Which sale so to be made shall be a perpetual bar, both in law and equity, against me my heirs and assigns, and all persons claiming or to claim the said property or any part thereof, by, from, or under me the wor either of us. This 26th day of January, 1880.

E. J. Plummer.

State of Tennessee, Davidson County. } Personally appeared before me C. H. Eastman Deputy Clerk of the County Court of said County, the within named E. J. Plummer the bargainer, with whom I am personally acquainted and who acknowledged that he executed the within instrument for the purposes therein contained. Witness my hand, at office, this 26th day of January, 1880. (Rec'd. Jany. 26th 1880 at 11:20 A.M.) C. H. Eastman, Deputy Clerk.

Louisville & Nashville Railroad Company to Jacob H. Schiff, John B. Dumont & George Opdyke, Trs. Mortgage to Central Trust Company of New York Trustee

For partial release see Book 591, page 325 &c

Registered February 4th 1880

This Indenture, made the sixth day of December, one thousand eight hundred and seventy nine, between the Louisville & Nashville Railroad Company, a corporation created and organized under the laws of the State of Kentucky, party of the first part, hereinafter denominated the Company, and Jacob H. Schiff, John B. Dumont and George Opdyke, a committee of the holders of the first consolidated mortgage bonds of the St. Louis & Southeastern Railway Company, consolidated, parties of the second part, hereinafter denominated the Committee, and the Central Trust Company of New York, party of the third part, hereinafter denominated the Trustee, witnesseth: Whereas, the Company, by virtue of the authority vested in it by its Charter, and the amendments thereof, and with the approval of a majority in interest of its stockholders, given as provided by law, has purchased the railroads, and other property, hereinafter particularly described and set forth, and formerly known as the Kentucky and Tennessee division of the St. Louis & Southeastern Railway Company consolidated. And whereas, the Company has purchased that part of the said railroads and property situated in the State of Kentucky, at a sale under a decree of the Circuit Court of the United States, for the Sixth Circuit and District of Kentucky, made and entered June 7, 1879, in the cases of Calhoun and Opdyke vs. the St. Louis & Southeastern Railway Company, Consolidated and others, in Chancery; A. E. Burnside vs. the same and others, on Cross Bill; Joel Lambert vs. the same and others on Cross Bill, and the State of Kentucky vs. the same and others, on Cross Bill, and paid for the same in first Mortgage bonds of the Evansville, Henderson and Nashville Railroad Company, and in said first consolidated mortgage bonds of the said St. Louis and Southeastern Railway Company, consolidated, and in cash, as appears by the report of sale duly made to and of record in said Court. And whereas, by and in pursuance of agreements made and entered into with the holders and owners of said bonds so used as aforesaid, and in contemplation of such purchase of said railroads and property, by the Company, the Company was allowed so to use the same, and also obtained advances of money necessary to complete the said purchase, upon the understanding and agreement that the company should repay the same in its bonds of a new issue about to be [illegible] to be secured by a

first lien and charge upon the said railroads and premises. And whereas, the Company purchased that part of said railroads and property, situate in the State of Tennessee, from said Committee, and is about to pay for the same with moneys borrowed for that purpose upon the like understanding and agreement, that the repayment of the same should be secured by a first lien and charge upon the said railroads and property. And whereas, the Company has agreed to apply to the improvement of said railroads and property the proceeds of $100.000. of its said bonds of the said new issue hereby secured, and has also agreed to complete, within a reasonable time, the eleven miles of railroad, already projected and known as the Madisonville Branch, and may build a further extension of said railroad from Henderson aforesaid to the Ohio River, opposite Evansville, Indiana. And whereas, to provide for the discharge of the aforesaid obligation of the Company, and for the improvements and extensions aforesaid, the Company has resolved to execute, acknowledge and deliver twenty four hundred of its bonds, with interest coupons attached, of the denomination of one thousand dollars each, bearing date the sixth day of December, 1879, and payable first December, 1919, bearing interest at the rate of six per cent. per annum, payable semi-annually on the first day of June, and the first day of December in each year, upon the presentation and surrender of the proper coupon at the agency of the company in the City of New York. And that said bonds be signed by the president, and countersigned by the secretary and the seal of the Company shall be thereto affixed. And to secure the said bonds to execute, acknowledge and deliver, by its president and secretary, and under its corporate seal, a mortgage, bearing even date with said bonds to the Central Trust Company of New York as trustee, conveying all the property hereinbefore recited as purchased by said company, as is more particularly hereinafter described and set forth. The coupons to be attached to said bonds are to be for the sum of thirty dollars each, and are to be either signed by the secretary of said company, or authenticated by the engraving of his proper signature thereto, which latter shall be sufficient to bind this company. And whereas, in pursuance of said resolution, the company has executed and delivered twenty four hundred of its bonds, numbered consecutively from 1 to 2400. inclusive, each of said bonds (save as to numbers), being of even tenor and date, and having thereto respectively attached like coupons for interest consecutively and correspondingly numbered and dated as to each set of coupons, which said bonds and coupons are in the form following:

United States of America

State of Kentucky

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No.

The Louisville & Nashville Railroad Company. (Evansville, Henderson & Nashville Division.)

First Mortgage Six Per Cent. Bond.

The Louisville and Nashville Railroad Company acknowledges itself indebted to the Central Trust Company of New York, or bearer, in the sum of one thousand dollars, which will be due and which