

NAME OF CLAIMANT

#130 - Jarman, M. M.

Number of Acres: 65

Location: In Roach Gap.

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

Soil: Sandy clay of good depth and poor fertility, somewhat rocky, with steep slopes and northwest exposure.

History of Tract and condition of timber:

A large portion of this tract was cleared many years ago, grazed and cultivated since. Wooded area has been cut over repeatedly in the past. Present stand consists of mixed oaks with some poplar along the stream. The central portion of this tract near Robert Roach's 1 acre tract is in very poor condition. Several portions of the

Improvements: field has been neglected in recent years and is now grown up into brush.

Improvements: (See reverse side)

Acreage and value of types:

Types	Acreage		Value per acre	Total Value
Ridge:				
Slope:	16	@	\$5.00	\$80.00
Cove:				
Grazing Land:	41	@	25.00	1025.00
Fields Restocking:	7	@	15.00	105.00
Cultivated Land:	<u>10</u>	@	20.00	<u>200.00</u>
	74			\$1410.00

Orchard:

435.00

Minerals:

Value of Land: \$1410.00

Value of Improvements: \$ 435.00

75.00

Value of Orchard: \$ 75.00

\$1920.00

Value of Minerals: \$

Value of Fruit: \$

Value of Timber: \$

Value of Wood: \$

Value per acre for tract: \$ 29.54

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

*Geo. W. Pen* CLERK.

NAME OF CLAIMANT

IMPROVEMENTS: Dwelling: Log, 16x20', 4 rooms, porch 6x12', metal roof, stone flues, 1 1/2 story, ceiled, fair condition, occupied by tenant, pillars.  
 Barn: Log, 16x16x12', shingle roof, poor condition.  
 Corn house: Frame, 16x19x10', shingle roof, fair condition.  
 Hen house: Log, 8x10x6', shingle roof, poor condition.  
 Corn house: Log, 10x16x8', shingle roof, poor condition.  
 Old dwelling: Log, 14x16', 3 rooms, shingle roof, stone flues, 1 1/2 story, log finish, poor condition, abandoned.  
 Barn: Log, 16x15x12', no roof, in poor condition.

Roads: Run; thence four miles to Elkton.

Soil: Sandy clay of good depth and poor fertility, somewhat rocky with steep slopes and northwest exposure.

History of Tract and condition of timber: A large portion of this tract was cleared many years ago, grazed and cultivated since. Wooded areas have been cut over repeatedly in the past. Present stand consists of mixed oaks with some poplar along the stream. The central portion of this tract near Robert Rosen's 1 acre tract is in very poor condition. Several portions of the improvements field has been neglected in recent years and is now grown up into brush.

Improvements: (See reverse side)

Acres and value of types:

Types	Acres	Value per acre	Total Value
Ridge:			
Slope:	18	\$5.00	\$90.00
Cove:			
Grazing Land:	41	\$25.00	\$1025.00
Fields Restocking:	7	\$18.00	\$126.00
Cultivated Land:	10	\$20.00	\$200.00
Orchard:			
Minerals:			\$435.00
Value of Land:			\$1410.00
Value of Improvements:			\$435.00
Value of Orchard:			\$25.00
Value of Minerals:			\$
Value of Fruit:			\$
Value of Timber:			\$
Value of Wood:			\$
Value per acre for tract:		\$28.24	

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

Claim of Mrs. Jermans Heira by V.C. Miller atty in fact  
In the Circuit Court of Rockingham County, Virginia, No. 1829, At Law.  
The State Commission on Conservation and Development of the State of Virginia, Petitioner, vs. Cassandra T. Altius et al

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

My name is V.C. Miller  
My post office address is Elkton Va

I claim a right, title, estate or interest in a <sup>2</sup> tract or parcel of land within the area sought to be condemned, containing about 65 acres, on which there are the following buildings and improvements: 2 dwellings

This land is located about 6 miles from Elkton Virginia, in the Sturtevant 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.)

T. Miller Jermans, Graham Jermans, M. Brown Jermans, Ruth K. Jermans, Robert Jermans, Mary Logan, Lizzie M. Anderson, Helen

The land owners adjacent to the above described tract or parcel of land are as follows:  
North See deed which are made parts  
South of this owner  
East

West M.M. Jermans  
I acquired my right, title, estate or interest to this property about the year 1925 in the following manner:

30a from Noah W. Beach - D.B. 131 p 206 + 35a +  
from Joseph S. Beach D.B. 137 p 174

I claim that the total value of this tract or parcel of land with the improvements thereon is \$ 3250. 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 \$ 3250.

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: Grazing land

(Continue remarks if necessary on the back).

Witness my signature (or my name and mark attached hereto) this 12 day of Feb., 1936.

STATE OF VIRGINIA, COUNTY OF Rockingham Co., To-wit:

The undersigned hereby certifies that Vernon C. Miller 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 12 day of Feb., 1936.

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

2/12/36

J-R

County: Rockingham  
 District: Stonewall

#130 - M. M. Jarman

Acreage Claimed: 65 A. Assessed: 65 A-65 P. Deed: Purchased 35 A.  
 Value Claimed: \$3250.00 " \$570.00 65 P. (1926) for \$1000.  
Location: In Roach Gap. Purchased 30 or 40 A. by  
 est. (1924) for \$1000.00

Incumbrances, counter claims or laps: None known.

Soil: Sandy clay of good depth and poor fertility, somewhat rocky,  
 with steep slopes and northwest exposure.

Roads: Two miles of fair dirt road to Spotswood Trail near Swift  
 Run; thence 4 miles to Elkton.

History of tract and condition of timber: A large portion of this tract  
 was cleared many years ago, grazed and cultivated since.  
 Wooded area has been cut over repeatedly in the past. Present  
 stand consists of mixed oaks with some poplar along the stream  
 It is estimated to cut an average of 2 cords per acre valued  
 @ 50¢ per cord or a total of 32 cords @ 50¢ -- \$16.00.  
 The central portion of this tract near Robert Roach's 1 acre  
 tract is in very poor condition. Several portions of the  
 field has been neglected in recent years and is now grown up  
 into brush.

Improvements:

Dwelling: Log 16x20', 4 rooms, porch 6x12', metal roof, stone flues, 1 1/2 story, ceiled, fair condition, occupied by tenant, pillars ----	\$400.00
Barn: Log 16x16x12, shingle roof, poor condition-	30.00
Corn house: Frame 16x19x10', shingle roof, fair condition --	100.00
Hen house: Log 8x10x6', shingle roof, poor condition --	5.00
Corn house: Log 10x16x8', shingle roof, poor condition --	20.00
123 fruit trees (apples and cherries) valued @ 50¢ per tree --	61.50
Old dwelling: Log 14x16', 3 rooms, shingle roof, stone flues, 1 1/2 story, log finish, poor condition, abandoned --	10.00
Barn: Log 16x15x12', no roof, in poor condition --	10.00
	636.50

Value of land by types:

Type	Acreage	Value per acre	Total Value
Slope	16	\$3.00	\$48.00
F g	41	12.00	492.00
F c	10	18.00	180.00
F r	7	5.00	35.00
	74		755.00

Total value of land \$755.00  
 Total value of improvements 636.50  
 Total value of timber 16.00  
 Total value of tract 1407.50  
 Average value per acre 19.02

VIRGINIA : IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY.

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

v. At Law No. 1829

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

On this 18<sup>th</sup> day of December, 1933, came T. Miller Jarman,  
F. Graham Jarman, Mary H. Logan, M. B. Jarman, R. N. Jarman,  
Robert L. Jarman, Lizzie Miller Anderson, Helen A. Stipes, Mary  
E. Wenger, J. N. Swank, Mrs. J. K. Ruebush, Mary E. King, Harriet  
E. Eiler, Ward Swank, Trustee and G. S. Harnsberger, Special Com-  
missioner, and Ward Swank, Special Commissioner and Receiver in  
the chancery cause pending in this Court under the style of  
M. M. Jarman's Heirs v. M. M. Jarman's Heirs, and on their motion,  
leave is given them to file their application for the payment to  
Ward Swank, Special Commissioner and Receiver in said chancery  
cause of the sum of Nineteen Hundred Twenty Dollars (\$1920.00),  
the same to be distributed by said Special Receiver in accordance  
with orders of the Court in said chancery cause, said sum being  
the amount of the award set out in the judgment of condemnation  
for tract number 130 heretofore paid into Court. And it appearing  
from the report of the Board of Appraisal Commissioners hereto-  
fore filed in this cause, and in the petition for judgment and  
condemnation heretofore filed herein, that in the opinion of pe-  
titioner the heirs at law of M. M. Jarman are invested with a  
superior or better right or claim of title in and to said tract  
of land number 130; and it further appearing that Mary E. Wenger,  
J. N. Swank, Mrs. J. K. Ruebush, Mary E. King and Harriet E. Eiler  
are the holders of a first and only lien on said tract number 130,  
by virtue of a certain deed of trust to Ward Swank, Trustee, bear-  
ing date on the 5th day of November, 1931, recorded in Deed Book

150, at page 543, the amount of which said lien is the principal sum of Seven Thousand Dollars (\$7,000.00); and it further appearing that said tract number 130 is a part of the land of which the said M. M. Jarman died seized, possessed and intestate, and a part of the real estate also, the sale of which was directed by a certain decree of sale entered by this Court on the 5th day of October, 1933, in the chancery cause pending herein under the style of M. M. Jarman's Heirs v. M. M. Jarman's Heirs, said decree of sale further appointing George S. Harnsberger and Ward Swank, Special Commissioners of sale; and it further appearing that the said *and he has executed a bond in the penalty of \$15,000.00 as such Special Commissioner* Ward Swank is the bonded Commissioner in said chancery cause, and that said Commissioners of sale have not in said proceeding sold said tract number 130; and it further appearing that all of the said heirs at law of M. M. Jarman, deceased, and all of the holders of the said Seven Thousand Dollars (\$7000.00) deed of trust debt, and all of which heirs and lienors are parties to the said pending chancery cause of M. M. Jarman's Heirs v. M. M. Jarman's Heirs, have filed their application and petition herein praying that the said award of Nineteen Hundred Twenty Dollars (\$1920.00) be paid to Ward Swank, bonded Receiver, in said chancery cause of M. M. Jarman's Heirs v. M. M. Jarman's Heirs, to be by him therein distributed among the parties entitled thereto according to their respective rights and as shall be determined by orders of the Court therein entered; and it further appearing that the record of this cause does not disclose any denial or dispute by any party or person in interest, other than that thereinbefore specified, as to the title to said Tract Number 130, or to the proceeds arising from condemnation of said tract; and it still further appearing to *the taxes for 1932, amounting to 8<sup>52</sup>, and those for 1933, amounting to \$628* the Court that ~~all taxes due or payable upon said tract number 130 have been paid; upon consideration whereof, it is considered~~ *against said land, have not been paid, but will be paid in said chancery suit* *Chancery suit* and ordered by the Court that said sum of Nineteen Hundred Twenty Dollars (\$1920.00) paid into Court by petitioner as just compensation for said tract number 130, be paid to Ward Swank, Special

Receiver in the chancery cause aforesaid, and for the purpose before specified, and the Clerk of this Court is directed to transmit a certified copy of this order to the Treasurer of Virginia, who shall pay unto said Ward Swank, Special Receiver as aforesaid, the said sum of Nineteen Hundred Twenty Dollars (\$1920.00), the amount of the award set out in the judgment of condemnation for said tract number 130, taking from said Ward Swank, Special Receiver a receipt therefor, and certifying such payment to the Clerk of this Court for appropriate entry thereof as required by law.

ENTER :

WWS

20  
/ 49

VIRGINIA; IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY.

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

v. At Law No. 1829

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

Come now the undersigned, T. Miller Jarman, F. Graham Jarman, Mary H. Logan, M. B. Jarman, R. N. Jarman, Robert L. Jarman, Lizzie Miller Anderson, Helen A. Stipes, being all of the heirs at law of M. M. Jarman, deceased, by Counsel, and Mary E. Wenger, J. N. Swank, Mrs. J. K. Ruebush, Mary E. King, Harriet E. Eiler and Ward Swank, Trustee, by Counsel, and G. S. Harnsberger, Special Commissioner and Ward Swank, Special Commissioner and Receiver, in the chancery cause pending in this Court under the style of M. M. Jarman's Heirs against M. M. Jarman's Heirs, et als, by Counsel, and show unto the Court :

That a judgment in rem has heretofore been entered in this proceeding condemning to the use of the petitioner herein the fee simple estate in the tract of land numbered one hundred and thirty (130), and described in the report of the Board of Appraisal Commissioners appointed herein and shown, numbered and described on the County Ownership Map, filed herewith, upon payment into the custody of the Court of the sum set out in the said judgment as constituting the award therefor, to-wit, the sum of Nineteen Hundred Twenty Dollars and no cents (\$1920.00).

That the report of said Board sets forth that the following named persons claim, or appear to have a claim to an interest in the said tract of land, or in the proceeds arising from the condemnation thereof, to-wit, "M. M. Jarman's Heirs."



That the petitioner has paid into the custody of the Court the said sum of Nineteen Hundred Twenty Dollars (\$1920.00), set out in said judgment as constituting the award for the fee simple estate in the said tract of land.

That each of the following of your undersigned, on the date of the said judgment in rem condemning the said tract of land, owned or was entitled to a one-eighth (1/8) undivided interest in said tract of land, or in the proceeds arising from the condemnation thereof, to-wit : T. Miller Jarman, F. Graham Jarman, Mary H. Logan, M. B. Jarman, R. N. Jarman, Robert L. Jarman, Lizzie Miller Anderson, and Helen A. Stipes.

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

Ward Swank, the bonded Special Commissioner and Receiver in the chancery cause pending in this Court under the style of M. M. Jarman's Heirs against M. M. Jarman's Heirs, and appointed as such by a decree therein entered on the 5th day of October, 1933; said decree authorizing and directing said Ward Swank and George S. Harnsberger, Special Commissioners of the Court to sell the real estate mentioned and described in the bill filed therein, the same being the real estate of which the said M. M. Jarman died seized and possessed, and the same including, as a part thereof, the aforesaid tract, which in this proceeding is numbered 130, and which tract is the same land described in the said bill as Parcel Number Three (3), or mountain land, of said M. M. Jarman, deceased, the same being thereffurther described as comprising two adjoining parcels, containing, respectively, 30 acres and 35 acres,

and aggregating 65 acres, and known as the "Roach 65 acre tract." That the said Ward Swank as such Commissioner has executed the bond in the penalty of Fifteen Thousand Dollars (\$15,000.00), required by said decree of October 5th, aforesaid. That on account of the present pending condemnation proceeding, said Special Commissioners did not sell the said 65 acre tract of mountain land, herein numbered tract 130.

Mary E. Wenger, J. N. Swank, Mrs. J. K. Ruebush, Mary E. King and Harriet E. Eiler, are the holders of the first lien on said tract number 130, by virtue of a certain deed of trust to Ward Swank, Trustee, bearing date on the 5th day of November, 1931, recorded in the Clerk's Office of Rockingham County, in Deed Book 150, at page 543; said trust deed, which includes also the M. M. Jarman Home Farm, secures a debt of Seven Thousand Dollars (\$7000.00) evidenced by ten (10) bonds, all of which are owned and held by the aforesaid five leinors. That said deed of trust is more fully described in the bill filed in the aforesaid chancery suit, and to which suit all of said leinors are parties.

Wherefore, your undersigned pray that they be made parties herein under the provisions of Section 21 of the Public Park Condemnation Act, and that an order be entered for the distribution of said sum of Nineteen Hundred Twenty Dollars (\$1920.00) set forth in said judgment in rem as constituting the award for the fee simple estate in the said tract number 130, condemned as aforesaid, and for the payment to Ward Swank, Special Commissioner and Receiver in the aforesaid chancery cause of M. M. Jarman's Heirs v. M. M. Jarman's Heirs, to be by him disbursed in accordance with orders of the Court therein entered, of the said award of Nineteen Hundred Twenty Dollars (\$1920.00), or of as much thereof as the Court may find that the undersigned are entitled to receive, and which the undersigned aver is : Tract Number 130, \$1920.00.

T. Miller Jarman

By Geo. S. Hausberger  
Counsel for T. Miller Jarman.

F. Graham Jarman

Mary H. Logan

M. B. Jarman

R. N. Jarman

Robert L. Jarman

Lizzie Miller Anderson

Helen A. Stipes

By Ward Swank  
Counsel for F. Graham Jarman,  
Mary H. Logan, M. B. Jarman, R.N.  
Jarman, Robert L. Jarman, Lizzie  
Miller Anderson and Helen A. Stipes.

Mary E. Wenger

J. N. Swank

Mrs J. K. Ruebush

Mary E. King

Harriet E. Eiler

By Ward Swank  
Counsel for Mary E. Wenger, J. N.  
Swank, Mrs. J. K. Ruebush, Mary E.  
King and Harriet E. Eiler.

Ward Swank

Trustee under deed of trust, dated  
November 5, 1931, B.B.150, pp.543.

Geo. S. Hausberger

Special Commissioner of Circuit  
Court of Rockingham County, Virginia,  
in M. M. Jarman's Heirs v. M. M.  
Jarman's Heirs.

Ward Swank

Special Commissioner and Receiver  
of Circuit Court of Rockingham County,  
Virginia, in M. M. Jarman's Heirs  
v. M. M. Jarman's Heirs.

State of Virginia,  
City of Harrisonburg, to-wit :

I, Janet Sprinkel, a Notary Public, in and for the City and State aforesaid, whose term of office expires on the 19th day of September, 1934, do hereby certify that G. S. Harnsberger and Ward Swank, whose names are signed to the foregoing petition have personally appeared before me in my said City and having been duly sworn made oath that the facts therein stated are true.

Given under my hand this 18<sup>th</sup> day of December, 1933.

*Janet Sprinkel*  
\_\_\_\_\_  
Notary Public.

MEYER & HARRISBERGER  
ATTORNEYS AT LAW  
HARRISONBURG, VA.



JOHN M. PURCELL  
TREASURER OF VIRGINIA

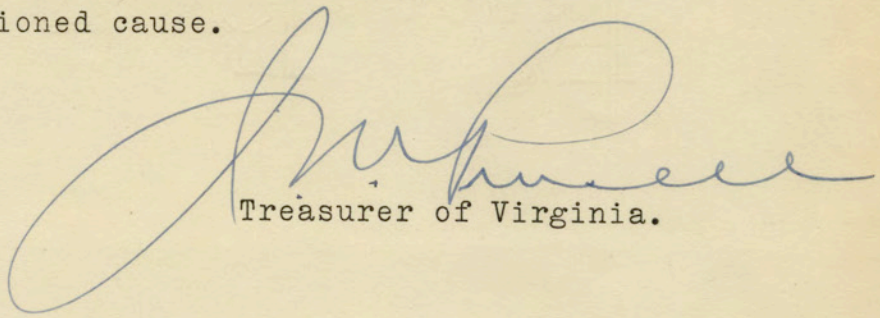
# Commonwealth of Virginia

TREASURER'S OFFICE

RICHMOND, VA.

December 22, 1933

This is to certify that I, J. M. Purcell, Treasurer of Virginia have this 22 day of December in accordance with an order of the circuit court of Rockingham County dated 12/18/33 in the cause of the State Commission on Conservation and Development of the State of Virginia vs. Cassandra Lawson Atkins paid to Mr. Ward Swank, Special Receiver, Harrisonburg, Va. \$1,920.00 being in full settlement of tract # 130 in the above mentioned cause.

  
Treasurer of Virginia.



JOHN M. PURCELL  
TREASURER OF VIRGINIA

# Commonwealth of Virginia

TREASURER'S OFFICE

RICHMOND, VA.

December 22, 1933

Mr. Ward Swank, Special Receiver

Harrisonburg, Virginia

Received of J. M. Purcell, Treasurer of  
Virginia, the sum of \$ 1,920.00, in accordance  
with an order of the Circuit Court of the county  
of Rockingham entered on the 18th day  
of December 1933, in the matter of the State

Commission on Conservation and Development v Cassandra  
Lawson and others and fifty-two thousand, five hundred sixty-one  
acres of land, more or less and others, being

full and complete settlement for the tract of land  
known in said proceeding as # 130.

*Ward Swank Special Receiver*

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

Claim of Chas. G. Hamberger & Heirs of  
M. M. Garrison  
In the Circuit Court of Rockingham County, Virginia, No. 1827, At Law.  
The State Commission on Conservation and Development of the State of Virginia, Petitioner, vs. Castro & Lawrence

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

My name is Chas. G. Hamberger

My post office address is Harrisonburg

I claim a right, title, estate or interest in a tract or parcel of land within the area sought to be condemned, containing about 136 acres, on which there are the following buildings and improvements: none

This land is located about 3 miles from Blair Virginia, in the Marshall 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.)

A 1/2 undivided interest

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 mineral right tract or parcel of land with the improvements thereon is \$10,000.00. 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 \$5,000.00.

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: This mineral right is in the one bearing land as recognized by the reports of the Geologists for State & Federal Government, and the one shown on the ground (Continue remarks if necessary on the back).

Witness my signature (or my name and mark attached hereto) this 23 day of September, 1930. C. G. Hamberger

STATE OF VIRGINIA, COUNTY OF \_\_\_\_\_, To-wit:

The undersigned hereby certifies that C. G. Hamberger 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 Sept, 1930. J. N. Pen

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

IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY, VIRGINIA.

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

vs.

Cassandra Lawson Atkins and others  
and 52,561 acres, more or less,  
in Rockingham County, Virginia.

Statement made by C.G.Harnsberger pursuant to a decree entered in the above entitled cause on October 25, 1932, in response to Item No. 2 of the inquiry made in said decree.

Your respondent says that his interest in certain mineral lands situate on Huckleberry Mountain in the eastern portion of Rockingham County, Virginia, was not reported at all in the report made by the Board of Appraisal Commissioners, as has been fully set forth in his objection to the confirmation of said report, heretofore filed in this cause. A plat showing the lands in which your respondent has certain mineral interests is filed with his claim in this matter.

Your respondent does not deem it necessary for an accurate survey to be made of the exact amount of mineral lands within the Park area, for he is not excepting to the acreage but to the fact that no mineral interest whatever was allowed him.

(Signed) C. G. Harnsberger

By Counsel.

(Signed) Geo. S. Harnsberger

Counsel.



Claim of Chas. G. Hausberger and heirs of  
W. P. Harrison  
In the Circuit Court of Rockingham County, Virginia, No. 1829, At Law.  
The State Commission on Conservation and Development of the State of Virginia, Petitioner, vs. Cassandra Lawrence

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

My name is Chas. G. Hausberger  
My post office address is Harrisonburg

I claim a right, title, estate or interest in a tract or parcel of land within the area sought to be condemned, containing about 2.36 acres, on which there are the following buildings and improvements: none

This land is located about 3 miles from Shelton Virginia, in the Howard 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.)

a 1/2 undivided interest

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 \$ 10,000. 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 \$ 5,000.

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: This mineral right is in the  
one bearing land as recognized  
by the reports of the Geologists for  
State & National Government, and the  
ere shown on the ground. (Continue remarks if necessary on the back).

Witness my signature (or my name and mark attached hereto) this 23 day of September, 1930. (Signed) C. G. Hausberger

STATE OF VIRGINIA, COUNTY OF \_\_\_\_\_, To-wit: \_\_\_\_\_

The undersigned hereby certifies that C. G. Hausberger 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 September, 1930. (Signed) Geo. H. Lewis

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

IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY, VIRGINIA.

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

vs.

Cassandra Lawson Atkins and others  
and 42,501 acres of land  
in Rockingham County.

The affidavit of C.G.Harnsberger, to be read in connection with the motion filed by him excepting to the report of the Board of Appraisal Commissioners, because said report did not allow any compensation for the taking of the mineral interests hereinafter described.

State of Virginia,

City of Harrisonburg.

This day C.G.Harnsberger personally appeared before me, F.Flavia Converse, a Notary Public in and for the City aforesaid, in the State of Virginia, in my City aforesaid, and, being duly sworn, deposes and says:

I am the owner, along with the heirs at law of M.M. Jarman, deceased, of a mineral interest in approximately 236 acres of land situate upon the western slope of Huckleberry Mountain, a spur of the Blue Ridge Mountains, about three miles east of the Town of Elkton, Virginia. This land is located in what is generally recognized as the manganese ore-bearing belt on the western slope of the Blue Ridge Mountains. The land in question is about three miles north-east of the Harnsberger mines at Elkton, and the same has been partially prospected, and a good grade of manganese ore has been found to exist therein. The chief difficulty in the development of said property in the past has been the difficulty in transporting the ore to the Norfolk and Western Railroad. This difficulty has now largely been removed on account of the good roads and the development of

motor trucks. This land is believed to contain manganese ore of a high grade and in commercial quantities.

Affiant presented his claim before the Board of Appraisal Commissioners and along with said claim a plat showing the land in which this mineral interest exists. The Board of Appraisal Commissioners made an investigation of said land. Although said Board was shown the ore-pits and the ore taken therefrom, and although there was no denial of the fact that said lands were ore-bearing, the said Board has refused to make any allowance whatsoever therefor. Affiant asks that his rights and the rights of the heirs at law of M.M.Jarman, deceased, be protected, and that they be allowed just compensation for said mineral interest, and he asks that his claim for compensation be read in connection herewith.

*G. S. Harnsberger*

Subscribed and sworn to before

me this 22d day of September, 1932.

*L. L. Lania Comere*,  
Notary Public.

RETURN IN FIVE DAYS TO

**J. ROBERT SWITZER, Clerk**  
Circuit Court of Rockingham County  
HARRISONBURG · VIRGINIA

*Copies of Proceedings returned  
to Clerk's Office -*

IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY, VIRGINIA.

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

vs.

Cassandra Lawson Atkins and  
others, and 52,501 acres of  
land in Rockingham County.

In re exceptions of

*C. G. Harnsberger*

To the Hon. Philip Williams, Chairman of the Park  
Land Arbitration Board.

In reply to your letter and call of August 8, 1933, beg  
to say:

That copies of the papers heretofore filed in the above  
matter are herewith handed you, and a like copy has already been  
delivered to the State Commission on Conservation and Development  
of the State of Virginia, with the exception of a copy of the claim  
which Mr. Marsh, of the Commission, said was not needed.

Further answering your calls in their order:

(1) The grounds of exception are fully set forth in the excep-  
tions filed. Suffice it here to say that the basis of the excep-  
tion is the failure of the appraisal Board to allow any compensation  
for the proven manganese mineral ores on the lands of exceptant .

(2) The number of this claim on the county ownership map filed  
in these proceedings is:

*This being purely a mineral  
right, no notice was taken of it by the  
Appraisal Board, and no mineral was*

(3) The authority of counsel to act in these proceedings is at-  
tached hereto.

Respectfully submitted,

*Geo. S. Harnsberger*  
*Att'y*

OK  
all

Law Office of  
*Geo. S. Harnsberger*  
Harrisonburg, Va.

Aug. 11, 1933.

To the Hon. Philip Williams, Chairman of the Park  
Land Arbitration Board:

This is to certify that I, the undersigned, have employed  
Geo. S. Harnsberger, Attorney, of Harrisonburg, Virginia, to represent  
me in all condemnation proceedings in connection with my lands  
in the Shenandoah National Park area.

*C. H. Harnsberger*

IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY, VIRGINIA.

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

vs.

Cassandra Lawson Atkins and others  
and 52,501 acres of land in  
Rockingham County.

To the Hon.H.W.Bertram, Judge of said Court.

The motion of C.G.Harnsberger, who, with the heirs at law of M.M.Jarman, deceased, owns the mineral rights hereinafter referred to, excepting to the report of the Board of Appraisal Commissioners, heretofore appointed by said Court, in the above matter, which report was heretofore filed in this matter.

The ground of said motion is as follows:

Said Appraisal Board failed to make any allowance to the said moveant on account of the mineral rights in the 235 acres of land situate on the western slope of Huckleberry Mountain, a spur of the Blue Ridge Mountains, about three miles east of the Town of Elkton, which mineral interests exist in the lands on which J.T.Heard, Henry Hensley, and others own the surface.

A claim of these mineral rights, together with a plat showing the lands in which they exist, was duly filed by moveant before the Appraisal Board, as required by law, and the same is asked to be read in connection herewith. The affidavit attached hereto is asked to be read in support of this exception.

*C. G. Harnsberger*  
By Counsel.

*G. S. Harnsberger*  
Counsel.

IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY, VIRGINIA.

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

vs.

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State of Virginia,  
City of Harrisonburg.

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motor trucks. This land is believed to contain manganese ore of a high grade and in commercial quantities.

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Signed - C. G. Harnsberger

Subscribed and sworn to before

me this 19 day of September, 1932.

Signed - F. Maria Connor  
Notary Public.