

No. 6356. Equity.

thereof, because it was without available funds for that purpose.  
 The Frederick and Pa. Line Railroad Company having therefore failed to pay the interest which had become due prior to November 6<sup>th</sup>, 1889 on its bonds issued under the aforesaid Mortgage Deed of Trust, and demand having been then made for said payment, and payment having been refused, and further demand having been made for payment of said interest, on September 6<sup>th</sup>, 1894, and payment being again refused; the Pennsylvania Railroad Company, as owner of more than three fourths of the bonds issued under the aforesaid Mortgage Deed of Trust, does now hereby, in pursuance of the provisions of the said Mortgage Deed of Trust, request you (to take the necessary proceedings to sell the property conveyed to the Trustee above mentioned by the aforesaid Deed of Trust, in order that the overdue interest on the bonds of the said Frederick and Pa. Line Railroad Co, issued under and secured by the said Mortgage Deed of Trust, may be paid out of the proceeds of said sale; I enclose an affidavit of the Treasurer of the Pa. R. R. Co, and two letters from the Treasurer of the F & Pa. L. R. Co.

Yours very truly  
 G. B. Roberts  
 President, Pennsylvania Railroad Company.

State of Pennsylvania, City of Philadelphia: In wit:  
 I hereby certify that on this 17<sup>th</sup> day of December 1894, before the subscriber, a Notary Public of the State of Pennsylvania, duly commissioned and qualified, and residing in the City of Philadelphia aforesaid, personally appeared Robt. W. Smith, Treasurer of the Pennsylvania Railroad Company, and made oath in due form of law that the said Pennsylvania Railroad Company was on the 6<sup>th</sup> day of November, 1889, and is now, the owner of one hundred and fifty six of the one thousand dollar bonds, and of one hundred and twenty one of the five hundred dollar bonds, issued by the Frederick and Pennsylvania Line Railroad Company under the mortgage Deed of Trust dated October 1st, 1870, made by the Frederick and Pennsylvania Line Railroad to John Loath, George F. W. White and George J. Hoffman, Trustees; and that said Pennsylvania Railroad Company was also on the said 6<sup>th</sup> day of November, 1889, and is now, the owner of Coupons for interest, of the face value of two hundred and twenty four thousand, one hundred and sixty dollars, on the bonds issued under said Mortgage Deed of Trust, which said Coupons had matured before November 6<sup>th</sup>, 1889. That none of the said Coupons have ever been paid by the said Frederick and Pennsylvania Line Railroad Company, and are still overdue and unpaid.

That the two letters hereto annexed, one dated November 9<sup>th</sup>, 1889 from John P. Leib, Treasurer, and the other dated September 7<sup>th</sup>, 1894, from H. W. Hendrick, Treasurer, are true copies of the original letters now in the office of the Treasurer of the Pennsylvania Railroad Company.  
 Robt. W. Smith

Given and subscribed to before me the day and year aforesaid, witnesses my hand and notarial seal.  
 J. C. Davis  
 Notary Public.