

File No. 422 L/C

1st Ind.

JLK/mb

War Department Board of Appraisers, Purchase, Storage & Traffic Division,
General Staff, Munitions Bldg., Washington, D. C., November 6, 1919.
To the Director of Finance (Through the 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, the proceedings of
the Board of Officers which investigated the claim, and the correspon-
dence connected with the same are herewith inclosed.

3. The report of the Board of Appraisers recommends that an
award in the amount of \$61.30 issue in favor of William Pierce, Agent,
Landrum, South Carolina, the claimant, in full settlement for all claims
for loss or damage of the said claimant arising under said claim.

WAR DEPARTMENT BOARD OF APPRAISERS,

By J. L. KNOWLTON,
Colonel, C.A.C.,
Chairman.

Incls.

(Pierce, Wa. Agent, Landrum, S.C.)

2nd Ind.

(S 11/17/19)

War Dept., Real Estate Service, Munitions Bldg., Washington, D.C., Nov. 7th,
1919 - To the Director of Finance. (Attention Major E. B. Hartley)

1. Forwarded. Synopsis on claim No. 422 L/C made.
2. In order that our records may be completed, it is requested that
this office be advised when this claim is in
final settlement is made on this claim.

By authority of the Director, Real Estate Service:

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

MAILED
NOV 8 1919

PJA
PJA:mq
1 Incl.

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

File No. 422 L/C.
Case under G.O. 59, W.D. 1919.

October 28, 1919.

In the matter of the claim of)
William Pierce, Agent, Landrum,) R E P O R T.
South Carolina.)

This is a claim of one William Pierce, acting as agent for the General Pierce Estate and for each of the heirs thereof, in the matter of damages in the amount of \$160.00, alleged by him to have been suffered by buildings, land, timber and fences located on the tract of 105 acres, the property of the General Pierce Estate, which was leased by claimant to the Chamber of Commerce, Spartanburg, S. C., and subsequently leased by the said Chamber of Commerce to the United States, under blanket lease, which land is more particularly described as being in Glassy Mountain Township, Greenville County, S. C., and adjoining the land of Willie Bruce on the North, J. David Pierce on the East, J. David Pierce on the South and the D. M. Lockhart Estate on the West.

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

Claimant did not file a formal statement of his claim prior to the examination by the Local Board, but at the time of the examination of claimant by the Local Board, he estimated his crop damage at \$60.00, damage to ground about \$100.00, and small damage to buildings and fences, while for himself, individually, he stated a claim for \$60.00 on account of loss of crop. The Local Board considered the two claims as one.

In the matter of the claim of crop damage, the Board found that this element of damage had already been disallowed by two previous boards, and as claimant had no additional evidence to show that he was entitled to reimbursement for crops, this element of damage was not considered by the final Board.

File No. 422 L/C

-2-

October 23, 1919.

Examination of claimant's land showed that the property of the Pierce Estate was in close proximity to the artillery targets, and trenches; that some trenches had been built upon claimant's land; that these were in direct line of fire from artillery; that about 4 or 5 acres on the hillside were covered with shell holes, most of which, however, had already been filled up by the rains washing the soil back into place; that a very little material damage remained, other than the shelters which had been constructed in the ground and covered with heavy timbers. This covered about 1/2 of an acre. Claimant estimated this land at \$15.00 an acre. The Board was of the opinion that it would cost more to restore this land than the land was worth; that is, \$19.50, which was agreed upon as the cost of burning out the shelters and letting the rain partially fill these holes, the claimant to do the balance of the restoration.

The Local Board found that 24 panes of glass had been broken out of claimant's dwelling house, presumably by the concussion of exploding shells, and estimated material and labor to restore same at \$6.80, as follows:

24 panes of glass @ 15¢ each	\$3.60
Labor putting in glass	3.00
Putty	<u>.20</u>
Total	\$6.80

The Board further found that claimant had 35 cords of wood which was destroyed by fire which occurred while artillery was on the range, the cause of which fire could not be determined, but inasmuch as the troops were occupying the range at the time, the Local Board recommended reimbursement at 50¢ a cord, which is the rate provided for in the lease for cord wood on the stump. From a certificate of Major E. C. Johnson, attached to the Board proceedings, it appears that this fire occurred near the target positions for artillery, and it was presumed that the fire was set by exploding shells.

The Local Board found that a rail fence around this tract of land, had been carried away by troops, who presumably used it for firewood. The Board recommended reimbursement for this damage in the amount of \$17.50, as follows:

1 spool of wire,	\$6.50
35 posts	7.20
Labor, 1 man 3 1/2	
days, @ \$1.50 per	
day.	<u>4.50</u>
Total	\$18.20

WASHINGTON D C
 MILLITARY BLDG 18TH & B STS
 WAR DEPARTMENT BOARD OF APPEALS

File No. 422 L/C.

-5-

October 28, 1919.

which was compromised with claimant at \$17.50 for damage to fence.

The items of damage recommended by the Local Board, were therefore:

\$6.00 for damage to building,
 19.50 for damage to land,
 17.50 for damage to timber, and
17.50 for damage to fence, or a total of
\$61.50 as against his claim for \$100.00.

Claimant has agreed in writing to accept this amount in full of damages to his land by reason of the occupancy thereof by troops, and releases the Government from any and further obligations and responsibility for said land.

While it may appear unjust to reimburse claimant only \$19.50 for the restoration of 4 or 5 acres of his land, valued at \$15.00 per acre, when it was the opinion of the Local Board that it would cost more than the value of the land to restore it, nevertheless, claimant has acquiesced in damages to that amount.

In view of the above facts, I believe that reimbursement in the amount of \$61.50, in settlement of this claim, is a fair and reasonable adjustment, and I therefore recommend that an award issue to William Pierce, Agent, in the amount of \$61.50, in full and complete satisfaction of this claim.

W. S. VALENTINE,
 Colonel, Cavalry,
 Member.

WSV/twf.

Adopted, Oct. 30, 1919.

WAR DEPARTMENT BOARD OF APPRAISERS,

By J. L. KNOWLTON,
 Colonel, Coast Artillery Corps,
 Chairman.

WASHINGTON, D. C.
 MUNITIONS BLDG., 16TH & B STS.,
 WAR DEPARTMENT BOARD OF APPRAISERS

2-27-16 SD

Nara-CP

RG 92

E 1998

Bx 229

F 601.1 Camp Wadsworth SC Pierre William