

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON FOR THE COUNTY OF  
SKAMANIA.

PORTLAND AND SEATTLE RAILWAY COMPANY ,

a corporation,

Petitioner,

vs.

: Order of Condemnation and  
: Decree of Appropriation.

SKAMANIA COUNTY PIONEER PUBLISHING COMPANY,

a corporation, and E.P. MICHELL,

Claimants.

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This cause came on regularly to be heard before the Court on the 11th day of July, 1906, petitioner appearing by its attorneys, James B. Kerr and George T. Reid, and the claimant E.P. Michell appearing in person; the claimant Skamania County Pioneer Publishing Company not appearing, either in person or by attorney.

And it appearing to the Court that said Skamania County Pioneer Publishing Company was duly and regularly served with notice in this proceeding in the manner provided by law, and that more than ten days have elapsed since the completion of said service, and that said corporation has not made or entered any appearance in this proceeding.

And it appearing to the Court by competent proof that the contemplated use for which the land, real estate, and premises are sought to be appropriated by this proceeding is for the purpose of constructing thereover a railroad, said railroad to form a part of a line of railroad which petitioner is now building on 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 that such contemplated use is really a public use, and that public interest requires the prosecution of such enterprise, and that the land, real estate, and premises, sought to be appropriated herein are required and necessary for the purpose of such enterprise.

It is ORDERED AND FOUND by the Court that the contemplated use for which the land, real estate, and premises are sought to be appropriated in this proceeding is really a public use, and that the public interest requires the prosecution of such enterprise, and that said land, real estate, and premises are required for the purposes of such enterprise.

And the parties being ready for trial on the question of damages, and neither party demanding a jury and each waiving a jury in the manner provided by law, the court proceeded to hear the evidence offered upon the question of damages, and the Court having heard all the evidence and being fully advised, it is found and adjudged that, by reason of the appropriation and use of said land, real estate, and premises by petitioner for the uses and purposes aforesaid, the claimant E.P. Michell will be damaged in the sum of Four Hundred and Fifty Dollars.

The Court further finds and adjudges that the claimant Skamania County Pioneer Publishing Company has no right, title, or interest in or to said premises and is entitled to no compensation by reason of the appropriation thereof.

WHEREFORE it is ordered, adjudged, and decreed that the claimant E.P. Michell have and recover of and from the petitioner, Portland and Seattle Railway company, the sum of \$450 for the appropriation and use of the real estate aboved referred to and hereinafter described for any and all of the corporate purposes of petitioner.

And it further appearing to the Court that the petitioner has paid into court for the benefit of the claimant E.P. Michell the sum of \$450, it is now ORDERED, ADJUDGED and DECREED by