

County: Madison
District: Roberson

Claimant #14- Nicholson, J. Daniel.

Acreage Found: 70 *by survey*

Deed: 105 A.

Location: Highest River at the mouth of Hazel Branch.

Incumbrances, counter claims or laps: None.

Soil: Fertile loam of medium depth and well watered. Very rocky. Slopes are gentle to moderate.

Roads: Twenty-two miles dirt road to Culpeper.

History of tract and condition of timber: Farm and wood-lot. Pine, oak, chestnut, mostly chestnut, now all dead. Practically all saw-logs removed and scattered locust now being taken.

Improvements: House: 24x38', log and frame.
Barn & Shed: 38x52x14', log and frame.
Henhouse: 8x16x8'.
Corn Crib & Shed: 8x16x8'.
Cow shed: 10x12x7'.
Spring House: 6x8'.
Garage: 10x17x8'.
Total value of improvements -- \$775.00:

Orchard:
60 fruit trees @ \$2.00. \$120.00
136 " " @ \$1.00 \$136.00
\$256.00.

Value of land by types:

Type	Acreage	Value per acre	Total Value
Tillable	37	\$15.00	\$555.00
Slope	33	\$ 2.50	\$ 82.50
	70		\$637.50.

Summary:

Total value of land. \$637.50
Total value of improvements \$775.00
Total value of fruit trees. \$256.00
Total value of tract. \$1668.50.

L. W. Farmer Sec.

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County: Madison
 District: Roberson

#14-Nicholson, J. Daniel

Acreage Claimed: Assessed: Not definite. Deed: 105 A.

Value Claimed: " " AREA: -70 A. (By Survey)

Location: Hughes River at the mouth of Hazel Branch.

Incumbrances, counter claims or laps: None.

Soil: Fertile loam of medium depth and well watered. Very rocky.
 Slopes are gentle to moderate.

Roads: Twenty-two miles dirt road to Culpeper.

History of tract and condition of timber: Farm and wood-lot.
 Pine, oak, chestnut, mostly chestnut, now all dead.
 Practically all saw-logs removed and scattered locust now being taken.

<u>Improvements:</u>	House: 24x38', log and frame-----	\$500.00
	Barn & Shed: 38x52x14', log and frame----	175.00
	Henhouse: 8x16x8', --	20.00
	Corn Crib & Shed: 8x16x8'	35.00
	Cow shed: 10x12x7'--	20.00
	Spring House: 6x8'--	10.00
	Garage: 10x17x8' -- <i>Av. Value Impu \$775-</i>	15.00
		<u>\$775.00</u>
	Orchard:	
	60 fruit trees @ \$1.75---- <i>\$200</i>	105.00
<i>136</i> (110)	" " @ 1.00----- <i>\$120.00</i>	110.00
		<u>\$990.00</u>

Value of land by types:

<u>Types:</u>	<u>Acreage:</u>	<u>Value per A.</u>	<u>Total Value</u>
Tillable	37	\$12.00	\$444.00
Slope	33	1.50	49.50
	<u>70</u>		<u>\$493.50</u>

Total value of land: \$493.50
 Total value of improvements: 990.00
 Total value of tract: \$1483.50

Average value per acre: \$20.11

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 2nd day of February, 1934, came J. Daniel Nicholson and on his motion, leave is given him to file his application for the payment of the sum of \$1668.50, the amount of the award set out in the judgment of condemnation for Tract No. 14, and heretofore paid into Court, and thereupon Mrs. Annie E. Bowman and N. G. Payne, Executor, tendered their respective answers to said petition, which answers are hereby accordingly filed, 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 said J. Daniel Nicholson is invested with a superior or better right or claim of title in and to the said Tract No. 14, or to the proceeds arising from the condemnation thereof except as hereinafter provided, and it appearing to the Court that all taxes due or payable upon said Tract No. 14 have been paid except for the years 1932, and 1933; upon consideration whereof, it is considered and ordered by the Court that the said sum of \$1668.50, paid into Court as just compensation for said Tract No. 14 be paid out and distributed as follows:

(1) To A.H.Cave, Clerk, Madison, Va. taxes	\$16.71
(2) To B.S.Utz, Treas. Madison, Va. taxes for 1933	\$11.30
(3) To N.G.Payne, atty. Madison, Va. fee and costs	\$12.00
(4) To N.G.Payne, atty, for Mrs. Annie E. Bowman, bond & int.	\$216.23
(5) To N.G.Payne, Executor, Madison, Va. bond and int.	\$129.35
(6) To N.G.Payne, Madison, Va. atty for James R. Nicholson,	

Cynthia Nicholson and J. Daniel Nicholson, balance \$1282.91

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 above set forth aggregating the award set out in the judgment of condemnation for tract No. 14, 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,

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

vs

D. F. Anderson and others and 85,000 acres of land in Madison County, Virginia,

On this, the 14th day of February, 1934, came J. Daniel Nicholson and on his motion, leave is given him to file his application for the

payment of the sum of \$1688.50, the amount of the award set out in the

judgment of condemnation for Tract No. 14, and heretofore paid into

court, and thereupon Mrs. Annie E. Bowman and N. G. Payne, Executor,

entered their respective answers to said petition, which answers are

hereby respectively filed, 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 heretofore on the

day of December, 1933, that, in the opinion of the petitioner,

the said J. Daniel Nicholson is invested with a superior or better

right or claim of title in and to the said Tract No. 14, or to the

proceeds arising from the condemnation thereof except as heretofore

provided, and it appearing to the Court that all taxes due or payable

upon said Tract No. 14 have been paid except for the years 1932, and

1933; upon consideration whereof, it is considered and ordered by the

Court that the said sum of \$1688.50, paid into Court as just compen-

sation for said Tract No. 14 be paid out and distributed as follows:

- (1) To A.H. Cave, Clerk, Madison, Va. taxes \$16.71
- (2) To B.S. Utz, Treas. Madison, Va. taxes for 1933 \$11.30
- (3) To N.G. Payne, atty. Madison, Va. fee and costs \$12.00
- (4) To N.G. Payne, atty. for Mrs. Annie E. Bowman, bond & int. \$216.33
- (5) To N.G. Payne, Executor, Madison, Va. bond and int. \$129.32
- (6) To N.G. Payne, Madison, Va. attorney for James R. Nicholson, \$1282.91

Cynthia Nicholson and J. Daniel Nicholson, balance \$1282.91
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 above set forth aggregating the award set out in the judgment of condemnation for tract No. 14, 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.

State Commission on Conservation and Development -

(Order for the Distribution vs (of the award - Tract No. 14.

D. F. Anderson and others -

Enter Judge *[Signature]*

TAKE ORDER 9 PAGE 142

In the Circuit Court of Madison County, Virginia:

The answer of N.G. Payne, Executor, to a petition filed by J. Daniel Nicholson in the circuit court of Madison County in the condemnation proceedings of State Commission on Conservation and Development vs D.F. Anderson and others as to Tract No. 14 in the Park Area -

Your respondent for answer to the said petition, answering says:

That it is true that the said J. Daniel Nicholson, on the 10th day of July, 1933, conveyed said Tract No. 14 in trust to secure to your respondent the payment of a bond for \$125.00, with interest thereon from the 10th day of July, 1933, as set out in the said petition, and the said bond is due and unpaid, and your respondent asks that the said bond be paid out of the said award for the said Tract No. 14.

And your respondent will ever pray, etc.

_____ Gener

Respondent -

_____ p, d,

In the Circuit Court of Madison County, Virginia:

The answer of Mrs. Annie E. Bowman to a petition filed by J. Daniel Nicholson in the circuit court of Madison County in the condemnation proceedings of State Commission on Conservation and Development vs D. F. Anderson and others as to Tract No. 14 in the Park Area.

Your respondent for answer to the said petition, answering says:

That it is true that the said J. Daniel Nicholson, on the ____ day of _____, 1932, assumed the bond for \$210.00 dated August 11th, 1921, on which date James R. Nicholson conveyed said Tract No. 14 in trust to secure your respondent the payment of a bond for \$210.00. That interest has been paid on the said bond to August 11th, 1933, as set out in the said petition, and the said bond is due and unpaid, and your respondent asks that the said bond, with interest from August 11th, 1933 be paid out of the said award for the said Tract No. 14.

And your respondent will ever pray, etc.

Respondent -

p.d.

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. 14-----:

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. 14----- \$1668.50; 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;

J. Daniel 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:—

The entire interest, subject to a support to be furnished
James R. Nicholson and Cynthia Nicholson

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:

**James R. Nicholson and Cynthia Nicholson -
Mrs. Annie E. Bowman, and N. G. Payne, Executor -**

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. 14----- \$1668.50: 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)

NAME	P. O. ADDRESS
<i>J Daniel Nicholson</i>	<i>Nethers, Virginia</i>
<i>James R Nicholson</i>	<i>Nethers, Virginia</i>
<i>Cynthia Nicholson</i>	<i>Nethers, Virginia</i>
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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.