

acquired by and in the name of the Railway Company, or by or for account of any such other company; or for the acquisition after that date of shares, bonds or other obligations of a company owning any such branch line, extensions, terminal property, rolling stock or other additional property (provided that a majority in amount of the total stock of such company shall thereby be obtained or previously shall have been obtained and pledged with the Trustee of said Prior Lien Mortgage or with the Trustee hereunder and provided further that, after the acquisition of a majority of the capital stock of any such company, no bonds, shares or other obligations of such Company, thereafter issued, shall be acquired hereunder, unless a sum equal to the entire proceeds of the bonds used therefor shall have been applied by such company to the acquisition or construction of new property or betterments); or to reimburse the Railway Company for outlays by it made for any such construction or acquisition on or subsequent to January 1st, 1897.

The cash so set apart under this section shall by the Trustee be paid to the Railway Company, or upon its order, as follows, viz.:

(1) At any time upon resolution or resolutions of the Board of Directors of the Railway Company, such sum as shall be called for by such resolutions, but not exceeding \$500,000, shall be so paid over out of any such Cash Fund at the time of such call in the possession of the Trustee.

(2) After such first payment there shall be paid over to the Railway Company out of such Cash Fund from time to time such sums, not exceeding \$500,000 in any one payment, as from time to time shall be on hand and shall be specified in similar resolutions; but in every instance, before paying over any sum under this Section (except the first payment hereunder), the Trustee shall require the Railway Company to furnish, in addition to such resolution of the Board, the verified certificate or certificates of some person or persons stating as of his or their own knowledge;

(a) that all such cash paid over under this Section since the last previous verified certificate has been used for the purposes hereinbefore authorized in this Section, or for some one or more of them, or to reimburse the Railway Company as above provided, specifically indicating every such acquisition or construction of any railroad, track, structure, betterment, rolling stock or other property, and every such acquisition of the bonds or stock of any company owning any railroad or other property (which bonds or stock shall be acquired only when a majority of the total capital stock of such company shall be thereby obtained unless previously thereto such majority shall have been acquired and pledged under said Prior Lien Mortgage or under this indenture) and also stating in detail the amount of cash expended for each and every such purpose, and whether such acquisition was by or in the name of the Railway Company, or by or for account of any other company as herein authorized, and also that no acquisition, construction or expenditure stated in such certificate was stated in any previous certificate;

(b) that the price paid in cash for such construction or acquisition was not in excess of the fair value of the work done or property acquired;

(c) that no expenditure in such certificate mentioned as having been made out of the Cash Fund reserved under this Section or for which reimbursement is claimed out of such Cash Fund was made, and that the Railway Company has not been reimbursed therefor, out of Prior Lien Bonds, certified and delivered by the Trustee under Section 4 of Article One, or the proceeds of such bonds, or out of the Cash Fund under Section 3 of Article Eight, of said Prior Lien Mortgage.