

County: Madison  
District: Roberson

Claimant #89 - Nicholson, Mrs. Ella.

Acreage Found: *52 Acres by survey* Robinson River. Entirely within the Park Area.

Incumbrances, counter claims or laps: This tract was surveyed.

Soil: Sandy loam of a good depth and fertility. Rocky over the entire area. Slopes are gentle to moderate. F. G. has some small bushes and briars over most of the area.

Roads:  $8\frac{1}{2}$  miles via dirt road to Criglersville. 18 miles hard surface road to Culpeper, the nearest shipping point.

History of tract and condition of timber: There is no saw timber on this tract.

Improvements: Frame house, 28x25, 6 rooms, porch 8x25, shingle,  $1\frac{1}{2}$  story, 3 ceiled walls, fair condition, occupied by owner, water supply spring, solid foundation.  
Log barn, 23x26x8, shingle, poor condition.  
Henhouse, 6x8x6, poor condition.  
Henhouse, 8x8, poor condition.  
Frame meat house, 9x11x8, shingle, poor condition.  
Log Corn crib, 11x17x10, shingle, fair condition.  
Log house, 16x22, 2 rooms, shingle,  $1\frac{1}{2}$  story, log walls, poor condition, abandoned, water supply spring, solid.  
Frame Spring house, 8x8x6, shingle, poor condition.  
Log Chicken house, 8x10, shingle, poor condition.  
Log Hog House, 7x12x6, shingle, poor condition.

Total value of improvements -- \$495.00.

Orchard: 78 apple trees @ \$50.00.

Value of land by types:

Type	Acreage	Value per acre	Total Value
Slope	25	\$2.50	\$62.50
Fg	16	\$8.00	\$128.00
Fc	3	\$15.00	\$45.00
Fr	8	\$5.00	\$40.00
	<u>52</u>		<u>\$275.50.</u>

Summary:

Total value of land.	\$275.50
Total value of improvements.	\$495.00
Total value of orchard.	\$50.00
	<u>\$820.50.</u>

L. W. Farmer, Sec.

County: Madison  
 District: Roberson

#89 Nicholson, Mrs. Ella

Acreage Claimed: Assessed 57 100 less  
 453 Deed 15  
 85

Value Claimed: " " 350.00 for 100  
 acres

Location: Robinson River. Entirely within the Park area.

Incumbrances, counter claims, or laps: This tract was surveyed.

Soil: Sandy loam of a good depth and fertility. Rocky over the entire area. Slopes are gentle to moderate. F. G. has some small bushes and briars over most of the area.

Roads: 8 $\frac{1}{2}$  miles via dirt road to Criglersville. 18 miles hard surface road to Culpeper the nearest shipping point.

History of tract and condition of timber: There is no saw timber on this tract.

Improvements: Frame house, 28x25, 6 rooms, porch 8x25, shingle, 1 $\frac{1}{2}$  story, 3 ceiled walls, fair cond. occupied by owner, water supply spring, solid foundation \$300.00  
 Log Barn, 25x26x8, shingle, poor cond. 15.00  
 Henhouse, 6x8x6, poor cond.  
 Hen house, 8x8, poor cond. 5.00  
 Frame Meat house, 9x11x8, shingle, poor cond. 10.00  
 Log Corn crib, 11x17x10, shingle, fair cond. 15.00  
 Log house, 16x22, 2 rooms, shingle, 1 $\frac{1}{2}$  story, log walls, poor cond. abandoned, water supply spring, solid 15.00  
 Frame Spring house, 8x8x6, shingle, poor cond. 5.00  
 Log Chicken house, 8 x10, shingle, poor cond.  
 Log Hog House, 7x12x6, shingle, poor cond. 5.00  
 Orchard 78 apple trees @ \$50.00 *Improvement \$495.00*  
 370.00

<u>Value of land by types:</u>		Value	Total
Type	Acreage	per acre	Value
Slope	25	\$1.50	37.50
Grazing	16	8.00	128.00
Tillable	3	10.00	30.00
F.R.	8	4.00	32.00
	<u>52 (By Survey)</u>		<u>227.50</u>

Total value of land 227.50  
 Total value of improvements 370.00  
 Total value of orchard 35.00  
 Total value of tract 632.50  
 Average value per acre 12.16

Claim of B. E. Nicholson  
In the Circuit Court of Madison County, Virginia, No. 82, At Law.  
The State Commission on Conservation and Development of the State of Virginia, Petitioner, vs. W. D. Anderson & others

more or less, of land in 57 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 B. E. Nicholson  
My Post Office Address is Old Rag, Va.

I claim a right, title, estate or interest in a tract or parcel of land within the area sought to be condemned, containing about 57 acres, on which there are the following buildings and improvements: Dwelling-house, Corn-house & other out-buildings

This land is located about 1/2 miles from Old Rag P.O. Virginia, in the Robertson Magisterial District of said County.

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

Sole owner.

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

- North N. T. Dyer
- South Walker Berry
- East Jack Nicholson
- West Mervin Jenkins

I acquired my right, title, estate or interest to this property about the year 1915 in the following manner:

By purchase

I claim that the total value of this tract or parcel of land with the improvements thereon is \$ 800.00. 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 \$ 800.00

I am the owner of None acres of land adjoining the above described tract or parcel of land but lying outside the Park area, which I claim will be damaged by the proposed condemnation of lands within the Park area, to the extent of \$\_\_\_\_\_.

(In the space below should be set out any additional statements or information as to this claim which claimant desires to make; and if practicable he should also insert here a description of the tract or parcel of land by metes and bounds).

Remarks: \_\_\_\_\_

(Continue remarks if necessary on the back).

Witness my signature (or my name and mark attached hereto) this 11th day of July, 1930. B. E. Nicholson

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

The undersigned hereby certifies that B. E. Nicholson 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 July, 1930.

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

Claim of *A. E. Nicholson*  
in the Circuit Court of *Nicholson* County, Virginia, No. *2* At Law  
The State Commission on Conservation and Development of the State of Virginia, Petitioner, vs  
*A. E. Nicholson* Defendant

more or less of land in *2.7* 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 *Nicholson* County, Virginia, asks leave of the Court to file this as his answer to said petition and to said notice.

My name is *A. E. Nicholson*  
My Post Office Address is *Old Pop, Va.*

I claim a right, title, estate or interest in a tract or parcel of land within the area sought to be condemned, containing about *2.7* acres on which there are the following buildings and improvements:  
*Shed, barn, etc.*

This land is located about *1/2* miles from *Old Pop, P.O.* Virginia, in the *Nicholson* 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.)  
*See answer*

The land owners adjacent to the above described tract or parcel of land are as follows:  
North *N.T. Plyer*  
South *Nicholson*  
East *Jack Nicholson*  
West *Nicholson*

I acquired my right, title, estate or interest to this property about the year *1914* in the following manner:  
*By purchase*

I claim that the total value of this tract or parcel of land with the improvements thereon is \$ *200.00*.  
I claim that the total value of my right, title, estate or interest in and to this tract or parcel of land with the improvements thereon is \$ *200.00*.  
I am the owner of *2.7* acres of land adjoining the above described tract or parcel of land and lying outside the Park area, which I claim will be damaged by the proposed condemnation of lands within the Park area, to the extent of \$ *200.00*. (In the space below should be set out any additional statements or information as to 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:

Filed July 11, 1930

Tuli

A. H. Cook

Clerk

*A. E. Nicholson*

(Continue remarks if necessary on the back.)  
Witness my signature (or my name and mark attached hereto) this *11th* day of *July*, 1930.

STATE OF VIRGINIA, COUNTY OF *Nicholson*.  
To-wit: *A. E. Nicholson*  
The undersigned hereby certifies that *A. E. Nicholson* 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.  
*A. H. Cook*  
Clerk of the Court or Special Magistrate or  
Notary Public or Justice of the Peace

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. 89 : 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. 89 \$ 820.50 ; 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;

B. E. Nicholson

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

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

By reason of Contribution pledge, obligating the owner, B. E. Nicholson, to give 5 acres of her land within the Park Area to the Park Project.

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

Wherefore, your undersigned pray(s) that [he (they) be made a party (parties) herein under the provisions of Section 21 of the Public Park Condemnation Act, and that] an order be entered for the distribution of said sum(s) set forth in said judgment in rem as constituting the award(s) for the fee simple estate in the said tract(s) condemned as aforesaid, and for the payment to the undersigned of the said award(s) or of as much thereof as the Court may find that the undersigned is (are) entitled to receive, and which the undersigned aver(s) is as follows: Tract No. 89 \$ 7.50 : Tract No. \_\_\_\_\_ \$ \_\_\_\_\_ ;

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

NAME	P. O. ADDRESS
STATE COMMISSION ON CONSERVATION	_____
& DEVELOPMENT	_____
BY <u>Elliott Marshall</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.

*Filed 1/9/34  
E. K. Stokes and*

Virginia: In the Circuit Court of Madison County at Madison, Virginia  
The State Commission on Conservation and Development of the State of Virginia  
V. At Law No. 83  
D. F. Anderson and others and Tracy-Five Township (22,000) Acres, more or less of  
land in Madison County, Virginia

Comes now the undersigned and shows to the Court:  
That a judgment in this case has heretofore been entered in this proceeding conforming to the use of the

Following the law which vests in the trustee(s) of said number  
Trust No. \_\_\_\_\_ Text No. \_\_\_\_\_

and described in the report of the Board of Appraisers appointed herein and shown, num-  
bered \_\_\_\_\_, to the effect of the following: as follows:

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

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

*Charles Flood*

NOTARY PUBLIC Notary Public  
My Commission Expires Sep. 8, 1934



Now your undersigned party(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 favor of said party(s) for the fee  
and costs in the said tract(s) condemned as aforesaid, and for the payment to the undersigned of the  
said sum(s) or of as much thereof as the Court may find that the undersigned is (are) entitled to  
receive, and which the undersigned verily is as follows: Trust No. \_\_\_\_\_ Text No. \_\_\_\_\_  
No. \_\_\_\_\_ Text No. \_\_\_\_\_  
The undersigned further verily is that: (Leave this space blank unless there is some other point  
of interest to be brought especially to the attention of the court.)

STATE COMMISSION ON CONSERVATION & DEVELOPMENT  
BY *Charles Flood*

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

In the Circuit Court of Madison County, Virginia:

State Commission on Conservation and Development  
of the State of Virginia,

Petitioner -

Vs

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

Defendants -

On this, the 2nd day of February, 1934, came Barbara Ella Nicholson, and on her motion, leave is given her to file her application for the payment of \$820.50, the amount of the award set out in the judgment of condemnation for Tract No. 89 and heretofore paid into Court. And it further appearing from the report of the Board of Appraisal Commissioners heretofore filed in this cause and in the petition for judgment and condemnation entered herein on the 4th day of December, 1933, that, in the opinion of petitioner, the said Barbara Ella Nicholson is invested with a superior or better right or claim of title in and to the said Tract No. 89, or to the proceeds arising from the condemnation thereof, and that the record of this cause does not disclose any denial or dispute by any party or person in interest as to the title to said Tract No. 89, or to the proceeds arising from the condemnation thereof, except as herein provided, and it further appearing to the Court that all taxes due or payable upon said Tract No. 89 <sup>Have been paid</sup> except for the year 1933. Upon consideration whereof, it is considered and ordered by the Court that the sum of \$820.50, paid into Court as just compensation for Tract No. 89 be paid out and distributed as follows:

(1) To B.S. Utz, Treas. Madison, Va. taxes for 1933	\$10.77
(2) To N.G. Payne, atty. Madison, Va. for Park Donation	7.50
(3) To N.G. Payne, atty. Madison, Va. fee and costs	12.00
(4) To Barbara Ella Nicholson, Oldrag, Va. balance	\$790.23

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. 89, 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 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. 89, taking from said parties to whom the fund is payable as aforesaid, receipts therefor, and certify- ing such payment to the Clerk of this Court for appropriate entry thereon

- (1) To B.S. Utz, Treas. Madison, Va. taxes for 1933 \$10.75
- (2) To K.G. Payne, atty. Madison, Va. for Park Donation 7.50
- (3) To K.G. Payne, atty. Madison, Va. fee and costs 13.00
- (4) To Barbara Elizabeth Nicholson, Widow, Va. balance \$200.00

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. 89, taking from said parties to whom the fund is payable as aforesaid, receipts therefor, and certify- ing such payment to the Clerk of this Court for appropriate entry thereon

Judge-

Enter -

*[Handwritten signature]*

State Commission on Conserva-  
tion and Development -

(Order of Distribution for  
Vs (the award - Tract No. 89 -

D.F. Anderson and others -

and on her motion, leave is given her to file her application for the

On this, the 2nd day of February, 1934, came Barbara Eliza Nicholson,  
D. F. Anderson and others and \$5,000 acres of

land in Madison County, Virginia,  
of the State of Virginia;  
Defendants -  
Petitioner -

In the Circuit Court of Madison County, Virginia:

LAW ORDER  
BOOK 9 PAGE 150



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. 89: 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. 89 \$820.50; 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;

**B. E. Nicholson who is also known as Barbara E. Nicholson -**

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 the entire fee simple interest in said land, and in the award made by the Board of Appraisal Commissioners -**

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, as far as the undersigned knows -**

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. 89 \$820.50: Tract No. \_\_\_\_\_ \$\_\_\_\_\_: Tract No. \_\_\_\_\_ \$\_\_\_\_\_;

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

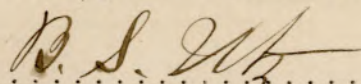
**The taxes for 1933 have not been paid -**

NAME	P. O. ADDRESS
<u>Barbara E. Nicholson</u>	<u>Oldrag, Virginia -</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 is to certify that there are ..... 1933 taxes of record  
in my office to the amount of \$ .10.77. against the tract of land  
owned by ..... Barbra E. Nicholson, .....  
..... which is  
designated as Tract No. 89. . . ; Tract No. . . . . ; Tract No. . . . .  
on the County Ownership Map filed in my Office in the action  
at Law pending in the name and style of the Commission on  
Conservation &c., vs. W. D. Anderson, and others.

Given under my hand this 27. . . day of . January. . . . ., 193.4 .



.....  
Treasurer, Madison County, Virginia

By ..... Deputy  
Treasurer

This is to certify that there are .. No. . delinquent taxes of record in my office to the amount of \$..... against the tract of land owned by .. Barbara Ella Nicholson (Mrs. Ella Nicholson) .. which is designated as Tract No. 89. ....; Tract No. ....; Tract No. .... on the County Ownership Map filed in my Office in the action at Law pending in the name and style of the Commission on Conservation &c., vs. W. D. Anderson, and others.

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

..... *A. H. Case* ..... Clerk..  
Circuit Court, Madison County, Virginia

By *Bertha M. Patti* ..... Deputy  
Clerk