

(Claim of Chas. E. Lindsey)
(File No. 376 L/C)

Wrapper Indorsement.

28

War Dept., Office of the Director of the Real Estate Service, Munitions
Bldg., Washington, D. C. December 6, 1919 - To Director of Finance, attention
Major, Hartley.

1. Synopsis made of the claim of Charles E. Lindsey, Tigerville,
S. C., File No. 376 L/C.

2. In order that our files may be completed, it is requested that you
advise this office when payment is made on this claim.

By authority of the Director, Real Estate Service:

gga
FJA/mob

J. C. WHITAKER,
Lt. Col. Q.M.C.,
Fiscal Assistant.

Miss Schone
Fr Joyce

MAILED
DEC 6 - 1919

DEPARTMENT BOARD OF APPRAISERS,
MUNITIONS BLDG., 19TH & B STS.,
WASHINGTON, D. C.

File No. 376 L/C.

1st Ind.

PMJ/pf

War Department Board of Appraisers, Purchase, Storage & Traffic Division,
General Staff, Munitions Bldg., Washington, D. C., December 1, 1919.
To the Director of Finance (Through the Director of Real Estate Service).

1. The attached claim is being forwarded for the action of the Director of Finance, in compliance with Paragraph 3, General Orders No. 102, War Department, 1919.
2. The report of the Board of Appraisers and the records in the claim are herewith inclosed.
3. The report of the Board of Appraisers recommends that the two buildings, of which claimant has been left in possession, be awarded to him as an offset to \$155.00 of his claim, and that in addition thereto claimant, Charles E. Lindsey, Tigerville, S. C., be awarded the sum of \$800.00, in full settlement for all claims for loss or damage of the said claimant arising under said claim.

WAR DEPARTMENT BOARD OF APPRAISERS,

By

F. M. CALDWELL,
Colonel, Cavalry,
Chairman.

Incls.

WAR DEPARTMENT BOARD OF APPRAISERS,
 Munitions Bldg., 19th & B Sts.,
 WASHINGTON, D. C.

File No. 376 L/C.
 Case under G.O. 102, W.D. 1919.

November 17, 1919.

In the matter of the claim of)
 Charles S. Lindsey, Tigerville,) R E P O R T.
 S. C., for damages to property.)

This is a claim of Charles S. Lindsey, in the amount of \$1285.00, on account of damage to:

Grounds,	\$680.00
fruit trees,	200.00
wire fencing, destroyed,	300.00
timber, destroyed,	105.00
	<u>\$1285.00</u>

the said damage pertaining to a tract of land of 82 acres, of which claimant is the owner, and which land was leased to the Chamber of Commerce, Spartanburg, S. C., and by the said Chamber of Commerce, leased under blanket lease to the United States, for the purpose of an Artillery and Small Arms Target Range, the said land being more particularly described as situated in Glassy Mountain Township, Greenville County, S. C., adjoining lands of G. H. Moore on the North, J. J. Lindsey on the East, lands formerly of L. G. Barton on the South, and S. J. Barton on the West.

This claim was considered by a Local Board convened pursuant to paragraph 9, Special Orders No. 22, Camp Wadsworth, S. C., dated January 22nd, 1919.

The Local Board made physical examination of claimant's land and appurtenances, and ascertained that the Administration and Ordnance buildings for the Rifle Range were built thereon; that about 380 feet of firing trenches, 5 feet deep and revetted, 700 feet of target pits, 7 or 8 feet deep and revetted and partially covered, are located on this land; that 15 acres of claimant's land are thereby completely destroyed, leaving only a large pit from which the earth was taken to make embankments. Claimant estimated this element of his damage at \$680.00, but the Local Board estimated that he had been damaged in the sum of \$785.00 as follows:

WASHINGTON, D. C.
 MUNITIONS BLDG., 19TH & B STS.
 WAR DEPARTMENT BOARD OF APPRAISERS

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November 17, 1919.

"In estimating the damage to the ground to be \$600.00, it was estimated that it would take 2 men thirty-five days to tear out the heavy timber revetment in the 700 feet of Target pits and about twelve days to tear out the firing trenches at \$1.50 per day or \$141.00. Common labor in this vicinity could be obtained for \$1.50 to \$2.00 per day. When the revetments were out, there was approximately 48000 cu. feet of dirt to be moved to fill the target pits and approximately 15000 cu. feet to fill the trenches, or a total of 63,000 cu. feet, or approximately 2333 cu. yards which would require two men and team with scraper at \$6.00 per day moving 50 yards a day, approximately 47 days or \$232.00.

In addition to this, there was a hole in front of the target pits and extending approximately the entire distance in front of the firing trenches at an average width of 40 feet, and varying in depth from two to ten feet, requiring the moving of some 84,000 cu. feet additional or over 3000 cu. yards which would have required two men and team with scraper at least 60 days moving 50 yards a day, and which at \$6.00 per day would make \$360.00.

This made a total figured damage:

\$141.00	tearing out
232.00	filling trench
<u>560.00</u>	filling hole
\$783.00	"

Nevertheless, in spite of the moderate amount claimed by Mr. Lindsey, the local Board still further compromised with him for this element of damage, at \$600.00.

The Board found 300 small fruit trees totally destroyed in the making of those trenches and pits, valued at 50¢ apiece, and recommended damages in the amount of \$150.00 for fruit trees; that 1500 yards of fence had been cut, for which the Board recommended reimbursement in the amount of \$100.00 for damages, being estimated as:

7 spools of wire @ \$6.50,	\$45.50
275 posts @ 15¢,	41.25
Labor of men 16 days,	<u>48.00</u>
Total	\$134.75

but this was compromised at \$100.00, on account of the partial salvaging of the wire.

November 17, 1919.

The Board also found that from 5 to 7 acres of heavy pine timber, immediately back of the firing butts, had been completely killed by bullets and so filled with lead that it would be of little value as cord wood when cut. The amount claimed by Mr. Lindsey, \$105.00, was established by the Local Board to be decidedly reasonable for this damage.

The damages recommended by the Local Board are itemized as follows:

To ground,	\$600.00
To fruit trees,	150.00
To wire fencing,	100.00
To timber destroyed,	<u>105.00</u>
Total	\$955.00

Damages to claimant's house and crops have already been adjusted and paid for in separate proceedings.

Claimant offered to accept, as an offset, the 2 buildings now on his land, consisting of an Administration building and an Ordnance building, allowing therefor, \$155.00. The Board of Appraisers at Camp Wadsworth allowed less than \$50.00 for a building similar to the Administration Building, and only \$35.00 for a building similar to the Ordnance Building, or a total of \$85.00 for the two buildings, for which claimant offers \$155.00. These buildings are in an inaccessible location and it is impracticable to move them. Claimant notifies the Board of Appraisers, under date of November 5th, that he is in possession of these buildings.

In view of the above facts, I am of the opinion that the damage sustained by claimant was due to the operation of the army, and that the amounts awarded by the Local Board are fair and reasonable.

Claimant has agreed in writing to accept in full of damages to his land, by reason of the occupancy thereof by troops, or any other act of the Government, the sum of \$955.00, and releases the Government from any and further obligations and responsibility for the said land.

I therefore recommend that the two buildings, of which claimant has been left in possession, be awarded to him as an offset to \$155.00 of his claim, and that in addition thereto, he be awarded the sum of \$800.00, the above in full and complete satisfaction of his claim.

W. S. VALENTINE,
Colonel, Cavalry,

Member.

Adopted November 29, 1919.

WAR DEPARTMENT BOARD OF APPRAISERS,

By

F. M. CAIDWELL,
Colonel, Cavalry,
Chairman.

WASHINGTON, D. C.
1919 & B 212
WAR DEPARTMENT BOARD OF APPRAISERS

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