

NAME OF CLAIMANT

#356 - Webster & Shaver

Number of Acres: 8

Location: Top of Main Ridge and extending down slope to Flat Gut Run. Entirely inside Park area.

Roads: Two miles over wagon road to Simmons Gap; thence eight miles over fair dirt road to Elkton.

Soil: Sandy clay, good depth and fertility, numerous cliffs, especially in wooded part. Moderate to steep slopes, quite rocky, north and east exposures.

History of Tract and condition of timber: (See reverse side)

Improvements: Dwelling: Log, 16x24', 2 rooms, porch 9x24', shingle roof, stone flues, 1½ story, water supply - spring, fair condition, vacant.

Barn: Log, 11x37', 2 sheds, one 11x32', one 6x32', shingle roof, Hen house: 6x10' ---- Spring house: ---

Acreage and value of types:

Types	Acreage		Value per acre	Total Value
Ridge:				
Slope:	2	@	\$5.00	\$10.00
Cove:				
Grazing Land:	6	@	40.00	240.00
	<u>8</u>			<u>\$250.00</u>
Fields Restocking:				

Cultivated Land:

Orchard:

Minerals:

Value of Land: \$ 250.00

Value of Improvements: \$

Value of Orchard: \$

Value of Minerals: \$

Value of Fruit: \$

Value of Timber: \$

Value of Wood: \$

Value per acre for tract: \$ 31.25

Incidental damages arising from the taking of this tract: \$ NONE.

Geo. H. Pen. CLERK. 62

County: Rockingham
 District: Stonewall
 County: Greene
 District: Monroe

(Rockingham) #356- Webster & Shaver
 (Greene) #169- " " "

SUMMARY

(Rockingham County:)

<u>Acreage and value of land by types:</u>		<u>Value</u>	<u>Total</u>
<u>Type:</u>	<u>Area:</u>	<u>per acre</u>	<u>Value</u>
Slope	2	\$2.50	\$5.00
Grazing	6	18.00	108.00
	<u>8</u>		<u>\$113.00</u>

Total value of land: \$113.00
 Average value per acre: \$14.13

(Greene County)

Acreage and value of land by types:

<u>Types:</u>	<u>Area:</u>	<u>Value</u>	<u>Total</u>
		<u>per acre</u>	<u>Value</u>
Slope	172	\$2.50	\$430.00
Tillable	8	10.00	80.00
Grazing	65	18.00	1170.00
	<u>245</u>		<u>\$1680.00</u>

Total value of land: \$1680.00
 Total value of improvements: 161.00
 Total value of timber: 46.00
 Total value of tract: \$1887.00

Average value per acre: \$7.70

SUMMARY OF ENTIRE TRACT (Both Counties)

Acreage and value of land by types:

<u>Types:</u>	<u>Area:</u>	<u>Value</u>	<u>Total</u>
		<u>per acre</u>	<u>Value</u>
Slope	174 A.	\$2.50	\$435.00
Tillable	8 A.	10.00	80.00
Grazing	71 A.	18.00	\$1278.00
	<u>253 A.</u>		<u>\$1793.00</u>

Total value of land: \$1793.00
 Total value of improvements: 161.00
 Total value of timber: 46.00
 Total value of tract: \$2000.00

Average value per acre: \$7.91

IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY, VIRGINIA
STATE COMMISSION ON CONSERVATION AND DEVELOPMENT IN THE STATE
OF VIRGINIA

vs

CASSANDRA LAWSON ATKINS, Et als and 52,561 ACRES OF LAND, MORE
OR LESS, IN ROCKINGHAM COUNTY, VIRGINIA

Upon the motion of W. S. Shover by Chas. A. Hammer, his
counsel, Maude E. Webster, by John S. Chapman her counsel, E. D.
Ott by N. B. Early Jr., his counsel, and John^W Morrison by Chas. A.
Hammer his counsel, leave is granted them to file their petition
in the above entered^{ed} cause and the same is accordingly filed, and
upon their motion it is ordered that the sum of \$250.00, the
amount of the award set out in the judgment of condemnation of
tract No. 356 and heretofore paid into the custody of the Court,
be paid to John S. Chapman and Chas. A. Hammer, Special Commission-
ers of the Circuit Court of Greene County in the Chancery Cause of
W. S. Shover vs Maude E. Webster et als to be distributed in
said cause to those entered^{ed} thereto, and it appearing that there
are liens upon the said lands, It is accordingly adjudged ordered
and decreed that the said liens be transferred from the lands to
the funds herein ordered paid to said Commissioners in the said
Chancery Cause of ~~the~~ W. S. Shover vs Maude E. Webster et als.

And it is further ordered that the Clerk of this Court
be and is hereby directed to transmit a certified copy of this
order to the Treasurer of Virginia, who shall pay to John S. Chap-
man and Chas. A. Hammer Special Commissioners of the Circuit Court
of Greene County, in the Chancery Cause of W. S. Shover vs Maude
E. Webster et als, \$250.00, the amount of the award set out in the
judgment of condemnation for tract No. 356, taking from said
Commissioners receipts therefor and certifying such payment to
this Court for appropriate entry as required by law.

Ent
17/11/73

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105
11/26/34

STATE COMMISSION ON CONSERVATION AND DEVELOPMENT IN THE STATE OF VIRGINIA

vs

CASSANDRA LAWSON ATKINS, et als, and ^{5256/}ACRES OF LAND, MORE OR LESS, IN ROCKINGHAM COUNTY, VIRGINIA

The petition of W. S. Shover respectfully represents:

That on the 7th day of March, 1919, petitioner and one, E. W. Webster, purchased of Burton Morris a tract of land lying on top of the Blue Ridge Mountain, partly in Rockingham and partly Greene Counties, and containing 245 acres, more or less, as will more fully appear from a copy of the deed here filed, marked "Exhibit A", and prayed to be read as a part hereof.

That on the 24th day of September, 1919, E. W. Webster died intestate, seized and possessed of one-half interest in said land, leaving surviving him his widow, Maude E. Webster, and the following children: Ralph Webster, Lester Webster, and Daniel Webster, as his only heirs at law, all of whom are over the age of twenty-one years.

That to the first January rules, 1932, petitioner brought his suit in Chancery in the Circuit Court of Greene County, against the widow and heirs at law of the said E. W. Webster, wherein he set forth the abovefacts; that upon the case being matured against all parties, a decree of reference was entered therein at the March term, 1933, requiring that an account be taken ascertaining:

- (1) Whether the land was susceptible of partition in kind;
- (2) An account showing whether dower could be assigned therein in kind to Maude E. Webster;
- (3) The liens upon the interest of W. S. Shover, E. W. Webster, Maude S. Webster, Lester Webster, Ralph Webster, and Daniel Webster, in said lands or either of them and the order of

priority;

(4) Any other account any person in interest might require or that the Commissioner might deem pertinent.

In response to this reference, K. M. Mitchell, Commissioner in Chancery of the Circuit Court of Greene County, made, executed and filed his report in said cause; That in May, 1932, a decree of sale was entered and thereafter the property was sold and the sale reported to the Circuit Court of Greene County for confirmation; that to the report of confirmation, Maude S. Webster, the widow, and E. D. Ott, a creditor of Lester F. Webster, filed their exceptions to the report of sale and objected to its confirmation, which objections the Court sustained and refused to confirm the sale, deeming the price bid as inadequate.

That there was ascertained in said suit that there were no liens against W. S. Shover, or E. W. Webster binding the property, but that there were liens against some of the children of E. W. Webster, which will have to be paid from their share of the funds arising from the condemnation of the lands.

Your petitioner would represent unto the Court that from the papers in said cause it appears that E. D. Ott has a judgement dated April 18, 1932, obtained in the Circuit Court of Rockingham County against Lester F. Webster for the sum of \$125.00 and \$8.25 costs, with interest at 6% from April 2, 1929, until paid, which is unsatisfied. From the said report of the said Commissioner it appears that there is a judgment of J. W. Morrison against Ralph Webster, dated February 3, 1932, for the sum of \$57.86 and \$4.75 costs, with interest from November 30, 1931. That it also appears that there is a judgment in favor of W. S. Shover against Ralph Webster, dated April 6, 1932, for \$17.50 and \$3.75 costs, with interest from November 19, 1931. Your petitioner also represents that he has paid all of the taxes upon the said lands for the years _____ and _____ amounting to \$_____.

one-half of which should be refunded to him from the estate of E. W. Webster, deceased, before there is any distribution of the funds among his heirs, and that there is due to the Clerk of the Court of Greene County and to K. M. Mitchell, Commissioner, and others the costs of the said suit.

Your petitioner further represents that the said lands lie wholly within the park area and are known as tract No. 355 described upon the report of the Board of Appraisers of Greene County and valued at Two Thousand Two Hundred Thirty-One Dollars (\$2231.00), and of tract No. 356, located in Rockingham County and described as of the Value of \$250.00, a total valuation in the two counties of Two Thousand Four Hundred Eighty-One Dollars (\$2481.00)

Your petitioner shows that the allowances made by the Board of Appraisers of Greene County, has heretofore been ordered paid into the hands of the Circuit Court of Greene County to there be distributed in accordance with the liens upon the said funds as established by the order of the Court of Greene County, in the said Chancery Cause of Shover Vs. Webster and petitions pray that the sum of \$250.00 allowed by the Board of Appraisal Commissions for the land in Rockingham County be paid into the Chancery Cause of Shover vs Webster pending in the Circuit Court of Greene County and with the other funds distributed under the order of the Court in that cause wherein all parties are assembled.

Your petitioner further represents that a judgment in rem has been entered in the said proceedings pending in the Circuit of Rockingham County in the name and style of State Commission on Conservation and Development in the State of Virginia vs. Cassandra Lawson Atkins and others, for tract No. 356, of which said tract is described on the report of the Board of Appraisal Commissioners for Rockingham County appointed in the said cause and shown numbered and delineated on the County Ownership map filed therewith in Rockingham County, as No. 356, and that upon payment

into the custody of the Circuit Court, of said County, of the sum of \$250.00, set out in said judgment and constituting the award for the fee simple estate for the said tract No. 356 of land lying in Rockingham County, title to which saids lands will be divested from the present owners, thereof.

That the legal title of the said land is in the name of petitioner and E. W. Webster, the said heirs at law of said Webster having succeeded on his death to his title therein. That the persons herein set forth are the only persons who are entitled to share in the distribution of the fund arising from the condemnation of the said tract No. 356 for which there was allowed the said sum of \$250.00.

Wherefore, your petitioner prays that the fund of \$250.00 for tract No. 356, and belonging to the said petitioner and the said Webster's Estate may be directed paid into the Circuit Court of Greene County, to be there distributed in accordance with the liens upon the land as set forth in the Chancery Cause of W. S. Shover vs. Maude Webster and others, pending in the Circuit Court of Greene County, and that the liens upon the said land may be transferred to the fund arising therefrom and be distributed under orders of the Court in the Chancery Cause herein referred to, and your petitioner will ever pray &c.

W. S. Shover
BY COUNSEL.

Charles A. Hammer
Counsel.

VIRGINIA *Virginia*
CITY OF HARRISONBURG, To-wit:
state

I, John A. Smith, a Notary Public in and for the *county* of *Harrisonburg* in the State of Virginia, do hereby certify that *W. S. Shover* whose name is signed on the margin hereof for the purpose of identification, this day personally appeared before me and made oath that the facts stated in the foregoing papers made upon

his own knowledge are true and those made upon the information derived from others, he believes to be correct.

Given under my hand this ²⁶~~8~~th day of January, 1934.

J. M. S. S. S. N.P.



Commonwealth of Virginia

TREASURER'S OFFICE

RICHMOND, VA.

JOHN M. PURCELL
TREASURER OF VIRGINIA

January 29, 1934

This is to certify that I, J. M. Purcell, Treasurer of Virginia have this 29 day of January in accordance with an order of the circuit court of Rockingham County dated 1/26/34 in the cause of the State Commission on Conservation and Development of the State of Virginia

vs. Cassandra Lawson Atkins

John S. Chapman and Chas. A. Hammer Spec Commissioners of the
paid to Circuit Court of Greene County in the Chancery cause of W. S.
Shover vs. Maude E. Webster et als

\$ 250.00 being in full settlement of tract #356

in the above mentioned cause.

Treasurer of Virginia.



JOHN M. PURCELL
TREASURER OF VIRGINIA

Commonwealth of Virginia

TREASURER'S OFFICE

RICHMOND, VA.

John S. Chapman and Charles A. Hammer
Special Commissioners of the Circuit Court of Greene
County in the Chancery Cause of W. S. Shover ~~xxx~~
vs Maude E. Webster et als.

Received of J. M. Purcell, Treasurer of
Virginia, the sum of \$ 250.00, in accordance
with an order of the Circuit Court of the county
of Rockingham entered on the 26th day
of Jan 1934, in the matter of the State
Commission on Conservation and Development v _____
Cassandra Lawson Atkins and others, being
full and complete settlement for the tract of land
known in said proceeding as # 356.

John S. Chapman
Charles A. Hammer
Sp. Commis

Sign original and duplicate
and return to the Treasurer
of Virginia.