

award shall be in the discretion of the arbitrators, arbitrator, or umpire, who may direct to and by whom and in what manner the same or any part thereof shall be paid; and that the submission to reference and any award made in pursuance thereof may, at the instance of either of the parties to the reference, and without any notice to the other of them, be made a rule or order of the Supreme Court of New Zealand: Provided that, if by the terms of any award made under any such reference as aforesaid any money shall in any manner be payable by the Queen or the Government to the company, no attachment, or execution or process in the nature thereof, shall be issued by or on behalf of the Company upon any rule or order of the Supreme Court as aforesaid, unless and until the Governor shall on behalf of the Queen at as early a date as practicable have taken all such steps as may be necessary to have such money specially appropriated by the General Assembly to satisfy such award, and the payment of such money shall have been refused by the General Assembly.

25. It is also declared and agreed that these presents shall be and are intended to operate as a substitute for the original contract.

26. Wherever in these presents it is provided that any appointment, instrument, or notice, or any other act or thing, power, or authority whatsoever, may be made, executed, given, done, performed, exercised, or suffered by the Queen, or by or on behalf of the Queen, or by the Governor, then it shall be sufficient if such appointment, instrument, or notice, or other act or thing, power, or authority is made, executed, given, done, performed, exercised, or suffered by the Governor on behalf of the Queen or in his own name as the case requires, or by such person or persons as the Governor may from time to time appoint for all or any of the purposes herein mentioned; and also that when any notice or instrument may be given to or served on the Queen by or on behalf of the Company the same may be given to or served on the Governor on behalf of the Queen, or to or on any person appointed by him to receive the same.

27. Wherever in these presents any act or thing is agreed to be done or suffered by or on behalf of the Queen, or the Minister for Public Works, which, under or by virtue of "The Government Railways Act, 1887," is now or at any time hereafter may be directed or required to be done or suffered by the New Zealand Railway Commissioners constituted under the said Act, then, and in any such case, the obligation to do, perform, or suffer such act or thing shall devolve upon the said Commissioners, who shall be deemed to be substituted throughout these presents for the Queen, or the Minister for Public Works, as the case may be, so far as relates to any such act or thing as aforesaid:

Provided that if the hereinbefore mentioned Act shall be repealed, or the powers and duties of the said Commissioners shall in any manner be determined or be suspended, then the Queen or the Minister for Public Works, as the case may be, shall be entitled to resume the right to do, perform, or suffer any such act or thing as aforesaid, subject to any provision in that behalf made by the General Assembly; and the Queen and the Company shall in any such case as lastly provided for have all such mutual rights and liabilities in respect of any act or thing as aforesaid as if the said Act had not been repealed or the powers and duties of the said Commissioners had not been determined or suspended.

In witness whereof these presents have been signed by the Governor of the Colony of New Zealand, in the name and on behalf of the Queen, with the advice and consent of the Executive Council of the said colony, and the seal of the colony and the common seal of the Company have been respectively hereunto affixed, the day and year first before written.

SCHEDULE OF RATES.

To be the same as those in force on the Wellington-Masterton Railway in August, 1893, plus 25 per cent., and the power to charge double rates on the Incline Section, East and West line.

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