road and premises for the benefit of the holders of said bonds or shall proceed to the foreclosure of this mortgage as hereinbefore provided they shall not be responsible for the acts of any agent or agents attorney or attorneys which they are hereby authorized to employ when such agent or agents attorney or attorneys are selected with reasonable discretion and that they and each of them shall receive and be entitled to receive proper compensation and their expenses for every labor and service performed in the discharge of the trust aforesaid.

And it is further agreed that in case of the death resignation removal or mental incapacity of one of the said parties of the second part all the estate and powers of such trustee shall devolve upon the survivor who with the party of the first part may appoint a new trustee and in case of the death resignation removal or mental incapacity of both trustees a majority in interest of the holders of the bonds secured by these presents may under their hands and seals nominate and appoint a proper successor to such trustee or trustees and upon the request of such bondholders the party of the first part covenants and agrees with the holders of the bonds secured by said mortgage to make such trustee appointed by the said bondholders such other and further assurance of the premises hereby conveyed as may be required and nothing herein contained shall be construed to make such further assurance necessary in order to invest the appointee of the bondholders with the estate hereby conveyed and the right and power to execute the trusts herein contained. The Circuit Court of the United States for the District of Kansas is also authorized on the application of the party of the first part or on behalf of any of the bondholders secured hereby to appoint a trustee or trustees to fill any vacancy which may at any time occur.

And it is further agreed that a majority in interest of the holders of the bonds secured hereby made by writing under their hands and seals may remove any or either of the trustees for the time being and appoint a successor or successors as hereinbefore provided.

In Witness Whereof the said party of the first part has caused its corporate seal to be affixed hereto and these presents to be subscribed by its president and Secretary and the said parties of the second part in witness of their acceptance of the conveyance and trust herein conferred have subscribed their names to the foregoing instrument the day and year first above written.

S. T. Smith
President.

Attest:
J. W. Griffith — Secretary