

ROCKINGHAM COUNTY
NAME OF CLAIMANT

#115 - Maiden, J. Luther

Number of Acres: 80

Location: Swift Run. Entirely within the Park area.

Roads: Four miles hard surface to Elkton, nearest shipping point.

Soil: Clay loam of good depth and fertility. The Fc. on this tract is in a good state of cultivation. The grazing land is fairly well sodded.

History of Tract and condition of timber: About eight acres of slope type with a few scattering trees of merchantable size, not enough to be considered except as fuelwood.

Improvements: (See reverse side for Improvement information)

Acreage and value of types:

Types	Acreage		Value per acre	Total Value
Ridge:				
Slope:	8	@	\$5.00	\$40.00
Cove:				
Grazing Land:	20	@	35.00	700.00
Fields Restocking:				
Cultivated Land:	50	@	50.00	2500.00
				\$3240.00
Orchard:	2	@	75.00	150.00
	<u>80</u>			

Minerals:

Value of Land: \$ 3240.00

Value of Improvements: \$ 3740.00

Value of Orchard: \$ 150.00

3740.00

Value of Minerals: \$

Value of Fruit: \$

50.00
\$7180.00

Value of Timber: \$

Value of Wood: \$ 50.00

Value per acre for tract: \$89.75

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

Geo. H. Davis CLERK.

IMPROVEMENTS: DWELLING: Frame, 16x32', -2 story, 8 rooms, 4 ceiled, 4 plastered, electrically lighted, concealed wiring, water piped to house, porch 7x24', L 18x23x16', porch 7x18', metal roof, water supply, 2 springs.
BARN: Frame, 30x46x18', shed 30x32', metal roof, fair condition.
SPRING HOUSE: Frame, 10x12x8', paper roof, good condition.
MEAT HOUSE: Frame, 10x21x8', cellar 8x10', shingle roof, fair condition.
HEN HOUSE: Frame, 12x30x8', paper roof, fair condition.
HEN HOUSE: Frame, 10x22x8', paper roof, fair condition.
GARAGE: Frame, 12x14x8', paper roof, fair condition.
GRANARY: Frame, 21x22x14', shingle roof, fair condition.
HEN HOUSE: 10x12x8', paper roof, fair condition.
HEN HOUSE: Frame, 6x8x6', paper roof, poor condition.
WOOD SHED: Frame, 8x9x7', shingle roof, fair condition.
TRANSMISSION LINE from house to main line - 7 poles.

History of Tract and condition of timber:
About eight acres of slope type with a few scattered trees of merchantable size, not enough to be considered except as fuelwood.

Improvements: (See reverse side for improvement information)

Types	Acres	Value per acre	Total Value
Ridge:			
Slope:	8	\$25.00	\$200.00
Cove:			
Grazing Land:	20	\$25.00	\$500.00
Fields Restocking:			
Cultivated Land:	30	\$25.00	\$750.00
Orchard:	3	\$25.00	\$75.00
Minerals:			
Value of Land: \$	3240.00		
Value of Improvements: \$	2740.00		
Value of Orchard: \$	150.00		
Value of Minerals: \$			
Value of Fruit: \$			
Value of Timber: \$			
Value of Wood: \$	50.00		
Value per acre for tract: \$	22.72		

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

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

My name is Luther Maeder -

My post office address is Swift Run, 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 Eighty Five acres, on which there are the following buildings and improvements: 8 Room Dwelling, 2 Piggeries, 1 Pig Pen, 1 Roof

lights, good condition Bank Barn with straw shed attached, good
double corn crib & grainery, wagon shed combined Garage, Dairy,
This land is located about 4 miles from ^{3 Chicken house, potato house &c} Estlin Virginia, in
the Stonewall Magisterial District of said County. ^{Apple trees 100, Wood}

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.)

Sole owners Self and wife.
Wellington house 300 yards from State highway

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

North *Maud Shipps & W. Banister*

South M. S. Banks & Malinda Lawson

East *N. E. Williams & W. B. Hughes*

East 11.5 miles
13.5 miles

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

Bought at different times from John J. Maiden and Gsa
Baughen heirs. see others

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 \$10,000.-----

I am the owner of _____ acres of land adjoining the above described tract of _____ 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 farm is all well fenced, & never failing springs, connected in to house by gravitation from spring. Every field on farm accessible to running water. Conveniently located to Church School, and hard surfaced highway. Small Creek (Lans Run) flows by on north east. ^{Public} Road - Bottom to (Continue remarks if necessary on the back)

Witness my signature (or my name and mark attached hereto) this 16 day
of Feb., 1938. J. Luther, Maidens

STATE OF VIRGINIA COUNTY OF Washington To-wit:

The undersigned hereby certifies that Luther MacLean
the above named claimant personally appeared before him and made oath that the matter
and things appearing in his above answer are true to the best of his knowledge and belief
this 16 day of Feb., 1930. John L. ...

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



JOHN M. PURCELL
TREASURER OF VIRGINIA

Commonwealth of Virginia

TREASURER'S OFFICE

RICHMOND, VA.

December 27, 1933

J. Luther Maiden

Swift Run, Virginia

Received of J. M. Purcell, Treasurer of Virginia, the sum of \$ 7,180.00, in accordance with an order of the Circuit Court of the county of Rockingham entered on the 20th day of December 193 3, in the matter of the State Commission on Conservation and Development v Cassandra Lawson Atkins and others, being full and complete settlement for the tract of land known in said proceeding as # 115.

J. Luther Maiden,

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

County: Rockingham
District: Stonewall

#115 - J. Luther Maiden

Acreage Claimed: 35 A. Assessed: 77.120 A. Deed

Value Claimed: \$10,000. " \$1680.00 "

Location: Swift Run. Entirely within the park area.

Incumbrances, counter claims or laps: None known. There is a graveyard of approximately 1 A. on this tract from which a number of plots have been sold by Mr. Maiden.

Soil: Clay loam of good depth and fertility. The Fc. on this tract is in a good state of cultivation. The grazing land is fairly well sodded.

Roads: 4 miles hard surface to Elkton, nearest shipping point.

History of tract and condition of timber: About 8 acres of slope type, with a few scattering trees of merchantable size; not enough to be considered except as fuel wood. about 24 cds.
* \$1.00 per cd. ----- \$24.00

Improvements: * Dwelling, Frame 16x32, 2 story, 8 rooms, 4 ceiled, 4 plastered, Electrically lighted, concealed wiring, Water piped to house, porch 7x24, L 18x23x16, porch 7x18, metal roof, water supply, 2 springs. ---- \$2400.00
Barn, Frame 30x46x18, shed 30x32, metal roof, fair condition. ----- 950.00
Spring house, Frame 10x12x8, paper roof, cond. good. ----- 75.00
Meat house, Frame 10x21x8, Cellar 8x10, Shingle roof, condition fair. ----- 75.00
Hen house, Frame 12x30x8, paper roof, cond. fair. ----- 60.00
Hen house, Frame 10x22x8, paper roof, cond. fair. 60.00
Grainery, Frame 10x14x8, paper roof, Fair cond. 40.00
Grainery, Frame 21x22x14, shingle roof, Fair cond. 150.00
Hen house, Frame 10x12x8, Paper roof, condition fair. ----- 15.00
Hen house, Frame 6x8x6, Paper roof, Cond. poor 5.00
Wood shed, Frame 8x9x7, shingle roof, cond. fair. ----- 30.00
Transmission Line from house to main line, 7 poles
* 4 ----- 30.00
\$3890.00

Value of land by types:

<u>Type</u>	<u>Acreage</u>	<u>Value per acre</u>	<u>Total Value</u>
Slope	8	\$6.00	\$48.00
Crazing	20	20.00	400.00
Tillable	50	2240.00	2200.00
Orchard	2		\$2648.00
	<u>80</u>		

Total value of land \$2648.00

Total value of improvements 3890.00

Value pf Orchard 250.00

Total value of timber 24.00

Total value of tract 6812.00

Average value per acre 85.15

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

Virginia: In the Circuit Court of Rockingham County

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

V. At Law No. 1829

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

Comes now the undersigned and shows to the Court:

That a judgment in rem has heretofore been entered in this proceeding condemning to the use of the Petitioner the fee simple estate in the tract(s) of land numbered as follows: Tract No. 115-----:

Tract No. -----: Tract No. -----;

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

Award on Tract No. 115----- \$7180.00; on Tract No. ----- \$-----; on Tract No. ----- \$-----;

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

J. Luther Maiden

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

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

By reason of Contribution pledge, obligating the owner, J. Luther Maiden to give land to the value of \$25.00 within the Park Area to the Park Project.

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

Wherefore, your undersigned pray(s) that [he (they) be made a party (parties) herein under the provisions of Section 21 of the Public Park Condemnation Act, and that] an order be entered for the distribution of said sum(s) set forth in said judgment in rem as constituting the award(s) for the fee simple estate in the said tract(s) condemned as aforesaid, and for the payment to the undersigned of the said award(s) or of as much thereof as the Court may find that the undersigned is (are) entitled to receive, and which the undersigned aver(s) is as follows: Tract No. 115----- \$25.00: Tract No. ----- \$-----: Tract No. ----- \$-----;

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

NAME

P. O. ADDRESS

STATE COMMISSION ON CONSERVATION

& DEVELOPMENT

BY

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

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

Virginia: In the Circuit Court of Rockingham County
The State Commission on Conservation and Development of the State of Virginia . . . PETITIONER.

V. At Law No. 1833
Cassandra Lawson Atkins and others, and Fifty-Two Thousand, Five Hundred and
Sixty-One (52,561) Acres of land, more or less DEFENDANTS.

Comes now the undersigned and shows to the Court:
That a judgment in rem has heretofore been entered in this proceeding condemning to the use of the
Petitioner the fee simple estate in the tract(s) of land numbered as follows: Tract No. 115
Tract No. : Tract No.

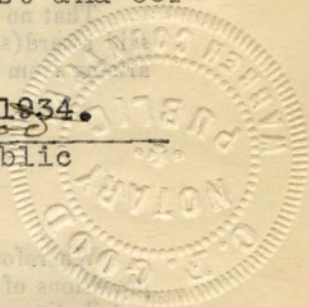
STATE OF VIRGINIA)
COUNTY OF WARREN) SS
and described in the report of the Board of Appraisal Commissioners appointed herein and shown, num-
bered, and delineated on the County Ownership Map filed herewith, the award(s) set out in the said judgment as constituting the award(s) therefor, as follows:
The Court of the sum(s) set out in the said judgment as constituting the award(s) therefor, as follows:

Personally appeared before me the undersigned Notary
Public in my said State and County, E. K. Stokes, who being
duly sworn, deposed and said that she is an employee of the
State Commission on Conservation and Development in immediate
charge of the records of the Shenandoah National Park Division
thereof having to do with claims of the Commission for dis-
tributive shares of condemnation awards in the Shenandoah
National Park condemnation proceedings pending in the Circuit
Courts of Virginia, by reason of contracts and agreements en-
tered into with the owners of lands sought to be condemned in
these proceedings, and that the within claim is just and cor-
rect.

Witness my signature this 8th day of January, 1934.

Notary Public

My Commission Expires Sep. 8, 1934



NOTE—Where your undersigned party(s) that (s) (they) be made a party (parties) herein under the
provisions of Section 21 of the Public Park Condemnation Act, and that an order be entered for the
distribution of said sum(s) set forth in said judgment in rem as constituting the award(s) for the fee
simple estate in the said tract(s) condemned as aforesaid, and for the payment to the undersigned of the
said award(s) or of as much thereof as the Court may find that the undersigned is (are) entitled to
receive, and which the undersigned aver(s) is as follows: Tract No. 115 \$25,000.00. Tract
No. : Tract No.
The undersigned further aver(s) that: (Leave this space blank unless there is some other peti-
tioner matter to be brought specially to the attention of the court.)

NAME
P. O. ADDRESS
STATE COMMISSION ON CONSERVATION
& DEVELOPMENT
NOTE—A supply of this blank form has been placed in the Clerk's office for the convenience of interested
parties. No one is permitted to use this form as the form is not prescribed by law, and changes can
either change or modify it as they deem necessary, or present their motions in any form they may de-
sire which meets with the approval of the Court. This blank form may not and probably will not cover
all cases. It has been printed merely as a suggestion of a form of a motion which may be used, subject
to the approval of the court in each case.

IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY, VIRGINIA.

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

PETITIONER

V. #1829 At Law

CASSANDRA LAWSON ATKINS, ET ALS, ETC.

DEFENDANTS

On this, the 20 day of December, 1933, came
J. Luther Maiden, and on his motion leave is given him
to file his application for the payment to him of the sum of
\$7,180.00, the amount of the award set out in the award of
condemnation for Tract No. 115, heretofore paid into Court.

And it appearing from the report of the Board of Apprais-
al Commissioners heretofore filed in this cause, and in the peti-
tion for judgment and condemnation entered herein on the ___ day
of November, 1933, that in the opinion of petitioner, the said
J. Luther Maiden is invested with a superior or
better right or claim of title in and to the said Tract of land
No. 115, and that the record of this cause does not disclose
any denial or dispute by any party or person in interest as to
the title to the said Tract No. 115, or to the proceeds aris-
ing from the condemnation thereof, and that the said
J. Luther Maiden is entitled to receive the proceeds aris-
ing from the condemnation of said Tract No. 115, and it further
appearing to the Court that all taxes due or taxable upon said
Tract No. 115 have been paid:

Upon consideration whereof, it is considered and ordered
by the Court that the said sum of \$7,180.00 paid into Court by
petitioner as just compensation for Tract No. 115 be paid unto
the said J. Luther Maiden; 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 the said J. Luther Maiden
the said sum of \$7,180.00, the amount of the award set out in the
judgment of condemnation for Tract No. 115, taking from the said
J. Luther Maiden a receipt therefor and certifying such
payment to the Clerk of this Court for appropriate entry thereof
as required by law. Enter: Done

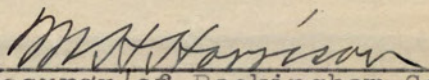
M. H. HARRISON
TREASURER OF ROCKINGHAM COUNTY
HARRISONBURG, VIRGINIA

TO WHOM IT MAY CONCERN:

I hereby certify that the records of my office show that J. Luther Maiden has paid the taxes for the years 1932 and 1933 on his tract of land containing 77-3-0 acres situate in the Blue Ridge Mountains, Stonewall District, Rockingham County.

All taxes prior to that time, if any be unpaid, are a matter of record in the Clerk's Office of said County.

Given under my hand this 16th day of December 1933.



Treasurer of Rockingham County.

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

Virginia: In the Circuit Court of Rockingham County

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

V. At Law No. 1829

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

Comes now the undersigned and shows to the Court:

That a judgment in rem has heretofore been entered in this proceeding condemning to the use of the Petitioner the fee simple estate in the tract(s) of land numbered as follows: Tract No. 115 :
Tract No. _____: Tract No. _____;

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

Award on Tract No. 115 \$ 7180.00; on Tract No. _____ \$ _____; on Tract No. _____ \$ _____;

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

80-0-0 J Luther Maiden *only*

77-3-0
del 1932 That the Petitioner has paid into the custody of the Court the said sum(s) set out in said judgment as constituting the award(s) for the fee simple estate in the said tract(s) of land;

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

fee simple

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

none

Wherefore, your undersigned pray(s) that [he (they) be made a party (parties) herein under the provisions of Section 21 of the Public Park Condemnation Act, and that] an order be entered for the distribution of said sum(s) set forth in said judgment in rem as constituting the award(s) for the fee simple estate in the said tract(s) condemned as aforesaid, and for the payment to the undersigned of the said award(s) or of as much thereof as the Court may find that the undersigned is (are) entitled to

receive, and which the undersigned aver(s) is as follows: Tract No. 115 \$ 7180.00 Tract No. _____ \$ _____: Tract No. _____ \$ _____;

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

NAME	P. O. ADDRESS
<u>J Luther Maiden</u>	<u>Swift Run Va</u>

STATE OF VIRGINIA, County of Rockingham, to-wit: _____

This day personally appeared before me J. Luther Maiden and made oath that the statements contained in the abovepetition, so far as made on this own information are true and so far as made upon information of others he believes them to be true. Given under my hand this 16th day of December, 1933. _____, Notary Public.

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

NOTE—This need not be filed until the record discloses that the awards have been paid into the custody of the Court.
Virginia: in the Circuit Court of Rockingham County
The State Commission on Conservation and Development of the State of Virginia . . . PETITIONER
V. At Law No. 1832
Cassandra Lawson Atkins and others, and Fifty-Two Thousand, Five Hundred and
Sixty-One (52,561) Acres of land, more or less . . . DEFENDANTS
Comes now the undersigned and shows to the Court:
That a judgment in rem has heretofore been entered in this proceeding condemning to the use of the
Petitioner the fee simple estate in the tract(s) of land numbered as follows: Tract No. 112
Tract No. . . . : Tract No. . . .

and described in the report of the Board of Appraisal Commissioners appointed herein and shown, unto
the Court of the County of Rockingham, Virginia, in the case of the State of Virginia, et al., vs. the
Cassandra Lawson Atkins and others, and Fifty-Two Thousand, Five Hundred and Sixty-One (52,561) Acres of land, more or less.

STATE OF VIRGINIA,
COUNTY OF ROCKINGHAM, to-wit:

I, J. Robert Switzer, Clerk of the Circuit Court of Rockingham County do hereby certify that the records in my office do not show any delinquent taxes against the tract of 77 acres 3 roods and no poles in Stonewall District, assessed in the name of J. Luther Maiden, except for the tax year 1932, but which taxes by accompanying statement of M. H. Harrison, County Treasurer, have been paid in the County Treasurer's Office, since said tax list was returned delinquent to my office.

Given under my hand this 16th day of December, 1933.

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

NAME
F. O. ADDRESS
STATE OF VIRGINIA, County of Rockingham, to-wit:
This day personally appeared before me J. Luther Maiden and made
oath that the statements contained in the foregoing petition, so far as made on
his own information are true, and so far as made upon information of
others he believes them to be true. Given under my hand this 16th day of
December, 1933.
NOTE—A copy of this book form has been placed in the Clerk's office for the convenience of interested
parties. No fee is required to use this form as the form is not prescribed by law, and claimants can
either change or modify it as they deem necessary, or use their own motion in any form they may de-
sire which meets with the approval of the Court. This book form may not and probably will not cover
all cases. It has been printed merely as a suggestion of a form of a motion which may be used, subject
to the approval of the court in each case.

VIRGINIA. IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY.

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

v.

Cassandra Lawson Atkins, et als, defendants.

In Re: Distribution of proceeds of condemnation for Tract No. 115.

This day came the State Commission on Conservation & Development, by counsel, and moved the Court to enter an order directing the Treasurer of the State of Virginia, to pay to it, out of the proceeds of condemnation of Tract No. 115, the sum of \$25.00 representing the amount of a certain pledge made by J. L. Maiden, who claimed to be the owner of said tract, to said State Commission on Conservation & Development, as a contribution for the establishment of Shenandoah National Park and in support of its said motion, the said Commission exhibited to the Court, its motion in writing setting forth all the facts in relation thereto, which has been heretofore filed herein.

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

*Eut
18/11/35*

*20
367*

6/20/35