

A. No sir.

Q. Then she has a family interest in the land?

A. Yes sir.

Q. Other than its actual value, it has a value to her because she feels that it has been in the family a long time?

A. It's on account of her other two farms.

Q. This better land than the Koontz land?

A. Well, its all cleared.

Q. It is actually a better grade of land, isn't it?

A. I think so.

Q. Now, there are no improvements on this land?

A. There is a house, a wagon shed and a stable.

Q. You didn't take that into consideration?

A. No sir. She didn't take that in at all.

Q. What would be a fair value on that?

A. I don't know.

Q. These gentlemen have to put a value on everything. I just want to get your value. Our people put on \$330.00, would that be fair?

A. Yes, I suppose so.

Q. The house is log, 24 x 50, with ell 12 x 32, one and one half story, 6 rooms, porch 8 x 50, weather boarded on 3 sides, 1/3 shingled and paper roof, very poor half, 1/3 metal roof, rock chimney, rock cellar, that right?

A. I guess so.

Q. In poor condition. \$330.00 is very liberal.

A. Well, I don't know. I didn't take any stock in this property.

BY MR. PRICE: It is just a house for tenants?

A. Yes sir, I go up there and spend a night, that is all I do.

BY MR. ARMSTRONG:

Q. Do you take your cattle up there?

A. We generally take our cattle up there about the 10th of May and put them on the grass and leave them there until about Sept. 20th, then we take the smaller off and leave the others there until it snows.

Q. They do well?

A. Just fine.

Q. Blue grass sod?

A. Yes sir.

Q. How much will a steer put on in that pasture during the pasturing season?

A. 300 to 350 pounds.

Q. 300 pound steer or something like that?

A. Yes sir.

CROSS EXAMINATION: Mr. Armstrong.

Q. You say your son had this land rented at one time?

A. He had one of the farms rented at one time, rented it to put his cattle on.

Q. At what price?

A. He didn't pay any price. He just put these cattle in. They bought the cattle together, he had the place rented and they bought the cattle together.

Q. No separate charge for grazing?

A. No, he had the place rented and she didn't want to feed the cattle. My nephew had some up there and my son kept them after he died.

BY MR. PRICE: He had a valley farm and wanted that to keep the cattle on?

A. Yes sir.

BY MR. SAMUELS: We understnad that is one of the oldest sod lands in the Blue Ridge. I would like to have your opinion, Mr. Long. Is that as good sod as others on the ridge?

A. It is good sod.

Q. Just asked your opinion of it.

BY MR. PRICE: Fellows don't like to compare other peoples land.

BY MR. SAMUELS: We have to have the value and we like to have the opinion of men like Mr. Long.

BY MR. PRICE: Is practically all that land in grass except 8 or 10 acres?

A. Yes sir. I think so. I don't think there is over 8 or 10

Q. Own land in the valley?

A. Yes sir.

Q. You are related to Mrs. Frances E. Lamb?

A. Yes sir.

Q. What relation?

A. We are second cousins.

Q. Have you handled a good number of cattle?

A. Yes sir, right many.

Q. Are you familiar with Mrs. Lamb's Blue Ridge Mountain farm of approximately 179 or 180 acres?

A. Pretty well, I think.

Q. Been on it a number of times?

A. Yes sir.

Q. Own the land adjoining it?

A. Yes sir.

Q. What is a fair value of it?

A. \$75.00 an acre is a fair value.

Q. Carries about how many cattle, Mr. Long?

A. 40 or 50. Along about that.

CROSS EXAMINATION: Mr. Armstrong.

Q. Do you agree with Mr. Phil Long in his testimony when he stated that this land grazed properly one 800 pound steer to every 4 acres during the grazing season, over a period of years?

A. You say 4 acres to each steer?

Q. About four acres to each steer,

A. I believe it would.

Q. This land is about of the same quality as your grazing land?

A. I believe we have a little better.

Q. Now a man could afford to pay more rent per acre for your land for grazing purposes than he could for this?

A. Yes, I would.

Q. Any good business man would, any good grazer would.

A. I believe we could run more cattle to the number of acres than they could.

Q. It will grow up in brush, won't it?

A. All mountain land will do that.

Q. On your mountain land up there, don't you find it advisable to keep it cleared up?

A. I did keep it cleared up until these condemnation proceedings started.

Q. You haven't spent any on it since the park started?

A. No sir. It would have been money thrown away.

Q. How many acres have you?

A. 416.

Q. How much did it cost you to cut the brush on it?

A. On an average, we spent \$250.00 a season. For a while it didn't cost us that much, that is, towards the last when we had it cleared up.

Q. What would it cost you now to cut the brush that has been growing for several years?

A. I don't know what it would cost.

Q. Well, how about Mrs. Lamb's land that we are now considering, that is about the same quality as this or not quite as good?

A. On an average it is about the same price land.

Q. Subject to grow up in brush unless you keep it cut down?

A. They had been keeping it cut down.

Q. What would you say it would cost a year to keep the brush cut down on this tract of land?

A. Not much.

Q. In dollars and cents, what would it average over a period of a year?

A. On this tract of land?

Q. Just give us a rough idea?

A. I would say \$10.00 a year to keep it down.

Q. For the whole tract?

A. Yes sir.

Q. 180 acres.

A. There is a few acres that were not cut over.

charge off per year for depreciation of the fence?

A. I don't hardly know. At a rough guess, you wouldn't have to do anything to it for 15 years.

Q. The life of the fence would be 10 years?

A. Not the fence, the wire would rust but the posts would last.

Q. Well, now - -

A. We have some wire that has been put up 20 years.

Q. What is the average price per head per month for 800 pound cattle grazing for the season or six months, on land like this in this neighborhood?

A. I judge from \$1.75 to \$2.00 per month.

Q. It has been testified here that this farm carries 44 or 45 heads of cattle per season; is that right?

A. That would be the average.

Q. Well, if it carries 45 heads and there is 180 acres, that would be one head of cattle for every four acres, wouldn't it?

A. I have never figured it but I suppose that is right.

Q. Would that be a fair way to figure the rental value of the land?

A. I guess it would, but that wouldn't be a fair way to arrive at the value of the land in connection with other farms.

Q. Do you know of an fairer way to arrive at the value of an investment than by figuring what per cent interest it would pay on the investment?

A. You are supposed to make an estimate.

Q. That is what you have endeavored to do. Now, if \$.75 per month per steer would be \$10.50 per season, that is, for 4 acres of land, isn't it? That would \$2.62½ per acre for the season?

A. I guess so. I have never figured it.

Q. From that you would necessarily have to deduct whatever labor would be necessary in clearing up the land, the taxes, and the depreciation in fencing, so that actually it would not net you \$2.62 per season. \$2.62 figured on the basis that I have submitted would be the gross amount per acre per season, and

Q. How old are you?

A. 49.

Q. Are you familiar with the Frances Lamb grazing lands on the Blue Ridge of approximately 178 acres?

A. Yes sir.

Q. Recently been over it?

A. Yes sir.

Q. What, in your judgment, is that land worth?

A. \$75.00 an acre would be a fair price for it.

Q. Most of it in sod?

A. Yes sir. A small tract of timber in one corner of it.

Q. Approximately how much?

A. 10 acres probably, has some blue grass in it.

CROSS EXAMINATION: Mr. Armstrong.

Q. How do you figure the value Mr. Aleshire?

A. From the number of cattle they keep on the tract and the condition they come off of there in the fall.

Q. Has the price of cattle nothing to do with it at all?

A. That has something to do with it. That is just basing it on an average.

Q. What is an average price?

A. We hardly know what the average price is.

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

DIRECT EXAMINATION: Mr. Price.

Q. Mr. Brubaker, how old are you?

A. 54 years old.

Q. Live in Page County, Virginia?

A. Yes sir.

Q. What is your occupation?

A. Farming.

Q. Are you familiar with Frances E. Lamb's Blue Ridge tract of

approximately 178 acres of land?

A. Yes sir, been going up there for the last 10 years.

Q. Been over it recently?

A. Yes sir.

Q. What, in your judgment, is that land worth?

A. I would hate to take \$75.00 an acre for it.

Q. You think it is well worth \$75.00 an acre?

A. Yes sir.

CROSS EXAMINATION: Mr. Armstrong.

Q. You know of any offers of \$75.00 an acre being made for this land?

A. No sir.

Q. How did you arrive at the value of this land?

A. By the lay of it and the condition it is in.

Q. Is that the only thing you are considering?

A. Yes sir.

Q. Did you say yes?

A. Yes sir.

Lester Ruffner, a witness of lawful age, being first duly sworn, deposes as follows:

DIRECT EXAMINATION: Mr. Price.

Q. Mr. Ruffner, are you a farmer?

A. Yes sir.

Q. Living in Page County?

A. Yes sir.

Q. How old are you?

A. 53.

Q. You familiar with the Blue Ridge Mountain land?

A. Yes sir.

Q. Ever pastured any cattle on the Blue Ridge Mountain?

A. Yes sir, but not on this tract.

Q. Then, Dolly B. Ruffner was your wifes mother?

A. Yes sir.

Q. Is she dead?

A. She died about five years ago.

Q. I believe her son died before she did?

A. Yes sir.

Q. Than your wife's mother and your wife inherited his 1/2 interest in this property?

A. Yes sir.

Q. The mother taking at that time, the childs part?

A. Yes sir.

Q. I believe you said she married Ruffner after that and when she died, she made a will leaving the 1/4 undivided interest in the property to your son, Cleatus B. Lamb?

A. Yes. He will be 21 years old the 15th of July.

Q. I will state to the Commission that I will file an immediate answer for him so it will be easy for the Commissioners to make a report.

Mr. Lamb, how long have you been familiar with this land owned by your wife on the Blue Ridge Mountain?

A. 22 years.

Q. I believe your wife placed it at \$75.00 an acre?

A. It is worth \$75.00 an acre.

Q. That is your judgment?

A. I don't think she got it any too high.

Q. If it wasn't for the condemnation proceedings, would your wife sell her land at \$75.00 an acre?

A. No sir.

Q. Had she made an attempt to sell it before these proceedings were instituted or suggested?

A. No sir, she never offered to sell anything.

Q. No part of her land?

A. No sir.

Q. How many cattle have you been pasturing?

- A. From 40 to 50 heads. We have 43 this year.
- Q. How many last year?
- A. 44.
- Q. What size cattle?
- A. We have 33 up there that weigh about 800 pounds and 10 up there that will weigh between 500 and 600 pounds.
- Q. What do your 800 pound cattle usually put on?
- A. If it is a good season, they will put on 300 pounds. We have had them to put on 350.
- Q. By actual weighing them?
- A. Yes sir.
- Q. Good scales?
- A. Yes sir.
- Q. How much of this land is in sod?
- A. All except 12 acres.
- Q. Whose land does it adjoin?
- A. Lee Long - Isaac Long - Phil Long - Aleshire and Koontz.
- Q. This is known as the Brannon Place?
- A. Yes sir.
- Q. Some of the first land ever cleared up on the Blue Ridge Mountain?
- A. Yes sir.
- Q. You never took in any cattle to pasture?
- A. No sir.
- Q. Never rented any?
- A. No sir.
- Q. Does your wife own any land on the Shenandoah River?
- A. 560 acres.
- Q. Is it improved with farm buildings, barn and residence?
- A. Yes sir.
- Q. You use this grazing land to take care the cattle you carry through the winter?
- A. Yes sir.
- Q. Your wife's farm is beside the White House Farm?
- A. Yes sir, she owns a farm on this side and on the other side.

Q. Going to Luray?

A. Yes sir.

CROSS EXAMINATION: Mr. Armstrong.

Q. Mr. Lamb, this land lies partly in Page and partly in Madison?

A. No sir, all in Madison.

Q. It is all assessed in Madison but doesn't any of it come across the top of the mountain?

A. No sir, the line runs between cousin Phil Long's.

Q. It doesn't make any difference where it runs, the one difference it makes is whether it is in Page or Madison County.

A. We pay all our taxes in Madison County.

BY MR. PRICE: Your wife isn't making any claim in Page County. The whole claim is in Madison County.

A. Yes sir.

BY MR. ARMSTRONG:

Q. There seems to be 152 acres in Madison County and apparently 8 acres in Page. Did you say you had a metes and bounds description of the whole tract?

A. Yes sir.

Q. You are going to file that?

A. Yes sir.

Q. Now this is purely a grazing farm?

A. Yes sir.

Q. Is there any timber on it?

A. I judge there is 10 or 12 acres on the left end side, coming out of the place.

Q. Woods?

A. It was but we have had it cleaned up.

Q. You have about 8 acres woodland grazing?

A. That is all there is on the place.

Q. How much would she sell this land for?

A. She wouldn't sell it.

Q. Not for any price at all?

Q. Have you ever rented any land?

A. No sir.

Q. Never took in grazing for other people?

A. I have rented some land.

Q. For grazing?

A. Yes sir, about 15 heads on what was the Parks Place.

Q. Where is that land?

A. Lies down below the Koontz land. I paid 50¢ a month to have them looked after.

Q. Didn't pay anything at all for the grazing. Just 50¢ a head per month?

A. Yes sir.

Q. It only cost you 50¢?

A. Yes sir.

Q. How large a boudary do they have?

A. It went over the Graves tract.

Q. What is the usual price charged per head on that tract?

A. I don't know, only what I hear other people say.

BY MR. SAMUELS: Mr. Lamb, have you always had plenty of water on this tract?

A. Yes sir.

Q. Didn't run short of water last season?

A. I furnished water for our tract and for Mr. Aleshires cattle.

BY MR. ARMSTRONG:

Q. You mean the stream runs through Mr. Aleshires tract, too?

A. Yes sir, and furnishes water for Mr. Aleshire's cattle and mine too.

Q. Mr. Aleshire didn't have to come to you to get permission to graze cattle, did he?

A. No sir.

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

DIRECT EXAMINATION: Mr. Price.

Q. Mr. Long, you live in Page County?

A. Yes sir.

Q. Related to Frances E. Lamb?

A. Yes sir.

Q. What relation are you to her?

A. She is my niece.

Q. I believe you own real estate in the valley and also on the Blue Ridge Mountain in the park area they are going to condemn?

A. Yes sir.

Q. Been handling a large number of cattle all your life?

A. Yes sir.

Q. Mr. Long, are you familiar with Mrs. Frances E. Lamb's ridge land?

A. It adjoins our land up there.

Q. What, in your judgment, is her property worth?

A. \$75.00 an acre would be a proper value for it.

Q. Is that the oldest cleared land up there?

A. Back further than I can remember. When I was a boy there was very little of the land cleared up there.

Q. How old are you?

A. 71 the 9th of July.

Q. Mr. Long, is this place well watered?

A. Yes sir.

Q. Never failing spring?

A. That spring has never been dry to my knowledge.

Q. Plenty water there last year, and last year was a dry year?

A. Yes sir.

Q. Mr. Long, you have seen cattle pastured on that land every year?

A. Yes sir, every year. I never have but my son had this place rented one time and he pastured cattle there one time.

Q. How many cattle will that pasture carry?

A. 45 or 50. I think that is about what they pastured when he had an interest in it.

acres in timber.

BY MR. ARMSTRONG:

Q. Mr. Long, this farm will graze during an average grazing season about 45 heads of 800 pound cattle, is that right?

A. I would think it would graze 50 in a good season, and an average season, 45. I don't know how many they had on there last summer. I think they had 40 some on it last year, but I'm not certain.

Q. 180 acres, isn't it?

A. Yes sir. It used to be the best grass farm on the Blue Ridge. It was all cleared off.

Q. That would be about one head of cattle to every four acres?

A. I think it would be more than that, wouldn't it?

Q. No sir.

A. I thought it would be more than that but I never counted it up.

Q. This has always been considered one of the best farms?

A. When I first started going up there when I was a little boy, there wasn't much land cleared up.

Q. Has this sod gone back?

A. It is still considered a good sod. That is considered the oldest sod on the Blue Ridge.

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

DIRECT EXAMINATION: Mr. Price.

Q. Mr. Long, you live in Page County, Virginia?

A. Yes sir.

Q. Ex member of the House of Delegates in the State of Virginia?

A. Yes sir.

Q. You are a large land owner?

A. Fairly, yes.

Q. Own land in this park area on the Blue Ridge Mountain?

A. Yes sir.

Q. Thicker acres, isn't it?

A. Yes sir.

Q. Cleaner acres?

A. Yes sir.

Q. Then, if \$2.00 per month would be a fair rental for your land, the fair rental for this land would be less?

A. Yes sir.

Q. How much?

A. 25%.

Q. \$1.75 would be a fair rental per month for this?

A. Yes sir.

Q. \$1.75 per month figuring on a basis of six months?

A. Yes sir.

Q. That would \$9.50 wouldn't it?

A. Yes sir.

Q. \$9.50 for the season?

A. Yes sir.

Q. And if figuring on a basis of one steer for every four acres, it would be 45 steers, wouldn't it?

A. Yes sir.

BY MR. SAMUELS: Do you think a grazing season would be 5 or 6 months?

A. We call 6 months a grazing season.

Q. If you would lose, you would lose on a 6 months basis?

A. Yes sir.

BY MR. ARMSTRONG: That would make \$945.00 gross revenue for the tract per year, wouldn't it?

A. I think so.

BY MR. PRICE: Mr. Long, people that own land up there figure that they make more money out of the land by grazing their own cattle than they do by renting the pasture, do they not?

A. As a rule they do.

Q. As a rule they do. The farmers in our section raise their own cattle, and it wouldn't be a fair way to get at the fair value of a grazing farm by figuring what you might be able to rent it for for one season. A man in the cattle business doesn't go in

it for one year. He has to be in it year after year to get anything out of it.

A. Yes sir.

BY MR. ARMSTRONG:

Q. I don't quite follow you there, Mr. Long. There are quite a number of farmers in Page County who keep cattle that don't keep them on the Blue Ridge Mountains.

A. I don't think there are very many.

Q. What do they do with the balance of the feed?

A. Let it go to waste on the farm. They don't usually keep cattle if they don't have any place to put them.

Q. You mean that nobody keeps cattle of their own except these who keep land in this mountain?

A. Not many. Most of the people sell their cattle and calves because they don't have any place to put them in the summer time.

Q. If a man raised his young cattle, they have a value on the market, don't they?

A. Sure.

Q. In estimating what this land would be worth to graze them, you value it as to what you could get if you sold them, wouldn't you?

A. Yes sir.

Q. If you sold them to some person and you could rent it to some person for \$2.00 per month, you would, wouldn't you? Here is what I mean; they would be worth more to graze for you at the present market than they would be for the other man who you sold the cattle to, if you had sold them at the present price?

A. I don't quite get you.

Q. If you had an 800 pound steer that you had raised from a calf up so you could sell it for \$50.00 which would be a fair market price for it. The man who bought it didn't have any grazing land he could run the steer on; he could rent the land from you at \$2.00 per steer per month. Why wouldn't it be worth more to you than to him?

A. I would be getting his profit that he would be expecting to

make out of it.

Q. If the cattle went down, you would be saving, wouldn't you?

A. Yes sir.

Q. Taking a chance is figured in the price of cattle when you buy them?

A. Yes sir, we have to take a chance.

Q. If he rented the land from you at \$2.00 per acre, there wouldn't be any chances as to whether the cattle went up or down?

A. No sir.

Q. So, don't you think under these circumstances that a fair way to estimate the value of this land would be what it will bring you in a year at the grazing prices?

A. Sure.

RE DIRECT EXAMINATION: Mr. Price.

Q. You don't see anybody that owns a farm in the valley that is foolish enough to sell their grazing cattle, to sell their grazing cattle to somebody else to take the chances, do you?

A. No sir.

Q. It would be foolish, wouldn't it?

A. Yes sir. ;

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

DIRECT EXAMINATION: Mr. Price.

Q. Mr. Aleshire, you live in Page County?

A. Yes sir.

Q. Are you a owner of a large farm in the valley and also in this park area?

A. Yes sir.

Q. That is your occupation?

A. Yes sir.

Q. Been farming all your life?

A. Yes sir.

- Q. There isn't any cattle pasturing on this tract of land?
- A. Yes sir, almost every years.
- Q. What, in your judgment, is that land worth, Mr. Ruffner?
- A. Taking everything into consideration, it is worth \$75.00 an acre, taking into consideration the condition of the land.
- Q. Ever hear of her offering to sell the property?
- A. No sir.
- Q. Mrs. Lamb a large land owner besides this?
- A. Yes sir.

CROSS EXAMINATION: Mr. Armstrong.

- Q. Ever hear of anyone offering her \$75.00 an acre for it?
- A. No sir, but the government wanted to buy it for an airplane landing several years ago but I don't think she ever made them an offer.
- Q. How do you arrive at the value of \$75.00 per acre for the grazing land?
- A. Well, the amount of cattle it grazes, the condition they come off of there and the lay of the land.
- Q. Wouldn't the value of the cattle necessarily have to enter into the value, per pound?
- A. You mean the price per pound?
- Q. Yes.
- A. Well, yes it would.
- Q. What price per pound are you figuring on?
- A. Around 8¢, something like that.
- Q. One head of cattle to every four acres?
- A. Every four acres.
- Q. What is the rental value per head of 800 pound cattle on this land?
- A. I think it runs around \$2.00 per month per head.
- Q. Do you think \$1.75 or \$2.00 as Mr. Long said?
- A. That would depend on the size of the cattle on an average. Possibly it would run a little below \$2.00.
- Q. In arriving at the value of the land, you are taking it

into consideration, say take one 800 pound steer for the season of six months, that steer will put on how much?

A. Around 300 pounds.

Q. 300 pounds?

A. Yes sir.

Q. That steer when sold will bring 8¢ per pound?

A. Around 8¢, there is a difference in the prices, of course.

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

DIRECT EXAMINATION: Mr. Price.

Q. Mr. Long, you are a farmer?

A. Yes sir.

Q. Familiar with farm values?

A. Well, I think so, yes sir.

Q. You familiar with the Blue Ridge Mountain lands?

A. Yes sir.

Q. Madison County on top of it?

A. Yes sir, part of it.

Q. Familiar with the Frances E. Lamb 178 acres?

A. Yes sir.

Q. What do you consider that land worth, Mr. Long?

A. \$75.00 per acre.

Q. Grazes how many cattle?

A. 45 or 50, good grazing, too.

Q. How many cattle have they been actually carrying there?

A. Around 45 I think.

Q. Have you seen the cattle when they come off of that tract?

A. Yes sir.

Q. Put on approximately how much, would you say?

A. 300 or 350 pound, I would say.

Q. In the grazing season?

A. Yes sir.

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, do you live in the Hawks Bill, Page County, Virginia?

A. Yes sir.

Q. How old are you?

A. 38.

Q. What is your occupation?

A. Farming.

Q. Is your father one of the largest farm owners in Page County?

A. He owns a good number of acres but I don't know just how many.

Q. Are you familiar with the Blue Ridge Mountain tract of Frances E. Lamb's?

A. Yes sir.

Q. What do you estimate that land to be worth, Mr. Long?

A. If it belonged to me, I wouldn't consider anything under \$75.00 an acre for it. I wouldn't want to sell it for that.

Q. Isn't that about the case with reference to all that grazing land, that is, in families and they don't want to sell it?

A. Yes sir.

Q. How many cattle have they been pasturing on it?

A. From 40 to 60.

Q. Pass/there frequently going to your fathers land?

A. Our cattle get mixed up frequently and I go in there frequently

Q. Cattle do well on this land.

A. Yes sir.

CROSS EXAMINATION: Mr. Armstrong.

Q. Mr. Long, mountain land is usually somewhat wild unless you keep it grazed or keep the brushes cut, isn't it?

A. What do you mean by it being wild?

- Q. I am not counting them.
- A. I think \$15.00 would do it.
- Q. Is this land fenced?
- A. Yes sir.
- Q. What kind of fence?
- A. The best of my knowledge, 2/3 of it is under wire fence, not quite that much but close to it and the rest of it is brush rail fence.
- Q. How long has that wire fence been up there, that wire fence you spoke of?
- A. 4 or 5 years probably.
- Q. Locust posts?
- A. I couldn't tell you.
- Q. What does it cost per rod to buy and erect, including posts, a fence like the fence that encloses this land?
- A. 75¢ to a rod.
- Q. I am not very good at figuring I admit. Give us your best idea of how many rods in the fence.
- A. I don't know.
- Q. You are familiar with the fence. How much would it cost to put up the fence without figuring per rod?
- A. That is taking a long chance. I don't know.
- Q. At what per rod, then?
- A. From 75¢ to \$1.00 per rod.
- Q. Including the purchase price of the fence, the setting of the posts and everything would cost 75¢?
- A. It would cost more than that, that runs you about \$1.25 a rod.
- Q. That includes metal posts?
- A. No sir.
- Q. For the same kind of fence as this?
- A. Yes sir.
- Q. How long do you figure that fence would last. What would you

except during the grazing season, the land produces nothing at all, does it?

A. You are counting that as six months. We keep stock on there more than six months a year. There is always stock on there until the last of November or December.

Q. Isn't the rental season always six months. Never over six months, is it?

A. About six months.

Q. That is what nearly every witness has testified to. Say figuring \$2.62, gross revenue per acre from the land at six per cent, what valuation would you put on the land per acre to yield that? \$45.33 isn't it?

A. Yes sir, I think so.

It is stipulated by Counsel for Petitioner and by Counsel for the claimants Frances E. Lamb and S. R. Aleshire that the same questions and answers as to the witness S. H. Marsh on yesterday in the hearing of the claim of R. D. Koontz and others, with respect to his qualifications, may be read and considered by the Board of Appraisal Commissioners in the present case without actually asking the witness, Marsh, the same questions and have him answer the same.

W. C. Armstrong.

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

DIRECT EXAMINATION: Mr. Armstrong.

Q. Are you the Mr. Marsh who testified in the case of R. D. Koontz yesterday before this Board?

A. Yes sir.

Q. Are you familiar with the lands of Frances E. Lamb who^{se} claim is now up before the Board. I refer to the land or rather, tract

claimed to contain 186 acres situated in Madison County and within the area sought to be condemned by the Petitioner in these proceedings?

A. I am.

Q. Have you gone upon that tract for the purpose of estimating its value?

A. I have.

Q. Will you please tell the Commissioners the character of that tract, what elements make up its value and what is its value in your opinion and how you arrived at such a value?

Produced copy and reads.

A. It lies on top of the Blue Ridge at the butt of Tanner's Ridge, lying in Madison and Page Counties, and entirely within the park area. It is a sandy loam of good depth and fertility with little rock. Slopes are gentle and moderate with an eastern exposure. It is nine miles of rough country roads with the exception of one mile which is paved to Stanley, the nearest shipping point. A small portion of the area is poorly drained and is covered with small hummocks on which there are inferior grasses. The first class grazing has a good sod with a good percentage of blue grass, but there is some moss and some oat grass. The second class has part of the surface covered by rock and logs and an open stand of timber. There is very little water on this tract.

It has one tenant house; Log, 24 x 50, with all 12 x 32, one and one-half story, 6 rooms, porch 8 x 50', weather-boarded on 3 sides, 1/3 shingled and paper roof, very poor half, 1/3 metal roof rock chimney, rock cellar, poor condition - - - \$330.00

It has a stable: log, 16 x 20', dilapidated, no value.

The land in Madison County has three different types: grazing I - 136 acres - \$28.00 per acre - Total \$3808.00; grazing II - 8 acres - \$20.00 per acre - total \$160.00; woodland grazing - 8 acres - \$20.00 per acre - total \$160.00; Total acres 152 - total value \$4128.00

Value of land - \$4,128.00 - value of improvements - 350.00;
value of tract \$4,478.00; value per acre \$29.46.

Page County: woodland grazing - 7 acres - \$20.00 per acre -
total value \$140.00; woodland grazing - 1 acre - \$28.00 - total
value \$28.00. Total value \$168.00.

Value of land \$168.00 Average per acre. \$21.00.

Summary of Page and Madison Counties: Total number of acres 160
Total value of tract \$4,646.00. Average value per acre \$29.04.

CROSS EXAMINATION: Mr. Price.

Q. Did you read the deed from Lee Long and wife dated the 19th
day of April, 1907 to Cleatus M. Brubaker?

A. No sir.

Q. This deed was recorded in Deed Book 39, Page 187, in which
two parcels were conveyed, one by metes and bounds containing
176 acres and the other being just a small acreage adjoining
that and not described by metes and bounds? You didn't see that
deed?

A. No. I did not but I would like to see it though.

Mr. Price hands deed to Mr. Marsh.

A. I don't see anything in reference to the amount of land in
the second conveyance.

Q. The land is set out in the first parcel.

A. This other tract is just a little piece of land.

Q. It is my intention to file deeds setting out the description
of this property.

BY MR. ARMSTRONG: Do you have a metes and bounds description?

BY MR. PRICE: In this deed I have just shown to Mr. Marsh, I
Have.

Q. You gave the total value of 152 acres as in Madison County
at what price?

A. \$4128.00.

Q. You valued 136 acres of the grazing land at \$28.00?

A. Yes sir.

Q. How did you estimate that value?

A. We arrived at it by a number of different ways. In this, we were guided to some extent by the carrying capacity of the range, by the selling price of similiar lands. We also had on the property a man who was considered a grazing expert in the governments services who examined the property with us.

Q. Are you giving his judgment or your judgment?

A. Our judgment, my judgment, but my judgment is influenced by a number of factors, of course.

Q. Lets take up your first proposition, your carrying capacity. How many cattle did you figure that boundary land would carry?

A. Probably about - - I should say 3 or 4 acres to the head.

Q. At what price per head did you estimate this land?

A. We estimated on the basis of \$1.50 to \$2.00.

Q. Per month - per head?

A. Yes sir.

Q. Did you figure that this land would carry 45 heads?

A. I did not. I can figure it up and tell you. You are speaking of the Madison County portion?

Q. Is there any difference in the Madison County portion and the Page County portion as far as the value is concerned?

A. Approximately 40 heads. I should say on the basis of ^{acres,} /40 or 45 heads.

Q. Getting to the selling price, you haven't lived in that community?

A. No sir.

Q. You haven't seen any land selling in that community?

A. No, but I have seen records of it. It is available for anyone to look at.

Q. You know of any land that sold in that immediate neighborhood recently?

A. Yes sir.

Q. What land?

A. Not in the last few months. In the last few years, the Aleshire tract has been purchased.

Q. The commission heard about that.

A. You asked me so I told you. The Spitler tract that I told you about yesterday.

Q. Where is that tract located?

A. South of this tract.

Q. That sold for \$60.00 an acre?

A. It sold for \$30.00.

Q. How did you find that out?

A. I checked up on the last year. I find the price is \$30.00 an acre.

Q. Do you know how much was cleared when Spitler bought it and how much was in brush?

A. I do not.

Q. When did Spitler buy that property?

A. I don't recall. It was a few years ago.

Q. 6 - 8 - 5?

A. I wouldn't think it was five years. Yes, I reckon it was too. It was more than that. He bought it when land was high. He bought it around 1920. I should say he bought it at a time when land was selling at a high price.

Q. You knew nothing about that land when Mr. Spitler bought it?

A. No sir.

Q. Do you know the price Spitler has spent on that tract?

A. That was used simply as a guide. It was among the cases that were used.

Q. You told the Commissioners that one of the ways you used to reach the value of the property on the Blue Ridge Mountain was the selling prices of land of the same character and nature. Do you know of any other land that was sold that you used to value this?

BY MR. ARMSTRONG: Objected to. Counsel for claimant evidently mis-quoted the records. Counsel for Petitioner contends that the witness did not say that he had been guided in making up his estimate by what the lands in that particular neighborhood had

telling you about that when you interrupted.

Q. I am sorry. Go ahead.

A. Another tract was another Grove tract that was located over in Batman Cave.

Q. What did that sell for?

A. I think it was purchased by Mr. Grove at \$14.00 an acre. I am not positive that was the figure but as I recall it, it was \$14.00 an acre.

Q. Do do think that land in any way compares with this land?

A. If I thought that, I would have assigned that to this land. I thought this was better land.

Q. Mr. Marsh, if you can tell me of a single sale of land on top of the Blue Ridge Mountain except the Aleshire and the Isaac Koontz purchase by Benny Spitler 5 or 6 years ago, that have changed hands, I would like to know what it is?

A. How about the Grove land?

Q. Is that on top of the mountain?

A. You are evidently not familiar with that property up there.

Q. I haven't heard of it.

A. It was made to Gill Grove.

Q. Is that the only one?

A. No, that isn't the only one.

Q. Then name some more.

A. The Spitler, and the Huffman tract. That is not an old sale.

Q. When was that made?

A. They have had that land 8 or 10 years. I think they bought it when land was high.

Q. What Spitler was that.

A. Charles N. Spitler.

Q. You know what it brought?

A. Yes..

Q. What?

A. About \$2400.00. Would you like some others?

A. No.

Q. You never grazed any cattle?

A. It just depends on what you mean. I never had any cattle of my own but I have handled a good many thousand heads of cattle.

Q. Where?

A. On the National Forest.

Q. Cattle that somebody else owned that stayed on the governments forest?

A. Somebody else owned them but they stayed on the National Forest.

Q. What did you have to do with it?

A. Handled the allotment of the ranges, the carrying capacity of the ranges, the grazing rates, inspected the range to see that the range was not over grazed, and make up the allotment for the ranges - - I think I mentioned that.

Q. Did you have under your supervision the Shenandoah National Forest?

A. Well, the Massanutten, that was a small division of the National Forest.

Q. Rented pasture in there?

A. We had a few heads but we didn't consider that. There hadn't been any cattle in there for a few years.

Q. If they fail/^{ed}a man one year, he didn't come back the next?

A. If a man went in there, he went at his own risk. The grazing land was on the other side of the valley on the Shenandoah and Potomac valley. We didn't consider there was any grazing land on the Massanutten at all.

Q. Know any in the Blue Ridge?

A. Not in this section. They had further in the Blue Ridge.

Mr. Phillip G. 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. Page County, Virginia?

A. Yes sir.

Q. What relation are you to Frances E. Lamb, the claimant?

A. Husband.

Q. Frances E. Lamb has laid claim to the ownership in fee simple to a tract of land in the Blue Ridge Mountains containing how many acres?

A. 170.

Q. Isn't there another small tract?

A. Yes, about 10 acres.

Q. How much all together?

A. About 179 acres. I think her tax bill calls for 178 acres.

Q. Mr. Lamb, I am going to ask you to file with your depositions a description of this property by metes and bounds as shown by your deeds.

A. Yes sir.

Q. This claim filed by your wife, Frances E. Lamb, states that she owns the entire fee simple in this tract of land. Mr. Lamb, isn't it true that your son has an interest in a portion of it?

A. He will when he becomes 21.

Q. He isn't 21?

A. He will be on the 15th of July, this year.

Q. Your wife inherited a 1/2 interest from J. P. Brubaker who died without leaving a will, or intestate?

A. Yes sir.

Q. When he died, he left two children, Cleatus B. and your wife, Frances E. Lamb?

A. Yes sir

sold for. Counsel for Petitioner requests the stenographer to read the witnesses answer.

BY MR. PRICE: Never mind, I will ask him this:

Q. Do you tell this Commission now in estimating the value that should be placed upon this land was arrived at by you taking into consideration the selling prices of any land in that same neighborhood?

A. Yes sir, in that neighborhood and in the whole county. Before we did any work at all on the valuation of any land, we got the sales of any land that had been made in the county for five years. That list was checked over carefully and many tracts were visited that had been sold that we had a record of. Among these sales were some lands which had considerable amounts of grazing land on them. The lands were similiar to the lands/^{we}were to examine and make an estimate of.

Q. Then, in arriving at the value of this land, just name some of these tracts that you used as a measure.

A. I recall one. That was the Gill Grove tract,

Q. Where is that located?

A. North of this tract.

Q. Contains how many acres?

A. About 50 acres.

Q. What did it bring?

A. I don't recall but we have the record right there.

Q. Did you look at that record and estimate this land by it when you estimated the value of this land?

A. Mr. Price, we took the value of this property that had sold in account when placing the value of this property here. I didn't say and I didn't intend to say that we were guided - - I did say we were guided, but I didn't say that because one tract brought \$30.00 an acre, we were giving this tract \$30.00 an acre, but we did take other tracts of lands similiarly located into account.

Q. Mention the exact lands you took into account that you say were similiarly located.

A. All right, I am telling you about the Grove tract. I was

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