

and others, on cross-bill and answers, a final decree was duly entered on the 7th of June 1879, in the office of the Clerk of the Circuit Court of the United States for the District of Kansas, at Topeka, Kansas, wherein and whereby it was ordered, adjudged and decreed as follows:

Now, it is by the Court ordered, adjudged and decreed, that the defendants, Jay Gould and Russell Sage, executed and deliver to the Union Pacific Railway Company a release, from the lien of the trust deed made to them by the Kansas Pacific Railway Company on the first day of May, 1879, of all lands for the sale of which contracts were made by the Kansas Pacific Railway Company before the execution of said trust deed, and for which full payment has been made by the purchaser to the Kansas Pacific Railway Company, or the Union Pacific Railway Company, and for which deeds have been made to the purchaser by the Kansas Pacific Railway Company or the Union Pacific Railway Company in the execution of said trust deed, including the lands described in the bill of complaint herein, and that hereafter, whenever any party, with whom the Kansas Pacific Railway Company before the execution of said trust deed contracted to sell any land, shall have paid the Union Pacific Railway Company the full contract price for said land and shall have received from the Union Pacific Railway Company a deed for said land and the Union Pacific Railway Company shall have paid to the defendant trustees, Jay Gould and Russell Sage, the payments received from said purchasers, then the said defendant trustees, Jay Gould and Russell Sage, shall, upon demand of the Union Pacific Railway Company, execute a release of any such lands from the lien of said trust deed."

Now, therefore, for the purpose of complying with the terms of the said decree, and to the end that all doubt in regard to the true construction of Article Six of the said Consolidated Mortgage of said Jay Gould and Russell Sage as Trustees, bearing date the 1st day of May 1879, may be resolved and settled, and for and in consideration of one dollar to us, severally in hand paid, the receipt whereof is hereby acknowledged,

This instrument witnesseth: That we, Jay Gould and Russell Sage, both of the City and County of New York, State of New York, as Trustees of the said Consolidated Mortgage dated May 1, 1879, do hereby release, quitclaim and convey unto the Union Pacific Railway Company, as the successor in interest to the Kansas Pacific Railway Company, and to the grantee, successor or successors in interest of the said Union Pacific Railway Company, all lands mentioned or described in or covered by the said Consolidated Mortgage dated May 1, 1879, for the sale of which contracts were made by the Kansas Pacific Railway Company before the execution of the said Consolidated Mortgage, and for which full payment has been made by the purchasers or their successors to the Kansas Pacific Railway Company, or