

STATE OF KENTUCKY,

FLOYD

COUNTY.)

Big Sandy Railway Company,

vs.

America Clifton,

Came this day the Big Sandy Railway Company

by G. B. Wall, Agent, and Walter S. Harkins, Attorney, and it appearing that it has filed in the office of the Clerk of the County Court of this county a particular description of the land and material sought to be condemned by it, as hereinafter described, thereupon applied to this Court to appoint Commissioners, in the manner required by law, to assess damages the owner or owners thereof may be entitled to receive; and it further appearing that the said Company has been unable to agree or contract with the owners thereof as to the compensation to be paid them for such land and material, it is now ordered by the Court that

three impartial housekeepers of the County, who are owners of land, shall, after they have been sworn to faithfully and impartially discharge their duties herein, proceed to value the land and material hereinafter described, and to award to the owner or owners thereof the value of the land and material sought to be condemned and taken herein to the use and for the purposes of the said Big Sandy Railway Company for the construction and operation of its line of railroad, which shall be stated separately, and they shall also award the damages, if any, resulting to the adjacent lands of the owners, considering the purpose for which it is taken, but shall deduct from such incidental damages the value, if any, of the advantages and benefits that will accrue to such adjacent lands from the construction and prudent operation of the railroad proposed to be constructed by the said Company. They shall return a report, in writing, to the office of the Clerk of this Court, stating their award, and shall describe in their report the land and material condemned, give the names of the owners, and whether non-residents of this State, of unsound mind, or married women.