

without which certificate no bond is to be deemed to be issued under or secured by such mortgage or deed of trust

Now Therefore this indenture witnesseth

That the said Kansas City, Topeka and Western Railroad Company in order to secure the punctual payment of all said bonds and the interest thereon and in consideration of the sum of five dollars to it paid by the said party of the second part at the sealing and delivery of these presents the receipt whereof is hereby acknowledged has granted bargained and sold transferred assigned and conveyed and by these presents does grant bargain and sell transfer assign and convey to the said party of the second part its successors in the trust hereby created and assigns all the present and in-future-to-be-acquired property of the said Railroad Company and all its right title and interest therein that is to say

All its railroad already located and constructed or in process of construction or to be hereafter constructed as follows to wit

From the City of Kansas City in the State of Missouri to the city of Topeka in the State of Kansas together with any extensions and branches of the above-described railroad the road-bed superstructures iron ties chairs bolts splices bands depot grounds station engine and car-houses ware-houses depots machine-shops water-tanks viaducts culverts bridges fences timber machinery tools implements materials and supplies now owned or hereafter to be acquired all engines tenders cars and all kinds of rolling stock now owned by said Company and also all hereafter to be acquired and owned by it and all the rights of way franchises rights and privileges of or at any time hereafter to be acquired by the said party of the first part and all property real and personal now in possession of or hereafter to be acquired by said party of the first part including the appurtenances and appurtenances thereof and all the revenues incomes and profits of the said party of the first part which may have been or which shall be hereafter derived from said mortgaged property subject nevertheless to a certain deed of trust or mortgage of the party of the first part to Francis H. Peabody and Joseph Nickerson Trustees dated November 1st A.D. 1875

To Have and to Hold all and singular the premises rights franchises lands and property real and personal thereinbefore and hereby granted bargained and sold transferred assigned and conveyed or intended to be conveyed and every part and parcel thereof with all the appurtenances unto the same belonging or in anywise appertaining unto and to the use of the said party of the second part its successors and assigns subject as aforesaid

But upon the following express trust that is to say in case the said Kansas City Topeka and Western Railroad Company shall