

day and year first above written.

Thomas L. Huddleston.

Ella M. Huddleston.

State of Kansas, County of Shawnee SS:

On this 22nd day of October, A.D. 1908, before me, a Notary Public in and for said County, personally appeared Thomas L. Huddleston and Ella M. Huddleston his wife to me personally known to be the persons named in and who executed the foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed. Witness my hand and official seal, the day and year last above written.

My Commission expires December 11th, 1911. (SEAL) Sidney G. Smith,

Notary Public.

Recorded Oct. 28, A.D. 1908 at 11.15 A.M.

W. L. Thompson Register of Deeds.
By Eric E. Constring Deputy.

This Indenture, made this fifteenth day of October, 1908 by and between Union Pacific Railroad Company, a corporation duly organized and existing under and by virtue of the Laws of the State of Utah (hereinafter called "Railroad Company"), party of the first part and The Equitable Trust Company of New York, a corporation duly organized and existing under and by virtue of the Laws of the State of New York (herein after called "Trustee"), party of the second part, Witnesseth:

Whereas, the Railroad Company executed its first Lien and Refunding Mortgage, under date June 1, 1908, to the party of the second part, as Trustee, to secure an issue of its First Lien and Refunding Mortgage Four Per Cent. Bonds not to exceed the principal sum of \$200,000,000; and Whereas, it was provided by the said First Lien and Refunding Mortgage that as soon as might be after its execution \$50,000,000 of the bonds therein provided for should be issued thereunder, and that whenever all the railroads of the Railroad Company, with their franchises and appurtenances, subject to the lien of the Railroad Company's First Mortgage, dated July 1, 1897, to The Mercantile Trust Company, as trustee, ^{subject to the terms and provisions of the said First Lien and Refunding Mortgage by the operation and delivery of the Trustee of an indenture in such form as should be} should be approved by the vote of the holders of a majority in amount of the capital stock of the Railroad Company then outstanding, and by the Board of Directors of the Railroad Company, then, and from time to time thereafter, additional bonds not exceeding \$150,000,000 in amount might be issued under the said First Lien and Refunding Mortgage, for the purposes and upon the terms, conditions and restrictions therein contained; and

Whereas, by vote of the holders of a majority in amount of the capital stock of the Railroad Company, at a meeting of said stockholders called

For release see Book 85 page 347