

of the payable semiannually on the first days of March and September in each year.

And Whereas, the said Washington and Idaho Railroad Company did on or about the first day of March 1894, made default in the payment of the interest on said mortgage bonds which became due on said first day of March 1894, and did thereafter, on or about the first day of September, 1894, and on or about the first day of March 1895, likewise make default in the payment of the interest on said bonds which became payable on the said days.

And Whereas, such proceedings were thereafter duly had under and in pursuance of the terms of the said mortgage that the principal of all of the bonds secured by the said mortgage became due and payable prior to the time of the commencement of the suit hereinafter mentioned.

And Whereas, after such default in the payment of said interest and after the principal of the said mortgage bonds became due as aforesaid, there was on or about the tenth day of September 1895, begun in the Circuit Court of the United States for the District of Washington, Eastern Division, a suit in equity to foreclose the said mortgage in which suit the said Bay State Trust Company was complainant, and the said Washington and Idaho Railroad Company and others were defendants.

And Whereas, in said suit a certain decree was on the twenty-ninth day of May 1896, entered in said cause in and by which decree it was ordered, adjudged and decreed that there was due for principal and interest upon the said mortgage bonds issued under such mortgage, and for interest upon unpaid coupons on said bonds up to the time of said decree, the sum of five million two hundred and seventy-seven thousand eight hundred and seventy-three and eight-hundredths (\$5,277,873.08) dollars, and that the defendant the Washington and Idaho Railroad Company, should, on or before the expiration of ten days from the entry of said decree, pay to the said complainant said sum, together