

1885.
NEW ZEALAND.

MEMORANDUM OF AGREEMENT FOR WORKING THE WHAUWHAU BRANCH RAILWAY.

Presented to both Houses of the General Assembly, pursuant to Section 172 of "The Public Works Act, 1882."

MEMORANDUM OF AGREEMENT, made this second day of July, one thousand eight hundred and eighty-five, between the WHANGAREI COAL-MINING COMPANY, LIMITED (hereinafter termed "the said company"), of the one part, and the MINISTER FOR PUBLIC WORKS for the Colony of New Zealand, appointed by the Governor of the said colony, by virtue of the powers vested in him by "The Public Works Act, 1882" (hereinafter termed "the said Minister"), of the other part.

WHEREAS the said company have recently constructed a branch line of railway connecting their coal-mine known by the name of the Whauwhau Coal-mine, situate at Whangarei, in the Provincial District of Auckland, in New Zealand aforesaid, with the main line of railway between Kamo and the railway wharf near Whangarei aforesaid: And whereas the said company have applied to the said Minister in accordance with the powers vested in him by section 172 of "The Public Works Act, 1882," to run trains or rolling-stock, the property of the Government, on the said branch line, which the said Minister has agreed to do:

Now this agreement witnesseth as follows:—

1. That the said branch railway line shall be worked by the said Minister subject to the rules, regulations, and by-laws of the New Zealand Railways, and to the rates, fares, and charges in force thereon from time to time.

2. That the said Minister shall provide such trucks and locomotives for the carriage of coal and other goods, and shall run such trains thereon, as he may consider necessary.

3. That the loading or unloading of all goods at the said company's mine shall be performed by the company's servants at the risk and expense of the said company.

4. That the working of the railway shall be under the control of the General Manager of the New Zealand Railways.

5. That the railway shall be maintained in good working order by the Minister at the expense of the company.

6. That the company will pay to the said Minister the cost of all labour and materials expended in maintaining the railway four-weekly within seven days of the presentations of accounts for the same by the District Railway Manager of the Whangarei-Kamo Railway.

7. That this agreement may continue in operation for twelve months from the date hereof, or it may be terminated by three months' notice in writing on either side; but, should the said company fail or neglect to fulfil or comply with any of the conditions herein specified after being called on by the said Minister or any duly authorized railway officer, the said Minister may thereupon, without further process, declare this agreement to be terminated, and it shall thereupon be deemed to be terminated.

Witness the hands of the parties:—

The common seal of the Whangarei Coal-mining Company (Limited) was affixed hereto in the presence of us, three of the directors of the said company,—

	DONALD J. McLEOD,	} Directors.
(L.S.)	THOMAS T. MASEFIELD,	
	W. S. WILSON,	

Jos. HANNA, Secretary.

EDWARD RICHARDSON.

Signed by the Hon. Edward Richardson, Minister for Public Works, in the presence of—
D. Godden, Private Secretary, Wellington.

[Approximate Cost of Paper.—Preparation, Nil; printing 1,225 copies: 16s. 3d.]

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