

MISCELLANEOUS RECORD G

SKAMANIA COUNTY

Vol. 100, p. 100, Company, Makers, Tacoma, 1917.

A DESCRIPTION OF THE LANDS UNDER SUCH RIGHT, AND TO WHICH THE WATER HEREBY CONFIRMED IS APPURTENANT, OR IF FOR OTHER PURPOSES, THE PLACE WHERE SUCH WATER IS PUT TO BENEFICIAL USE, IS AS FOLLOWS:

TOWNSHIP	RANGE	SECTION	FORTY-ACRE TRACT	NO. ACRES DESCRIBED IN PERMIT	NO. ACRES ACTUALLY IRRIGATED

THE RIGHT TO THE USE OF THE WATER AFORESAID HEREBY CONFIRMED IS RESTRICTED TO THE LANDS OR PLACE OF USE HEREIN DESCRIBED, EXCEPT AS PROVIDED IN SECTION 39, CHAPTER 117, SESSION LAWS 1917.

WITNESS THE SEAL AND SIGNATURE OF THE SUPERVISOR OF HYDRAULICS AFFIXED THIS 8TH DAY OF MARCH, 1923.

(OFFICIAL)
(SEAL)

MARVIN CHASE
SUPERVISOR OF HYDRAULICS

FILED FOR RECORD MARCH 9, 1923, AT 1 P.M. BY SPOKANE, PORTLAND & SEATTLE RY. CO.

W. A. Nichols
COUNTY AUDITOR.
BY *Edy Nichols*
DEPUTY.

STEVENSON MACHINE COMPANY ET AL TO THE PUBLIC

THIS DECLARATION OF TRUST, MADE THIS THIRTIETH DAY OF MARCH 1923, BY GOODWIN A. YOUNG, SCOTT YOUNG AND WILLIAM B. HERMANN HERINAFTER CALLED TRUSTEES,

WITNESSETH: THAT, WHEREAS, ON THE THIRTIETH DAY OF MARCH, 1923, THERE WAS CONVEYED TO SAID TRUSTEES CERTAIN MONEYS, RIGHTS AND INTERESTS AND PROPERTY RIGHTS AS SET FORTH IN "SCHEDULE A", IDENTIFIED BY THE SIGNATURES OF THE PARTIES THERETO TO BE HELD BY THEM UPON THE TRUST HERINAFTER SET FORTH, SAID CONVEYANCE BEING FILED WITH SAID TRUSTEES AND REFERENCE TO WHICH IS HEREBY MADE,

NOW, THEREFORE, WE, THE SAID TRUSTEES, ACTING AND SPEAKING IN OUR OWN BEHALF AND THAT OF OUR FUTURE ASSOCIATES, TRUSTEES AND THEIR SUCCESSORS AND ASSOCIATE TRUSTEES OF US AND ALL OF THEM DO HEREBY DECLARE SAID TRUST AS FOLLOWS:

1. THIS DECLARATION OF TRUST SHALL BE BINDING UPON SAID TRUSTEES AS WELL AS FUTURE SUBSCRIBERS TO SHARES, PRESENT HOLDERS OR FUTURE PURCHASERS OF SHARES HEREUNDER.

2. THIS ASSOCIATION SHALL BE DESIGNATED, TRADE AND DO BUSINESS AS THE STEVENSON MACHINE COMPANY, AND SO FAR AS PRACTICABLE ALL BUSINESS THEREOF SHALL BE TRANSACTED AND TRUST PROPERTY AND TRUST FUNDS HELD UNDER THAT NAME.

PLACE OF BUSINESS.

3. THE PRINCIPAL PLACE OF BUSINESS OF SAID ASSOCIATION SHALL BE AT STEVENSON, SKAMANIA COUNTY, IN THE STATE OF WASHINGTON.

NUMBER OF TRUSTEES AND DURATION OF TRUST.

4. THE TRUSTEES SHALL BE THREE IN NUMBER, EXCEPT AS HERINAFTER PROVIDED; EACH SHALL BE A SHAREHOLDER AND ALL FUTURE TRUSTEES SHALL SUCCEED TO THE TITLE OF THE TRUST PROPERTY AND EXERCISE FULL POWER AND AUTHORITY OVER THE SAME AS THE ORIGINAL TRUSTEES HERETO. THEY SHALL HOLD OFFICE UNTIL SAME BECOMES VACANT BY DEATH, RESIGNATION OR REMOVAL, AND IN THE EVENT OF ANY VACANCY, THE REMAINING TRUSTEES MAY FILL SUCH VACANCY BY APPOINTMENT OF A SUITABLE PERSON OR PERSONS. THIS TRUST SHALL

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CONTINUE FOR TWENTY-ONE YEARS AFTER THE DEATH OF THE LAST SURVIVING ORIGINAL TRUSTEE SIGNING THIS AGREEMENT.

TRUSTEES TO HOLD TITLE.

5. THE TRUSTEES SHALL HOLD THE LEGAL TITLE TO ALL PROPERTY AT ANY TIME BELONGING TO THE TRUST, AS JOINT TENANTS, AND NOT AS TENANTS IN COMMON, IN TRUST FOR THE BENEFIT OF ALL SHAREHOLDERS FROM TIME TO TIME OF THE ASSOCIATION, IN PROPORTION TO THE NUMBER OF SHARES HELD BY EACH, AND THEY SHALL HAVE ABSOLUTE CONTROL, MANAGEMENT AND DISPOSITION WITHOUT GIVING BOND.

AUTHORIZED SHARES.

6. THE BENEFICIAL INTERESTS IN THIS TRUST SHALL BE DIVIDED INTO TEN THOUSAND (10,000) SHARES AND AS EVIDENCE OF THE OWNERSHIP OF SAID SHARES THE TRUSTEES SHALL CAUSE TO BE ISSUED TO EACH SHAREHOLDER A NEGOTIABLE CERTIFICATE OR CERTIFICATES IN SUCH FORM AS THEY MAY BY RESOLUTION ADOPT.

THE SHAREHOLDERS.

7. THE SHAREHOLDERS OF THIS ASSOCIATION SHALL HAVE NO LEGAL RIGHT TO TRUST PROPERTY OR TO ANY TITLE HEREIN, OR THE RIGHT TO CALL FOR A PARTITION OR DIVISION OF THE SAME, A DISSOLUTION OF THE TRUST, OR AN ACCOUNTING, BUT SHARES HEREUNDER SHALL BE PERSONAL PROPERTY, GIVING ONLY THE RIGHTS IN THE INSTRUMENT AND CERTIFICATES THEREOF SPECIFICALLY SET FORTH, CARRYING ONLY THE RIGHT TO A DIVISION OF THE PROFITS, AND TO A DIVISION OF THE TRUST FUNDS UPON THE DISSOLUTION OF THE TRUST.

8. THE DEATH, INSOLVENCY OR BANKRUPTCY OF ANY SHAREHOLDER, THE TRANSFER OF HIS OR HER INTEREST BY SALE, GIFT, DEVISE OR DESCENT OR OTHERWISE, DURING THE CONTINUANCE OF THIS TRUST SHALL NOT OPERATE AS A DISSOLUTION OF THIS TRUST NOR SHALL IT HAVE ANY EFFECT WHATEVER UPON THE ASSOCIATION, ITS OPERATION OR MODE OF BUSINESS, BUT HIS OR HER HEIRS, ASSIGNS OR REPRESENTATIVES SHALL SIMPLY AND ONLY SUCCEED TO THE RIGHTS OF THE ORIGINAL SHAREHOLDER.

NON LIABILITY OF TRUSTEES OR SHAREHOLDERS.

9. IT IS HEREBY EXPRESSLY DECLARED THAT A TRUST, AND NOT A PARTNERSHIP, IS HEREBY CREATED; AND NEITHER THE TRUSTEES NOR THE SHAREHOLDERS, PRESENT OR FUTURE, SHALL EVER BE PERSONALLY LIABLE HEREUNDER AS PARTNERS OR OTHERWISE; AND IN EVERY WRITTEN CONTRACT OR INSTRUMENT OR TRANSACTION CREATING LIABILITY, WHICH THE TRUSTEES SHALL ENTER INTO, IT SHALL BE EXPRESSLY STIPULATED THAT NO SHAREHOLDER SHALL BE LIABLE, AND REFERENCE SHALL BE MADE TO THIS DECLARATION OF TRUST; AND THAT NO DEBTS OR LIABILITIES SHALL BE CREATED UNLESS THE FUNDS AND RESOURCES OF THE ASSOCIATION ARE SUFFICIENT TO LIQUIDATE THE SAME.

10. NO TRUSTEE HEREUNDER SHALL BE LIABLE IN ANY EVENT FOR THE ACT OR OMISSION OF HIS CO-TRUSTEE, OR ANY OTHER PERSON WHATSOEVER, WHETHER EMPLOYED BY SUCH TRUSTEE OR NOT, OR FOR ANYTHING OTHER THAN HIS OWN PERSONAL BREACH OF TRUST.

NOTICE OF TRUST RELATION.

11. THE ORDERS, REQUISITIONS, BILL-HEADS AND STATIONERY USED BY SAID TRUSTEES SHALL HAVE PRINTED THEREON THE FOLLOWING IN SUBSTANCE: "OPERATING UNDER A DECLARATION OF TRUST."

TRUST PROPERTY LIABLE.

12. THE TRUST FUNDS AND PROPERTY OF THIS ASSOCIATION SHALL STAND PRIMARILY CHARGED WITH THE BURDEN OF THE PAYMENT OF ALL CLAIMS, DEMANDS AGAINST AND LIABILITIES OF THE ASSOCIATION.

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Johnson-Cox Company, Makers, Wisconsin-4317

PURPOSES AND POWERS OF TRUST.

13. THE TRUSTEES ARE AUTHORIZED IN THE NAME OF THE ASSOCIATION TO ENGAGE IN THE BUSINESS OF,

THE CONSTRUCTION AND REPAIR OF MACHINERY AND PARTS THEREOF INCLUDING AUTOMOTIVE VEHICLES, ELECTRICAL DEVICES AND EQUIPMENT.

THE PURCHASE AND SALE OF AUTOMOTIVE VEHICLES AND ACCESSORIES.

GENERAL MERCHANDISING BY PURCHASE AND SALE OR OTHERWISE TRADING IN MERCHANDISE OF ANY DESCRIPTION.

TO ENTER INTO CONTRACTS WITH OTHERS FOR THE MANUFACTURE OR SALE OF ARTICLE OR ARTICLES AS MAY BE AGREED UPON, EITHER UPON COMMISSION, FLAT PRICES OR OPEN CURRENT RATES AS TO PRICES.

TO BORROW SUCH MONEY FROM TIME TO TIME, WITH OR WITHOUT SECURITY BEING GIVEN, AS MAY BE REQUIRED TO CONVENIENTLY CARRY ON THE BUSINESS OF THE COMPANY. TO THIS END THE PROPERTY OF THE COMPANY, IN WHOLE OR IN PART MAY BE MORTGAGED AS SECURITY.

TO PURCHASE SUCH LAND AND TO ERECT SUCH BUILDINGS AS MAY FROM TIME TO TIME BE CONVENIENT FOR BUSINESS USE AND NEEDS AND TO SELL THE SAME IN WHOLE OR IN PART, AND IN CASE OF NEED TO MORTGAGE THE SAME AS SECURITY FOR BORROWED MONEY.

IN GENERAL TO DO ALL THOSE THINGS NECESSARY TO CARRY OUT THE PROVISIONS AS ABOVE OUTLINED AND TO DO OTHER THINGS WHICH MAY BE FOUND NECESSARY OR CONVENIENT TO THE PROSECUTION OF THE BUSINESS OF THE COMPANY.

14. THESE TRUSTEES SHALL HAVE AS FULL POWER AND DISCRETION AS IF ABSOLUTE OWNERS, TO INVEST AND REINVEST, SELL, TRANSFER AND CONVEY ANY PART OR ALL OF SAID TRUST FUNDS OR PROPERTY, UPON SUCH TERMS AND CONDITIONS AS THEY MAY SEE FIT. THEY MAY BORROW MONEY AND MORTGAGE OR PLEDGE, AS SECURITY FOR SUCH LOAN OR LOANS, ANY PROPERTY OR FUNDS OF THE ASSOCIATION.

ANNUAL MEETINGS.

15. THE TRUSTEES SHALL HOLD ANNUAL MEETINGS AT THE PRINCIPAL PLACE OF BUSINESS OF THE ASSOCIATION DURING THE MONTH OF JANUARY, AT WHICH THEY SHALL CHOOSE ONE OF THEIR NUMBER WHO SHALL BE THE PRESIDENT OF THE ASSOCIATION; ANOTHER WHO SHALL BE SECRETARY, AND ANOTHER WHO SHALL BE TREASURER, AND MAY PROVIDE AND ELECT A VICE-PRESIDENT OR GENERAL MANAGER.

OFFICERS.

THE OFFICERS SHALL HOLD THEIR RESPECTIVE OFFICES UNTIL THE NEXT ANNUAL MEETING, OR UNTIL THEIR SUCCESSORS ARE ELECTED AND QUALIFIED. THE PRESIDENT SHALL BE THE CHIEF EXECUTIVE OFFICER OF THE ASSOCIATION, AND WILL PRESIDE AT ALL MEETINGS WHEN PRESENT, SIGN (WITH THE SECRETARY) ALL CERTIFICATES OF SHARES, ALL BILLS, NOTES, CHECKS, CONTRACTS, AND OTHER INSTRUMENTS WHICH MAY PERTAIN TO THE BUSINESS AND AFFAIRS OF THE ASSOCIATION, AND SHALL EXERCISE GENERAL SUPERVISION OVER ALL BUSINESS AND AFFAIRS OF THE ASSOCIATION. THE VICE-PRESIDENT, IF ONE BE ELECTED, SHALL IN THE ABSENCE, DISABILITY OR REFUSAL OF THE PRESIDENT TO ACT, PERFORM THE DUTIES OF THE PRESIDENT, AND SHALL PERFORM SUCH OTHER DUTIES AS MAY BE PRESCRIBED BY THE TRUSTEES. THE SECRETARY SHALL PERFORM THE DUTIES USUALLY INCIDENT TO THAT OFFICE; HE SHALL HAVE CHARGE OF THE ASSOCIATION'S SEAL, AND SHALL SIGN AND AFFIX THE SEAL OF THE ASSOCIATION TO SUCH INSTRUMENTS AS MAY BE NECESSARY; AND SHALL HAVE CHARGE OF THE BOOKS OF THE ASSOCIATION AND SHALL MAKE SUCH REPORTS AS MAY BE REQUIRED BY LAW OR BY THE TRUSTEES. THE TREASURER SHALL BE THE CUSTODIAN OF THE FUNDS, AND SHALL KEEP ACCURATE RECORDS AND ACCOUNTS OF ALL RECEIPTS, DISBURSEMENTS,

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CREDITS, ASSETS, AND LIABILITIES AND THE GENERAL FINANCIAL TRANSACTIONS OF THE ASSOCIATION, AND SHALL RECEIVE, HOLD AND DISBURSE ALL ASSOCIATION MONEYS, BILLS, NOTES, CHECKS AND OTHER NEGOTIABLE INSTRUMENTS AS DIRECTED BY THE TRUSTEES.

IN THE ABSENCE OF ANY OFFICER OR TRUSTEE, THE REMAINING OFFICERS OR TRUSTEES PRESENT MAY HAVE DELEGATED TO THEM THE POWERS AND DUTIES TO ACT FOR THE TIME BEING.

SPECIAL MEETINGS.

16. UPON THE WRITTEN REQUEST OF A MAJORITY OF THE TRUSTEES, THE PRESIDENT SHALL CALL A SPECIAL MEETING OF THE TRUSTEES OR OFFICERS. NOTICE SHALL BE MAILED EACH OFFICER OR TRUSTEE AT LEAST FIVE DAYS PRIOR TO THE DATE OF SUCH MEETING OR SUCH NOTICE MAY BE WAIVED BY ALL IN WRITING, AND SUCH NOTICE SHALL SPECIFY THE PURPOSE FOR WHICH THE MEETING IS CALLED, AND NO OTHER BUSINESS THAN SPECIFIED IN THE NOTICE SHALL BE TRANSACTED.

AT ANY SPECIAL MEETING THE TRUSTEES, BY A TWO-THIRDS VOTE, MAY (1) CHANGE THE PRINCIPAL PLACE OF BUSINESS OF THE ASSOCIATION, OR ESTABLISH BRANCH OFFICES; (2) REMOVE A TRUSTEE OR OFFICER FOR CAUSE; (3) FILL ANY VACANCY IN EITHER TRUSTEE OR OFFICER; (4) INCREASE OR DIMINISH THE AMOUNT OF SHARES INTO WHICH THE BENEFICIAL INTERESTS IN THIS TRUST SHALL BE DIVIDED, PROVIDED THAT SAID AMOUNT OF SHARES SHALL NEVER BE LESS THAN THE AMOUNT OUTSTANDING AND (5) TRANSACT SUCH OTHER BUSINESS AS MAY BE SPECIFICALLY SET FORTH IN THE NOTICE OF THE MEETING.

17. A MAJORITY OF THE TRUSTEES SHALL CONSTITUTE A QUORUM, AND THE DECISION OF THE MAJORITY OF THOSE PRESENT AND ACTING AT ANY TIME SHALL MAKE VALID ANY ACTION TAKEN.

SEAL AND CERTIFICATES.

18. ALL CERTIFICATES SHALL BE SIGNED BY THE PRESIDENT AND SECRETARY AND BEAR THE SEAL OF THE ASSOCIATION. NO ASSESSMENT SHALL EVER BE MADE UPON THE SHAREHOLDERS, AND THE BOOKS OF THE ASSOCIATION SHALL ALWAYS BE OPEN TO THEIR INSPECTION. THE ASSOCIATION SHALL HAVE A SEAL AND INSCRIBED THEREON SHALL BE THE NAME OF THE ASSOCIATION AND ALSO THE WORD "SEAL, 1923".

ANNUAL ACCOUNT.

19. THE TRUSTEES SHALL RENDER AN ACCOUNT ANNUALLY OR OFTENER, IF CONVENIENT, AND SHALL, UPON REQUEST, DELIVER OR MAIL A COPY TO EACH SHAREHOLDER.

MAY PROVIDE SALARIES.

THE TRUSTEES MAY PROVIDE FOR THE PAYMENT OF SALARIES, WAGES, FEES AND COMMISSIONS TO THE OFFICERS, CLERKS, AGENTS AND OTHER EMPLOYEES OF THE ASSOCIATION.

IN WITNESS WHEREOF, THE SAID TRUSTEES HAVE HEREUNTO SET THEIR HANDS IN TOKEN OF THEIR ACCEPTANCE OF THIS TRUST ON BEHALF OF THEMSELVES AND THEIR SUCCESSORS AND ALSO IN TOKEN OF THEIR ASSENT TO AND APPROVAL OF THE TERMS AND CONDITIONS HEREOF FOR THEMSELVES AND THEIR ASSIGNS THE DAY AND YEAR FIRST ABOVE WRITTEN.

GOODWIN A. YOUNG

SCOTT YOUNG

WM. B. HERRMANN

STATE OF WASHINGTON,
COUNTY OF SKAMANIA.

} ss.

ON THIS THIRTIETH DAY OF MARCH, 1923, BEFORE ME RAYMOND C. SLY A NOTARY PUBLIC

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WITHIN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED GOODWIN A. YOUNG, SCOTT C. YOUNG AND WILLIAM B. HERRMAN WHO ARE PERSONALLY KNOWN TO ME TO BE THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE FOREGOING INSTRUMENT OF WRITING OF THE PARTIES THERETO, AND ACKNOWLEDGED THE SAME TO BE THEIR FREE VOLUNTARY ACT AND DEED FOR THE USES AND PURPOSES THEREIN EXPRESSED.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL AT MY OFFICE IN THE DAY AND YEAR FIRST ABOVE WRITTEN.

{NOTARIAL}
{SEAL}

RAYMOND J. SLV
NOTARY PUBLIC FOR WASHINGTON
RESIDING AT STEVENSON THEREIN.
MY COMMISSION EXPIRES JANUARY 27TH 1927

FILED FOR RECORD MARCH 30. 1923, AT 3-50 P.M. BY WM. B. HERRMAN.

Wm. B. Herrman
COUNTY AUDITOR.
By *Earl P. Smith*
DEPUTY.

JOSEPH D. BANNING TO PORTLAND ASSOCIATION OF CREDIT MEN
& A. T. SCHOUBOE
COMMON LAW ASSIGNMENT

THIS INDENTURE MADE THIS 24 DAY OF APRIL, 1923, BY AND BETWEEN JOSEPH D. BANNING DOING BUSINESS AS JOSEPH D. BANNING AT STEVENSON WN. HEREINAFTER CALLED "ASSIGNOR", AND THE ADJUSTMENT BUREAU OF THE PORTLAND ASSOCIATION OF CREDIT MEN, A CORPORATION DULY ORGANIZED AND EXISTING UNDER AND BY VIRTUE OF THE LAWS OF THE STATE OF OREGON, AND A. T. SCHOUBOE HEREINAFTER CALLED "ASSIGNEES", WITNESSETH:

WHEREAS SAID ASSIGNOR IS UNABLE TO PAY THE CLAIMS AND DEMANDS OF HIS CREDITORS AS THEY MATURE IN THE ORDINARY COURSE OF BUSINESS, A LIST OF WHICH CREDITORS IS HEREWITH FURNISHED TO SAID ASSIGNEES SHOWING THE AMOUNTS RELATIVELY DUE AND OWING TO SAID CREDITORS BY SAID ASSIGNOR; AND,

WHEREAS, SAID ASSIGNOR DESIRES TO PAY EACH AND EVERY BONA FIDE CREDITOR FILING A CLAIM WITH SAID ASSIGNEES AS HEREINAFTER PROVIDED FOR, AND WHETHER OR NOT SAID CREDITOR MAY BE MENTIONED IN SAID LIST FURNISHED TO SAID ASSIGNEES EQUALLY AND RATABLY BY TRANSFERRING AND ASSIGNING ALL OF HIS PROPERTY FOR THE BENEFIT OF HIS CREDITORS TO SAID ASSIGNEES AND WITHOUT THE INTERVENTION OF LEGAL PROCEEDINGS; AND,

WHEREAS, SAID ASSIGNEES ARE WILLING TO TAKE AN ASSIGNMENT AND CONVEYANCES FROM SAID ASSIGNOR OF ALL OF HIS PROPERTY OF EVERY KIND AND DESCRIPTION FOR THE PURPOSES AND ON THE TERMS HEREIN SET FORTH;

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS, THAT THE ASSIGNOR, FOR AND IN CONSIDERATION OF THE PREMISES AFORESAID AND OF THE COVENANTS HEREINAFTER CONTAINED, AND FOR THE SUM OF ONE DOLLAR TO HIM IN HAND PAID BY SAID ASSIGNEES, THE RECEIPT WHEREOF IS HEREBY ACKNOWLEDGED, DOES BY THESE PRESENTS GRANT, BARGAIN, SELL, CONVEY, CONFIRM, ASSIGN, TRANSFER AND DELIVER OVER UNTO SAID ASSIGNEES ALL OF THAT CERTAIN STOCK OF GOODS, WARES AND MERCHANDISE CONSISTING PRINCIPALLY OF A STOCK OF LT GROCERIES CIGARS AND TOBACCO CANDY ETC. NOW LOCATED AND BEING AT THE PLACE OF BUSINESS OF SAID ASSIGNOR KNOWN AND DESCRIBED AS I. O. O. F. BUILDING STEVENSON WN. TOGETHER WITH ALL FIXTURES, TOOLS, APPLIANCES, EQUIPMENT, BILLS AND ACCOUNTS RECEIVABLE, CASH ON HAND, BANK ACCOUNTS, BANK DEPOSITS, INSURANCE POLICIES, BOOKS OF ACCOUNT AND RECORDS, ALL UNITED STATES MAIL IN TRANSIT, GOOD WILL, CHOSES IN ACTION, AND ALL PROPERTY OF EVERY KIND AND DESCRIPTION IN WHICH HE MAY HAVE ANY RIGHT, TITLE