

to me personally known, and known to me to be the Vice-President and Secretary, respectively, of Northern Pacific Railway Company, therein named, and to be the individuals and identical persons of that name described in and who executed, and whose names are subscribed to, the within and foregoing instrument as Vice-President and Secretary, respectively, of Northern Pacific Railway Company, personally appeared before me, at my office in said County aforesaid, and then and there, being informed of the contents of the said instrument, they did on this 11th day of October, 1911, acknowledge the due execution of the within and foregoing instrument on the day the same bears date; and, further, did acknowledge said instrument to be the free act and deed of said corporation, and that they had freely and voluntarily executed, signed, sealed and delivered the said instrument as the free and voluntary act and deed of the Northern Pacific Railway Company as aforesaid, for the uses and purposes therein mentioned and contained; and the said James N. Hill and George H. Earl, being by me duly sworn, did depose and say that they resided, the said James N. Hill, in the City of New York, and the said George H. Earl in the City of Jersey City, N. J.; that they are respectively the Vice-President and Secretary of the Northern Pacific Railway Company, the corporation described in and which executed the above and foregoing instrument; that they know the seal of said corporation; that the seal affixed to said instrument was such corporate seal; that it was so affixed by order of the Board of Directors of said corporation, and that they signed their names thereto by like order.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of office as Notary Public in and for the County of New York, in the State of New York, at my office in said County of New York, this 11th day of October, 1911.

Wm. H. Bruder

(Notarial seal affixed)

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Notary Public for the County of New York,
in the State of New York.
My commission expires March 30, 1913.

State of New York)
) ss.: No. 31613
County of New York,)

I, WILLIAM F. SCHNEIDER, Clerk of the County of New York, and also Clerk of the Supreme Court for the said County, the same being a Court of Record, DO HEREBY CERTIFY, That Wm. H. Bruder whose name is subscribed to the Certificate of the proof or acknowledgment of the annexed instrument, and thereon written, was, at the time of taking such proof or acknowledgment, a Notary Public in and for the County of New York, dwelling in the said County, commissioned and sworn, and duly authorized to take the same. And further that I am well acquainted with the handwriting of such Notary, and verily believe that the signature to the said certificate of proof or acknowledgment is genuine.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of the said Court and County, the 13 day of Oct 1911.

Wm. F. Schneider

(Seal of Clerk affixed)

Clerk

BANKERS TRUST COMPANY, the Trustee named in the foregoing instrument, insisting that by virtue and as the result of the merger of The Mercantile Trust Company into and with it and pursuant to law of the State of New York, it thereupon and thereby became the successor of said The Mercantile Trust Company as Trustee under the mortgage of Northern Pacific Railway Company to said The Mercantile Trust Company, dated November 10, 1896, and vested with all the estates, properties, rights, powers and trusts of said The Mercantile Trust Company in the trust under the said mortgage, and with like effect as if originally named as Trustee therein, and that no vacancy has occurred in the office of Trustee under the said mortgage, and that no formal appointment of it as Trustee thereunder is necessary, nevertheless, being