

§ 17.02. (a) Except as otherwise specifically provided in § 17.02(b) hereof, whenever reference is made in this Indenture to the Trust Indenture Act of 1939, reference is made to such Act as in force on October 15, 1976.

(b) Any supplemental indenture entered into subsequent to October 15, 1976 pursuant to any authorization contained in this Indenture shall comply with the provisions of the Trust Indenture Act of 1939 as then in effect unless no Bonds are then outstanding under this Indenture and all Bonds to be issued under this Indenture as supplemented by such supplemental indenture shall either be themselves exempt from the provisions of such Act or are to be issued in a transaction exempt therefrom.

(c) If and to the extent that any provision of this Indenture limits, qualifies or conflicts with any other provision of the Indenture which is required to be included therein by any of Sections 310 to 317, inclusive, of the Trust Indenture Act of 1939, such required provision shall control.

#### PART FOUR

##### MISCELLANEOUS

§ 4.01. This Supplemental Indenture is executed by the Companies and the Trustee pursuant to § 12.01 of the Indenture and shall be deemed to be part of the Indenture for any and all purposes. The Indenture, as supplemented by this Supplemental Indenture, is, except as modified by this Supplemental Indenture, in all respects hereby ratified and confirmed.

§ 4.02. The headings of the several Parts and Articles hereof and the statements contained in the Table of Contents prefixed hereto are inserted for convenience only and shall not control or affect the meaning or construction of any of the provisions hereof.

§ 4.03. This Supplemental Indenture may be executed in several counterparts, each of which shall be an original, and all collectively shall constitute but one instrument.

§ 4.04. SOUTHERN RAILWAY COMPANY does hereby constitute and appoint K. A. STOECKER, one of its Vice Presidents, to be its attorney-in-fact for it and in its name and as and for its corporate act and deed to acknowledge this Supplemental Indenture before any person having author-

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