

County: Madison
District: Roberson

Claimant #28 - Nicholson, Ernest A.

Acreage Found: 20 Assessed 15 Deed 5 A.

Location: Hughes River above Bush Mt. Run.

Incumbrances, counter claims or laps: None.

Soil: Sandy loam, rocky. Slopes gentle, lays almost level.

Roads: 25 miles to Culpeper, first five miles over extremely rough mountain road, other twenty miles dirt road.

History of tract and condition of timber: All cleared and farmed for a long time. Parts have become brushy.

Improvements: 15 x 43 log house, fair condition.
14 x 32 x 8 log barn.
14 x 8 log cellar.
14 x 13 log henhouse, fair condition.

Total value of improvements -- \$505.00.

Value of land by types:

Type	Acreage	Value per acre	Total Value
Fc & Fg	19	\$12.00	\$228.00
Old Orchard	1	\$50.00	
	20		

Summary:

Total value of land.	\$228.00
Total value of improvements.	\$505.00
Total value of orchard.	\$50.00
	<u>\$783.00.</u>

L. W. Farmer, Sec.

County: Madison
District: Roberson

#28 Nicholson, Ernest A.

<u>Acreage Claimed:</u> 5A	Assessed 15	Deed 5A
<u>Value Claimed:</u> \$800	" Land 25 Bldg 75 100	" 2

Location: Hughes river above Bush Mt. run

Incumbrances, counter claims or laps: None

Soil: *Sandy loam* (light and extremely) rocky. Slopes gentle, *low almost level*

Roads: 25 miles to Culpeper, first five miles over extremely rough mountain road, other twenty miles dirt road.

History of tract and condition of timber: All cleared and farmed for a long time. Parts have become brushy.

<u>Improvements:</u>	15 x 43 log house, fair condition	300 ⁺
	14 x 32 x 8 log barn	30
	14 x 8 log cellar	30
	14 x 13 log henhouse, fair condition	20
	<i>Avg Value Impr</i> \$505	(380.00)

Value of land by types:

Type	Acreage	Value per acre	Total Value
Tillable & Fg	19	\$8.00	\$152
Orchard	1	35.00	
	20 (By Survey)		152

Total value of land	\$ 152
Total value of improvements	380
Total value of orchard	35
Total value of tract	567
Average value of acre	28.35

Claim of Ernest A. 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

5 Acres
more or less, of land in Madison County, Virginia, Defendants.
The undersigned, in answer to the petition of the State Commission on Conservation and Development of the State of Virginia, and in response to the notice of condemnation awarded upon the filing of said petition and published in accordance with the order of the Circuit Court of Madison County, Virginia, asks leave of the Court to file this as his answer to said petition and to said notice.

My name is Ernest A. Nicholson

My Post Office Address is Charlestown, West 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 Five acres, on which there are the following buildings and improvements: Dwellinghouse, fruit house, barn and other outbuildings ; apple orchard

This land is located about 4 miles from Skyland 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).

~~By deed from Will. A. Cook, Sp'l. Com'r.~~

Sole owner

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

North Jno. R. Nicholson

South J.W. Nethers & J.K. Weakley

East Geo. F. Pollock

West Geo. T. Corbin

I acquired my right, title, estate or interest to this property about the year 1923 in the following manner:

By deed from Will. A. Cook, Sp'l. Com'r.

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 _____ 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 25th day of July, 1930.

E. A. Nicholson

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

The undersigned hereby certifies that Ernest A. 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 25th day of July, 1930.

A. H. Carey

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

Ernest A. Nicholson -

Filed, July 25th, 1930.

Notary Public for State of the State of Virginia
Clerk of the Court for the County of Madison

Ernest A. Nicholson

this 25th day of July 1930.
and things appearing in his above answer are true to the best of his knowledge and belief,
the above named claimant personally appeared before him and made oath that the matters
The undersigned hereby certifies that Ernest A. Nicholson
STATE OF VIRGINIA COUNTY OF MADISON To-wit:
of July 1930.

Witness my signature (or my name and mark attached hereto) this 25th day
(Continue remarks if necessary on the back)

Remarks:

Description of the tract or parcel of land by metes and bounds.

(In the space below should be set out any additional statements or information as to
posed condemnation of lands within the Park area, to the extent of \$

parcel of land but lying outside the Park area, which I claim will be damaged by the pro-
I am the owner of _____ acres of land adjoining the above described tract or
in and to 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
is \$ 500.00. I claim that the total value of my right title, estate or interest

By deed from Will. A. Odom, Sp. J. Com. V.

Following manner:

I acquired my right title, estate or interest to this property about the year 1922 in the

West Geo. T. Corbin

East Geo. T. Foljock

South J. W. Harrison & J. L. Keeling

North Geo. H. Nicholson

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

Sole owner

XX

Clerk.

Ernest A. Nicholson

Teste: _____
his land is located about _____ miles from _____ Virginia in
County of _____

other outbuildings: apple orchard
buildings and improvements: Dwellinghouse, front house, barn and

to be condemned, containing about _____ acres, on which there are the following

I claim a right title, estate or interest in a tract or parcel of land within the area sought

My Post Office Address is _____ West Va

My name is Ernest A. Nicholson

as his answer to said petition and to said notice.

County, Virginia, asks leave of the Court to file this

upon the filing of said petition and published in accordance with the order of the Circuit

repealment of the State of Virginia, and in response to the notice of condemnation awarded

The undersigned, in answer to the petition of the State Commission on Conservation and De-

more or less of land in _____ County, Virginia, Defendants.

_____ acres

tioner, vs. W. D. Anderson & others

The State Commission on Conservation and Development of the State of Virginia, Pet-

in the Circuit Court of _____ County, Virginia, No. 82 At Law

Claim of Ernest A. Nicholson

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. 28 : 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. 28 \$ 783.00, 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;

Ernest A. 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, Ernest A. Nicholson, to give 1 acre of his land within the Park Area to the Park Project.

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

Wherefore, your undersigned pray(s) that [he (they) be made a party (parties) herein under the provisions of Section 21 of the Public Park Condemnation Act, and that] an order be entered for the distribution of said sum(s) set forth in said judgment in rem as constituting the award(s) for the fee simple estate in the said tract(s) condemned as aforesaid, and for the payment to the undersigned of the said award(s) or of as much thereof as the Court may find that the undersigned is (are) entitled to receive, and which the undersigned aver(s) is as follows: Tract No. 28 \$ 8.00 : Tract No. _____ \$ _____; Tract No. _____ \$ _____;

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

NAME	P. O. ADDRESS
STATE COMMISSION ON CONSERVATION &	
DEVELOPMENT	
BY <u>Ernest A. Nicholson</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.

Find 1/9-1934

Justice! At Law

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STATE OF VIRGINIA)
) SS
COUNTY OF WARREN)

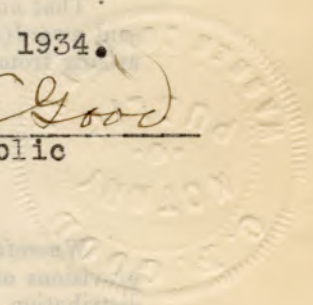
Personally appeared before me the undersigned Notary Public in my said State and County, E. K. Stokes, who being duly sworn, deposed and said that she is an employee of the State Commission on Conservation and Development in immediate charge of the records of the Shenandoah National Park Division thereof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

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

Chas F Good

NOTARY PUBLIC Notary Public

My Commission Expires Sep. 8, 1934



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P. O. ADDRESS

NAME

STATE COMMISSION ON CONSERVATION & DEVELOPMENT

(Handwritten signature)

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IN THE CIRCUIT COURT OF MADISON COUNTY, VIRGINIA.

STATE COMMISSION ON CONSERVATION
AND DEVELOPMENT OF THE STATE OF
VIRGINIA.

VS.) (ORDER OF DISTRIBUTION IN RE ERNEST
A. NICHOLSON. LANDS

D. F. ANDERSON, &C.

This cause came on to be heard again this 24th day of May, 1934, upon the proceedings heretofore had, and the report of Commissioner N. G. Payne, bearing date and filed in the Clerk's Office of this Court on the 10th day of May, 1934, to which report no exceptions have been filed, and was argued by counsel.

On consideration whereof, the court doth adjudge and order that said report be, and the same is hereby approved and confirmed.

On consideration whereof, and it appearing to the Court from said report that the Special Investigators and Board of Appraisal Commissioners awarded the sum of \$783.00 for Tract No. 28; that there are delinquent taxes for the year 1933 against said real estate amounting to the sum of \$1.84; that the costs of this reference amount to the sum of \$18.00, payable \$16.00 to N. G. Payne, Commissioner, and \$2.00 to A. H. Cave, Clerk; that W. L. Judd is the holder of the first lien deed of trust against said property amounting at this time to the sum of \$302.80; that after the payment of costs, taxes and said first lien James Monroe Jenkins is entitled to receive the sum of \$100.00 as assignee of said Ernest A. Nicholson; that the State Commission on Conservation and Development of the State of Virginia is entitled to receive the sum of \$8.00 as a donation from the said Ernest A.

Nicholson; and that the residue of said award of \$783.00 should be paid to the said Ernest A. Nicholson, it is considered and ordered by the Court that said sum of \$783.00 paid into Court by the said State Commission on Conservation and Development of the State of Virginia as compensation for said Tract No. 28 be paid out and disbursed as follows, to-wit:

(1) To B. S. Utz, Treasurer, Madison, Virginia, 1933 taxes, \$1.84;

(2) To N. G. Payne, Commissioner, Madison, Virginia, \$16.00, costs of reference;

(3) To A. H. Cave, Clerk, \$2.00, costs;

(4) To W. V. Ford, Luray, Page County, Virginia, attorney of record for W. L. Judd, the sum of \$302.80;

(5) To James Monroe Jenkins, assignee of Ernest A. Nicholson, Nethers, Virginia, the sum of \$100.00;

(6) To State Commission on Conservation and Development of the State of Virginia, Front Royal, Virginia, donation from Ernest A. Nicholson, the sum of \$8.00;

(7) To Ernest A. Nicholson, Route 2, Charles Town, West Virginia, the sum of \$352.36;

and that the Clerk of this Court be, and he is hereby directed, to transmit a certified copy of this order to the Treasurer of Virginia, who shall make disbursement and pay out the aforesaid sum of \$783.00, the amount of the award set out in the judgment of condemnation for said Tract No. 28 as hereinbefore set out in detail, and certify such payments to the Clerk of this Court for appropriate entry thereof, as required by law.

M. D. Powell

STATE CONSERVATION COMMISSION

VS.) (ORDER OF DISTRIBUTION
IN RE ERNEST A.
NICHOLSON LANDS

D. F. ANDERSON, &C.

[Handwritten signature]

LAW ORDER

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