

holding the following described railroads and properties operated by the Railroad Company under lease dated August 23, 1901 :

1. A line of railroad extending from Kansas City, Missouri, to Afton, Indian Territory----- 186.08 miles.
2. A line of railroad extending from Cherryvale, Kansas, through Cherokee, Kansas, to Weir City Junction, Kansas----- 49.79 miles.
3. A line of railroad extending from Arcadia, Kansas, via Weir City Junction, and Weir City, Kansas, to Mackie, Kansas----- 29.58 miles.
4. A line of railroad extending from Edward, Kansas, through Arcadia, Kansas, and Springfield, Missouri, to West Memphis, Arkansas----- 382.35 miles.
5. A line of railroad extending from Linton, Kansas, to Rich Hill, Missouri----- 21.02 miles.
6. A line of railroad extending from Baxter, Kansas, to Joplin, Missouri, and Duenweg, Missouri----- 21.90 miles.
7. A line of railroad extending from Greenfield, Missouri, to Aurora, Missouri----- 37.67 miles.
8. A line of railroad extending from Willow Springs, Missouri, to Grandin, Missouri----- 81.95 miles.
9. A line of railroad extending from Deckerville, Arkansas, to Luxora, Arkansas----- 36.30 miles.
10. A line of railroad known as the Jacques Junction Extension, Kansas----- 1.06 miles.
11. A line of railroad extending from Evadale, Arkansas, to Big Creek, Arkansas----- 16.50 miles.
12. A line of railroad extending from Bounerville, Arkansas, to Estico, Arkansas----- 32.58 miles.
13. A line of railroad extending from Tyrone, Poinsett County, Arkansas, to a point in Mississippi County, Arkansas----- 11.40 miles.
14. Terminals and terminal property at Memphis, Tennessee.

(b) The Kansas City, Memphis and Birmingham Railroad Company, a consolidated corporation under the laws of the States of Tennessee, Mississippi and Alabama, owning the following railroads operated by the Railroad Company under lease dated December 17, 1903 :

1. A line of railroad extending from Memphis, Tennessee, to Birmingham, Alabama----- 253.24 miles.
2. A line of railroad extending from Aberdeen Junction, Mississippi, to Aberdeen, Mississippi----- 12.27 miles.
3. A line of railroad extending from Bergens, Alabama, to Empire, Alabama----- 9.09 miles.
4. A line of Railroad extending from Pratt City, Alabama, to Bessemer, Alabama----- 11.06 miles.

(c) The New Orleans Terminal Company, a corporation under the laws of the State of Louisiana, owning terminal and railroad properties in New Orleans, Louisiana, operated jointly by the Railroad Company and Southern Railway Company under joint lease dated July 1, 1903.

**FIFTEENTH.** The following shares of capital stock of, and rights of user of, in and to the Terminal and Union Depot Companies hereinafter named :

1. 2,058 shares of the capital stock of Terminal Railroad Association of St. Louis, being part of a total issue of 28,820 shares outstanding ; and all right of the Railroad Company to use the tracks, terminals and property of said Association in St. Louis, Missouri ;
2. 1,998 shares of the capital stock of Rock Island-Frisco Terminal Railway Company, being part of a total issue of 5,000 shares outstanding ;

Subject to the pledge and deposit thereof under that certain trust agreement dated February 27, 1907, between The Chicago, Rock Island and Pacific Railway Company, the Railroad Company and Mercantile Trust Company ;

And all right of the Railroad Company to use the

tracks, terminals and property of said Terminal Railway Company in St. Louis, Missouri ;

3. 493 shares of the capital stock of Birmingham Belt Railroad Company, being all of the shares of stock of said Company (except directors' shares) issued and outstanding ;

Subject to the pledge and deposit thereof under that certain trust agreement dated October 1, 1902, between Railway Construction and Improvement Company, Old Colony Trust Company and the Railroad Company ;

4. All right of the Railroad Company to use the tracks, terminals and property of the following Companies :

- (a) Kansas City Terminal Railway Company ;
- (b) Memphis Railroad Terminal Company ;
- (c) Birmingham Terminal Company.

**SIXTEENTH.** Any and all lines of railway, extensions and branches, telegraph and telephone lines, and any and all terminal properties, depots, yards, shops, machinery, tools, rolling stock and other equipment, terminal properties, docks, wharves, landings, railway bridges, boats, ferries, and any and all bonds, stocks and other property of every kind or description (notwithstanding that the same are not now particularly set forth in this indenture), which from time to time, in the manner hereinafter provided, shall be purchased, acquired or constructed by the use of any of the gold bonds or the proceeds thereof ; together with all and singular the franchises, rights and privileges appurtenant to or used in connection with such lines of railway, extensions, branches, telegraph and telephone lines, and any and all the rents, issues, profits, tolls and other income thereof.

**SEVENTEENTH.** Any and all additions, improvements and betterments, now or hereafter acquired or constructed, to or upon or in connection with any and all lines of railway, extensions, branches, telegraph and telephone lines, now or at any time hereafter subject to this indenture ; any and all property, real or personal, of every kind or description, acquired for use upon or in connection with or for the pur-

pose of such lines of railway, extensions or branches, telegraph or telephone lines ; and any and all corporate rights, privileges and franchises which the Railroad Company now has or hereafter may or shall acquire, possess or exercise, or be entitled to exercise, in, to, upon or in respect of such lines of railway, extensions or branches, telegraph and telephone lines, 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, 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 also any and all the rights, privileges, franchises, properties real or personal, rights and things, which the Railroad 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.

**EIGHTEENTH.** 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.

**NINETEENTH.** Any and all property of every name and nature, including stocks and bonds, from time to time hereafter by delivery or by writing of any kind for the purposes hereof, conveyed, mortgaged, pledged, assigned or transferred by the Railroad Company, or by any one in its behalf, to the Trustees, who are hereby authorized to receive any property at any and all times, as and for additional security, and also, when and as hereinafter provided, as substituted security, for the payment of the gold bonds, and to hold and apply any and all such property subject to the terms hereof.

But nothing in this indenture is intended or shall be construed to limit the right or power of the Railroad Company, hereby reserved, by the use of its credit, or in any manner other than by the use of the gold bonds, or their proceeds, to construct or acquire lines of railway, branches or extensions, or