

CLAIMANT
NAME OF ~~OWNER~~

#78- Dwyer, R.M.

Number of Acres: 58

Location: On east side of Pignut Mountain near the head of Gid Brown Hollow.

Roads: Approximately five miles to the Lee Highway over an unimproved dirt road thence 20 miles to Luray, the nearest shipping point.

Soil: The soil is a sandy loam with a slight mixture of clay in spots. The slopes are moderate with comparatively smooth surfaces and a north and notheast exposure.

History of Tract and condition of timber: All the chestnut oak timber was cut about 30 years ago and the better grades of saw timber have since been removed. The remaining merchantable stand is chiefly young red oak and yellow poplar and is estimated at 570 ft. B.M. on an area of 50 acres or a total of 28½ M. ft.

Improvements: None.

Acreage and value of types:

Types	Acreage	Value per acre	Total Value
Slope:	50	@ \$3.00	\$150.00
Cove:			
Grazing Land:	8	@ 8.00	64.00
			<hr/> \$214.00

Cultivated Land:

Orchard:

Minerals:

Value of Land: \$ 214.00

Value of Improvements: \$

Value of Orchard: \$

Value of Minerals: \$

Value of Timber: \$ 100.00

Value of Wood: \$

Value per acre for tract: \$ 5.41

100.00

\$314.00

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

Geo. N. Penn. CLERK

Claim of R. M. Surges
In the Circuit Court of Page County, Virginia, No. 149, At Law.
The State Commission on Conservation and Development of the State of Virginia, Petitioner, vs. Clifton City Capitals & 37,400
acres

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

My name is R. M. Surges
My Post Office Address is Smedley, 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 0.2 acres, on which there are the following buildings and improvements: about 70 in Park - no buildings on part taken -

This land is located about 8 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).
Fee simple

The land owners adjacent to the above described tract or parcel of land are as follows:
North Della Jenkins
South Jimmy Turcham
East A. F. Kessler
West Jones Boys

I acquired my right, title, estate or interest to this property about the year 1918 in the following manner: Bought from F. T. Calkins, Com.

I claim that the total value of this tract or parcel of land with the improvements thereon is \$ 1000.00. 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 \$ 1000.00

I am the owner of 0 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: I don't know how to assess the damages to the part left of the tract, so I ask you to allow it.

(Continue remarks if necessary on the back).

Witness my signature (or my name and mark attached hereto) this 4 day of June, 1930.

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

The undersigned hereby certifies that R. M. Surges 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 4th day of June, 1930.

W. A. [Signature]
Clerk of the Court, or Special Investigator or Notary Public, or Justice of the Peace.

Claim of _____
In the Circuit Court of _____ County, Virginia, No. _____ At Law.
The State Commission on Conservation and Development of the State of Virginia, Petitioner, vs. _____

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

My name is _____
My Post Office Address is _____

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

_____ miles from _____ District of said County, Virginia, in _____

I claim the following title, estate or interest in the tract or parcel of land described above: _____ If joint owners, give names of joint owners. If claimant is not sole or joint owner, should set out exactly what right, title, estate or interest he has in or to the tract or parcel of land described above.

The land owners adjacent to the above described tract or parcel of land are as follows:
North _____
South _____
East _____
West _____

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

I claim that the total value of this tract or parcel of land with the improvements thereon is \$ _____ 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 \$ _____

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 _____ day _____ 1980.

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

The undersigned hereby certifies that _____ 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 _____ day of _____ 1980.

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

78

F. M. [unclear]

[Handwritten mark]

James M. [unclear]

FILED IN
CLERK'S OFFICE
REPUBLICAN COUNTY

James M. [unclear]

#78 - Dwyer, R. M.

COUNTY: RAPPAHANNOCK

DISTRICT: HAMPTON

Acreage Claimed:

Value Claimed:

Location: On east side of Pignut Mountain near the head of
Gid Brown Hollow.

Incumbrances, counter claims or laps: None so far as known.

Roads: Approximately five miles to the Lee Highway over
an unimproved dirt road thence 20 miles to Luray
the nearest shipping point.

Soil: The soil is a sandy loam with a slight, mixture of
clay in spots.. The slopes are moderate with com-
paratively smooth surfaces and a north and north-
east exposure.

History of Tract and condition of timber: All the chestnut oak timber was
cut about 30 years ago and the better grades of saw
timber have since been removed. The remaining mer-
chantable stand is chiefly young red oak and yellow
poplar and is estimated at 570 feet B. M on an area
of 50 acres or a total of 28½ M feet worth \$3.50 per
M on the stump.

Improvements: None.

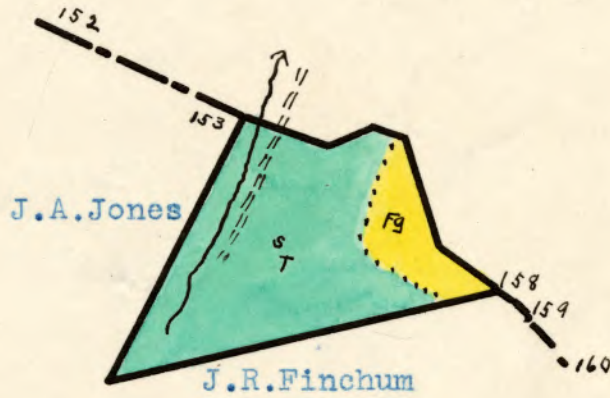
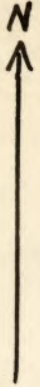
Acreage and value by types:

<u>Types:</u>	<u>Acreage</u>	<u>Value Per Acre</u>	<u>Total Value</u>
Slope	50	\$3.00	\$150.00
Grazing	8	10.00	80.00
	<u>58</u>		<u>\$230.00</u>

Value per acre for land:	\$396.00		
Value of land:		\$230.00	
Value of timber:		\$99.75	
Value of tract:		<u>\$329.75</u>	
Value per acre for tract:	5.68		

County: Rappahannock
District: Hampton

#78-Dwyer, R.M.



LEGEND:

Cove	Orchard Land
Slope	Grazing Land
Ridge	Tillable Land
Scale - 1" = 20 chains	

IN THE CIRCUIT COURT OF RAPPAHANNOCK COUNTY, VIRGINIA.

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

VS.) (ORDER OF DISTRIBUTION TO R. M.
Dwyer.

CLIFTON AYLOR, &C.

On this the 30th day of October, 1934, came R. M. Dwyer, owner, and on his motion leave is granted him to file his application for the payment to him of the sum of Seventy-Five (\$75.00) Dollars, the amount of the award set out in the judgment of condemnation for Tract No. 78-b, which said sum has heretofore been paid into Court.

And it appearing from the report of the Board of Appraisal Commissioners heretofore filed in this cause, and in the petition for judgment and condemnation entered herein on the 13th day of November, 1933, that in the opinion of the petitioner the said R. M. Dwyer is invested with a superior or better right or claim of title in and to said tract of land No. 78-b, and/or to the proceeds arising from the condemnation thereof, but that one H. H. Baker had alleged some interest or claim in and to said tract of land or the proceeds arising therefrom, and that the record in this cause does not disclose any denial or dispute by any other party or persons in interest as to the title to said Tract No. 78-b, and that the said H. H. Baker having this day filed in Court a written waiver and / or disclaimer as to any title to or interest in said Tract No. 78-b, or the proceeds arising from the condemnation thereof; and it further appearing to the Court that all taxes due or exigible upon said Tract No. 78-b have been paid, upon consideration whereof, it is considered

IN THE CIRCUIT COURT OF RAPPAHANNOCK COUNTY, VIRGINIA.

STATE COMMISSION ON CONSER-
VATION & DEVELOPMENT OF THE
STATE OF VIRGINIA.

VS.) (PETITION OF R. M. DWYER FOR AN ORDER
OF DISBURSEMENT.

CLIFTON AYLOR, &C.

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

Your petitioner, R. M. Dwyer, respectfully
represents unto Your Honor as follows:

That the said R. M. Dwyer is the owner in fee
simple of those certain two tracts or parcels of land, lying and
being situate in Rappahannock County, Virginia, and within the
bounds of the proposed Shenandoah National Park, which are
respectively known and designated upon the Rappahannock County
ownership map filed in the above entitled condemnation proceed-
ings as Tract No. 72-I, containing 80 acres, and Tract No.
72-II, containing 56 acres; and

That at the time these condemnation proceedings
were instituted said two tracts or parcels of land stood in the
name of Joseph Clatterbuck's Estate, but that during the
pendancy hereof said land has been purchased by your petitioner,
R. M. Dwyer, and that the same have been conveyed to him by
Special Commissioner of the Circuit Court of Rappahannock County,
Virginia, in that chancery cause Brought for the purpose of
partitioning the real estate of which the said Joseph Clatter-
buck died seized and possessed, all of which will more fully
appear from the said deed which is duly of record in the Clerk's
Office of Rappahannock County, Virginia; and

That the Special Investigators and Board of Appraisal Commissioners heretofore appointed in these proceedings awarded your petitioner the sum of Two Hundred (\$200.00) Dollars for Tract No. 72-I, and the sum of One Hundred Forty (\$140.00) Dollars for Tract No. 72-II, aggregating the sum of Three Hundred Forty (\$340.00) Dollars, as compensation and damages for the taking of the aforesaid two tracts of land, as will more fully appear from their report filed in these proceedings, which said report has been duly confirmed as to the tracts of land aforesaid, and the award for the condemnation thereof ordered to be paid into the custody of the court pursuant to an order heretofore entered in this cause on the 13th day of November, 1933; and

That the petition of condemnation in this cause and the report of the Special Investigators and Board of Appraisal Commissioners discloses that Tract No. 72-I is a lap on the William C. Overall Heirs' land and that Tract No. 72-II is a lap on the Mary Ann Roy Heirs' land.

Your petitioner further alleges and avers that notwithstanding the laps aforesaid that he is the fee simple owner of said Tracts Nos. 72-I and 72-II, and that not only has he been in actual possession for many times the statutory period but that his chain of title is derived from an older and senior patent; and further, that the heirs of the said William C. Overall and the heirs of the said Mary Ann Roy have disclaimed any and all claim or interest in or to said tracts of land/or to the proceeds arising from the condemnation thereof.

Your petitioner further alleges and avers that there are no liens or encumbrances of any kind whatsoever binding the aforesaid two tracts or parcels of land, nor any taxes due or exigible thereon.

Wherefore, your petitioner prays that the Court may order and decree that he has the best claim to the tracts or parcels of land aforesaid, and that an order be entered in this cause directing that the aforesaid sum or sums shall be forthwith paid over to him as the true and lawful owner of said tracts or parcels of land.

R. M. Dwyer
By Counsel

Ford & Keyser, per.

IN THE CIRCUIT COURT OF RAPPAHANNOCK COUNTY, VIRGINIA.

STATE COMMISSION ON CON-
SERVATION & DEVELOPMENT
OF THE STATE OF VIRGINIA.

VS.

)(PETITION OF R. M. DWYER, &C., FOR
AND ORDER OF DISTRIBUTION.

CLIFTON AYLOR, &C.

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

Your petitioners, R. M. Dwyer, Thomas B. Dwyer,
Lucy Ann Dwyer and Dora Alice Dwyer, respectfully represent
unto Your Honor as follows:

That the said R. M. Dwyer, Thomas B. Dwyer, Lucy
Anne Dwyer and Dora Alice Dwyer are the joint owners in fee
simple of that certain tract or parcel of land, lying and being
situate in Rappahannock County, Virginia, and within the bounds
of the proposed Shenandoah National Park, which is known and
designated on the Rappahannock County ownership map filed in
the above entitled condemnation proceedings as Tract No. 68-I,
containing one hundred acres.

That the Special Investigators and Board of
Appraisal Commissioners heretofore appointed in these proceedings
awarded the sum of Eight Hundred Seventy-Two Dollars and Fifty
Cents (\$872.50) as compensation and damages for the taking of
the aforesaid tract of land, as will more fully appear from
their report heretofore filed in these proceedings, which said
report has been fully confirmed as to the tract of land
aforesaid, and the award for the condemnation thereof ordered
to be paid into the custody of the Court, pursuant to an order
heretofore entered in this cause; and

That the petition for condemnation in this cause states that the said tract of land is owned by the Estate of M. J. Dwyer in fee simple, but the report of said Special Investigators and Board of Appraisal Commissioners states that said tract of land is a lap on the lands of the William C. Overall Heirs; and

That it is true that this tract of land does belong to the Estate of the said M. J. Dwyer, which has never been partitioned, but that the said M. J. Dwyer died leaving surviving him fourteen children, and that the said R. M. Dwyer has purchased the interests of ten of his brothers and sisters and is therefore now the owner of eleven-fourteenths thereof, and that the said Thomas B. Dwyer, Lucy Ann Dwyer and Dora Alice Dwyer, each own an undivided one-fourteenth interest thereof, all of which will more fully appear from that certain deed from Sallie Bailey, Et Als., to R. M. Dwyer, bearing date on the 20th day of September, 1920, hereto attached and prayed to be read as a part of this petition; and your petitioners further allege and aver that notwithstanding the lap reported aforesaid, that they are the fee simple owners of said Tract No. 68-I, and that not only have they been in actual possession of said land for many times the statutory period, but that their chain of title is derived from an older and senior patent.

Your petitioners further allege and aver that there are no liens or encumbrances of any kind whatever binding the aforesaid tract or parcel of land, nor are there any taxes due or exigible thereon.

Wherefore, your petitioners pray that the Court may order and decree that they have the best claim to the tract or parcel of land aforesaid, and that an order be entered in this

cause directing that the aforesaid sum shall be forthwith paid over to them as the true and lawful owners of the said tract or parcel of land.

R. M. Dwyer
Thos B. Dwyer
Lucy Ann Dwyer
Dora Alice Dwyer
By Counsel

Jacob Keyser, J. G.

STATE COMMISSION ON CONSER-
VATION & DEVELOPMENT OF THE
STATE OF VIRGINIA.

VS.)(PETITION OF R. M.
Dwyer

CLIFTON AYLOR, &C.

FORD & KEYSER
ATTORNEYS AND COUNSELLORS AT LAW
LURAY, VIRGINIA

IN THE CIRCUIT COURT OF RAPPAHANNOCK COUNTY, VIRGINIA.

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

VS.) (ORDER OF DISTRIBUTION TO R. M.
DWYER.

CLIFTON AYLOR, &C.

On this the 30th day of October, 1934, came R. M. Dwyer, owner, and on his motion leave is granted him to file his application for the payment to him of the sum of Seventy-Five (\$75.00) Dollars, the amount of the award set out in the judgment of condemnation for Tract No. 78-b, which said sum has heretofore been paid into Court.

And it appearing from the report of the Board of Appraisal Commissioners heretofore filed in this cause, and in the petition for judgment and condemnation entered herein on the 13th day of November, 1933, that in the opinion of the petitioner the said R. M. Dwyer is invested with a superior or better right or claim of title in and to said tract of land No. 78-b, and/or to the proceeds arising from the condemnation thereof, but that one H. H. Baker had alleged some interest or claim in and to said tract of land or the proceeds arising therefrom, and that the record in this cause does not disclose any denial or dispute by any other party or persons in interest as to the title to said Tract No. 78-b, and that the said H. H. Baker having this day filed in Court a written waiver and / or disclaimer as to any title to or interest in said Tract No. 78-b, or the proceeds arising from the condemnation thereof; and it further appearing to the Court that all taxes due or exigible upon said Tract No. 78-b have been paid, upon consideration whereof, it is considered

IN THE CIRCUIT COURT OF RAPPAHANNOCK COUNTY, VIRGINIA.

STATE COMMISSION ON CON-
SERVATION & DEVELOPMENT
OF THE STATE OF VIRGINIA.

VS.

)(PETITION OF R. M. DWYER, &C., FOR
AND ORDER OF DISTRIBUTION.

CLIFTON AYLOR, &C.

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

Your petitioners, R. M. Dwyer, Thomas B. Dwyer,
Lucy Ann Dwyer and Dora Alice Dwyer, respectfully represent
unto Your Honor as follows:

That the said R. M. Dwyer, Thomas B. Dwyer, Lucy
Anne Dwyer and Dora Alice Dwyer are the joint owners in fee
simple of that certain tract or parcel of land, lying and being
situate in Rappahannock County, Virginia, and within the bounds
of the proposed Shenandoah National Park, which is known and
designated on the Rappahannock County ownership map filed in
the above entitled condemnation proceedings as Tract No. 68-I,
containing one hundred acres.

That the Special Investigators and Board of
Appraisal Commissioners heretofore appointed in these proceedings
awarded the sum of Eight Hundred Seventy-Two Dollars and Fifty
Cents (\$872.50) as compensation and damages for the taking of
the aforesaid tract of land, as will more fully appear from
their report heretofore filed in these proceedings, which said
report has been fully confirmed as to the tract of land
aforesaid, and the award for the condemnation thereof ordered
to be paid into the custody of the Court, pursuant to an order
heretofore entered in this cause; and

That the petition for condemnation in this cause states that the said tract of land is owned by the Estate of M. J. Dwyer in fee simple, but the report of said Special Investigators and Board of Appraisal Commissioners states that said tract of land is a lap on the lands of the William C. Overall Heirs; and

That it is true that this tract of land does belong to the Estate of the said M. J. Dwyer, which has never been partitioned, but that the said M. J. Dwyer died leaving surviving him fourteen children, and that the said R. M. Dwyer has purchased the interests of ten of his brothers and sisters and is therefore now the owner of eleven-fourteenths thereof, and that the said Thomas B. Dwyer, Lucy Ann Dwyer and Dora Alice Dwyer, each own an undivided one-fourteenth interest thereof, all of which will more fully appear from that certain deed from Sallie Bailey, Et Als., to R. M. Dwyer, bearing date on the 20th day of September, 1920, hereto attached and prayed to be read as a part of this petition; and your petitioners further allege and aver that notwithstanding the lap reported aforesaid, that they are the fee simple owners of said Tract No. 68-I, and that not only have they been in actual possession of said land for many times the statutory period, but that their chain of title is derived from an older and senior patent.

Your petitioners further allege and aver that there are no liens or encumbrances of any kind whatever binding the aforesaid tract or parcel of land, nor are there any taxes due or exigible thereon.

Wherefore, your petitioners pray that the Court may order and decree that they have the best claim to the tract or parcel of land aforesaid, and that an order be entered in this

cause directing that the aforesaid sum shall be forthwith paid over to them as the true and lawful owners of the said tract or parcel of land.

R. M. Dwyer
Thos B. Dwyer
Lucy Ann Dwyer
Dora Alice Dwyer
By Counsel

Jacob Keyser, J. G.

STATE COMMISSION ON CONSER-
VATION & DEVELOPMENT OF THE
STATE OF VIRGINIA

PETITION OF R. M. DWYER, &C
FOR AN ORDER OF DIS-
TRIBUTION.

CLIFTON AYLOR, &C.

FORD & KEYSER
ATTORNEYS AND COUNSELLORS AT LAW
LURAY, VIRGINIA

IN THE CIRCUIT COURT OF RAPPAHANNOCK COUNTY, VIRGINIA.

STATE COMMISSION ON CONSERVATION
AND DEVELOPMENT OF THE STATE OF
VIRGINIA

VS.) (PETITION OF R. M. DWYER, FOR AN
ORDER OF DISTRIBUTION.

CLIFTON AYLOR, &C.

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

Your petitioner, R. M. Dwyer, respectfully represents
unto Your Honor as follows:

That the said R. M. Dwyer is the owner in fee simple of
that certain tract or parcel of land lying and being situate in
Rappahannock County, Virginia, and within the bounds of the
proposed Shenandoah National Park, which is known and designated
on the Rappahannock County Ownership map filed in the above
entitled condemnation proceedings as Tract No. 78-b, containing
30 acres; and

That the Special Investigators and Board of Appraisal
Commissioners heretofore appointed in these proceedings awarded
your petitioner the sum of Seventy-Five (\$75.00) Dollars, as
compensation and damages for the taking of the aforesaid tract of
land, as will more fully appear from their report heretofore filed
in these proceedings, which said report has been duly confirmed
as to the tract of land aforesaid, and the award for the
condemnation thereof ordered to be paid into the custody of the
Court pursuant to an order entered herein on the 13th day of
November, 1933; and

That the petition for condemnation in this cause states
that your petitioner is apparently the fee simple owner of said

tract No. 78-b, but that the record in this suit discloses that one H. H. Baker has claimed some interest in this tract of land; and

That your petitioner respectfully alleges and avers, however, that the said H. H. Baker has withdrawn any and all claims that he may have asserted before said Special Investigators and Board of Appraisal Commissioners, and has waived any and all claim to the proceeds arising from the condemnation thereof, all of which will more fully appear from a writing signed by said H. H. Baker, which is hereto attached to this petition and prayed to be read as a part thereof; and

Your petitioner further alleges and avers that there are no liens or encumbrances of any kind whatsoever binding the tract of land aforesaid, nor are there any taxes due or exigible thereon.

Wherefore, your petitioner prays that the Court may make an order, which shall be entered in this cause, directing that the aforesaid sum of \$75.00, shall be forthwith paid over to your petitioner, the landowner as aforesaid.

Ford & Keyser, p.g.

*R. M. Dwyer
By Counsel*

STATE CONSERVATION COMMISSION

VS.)(PETITION OF R. M.
Dwyer FOR AN ORDER OF
DISTRIBUTION.

CLIFTON AYLOR, &C.

FORD & KEYSER

ATTORNEYS AND COUNSELLORS AT LAW

LURAY, VIRGINIA

and ordered by the Court that the said sum of \$75.00, the amount paid into Court by petitioner as just compensation for said Tract No. 78-b be paid to the said R. M. Dwyer, and that the Clerk of this Court be, and he is hereby directed to transmit a certified copy of this order to the Treasurer of Virginia, who shall pay unto Ford and Keyser, Luray, Virginia, attorneys of record for said R. M. Dwyer the said sum of \$75.00, and certify such payment to the Clerk of this Court for appropriate entry thereof as required by law.

The Clerk of the Circuit Court of Rappahannock County is directed to spread this order on the records of his office as a Recess Order.

Given under my hand this October 30th, 1934.

J. R. Alexander, Judge

*Received in Rappahannock County Clerk's
Office Oct. 31, 1934, and entered as
directed*

Teste: Jas. M. Settle, Clerk.

STATE CONSERVATION COMMISSION

VS.) (ORDER OF DISTRIBUTION
TO R. M. DWYER.

CLIFTON AYLOR, &C.

ENTER:

"H" Page 305

Given under hand this October 30th, 1934.

John D. ...

*Received of the State Conservation Commission
the sum of \$100.00 for ...
John D. ...*

10/30/34

STATE COMMISSION ON CONSER-
VATION & DEVELOPMENT OF THE
STATE OF VIRGINIA.

VS.)(ORDER, R. M. Dwyer.

CLIFTON AYLOR, &C.

and certify that the said R. M. Dwyer, the aggregate sum of \$240.00,
record for the said R. M. Dwyer; the aggregate sum of \$240.00,
who shall pay unto Bond & Kever, Mary; Virginia; attorney or
certified copy of this order to the Treasurer of Virginia;
Clerk of this Court be, and is hereby, directed to transmit a
VS-I and VS-II, be paid to the said R. M. Dwyer; that the
Court by petition as judgment; compensation for said service now.
hundred forty (100.00) dollars; the aggregate sum of said into
considered and ordered by the court that the said VS-I and VS-II
and VS-II have been paid; upon consideration; when; it is
Court that all fees due on this order upon said Order No. VS-I
said Order No. VS-I and VS-II; and it further appearing to the
by any other party or persons in interest as to the titles to
the record in this cause does not disclose any denial or dispute

ENTER THIS:

"H" Page 304

10/30/34

Given under my hand this October 30th, 1934,
office as a Recess Order.

The Clerk of the Circuit Court of Hampshire County is
appropriate entry thereof as required by law.

1934
Judge.

Handwritten notes:
as per order
of the
Clerk of the Circuit Court
of Hampshire County
10/30/34
Judge

STATE OF VIRGINIA
COMMISSION ON CONSERVATION & DEVELOPMENT OF THE STATE

IN THE CIRCUIT COURT OF RAPPAHANNOCK COUNTY, VIRGINIA.

STATE COMMISSION ON CONSER-
VATION & DEVELOPMENT OF THE
STATE OF VIRGINIA.

VS.) (ORDER OF DISBURSEMENT.

CLIFTON AYLOR, &C.

On this the 30th day of October, 1934, came R. M. Dwyer, owner, and on his motion leave is hereby given him to file his application, in recess of the court, for the payment to him of the sum of Two Hundred (\$200.00) Dollars, the amount of the award set out in the judgment for condemnation for tract No. 72-I, and the sum of One Hundred Forty (\$140.00) Dollars, the amount of the award set out in the judgment of condemnation for Tract No. 72-II, making the aggregate award for said two tracts the sum of Three Hundred Forty (\$340.00) Dollars, which said awards have heretofore been paid into court.

And it appearing from the report of the Board of Appraisal Commissioners heretofore filed in this cause and in the petition for judgment and condemnation entered herein on the 13th day of November, 1933, that said Tract No. 72-I is a lap on the lands of William C. Overall's heirs, but that said heirs of said William C. Overall have disclaimed in open court any claim to or title in said Tract No. 72-I and/or to the proceeds arising from the condemnation thereof, and that said Tract No. 72-II is a lap on the lands of Mary Ann Roy's heirs, but that said heirs of said Mary Ann Roy have disclaimed in open court any claim to or title in said Tract No. 72-II and/or to the proceeds arising from the condemnation thereof, and that

STATE COMMISSION ON CONSER-
VATION & DEVELOPMENT OF THE
STATE OF VIRGINIA

PETITION OF R. M. DWYER, &C
FOR AN ORDER OF DIS-
TRIBUTION.

CLIFTON AYLOR, &C.

FORD & KEYSER

ATTORNEYS AND COUNSELLORS AT LAW

LURAY, VIRGINIA

IN THE CIRCUIT COURT OF RAPPAHANNOCK COUNTY, VIRGINIA.

STATE COMMISSION ON CONSERVATION
AND DEVELOPMENT OF THE STATE OF
VIRGINIA

VS.) (PETITION OF R. M. DWYER, FOR AN
ORDER OF DISTRIBUTION.

CLIFTON AYLOR, &C.

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

Your petitioner, R. M. Dwyer, respectfully represents
unto Your Honor as follows:

That the said R. M. Dwyer is the owner in fee simple of
that certain tract or parcel of land lying and being situate in
Rappahannock County, Virginia, and within the bounds of the
proposed Shenandoah National Park, which is known and designated
on the Rappahannock County Ownership map filed in the above
entitled condemnation proceedings as Tract No. 78-b, containing
30 acres; and

That the Special Investigators and Board of Appraisal
Commissioners heretofore appointed in these proceedings awarded
your petitioner the sum of Seventy-Five (\$75.00) Dollars, as
compensation and damages for the taking of the aforesaid tract of
land, as will more fully appear from their report heretofore filed
in these proceedings, which said report has been duly confirmed
as to the tract of land aforesaid, and the award for the
condemnation thereof ordered to be paid into the custody of the
Court pursuant to an order entered herein on the 13th day of
November, 1933; and

That the petition for condemnation in this cause states
that your petitioner is apparently the fee simple owner of said

tract No. 78-b, but that the record in this suit discloses that one H. H. Baker has claimed some interest in this tract of land; and

That your petitioner respectfully alleges and avers, however, that the said H. H. Baker has withdrawn any and all claims that he may have asserted before said Special Investigators and Board of Appraisal Commissioners, and has waived any and all claim to the proceeds arising from the condemnation thereof, all of which will more fully appear from a writing signed by said H. H. Baker, which is hereto attached to this petition and prayed to be read as a part thereof; and

Your petitioner further alleges and avers that there are no liens or encumbrances of any kind whatsoever binding the tract of land aforesaid, nor are there any taxes due or exigible thereon.

Wherefore, your petitioner prays that the Court may make an order, which shall be entered in this cause, directing that the aforesaid sum of \$75.00, shall be forthwith paid over to your petitioner, the landowner as aforesaid.

R. M. Hoyer
By Counsel
Jed T. Keyser, p.g.

STATE CONSERVATION COMMISSION

VS.)(PETITION OF R. M.
Dwyer FOR AN ORDER OF
DISTRIBUTION.

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