

and such advances shall constitute a default of this mortgage, and the mortgagee may recover from the mortgagors any such amounts advanced, together with interest thereon at the rate of twelve per cent per annum.

The mortgagee shall be the sole judge of the legality and validity of any taxes assessments, liens or adverse claims, and the fact of the payment thereof by the mortgagee shall establish their right to recover the same with interest from the mortgagors.

5th. To pay a reasonable attorney's fee in case of foreclosure and all costs of searching title necessary to begin any such action upon this mortgage.

IN WITNESS WHEREOF the said mortgagors have hereunto set their hands and seals this 30th day of September, A.D. 1916.

Signed, Sealed and Delivered in presence of: Mary MacArthur Akerman. (Seal)
Clement Akerman. (Seal)

STATE OF WASHINGTON, }
COUNTY OF KING. } SS.

THIS IS TO CERTIFY, That on this 30th day of September, A.D. 1916, before me, the undersigned, a Notary Public, in and for the State of Washington, duly commissioned and sworn, personally came Mary MacArthur Akerman and Clement Akerman, her husband to me known to be the individual described in and who executed the within instrument, and acknowledged to me that they signed and sealed the same as their free and voluntary act and deed for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

(Notarial Seal)

A. W. Green.
Notary Public in and for the State of Washington,
Commission expires December 7th, 1917. duly commissioned and sworn, residing at Seattle,

Filed for record by O.R. Green, on Oct. 5, 1916, at 9.30 A.M.

Chas. H. Mellor
County Auditor.

BANKERS TRUST COMPANY TO N.P. RAILWAY CO.

THIS INDENTURE, Made this first day of August, A.D. 1916, between BANKERS 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 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 Mercantile Trust Company, as Trustee, certain railways and other property including the lands hereinafter described, which mortgage was given to secure the payment of the prior