

County: Madison  
District: Roberson

Claimant #41 - Nicholson, P. L.

Acreage Found: 5

Location: Weakley Hollow, entirely within the Park Area.

Incumbrances, counter claims or laps: None known.

Soil: Sandy loam of a fair depth and fertility; scattering loose rock over the entire area.

Roads: Secondary dirt road 11 miles and 10 miles of hard surface to Culpeper.

History of tract and condition of timber: All cleared and in orchard.  
Trees in good condition. Age 27 years. 184 trees.

Improvements: None.

Value of land by types:

<u>Type</u>	<u>Acreage</u>	<u>Value per acre</u>	<u>Total Value</u>
Orchard	5	\$110.00	\$550.00

Summary:

Total value of orchard.	\$550.00
Total value of tract.	\$550.00

*L. W. Turner, Sec.*

County: Madison  
District: Roberson

#41 Nicholson, P. L.

Acreage Claimed: Assessed Deed

Value Claimed: " "

Location: Weakley Hollow. Entirely within the Park Area

Incumbrances, counter claims, or laps: None known

Soil: Sandy loam of a fair depth and fertility; scattering loose rock over the entire area.

Roads: Secondary dirt road 11 miles and 10 miles of Hard Surface to Culpeper.

History of tract and condition of timber: All cleared and in orchard.  
Trees in good condition. Age 27 years. 184 Trees

Improvements: None

<u>Value of land by types:</u>		<u>Value</u>	<u>Total</u>
<u>Type</u>	<u>Acreage</u>	<u>per acre</u>	<u>Value</u>
Orchard	5 (by survey)	\$75.00	
Total value of land and trees		\$375.00	
Total value of tract		375.00	
Average value per acre		75.00	



Claim of P. L. 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. H. 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 P. L. Nicholson  
My Post Office Address is Netters, 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 5 acres, on which there are the following buildings and improvements:

200 Apple trees

This land is located about 2 miles from Netters 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 Wm. W. Weasley  
South Arthur  
East Dr. J. O. Sisk  
West Arthur Weasley

I acquired my right, title, estate or interest to this property about the year 1924 in the following manner:

By purchase

I claim that the total value of this tract or parcel of land with the improvements thereon is \$ 1800<sup>00</sup>. 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 \$ 1800<sup>00</sup>.

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 19 day of July, 1930.

P. L. Nicholson

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

The undersigned hereby certifies that P. L. 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 *P. S. Nicholas*  
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. *P. S. Nicholas*

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. S. Nicholas*  
My Post Office Address is *Petersburg, 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* acres, on which there are the following buildings and improvements:

This tract is located about *2* miles from *Petersburg* in *Madison* 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.)

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

North *Dr. J. P. Smith*  
South *Dr. J. P. Smith*  
East *Dr. J. P. Smith*  
West *Dr. J. P. Smith*

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

I claim that the total value of this tract or parcel of land with the improvements thereon is *\$1200.00*. 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 *\$1200.00*.

I am the owner of *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 \$*1200.00*. (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:

(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 *Madison*, To-wit:

The undersigned hereby certifies that *P. S. Nicholas* 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 or

Filed July 19, 1930.

A. H. Case, Clerk

*P. S. Nicholas*

41



In the Circuit Court of Madison County, Virginia.

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

Petitioner -

V

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

Respondents -

On this, the 17 day of January, 1934, came P.L. Nicholson and on his motion, leave is given him to file his application for the payment of the sum of \$550.00, the amount of the award set out in the judgment of condemnation for Tract NO, 41 and heretofore paid into the Court, and thereupon Jessie C. Bowman and K.R. Payne have tendered their 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 4 day of Dec, 1933, that, in the opinion of the petitioner, the said P.L. Nicholson is invested with a superior or better right or claim of title in and to the said tract of land No. 41, or to the proceeds arising from the condemnation thereof except as hereinafter provided, and it further appearing to the Court that all taxes due or payable upon said Tract No. 41 have been paid except for the year 1933, upon further consideration whereof, it is considered and ordered by the Court that the sum of \$550.00, paid into Court as just compensation for said Tract No. 41, be paid out and distributed as follows;

- (1) To B.S. Utz, Treasurer Madison County, the sum of \$1.38;
- (2) To N.G. Payne, attorney for Jessie C. Bowman, the sum of \$156.00;
- (3) To N.G. Payne, attorney for Jessie C. Bowman, the sum of \$304.95;
- (4) To K.R. Payne, the sum of \$87.67.

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 sum as above provided, the items above set forth aggregating the award set out in the judgment of condemnation for Tract No. 41, 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.

The address of said parties  
is as follows:

\_\_\_\_\_  
Judge -

B. S. Utz, Madison, Va.

N. G. Payne, Madison, Va.

K. R. Payne, Madison, Va.







In the circuit court of Madison county, Virginia:

The answer of Jessie C. Bowman to a petition filed by P. L. Nicholson, in the condemnation proceedings of State Commission on Conservation and Development vs D. F. Anderson and others with reference to Tract #41 -

Your respondent, for answer to the said petition, answers and says that it is true that the said P. L. Nicholson is indebted to your respondent in the sum of \$150.00, with interest thereon from May 20th 1933, and in the sum of \$300.00 with interest thereon from the 11th day of October, 1933, and that both of said sums are secured by deeds of trust as set out in the said petition, and your respondent asks that the said sums be paid to N. G. Payne, attorney, for your respondent -

And now having fully answered, your respondent prays to be hence dismissed, etc -

W. G. Payne p.d.

Jessie C. Bowman

In the circuit court of Madison county, Virginia:

The answer of K. R. Payne to a petition~~ed~~ filed by P. L. 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. 41 in the Park Area -

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

That it is true that the said P. L. Nicholson did on the 20th day of December, 1933, convey said tract No. 41 and other land in trust to secure to your respondent the payment of a bond for \$140.00, with interest thereon from the 20th day of December, 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 #41, or that the balance remaining after paying the two prior deeds of trust, be applied as a payment on the said bond.

And your respondent will ever pray, etc -

K. R. Payne -

Respondent -

N. G. Payne p.d.



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 ... Pete Nicholson ..... which is designated as Tract No. 41.....; 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.

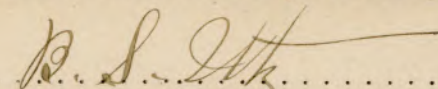
Given under my hand this . 9th day of .. January. ...., 1934..

..... *A. H. Carl* ..... Clerk..  
Circuit Court, Madison County, Virginia  
By .. *Bertha H. Patton* ..... Deputy  
Clerk



This is to certify that there are ..... 1933 taxes of record  
in my office to the amount of \$ 1.38 .. against the tract of land  
owned by ... P. L. Nicholson .....  
..... which is  
designated as Tract No. 41 .. ; 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.

  
.....  
Treasurer, Madison County, Virginia

By ..... Deputy  
Treasurer



In the Circuit Court of Madison county, Virginia:

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

(Petition of P. L. Nicholson, owner of Tract #41,  
Vs  
(for an order of Distribution -

D. F. Anderson and others -

To the Honorable Lemuel F. Smith, Judge of the circuit court of Madison county, Virginia:

Your petitioner, P. L. Nicholson, respectfully represents unto your Honor as follows:

That your petitioner, P. L. Nicholson, is the fee simple owner of that certain tract or parcel of land, situate, lying and being in Madison county, above Nethers, in the Roberyson Magisterial District, and within the bounds of the Shenandoah National Park, and which is known and designated on the Madison county ownership map filed in the above entitled condemnation proceedings as Tract #41, containing 5 acres; and,

That your petitioner and wife did on the 20th day of May, 1926, convey to N. G. Payne, trustee, the said tract No. 41 and other land, in trust to secure to Jessie C. Bowman the payment of a certain bond, with interest from date, and on which the interest is paid to May 20th 1933, and which said deed of trust is duly recorded in the clerk's office of Madison county in deed of trust book 5, page 495. <sup>for \$150.00</sup>

That on the 11th day of October, 1927, your petitioner and wife conveyed to N. G. Payne, trustee, tract No. 41, and other land, in trust to secure to Jessie C. Bowman the payment of a certain bond for the sum of \$300.00, on which the interest has been paid to October 11th 1933, and which said deed of trust is duly recorded in the clerk's office of Madison county in deed of trust book 6, page 230 -

That on the 20th day of December, 1933, your petitioner, P. L. Nicholson and wife, conveyed to N. G. Payne, trustee, the said tract No. 41



and other lands, in trust to secure to K. R. Payne the payment of a certain bond for \$140.00, with interest thereon from the 20th day of December, 1933, and which said deed of trust is duly recorded in deed of trust book 8, page 107 -

That the taxes on the said tract of \_\_\_\_\_ acres of land known as Tract No. 41, have been paid up to and including the year <sup>1932.</sup> ~~1933~~, as will appear from certificate of B. S. Utz, Treasurer of Madison county, and of A. H. Cave, clerk of the circuit court of Madison county, Virginia, herewith filed marked exhibits "A" and "B" and asked to be read as a part of this petition.

That the said special investigators and the Board of Appraisal Commissioners heretofore appointed in these proceedings awarded to your petitioner, owner, for said Tract #41 the sum of five hundred and fifty dollars as compensation for the taking of said tract of land as will more fully appear from their report heretofore filed in these proceedings on the 2nd day of June, 1932, which said report has been duly confirmed as to the said tract of land aforesaid, and the award for the condemnation thereof has been ordered to be paid into the custody of this court pursuant to an order heretofore entered in this cause.

That the petition for condemnation in these proceedings states that the said P. L. Nicholson is the apparent fee simple owner of the said tract or parcel of land, and that the record in these proceedings does not disclose any denial or dispute of such statement or charge contained in said petition, nor are there any adverse claims or laps reported in connection with said tract of land.

Wherefore your undersigned prays that the said Jessie C. Bowman and K. R. Payne may be made parties defendant to this petition, and required to answer the same; that an order may be entered for the distribution of the said sum set forth in said judgment in rem as constituting the award for the fee simple estate in said tract condemned as aforesaid, and for the payment to the proper parties of the said award as hereinbefore set forth. Said award being as follows: Tract No. 41, \$550.00 -



And your petitioner will ever pray, etc.

W. G. Payne  
Counsel for Petitioner -

P. L. Nicholson Petitioner -