

REVISED CONTRACT AS PROPOSED BY THE SELECT COMMITTEE OF THE HOUSE OF REPRESENTATIVES.

THIS DEED made the day of , 188 , between Her Majesty the Queen (who with her heirs and successors is and are hereinafter referred to as "the Queen"), of the one part, the New Zealand Midland Railway Company (Limited), a joint stock company carrying on business in the City of Christchurch, in New Zealand, and elsewhere, and having its head office at No. 79, Gracechurch Street, in the City of London, in England (which, with its successors and assigns, is hereinafter referred to as "the Company"), of the other part.

WHEREAS by a deed bearing date the 17th day of January, 1885, and made between the Queen, of the one part, and William Chrystall, John Tucker Ford, George Hart, John Thomas Matson, Thomas Shailer Weston, John Honeycomb Cock, Charles Yates Fell, Henry Douglas Jackson, Albert Pitt, and James Sclanders, all therein respectively described, and thereafter collectively referred to as "the Contractors," of the other part (which said deed is hereinafter referred to as the "original contract"), the Queen and the said contractors did, in pursuance of the provisions of "The Railways Construction and Land Act, 1881," and of "The East and West Coast (Middle Island) and Nelson Railway and Railways Construction Act, 1884" (hereinafter in these presents referred to as "the said Act"), and of all other powers and authorities them thereunto enabling, mutually contract and agree for the construction, maintenance, and working of a line of railway to connect the east and west coasts of the Middle Island, from Springfield, in the Provincial District of Canterbury, to Brunnerton, in the Provincial District of Westland, so as to connect at Springfield aforesaid with the New Zealand Government railway already constructed, and having its terminus there, and connecting Brunnerton aforesaid with the Town of Greymouth, and also a further line of railway from Brunnerton aforesaid to or near Belgrove, in the Provincial District of Nelson, so as to connect there with the New Zealand Government railway already constructed, and leading thence to the City of Nelson, and connecting the same with the first before-mentioned lines of railway, which two several lines of railway are thereafter (and the same are hereinafter) referred to as "the said railway," with all necessary buildings, railway-works, and other appliances requisite for the same and for working the said railway upon the terms and conditions and with and subject to the covenants, agreements, provisos, or restrictions in the said deed now in recital contained:

AND WHEREAS the original contract was laid before the General Assembly of New Zealand in the session thereof held in the year 1885:

AND WHEREAS by a deed indorsed upon the said hereinbefore in part recited deed of the 17th day of January, 1885, and made between the said contractors of the first part, Sir Francis Dillon Bell therein described of the second part, and the Company of the third part, for the considerations therein mentioned, the said contractors did, as beneficial owners thereby, with the written consent of the Governor of New Zealand on behalf of the Queen, testified by the said Sir Francis Dillon Bell, who, by virtue of an instrument in writing bearing date the 17th day of January, 1885, was appointed by the Governor to give such consent, being a party to and executing the said deed now in recital, assign unto the Company all that the original contract, and the full benefit and advantage to arise therefrom, upon the terms and with and subject to the covenants, provisos, and conditions therein contained:

AND WHEREAS upon the treaty for the assignment of the original contract it was agreed that certain constructions or modifications of the terms of the original contract should be made, and for the purpose of carrying out such agreement "The East and West Coast (Middle Island) and Nelson Railway Construction Act Amendment Act, 1886," was passed:

AND WHEREAS the deposit of £5,000 required by the original contract to be paid by the said contractors has been paid by the Company to the Agent-General of New Zealand on behalf of the Queen, and all other acts necessary for the due fulfilment of the original contract up to the date of these presents have been duly performed:

AND WHEREAS it is expedient that the original contract should, in pursuance of "The East and West Coast (Middle Island) and Nelson Railway Construction Act Amendment Act, 1886," be modified in the manner hereinafter appearing, and that a new and further contract should be made and entered into between the said parties hereto, embodying the terms of the original contract, with such modifications thereof as are hereinafter contained:

AND WHEREAS the value of the lands to be granted to the Company in pursuance of the provisions of the said Act and of the original contract has been calculated and determined in the manner prescribed by subsection (3) of section 8 of the said Act, and the persons appointed by and under