

of the first part, for their heirs, executors and administrators, do covenant and agree to pay the said party of the second part, its successors or assigns all the said sum of money as above mentioned.

Witness our hands and seals this 6th day of May, A.D.1908.

Done in the presence of)	Ella Foster (Seal)
Harold Hershner)	F.F.Foster (Seal)
E.H.Hartwig)	

State of Oregon,) ss
County of Wasco)

This Certifies, that on this 6th day of May A.D.1908 before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named Ella Foster and F.F.Foster, her husband, known to me to be the identical persons described in and who executed the within instrument, and acknowledged to me that they executed the same freely and voluntarily and without fear, coercion or compulsion from anyone.

In Testimony Whereof, I have hereunto set my hand and Notarial seal the day and year last above written.

(Notarial)	E.H.Hartwig
(Seal)	Notary Public for Oregon.

My Commission Expires March 14th, 1910.

Filed for record by Butler Banking Company on May 7, 1908 at 1:15 P.M.

A. Fleischhauer,
County Auditor.

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Mercantile Trust Company to Northern Pacific Railway Company.

THIS INDENTURE, Made this First day of April A.D.1908 between THE MERCANTILE TRUST COMPANY, a corporation under the laws of the State of New York, Trustee, hereinafter called "The Trustee", party of the first part, and the NORTHERN PACIFIC RAILWAY COMPANY, party of the second part,

WITNESSETH, Whereas, the Northern Pacific Railway Company, a corporation under the laws of the State of Wisconsin (which has succeeded to the lands and rights to lands granted by Congress to the Northern Pacific Railroad Company, a corporation created and existing by and under an act of Congress of the United States of America, entitled "An act granting lands to aid in the construction of a railroad and telegraph line from Lake Superior to Puget Sound on the Pacific coast by the Northern Route", approved July 2, 1864) in and by a certain mortgage bearing date the ~~tenth~~ day of November, A.D. 1896, did mortgage unto the said party of the first part, as Trustee, certain railways and other property including the lands hereinafter described, which mortgage was given to secure the payment of the prior lien railway and land grant gold bonds of said Northern Pacific Railway Company to be issued to an amount not exceeding 130,000,000; and WHEREAS, The said The Mercantile Trust Company, as Trustee, is authorized in and by said mortgage by itself, or by its authorized attorney, to release from the lien of said mortgage any lands which may be sold upon payment to said Trustee of the net sum received from such sales, so that the purchaser, or purchasers thereof, shall take and hold the same free from any incumbrance existing by reason of said mortgage, and WHEREAS, All the lands hereinafter described have been sold and conveyed by the Northern Pacific Railway Company (which has succeeded to the right, title and interest in said lands of the Northern Pacific