

Memorandum of Agreement, Made this... 20th

day of November, A. D. 1944, by and between M. P. MÖLLER, Inc., of Hagerstown, Maryland, party of the first part, and FIRST LUTHERAN CHURCH, 1805 MAIN STREET MILES CITY, MONTANA party of the second part.

Witnesseth: That the party of the first part hereby agrees to build an organ after and according to the annexed specifications and to plans to be hereafter submitted by party of first part, and to erect it in..... THE FIRST LUTHERAN CHURCH, MILES CITY, MONTANA

..... as permitted by the present war emergency and subject to applicable limitation ready for use ~~on or before the~~ day of ~~XXXX~~ orders ~~XXXXXX~~, or as soon thereafter as possible in the event of delays beyond its control.

2. The party of the first part agrees that the organ when completed shall be first class, free from defects in material or workmanship, and that the party of the second part may have it examined, immediately on completion, in the presence of a representative of the party of the first part, by a competent and disinterested expert, and if said examination shows that the organ does not conform with this agreement the party of the first part agrees to remedy all defects at its own expense.

3. The party of the first part guarantees the action and construction of the organ for a term of five years from date of completion and agrees to correct any defects in either material or workmanship that may be brought to its attention within that time, without cost to the party of the second part. This does not include tuning or ordinary care of the organ (or electric motors which are guaranteed by the manufacturers for one year).

4. Cabinet work (except as necessary to enclose the console), grilles, panel work, etc., are not included in this agreement.

5. In consideration of the above, the party of the second part agrees to pay to M. P. Moller, Inc., or its order, the sum of Two Thousand Two Hundred. (\$2,200.00) Dollars plus excise tax of 10%.

AS FOLLOWS:

FIRST PAYMENT: 10 % or \$220.00 plus excise tax of \$22.00, on the signing of this agreement.

SECOND PAYMENT 25 ...% or \$550.00 plus excise tax of \$55.00

..... when the organ has been built and installed, and the balance as follows: In three annual payments ..over a period of three years or less plus excise tax (\$1,430.00) plus tax)