

And it further appearing to the satisfaction of the Court by competent proof that the contemplated use for which the land, real estate and premises sought to be appropriated by this proceeding is for the purpose of constructing thereover a railroad, said railroad to form a line of railroad which said petitioner is now building from ~~Kennewick~~ Kennewick, Washington, down the south bank of the Columbia River to Vancouver, Washington, and thence across the Columbia River to Portland, in the State of Oregon, and that such contemplated use 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.

It Is Ordered, Adjudged And Found by the Court that the contemplated use for which the land, real estate and premises, so sought to be appropriated by this proceeding, and hereinafter described, 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 and all of the parties to this proceeding thereupon consenting in the manner provided by law that a jury be waived the Court proceeded with the trial of this case with the intervention of a jury.

And the Court having heard all the testimony offered finds the following facts to be true,

That by reason of the appropriation and use of the lands, real estate and premises hereinafter described by said Portland and Seattle Railway Company for any and all of its corporate purposes the Claimant C. L. Irwin, will be damaged in the sum of \$ 163.75; that the claimant E. L. Irwin will be damaged in the sum of \$ 163.75; that the claimant P. L. Irwin will be damaged in the sum of \$ 163.75; that the minor claimant Earl Irwin will be damaged in the sum of \$ 163.75; and that the Claimant S. S. Wood will not be damaged she having no interest in the property.

The Court does therefore hereby ascertain, determine and award to the claimant C. L. Irwin damages in the sum of \$ 163.75; to the claimant E. L. Irwin damages in the sum of \$ 163.75; to the claimant P. L. Irwin damages in the sum of \$ 163.75; to the minor claimant Earl Irwin damages in the sum of \$ 163.75; and