

under its corporate seal, in favor of Stephen Henry Olin of the City of New York as Trustee, a first mortgage and trust deed, conveying to said Trustee all the real and personal property of this Company, together with its franchises, privileges, rights and liberties with the appurtenances thereof, now owned, or that may hereafter be acquired by the Company, in the business for which it was incorporated.

"That the said mortgage and trust deed shall contain such recitals, provisions, stipulations and agreements as will, in the judgment of the President and Secretary, best secure to the holders of said bonds the payment of the principal and interest thereon, according to the tenor of the same, and also fully protect their rights as such bondholders. And whereas, the written assent of a majority of the stockholders owning more than two-thirds of the capital stock of said corporation, party of the first part, has been duly filed in the office of the Clerk of the City and County of New York, where the said corporation has its principal place of business, and also in the office of the Clerk of the County of Douglas in the State of Kansas, where the goods and chattels hereinbefore referred to are situated, pursuant to the statute in such case made and provided:

Now, therefore, this Indenture witnesseth, that the party of the first part for the purpose of securing the payment of all the said bonds to be issued as aforesaid with the interest accrued thereon, ratably and without any discrimination or preference according to their tenor and effect, and in consideration of the sum of one dollar to it paid by the party of the second part, the receipt whereof is hereby acknowledged, hath granted, bargained, sold, aliened, remised, released, conveyed and confirmed, and by these presents doth grant, bargain, sell, alien, remise, release, convey and confirm unto the said party of the second part, and his successors and assigns forever, all the following described property:

1st. A certain lease executed by J. D. Bowers and