

Superseded Court (A. Ridgway) to D. S. Ryb.

In the Superior Court of the State of Washington for the County of Spokane.

Portland & Seattle Railway Company, a corporation, Petitioners . . .

vs.

Decree.

James P. Gravis, Ella Gravis, Myrtle Hamilton, C. P. Ash

A. S. Ridgway, Charles L. Ladd, Sarah M. Ladd, Henry J. Hamilton, claimants

This cause coming regularly for hearing before the court on this 7th day of March 1906, petitioners appearing by Gen. T. Reid its attorney and the claimant A. S. Ridgway appearing by Messrs Duffus & Russell, his attorneys, and it appearing to the court by satisfactory proof that all the parties interested in the land, real estate and premises in the petition herein described have been duly served with the notices provided by law. And it further appearing to the satisfaction of the court by competent proof that the Portland and Seattle Railway Company is not at all times in its petition mentioned was a corporation duly organized and existing under and by virtue of the laws of the State of Washington, and among other things organized for the construction and operation, and having full power and authority to construct, maintain and operate railroads in the State of Washington and elsewhere, and among other places from the city of Spokane in the State of Washington to the City of Portland in the State of Oregon. And the court hereby hereby finds upon roads and causes to be colored in order adjudging that the contemplated use for which the land, real estate and premises sought to be appropriated by this proceeding is really a public use, and that the public interest requires the prosecution of such enterprise, and that the land, real estate and premises so sought to be appropriated are required and necessary for the purpose of such enterprise.

And each of the parties to this proceeding appearing in open court and by their respective attorneys swearing in the manner provided by law that a jury be waived, the court proceeded with the trial of this case without the intervention of a jury. And the court hereby heard all the testimony offered find the following facts to be true: That by reason of the appropriation and use of the land, real estate and premises hereinbefore described by the Portland and Seattle Railway Company, for any and all of its corporate purposes, the claimant A. S. Ridgway will be damaged in the sum of Two Thousand Dollars. The court does therefore hereby ascertain, determine and award to the claimant A. S. Ridgway damages in the sum of Two Thousand Dollars to be paid to said A. S. Ridgway or to be paid into court for her benefit for the taking or injuriously affecting the land of said claimant in said petition described for the purpose of such enterprise irrespective of any benefit from any improvement prepared by said Portland and Seattle Railway Company.

Whereof it is Ordered, adjudged and decreed by the court that the claimant A. S. Ridgway have and recover of and from the petitioners, Portland and Seattle Railway Company the sum of Two Thousand Dollars as damages awarded to her for the taking and injuriously affecting the said land, real estate and premises. And it further appearing to the court that said petitioners has paid into court for the benefit of said claimant A. S. Ridgway the damages awarded by the foregoing judgment the court does now Order, Adjudge and Decree that the land, real estate and premises of said claimant A. S. Ridgway hereinafter described be and the same is hereby appropriated to the use of the Portland and Seattle Railway Company for all of its corporate purposes and the legal title thereto is hereby vested in the Portland