

lien of this Indenture upon the mortgaged and pledged property, or any part thereof, as security for bonds held by any other bondholder.

(b) In any suit for the enforcement of any right or remedy under this Indenture, or in any suit against the Trustee for any action taken or omitted by it as Trustee, the Court may in its discretion require the filing by any party litigant in such suit of an undertaking to pay the costs of such suit, and the Court may in its discretion assess reasonable costs, including reasonable attorneys' fees, against any party litigant in such suit, having due regard to the merits and good faith of the claims or defenses made by such party litigant; provided that the provisions of this section shall not apply to any suit instituted by the Trustee, to any suit instituted by any bondholder or group of bondholders holding in the aggregate more than ten per cent. (10%) in principal amount of the bonds outstanding, or to any suit instituted by any bondholder for the enforcement of the payment of the principal of or interest on any bond, on or after the respective due dates expressed in such bond.

Section 6.12. Nothing in this Article of Agreement of this Indenture contained shall affect or impair the absolute and unconditional obligation of the corporations to pay the principal and interest of the bonds in accordance with the terms hereof and thereof, to the respective holders or registered owners thereof and of the coupons attached thereto at the maturity thereof (whether by lapse of time or bail for redemption) nor affect or impair the right of action of such holders to enforce such payment.

Section 6.13. In case the Trustee shall have proceeded to enforce any right under this Indenture by foreclosure, entry, or otherwise, and such proceedings shall have been discontinued or abandoned for any reason, or shall have been determined adversely to the Trustee, then, and in every such case the Corporation and the Trustee shall be restored to their former positions and rights hereunder with respect to the property subject to the lien of this Indenture, and all rights, remedies and powers of the Trustee shall continue as if no such proceedings had been taken.