

409 Fourth Street, N. E., Charlottesville, Virginia  
September 27, 1934

Mr. Norman Ewing  
Attorney at Law  
Washington, D. C.

Dear Sir:

I saw in the paper yesterday afternoon that your clients are seeking to stop the transfer of the land for the proposed Shenandoah National Park to the federal government.

I am enclosing a copy of a pamphlet that I wrote several years ago. In this pamphlet I undertook to show that this project is questionable as a matter of policy, if not as a matter of technical law.

I am also enclosing a copy of a petition sent to President Hoover on or about June 20, 1932, by some of the residents of the Park area. Mr. Lewis Willis, of Behm, sent me the reply<sup>e</sup> from some official in the Department of the Interior. I returned the reply to Mr. Willis; but my recollection is that the official said the Department of the Interior had no volition in the matter, that it would have to accept the land when offered. I think that this petition tends to show the project up from the human side, although it may have little to do with constitutional law. My belief is that those people got a rotten deal.

Yours truly,

*Alfred Ackerman*  
Alfred Ackerman

*copy*

His Excellency, President Herbert Hoover  
White House, Washington, D. C.

Sir:

Relying on our right to petition for a redress of grievances and your Excellency's sympathy for the oppressed, we who are being dispossessed of our land in the Blue Ridge mountains of Virginia wish to call your attention to the following;-

1. The Shenandoah park area cannot be included in the national park system without lowering the standard for national parks. To be included in that system an area should be unique and virginal. The scenery of the <sup>l</sup>Blue Ridge is repeated again and again from Maryland to northern Georgia. That area is not virginal. Part of it has been cleared, plowed, and pastured; and well nigh all of it has been logged at some time or other. The inclusion of this area in the national park system would tend to break down the distinction between national parks and any park that might be established by a state for recreational purposes.

2. If it be granted that the preservation of a sample of the Southern Appalachian scenery is dependent on federal ownership, that object has been accomplished in part by the purchase of more than a million five hundred thousand acres of national forests in Virginia, North Carolina, Tennessee, and Georgia, and it has been fully accomplished by the acquisition of the Smoky Mountain area as a national park. Although much may be said for the acquisition of a smaller area by the State by voluntary sale on the part of the owners, it cannot be truthfully urged that there is any necessity for the forced sale of this large area for transfer to federal ownership.

2

if our land is to be taken for an alleged public purpose, we have a right to insist that the public necessity be proved. Some politicians thought that a national park would help them attain their ambitions. Some other people thought that a national park would bring tourists and in that way help them fill their pockets. A promoting agency was brought from another state to raise funds on a percentage basis. The national park project was conceived in ambition, brought forth by an appeal to greed, and fed on ~~misstatements~~ exaggerations and misstatements. The court decision that sustained the condemnation act was a technical decision, based on the presumption in favor of an act of the Assembly. We are willing to make any reasonable sacrifice for the public good when necessary. We are unwilling to part with our homes to advertise a few politicians and to help a small part of the population to get their hands into tourists's pockets, and we deplore the exaggerations and misstatements that have been used to get a semblance of popular approval for the project.

3. If public necessity were proved, we would still be entitled to just compensation for the loss of our land, our homes, and our hearths. This is a case where sale value of the property does not represent its value to the individual owner. Many of us who are now self-supporting cannot support ourselves by investing the sale value of our lands somewhere else. And who is wise enough to measure our attachment for our homes and hearths? " And Ahab spake unto Naboth, saying, give me thy vineyard; and I will give thee for it a better vineyard, or I will give thee the worth of it in money. And Naboth said unto Ahab, the Lord forbid that I

3

should give the inheritance of my fathers unto thee."

There are values greater than the sale value when it comes to our land, our homes, and our hearths; and if we must be turned out by force, the least that the <sup>w</sup>public can do is to provide compensation in excess of what our property would bring on the market. We hold that the prices set are not fair to those of us who do not wish to sell.

In the light of these conditions we respectfully petition you to use your authority as executive head of the federal government to refuse to accept this land for a national park. The result of such refusal would be to throw the responsibility for this high-handed business back on the ~~sat~~ State where it belongs. We could then recast the project and do away with the objectionable features.

Respectfully,