

County: Madison
 District: Roberson

#33 Nicholson, G. Bailey Estate

Acreage Claimed: 24A Assessed 26A Deed 25.76
Value Claimed: 3000.00 " \$230.00 " \$1.00 etc. (1919)

Location: Within the exterior boundaries of the Fray and Green #100 tract and the Christadora Tract #63.

Incumbrances, counter claims, or laps: (None known)

Soil: Sandy loam of a fair depth and fertility. Scattering loose rock and some outcrops over the entire area the grazing is fairly well sodded.

Roads: Secondary dirt roads 15 miles and 10 mi. of hard surface to Culpeper.

History of tract and condition of timber: All the timber has badly damaged. Almost all killed by a recent severe burn.

Improvements: Log and frame house, 25x25, 6 rooms, porch 6x20, shingle, stone flues, fair cond., occupied by owner, water supply spring, solid found.
 Log barn, 13x18x8, shingle, fair cond.
 Log School house, 16x20x8, paper
 Log wood house 9x10x6, shingle, fair
 Log spring house, 6x8x4, shingle, fair
 Log cornhouse, 7x12, shingle
 House and cellar 7x13x8
 Henhouse 10x11x4

Orchard 30 apple @ 1.00 = \$36.00
 6 Peaches 1.00 = \$6.00

\$300
 35
 75
 15
 5
 25
 35
 10
 500
 30
 6
 \$655.00
 \$36

<u>Type</u>	<u>Acreage</u>	<u>Value per acre</u>	<u>Total Value</u>
Slope	15	1.00	13.00
Fg.	12	10.00	120.00
	25 (By Survey)		133.00

Total value of land \$133.00
 Total value of improvements 500.00
 " " " orchard 27.00
 " " " tract 660.00
 Average value per acre 26.40

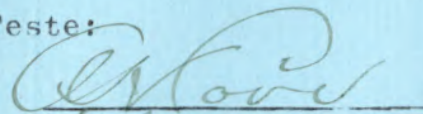
The State Commission on Con-
servation and Development of
the State of Virginia -

Vs

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

The answer of Richard Nich-
olson, an infant, by N. G.
Payne, his guardian ad li-
tem, and the answer of N.G.
Payne guardian ad litem for
said Richard Nicholson, in-
fant -

Teste:



Clerk -

N. G. PAYNE
ATTORNEY AT LAW
MADISON, VIRGINIA

Claim of S. Bailey Nicholson
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. S. Bailey Nicholson

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 S. Bailey Nicholson
My Post Office Address is Old Rag

I claim a right, title, estate or interest in a tract or parcel of land within the area sought to be condemned, containing about 24 acres, on which there are the following buildings and improvements: 1, 5 Room dwelling, 1 Barn, 1 Corn house, 1 wood house, 1 milk house, 1 cellar, 1 hen house, 1 school house, 1 hog house

This land is located about 3 miles from Old Rag, P. O. 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 fee simple title

The land owners adjacent to the above described tract or parcel of land are as follows:
North Dr. Shivers
South Oscar Nicholson
East Christadora
West "

I acquired my right, title, estate or interest to this property about the year 1912 in the following manner:
Bought of Christadora

I claim that the total value of this tract or parcel of land with the improvements thereon is \$3,000. 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 \$3,000.

I am the owner of 00 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 \$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: there is on this land 30 apple trees, 6 Peach trees about half cleared and fenced

(Continue remarks if necessary on the back).

Witness my signature (or my name and mark attached hereto) this 17 day of July, 1930.

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

The undersigned hereby certifies that S. Bailey 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 17 day of July, 1930.

H. F. Fox J.P.
Clerk of the Court, or Special Investigator or Notary Public, or Justice of the Peace.

Claim of *A. Bailey Richardson*
In the Circuit Court of *Richmond* County, Virginia, No. *11*
The State Commission on Conservation and Development of the State of Virginia, Petitioner,
vs.
A. Bailey Richardson Defendant.

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

My name is *A. Bailey Richardson*
My Post Office Address is *Richmond, 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 1/2* acres, on which there are the following buildings and improvements: *1 1/2 Acres building 1 Room*
The land is located about *3* miles from *Old Reg. P. O.* Virginia, in the *Richmond* 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 in simple title

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

I acquired my right, title, estate or interest to this property about the year *1912* in the following manner:
Bought of Christianson

I claim that the total value of this tract or parcel of land with the improvements thereon is *\$3,000*. 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 *\$3,000*.
I am the owner of *2 1/2* 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 *\$0.00*.
(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: *There is another land 20 adjacent to Park area about half cleared and fenced*

(Continue remarks if necessary on the back.)

Witness my signature (or my name and mark attached hereto) this *11* day of *July*, 1930.

STATE OF VIRGINIA, COUNTY OF *Richmond*.
To-wit: *A. Bailey Richardson*
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 *11* day of *July*, 1930.

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

B. D. MacLellan
Filed July 22 - 1930
Appl. A. B. Richardson

Virginia: In the circuit court of Madison county:

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

Vs(Answer of N. G. Payne, guardian ad litem)

D. F. Anderson and others, and fifty-five
thousand(55,000) acres of land in Madison
county, Virginia - - - - - Defendants -

The answer of N. G. Payne, guardian ad litem for Richard Nicholson
_____, infant, appointed by the circuit court of Madison coun-
ty, Virginia, to represent and defend the interest of the said infant,
in the above styled proceedings:

This respondent for answer to the said petition says:

That the said Richard Nicholson , infant, is the child and heir at
law of G. Bailey Nicholson deceased, who was the owner of a
tract of approximately twenty five acres of land in Madison
county, Virginia, which said tract of land is sought to be condemned
in the above styled proceedings.

That the interest of the above named infant in said tract of land is
an undivided interest therein. A claim for the value of the said tract
of land has been filed by other interested parties and testimony has been
taken in support thereof and submitted to the Board of Appraisal Commis-
sioners. This respondent requests that said testimony so taken be con-
sidered in support of the interests of the above infant, and prays that
no order may be entered to the detriment of the said infant, and that
the interest of the said infant may have the protection of the court.

And now having fully answered, he prays to be hence dismissed, etc.

N. G. Payne Guardian ad litem
for said Richard Nicholson, infant -

Va: Madison County, to-wit:
In the clerk's office of said county:

Subscribed and sworn to before me, A. H. Cave, clerk of the circuit
court of Madison county, Virginia, by N. G. Payne, guardian ad litem,
in my office aforesaid, this the 20th day of January, 1932 -

A. H. Cave Clerk of the circuit
Court of Madison county, Va.

Virginia: In the circuit court of Madison county:

The State Commission on Conservation
and Development of the State of Virginia - - - - - Petitioner -
Vs (Answer of Infant Defendant)

D. F. Anderson and others, and fifty-five
thousand (55,000) acres, more or less, of land
in Madison county, Virginia - - - - - Defendants -

The answer of Richard Nicholson

infant, by and through N. G. Payne, his guardian ad litem, to the
petition of the State Commission on Conservation and Development of
the State of Virginia, filed in the circuit court of Madison County,
Virginia, seeking to acquire by condemnation certain lands therein de-
scribed:

This respondent, for answer to said petition, answers and says that
he is an infant of tender years, and therefore, is incapable of
knowing or defending his rights and interests therein. He there-
fore submits his interest therein to the care and protection of the
Court and prays that no order may be entered to his prejudice.

And now having fully answered, he prays to be hence dismissed.

Richard Nicholson
By N. G. Payne Guardian
ad Litem -

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. 33 : 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. 33 \$ 910.00; 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;

- G. Bailey Nicholson,
- N. G. Payne, Guardian ad litem for Richard Nicholson, (Infant)
- G. Bailey Nicholson Estate

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, G. Bailey Nicholson to give 2 acres of his land within the Park Area to the Park Project.

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

Wherefore, your undersigned pray(s) that [he (they) be made a party (parties) herein under the provisions of Section 21 of the Public Park Condemnation Act, and that] an order be entered for the distribution of said sum(s) set forth in said judgment in rem as constituting the award(s) for the fee simple estate in the said tract(s) condemned as aforesaid, and for the payment to the undersigned of the said award(s) or of as much thereof as the Court may find that the undersigned is (are) entitled to receive, and which the undersigned aver(s) is as follows: Tract No. 33 \$ 2.00 : 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

Elliott Marshall

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,

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 8th day of March, 1934, came Mrs. G. Bailey Nicholson and Richard Nicholson, owners of Tract No. 33, and on their motion, leave is given them to file their application for the sum of \$910.00, the amount of the award set out in the judgment of condemnation for Tract No. 33 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 Mrs. G. Bailey Nicholson and Richard Nicholson are invested with a superior or better right or claim of title in and to the said Tract No. 33 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. 33, or to the proceeds arising from the condemnation thereof, and is therefore entitled to receive the proceeds arising from the condemnation of said Tract No. 33, and it further appearing to the Court that all taxes due or payable upon said Tract No. 33 have been paid except for the years 1932 and 1933. Upon consideration whereof it is considered and ordered by the Court that the sum of \$910.00, paid into Court as just compensation for Tract No. 33 be paid out and distributed as follows:

- | | |
|--|----------------|
| (1) To A.H. Cave, Clerk, Madison, Virginia, delinquent taxes | \$ 2.77 |
| (2) To B.S. Utz, Treas., Madison, Virginia, taxes for 1933 | 6.06 |
| (3) To State Commission on Conservation and Development,
Richmond, Virginia, for Donation to Park | 2.00 |
| (4) To N.G. Payne, atty., Madison, Virginia, fee and costs | 13.00
12.00 |
| (5) To Mrs. G. Bailey Nicholson and Richard Nicholson, balance
Oldrag, Virginia | 887.17 |

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 above set ~~###~~ forth aggregating the award

set out in the judgment of condemnation for Tract No. 33, 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.

In the Circuit Court of Madison County, Virginia,

Petitioner -

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

vs

Defendants -

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

On this, the 8th day of March, 1934, came Mrs. G. Bailey Nicholson and Richard Nicholson, owners of Tract No. 33, and on their motion, leave is

granted them to file their application for the sum of \$210.00, the amount of the award set out in the judgment of condemnation for Tract No. 33 and to have the same paid into Court. And it appearing from the report of the Board of Appraisers heretofore filed in this cause and in the opinion of the Court that the said Mrs. G. Bailey Nicholson and Richard Nicholson are invested with a superior or better title or estate of title in and to the said Tract No. 33 and that the proceeds of the sale of the said Tract No. 33, or to the proceeds arising from the condemnation thereof, and is therefore entitled to receive the proceeds arising from the condemnation of said Tract No. 33, and it further appearing to the Court that all taxes due or payable upon said Tract No. 33 have been paid except for the years 1932 and 1933. Upon consideration whereof it is considered and ordered by the Court that the sum of \$210.00, paid into Court as just compensation for Tract No. 33 be paid out and distributed as follows:

- (1) To A.H. Cave, Clerk, Madison, Virginia, delinquent taxes \$ 2.77
- (2) To B.S. Utk, Treas., Madison, Virginia, taxes for 1933 8.08
- (3) To State Commission on Conservation and Development, Richmond, Virginia, for donation to Park 2.00
- (4) To W.E. Payne, atty., Madison, Virginia, fee and costs 12.00
- (5) To Mrs. G. Bailey Nicholson and Richard Nicholson, balance 182.17

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 above set forth aggregating the award set out in the judgment of condemnation for Tract No. 33, 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.

Enter -

Judge

D.F. Anderson and others -
Vs
(Order for the Distribution of the award - Tract No. 33 - State Commission on Conservation and Development of the State of Virginia -)

LAW ORDER

BOOK 9

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M.P. Swann, C. H. 2