

1882.
NEW ZEALAND.

KAIHU VALLEY RAILWAY.

CONTRACT ENTERED INTO BETWEEN HER MAJESTY THE QUEEN AND THE KAIHU VALLEY RAILWAY COMPANY (LIMITED).

Laid before Parliament in Compliance with the 13th Section of "The Railways Construction and Land Act, 1881."

This Deed made the twenty-first day of August, one thousand eight hundred and eighty-two, between Her Majesty the Queen (who, with her heirs and successors, is and are hereinafter included in the expression "the Queen"), of the one part, and the Kaihu Valley Railway Company, Limited (which, with its successors and assigns, except where the context otherwise requires, is and are hereinafter included in the expression "the Company"), of the other part. ~~Whereas~~ the Company has been established for the purposes (amongst other things) of constructing and maintaining a line of railway from a point on the bank of the Wairoa River north of the confluence of the Kaihu and Wairoa Rivers, and thence up the Kaihu Valley, to such point or points, place or places, as the Directors should determine, with all necessary buildings, railway works, and other appliances requisite for the same, and of working the said railway, and especially of carrying thereon of passengers, animals, and goods for hire, and generally in other respects of carrying on the business of a railway company in all its branches, with power to contract with any other company or authority with respect to running powers, interchange of traffic, or otherwise: ~~And whereas~~ the said railway is intended to be constructed as nearly as may be along the line shown in red upon the map marked A hereunto annexed, and is estimated to be of the length of nineteen and a half ($19\frac{1}{2}$) miles or thereabouts, and the said line is intended to connect with a navigable river called the Wairoa River, which flows into the northern part of an arm of the sea known as the Kaipara Harbour: ~~And whereas~~ on the shore of the southern part of the said arm of the sea known as the Kaipara Harbour is the Town of Helensville, which is the present northern terminus of the Auckland Helensville Railway, being a line of railway heretofore constructed by the Government of New Zealand: ~~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"), as amended by "The Railways Construction and Land Act Amendment Act, 1882), 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 (5) 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 a point on the bank of the Wairoa River north of the confluence of the Kaihu and Wairoa Rivers, thence up the Kaihu Valley, a distance of about nineteen and a half ($19\frac{1}{2}$) miles, to such point as the Directors of the Company