

MORTGAGE RECORD 75

159

SAUL DODSWORTH STATIONERY CO. KANSAS CITY MO 64104

From
Chicago Rock Island
& Pacific Railway Co.
To
Nat'l City Bank

MORTGAGE.

State of Kansas Douglas Co. ss
Filed for record Dec. 8, 1927.
At 1:30 P.M.

Est. Wellman
Register of Deeds

A Trust Indenture, executed and delivered in the City and State of New York as of the first day of September, 1927 between The Chicago, Rock Island and Pacific Railway Company, a consolidated corporation organized and existing under the laws of the states of Illinois and Iowa, hereinafter called the Railway Company, party of the first part, and The National City Bank of New York, a national banking association organized and existing under the laws of the United States of America, hereinafter called the Trustee, party of the second part,

Witnesseth:

Whereas, for its corporate purposes, the Railway Company by resolution duly adopted by its Board of Directors, and concurred in by the holders of more than two thirds in amount of the capital stock of the Railway Company at a special meeting of the stockholders duly called and held on the 31st day of October 1927 has determined to create an issue of its Secured Gold Bonds (hereinafter referred to as the bonds), to be issued in series from time to time and to be limited to the aggregate principal amount of Eighty Million Dollars (\$80,000,000) at any one time outstanding, to be issued upon the terms and conditions hereinafter in this Trust Indenture set forth; to execute this Trust Indenture to secure the same; and to presently issue thereunder a series of said Secured Gold Bonds to be designated as its Secured $\frac{3}{4}$ % Gold Bonds, Series A due September 1, 1932 (hereinafter referred to as "the bonds of Series A") to be limited to the aggregate principal amount of Forty Million Dollars (\$40,000,000) at any one time outstanding; and to deposit and pledge with the Trustee under this Trust Indenture as security for the Bonds of Series A the bonds hereinafter specified; and

Whereas, the forms of the bonds of Series A and of the coupons to be attached to the coupon bonds and of the certificate of The National City Bank of New York, the Trustee, to be endorsed on all said bonds, are to be substantially as follows (the forms of the bonds and coupons of any additional series to be likewise substantially in such forms, with appropriate alterations, omissions and additions):

(Form of Coupon Bond of Series A)
United States of America.

No-----

The Chicago, Rock Island and Pacific Railway Company.
Secured $\frac{3}{4}$ % Gold Bond.

Series A due September 1, 1932.

The Chicago Rock Island and Pacific Railway Company

(hereinafter called the "Railway Company" for value received, hereby promises to pay to the bearer hereof, or, if registered, to the registered owner of this bond, on the first day of September, 1932, at its office or agency in the Borough of Manhattan, The City of New York, the principal sum of ----- in gold coin of the United States of America of or equal to the standard of weight and fineness existing September 1, 1927, and to pay interest on said principal sum from September 1, 1927 at the rate of Four and one half per cent ($4\frac{1}{2}\%$) per annum, at its said office or agency, in like gold coin semi-annually on the first day of March and the first day of September in each year, upon presentation and surrender of the coupons hereto annexed as they severally mature. Both principal and interest of this bond are payable without deduction for any tax, assessment or governmental charge (other than Federal income taxes) which the Railway Company or the Trustee under the Trust Indenture hereinafter mentioned may be required or permitted to pay thereon or to retain therefrom under any present or future law of the United States of America or of any state, county, municipality, or other taxing authority therein, the payment of all of which the Railway Company hereby assumes.

This bond is one of a series of Forty Million Dollars (\$40,000,000) aggregate principal amount of coupon bonds and registered bonds known as the Secured $\frac{3}{4}$ % Gold Bonds, Series A due September 1, 1932 of the Railway Company, constituting part of a duly authorized issue of its Secured Gold Bonds, limited to the aggregate principal amount of Eighty million Dollars (\$80,000,000) at any one time outstanding all issued or to be issued in series from time to time under and secured by a Trust Indenture dated as of September 1, 1927 between the Railway Company and The National City Bank of New York, as Trustee (hereinafter called "the Trustee"). For a description of the nature and the extent of the security and the rights of the Trustee and the holders of the bonds with respect thereto, reference is made to the Trust Indenture.

All of the bonds of Series A but not a part thereof, may be redeemed, at the option of the Railway Company, on September 1, 1932, or on any semi-annual interest date thereafter and prior to maturity, upon at least sixty days' prior notice, published in two daily newspapers printed in the English language and published and of general circulation in the Borough of Manhattan, The City of New York, at the principal amount thereof, plus a premium equal to $\frac{1}{2}$ per cent, if redeemed on or after September 1, 1932, and on or before September 1, 1947 or, if redeemed after September 1, 1947 plus a premium, equal to $\frac{1}{4}$ of 1 per cent, for each period of six months intervening between the date of redemption and September 1, 1932.

This bond shall be transferable by delivery unless registered in the owner's name on the books of the Railway Company, such registration being noted hereon by the Railway Company. After such registration no transfer shall be valid unless made on such books by the registered owner in person or by duly authorized attorney, and similarly noted hereon; but the same may be discharged from registration by being in like manner transferred to bearer, after which it shall be transferable by delivery, but this bond may again from time to time be registered or transferred to bearer as before. Such registration however, shall, not affect the negotiability of the coupons, which shall continue to be payable to bearer and transferable by delivery.

The holder of any coupon bonds of the same series of the aggregate principal amount of \$1,000 or any multiple thereof, at his option may surrender the same for cancellation, with all unmatured coupons attached, in exchange for a like aggregate principal amount of registered bonds without coupons of the same series; and two coupon bonds of the same series of the denomination of \$500 may be surrendered in exchange for a coupon bond of the same series of the denomination of \$1,000; and the registered owner of any registered bonds without coupons of the same series, at his option, may surrender the same for cancellation in exchange for a like aggregate principal amount in either registered bonds without coupons or coupon bonds of the denomination of \$1,000, of the same series, all as provided in the Trust Indenture and on payment in any case, if the Railway Company, shall require it, of the charges therein provided for.

In case an event of default as defined in the Trust Indenture shall happen, the principal of all the bonds of each and every series outstanding hereunder may be declared and thereupon become due and payable before maturity in the manner and with the effect provided in the Trust Indenture.

This bond shall not be valid or become obligatory for any purpose until it shall have been authenticated by the execution by the Trustee of the certificate hereon endorsed.

In Witness Whereof, The Chicago Rock Island and Pacific Railway Company has caused this bond to be executed in its corporate name by its President or one of its Vice Presidents and its corporate seal to be hereto affixed, attested by its Secretary or one of its Assistant Secretaries, and

For Release See Book 93 Page 497