

County: Madison  
District: Roberson

Claimant #69 - Nicholson, Peter B.

Acreage Found: 197 *by Survey* Assessed 150 A. Deed 140 A.

Location: U. S. Position 20 and entirely within the Park Area.

Incumbrances, counter claims or laps: None known.

Soil: Sandy loam, numerous large and small loose rock and some cliffs.

Roads: Ten miles via dirt road and ten miles via hard surface to Culpeper, the nearest shipping point.

History of tract and condition of timber: Most of the merchantable saw timber has been removed from this tract. The remaining stand of about 60 M. is scattered over the entire tract. A recent fire has killed most of the reproduction 60 M. bd. ft. of timber @ \$2.00 per M. -- \$120.00.

Improvements: An old log house abandoned - no value.

Value of land by types:

Type	Acreage	Value per acre	Total Value
Cove	3	\$5.00	\$15.00
Slope	141	\$2.50	\$352.50
Ridge	21	\$1.00	\$21.00
Fc	1	\$12.50	\$12.50
Fr	31	\$6.00	\$186.00
	<u>197</u>		<u>\$587.00.</u>

Summary:

Total value of land.	\$587.00
Total value of timber.	\$120.00
Total value of orchard.	\$25.00
Total value of tract.	<u>\$732.00.</u>

*L. W. Tamm, Sec.*

County: Madison  
District: Roberson

#69 - Nicholson, Peter B.

Acreage Claimed: 140                      Assessed 150 A.                      Deed 140 A.  
Value Claimed:    \$980.00                      "                      \$600.00                      "                      \$1075.

Location:    U. S. Position 20 and entirely within the Park area.

Incumbrances, counter claims or laps: None known.

Soil:            Sandy loam, numerous large and small loose rock and some cliffs.

Roads:            Ten miles via dirt road and ten miles via hard surface to Culpeper, the nearest shipping point.

History of tract and condition of timber:    Most of the merchantable saw timber has been removed from this tract. The remaining stand of about 60 M. is scattered over the entire tract. A recent fire has killed most of the reproduction 60 M bd. ft. of timber @ <sup>2.00</sup> ~~(1.00)~~ per M. -- <sup>\$120.00</sup> ~~(60.00)~~

Improvements: An old log house abandoned - no value.

Value of land by types:

Type	Acreage	Value per acre	Total Value
Cove	3	\$2.00	\$6.00
Slope	141	1.50	211.50
Ridge	21	.50	10.50
Fc	1	8.00	8.00
Fr	31	4.00	124.00
	<u>197 (By Survey)</u>		<u>\$360.00</u>

Total value of land                      \$360.00  
Total value of trees:                      20.00  
Total value of timber                      60.00  
Total value of tract                      \$440.00  
Average value per acre                      2.23

Claim of P. B. 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. B. Anderson & others

140 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 P. B. Nicholson  
My Post Office Address is Raccoon Ford, 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 140 acres, on which there are the following buildings and improvements:

This land is located about 2 miles from Etan, Virginia, in the Roberson 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).

Self + wife, joint-owners

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

- North J. N. Jenkins
- South C. O. Simms
- East Wade Yowell & others
- West Robert Coates

I acquired my right, title, estate or interest to this property about the year 1892 in the following manner:

Purchased

I claim that the total value of this tract or parcel of land with the improvements thereon is \$ 980.00. 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 \$ \_\_\_\_\_.

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: There is a deed of Trust for

\$500.00 on the above mentioned tract

(Continue remarks if necessary on the back).

Witness my signature (or my name and mark attached hereto) this 19 day of July, 1930.

P. B. Nicholson

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

The undersigned hereby certifies that P. B. 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 19 day of July, 1930.

A. H. Care

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

Claim of *F. B. Nicholas*  
In the Circuit Court of *Madison* County, Virginia, No. *12*  
The State Commission on Conservation and Development of the State of Virginia, Part  
*W. A. Johnson & others*  
vs  
*140 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 De-  
velopment 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 *F. B. Nicholas*  
My Post Office Address is *Madison, 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 *140* acres, on which there are the following  
buildings and improvements:

This tract is located about *2* miles from *Etter*,  
the *Madison* District of said County.

The following right title, estate or interest in the tract or parcel of land de-  
scribed above: this space claimant should say whether he is sole owner or joint owner,  
and if joint owner, names of the joint owners. If claimant is not sole or joint owner,  
he should state what right title, estate or interest he has in or to the tract or  
parcel (land, buildings, etc.)

*Self, wife, joint-tenants*

The land owner adjacent to the above described tract or parcel of land are as follows:  
North *J. M. Jenkins*  
South *W. A. Johnson*  
East *W. A. Johnson*  
West *Robert Corley*

I acquired my right, title, estate or interest in this property about the year *1881* in the  
following manner:  
*Nicholas*

I claim that the total value of this tract or parcel of land with the improvements there-  
on is \$ *250.00*. 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 \$ *250.00*.

I am the owner of *140* 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 pro-  
posed condemnation of lands within the Park area, to the extent of \$ *250.00*.

(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 a lease of tract for*

*1500.00 on the above mentioned tract.*

(Continue remarks if necessary on the back.)

Witness my signature (or my name and mark attached hereto) this *19* day  
*F. B. Nicholas* of *July*, 1930.  
STATE OF VIRGINIA, COUNTY OF *Madison*, To-wit:

The undersigned hereby certifies that *F. B. Nicholas*  
the above named claimant personally appeared before him and made oath that the recitals  
and things appearing in his above answer are true to the best of his knowledge and belief,  
this *19* day of *July*, 1930.  
*A. M. Carr*

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

*Filed July 19, 1930*

*A. H. Carr*  
*Clerk*

*F. B. Nicholas*

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. 69 :  
Tract No. \_\_\_\_\_ : Tract No. \_\_\_\_\_;

and described in the report of the Board of Appraisal Commissioners appointed herein and shown, num-  
bered, 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. 69 \$732.00; 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;

P. B. Nicholson & Wife  
Unknown lien holders

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 owners,  
P. B. Nicholson & Wife, to give 10 acres of their 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. 69 \$15.00: Tract  
No. \_\_\_\_\_ \$ \_\_\_\_\_: Tract No. \_\_\_\_\_ \$ \_\_\_\_\_;

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

NAME

P. O. ADDRESS

STATE COMMISSION ON CONSERVATION  
& DEVELOPMENT

BY

*Elliot 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 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.

Filed 19-1934

Jesse M. Harts

Virginia: In the Circuit Court of Madison County of Madison, Virginia

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

V. At Law No. 23

D. K. Anderson and others and Fifty-Five Thousand (55,000) Acres, more or less of

land in Madison County, Virginia

Comes now the undersigned and shows to the Court:

That a judgment in favor of the State Commission on Conservation and Development of the State of Virginia has been entered in this proceeding condemning to the use of the

Particular the fee simple estate in the tract(s) of land numbered

Tract No. \_\_\_\_\_

STATE OF VIRGINIA )  
COUNTY OF WARREN ) SS

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.

*Charles F. Good*

NOTARY PUBLIC Notary Public

My Commission Expires Sep. 8, 1934

Therefore your undersigned prays (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) and for the judgment in favor of the State Commission on Conservation and Development of the State of Virginia, 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 avers (s) is as follows: Tract No. \_\_\_\_\_

No. \_\_\_\_\_ Tract No. \_\_\_\_\_  
The undersigned further avers (s) that: (Leave this space blank unless there is some other pertinent matter to be brought specially to the attention of the court.)

P. O. ADDRESS

NAME

STATE COMMISSION ON CONSERVATION

& DEVELOPMENT

*Charles F. Good*

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 petitions 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.

Virginia: In the circuit court of Madison county, Virginia -

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

Vs(At Law No.82)

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

On this the 24th day of January, 1934, came P. B. Nicholson, and on his motion, leave is granted him to file his application for the payment of the sum of \$732.00, the amount of the award set out in the judgment of condemnation for Tract No. 69, and heretofore paid into court, and thereupon J. W. Butler tendered his answer to said application, which answer is 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 4th day of December, 1933, that in the opinion of the petitioner, the said P. B. Nicholson is invested with a superior or better right or claim of title in and to the said Tract of land No. 69, or to the proceeds arising from the condemnation thereof except as hereinafter provided; upon consideration whereof, it is considered and ordered by the court that the said sum of \$732.00, paid into court as just compensation for said Tract No. 69, be paid out and distributed as follows:

- 1 - TO N. G. Payne, Attorney, Madison, Virginia, for costs and fee - - - - - \$ 12.00
- 2 - To B. S. Utz, Treasurer, Madison, Va., taxes for 1933 - 11.03
- 2-a To N.G.Payne, Atty., Madison, Va., for donation - - - 15.00
- 3 - To N. G. Payne, Attorney for J. W. Butler, Madison, Va. 596.00
- 4 - To P.B.Nicholson, Raccoon Ford, Va., balance - - #97.97  
\$ 732.00

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 funds as above provided, the items set forth aggregating the award

set forth in the judgment of condemnation for Tract No. 69, taking from the 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 -

U. E. Anderson and others -  
(No. 99 -  
vs) (of, Jacob) for Trust  
(Order for Disposition  
of the State of Illinois -  
Acquisition and Development -  
The State Commission on Con-

Refer

ingue -

LAW OFFICE

BOOK 2



21, 402

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

(Order for Distribution vs) (of Award for Tract (No. 69 -

D. F. Anderson and others -

Enter -

*[Handwritten Signature]*

Judge -

Page 2 -

set forth in the judgment of condemnation for Tract No. 89, taking from the 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 -

LAW ORDER

BOOK 9 PAGE 107

N. G. PAYNE  
ATTORNEY-AT-LAW  
MADISON, VA.

January 19th 1934 -

Mr. P. B. Nicholson,  
Raccoon Ford, Va.

Dear Mr. Nicholson:

I enclose application to be signed by you and your wife so that you can get your money in the Park Area. Please sign it at once and return to me, and I will try to have the money paid out in a short time.

I find that you gave ten acres as a donation to the park, and of course this \$15.00 will have to be paid to the State Commission on Conservation and Development.

Yours very truly,

*N. G. Payne*

*Will I have*

*to come to madison to  
get the money or will you  
send check*

*P.B.N.*

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. 69 : 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. 69 \$732.00; 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;

The undersigned owned the said land in fee simple, subject to a deed of trust on the said land, recorded in Madison county clerk's office in D.F.B. 4, page 12, securing to J.W. Butler bond for \$500.00 with interest thereon from Nov. 21st 1930 -

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 therein, subject to said trust deed, and to a donation of \$15.00 to the Park, that is, 10 acres which has been valued at \$15.00 -

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 as above stated -

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. 69 \$732.00: 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)

There are some unpaid taxes on the said land -

NAME	P. O. ADDRESS
<u>P. B. Nicholson</u>	<u>Raccoon Ford, Va.</u>
<u>By H. G. Payne, atty</u>	<u>" " "</u>
_____	_____
_____	_____
_____	_____

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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 ..... Peter B. Nicholson ..... which is designated as Tract No. 69 ...; 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 24 day of January....., 1934..

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

By *Bertha N. Patten* ..... Deputy  
Clerk

This is to certify that there are ..... 1933 taxes of record  
in my office to the amount of \$11.03. against the tract of land  
owned by ... P. B. Nicholson .....

..... which is  
designated as Tract No. 69. . . . ; 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 11. day of January. . . . ., 1934.

.....  
*P. S. [Signature]*  
Treasurer, Madison County, Virginia

By ..... Deputy  
Treasurer