

County: Madison  
District: Roberson

Claimant #73 - Smith, F. P.

Acreage Found: 26 Assessed 238.

Location: U. S. Positions 27 & 28. Part outside of the Park Area.

Incumbrances, counter claims or laps: None known.

Soil: Sandy loam of a good depth and fertility. Slope type steep but fairly smooth. No sign of any recent burn.

Roads: 10 miles via dirt road and 10 miles via hard surface to Culpeper, the nearest shipping point.

History of tract and condition of timber: There is about 72M bd. ft. of good merchantable timber on this tract, consisting of Red O. W. O. and chest, oak, poplar and a small amount of hickory and white pine. 72M @ \$5.00 per M. \$360.00.

Value of land by types:

<u>Type</u>	<u>Acreage</u>	<u>Value per acre</u>	<u>Total Value</u>
Cove	26	\$5.00	\$130.00

Summary:

Total value of land.	\$130.00
Total value of timber.	\$360.00
Total value of tract.	<u>\$490.00.</u>

*L. W. Farmer, Sec.*

County: Madison  
District: Roberson

Claimant #73-a - Smith, F. P.

Acreage Found: 160                      Assessed 490 A.

Location: U. S. Positions #41-#42-#43 and partly outside the Park  
Area.

Incumbrances, counter claims or laps: None known.

Soil: Sandy loam, slope type of a fair depth and fertility,  
some loose rock. The grazing land is fairly well  
sodded, some persimmons and briars.

Roads:

History of tract and condition of timber: None.

Value of land by types:

Type	Acreage	Value per acre	Total Value
Slope	139	\$2.50	\$347.50
Fr	9	\$5.00	\$45.00
Fg	12	\$12.00	\$144.00
	<hr/> 160		<hr/> \$536.50

Summary:

Total value of land.	\$536.50
Total value of timber.	90.00
	<hr/> \$626.50.

L. H. Farnum, Sec.

County: Madison  
District: Roberson

#73 Smith, F.P.

Acreage Claimed: 50                      Assessed 238A                      Deed Not given

Value Claimed: \$1000                      "                      \$3880.00                      "

Location: U.S. Positions 27 & 28. Part outside of the Park area.

Laps: None known

Soil: Sandy loam of a good depth and fertility. Slope type steep but fairly smooth. No sign of any recent burn.

Roads: 10 miles via dirt road and 10 miles via hard surface to Culpeper, the nearest shipping point.

History of tract and condition of timber: There is about 72M bd.ft. of good merchantable timber on this tract, consisting of Red O. W. O and chest. oak, poplar and a small amount of hickory and white pine. 72M ~~(3.50)~~ <sup>\$3.00</sup> per M. (\$252.00) ~~\$360.~~ <sup>xx</sup>

<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>
Slope	26	1.50	\$39.00

Total value of land	\$39.00
Total value of timber	252.00
Total value of tract	291.00
Average value per acre	11.19

County: Madison  
District: Roberson

#73-a - Smith, F. P.

Acreage Claimed: 290 A.                      Assessed 490 A.                      Deed  
Value Claimed: \$4350.00                      "                      \$3430.00                      "Inherited.  
Area; 160 A. By Actual Survey.  
Location: U. S. Positions #41-#42-#43 and partly outside the Park  
area.

Incumbrances, counter claims or laps: None known.

Soil: Sandy loam, slope type of a fair depth and fertility,  
some loose rock. The grazing land is fairly well sodded,  
some persimmons and briars.

Roads:

History of tract and condition of timber: Most of the saw timber has  
been removed from this tract. The remaining stands consist  
of red and chestnut oak and some poplar - about 30 H. Bd.  
ft @ (~~\$2.00~~) per H.                      --                      (~~\$60.00~~)  
*\$3.00*    *\$90.00*

Improvements: None.

Value of land by types:

<u>Type</u>	<u>Acreage</u>	<u>Value per acre</u>	<u>Total Value</u>
Slope	139	\$2.00	\$278.00
Fr	9	4.00	36.00
Fg	12	10.00	120.00
	<u>160</u>		<u>\$434.00</u>

Total value of land                      \$434.00  
Total value of timber                      60.00  
Total value of tract                      494.00  
Average value per acre                      \$3.09

73

Claim of Heirs of J. P. Smith  
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 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 J. P. Smith Jr.

My Post Office Address is Madison

I claim a right, title, estate or interest in a tract or parcel of land within the area sought to be condemned, containing about 50 acres, on which there are the following buildings and improvements:

This land is located about 1/2 miles from Ellou 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).

Joint owner

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

North R. C. Castle

South Remainder of tract

East C. J. Fingers est.

West A. S. Rider

I acquired my right, title, estate or interest to this property about the year 1928 in the following manner:

By inheritance

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: taken from Mrs. J. N. Core, Mrs. J. L. Banks, Mrs. J. B. Core & A. S. Smith, whom I represent.

(Continue remarks if necessary on the back).

Witness my signature (or my name and mark attached hereto) this 12 day of July, 1930.

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

The undersigned hereby certifies that J. P. Smith Jr. 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 12 day of July, 1930.

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

Claim of \_\_\_\_\_  
in the Circuit Court of \_\_\_\_\_ County, Virginia, No. \_\_\_\_\_  
The State Commission on Conservation and Development of the State of Virginia, Petitioner, vs \_\_\_\_\_

more or less of land in \_\_\_\_\_ 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 \_\_\_\_\_ County, Virginia, asks leave of the Court to file this as his answer to said petition and to said notice.

My name is \_\_\_\_\_  
My Post Office Address is \_\_\_\_\_

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

This land is located about \_\_\_\_\_ miles from \_\_\_\_\_  
the \_\_\_\_\_ 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 the 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 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 \_\_\_\_\_  
South \_\_\_\_\_  
East \_\_\_\_\_  
West \_\_\_\_\_

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

I claim that the total value of this tract or parcel of land with the improvements thereon is \$ \_\_\_\_\_  
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 \_\_\_\_\_ day \_\_\_\_\_ 1930.

To-wit: \_\_\_\_\_  
STATE OF VIRGINIA, COUNTY OF \_\_\_\_\_  
The undersigned hereby certifies that \_\_\_\_\_ 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, and things appearing in his above answer are true to the best of his knowledge and belief, this \_\_\_\_\_ day of \_\_\_\_\_ 1930.

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

*F. P. Smith Ex.*  
*Filed July 12-1930*  
*John A. [unclear]*

Claim of Hirs of F. P. Smith  
In the Circuit Court of Madison County, Virginia, No. 87, At Law.  
The State Commission on Conservation and Development of the State of Virginia, Petitioner, vs. W. D. Anderson 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 F. P. Smith Jr.  
My Post Office Address is Madison

I claim a right, title, estate or interest in a tract or parcel of land within the area sought to be condemned, containing about 290 acres, on which there are the following buildings and improvements: none

This land is located about 2 miles from Etlan 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).  
Joint owner

The land owners adjacent to the above described tract or parcel of land are as follows:  
North O. R. Brown, Raymond & Goodell  
South Remainder of F. P. Smith tract  
East O. R. Brown  
West A. B. Smith

I acquired my right, title, estate or interest to this property about the year 1928 in the following manner: By inheritance

I claim that the total value of this tract or parcel of land with the improvements thereon is \$ 4350.00. 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: Other owners whom I represent Mrs. J. M. Clove, Mr. F. L. Baugh, Mrs. A. C. Care & F. P. Smith

(Continue remarks if necessary on the back).

Witness my signature (or my name and mark attached hereto) this 12 day of July, 1930.

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

The undersigned hereby certifies that F. P. Smith Jr. 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 12 day of July, 1930.

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

Claim of *W. P. Pruitt*  
In the Circuit Court of *Madison* County, Virginia, No. *15*, At Law.  
The State Commission on Conservation and Development of the State of Virginia, Petitioner, vs. *W. P. Pruitt*

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. P. Pruitt*  
My Post Office Address is *Madison*

I claim a right, title, estate or interest in a tract or parcel of land within the area sought to be condemned, containing about *2.90* acres, on which there are the following buildings and improvements:

This land is located about *2* miles from *Madison* the *Madison* 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 the owner or joint owner and if joint owner give names of the joint owners. If claimant is not owner or joint owner he should set out exactly what right, title, estate or interest he claims in 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. P. Pruitt*  
South *W. P. Pruitt*  
East *W. P. Pruitt*  
West *W. P. Pruitt*

I acquired my right, title, estate or interest in this property about the year *1930* in the following manner:  
*by inheritance*

I claim that the total value of this tract or parcel of land with the improvements thereon is \$*4320*. 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 *2.90* 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: *Other owners within Park area*

(Continue remarks if necessary on the back.)  
Witness my signature (or my name and mark attached hereto) this *15* day

of *July* 1980.  
STATE OF VIRGINIA, COUNTY OF *Madison*  
To-wit: *W. P. Pruitt*

The undersigned hereby certifies that 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 *15* day of *July* 1980.

Clerk of the Court or Special Investigator or Notary Public or Justice of the Peace.  
*W. P. Pruitt*

*W. P. Pruitt Ed.*  
*Filed July 12 - 1980*  
*J. H. Patton*



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 I.D. Weakley and E. Reid Call (purchasers of Tract No. 73 known as F.P. Smith's heirs in the report of the Board of Appraisal Commissioners, and which land was sold by N.G. Payne, Trustee under a deed of trust executed by the heirs at law of the late F.P. Smith) and on their motion, leave is given them to file their application for the payment of \$490.00, the amount of the award set out in the judgment of condemnation for Tract No. 73 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 petitioner the said I. D. Weakley and E. Reid Call are invested with a superior or better right or claim of title in and to the said Tract of land No. 73 or to the proceeds arising from the condemnation thereof, and are therefore entitled to receive the proceeds arising from the condemnation of said Tract No. 73, except as herein provided, and it further appearing to the Court that all taxes due or payable upon said Tract No. 73 have been paid. Upon consideration whereof it is considered and ordered by the Court that the sum of \$490.00 paid into Court by petitioner as just compensation for Tract No. 73 be paid out and distributed as follows:

- (1) To N. G. Payne, atty. Madison, Va. fee and costs \$ 12.00
- (2) To State Bank of Madison, Madison, Va. balance 478.00

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. 73, 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.

appropriate entry thereof, as provided by law.

therefor, and certifying such payment to the Clerk of this Court for from said parties to whom the fund is payable as aforesaid, receipts award set out in the judgment of condemnation for Tract No. 73, taking said fund as above provided, the items set forth aggregating the copy of this order to the Treasurer of Virginia, who shall pay out

And the Clerk of this Court is directed to transmit a certified

(S) To State Bank of Madison, Madison, Va. balance \$78.00

(1) To N. E. Payne, atty. Madison, Va. fee and costs \$ 12.00

action for Tract No. 73 be paid out and dis tributed as follows:

that the sum of \$490.00 paid into Court by petitioner as just compen- Upon consideration whereof it is considered and ordered by the Court that all taxes due or payable upon said Tract No. 73 have been paid. redemption of said Tract No. 73, and it further appearing to the Court that all taxes due or payable upon said Tract No. 73 have been paid. except as herein provided,

Therefore entitled to receive the proceeds arising from the con- No. 73 or to the proceeds arising from the condemnation thereof, and or better right or claim of title in and to the said Tract of land

Judge -

Enter

the said D. Weakley and E. Reid Call are invested with a superior the said day of December, 1933, that, in the opinion of petitioner and in the petition for judgment and condemnation entered herein of the Board of Appraisals and Commissioners heretofore filed in this case and herebefore paid to Court. And it appearing from the report given them to file their application for the payment of \$490.00 the law of the late F.P. Smith) and on their motion, leave is given them to file their application for the judgment of condemnation for the tract of land herebefore paid to Court. And it appearing from the report of the Board of Appraisals and Commissioners, and which land the report of the Board of Appraisals and Commissioners, and which land

State Commission on Conserva-  
tion and Development -  
(Order for Distribution of  
Vs (of the award - Tract No. 73 -  
D.F. Anderson and others -

E. Reid Call (purchasers of Tract No. 73 known as F.P. Smith's heirs in On this, the 22nd day of February, 1934, came I.D. Weakley and

D. F. Anderson and others and 55,4000 acres of Defendants -  
Land in Madison County, Virginia,

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

In the Circuit Court of Madison County, Virginia;

LAW ORDER  
BOOK 9 PAGE 147 and 148

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. 73 : 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. 73 \$ 490.00; 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;

F. P. Smith's Heirs - That since the filing of the report of the Board of Appraisal Commissioners, the said land was sold by N.G. Payne, trustee, and purchased by the undersigned, I.D. Weakley and E. Reid Call - See deed book 51, page 469 -

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 undersigned I.D. Weakley and E. Reid Call own the said land in fee simple, subject to a deed of trust on the said land for \$4000.00 - See deed of trust book 8, page 44 -

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 State Bank of Madison, Incorporated, holder of the said deed of trust -

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. 73 \$ 490.00: 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)

The taxes on the said land up to and including the year 1933 have been paid -

NAME	P. O. ADDRESS
<u>I. D. Weakley</u>	<u>Etlan, Virginia</u>
<u>E. Reid Call</u>	<u>Etlan, Virginia -</u>
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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 .No . . . . 1933 taxes of record  
in my office to the amount of \$ . . . . . against the tract of land  
owned by . . . Heirs of F. P. Smith, Sr. . . . .

. . . . . which is  
designated as Tract No. 73 . . . ; 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 . . . . day of . . . . ., 193 . . .

*P. S. [Signature]*

Treasurer, Madison County, Virginia

By . . . . . Deputy  
Treasurer

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 ... Heirs of F.P. Smith, Sr., Dec'd. .... which is designated as Tract No. 73. ....; 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. Core*, ..... Clerk..  
Circuit Court, Madison County, Virginia  
By *Bertha M. Patti* ..... Deputy  
Clerk

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 January, 1934, came N.G. Payne, Trustee, and on his motion, leave is given him to file his application for the payment of the sum of \$626.50, the amount of the award set out in the judgment of condemnation for Tract No. 73-a and heretofore paid into Court, and thereupon R.S. Graves has 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 \_\_\_\_ day of December, 1933, that, in the opinion of the petitioner, the said N.G. Payne, Trustee, is invested with a superior or better right or claim of title in and to the said Tract of land No. 73-a, 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 taxable upon said Tract No. 73a- have been paid; upon consideration whereof, it is considered and ordered by the Court that the sum of \$626.50, paid into Court as just compensation for said Tract No. 73-a, be paid out and distributed as follows:

- (1) To N.G. Payne, atty. Madison, Virginia, fee and costs, \$12.00;
- (2) To N.G. Payne, Trustee, *State Bank of Madison*, Madison, Virginia, balance, \$614.50

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. 73-a, taking from said parties to whom the fund is payable as aforesaid, receipts therefor, and and certifying such payment to the Clerk of this Court for appropriate entry thereof, as provided by law.

entry thereof, as provided by law.

and certifying such payment to the Clerk of this Court for appropriate parties to whom the fund is payable as aforesaid, receipts therefor, and in the judgment of condemnation for Tract No. 73-a, taking from said

above provided, the items above set forth aggregating the award set out this order to the Treasurer of Virginia, who shall pay out said fund as

And the Clerk of this Court is directed to transmit a certified copy of

(S) To N.G. Payne, Trustee Madison, Virginia, balance \$614.50

(1) To N.G. Payne, atty. Madison, Virginia, fee and costs, \$15.00;

penalton for said Tract No. 73-a, be paid out and distributed as follows:

ordered by the Court that the sum of \$628.50, paid into Court as just com-

No. 73-a- have been paid; upon consideration whereof, if its considered and

ther appearing to the Court that all taxes due or taxable upon said Tract

from the condemnation thereof except as hereinafter provided, and it fur-

little in and to the said Tract of land No. 73-a, or to the proceeds arising

Payne, Trustee, as invested with a superior or better right or claim of

ay of December, 1933, that, in the opinion of the petitioner, the said N.G.

the petition for judgment and condemnation entered herein on the \_\_\_\_\_

Board of Appraisal Commissioners, heretofore filed in this cause, and

work hereby accordingly filed, and it appearing from the report of

in the report of R. S. Graves has tendered his answer to said petition, which

of the sum of \$628.50, the amount of the award set out in the judg-

on his motion, leave is given him to file his application for the pay-

State Commission on Conservation and Development -  
(Order for Distribution of  
Vs (the award - Tract No. 73-a

D. F. Anderson and others -

Enter -

*[Handwritten signature]*

Judge -

LAW ORDER  
BOOK 9 PAGE 112

On this, the \_\_\_\_\_ day of January, 1934, came N.G. Payne, Trustee, and

Land in Madison County, Virginia, Defendants -

D. F. Anderson and others, and 55,000 acres of

as

The State Commission on Conservation and Development of the State of Virginia, 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. 73-a : 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. 73-a \$ 626.50; 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;

Heirs at law of F. P. Smith - Since the filing of the report of the Board of Appraisal Commissioners, the said land was sold by N. G. Payne, Trustee, to R. S. Graves - The purchaser has not paid for the land, and has no deed therefor -

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 undersigned trustee is entitled to the entire award for the said tract of land, the said land being a part of a larger tract, and the award, when paid to N. G. Payne, trustee, will be applied to the amount due on the purchase price for the said land -

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 -

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. 73-a \$ 626.50: 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)

All of the taxes against the said land up to and including the year 1933 have been paid -

NAME	P. O. ADDRESS
<i>N. G. Payne Trustee</i>	<i>Madison, Va</i>

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 <sup>no</sup> . . . . . 1933 taxes of record  
in my office to the amount of \$ . . . . . against the tract of land  
owned by . . . F. P. Smith . . . . .

. . . . . which is  
designated as Tract No. 73 . . . ; Tract No. 73-A . . . ; 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 19<sup>th</sup> day of January . . . . ., 1934 . .

. . . . . B. S. Utz . . . . .

Treasurer, Madison County, Virginia

By . . . J. B. Frey . . . . . Deputy  
Treasurer

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 ..F.P.Smith, Jr.,..... which is designated as Tract No. 73-a...; 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 .18. day of ..January...., 1934..

*W. H. Love* ..... Clerk..  
Circuit Court, Madison County, Virginia

By ..... Deputy  
Clerk