

ROCKINGHAM COUNTY

NAME OF CLAIMANT

#188 - Williams, A. J.

Number of Acres: 67

Location: South of Old Spotswood Trail near Sandy Bottom.

Roads: One-half mile of steep rough road to Old Spotswood Trail; thence six miles to Elkton.

Soil: Sandy clay of good depth and fair fertility; somewhat rocky with moderate to steep slopes; northwest and southwest exposure.

History of Tract and condition of timber: Large portion of tract cleared many years ago, most of it has been grazed and cultivated since. The remainder has been neglected in recent years. The wooded area has been cut over repeatedly in the past. The present stand consists of mixed oaks.

Improvements:  
(See reverse side of improvement information)

Acreeage and value of types:

Types	Acreeage		Value per acre	Total Value
Ridge:				
Slope:	27	@	\$3.00	\$81.00
Cove:				
Grazing Land:	21	@	30.00	630.00
Fields Restocking:	5	@	15.00	75.00
Cultivated Land:	14	@	30.00	420.00
	<u>67</u>			<u>\$1206.00</u>
Orchard:				
Minerals:				965.00
Value of Land:				\$1206.00
Value of Improvements:				\$ 965.00
Value of Orchard:				\$150.00
Value of Minerals:				\$
Value of Fruit:				\$
Value of Timber:				\$
Value of Wood:				\$ 50.00
Value per acre for tract:				\$35.37

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

Geo. N. Pen. CLERK. 87



NAME OF CLAIMANT

IMPROVEMENTS: Dwelling: Frame, 14x24', 1 story, paper roof, porch 6x16', brick flues, 2 rooms, ceiled, now occupied by son.  
Hen house: Frame, 8x14x8', board roof, good condition.  
Dwelling: Frame, 14x40', 1 1/2 story, porch 6x40', metal roof, brick flues, (also stone flues) 9 rooms, ceiled, occupied by owner, fair condition, cellar 14x22'.  
Barn: Log, 16x20x12', shingle roof, 16' shed on one side, poor condition.  
2 hen houses: Frame, 8x12x8', paper roof, poor condition.  
Granary: Log, 10x12x8', shingle roof, poor condition.

Roads: One-half mile of steep rough road to Old Spotswood trail; thence six miles to Rixton.

Soil: Sandy clay of good depth and fair fertility; somewhat rocky with moderate to steep slopes; northwest and southwest exposures.

History of Tract and condition of timber: Large portion of tract cleared many years ago, most of it has been grazed and cultivated since. The remainder has been neglected in recent years. The wooded area has been cut over repeatedly in the past. The present stand consists of mixed oaks.

Improvements: (See reverse side of improvement information)

Type	Acreage	Value per acre	Total Value
Ridge:			
Slope:	27	\$5.00	\$135.00
Cover:			
Grazing Land:	81	\$0.00	\$0.00
Fields Restocking:	5	\$18.00	\$90.00
Cultivated Land:	14	\$30.00	\$420.00
Orchard:	67		\$1340.00
Minerals:			\$85.00
Value of Land:			\$1205.00
Value of Improvements:			\$985.00
Value of Orchard:			\$50.00
Value of Minerals:			\$
Value of Fruit:			\$
Value of Timber:			\$
Value of Wood:			\$50.00
Value per acre for tract:			\$22.57

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







County: Rockingham  
 District: Stonewall

#188 - Williams, A. J.

Acreage Claimed: 67                      Assessed: 69 A.                      Deed: 47 (Residue of 68 A.) purchased in 1916 for \$700.00; 23 1906 for 125.00; 1/2 & right away 1912 for \$10.00;

Value Claimed: \$3500.00                      " \$690.00

Location: South of Old Spotswood Trail near Sandy Bottom.

Incumbrances, counter claims or laps: None known.

Soil: Sandy clay of good depth and fair fertility; somewhat rocky with moderate to steep slopes; northwest and southwest exposure.

Roads: One-half mile of steep rough road to Old Spotswood Trail; thence six miles to Elkton.

History of tract and condition of timber: Large portion of tract cleared many years ago, most of it has been grazed and cultivated since. The remainder has been neglected in recent years. The wooded has been cut over repeatedly in the past. The present stand consists of mixed oaks. It is estimated to cut an average of 5 cords of fuelwood per acre -- 135 cords valued @ 50¢ per cord -- \$67.50.

Improvements: Dwelling: Frame 14x24', 1 story, paper roof, porch 6x16', brick flues, 2 rooms, ceiled, now occupied by son - \$300.00  
 Hen house: Frame 8x14x8', board roof, good condition- 25.00  
 Dwelling: Frame 14x40', 1 1/2 story, porch 6x40', metal roof, brick flues, (also stone flues) 9 rooms, ceiled, occupied by owner, fair condition, cellar 14x22', 750.00  
 Barn: Log 16x20x12', shingle roof, 16 foot shed on one side, poor condition -- 50.00  
 2 hen houses: Frame 8x12x8', paper roof, poor condition 20.00  
 Granary: Log 10x12x8', shingle roof, poor condition- 20.00  
 Orchard: 3 acres valued @ \$50.00 per acre for trees only ----- 150.00  
 \$1315.00

Value of land by types:

Type	Acreage	Value per acre	Total Value
Slope	27	\$3.00	\$81.00
Fg	21	20.00	420.00
Fc	14	20.00	280.00
Fr	5	6.00	30.00
	<u>67</u>		<u>\$811.00</u>

Total value of land \$811.00  
 Total value of improvements 1315.00  
 Total value of timber 67.50  
 Total value of tract \$2193.50  
 Average value per acre 32.73



IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY, VIRGINIA

STATE COMMISSION ON CONSERVATION & DEVELOPMENT

PETITIONER

V

CASSANDRA LAWSON ATKINS and others,

RESPONDENTS

The Answer of the First National Bank of Harrisonburg,  
to a petition filed in this cause by A. J. Williams.

This respondent says that it is true as set out in said  
petition, that respondent is the holder of a negotiable promissory  
note, signed by the said A. J. Williams, and indorsed by E. T.  
Gerber and Sons, the payment of which is secured by a deed of trust  
from said Williams and wife to L. L. Conrad, Trustee, a copy of which  
is attached to a petition heretofore filed in this cause by this respondent.  
Respondent further says that said deed of trust constitutes a lien on the  
tract of land indicated as No. 188 in the appraisal report in these proceed-  
ings.

Respondent further says that the last renewal of said note was  
dated December 8th., 1933, payable 60 days after date and is in the principal  
amount of Three Hundred and Fifteen Dollars (\$315.00).

And this respondent accordingly joins in the prayer of the said  
petition that an order may be entered directing the payment of said note  
out of the sum allowed for Tract No. 188 in these proceedings, after payment  
of any liens prior thereto.

FIRST NATIONAL BANK OF HARRISONBURG

BY: *Wm. H. Byrd*  
*Cashier*

*Geo. D. Conrad*  
*atly*



THE STATE COMMISSION ON CONSERVATION AND  
DEVELOPMENT OF THE STATE OF VIRGINIA

v.

CASSANDRA LAWSON ATKINS, and others.

To the Honorable H. W. Bertram, Judge of the Circuit Court of Rockingham  
County, Virginia:

Your petitioner, Mary R. Cover, begs leave to file this, her petition, in this cause for the purpose of setting up a lien in her favor upon certain lands sought to be condemned herein, and respectfully represents:

1st: That by deed of trust dated January 1, 1920, and recorded in the Clerk's Office of Rockingham County in deed book 115, page 354, A. J. Williams and Fannie Williams, his wife, conveyed to A. B. Cover, Trustee, certain lands involved in these proceedings to secure the payment of certain indebtedness evidenced by four bonds dated the 1st day of January, 1920, in the sum of \$325.00 each, payable to J. R. Cover in one, two, three and four years from date respectively, with interest from their date. That said bonds were assigned by J. R. Cover to your petitioner and are now held by her.

2nd: That said bonds were not paid when due but that upon the first of said bonds there was paid the sum of \$125.00 on January 1st, 1921; the sum of \$25.00 on February 14, 1921; the sum of \$30.00 on January 2, 1922; the sum of \$35.00 on January 30, 1922; the sum of \$80.00 on January 3, 1923, and the sum of \$130.00 on October 7, 1923; these payments being sufficient to pay the first of said bonds and leaving a credit of \$109.45 to be credited on the second of said bonds as of October 17, 1923. That the balance due on said indebtedness so secured by said deed of trust as of April 1, 1931, is the principal sum of \$975.00 with interest from January 1, 1920, subject to the credit of \$109.45 as of October 17, 1923. That a copy of said deed of trust is filed herewith as a part of this petition.

3rd: That your petitioner respectfully asks that the said indebtedness may be established and held to be a lien upon the proceeds arising from



the condemnation of said land and that said indebtedness may be paid out of any sums awarded to the said A. J. Williams in said proceedings.

Mary B. Cover

STATE OF VIRGINIA,

COUNTY OF ROCKINGHAM, to-wit:

This day personally appeared before Walter Rugh, the undersigned, a Notary Public in and for the State and County aforesaid, Mary R. Cover, who made oath and says that the matters and things stated in the foregoing petition are true.

Given under my hand this 8 day of April, 1931.

Walter Rugh  
NOTARY PUBLIC

My commission expires 8/19" 1933



This deed made this 1st day of January 1920 by and between A.J. Williams and Fannie Williams his wife, of Swift Run Virginia party of the first part and A.B. Cover, Trustee of Elkton, Virginia party of the second part

W I T N E S S E T H:

That for and in consideration of the sum of one dollar cash in hand paid by the party of the second part to the party of the first part, the receipt whereof is hereby acknowledged before the sealing and delivery of these presents, the said A.J. Williams and Fannie Williams his wife doth grant and convey with general warranty of title unto the said A.B. Cover Trustee as aforesaid, all of three certain tracts or parcels of land lying contiguous to each other and situate in the eastern part of Rockingham County near Swift Run Virginia adjoining the lands of Trice Shiflett, Sampson Davis tract, A.E. Williams, S.G. Morris and others, and bounded as follows: **First tract:** Beginning at an ash corner to G.T. Baugher land thence with same N. 16 E. 43,75-3/4 poles to a hickory corner to the Sampson Davis tract; thence S. 88 E. 39-3/4 poles to a chestnut oak stump and an apple tree; thence S. 60 E. 7.2 poles to a post on upper side of road; thence S. 42 E. 22.64 poles to a stake in line of A.E. Williams and continuing with his line S. 26-1/2 E. 11 poles to an apple tree; thence S 8 E. 9.6 to a cherry tree corner; thence S. 30 W. 19.52 poles to a large chestnut; thence S. 24 W. 7 poles to a gum corner to E. Williams; thence N. 69 W. 16.4 poles to a bunch of chestnut sprouts; thence N. 74 W. 61.6 poles to the beginning. This tract contains 23 A, 3R, and 16 P. and

**Second Tract;** Beginning at a cherry tree in a branch corner to A. E. Williams and running with his line N. 20 W. 52.8 poles to a rock near an apple tree; thence N. 59 E. 15.4 poles to point in bend of road; thence continuing with said William's line N. 21 W. 14 poles, N. 27 W. 9 poles N. 31 W. 16 poles, N. 56-1/2 W. 8 poles to a large chestnut corner to first named tract; thence S. 24 W. 7 poles, N 69 W. 16.4 poles, N. 74 W. 31.6 poles to point in road; thence S. 21



W. 14 poles with the Richard Morris tract to a rock near a gate; thence S. 71-1/2 E. 23 poles to a rock, S. 22-1/2 W. 47.2 poles to a bunch of chestnut sprouts, S. 12 W. 46.6 poles with the Moses Shiflett line to a stone near a white oak and chestnut; thence S. 45 E. 15.6 poles to a point in a branch in an old line; thence S. 88 E. 44.8 poles with the line of S.G. Morris to a white walnut in a branch; thence N. 39 E. to the point of beginning, containing 31 A, 1 R, 0 P.

Third Tract; being the same tract this day conveyed by deed from Richard Morris and Lucy A. Morris to the said A. J. Williams and is bounded as follows: Beginning at a maple in a branch; thence S. 74 E. 30 poles to a point in a road; thence S. 21 W. 14 poles to a rock at a gate; thence S. 71-1/2 E. 23 poles to a stone in line of A. J. Williams and corner; thence S. 22-1/2 W. 45.6 poles to a bunch of chestnut sprouts; thence in ~~a~~north western direction 53.6 poles to two chestnuts in a hollow in line of Trice Shiflett and with same N. 16 E. 54.2 poles to the beginning containing 15-1/4 A

The three tracts aggregating 70 A, 1 R, 16 P.

In, trust, Nevertheless to secure unto J. R. Cover the payment of four certain bonds bearing even date with this deed executed by the said A.J. Williams and payable to the said J. R. Cover in one, two, three, and four years after date respectively each in the sum of three hundred and twenty five dollars bearing interest from date and waxing the Homestead.

Now therefore in the event that default is made in the payment of said bonds at maturity or any of them, or any part of any of them, then the trustee shall at the written request of the said J. R. Cover proceed to execute this trust according to Section 2442 of the Code of Virginia of 1887 and all acts amendatory thereto, except that said trustee shall receive five percent commission on the gross amount of such sale and the party of the first part agrees to keep the dwelling on said land insured ( the one now occupied by the party of the first part as dwelling) during the life of this trust with clause



in policy for the benefit of the said J. R. Cover as his interest may appear, for a sum equal to three fourths of the value of said dwelling, said insurance to be carried in some good joint-stock company and in the event that the said party of the first part shall fail to keep said property insured as herein provided the said J. R. Cover shall have the right to purchase said insurance and all charges therefor shall become a lien on the land herein conveyed with equal dignity with the first lien herein created.

Witness the following signatures and seals.

A. J. Williams (SEAL)  
her  
Fannie X Williams (SEAL)  
mark

Witness  
H.B.C.Gentry

State of Virginia County of Rockingham to-wit,

I. H. B. C. Gentry a Notary Public in and for the county aforesaid, do certify that A. J. Williams and Fannie Williams his wife whose names are signed to the foregoing writing bearing date on the first day of January 1920, personally appeared before me in my said county and acknowledged the same.

My commission expires on the 18th day of January 1920.

Given under my hand this 1st day of January 1920.

H.B.C.Gentry  
Notary Public.

VIRGINIA: In the Clerk's Office of the Circuit Court of Rockingham County. The foregoing deed or trust was this day presented in the office aforesaid, and is, together with the certificate of acknowledgment annexed, admitted to record this 5 day of January, 1920, at 2-50 P.M.

Teste: J.F.Blackburn, Clerk.

A Copy

ATTESTE: J. Robert Amjeu, Clerk



WILLIAM ...

4 000

Dease: J. L. Blackburn, Clerk.

... of ... 1920, at 3:30 P.M. ...

MARY ...  
H. B. C. ...

... of ... 1920. ...

... of ... 1920, ...

J. H. B. C. ...

Andrew J. Williams  
Deed Trust  
\$13.00  
Mail to ...28  
J.R. Cover  
Elkton, Va.

Tax \$1.50 Fees \$1.50  
Transfer \$..... Total \$ 2.80  
Admitted Jan. 5 -1920  
at 2:50P.M.

J.F. Blackburn, Clerk  
Rockingham County, Va.

3 tracts

Recorded in the Clerk's  
Office of Rockingham  
County, Va. in Deed Book  
No. 115  
Page 364

J.F. Blackburn, Clerk.



IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY, VIRGINIA

THE STATE COMMISSION ON CONSERVATION AND DEVELOPMENT OF THE STATE OF VIRGINIA

VS At Law No. 1829 Petition of the First National Bank of Harrisonburg

CASSANDRA LAWSON ATKINS AND OTHERS

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

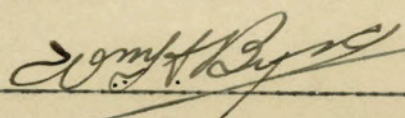
The petition of the First National Bank of Harrisonburg, Harrisonburg, Virginia, respectfully represents that it is the holder for value of a promissory negotiable note signed by A.J.Williams, dated the 9th. day of October, 1933, payable sixty days after date to the order of and indorsed by E.T.Garber and Sons in amount of Three Hundred Twenty Dollars (\$320.00) the payment of which note is secured by a deed of trust from Andrew J. Williams and Fannie Williams, his wife, to Laird L. Conrad, trustee, dated March 16th., 1933, recorded in the Clerk's Office of Rockingham County, Virginia in Deed Book 154, page 214, covering certain property located in the Eastern part of Rockingham County near Swift Run, Virginia, said land being more particularly described in said deed of trust which is attached hereto and prayed to be read as a part of this petition, which deed of is a first lien on said property.

That the land covered by said lien is included within the boundaries of the land which is sought to be condemned in these proceedings, and is indicated as #188 in the valuation report filed in these proceedings by the Board of Appraisal Commissioners. Your petitioner is advised that by reason of the lien of the said deed of trust, it is entitled to receive from the proceeds of the condemnation of said land an amount sufficient for the payment of said note, and accordingly prays that the said deed of trust may be held to be a first lien on said land and on the fund arising from the sale of the same, and that out of the proceeds of condemnation of said land the Court shall direct the payment to petitioner of an amount sufficient to discharge said note.

FIRST NATIONAL BANK OF HARRISONBURG

Filed in the Clerk's Office  
Rockingham County, Va.

BY



CASHIER

NOV 6 1933

Robert Switzer Clerk



THIS DEED, MADE this 16th day of March, 1933 between Andrew J. Williams and Fannie Williams, his wife, parties of the first part and Laird L. Conrad, Trustee, party of the second part:

W I T N E S S E T H :

That in consideration of One Dollar (\$1.00) cash in hand paid, the receipt of which is hereby acknowledged, the parties of the first part grant and convey with general warranty unto the party of the second part all of three certain tracts or parcels of land with improvements thereon and appurtenances thereunto belonging, lying contiguous to each other and situate in the eastern part of Rockingham County, near Swift Run, Virginia, adjoining the lands of Trice Shiflett, Sampson Davis tract, A. E. Williams, S. G. Morris and others, and bounded as follows:

FIRST TRACT: Beginning at an ash corner to G. T. Baugher land; thence, with the same N. 16, E. 43.75 3/4 poles to a hickory corner to the Sampson Davis tract; thence S. 88 E 39 3/4 poles to a chestnut oak stump and an apple tree; thence S. 60 E. 7.2 poles to a post on upper side of road; thence S. 42 E. 22.64 poles to a stake in line of A. E. Williams and continuing with his line S. 26 1/2 E. 11 poles to an apple tree; thence S. 8. E 9.6 poles to a cherry tree corner; thence S. 30 W. 19.52 poles to a large chestnut; thence S. 24 W. 7 poles to a gum corner to E. Williams; thence N. 69 W. 16.4 poles to a bunch of chestnut sprouts; thence N. 74 W 61.6 poles to the beginning. This tract contains 23 a. 3 roods and 16 poles.

SECOND TRACT: Beginning at a cherry tree in a branch corner to A.E. Williams and running with his line N. 20 W 52.8 poles to a rock near an apple tree; thence N. 59 E. 15.4 poles to a point in bend of road; thence continuing with said Williams line N. 21. W. 14 poles, N. 27 W. 9 poles, N. 31 W. 16 poles, N. 56 1/2 W. 8 poles to a large chestnut corner to first named tract; thence S. 24 W. 7 poles, N. 69 W. 16.4 poles, N. 74 W. 31.6 poles to a point in road;



Thence S. 21 W. 14 poles with the Richard Morris tract to a rock near a gate; thence S. 71 1/2 E. 23 poles to a rock, S. 22 1/2 W. 47 .2 poles to a bunch of chestnut sprouts, S. 12 W. 46.6 poles with the Moses Shiflett line to a stone near a whiteoak and chestnut; thence S. 45 E. 15.6 poles to a point in a branch in an old line; thence S. 88 E 44.8 poles with the line of S. G. Morris to white walnut in a branch; thence N. 39 E. to the point of beginning, containing 31 acres, 1 rood, 0.P.

THIRD TRACT: Being the same tract ~~this day~~ conveyed by deed from Richard Morris and Lucy A. Morris to the said A. J. Williams and is bounded as follows:

Beginning at a maple in a branch, thence S. 74 E 30 poles to a point in a road; thence S 21 W 14 poles to a rock at a gate; thence S 71 1/2 E. 23 poles to a stone in line of A. J. Williams and corner; thence S. 22 1/2 W. 45.6 poles to a bunch of Chestnut sprouts; thence in a Northwestern direction 53.6 poles to 2 chestnuts in a hollow in line of Trice Shiflett and with same N. 16 E 54.2 poles to the beginning, containing 15 1/4 acres, the three tracts aggregating 70 acres, 1 rood, 16 poles.

There is excepted from this conveyance however, a tract of approximately 5 acres of land lying within the above described boundaries, which was conveyed by the grantors to William Morris by deed dated March 7th., 1929, recorded in the Clerk's Office of said County in Deed Book 144, page 171; and this conveyance is made expressly subject to a deed of trust from the grantors to A.B.Cover, trustee, dated Jan. 1st., 1920, recorded in said Clerk's Office in Deed Book 115, page 364, which secured the payment of certain bonds to J. R. Cover.

IN TRUST NEVERTHELESS, To secure the payment of a note of A.J.Williams dated February 10th., 1933 in the amount of \$300.00, payable to E. T. Garber and Sons or order, 60 days after date, which is discounted at the First National Bank of Harrisonburg, Harrisonburg, Virginia, and to secure any renewal or renewals of said note and any interest due thereon.

This trust is made expressly subject to the provisions of Section 5167 of the Code of Virginia as amended to date, and in event of default in the payment of principal or interest hereby secured, when due, the entire obligation shall become



forthwith due and payable, and the trustee, upon written request of the then holder of said note, shall proceed to execute this trust in accordance with the provisions of the said Code Section and amendments thereto. Exemptions waived. Insurance, in an amount of at least \$500.00 is required and in the event of the failure of the grantor to carry such insurance the beneficiaries may, at their option, effect such insurance and the costs thereof shall become a part of the debt secured hereby.

Witness the following signatures and seals.

Andrew J. Williams SEAL

Fannie Williams SEAL

State of Virginia,

County of Rockingham, to-wit:

I, Margaret Whitmere a Notary Public in and for the County aforesaid State of Virginia, hereby certify that Andrew J. Williams and Fannie Williams, whose names are signed to the foregoing writing bearing date the 16 day of March, 1933, have personally appeared and acknowledged the same before me in my said County.

Given under my hand this 16 day of March, 1933.

My Commission expires the 24 day of June 1936.

Margaret Whitmere N.P.

VIRGINIA: In the Clerk's Office of the Circuit Court of Rockingham County. The foregoing deed of

Trust was this day presented in the office aforesaid and is together with the certificate of acknowledgment annexed, admitted to record this 18th day of February 1933 12:35 P.M.

Teste: Robert Switzer Clerk



Andrew J. Williams and  
Fannie Williams

To DEED OF TRUST

Laird L. Conrad, Trustee

Tax \$ 36 Fees \$ 204  
Transfer \$ — Total \$ 240.

Admitted MAR 18 1933 12:35 PM.

J. Robert Switzer Clerk  
Rockingham County, Va.

HARRISONBURG, Va., Mar. 18 1933  
Recorded in Deed Book  
No. 154 page 214  
J. Robert Switzer  
County Clerk.

LAW OFFICES  
CONRAD AND CONRAD  
HARRISONBURG, VA.  
FIRST NATIONAL BANK BUILDING

*The State Commission on  
Comm. & Dep. of State  
of Va*

*Commander Fannon Williams  
and others*

*67(a)*

*Valued 237100*

*# 188 in office referred*

*Conrad*



C. J. Wheelberger

To Deed of Trust

Shenandoah River Power Company

LAW OFFICES  
GONRAD AND GONRAD  
HARRISONBURG, VA.  
FIRST NATIONAL BANK BUILDING



IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY, VIRGINIA.

STATE COMMISSION ON CONSERVATION AND DEVELOPMENT  
OF THE STATE OF VIRGINIA

PETITIONER

v.

CASSANDRA LAWSON ATKINS and others,

RESPONDENTS

On this, the 21 day of December, 1933, came A. J. Williams by John T. Harris, his attorney, and on his motion, leave is given him to file his application in this cause, requesting the disbursement of the fund of \$2371.00, compensation paid into this court for Tract No. 188, and it appearing from said application that there are liens upon said tract No. 188, and therefore upon the proceeds arising from the exappropriation thereof, and it further appearing from the said application that Mary R. Cover, First National Bank of Harrisonburg and A. E. Wyant, are named defendants in said petition, thereupon came said Mary R. Cover, First National Bank of Harrisonburg and A. E. Wyant, each by counsel, and on their motion, leave is given them to file their respective answers to the said application of A. J. Williams; *which is accordingly done.*

Upon consideration whereof and the record of the cause, it is considered and ordered by the court that the said sum of \$2371.00 paid into court by petitioner as just compensation for tract 188 be paid as follows: To J. Robert Switzer, Clerk of the Circuit Court of Rockingham County, the sum of \$31.69, delinquent taxes upon the said tract No. 188; to M. H. Harrison, County Treasurer, the sum of \$17.00 taxes, of which \$9.58 is taxes in arrears on said tract 188 for the year 1933; to Mary R. Cover, the sum of \$926.95; to the First National Bank of Harrisonburg, the sum of \$337.50; to A. E. Wyant, the sum of \$26.86, and to A. J. Williams, \$1031.00. And the clerk of this court is directed to transmit a certified copy of this order to the Treasurer of Virginia, who shall pay unto J. Robert Switzer, Clerk of the Circuit Court of Rockingham County, the sum of \$31.69; to M. H. Harrison, County Treasurer of Rockingham County, the sum of \$17.00; to Mary R. Cover, the sum of \$926.95; to First National Bank of Harrisonburg, the sum of \$337.50; to A. E. Wyant, the sum of \$26.86, and to A. J. Williams, applicant, the sum of \$1031.00, taking from the said J. Robert Switzer, Clerk, M. H. Harrison, County Treasurer, Mary R. Cover, First National Bank of Harrisonburg, A. E. Wyant, and A. J. Williams receipts therefor *attest by such payment to the clerk of this court for appropriate entry thereof as required by law.*

*Enter*  
AWB

*20  
56*



IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY, VIRGINIA.

STATE COMMISSION ON CONSERVATION & DEVELOPMENT  
OF THE STATE OF VIRGINIA,

PETITIONER

v.

CASSANDRA LAWSON ATKINS and others,

RESPONDENTS

To the Honorable H. W. Bertram, Judge of the Circuit Court of Rockingham County,  
Virginia:

The petitioner, The State Commission on Conservation & Development of the State of Virginia, having heretofore paid into court the sum of \$2371.00, the amount of the award set out in the judgment of condemnation for tract No. 188, the undersigned, A. J. Williams, hereby applies to the court for an order of judgment for distribution of said fund of \$2371.00 as hereinafter set out. Applicant further shows that it appears from the report of the Board of Appraisal Commissioners heretofore filed and the said petition for judgment and condemnation, that applicant is invested with superior or better right or claim of title in and to the said tract of land No. 188, and therefore to the proceeds arising from the condemnation thereof, but applicant avers that there are sundry liens on said land, and therefore to the proceeds arising on the expropriation thereof as now to be set forth:

1st: Delinquent taxes on said land for the years 1930 and 1931, amounting to \$31.69 as appears from the statement thereof obtained from J. Robert Switzer, Clerk of the Circuit Court of Rockingham County, attached hereto; delinquent taxes on said land for the year 1932, amounting to \$9.58, and taxes in arrears on said land for the year 1933, amounting to \$7.42, making an aggregate of \$48.69 taxes on said land.

2nd: Amount owing to Mary R. Cover, secured by deed of trust on said land amounting on November 11, 1933, to \$919.06 with interest thereon from November 11, 1933, as appears from an attested copy of the deed of trust to A. B. Cover, Trustee, attached to the petition of Mary R. Cover filed in this cause.

3rd: To First National Bank of Harrisonburg, assignee of E. T. Garber & Sons, the sum of \$320.00, with interest thereon from February 6, 1933, secured by deed of trust of applicant and wife, a copy of which is attached to the petition of First National Bank of Harrisonburg, filed in this cause.



4th: To A. E. Wyant, the sum of \$26.85, secured by mechanics lien, duly docketed in the Clerk's Office of the Circuit Court of Rockingham County.

Applicant further avers that the foregoing constitute all the taxes and liens upon said property, and that the record of this suit does not disclose any denial or dispute of any party in interest as to the title of said Tract No. 188 or to the proceeds arising from the condemnation thereof, except as shown by the petition of Mary R. Cover, and First National Bank of Harrisonburg, heretofore filed.

That the only liens upon said land and the proceeds arising therefrom are as hereinbefore set forth, and that applicant is entitled to be paid the said sum of \$2371.00 after deducting the liens hereinbefore stated.

Applicant accordingly prays that Mary R. Cover and A. B. Cover, Trustee in the deed of trust aforesaid, First National Bank of Harrisonburg and L. L. Conrad, Trustee aforesaid, and A. E. Wyant, may be made parties defendant to this petition and required to answer the same, answer under oath being waived. That upon the coming in of the answers, and it otherwise appearing to the court to be proper in the premises that the said defendants hereto and applicant may have an order directing the said sum of \$2371.00 to be paid, first to the parties as hereinbefore set out, and the residue to applicant, and as in duty bound, he will ever pray.

A. J. Williams

STATE OF VIRGINIA,  
CITY OF HARRISONBURG, to-wit:

I, Pauline L. Hulvey, a notary public in and for the City of Harrisonburg in the State of Virginia, do certify that A. J. Williams personally appeared before me and made oath that the statements contained in the foregoing petition so far as made on his own knowledge are true, and those made on information derived from others he believes to be true. My commission expires the 20th day of October, 1935. Given under my hand this 20th day of December, 1933.

Pauline L. Hulvey  
NOTARY PUBLIC



Harrisonburg, Va., Dec. 20, 1933

A. J. Williams

Dr.

To J. ROBERT SWITZER, Clerk  
 Circuit Court of Rockingham County, Virginia

To	Delinquent Taxes:			
	64-0-0			
	1930	\$13.98		
	1931	<u>11.94</u>	\$25	92
	3-0-0			
	1931	5.77	5	77
			\$	31 69



IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY, VIRGINIA.

STATE COMMISSION ON CONSERVATION AND DEVELOPMENT  
OF THE STATE OF VIRGINIA

Petitioner

v.

CASSANDRA LAWSON ATKINS and others,

Respondents

The separate answer of Mary R. Cover to the application of A. J. Williams filed in this cause.

This respondent, for answer to said application, or to so much thereof as she is advised it is material she should answer, says:

That she heretofore filed in this cause her petition setting up the indebtedness owing her by A. E. Williams accompanying said petition by a certified copy of the deed of trust bearing date the 1st of January, 1920, executed by A. J. Williams and Fannie Williams, his wife, to A. B. Cover, Trustee, conveying the tract of land known in these proceedings as Tract 188, in trust to secure the payment of the indebtedness set out in said deed of trust. Petitioner is advised and avers that said A. J. Williams has good title to said tract, known in these proceedings as No. 188, subject to the liens attached thereto; that she has read ~~the application~~ ~~of~~ the application of said A. J. Williams, wherein it is set out that the indebtedness owing to this respondent by A. J. Williams is the sum of \$919.06, with interest thereon from November 11, 1933. Respondent avers that the only lien superior to that created by the deed of trust securing the indebtedness now held by her are the taxes owing upon said land, and that she believes that the same are correctly set out in the application of A. J. Williams. Respondent unites in the prayer of the application of A. J. Williams that the said sum of \$2371.00, after the payment of taxes thereon, enough thereof shall be paid to respondent to satisfy the lien secured by deed of trust and held by respondent, viz., the sum of \$919.06 <sup>with interest aforesaid</sup> And having fully answered she prays hence to be dismissed.

*John J. Harris*  
STATE OF VIRGINIA,  
CITY OF HARRISONBURG, to-wit:

*Mary R. Cover by*  
*A. B. Cover, her agent*

I, Pauline L. Hulvey, a notary public in and for the City of Harrisonburg in the State of Virginia, do certify that this day personally appeared before me, A. B. Cover, and made oath that he is the agent for Mary R. Cover, his mother,



and that the statements contained in the foregoing answer of Mary R. Cover are true to the best of his knowledge and belief. My commission expires the 20th day of October, 1935. Given under my hand this 21<sup>st</sup> day of December, 1935.

Pauline L. Hulsey

NOTARY PUBLIC



IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY, VIRGINIA

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

Petitioner

vs.

Cassandra Lawson Atkins, and others

Defendants

To the Honorable H. W. Bertram,  
Judge of the Circuit Court of  
Rockingham County, Virginia:

The answer of A. E. Wyant to a petition filed in this  
cause by A. J. Williams.

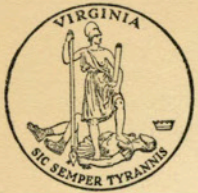
This respondent for answer to said petition or so much  
thereof as he is advised it is material for him to answer, answers  
and says that it is true as stated by petitioner that the under-  
signed has a <sup>mechanic's</sup> lien securing \$26.85 on the land known and designated  
on the map of Park lands as Tract No. 188, and that your respondent  
answers and says that he is entitled to the said sum of \$26.85.

Your respondent joins in the prayer of said petitioner  
for the distribution of said fund as set out therein and that he  
will ever pray, &c.

*A. E. Wyant*  
\_\_\_\_\_  
By Counsel

*Herbert W. Wyant*  
\_\_\_\_\_  
Counsel





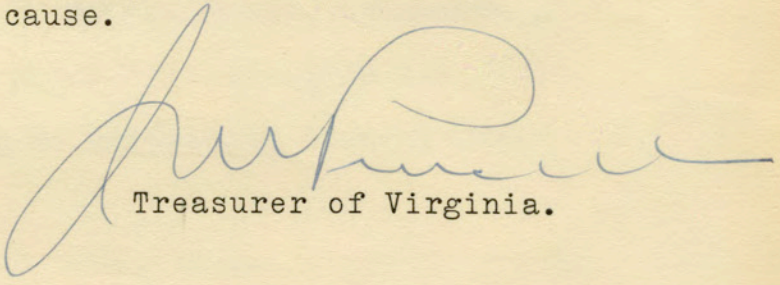
JOHN M. PURCELL  
TREASURER OF VIRGINIA

# Commonwealth of Virginia

TREASURER'S OFFICE  
RICHMOND, VA.

December 27, 1933

This is to certify that I, J. M. Purcell, Treasurer of Virginia have this 27 day of December in accordance with an order of the circuit court of Rockingham Co. dated 12/21/33 in the cause of the State Commission on Conservation and Development of the State of Virginia vs. Cassandra Lawson Atkins paid to First National Bank of Harrisonburg, \$ 337.50 being in full settlement of tract # 188 in the above mentioned cause.

  
Treasurer of Virginia.





JOHN M. PURCELL  
TREASURER OF VIRGINIA

# Commonwealth of Virginia

TREASURER'S OFFICE

RICHMOND, VA.

December 27, 1933

First National Bank of Harrisonburg

Received of J. M. Purcell, Treasurer of Virginia, the sum of \$ 337.50, in accordance with an order of the Circuit Court of the county of Rockingham entered on the 21st day of December 1933, 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 # 188.

R. J. Flinn  
Cashier

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





JOHN M. PURCELL  
TREASURER OF VIRGINIA

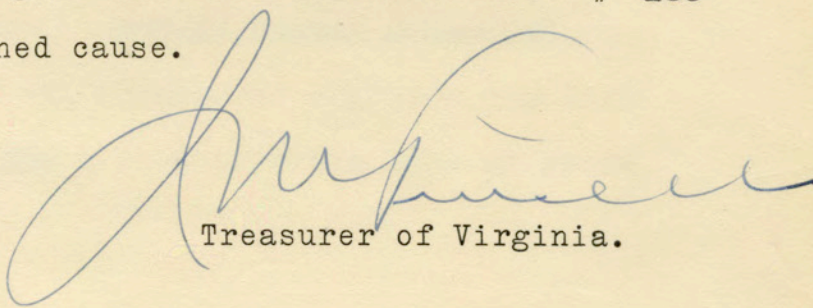
# Commonwealth of Virginia

TREASURER'S OFFICE

RICHMOND, VA.

December 27, 1933

This is to certify that I, J. M. Purcell, Treasurer of Virginia have this 27 day of December in accordance with an order of the circuit court of Rockingham County dated 12/21/33 in the cause of the State Commission on Conservation and Development of the State of Virginia vs. Cassandra Lawson Atkins paid to M. H. Harrison, County Treasurer of Rockingham County \$ 17.00 being in full settlement of tract # 188 in the above mentioned cause.

  
Treasurer of Virginia.





JOHN M. PURCELL  
TREASURER OF VIRGINIA

# Commonwealth of Virginia

TREASURER'S OFFICE  
RICHMOND, VA.

December 27, 1933

M. H. Harrison, County Treasurer  
of Rockingham County

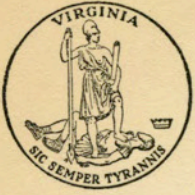
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Received of J. M. Purcell, Treasurer of Virginia, the sum of \$ 17.00, in accordance with an order of the Circuit Court of the county of Rockingham entered on the 21st day of December 1933, in the matter of the State Commission on Conservation and Development v \_\_\_\_\_ Cassandra Lawson Atkins and others, being full and complete settlement for the tract of land known in said proceeding as # 188.

*M. H. Harrison, County Treasurer*

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





JOHN M. PURCELL  
TREASURER OF VIRGINIA

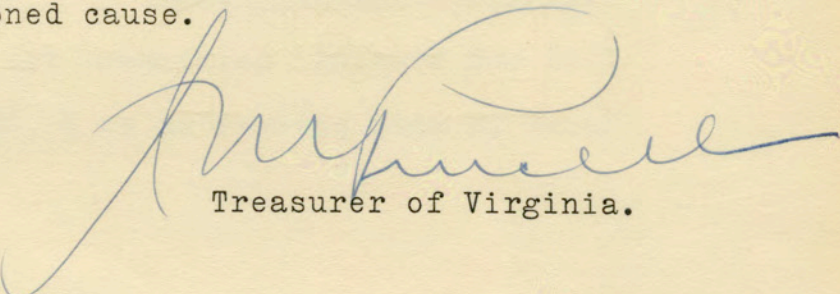
# Commonwealth of Virginia

TREASURER'S OFFICE

RICHMOND, VA.

December 27, 1933

This is to certify that I, J. M. Purcell, Treasurer of Virginia have this 27 day of December in accordance with an order of the circuit court of Rockingham County dated 12/21/33 in the cause of the State Commission on Conservation and Development of the State of Virginia vs. Cassandra Lawson Atkins paid to J. Robert Switzer Clerk of the Circuit Court of Rockingham County \$ 31.69 being in full settlement of tract # 188 in the above mentioned cause.

  
Treasurer of Virginia.





JOHN M. PURCELL  
TREASURER OF VIRGINIA

# Commonwealth of Virginia

TREASURER'S OFFICE

RICHMOND, VA.

December 27, 1933

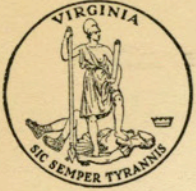
J. Robert Switzer, Clerk of the  
Circuit Court of Rockingham County

Received of J. M. Purcell, Treasurer of Virginia, the sum of \$ 31.69, in accordance with an order of the Circuit Court of the county of Rockingham entered on the 21st day of December 1933, 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 # 188.

*J. Robert Switzer, Clerk*

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





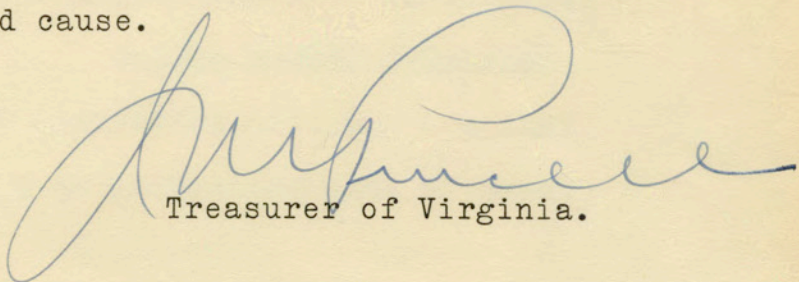
JOHN M. PURCELL  
TREASURER OF VIRGINIA

# Commonwealth of Virginia

TREASURER'S OFFICE  
RICHMOND, VA.

December 27, 1933

This is to certify that I, J. M. Purcell, Treasurer of Virginia have this 27 day of December in accordance with an order of the circuit court of Rockingham County dated 12/21/33 in the cause of the State Commission on Conservation and Development of the State of Virginia vs. Cassandra Lawson Atkins paid to Mary R. Cover \$ 926.95 being in full settlement of tract # 188 in the above mentioned cause.

  
Treasurer of Virginia.





JOHN M. PURCELL  
TREASURER OF VIRGINIA

# Commonwealth of Virginia

TREASURER'S OFFICE

RICHMOND, VA.

December 27, 1933

Mary R. Cover

Received of J. M. Purcell, Treasurer of Virginia, the sum of \$ 926.95, in accordance with an order of the Circuit Court of the county of Rockingham entered on the 21st day of December 1933, 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 # 188.

Mary R. Cover

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





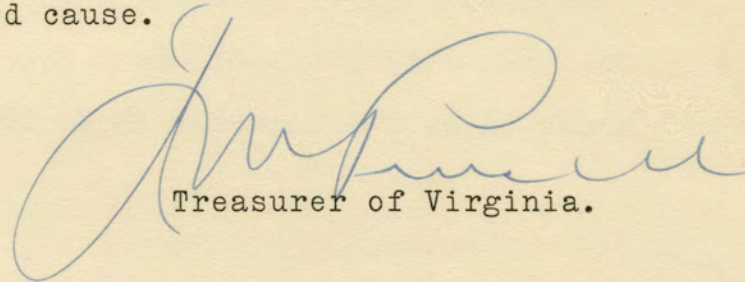
JOHN M. PURCELL  
TREASURER OF VIRGINIA

# Commonwealth of Virginia

TREASURER'S OFFICE  
RICHMOND, VA.

December 27, 1933

This is to certify that I, J. M. Purcell, Treasurer of Virginia have this 27 day of December in accordance with an order of the circuit court of Rockingham County dated 12/21/33 in the cause of the State Commission on Conservation and Development of the State of Virginia vs. Cassandra Lawson Atkins paid to A. J. Williams \$ 1,031.00 being in full settlement of tract # 188 in the above mentioned cause.

  
Treasurer of Virginia.





JOHN M. PURCELL  
TREASURER OF VIRGINIA

# Commonwealth of Virginia

TREASURER'S OFFICE

RICHMOND, VA.

December 27, 1933

A. J. Williams

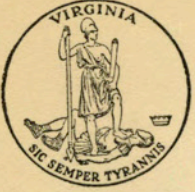
Received of J. M. Purcell, Treasurer of Virginia, the sum of \$ 1,031.00, in accordance with an order of the Circuit Court of the county of Rockingham entered on the 21st day of December 1933, in the matter of the State Commission on Conservation and Development v Cassandra Lawson Atkins and others, being full and complete settlement for the tract of land known in said proceeding as # 188.

Witness  
a. B. Conley

A. J. Williams

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





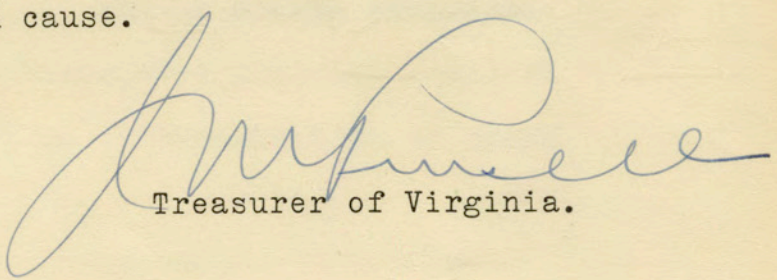
JOHN M. PURCELL  
TREASURER OF VIRGINIA

# Commonwealth of Virginia

TREASURER'S OFFICE  
RICHMOND, VA.

December 27, 1933

This is to certify that I, J. M. Purcell, Treasurer of Virginia have this 27 day of December in accordance with an order of the circuit court of Rockingham County dated 12/21/33 in the cause of the State Commission on Conservation and Development of the State of Virginia vs. Cassandra Lawson Atkins paid to A. E. Wyant \$ 26.86 being in full settlement of tract # 188 in the above mentioned cause.

  
Treasurer of Virginia.





JOHN M. PURCELL  
TREASURER OF VIRGINIA

# Commonwealth of Virginia

TREASURER'S OFFICE

RICHMOND, VA.

December 27, 1933

A. E. Wyant

Received of J. M. Purcell, Treasurer of Virginia, the sum of \$ 26.86, in accordance with an order of the Circuit Court of the county of Rockingham entered on the 21 day of December 1933, 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 # 188.

A. E. Wyant

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



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

**Virginia: In the Circuit Court of 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. 188-----: Tract No. -----: Tract No. -----;

and described in the report of the Board of Appraisal Commissioners appointed herein and shown, numbered, and delineated on the County Ownership Map filed therewith, upon payment into the custody of the Court of the sum(s) set out in the said judgment as constituting the award(s) therefor, as follows:

Award on Tract No. 188 \$2371.00, on Tract No. ----- \$-----; on Tract No. ----- \$-----;

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

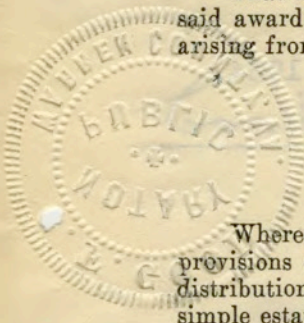
A. J. Williams

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

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

By reason of contribution pledge, obligating the owner, A. J. Williams, to give 10 acres of his land within the Park Area to the Park Project.

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:



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. 188----- \$30.00-----: Tract No. ----- \$-----: Tract No. ----- \$-----;

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

NAME P. O. ADDRESS  
STATE COMMISSION ON CONSERVATION  
& DEVELOPMENT  
BY Curtis Munday

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



Notar - This word 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  
V. At Law No. 1839  
Cassius Lawson Africa and others and fifty-two thousand five hundred and  
Sixty-one (52,501) Acres of land, more or less  
Comes now the undersigned and files to the Court:  
That a judgment in favor has been entered in this proceeding regarding to the use of the  
Shenandoah National Park in the tract(s) of land numbered as follows: Tract No. 183  
Tract No. . . . .

STATE OF VIRGINIA )  
COUNTY OF WARREN ) SS

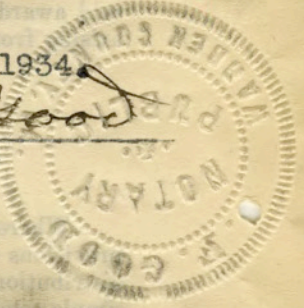
Personally appeared before me the undersigned Notary

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 Commission for dis-  
tributive shares of condemnation awards in the Shenandoah  
National Park condemnation proceedings pending in the Circuit  
Courts of Virginia, by reason of contracts and agreements en-  
tered into with the owners of lands sought to be condemned in  
these proceedings, and that the within claim is just and cor-  
rect.

Witness my signature this 8th day of January, 1934

*E. K. Stokes*  
NOTARY PUBLIC Notary Public

My Commission Expires Sep. 8, 1934



before your undersigned (my) that (he) (they) be made a party (parties) herein under the  
of Section 21 of the Public Law (condemnation law) and that an order be entered for the  
of said sum(s) of (dollars) in said judgment in favor of said (party) for the  
of said sum(s) of (dollars) and for the payment of the interest thereon  
of or as may be determined by the Court and that the undersigned is (am) entitled to  
receive and which the undersigned (over) is as follows: Tract No. 183 . . . \$ 30.00 . . .  
No. . . . .  
The undersigned further (over) that: (Leave this space blank unless there is some other  
matter to be brought to the attention of the court.)

NAME . . . . .  
STATE COMMISSION ON CONSERVATION  
& DEVELOPMENT  
*E. K. Stokes*

Note - A supply of this blank form has been placed in the Clerk's office for the convenience of interested  
parties. No one is required to use this form, as the form is not prescribed by law, and contracts may be  
either change or modify it as they deem necessary, or present their motions to the Court, which may be  
which meets with the approval of the Court. The blank form is not and probably will not be  
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.



VIRGINIA. IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY.

The State Commission on Conservation  
& Development of the State of Virginia, Petitioner,

v.

Cassandra Lawson Atkins, et als, defendants.

In Re: Distribution of proceeds of condemnation for Tract No.188

This day came the State Commission on Conservation & Development by counsel, and moved the Court to enter an order directing the Treasurer of the State of Virginia, to pay to it out of the proceeds of condemnation of tract No. 188, the sum of \$30.00, representing the amount of a certain pledge made by A. J. Williams, who claimed to be the owner of said tract, to said Commission on Conservation & Development, as a contribution for the establishment of Shenandoah National Park and in support of its said motion, the said Commission exhibited to the Court, its motion in writing setting forth all the facts in relation thereto, which has been heretofore filed herein.

Upon consideration whereof, it appearing to the Court, that the claim of said Commission is not based upon any lien either on the land condemned, or on the proceeds of condemnation, and that said Commission has failed to obtain the consent of the parties entitled to the proceeds of condemnation, to the payment of its claim, it is accordingly adjudged and ordered that the motion of the Commission for the payment of said claim out of the proceeds of condemnation for said tract be and the same is hereby denied.

Ent  
RUB

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369

6/20/35