

signated in Section 4 of Article One hereof, or set apart for some other purpose; and the bonds so deposited with the Trustee, thereafter, from time to time, shall be returned by the Trustee to the Railway Company in amounts equal at par to the amounts of such certified liens, charges or indebtedness retired or acquired.

Every such verified certificate, unless signed by (1) the President or one of the Vice-Presidents and (2) by the Comptroller or Auditor or Treasurer of the Railway Company, shall be accompanied by the written statement of one of the officers first above designated^d and one of the officers secondly above designated that they believe such certificate to be true, and that the cash received from the Cash Fund, therein accounted for, has been used and the expenditures therein certified have been made, only for purposes properly chargeable to capital account of the Railway Company, and that no part thereof has been used for ordinary maintenance of the lines of railway or of other property owned or in any way controlled by the Railway Company or for replacements or other purposes ordinarily treated by railroad companies as a part of their operating expenses. Together with such statements and verified certificates, there shall be delivered to the Trustee all bonds and the certificates for all shares of stock, so acquired, and such further instruments and conveyances as may be necessary to vest in the Trustee all new property so acquired, and, so far as may be, any and all other liens, charges or indebtedness acquired under provisions of this Section; and also the written opinion of counsel for the Railway Company to the effect that such instruments and conveyances are sufficient for that purpose, or that no additional instrument or conveyance is necessary. The certificates for all shares of stock so acquired, except such number of shares as may be required to qualify directors, shall be duly transferred into the name of the Trustee; and, if practicable, any bonds so acquired shall be transferred in like manner, or, if not susceptible of such transfer, shall be plainly endorsed as the property of the Trustee hereunder. Such resolutions, statements, verified certificates and opinion shall be deemed and taken as plenary authority to the said Trustee for its payment of such cash.

Sec. 4. Whenever any of the General First Mortgage bonds of the Northern Pacific Railroad Company now or hereafter held by the Trustee hereunder shall be called for redemption and become payable out of the sinking fund provided in the mortgage securing such bonds, the Trustee shall collect such of said bonds as shall be held by it, and shall apply the sums so collected, as follows:

First. The Trustee shall forthwith return to the Railway Company such portion of the sums so collected as shall have been paid out of moneys in the said sinking fund, not derived from the sale of lands covered thereby.

Second. Any surplus remaining after reimbursing the Railway Company as aforesaid, shall be regarded as surplus moneys arising from the sale of lands covered by this indenture, and shall be added to and treated as part of the net moneys mentioned in this Article.

The Railway Company from time to time shall furnish to the Trustee certificates signed by the President or a Vice-President and by the Comptroller or the Auditor of the Railway Company, specifying (a) the amounts of money applied after the date of this indenture to the redemption and payment of any of said bonds of the Northern Pacific Railroad Company whether held by the public or by the Trustee; (b) the portion of the moneys so applied which shall have been derived from the sale of lands covered by said mortgage securing such bonds, and paid into the sinking fund under said mortgage and applied to the redemption of such bonds; (c) the portion of the moneys so applied which shall have been furnished by the Railway Company from funds other than those accruing from sale of lands; and (d) any