

vided in respect of the aforesaid Crown lands, but so nevertheless that the total area of land so to be set apart and selected, shall not when valued and assessed, as by the said Act provided, exceed in value the amount necessary to make up any such insufficiency of value as aforesaid.

18. **That**, when and so soon as any lands shall have been acquired as aforesaid, the same shall be assessed and valued with all convenient speed in manner provided by the said Act, in order to render the same available for selection and dealing by the Company, and the Company may accordingly select and deal with the same in like manner, and for the like purposes, and subject to the like provisions and conditions as are hereinbefore contained, in respect of the aforesaid Crown lands.

And it is hereby further agreed between the Queen and the Company.

19. **That** the maximum tolls, fares, and rents to be charged by the Company for the carriage upon the said Railway of passengers, produce, animals, goods, merchandize, articles, matters, and things, and for the storage of goods in the Company's sheds or warehouses, shall not exceed the scale set forth in the Second Schedule hereto.

20. **Provided** that the Company shall be at liberty at any time in the manner prescribed by the said Act to reduce the said tolls, fares, rates and rents or any of them.

21. **Provided** further that if at any time the Minister for Public Works for the time being shall be satisfied that the said tolls, fares, rates and rents or any of them are excessive or ought to be increased, he may by giving one calendar month's notice in writing to the Company, require the tolls, fares, rates and rents to be reduced or increased as stated in such notice, and at the expiration of such month's notice the Company shall make the reduction or increase accordingly.

22. **And it is hereby further** agreed that the power of purchase conferred upon the Governor by the said Act may be exercised at any time after the expiration of three years from the completion of the said line of railway.

23. **And it is hereby lastly** agreed that in case this Contract or any provision thereof shall be avoided or modified either wholly or in part by a resolution or resolutions to be passed by the General Assembly of New Zealand in the manner prescribed by the said Act, the Company shall not have any claim or demand upon or against the Queen or the Governor of New Zealand for any loss or damage by reason of such avoidance or modification or in consequence of the operation of any such resolution, and any property, estate, right or interest acquired by the Company from the Queen or the said Governor under or by virtue of the said Contract or provision shall to the extent and in the like manner specified in any such resolution be and be deemed to have again become the property or estate of the Queen or the Governor or to revest in the Queen as the nature of the case may require.

24. **And further** that nothing contained in this Contract shall be deemed in any way to abridge, control, modify, or supersede any power remedy or authority, which under the said Act is vested in or may be exercised by the Governor in Council or the Governor or the Minister for Public Works.

25. **The** word Governor in this Contract has the like meaning as is attached thereto by "The Interpretation Act, 1878."

In witness whereof these presents have been executed by the parties hereto on the day and year first above written.

The seal of the Company was hereunto affixed this twenty-first day of August, one thousand eight hundred and eighty-two, by order of the Directors.

ALEXANDER MACKENZIE,
Secretary, (*pro tem*) of the Company.

GEO. VESSEY STEWART,
JOHN DUNCAN,
Directors.

(L.S.) Seal of the Tauranga, East Coast, and Hot Lakes District Railway Company (Limited).

Signed by His Excellency Sir James Prendergast, Knight, Chief Justice, the Administrator of the Government of Her Majesty's Colony of New Zealand, with the advice of the Executive Council thereof, on behalf of Her Majesty the Queen, and sealed with the public seal of the said colony, in the presence of—

JAMES PRENDERGAST.

(L.S.) Seal of the Colony.

FORSTER GORING,
Clerk of the Executive Council,
21st August, 1882.

FIRST SCHEDULE.

THE following regulations shall apply to sales of land.

1. All agricultural and pastoral lands, and not less than one-fourth of the area set apart for town, village and suburban lands to be offered for sale not later than twelve months after the railway line has been opened for traffic to the locality of such lands.