

shall be plainly inscribed, "Subject to mortgage Missouri, Kansas & Texas Railway Company to The New York Trust Company and Jacob C. Van Blarcom, Trustees, dated January 1, 1906"

Fourth: The Railway Company is the lawful owner of the said cars and locomotives and each and all of them, subject to the terms of the aforesaid contracts between the Railway Company and American Car & Foundry Company and between the Railway Company and American Locomotive Company, free from all liens, claims and encumbrances of every kind, character and description whatsoever, and the Railway Company is lawfully authorized to transfer the same, and it will warrant and forever defend the title thereof in favor of the Trustees, their successors or successor and assignee, against all persons whomsoever lawfully claiming the same.

The General Mortgage and the said first supplement thereto and this indenture are to be read together and construed as one instrument.

The recitals herein contained are made solely by the Railway Company, The New York Trust Company and Jacob C. Van Blarcom Trustees, the parties hereto of the second part, hereby accept the trusts in this indenture declared, and execute this instrument to evidence their acceptance thereof.

In order to facilitate the record of this indenture the same may be simultaneously executed in tripartite counterparts, each of which when so executed shall be deemed to be an original, and such counterparts shall together constitute but one and the same instrument.

In Witness Whereof, Missouri, Kansas & Texas Railway Company, the party hereto of the first part, has caused, this indenture to be signed and acknowledged or proved by its president or a vice-president, and its corporate seal to be hereunto affixed, the same to be attested by its ^{the signature of} secretary or ^{and New York Trust Company one of the parties hereto of the second part, and caused it} an assistant secretary, and these presents to be signed and acknowledgment or proved by its president or a vice-president, and Jacob C. Van Blarcom, the other of the parties, of the second part, has hereunto set his hand and seal, all as of the day and year first above written.

(Corporate seal) Missouri, Kansas & Texas Railway Company

Attest: C. H. Whitehead

Secretary,

By Charles G. Hedger

Vice-President.

Corporate seal to be hereunto affixed and to be attested by its Secretary, or an assistant Secretary.