

APPENDIX

ARTICLE XIII

Said parties of the first part further agree that in case they shall elect to pay for said purchase in bonds and stock as aforesaid, or in case any of said bondholders shall elect to receive payments in said bonds and stock as aforesaid, the issue of bonds proposed under this agreement upon the line of said railroads, as reorganized, shall not exceed twelve thousand dollars (\$12,000) per mile of finished road.

ARTICLE XIV

It is further understood that the six (6) pending foreclosure suits in the district court of the county of Ramsey, Minnesota, and in the circuit court of the United States for the district of Minnesota, in the names of Edmund Rice and others, Trustees; of Horace Thompson and others, Trustees; of Jacob S. Wetmore and others, Trustees; and of John S. Kennedy and others, plaintiffs; and the suit of the First Division of the Saint Paul and Pacific Railroad Company against Edmund Rice, Horace Thompson, John S. Kennedy, Jesse P. Farley and John S. Barnes, commenced in June, 1877, in the district court of Ramsey County, Minnesota—shall be controlled and conducted by the said parties of the second part, or their agents, in concert with and under the advice and instructions of the said parties of the first part, as purchasers of said bonds, free from all expense to said parties of the second part from and after the said 22d day of December, 1877: *provided*, that nothing shall be done to delay the prosecution of said suits to their final ending.

ARTICLE XV

It is further understood that, in case the trustees now in possession of said First Division of the Saint Paul and Pacific Railroads shall hereafter make any division of the earnings of said railroads now in, or hereafter to come into, their hands, the share of such earnings belonging to the bonds so purchased by said parties of the first part, as aforesaid, shall be paid to them by said trustees, at the time of making such division.