

with certain other sums specified in said decree and that in default of the payment of any of said sums by the said Washington and Idaho Railroad Company or by any one claiming under it, or by any one on its account then the said mortgaged premises and property, real, personal and mixed, rights, privileges, immunities and franchises should be sold as an entirety and without an appraisal or right of redemption at public auction as provided in said decree, by Wellington Clark, who was by the said decree appointed Special Master, to make, direct and conduct said sale and to execute and deliver a deed of conveyance of said property sold to the purchaser or purchasers thereof upon an order confirming such sale.

And Whereas, such further proceedings were had in said cause that the said Wellington Clark, as Special Master as aforesaid, in obedience to said decree, did on the thirtieth day of July 1896, sell to the parties of the first part hereto, as joint tenants and not as tenants in common the said mortgaged premises and property, real, personal and mixed, rights, privileges, immunities and franchises being the property mentioned and described in said decree, at and for the sum of one million six hundred and fifteen thousand, seven hundred and forty (\$1,615,740.00) dollars, said sum being the highest best and only bid made for said premises at said sale and the said parties of the first part agreeing in and by their said bid for themselves, their successors and assigns to take and hold the said property subject to the payment of certain sums specified in their said bid and hereinafter set forth.

And Whereas, thereafter and on the seventeenth day of July 1896, an order was made by said Circuit Court of the United States for the District of Washington, Eastern Division, confirming said sale.

And Whereas, the said Wellington Clark, as such Special Master, by deed dated the eighteenth day of July 1896, and pursuant to the decrees of said Circuit Court