

County: Madison
District: Roberson

Claimant #91 - Nicholson, Wheeler.

Acreage Found: 56- Assessed 74 Deed 73.

Location: Roberson River. Entirely within the Park Area.

Incumbrances, counter claims or laps: None known.

Soil: Sandy loam of a fair depth and fertility, very rocky over most of the area, slopes are moderate steep.

Roads: 8½ miles via dirt road to Criglersville, 18 miles of hard surface road to Culpeper, the nearest shipping point.

History of tract and condition of timber: Most of the saw timber was removed from this tract a few years ago by the present owner, the remaining stand consists of about 20 M saw timber of poor quality.

Improvements: 20 M saw timber @ \$2.00 per M. \$40.00.

Value of land by types:

<u>Type</u>	<u>Acreage</u>	<u>Value per acre</u>	<u>Total Value</u>
Cove	8	\$3.00	\$24.00
Slope	48	\$2.00	\$96.00
	<u>56</u>		<u>\$120.00.</u>

Summary:

Total value of land.	\$120.00
Total value of timber.	\$ 40.00
Total value peach & apple trees.	\$ 7.00
Total value of tract.	<u>\$167.00.</u>

L. W. Farmer, Sec.

County: Madison
District: Roberson

91 Nicholson, Wheeler

Acreage claimed: 74A Assessed 74 Deed 73
Value claimed: \$800 " \$222 " \$200-1924

Location: Roberson River, Entirely within the Park area

Incumbrances, counter claims or laps: None known

Soil: Sandy loam of a fair depth and fertility, very rocky over most of the area, slopes are moderate steep

Roads: 8½ miles via dirt road to Criglersville, 18 miles of hard surface road to Culpeper, the nearest shipping point

History of Tract and Condition of Timber: Most of the saw timber was removed from this tract a few yrs. ago by the present owner the remaining stand consists of about 20 M saw timber of poor quality

Improvements: 20 M saw timber @ \$2.00 per M \$40.00

Value of land by types:

<u>Type</u>	<u>Acreage</u>	<u>Value per acre</u>	<u>Total Value</u>
Cove	8	\$2.00	\$16.00
Slope	48	1.00	48.00
	<u>56</u>		
Total value of land		\$64.00	
Total value of timber		40.00	
Total value of tract		104.00	
Average value per acre		1.86	

91

Claim of Wheeler 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. H. W. Anderson & others

74 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 Wheeler Nicholson
My Post Office Address is Emmet - Plover Sta. 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 74 acres, on which there are the following buildings and improvements:

This land is located about 2 miles from Old Rag Virginia, in the Nicholson 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 Henry Smith, & Walker Correy
South Emma Nicholson
East Emmet Land
West Henry Smith

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 \$ 800.00. 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 \$ 800.00.

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 21 day of July, 1930. Wheeler Nicholson

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

The undersigned hereby certifies that Wheeler 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 21 day of July, 1930.

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

Richard Richardson

Filed July 21, 1930

Walter A. H. Carr, Clerk

Claim of *Richard Richardson*
In the Circuit Court of *Madison County, Virginia*
The State Commission on Conservation and Development of the State of Virginia, Petitioner, vs. *Richard Richardson*

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 *Richard Richardson*
My Post Office Address is *Madison County, Virginia*

I claim a right, title, estate or interest in a tract or parcel of land within the area sought to be condemned, containing about *1/4* acres, on which there are the following buildings and improvements:

This land is located about *2* miles from *Madison County, 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 owner

The land owners adjacent to the above described tract or parcel of land are as follows:
North *Richard Richardson*
South *Richard Richardson*
East *Richard Richardson*
West *Richard Richardson*

I required my right, title, estate or interest to this property about the year *1928* in the following manner:
Richard Richardson

I claim that the total value of this tract or parcel of land with the improvements thereon is *\$2000*. 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 *\$2000*. I am the owner of *1/4* 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 *21* day of *July* 1930.

STATE OF VIRGINIA, COUNTY OF *Madison*
The undersigned hereby certifies that *Richard 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.
To-wit: *Richard Richardson*
this *21* day of *July* 1930.

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

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. 91 :

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. 91 ----- \$167.00 ; 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;

Wheeler 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, Wheeler Nicholson, to give 2 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. 91 ----- \$2.00 ----- : 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 Collett 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

State of Virginia

The State Commission on Conservation and Development of the State of Virginia
In the Circuit Court of Madison County at Madison, Virginia
D. Y. Anderson and others vs. E. K. Stokes (85,000) et al.
DEFEENDANTS

That a judgment in your favor has been entered in this case
Petitioner for the simple estate in the tract(s) of land numbered
Tract No. _____

and described in the report of the Board of Appraisal Commissioners appointed herein and shown, non-
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 dis-
tributive shares of condemnation awards in the Shenandoah
National Park condemnation proceedings pending in the Circuit
Courts of Virginia, by reason of contracts and agreements en-
tered into with the owners of lands sought to be condemned in
these proceedings, and that the within claim is just and cor-
rect.

Witness my signature this 8th day of January, 1934.

Charles H. Good

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



No. _____
The undersigned further aver(s) that: (Leave this space blank unless there is some other part
next matter to be brought to the attention of the court.)
_____ \$ _____
_____ : Tract No. _____
_____ : Tract No. _____

STATE COMMISSION ON CONSERVATION & DEVELOPMENT
NAME _____
F. O. ADDRESS _____

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 reasons 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.

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 Wheeler Nicholson and on his motion, leave is given him to file his application for the payment of \$167.00, the amount of the award set out in the judgment of condemnation for Tract No. 91 and heretofore paid into Court. 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 Wheeler Nicholson is invested with a superior or better right or claim of title in and to the said Tract No. 91 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. 91 or to the proceeds arising from the condemnation of said Tract No. 91. And it further appearing to the Court that all taxes due or payable upon said Tract No. 91 have been paid except for the years 1932 and 1933. Upon consideration whereof, it is considered and ordered by the Court that the sum of \$167.00, paid into Court as just compensation for Tract No. 91 be paid out and distributed as follows:

(1) To A.H.Cave, Clerk, Madison, Va. for taxes 1932	\$5.14
(2) To B.S.Utz, Treas. Madison, Va. for taxes 1933	4.07
(3) To N.G.Payne, atty. Madison, Va. for Donation to Park	2.00
(4) To K.R.Payne, Madison, Va. bond and interest	60.42
(5) To N.G.Payne, atty. Madison, Va. fee and costs	7.00
(6) To Wheeler Nicholson, Grimes, Virginia, balance	88.37

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. 91, 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.

provided by law.

such payment to the Clerk of this Court for appropriate entry thereof, as to whom the fund is payable as aforesaid receipts therefor, and certifying in the judgment of condemnation for Tract No. 91, taking from said parties above provided, the items above set forth aggregating the award set out of this order to the Treasurer of Virginia who shall pay out said fund as

- (6) To Wheeler Nicholson, Grimes, Virginia, balance 88.97
- (5) To N. G. Payne, Atty. Madison, Va. fee and costs 7.00
- (4) To K. R. Payne, Madison, Va. bond and interest 80.45
- (3) To W. G. Payne, Atty. Madison, Va. for Donation to Park 2.00
- (2) To B. S. Uitz, Treas. Madison, Va. for taxes 1933 4.07
- (1) To A. H. Cave, Clerk, Madison, Va. for taxes 1932 25.14

led as follows:

into Court as just compensation for Tract No. 91 be paid out and distributed. It is considered and ordered by the Court that the sum of \$167.00, paid been paid except for the years 1932 and 1933. Upon consideration whereof, ing to the Court that all taxes due or payable upon said Tract No. 91 have

Judge -

Enter - *[Signature]*

State Commission on Conservation and Development -

(Order for the Distribution of the award - Tract No. 91 Vs D.F. Anderson and others -

proceeds arising from the condemnation of said Tract No. 91. And it further appears that this award does not disclose any denial or dispute by any party or parties in this case and in the petition for judgment and condemnation entered from the report of the Board of Appraisal Commissioners heretofore filed on Tract No. 91 and heretofore paid into Court. And it appearing of \$167.00 the amount of the award set out in the judgment of condemnation his motion, leave is given him to file his application for the payment

LAW ORDER BOOK 9 PAGE 151

On this, the 2nd day of February, 1934, came Wheeler Nicholson and on

in Madison County, Virginia; D.F. Anderson and others and 66,000 acres of land

Defendants -

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

Petitioner -

In the Circuit Court of Madison County, Virginia;

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. 91 : 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. 91 \$ 167.00, 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;

Wheeler 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:—

Your undersigned claims the entire fee simple interest in said tract of land, and also in the award -

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:

There is due K. R. Payne the sum of \$60.00 with interest thereon from the 27th day of December, 1933, and which is secured by a deed of trust on said land recorded in Madison county clerk's office in deed of trust book 8, page 116 -

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. 91 \$ 167.00 : 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
<u>Wheeler Nicholson</u>	<u>Grimes, Virginia -</u>
_____	_____
_____	_____
_____	_____

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.

This is to certify that there are delinquent taxes of record in my office to the amount of \$ 5.14 ... against the tract of land owned by ... Wheeler Nicholson..... which is designated as Tract No. 91; 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 31 . day of . January., 1934..

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

By *Bertha W. Patti* Deputy
Clerk

This is to certify that there are 1933 taxes of record
in my office to the amount of \$ 4.07 .. against the tract of land
owned by .. Wheeler Nicholson
..... which is
designated as Tract No. ; 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 1st day of February, 1934 ..

.....
B. S. Utz

Treasurer, Madison County, Virginia

By .. *J. B. Gray* Deputy
Treasurer