

from cuttings and otherwise to be taken to spoil, and it is intended that the same shall be used in reclaiming from the sea land now covered with water within the Harbour of Wellington, the limits of which are shown on the map marked B hereunto annexed : And whereas the Governor of New Zealand, acting therein with the advice of the Executive Council of the colony and in pursuance of the provisions of "The Railways Construction and Land Act, 1881" (hereinafter in these presents termed "the said Act"), and especially of section fifteen of the said Act, has agreed with the Company for the construction and working of the said proposed line of railway upon the terms and conditions hereinafter set forth :

Now, this deed witnesseth that, in consideration of the covenants hereinafter contained on the part of the Queen, the Company doth hereby covenant with the Queen in manner following, that is to say,—

1. The Company shall and will, with all convenient speed, and within the term of five years computed from the date of these presents, at its own expense in all things, construct and thereafter maintain and work a line of railway between the city aforesaid and some point on the northern side of the Manawatu River, to be approved of by an engineer appointed for that purpose by the Governor (hereinafter throughout these presents referred to as "the Engineer"), where the said line of railway will connect with the Foxton and New Plymouth Railway; and will construct such line of railway along the line shown in red upon the map marked A, hereunto annexed, or as near thereto as practicable: such railway to be constructed, and, when completed, to be worked, in all respects under and subject to the provisions of the said Act.

2. The railway to be constructed, maintained, and worked under the provisions of this contract, and all other works in connection with the said railway which are provided for in this contract, shall be well and faithfully constructed of sound materials, and of sufficient strength and durability, having regard to the nature of such works, upon plans, both general and detail, to be from time to time approved of by the Engineer, and so that the details shall, as nearly as may be, conform to the approved standard drawings in use on the New Zealand Government railways, and that the specifications shall accord as nearly as may be to the standard specifications of the Government of New Zealand for the time being used in respect of the construction of railways having single lines of permanent-way, or as may be necessary for any particular work included in this contract; and such construction shall in all things be to the satisfaction of the Engineer, it being the intent and meaning of this provision that all such plans and specifications when approved by the Engineer, or as the same may be altered or modified subject to his approval, shall form part of this contract as effectually as if the same had respectively been attached hereto at the date of the execution hereof.

3. All rolling-stock and plant to be from time to time used or employed upon the said line or in connection therewith shall be of like character and strength in all respects to the rolling-stock and plant in use upon railways constructed by the Government of New Zealand.

4. The Company will, within one year from the date of this contract, expend a sum of not less than fifty thousand pounds in the construction and execution of permanent works under its provisions, such works to be of a character in the opinion of the Engineer that will enable some complete section or sections of the railway to be fit for traffic as early as possible.

5. The power conferred by the forty-eighth section of the said Act shall be deemed to extend to and include all works of every kind executed by or on behalf of the Company under this contract, and all plant, rolling-stock, materials, and things which are or may be used, or are intended to be used, in or upon the said works. And if at any time the Governor shall be advised that some addition, alteration, or repair is necessary or requisite to or upon the said railway or all or any of the works aforesaid, or to the rolling-stock, plant, and materials used or intended to be used thereon, then, for the purpose of more effectually carrying out this contract, he may, on behalf of the Queen, direct the Engineer to take such steps as may be necessary to have such addition or alteration made or repair effected; and, upon