

1877.

NEW ZEALAND.

CONVEYANCE OF EMIGRANTS AND CARGO,

(CONTRACT FOR, WITH THE NEW ZEALAND SHIPPING COMPANY).

Presented to both Houses of the Assembly by command of His Excellency.

CONTRACT FOR CONVEYANCE OF EMIGRANTS AND CARGO.

ARTICLES of AGREEMENT made and entered into this sixteenth day of November, one thousand eight hundred and seventy-six, between Her Majesty Queen Victoria (who, with her heirs and successors, is and are hereinafter called "the Queen"), of the one part, and "THE NEW ZEALAND SHIPPING COMPANY (LIMITED)," carrying on business at Christchurch and elsewhere, in the Colony of New Zealand (who, with their successors and assigns, are hereinafter included in the expression "the Company"), of the other part.

WHEREAS an Agreement has been made by the Queen with the Company for the conveyance of passengers or emigrants, and for the carriage of cargo, in and by the ships or vessels of the Company, from the United Kingdom of Great Britain and Ireland to the colony aforesaid, upon the terms, and subject to the stipulations and conditions, hereinafter mentioned or referred to: Now these presents witness that the Queen, so far as the covenants hereinafter contained are to be performed by Her, doth hereby covenant and agree with the Company; and the Company, so far as the covenants hereinafter contained are to be performed or observed by them, do hereby covenant and agree with the Queen, in the manner hereinafter particularly set forth:

1. It is hereby mutually agreed that, in the construction of these presents, the words and expressions hereinafter mentioned shall have the meanings respectively assigned thereto, unless there shall be something in the context or subject-matter repugnant or contrary to such construction: that is to say,—

"Agent-General" shall mean the Agent-General of the Government of the Colony for the time being, in London, in England; and whenever under these presents any act or thing is required to be done or any power exercised in the United Kingdom by or on behalf of the Queen or the Government of the Colony, it shall be sufficient and binding if done by such Agent-General as aforesaid.

Except where expressly provided to the contrary, whenever any act or thing is required to be done or any power exercised in New Zealand on behalf of the Queen, such act thing or power may be done, exercised, or performed by the Governor or the Minister for Immigration for the time being, on behalf of the Queen, or by such other person as the Governor or Minister may from time to time appoint.

"Emigrants" shall mean any passengers or persons who may be sent out or be emigrating to the colony aforesaid under the provisions of any regulations or authority in force for the time being and relating to the conduct of emigration to New Zealand.

"Statute adult" shall have the same meaning as the like expression has attached thereto in the Act of the Imperial Parliament of which the Short Title is "The Passengers Act, 1855."

"Cargo" shall mean any goods, chattels, wares, or merchandise of any kind or description soever (not specially excepted by this contract), except live animals.

"Delivery of cargo" shall mean delivery of cargo at the ship's slings or side, according to the custom of the port.

2. This contract shall be deemed to commence on the first day of May, one thousand eight hundred and seventy-six, and thereafter shall continue and be in force (subject to the conditions hereinafter contained) until the first day of November, 1877: Provided that the Queen may at her option continue this contract (subject as aforesaid) until the first day of May, 1878, by giving to the Company notice in writing to that effect on or before the first day of August, 1877.

3. During the continuance of this agreement, all emigrants and cargo, which the Agent-General shall send or be desirous of sending from the United Kingdom (except as hereinafter provided) to the said colony, shall be sent and forwarded by the ships or vessels of the Company: Provided that nothing herein contained shall prevent the Agent-General from sending or forwarding any emigrants or cargo in fulfilment of any contracts entered into by him on behalf of the Queen before the commencement of this contract, nor affect or prejudice any contract, act, or thing hereinafter expressly exempted from the operation of these presents.