

County: Madison
District: Roberson

#237 - Nicholson, Chas.

Acres Found: 1

Location: Head Corbin Hollow on Brokenback Run, about seven miles from Nethers.

Incumbrances, counter claims or laps: Squatter on Christadora.

Soil: Rough, rocky sandy loam.

Roads: A foot path only leads up to this place. This connects with an old woods road which joins the old Rag road.

History of tract and condition of timber: This plot has been cleaned up and the cabin built within the last year, apparently without any authority from the Christadora Heirs.

Improvements: These consist of one room log cabin about 12x14' valued @ \$50.00.

Value of land by types:

<u>Type</u>	<u>Acres</u>	<u>Value per acre</u>	<u>Total Value</u>
Cove	1	\$10.00	\$10.00

Summary:

Total value of land.	\$10.00
Total value of improvements.	\$50.00
Total value of tract.	<u>\$60.00.</u>

L. H. Farmer, Sec.

County: Madison
District: Roberson

Claimant #237 - Nicholson, Chas.

Acreage Claimed: Assessed: Deed:
Value Claimed: Assessed: Deed:
Area: 1 Acres
Location: Head Corbin Hollow on Brokenback Run, about seven
miles from Nethers.

Incumbrances, counter claims or laps: *Squatters* On Cristadora.

Soil: Rough, rocky sandy loam.

Roads: A foot path only leads up to this place. This
connects with an old woods road which joins the old
Rag road.

History of tract and condition of timber: This plot has been
cleaned up and the cabin built within the last year,
apparently without any authority from the Cristadora
Heirs.

Improvements: These consist of a one room log cabin about 12x14'
valued @ \$50.00.

Value of land by types:

<u>Type</u>	<u>Acreage</u>	<u>Value per acre</u>	<u>Total Value</u>
Cove	1	\$5.00	\$5.00

Total value of land \$5.00

Total value of improvem't 50.00

Total value of tract \$55.00

Average value per acre \$55.00

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 Charles Nicholson and on his motion, leave is given him to file his application for the payment of the sum of \$60.00, the amount of the award set out in the judgment of condemnation for Tract No. 237 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 Charles Nicholson is invested with a superior or better right or claim of title in and to the said Tract No. 237, 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. 237, or to the proceeds arising from the condemnation thereof, and is therefore entitled to receive the proceeds arising from the condemnation of Tract No. 237, except as hereinafter provided. And it further appearing to the court that all taxes due or payable upon said Tract No. 237 have been paid except for the years 1931, 1932 and 1933. Upon consideration whereof it is considered and ordered by the Court that the sum of \$60.00 paid into Court by petitioners as just compensation for Tract No. 237 be paid out and distributed as follows:

- (1) To A. H. Cave, Clerk, costs - - - - - \$2.00
- (2) To N. G. Payne, attorney for Folsom & Brown - - - - 10.00
- (3) To E. H. DeJarnette, attorney, Orange, Va., fee - - 10.00
- (4) To B. S. Utz, Treasurer, Madison, Va., taxes - - - 2.66
- (5) To Charles Nicholson, Nethers, Va., balance - - - - 35.34

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 the said sum as above provided, the items above set forth aggregating the award set out in the judgment of condemnation for Tract No. 237, 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.

Court for appropriate entry thereof, as provided by law.

receipts therefor, and certifying such payment to the Clerk of this taking from said parties to whom the fund is payable as aforesaid the award set out in the judgment of condemnation for Tract No. 227,

the said sum as above provided, the items above set forth aggregating

copy of this order to the Treasurer of Virginia, who shall pay out

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

(2) To Charles Nicholson, Neethers, Va., balance - - - - 25.34

(4) To H. S. Ucc, Treasurer, Madison, Va., taxes - - - - 5.86

(7) To E. H. DeJarnette, attorney, Orange, Va., fee - - - - 10.00

(5) To K. G. Payne, attorney for Poisson & Brown - - - - 10.00

(1) To V. H. Cave, Clerk, costs - - - - - \$5.00

out and distributed as follows:

Court by Petitioners as just compensation for Tract No. 227 be paid

ordered and ordered by the Court that the sum of \$60.00 paid into

the year's 1931, 1932 and 1933. Upon consideration whereof, it is con-

taxes due or payable upon said Tract No. 227 have been paid except for

hereinafter provided. And it further appearing to the court that all

proceeds arising from the condemnation of Tract No. 227, except as

the condemnation thereof, and is therefore entitled to receive the

to be paid to said Tract No. 227, or to the proceeds arising from

disclose any denial or dispute by any party or person in interest as

the said Tract No. 227, and that the record of this case does not

involve with a superior or better right or claim of title in and to

lands that, in the opinion of the Court, the said Charles Nicholson is

judgment and condemnation entered herein on the 4th day of December,

petitioners heretofore filed in this cause and in the petition for

Court, and it appearing from the report of the Board of Appraisal Com-

judgment of condemnation for Tract No. 227 and heretofore paid into

amount of the sum of \$30.00, the amount of the award set out in the

on his motion, leave is given him to file his application for the pay-

On this, the 10th day of April, 1934, came Charles Nicholson and

Land in Madison County, Virginia, Defendants -

D. F. Anderson and others, and 55,000 acres of

As and Development of the State of Virginia, Petitioners -

The State Commission on Conservation

In the Circuit Court of Madison County, Virginia,

State Commission on Conserva-
tion and Development -

(Order for the Distribution
of the award - Tract No. 227
Vs

D. F. Anderson and others - -

Enter -

Judge

LAW ORDER

BOOK 9 PAGE 223

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. 237:
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. 237 \$ 60.00; 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 Nicholson - one acre of land - Head Corbin Hollow -
Squatter on Cristadora land -**

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 claims th entire tract, and the entire ###
award of \$60.00 allowed for the same -**

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 Cristadora heirs -

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. 237 \$ 60.00: 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
Witness <i>H. G. Payne</i>	<i>Charles Nicholson</i>	<u>Nethers, Virginia -</u>
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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 Be Paid out of Park money
 CULPEPER, VA., March 17 1934 DUE
 one DAYS AFTER DATE, I PROMISE TO PAY
 TO THE ORDER OF J M Jenkins
 WITHOUT OFFSET Ten 32/100 DOLLARS
 FOR VALUE RECEIVED The Culpeper National Bank, \$ 10 32
 NEGOTIABLE AND PAYABLE AT OF CULPEPER, VIRGINIA
 WE, THE MAKERS AND ENDORSERS, EACH HEREBY WAIVE THE BENEFIT OF THE EXEMPTION UNDER THE HOME-STEAD LAWS AS TO THIS DEBT, AND AGREE, IN DEFAULT OF PAYMENT AT MATURITY, TO PAY TEN PER CENTUM ON THE FACE OF THIS NOTE FOR ATTORNEY'S FEE FOR COLLECTION AND HEREBY WAIVE PROTEST AND NOTICE IN CASE OF NON-PAYMENT.
 Witness C. M. Dodson Charlie Nicholson
 P.O. old Rag. va. No. _____

To Be Paid out Park funds
 CULPEPER, VA., April 17 1934 DUE
5 days DAYS AFTER DATE, I PROMISE TO PAY
 TO THE ORDER OF J M Jenkins
 WITHOUT OFFSET Eleven 32/100 DOLLARS
 FOR VALUE RECEIVED The Culpeper National Bank, \$ 11 32
 NEGOTIABLE AND PAYABLE AT OF CULPEPER, VIRGINIA
 WE, THE MAKERS AND ENDORSERS, EACH HEREBY WAIVE THE BENEFIT OF THE EXEMPTION UNDER THE HOME-STEAD LAWS AS TO THIS DEBT, AND AGREE, IN DEFAULT OF PAYMENT AT MATURITY, TO PAY TEN PER CENTUM ON THE FACE OF THIS NOTE FOR ATTORNEY'S FEE FOR COLLECTION AND HEREBY WAIVE PROTEST AND NOTICE IN CASE OF NON-PAYMENT.
 Witness W. L. Nicholson Charlie Nicholson
 P.O. _____ No. _____

C. A. S. No. 4
OFFICE OF THE CLERK OF THE COURT
MADISON COUNTY
 MADISON, VA., 3/4, 1937
 Received of N. Y. Payne, atty No. 4
 For the account of W. L. Nicholson
four + 15/100 Dollars
 IN SETTLEMENT OF THE FOLLOWING

ACCOUNT	AMOUNT
<u>Petition N. Y. Payne atty for W. L. Nicholson</u>	<u>4 15</u>

Charles J. Ross
 Clerk
 Deputy Clerk

vs. N. Y. Payne, atty
for W. L. Nicholson

TO CHARLES J. ROSS, CLERK OF MADISON COUNTY CIRCUIT COURT, DR.
 Madison, Virginia

May 4, 1937
 Filing Petition of Harvey Nichols by
 N. Y. Payne
 Filing Exh.
 1 Decree
 Filing Report
 Final order
 certified decree to Treas of Va
 Taxing costs & copy of Filing Papers

20
25
75
20
50
1 50
75
<u>4 15</u>

RECEIVED PAYMENT
5/4 1937
C. J. Ross CLERK.