

of way consisting of the following strips and tracts of land situated in the County of Skamania State of Washington and more particularly described as follows, to wit:

A strip of land one hundred feet wide, being fifty feet on each side of the center line of the railroad of said petitioner and the same is now located and staked out over and across the Lots 1 & 2 Sec. 21 Tp 3 N. R. 10 East W.M.

That the object of said petition is to condemn said right of way and to appropriate the whole of said described strips and tracts of land for the purpose of the construction and operation of a line of railroad across said premises.

Dated this 24th day of November, 1905-

Portland and Seattle Railway Company

By A. J. Avery

The attorney, Vancouver, Washington.

Filed for record by A. J. Avery on Nov. 27, 1905 at 1-15 O'clock P.M.

A. J. Avery
Co. as attorney.

0.45

Power of Attorney to Sell

(Act of February 24, 1905)

Know All Men By These Presents, That whereas by an act of Congress approved February 24, 1905, entitled "An act for the relief of certain homestead settlers in the State of Alabama", it is provided that the holder of the patented title through the Mobile and Girard Railroad grant therein referred to, issued under the confirmatory provisions of the fourth section of the act of March third eighteen hundred and eighty seven (Twenty-fourth Statutes, page 556) may, upon being so invited, relinquish or convey to the United States the land so patented, and shall thereupon "be entitled to select and receive patent for an equal quantity of unincumbered nonmineral and unappropriated public lands subject to homestead entry."

And Whereas, on the ninth (9) day of June 1905, J. Hampton D. Ewing, of Hawks, in the County of Westchester, and State of New York, being then and there the holder of the patented title to the North east quarter of the North East quarter of section thirty-three (33) Township four (4) North Range fourteen (14) East containing

Party (40) acres St. Stephens Meridian, in the State of Alabama, and having been thereto invited in accordance with the provisions of said act of February 24, 1905, did by my deed of that date, duly executed, relinquish and recover said land to the United States;

And whereas, in the exercise of the right of selecting and securing title to other land, as in said act of February 24, 1905, is made and provided, I have selected the Lot numbered Three (3) in Section 35 in Township 3 North of Range 8 East of the Willamette Meridian containing 45.71 acres according to the U.S. Gov. Survey thereof in the Vancouver land district, State of Washington.

Now, Therefore, I have made, constituted and appointed, and by these presents do make, constitute and appoint Louis Gerding of Portland, County of Multnomah State of Oregon, my true and lawful attorney, for me, and in my name, place and stead, to enter into and take possession of the said land so selected as aforesaid, and any and every part or portion thereof, hereby authorizing and empowering my said attorney to grant, bargain, sell and convey by good and sufficient deed, all of the right, title and interest that I now own, hold or possess, and also all the right, title and interest that I may hereafter acquire of, in and to the land so selected as aforesaid, or any part thereof, for such sum or price and upon such terms as he may deem proper, and for me and in my name to make, execute, acknowledge and deliver all necessary deeds, conveyances and assignments of whatever kind or nature touching and concerning said land, and any and every interest therein, hereby expressly releasing my said attorney or any substitute by him appointed from any and all accountability to me for the purchase money received for said land.

Giving and granting, hereby, unto my said attorney full power and authority to do and perform each and every act and thing whatsoever requisite and necessary to be done in and about the premises, other than to bind me by personal covenants, fully, and to all intents and purposes as I might or could do if personally present, with full power of substitution, hereby ratifying and confirming all that my said attorney or his substitutes shall or may lawfully do or cause to be done in the premises by virtue hereof.

For value received, which is hereby acknowledged, this power of attorney is hereby made and declared to be irrevocable by me or otherwise.

In Witness Whereof, I have hereunto set my hand and seal on the 30th day of June 1905.

Hampton D. Gerding, (Mortg)
Signed, sealed and delivered in the presence of

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John Burt Jr.
James N. Dunlop.

I, Maria D'Ewing, wife of the said Hampton D'Ewing, do hereby consent to and join with my husband in the foregoing power of attorney, hereby waiving and releasing any homestead, dower or other right that I may have or might hereafter acquire in and to any of the land hereinbefore described.

Maria D'Ewing (and)

Signed, sealed and delivered in the presence of:

John Burt Jr.

James N. Dunlop.

State of New York } 33
County of Westchester }

On this 30th day of June 1905, before me John Burt Jr., a Notary Public in and for said County and State, personally appeared Hampton D'Ewing and Maria D'Ewing, his wife, personally known to me to be the same persons whose names are subscribed to the within and foregoing instrument and they duly acknowledged before me, on this day, that being informed of the contents of this instrument of conveyance, they executed the same voluntarily, on the day the same bears date, for the purposes therein set forth.

And the said Maria D'Ewing, wife of said Hampton D'Ewing, being by me duly examined separate and apart from her said husband and out of his hearing, and having said instrument fully explained to her, acknowledged that she executed the same freely and voluntarily and wished not to retract it.

In Witness Whereof, I have hereunto set my hand and affixed my official seal this day and year above written.



John Burt Jr., Notary Public
Kings County, N.Y., Certificate
filed in Westchester County.

Filed for record by Fain Geringer, Nov. 22, 1905 at 1-15 o'clock P.M.

A. Fleischman
Co. Auditors

1.50.