

other sums mentioned in said decree, then said mortgaged premises and property, real personal and mixed rights and franchises wherever situated should be sold as an entirety and without an appraisement or right of redemption by Richard B. Knapp who was by said decree appointed master commissioner for such purpose, at public auction to the highest bidder therefor at twelve o'clock noon on the premises of the party of the first part hereto at the depot ~~of~~ said company at Fairview in Multnomah County, in the State of Oregon on a day to be named by such master commissioner and that before making such sale the master commissioner should publish a notice thereof in the manner required by said decree.

Whereas, after the entry of the said decree of August tenth 1895 such proceedings were had in said case that a compromise, adjustment and settlement were had between S. H. H. Clark Oliver W. Hunt. E. Ellery Anderson Frederick K. Bondert and John W. Doane the receivers heretofore appointed by the said court in the suit of Oliver Ames second, against the Union Pacific Railway Company and others and Edwin McNeill, the receiver heretofore duly appointed by the said court in the said suit of the Farmers Loan and Trust Company against the party of the first part which compromise adjustment and settlement were thereafter and on the twenty second day of May 1896 duly approved and confirmed by said court by an order duly entered in said cause on said last mentioned date and whereby it was determined adjudged and decreed that the said Edwin McNeill, receiver, should assume and pay all outstanding liabilities of the said Clark and others as receivers resulting from their operation of the Oregon Railway and Navigation Company's System of Properties, which had then accrued or might thereafter accrue or be established against the said Clark and others, receivers whether known or unknown together with such accrued or accruing interest thereon as had