

Rappahannock County
Hampton District

NAME OF CLAIMANT

54 - Manuel, R.E. *Timber claim on Miller's Est.*

Number of Acres:

Location:

Roads:

Soil:

History of Tract and condition of timber:

Improvements:

Acreage and value of types:

Types	Acreage	Value per acre	Total Value
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Slope:

Cove:

Grazing Land:

Cultivated Land:

Orchard:

Minerals:

Value of Land: \$

Value of Improvements: \$

Value of Orchard: \$

Value of Minerals: \$

Value of Timber: \$

Value of Wood: \$

Value per acre for tract: \$

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

This is covered in the J. J. Miller estate report and is satisfactory to Mr. Manuel.

Geo. N. Leno

CLERK

54

CLAIMANT
NAME OF OWNER

54 Iles, Alfred B.

Number of Acres:

Location: --- Mining lease on 1000 acre tract.

Roads:

Soil:

History of Tract and condition of timber:

Improvements:

Acreage and value of types:

Types	Acreage	Value per acre	Total Value
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Ridge:

Slope:

Cove:

Grazing Land:

Fields Restocking:

Cultivated Land:

Orchard:

Minerals:

Value of Land: \$

Value of Improvements: \$

Value of Orchard: \$

Value of Minerals: \$

Value of Fruit: \$

Value of Timber: \$

Value of Wood: \$

Value per acre for tract: \$

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

There is no evidence before us as to any potential value. We have given Mr. Iles every opportunity to procure some evidence of mineral value, but has failed to do so.

Geo. H. Levi, Clerk-
Appraisal Comm'rs.

Geo. H. Levi.

CLERK

RAPPAHANNOCK COUNTY

NAME OF ~~OWNER~~ -----CLAIMANT

#54 - Miller, J.J.-Est. (~~Lep on Mary Ann Ray~~
~~Heiner~~)

Number of Acres: 3534

Location: (See reverse side for information on location)

Roads: " " " " " "

Soil: " " " " " "

History of Tract and condition of timber: " " " "

Timber: " " " "

Improvements: None

Acreage and value of types:

Types	Acreage	Value per acre	Total Value
Ridge: --	682	@ .75	\$511.50
Slope: --	2791.	@ 2.50	6977.50
Cove: --	56	@ 5.00	280.00
Grazing Land:--	5	@ 12.00	60.00
Fields Restocking:			<hr/>
Cultivated Land:			\$7829.00
Orchard:			

Minerals:

Value of Land: \$ 7829.00

Value of Improvements: \$

Value of Orchard: \$

Value of Minerals: \$

Value of Fruit: \$

Value of Timber: \$ 6447.00

Value of Wood: \$

Value per acre for tract: \$ 4.03

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

Timber right claimed by Wm. H. Grannis

Geo. H. Pen.

CLERK

this 30th day of May, 1930.

and things appearing in his above answer are true to the best of his knowledge and belief, the above named claimant personally appeared before him and made oath that the matters

The undersigned hereby certifies that W. A. Miller in and made oath that the matters

STATE OF VIRGINIA, COUNTY OF RAPPAHANNOCK

To-wit:

Witness my signature (or my name and mark attached hereto) this 30th day

(Continue remarks if necessary on the back).

therefore the land and timber being valued at the sum of \$15,000.00.

which is included in the above mentioned sum of \$10,385.00.

Copper deposit, the same being valued at the sum of \$5,000.00.

Remarks: There is located upon a portion of this land a valuable

description of the tract or parcel of land by meters and pounds.

this claim which claimant desires to make; and if practicable he should also insert here a

(In the space below should be set out any additional statements or information as to

posed condemnation of lands within the Park area, to the extent of \$ nothing.

parcel of land but lying outside the Park area, which I claim will be damaged by the pro-

in and to this tract or parcel of land with the improvements thereon is \$ 10,385.00.

on is \$10,385.00. I claim that the total value of my right, title, estate or interest

I claim that the total value of this tract or parcel of land with the improvements there-

Inheritance from John J. Miller, dec.

following manner:

I acquired my right, title, estate or interest to this property about the year 1924 in the

West J. J. Miller et al. in Warren Co., et al.

East W. D. Wood et al.

South J. J. Miller et al.

North John K. Marlow et al.

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

Heirs
at law
of
J. J. Miller
decd.

Claim of
W. A. Miller
E. F. Miller
B. F. Miller
H. F. Miller
Julia M. Settle
G. Tyler Miller
N. W. Booth
C. B. Miller

FILED IN
CLERK'S OFFICE
RAPPAHANNOCK COUNTY

June 7 1930
Teste: Jas. M. Seavey Clerk

I claim a right, title, estate or interest in a tract or parcel of land within the area sought

My Post Office Address is Washington, Virginia.

My name is W. A. Miller, in and made oath that the matters

as his answer to said petition and to said notice.

Court of Rappahannock County, Virginia, asks leave of the Court to file this

upon the filing of said petition and published in accordance with the order of the Circuit

repealment of the State of Virginia, and in response to the notice of condemnation awarded

The undersigned, in answer to the petition of the State Commission on Conservation and De-

more or less of land in Rappahannock County, Virginia, Defendants.

tion, vs. Clifford Taylor et al., and 37, 400 acres

The State Commission on Conservation and Development of the State of Virginia, Peti-

in the Circuit Court of Rappahannock County, Virginia, No. 143. At Law.

Claim of W. A. Miller, et al.

54754-I
Claim of Alfred B. Sles
In the Circuit Court of Rappahannock County, Virginia, No. 149, At Law.
The State Commission on Conservation and Development of the State of Virginia, Petitioner, vs. Clifton Aylor and others, and Thirty-seven Thousand
Four Hundred (\$37,400) acres

more or less, of land in Rappahannock 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 Rappahannock County, Virginia, asks leave of the Court to file this as his answer to said petition and to said notice.

My name is Alfred B. Sles

My Post Office Address is Conard Apts Washington, D.C.

I claim a right, title, estate or interest in a tract or parcel of land within the area sought to be condemned, containing about 1000 acres, on which there are the following buildings and improvements: 1 Building. 1 Open cut 50x15 feet
shaft and other mining improvements also eight
miles of wagon road leading thereto.

This land is located about 5 miles from Washington Virginia, in the Hampton 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).

25yr Lease on 1000 acres together with rights to all
mining timber with mineral

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

North B. F. Miller et al

South B. F. Miller et al

East B. F. Miller et al

West B. F. Miller et al

I acquired my right, title, estate or interest to this property about the year 1929 in the following manner:

Lease for mining operations.

I claim that the total value of this tract or parcel of land with the improvements thereon is \$ 20,000.00. 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 \$ 20,000.00.

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: _____

(Continue remarks if necessary on the back).

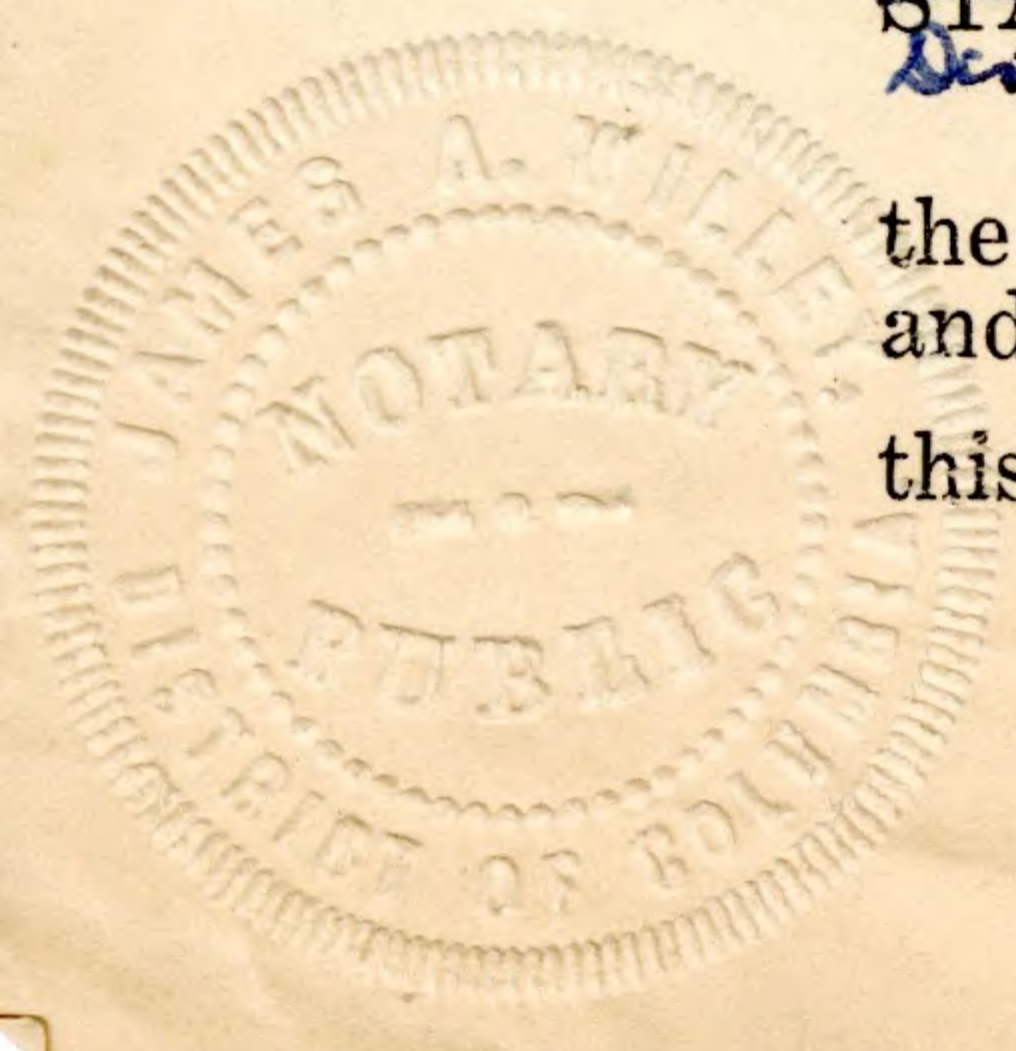
Witness my signature (or my name and mark attached hereto) this 11th day of June, 1930. Alfred B. Sles

STATE OF VIRGINIA, COUNTY OF

To-wit:

The undersigned hereby certifies that Alfred B. Sles
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 11th day of June, 1930.

James A. Willey
Clerk of the Court, or Special Investigator or
Notary Public, or Justice of the Peace.
DC.



#54 - J.J. Miller Estate

X

Acreage Claimed: 3590 A Assessed 3590 A By owners survey 3590 A
Value Claimed: \$103,856.00 " \$6297.00 Consideration: Not Available

Location: This tract lies along the top and on the high east slopes of the Blue Ridge. It extends from a point near Jenkins Gap on the north to the Little Devil's Stairs Run on the south, a distance of approximately five miles. It varies in width from $2\frac{1}{2}$ miles at the north end to $\frac{1}{2}$ mile at some points on the southern part of the tract. It is a part of a larger tract, the residue of which lies on the opposite side of the mountain in Warren County. All of the tract situated in either county is entirely within the Park area.

Incumbrances, counter claims and laps: A claim has been filed with the Clerk of the Court by Alfred B. Iles for \$20,000 representing the value of a mineral lease on 1000 acres of this tract. It is understood also, that R.E. Manuel purchased 50 acres of this tract on the west side of Big Devil Stairs Run adjoining his other land outside the Park area and says that he has no deed but states that the J. J. Miller heirs have agreed to pay and he has agreed to accept whatever may be awarded as the price per acre for the J. J. Miller tract. So far as known there are no disputed boundary lines on any part of this tract.

Soil: The character of the soil varies. At the lower elevation it is a sandy loam of fair depth and fertility with many rock outcroppings. There are some extensive areas, notably those along the Devils Stairs and Little Devil's Stairs Runs which are steep rocky gorges, covered with loose rocks and boulders. The soil along the top of the Blue Ridge is thin and rocky and between this and the lower edge of the tract are many gradations. The small area of cove type is accounted for by the fact that this type does not extend up on the mountains a sufficient distance to reach this tract at more than one point and then only to a limited extent.

Roads: Two old roads on a fairly uniform grade, now only very little used, cross the tract in a general north and south direction. The western most is the Gravel Spring Road and the one on the east side of the tract is the Jenkins Gap Road. Both roads were used extensively for hauling the bark from this tract to Browntown about 30 years ago. More recently the Jenkins Gap road has been used to transport apples from the Julia M. Settle orchard to the macadam road at the same point. Numerous old haul roads may be found throughout the tract. Lands of adjoining owners must be crossed in most cases to reach county road in order to haul timber products from this tract.

History of tract and condition of timber: This tract originally had on it a heavy stand of chestnut oak timber which was cut 30 to 40 years ago. Repeated forest fires have interfered with the young timber growth which started on the cut over areas. The present stand is composed of the timber from which the chestnut oak was culled. At the higher elevations where the percentage of chestnut oak was large the stand is very light. At the lower elevations the percentage of chestnut oak was lower and the remaining stand is correspondingly heavier.

In 1922 the owner, the late J.J. Miller, sold the remaining merchantable timber on this tract to H. W. Grannis. It is understood that the consideration was \$10.00 per acre for all merchantable timber products and that the timber rights expire May 3, 1932. Logging operations were started at the east end of the tract in some of the most accessible timber and conducted less than a year.

Some prospecting for copper ore has been done west of Thoroughfare Gap but no actual mining operations have ever been undertaken. A 25-year mineral lease on an area of 1000 acres was executed last year and it is for the rights under this lease that the lessee has filed a claim of \$20,000.

Timber: A careful estimate of the merchantable timber shows a total stand of 2,965 M. feet B.M. of saw timber of which 1,741 M. feet are considered accessible and can be operated without financial loss to the operator. The proportion by species is Poplar and Basswood 40%, White, Red and Black Oak 40% and Hickory and other species 20%. The accessible timber is appraised at \$2.90 per M. feet on the stump. The inaccessible has been assigned a nominal stumpage of \$1. per M.

Acreage and value of land by Types:

Types:	Acreage:	Value Per A.	Total Value
Ridge	682	.75	\$511.50
Slope	2716	2.00	5432.00
Cove	56	5.00	280.00
Fields grazing	5	12.00	60.00
	3459		\$6283.50

Average value per acre for land ----- \$1.82

Value of land----- \$6283.00

" " timber----- 1741 M. @
(\$2.90--- 5048.00
(1224 M. @ \$1. 1224.00

" " mineral ---
" " tract--- \$12659.00

Value per acre for tract----- \$3.58

Location: This tract lies along the top and on the high east slopes of the Blue Ridge. It extends from a point near Jenkins Gap on the north to the Little Devil Stairs Run on the south, a distance of approximately five miles. It varies in width from $2\frac{1}{2}$ miles at the north end to $\frac{1}{2}$ mile at some points on the southern part of the tract. It is a part of a larger tract, the residue of which lies on the opposite side of the mountain in Warren County. All of the tract situated in either county is entirely within the Park area.

Soil: The character of the soil varies. At the lower elevation it is a sandy loam of fair depth and fertility with many rock outcroppings. There are some extensive areas, notably those along the Devil Stairs and Little Devil Stairs Run which are steep rocky gorges, covered with loose rocks and boulders. The soil along the top of the Blue Ridge is thin and rocky and between this and the lower edge of the tract are many gradations. The small area of cove type is accounted for by the fact that this type does not extend up on the mountains a sufficient distance to reach this tract at more than one point and then only to a limited extent.

Roads: Two old roads on a fairly uniform grade, now only very little used, cross the tract in a general north and south direction. The western most is the Gravel Spring Road and the one on the east side of the tract is the Jenkins Gap Road. Both roads were used extensively for hauling the bark from this tract to Browntown about 30 years ago. More recently the Jenkins Gap road has been used to transport apples from the Julia M. Settle orchard to the macadam road at the same point. Numerous old haul roads may be found throughout the tract. Lands of adjoining owners must be crossed in most cases to reach county road in order to haul timber products from this tract.

History of tract and condition of timber: This tract originally had on it a heavy stand of chestnut oak timber which was cut 30 to 40 years ago. Repeated forest fires have interfered with the young timber growth which started on the cut over areas. The present stand is composed of the timber from which the chestnut oak was culled. At the higher elevations where the percentage of chestnut oak was large the stand is very light. At the lower elevations the percentage of chestnut oak was lower and the remaining stand is correspondingly heavier.

In 1922 the owner, the late J. J. Miller, sold the remaining merchantable timber on this tract to H. W. Grannis. It is understood that the consideration was \$10.00 per acre for all merchantable timber products and that the timber rights expire May 3, 1932. Logging operations were started at the east end of the tract in some of the most accessible timber and conducted less than a year.

Some prospecting for copper ore has been done west of Thoroughfare Gap, but on actual mining operations have ever been undertaken. A 25-year mineral lease on an area of 1000 acres was executed last year and it is for the rights under this lease that the lessee has filed a claim of \$20,000

Timber: A careful estimate of the merchantable timber shows a total stand of 2,965 M. feet B. M. of saw timber of which 1,741 M. feet are considered accessible and can be operated without financial loss to the operator. The proportion by species is poplar and basswood 40%, white, red and black oak 40% and hickory and other species 20%.

NAME OF OWNER

Miss - Williams, Taylor, Chapman & Priest

Number of Acres:

IMPROVEMENTS (Continued)

Location:

Roads:

Soil:

History of Tract and condition of timber:

Improvements:

Acres and value of types:

Types Acres Value per acre Total Value

Ridge:

Slope:

Cove:

Grazing Land:

Fields Restocking:

Cultivated Land:

Orchard:

Minerals:

Value of Land: \$

Value of Improvements: \$

Value of Orchard: \$

Value of Minerals: \$

Value of Fruit: \$

Value of Timber: \$

Value of Wood: \$

Value per acre for tract: \$

Incidental damages arising from the taking of this tract: \$

54754-I
Claim of Alfred B. Sles
In the Circuit Court of Rappahannock County, Virginia, No. 149, At Law.
The State Commission on Conservation and Development of the State of Virginia, Petitioner, vs. Clifton Aylor and others, and Thirty-seven Thousand
Four Hundred (\$37,400) acres

more or less, of land in Rappahannock 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 Rappahannock County, Virginia, asks leave of the Court to file this as his answer to said petition and to said notice.

My name is Alfred B. Sles

My Post Office Address is Conard Apts Washington, D.C.

I claim a right, title, estate or interest in a tract or parcel of land within the area sought to be condemned, containing about 1000 acres, on which there are the following buildings and improvements: 1 Building. 1 Open cut 50x15 feet
shaft and other mining improvements also eight
miles of wagon road leading thereto.

This land is located about 5 miles from Washington Virginia, in the Hampton 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).

25yr Lease on 1000 acres together with rights to all
mining timber with mineral

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

North B. F. Miller et al

South B. F. Miller et al

East B. F. Miller et al

West B. F. Miller et al

I acquired my right, title, estate or interest to this property about the year 1929 in the following manner:

Lease for mining operations.

I claim that the total value of this tract or parcel of land with the improvements thereon is \$ 20,000.00. 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 \$ 20,000.00.

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: _____

(Continue remarks if necessary on the back).

Witness my signature (or my name and mark attached hereto) this 11th day of June, 1930.

STATE OF VIRGINIA, COUNTY OF

To-wit:

The undersigned hereby certifies that Alfred B. Sles
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 11th day of June, 1930.

James A. Willey
Clerk of the Court, or Special Investigator or
Notary Public, or Justice of the Peace.

D.C.

IN THE CIRCUIT COURT OF RAPPAHANNOCK COUNTY

State Commission on Conservation
and Development,

v.

Mrs. Evelyn Tyler Miller, Julia M.
Settle, ~~N.~~ M. Booth, C. B. Miller,
George Tyler Miller, Henry T. Miller,
William Arthur Miller, B. F. Miller.

TO THE CIRCUIT COURT OF RAPPAHANNOCK COUNTY:

The above named petitioners represent:

1st: Mrs. Evelyn Tyler Miller is the widow of John J. Miller, deceased, and your other petitioners are his heirs at law and as such hold in common and undivided right a tract of land lying in Warren and Rappahannock Counties, consisting of six thousand one hundred and sixty three acres, of which two thousand five hundred and twenty three acres lie in Warren County and three thousand six hundred and forty acres lie in Rappahannock. The land, however, is one tract and in proceedings in Rappahannock for the partition of the John J. Miller Estate was by the order of the court held in common and undivisible as necessary to protect the best interests of said successor in title.

2nd: By proceedings had in this court alleged to be under the authority of chapter 410, Acts 1928, the State Commission on Conservation and Development is seeking to take by condemnation that portion of said tract as is in the County of ~~Rappahannock~~ ^{Rappahannock} Warren. By orders of this court M. Lohr Capper, M. L. Price and George H. Levi are appointed special investigators and a board of appraisal commissioners to ascertain all facts pertinent to said tract and the compensation to be paid to your petitioners.

3rd: Under Section 8 and Section 29 said special investigators and boards of appraisal, acting individually or as a board, may resort to any source of information which they may deem proper and "hear any statement or expression of opinion made under oath or not under oath, by any person, whether such person is or is not interested in the fact or facts they are seeking to ascertain and determine."

Notwithstanding the courts of Virginia have condemned such methods this statute sets such decisions at naught and denies to your petitioners in the protection of their property rights the equal protection of the law and the guaranties of the Bill of Rights of Virginia and of the 14th Amendment of the Constitution of the United States.

4th: The said special investigators and special appraisers have made their report in which contrary to any otherwise legal evidence before them they have grossly misdescribed said tract and have undertaken to ascertain the compensation to which petitioners are entitled so grossly inadequate as to show that said board or some of them were influenced by partiality or gross mistake of law as to the nature and effect of the evidence with reference to which such finding or findings were made. Your petitioners charge that such findings were based on hearsay statement, rumors and exaggerations from unknown parties authorized by this statute and not upon legal evidence such as judicial boards can only act upon.

5th: The tract of land is valuable for its timber, for its mineral deposits and in addition thereto much of the tract is fine blue grass grazing land.

6th: William H. ^{Grannis} ~~Granner~~, who owes petitioners approximately \$48,000 with interest from the 3rd day of May, 1922 for the timber rights alone is now prosecuting in the United States District Court for the Western District his claim to the timber rights.

7th: Petitioners have filed their claim in the record, which fairly states the amount they are entitled to recover as compensation for their property.

8th: Petitioners pray that this court will wholly disregard said report of said special investigators and special appraisers,

(1) Insofar as the statute prescribes the weight to be attached thereto it is an invasion by the legislature of the province of the court;

(2) That petitioners are not afforded a day in court for the proper consideration of their rights, when before the special investigators or boards of appraisers the statute authorizes and directs the consideration of wholly improper and prejudicial evidence, and, when they come into this court, the statute binds the court by the weight it directs to be attached to the report of such a board;

(3) The compensation to petitioners is confiscatory as fixed by these special investigators and appraisers;

(4) Petitioners rely upon the guaranties of the Bill of Rights of Virginia Constitution, and of the 14th Amendment of the Constitution of the United States;

(5) Petitioners pray that the court will summon a jury to ascertain the compensation due petitioners.

Mrs. Evelyn Tyles Miller

C. B. Miller

George Tyles Miller

Julia M. Settle

William Arthur Miller

SUBSCRIBED AND SWORN TO BEFORE ME THIS 5TH DAY OF JULY, 1932.

Jas. M. Settle
Commissioner in Chancery for the Circuit Court
of Rappahannock County, Virginia.

Petition & Exceptions of
John J. Miller-Harris -

State Commission on Conservation
& Development of the State of
Virginia

vs No 149.

Clifton Aylor vs.

FILED IN
CLERK'S OFFICE
RAPPAHANNOCK COUNTY

July 6th 1932.
Teste: Joe M. Settle Clerk

LAW OFFICES
HARRISON & HARRISON
WINCHESTER, VIRGINIA

54754-I

Claim of W.A. Miller, et als.
In the Circuit Court of Rappahannock County, Virginia, No. 149, At Law.
The State Commission on Conservation and Development of the State of Virginia, Petitioner, vs. Clifton Aylor et als., and 37, 400 acres

more or less, of land in Rappahannock 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 Rappahannock County, Virginia, asks leave of the Court to file this as his answer to said petition and to said notice.

My name is W.A. Miller, in own right, and as agent for B.F. Miller, Henry T. Miller, Julia M. Settle, G.F. Miller, M.M. Booth, C.B. Miller & E.T. Miller.
My Post Office Address is Washington, 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 3,590.40 acres, on which there are the following buildings and improvements:

This land is located about 4 miles from Washington Virginia, in the Hampton & Wakefield 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).

Joint owner with above mentioned parties.

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

North John K. Marlow et als.

South Earnest Smoot et als.

East F.D. Wood et als.

West J.J. Miller ets. in Warren CO, et als.

I acquired my right, title, estate or interest to this property about the year 1924 in the following manner:

Inheritance from John J. Miller, dec.

I claim that the total value of this tract or parcel of land with the improvements thereon is \$103856.00. 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 \$ 12,982.00.

I am the owner of 00 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 \$ nothing.

(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 There is located upon a portion of this land a valuable Copper Deposit, the same being valued at the sum of \$50000.00, which is included in the above mentioned sum of 103856.00; Therefore the land and timber being valued at the sum of \$15.00 per acre.

(Continue remarks if necessary on the back).

Witness my signature (or my name and mark attached hereto) this 30 day of May, 1930. W.A. Miller agent

STATE OF VIRGINIA, COUNTY OF Rappahannock, To-wit:

The undersigned hereby certifies that W.A. Miller in own right and as agent 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 30 day of May, 1930.

Jas. M. Settle
Clerk of the Court, or Special Investigator or Notary Public, or Justice of the Peace.

P16

Claim of R. E. Manuel
In the Circuit Court of Stafford County, Virginia, No. 147, At Law.
The State Commission on Conservation and Development of the State of Virginia, Petitioner, vs. Clyton Cy for et al \$ 37,400
acres

more or less, of land in Stafford 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 Stafford County, Virginia, asks leave of the Court to file this as his answer to said petition and to said notice.

My name is R. E. Manuel

My Post Office Address is Washington Va

I claim a right, title, estate or interest in a tract or parcel of land within the area sought to be condemned, containing about 4 1/2 acres, on which there are the following buildings and improvements: I think the Park takes

about 3 or 4 acres of this tract

This land is located about 4 1/2 miles from Washington Virginia, in the Hampton 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). See simple

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

North John A. Keyser

South R. H. Smith

East R. H. Smith

West John A. Keyser

I acquired my right, title, estate or interest to this property about the year 1900 in the following manner: Bought of Tom Marie

I claim that the total value of this tract or parcel of land with the improvements thereon is \$ 10 per acre 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 \$ 10.00

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 \$ 50.00

(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: There are a few peach
tree - taken in the acreage taken &
it takes about all of my
wood land -

(Continue remarks if necessary on the back).

Witness my signature (or my name and mark attached hereto) this 23 day of June, 1930.

STATE OF VIRGINIA, COUNTY OF Stafford, To-wit: R. E. Manuel

The undersigned hereby certifies that R. E. Manuel
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 23 day of June, 1930.

John A. Keyser
the Court, or Special Investigator or
lic, or Justice of the Peace.



Clark G. Grant
Rafalahenock County,
Wisconsin.

B. D. Mills L. Col. 11th Reg
Schepfield Garrison
D. H.

Schofield Barracks, P.H.,
May 23, 1930.

Circuit Court of Rappahannock
County, Washington, Virginia.

Request
that any action toward condemna-
tion of the undivided land of the
Estate of John J. Miller Deceased
be deferred until my return
to Virginia in October.
I am ordered to Richmond, Virginia
effective November 5th, 1930
from foreign service in Hawaii.
Any Administration of the Estate
of John J. Miller Deceased
and desire a hearing on the
condemnation of the land.

J. D. Miller
Lieut Colonel 11th Reg.

Schofield Barracks, D.H.,

May 23, 1930.

Chief Clerk of Rappahannock
County, Washington, Virginia

Request that
any action toward condemnation
of trail of land in my name
known as "Hopper Place"
be deferred until my return
to Virginia in October. I am
assigned to duty in Richmond
beginning effective November 5th,
1930. I desire a hearing Mr. Jno.
A. Hopper is my representative
in regard to file filing or
other procedure concerning the
Hopper Place.

J. P. Miller,
Lieut. Col. 11th P. M.

The State Commission on
Conservation and Develop-
ment Commission, of the State
of Virginia, Petitioner.

vs

Clifton Ayler and others, and
37.400 acres, more or less of
land in Rappahannock and
~~Xxxxxxx@xxxxxxx~~ County, Va.
Defendants.

.....

In the
Circuit Court for Rappahan-
nock County, Virginia,

Notice of Condemnation

In law No.149.

TO THE HONORABLE, THE JUDGE OF THE SAID COURT:

The Petition of William H. Grannis of Philadelphia,
Pennsylvania, respectfully shows unto your Honor:

1. That he has an interest in and to certain timber
standing on the land of the John J. Miller Estate in that part
of Rappahannock County now being condemned for the purposes of
a public park.

2. That it has just come to his knowledge of the in-
tention of the State of Virginia to take over this timber for
park purposes, and he desires to intervene as one of the depend-
ants and to file his answer in this Honorable Court as in the
Order of Publication he is advised to do.

3. Your petitioner therefore respectfully prays your
Honor will pass an Order granting leave to him to file his answer
to the claim of the plaintiffs in this Cause with permission to
proceed as he is advised he should do.

And as in duty bound he will ever pray.

William Thomas Lorain
Attorneys for Petitioner

X *William H. Grannis*
Petitioner

STATE OF PENNSYLVANIA S.S.
CITY OF PHILADELPHIA

I hereby certify that on this 9th day of September, 1930, be-
fore me the Subscriber, a Notary Public of the State of Pennsylvania
in and for the City of Philadelphia, personally appeared William
H. Grannis, the above petitioner and made oath in due form of law
that the matter and facts as set forth above are true.

In witness whereof I have signed my name and affixed my

Notarial Seal. **NOTARY PUBLIC**
My commission expires March 5, 1933

Bill M. Tomlinson
Notary Public

On the foregoing Petition and Affidavit, it is ORDERED
by the Circuit Court of Rappahannock Co. in law that leave is
hereby granted William H. Grannis, the Petitioner, to file
his answer in this Cause and that he be made a party defendant
and proceed as he feels his best interest will be served.
ORDERED this day of September, 1930.

Claim of WILLIAM H. GRANNIS

In the Circuit Court of Rappahannock County, Virginia, No. 149,
At Law.

The State Commission on Conservation and Development of the
State of Virginia, Petitioner, Vs. Clifton Aylor and others and
Thirty-seven Thousand, Four Hundred acres of Land in Rappahannock
County, Virginia, more or less, of land in Rappahannock County,
Virginia, Defendants.

The undersigned, in answer to the petition of the State Commis-
sion 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 Rappahannock County, Virginia, asks leave
of the Court to file this as his answer to said petition to said
notice.

My name is William H. Grannis.

My Post Office Address is 110 E. Lexington St., Baltimore, Maryland,
Room 402.

I claim a right, title, estate or interest in a tract of timber
growing on the land within the area sought to be condemned, con-
taining about 3590.50 acres, on which are the following:

3563^a

This timber is located about three miles from Flint Hill, Virginia,
in the Magisterial District of said County.

I claim the following right, title, estate or interest in the
tract of timber on the land described above:

I am the sole owner, subject to certain Credits due to the
Executors or heirs of John Miller's Estate.

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

North	<u>John H. Maplow et al</u>
South	<u>Ernest Lusk et al</u>
East	<u>F. S. Lusk et al</u>
West	<u>J. J. Miller et al</u>

I acquired the right, title, estate or interest to this property
about the year 1922 in the following manner:

by purchase from John J. Miller, now deceased.

I claim that the total value of this tract of timber with the
improvements thereon is \$ 133,000.00 . I claim that the total
value of its right, title, estate or interest, in and to this
tract of timber with the improvements thereon is \$ 133,000.00

I am the owner of ~~3100~~ acres of timber on land adjoining the
above timber tract in Warren County Virginia.

To this Petition is attached a complete description of the tim-
ber by metes and bounds as described in the Deed of purchase by
me and John J. Miller, recorded in the Land Records of Rappahan-
nock County, Virginia,, and the same is set out in the Order of
Publication as published in the Blue Ridge Guide as Nos. 98, 99,
100, 101, 102, 104, 105, 106, 107, 108.

Witness my signature this 9 day of ^{Sept.}~~August~~, 1930.

William H. Grannis

STATE OF Pennsylvania, COUNTY OF Philadelphia, to wit:

The undersigned hereby certified that William H. Grannis, personally appeared before him and made oath that the matters and facts appearing in his above answer are true to the best of his knowledge and belief, this 9 day of ^{Sept.}~~August~~, 1930.

Bele M. Touluson
~~Clerk of the Court, or~~
~~Notary Public or Justice~~
~~of the Peace~~
NOTARY PUBLIC

My Commission Expires March 5, 1933

SAID TIMBER AND LAND BEING SITUATED IN RAPPAHANNOCK
COUNTY ON THE SOUTH SIDE OF THE "BLUE RIDGE",
DESCRIBED AS FOLLOWS, TO WIT.

Beginning at a stone corner between a hickory and chestnut oak. (80 chain
to a spring under a large fast rock.) 100

A corner to Thornton, thence with his lines.

S 32, $\frac{1}{4}$ W 17.25 Chains to a black oak and a stone pile.

N 82, $\frac{3}{4}$ W 7.00 Chains to a popular, (crossing Turkey run)

N 57, $\frac{3}{4}$ W 29.20 Chains to a pile of stones near 2 Elms.

N 2, $\frac{1}{8}$ E 4.50 Chains to a stone pile on a clift.

N 20, $\frac{1}{8}$ E 5.50 Chains to a stone pile on another cliff

N 18, W 11.00 Chains to a stone pile at a white oak stump, old corner.

N 1, $\frac{1}{8}$ E 16.50 Chains a chestnut oak stump 2 maples 1 birch, (at
9.25 chains cut road on this line leading to saw mill.

N 69, $\frac{7}{8}$ W 8.56 Chains to 2 Chestnut Oaks stumps at the head of the
"Big Stairs" a corner to R. M. Harris thence down the channel of the
"Big Stairs" it being the line of said Harris.

N 84, $\frac{1}{4}$ W 1.79 Chains.

S 33, $\frac{1}{2}$ W 5.35 Chains.

S 48, W 4.15 Chains.

S 27, W 5.63 Chains.

S 8, E 1.50 Chains.

S 7, $\frac{3}{4}$ W 3.53 Chains.

S 25, $\frac{1}{2}$ W 2.83 Chains.

S 12, W 4.36 Chains.

S 33, W 2.71 Chains.

South 2.80 Chains.

S. 15 W 7.25 Chains at the head of the large falls, thence over the falls,

S 20 W 4.08 Chains, to a point in the channel thence stillwith the channel,

S 6 E 2.72 Chains.

S 8, $\frac{1}{2}$ W 3.46 Chains.

S 4 W 2.61 Chains.

S 6, $\frac{1}{2}$ W 3.90 Chains.

S 13 W 4.00 Chains.

S 10 E 2.23 Chains.

S 18 E 1.34 Chains.

S 3, $\frac{1}{2}$ W 4.81 Chains to a point below the "Devil's House" in the chan-
nel, still with the channel.

S 14, $\frac{1}{4}$ E 2.87 Chains.

S 10 E 9.07 Chains to a stone pile in a locust stump a corner to Robert

Manuel, thence with his lines

N 63 W 6.00 Chains to a pile of stones 6 links of a marked hickory

S 82, 1/2 W 11.88 chains to a white oak and ash a corner to John A.

Keyser, thence with his lines.

N 1t W 36.75 chains to a pile of stones 2 white oaks, one double and 2 pines marked as pointers,

N 81, 1/2 W 39.50 chains, (9 chains on this line a road) to a hickory, on Graverly Spring branch,

thence down the Channel to said branch, (some call this the Star Branch)

S 23 E 3.60 Chains,

S 34, 1/4 E 5.19 Chains,

S 30, 1/2 E 6.90 Chains,

S 19, 1/2 W 2.15 Chains,

S 30 W 1.64 chains in the deepest part of ravine,

S 1 W 3.28 Chains head of upper falls,

S 14, 1/4 W 3.37 chains to head of second falls,

S 26, 1/4 W 2.11 chains to the head of the 3rd falls,

S 9, 1/2 W 1.62 chains to a poplar at foot of falls a beautiful piece of scenery,

(South) S. 2.80 Chains,

S 26, 1/2 W 1.75 Chains,

S 29 W 1.42 Chains,

S 17 W 1.36 Chains,

S 15 W 5.46 Chains,

S 3 W 1.33 Chains,

S 16, 1/2 W 4.40 Chains,

S 33 W .73 Chain,

S 22, 3/4 W 2.30 Chains,

S 27 W 1.79 Chains,

S 5 W 1.82 Chain,

S 58 E (.13 Chains a point at a chestnut oak stump, 47 links from J. A. Keyser's Poplar Corner of Partlow land,)

Distance of line 2.00 chains,

thence with the line of Keyser's Partlow land,

S 80 W 4.56 chains to a pile of stones 35 feet of the Pullen spring,

thence N 28 W 40.50 chains, to a chestnut oak on Graverly turn called for now a stump,

S 69, 1/4 W 77.59 chains to a hickory on a large rock called the Norman Corner,

(1.72 chains road, 12.27 with road, 19 chains edge of road,

32 chains big branch some call it Dades Branch.

48 chains to a point below spring on spindle flat,

68 chains to a point in the road leading to Graverly Spring,

74.31 chains to a branch leading from Round Knob.

76.72 chains to same road as described above,

S 54 W 26.36 chains to a hickory marked (old marks) at a spring near an old house,

S 54 W.31.90 chains to a pile of stones on another branch called Devil Stair Branch,

thence up the channel of said branch,

N 23, 1/2 W 1.71 chain,

N 11, 1/2 W 1.22 chain,

N 3 W 2.11 chain,

N 6 E 2.25 chains,

N 1, 1/2 W 3.25 chains,

N 31 W 1.12 chain

N 15, 1/2 W 1.65 chain.

2.80 N 3, 1/2 E 2.80 chains. to an iron wood near a spruce pine a corner

100

to the Bailey land formerly Peniffee land sold by Boyle & boys to Bailey, thence with his line, leaving branch.

N 5 E 170 poles to a spanish oak on top of the ridge a corner to Dr. Kelley, thence along the top of the mt. with the water shed as near as could be gotten on an average,

S 83 E 9.53 chains a chestnut oak,
 N 70 , 1/2 E 21.25 chains a spanish oak,
 S 34 , 1/2 E 21.36 chains a stone pile,
 (at 12.68 chains to a point in a road,)
 N 61 , 1/2 E 24.66 chains, a stone pile on a large rock.
 (at 15.00 chain out road)
 N 27 , E 14.36 chains to a stone pile on a large round rock,
 N 65 , 1/2 E 17.00 chains to a pile of stone at a small chestnut oak,
 S 41, 1/2 E 6.17 chains, to a pile of stones on a flat between 2 white
 oaks
 N 62 , 1/2 E 4.69 chains to a birch near a bunch of chestnuts,
 S 81 , 1/2 E 10.98 chains to a chestnut (on this line crossed road
 several times,)
 N 25 E 9.32 chains to a pile of stones near a double spanish oak
 (crossed the same road again.)
 N 43 , 1/4 E 29.56 chains to a pile of stones on the road leading
 to browntown.
 N 69 , 1/2 E 14.44 chains to a white oak at a large flat rock,
 N 88 , 1/2 E 8.33 chains to a pile of stones on a flat,
 N 82 , 1/4 E 25.33 chains to a spanish oak, with rock piled around
 it on the South end of the little "Bluff"
 N 24 E 6.09 chains to forked white oak above "Raven Rock",
 N 62 E 18.33 chains, to a bunch of Iron woods on the N side of water
 shed,
 S 84 , 1/2 E 2.12 chains to a pile of stones,
 N 76 , 1/2 E 26.09 chains, to a spanish oak and chestnut,
 S 64 , 1/2 E 16.63 chains to a pile of stones on "Warm Knob"
 N 42 , 1/2 E 4.84 chains to a white oak,
 N 66 , 1/2 E 12.95 chains to a pile of stones on a cliff,
 N 75 E 2.73 chains to a point on the top of the "Signal Point" same
 line continued to the distance of 18.12 chains to a birch on a cliff,
 (this is a very high point)
 N 21 E 12.36 a spanish oak,
 N 70 , 3/4 E 7.33 chains to a white oak,
 N 31 E 6.80 chains stone pile near "Hog wollow spring" this is a very
 fine spring to be so near top of mt. water enough to run an engine to
 saw with,
 N 71, 1/4 E 6.07 a spanish oak,
 N 6 , 3/4 E 16.72 chains a stone pile,
 N 27 E 21.43 chains a spanish oak,
 N 74, 1/2 E 6.18 chains a hickory,
 S 86 , 1/2 E 4.76 chains a forked white oak,
 N 57 , 1/2 E 12.41 chains to a stone pile between a chestnut white
 oak and hickory near cleared land, thence leaving the top of the
 mountain,
 S 46 , 1/2 E 2.00 chains to a stone pile near a spanish oak,
 S 56 E 11.04 chains a spanish oak,
 S 28 , 1/2 E 9.85 chains a small chestnut growing from an old stump
 S 63 E 12.29 chains to a point on the "Sprice Pine branch, same line
 continued to the distance of 13.57 chains to a walnut on the S. W.
 side of branch.
 thence down the branch,
 N 78 E 10.15 chains to a point in branch,
 S 61 E 4.95 chains to a point in branch,
 S 61 E 2.66 chains to a bunch of Butterwoods on the lower side of
 the Browntown road.
 S 29 , 1/2 E 1.81 chains to a point in the said road,
 S 53 E 8.43 chains to a pile of stones,
 S 25 , 1/2 E 3.37 chains to a pile of stones on road a corner to the
 lands of Geo. W. Fletcher, (now Carter, orchard Co.) or (Mt. Marshall
 orchard Co land)
 thence with the line of said road,
 S 17 . 1/2 E 3.86 Chains,

S 4 E 4.26 chains,
S 22 , 1/4 E 4.71 chains,
S 8 W 4.88 chains,
S 11 E 4.95 chains,
S 23 W 3.82 chains,
S 7 W 3.07 chains,
S 8 , 1/2 E 3.35 chains,
S 15 W 3.53 chains,
S 38 W 4.85 chain,
S 57 , 3/4 W 3.90 chains,
S 63 W 2.65 chains,
S 37 W 4.14 chains,
S 49 W 6.50 chains,
S 44 W 4.17 chains,
WEST 4.37 chains,
S 34 , 1/2 W 4.34 chains on this line crossed a branch,
S 37 E 2.45 chains,
S 10 , 3/4 E 6.53 chains,
S 1 , 1/2 W 3.52 chains to the forks of road leading to the
place where they were mining,
S 16 , 1/2 W 2.36 chains,
S 29 W 7.35 chains crossed a branch,
S 39 W 2.42 chains,
S 8, 1/2 W 4.05 chains,
S 41, 1/2 W 2.78 chains
S 21, 1/2 W 6.24 chains to a large rock on the lower side of the road
thence leaving the road and the line of the Orchard Co. Land,
S 53 , 1/4 W 2.30 chains to a double poplar on what is known as the
Coates road, at the Thourough Fare Orchard thence with said road,
S 53 W 3.64 chains,
S 50 , 1/2 W 3.60 Chains,
S 77 , 1/2 W 4.08 Chains,
S 59 W 5.36 chains to a stone pile a large rock,
S 49 W 4.90 chains,
S 60 , 3/4 W 2.68 chains,
S 52 , 1/4 W 3.51 chains,
S 50 , 1/4 W 3.69 chains,
to a hickory on the lower side of the road,
S 84 W -3.12 Chains to a spring in a fine place for a saw mill and
plenty of water,
S 58 , 1/2 W 2.85 chains,
S 40 , 3/4 W 3.69 chains,
S 85 , 1/2 W 5.04 chains to a pile of stones above the road,
S 25 , 3/4 W 7.91 chains to a stone pile on the lower side of the
road near a large rock a corner of the land sold by Miller to Coates,
thence with his line,
Still with the said road also,
S 60 W 4.16 chains,
S 44 W 4.65 chains to a point in said road, thence leaving road,
N 82 W 6.68 chains to a pile of stones in a rocky hollow.
S 81 , 1/4 W 29.95 Chains to the Beginning Containing, 3590.50 Acres. ✓

b unk-W-C(04... F. 3101-1

THENCE N. $80^{\circ} 43'$ W., 538 ft. to Pos. No. 98. Angle in park line on property of Miller Estate at east side of old apple orchard. Locust stake. Ref. mks.: 8 ft. northwest to nail in blazed apple tree; 14 ft. northeast to nail in blazed locust. THENCE S. $67^{\circ} 00'$ W., 575 ft. to Pos. No. 99. Angle in park line on property of Miller Estate at south side of old orchard and about 80 ft. north of rail fence. Locust stake. Ref. mks.: 4.4 ft. east to nail in blazed locust stump; 2 ft. south by west to nail in blazed sapling.

THENCE N. $53^{\circ} 45'$ W., 916 ft. to Pos. No. 100. Angle in park line on property of Miller Estate 70 ft. north of rail fence and at east side of orchard. Locust stake. Ref. mks.: 27 ft. southeast to nail in apple tree; 10 ft. northwest to nail in apple tree.

THENCE N. $88^{\circ} 08'$ W., 918 ft. to Pos. No. 101. Angle in park line on property of the Miller Estate, on south side of slope overlooking orchard, and about 70 ft. south of edge of timber. Locust stake. Ref. mks.: 10.9 ft. west to nail in blazed bush; 8.4 ft. southeast to nail in blazed bush.

THENCE N. $46^{\circ} 37'$ W., 593 ft. to Pos. No. 102. Angle in park line on property of Miller Estate in clearing 15 ft. east of rail fence and orchard. Locust stake. Ref. mks.: 19.9 ft. southwest to nail in rail fence; 15.7 ft. northwest to nail in walnut tree in fence line.

THENCE N. $2^{\circ} 43'$ W., 825 ft. to Pos. No. 104. Angle in park line on property of Miller Estate near the northeast corner of old apple orchard. Locust stake. Ref. mks.: 30.9 ft. northeast to nail in locust hub; 10.9 ft. northwest to nail in apple tree.

THENCE N. $24^{\circ} 10'$ W., 988 ft. to Pos. No. 105. Angle in park line on property of Miller Estate in clearing about 200 ft. south of old road and at west side of rock pile. Locust stake. Ref. mks.: 15 ft. northwest to nail in blazed hickory, 4.5 ft. southeast to nail in blazed sycamore sapling.

THENCE N. $9^{\circ} 05'$ E., 170 ft. to Pos. No. 106. Angle in park line on property of Miller Estate in clearing about 60 ft. south of old road. Locust stake. Ref. mks.: 30.1 ft. south by east to nail in blazed sapling; 20.5 ft. east by south to nail in sapling.

THENCE N. $21^{\circ} 18'$ E., 566 ft. to Pos. No. 107. Angle in park line on property of Miller Estate, 10 ft. west and 3 ft. north of center of old road at draw-bar gate. Stake. Ref. mks.: 13.9 ft. northwest to nail in blazed hickory; 20.5 ft. southwest to nail in blazed sapling.

THENCE N. $58^{\circ} 37'$ E., 1157 ft. to Pos. No. 108. Angle in park line on property of Miller Estate, center of wood road, 3 in. underground. Locust stake. Ref. mks.: 7.6 ft. south to nail in blazed locust tree. 12.6 ft. north to nail in blazed sassafras tree.

154 ft. to Pos. No. 109. Boundary line between the

In the
Circuit Court for
Rappahannock Co. Va.

In re:
State Commission on
Conservation & Development
et al. vs
Chyten Oyler et al

Petition & Order of Court
Answer and Verdict of
William N. Grannis

Wm. Clerk:-
Please file etc

Filed in Clerk's Office of
Rappahannock Circuit Court
Sept. 22, 1930.

Test: Jas. M. Settle, Clerk.

William Thomas Larkin
Attorney for William N. Grannis.

WILLIAM THOMAS LARKIN
ATTORNEY AT LAW
1316 CONTINENTAL TRUST BUILDING
BALTIMORE, MD.

Claim of WILLIAM H. GRANNIS

In the Circuit Court of Rappahannock County, Virginia, No. 149,
At Law.

The State Commission on Conservation and Development of the
State of Virginia, Petitioner, Vs. Clifton Aylor and others and
Thirty-seven Thousand, Four Hundred acres of Land in Rappahannock
County, Virginia, more or less, of land in Rappahannock 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 Rappahannock County,
Virginia, asks leave of the Court to file this as his answer
to said petition to said notice.

My name is William H. Grannis.

My Post Office Address is 110 E. Lexington St., Baltimore,
Maryland, Room 402.

I claim a right, title, estate or interest in a tract of timber
growing on the land within the area sought to be condemned, con-
taining about 3590.50 acres, on which are the following:
3563a

This timber is located about three miles from Flint Hill,
Virginia, in the Magisterial District of said County.

I claim the following right, title, estate or interest in the
tract of timber on the land described above:

I am the sole owner, subject to certain credits due to the
Executors or heirs of John Miller's Estate.

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

North John K. Marlowe et al

South Ernest Smoot et al

East F.D. Wood et al

West J.J. Miller et al

I acquired the right, title, estate or interest to this
property about the year 1922 in the following manner:
by purchase from John J. Miller, now deceased.

I claim that the total value of this tract of timber with
the improvements thereon is \$133,000.00. I claim that the
total value of its right, title, estate or interest, in and to
this tract of timber with the improvements thereon is \$133,000.00.

I am the owner of 3100 acres of timber on land adjoining
the above timber tract in Warren County Virginia.

RECORD

Petition- Filed April 7, 1930.

TO THE HONORABLE J. R. H. ALEXANDER, JUDGE OF
THE CIRCUIT COURT OF RAPPAHANNOCK COUNTY, VIRGINIA.

Your petitioner, the State Commission on Conservation and development of the State of Virginia, alleges and shows:

1.

That it was created as an agency of the Commonwealth of Virginia by an Act of General Assembly of Virginia, approved March 17, 1926 (Acts of 1926, page 307) which said Act was amended and re-enacted by the Act of Assembly of Virginia, approved March 26, 1928 (Acts of 1928, page 1154);

2.

That by the provisions of said Acts and an Act of General Assembly of Virginia, approved March 22, 1928, the short title of which is "National Park Act", petitioner is vested with the power of eminent domain to condemn for a public park or for public park purposes, land and other property, including dwelling houses, outbuildings, orchards, yards and gardens within the Blue Ridge Mountain area of the State of Virginia;

3.

That, acting under the power and authority conferred upon petitioner by the aforesaid Acts, petitioner purposes and desires to acquire for a public park and for public park purposes, under the provisions of said Acts and under the provisions of an Act of the General Assembly of Virginia, approved March 23, 1928, the short title of which is "Public Park Condemnation Act" (Acts of 1928, page 1036), an area within the said Blue Ridge Mountain area of the State of Virginia, which said area and the approximate limits and boundaries thereof appear and are shown on a map thereof, which is herewith tendered and marked for identification "Petitioner's Exhibit No. 1", and prayed to be filed and read as a part of this petition;


July 7/30

4.

That a portion of said area, which petitioner purposes and desires to acquire for the aforesaid purposes, lies within County of Rappahannock, State of Virginia, and within the area designated in said National Park Act, and described in the claim filed by William H. Grannis in this cause on Sept. 22, 1930, as follows: bounded on the north by John K. Marlow, et als., on the south by Ernest Smoot, et als., on the east by F. D. Wood, et als., and on the west by J. J. Miller, et als., and containing 3590.50 acres, more or less.

The foregoing is a copy of so much of the Petition filed by The State Commission on Conservation and Development of the State of Virginia, in the Circuit Court of Rappahannock County, Virginia, on April 7, 1932, or so much thereof as requested to be made by William T. Larkin, attorney for the claimant, William H. Grannis.

Gas. M. Settle, Clerk.



Witness my signature this 9 day of Sept, 1930.

William H.Grannis

State of Pennsylvania, County of Philadelphia, to-wit:

The undersigned hereby certified that William H.Grannis, personally appeared before him and made oath that the matters and facts appearing in his above answer are true to the best of his knowledge and belief, this 9 day of Sept. 1930.

(Notarial Seal)

Belle M.Tomlinson, Notary Public.

My commission expires March 5, 1933.

A COPY- TESTE:

James M. Seeth
CLERK.

Original Claim filed in the Clerk's Office of
Rappahannock County, Virginia, on Sept. 22, 1930.



NAME OF CLAIMANT.

#54 - Miller, J.J. Est.

Number of Acres: 3534

Location (See reverse side for information on location)

Roads " " " " " " " "

Soil " " " " " " " "

History of Tract and condition of timber " " " "

Timber " " " "

Improvements: None

Acerage and value of types:

Types	Acerage	Value per acre	Total Value
Ridge	682	@ .75	\$511.50
Slope	2791.	@ 2.50	6977.50
Cove	56	@ 5.00	280.00

Grazing Land 5 @ 12.00 60.00

\$7829.00

Value of Land: \$7829.00

Value of Timber 6447.00 6447.00

\$14276.00

Value per acre for tract: \$4.03

Incidental damages arising from the taking of this tract: None

Timber right claimed by WM.H.Grannis

Geo.H.Levi, Clerk.

Continued on reverse side

Timber:

A Copy-Tester: _____
Rapahannock County, Va.

NAME OF CLAIMANT
THAMIAID TO EMAN

Location: This Tract lies along the top and on the high east slopes of the Blue Ridge. It extends from a point near Jenkins Gap on the north to the Little Devil Stairs Run on the south, a distance of approximately five miles. It varies in width from $2\frac{1}{2}$ miles at the north end to $\frac{1}{2}$ mile at some points on the southern part of the tract. It is a part of a larger tract, the residue of which lies on the opposite side of the mountain in Warren County. All of the tract situated in either county is entirely within the Park Area.

Soil: The character of the soil varies. At the lower elevation it is a sandy loam of fair depth and fertility with many rock outcroppings. There are some extensive areas, notably those along the Devil Stairs and Little Devil Stairs Run which are steep rocky gorges, covered with loose rocks and boulders. The soil along the top of the Blue Ridge is thin and rocky and between this and the lower edge of the tract are many graduations. The small area of cove type is accounted for by the fact that this type does not extend up on the mountains a sufficient distance to reach this tract at more than one point and then only to a limited extent.

Roads: ^{Two} The old roads on a fairly uniform grade, now only very little used, cross the tract in a general north and south direction. The western most is the Gravel Spring Road and the one on the east side of the tract is the Jenkins Gap Road. Both roads were used extensively for hauling the bark from this tract to Browntown about 30 years ago. More recently the Jenkins Gap road has been used to transport apples from the Julia M. Settle orchard to the macadam road at the same point. Numerous old haul roads may be found throughout the tract. Lands of adjoining owners must be crossed in most cases to reach county roads in order to haul timber products from this tract.

History of tract and condition of timber: This tract originally had on it a heavy stand of chestnut oak timber which was cut 30 to 40 years ago. Repeated forest fires have interfered with the young timber growth which started on the cut over areas. The present stand is composed of the timber from which the chestnut oak was called. At the higher elevations where the percentage of chestnut oak was large and stand is very light. At the lower elevations the percentage of chestnut oak was lower and the remaining stand is correspondingly heavier.

In 1922 the owner, the late J.J. Miller, sold the remaining merchantable timber on this tract to W.H. Grannis. It is understood that the consideration was \$10.00 per acre for all merchantable timber products and that the timber rights expire May 3, 1932. Logging operations were started at the east end of the tract in some of the most accessible timber and conducted less than a year.

Some prospecting for copper ore has been done west of Thoroughfare Gap, but on actual mining operations have ever been undertaken. A 25-year mineral lease on an area of 1000 acres was executed last year and it is for the rights under this lease that the lessee has filed a claim of \$20,000

Timber: A careful estimate of the merchantable timber shows a total stand of 2,965 M. feet B.M. of saw timber of which 1,741 M. feet are considered accessible and can be operated without financial loss to the operator. The proportion by species is poplar and basswood 40%, white, red and black oak 40% and hickory and other species 20%.

A Copy-Teste: _____, Clerk.
Rappahannock County, Va.

Filed May 18, 1932

The State Commission on Conservation	:	In the
	:	
and Development of the State of Virginia,	:	Circuit Court
Petitioner.	:	
	:	of Rappahannock Co.
vs	:	
	:	Virginia. At Law
Clifton Aylor et al and 37000 Acres more	:	
or less of land in Rappahannock County,	:	No. 149.
Virginia..... Defendants.	:	

To the Plaintiff and Messrs Weaver and Armstrong its Attorneys.

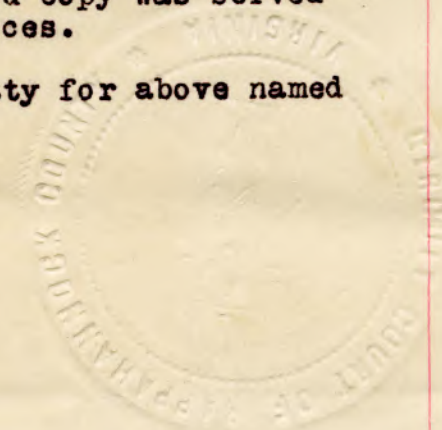
Please take notice that on the 15" day of June 1932 at 10 A.M., we will file in the Clerks Office of the Circuit Court of Rappahannock County at Washington, Virginia a petition a copy of which is hereto attached, in which petition it is prayed that this suit insofar as it relates to the claim of William H. Grannis be removed to the United States District Court for the Western District of Virginia; and that at the same time we will file also therewith a bond with sufficient surety, a copy of which is hereto attached; and that at said time or as soon thereafter as Counsel can be heard, we shall request the Court's approval of said bond and the granting of the removal as prayed in said petition, and also ask for such other and further relief as justice of the cause may require.

William T.Larkin
Attorney for William H.Grannis,Claimant.

Service of the copy of the above notice and petition admitted this 14" day of June 1932, but such admission of service to be of no effect other than if said copy was served on me by an officer authorized to serve notices.

W.C.Armstrong, Atty for above named
Petitioner.

Filed June 15, 1932.



KNOW ALL MEN BY THESE PRESENTS;

That William H. Grannis of the city of Philadelphia, State of Pennsylvania, as principal and the United States Fidelity & Guaranty Co. as surety, are held and firmly bound unto the State Commission on Conservation and Development of the State of Virginia, in the penalty of five hundred dollars for the payment of which well and truly to be made to the State Commission on Conservation and Development of the State of Virginia, its successors, we bind ourselves, our successors and assigns, jointly and severally and firmly by these presents.

Upon condition nevertheless that whereas the said William H. Grannis has filed his petition in the Circuit Court for ~~Western~~ ^{Rappahannock} County of Virginia for the removal of a certain cause therein pending in which the said The State Commission on Conservation and Development of the State of Virginia is the plaintiff, and William H. Grannis as a claimant and one of the defendants, to the District Court of the United States for the Western District of Virginia.

Now if the said William H. Grannis shall enter in the District Court for the United States for the Western District of Virginia within thirty days from the date of the filing the said petition for removal a copy of the record in said suit and shall well and truly pay all costs that may be awarded by said District Court of the United States, if said Court shall hold that said suit was wrongfully or improperly removed thereto, then this obligation shall be void; otherwise it shall remain in full force and effect.

IN WITNESS WHEREOF, the said William H. Grannis has signed his name and affixed his seal also the signature and seal of the said The United States Fidelity & Guaranty Co., by The Rappahannock County Realty Co., Atty in fact by its proper officer, this 26

day of May 1932. Witness: William H. Grannis ^{SEAL}
B.M. Tomlinson ^{The United States Fidelity & Guaranty Co}
Sworn to & subscribed this ^{of Baltimore, Md., by the Rappahannock}
26 day May, 1932-B.M. Tomlinson, N.P. ^{County Realty Co, Atty in fact (SEAL)}
My commission expires March 5, 1933. ^(CORPORATE SEAL)

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

In the Circuit Court of
Rappahannock
~~xxxxx~~ County Virginia

vs

Clifton Aylor et al and 37,000 acres, more or less At Law No. 149
of land in Rappahannock County, Virginia.

Defendants.

Petition for the removal to the
United States District Court for
the District of Virginia.

TO THE HONORABLE THE JUDGE OF THE SAID COURT.

The petition of William H. Grannis, of the city of
Philadelphia, State of Pennsylvania, by William T. Larkin his Attorney
respectively submits;

1. That the action above entitled has been brought in Circuit
Court for ~~xxxxx~~ ^{Rappahannock} County of Virginia, and that said action is still
pending therein.

2. That said action is of a civil nature and that the matter and
amount in dispute exceeds the sum of three thousand dollars (\$3000.00)
exclusive of all interest and costs, as will appear from the claim
filed in this cause.

3. That the controversy herein is between citizens of different
States; that the plaintiff was at the time of the commencement of this
suit and still is, a citizen of the State of Virginia/residing in said
State, and that your petitioner William H. Grannis was at the time of
the commencement of this suit and now is a resident of the State of
Pennsylvania, ~~and a citizen of said State~~, residing in the City of
Philadelphia and citizen of said City at this time.

4. That said action is returnable to the 18th day of ~~xxxx~~ ^{May},
and your petitioner has 60 days from said Date to file exceptions to
the report of the appraisal Commission, which time has not yet expired.

5. That your petitioner desires to remove this suit insofar as
it relates to his claim filed in this cause before trial thereof into
the United States District Court for the Western District of Virginia.

6. That your Petitioner offers herewith a bond with good and sufficient surety for its entering into the District Court of the United States for the District of Virginia within thirty days from the filing of this petition, a certified copy of the record in this suit and for the paying all costs which may be awarded by the said District Court if said Court shall hold that this action was wrongfully or improperly removed thereto.

And your Petitioner therefore prays that this Court accept and approve this petition and said bond and surety and that this Court pass and order approving and directing the removal of this suit into the United States District Court for the Western District of Virginia, pursuant to the Statutes of the United States, and that no further pleadings or proceedings may be had in this Court in connection with the claim of the said William H. Grannis filed in this cause.

And your petitioner will ever pray etc.

William T. Lawler

Attorney for William H. Grannis.

William H. Grannis

Petitioner.

State of Pennsylvania, SS
City of Philadelphia.

I hereby certify that on this ²⁵ day of May 1932, before me personally came William H. Grannis, the above petitioner, and made oath due form of law that the matters and things set out in the above petition are true to the best of his knowledge and belief.

In witness whereof I have hereto subscribed my name and affixed my official seal this day above mentioned.

Belle M. Tomlinson

Notary Public.

(Notarial Seal)

My commission expires March 5, 1933.

ORDER OF COURT

This Cause coming on for a hearing upon application of William H. Grannis, claimant in this cause for an order removing this cause to the District Court of the United States for the Western District of Virginia at Law, and it appearing to the Court that the said William H. Grannis has given written notice to the Counsel of record for the plaintiff, together with copies of his petition and bond for removal as is required by law, and it further appearing that the claimant has filed his petition for such removal, duly conditioned with good and sufficient surety as provided by law, and it appearing further to the Court that this is a proper cause for removal to the United States District Court;

NOW THEREFORE IT IS ORDERED, BY THE CIRCUIT COURT OF Rappahannock ~~xxxxxx~~ COUNTY, STATE OF Virginia this 15th Day of June 1932, that this cause insofar as it relates to the claim of William H. Grannis, is hereby removed to the District Court of the United States for the Western District of Virginia and the Clerk of this Court is hereby directed to make up a certified copy of the Record of this suit as to the claim of William H. Grannis and transfer the same to the District Court of the United States for the Western District at Harrisonburg, Virginia on or before thirty days from the date of this petition filed in this Court, and it is further ordered that the said petition and the bond tendered therewith be and they are hereby accepted and approved and that all further proceedings in this Court be stayed.

J R H Alexander
Judge Circuit Court
Rappahannock County.

VIRGINIA:

Clerk's Office of Rappahannock Circuit Court, June 15th, 1932. The foregoing vacation order was this day received in the said office and entered upon the Common Law Order Book of said Court as by law provided.

Teste: Jas.M.Settle, Clerk.

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

v.

Clifton Aylor and others and Thirty-
Seven Thousand, Four Hundred (37,400)
Acres, more or less, of land in
Rappahannock County, Virginia..... Defendants.

In the Clerk's Office of the Circuit Court of
Rappahannock County, Virginia.

I, Jas.M.Settle, Clerk of the Circuit Court of Rappa-
hannock County, Virginia, do hereby certify that the foregoing
is a true and correct copy of the record and evidence in the
foregoing suit as relates to the claim of William H.Grannis
filed in said suit, and so much thereof as requested to be
certified by me by W.T.Larkin, attorney for William H.Grannis.

Given under my hand this 5th day of July, 1932.

Jas. M. Settle
Clerk Circuit Court Rappahannock County, Virginia.

239 - 5

The State Commission
on Conservation &
Development of the
State of Virginia -

15.

Chiltonaylor et al.
et ..

Transcript from
Rockingham County
Circuit Court -

Filed July 7, 1932.

H. S. Todd -

N.C.

STATE COMMISSION on CONSERVATION
and DEVELOPEMENT of the STATE
of VIRGINIA. PETITIONER.

vs

CLIFTON AYLER and others and
thirty-seven thousand FOUR HUNDRED acres
more or less of land in Rappahannock
County of Virginia.

In the

District Court of the
United State for the
Western District of
Virginia, at Harrison-
burg, Virginia.
At law.

To the Honorable,

John Paul,

Judge of the said Court.

Now comes William H. Grannis, one of the claimants to
an estate in certain timber growing on the land of the J.J. Miller
estate lying and being within that ~~part~~ of the Blue Ridge Mountains
of Virginia, and situated in Rappahannock County now being condemned
by the petitioner acting under the act or acts of the General As-
sembly of Virginia, approved March 23rd. 1928, short title of which
is "Public Park Condemnation" acts" (Acts of 1928 page 1036) and
excepts to the findings of facts as to his claim, the said William
H. Grannis as filed in this cause, and to the value thereof, and for h
his reasons for said exceptions; says;

A. That the findings are so manifestly inadequate when con-
sidered together with the competent evidence ~~produced~~ by the excep-
tant before the Board of Appraisal Commissioners as to give rise to
to the inference that the said Board of Appraisal Commissioners or
some of them were effected or influenced by fraud, corruption, parti-
ality or some error, mistake or misapprehention of facts as to the
identity of the timber and land with reference to which such find-
ings were made or some mistake of law as to the nature and effect of
the evidence, with reference to which such findings were made; and

B. That the findings were not responsive to the questions
of fact or facts of the value of the land or lands or timber grow-
ing on the lands or estate or the interest of the exceptant William
H. Grannis therein or incidental damages which were submitted to
said Board of Apprailleurs.

STATE COMMISSION ON CONSERVATION
AND DEVELOPEMENT OF THE STATE OF
VIRGINIA. PETITIONER.

vs

In the
District Court of the
Unites States for the
District of Virginia

Clifton Ayler and others and 37.400⁺ at Harrisonburg, Va.
acres more or less of land in Rap- In law.
pahannock County of Virginia.

To the Honorable,

John Paul,

Judge of the said Court.

The claimant and one of the defendants in the above
entitled cause prays a jury trial on quantum of damages
or compensation.

William T. Braslin

Attorney for Claimant.

This exception is per-
mitted to be filed subject
to just objections

Nov. 23/33. Alex^r

#239-Law.

In the District Court of the
United States for the Western
District of Virginia.

State Commission on Conser-
vation and developement of
the State of Virginia.

VS

~~CLIFFORD~~

Clifton Ayler and others and
37.400 acres more or less of
land in Rappahannock County
Virginia.

Exceptions to the report of
the appraial commission
etc.

Mr. Clerk:--

Please file etc.

William F. Larkin
Atty. for Claimant, Crannis.
407 American Bldg
Baltimore, Md

D. H. Garman

Filed July 8, 1932 -
K. S. Todd. W.C.

It is agreed that the exceptions shall be filed as of July 8th 1932

VIRGINIA. IN THE CIRCUIT COURT OF RAPPAHANNOCK COUNTY.

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

v.

Clifton Ayler and others, and thirty-seven thousand,
four hundred (37,400) acres, of land more or less,
in Rappahamock County, Va. defendants.

These claimants, Evelyn T. Miller, B. F. Miller, Henry
T. Miller, George Tyler- Miller, William A. Miller, C. B. Miller, Julia M.
Settle and Nannie M. Booth, in response to an order of His Honor, J. R. H.
Alexander, Judge of the Circuit Court of Rappahamock County, entered in the
above matter on _____ day of _____, 19_____, for
answer say:

1. That the undersigned are the claimants mentioned in
said order:

2. That the several tracts or parcels of land within
the area sought to be condemned, ownership of which is claimed by them, or
in which they claim an interest, and with reference to which they have
severally filed their objections, are the same tracts or parcels which were
found by the Appraisal Commissioners to be the lands severally owned by them
or in which they claim or appear to have an interest, as shown and delineated
on said map, read together with said reports in exhibit sheets.

Evelyn T. Miller,
B. F. Miller,
Henry T. Miller,
George Tyler Miller,
William A. Miller,
C. B. Miller,
Julia M. Settle,
Nannie M. Booth.

By *Harrison & Harrison*
Counsel.

J. J. Miller Heirs

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

v.

Clifton Ayler, et als, etc. defendants.

~~Order.~~

FILED IN
CLERK'S OFFICE

FILED IN
CLERK'S OFFICE
RAPPAHANNOCK COUNTY

Nov - 1 - 1932 -

Test: Jan. M. Settle Clerk

Comme.

by Johnston & Johnson

Hennie M. Joseph,
Julia M. Settle,
J. B. Miller,
William A. Miller,
George A. Miller,
B. H. Miller,
Frederic E. Miller,

ORDER NO.:

ORDER ENTERED ON _____ DAY OF _____ 1932

Alexander, Judge of the Circuit Court of Rappahannock County, entered in the
Petite and Henrie M. Joseph, in response to an order of His Honor, J. B. M.
J. Miller, George John Miller, William A. Miller, C. B. Miller, Julia M.
These claimants, Frederic E. Miller, B. H. Miller, George
in Rappahannock County, Va. defendants.
Four hundred (32,400) acres, of land more or less;
Clifton Ayler and others, and eight-seven thousand;

v.

of the State of Virginia, Petitioner;
The State Commission on Conservation and Development;
VIRGINIA IN THE CIRCUIT COURT OF RAPPAHANNOCK COUNTY.

VIRGINIA. IN THE CIRCUIT COURT FOR RAPPAHANNOCK COUNTY.

State Commission on Conservation & Development, Petitioner.

v.) Condemnation Proceedings
) Order-

Mrs. Evelyn Tyler Miller, Julia M. Settle, H. M. Booth,
C. B. Miller, George Tyler Miller, Henry T. Miller and
B. F. Miller, - - - - - Defendants, and Objectors.

This day came the parties by their attorneys, before
the Honorable J. R. H. Alexander, Judge of the Circuit Court for Rappahannock
County in chambers, at Leesburg, Virginia, pursuant to due and timely notice
to petitioner:

Defendants and objectors filed their additional grounds
of objection to the proceedings herein and to the report of the special
investigators and appraisers in so far as same applies to the real estate,
in which they hold an interest in the words and figures following, to-wit:

1. The proceedings herein are without authority as the
State Commission on Conservation and Development has never by corporate
act taken the real estate herein sought to be condemned.

2. There has never been a bona fide attempt to secure said
real estate by treaty as required by section 4363 of the Code.

3. Defendants and objectors are denied a judicial hearing
as to a just compensation of their property condemned herein:

(A) The special investigators and appraisers are not a
judicial body, being authorized as individuals or as a body in the absence
of defendants and objectors to hear the evidence of interested parties,
unsworn, incompetent, giving opinion evidence, or irrelevant evidence,
receive documentary evidence unknown to defendants, make inspections without
any restrictions and found their report thereon.

(B) The statute removes all restrictions on their conduct
which the decisions of the Virginia Courts imposed on officers ascertaining
values in condemnation proceedings.

(C) Their conduct throughout their investigations was wholly at variance with that of officers charged with judicial duties.

(D) The finding of the value of defendants' property was wholly inadequate, plainly reflecting the influence of petitioners agents with whom they in were constant association during the period of their investigation.

(E) When these defendants secure a hearing in Court they are met with affidavits taken without notice and without an opportunity to see the conduct of the witnesses and test their intelligence or honesty by cross-examination, and have the burden not of showing a just value of their property but a value such as will convict the investigators of misconduct.

Fourth- The real estate of these objectors is divided by County lines subjecting them to the oppression of duplicating their defense in different judicial districts and denying them a fair opportunity of showing the reflected value of the different portions on each other.

And these defendants and objectors now move the court under section 6175 of the Code to remove these proceedings into the Circuit Court of Warren County to be there consolidated with the proceedings now in progress of hearing looking to the condemnation of the portion of the tract located in said County of Warren, and they file the affidavit of George Tyler Miller, the certified copy of the deed of John J. Miller to W. H. Grannis, a copy of the report of partition commissioners, and copies of affidavits filed in said proceedings; which said motion was resisted by counsel for petitioner and the same was thereupon argued by counsel for both defendants and objectors, as well as by counsel for petitioner;

WHEREUPON, the Judge being of opinion that the Public Park Condemnation Act clearly contemplates and provides for the maintenance of condemnation proceedings, for so much of the lands of the defendants and of objectors as lie in the Counties of Warren and Rappahannock respectively, in the respective Circuit Courts of said County ^{ies} and that good cause has not been shown for the removal of these proceedings from this Court to the Circuit Court of Warren County, Va.,

doth deny the aforesaid motion to remove this proceeding from this Court to ^{without in any way passing upon the ^{other} allegations of said petition} said Circuit Court of Warren County, Virginia, to which ruling defendants and objectors excepted and tendered their bill of exception No. 1 and prayed that

the same might be signed sealed and enrolled as a part of the record, which is accordingly done.

And defendants and objectors herein now moved the Court to set a day for the final trial and hearing of the several matters of defence, but the Court now now being ready to name a convenient day takes time to consider thereof.

The Clerk of the Circuit Court of Rappahannock County, Virginia, will enter the foregoing upon the Common Law Order Book of his Court as a vacation order.

Given under my hand in vacation, at chambers, in Leesburg, Virginia, this the 9 day of June, 1933.

JRH Alexander
Judge of the Circuit Court of Rappahannock
County, Virginia.

VIRGINIA:

Clerk's Office of Rappahannock Circuit Court, July 3rd, 1933.
The foregoing vacation order was this day received in the said office and entered as therein directed.

Teste: Jas. M. Settle, Clerk.

State Commission on Conservation
& Development,

v.

Mrs. Evelyn T. Miller, et als.

Order.

Entered July 3, 1933.

Law O.B. "H" page 106.

Test: Jas. M. Seale, Clerk.

LAW OFFICES
ARTHUR E. COOK
SUITE 327 SOUTHERN BUILDING
WASHINGTON, D. C.
TELEPHONE NATIONAL 8559

July 25, 1933

Mr. James M. Settle,
Clerk of the Circuit Court
of Rappahannock County, Va.
Washington, Virginia.

Dear Mr. Settle:

Enclosed is affidavit of Alfred B. Iles which we desire to
file with the other papers in The State Commission on Conservation
and Development of the State of Virginia, versus Clifton Aylor,
and Others, and Thirty-Seven Thousand, Four Hundred (37,400) Acres
of Land, More or Less, in Rappahannock County.

Will you kindly file this affidavit accordingly.

Sincerely yours,

William D. Medley
Arthur E. Cook

attorneys for Alfred B. Iles

VIRGINIA: IN THE CIRCUIT COURT OF RAPPAHANNOCK COUNTY

THE STATE COMMISSION ON CONSERVATION AND DEVELOPMENT
OF THE STATE OF VIRGINIA, $\frac{1}{2}$ - - - - - PETITIONER

V.

CLIFTON AYLOR, AND OTHERS, AND THIRTY-SEVEN THOUSAND
FOUR HUNDRED (37,400) ACRES OF LAND, MORE OR LESS,
IN RAPPAHANNOCK COUNTY, - - - - - DEFENDANTS.

AFFIDAVIT IN RE: CLAIM ALFRED B. ILES.

AFFIDAVIT.

The claimant, Alfred B. Iles, being sworn, deposes and says that he is a mining engineer and is duly qualified to testify as to the commercial value of the mineral deposits situate on the J. J. Miller tract of land, Mount Marshall, Virginia; that he prospected in the San Juan and Leadville districts of Colorado from 1877 to 1898; that he was superintendent of the Vulture mine at Leadville, operator of the Star of the West mine at Silverton; in 1899 as manager of the Ajo mines in Arizona and discoverer of the disseminated copper ores of that district a large portion of which presents just such an occurrence as appear on the aforesaid tract of land on Mt. Marshall, viz; intrusions of quartzite and porphyry in the basaltic rocks of that region; that the said Ajo deposits constitute the entire copper resources of the New Cornelia Copper company, the greatest copper mine in that state; that the surface showings of the Ajo deposits consists of small bunches stained rock with little or no live mineral; that affiant sunk five shafts to a depth of over one hundred feet each before he uncovered the wealth of copper that underlies their surface covering of malapai; these Ajo deposits also prove that it is not necessary for the adjacent country to be covered with mineral in order to make a mine, for there is not another mineral occurrence within twenty miles of the Ajos; that affiant was examining engineer for the late J. B. Haggin, travelling engineer for a New York syndicate, headed by R. P. Lounsbury, Isaac Untermyer, Willard P. Ward, Anton Eilers and Henry R. Wolcott, to examine the copper deposits of the White and Copper rivers in Alaska; he was also commissioned to examine the Bonanza mine of the Kennicott group, which has produced no less than \$20,000,000 in copper and silver from secondary ores only, and there are no primary ores so far discovered in the district; that this also shows that there are large mines of secondary ores and as well as sulphides; in 1904-5 he was consulting engineer for the Alaska Treasure mines on Douglas Island; consulting engineer for the Alaska-Perseverance, operator of the Humboldt under lease, which is now the Alaska-Juneau; manager of the Alaska Copper Co. on the Kuskulina river in Alaska; manager of the Virginia Gold Mining Co., in Orange county, Va.; Manager of the Ariadne Corporation at Silverton; president and manager of the Blue Ridge Copper company, and his application for a certificate from the Board of State Examiners of Virginia was passed upon Sept. 16, 1926; that he for several years made a close study on the ground of the ores concentrated on the Miller tract of land before any active attempt was made to mine the ores in a commercial manner; that his investigations revealed that operations had been conducted previously to develop the deposits but had failed, not because of a lack of confidence in the property, but on account of insufficient capital, the difficulty of transporting the ore to market and the low price then prevalent of the non-ferrous metals; that cavities or caves exist on that particular tract that he did not find elsewhere in the vicinity which allowed an examination of the formation to a depth of thirty to sixty feet, and in each cave which he explored he found the surrounding rocks were impregnated with the copper minerals, native copper predominating, and nugget of copper weighing one to five ounces were frequent; that should the mineral impregnation only exist to the depth and width that is there indicated, there would be a vast tonnage available of commercial ore; upon the surface there are sizable bluffs or ledges plainly showing their mineral content, while great boulders containing the oxides as well as native copper abound; and bear mute testimony to the great size of the mineral zone; affiant further states that to make a statement that there is not sufficiently large deposits to make a commercial possibility, is misleading, for the number of mines in this country that found their ore already mined on the top of the ground can be counted on the fingers of one hand; and it has been his experience to learn that no one can see beyond the point of his pick; Affiant states that the croppings on the 1,000 acres are indicative of the presence of ores below, and from a miner's standpoint no better showing is needed to induce him to go the limit of his resources in their development; he says that he obtained a 25-year lease of 1,000 acres of the J. J. Miller tract with a view to opening a mine, he had built eight miles of wagon road, had opened the ore body by a cut fifty feet wide and a face fifteen feet high, in which he found ore for the entire width and face, some very rich, and from this working two hundred tons of ore were extracted, a trial shipment to the American Metals Company showed a content of 6.40% copper, show-

Affidavit of Arthur B. Shea,



(2)

ing an ideal grade of milling ore; and owing to present day methods of treatment, proximity of markets and improved processes of ore reduction this ore would pay a reasonable profit on its production; Affiant further states that his expenditures amounted to \$10,000 in building a for blacksmith shop, machine shop and accommodations for the miners, the construction of the road and the costs of mining; that he was compelled to abandon the project in the month of September, 1932, on being notified that condemnation proceedings had been instituted.

Arthur B. Shea

Subscribed and sworn to before me this 22d day of July, A. D. 1933

Arthur B. Shea
County Clerk.

FILED IN
CLERK'S OFFICE
RAPPAHANNOCK COUNTY
July 27th 1933
Test: *Geo. M. Smith*, Clerk

VIRGINIA: IN THE CIRCUIT COURT OF RAPPAHANNOCK COUNTY.

THE STATE COMMISSION ON CONSERVATION AND DEVELOPMENT
OF THE STATE OF VIRGINIA, - - - - - PETITIONER

V.

CLIFTON AYLOR, AND OTHERS, AND THIRTY-SEVEN THOUSAND,
FOUR HUNDRED (37,400) ACRES OF LAND, MORE OR LESS,
IN RAPPAHANNOCK COUNTY, - - - - - DEFENDANTS.

AFFIDAVIT.

Reclaim ALFRED B. ILES

COUNTY OF RAPPAHANNOCK)
STATE OF VIRGINIA) SS:

R. E. Manual, being duly sworn, deposes and says that he has had experience in metallic ore mining: that on August 25, 1930 he appeared before the Board of Appraisal Commissioners at Washington Virginia in the above styled cause, on behalf of Alfred B. Iles, and at a hearing shceduled that date, testified in reference to the claim of Alfred B. Iles in substance as follows:

That he was employed in 1929 and early 1930 by Mr. Alfred B. Iles as foreman of operations in opening a mine on Mount Marshall on the J. J. Miller estate, and the construction of roads on the property to make possible hauling of ore to Front Royal, Virginia; that the mine was opened so as to expose a ledge of copper ore twenty feet wide, and to a depth of ten feet; that during the said employment he personally assisted in tracing the lode through Mount Marshall for a distance of one mile; that the ore taken showed in addition to oxides of copper, native copper in abundance, some of the rock being held together by threads of native copper that seemed to impregnate the whole of it;

That he assisted in the reconstruction of about eight miles of Wagon road to the mine; that employment in the mine and in connection therewith for Mr. Alfred B. Iles continued until notice of condemnation proceedings to take the land for public purposes, when further work of development was discontinued for that reason;

That he submitted to the Board of Appraisal Commissioners
one bushel of ore taken by him at random from the mine on Mount
Marshall under development by Mr. Iles on the J. J. Miller estate.

R E Manuel

Subscribed and sworn to before me this 17th day of
July, 1933.



Res E Locay Notary Public
my commission expires Jan 14/1936.

VIRGINIA: IN THE CIRCUIT COURT OF RAPPAHANNOCK COUNTY

THE STATE COMMISSION ON CONSERVATION AND DEVELOPMENT
OF THE STATE OF VIRGINIA, - - - - - PETITIONER

V.

CLIFTON AYLOR, AND OTHERS, AND THIRTY-SEVEN THOUSAND,
FOUR HUNDRED (37,400) ACRES OF LAND, MORE OR LESS,
IN RAPPAHANNOCK COUNTY, - - - - - DEFENDANTS.

AFFIDAVIT

Re CLAIM ALFRED B ILES

DISTRICT OF COLUMBIA: SS:

Arthur E. Cook being duly sworn, deposes and says that he is attorney in fact for Alfred B. Iles; that pursuant to instructions of said Alfred B. Iles he did on August 25, 1930, appear before the Board of Appraisal Commissions for Rappahannock County, Virginia, in his behalf, and did present to said Board the affidavit of Alfred B. Iles, sworn to on the 20th day of July, 1930, and reading as follows:

"The claimant, Alfred B. Iles, deposes and says:

"That he is the owner of a lease extending for twenty-five (25) years of one thousand (1000) acres of the Miller Tract, situated near Washington, Virginia: That the said one thousand acres is mineral land, bearing copper and other minerals: That the country rock is basalt through which immense intrusions of quartzite, the copper bearing rock occur in irregular zones: That the ore occurs as cuprite, red oxide, copper glance and native copper in abundance: That he has opened one of the deposits by excavating an open cut fifty (50) feet in width, from which several carloads of copper ore have been extracted: That the average samples of this ore have been sent for testing purposes to the American Metals Company, smelters and refiners and Ladoux & Co. assayers of New York, with the resultant assay of 6.00% copper per ton: That after deducting the freight charges and treatment; there would be a considerable profit on the mining and shipping of this ore; but that if the ore was treated on the ground by the process which has recently been perfected the profits resulting therefrom would be much greater; that the ore bodies with reasonable development will maintain a tonnage of at least a hundred (100) tons per day

which can be mined and treated for not exceeding six dollars (\$6.00) a ton, having a daily profit of one hundred six-eight dollars (\$168.00) at the present depressed price of the copper metal; that should the price of copper never rise above eleven (11) cents per pound, the profit for the remaining twenty-four (24) years of this lease would amount to \$1,361,200 less the royalty of 10% paid to the lessors; that the affiant has repaired and built for hauling ore and supplies eight miles of wagon road to the mines; has erected a mine building for general purposes and expended about eleven thousand dollars (\$11,000) for labor, equipments and improvements upon said property.

"/s/ ALFRED B. ILES

"Subscribed and sworn to before me this 30th day of July, A. D. 1930.

"/s/ Notary Public."

Arthur Cook

Subscribed and sworn to before me this 15th day of July, A. D. 1933.

Anna L. Ives

NOTARY PUBLIC

My commission expires Jan. 16, 1937

affidavits filed
by Alfred B. Lee -



D. 1893.

FILED IN
CLERK'S OFFICE
RAPPAHANNOCK COUNTY

July 17th 19 33.
Teste: Jas. M. Settle, Clerk

Arthur E. Cook - (Counsel)
327 Southern Bldg -
Washington, D.C.

Upperville 66J

K. S. POE
CONTRACTOR & BUILDER

UPPERVILLE, VA.

July 24, 1933

Valuations of buildings at Panorama Resort, Luray, Va.,
as follows:

Tea House,	\$15,152.30
Filling station, entrance, toilets and concrete,	2,603.92
Macadam in front of buildings,	2,500.00
Old Tea Room,	496.00
Garage #1 and toilet,	310.00
Valley View Cottage,	1,677.00
Fairview Cottage,	1,007.52
Gables Cottage,	1,009.20
Heater House,	45.00
Bath House,	682.00
Pine Crest Cottage,	1,300.00
Garage #2,	300.00
Caretaker's Cottage,	450.00
Oak Grove Cottage,	1,200.00
Dining room and kitchen,	2,577.60
Servants' quarters,	490.00
Waitresses' Cottage,	400.00
Hotel,	6,003.62
Total, ...	\$38,204.16

State of Virginia,
County of Fauquier, to-wit:

I, K. S. Poe, Contractor and Builder, do solemnly
swear that the above valuation of buildings at Panorama Resort is
true to the best of my knowledge and belief.

K. S. Poe

Subscribed and sworn to before me this 24th day of
July, 1933.

J. A. Johnston
NOTARY PUBLIC.
my com expires July 14/34

In Re:
(Panorama Resort)
affidavit of K. S. Pae

FILED IN
CLERK'S OFFICE
RAPPAHANNOCK COUNTY

Teste: Gas. M. Settle Clerk

Teste: Gas. M. Seitz Clerk

MOÏYKA INSTIG.

THE STATE CONSERVATION AND DEVELOPMENT COMMISSION OF VIRGINIA
VS.

CLIFTON AYLOR ET ALS. AND 37400 ACRES OF LAND, MORE OR LESS.

It appearing to the Court that there are pending negotiations for the compromise of these cases. on motion of John J. Miller's Heirs it is ordered that all exceptants be granted an extension of ten days from the date fixed in the last ordered heretofore entered herein for the filing of affidavits in support of their several exceptions.

Order Book No. 1028 114
Entered 20th Jan. 1923.

Miller
C. Miller

Clifton Aylor et als vs
AS: Order.

Development of the State of Va.
The State Conservation &

The State Conservation &
Development of the State of Va,

VS; Order

Clifton Aylor, et als &C

Enter:
Alex

Entered July 17, 1933.

Order Book "H", page 114

several exceptions.

entered herein for the filing of affidavits in support of their
of ten days from the date fixed in the last ordered heretofore
where it is ordered that all exceptions be granted an extension
for the compromise of these cases. on motion of John T. Miller's
it appearing to the Court that there are pending negotiations

CLIFTON AYLOR ET ALVS. AND 24000 ACRES OF LAND WHEN ON LAND.

VS.

THE STATE CONSERVATION AND DEVELOPMENT COMMISSION OF VIRGINIA

OFFICE OF COUNTY CLERK

OF RAPPAHANNOCK COUNTY

WASHINGTON, VIRGINIA

HON. J. R. H. ALEXANDER, JUDGE

JAS. M. SETTLE, CLERK

ELIZABETH H. DEBERGH, DEP. CLERK

April 13th, 1933.

Judge J R H Alexander,
Leesburg, Virginia.

My dear Judge:

I am herewith enclosing letter
this day received from William D. Medley and
Arthur E. Cook, attorneys for Alfred B. Isles,
together with motion for extension of time
and exceptions to report of Appraisal Com-
missioners for Shenandoah National Park.

I am sending you these papers
for such action as you may deem necessary.

Sincerely yours,

Jas. M. Settle, Clerk.

JMS/s

ASSOCIATES—

GLENN WILLETT
CHAS. KERSHENBAUM, C. P. A.
ARTHUR E. COOK
GEO. WALTER SMITH
HUGH M. FRAMPTON

WILLIAM D. MEDLEY

LAW OFFICES
SUITE 327, SOUTHERN BUILDING
WASHINGTON, D. C.
METROPOLITAN 4042

April 12, 1933

James M. Settle, Clerk,
Circuit Court of Rappahannock County,
Washington, Virginia

Dear Sir:

We are enclosing a Motion for Extension of Time in which to file exceptions to the Report of the Appraisal Commissioners in the matter of the claim of Alfred B. Iles in the cause of the State Commission on Conservation and Development of the State of Virginia vs. Clifton Aylor and others, and thirty-seven thousand four hundred (37,400) acres of land more or less. We are also enclosing the exceptions to be filed in the event that the Court grants the motion for extension of time in which they may be filed.

Since our reasons for making this motion are fully set out in the motion itself we feel that it is possible for you, as Clerk of the Court, to present the matter to the Court for its consideration. If you will do this we will greatly appreciate your kindness as it will thus relieve us of the necessity of coming quite some distance.

Thanking you for your courtesy in this matter we are,

Yours very truly,

William D. Medley
Arthur E. Cook

ATTORNEYS FOR ALFRED B. ILES

WDM/b
Encs. 3.

IN THE CIRCUIT COURT OF RAPPAHANNOCK COUNTY, VIRGINIA

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

Petitioner,

-vs-

CLIFTON AYLER AND OTHERS, and thirty-
seven thousand four hundred (37,400)
acres of land more or less,

Defendants.

EXCEPTIONS TO REPORT OF APPRAISAL COMMISSION
BY ALFRED B. ILES, DEFENDANT.

1. This cause came on to be heard before the Board of Appraisal Commissioners, and pursuant to hearing scheduled August 25, 1930, at Washington, Virginia, testimony was taken from witness R. E. Manuel, to the effect that he was foreman of operations for defendant, Alfred B. Iles, in mining operations under a certain mining lease the subject of these proceedings; that said operations were ceased upon the commencement of proceedings by the petitioner to condemn the land under authority of The Public Park Condemnation Act; that a lode of mineral ore had at that time been opened to approximately twenty feet in width and more than ten feet in height; that said lode had been definitely located to extend through Mount Marshall, on the land-lease of this defendant, for a distance of exceeding one mile; that mine buildings for general purposes, and roadways had been partially constructed to facilitate removal of said ore; that the project was abandoned solely because of commencement of said condemnation; that there was submitted approximately one hundred pounds of copper ore, which it was testified by the said R. E. Manuel had been taken from the property, and representative of the lode uncovered; and affidavit stating expenditures upon the property, the result of assays made by assayers and smelters,

and estimated content of said lode upon the leased land was submitted by defendant.

2. Notwithstanding that hearing was held, testimony taken, and evidence of mineral submitted, the said Board of Appraisal Commissioners rendered the following report, which not only negatives any value in said lease, but even infers that defendant never presented any evidence, or was heard, in any manner whatsoever:

§ 54-I Name of Claimant, Iles, Alfred B.
"Location: Mining lease on 1000 acre tract.

"There is no evidence before us as to any potential value. We have given Mr. Iles every opportunity to procure some evidence of mineral value, but has failed to do so.

"Geo. H. Levi, Clerk - Appraisal Comm'rs.

"Incidental damages arising from taking of this tract - \$ none."

3. The defendant Alfred B. Iles excepts to the above report in its entirety for the reasons stated in paragraph 1, hereof, that the report does not set forth the facts of evidence submitted, and for the further reason that the Board of Appraisal Commissioners is required not only to determine "potential value", but is required to make a finding in relation to the value of existing property right, at the time of commencement of the proceedings, including the value of improvements rendered useless to the defendant by the fact that the said condemnation deprived him of his right to use the property in accordance with his then vested right therein; that no judicial, nor quasi judicial authority has the right arbitrarily to state that a leasehold is of no value whatsoever, and thus lightly take private property without any compensation therefor.

4. Wherefore the Defendant, Alfred B. Iles, excepts to the entire report, and prays that it be set aside, and a determination of the value of his leasehold right in the said property be made as of the time of the commencement of the condemnation proceedings.

William D. Medley
WILLIAM D. MEDLEY

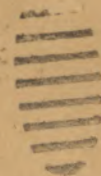
Arthur E. Cook
ARTHUR E. COOK
ATTORNEYS FOR DEFENDANT,
ALFRED B. ILES.

WILLIAM D. MEDLEY and
ARTHUR E. COOK
327 Southern Building,
Washington, D. C.
ATTORNEYS FOR DEFENDANT
ALFRED B. ILES.

JAS. M. SETTLE
CLERK OF THE CIRCUIT COURT
FOR RAPPAHANNOCK CO.
WASHINGTON, VIRGINIA.

*Exceptions of
Alfred B. Isles
Filed May 8, 1933
by leave of Court.*

Judge J R H Alexander
Leesburg, Virginia.



IN THE CIRCUIT COURT
OF
RAPPAHANNOCK COUNTY, VIRGINIA

THE STATE COMMISSION ON CONSER-
VATION AND DEVELOPMENT, OF THE
STATE OF VIRGINIA,

Petitioner,

-vs-

CLIFTON AYLOR AND OTHERS, and
thirty-seven thousand four
hundred (37,400) acres of
land more or less,

Defendants.

EXCEPTIONS TO REPORT
OF
APPRAISAL COMMISSION

Filed May 8-1933.

WILLIAM D. MEDLEY and
ARTHUR E. COOK
327 Southern Building,
Washington, D. C.
ATTORNEYS FOR DEFENDANT, ALFRED
B. ILES.

IN THE CIRCUIT COURT OF RAPPAHANNOCK COUNTY, VIRGINIA

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

Petitioner,

-vs-

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seven thousand four hundred (37,400)
acres of land more or less,

Defendants.

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BY ALFRED B. ILES, DEFENDANT.

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"Incidental damages arising from taking of this tract - \$ none."

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4. Wherefore the Defendant, Alfred B. Iles, excepts to the entire report, and prays that it be set aside, and a determination of the value of his leasehold right in the said property be made as of the time of the commencement of the condemnation proceedings.

William D. Medley
WILLIAM D. MEDLEY

Arthur E. Cook
ARTHUR E. COOK
ATTORNEYS FOR DEFENDANT,
ALFRED B. ILES.

WILLIAM D. MEDLEY and
ARTHUR E. COOK
327 Southern Building,
Washington, D. C.
ATTORNEYS FOR DEFENDANT
ALFRED B. ILES.

IN THE CIRCUIT COURT
OF
RAPPAHANNOCK COUNTY, VIRGINIA

THE STATE COMMISSION ON CONSER-
VATION AND DEVELOPMENT, OF THE
STATE OF VIRGINIA,

Petitioner,

-vs-

CLIFTON AYLOR AND OTHERS, and
thirty-seven thousand four
hundred (37,400) acres of land
more or less,

Defendants.

EXCEPTIONS TO REPORT
OF
APPRAISAL COMMISSION

Filed May 8-1933.

WILLIAM D. MEDLEY and
ARTHUR E. COOK,
327 Southern Building,
Washington, D. C.
ATTORNEYS FOR DEFENDANT,
ALFRED B. ILES.

IN THE CIRCUIT COURT OF RAPPAHANNOCK COUNTY, VIRGINIA

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

Petitioner,

-vs-

CLIFTON AYLOR AND OTHERS, and thirty-
seven thousand four hundred (37,400)
acres of land more or less,

Defendants.

MOTION FOR EXTENSION OF TIME

Now comes Alfred B. Iles, by his attorneys, William D. Medley and Arthur E. Cook, and moves this honorable Court for extension of time to ten days from the hearing hereon in which to file exceptions to the Report of the Appraisal Commissioners, filed in this Court on the eighteenth day of May, 1932, and gives as reasons therefor:

That no notice of the filing of said report was received by this defendant or his attorneys, notwithstanding that diligent efforts to obtain information concerning the same were made by this defendant and his attorney, Arthur E. Cook; that the Board of Appraisal Commissioners was advised in July 24, 1930, of the removal of Mr. Iles from Washington, D. C., to Colorado Springs, Colorado; that subsequently correspondence with the Clerk of said board was with defendant's attorney, Arthur E. Cook, who represented the defendant at a hearing conducted pursuant to order of this Court; that said attorney was advised that he would be advised of the filing of said report, but notwithstanding several inquiries in regard thereto neither defendant nor his attorney has received notice thereof.

Your petitioner has ready for filing in this cause exceptions to the said report, and therefore prays that the same may be accepted and considered herein.

William D. Medley

Arthur E. Cook

Attorneys for ALFRED B. ILES,
defendant.

WILLIAM D. MEDLEY,
ARTHUR E. COOK,
327 Southern Building,
Washington, D. C.

IN THE CIRCUIT COURT
OF
RAPPAHANNOCK COUNTY, VIRGINIA

THE STATE COMMISSION ON CONSER-
VATION AND DEVELOPMENT OF THE
STATE OF VIRGINIA,

Petitioner,

-vs-

CLIFTON AYLOR AND OTHERS, and
thirty-seven thousand four hu-
undred (37,400) acres of
land more or less,

Defendants.

MOTION FOR EXTENSION OF TIME

Filed May 8-1933.

WILLIAM D. MEDLEY and
ARTHUR E. COOK
327 Southern Building,
Washington, D. C.
ATTORNEYS FOR DEFENDANT,
ALFRED B. ILES.

IN THE CIRCUIT COURT OF RAPPAHANNOCK COUNTY, VIRGINIA,
MONDAY, MAY 8th, 1933.

This day came Alfred B. Isles, by counsel, and moved the Court for leave to file exceptions to report of Appraisal Commissioners filed on May 18, 1932 in the condemnation proceedings of State Commission on Conservation and Development of the State of Virginia vs. Clifton Aylor, et als., which motion the Court doth grant, subject however to such exceptions as may be made and filed thereto; whereupon said exceptions were filed.

A COPY-TESTE:

James M. Seatter
Clerk.

State Commission on Conservation and Development

RICHMOND, VA.

WILLIAM E. CARSON, CHAIRMAN, RIVERTON
COLEMAN WORTHAM, VICE CHAIRMAN, RICHMOND
JUNIOUS P. FISHBURN, ROANOKE
E. GRIFFITH DODSON, NORFOLK
RUFUS G. ROBERTS, CULPEPER
THOMAS L. FARRAR, CHARLOTTESVILLE
LEE LONG, DANTE
ELMER O. FIPPIN,
EXECUTIVE SECRETARY AND TREASURER



PHONE RANDOLPH 3755

BUREAUS OF THE COMMISSION

GEOLOGICAL SURVEY
WATER RESOURCES AND POWER
FOREST SERVICE
PARKS
ARCHAEOLOGY AND HISTORY
STATE PUBLICITY

At the meeting of the State Commission on Conservation and Development, held in Richmond, December 21, 1928, the following motion was made by Mr. Wortham, seconded by Mr. Fishburn, and carried:

"For the purposes contemplated in Section twenty-four (24) of the Public Park Condemnation Act, William E. Carson, Chairman of the State Commission on Conservation and Development, is hereby designated and appointed in writing the representative, agent, and attorney of the said Commission, through whom the Commission desires to act in the institution and maintenance of proceedings looking to the acquirement, by condemnation proceedings or otherwise, of title to lands and other property, for a public park or for public park purposes under authority of the National Park Act, and the Executive Secretary of the Commission is hereby authorized and directed to furnish to the said William E. Carson, Chairman of the State Commission on Conservation and Development, such properly certified copies of this resolution for file with the record of any such condemnation proceedings which may be instituted under authority of said Public Park Condemnation Act."

Elmer O. Fippin

Subscribed and sworn to before me this
28th day of October, 1929.

Anna Belle Foltz
Notary Public.

My commission expires October
16, 1932.

260 copies notice
mailed out.
apr. 29-1930.

Suit # 149.

PETITION OF THE STATE CON-
SERVATION AND DEVELOPMENT OF THE
STATE OF VIRGINIA, FOR THE CON-
DEMNATION OF LANDS IN ~~SPOTSYLDEN~~
COUNTY. *Rappahannock.*

P E T I T I O N

Filed Apr 7/30
Alex. J. Jones

LAW OFFICES

WEAVER & ARMSTRONG

FRONT ROYAL, VA.