

NAME OF CLAIMANT

#49 -- Lough, G. S.

Number of Acres: 24

Location: Top of Main Ridge east of Dean Mountain School.

Roads: Two miles of fair dirt road to Spotswood Trail near Swift Run; thence seven miles to Elkton.

Soil: Sandy clay of good depth and fertility with gentle slope and southeast and southwest exposure. There are patches of fine blue grass turf, but much of the area, especially on the south end, has a thin sod with weeds and some sumac and blackberry.

History of Tract and condition of timber: Most of tract cleared many years ago, grazed since. Approximately five acres of wooded area stand consists of dead chestnut. On the Greene side there are estimated to be 600 locust posts.

Improvements: None.

Acreeage and value of types:

Types	Acreeage		Value per acre	Total Value
Ridge:				
Slope:	6	@	\$5.00	\$30.00
Cove:				
Grazing Land:	18	@	40.00	720.00
Fields Restocking:				\$750.00
Cultivated Land:				<del>\$120.00</del>
Orchard:				
Minerals:				

Value of Land: \$ 750.00

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. N. Pen* CLERK. 67

#49

Claim of Garland S. Lough  
In the Circuit Court of Rockingham County, Virginia, No. 1829, At Law.  
The State Commission on Conservation and Development of the State of Virginia, Petitioner, vs. Cassandra L. Atkins or 52,561 acres

more or less, of land in Rockingham County, Virginia, Defendants.  
The undersigned, in answer to the petition of the State Commission on Conservation and Development of the State of Virginia, and in response to the notice of condemnation awarded upon the filing of said petition and published in accordance with the order of the Circuit Court of Rockingham County, Virginia, asks leave of the Court to file this as his answer to said petition and to said notice.

My name is Garland S. Lough  
My post office address is Elkton, Virginia

I claim a right, title, estate or interest in a tract or parcel of land within the area sought to be condemned, containing about 11A-190 acres, on which there are the following buildings and improvements:

This land is located about 8 miles from east of Elkton Virginia, in the Stewart Magisterial District of said County.

I claim the following right, title, estate or interest in the tract or parcel of land described above: (In this space claimant should say whether he is sole owner or joint owner, and if joint owner give names of the joint owners. If claimant is not sole or joint owner, he should set out exactly what right, title, estate or interest he has in or to the tract or parcel of land described above.)

Life interest + then to children -

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

North C. H. Harnsberger or Gussie Meadows est.  
South Luther Shean  
East Dean  
West Vernon Fulton

I acquired my right, title, estate or interest to this property about the year 1915 in the following manner:

By will of C. H. Shuler dec'd.

I claim that the total value of this tract or parcel of land with the improvements thereon is \$ 5000.00. I claim that the total value of my right, title, estate or interest, in and to this tract or parcel of land with the improvements thereon is \$ 3858.00.

I am the owner of \_\_\_\_\_ acres of land adjoining the above described tract or parcel of land but lying outside the Park area, which I claim will be damaged by the proposed condemnation of lands within the Park area, to the extent of \$ \_\_\_\_\_.

(In the space below should be set out any additional statements or information as to this claim which claimant desires to make; and if practicable he should also insert here a description of the tract or parcel of land by metes and bounds).

Remarks: Practically cleared land and will graze 30 to 35 head of cattle or 60 sheep + hogs - This tract is well watered

(Continue remarks if necessary on the back).

Witness my signature (or my name and mark attached hereto) this 14 day of Feb, 1930.

STATE OF VIRGINIA, COUNTY OF Rockingham To-wit:

The undersigned hereby certifies that Garland S. Lough the above named claimant personally appeared before him and made oath that the matters and things appearing in his above answer are true to the best of his knowledge and belief, this 14 day of Feb, 1930.

J. H. Blackburn  
Clerk of the Court, or Special Investigator or Notary Public, or Justice of the Peace.

2/14/31

Revised report

*County*

County: Rockingham  
District: Stonewall

County: Greene  
District: Stanardsville

#49 - Lough, G. S. (Rockingham Co.)  
#70 - Lough, G. S. (Greene County)

Acreage Claimed: 111 A. - 10 P.      Assessed: 111 A-10 P.      Deed: (Acquired 111A. 19 P - 1916) Field sheet indicates a partition of an estate. Partial copy of deed indicates a sale under deed of trust to secure a bond in connection with a guardian for Robert S. Lough an infant.

Value Claimed:      \$5000.00      "      \$890.00

Location:      Top of Main Ridge east of Dean Mountain School.

Incumbrances, counter claims or laps: None known.

Soil:      Sandy clay of good depth and fertility with gentle slope and southeast and southwest exposure. There are patches of fine blue grass turf, but much of the area, especially on the south end has a thin sod with weeds and some sumac and blackberry.

Roads:      Two miles of fair dirt road to Spatswood Trail near Swift Run; thence seven miles to Elkton.

History of tract and condition of timber:      Most of tract cleared many years ago, grazed since. Approximately five acres of wooded area stand consists of dead chestnut. On the Greene side there are estimated to be 600 locust posts @ 5¢-\$30.00.

Improvements:      None.

Value of land by types:      Rockingham County

<u>Type</u>	<u>Acreage</u>	<u>Value per acre</u>	<u>Total Value</u>
Slope	6	\$6.00	\$36.00
Fg	18	38.00	684.00
	<u>24</u>		<u>\$720.00</u>

Total value of land      \$720.00  
Total value of tract      \$720.00  
Average value per acre      30.00

Value of land by types:      Greene County

<u>Type</u>	<u>Acreage</u>	<u>Value per acre</u>	<u>Total Value</u>
Slope	3	\$3.00	\$9.00
Fg	62	18.00	1116.00
Woodland grazing	17	6.00	102.00
	<u>82</u>		<u>\$1227.00</u>

Total value of land      \$1227.00  
Total value of timber      30.00  
Total value of tract      \$2157.00  
Average value per acre      \$15.32

County: Rockingham  
District: Stonewall

County: Greene  
District: Stmardsville

#49 - Lough, G. S. - Rockingham Co.  
#70 - Lough, G. S. - Greene County.

SUMMARY

Rockingham & Greene Counties.

Total number of acres	---	106
Total value of tract		\$1977.00
Average value per acre for entire tract		\$18.65

x -- By plotting the description in the owners deed only 106, acres is found.

NOTE—This need not be filed until the record discloses that the awards have been paid into the custody of the Courts.

**Virginia: In the Circuit Court of Rockingham County**

The State Commission on Conservation and Development of the State of Virginia . . . **Petitioner.**  
V. At Law No. 1829

Cassandra Lawson Atkins and others, and Fifty-Two Thousand, Five Hundred and Sixty-One (52,561) Acres of land, more or less . . . . . **Defendants.**

Comes now the undersigned and shows to the Court:

That a judgment in rem has heretofore been entered in this proceeding condemning to the use of the Petitioner the fee simple estate in the tract(s) of land numbered as follows: Tract

No. 49 . . . . . : Tract No. . . . . : Tract No. . . . . ;  
and described in the report of the Board of Appraisal Commissioners appointed therein and shown, numbered, and delineated on the County Ownership Map filed therewith, upon payment into the custody of the Court of the sum(s) set out in the said judgment as constituting the award(s) therefor, as follows: Award on Tract No. 49 . . . . . \$623.60; on Tract No. . . . . \$ . . . . . ; on Tract No. . . . . \$ . . . . . ;

That the report of the said Board sets forth that the following named persons claim, or appear to have a claim to an interest in the said tract(s) of land or in the proceeds arising from the condemnation thereof;

Garland S. Lough  
George L. Harnsberger, Guardian ad Litem for Robert C. Lough, (Infant)  
and Mary E. Lough (Infant)

That the Petitioner has paid into the custody of the Court the said sum(s) set out in said judgment as constituting the award(s) of the fee simple estate in the said tract(s) of land;

That your undersigned, on the date of the said judgment in rem condemning the said tract(s) of land, owned or was (were) entitled to the following interest in the said tract(s) or in the proceeds arising from the condemnation thereof:—

Under the terms of a duly recorded contract and deed, conveying the Skyline road bed running through this tract the owners granted and conveyed to the undersigned, the right to receive from said proceeds, the sum of \$210.61.

That no other person or persons than the undersigned are entitled to share in the distribution of the said award(s) except the following named persons whose interest in said tract(s) or in the proceeds arising from the condemnation thereof on the date of entry of said judgment was as follows:

The above mentioned claimants to the extent that they may be able to establish their claims.

Wherefore, your undersigned pray(s) that ~~he (they) be made a party (parties) herein~~ under the provisions of Section 21 of the Public Park Condemnation Act, and that an order be entered for the distribution of said sum(s) set forth in said judgment in rem as constituting the award(s) for the fee simple estate in the said tract(s) condemned as aforesaid, and for the payment to the undersigned of the said award(s) or of as much thereof as the Court may find that the undersigned is (are) entitled to receive, and which the undersigned aver(s) is as follows: Tract No. 49 . . . . . \$210.61; Tract No. . . . . \$ . . . . . : Tract No. . . . . \$ . . . . . ;

The undersigned further aver(s) that: (Leave this space blank unless there is some other pertinent matter to be brought especially to the attention of the court)

NAME	P. O. ADDRESS
STATE COMMISSION ON CONSERVATION AND DEVELOPMENT	
BY <i>Weaver &amp; Questron</i> COUNSEL	

NOTE—A supply of this blank has been placed in the Clerk's office for the convenience of interested parties. No one is required to use this form, as the form is not prescribed by law, and claimants can either change or modify it as they deem necessary, or present their motions in any form they may desire which meets with the approval of the Court. This blank form may not and probably will not cover all cases. It has been printed merely as a suggestion of a form of a motion which may be used, subject to the approval of the court in each case.

NOTE—This need not be filed until the record discloses that the awards have been paid into the custody of the Court.

Virginia: In the Circuit Court of Rockingham County

The State Commission on Conservation and Development of the State of Virginia . . . Petitioner.

W. At Law No. 1833

Castroville Lawson Atkins and others, and Fifty-Two Thousand, Five Hundred and Sixty-One (52,561) Acres of land, more or less . . . Defendants.

Comes now the undersigned and shows to the Court:

That a judgment in rem has heretofore been entered in this proceeding condemning to the use of the Petitioner the fee simple estate in the tract(s) of land numbered as follows: Tract

No. 42: Tract No. 42; and described in the report of the Board of Appraisal Commissioners appointed therein and shown, numbered, and delineated on the County Ownership Map filed therewith upon payment into the custody of the Court of the sum(s) set out in the said judgment as constituting the

award(s) therefor, as follows: Award on Tract No. 42: \$223.60; on Tract No.

STATE OF VIRGINIA )  
COUNTY OF WARREN ) SS : . . . \$ . . . on Tract No.

That the report of the said Board sets forth that the following named persons claim, or appear to have a claim to an interest in the said tract(s) of land or in the proceeds arising

Personally appeared before me the undersigned Notary

Public in my said State and County, E. K. Stokes, who

being duly sworn, deposed and said that she is an employee

of the State Commission on Conservation and Development in

immediate charge of the records of the Shenandoah National

Park Division thereof having to do with claims of the Com-

mission for distributive shares of condemnation awards in

the Shenandoah National Park condemnation proceedings pend-

ing in the Circuit Courts of Virginia, by reason of con-

tracts and agreements entered into with the owners of lands

sought to be condemned in these proceedings, and that the

within claim is just and correct.

Witness my signature and Notarial Seal this 19th day of December, 1933.

*Charles H. Wood*  
Notary Public

NOTARY PUBLIC

My Commission Expires Sep. 29 1934

The undersigned further aver(s) that: (Leave this space blank unless there is some other pertinent matter to be brought especially to the attention of the court)

NAME \_\_\_\_\_  
STATE COMMISSION ON CONSERVATION AND DEVELOPMENT \_\_\_\_\_  
BY \_\_\_\_\_  
COUNSEL \_\_\_\_\_

NOTE—A supply of this blank has been placed in the Clerk's office for the convenience of interested parties. No one is required to use this form, as the form is not prescribed by law, and claimants can either change or modify it as they deem necessary, or present their notices in any form they may desire which meets with the approval of the Court. This blank form may not and probably will not cover all cases. It has been printed merely as a suggestion of a form of a notice which may be used, subject to the approval of the court, in each case.

Virginia: In the Circuit Court of Rockingham County

The State Commission on Conservation and Development  
of the State of Virginia, PETITIONER.

7/10/35

v.

Cassandra Lawson Atkins and others, RESPONDENTS.

This day came Garland S. Lough and by leave of Court filed his petition dated the second day of July 1935; upon consideration whereof it appearing to the Court that a judgment has been heretofore entered in this proceeding condemning to the use of the petitioner in fee two tracts or parcels of land one lying in Greene County, Virginia, containing eighty-two acres and known as Tract No. 70 in the condemnation proceedings pending in the Circuit Court of Greene County, the other lying in Rockingham County, Virginia and known in these proceedings as Tract No. 49 containing twenty-four acres; the awards for said tracts of land being \$2479.00 and \$623.60 respectively. And it further appears to the Court from the said petition that all parties who have any claim of right, title, interest or estate in and to said awards have been made parties to the proceedings pending in the Circuit Court of Greene County, Virginia, under the style of the State Commission on Conservation and Development of the State of Virginia v. Armentrout, C.E., and others, and now are before the said Court.

And it further appearing to the Court that the ownership of the award for Tract No. 70 lying in Greene County and for Tract No. 49 in Rockingham County can be determined with more convenience and with less expense by having the question of ownership and distribution of said award of \$623.60 allocated for Tract No. 49 lying in Rockingham County, Virginia, transferred to the Circuit Court of Greene County; upon consideration whereof the Court doth adjudge order and decree that the questions involved in the distribution of said fund to-wit: \$623.60 for tract No. 49 including the claim of the State Commission on Conservation and Development for the sum of \$210.61, be transferred to the Circuit Court of

Greene County, Virginia, for its determination and judgment, therefore this Court does not pass upon any of the said questions; and it is further ordered and decreed that the award of \$623.60 for Tract No. 49 be forthwith paid by the Treasurer of Virginia, as follows: To Chapman and Morris, Attorneys, of Stanardsville, Virginia, to be held by them subject to the order of the Circuit Court of Greene County, Virginia, in the proceedings now pending therein concerning said Tract No. 70.

It further appears to the Court that all taxes due and assessable against the said Tract No. 49 have been paid.

And it is further ordered that a certified copy of this order be transmitted by the clerk of this Court to the Treasurer of Virginia, who shall pay the said award of \$623.60 for Tract No. 49 as above directed and that the clerk of this Court shall transmit a certified copy of this order to B. I. Bickers, clerk of the Circuit Court of Greene County, Virginia.

ENTER

OTUB JUDGE.

20  
376

7/10/35



Virginia: In the Circuit Court of Rockingham County

The State Commission on Conservation and Development  
of the State of Virginia, PETITIONER.

v.

Cassandra Lawson Atkins and others ,RESPONDENTS.

To the Honorable H.W.Bertram, Judge of the said Court:

Your petitioner, Garland, S. Lough, respectfully represents that a judgment in rem has heretofore been entered condemning to the use of the petitioner the fee simple estate in a tract of land formerly the property of your petitioner for life, with remainder in fee to his children, situate in the Blue Ridge Mountains in the Stonewall Magisterial District in the County of Rockingham, containing twenty-four acres, which tract is described in the report of the Board of Appraisal Commissioners and shown, numbered, and delineated on the County ownership map filed in the clerk's office of this Court as Tract No. 49 at the price of \$750.00.

Your petitioner further represents that Tract No. 49 containing 24 acres is a part of a much larger tract of land, some 82 acres of which lie in the County of Greene and is described as aforesaid as Tract No. 70 in the Park condemnation proceedings pending in Greene County, and was valued by the said Board of Appraisal Commissioners at the sum of \$2479.00;

That your petitioner has filed a petition in the Circuit Court of the County of Greene, Virginia, making his children and all contingent remaindermen parties defendant;

That the said matter pending in the said Court has not as yet been determined; that the said tract of land No. 49 lying in Rockingham County is held under the same terms and limitations as Tract No. 70 lying in Greene County, Virginia;

That there are many contingent remaindermen who are already made parties defendant to the proceedings pending in the Circuit Court of Greene County, Virginia; that as the questions involved as

to the distribution of said awards of \$750.00 for Tract No.49 lying in the County of Rockingham and for Tract No.70, to-wit: \$2479.00, lying in Greene County, are identical; and as the proceedings in Greene County are matured and all parties having a vested or contingent interest in and to the funds of this cause are before the Court, and for reasons of convenience and economy this petitioner desires that the award for tract No.49, containing 24 acres and lying in Rockingham County, be transferred to the Circuit Court of the County of Greene for final disposition.

Your petitioner further shows unto the Court that he has already received from the petitioner in this cause the sum of \$337.01 as a consideration for the conveyance and transfer to the said petitioner of a right of way strip for the Skyline Drive, which sum was to be credited on the amount of the award for Tract No.49; that the said petitioner deducted the sum of \$126.40 from the award of \$750.00 and paid into the Treasury of Virginia the sum of \$623.60; that the said petitioner has filed a claim in the sum of \$210.61 against said award in Rockingham County in order that it may receive the sum of \$337.01 as aforesaid to which it is entitled;

That after the deductions aforesaid there is a balance due the petitioner and his children the sum of \$412.99.

Wherefore your petitioner prays that the award of \$623.60 for Tract No.49 containing 24 acres and lying in Rockingham County, Virginia, be transferred to the Circuit Court of the County of Greene, and all questions concerning the distribution of the said award to be determined by the said Court, and for all general and special relief as the nature of the case may require, and your petitioner will ever pray.

July 2<sup>nd</sup> 1935

Garland S. Lough

By Chapman + Morris  
Counsel -

Chapman and Morris, Attorneys P.P.

The State Commission on Con-  
servation and Development  
of the State of Virginia.

v.

Cassandra Lawson Atkins et  
als.

Petition of Garland S.Lough

Tract No.49

**CHAPMAN AND MORRIS**  
ATTORNEYS AT LAW  
STANARDSVILLE, VA.



# Commonwealth of Virginia

TREASURER'S OFFICE

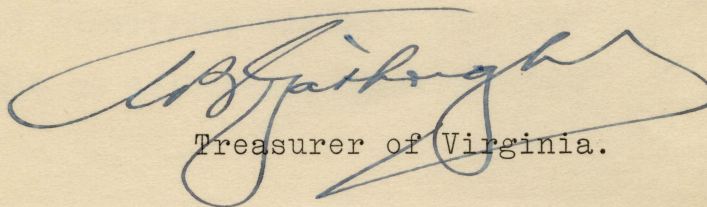
RICHMOND, VA.

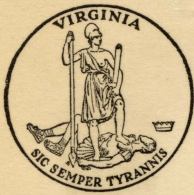
~~JOHN M. PURCELL~~  
TREASURER OF VIRGINIA

July 15, 1935

A. B. Gathright

This is to certify that I, ~~John M. Purcell~~, Treasurer of Virginia have this 15 day of July in accordance with an order of the circuit court of Rockingham County dated 7/10/35 in the cause of the State Commission on Conservation and Development of the State of Virginia vs. Cassandra Lawson Atkins and others paid to Chapman and Morris, Attorneys, Stanardsville, Virginia \$ 623.60 being in full settlement of tract # 49 in the above mentioned cause.

  
Treasurer of Virginia.



JOHN M. PURCELL  
TREASURER OF VIRGINIA

# Commonwealth of Virginia

TREASURER'S OFFICE

RICHMOND, VA.

July 15, 1935

Chapman and Morris, Attorneys

Stanardsville, Virginia

A. B. Gathright

Received of ~~J. M. Purcell~~, Treasurer of  
Virginia, the sum of \$ 623.60, in accordance  
with an order of the Circuit Court of the county  
of Rockingham entered on the 10th day  
of July 1935, 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 # 49.

*Chapman + Morris, Attorneys  
by John J. Morris.*

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