

Creditors Agreement.

No. 3546

This agreement made and entered into by and between the undersigned, creditors of Eureka Live Stock Company, a corporation organized and existing under the laws of the State of South Dakota, and doing business at Reno and Eureka, in the State of Nevada: Witnesseth: Whereas, each of the undersigned is a creditor of the Eureka Live Stock Company, and Whereas, certain of the creditors have threatened to bring suit against said Company to recover the amount of their claims, and Whereas, if such suit or suits be brought there is great danger that the assets of said company will be dissipated by litigation and be insufficient to satisfy the claims of just creditors, and Whereas, said company has offered to convey and transfer and is about to, or has, conveyed and transferred all its property of every kind and nature to R. E. Turvittin, A. E. Kimball and Spencer Reynolds in trust, as security for the payment pro rata of all just claims against said company and with power to sell all or any part of said property to pay the claims of all just creditors pro rata, Now Therefore, in consideration of the premises and to avoid the expense of litigation, and in further consideration of the mutual consent and agreement of each of the parties hereto to and with each and all of the other parties hereto, each of the undersigned does hereby consent to the said conveyance and transfer by said company to said Turvittin, Kimball, and Spencer Reynolds, in trust, and does hereby agree to abide by the action of the said trustees in taking over, conserving, managing holding and selling the said property in accordance with the terms of said Deed of Trust, and does hereby agree that upon any sale or sales of said property the proceeds thereof after paying the reasonable and actual expense of said trusteeship shall be pro rata among the just creditors of said company, including the undersigned, so far as the same will go, returning the surplus, if any there be, after paying the creditors in full to said company. In Witness Whereof, we have hereto set our hands and seals at Reno, Nevada, this 29th day of March, A.D. 1910.

Commercial National Bank of
Salt Lake City, Utah, by R. E. Kimball (L.S.)
National Bank of the Republic
of Salt Lake at per their Telegram by R. E. Kimball (L.S.)
The Nixon National Bank at
Reno by Henry Thurstell (L.S.)
Finley Gardiner & Co. of
Boston, Mass. By D. Staunton (L.S.)

Reserving all rights to enforce the Contract to have consigned to us, or to purchase, the wool clip of the Eureka Livestock Company for the year 1910, as per agreement dated August 19th, 1909.

The Eureka County Bank (L.S.)

By Spencer Reynolds, Receiver (L.S.)

Recorded at the request of C. B. Henderson, Apl. 22nd A.D. 1910 at 40 mins past 11 A.M.

C. H. Gorman Recorder

by J. M. Hancock Deputy

No. 3542

In Dargain