

Bill of Complaint, in equity, in the Circuit Court of the United States of America for the District of South Carolina, against the Columbia and Greenville Railroad Company, a corporation created by and existing under the laws of the State of South Carolina, as defendant in which suit in equity it was sought to foreclose the second mortgage of said company, dated the first day of April, in the year 1881, and upon or about that day duly executed, acknowledged and delivered by said Railway Corporation to said complainant, Frederick M. Colston, Joseph Bryan, as Trustees, in which suit it was proposed to sell the whole of the mortgaged property and premises, being the railroads, property, privileges and franchises of said Railway Company, more specifically described in said second mortgage;

And, Whereas, such proceedings were had in the said cause that on the 7th day of April, 1894, a decree of foreclosure and sale was entered therein by the said Circuit Court of the United States for the District of South Carolina;

And, Whereas, in and by the said decree the said James C. Hagood, party of the first part; was appointed Special Master to execute the said foreclosure decree and to make the sale of property therein provided for and directed;

And, Whereas, in pursuance of such appointment the said Special Master afterwards, to wit, on the 10th day of July, 1894, at twelve o'clock noon after due advertisement and notice of sale as prescribed in the said decree, at public auction at the principal freight station of the said Columbia and Greenville Railroad Company, in the City of Columbia and State of South Carolina, on the day and at the hour fixed by the said Special Master in his advertisement of sale, after an adjournment of two hours, in accordance with the request of the solicitors for the complainant, and in the manner specified and directed in the said decree, did sell all and singular the railroad, equipment, property, premises, rights, privileges and franchises which the said Special Master was directed by the said decree to sell upon the terms and conditions in said decree fully and at large set forth, to which decree reference is hereby specially and expressly made;

And, Whereas, at such sale the said Southern Railway Company, party of the second part, became