

WAGON ROAD CASE.

JUDGE GILBERT'S DECISION.

The Titles Given by the Willamette Valley & Cascade Mountain Wagon Road Company are Good.

(CONTINUED FROM FIFTH PAGE.) lands, and in repairing said road, whereby the United States have become estopped to claim a forfeiture...

The first question to be decided under the evidence is whether the road was reasonably and properly constructed.

Upon this point the evidence is voluminous and to some extent conflicting. The conflict arises mainly from a difference of opinion as to the nature and quality of road required to be constructed by the act.

In the light of such considerations and the testimony of witnesses, I am convinced that within the time limited in the grant the road was fairly well constructed from Albany as far as the Des Chutes river.



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the Santiam were difficult and dangerous when the snows were melting in the spring, but at such times the snow in the mountains prevented all through travel on the road.

necessary for a road any further east than Harney valley. The settlers going east of the mountains from the Willamette valley diverged in all directions soon after crossing the mountains.

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