

that he was authorized to execute said instrument and that the seal affixed is the corporate seal of said corporation.

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

(Notarial Seal)

O.C.Spencer, Notary Public in and for said  
county and State, residing at Portland.

Filed for record by W S. Lysons on July 5th. 1906 at 1.15 P.M.

A Fleischhauer  
Co. Auditor.

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

Portland and Seattle Railway Company, a corporation

Petitioner

Decree of condemnation  
and Appropriation.

vs.

The State of Washington, Claimant.

This cause coming regularly to be heard before the Court sitting at Vancouver, Washington, on this 30. day of June 1906 at the hour of ten o'clock A.M. pursuant to the stipulation signed and filed in this case between James B. Kerr and George T. Reid, attorneys for petitioner above named, and John D. Atkinson attorney general of the state of Washington and A. J. Falknor, assistant attorney general, attorneys for claimant state of Washington.

And the petitioner appearing in court by its said attorneys and the claimant appearing by W. W. Sparks, prosecuting attorney of Clarke County, Washington, by direction of the Attorney general of the State of Washington. And it 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 building thereover a railroad said railroad to form a part of a line of railroad which said petitioner is now building down the north bank of the Columbia River from a point at or near Kennewick, Washington to Vancouver Washington, and thence across said Columbia River to Portland, Oregon. And it further appearing to the court that said contemplated use is really a public use and that the public interests require the prosecution of such enterprise and that the land, real estate and premises sought to be appropriated are required and necessary for the purposes of such enterprise.

It is Found and Adjudged by the court 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 interests require the prosecution of such enterprise and that the land, real estate and premises sought to be appropriated by this proceedings are required and necessary for the purpose of such enterprise. And all parties being ready for trial upon the question of damages and a jury having been duly and regularly waived by the attorneys for the respective parties in the manner provided by law, the court proceeded to hear testimony upon the question of damages, from which testimony the court finds as follows:

That by reason of the appropriation and use of the strip of land described in the petition herein by petitioner for any and all of its corporate purposes, the claimant, the State of Washington, will be damaged in the sum of four hundred and thirty and 10/100 dollars, said damages being calculated at ten dollars per acre for the upland and at five dollars per lineal chain for all the shore land included within said strip of land; The Court does therefore