

H. Sams

at

P. J. Mc Gowan & Son Inc.

This Indenture, made the 23rd day of October, A. D. 1899, between P. J. Mc Gowan & Son, Incorporated, a corporation existing under and by virtue of the laws of the State of Washington, of Pacific County, in said State, the p^{ty} of the first part, and H. Sams, of Multnomah County, Oregon, the party of the second part, Witnesseth:

Whereas the said party of the first part is to advance certain moneys and supplies to said second party to be used in repairing, equipping, maintaining and operating the certain fish wheels and fishing appliances in Oregon and Washington, and a contract has been entered into between said parties in respect thereto.

Now, therefore, in consideration of said moneys and supplies to be advanced as aforesaid, the said second party does by these presents bargain, sell and assign unto the said first party all his right, title and interest in and to a certain lease made March 30, 1894, between T. B. Suss and said H. Sams, and recorded in the office of the County Auditor of Skamania County, Washington, in Book of Lease, on Page 83; said assignment to continue in force for the period of five years as in said contract provided and set forth.

But this assignment is nevertheless made upon this express condition, that if the said second party, his heirs and assigns shall well and truly pay, or cause to be paid, unto the said first party, its successors and assigns, the sum of \$1000 in accordance with a certain mortgage heretofore made in favor of said party of the first part, and all money additional which are and may be furnished under a certain contract made between the parties hereto relating to the delivery of fish to said party of the first part, this indenture shall be void, and of no effect, it being for the purpose of securing payment of said moneys as aforesaid and for the delivery of fish for the period of five years as specified in the contract hereinbefore referred to.

And it is expressly covenanted and agreed between the parties hereto that the party of the second part shall enjoy all the privileges and profits, and work, operate and manage the wheels and other fishing appliances and real and personal property during the said period of five years, and continue in the full possession thereof, as though this assignment had never been made.

But in the event of the failure of the said party of the second part to work, operate and manage said wheels and property to the mutual advantage of the parties hereto as in the contract set forth, and deliver fish as therein provided, all the right of the said second party under this lease shall be forfeited to the said first party, and it may well, enjoy and operate the same for the

4. This instrument was signed by P. J. Mc Gowan & Son, Incorporated, on the 23rd day of October, 1899 at 9 o'clock A. M.

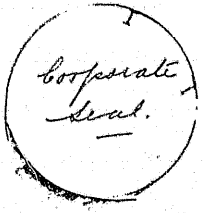
Filed for record by H. S. Mc Gowan 20th November 1899 at 9 o'clock a.m.
J.H. Ward

Ex. Auditor

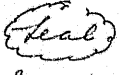
period of five years or until the expiration of the contract between the parties made.

In witness whereof, the party of the first part hath caused these presents to be signed by its president and secretary and its corporate seal to be attached, and the second party to set his hand and seal, the day and year first above written.

In the presence of
John H. Ward.



10 cents 10 cents
J. H. W.
Oct/23/99
Documentary

W. Larns 
P. J. McGowan & Co., Incorporated
By P. J. McGowan
President
P. J. McGowan & Co., Incorporated
By H. S. McGowan.
Secretary.

State of Oregon }
County of Multnomah }

This certifies, that on this 20th day of October, A.D. 1899, before me the undersigned, a Notary Public in and for said County and State, personally appeared the within named W. Larns, who is personally known to me to be the identical person described in and who executed the within instrument, and acknowledged to me that he executed the same.

In Testimony whereof, I have hereunto set my hand and affixed my notarial seal the day and year last above written.

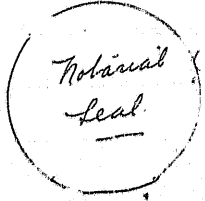


J. H. Ward.
Notary Public for the State of
Oregon, Residing in Portland therein.

State of Washington }
County of Pacific }

This certifies, that on this 24th day of October, A.D. 1899, before me, E. P. Moonan, a Notary Public in and for said County and State, personally appeared P. J. McGowan, President of the P. J. McGowan & Co., Incorporated, and H. S. McGowan, personally known to me to be the secretary of said corporation, and each personally acknowledged to me that such corporation executed the same.

In Witness whereof, I have hereunto set my hand and seal the day and year last above written.



E. P. Moonan
Notary Public for the State of Washington,
residing in Chinook, therein.