

period of seven years aforesaid as it shall carry on the goods-traffic on the said tramway, in accordance with its covenant in that behalf hereinbefore contained, to receive from the public and to retain for its own use the said rates and charges set forth in the scale to the said Second Schedule hereto.

Provided always, and it is hereby declared and agreed, that the Contractor shall only be entitled to receive and retain such rates and charges as it duly observes and performs the covenant and conditions, terms and stipulations hereinbefore contained, and until it shall have received from the Commissioners, or any officer or agent of theirs, notice in writing of any breach, nonobservance, or nonperformance of any such covenant, condition, term, or stipulation; and in particular, on condition that the Contractor shall have no other claim against the Commissioners in respect of any of the services to be rendered for the Commissioners by it as aforesaid, or any services rendered to the public or any other services, or for any compensation, or for any damages, or loss, or any other matter having relation to the subject-matter of this contract, or arising hereunder, or under any of the covenants or stipulations herein in any manner whatsoever.

It witness whereof this deed has been executed by or on behalf of the said parties hereto.

#### THE FIRST SCHEDULE REFERRED TO.

##### N.Z.R.

##### REPAIRS TO FOREST HILL TRAMWAY.—SPECIFICATION.

THIS specification comprises repairing and putting in good and efficient working order the whole of the ten miles of Forest Hill Tramway, its appurtenances and appliances, fit for the safe conduct of horse-traffic on the same. The work to be carried out to the satisfaction of such person as the New Zealand Railway Commissioners may appoint to inspect it.

*Permanent way.*—The necessary repairs under this head will include,—

1. The removal of unsound timbers estimated at 2,000 cross-ties and 1,500 longitudinals, and reinstating with new of the same kind of timbers and same dimensions, or substituting in their places transverse sleepers 6ft. long by 7in. by 5in., spaced not more than 2ft. 9in. apart from centre to centre, and the whole to be spiked in a proper and workmanlike manner with four good spikes to each sleeper. Transverse sleepers may be of black-pine, totara, or kamai, all heartwood, free from shakes and other imperfections, and shall pass inspection. Where transverse sleepers are substituted they must be laid in lengths of not less than 5 chains. Any sound old timbers which may be taken up for this purpose may be used in repairing other parts of the track.

2. The line throughout to be straightened up to the lines of original pegs, and to be lifted wherever there are slacks to an even running top, and regauged wherever it is  $\frac{1}{4}$  in. in excess of regulation gauge.

3. The rails and fastenings that have been removed from their original position on the running line and sidings to be replaced, also sixty rails unfit for traffic to be removed and replaced by new or old rails in good condition, free of defects or damages. All open joints of over  $\frac{1}{2}$  in. to be filled with short pieces of rail fitted in and fish-plated, and supported in a thoroughly workmanlike manner.

Points and crossings are all to be repaired and placed in complete working order and condition.

Road-bed and Ballasting: The water-tables in all the cuttings to be thoroughly cleaned out, so that the water may run clear, and all loose earth on cutting slopes removed.

The banks are to be made up with the best available clay before ballasting operations start wherever the formation is less than 10ft. wide on top or more than 16in. below the true rail-level.

The ballast to be used must be true shingle of approved quality, and equal to that found in the immediate vicinity of Winton Township. The quantity required—about 1,500 cubic yards—to be placed on the line in such places and at such times during the performance of the contract as shall be directed.

Level crossings throughout the line shall be relaid as directed, and the guard-timbers or rails firmly spiked down so as to remain flush with rail-level.

Bridges and culverts shall all be thoroughly overhauled, packed to a proper bearing, and level and repaired where considered necessary.

Gorse, wherever found growing—(1) On district road lines within 7ft. of centre line of tramway; (2) anywhere on the Tramway Reserves, to be slashed down to the level of the ground.

Boundary-fences, other than those belonging to private landowners, to be put into an efficient state of repair.

*Rolling-stock.*—The rolling-stock belonging to the New Zealand Railway Commissioners and used in connection with working the tramway, consisting of twelve trucks, are to be put in good running order, and all necessary repairs to be done as may be directed, and any missing or damaged beyond repair are to be replaced.

#### THE SECOND SCHEDULE REFERRED TO.

##### SCALE OF RATES AND CHARGES.

Merchandise (consisting of all goods enumerated under Classes A, B, C, D, in the scale of fares, rates, and charges on the New Zealand Railways, published in the supplement to the <i>New Zealand Gazette</i> of the 16th September, 1886), at per ton, per mile						£0	0	6
Minimum rate per ton	...	...	...	...	...	0	2	6
Minimum charge	...	...	...	...	...	0	0	6
Timber at per 100 superficial feet, per mile	...	...	...	...	...	0	0	1
Minimum charge	...	...	...	...	...	0	2	6