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Recorded NOV 6 1897 at 3:25 P. M.  
Request of E. P. LAKIN, TRUSTEE  
Fee Paid. Hazel Taggart Chase.  
Recorder, Salt Lake County, Utah  
\$ 2.80 By Ed. Schmitt Deputy  
Book 965 Page 124 Res.

IN THE DISTRICT COURT FOR THE THIRD JUDICIAL DISTRICT  
OF THE STATE OF UTAH, COUNTY OF SALT LAKE.

THE SALTAIR RAILWAY COMPANY,  
a Corporation,  
Plaintiff,

vs

MOSES HALLETT and GEORGE W.  
CLAYTON,  
Defendants,

AND

MOSES HALLETT and GEORGE W.  
CLAYTON,  
Plaintiffs,

vs.

THE SALTAIR RAILWAY COMPANY,  
a Corporation,  
Defendant.

JUDGMENT.

10667

These two actions having been heretofore consolidated, came on regularly for trial on the 24th day of November, 1897; Richards & Richards appearing as attorneys for the plaintiff Company, and Marshall & Hoyle as attorneys for the defendants, Moses Hallett and George W. Clayton. The case was tried before a jury regularly impaneled and sworn, and witnesses were examined on the part of the plaintiff and the defendants. After hearing the evidence, the arguments of counsel and instructions of the Court, the jury retired to consider their verdict, and subsequently returned into Court and, being called, answered to their names, and said they found a verdict as follows, to-wit:

"We, the jurors impaneled in the above entitled action further find the issues for the defendants, Moses Hallett and George W. Clayton, and we do assess and ascertain the damages sustained by them as follows:

1. We find the value of the property sought to be condemned to be-----\$967.50

"2 We find that the damages which will accrue to the portion not sought to be condemned by the construction of said railway by the plaintiff to be-----\$150.00

"3. We find that the portion not sought to be condemned has been benefitted by the construction of said railway in the sum of-----\$

"4. We find that the cost of good and sufficient fences along the line of said railway adjoining the land of said defendants to be-----\$140.70

"Dated November 24th, 1897. "Alfred Clough, Foreman."

And the plaintiff having duly executed and delivered to the said several defendants good and sufficient bonds, with sureties approved by the Court, in double the cost of constructing good and sufficient fences on both sides of the line of its road passing through the premises of the defendants, as assessed by the jury, conditioned for the construction of such fences on or before the 24th day of November, 1898;

And the said plaintiff corporation having paid to the said Moses Hallett and George W. Clayton the sum of \$1,117.50, being the full amount of damages awarded them by said verdict, with \$58.05 costs;

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the said Moses Hallett and George W. Clayton have and recover of and from the said Railway Company the said sum of \$1,117.50 damages assessed by the jury and \$58.05 costs, which have already been paid.

AND IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the lands mentioned in the complaint of the said Railway Company are necessary to said Company for the purposes mentioned in the complaint, and that the same be, and they are hereby condemned for the use of the said Railway Company, whose present name is Salt Lake and Los Angeles Railway Company, and for embankments and excavations and for other purposes necessary and convenient for the accommodation and use of said Railway, and that the same is a

public use, authorized by law. Said lands and premises being described as follows, to-wit:

Beginning at the Southwest corner of the Southeast Quarter of Section Thirty-four (34), Township One (1) North, Range One (1) West, Salt Lake Meridian, as marked on that certain map designated as the "Re-survey of the Salt Lake Base Line for the first six miles west of the Meridian, between Townships 1 North and 1 South, Range 1 West," presented to and accepted by the County Court of said Salt Lake County on March 26th, 1891, and filed in the office of the Clerk thereof, and running thence North Thirty-three and one-half ( $33 \frac{1}{2}$ ) feet, thence East Eight Hundred and Ninety-nine and twenty-five Hundredths ( $899 \frac{25}{100}$ ) feet, thence South Thirty-three and one-half ( $33 \frac{1}{2}$ ) feet, thence West Eight Hundred and Ninety-nine and Twenty-five hundredths ( $899 \frac{25}{100}$ ) feet to the place of beginning, containing  $691/1000$  acres; also beginning at the Northwest corner of Lot Two (2), in the Northeast Quarter of Section Three (3), Township One (1) South, Range One (1) West, Salt Lake Meridian as marked in the aforesaid map, and running thence East Eighty (80) rods, thence South Sixty-six and one-half ( $66 \frac{1}{2}$ ) feet, thence West Eighty (80) rods, thence North Sixty-six and one-half ( $66 \frac{1}{2}$ ) feet to the place of beginning, containing  $2 \text{ and } 15/1000$  acres. Judgment entered this 6th day of December, 1897.

Attest: David C. Dunbar, Clerk  
By C. B. Felt, Deputy  
(SEAL)

A. N. CHERRY  
Judge

Endorsed No. 10667 Filed DEC 6 1897

STATE OF UTAH  
COUNTY OF SALT LAKE

ss.

I, Alvin Keddington, Clerk in and for the County of Salt Lake and Ex-Officio Clerk of the District Court of the Third Judicial District in and for Salt Lake County, State of Utah, do hereby certify that the foregoing is a full, true and correct copy of the original JUDGMENT

The Saltair Railway Company,  
a Corp.,

No. 10667

vs.

Moses Hallett and George W.  
Clayton  
etc.

as appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand  
and affixed my official seal, this 5th

day of November, \_\_\_\_\_, A. D. 19 52

ALVIN KEDDINGTON

Clerk

By

*Jacob Weiler* Deputy Clerk

