

necessary plant, and opened for public traffic, the said capital account shall from time to time be made up, and a copy thereof shall be transmitted to the Governor, who shall cause the same to be examined, and if they shall be found to be correct will approve of the same, having the right to cause any corrections or disallowances to be made therein which he may consider to be necessary or proper, and such account, when approved, shall be conclusive as to the total cost of each railway or section or sections so opened for public traffic; and thenceforth, and from the opening of such railway or section or sections, as the case may be, the Contractors will pay the cost of maintaining the same with the plant in good working condition. But upon any additions, restorations, alterations, or improvements being made by agreement between the Governor and the Contractors to, of, or in such railway, section or sections, or plant, the cost whereof shall be properly chargeable to capital account, the cost necessarily incurred in executing such additions, restorations, alterations, or improvements shall be added to and included in the said capital account, and the said capital account shall from time to time be made up and stated afresh as occasion shall require, and be examined and approved accordingly: Provided that, if in any such capital account the Governor shall make a disallowance or disallowances to the extent of £500, the Contractor may require to have it referred to arbitration whether or not the same should to any, and, if any, what, extent prevail, and the account shall be rectified according to the award.

21. The Contractors will keep and maintain such railway, or section or sections thereof, so opened for public traffic in thorough efficient working order, and will properly work and use the same, and run thereupon not less than two trains each way daily, unless the Governor otherwise direct, and such further number of trains as the Governor may from time to time direct, and will not charge in any case rates for the conveyance of passengers or of cattle, minerals, goods, or any other thing below such minimum or in excess of such maximum fares and rates as may from time to time be fixed by the Governor in Council: Provided always that the Contractors may, if they think proper, require that it shall be decided by arbitration whether the expense of running any further number of trains is one which they ought reasonably be called upon to bear; and in such case it shall be decided by arbitration whether the Contractors shall be bound to run any, and, if any, what further number of, trains, and on what terms: Provided also that if and whenever the said minimum or maximum fares and rates are objected to by the Contractors, while the earnings of the railways are sufficient to relieve the Governor from any payment under the guarantee of interest hereinafter contained, they shall be settled by arbitration in the manner hereinafter mentioned.

22. The Contractors will, in such forms and under such heads or divisions as shall be from time to time prescribed by the Governor, keep accounts of all receipts and payments whatever in respect of such railway, or any section or sections thereof which may for the time being be opened for public traffic (except such receipts and payments as properly belong to capital account hereinbefore agreed to be kept), and such accounts shall be called "The Revenue Account of the Railway," and shall be made up half-yearly to the 30th day of June and the 31st day of December in every year, or to such other days in the year as the Governor shall from time to time appoint, and shall be regularly transmitted to the Governor, who shall cause the same to be examined, and if they shall be found to be correct will approve of the same, having the right at all times to cause any corrections or disallowances to be made therein which he may consider to be necessary or proper; and the Contractors will produce all such vouchers or other evidence as the Governor shall from time to time require to verify every such account. The account when so made up, examined and approved, shall be conclusive between the Governor and the Contractors as to the result of the working and carrying on of traffic on the said railway, or any section or sections thereof, as the case may be, during the time stated in such half-yearly account: Provided that, if in any such half-yearly account the Governor shall make a disallowance or disallowances to the extent of £500, the Contractors may require that it shall be referred to arbitration, whether or not the same should to any, and, if any, what, extent prevail, and the account shall be rectified according to the award.

23. The Contractors will collect all fares, rates, and freights for the conveyance of passengers, cattle, minerals, goods, and other things, and will at such periods, and in such form as they may be required by the Governor so to do, and in addition to the said capital and revenue accounts respectively, furnish him with a statement in detail of the amount of such fares and freights, and of all other sums of money received by them in respect of every such railway, or any section or sections thereof so opened for public traffic, and of the amounts expended by them from time to time, subsequent to the opening of the same for public traffic, in the repair and maintenance and otherwise of the said railway, or any section or sections thereof, as the case may be, and in repairing and replacing the plant belonging thereto, and in working expenses, and will at all reasonable times permit every person or persons appointed by the Governor to inspect their books of account and all vouchers and other documents relating to such receipts or expenditure, and take copies of the same, and furnish all such information in relation to the same as may at any time be reasonably required.

24. The rates of speed to be maintained in running trains shall be (including stoppages) not less than ten miles an hour on railways the agreed cost of making which shall not exceed £3,000 per mile, and not less than fifteen miles an hour on railways exceeding that cost, and not exceeding £4,000 a mile, and not less than twenty miles an hour on railways exceeding that cost, except over any part or parts thereof respectively where in the opinion of the Governor the gradients or curves do not justify so high a rate of speed.

25. The Contractors will provide conveyances for, and convey upon the railways, the members of the General Assembly and Provincial Councils at all times, and all military police and other forces when proceeding on duty, and all public mails in the ordinary trains, at 25 per cent. below the ordinary fares and rates, and in the event of war or civil commotion will, on the requisition of the Governor, place the whole of the resources of the railways at his disposal at the charges actually incurred.

26. The Governor, by his officers, shall have power at all reasonable times to enter into and upon the said railway, or any part or parts thereof, to establish and lay down or erect new or enlarge existing lines of electric telegraph, and erect new or enlarge existing telegraph stations, and to use such lines and stations without any charge, but not so as to obstruct the traffic on the said railway in such laying down and erecting.