

CLAIM

of

R. D. KOONTZ

R. D. Koontz, a witness of lawful age, being first duly sworn, deposes as follows:

DIRECT EXAMINATION: Mr. Price.

Q. Is your name R. D. Koontz?

A. It is.

Q. How old are you?

A. 56.

Q. Where do you live?

A. Marksville, Page County, Virginia.

Q. What relation, if any, were you to the late C. G. Koontz?

A. His son.

Q. You alleged in the answer on file of E. C. Koontz, C. M. Koontz, an infant, Vance H. Koontz, and yourself, that your father died seised and possessed of a tract of land containing 1111 acres. Is that correct?

A. Yes sir.

Q. I will ask you to file with the Appraisal Commissioners, a description of this land by metes and bounds as contained in your answer.

A. I will do that.

By Mr. Price: I have the answer here that I will file gentlemen.

Q. Mr. Koontz, what is your occupation?

A. Farming.

Q. You own any farm lands in the Valley of Virginia, in Page County?

A. Yes sir.

Q. Who has interest in this 1111 acres of land that they are undertaking in these proceedings to condemn?

A. C. M., R. D., E. C., and Vance H. Koontz.

Q. The three first names were sons and the last was a grandson?

A. Yes sir.

Q. Who was Vance Koontz's father?

A. Glenn Koontz.

Q. Is he dead?

A. He is.

Q. Is this his only heir at law?

A. His only heir.

Q. He died before your father?

A. Yes sir.

Q. Is your mother living?

A. Yes sir.

Q. Has she any dower interest in this land?

A. No.

Q. Her dower interest in this 1111 acres of land was taken into consideration in assigning her home tract?

A. Yes. She has no interest in this whatever.

Q. Mr. Koontz, were you born and reared on a farm?

A. I was.

Q. Will you state to the Commission what opportunity you have had to know about the values of land in this section of the country where this land is located, this 1111 acres?

A. I have worked on it all my life. I went over there and cleaned it up when it was only a forrest there. For sixteen years straight, I sawed the timber, cut it, cleared up the land, and worked from 40 to 75 men there every summer for fifteen years.

Q. In the meantime, did your father have grazing cattle there?

A. Yes, all the time, but he didn't graze so many at this time of course.

Q. What do you consider the value of the entire tract?

A. \$35,000.00.

Q. You think that is a conservative value of it.

A. I really think I put it in too cheap.

Q. Would you be at all willing to sell, and what would you ask for it if it wasn't for the condemnation?

A. I could have sold it for more money if it wasn't for the condemnation.

Q. How many acres has been cleared up and in sod?

A. About 700 acres.

Q. What is the character of that land?

A. Rich blue grass land. All you have got to do is cut down the brush and it is really better there than where it has all been cleared out.

Q. Some brush on this sod land?

A. Some, and in connection with the sod, it is really better and more valuable to the place than where we have just the blue grass.

Q. What do you think this 700 acres of land is worth Mr. Koontz?

A. The 700. I don't know. I priced it as a whole but I would say that the 700 acres is worth \$35,000.00 itself.

By Mr. Armstrong: You mean \$35.00 an acre?

A. Yes, I think it is worth that.

Q. I want you to tell the Commissioners whether it is good grazing land for cattle.

A. It certainly is. Here like last year we wouldn't have had any grass at all where the people graze heavy cattle. A good many people had to sell their cattle on account of it. Some people asked me to graze their cattle and keep them on my place a short while and some of the cattle in twenty days, took on 75 pounds.

Q. Were they weighed when they were taken on your place and taken off.

A. No., but they had nothing to eat and were turned in my place. It was all right to keep them there until they could sell them so they were put on.

Q. How many cattle will that 1111 acres of land in your judgment carry?

A. Well, the shape it is in now, 250 heads of cattle and 500 sheep.

Q. What about the water on this tract of land Mr. Koontz?

A. Its fine. There wasn't but one spring that dried up last year on my place.

Q. Wasn't last year unusually dry weather?

A. Unusually dry weather. It didn't get me out of water though. Mine still held up.

Q. Are these springs free running?

A. Free running.

Q. Is there a spring now that runs from the mountain top to Dark Hollow?

A. A heavy stream all the time.

Q. I want you to tell the Commission if the water is fine water for cattle. How does the grass and water both seem?

A. Well, yes it is good grass and water. Both seem to be good. The flies are not bad because as far as the brush is concerned, they can go in there and knock the flies off.

Q. Describe the character of this land, Mr. Koontz. Tell the Commissioners where this land lies.

A. Well, it lies right on the backbone of the Blue Ridge Mtns.

Q. Is this a table land on the mountain? Is a very large area of it in table land? A man looking at it from the valley would be surprised to see that much land on the top, wouldn't he?

A. Yes sir, to see that much land on top of the mountain, they would be surprised.

Q. What is the length of the grazing season.

A. 5½ or 6 months. You can run them there for six months but usually we do not. Yes, ^{we} can keep them there for six months.

Q. You now have cattle on the mountain tract.

A. When the weather gets warm, we take them up on the mountain tract and when the weather gets cold, we bring them back down. They hold their weight better that way.

Q. What will an average 800 pound steer put on up there in the grazing season?

A. 300 to 325 pounds I think.

Q. Lighter cattle will put on 200 pounds?

A. About 200 pounds.

Q. Mr. Koontz, as one of the owners of this tract of land, I suppose you desire the Commissioners to take a view of the property?

A. I will meet them and take them up there any time.

CROSS EXAMINATION: Mr. Armstrong.

Q. Mr. Koontz, are you your fathers oldest son?

A. No sir.

Q. I didn't catch what you said your age was.

A. 56.

Q. How long did your father own this property prior to his death.

A. About 40 years I expect.

Q. Was it all in one tract?

A. I can't answer that question.

Q. You don't know?

A. No sir.

Q. You know what it originally cost him?

A. I don't know, but I know he spent \$1,000.00 dollars a year for 15 years, making a total of \$15,000.00 dollars. I have a record for that much of it but since then I haven't known.

Q. I ask you, do you know the original worth?

A. No I don't.

Q. He had saw mills?

A. Stave mills.

Q. There was never any valuable saw timber?

A. Yes there was.

Q. He never sawed any?

A. No sir.

Q. He just cut it up in staves?

A. Yes.

Q. He didn't get much out of it?

A. No, just expenses. He cut the timber off the land for grazing purposes.

Q. Just about broke even?

A. Yes.

Q. How long has your father been dead?

A. About three years.

Q. At the time of his death, what other real estate did he have?

A. The home tract.

Q. How many acres?

A. 222 acres.

Q. What other real estate?

A. 105 acres in the Parks Place.

Q. Where was that, in Page County?

A. Page County.

Q. That is in the park area in Page?

A. Yes sir, in the park area.

Q. In addition to that, he owned 1111 acres in Madison?

A. Yes sir.

Q. What land was allotted to your mother as her dower?

A. The land lying East of the road, that with all the buildings, the home tract, the 222 acres.

Q. The 222 acres, that with all the buildings was allowed your mother as her dower?

A. No. It was sold subject to her dower interest and her dower was sent her, and everything East of the road in the entire estate.

By Mr. Price: 120 acres, not the 222 acres.

Q. She was left 120 acres as her dower with the buildings and all on the 120 acres.

A. Yes sir..

Q. What value was put on her dower?

A. I don't know what value was. I don't think it was valued.

Q. When you say that they didn't value it, wasn't her dower laid off to her by commissioners.

A. It was.

Q. Did they value it?

A. Did they value it.

Q. Yes.

A. Not in figures. Just in addition with the other lands, her dower was given her out of this part of the land.

Q. What value was put on your fathers land, the whole estate?

A. I don't know.

Q. What value did the Commissioners put on this 1111 acres?

A. The Commissioners put on this 1111 acres?

Q. Yes.

A. I don't know.

Q. Were you present at the time the Commissioners valued the property?

A. I was.

Q. Can you recall any assessment they made so as to be able to tell the value of the 222 acres for your mothers dower interest of your fathers land?

A. No, but they thought the dower a fair dower interest and we were all satisfied with it.

Q. Do you know whether or not the report of the Commissioners is on file in Page County, showing the value of this property or not.?

A. I wouldn't think so.

Q. What became of the rest of the lands of your fathers? Have they ever been divided among your fathers children?

A. The home tract, you mean?

Q. All the tracts. What I am trying to ask you is, has your fathers estate ever been divided or is it still in a whole?

A. I bought part of it - -

Q. You mean that you bought the 222 acres, her dower interest?

A. She didn't have any dower interest ^{any but} in/the 222 acres.

Q. In the 222 acres. Did you buy your mother's dower interest?

A. Have I bought her dower interest?

Q. Yes.

A. I haven't bought her dower interest.

Q. How much taxes do you pay on the 1111 acres in Madison County annually?

A. \$68.00 and a few cents. I don't know, but it is \$68.00 something.

Q. You remember the assessed value per acre?

A. No.

Q. You say you could have sold this 1111 acres but for the fact that the condemnation proceedings to take it for a park?

A. I have had several opportunities and people would have bought it as it stood but they wouldn't buy anything in the park area.

Q. It is for sale.

A. No.

Q. If you could have sold it and it isn't for sale, you haven't been hurt much.

A. No, but I could have sold it. There are certain parts that I don't need.

Q. Did anyone ever make you an offer for the 1111 acres?

A. I just don't recall the facts.

Q. Well, when you say that you could have sold it but for the proceedings to take it for a park, you are merely stating it from your opinion and not based on any actual offer for the land?

A. Yes, this is my opinion.

Q. As a matter of fact, you have received no offer for this 1111 acres at all, nor for any part of it.

A. No.

Q. You managed it last year for your fathers estate, didn't you?

A. Yes sir.

Q. Did you have any of it in a crop?

A. No, just garden.

Q. Did you manage it year before last for your father?

A. Yes sir.

Q. Did you have any of it in crop?

A. Just garden.

Q. Last year - - can you give the Board an estimate of your income from this tract of land for last year?

A. Well, I didn't keep a record, I don't believe I could, we didn't have near as many cattle up there last year as we could graze. There was about 225 heads last year.

Q. You had 225 heads last year?

A. We could have grazed 125 or 50 more.

Q. Last year was a rather dry year, wasn't it, and you could have grazed more?

A. Yes.

Q. Good pasture scarce in that neighborhood?

A. Yes, but this wasn't hurt as we didn't even have enough in there.

Q. Did you attempt to secure cattle to graze?

A. I did.

Q. Nobody wanted to graze cattle as dry as it was?

A. Not until they got short of grass, then they came to me and I took in about 50 or 60 heads the last month.

Q. In October, was it?

A. In September or October.

Q. The year before wasn't such a dry year. What did you do that year? How many heads of cattle did you have that year?

A. Something like 100.

Q. You have sheep too?

A. We have sheep but we have been keeping them on the mountain place.

Q. This is a better place than the mountain place, isn't it?

A. No, I don't think so.

Q. Taking it over an average of 5 years, if you would like to, well, say 3 years, how many cattle did you run on this place?

A. Well, it isn't only a question of how many we have grazed there,

but how many it will graze.

Q. I wanted to know how many you had the year before.

A. We had about a hundred.

Q. You had sheep too?

A. I don't remember the number but I think we had about one hundred heads of sheep.

Q. The fact that it is so far away from home makes it undesirable to have sheep on account of dogs, doesn't it?

A. No sir.

Q. You aren't afraid of dogs?

A. No.

Q. You have grazed on an average for the last 5 years between 150 and 175 heads of cattle?

A. Yes.

Q. You never made a practice of grazing sheep there?

A. No.

Q. If you think as you testified that this land will graze on an average year, 250 cattle and 500 sheep, if you will pardon me for criticizing your business, but you haven't gotten as much out of this land as you could have.

A. I realized that but I couldn't get the cattle.

Q. Couldn't you have supplied your neighbors with grazing land?

A. I could have given it to them.

Q. Wouldn't they have been delighted to keep them on this fine pasture?

A. I don't know about that.

Q. You couldn't even rent it out for the grass?

A. You could stock it.

Q. You didn't stock it.

A. Nevertheless, it is there to stock.

Q. So is a gold mine in Alaska there but the trouble is you can't get to it. I was wondering that if it was such good grazing land you wouldn't take advantage of it.

A. I wasn't in a position to stock it myself but the grass is there.

Q. You claim 700 acres of grazing land will graze 200 cattle and 500 sheep. That is an acre a head for the whole and that would be pretty heavy, wouldn't it?

A. I didn't say 700 acres of grazing land. There is 1111 acres of grazing land.

Q. You evidently couldn't have put very much value on the other land. You couldn't have put very much value on the other acres as the 700 acres is what you figured on to make a profit on your grazing. Now, 700 acres is \$50.00 an acre. Of course, that isn't any question of figuring. Don't you think that is a right high price?

A. I don't think so. If it wasn't for this condemnation, I wouldn't take \$100.00 an acre for it.

Q. Is any land selling for that?

A. I don't know.

Q. You consider that the 700 acres is worth \$35,000.00 regardless of buildings or anything. If all the buildings were burned off or moved, you would still have that figure on it?

A. Yes sir.

Q. The buildings are not so very valuable, are they?

A. Not so very.

Q. Let's see, what buildings are there. You have a tenant house there, haven't you, you have three tenant houses. One was recently occupied by Mr. T. B. Breeden, 5 room house, isn't it, partly log and partly frame with a porch, shingle roof, and in fair condition?

A. Fair condition.

Q. What insurance do you carry on that house?

A. \$150.00.

Q. What is your estimate of a present fair price for that house?

A. About \$150.00.

Q. Now, get down to the tenant house occupied by John Weekley. That's a log house, isn't it? Six rooms?

A. Yes sir.

Q. Two rooms are sealed with a brick chimney?

A. Yes sir.

Q. Shingle and paper roof?

A. Yes.

Q. You know what insurance you carry on that house?

A. \$300.00.

Q. What is a fair cash value for the house?

A. About \$800.00.

Q. About \$800.00. You are getting farther and farther away, aren't you?

A. Well, back up a hundred then.

Q. Let's get down to the other house occupied by Gorden Cave. That is a log house, 14 by 35, 4 rooms, stone chimney, shingle roof, and in fair condition?

A. Yes sir.

Q. Do you carry insurance on that house?

A. Yes sir.

Q. How much?

A. \$100.00.

Q. What is a fair price for that house?

A. \$300.00.

Q. You don't carry enough insurance, do you?

A. I don't pasture down there so much so it isn't worth as much.

Q. Now, could you, would you care to without going through and listing all the other buildings, give an estimate of what the other buildings are worth?

A. About \$100.00.

Q. For all the others?

A. Yes sir.

Q. Well, I can't see that they are worth more than that. Your

value of all the buildings then is \$1100.00, isn't it?

A. I think so.

Q. When you say that there is 700 acres of cleared land, did you say, -how did you arrive, if you attempted to make a separate estimate of it or are you merely guessing?

A. Well, no. My father told me years ago that he had a tract there he said would have close on to 800 acres in the boundary that was cleared up. I can take you up there and let you see it and will take you over it if you want.

Q. Who is going to bring me back? Gentlemen, to be perfectly frank with you, our estimates don't show quite that much cleared land, and I was wondering how far wrong we were. Telling you perfectly frank, our Engineers have a fair estimate, in fact, only 416 acres, you think that is too small?

A. Yes, that is too small; there is quite a strip of good grazing land there.

Q. If it is in brush, you don't estimate that at as high a value as the other, do you?

A. I wouldn't make any great difference in it. I wouldn't in case of a drought like last year.

Q. You don't let your Page County lands grow up in brush, do you?

A. I wouldn't if I didn't have this other land.

Q. Do you know of anyone that would let it grow up to be more valuable?

A. No, but I know they let it grow up.

Q. Where is your home farm?

A. Near Marksville, Page County.

Q. You don't let it grow up in brush to be more valuable?

A. I try not but I don't use that for grazing.

RE DIRECT EXAMINATION: Mr. Price.

Q. Mr. Koontz, something is said about the history of the title of this land. Didn't your father and Mr. Warren Koontz of

Culpepper own a tract of land of which this was a part. Didn't your father get about 5,000 acres in that original tract?

A. I don't remember.

Q. I believe his portion of that was approximately 2,000 acres?

A. About 2,000 acres.

Q. Didn't he pay \$2,000.00 for the two tracts of land?

A. About that but I'm not sure.

Q. He has owned this land for about how long?

A. About 35 or 40 years.

Q. That's all unless the Commissioners wish to ask you something.

RE CROSS EXAMINATION: Mr. Armstrong.

Q. I omitted to ask a question. I believe you said you couldn't furnish any estimate of any profits that you made on this land in the last 5 years?

A. No. I haven't any record of it.

Q. Do you think you have made 6% interest on \$35,000.00, on this land in the last 5 years?

A. Done what?

Q. Made 6% interest?

A. I doubt if I have. I just haven't been in a shape to do it. I haven't been in a position to use it financially, I mean. The cattle would be there today if I could to it, but its there any time I want to put them there and it will take care of them.

Q. Your estimate of \$35,000.00 is an arbitrary estimate, isn't it? In other words, you feel that you wouldn't want to take less than that for this property regardless of whether you have been able to make 6% interest on it in the past.?

A. That hasn't anything to do with it. The interest on the property is there just the same. It is worth the money.

Q. You make that as an arbitrary statement. Nobody has offered you anything for it.

A. No.

By Mr. Price: Mr. Koontz, I want to ask you a question, about this land up there. Any of that grazing land for sale up there?

A. No.

Q. Could you buy it?

A. No, I don't think they would sell it.

Q. They all want to keep their property?

A. Yes.

BY MR. ARMSTRONG:

Q. I believe I understood you to say that you could have sold this land for \$35,000.00, if it wasn't for the condemnation proceedings.

A. I believe I could.

Q. Then somebody must want land.

A. There is really more land than we need or wanted and we could have sold it, could have unloaded it but for the proceedings. They killed it.

Q. You speak of unloading it.

A. Just a certain portion of the 1111 acres was more than we wanted.

Q. There was some you wanted to unload?

A. We might have.

Mr. Louderback, a witness of lawful age, being first duly sworn, deposes as follows:

DIRECT EXAMINATION: Mr. Price.

Q. Mr. Louderback, where do you live?

A. Stanley, Page County, Virginia.

Q. What is your business?

A. I'm Cashier of a country Bank at Stanley, and a farmer.

Q. I believe you are at present a member of the Legislature, State of Virginia?

A. Yes, in Page and Warren County.

Q. Did you pass any of this in the Legislature?

A. I don't think so.

Q. Mr. Louderback, where were you born and reared?

A. R. F. D. #1, Stanley, Page County, Virginia.

Q. I want you to tell the Commissioners whether or not all your life you have seen cattle from your neighborhood and were carried to this neighborhood to graze?

A. I was reared on a farm touching the land of Isaac Long and Mr. Jacob Koontz. They also owned grazing lands and I have seen them drive cattle up there for 45 years.

Q. You are in the farming business?

A. Ever since I have been old enough I have owned farm land in Rockingham and Page County.

Q. You have been on this 1111 acre tract owned by the C. G. Koontz heirs?

A. Quite a number of times in the last 20 years.

Q. Mr. Louderback, what do you think that 1111 acres of land is worth?

A. Using a knowledge of a tract of land that I have of my own that I use for grazing purposes. Using that for an example, I would say, not according to the value of it last year or in adverse conditions, but on an average of 11 years, properly financed, properly stocked, and you can make an income of \$4,000.00 or more.

Q. Did you give that as a minimum of the estimate? I wish you would tell the Commissioners just how you got that estimate.

A. I have 132 acres of land which I use for grazing purposes.

Q. Where is your property?

A. In Rockingham and Page Counties.

Q. How does it compare with this other land?

A. It isn't as good as the Blue Ridge Mountain grazing land but I am using the results which I secured for the 132 acres of my own

land, I am using that for a basis, not using it for the Koontz land. I have 50 acres of sod land and 80 acres of timber and brush. I carry 26 to 28 heads of 900 pound cattle on that. Using that as a basis, I think the Koontz land would carry about 225 of 800 pound cattle each season and that these cattle would increase in weight about 250 pounds per season, making a total increase of about 55,000. pounds, valued at 7¢ per pound would equal \$3850.00. From this gross amount, I would deduct \$150.00 for them on account of repairs to fences, taxes \$75.00, \$250.00 annually for sprouting, and interest on the sum invested in cattle 225 would be \$359.60. I would figure on the loss of two of the steers, \$112.00. The loss of profit on two steers, \$35.00, total deduction, \$991.60, that leaving a net profit of \$2258.40 which capitalized at 6% equals \$47,640.00.

Q. Mr. Louderback, I want you to tell the Commissioners something about the weight that will put on cattle on this land.

A. On cattle that I have seen taken up there by Mr. Koontz in the Spring and taken home in the Fall?

Q. Yes.

A. Mr. Koontz had a pair of scales himself.

Q. Did you ever know a finer old man in your life than Mr. Koontz?

A. I didn't. They took on anywhere from 250 to 350 pounds per season. It depended upon the quality of the cow and the quality of the grass.

Q. The old gentleman has been dead a long time?

A. Yes sir.

Q. I want you to tell the Commissioners about the nature of the soil and the water. Is the soil sweet or sour?

A. Well, the soil in the Blue Ridge region and in the Koontz soil, its blue grass and it seems that the elevation with the blue grass and a plentiful supply of water, the cattle do much better than down in the Valley.

Q. The elevation helps with the flies?

A. Yes sir. Considerably.

Q. Mr. Louderback, I believe you have had an opportunity to observe Mr. Lee Long's cattle when they came off of that mountain. He always carried about 250 cattle on his land, didn't he?

A. Yes sir.

Q. Did his cattle do well?

A. Yes. In fact, I have always been fond of live stock and when I found out that anyone was loading live stock, I always went down to the pens.

Q. I believe, when there was a foreign market he did export some of his cattle, didn't he?

A. Some were exported.

Q. For that 1111 acres of land, do you think \$35,000.00 is a conservative price?

A. I think that is very reasonable. I do not understand these gentlemen when they say on the basis of last year or any particular year about making the interest on your money, but take it on a basis of 15 years, if a man can stock it as it should be done, I think the estimate is conservative.

Q. Do you know anybody that is selling land up there?

A. No sir.

Q. Couldn't take it away from them, could you?

A. No sir.

CROSS EXAMINATION: Mr. Armstrong.

Q. Any of them want to unload it?

A. No. I think that was an unfortunate expression that Mr. Koontz used.

Q. Mr. Louderback, you ever tried to buy any land up there?

A. Yes, I have tried to buy some of this very land of Mr. R. D. Koontz's.

Q. What offer did you make?

A. I didn't make any offer. We walked over the skinniest part

of it and he wanted \$50.00 an acre for it.

Q. You weren't interested in the skinny part were you? Is there 100 acres of skinny land up there?

A. I don't know, but I consider the skinniest part of the land he had good.

Q. If it was skinny, it must have been skinny, wasn't it?

A. When you go up there, it look like rocks everywhere but the cattle certainly do fine.

Q. You are a banker, aren't you?

A. Yessir.

Q. That is your paying business?

A. Yes sir.

Q. Do you ever hear any complaint about farmers and grazers not making any money?

A. I don't know any one but salary men that have made any money this year. Probably lawyers, school teachers and bankers that have made any money.

Q. This wouldn't have been one of the years that a man could have made 6%?

A. I lost money on my farm last year.

Q. Didn't you graze your farm last year?

A. Yes.

Q. How did you lose so much money?

A. If you paid \$50.00 a piece for them in the Spring and in the Fall you couldn't give them away, wouldn't you consider that you had lost money?

Q. You did lose money, didn't you?

A. Yes sir because last year was an unusual year. I said taking it on an average of 10 years.

Q. Over an average of 10 years?

A. Properly stocked, C. G. Koontz's land of 1100 acres, that he could make an income of not less than 6% on \$40,000.00.

Q. What do you mean by properly stocking it?

A. Putting enough cattle on it.

Q. Would you lend Mr. Koontz the money to stock that farm?

A. No. Mr. Koontz isn't in a financial condition to borrow that much money.

Q. I don't understand.

A. It isn't Mr. Koontz's. It belongs to the Koontz estate.

Q. It is material to you?

A. Our bank doesn't lend money on live stock, nothing but good safe bank stock or liberty bonds.

Q. According to you - -

A. We don't lend on cattle at all.

Q. Could you do better, according to your own figures here?

A. We have never had any request here in our neighborhood for a loan on cattle and the bankers of this section of the state don't lend on cattle.

Q. You are evidently not familiar with the banks in Rockingham County?

A. I am not.

Q. They think cattle the best investment that they can make.

A. We don't take cattle as security, but if the man is good we lend him money to buy his cattle, but we don't take cattle as security.

Q. You don't think much of the cattle business?

A. That is not the case with us.

Q. I am not asking you the policy of your institution.

A. The people in our part of the country can borrow money without putting their cattle up.

Q. I was just wondering if this farm, this tract of Mr. Koontz's of which 700 acres is cleared will carry on an average of 250 cattle and 500 sheep per season.

A. I don't know about that but the conclusion I made was what I in connection with my own land, but on the same basis of sod and brush land, I estimate that he had 500 acres of good grazing land and it is almost the same as mine, my 132 acres.

Q. How familiar are you with this tract?

A. I have been over it quite a few times.

Q. When was the last time?

A. I had my Sunday School class over it last November. I took them for a hike.

Q. Did you go over it.

A. Over part of it, but in the last 20 years, I have been practically all over it.

Q. Do you know of your own knowledge the number of cattle that Mr. Koontz grazes on there and their weight?

A. No sir, I do not out of my own knowledge.

Q. Then, what you have said about what weight his cattle put on is heresay, isn't it?

A. It is now.

By Mr. Price: You are confusing the Koontz's.

Q. I am speaking of Mr. C. G. Koontz.

A. I haven't made any statement about Mr. C. G. Koontz.

Q. Are you talking about Mr. C. G. Koontz?

A. I was talking about my familiarity with cattle, using Mr. Isaac Koontz, I helped him in the fall, helped him weight them, but as to Mr. C. G. Koontz, I am merely comparing.

Q. You are merely comparing. You don't know anything of your own knowledge at all?

A. I am speaking from my knowledge of cattle.

Q. It all depends upon the cattle, doesn't it?

A. In an average year, with an 800 or 900 pound steer, they would pick up 250 pounds during the season easily.

Mr. Charles Sellers, a witness of lawful age, being first duly sworn, deposes as follows:

DIRECT EXAMINATION: Mr. Price.

Q. Mr. Sellers, where do you live?

A. I live 3 miles South of New Market in Rockingham County.

- Q. You are a son of Mr. Jake Sellers?
- A. Yes sir.
- Q. Mr. Sellers, what is your business?
- A. Well, I am a farmer and stock dealer.
- Q. How long have you been in the cattle business Mr. Sellers?
- A. Since I was 21 years old.
- Q. How old are you now?
- A. I will be 65 in October.
- Q. Have you bought many cattle on the Blue Ridge, in Page County?
- A. Yes sir.
- Q. Bought them year in and year out?
- A. Yes.
- Q. Mr. Sellers, were you and your father and your family large dealers in cattle?
- A. We have bought right smart cattle, sheep, hogs and stock of all kinds. My father at one time owned 1400 acres of land there.
- Q. And was one of the most active cattle dealers in that section of the country?
- A. Yes sir.
- Q. You have been brought up in the cattle business?
- A. With my father.
- Q. Have you been on this 1111 acres owned by the Koontz heirs?
- A. Yes sir.
- Q. When were you on this land, Mr. Sellers?
- A. I was on there just a few weeks ago.
- Q. I want you to tell the Commissioners what in your judgment that 1111 acres of land is worth.
- A. Just from an estimate of it, if I wanted to buy it I would say about \$40,000.00
- Q. You have been buying cattle off of there for several years.
- A. Not lately.
- Q. Seen Mr. Koontz's cattle lately?

A. Yes sir.

Q. Have they been doing well?

A. Yes sir.

Q. How many would that land carry?

A. Several hundred I would think.

Q. What do you estimate would be the value of pasturing there for steers?

A. I just don't understand you. By the month, do you mean?

Q. Yes. What do you think a man could pay for it, ^{say} an 800 lb. steer?

A. I don't exactly know.

Q. What do you estimate a steer would put on in that kind of sod?

A. About 300 pounds I suppose in six months.

Q. In the grazing season?

A. Yes sir.

Q. Anybody with you when you went over this land, Mr. Sellers?

A. Yes, several was with me. Mr. Bidler was.

Q. Mr. Bidler?

A. Yes sir.

Q. I want you to tell the Commissioners whether Mr. Bidler is a large stock dealer.

A. Yes sir, he handles a lot of cattle during a year, handles a lot of cattle as he owns a large farm.

Q. A big feeder of cattle?

A. Yes sir.

Q. Have you got any interest in this Koontz estate or related to the Koontz heirs?

A. No sir.

CROSS EXAMINATION: Mr. Armstrong.

Q. You live near the valley pike?

A. Yes sir. About 8 miles east of it. My farm adjoins Mr. Kilmers farm, just a ridge between us, adjoining fences.

Q. Are you acquainted with any other farms in Madison County? I want to ask you if you know of a farm of 700 acres owned by Mr.

George W. Kinsey?

A. No sir.

Q. This farm of Mr. Koontz's of 1111 acres, did you ride all over it?

A. No sir, I couldn't say I went over all of it.

Q. Did you see it all?

A. Yes sir, I saw it all.

Q. Could you say how many acres of cleared land there was?

A. I would say there was about 700 acres.

Q. You went over it and looked at it for the purpose of testifying here?

A. Yes sir.

By Mr. Price: That was the reason you went over it. For the express purpose of putting a value on it.

A. Yes sir.

Q. (Mr. Armstrong). Was that your first visit to the farm?

A. No sir. I was on there about 20 years ago and several times since then.

Mr. V. L. Bidler, a witness of lawful age, being first duly sworn, deposes as follows:

DIRECT EXAMINATION: Mr. Price.

Q. Mr. Bidler, where do you live?

A. I live in Rockingham County.

Q. Your people were originally from Page County?

A. Yes sir.

Q. What is your business?

A. I am a farmer.

Q. You are a cattle dealer?

A. I deal right much in cattle.

Q. How many a year?

A. About 100 cattle a year.

Q. Besides cattle you buy to ship?

A. Yes sir.

Q. Mr. Bidler, have you recently been on this 1111 acres owned by the C. G. Koontz heirs, on the Blue Ridge in Madison County, Virginia.

A. Yes sir.

Q. What do you think that 1111 acres of land, taking into consideration the water and sod, is worth?

A. Around \$38,000.00 or \$40,000.00. Something like that, but it depends on how anxious a man would be to own it.

Q. Not much good unless used for grazing?

A. No.

Q. Is it good land?

A. Yes.

Q. Is the sod good?

A. Yes.

Q. How many cattle do you estimate it would carry Mr. Bidler?

A. About 400, maybe a few more or a few less. It would depend on the season and kind of cattle to be grazed and etc.

Q. What would you estimate that character of grass would put on a steer in a year?

A. About 250 or 300 pounds, I believe.

Q. Have you bought any cattle off that ridge?

A. Yes sir.

Q. Found cattle on there to suit you?

A. Yes, for the last 15 years.

Q. What would you estimate it would be worth to pasture a steer a month?

A. That would depend on the size of the steer. I would say \$1.50 or \$2.00 a month.

Q. Depends on the size, 1, 2 or 3 years?

A. Yes sir.

Q. Tell the Commissioners whether or not that farm is well watered for grazing purposes.

A. It is well watered, even right on top.

CROSS EXAMINATION: Mr. Armstrong.

- Q. You say a fair price for grazing steer would be from \$1.50 to \$2.00 per head?
- A. Yes sir.
- Q. Per month?
- A. Yes sir.
- Q. What size steer?
- A. You take a steer two years old, it would be \$2.00, under that it would be \$1.50.
- Q. The younger they are the more you can graze?
- A. Yes, they wouldn't need as much.
- Q. How long would you be willing to pay that price, how many months in the year would you be willing to pay that price on that farm?
- A. I would think there would be five months at least that the grass would be good, may be six months.
- Q. You are familiar with the boundary, are you not?
- A. Yes sir.
- Q. What would you be willing to rent it for for grazing during the season?
- A. You mean the whole boundary?
- Q. Yes.
- A. I just don't know.
- Q. Well, if you are familiar with it - -
- A. I figured it - -
- Q. How did you figure it?
- A. I figured it this way - - that it was grazing about 200 cattle and it would put on about 250 pounds on them.
- Q. How did you figure that?
- A. That would figure around \$20.00 a head.
- Q. Would you be willing to give that for rent?
- A. No.
- Q. What would you be willing to rent if for?
- A. I don't know what I would be if I was in the market for it.

Q. Put it this way, what would it be worth to rent for the season? Would it be worth \$4,000.00?

A. There is a possibility there. A man that wants it, it would be good business. The possibility is there.

Q. I am not speaking of the possibility.

A. I understand.

Q. It is a business proposition.

A. I understand.

Q. Would you offer to pay \$4000.00 a year for that?

A. A man would be taking a good chance.

Q. You would want at least a 50% margin on that?

A. Yes sir.

Q. (By Mr. Price: There is a lot of office buildings in Luray that you wouldn't want to rent at all too.

Q. Why wouldn't you want to rent them, why wouldn't you?

A. There is a lot that have been rented there.

Q. Of course there is.

A. The same way with other things.

Q. But as highly desirable land as this shouldn't be vacant, particularly in such a lucrative business as cattle raising.

A. I haven't known a time when it was vacant.

Q. How many heads of cattle did you say it would carry?

A. About 200 cattle. It would depend on the season.

Q. A man always has to depend on the season?

A. Yes sir.

By Mr. Price:

Q. Has it been the custom of the people to rent it or stock it with young cattle?

A. I suppose they rent it or probably keep it stocked too.

Q. Keep it stocked with other young cattle?

A. Yes sir.

Q. When the cattle market doesn't look good, they don't stock up heavy like any one else does?

A. Yes sir, that's right.

Mr. R. E. Breeden, a witness of lawful age, being first duly sworn, deposes as follows:

DIRECT EXAMINATION: Mr. Price.

Q. Mr. Breeden, how old are you?

A. I am 64 years old?

Q. Where were you born and reared?

A. I was born in Madison County, on a little run they call Pickle Run on top of the Blue Ridge Mountains.

Q. On Mr. Lee Long's farm?

A. On Mr. Lee Long's farm.

Q. Mr. Breeden, are you familiar with the C. G. Koontz, 1111 acre tract of land that adjoins the Lee Long place on the Blue Ridge Mountain?

A. Yes sir.

Q. Been familiar with it all your life?

A. Yes sir.

Q. Were you employed by Mr. C. G. Koontz, and if so, in what capacity?

A. I was employed by Mr. Koontz to help on the place, later I contracted with him to operate his stave mill. I did it for 10 years.

Q. I want you to tell the Commissioners what was the character of that land when Mr. C. G. Koontz first took hold of it?

A. When Mr. Koontz first went to work on it, he had owned it 5 or 10 years before he went to work on it, but when he went to work on it there had been some potato patches on it and I went over it and cleaned it, got the house in good condition for him, cut timber and hauled it in - -

Q. Then there was just a few acres of land cleared. What, in your judgment is cleared up on this tract. What has been cleared by Mr. Koontz?

A. Well, I haven't been over it recently, I think there was at least 1600 acres to start with.

Q. Did Mr. Koontz spend any amount of money on this land?

A. Yes sir. It seemed to be his home. When he went over it to clear the land, he told me several times that he wanted to clear the land for grazing.

Q. For grazing?

A. Yes sir.

Q. How many men did he work there during the clearing season?

A. Well, in connection with my other business, I ran a boarding house and we boarded the men that worked in the mill, and there was quite a number of men that worked in the woods that boarded themselves. I suppose he must have worked 40 or 50 men.

Q. Was the timber large on there?

A. A good part of it.

Q. Heavy timber, was it?

A. Yes sir.

Q. Will heavy timber grow on poor soil?

A. It has never been my experience.

Q. Can you tell the Commissioners that it was heavy timber?

A. It was very heavy timber.

Q. Did he pull the brush and clear the land?

A. Yes sir.

Q. When you got the timber cleared and the land cleared, how about the grass?

A. When he first went over there, he had no pasture for his stock so he went to work and cleared it out, and I sowed the grass seed on it myself, orchard grass. In two years he had lots of orchard grass but in 2 or 3 years the blue grass had crowded it out.

Q. How many cattle did you and your father look after?

A. My father looked after the cattle.

Q. How many cattle do you think this 1111 acres of land will graze?

A. Well, there is a question about that. If you put cattle on there to pasture for the purpose of grazing them and keeping them

over for another season, you can pasture heavy, but if you want to put them on there for fattening, you don't want to put them on there so heavy. 250 cattle could be pastured easily.

Q. The practice of people that have been pasturing on the mountain land was to put their yearlings and 2 year old cattle on their best grass. It took the best grass not to put on so heavy?

A. Yes sir.

Q. Mr. Breeden, I should have asked you more particularly about how many men were used in that clearing. I haven't made that clear to the Commissioners.

A. I would say there was from 25 to 30 men, 2 or 3 months in the summer season. In the other parts of the year, not so many but some were there all the year.

Q. Has he spent quite a lot of money on that land?

A. He has.

Q. I want you to tell the Commissioners whether or not that place is well watered. What is the effect of water on stock in that mountain?

A. The place is well watered, there is no question about that. There is no place on the mountain better watered, that is, as fine water.

Q. I suppose the other is pretty good, isn't it?

A. It suits me fine.

Q. How many children are there in your family?

A. twelve were born, eight lived to be grown.

Q. How many children did your grandfather have?

A. My grandfather had 3 wives and he told me himself that he had 33 children.

CROSS EXAMINATION: Mr. Armstrong.

Q. Did they save a place up there for Mr. Price and myself?

A. There is lots of room up there.

Q. Mr. Breeden, you spoke of the quantity of large heavy timber

that was originally on this property. What became of that?

A. Well, the most of the timber on this property, we worked into barrel staves. I think he could have made more out of his white oak and spanish oak but he had to work it himself so he just worked it himself and we hauled it to the mill and cut it into staves.

Q. So Mr. Koontz didn't consider valuable timber, which would be valuable elsewhere located, valuable up on top of the mountain?

A. He didn't consider the timber valuable.

Q. It was first class timber?

A. Yes sir.

Q. And owing to its location, he couldn't see how he could have made anything out of it by sawing the timber?

A. No sir.

Q. He made it into staves for barrels?

A. Yes sir.

Q. About broke even?

A. Yes sir.

Q. Do you agree with Mr. Koontz that this farm will carry 250 cattle and 500 sheep year after year?

A. I wouldn't hardly think you could pasture 250 cattle and 500 sheep on 1111 acres.

Q. I believe you estimated 200 cattle?

A. Yes sir, I think you could do well with 200 cattle but not many sheep. My experience is that you can't move sheep and cattle together profitably. If you run sheep with cattle, the cattle will not do well.

Q. Absolutely.

Grover C. Koontz, a witness of lawful age, being first duly sworn, deposes as follows:

DIRECT EXAMINATION: Mr. Price.

Q. Mr. Koontz, where do you live?

A. On the Shenandoah River, near Alma, Page County.

Q. Any relation to Mr. R. D. Koontz?

A. Very distant.

Q. Who was your father?

A. Albert Koontz.

Q. You were born and reared near Alma?

A. Yes sir.

Q. Are you familiar with the C. G. Koontz 1111 acre tract of land?

A. I am.

Q. Have you been over that land recently?

A. Yes sir.

Q. When were you over it?

A. About three weeks ago.

Q. Have you and your people been in the cattle business all your life?

A. Yes sir.

Q. Own land in this Blue Ridge Mountain?

A. Yes sir.

Q. Been grazing cattle there just as long as you can remember?

A. Yes sir.

Q. Mr. Koontz, what do you think this 1111 acre tract of land is worth?

A. I went over it for the purpose of looking over it. I understand what it was priced at and I think it was priced cheap.

Q. You think it is priced well?

A. I do.

Q. You think the estimate Mr. R. D. Koontz made isn't high?

A. We have land up there of the same character and we priced ours high.

Q. Does this land lie on the same ridge?

A. On the same ridge, about two miles south.

Q. I want you to tell the Commissioners whether that is fertile land.

A. It is very fertile land, richer than our valley land. It

wasn't made to grow wheat on, its better for grazing purposes.

Q. How many 800 pound cattle do you think this land would carry?

A. I think it would carry about 200 cattle as a safe statement.

Q. That is a safe statement?

A. Yes sir. I am satisfied that 300 cattle wouldn't starve on it.

Q. But to do well, you think 200?

A. I think 200 cattle would fatten well.

Q. What would they put on a season?

A. I never weighed after this pasture. I weighed after my own, one year they gained about 360 pounds and one year went back to 270 pounds.

Q. The cattle that you have weighed, cattle that put on 270 to 360 pounds per steer?

A. Yes sir.

Q. Mr. Koontz, what is the grazing season on this mountain?

A. Five months is a usual season, a fattening season, sometimes longer.

Q. But the fattening season you call five months?

A. Five months.

Q. But you leave some other cattle up there?

A. Yes sir, we leave our stock for grazing up there longer.

Q. Is it well watered?

A. Yes sir, well watered.

Q. After this land was cleared, would it grow blue grass?

A. Yes sir, I don't have to say that the sod is good.

CROSS EXAMINATION: Mr. Armstrong.

Q. Mr. Koontz, won't cattle taken off of ensilage and put on blue grass lose weight, won't they?

A. They have to get accustomed to it.

Q. You have any knowledge of the condition of cattle of Mr.

C. G. Koontz's since his death, that his sons have brought off this property?

A. I have been on there several times, I went on there with Mr. Mike Long. He went on there to buy some cattle.

Q. What did they weight when he took them off?

A. 900 pounds. He was buying them to pasture the next summer.

Q. Did you ever know of cattle that were taken off of this farm to go on the market to be butchered?

A. Not many cattle are shipped off this mountain tract to market.

Q. Don't most of the cattle that are grazed on the mountain area in this neighborhood, of which this 1111 acres is a part, weigh about 800 or from 700 to 900 pounds when they are put on and weighed, and then weigh about 1100 pounds when they are taken off.

A. They don't all handle the same cattle. Mr. Lee Long handles a heavier cattle than the rest. They won't all weigh 1100 pounds but they will weigh according to their size.

Q. For the last year or two raising cattle hasn't proven a very lucrative business, has it?

A. That depends a good bit. I made some money last year.

Q. Aren't you one of the few?

A. Well, I own my cattle and I carry about 1 to every 3 acres. I certainly didn't sink any money on them.

Q. You had a much better experience than Mr. Long?

A. Well, if he bought 900 pound cattle and then was forced on the market, he couldn't make anything.

Q. They have to grow into value?

A. Last year, you were lucky to have them grow at all.

Q. This ridge contains a good deal of rock, doesn't it?

A. Yes, all the ridge does.

Q. It isn't very much good for anything except blue grass grazing is it?

A. Well, for a real success, that's all. You could grow corn but the rocks are in the way, but the grass is the crop that you could make a success with.

Q. You couldn't use it for any other farm purpose, could you?

A. No.

Q. How far is this farm from the nearest railroad crossing?

A. I would judge about 6 - 8 - or 9 miles.

Q. How far from the nearest macadam road?

A. I would say 4 or 4½ miles.

Q. By Mr. Price: A man could grow cabbage up there, couldn't he?

A. It has been used only for grazing.

Q. Any good land for sale up there?

A. Not a grazing farm of any size. You might find a home of 50 or 60 acres, something like that but for grazing, a man buying a grazing farm wouldn't want that. You can't buy a farm on the ridge unless some man dies and leaves it there. My land was bought that way.

Q. The Lee Long land and the other Long land has been in the family for years.

A. For years.

Q. Mr. Armstrong: In other words, they have a family feeling for it?

A. Not only that, but it is worked in harmony with the home tract. They eat up all the straw and fodder in the winter and in the Spring I want to take them up on the ridge. It works in harmony with the home land.

Q. When you take this farm away from the farmer, you have crippled him?

A. You have. You can't expect to be paid for your home land but your home land has depreciated.

Mr. C. D. Price, a witness of lawful age, being first duly sworn, deposes as follows:

DIRECT EXAMINATION: Mr. Price:

Q. Mr. Price, are you familiar with the C. G. Koontz 1111 acres of land on the mountain?

A. Yes sir.

Q. Are you related to these people?

A. Yes sir, first cousins.

Q. Have you been on this land frequently?

A. Yes sir, I have.

Q. What do you consider that land worth?

A. Well, I would say that it is easily worth \$35,000.00 as a whole.

Q. You think the land is well balanced, taking the sod, the brush and water makes it a very desirable grazing land?

A. Yes sir, I would say it is.

Q. How many cattle could it carry?

A. I believe that if you would put 200 - 300 pound cattle on it, it would carry them easily.

Q. Tell the Commissioners whether or not you have been handling cattle.

A. Yes I have grazed cattle on this particular farm, but not for the past 4 or 5 years.

Q. Are you a farmer?

A. Yes sir.

Q. Tell the Commissioners whether you regard that land as fertile or not.

A. It is very fertile land.

Q. Have you been over it recently?

A. I was over it about three weeks ago.

Q. How much of it is cleared?

A. Well, I believe there is between six and seven hundred acres of cleared land. Of course, there is some brush on it.

Q. Where are you carrying your cattle now?

A. On Mr. Koontz's farm.

Q. Where are you carrying the bulk of them?

A. In Highland County.

Q. How close do you live to the Lee Long home farm?

A. About three miles.

Q. Is he your nearest neighbor?

A. Yes sir.

Q. Have you observed his cattle when they came off this mountain?

A. Yes sir.

BY MR. ARMSTRONG: Objection is made as to the testimony as to the condition of Mr. Lee Long's cattle as they came off of Mr. Lee Long's land.

Q. I will ask you this Mr. Price, is the land all on the same ridge?

A. It is all on the same table land.

Q. And is the same character of land?

A. Yes sir.

Q. Some better than others?

A. All of the same general character.

Q. Have you seen the cattle that came off of the Koontz land?

A. Yes sir.

Q. Were they in good condition?

A. Yes sir.

CROSS EXAMINATION: Mr. Armstrong.

Q. Are you familiar with this part of the country?

A. Yes sir.

Q. Is that land worth \$100.00 an acre?

A. An acre of land up there will graze more than an acre of land in Page County.

Q. This farm you put at \$50.00 per acre. Were you talking about the cleared land?

A. I was taking this land as a whole.

Q. Well, Mr. Koontz has filed his claim for \$35,000.00 for the value of the whole tract and he says the 700 acres is worth the \$35,000.00. Do you think it is worth that?

A. If you take that along with the cleared land, I consider that it is.

Q. Well, then I will ask you, isn't Mr. Lee Long's sod land worth at least twice as much as the sod land on this Koontz tract?

A. Well, I would say that some of it might be, but there is

some of the land on the Koontz tract that is worth just as much as the other.

Q. You would find that on any other tract?

A. Yes, but you would find very little waste land on his enclosure.

Q. What I was getting at is this, is it fair to judge what this land is worth by considering the value of the Long cattle?

A. I expect Mr. Lee Long's land would carry more cattle in its present condition but this could be put in as good condition.

Q. I understand that.

A. They would do as well.

Q. How could you judge the value of this land as to testifying how fat Mr. Lee Long's cattle came off of his land?

A. Because they are grazing on blue grass sod.

Q. You carry your cattle to Highland County to graze?

A. Yes sir.

Q. They have good grazing land over there too?

A. Yes, but some of that land is better than others.

Q. And some not quite so good?

A. Not quite so good.

Q. Those people out there rent out their grazing land?

A. Out in Highland?

Q. Yes.

A. I don't know.

Q. I thought you rented land out there?

A. No, I own it.

Q. Oh, I see. When was it you rented the Koontz farm or some portion of it, this 1111 acre tract?

A. I just don't remember but it was just before Mr. C. G. Koontz died. I rented from him.

Q. Before he died?

A. Yes sir.

Q. Did you rent the boundary or did you rent by the head?

A. I don't remember but I think it was by the head.

Q. What did you pay?

A. \$1.25 per month. They were small cattle.

Q. Was there any other stock there at the time?

A. There wasn't any other stock in the field mine were in.

Q. How big a pasture did you rent?

A. I think he claimed there was 300 acres in the boundary I was in. That was right after he had the stave mill.

RE CROSS EXAMINATION: Mr. Price.

Q. Tell the Commissioners whether that is a sour or sweet land, this land you are discussing.

A. If I know anything about it at all, blue grass won't do anything on sour land and there is blue grass up there, has blue grass on it without even sowing it so that must be sweet soil.

Q. How about the cabbage?

A. The finest cabbage and potatoes grow up there that grow anywhere.

Mr. Phil Lamb, a witness of lawful age, being first duly sworn, deposes as follows:

DIRECT EXAMINATION: Mr. Price.

Q. Mr. Lamb, where do you live?

A. Four miles west of Luray on the Shenandoah River.

Q. What is your occupation?

A. Farming.

Q. Are you familiar with this 1111 acres of land that is owned by the C. G. Koontz heirs?

A. Yes sir.

Q. When were you over it the last time?

A. Last week, last Thursday or Friday.

Q. Estimate the value of it?

A. Just looked it over.

Q. For the purpose of estimating the value?

A. Yes sir.

Q. What do you consider the boundary is worth?

A. \$35.00 an acre.

Q. You are familiar with the cattle business?

A. Yes sir.

CROSS EXAMINATION: Mr. Armstrong.

Q. \$35.00 an acre?

A. Yes sir.

Q. What is the land worth that is not cleared per acre?

A. Well, I wouldn't think it would be worth as much unless it was cleared up.

Q. It would cost something to do that?

A. Yes sir.

Q. Do you own some land in the neighborhood?

A. The adjoining farm.

Q. Is the land you own in the park area?

A. Yes sir.

Mr. Michael Long, a witness of lawful age, being first duly sworn, deposes as follows:

DIRECT EXAMINATION: Mr. Price.

Q. How old are you Mr. Long?

A. 40 years old.

Q. Where do you live?

A. On the river, near Alma.

Q. ^{The land has} /Been in the Long family now for over two hundred years?

A. Yes sir.

Q. Granted them by the Crown of England?

A. Yes sir.

Q. Never been out of the family?

A. No sir.

Q. Are you familiar with this land?

A. Yes sir, I have been going over it all along.

- Q. Your father owns a large ^{tract}/of land up there?
- A. Yes sir.
- Q. Are you in the farming and cattle business now?
- A. Yes sir.
- Q. You have been on this tract of land owned by the Koontz brothers?
- A. Quite a number of times, several times a year.
- Q. Been over it recently?
- A. Yes sir.
- Q. What do you consider that land worth?
- A. I figure the blue grass sod \$50.00 an acre and the timber \$20.00 or \$25.00 an acre.
- Q. What is the whole land worth?
- A. About \$43,000.00.
- Q. Have you seen any cattle over there?
- A. Yes sir.
- Q. Tell the Commissioner what condition they are in.
- A. The cattle on the Blue Ridge do better than on the home tract the flies don't bother them up there.
- Q. What in your judgment would an 800 pound steer, carrying 200 on this boundary, put on during the season?
- A. I would say about 250 or 300 pounds. That is what they do on our place. You can put a 900 pound steer on the place and it will put on about 300 pounds. Real good cattle do.
- Q.
- CROSS EXAMINATION: Mr. Armstrong.
- Q. Mr. Long, you say you have bought cattle from this Koontz tract several times?
- A. Yes sir.
- Q. Whose cattle were they?
- A. Mr. Vance. Koontz's cattle.
- Q. You remember of buying any in the fall of the year?
- A. Yes sir.
- Q. What would they weigh?

A. Mr. Koontz then carried a great number of cattle, they weighed about 6 or 700 pounds. We also bought some 800 to 1000 pounds cattle. One bunch of cattle I bought weighed 900 pounds, another bunch, a year before that, weighed.950 pounds.

Q. What did I understand you to say the cleared land was worth?

A. About \$43,000.00.

Q. How many acres are cleared?

A. I don't know. I imagine 600 or 700 acres, I would say.

Q.

RE CROSS EXAMINATION: Mr. Price.

Q. Walked over a good bit of it and ridden over it, its a good ways over it, isn't it?

A. You can keep on walking. Its a home for the cattle. Down here in the valley, when the feed has given out and the cattle won't have anywhere to graze, its fine to know you have somewhere to go.

Mr. S. R. Aleshire, a witness of lawful age, being first duly sworn, deposes as follows:

DIRECT EXAMINATION: Mr. Price.

Q. Where do you live?

A. I live in Page County, 5 miles west of Luray.

Q. On the Shenandoah River?

A. Yes sir.

Q. What is your occupation?

A. Farming.

Q. Do you handle cattle?

A. Yes sir.

Q. Been handling them ever since you were big enough to look after them?

A. Yes sir.

Q. How old are you?

A. 48, soon will be 49.

Q. You familiar with the C. G. Koontz tract of land on the mountain?

A. Yes sir.

Q. Been over it lately?

A. Yes sir.

Q. State to the Commissioners what to your mind, is the value of that land.

A. I would consider \$35.00 an acre very low, the condition it is in.

Q. How much do you estimate is cleared, Mr. Aleshire?

A. I would say 600 or 700 acres.

Q. How many 800 pound cattle do you think it would carry in a grazing season?

A. About 200 cattle.

Q. Have you seen cattle that came off of that mountain?

A. Yes sir.

Q. Do you own a tract of land in the park area?

A. Yes sir.

Q. Your land adjoins that land?

A. Yes sir.

Q. Is this land well watered?

A. Yes sir.

CROSS EXAMINATION: Mr. Armstrong.

Q. Mr. Koontz's land is worth a lot more than your land?

A. I wouldn't consider it so. They have some that may be.

Q. You have how many acres?

A. 91.

Q. How many cleared?

A. About 87 acres of cleared land.

Q. At what do you value your land?

A. \$35.00 an acre. I thought that a fair price.

Q. How much cleared land on this Koontz tract?

A. About 700 acres.

Q. You aren't considering this land worth \$35.00 an acre, are you?

A. They have some better sod than I have and considering their

timber, I think it would be a fair estimate at \$35.00 an acre.

Q. What kind of timber, and how much timber have they got?

A. I couldn't tell you how much timber they have.

Q. You said considering it.

A. I know there is quite a bit.

Q. Now, if you put your land of 91 acres of which 87 acres is cleared on an average, you think yours is worth the sum of \$35.00 an acre?

A. I wouldn't want any more of my land cleared.

Q. But you have 9/10 of your land cleared or more than that. You don't consider that the uncleared land is worth as much as the cleared land, do you?

A. No sir. I really feel that I put mine in too cheap, sir.

Q. Well, that is not a mistake that many people have made in this matter. You wouldn't care to submit a statement as to what the uncleared land is worth?

A. No, I would not.

Q. Which is the best fenced?

A. I couldn't say.

Q. Are both well fenced?

A. I couldn't say that both are well fenced, but owing to the condemnation proceedings, the people have about quit.

Q. This has been going on about 2 years.

A. That was when the people stopped fencing.

Q. How could they put off fencing this valuable land? It wouldn't be any sense in spending money on a high priced fence when a cheaper one would do as well. Now, Mr. Koontz stated that his 700 acres, he valued at \$35,000.00, which was the amount of his claim. So if he valued his 700 acres at \$35,000.00, he didn't consider the other very valuable except in connection with the cleared land. What would be your best idea, if you don't mind saying, what the value of his uncleared land is?

A. I don't know. I would say that his uncleared land is worth \$30.00 or \$35.00 per acre.

Q. You think his uncleared land is worth as much as the other?

A. He has put his sod land in entirely too cheap.

Q. That is all that you asked for yours, that is just as good?

A. Yes and I have put mine in much too cheap.

Q. I will ask you this before you have your claim filed. Do you desire to reduce it?

A. I would rather not. I would prefer keeping it. I couldn't duplicate it for the money I have asked for it.

William Graves, a witness of lawful age, being first duly sworn, deposes as follows:

DIRECT EXAMINATION: Mr. Price.

Q. Mr. Graves, where do you live?

A. Stanley, Page County.

Q. What business are you engaged in?

A. Farming.

Q. Are you acquainted with the 1111 acre tract of land formerly owned by C. G. Koontz on the Blue Ridge Mountain?

A. Yes sir.

Q. Were you employed by Mr. Koontz when he was clearing up that land?

A. Yes sir.

Q. How many men were employed in this?

A. From 30 to 60 men for a month or so.

Q. Have you any idea about how much money he spent on clearing up that land?

A. He spent a whole lot. I don't know how much but it was a lot.

Q. Do you know what condition it was in when he first purchased it?

A. No. I do not.

Q. How much has been cleared up?

A. I think it would be something like 600 acres.

Q. What do you think is the value of the entire 1111 acre tract?

A. Well, I hardly know. I think it ought to be - - the cleared land would be \$50.00 or \$60.00 an acre, the woodland, of course, around \$20.00 or \$25.00 an acre. That's the way it was when I bought some up there and that's about the way it stands.

Q. Is there any land for sale up there?

A. Very little of it. I bought about 32 acres up there a few years ago.

Q. What did you pay for it?

A. I bought it under the hammer. I paid about \$30.00 an acre but that is low.

Q. Is it well watered?

A. Yes sir.

Q. Are you related in any way to these Koontz boys?

A. No.

Q. No interest in this land in any way?

A. No sir.

CROSS EXAMINATION: Mr. Armstrong.

Q. Where is that piece of land that you bought?

A. About a mile or a mile and one half from this land.

Mr. F. L. Koontz, a witness of lawful age, being first duly sworn, deposes as follows:

DIRECT EXAMINATION: Mr. Price:

Q. Mr. Koontz, where do you live?

A. I Live 5 miles south of the Luray post office.

Q. In Page County?

A. Yes sir.

Q. What is your occupation?

A. Farming.

Q. What position do you hold in Page County?

A. Supervisor.

Q. Are you related to these Koontz brothers?

A. My mother and Mr. C. G. Koontz were first cousins.

Q. That was these boys father?

A. Yes sir.

Q. Are you familiar with the cattle business?

A. Yes sir.

Q. Been in the cattle business how long?

A. 35 years.

Q. You say you are familiar with this land?

A. Yes sir.

Q. What do you think that tract of 1111 acres is worth?

A. Well, I figure it is worth \$35,000.00 or \$40,000.00.

Q. Mr. Koontz, do you own some land in this park area?

A. Yes sir.

Q. Where is your land?

A. About 4 or 6 miles south of this tract?

Q. That same general table land?

A. Yes sir.

Q. What is the condition of this land, hilly or level?

A. It is hilly and level. It is considered the best grazing land on the Blue Ridge.

Q. Do you know anything about how much an 800 pound steer would put on on that land?

A. About 300 pounds.

BY MR. ARMSTRONG: Are you speaking of the C. G. Koontz land?

BY MR. PRICE: Yes.

Q. How many cattle do you think this tract will carry?

A. I would say a steer to every 3 acres.

Q. You think this land will carry a steer to every 3 acres. You think that would be plenty to allow?

A. Yes sir .

CROSS EXAMINATION: Mr. Armstrong.

Q. Did you say about how many acres of/land there was on this farm of Mr. Koontz's?
cleared

A. No sir. I don't know.

Q. This farm of your own that is within the park area, is that a grazing farm?

A. Yes sir.

Q. About how many cattle do you handle during the year?

A. We vary from 120 to 150. Some years, 150.

Q. What size is your farm in the park area?

A. About 600 acres.

Q. You run these cattle on your farm?

A. Yes sir.

Q. Your 600 acres is entirely cleared?

A. No sir.

Q. About how much is cleared?

A. Really, I don't know. I think a little over 400 acres is cleared.

Q. Do you ever take in cattle for anyone else to graze?

A. Yes sir.

Q. About how many a year?

A. Well, if I haven't enough of my own, I always take in enough to make out my quota.

Q. Did you take in any last year?

A. Yes sir.

Q. Whose?

A. Mr. Price's, Mr. Strole's, Mr. Kite's, and one or two other parties that I don't remember from Shenandoah.

Q. About how many cattle all together did you take in, not counting your own?

A. 42 heads.

Q. What size cattle, just on an average?

A. Well, from yearlings up to 2½ years.

Q. What did you get per head for grazing?

A. I got \$1.50 for two year old cattle and \$1.25 for smaller cattle.

Q. Per month?

A. Yes sir.

Q. And how many months were they there on an average?

A. About six months. I only charged them for six months.

Q. That is a fair price?

A. Yes sir. Pasturing has been right plentiful.

Q. Last year was a bad year, wasn't it?

A. Yes sir.

Q. So that was a fair average price per head for grazing, was it?

A. Yes sir.

Q. Is that the usual price charged in that neighborhood by people who take in cattle?

A. Yes sir, I think so.

BY MR. PRICE: Most of the people put their own cattle on their own property, don't they?

A. Yes sir.

Mr. William Long, a witness of lawful age, being first duly sworn, deposes as follows:

DIRECT EXAMINATION: Mr. Price.

Q. Mr. Long, where do you live?

A. Page County.

Q. How old are you?

A. 50 years.

Q. I believe you are an ex member of the House of Delegates, in the State of Virginia, representing Page and Warren Counties?

A. Yes sir.

Q. When you were in the Legislature, you didn't help pass this condemnation, did you?

A. No sir.

Q. Mr. Long, are you familiar with the C. G. Koontz 1111 acre tract of land?

A. Yes sir.

Q. In the first place, I will ask you what your business is besides politics?

A. Farming.

Q. Were you born and reared on a farm?

A. Yes sir.

Q. Your father was J. W. Long?

A. Yes sir.

Q. You have been in the cattle business ever since you were old enough?

A. Yes sir.

Q. You have had land in this park area?

A. Yes sir.

Q. What is your value of this tract of land, Mr. Long?

A. \$35,000.00 to the best of my knowledge.

Q. That would be a fair price?

A. Yes sir.

Q. Anywhere you could go and duplicate that price in Page County?

A. No sir.

Q. Mr. Long, most of this land owned by the Long's has been in the family for a long time?

A. Yes sir for a long time.

Q. Any land up there for sale, any of this valuable grazing land?

A. No sir.

Q. In your judgment, how much would an 800 pound steer put on on this Koontz land, in grazing season?

A. If not too heavy, 300 pounds.

Q. How many do you think that tract of land ought to carry?

A. 200 or a few more.

Q. Most of the farmers from our section are most particular not to over stock?

A. Yes sir.

Q. If you don't over stock, the cattle do better?

A. Yes sir.

CROSS EXAMINATION: Mr. Armstrong.

Q. What would be the number that Mr. Koontz ought to carry and

not over stock it?

A. I would say anywhere from 200 to 250, to the best of my judgment.

Q. You said that an 800 pound steer would put on approximately 300 pounds. Of course, Mr. Long, that would depend on the kind of steer, how well it had been taken care of during the winter, whether it had been fed corn during the winter or fodder.

A. I believe it would. If it had been fed on fodder, it would so as well.

Q. Isn't it a fact Mr. Long that cattle that are fed on corn during the winter will put on more on grass than cattle that have been fed on fodder and other roughage?

A. I don't think so. Taking it all season through, I don't think so.

Q. Did I understand you to say that you have a farm on top of the mountain not far from the Koontz farm?

A. Yes sir.

Q. Do you graze your cattle up there?

A. Yes sir.

Q. Do you ever take any cattle to graze?

A. No sir, that is, I haven't until this year.

Q. Do you ever rent pasture for your cattle?

A. No sir.

Q. How many cattle are you taking in this year?

A.

Q. Whose are they?

A. Mr. Hudson's.

Q. What is he paying you?

A. \$2.00 per month.

Q. Do you figure your grass land is better or not so good as this Koontz land?

A. A little better, it is older.

Q. BY MR PRICE: Mr. Long, if a steer has been well fed in the winter, if he is in a good condition from proper feed in the winter, he has the proper strength to start on, hasn't he?

A. Yes sir.

Mr. I. H. Cave, a witness of lawful age, being first duly sworn, deposes as follows:

DIRECT EXAMINATION: Mr. Price.

- Q. Mr. Cave, where do you live?
- A. Stanley, in Page County.
- Q. Did you know Mr. C. G. Koontz?
- A. Yes sir.
- Q. Were you employed by him when he was operating his stave mill on the Blue Ridge Mountain?
- A. Yes sir.
- Q. Did you have anything to do with the operations of Mr. Koontz's?
- A. In the woods.
- Q. What were you doing in the woods, Mr. Cave?
- A. Most of the time we were getting out stave wood, piling brush, and so forth.
- Q. How many men did you employ there, Mr. Cave?
- A. You mean in the woods?
- Q. Yes.
- A. About 20 men in the woods.
- Q. Besides the other operations?
- A. Yes sir.
- Q. How long did you work up there?
- A. Five summers.
- Q. Do you remember when that was?
- A. It has been about 15 years ago.
- Q. Did you see that territory before he began the operation of the stave mill?
- A. Yes sir.
- Q. Was it practically all in timber?
- A. Yes sir, all except one little field where the stave mill was.

NO CROSS EXAMINATION.

Mr. Isaac Long, a witness of lawful age, being first duly sworn, deposes as follows:

DIRECT EXAMINATION: Mr. Price.

Q. Mr. Long, where do you live?

A. Near Stanley, Page County.

Q. You are the son of Mr. I. N. Long?

A. I am.

Q. Mr. Long as one of the largest land owners in that County - -

A. I don't know about that.

Q. I hate to have you brag on yourself but that is the truth.

Your home farm adjoins the Koontz farm?

A. It does.

Q. Are you familiar with this 1111 acre tract of land owned by the Koontz heirs?

A. I have been over it.

Q. Have you been over it recently?

A. Yes sir.

Q. What in your judgment is the value of that tract of land?

A. Well, according to the value of our own ridge place up there, I would value it at about \$35.00 an acre.

Q. In your judgment, how much of it is cleared?

A. About 700 acres.

Q. Did you go over a considerable portion of it?

A. Yes sir.

Q. Long trip, wasn't it?

A. Yes sir.

Q. Can you tell the Commissioners whether a large part of that land is in good sod?

A. It is.

Q. Have you seen the cattle that came off of that land?

A. I have.

Q. Can you tell the Commissioners whether they were in good condition?

A. They were.

- Q. How many 800 pound cattle would that land carry?
- A. On an average season, it would carry 150 or 200. May be more.

CROSS EXAMINATION: Mr. Armstrong.

- Q. How did you arrive at the number of acres of cleared land. Have you undertaken to make an estimate of that?
- A. I just walked over it. It is a guess, not a survey.
- Q. Of course not. Is he right that you have to keep on walking to see it.
- A. Yes sir.
- Q. What is the uncleared land worth per acre?
- A. I don't know. I didn't go over that part of it.
- Q. Why didn't you go over that too, Mr. Long? Did you go over there at the request of Mr. Koontz so you could come here and tell the Commissioners?
- A. Yes sir.
- Q. Then why didn't you do that?
- A. I have been over to the edge where you can see it.
- Q. Then, that portion that you have been through, what value would you put on the uncleared land per acre?
- A. I don't hardly know. I don't know whether he has any timber on it hardly or not.
- Q. I think that Mr. Price will agree with me that there is no timber land on it of much value.
- BY MR. PRICE: There is timber there but the man that works timber out of that mountain earns his money, that is, unless you put a road up there.
- Q. Now after that statement, what would you say?
- A. I would say \$15.00 an acre.
- Q. And \$35.00 for the other?
- A. Yes sir.
-

S. H. Marsh, a witness of lawful age, being first duly sworn, deposes as follows:

DIRECT EXAMINATION: Mr. Armstrong.

Q. State whether or not you are employed by the State Commission on Conservation and Development for the State of Virginia?

A. I am.

Q. What position do you hold?

A. I have charge of the examination work on the national park area.

Q. How long have you been employed by the State Commission on Conservation and Development?

A. Fourteen or fifteen months.

Q. Prior to your employment by the Commission as such, in what line of work have you been engaged?

A. I was employed for several years by the United States Forestry Service in the purchase of land for national forests.

Q. In what states?

A. Virginia, North Carolina, South Carolina and Georgia.

Q. State the character of the work that you did in that capacity.

A. The character of the work was very similiar to the character of the work here. It was the examination of land, the examination of timber, similiar in almost every respect to lands in the park area.

Q. Do you mean the examination of land and examination of timber for the purpose of land value and timber value?

A. Yes sir.

Q. Mr. Marsh, we are examining the claim of the heirs of C. G. Koontz in Madison County, the claim of 1111 acres. This land lies on the top of the Blue Ridge Mountains. Are you familiar with this tract of land?

A. I am.

Q. State whether or not you have been over this tract of land

for the purpose of ascertaining its value and for the purpose of testifying before this Board as to its value?

A. I have.

Q. State whether or not other employees or agents for the State Commission on Conservation and Development coming under your supervision have also gone over this land for that purpose.

A. They have.

Q. Mr. Marsh, please state upon an examination of this property by yourself and your co-workers, what you found, state the number of cleared acres, the number of acres in timber, the number in brush, the value of the respective acres. Tell the Commission about the various types of land and the value of each, and the grand total of this tract of land as estimated by yourself and your co-workers.

BY MR. PRICE: We object if no co-workers are going to testify. If they are, let them testify for themselves.

Q. Strike out co-workers. I was giving him a benefit that he doesn't want.

A. Shall I read a report?

Q. I see before you a typewritten memorandum, what is that?

A. That is a report which has been prepared after an examination of the property, after a cruise of the timber and an examination of the grazing land and of the other land on the tract. It describes the property and gives the classification of the land.

Q. Was it prepared from a memorandum submitted by you?

A. It was.

Q. Testify and refresh your memory by referring to that memorandum.

A. The report was written under my direction and partly by me, but with my cooperation throughout.

BY MR. PRICE: I object to anything that isn't of this man's own knowledge.

Q. Refresh your memory and read.

A. The tract is located in Dark Hollow, Mill Prong on the

Rapidan River and entirely within the park area, and there is on the tract a lap on the Lee Long place which adjoins the C. D. Koontz land.

Q. May I interrupt you? What do you mean by lap?

A. The Lee Long and Koontz tract lap at a certain point on this tract according to the description of this tract.

Q. About how many acres lap?

A. I think I have a copy of that report here.

Here witness produces copy of memorandum.

Q. All right sir, read.

A. About five acres lap.

The soil is a sandy loam, a good depth and fertility. Most of the area is steep and very rocky with numerous cliffs. The first class grazing land is level and generally rolling with a fine blue grass sod nearly free of rocks, logs, weeds and brush. The second class south of June Weekly's house has gentle slopes with very little rock. The sod is good but there is little blue grass, most of it being wild oat grass. Further east the soil is poorer and the surface is rougher but there is a fair turf and nearly $\frac{1}{2}$ is blue grass. There is considerable hazel and other brush together with fern, moss, logs, rock and a small amount of laurel. On the Rapidan side, there is a good blue grass but not a heavy sod and considerable amounts of rock, logs, hazel, sumac, fern, moss and brush. The slopes are moderate. The third class of land is steep and rough with much rock, logs, brush and fern. There are patches of blue grass but a large area has no grass. Has fair soil but very little grass. It has a thick stand of sassafras, maple, locust and other trees. The tillable land at June Weekley's is very good but the remainder is very ordinary. The woodland grazing has patches of grass scattered among the rocks and trees. The tract lies 10 miles from Stanley.

The tract was cut over many years ago for saw timber and bark and there has been cutting for farm use since that time. There has been little fire on the tract in recent years and in some

places there is a ^{good} young growth. On the eastern end, there is a stand of basswood and red oak, with some poplar, oak and white oak. The trees are under twenty-four inches in diameter and are of only fair quality. The logging is difficult because of rocks and steep slopes. On 150 acres the estimate is 150M saw timber @ \$2.00 - \$300.00.

Improvements consist of the following: tenant house occupied by T. B. Breeden, log and frame, 13 x 35, 1½ story, 5 rooms, with a porch 6 x 25, shingle roof, solid foundation, fair condition, \$125.00. Barn and shed, frame, 12 x 30 x 10, shingle roof, condition poor, \$25.00. Corn crib, 6 x 10, fair condition, \$10.00. Hen house, log, 6 x 8, shingle roof, fair condition, \$5.00. 5 peach trees 3 years old, fair condition, \$1.00 a piece, \$5.00. Tenant house occupied by June Weekly, log and shingle, 19 x 25, 1½ stories, 6 rooms, porch 8 x 25, 2 rooms sealed, brick chimney, solid foundation, shingle and paper roof, fair condition, \$215.00. Barn, log 18 x 25 x 12, shingle roof, poor condition, \$50.00. Spring house, log 8 x 12, shingle roof, fair condition, \$15.00. Corn crib, frame 10 x 10 x 8, shingle roof, fair condition, \$15.00. Tenant house occupied by Gordon Cave, log, shingle, 14 x 35, 1½ stories, 4 rooms, shed 10 x 15, porch 6 x 17, stone chimney, solid foundation, shingle roof, fair condition, \$150.00. Barn, log 11 x 14, shingle roof, fair condition, \$25.00. Wood shed, frame 10 x 12, shingle roof, fair condition, \$10.00. Hen house, frame 7 x 14, shingle roof, fair condition, \$5.00. Cow shed, 7 x 10, shingle roof, fair condition, \$5.00. Hog house, frame 7 x 10, shingle roof, fair condition, \$5.00. 32 apple trees, 35 years old, fair condition, at \$1.00 - \$32.00. Church, rock, shingle 19 x 22 x 12, ceiled, solid foundation, shingle roof, good condition, \$85.00. Shanty-dilapidated. no value. Total value, \$782.00.

The classification of land is as follows: Cave 6 acres timber \$3.50 or \$21.00. Slope type, also timber type,

686 - \$2.00 - \$1372.00.

Ridge type 42 acres at \$1.00,

\$42.00.

Q. Please state whether or not that ridge type is ridge land or timber?

A. It has timber land but it is land which lies on top of the ridge but it is so poor that no timber will grow on it.

The grazing first quality, 29 acres, \$40.00 - \$1160.00

Grazing second quality sod, 140 acres, \$22.00 - \$3080.00

Grazing third quality, 85 acres, \$12.00 - \$1020.00.

Tillable, 8 acres, \$10.00 - \$80.00. Land which has been allowed to grow up in brush, 54 acres, \$5.00 - \$270.00. Wood-

land grazing, that is, thin woods with grass in it in patches,

100 acres, \$6.00 - \$600.00.

Total value of land \$7645.00.

Summary - Total value of land \$7645.00 - Improvements

782.00 - Timber \$300.00. - Total value of tract.

\$8727.00.

CROSS EXAMINATION: Mr. Price.

Q. Mr. Marsh, where are you from?

A. Kentucky.

Q. Born in Kentucky?

A. Yes sir.

Q. Been for the last 20 years in Virginia?

A. Yes sir.

Q. What part of Virginia?

A. I have been living in Harrisonburg and Bridgewater, and have been working in Virginia since 1912. Came here in 1912.

Q. What did you first do? First, how old are you?

A. I am 45.

Q. What did you first do when you came to Virginia?

A. I came to Virginia in charge of the Shenandoah park area which was at that time, purchasing land for the government.

Q. Purchasing land for the government?

A. Yes sir.

- Q. You have never been engaged in farming?
- A. Yes sir, at one time, I owned 17 acres, 17 or 20.
- Q. Where was that land?
- A. Near Bridgewater.
- Q. Live on a farm in Kentucky?
- A. Yes sir.
- Q. Educated where?
- A. At Berea College and Yale University.
- Q. Never had any knowledge of feeding cattle or grazing cattle?
- A. Yes sir.
- Q. Where?
- A. On the farm, with feeding and grazing too; but I have had considerable experience in the National Forest we rented.
- Q. They call that-the Shenandoah Mountain, a part of this forest?
- A. It is a part of it in the Shenandoah and a part in the Massanutten Mountain.
- Q. That is a part of the land that you have been grazing?
- A. Yes sir.
- Q. Who made up this estimate? Is that yours or some one else's?
- A. Yes, that is mine.
- Q. You tell this Commission that you think that land is worth \$8727.00?
- A. Yes sir.
- Q. How many cattle do you think it would graze?
- A. Well, I would say their estimate would be correct.
- Q. You think a territory that would graze that many cattle would be worth only \$8727.00?
- A. That's my judgment.
- Q. Your judgment is that if a man owns a piece of land that cheap he wouldn't lose any money grazing it?
- A. I do not.
- Q. How long have you been working on this project?
- A. What project?
- Q. This condemnation, with reference to this territory?

A. About fifteen months?

Q. Did you see any cattle on that mountain?

A. Yes.

Q. Was it a good grazing mountain?

A. Yes. It wasn't so good last year, last year was a bad year.

Q. Did you see them year before last?

A. No sir.

Q. Do you think that part of the land where the old stave mill stood is worth \$100.00 an acre?

A. I wouldn't think so.

Q. How did you estimate the value of this land?

A. We have estimated the area, going over carefully these different types of land.

Q. How did you estimate it?

A. We estimated it by running a strip through it.

Q. Did you survey it?

A. That depends on what you call a survey. What is your definition of a survey?

Q. If you have gone over and made a survey - -

A. Do you call chaining a survey, if so, we surveyed it. If you call making it in metes and bounds, we didn't survey it.

Q. You didn't make a survey then except by chaining as you call it?

A. If chaining is your definition of a survey, we made one.

Q. Do you generally do it that way?

A. Yes, we generally do.

Q. How long were you doing it?

A. We were at it long enough to complete the tract. Frankly I don't think we have the same idea of a survey.

Q. What do you mean by chaining?

A. Well, say this is the tract of land, see this station on there, right along this line here.

Q. Yes sir, I see that.

A. Well, these stations are on a base line that has been surveyed and we start out at this station on this tract of land, on this

base line we run the strip right across the tract, say right across here and we come over here and go right straight back, going over to another station and run it across the other way, crossing the various strips of land. We didn't make it in metes and bounds. That is, it was not done in this case, but a very careful examination was made of the various types of land on this tract.

Q. Mr. Marsh, do you know of any land that was selling for even \$40.00 an acre?

A. Well, I don't know of any that has been selling for \$100.00 an acre. I know of some that has been selling for less than \$40.00 in Highland County.

Q. Whose, in Highland County?

A. It was some that I saw in the paper. We clipped the paper.

Q. Do you know of any land in this part of the country that has been selling?

A. No, not at anywhere near \$100.00 an acre.

Q. Do you know of any that has been selling at all?

A. I know of some that has been selling. I heard a man testify here this morning that he had bought some at \$50.00 an acre.

Q. The Commissioners heard that.

A. That was one instance. I thought I would mention it. Mr. Bennett Spitler bought some land adjoining this tract or close to it and I don't think he paid \$100.00 an acre for it. I don't know whether he paid \$50.00 an acre nor whether he paid \$40.00.

Q. Any other land that you know of?

A. One of your witnesses bought a piece up there recently. Was it 1929, I think it was. If you recall what he paid for it, I believe it was - - I know it was considerably less than \$50.00 an acre. How much less, I don't recall.

Q. You also know that Mr. Long refused \$100.00 an acre?

A. I didn't know that. You didn't ask me that.

Q. No, I am not asking you that. I am merely telling you. I want you to tell the Commissioners if, in your judgment, that land will carry 200 cattle. You got your estimate down to that.

- A. I haven't said that.
- Q. I am giving you the privilege to say what it will carry.
- A. I say, these gentlemen that have been in the grazing business in that locality are probably correct and they testified 150 to 200 cattle.
- Q. Then you have placed the estimate too low, haven't you, Mr. Marsh?
- A. Not in my judgment, probably in yours.
- Q. How much do you think a man should make off of his investment? How much do you estimate that he should make on his grazing land before he is making his investment pay?
- A. Ordinarily I think probably 10% of his investment, doesn't he?
- Q. We could sell some stock around here if you could guarantee that.
- A. I imagine you could.
- Q. Mr. Koontz stated that he was renting his land for \$2.00 a month and 6 times 400 would be \$2400.00, a year, wouldn't it?
- A. Did he testify that he made \$2400.00 a year?
- Q. It is what the place is worth.
- A. I thought may be he testified that he made \$2400.00.
- Q. He said he was renting his pasture for \$2.00 a head. If the pasture is worth anything like \$2.00 or \$2.50 a month, and this territory would carry 250 to 300 cattle, your estimate is very low.
- A. If he could keep the land full of stock all the time, that is probably true.

Mr. W. H. Stonebriner, a witness of lawful age, being first duly sworn, deposes as follows:

DIRECT EXAMINATION: Mr. Armstrong.

- Q. Mr. Stonebriner, do you mind stating your age?
- A. 46 years of age.

Q. Where do you reside, Mr. Stonebriner?

A. Charlottesville.

Q. In what business are you now engaged?

A. I consider myself an employee of the Virginia Forestry Services. I was until I was transferred to the park area.

Q. Do I understand that you are now and have been about 14 months an employee of the Virginia State Commission on Conservation and Development for the State of Virginia?

A. Yes sir.

Q. What have been your duties as such, or rather, what kind of work have you been engaged in as such employee?

A. Check the estimates and examinations made by other members of the party and sometimes make a detail examination of certain properties.

Q. When you speak of estimates and examinations, do I understand you to mean the lands in the park area to be condemned?

A. I would say the estimates of timber and the appraisal of property.

Q. Mr. Stonebriner, I will ask you the extent to your experience in observing lands within the counties of Virginia sought to be acquired by the State Commission on Conservation and Development for the Shenandoah National Park?

A. For four years prior to this particular work, I was district forester in the northwestern part of the state. My district consisted of 7 of the 8 counties in the park area. My work took me in these 7 counties sometimes over six weeks, sometimes as much as three months. During the last year or year and one half, I have been in the park area.

Q. You say, in the last year or year and one half, you have been in the park area. You mean you have traversed the ground to be included in the park area?

A. Not exactly traversed. The boundary is all.

Q. Have you been on the tract of Koontz land that we are talking about?

A. The grazing portion of it.

Q. Have you been over other lands in the neighborhood?

A. Yes sir.

Q. Have you been over other portions of peoples land in other parts of Page County within the park area?

A. Yes sir.

Q. In Rockingham County?

A. Yes sir.

Q. In Warren County?

A. Yes sir.

Q. Then you have actually covered a great deal of the area of the lands in these three counties which have been sought for the Shenandoah National Park?

A. Yes sir.

Q. Did you form an estimate or judgment of value of the Koontz land?

A. I went on the Koontz land primarily for the purpose of observing what had been done or rather, to see if there was a clear description about what had been done. I didn't make a detail examination. Sometimes we observe something that calls for a re-examination. In this case, I agreed with what had been written about it and what was shown on the map.

Q. Do I understand that other employees of the Virginia State Commission on Conservation and Development had gone upon the tract?

A. Yes.

Q. They make a memorandum of the soil, acreage, and etc. and bring in a report to you?

A. Yes, the examination was under my direction. It was left to me to decide whether to run a strip across the west acres so as to get a knowledge of the soil condition.

Q. So you took their report and went upon the Koontz tract?

A. Yes sir.

Q. Does that embody the report that was laid before you?

A. Yes sir.

Q. With the aid of that memorandum and with the aid of your

memory, please state the value of the Koontz tract, and what caused you to make it that value?

A. All I could do would be to just refer to the same figures here. With Mr. Price's permission.

BY MR PRICE: There isn't any need going over the same figures.

Q. Give your opinion of the value as made up as to the total value.

A. I think it is in line with other property of the same class on the Blue Ridge in the park area, especially the timber types. There are some acres of timber land in Tennessee where the soil I would say is better timber soil than it is in the Blue Ridge. It is nothing for them to cut 20 to 25M board feet per acre and the Government bought land there that did cut 40M board feet per acre. I would say that the prices fixed there are just in line with what the government has been paying in different localities, and I won't say closer than \$5.00 in my opinion. I want the Board to know just my opinion. It may be \$5.00 high and it may be \$5.00 low but that is as close as I would like to fix the price.

Q. You mean the valuation as fixed in that report just read by Mr. Marsh?

A. Yes. I would say that it is within \$5.00 of the market value.

CROSS EXAMINATION: Mr. Price.

Q. Where were you raised?

A. I was raised on a farm until about 1913.

Q. Where?

A. In Shenandoah County,

Q. Where in Shenandoah County?

A. Near Edinburg.

Q. You handled any cattle?

A. No, I didn't own any cattle of my own, I farmed.

Q. You never owned any?

A. No stock cattle.

- Q. Never fed any?
- A. Not of my own.
- Q. You know nothing of the cattle business, ever worked in it?
- A. I never owned any.
- Q. You have estimated the value of land here you say according to what the Government has been paying for timber land. Was the Government condemning that land or buying it?
- A. Buying it.
- Q. When the labor situation has reached what it has been in the State of Virginia for the last 10 years, a man that could get money out of timber was a very good business man?
- A. I know a number of men that have made money up until the last two years.
- Q. You don't estimate the timber to be of any special value under the present conditions of labor and rates, do you?
- A. If it is handled right, I think so.
- Q. Get back to the grazing land; how many cattle do you think it would carry?
- A. I think their number is too high.
- Q. What is your opinion?
- A. I think 150, is high in comparison with other land that I consider good quality land, and where I am reasonably sure that I know what it has been carrying.
- Q. You know of any land that is for sale that you could buy for \$40.00 an acre. I am not talking of any land under condemnation but do you know of any land that can be bought for \$40.00 an acre?
- A. I don't know of any that is for sale.
- Q. Have you ever tried to sell any? Ever been in the real estate business?
- A. Not in the real estate business but I have disposed of a couple pieces of property.
- Q. Do you know of any grazing land near Edinburg that can be bought for \$40.00 an acre?
- A. That isn't a grazing section over there.

Q. Don't you think approximately \$9000.00 for this tract of land is mighty low?

A. No, I don't think so.

Q. You think a man should be paid handsomely for owning real estate in Virginia, don't you?

A. I think there is a great risk in the cattle business.

Q. Will you tell me any kind of business that there isn't any risk in. There is a risk in every kind of business in this life, isn't there, Mr. Stonebriner?

A. Yes, but even more hazardous in this line of business.

BY MR. PRICE: I want to ask the Commissioners to take a view of this property and I would like to be present with the Commissioners when it is done. Notify Mr. Marsh to be present when it is done.

BY MR. PRICE: After the Commissioners have viewed the premises in this case and the other four cases that I represented at this hearing, I desire to orally present argument on behalf of the claimants before this Commission as to the value of the various properties represented by our firm.

BY MR. BILLINGSLEY: Mr. Price, the Commission will give you that opportunity and we will be glad to hear you. I take it that you desire this hearing not to be on the mountain at the time of viewing, but at some other time?

BY MR. PRICE: Yes sir, at any other place that it will be convenient to you. Of course, I don't request the Commissioners to hear it on the Mountain.

CLAIM

of

S. R. ALESHIRE

INDEX

Name	Pages
R. D. Koontz	1 to 15
Mr. Louderback	15 to 21
Mr. Charles Sellers	21 to 24
Mr. V. L. Bidler	24 to 27
Mr. R. E. Breeden	28 to 31
Mr. Grover C. Koontz	31 to 35
Mr. C. D. Price	35 to 39
Mr. Phil Lamb	39 to 40
Mr. Michael Long	40 to 42
Mr. S. R. Aleshire	42 to 45
Mr. William Graves	45 to 46
Mr. F. L. Koontz	46 to 49
Mr. William Long	49 to 52
Mr. I. H. Cave	52 to
Mr. Isaac Long	53 to 54
Mr. S. H. Marsh (Defense Witness)	55 to 63
Mr. W. H. Stonebriner (Defense Witness)	63 to 68