

a proportion; and no more, of the entire consideration paid as aforesaid by said second party, as the number of acres of relinquished lands to which the title thereto shall prove insufficient to warrant the selection of lieu lands as aforesaid, shall bear to the entire number of acres relinquished to the United States as aforesaid; but in no event shall the amount of damage which said second party shall be entitled to recover exceed the consideration then herein expressed, to-wit: Six hundred and forty and $\frac{50}{100}$ Dollars with interest thereon at the rate of five per cent per annum from the date of payment. It is further agreed by the parties hereto, that if any part of the selections of lieu lands made as aforesaid, under the direction of said second party and described and conveyed herein, shall not be approved by the United States for patent for any reason whatsoever, then said second party shall within a reasonable time after such failure of approval designate other selections in lieu thereof, and said first party shall make such selections and after approval thereof by the United States, convey all its right, title and interest in the same to said second party, his heirs and assigns subject to the covenant herein contained.

In Witness Whereof, The said Santa Fe Pacific Railroad Company, party of the first part, has caused this deed to be signed by O. O. M. Jamison, its attorney in fact, the day and year first above written.

Signed, sealed and delivered in presence of

A. Fleuchbauer

J. A. Fisher

Santa Fe Pacific Railroad Company

by O. O. M. Jamison

Its Attorney in Fact.

State of Washington

County of Skamania

}²⁵ This certifies, that on this the 29th day of March A.D. 1906, before me, the undersigned Authority, in and for said County and State, personally appeared the within named Santa Fe Pacific Railroad Company, a corporation by O. O. M. Jamison, its duly authorized attorney in fact, he being known to me to be the identical person described in and who executed the within instrument for and on behalf of the said corporation, and the said O. O. M. Jamison then and there acknowledged that he did, in such attorney, execute the within instrument as and for the act and deed of said Santa Fe Pacific Railroad Company and the said O. O. M. Jamison, as such attorney in fact, signed the name of said company to the within instrument and the under the authority in him vested by said power of attorney.

In Witness Whereof I have hereunto set my hand and affixed my official seal on this the day in this certificate herein above named.

Seal of
Sgt. Clerk

A. Fleuchbauer, Clerk of Superior Court
Skamania County, Wash

Filed for record by O. O. M. Jamison on March 29, 1906 at 1.15 P.M.

A. Fleuchbauer

As attested