

1889.  
NEW ZEALAND.

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## AGREEMENT WITH MIDLAND RAILWAY COMPANY FOR INTERCHANGE OF TRAFFIC

(COPY OF).

*Presented to Parliament in pursuance of Section 172 of "The Public Works Act, 1882."*

### NEW ZEALAND MIDLAND RAILWAY.

MEMORANDUM of AGREEMENT for the Interchange of Traffic between the NEW ZEALAND GOVERNMENT RAILWAY COMMISSIONERS and the NEW ZEALAND MIDLAND RAILWAY COMPANY (LIMITED) through, over, and upon the Greymouth-Brunnerton Railway and the New Zealand Midland Railway.

IN pursuance of the powers vested in them by an Act of the General Assembly of New Zealand intituled "The Government Railways Act, 1887," the New Zealand Railway Commissioners incorporated under the said Act (hereinafter termed the "Commissioners") hereby agree with "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"), for the interchange of goods and passenger traffic upon the following terms:—

1. For the purposes of this agreement the commencement of the Company's line at Brunnerton shall be deemed to be at the crossing over the main road to Reefton, about 25 chains eastward from Brunnerton Station. The Commissioners shall allow the Company to run its trains from the Company's line to and from the Government railway-station at Brunnerton, provided the Company shall pay the Commissioners the cost of making such additions as are necessary to allow this to be done conveniently, as agreed on.

2. Goods and parcels will be interchanged at Brunnerton Station, and will be booked between all stations on the Government and Company's respective railways.

3. Passengers shall be booked between all stations on the respective railways.

4. The Commissioners' trucks may be run on the Company's line and the Company's trucks on the Government railway for purposes of interchanging goods traffic.

5. The Company's trucks shall not be used for local traffic on the Government railway, nor shall the Commissioners' trucks be used for the Company's local traffic.

6. No trucks shall be forwarded from the parent railway for interchanged traffic with less load than one ton of merchandise goods of Classes A, B, C, D, H, or two tons of E and K, or four tons of F, L, N, O, P: any less quantity must be transhipped at Brunnerton, if necessary, at the expense of the party on whose line the traffic has originated.

7. Trucks returning to the parent railway may be loaded with goods for the parent railway.

8. Where trucks are forwarded from the parent railway, one clear day, in addition to the day of arrival at and return to the junction, will be allowed before charges for demurrage are made.

9. The charges for trucks will be as follows:—

For all four-wheeled trucks...	...	...	...	½d. per mile
For double-bogie trucks	...	...	...	1d. "

computed in each case on mileage run by trucks loaded or empty, on all goods, vehicles, and vans, except coal-trucks.

10. Commissioners' trucks loaded on the Government railway for stations on the Company's line, and *vice versa*, shall be hauled by the Commissioners' and Company's engines over their respective railways, the Commissioners and the Company dividing the freights so earned, in accordance with the rates agreed upon.

11. Demurrage will be charged on each wagon detained by the foreign line beyond the prescribed time, 4s. a day or part thereof.

12. Sheets will be charged ¼d. per mile when in use, and will be subject to the same regulation for return as wagons.

13. Demurrage on sheets will be charged at the rate of 1s. per day.

14. Sundays, and days when goods traffic is suspended, must not be counted in computing demurrage.

15. The Company's officers shall act under the instructions issued from time to time by the New Zealand Railway Commissioners, or any person acting on their behalf, in accounting for and dealing with all interchanged traffic, and shall render such returns to the Railway Accountant, New Zealand Railways, as may be required by such instructions.

16. The Commissioners shall be responsible for causing to be collected from the consignees or other persons all proper charges on behalf of the Company which the Company is legally entitled to charge and collect for goods and passengers which have passed over the railway, which charges may have been properly way-billed and otherwise notified by the Company's officers to the receiving-stations on the Government railway, in accordance with the by-laws and other instructions in operation on the New Zealand Government Railways.

17. The Company shall, similarly, be responsible for collecting the Commissioners' railway-charges on interchanged goods and passengers.

18. All the Company's officers entering and using the Government railways shall be subject to the instructions and obey the orders of the officers of the Commissioners while thereon; and the Company shall not at any time allow any of its servants to enter on the Government railway if forbidden by the Commissioners' officers.

19. The Commissioners shall cause the accounts for interchanged traffic to be compiled and audited for each four weeks or thereabouts, in accordance with the practice on the New Zealand Government Railways, and shall cause accounts to be rendered to the Company within four weeks or thereabouts after the close of each accounting-period; and there shall be a settlement of account as between the Government railway and the Company's line by cash-payment of the balance due from one to the other respectively, as may be ascertained from such audited account.

20. The Company shall permit any officer duly appointed by the Commissioners to examine any traffic accounts on its line, if necessary, for accounting and auditing purposes, and similarly the Commissioners shall permit any duly-appointed officer of the Company to examine any traffic accounts of the Government railway interchanging traffic with the Company's line.

21. The rates, fares, and charges for the conveyance of all passengers, parcels, and goods upon the Company's line shall be fixed by the Company.

22. The Company shall supply the Commissioners with schedules of such rates, fares, and charges in the forms attached, and the Commissioners will cause the same to be gazetted. All such rates, fares, and charges to be used subject to the general regulations in operation on the New Zealand Government Railways. Such rates, fares, and charges will be in addition to the rates, fares, and charges which are made by the Commissioners for the conveyance of passengers and goods, and the transactions in connection therewith, upon the Government railway, unless otherwise specified.

23. The rates for small lots of goods and parcels shall be arrived at by adding the through goods rates for the Government railway to those for the Company's line, and computing the small-lot rate upon the sum so arrived at from the table published by the Commissioners. Division of these charges between the Commissioners and the Company will be made *pro rata* according to mileage.

24. For carts, drays, small lots of cattle, sheep, goats, and pigs, the rates and charges will be charged according to the rates gazetted for the New Zealand Government Railways. The division of charges will be made *pro rata* according to mileage.

25. For passengers booked through on the Government railway the same fares will be charged as for local passengers. The charges for passengers booking on to the Company's line from Brunnerton Station will be 2d. per head, to be paid by the Company to the Commissioners.

26. The Company shall be responsible for payment for all damages or losses to person or property occurring on the Company's line, unless such damage or loss is clearly traceable to the negligence or error of any of the Commissioners' servants, or to the defect of any of the Commissioners' stock or appliances.

27. The Commissioners similarly shall be responsible for payment for all damages or losses to person or property occurring on the Government railway, unless such damage or loss is clearly traceable to the negligence or error of any of the Company's servants, or to the defect of any of the Company's stock or appliances.

28. The Company's rolling-stock shall be correctly tared, numbered, and lettered, to distinguish it from the Commissioners' stock.

29. The Company shall pay the Commissioners for all tickets and stationery issued to the Company's stations.

30. The Commissioners or the Company respectively at any time may cause rolling-stock the property of the other to be put off the Company's or Commissioners' trains respectively if defective or dangerous, and may forbid such stock from running on the Government railway and the Company's line respectively until such defect or dangerous conditions be amended by the Company or Commissioners respectively. In such cases, due notice being given, demurrage will not be chargeable.

31. The Company shall nominate an officer in charge of its line with whom the District Manager of the Government railway at Greymouth may communicate for the purpose of carrying on the traffic in terms of this agreement.

32. The Commissioners will not supply any coal hopper-trucks for interchange of traffic.

33. The Commissioners will not pay any demurrage on the Company's trucks detained at Greymouth, either for loading or unloading, when the delays are occasioned by the failure of ships to receive or deliver goods of any kind, or through failure of works or appliances on the Government railway; nor will they be responsible for any losses to the Company arising from such delays or accidents. The Commissioners reserve the right to return to the Company's line trucks and

goods of any kind if the consignees fail to take delivery when called upon. The Company in like manner shall not be held responsible for similar delays and accidents upon the Company's line, and may return goods if delivery is not taken by the consignees.

This agreement shall come into force on the first day of July, 1889, and may continue in force for twelve months from that date.

Signed on behalf of the New Zealand Midland Railway Company (Limited), { The New Zealand Midland Railway Company (Ltd.), by its Attorney,  
H. ALAN SCOTT.

The common seal of the New Zealand Railway Commissioners was hereunto affixed this 25th day of June, 1889, in the presence of (L.S.)

JAMES MCKERROW, { The New Zealand  
J. P. MAXWELL, } Railway  
W. M. HANNAY, } Commissioners.

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