

MORTGAGE RECORD—W

SKAMANIA COUNTY, WASHINGTON

YAKIMA BINDERY, S. P. O., CO., 187297

by the Railway Company.

Sec. 4. If at any time or times, in order to conform to any law of any State in which the Railway Company now holds or at any time hereafter shall hold any property, the Railway Company shall so request, the Trustee shall unite with the Railway Company in the execution, delivery and performance of all instruments and agreements necessary or proper to constitute an additional trustee or trustees to be vested jointly with the trustee originally named herein or its successor, with any and all estates, rights, powers and duties originally vested in the trustee hereunder: provided, however, (1) that the bonds secured hereby shall be certified and delivered, and all powers conferred upon the Trustee under Article I hereof shall be exercised, only ^{by} the The Farmers' Loan and Trust Company, party of the first part, or a trust company appointed and acting as its successor in the trust hereunder; (2) that the custody of all the stocks, bonds and other property and cash held by the Trustee under this indenture, and all rights, powers and duties with respect to the administration, management and disposition thereof, including the rights, powers and duties vested in the trustee under Articles Three and Eight of this indenture, shall not vest in any such additional trustee, but shall remain vested solely in The Farmers' Loan and Trust Company or any trust company which may have been appointed and be acting as its successors in the trust hereunder, and (3) that no powers shall be exercised hereunder by such additional trustee, except jointly with, or with the consent of, The Farmers' Loan and Trust Company, or any trust company which may have been appointed and be acting as its successor in the trust.

It is further understood and agreed that, notwithstanding the appointment of such additional trustee, so far as the same legally can be done, each and every power vested in the Trustee shall be vested in and exercised by The Farmers' Loan and Trust Company and any trust company which may have been appointed and be acting as its successor in the trust hereby created, without the joint action of such additional trustee, and that any notice, request or other writing by or in behalf of the bondholders delivered solely to the said trust company, or its successor in the trust, shall be deemed delivered to any and all the trustees hereunder as effectually as if delivered to each of them, and that any additional trustee hereunder, by accepting the trust, shall, so far as may be, delegate to The Farmers' Loan and Trust Company and its successor in the trust full authority and power to do in the joint names of the trustees all acts and instruments required to be done or executed by the trustees jointly.

ARTICLE TEN.

No recourse under any obligation, covenant or agreement of this indenture, or of any bond or coupon hereby secured, shall be had against any incorporator, stockholder, officer or director of the Railway Company, or of any successor corporation, either directly or through the Railway Company, by the enforcement of any assessment or by any legal or equitable proceeding by virtue of any statute or otherwise; it being expressly agreed and understood that this mortgage and the obligations hereby secured are solely corporate obligations and that no personal liability whatever shall attach to, or be incurred by the incorporators, stockholders, officers or directors of the Railway Company, or of any successor corporation or any or either of them, under or by reason of any or either of the obligations, covenants or agreements in this indenture, or in any of the bonds or coupons hereby secured, expressed and contained or implied therefrom, and that any and all personal liability of every name and nature, either at ^{common} law or in equity, or by statute of every such incorporator, stockholder, officer or director, is hereby expressly waived as a condition of, and consideration for, the execution and issue of this mortgage and such bonds and coupons.