

YAKIMA BINDERY &amp; PTO. CO. 18707

or trackage rights forthwith shall become bound by and be subject to the terms of this indenture, in the same manner as those previously existing.

Sec. 9. Whenever the Railway Company shall own and hold, directly subject to the lien of this indenture, all the property, both real and personal, <sup>of</sup> any company, of whose shares of capital stock <sup>all</sup> or a majority shall then be held by the Trustee subject to this indenture, upon the written request of the Railway Company, the Trustee shall release all such shares so held by it from the lien of this indenture and shall deliver to the Railway Company certificates therefor properly assigned for transfer.

Sec. 10. Whenever the Railway Company shall own and hold directly subject to the lien of this indenture as a first lien thereon (subject only to the lien or liens of any indenture or indentures securing bonds pledged to the Trustee under this indenture), an undivided one-half interest in the lines of railway of the Spokane, Portland and Seattle Railway Company, the Trustee shall release all shares of the capital stock of said Spokane, Portland and Seattle Railway Company held by it, from the lien of this indenture, and shall deliver to the Railway Company certificates therefor properly assigned for transfer, and, further, shall cancel and release from the lien of this indenture any bond or bonds secured by indenture or indentures of said Spokane, Portland and Seattle Railway Company held by the Trustee, upon being furnished evidence satisfactory, and in satisfactory form, to the Trustee, of the release of any indenture or indentures securing any of said bonds of said Spokane, Portland and Seattle Railway Company.

Sec. 11. From time to time, upon the written order of the Railway Company, accompanied by a certified copy of a resolution of its Board of Directors, or the Executive Committee of its Board of Directors, authorizing such order, the Trustee shall release from the lien and operation of this indenture any of the proposed Northern Pacific-Great Northern Joint 15-Year 6½% Convertible Gold bonds then pledged hereunder, upon the delivery to the Trustee of shares of the capital stock of the Chicago, Burlington & Quincy Railroad Company of the par value of \$77 (plus a pro rata proportion of any increase in the capital stock of said Company by way of stock dividend subsequent to July 1, 1921) for each \$100, face amount, of said Northern Pacific-Great Northern Joint 15-Year 6½% Convertible Gold Bonds so released from the lien of this indenture.

Sec. 12. In case any property subject to this indenture shall be in the possession of a receiver lawfully appointed, the powers in and by this Article conferred upon the Railway Company may be exercised by such receiver with the approval of the Trustee, and if the Trustee shall be in possession of any such property under any provision of this indenture, then all the powers in and by this Article conferred upon the Railway Company may be exercised by the Trustee in its discretion. Anything in this Article Ten to the contrary notwithstanding, The Trustee may, but shall not be required to, release to the <sup>any property subject to the lien of this indenture,</sup> Railway Company from the lien of this indenture; as in and by this Article Ten provided for, if, at the time such release be requested, any of the events of default shall have happened and be continuing.

Sec. 13. A certificate signed by the President, or a Vice-President, or the Chief Engineer, and the Treasurer, or Comptroller, or other chief accounting officer of the Railway Company, may be received by the Trustee as conclusive evidence of the facts mentioned in this Article, and shall be full warrant and protection to the Trustee for its action on the faith thereof.

#### ARTICLE ELEVEN. Provisions for Supplemental indenture.

Section 1. The Railway Company, when authorized by resolution of its Board of Directors, or Executive Committee of its Board of Directors, and the Trustee from time to time and at any time, may enter into an indenture or indentures supplemental hereto and which