

Claim of W. 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. Nicholson et al

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 W. B. Nicholson
My Post Office Address is Etter Bethers 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 30 acres, on which there are the following buildings and improvements: 1 Dwelling house 1 Tenant house 1 Garage 1 granary Barn & corn house poultry house 1 wash shop

This land is located about 2 miles from Nethers Virginia, in the Roberts 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 Walter Nicholson
- South Berny Liss
- East J. R. Nicholson
- West J. W. Jenkins

I acquired my right, title, estate or interest to this property about the year 1925 in the following manner:

By buying & paying for same

I claim that the total value of this tract or parcel of land with the improvements thereon is \$1200.30. 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 5th day of July, 1930.

W. B. Nicholson

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

The undersigned hereby certifies that W. 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 5 day of July, 1930.

L. P. Rieder J.P.
Clerk of the Court, or Special Investigator or Notary Public, or Justice of the Peace.

3
B. B. Nicholson

Claim of *W. B. Richardson*
in the Circuit Court of *Madison* County, Virginia, No. *85* At Law
The State Commission on Conservation and Development of the State of Virginia, Petitioner, vs. *W. B. Richardson* Defendant.

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 *W. B. Richardson*
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 *3.5* acres, on which there are the following buildings and improvements: *1 Building, 1 Barn, 1 Shed, 1 Well, 1 Pond, 1 Road, 1 Fence, 1 Gate, 1 Post, 1 Pole, 1 Line, 1 Pipe, 1 Valve, 1 Tank, 1 Hose, 1 Nozzle, 1 Sprayer, 1 Pump, 1 Motor, 1 Generator, 1 Light, 1 Fan, 1 Stove, 1 Refrigerator, 1 Freezer, 1 Dishwasher, 1 Sink, 1 Faucet, 1 Toilet, 1 Shower, 1 Bathtub, 1 Bed, 1 Chair, 1 Table, 1 Lamp, 1 Radio, 1 TV, 1 Stereo, 1 Record Player, 1 Phonograph, 1 Turntable, 1 Amplifier, 1 Speaker, 1 Microphone, 1 Piano, 1 Organ, 1 Harmonica, 1 Guitar, 1 Banjo, 1 Mandolin, 1 Fiddle, 1 Violin, 1 Viola, 1 Cello, 1 Double Bass, 1 Drum Set, 1 Conga, 1 Bongo, 1 Maraca, 1 Tambora, 1 Cajon, 1 Kalimba, 1 Ukulele, 1 Banjo, 1 Mandolin, 1 Fiddle, 1 Violin, 1 Viola, 1 Cello, 1 Double Bass, 1 Drum Set, 1 Conga, 1 Bongo, 1 Maraca, 1 Tambora, 1 Cajon, 1 Kalimba, 1 Ukulele.*

This land is located about *3* miles from *Madison* Virginia, in the *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 *W. B. Richardson*
South *W. B. Richardson*
East *W. B. Richardson*
West *W. B. Richardson*

I have owned my right title, estate or interest to this property about the year *1927* in the following manner: *Buying & paying for same*

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 this tract or parcel of land with the improvements thereon is *\$* *1000.00*. The owner of *3.5* 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 *\$* *1000.00*. 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.

Witness my signature (or my name and mark attached hereto) this *1st* day of *July*, 1930.

To-wit: *W. B. Richardson*
STATE OF VIRGINIA, COUNTY OF *Madison*

The undersigned hereby certifies that *W. B. Richardson* 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 *1st* day of *July*, 1930.

Clerk of the Court or Special Investigator or Notary Public or Justice of the Peace
W. B. Richardson

Filed July 9th 1930
W. B. Richardson

W. B. Richardson

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. 24 :

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. 24 \$ 976.00; 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;

W. B. 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, W. B. 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. 24 \$ 7.50 : 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

STATE COMMISSION ON CONSERVATION & _____

DEVELOPMENT _____

BY Robert 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.

Just 1/9/34

State of Virginia

Virginia: in the Circuit Court of Madison County at Madison, Virginia
The State Commission on Conservation and Development of the State of Virginia
V. At Law No. 23
D. M. 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 has been entered in this case...

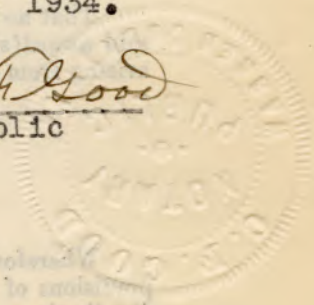
STATE OF VIRGINIA)
COUNTY OF WARREN) SS

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 H. Good

NOTARY PUBLIC Notary Public
My Commission Expires Sep. 8, 1934



Notary Public in and for the State of Virginia, do hereby certify that the foregoing is a true and correct copy of the original as the same appears to me on this 8th day of January, 1934, at the City of _____, State of Virginia.

NAME _____
STATE COMMISSION ON CONSERVATION & DEVELOPMENT

Charles H. Good

Note: A supply of this blank form has been placed in the Clerk's Office for the convenience of interested parties - This form 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,

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 24th day of January, 1934, came W.B. Nicholson,
and on his motion, leave is given him to file his application for
the payment of the sum of \$976.00, the amount of the award set out
in the judgment of condemnation for Tract No. 24, and heretofore paid
into Court, and thereupon N.G. Payne, General Receiver of the Circuit
Court of Madison County, tendered his answer to said petition, 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 W.B. Nicholson is invested with a superior or better right or
claim of title in and to the said Tract No. 24, 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. 24 have been paid, upon further consideration
whereof, it is considered and ordered by the Court that the sum of
\$976.00, paid into Court as just compensation for said Tract No. 24,
be paid out and distributed as follows:

- | | |
|---|----------------------------|
| (1) To N.G. Payne, atty. Madison, Va. for donation | \$7.50 |
| (2) To N.G. Payne, atty. Madison, Va. fee and costs | 12.00 |
| (3) To N.G. Payne, General Receiver of the Circuit
Court of Madison County, Madison, Va. | \$120.62 |
| (4) To A.H. Love judgment (T.H.D # 1986) | # 10.90 |
| (4) To W.B. Nicholson, Nethers, Va. balance | \$835.00 824.02 |

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. 24,
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,
Petitioner -

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 W.B. Nicholson, and on his motion, leave is given him to file his application for the payment of the sum of \$278.00, the amount of the award set out

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

(Order for Distribution of the award - Tract No. 24 -

D.F. Anderson and others -

Enter.

A.H.
Judge

BOOK 9 PAGE 122R
LAW ORDER

be paid out and distributed as follows:

- (1) To N.E. Payne, atty. Madison, Va. for donation \$7.50
- (2) To N.E. Payne, atty. Madison, Va. fee and costs 12.00
- (3) To N.E. Payne, General Receiver of the Circuit Court of Madison County, Madison, Va. \$120.00
- (4) To W.B. Nicholson, Kithers, Va. balance \$69.50

224

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. 24, 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:

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

Vs (Petition of W. B. Nicholson, owner of Tract No. 24 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, W. B. Nicholson, respectfully represents:

That he is the owner of Tract No. 24, 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. 24, containing _____ acres; and,

That on the 21st day of June, 1932, your petitioner conveyed to F. P. Smith, Jr., trustee, the said tract of land, known as Tract No. 24, in trust to secure to N. G. Payne, General Receiver of the circuit Court of Madison county, the payment of a bond for \$110.00, dated the 21st day of June, 1932, with interest from date, and on which said bond no interest has been paid, and that the said 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 \$976.00 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 or parcel 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 herein; and,

That the petition for the condemnation in these proceedings states that the said W. B. 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 due and unpaid on the said tract of land are as follows:

That your petitioner desires to have the said taxes paid out of the said award, and also the said sum of \$110.00 with interest thereon from the 21st day of June, 1932, and the balance thereof paid to your petitioner.

Wherefore your petitioner prays that the said N. G. Payne, general receiver of 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 \$976.00 as above indicated; and that your petitioner may have all such further and other and general relief in the premises as the nature of his case may require, or to equity shall seem meet.

And your petitioner will ever pray, etc -

W B Nicholson Petitioner -

Counsel -