

THE UNDERSIGNED, being the sureties in the Indemnity Bond attached to the so-called "Permanent Contract E" dated October 31st, 1905, and mentioning the foregoing agreement entered into between Western Pacific Railway Company and The Utah Construction Company do hereby acknowledge and declare that they had full knowledge of all the terms and conditions of the foregoing agreement dated July 23<sup>rd</sup>, 1908, and that said agreement of July 23<sup>rd</sup>, 1908, was entered into at their solicitation and with their consent and upon the condition that their liability and the liability of each of them upon said Indemnity Bond should in no wise be affected by reason of said agreement of July 23<sup>rd</sup>, 1908, and that they do and each of them does hereby agree for themselves and their respective heirs, executors, administrators and assigns that said indemnity Bond and all of the obligations thereof are not in the same force and effect as they were before said agreement of July 23<sup>rd</sup>, 1908, was entered into.

IN WITNESS WHEREOF the undersigned have hereunto respectively signed their names this 23<sup>rd</sup> day of July, 1908.



\_\_\_\_\_  
David Eccles  
\_\_\_\_\_  
W. H. Smith  
\_\_\_\_\_  
W. H. Smith  
\_\_\_\_\_  
Jos. Blank  
\_\_\_\_\_  
C. W. Smith  
\_\_\_\_\_  
C. W. Smith

STATE OF UTAH )  
County of Weber )

88.

Personally appeared before me, David Eccles, H. H. Spencer, W. H. Wattis, Joseph Clark, [unclear] and James Pingree, who each acknowledged to me that they and each of them, executed the foregoing instrument freely and voluntarily and for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and attached my Notarial Seal this Twenty-Third day of July, 1908.



*Malcolm*  
\_\_\_\_\_  
Notary Public.  
In and for Weber County, State of Utah.

My commission expires September 8th, 1909.