

exercise or be entitled to exercise, in, to, upon, or in respect of such lines of railway, extensions or branches, telegraph and telephone lines and lines of water transportation or any part thereof, necessary for, or appertaining to, the construction, maintenance or operation of such lines of railway or any such extension or branch, telegraph and telephone lines and lines of water transportation or any part thereof; and any and all the rents, issues, profits, tolls and other income of such lines of railway, and of any and all such extensions, branches, telegraph and telephone lines and lines of water transportation; and also any and all the rights, privileges, franchises, properties, real or personal, rights and things, which the Railway Company may or shall hereafter possess, or become entitled to possess, for the purposes of, or in connection with, such lines of railway or any such extension, branch, telegraph and telephone lines or lines of water transportation:

But nothing expressed or implied in this indenture is intended, or shall be construed, (a) to limit the right or power of the Railway Company, hereby expressly reserved, by the use of its credit, or by the use of bonds issued or to be issued under the provisions of sections 2 and 3, or either of them, of Article One of this indenture, or in any manner other than by the use of bonds issued or to be issued under the provisions of sections 4, 5 and 6, or any of them, of Article One of this indenture, or their proceeds, to construct or acquire lines of railway, branches or extensions, or interests therein, or other property, free from the lien hereof; or (b) to subject to the lien of this indenture any hereafter-acquired property of the Railway Company, other than the underlying bonds specified in section 4 of Article One of this indenture, and other than as expressly granted in the granting clause of this indenture, which shall be purchased, constructed or acquired in any manner other than by the use of bonds issued or to be issued under the provisions of sections 4, 5 and 6, or any of them, of Article One of this indenture, or their proceeds.

**FOURTH.** All that portion of Sections Number Twenty-nine (29), Thirty (30), Thirty-one (31) and Thirty-two (32), in Township Number Eighteen (18) North, Range One (1) East of the Fourth (4th) Principal Meridian, near East Moline, in the County of Rock Island and State of Illinois, more particularly described in that certain First Gold Bond Mortgage of Rock Island Improvement Company to Illinois Trust and Savings Bank, as trustee, dated September 1, 1903, and in that certain indenture, bearing date the 1st day of April, 1904, between said Rock Island Improvement Company, Central Trust Company of New York and David R. Francis, of the City of St. Louis, Missouri, Trustees, and the Railway Company; together with all shops, shop property, tools, machinery, railway tracks and all other improvements thereon and the franchises and appurtenances thereto; subject, however, to the lien of said First Gold Bond Mortgage of Rock Island Improvement Company securing an issue of Four Per Cent. Gold Bonds maturing September 1, 1928, authorized to be issued to an aggregate amount of \$7,500,000, and no more. Of said bonds \$2,500,000, face amount, are now outstanding and are hereinafter pledged to the Trustees under this indenture, and the Railway Company covenants that of the remaining \$5,000,000, face amount, bonds shall be issued only for or on account of additions, betterments and improvements to the property in this paragraph Fourth described and conveyed, and that all said bonds hereafter issued shall, on their issue, forthwith be deposited and pledged under and subject to this indenture, in exchange for bonds to be issued under the provisions of section 6 of Article One of this indenture.

**FIFTH.** All leases and trackage contracts and all renewals and extensions of any and all leases and trackage contracts the leasehold or other rights under which now are or at any time hereafter may become subject to this indenture.

**SIXTH.** \$1,365,000, face amount, constituting the entire authorized issue thereof, of the First Mortgage Bonds of The Chicago, Rock Island and Texas Railway Company, secured by mortgage of said Company to Merchants Loan and Trust Company, of Chicago, Illinois, as Trustee, dated January 1, 1893, subject to the pledge and deposit thereof under the aforesaid General Gold Bond Mortgage of the Railway Company to Central Trust Company of New York and George Sherman of the City of New York, as trustees.

**SEVENTH.** The following bonds, which are hereby pledged with and delivered to the Trustees hereunder:

1. All of the Main Line First Mortgage Six Per Cent. Gold Bonds, issued and to be issued, of The Chicago, Rock Island and Gulf Railway Company, secured by a mortgage to Western Trust and Savings Bank, of Chicago, Illinois, as trustee, dated January 1, 1904, constituting a first lien on

(a) a main line of railway extending from Ft. Worth, Texas, to Dallas, Texas.....34 miles;

(b) a branch line of railway extending from Bridgeport, Texas, to Graham, Texas...55.29 miles;

(c) all rolling stock, locomotives and other equipment of The Chicago, Rock Island and Gulf Railway Company; and constituting a second lien, subject to the aforesaid \$1,365,000 First Mortgage bonds of The Chicago, Rock Island and Texas Railway Company, on

(d) the main line of railway formerly belonging to said last-named company, and now owned and operated by The Chicago, Rock Island and Gulf Railway Company, extending from a point on the Red River at or near Terral, Indian Territory, to Ft. Worth, Texas.....92 miles.

2. All of the Mexico Division First Mortgage Six Per Cent. Gold Bonds, issued and to be issued, of The Chicago, Rock Island and Gulf Railway Company, secured by a mortgage to Western Trust and Savings Bank, of Chicago, Illinois, as trustee, dated January 1, 1904, constituting a first lien upon the railway and franchises formerly of The Chicago, Rock Island and Mexico Railway Company, now owned and operated by The Chicago, Rock Island and Gulf Railway Company, extending from a connection with the railway of the Railway Company on the boundary line between the Territory of Oklahoma and the State of Texas to a con-

nection with the railway of the Chicago, Rock Island and El Paso Railway Company, on the boundary line between the State of Texas and the Territory of New Mexico.....91.50 miles.

3. All of the Amarillo Division First Mortgage Six Per Cent. Gold Bonds, issued and to be issued, of The Chicago, Rock Island and Gulf Railway Company, secured by a mortgage to Western Trust and Savings Bank, of Chicago, Illinois, as trustee, dated January 1, 1904, constituting a first lien upon the railway and franchises formerly of the Choctaw, Oklahoma and Texas Railroad Company, now owned and operated by The Chicago, Rock Island and Gulf Railway Company, extending from a point on the boundary line between the Territory of Oklahoma and the State of Texas in Wheeler County, Texas, to a point in Deaf Smith County, Texas, on the boundary line between the State of Texas and the Territory of New Mexico, now completed to Amarillo, Potter County, Texas.....182.83 miles.

The Railway Company covenants that all said bonds in the preceding subdivisions 1, 2 and 3 described, when issued, shall forthwith be delivered to the Trustees.

4. **\$3,600,000**, face amount, of the First Mortgage Six Per Cent. Gold Bonds of the Chicago, Rock Island and El Paso Railway Company, secured by mortgage of said railway company to Illinois Trust and Savings Bank, of Chicago, Illinois, as trustee, dated July 2, 1902, constituting a first lien upon the railway, property, franchises and equipment of said Railway Company, said railway extending from a connection with the Mexico Division of The Chicago, Rock Island and Gulf Railway Company, on the boundary line between the State of Texas and the Territory of New Mexico, to a connection with the railway of the El Paso and Rock Island Railway Company, at or near Santa Rosa, Guadalupe County, New Mexico.....111.50 miles.