County: Madison
District: Roberson

Claimant #25 - Nicholson, Walter.

Acreage Found: 73 Assessed 58 Deed 58.

Location: Nicholson Hollow on Hughes River and entirely within the Park Area.

Incumbrances, counter claims or laps: None known.

Soil: Slope type, sandy loam of a fair depth and fertility; covered with loose rock and some outcrops, gentle to steep and rough slopes.

Roads: Eleven miles of secondary dirt road and ten miles of hard surface to Culpeper, the nearest shipping point.

History of tract and condition of timber: This tract has been heavily culled. The remaining stand consists of red oak, poplar, hickory and chestnut oak. 57 M. ft. @ $2.00 -- $114.00.

Improvements: Dwelling: Log, 16x28', 4 rooms, porch 6x10', shingle roof, stone flues, 1½ story, one room plastered, fair condition, occupied by owner, spring, solid foundation.
Barn & shed: Log, 15x22', shingle roof, fair condition.
Corn crib: Log, 16x16', fair condition.
Hen house: Log, 8x12x8', shingle roof.

Total value of improvements -- $375.00.

Value of land by types:

Type	Acreage	Value per acre	Total Value
Slope	57	$2.50	$142.50
Fg	6	$10.00	$ 60.00
Fc	5	$10.00	$ 50.00
Fr	5	$ 5.00	$ 25.00
	73		$277.50.

Summary:

Total value of land.	$277.50
Total value of orchard.	$100.00
Total value of improvements.	$375.00
Total value of timber.	$114.00
Total value of tract.	$866.50.

L. W. Farmer. Sec.

County: Madison
District: Roberson

#25 - Nicholson, Walter

Acreage Claimed: 58 Assessed 58 Deed 58

Value Claimed: $1000.00 " $174.00 " Will

Location: Nicholson Hollow on Hughes River and entirely within the Park area.

Incumbrances, counter claims or laps: None known.

Soil: Slope type, sandy loam of a fair depth and fertility; covered with loose rock and some outcrops, gentle to steep and rough slopes.

Roads: Eleven miles of secondary dirt road and ten miles of hard surface to Culpeper, the nearest shipping point.

History of tract and condition of timber: This tract has been heavily culled. The remaining standconsists of red oak, poplar, hickory and chestnut oak. 57 M. ft. @ ($1.00) - ($57.00) $2 ++ $114 ++

Improvements: Dwelling: Log, 16x28', 4 rooms, porch 6x10', shingle roof, stone flues, 1½ story, one room plastered, fair condition, occupied by owner, spring, solid foundation, value --- $275.00
Barn & shed: Log, 15x22', shingle roof, fair condition ---- 40.00
Corn crib: Log, 16x16', fair condition --- 35.00
Hen house: Log, 8x12x8', shingle roof, -- 25.00
Avg Value Impr $375 ++ $375.00

Value of land by types:

Type	Acreage	Value per acre	Total Value
Slope	57	$1.00	$57.00
Fg	6	5.00 - $10 ++	30.00
Fc	5	10.00	50.00
Fr	5	3.00 - $	15.00
	73		$152.00

Total value of land	$152.00
Total value of orchard	100.75
Total value of improvements	375.00
Total value of timber	57.00
Total value of tract	$684.75
Average value per acre	9.38

25

Claim of Walter R. 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

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 Walter R. Nicholson

My Post Office Address is Nethers 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 58 acres, on which there are the following buildings and improvements: 1 dwelling house 1 Barn 1 poultry house 75 bearing apple trees 14 young peach trees just bearing 75 Cherries

This land is located about 2 miles from Nethers 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 J. M. Jenkins

South Geo. Nicholson

East W. B. Nicholson

West " "

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

by bearing deed from J. P. Nicholson

I claim that the total value of this tract or parcel of land with the improvements thereon is $1000.00. 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 _____ 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 17th day of July, 1930.

Walter R. Nicholson

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

The undersigned hereby certifies that Walter R. 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.

L. P. Rider

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

L. P. Rider Witness

Walter M. Hamilton
Field July 18-1938
Field Office

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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. 25: 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. _____ $_____; 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;

Walter R. 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, Walter R. Nicholson, to give 5 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. 25 $ 5.00: 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 Everett 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.

Filed 1/9/34
Fiske & Lowe Assn

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

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 ____ day of May, 1934, came Walter R.Nicholson and on his motion, leave is given him to file his application for the payment of the sum of $866.50, the amount of the award set out in the judgment of condemnation for Tract No. 25 and heretofore paid into Court. And it appearing from the report of the Board of Appraisal Commissioners hereto fore 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 Walter R.Nicholson is invested with a superior or better right or claim of title in and to the said Tract No. 25, 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. 25, 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. 25 except as herein provided, and it further appearing to the Court that all taxes due or payable upon said Tract No. 25 have been paid except for the years 1927, 1932 and 1933. Upon further consideration whereof, it is considered and ordered by the Court that the sum of $866.50, paid into Court as just compensation for said Tract No. 25, be paid out and distributed as follows:

(1)	To A.H.Cave, Clerk, Madison, Virginia, delinquent taxes	$ 9.42
(2)	To B.S.Utz, Treas. Madison, Virginia, taxes for 1933	2.03
(3)	To N.G.Payne, atty. Madison, Virginia, fee and costs	12.00
(4)	To N.G.Payne, General Receiver of the Circuit Court of Madison County, Madison, Virginia, bond and interest	176.40
(5)	To Walter R.Nicholson, Nethers, Virginia, balance	631.65
(6)	To M.C.Dodson, Nethers, Virginia, note	35.00

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 fund as above provided, the items set forth aggregating the award set out in the judgment of condemnation for Tract No. 25, 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 Conserva-
tion and Development -

(Order for the Distribution
vs
(of the award - Tract No.25

D.F.Anderson and others -

Enter -

Judge -

In the Circuit Court of Madison County,Virginia:

The answer of N.G.Payne, General Receiver of the Circuit Court of Madison County, to a petition filed in the condemnation proceedings of State Commission on Conservation and Development vs D.F.Anderson and others as to Tract No.25 in the Park Area.

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

That it is true that the said Walter R.Nicholson did on the 24th day of August,1932, convey said Tract No.25 in trust to secure to your respondent the payment of a bond of $160.00, with interest thereon from the 24th day of August,1932, 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. 25,

And your respondent will ever pray, etc.

N. G. Payne Gen. Rec. Cir. Court
Madison County.

Respondent -

N. G. Payne p.d.

In the Circuit Court of Madison County,Virginia:

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

Vs(Petition of Walter R.Nicholson, owner of Tract No. 25 for 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, Walter R. Nicholson, respectfully represents:

That he is the owner of Tract No.25, being that certain tract of land situate, lying and being in Madison County, in the Robertson Magisterial District, and within the bounds of the Shenandoah National Park, and which is known and designated in the report of the Board of Appraisal Commissioners, and on the Madison County ownership map, filed in the above entitled condemnation proceedings as Tract No. 25 containing _____ acres, more or less; and,

That on the 24th day of August, 1932, your petitioner conveyed to F.P.Smith,Jr.,Trustee, the said Tract of land, known as Tract No. 25, in trust to secure to N.G.Payne, General Receiver of the Circuit Court of Madison County, the payment of a bond for $160.00, dated the 24th day of August, 1932, with interest from date, and the said bond is a valid lien upon the award made for the said land.

That the said deed of trust is the only lien binding the said land.

That the Board of Appraisal Commissioners awarded to your petitioner for the said tract of land the sum of $866.50 as compensation and damages for the taking thereof as will more fully appear from the report of the said Board of Appraisal Commissioners heretofore filed in this cause on the 2nd day of June, 1932, and which report has been duly confirmed as to the said tract of land aforesaid, and the award for the condemnation thereof ordered to be paid into the custody of this Court pursuant to an order heretofore entered therein: and

That the petition for the condemnation in these proceedings states that the said Walter R.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 statements or charge contained in said petition, nor are there any adverse claims or laps reported in connection with said tract of land.

That the taxes on the said tract of land have not been paid for the years 1927, 1932 and 1933. Th e taxes due A.H.Cave,Clerk amount to the sum of $ 5.17 and the taxes due B.S.Utz,Treas. amount to the sum of $ 2.03.

That your petitioner desires that the sum of $160.00, with interest from August 24th, 1932, be paid out of the said award, the taxes for 1927, 1932 and 1933, and the balance thereof paid to your petitioner.

Whereof your petitioner prays that the said N.G.Payne, General Receiver for the Circuit Court of Madison County, may be made a party defendant to this petition and required to answer the same; that the Court may order the distribution of the said award of $866.50 as above indicated; and that your petitioner may have all such further and other ###### general relief in the premises as the nature of his case may require, or to equity shall seem meet.

And your petitioner shall ever pray, etc.

Walter R. Nicholson Petitioner -
By Counsel -

N. G. Payne Counsel -