

WAR DEPARTMENT BOARD OF APPRAISERS
MUNITIONS BLDG., 15TH & B STS.,
WASHINGTON, D. C.

File No. 378 L/C

1st Ind.

FMC/aur.

War Department Board of Appraisers, Purchase, Storage & Traffic Division,
General Staff, Munitions Building, Washington, D. C., December 11, 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. 103, 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 an award in the sum of \$98.00 issue in favor of the claimant, R. G. Lockhart, R.F.D. #3, Greer, S.C., 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. H. CALDWELL,
Colonel, Cavalry,
Chairman.

Incls.

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

File No. 578 I/C.
Case under G.O. 102, W.D. 1919.

December 1, 1919.

In the matter of the claim of)
E. G. Lockhart, RFD 5, Greer,) REPORT
S. C., for damages to property)

This is a claim of one E. G. Lockhart, for damages in the amount of \$530.00, itemized as follows:

- \$20.00 damage to ground,
- 40.00 for crops,
- 100.00 damage to fences,
- 100.00 for salary,
- 20.00 for boarding expenses,
- 250.00 for miscellaneous expenses,
- \$530.00

all of which pertain to, and are alleged to have arisen from the leasing of one 51 acre tract of land, the property of claimant, to the Chamber of Commerce, Spartanburg, S. C., and 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., adjoining lands of James McClure on the North, James McClure on the East, H. B. Lockhart and Robert Parker on the South and the Theron Mario Estate et al 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.

The Board made physical examination of claimant's land and ascertained that the said land bordered on a creek near Artillery Camp No. 1, which camp was subsequently occupied by a Machine Gun Battalion until June 1918; that Government horses were taken to the creek to water, moving over a cultivated field; and that about one acre of this field was trampled. It was the opinion of the Board that \$6.00 would be ample reimbursement for restoring this land. This would be at the rate of \$3.00 per acre for two plowings.

It was found that a number of buildings on claimant's property had been entered and boards torn off and taken, evidently for the construction of stables about camp; that a small amount of green timber had been cut, and the Board was of the opinion that \$20.00 would be ample reimbursement for damage to buildings and timber. This is itemized as follows:

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Standing timber - estimated 12 cords,	\$6.00
250 feet of Boards at \$20.00	5.00
1 door	2.00
Labor	7.00
	<u>\$20.00</u>

The board found that a rail fence had surrounded a ten acre field, and that all of this fence, excepting about 100 feet, had been taken. There was evidence that this fence had been used as firewood, as witnesses testified that men were seen carrying these rails from the field to the camp. For replacing this rail fence with wire it would require an expenditure of \$72.00, which, the writer believes is more than moderate, for allowing 10¢ each for posts, the expenditure therefor would be \$44.00, and \$5.50 per 80 rod spool, 8 spools, would cost \$44.00, or a total expenditure for material of \$90.00, as against an allowance by the Local Board of \$72.00. I therefore consider an allowance of \$72.00 more than reasonable.

Lockhart testified under oath as to the loss of \$40.00 worth of his corn, under the following circumstances; That he was a renter on the Estate of D. M. Lockhart; that he had a field of corn on the said Estate; that at the time he was ordered to move therefrom, he was told that he would have to gather his corn or leave it; and that he gathered the corn, but as it had not thoroughly ripened, and by reason of its being gathered before it had ripened, the corn became spoiled and he could get no value therefrom.

The remaining items of the R. C. Lockhart claim are;

\$100.00 for loss of salary as constable, on account of having to move from the district, which made him ineligible as an incumbent,
20.00 for moving expenses, and
<u>250.00</u> miscellaneous expenses,
\$370.00

which items are considered under File No. 1765 R/M.

Of the items considered in the report of the Local Board, and recommended by it, the following are considered in this report;

\$6.00 damage to ground,
20.00 damage to buildings and timber,
<u>72.00</u> damage to fences,
\$98.00

In view of the facts set forth in the report of the Local Board, I am of the opinion that the claimant's ground was damaged as a result of Government horses going to and from water, and was unavoidable;

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that buildings were damaged by soldiers, who removed lumber therefrom to be used in the nearby camp to add to their comfort and convenience; that the timber was cut and used for firewood; that the rail fences were carried away and were similarly used, and that this damage is incident to the operation of troops.

In view of the above facts, I recommend that an award issue in favor of claimant, in the amount of \$98.00 in full and complete satisfaction of the following elements of damage; viz.:

- Damage to ground,
- Damage to buildings and timber,
- Damage to fences.

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WV/twf.

W. B. VALENTINE,
Colonel, Cavalry,
Member.

Adopted December 4, 1919.
WAR DEPARTMENT BOARD OF APPRAISERS.

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

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