

in the terms of this agreement (hereinafter called "the Australasian traffic") is carried by the cables and telegraphic lines of the Extension Company, in connection with lines belonging to the Indo-European Telegraph Department of Her Majesty's Indian Government, the Eastern Telegraph Company (Limited), (hereinafter called "the Eastern Company"), and the Indo-European Telegraph Company (Limited), (hereinafter called "the Cis-Indian Administrations"), and the lines and cables connected therewith: And whereas the present rates for the transmission of the Australasian traffic are governed by three agreements, the first dated the 31st day of March, 1891, and made between Her Majesty the Queen, of the one part, and the Extension Company, of the other part; the second dated the 13th day of December, 1892, and made between Her Majesty the Queen for account and on the authority of the respective Governments of New South Wales, Victoria, South Australia, Western Australia, and Tasmania, of the first part, Her Majesty the Queen on account and by the authority of the Government of New Zealand, of the second part, and the Extension Company, of the third part; and the third dated the 30th day of April, 1895, and made between Her Majesty the Queen by the authority of the Governments of New South Wales, Victoria, South Australia, Western Australia, Tasmania, and New Zealand, of the one part, and the Extension Company, of the other part: And whereas, under clause 8 of the said agreement of the 31st day of March, 1891, and clause 1 of the said agreement of the 30th day of April, 1895, the present arrangement as to rates for the Australasian traffic may be determined by notice, such notice being not less than two calendar months' notice in writing, expiring on the 30th day of April, 1900, or the 30th day of April in some subsequent year, and given either by the Extension Company to the Agent-General of South Australia, or by such Agent-General to the Extension Company in manner mentioned in the said clause: And whereas the Extension Company, in accordance with the said clause 8, has given a notice expiring on the 30th day of April, 1900, to determine the present arrangement as to rates for the Australasian traffic: And whereas it is intended that the rates for the Australasian traffic shall, after the said 30th day of April, 1900, be those hereinafter mentioned: And whereas the present terminal stations in Australia of the Extension Company's submarine cables are situated at Port Darwin, in the Colony of South Australia, and Roebuck Bay, in the Colony of Western Australia: And whereas it is intended that the Extension Company in co-operation with the Eastern Company shall lay a new cable between Durban, in the Colony of Natal, South Africa, and Australia as hereinafter provided, hereinafter called "the new cable": And whereas a project has been set on foot by the British, Canadian, and certain Australasian Governments for laying a cable to be known as, and herein referred to as, "the Pacific cable":

Now, this indenture witnesseth, and it is hereby agreed and declared by and with the contracting colonies and their successors and the Extension Company, their successors and assigns, as follows, that is to say,—

1. As from the 1st day of May, 1900, the rates for the transmission of the Australasian traffic by the existing lines and cables, and from and after the opening for traffic of the new cable, as hereinafter mentioned, the rates for the transmission of such traffic and the apportionment of such rates on either cable shall (subject to the provision of Article 5 hereof) be the rates and apportionment specified in the schedule hereto, Table A.: Provided always this shall only apply to the colonies entering into this agreement.

2. In these presents and the schedule hereto by "Government telegrams" are meant political or administrative telegrams sent from or to Her Majesty, and by Her Majesty's Principal Secretary of State for the Colonies, or any Government department in the United Kingdom, or the respective Agents-General for any of the contracting colonies, on the one hand, and by the Governors, Ministers, or any officer in charge of any Government department of any of the contracting colonies, on the other hand, on matters relating to the public business of the said colonies, or any of them.

3. By "Press telegrams" are meant telegrams addressed to any newspapers duly published in accordance with the respective laws relating to the publication of newspapers in force in the United Kingdom or the colonies or countries in which they are respectively published and intended in good faith for publication in full in such newspapers, and shall include only such as are intelligible, and written in English or French in plain language, and without the use of cipher, code, groups of figures, or letters or words of concealed meaning.

4. The respective Governments of the contracting colonies shall, in respect of telegrams forming part of the Australasian traffic, be entitled to be paid out of the rates charged for transmitting the same the terminal charges specified in the said schedule hereto.

5. If on the 1st day of January, 1901, or on the 1st day of January in any subsequent year, the receipts of the Extension Company and the Cis-Indian Administrations from the Australasian traffic, after deducting out-payments charged by other Governments and Administrations, shall have averaged during the three previous consecutive calendar years a sum of £330,000 per annum, or any sum in excess of that amount, the rates for the transmission of the Australasian traffic (except New South Wales, Victoria, New Zealand, Queensland, and New Caledonia traffic) to and from Europe *via* Singapore and Suez or Teheran, or *via* the Cape Colony and St. Helena, shall be reduced to three shillings and sixpence per word for ordinary telegrams, two shillings and sixpence per word for Government telegrams, and one shilling and fourpence per word for Press telegrams, which reduced rates and their apportionment are specified in the schedule hereto, Table B; and if at the expiration of any subsequent calendar year, after such reduction has been made, the said average receipts of the three previous consecutive calendar years shall have amounted to or shall have exceeded the said sum of £330,000, the rates for such traffic (except as aforesaid) by the said routes shall be reduced to three shillings per word for ordinary telegrams, two shillings per word for Government telegrams, and one shilling per word for Press telegrams, which reduced rates and their apportionment are specified in the schedule hereto, Table C; and if at the expiration of any subsequent calendar year, after such further reduction has been made, the