  
(Assessed)

(None)  
Deed:

Area: 54 Acres

Location: Western slope of Haywood Mountain.

Incumbrances, counter claims or laps: Squatter on H, B. & J. D. Fray #138.

Soil: Sand clay; quite rocky; moderate slopes; south and west exposures.

Roads:

History of tract and condition of timber: Small patches cleared some years ago, cultivated for some time then more or less neglected since - small clearing near house now grassed.

Fences around cleared portions only. The wooded area claimed by Mr. Sowers is estimated to cut an average of 800 bd. ft. of white and red oak per acre. Total of 34,000 bd. ft. @ \$1.00 per M. --- \$34.00.

<u>Improvements:</u>	<u>Dwelling:</u> Log and frame, 15x22', 3 rooms, stone flues, 1 1/2 story, log finish, solid foundation --	\$115.00
	<u>Barn:</u> Log, 12x22x8', fair condition --	30.00
	<u>Corn crib:</u> Log, 8x12x6', fair condition --	10.00
	<u>Meat house:</u> Log, 8x10x6', shingle roof, poor condition --	35.00
	<u>Kitchen:</u> Frame, 10x16', shingle roof, fair condition --	35.00
	<u>Hen house:</u> Log, 10x12x6', shingle roof, poor condition --	10.00
	<i>Total value Bldg \$350.**</i>	<u>\$235.00</u>
	<i>Fruit trees \$22.**</i>	

Value of land by types:

Type	Acreage	Value per acre	Total Value
Fg	7	\$5.00	\$35.00
Fc	5	7.00	35.00
S	42	1.50	63.00
	<u>54</u>		<u>\$133.00</u>

(continued)

Revised report

County: Madison  
District:

#138-V-Hurt, G. W.

*J. D. + H. B. Fray #138*  
*not* Assessed:

Acreage Claimed:

No claim.

Value Claimed:

(Assessed: No record.)

*W* Deed:  
(No record  
Deed:

Area: 16 Acres

Location: South slope Haywood Mountain, wholly in Park area.

Incumbrances, counter claims or laps: (Title probably obtained through long occupancy of land.) *Squatter on land at present in J. D. + H. B. Fray.*

Soil: Sandy loam of moderate depth and fertility. Slope, rocky and steep.

Roads: Twenty-three miles to Culpeper, nearest railroad - six miles county road to Criglersville, seventeen miles state highway.

History of tract and condition of timber: Land is cultivated and restocking; No timber. (Owner settled on land owned by J. D. & H. B. Fray.)

Improvements:

<u>Dwelling:</u> Log, 18x24', 3 rooms, 1½ story, fair condition, occupied by owner, spring water supply, solid foundation, cellar --	\$140.00
<u>Barn:</u> Log, 10x13x8', shingle roof -	10.00
<u>Old kitchen:</u> Log, 13x14x10', shingle roof, poor condition --	10.00
<u>Hen house:</u> Frame, 8x10', shingle roof, fair condition --	10.00
<i>Total value Improv \$255.00</i>	
<i>Fr. + not tax 25.</i>	
	<u>\$170.00</u>

Value of land by types:

Type	Acreage	Value per acre	Total Value
Tillable	12	7.00	84.00
Restocking	3	6.00	18.00
Slope	1	1.50	1.50
	<u>16</u>		<u>\$103.50</u>

Total value of land \$103.50  
 Total value of improvements 170.00  
 Total value of orchard (15 apple trees @ 80¢) 12.00  
 Total value of tract \$285.50

Average value per acre \$17.84

138-III #138  
138-IV  
138-V  
138-I  
138-II

Claim of H. B. & J. D. Fray  
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. \_\_\_\_\_

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 J. B. Fray  
My Post Office Address is Madison

I claim a right, title, estate or interest in a tract or parcel of land within the area sought to be condemned, containing about 10.64 acres, on which there are the following buildings and improvements: four homes

This land is located about 9 miles from Syria Virginia, in the Robt. 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 Spiller land  
South R. A. Gears  
East Haywood Mt.  
West R. A. Gears

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

I claim that the total value of this tract or parcel of land with the improvements thereon is \$ 6384.00. 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 \_\_\_\_\_ day of August, 1936.

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

The undersigned hereby certifies that J. B. Fray 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 11 day of Aug, 1936.

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

*[Handwritten notes on the left margin]*



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: \_\_\_\_\_

The tract is located about \_\_\_\_\_ miles from \_\_\_\_\_  
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 described above.)

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 to this property about the year \_\_\_\_\_ 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 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 \_\_\_\_\_ day \_\_\_\_\_ of \_\_\_\_\_ 1931.

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 \_\_\_\_\_ 1931.

Notary Public or Justice of the Peace  
Clerk of the Court or Special Inspector or \_\_\_\_\_

Filed Aug 11, 1931  
Title: *Admiralty*

*H.B. & J.D.*  
*J. J. [unclear]*

Claim of Marion Woodward  
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. H. Anderson et al

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 Marion Woodward  
My post office address is Syria, 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 20- acres, on which there are the following buildings and improvements: Dwelling, fence & out buildings

This land is located about 4 miles from Syria Virginia, in the Robinson 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. H. + N. B. Gray  
South " " " " "  
East " " " " "  
West " " " " "

I acquired my right, title, estate or interest to this property about the year \_\_\_\_\_ in the following manner:  
Lined here for 23 & more before me

I claim that the total value of this tract or parcel of land with the improvements thereon is \$ 750<sup>xx</sup>. 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 \$ 750<sup>xx</sup>.

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 17th day of July, 1930.

Marion Woodward

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

The undersigned hereby certifies that Marion Woodward 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 17th day of July, 1930.

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

Claim of Charlie Woodward  
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 et al

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 Charlie Woodward  
My post office address is Syona, 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 10 acres, on which there are the following buildings and improvements: Residence, outbuildings 5 ft

This land is located about 5 miles from Syona Virginia, in the Robinson 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 - right of possession

The land owners adjacent to the above described tract or parcel of land are as follows:  
North J. H. & A. B. Fray  
South " " " " "  
East " " " " "  
West " " " " "

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

Cleared and fenced land, built home & barn  
lived here for 16 yrs

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 \$ 500.00

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 17th day of July, 1939.

Charlie Woodward  
mark

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

The undersigned hereby certifies that Charlie Woodward 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 17th day of July, 1939.

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



Claim of James Broyles  
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. Anderson et al

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 Broyles  
My post office address is Stanley Va Route 2

I claim a right, title, estate or interest in a tract or parcel of land within the area sought to be condemned, containing about 75 acres, on which there are the following buildings and improvements: 3 R Dwellings & out buildings

This land is located about 5 miles from Syria, Virginia, in the Robinson 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 - right of possession

The land owners adjacent to the above described tract or parcel of land are as follows:  
North J. D. & N. B. Fray  
South " " " " "  
East " " " " "  
West Larloba Mining & Dev Co

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

Have lived here for 33 years, cleared and fenced land & put on improvements

I claim that the total value of this tract or parcel of land with the improvements thereon is \$ 500++. 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 \$ 500++.

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 17th day of July, 1939.

James Broyles

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

The undersigned hereby certifies that James Broyles 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 17th day of July, 1939.

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

Date of \_\_\_\_\_  
In the Court of \_\_\_\_\_  
County, Virginia, No. \_\_\_\_\_  
The State Commission on Conservation and Development of the State of Virginia, Petitioner,  
vs.  
\_\_\_\_\_

\_\_\_\_\_ County, Virginia Petitioner  
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 with leave of the Court to file this answer in said petition and to said notice.

My name is \_\_\_\_\_  
My post office address is \_\_\_\_\_  
I claim the following 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 \_\_\_\_\_ 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 statement should set 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 in 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 \_\_\_\_\_  
East \_\_\_\_\_  
West \_\_\_\_\_  
I acquired my right, title, estate or interest in this property about the year \_\_\_\_\_ 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 in and in 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 being outside the tract area, which I claim will be damaged by the condemnation of lands within the tract area to the extent of \_\_\_\_\_ (In the space below should be set out any additional statements or information as to the claim which cannot be set out in this space, and if practicable be should also insert here a description of the tract or parcel of land by name and number.)

Continued remarks if necessary on the back.  
Witness my signature for my name and mark attached hereto this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_

STATE OF VIRGINIA COUNTY OF \_\_\_\_\_  
The undersigned hereby certifies that \_\_\_\_\_ the above named claimant personally appeared before him and made oath that the facts and things alleged in his above answer are true to the best of his knowledge and belief.  
\_\_\_\_\_ Clerk of the Court in Special Sessions for \_\_\_\_\_ County, Virginia on January of the year \_\_\_\_\_

*James Drucker*  
*Filed July 21st 1931*

Claim of Jno H. Sauer  
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. Anderson et al

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 Jno H. Sauer  
My post office address is Stanley Va, Route #2

I claim a right, title, estate or interest in a tract or parcel of land within the area sought to be condemned, containing about 40 acres, on which there are the following buildings and improvements: 2 Room Dwelling + out buildings

This land is located about 6 miles from Syona, Virginia, in the Robinson 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, (Squatter right)

The land owners adjacent to the above described tract or parcel of land are as follows:  
North Jacob Spuler  
South J. L. + H. B. Fray  
East " " "  
West " " "

I acquired my right, title, estate or interest to this property about the year \_\_\_\_\_ in the following manner:  
I have lived here for 40 years - cleared and fenced land and built home

I claim that the total value of this tract or parcel of land with the improvements thereon is \$ 1,000. 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 \$ 1,000.

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: My land is in several tracts

(Continue remarks if necessary on the back).

Witness my signature (or my name and mark attached hereto) this 11th day of July, 1930. Jno H. Sauer

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

The undersigned hereby certifies that Jno H. Sauer 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 11th day of July, 1930.

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





Claim of Mrs Lucie E Hurt & Geo W Hurt  
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 et al

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 Lucie E Hurt  
My post office address is Syona, 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: Dwelling, front & rear buildings

This land is located about 2 miles from Syona Virginia, in the Robinson 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. H. & H. B. Fray  
South " " "  
East " " "  
West " " "

I acquired my right, title, estate or interest to this property about the year \_\_\_\_\_ in the following manner:  
Born and lived there since all my life - 69 yrs & father before me

I claim that the total value of this tract or parcel of land with the improvements thereon is \$ 500. 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 \$ 500

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 17th day of July, 1931, 1930.

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

The undersigned hereby certifies that Lucie E Hurt 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 17th day of July, 1930.

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

State of Virginia, County of Albemarle, to the Clerk of the Circuit Court of said County, I, the undersigned, do hereby certify that the following is a true and correct copy of the original of the same as the same appears in the files of the Clerk of said Court.

My name is \_\_\_\_\_ My last office address is \_\_\_\_\_

The land is located about \_\_\_\_\_

I claim the following tract of land, estate or interest in the tract or parcels of land as set forth above: (In this case 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 this estate or interest he has in or to the tract or parcels of land described above.)

The land owners' consent to the above described tract or parcels of land are as follows: \_\_\_\_\_

I acquired my right in this estate or interest in this property about the following date: \_\_\_\_\_

I also state the total value of this tract or parcels of land with all improvements thereon as of the date of this deed to be \_\_\_\_\_

I claim that the total value of my right in and to this tract or parcels of land with the improvements thereon as of the date of this deed is \_\_\_\_\_

I am the owner of \_\_\_\_\_

In the space below should be set out any additional statements or claims which claimant desires to make; and if practicable be made by recitation of the tract or parcels of land by name and location.

Witness my signature of my name and made attached hereto this \_\_\_\_\_ day of \_\_\_\_\_

STATE OF VIRGINIA, COUNTY OF \_\_\_\_\_

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

*Deputy S. Hunt  
+ Deo W. Hunt*

*Filed July 21-1931*

To John Henry Sowers:

You are hereby notified that the Judge of the circuit court of Madison county, Virginia, will hear your claim to Tract No. 138-1V, located in the Park Area, and to the proceeds arising from the condemnation thereof, on the 16th day of April, 1934, at Madison, Virginia, at ten o'clock A. M., or as soon thereafter as counsel can be heard, at which time and place you should attend and prove your claim, if any you have, to the fund amounting to the sum of Four Hundred and Ten dollars.

H. B. Fray and the estate of J. D. Fray claim the fund arising from the proceeds of the condemnation of said tract. The court will pass upon the question as to who is entitled to the said fund at the time and place above mentioned.

A copy of the petition claiming the fund filed by the said H. B. Fray and the estate of J. D. Fray will be handed you along with this notice.

Respectfully,

April 6th 1934 -

H. B. Fray,

Estate of J. D. Fray -

*W. G. Sowers*

Attorney -

By counsel -

*Handwritten notes and signatures at the bottom of the page, including the name "Sowers" and other illegible text.*

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. 138-1V: 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. 138-1V \$ 610.00; 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;

**John Henry Sowers -**

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 H. B. Fray and the heirs of J. D. Fray, deceased, claim the entire award, they being the owners of the said land, and the said John Henry Sowers being in possession of the said land under a lease -**

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:

**None -**

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. 138-1V \$ 610.00: 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
<u>H. B. Fray</u>	<u>Madison Va</u>
<u>J. B. Fray &amp; J. D. Fray's heirs</u>	<u>" "</u>
_____	_____
_____	_____

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.

This deed, made this 12th day of March, 1906, by and between Geo. W. Hurt and Lucy Ellen Hurt, his wife, parties of the first part, and John D. Fray and H. B. Fray, parties of the second part -

Witnesseth: That for and in consideration of the sum of ten dollars, cash in hand paid, the receipt of which is hereby acknowledged, the said parties of the first part do hereby grant unto the said parties of the second part, all their right, title and interest in and to that certain tract or parcel of land, situate in the county of Madison on the Blue Ridge Mountains, containing 1100 acres, more or less, being the same land heretofore conveyed to the said parties of the second part by Hoffman, Koontz and Long of record in the clerk's office of the said county, being a portion of the tract formerly known as the Sargent land.

In consideration of the foregoing the said parties of the second part covenant that the said parties of the first part shall have quiet possession for the period of one year from the date hereof, of that portion of the land hereinbefore described upon which the parties of the first part reside.

Witness our hands and seals this the day and year first above written.

Teste:

R. A. Graves  
J. H. Utz -

his  
Geo. W. x Hurt (Seal  
mark -  
her  
Lucy x Ellen Hurt (Seal  
mark -

Witnesses:

G. H. Taylor  
W. F. Harrison  
G. H. Taylor -

John D. Fray - - (Seal)  
H. B. Fray (Seal)

Mrs. Hurt came to my place on February 19th 1910, and acknowledged that the above signature was all right, having been done by her husband, and that she would stand by that, but she would not sign the other paper.

Irvin was present at the time I had spoken to her about the matter at the store a short while before & told her that Irvin and Ben Utz would come up there by request of Mr. Fray to get her to sign the one enclosed with this but she said no use for them to come; I have signed two and that is enough and I will not sign any more, referring to the one that was signed in the presence of Capt Finks some time ago.

R. A. Graves,  
Feb. 19th 1910 -

Va: Madison county, to-wit:

In the office of the clerk of the circuit court for the county of Madison, the 30th day of September, 1910, this deed was presented, and with the certificate annexed, admitted to record at 11 o'clock A. M.

Teste:

G. H. Taylor, Clerk -

This deed is recorded in Deed Book 40, page 410 -

A copy -

This deed made this 12th day of March, 1906, by and between Jas. L. Woodward and Lona Jane, his wife, parties of the first part, and John D. Fray and H. B. Fray, parties of the second part.

Witnesseth: That for and in consideration of the sum of ten dollars, cash in hand paid, the receipt of which is hereby acknowledged, the said parties of the first part hereby grant unto the said parties of the second part all their right, title and interest in and to that certain tract or parcel of land situate in the county of Madison, on the Blue Ridge mountains, containing 1100 acres, more or less, being the same land heretofore conveyed to the said parties of the second part by deed of Hoffman, Koontz and Long of record in the clerk's office of said county, being a portion of the tract formerly known as the Sargent land.

In consideration of the foregoing the said parties of the second part covenant that the said parties of the first part shall have quiet possession, for the period of one year from the date hereof, of that portion of the land hereinbefore described upon which the parties of the first part reside.

Witness our hands and seals the day and year first above written:

Teste:	his Jas. x L. Woodward (Seal) mark
R. A. Graves - J. H. Utz	her Lona Jane x Woodward (Seal) mark -

Wit.	John D. Fray (Seal)
G.H.Taylor, W. F. Harrison G.H.Taylor -	H. B. Fray (Seal)

Va: Madison County:

I, G.H.Taylor, clerk of Madison county, do certify that John D. Fray and H. B. Fray whose names are signed to the foregoing writing bearing date March 12th 1906, have acknowledged the same before me in my County aforesaid -

Given under my hand this 1st day of October, 1906 -

G. H. Taylor, clerk -

Va: Madison county, to-wit:

In the clerk's office of Madison county on the 1st day of October, 1906. This deed was presented and proved on the oath of R.A.Graves and J. H. Utz as to Jas. L. Woodward and Lona Jane Woodward, and with certificates of acknowledgment admitted to record -

Teste: G.H.Taylor, clerk -

The State Commission On Conservation And Developement Of The State Of Virginia-  
Petitioners-

VS

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

And  
Charlie Woodward, Petitioner-

On motion of petitioner Charlie Woodward by counsel, petitioning the court to allow him to file his petition setting forth his claim and interest to the land and improvements of tract #I38-II. Reported by the Board Of Appraisals Commission of the court in this cause, which is a part of tract #I38. , reported by said Board Of Appraisals Commission. And it was argued by counsel. It is therefore, ordered, adjudged, and decreed that the petitioner Charlie Woodward is granted leave to file his petition for the purpose of showing his claim and interest to the aforesaid tract of land and improvements thereon. And the said petition is ordered ~~#####~~ to be filed and proper records made of same.

The State Commission On Conservation And Development Of The State Of  
Virginia- Petitioner-

VS.

D.F.Anderson and others and 55,000 acree of land in Madison County  
Virginia Defendants-  
And

Marion S,Woodward,Petitioner-

On motion of petitioner Marion S.Woodward,by counsel petitioning the/court  
allow him to file his petition setting forth his claim and interest to the  
### land and improvements of tract #I38-I. Reported by the Board Of Appraisals  
sals Commission of the court,in this cause,which is a part of tract #I38.,  
reported by the said Board Of Appraisals Commission. And it was argued by  
sounsel. And it is therefore,ordered,adjudged, and decreed that the petitioner  
Marion S.Woodward is granted leave too file his petition for the purpose of  
showing his ### claim and interest to the aforesaid tract of land and improve-  
ments thereon. And the said petition is ordered to befiled and proper records  
made of same.

State Commission On Conservation  
Development Of The State  
Virginia-Defendants-

Marion S. Woodward  
Petitioner-  
D.F. Anderson and others  
Defendants-  
55,000 acres of land in  
Madison County, Virginia

Entered Dec. 14th 1934  
1934

RECORDED  
JAN 10 1935





The 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-

And

Lucy Hurt And G.W.Hurt-  
Petitioners-

On motion of Petitioners ~~#####~~ Lucy Hurt And G.W.Hurt, by counsel  
petitioning the court to allow them to file their petition setting forth  
their claim and interest to the land and improvements of tract #138-V-  
Reported by the Board Of Appraisals Commission of the court, in this cause,  
which is a part of tract #138, reported by said commission. And it was ar-  
gued by counsel. It is therefore, ordered, adjudged, and decreed, that the peti-  
tioners, Lucy Hurt And G.W.Hurt, are granted leave to file their petition  
for the purpose of showing their claim and interest to the aforesaid tract  
of land and improvements thereon. And the said petition is ordered to be  
filed, and proper records made of same.

Date 5-3-75

The State Commission On Conservation And Development of The State Of Va. Petitioner-

VS

D.F. Anderson And Others And 55,000 acres of land-

And

Lucy Hurt And G.W. Hurt-

Petitioners-

Entered Dec. 18th, 1933.

*L.H.*  
~~Judge~~  
Judge.

Dec 30 - 1933

BOOK 9  
LAW ORDER  
88

The 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-

of land and improvements thereon. And the said petition is ordered to be  
filed, and proper records made of same.  
for the purpose of appointing their claim and interest to the elements filed  
for the purpose of appointing their claim and interest to the elements filed  
for the purpose of appointing their claim and interest to the elements filed

To Marvin S. Woodward:

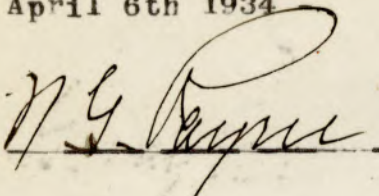
You are hereby notified that the Judge of the circuit court of Madison county, Virginia, will hear your claim to Tract No. 138-1, located in the Park Area, and to the proceeds arising from the condemnation thereof, on the 16th day of April, 1934, at Madison, Virginia, at ten o'clock A. M., or as soon thereafter as counsel can be heard, at which time and place you should attend and prove your claim, if any you have to the said fund amounting to the sum of five hundred dollars.

H. B. Fray and the estate of J. D. Fray claim the fund arising from the proceeds of the condemnation of said tract. The court will pass upon the question as to who is entitled to the said fund at the time and place above mentioned.

A copy of the petition claiming the fund filed by the said H. B. Fray and the estate of J. D. Fray will be handed to you along with this notice.

Respectfully,

April 6th 1934

 Attorney -

H. B. Fray,  
Estate of J. D. Fray,  
By counsel -

WOODWARD -

APRIL 10 1934

APRIL 10 1934

APRIL 10 1934

To Marvin S. Woodward:

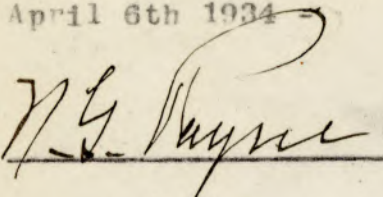
You are hereby notified that the Judge of the circuit court of Madison county, Virginia, will hear your claim to Tract No. 138-1, located in the Park Area, and to the proceeds arising from the condemnation thereof, on the 16th day of April, 1934, at Madison, Virginia, at ten o'clock A. M., or as soon thereafter as counsel can be heard, at which time and place you should attend and prove your claim, if any you have to the said fund amounting to the sum of five hundred dollars.

H. B. Fray and the estate of J. D. Fray claim the fund arising from the proceeds of the condemnation of said tract. The court will pass upon the question as to who is entitled to the said fund at the time and place above mentioned.

A copy of the petition claiming the fund filed by the said H. B. Fray and the estate of J. D. Fray will be handed to you along with this notice.

Respectfully,

April 6th 1934

  
W. G. Payne Attorney -

H. B. Fray,  
Estate of J. D. Fray,  
By counsel -

In The Circuit Court Of Madison County, At Madison, Virginia:  
 Court  
 To The Hon. Lemuel F. Smith, Judge Of The Circuit/Of Madison County, Virginia:  
 The State Commission On Conservation And Developement Of The State Of Virginia-  
 Virginia- e - - - - - Petitioners

Vs.  
 Marion S. Woodward - - - - - Petitioner-  
 D.F. Anderson and others, and 55,000 acres of land in Madison County, Va.  
 Defendants-

Your petitioner, Marion S. Woodward, respectfully, represents to your honor, as follows:

- (1) That he lives about six miles from Syria, in Madison County Virginia.
- (2) That he owns in fee simple, twenty one acres of land on which <sup>he</sup> resides. That this land is in the Park Area, situate, about six miles from Syria, Va., on the Southern Slope of Haywood Mountain, and is a part of the Big Survey. And is described as tract No. I38-1-In the report of your Appraisals Commission in the case of The State Conservation/ And Developement Of The State Of Virginia Vs. D.F. Anderson and others, and 55,000 acres of land in Madison County Virginia, which reference is made for further description of said land.
- (3) That your petitioner claims fee simple title to this said twenty one acres of said land by adverse possession.
- (4) That ~~you~~ your petitioner has lived on this said land, and ~~###~~ has had it inclosed by fence, with actual possession, notorious, visible, exclusive, continuous, and hostile for a period of ~~##~~ Twenty Five Years, or more. next before commencement of this suit-
- (5) That the said commissioners report in this proceeding, shows value of the land and improvements as follows, to wit;

Twenty One Acres Of land Value	- - - - -	185.00
Improvement Buildings etc-	- - - - -	290.00
Fruit Trees-	- - - - -	<u>25.00</u>
Total values of land ,buildings and fruit trees-		\$500.00-

(6) That this said land is a part of tract #I38-Reported in the name of H.B. & J.D. Fray, and described as squatter on said tract of #I38, of the said H.B. & J.D. Fray.  
 That the improvements and fruit trees were put on this land by your petitioner.

Now, having stated the facts as they pertain to your petitioner, and for as much as he is remediless in the premises, save by a court of equity, he prays; that all proper ~~####~~ parties be joined in this proceeding; that all necessary notices be served; that all such orders, decrees, and procedure, may be had for the parties involved in this cause; that a interpleader, if necessary be had to determine the rights of the parties involved; as to their rights to the property or land and improvements that are in question herein; that your petitioner may be made a party to this cause or proceeding; and given a chance to determine his rights, and to be heard upon the same by your honors court, upon the question, as to who owns the land or the improvements thereon; that the court will decree that your petitioner is the owner of the land and improvements thereon; that the amount or value of the land and improvements thereon allowed by your Board Of Appraisals Commission will be ordered, or decreed to your petitioner by your honors court; as owner of said land and improvements; and that your petitioner, prays that the court will give such further and other and general relief in the premises as the nature of his case may require or to equity shall seem meet. And he will ever pray and etc-

Marion S. Woodward-Petitioner-  
Syria, Virginia.

By Counsel

E. A. Carpenter Counsel for Petitioner-

E. A. Carpenter, counsel for the Marion Woodward, petitioner, named in the foregoing petition, being duly sworn, says that the facts and allegations therein contained, are true, except so far as they are therein stated to be on infamation, and that so far as they are therein stated to be upon infamation he believes them to be true.

E. A. Carpenter Counsel for Marion Woodward.  
Taken and sworn to and suscribed before me John B. Carpenter M. D. of and for the County of Madison and State Of Va. in my County aforesaid. Given this the 29th day of Dec. 1933.

John B. Carpenter N.P.

my com Orig 7-26-37

In the Circuit Court of Madison County, Virginia:

The 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 16th day of April, 1934, came the heirs at law of the late J.D. Fray, dec'd., and H.E. Fray, by N.G. Payne, their attorney, and Marvin S. Woodward, by E.A. Carpenter, his attorney, and on their motion leave is granted them to file their application for the distribution of the sum of \$500.00, the amount of the award set out in the judgment of condemnation for Tract No. 138-I, and heretofore paid into Court, and after hearing evidence on behalf of both claimants, this cause was continued until the 7th day of May, 1934, and this cause came on this 7th day of May, 1934 to be again heard, and the Court being of the opinion that the estate of J.D. Fray and H.B. Fray are entitled to 2/3 of the award of \$500.00 for Tract No. 138-I and that Marvin S. Woodward is entitled to 1/3 of said award, doth so decide. And it 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 \_\_\_\_\_ day of December, 1933 that, in the opinion of the petitioner the applicants are invested with a superior or better right or claim of title in and to the said Tract No. 138-I, 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 the said Tract No. 138-I, or to the proceeds arising from the condemnation thereof, and are therefore entitled to receive the proceeds arising from the condemnation of said Tract No. 138-I, except as herein provided; therefore it is considered by the Court that the said sum of \$500.00, paid into Court as just compensation for said Tract No. 138-I be paid out and distributed as follows:

(1) To A.H. Cave, Clerk, Madison, Virginia, costs	\$	2.00
(2) To B.S. Utz, Treas. Madison, Virginia, taxes		5.09
(3) To N.G. Payne, Attorney, Madison, Va. for Frays		332.00
(4) To E.A. Carpenter, Attorney, Madison, Va. for Marvin S. Woodward -		160.91

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. 138-I, 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.



provided by law.

such payment to the clerk of this Court for appropriate entry thereof as when the fund is payable as aforesaid, receipts therefor, and certifying judgment of condemnation for Tract No. 138-I, taking from said parties to above provided, the items set forth aggregating the award set out in this order to the Treasurer of Virginia, who shall pay out said fund as And the Clerk of this Court is directed to transmit a certified copy of

- Woodward - 160.01
- (4) To E.A. Carpenter, Attorney, Madison, Va. for Marvin S. 335.00
- (3) To N.G. Payne, Attorney, Madison, Va. for Payne 5.00
- (2) To B.S. Ellis, Treas. Madison, Virginia, taxes 2.00
- (1) To J.H. Cove, Clerk, Madison, Virginia, costs \$ 5.00

tributed as follows:

Court as just compensation for said Tract No. 138-I be paid out and distributed as follows: It is considered by the Court that the said sum of \$500.00, paid into condemnation of said Tract No. 138-I, except as herein provided; therefore and are therefore entitled to receive the proceeds arising from the condemnation of said Tract No. 138-I, or to the proceeds arising from the condemnation of said Tract No. 138-I, or to the proceeds arising from the condemnation of said Tract No. 138-I, and that the record of this cause does not disclose any denial or superior or better right or claim of title in and to the said Tract No. that, in the opinion of the petitioner the applicants are invested with a judgment and condemnation entered herein on the \_\_\_\_\_ day of December, 1934 Commissioners heretofore filed in this cause, and in the petition for

State Commission on Conservation and Development

(Order for the Distribution of Award for Tract No. 138-I - -)

D.F. Anderson and others -

Enter - *[Signature]* Judge

LAW ORDER BOOK 9 PAGE 241 242

J.D. Gray, dec'd., and H.S. Gray, by N.G. Payne, their attorney, and Marvin D.F. Anderson and others and \$5,000 acres of land in Madison County, Virginia, came the heirs at law of the late D.F. Anderson and others and \$5,000 acres of land in Madison County, Virginia, Defendants -

The State Commission on Conservation and Development of the State of Virginia, Petitioner - In the Circuit Court of Madison County, Virginia;

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. 138-1: 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. 138-1 \$500.00; 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;

**Marvin S. Woodward -**

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 entire interest in said award - The said Marvin S. Woodward is a squatter on 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:

**None except Marvin S. Woodward -**

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. 138-1 \$500.00: 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
<u>H. B. Fray</u>	<u>Madison, Va</u>
<u>J. B. Fray for J. D. Fray's heirs</u>	<u>" "</u>
_____	_____
_____	_____

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.

**The Commonwealth of Virginia,**

To the Sheriff of the County of Madison, Greeting:

WE COMMAND YOU THAT YOU SUMMON John Woodward, Dallas Anderson, Ben Richards, Cameron Richards, West Sisk, George Anderson, W.D. Taylor, Kenneth Finks and Omar Finks

to appear before the Judge of our Circuit Court of the County of Madison at the Courthouse thereof, on the 16th day of April, 1934, at 10 o'clock A.M., to testify and the truth to say on behalf of the plaintiffs in a certain matter of controversy in our said Court before the said Judge depending and undetermined between

Marion Woodward & others, Plaintiff s  
and

H.B.Fray et als, Defendants

And have then there this writ.

Witness, A.H.Cave, Clerk of our said Court, at the Courthouse the 10th day of April, 1934, and in the 158th year of the Commonwealth.

A. H. Cave  
Clerk.

Marion Woodward & others

vs. {

SUBPOENA  
FOR  
WITNESS

H.B. Fray et als

Madison County Circuit Court,

the 16th day of April

1934

John Woodward, ✓  
Dallas Anderson, ✓  
Ben Richards, ✓  
Cameron Richards, ✓  
West Sisk, ✓  
George Anderson, ✓  
W.D. Taylor, ✓  
Kenneth Finks, ✓  
Omar Finks. ✓

Executed this 12 day of April 1934 by delivering a true copy of the within Subpoena in person to John Woodward, Dallas Anderson, Ben Richards, Cameron Richards, West Sisk, George Anderson, W.D. Taylor, Kenneth Finks, and Omar Finks, Sheriff of Madison Co

In the Circuit Court of Madison County, Virginia,

The 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 16th day of April, 1934, came the heirs at law of the late J.D. Fray, dec'd. and H.B. Fray, by N.G. Payne, their attorney, and Charles S. Woodward, by E.A. Carpenter, his attorney, and on their motion, leave is granted them to file their application for the distribution of the sum of \$335.00, the amount of the award set out in the judgment of condemnation for Tract No. 138-II, and heretofore paid into Court, and after hearing evidence on behalf of both claimants, this cause was continued until the 7th day of May, 1934, and this cause came on this 7th day of May, 1934 to be again heard, and the Court being of the opinion that the estate of J.D. Fray and H.B. Fray are entitled to receive the award for the value of the land for Tract No. 138-II, that is \$100.00, and that Charles S. Woodward is entitled to the value of the buildings on said Tract, doth so decide. And it 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 \_\_\_ day of December, 1933, that, in the opinion of petitioner the applicants are invested with a superior or better right or claim of title in and to the said Tract No. 138-II, 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 the said Tract No. 138-II, or to the proceeds arising from the condemnation thereof, and are therefore entitled to receive the proceeds arising from the condemnation of said Tract No. 138-II, except as herein provided; therefore it is considered by the Court that the said sum of \$335.00, paid into Court as just compensation for said Tract No.

138-II be paid out and distributed as follows:

(1) To A.H. Cave, Clerk, Madison, Virginia, costs	\$ 2.00
(2) To B.S. Utz, Treas. Madison, Virginia, taxes	3.72
(3) To N.G. Payne, Attorney, Madison, Virginia, for Frays	99.33
(4) To E.A. Carpenter, Attorney, Madison, Virginia for Charles S. Woodward -	229.95

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. 138-II, 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.

provided by law.

such payment to the Clerk of this Court for appropriate entry thereof as when the fund is payable as aforesaid; receipts therefor, and certifying judgment of condemnation for Tract No. 138-II, taking from said out in the above provided, the items set forth aggregating the award set out in the this order to the Treasurer of Virginia, who shall pay out said fund as

And the Clerk of this Court is directed to transmit a certified copy of

- Woodward
- (4) To E.A. Carpenter, Attorney, Madison, Virginia for Charles S. \$50.00
- (3) To N.G. Payne, Attorney, Madison, Virginia, for Payne 99.38
- (2) To B.S. Dix, Treas. Madison, Virginia, for Dix 3.75
- (1) To J.H. Cave, Clerk, Madison, Virginia, costs \$ 2.00

138-II be paid out and distributed as follows:

sum of \$135.00, paid into Court as just compensation for said Tract No. as herein provided; therefore it is considered by the Court that the said the proceeds arising from the condemnation of said Tract No. 138-II, except arising from the condemnation thereof, and are therefore entitled to receive interest as to the title to the said Tract No. 138-II, or to the proceeds this cause does not disclose any denial or dispute by any party or person in or claim of title in and to the said Tract No. 138-II, and that the record of of petitioner the applicants are invested with a superior or better right tion entered herein on the \_\_\_ day of December, 1933, that, in the opinion before filed in this cause, and in the petition for judgment and condemna-

State Commission on Conservation and Development -

(Order for the Distribution  
Vs (of the Award for Tract No.  
(138-II  
D.F. Anderson and others -

Enter -  
*[Signature]*  
Judge

entitled to the value of the build... on said Tract, both as deced...  
land for Tract No. 138-II, that is \$100.00, and that Charles S. Woodward is  
pay and H.B. Fray are entitled to receive the award for the value of the  
board, and the Clerk of this Court is directed to pay out of the estate of J.D.  
May, 1934, the amount of the award set out in the judgment of condemnation  
of the opinion that the estate of J.D.  
came on this 7th day of May, 1934, to  
this cause was continued until the  
paid into Court, and after hearing  
on for the distribution of the sum of

Woodward, by E.A. Carpenter, his attorney, and on their motion, leave is  
J.D. Fray, Dec'd, and H.B. Fray, by N.G. Payne, their attorney, and Charles S.

On this, the 16th day of April, 1934, came the heirs at law of the late  
Land in Madison County, Virginia,  
D.F. Anderson and others, and \$5,000 acres of  
Defendants -

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

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. 138-11 :

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. 138-11 \$ 335.00; 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;

Charles S. Woodward -

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 entire interest in said award - The said Charles S. Woodward is a squatter on 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:

None except Charles S. Woodward -

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. ----- \$-----: 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
<u>H. B. Fray</u>	<u>Madison, Va</u>
<u>J. B. Fray for</u>	<u>"</u>
<u>kins of J. B. Fray</u>	<u>"</u>
-----	-----
-----	-----

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.

In the Circuit Court of Madison County, Virginia,

The 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 11<sup>th</sup> day of May, 1935, came Florence H. Fray, admrx. of J.D. Fray and H.B. Fray and on their motion leave is given them to file their application for the payment of the sum of \$2482.00, the amount of the award set out in the judgment of condemnation for Tract No. 138 and heretofore paid into Court. And it 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 \_\_\_\_\_ day of December, 1933, that, in the opinion of petitioner, the said Florence H. Fray, admrx. of J.D. Fray and H.B. Fray are invested with a superior or better right or claim of title in and to the said Tract No. 138, 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. 138, or to the proceeds arising from the condemnation thereof, and are therefore entitled to receive the proceeds arising from the condemnation of said Tract No. 138 except as hereinafter provided, and it further appearing to the Court that all taxes due or payable upon said Tract No. 138 have been  
except \$19.55  
paid. Upon further consideration whereof, it is considered and ordered by the Court that the sum of \$2482.00, paid into Court as just compensation for said Tract No. 138 be paid out and distributed as follows:

- |  |          |
|--|----------|
| (1) To N.G. Payne, atty. Madison, Virginia, fee and costs          | \$ 12.00 |
| (2) To A.H. Cave, Clerk, Madison, Virginia,                        | 600.00   |
| (3) To B.S. Utz, Treas. Madison, Virginia, taxes on 1/2 1933       | 19.55    |
| (4) To Florence H. Fray, admrx. of J.D. Fray, Madison, Va. 1/2     | 935.00   |
| (5) To H.B. Fray, Madison, Va. 1/2 of Bal. less taxes on 1/2, 1933 | 915.45   |

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. 138, 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.



as provided by law.

And the Clerk of this Court is directed to transmit a certified copy

- (2) To H.B. Fry, Madison, Va. 1/2 of Real Estate taxes on 1/2 1938 912.48
- (4) To Florence H. Fry, admrx. of J.D. Fry, Madison, Va. 1/2 932.00
- (3) To E.S. Uts, Treas. Madison, Virginia. Taxes on 1/2 1938 10.25
- (2) To W.A.H. Cave, Clerk, Madison, Virginia. 800.00
- (1) To N.G. Payne, atty. Madison, Virginia. Fee and costs \$ 15.00

For said Tract No. 138 be paid out and distributed as follows:

The Court that the sum of \$2482.00, paid into Court as just compensation paid Upon further consideration whereof, it is considered and ordered by Court that all taxes due or payable upon said Tract No. 138 have been

No. 138 except as hereinafter provided, and it further appearing to the titled to receive the proceeds arising from the condemnation of said Tract the proceeds arising from the condemnation thereof, and are therefore en-

party or person in interest as to the title to said Tract No. 138, or to record of this cause does not disclose any denial or dispute by any

Judge

LAW ORDER  
BOOK 9 PAGE 241

State Commission on Conservation and Development -

(Order for the Distribution of the award - Tract No. 138 -

D.F. Anderson and others -

Enter - *[Signature]*

their application for the payment of the sum of \$2482.00, the amount of

J.D. Fry and H.B. Fry and on their motion leave is given them to file

On this, the 11th day of May, 1938, came Florence H. Fry, admrx. of D.F. Anderson and others, and 65,000 acres of

Development of the State of Virginia, Defendant -

In the Circuit Court of Madison County, Virginia, Petitioner -

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. 138-----:

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. 138 \$2482.00; 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;

J. D. Fray and H. B. Fray -

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:—

Your undersign claim the entire fee simple interest in said tract, and the entire award of \$2482.00

The owners of Tract No. 135 claim that a portion of this tract laps on said tract of Laraloba Mining and Development Company -

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:

That the said J. D. Fray is dead and Florence H. Fray is his administratrix -

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. 138----- \$2482.00 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)

That all taxes on the said land have been paid -

NAME	P. O. ADDRESS
<u>Estate of J. D. Fray</u>	<u>Madison, Va</u>
<u>By J. B. Fray</u>	<u>Madison, Va</u>
<u>H. B. Fray</u>	<u>Madison, Va</u>

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.

To James M. Broyles:

You are hereby notified that the Judge of the circuit court of Madison county, Virginia, will hear your claim to Tract No. 138-111, located in the Park Area, and to the proceeds arising from the condemnation thereof, on the 16th day of April, 1934, at Madison, Virginia, at ten o'clock, A. M., or as soon thereafter as counsel can be heard, at which time and place you should attend and prove your claim, if any you have, to the fund amounting to the sum of four hundred and seventy dollars.

H. B. Fray and the estate of J. D. Fray claim the fund arising from the proceeds of the condemnation of said tract. The court will pass upon the question as to who is entitled to the said fund at the time and place above mentioned.

A copy of the petition claiming the fund filed by the said H. B. Fray and the estate of J. D. Fray will be handed you along with this notice.

Respectfully,

April 6th 1934 -

W. G. Payne Attorney -

H. B. Fray,

Estate of J. D. Fray -

By counsel -

*Handwritten notes and signatures in the bottom left corner, including names like "W. G. Payne" and "H. B. Fray" and dates like "April 6th 1934".*

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 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. 138-111: 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. 138-111 \$ 470.00; 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 M. Broyles -**

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:—

**Your undersigned, H. B. Fray and the heirs of J. D. Fray claim the entire award in 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:

**The said James M. Broyles who claims the said award is in possession of the said land under a contract of lease -**

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. 138-111 \$ 470.00: 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
<u>H. B. Fray</u>	<u>Madison Va</u>
<u>J. B. Fray For J. D. Fray</u>	_____
<u>Miss</u>	_____
_____	_____
_____	_____

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.

In the circuit court of Madison county, Virginia:

The State Commission on Conservation and - - - - - Petitioner -  
Development of the State of Virginia

Vs

D. F. Anderson and others and 55,000 acres  
of land in Madison county, Virginia - - - - - Respondents -

On this the 16 day of April, 1934, came the heirs at law of the late J. D. Fray, decd., and H. B. Fray, by N. G. Payne, their attorney, and William A. Cooke, attorney for the heirs at law of John Henry Sowers, and on their motion, leave is granted them to file their application for the distribution of the sum of \$610.00, the amount of the award set out in the judgment of condemnation for Tract No. 138-1V, and heretofore paid into court, and after hearing evidence on behalf of both claimants, this cause was continued until the 7th day of May, 1934, and this cause came on this 7th day of May, 1934, to be again heard, and the court being of the opinion that the estate of J. D. Fray and H. B. Fray are entitled to 2/3 of the award of \$610.00 for Tract No. 138-1V, and that the heirs at law of John Henry Sowers are entitled to 1/3 of said award, doth so decide. And it 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 \_\_\_\_\_ day of December, 1933, that in the opinion of the petitioner that the applicants are invested with a superior or better right or claim of title in and to the said Tract No. 138-1V, and that the record of this cause does nor disclose any denial or dispute by any party or person in interest as to the title to the said Tract No. 138-1V, or to the proceeds arising from the condemnation thereof, and are therefore entitled to receive the proceeds arising from the condemnation of said Tract No. 138-1V, except as herein provided; therefore it is considered by the court that the said sum of \$610.00 paid into court as just compensation for said Tract No. 138-1V be paid out and distributed as follows:

- 1 - To A. H. Cave, clerk, Madison, Va., costs - - - - - \$ 2.00
- 2 - To B. S. Utz, Treasurer, Madison, Va. taxes - - - - - 6.15
- 3 - To N. G. Payne, Attorney, Madison, Va., for Frays - - - - - 405.33
- 4 - To William A. Cooke, Attorney, Madison, Va., for  
heirs of John Henry Sowers - - - - - \$ 196.52

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. 138-IV, 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.

Commission on Conservation and Development  
Award for Tract No. 138-IV  
Anderson and others

Enter  
10/10/50

BOOK 2  
PAGE 211  
JAW ORRIS

State Commission on Conservation and Development

(Order for the Distribution

Vs (of Award for Tract No.

138-1V -

D. E. Anderson and others -

Enter

*[Handwritten Signature]*

Judge -



LAW ORDER

BOOK 9 PAGE 244

In the Circuit Court of Madison County, Virginia,

The 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 16th day of April, 1934, came (the heirs at law) of the late J.D. Fray, dec'd., and H.B. Fray, by N.G. Payne, their attorney, and George W. Hurt and Lucy Ellen Hurt by E.A. Carpenter, their attorney, and on their motion, leave is given them to file their application for the distribution of the sum of \$420.00, the amount of the award set out in the judgment of condemnation for Tract No. 138-V, and heretofore paid into Court, and after hearing evidence on behalf of both claimants, this cause was continued until the 7th day of May, 1934, and this cause came on this 7th day of May, 1934 to be again heard, and the Court being of the opinion that the estate of J.D. Fray and H.B. Fray are entitled to 1/2 of the award of \$420.00 for Tract No. 138-V and that ~~George W. Hurt~~ and Lucy Ellen Hurt are entitled to 1/2 of said award, doth so decide. And it 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 \_\_\_\_\_ day of December, 1933, that, in the opinion of petitioner the applicants are invested with a superior or better right or claim of title in and to the said Tract No. 138-V, 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 the said Tract No. 138-V, or to the proceeds arising from the condemnation thereof, and are therefore entitled to receive the proceeds arising from the condemnation of said Tract No. 138-V, except as herein provided; therefore it is considered by the Court that the said sum of \$420.00, paid into Court as just compensation for said Tract No. 138-V be paid out

and distributed as follows:

(1) To A.H. Cave, Clerk, Madison, Virginia, costs	\$ 2.00
(2) To B.S. Utz, Treas. Madison, Virginia, taxes	4.51
(3) To N.G. Payne, Attorney, Madison, Virginia, for Frays	209.00
(4) To E.A. Carpenter, Attorney, Madison, for <del>George W. Hurt</del> and Lucy Ellen Hurt -	204.49

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. 138-V, 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.



