

the National shall be paid to it by the Pacific, and such siding shall thereupon become in all respects part of the Joint Section, and all expense in connection therewith and all rental or compensation for the use thereof shall be charged and credited as hereinafter provided.

(d) If the Pacific shall construct such a siding without such agreement on the part of the National, the cost of construction, maintenance and operation shall as between the parties hereto be borne solely by the Pacific, and the National shall not have the right to use and shall not use such siding, but it may, at any later date, elect to use the same. Upon such election one-half of the cost of such siding to the Pacific shall be paid to it by the National, and such siding shall thereupon become in all respects part of the Joint Section and all expense in connection therewith and all rental or compensation for the use thereof shall be charged and credited as hereinafter provided.

(e) No lease or agreement of either Company covering the use of any industrial siding that may be used by both parties hereunder shall contain any provision requiring the routing of the traffic of the industry served by such siding over the line of one or other of the parties hereto, or giving any preference to either one of such parties in respect of such traffic, and in the event of any such siding which shall have been constructed originally for the exclusive use of one party hereto becoming a joint siding under the provisions hereof the agreement with the industry, if any, covering such siding shall be revised so as to give each of the parties hereto equal rights therein; provided that neither party shall have the right hereunder to construct any industrial siding which creates a hazardous and unsafe operating condition, and if a dispute shall arise as to whether such a condition would be created by the construction of any such siding such dispute shall be referred for settlement as provided by Paragraph 44 hereof.

Pacific to  
make  
regulations.

10. (a) The Pacific shall from time to time make such reasonable rules and regulations for the operation of the Joint Section as are customary among railroads.

Equality.

(b) All rules, regulations and train schedules shall be equally just, fair and non-discriminatory as between the parties hereto, and each party shall have in every respect the same rights and privileges in the transaction of its business.

National  
employees  
to comply.

(c) All conductors, enginemen, trainmen and other employees of the National connected with its trains, engines and cars, shall, while in or upon the Joint Section, be subject to the rules, regulations and orders hereinbefore referred to, and all trains, engines and cars shall move over and through the Joint Section under and in accordance with the orders of the Superintendent, dispatchers and other officers of the Pacific having authority in that behalf in matters