

or deed of trust it was provided as follows: "Any trustee hereunder may resign and discharge himself of and from the trust hereby created, by notice in writing to the said Railway Company three months before such resignation shall take effect, or such shorter time as the said Railway Company may accept as adequate notice. "In case of resignation, removal or death of any Trustee or Trustees under this Deed of Trust, a new Trustee or Trustees shall be appointed by the said Railway Company by an instrument in writing under its seal and notice thereof given by an advertisement published at least once a week for three successive weeks in a daily newspaper published in said Boston, and unless a majority in interest of the holders of the said bonds then outstanding shall, within thirty days from the date of such last publication, make objection by an instrument in writing signed by them and delivered to the said Railway Company, the said appointment or appointments shall at the expiration of said thirty day be considered as assented to and confirmed by the holders of the bonds secured hereby. "In case such objection by a majority in interest of the holders of said bonds shall be so made as aforesaid, the said Railway Company shall thereupon apply to the Supreme Judicial Court of Massachusetts or other Court of competent jurisdiction to appoint in stead as Trustee or Trustees such other person or persons as to such court shall seem meet". Upon the resignation, removal or death as aforesaid of any Trustee under this Deed of Trust, all his powers and authority shall cease, and on appointment and confirmation as aforesaid or appointment by such court, of his successor, shall vest in such successor. Whereas, the said Arthur P. Duke, George A. Nickerson and Josiah L. Bennett have in accordance with the provisions of said mortgage resigned and discharged themselves of and from the trust thereby created by notice in writing to the said Railway Company, which notice and the resignation of said trustees have been duly accepted by said Railway Company; and Whereas, the Railway Company desires to appoint said Union Trust Company of New York as substituted trustee in place and stead of the said Arthur P. Duke, George A. Nickerson and Josiah L. Bennett;