

## MORTGAGE RECORD—W

SKAMANIA COUNTY, WASHINGTON

Provided, however, that until the said Missouri Division mortgage dated May 1, 1879, and the General First Mortgage dated January 1, 1881, of the Northern Pacific Railroad Company, and the said Prior Lien Mortgage of the Railway Company of even date herewith, shall have been fully satisfied, or until the moneys required for the payment of all the bonds thereby secured shall have been deposited for the redemption thereof by means and operation of their respective sinking funds, or otherwise, the said lands granted by Congress and hereby conveyed, subject to the said mortgages respectively, may and shall be sold and disposed of, conveyed and released, and the proceeds of their sales applied, according to the provisions, terms and conditions of the said mortgages and solely for the purposes therein mentioned, in the same manner and with the same effect as if this indenture had never been made, and entirely and absolutely free and clear of any lien or incumbrance created hereby; and no conveyance by the Trustee or other instrument of release from this indenture, shall be required for that purpose.

For the purpose of granting and releasing from the lien of these presents, such of said lands and premises as shall thereafter be sold in conformity with this Article, the Trustee may act, and it is hereby authorized and empowered to act, by agent or attorney appointed with the approval of the Railway Company; and all instruments executed and acts done by the agent or attorney of the Trustee, duly appointed for that purpose, in respect of the conveyance or release of lands which shall be sold in conformity with this Article, shall be as valid and effectual to all intents and purposes, if the same be within the scope of the authority of such agent or attorney, as if the same were executed by the Trustee itself; and every such appointment or power of attorney may be revoked by the Trustee at its pleasure and shall be revoked upon the written request of the Railway Company, and the Trustee may remove at pleasure any agent or attorney by it appointed, but no such revocation shall affect any act done by such agent or attorney, prior to such revocation, pursuant to the power to him granted.

The Trustee is, and shall be, authorized to allow reasonable compensation to any agents or attorneys appointed by it, with the approval of the Railway Company as aforesaid, and to such agents, clerks and assistants, as it may deem necessary to employ, and to such agents, clerks and assistants as it may be necessary or proper for the said Railway Company to employ, in regard to the management, settlement and sale of said lands, and the preparation of contracts therefor, and conveyances thereof; and in each and every month the Trustee shall allow to be deducted out of the proceeds of the sales of said lands, an amount sufficient to defray such expenses (together with all arrears for like expenses incurred by the Railway Company since September 1st, 1896, and not reimbursed to it) if such expenses be reasonable and proper, and in just proportion to the benefit derived by this trust from sales of the said lands. The Trustee shall not be responsible for any error of judgment in allowing any such deduction; and neither the holders of the bonds hereby secured, nor the Trustee, shall, in any manner whatever, become, or be, liable or responsible for, or in respect of, any such expenses, or any other expenses attending the execution of the trust hereby created.

In no event shall any purchaser or purchasers of any property sold or disposed of, under any provision of this Article, be required to see to the application of the purchase money.

All moneys arising from the sale of the said lands hereby conveyed, in whatsoever manner such sale shall be made, subject only to deduction for expenses, as aforesaid, shall be received by the Trustee, and the surplus thereof remaining after deducting the expenses of the execution of this trust in respect thereof, and of the management, settlement and sale of said lands, and after repayment to the Railway Company of its outlays for taxes,