

dated May 1, 1921, its successors and heirs forever, all of the right, title and interest of the Company in and to said six hundred (600) tank cars hereinbefore described.

But in trust, nevertheless, for the equal and proportionate benefit and credit of all of the holders of the bonds and interest coupons issued and to be issued under said mortgage dated May 1, 1921, without any preference, distinction or priority as to lien or otherwise of any bond or bonds over others by reason of the difference in time of actual issue, sale or negotiation thereof, but so that each and every bond issued under said mortgage dated May 1, 1921 shall have the same lien, right and privilege and so that the principal and interest of every such bond shall, subject to the terms hereof, be equally and proportionately secured hereby, as if each and all had been made, executed, delivered, sold and negotiated simultaneously, and in all respects subject to all of the terms, provisions, and conditions of said first mortgage dated May 1, 1921,

It is the intent and purpose of this instrument that it shall operate as a supplemental mortgage, having the effect to bring under the terms of said mortgage of May 1, 1921 all right, title and interest of said Constantin Refining Company in and to the tank cars hereinbefore described under and by virtue of said lease and car trust agreement dated April 1, 1922.

IN WITNESS WHEREOF, the Company has caused this instrument to be signed in its corporate name by its President or Vice-President, and to be sealed with its corporate seal, attested by its Secretary, and the said The Spitzer-Rorick Trust and Savings Bank has caused these presents to be signed in its behalf by its President or vice-President, and sealed with its corporate seal, attested by its Secretary, as of the day and year first above written.

Attest:

James W. Harbaugh

Secretary

(CORPORATE SEAL)

CONSTANTIN REFINING COMPANY

By E. Constantin

President.

THE SPITZER-RORICK TRUST AND SAVINGS BANK TRUSTEE,

BY A. W. Foster

(CORPORATE SEAL)

Vice President.

Attest:

Geo A. Weber

Secretary

State of Ohio)
) ss.
Lucas County)

Before me, Seavey E. C. Moor a Notary Public in and for said County and State, on this 14th day of June, 1922, personally appeared E. Constantin, President, and James H. Harbaugh, Secretary, of Constantin Refining Company, the maker of the foregoing instrument, personally known to me to be such President and Secretary, and to be the identical persons who subscribed the name of said Corporation to said instrument, and their own names thereto as such President and Secretary, respectively, and acknowledged to me that they executed said instrument as their free and voluntary act and deed, and as the free and voluntary act and deed of said Constantin Refining Company, for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, at Toledo, Lucas County, Ohio, this 14th day of June, 1922.

My commission expires June 15, 1923

(SEAL) Seavey E. C. Moor, Notary Public,

Lucas County, Ohio