

CASE, AT THE OPTION OF THE TRUSTEES, TO BE CONDITIONS PRECEDENT TO ANY ACTION OR CAUSE OF ACTION FOR FORECLOSURE OR FOR THE EXECUTION OF ANY TRUST HEREUNDER OR FOR THE APPOINTMENT OF A RECEIVER OR FOR ANY OTHER REMEDY HEREUNDER; IT BEING UNDERSTOOD AND INTENDED THAT NO ONE OR MORE HOLDERS OF BONDS OR COUPONS SHALL HAVE ANY RIGHT IN ANY MANNER WHATEVER BY HIS OR THEIR ACTION TO AFFECT, TO DISTURB OR PREJUDICE THE LIEN OF THIS INDENTURE OR TO ENFORCE ANY RIGHT HEREUNDER, EXCEPT IN THE MANNER HEREIN PROVIDED; AND THAT ALL PROCEEDINGS AT LAW OR IN EQUITY SHALL BE INSTITUTED, HAD AND MAINTAINED IN THE MANNER HEREIN PROVIDED AND FOR THE EQUAL BENEFIT OF ALL HOLDERS OF THE OUTSTANDING BONDS AND COUPONS.

PROVIDED, HOWEVER, THAT NOTHING IN THIS INDENTURE OR IN THE BONDS OR IN THE COUPONS CONTAINED SHALL AFFECT OR IMPAIR THE OBLIGATION OF THE COMPANY, WHICH IS ABSOLUTE AND UNCONDITIONAL, TO PAY AT THE RESPECTIVE DATES OF MATURITY AND PLACES THEREIN EXPRESSED THE PRINCIPAL OF THE BONDS TO THE RESPECTIVE HOLDERS THEREOF AT THE TIMES AND PLACES IN THE BONDS EXPRESSED, OR AFFECT OR IMPAIR THE RIGHT OF ACTION, WHICH IS ALSO ABSOLUTE AND UNCONDITIONAL, OF SUCH HOLDERS TO ENFORCE SUCH PAYMENT; AND PROVIDED, FURTHER, THAT, IN CASE OF THE DESIGNATION FOR REDEMPTION OF A PART BUT NOT ALL OF THE BONDS, THE HOLDER OF ANY BOND SO DESIGNATED, WITHOUT REFERENCE TO THE TRUSTEES OR THE REQUEST OF THE HOLDERS OF OTHER BONDS, MAY INDIVIDUALLY ENFORCE PAYMENT OF THE BOND SO DESIGNATED, BY ANY APPROPRIATE PROCEEDINGS.

SECTION 79. EXCEPT AS HEREIN EXPRESSLY PROVIDED TO THE CONTRARY, NO REMEDY HEREIN CONFERRED UPON OR RESERVED TO THE TRUSTEES OR EITHER OF THEM OR TO THE HOLDERS OF BONDS IS INTENDED TO BE EXCLUSIVE OF ANY OTHER REMEDY, BUT EACH AND EVERY SUCH REMEDY SHALL BE CUMULATIVE AND SHALL BE IN ADDITION TO EVERY OTHER REMEDY GIVEN HEREUNDER OR NOW OR HEREAFTER EXISTING AT LAW OR IN EQUITY OR BY STATUTE.

SECTION 80. NO DELAY OR OMISSION OF THE TRUSTEES OR EITHER OF THEM OR OF ANY HOLDER OF BONDS TO EXERCISE ANY RIGHT OR POWER ACCRUING UPON THE HAPPENING OF ANY EVENT OF DEFAULT SHALL IMPAIR ANY RIGHT OR POWER OR SHALL BE CONSTRUED TO BE A WAIVER OF ANY SUCH DEFAULT OR AN ACQUIESCENCE THEREIN; AND EVERY POWER AND REMEDY GIVEN BY THIS ARTICLE TO THE TRUSTEES OR EITHER OF THEM OR TO THE BONDHOLDERS, SUBJECT TO THE PROVISIONS OF SECTION 78 HEREOF, MAY BE EXERCISED FROM TIME TO TIME AND AS OFTEN AS MAY BE DEEMED EXPEDIENT BY THE TRUSTEES OR THE CORPORATE TRUSTEE OR BY THE BONDHOLDERS.

ALL RIGHTS OF ACTION UNDER THIS INDENTURE MAY BE ENFORCED BY THE TRUSTEES WITHOUT THE POSSESSION OF ANY OF THE BONDS OR COUPONS OR THE PRODUCTION THEREOF ON THE TRIAL OR OTHER PROCEEDINGS RELATIVE THERETO, AND ANY SUCH SUIT OR PROCEEDINGS INSTITUTED BY THE TRUSTEES SHALL BE BROUGHT IN THEIR NAMES AND ANY RECOVERY OF SUCH JUDGMENT SHALL BE FOR THE RATABLE BENEFIT OF THE HOLDERS OF THE BONDS AND COUPONS THEN OUTSTANDING.

SECTION 81. THE TRUSTEES SHALL HAVE POWER TO INSTITUTE AND TO MAINTAIN SUCH SUITS AND PROCEEDINGS AS THEY MAY BE ADVISED SHALL BE NECESSARY OR EXPEDIENT TO PREVENT ANY IMPAIRMENT OF THE SECURITY HEREUNDER BY ANY ACTS OF THE COMPANY OR OF OTHERS, WHICH MAY BE UNLAWFUL OR IN VIOLATION OF THIS INDENTURE, AND SUCH SUITS AND PROCEEDINGS AS THE TRUSTEES MAY BE ADVISED SHALL BE NECESSARY OR EXPEDIENT TO PRESERVE OR PROTECT THEIR INTERESTS AND THE INTERESTS OF THE BONDHOLDERS IN RESPECT OF THE MORTGAGED PROPERTY AND IN RESPECT OF THE INCOME, EARNINGS, ISSUES AND PROFITS ARISING THEREFROM; INCLUDING POWER TO INSTITUTE AND TO MAINTAIN SUITS OR PROCEEDINGS TO RESTRAIN THE ENFORCEMENT OR OBSERVANCE OF OR COMPLIANCE WITH ANY LEGISLATIVE OR OTHER GOVERNMENTAL ENACTMENT, RULE OR ORDER THAT MAY BE UNCONSTITUTIONAL OR OTHERWISE