

## New Zealand.



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1887, No. 38.

AN ACT to empower the Queen to enter into a new Contract with the New Zealand Midland Railway Company (Limited) for the Construction of the Midland Railway. Title.

[23rd December, 1887.]

WHEREAS a Select Committee of the House of Representatives of the General Assembly of New Zealand was appointed during the present session of such Assembly, to whom was referred the proposals for amending the contract for the construction of the Midland Railway, and which had been entered into under the provisions of "The East and West Coast (Middle Island) and Nelson Railway and Railways Construction Act, 1884:" And whereas such Committee has reported: "That in the opinion of the Committee a new contract should be prepared embodying the several provisions of the Acts of 1884 and 1886, the contract of 1885 legalised by the Act of 1886, and the further" (draft) "contract amending the contract of 1885, and that an Act should be passed empowering the Governor to execute such new contract. Such new contract should, so far as practicable, contain provisions in the same words as are used in the said Acts and contracts, and where any deviation is necessary, in order to render the new contract consistent throughout, the alterations required should be to the same purport and effect as the draft contract hereunto annexed:" Preamble.

And whereas the said report and the draft contract referred to therein were agreed to by the House of Representatives on the twenty-fourth day of November last past, and are printed in the papers forming part of the Appendix to the Journals of the House of Representatives for the present session, and marked "Sess. II., 1887, I.-6.," and, the same having been transmitted by Message from the House of Representatives to the Legislative Council, with a request for their concurrence therein, were agreed to by such Council with certain amendments, which said amendments were,

on the second day of December instant, adopted by the House of Representatives :

And whereas it is expedient that an Act should be passed by the General Assembly for the purpose of giving effect to the report of the said Committee as finally adopted as aforesaid :

BE IT THEREFORE ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows :—

Short Title.

1. The Short Title of this Act is “ The Midland Railway Contract Act, 1887.”

Interpretation.

2. In this Act, if not inconsistent with the context,—

“ Company ” means “ The New Zealand Midland Railway Company (Limited) ”;

“ Midland Railway ” means the railway authorised to be constructed under the provisions of “ The East and West Coast (Middle Island) and Nelson Railway and Railways Construction Act, 1884,” as amended by “ The East and West Coast (Middle Island) and Nelson Railway and Railways Construction Act Amendment Act, 1886 ” (hereinafter referred to as “ the said Acts ”), and this Act ;

“ Original contract ” means the contract entered into under the provisions of “ The East and West Coast (Middle Island) and Nelson Railway and Railways Construction Act, 1884,” and a copy whereof is set out in the Schedule to “ The East and West Coast (Middle Island) and Nelson Railway and Railways Construction Act Amendment Act, 1886.”

Governor in Council authorised to make new contract for construction of railway.

3. As soon as conveniently may be after the passing of this Act, the Governor in Council, in the name and on behalf of the Queen, may enter into a contract with the company for the construction, under the said Acts and this Act, of the Midland Railway. Such contract shall, as far as practicable, contain provisions to the same effect as are set forth in or authorised by the said Acts or either of them, or in the original contract, with such additions thereto and modifications thereof as are contained in the draft contract annexed to the Report of the Select Committee hereinbefore mentioned, as the same was finally adopted as aforesaid, or as may be necessary to give full effect thereto ; and may also contain provisions for working sections of the said railway as near as conveniently may be in accordance with the resolutions relating thereto agreed on by the House of Representatives on the twenty-first day of December, and by the Legislative Council on the twenty-second day of December, one thousand eight hundred and eighty-seven.

New contract to operate as a substitute for original contract.

4. The contract authorised by this Act shall, when executed on behalf of Her Majesty and by the Company, operate as a substitute for the original contract ; but all Acts and things lawfully done thereunder before the execution of the new contract shall and be deemed to have been valid, and shall be of the like force and effect as if they had been done under the contract authorised by this Act, and it shall not be necessary that any allocation of land under such new contract shall be approved by the General Assembly, as provided by the said Acts or either of them.

5. Notwithstanding anything contained in the said Acts, it shall not be necessary for the company to be registered or domiciled in the colony in any other manner than that provided by Part VIII. of "The Companies Act, 1882."

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represented in the  
colony.

Paragraph seventeen of the draft contract shall be read as if the words "Part VIII. of 'The Companies Act, 1882,'" had been originally inserted therein, in lieu of the words "Part V. of 'The Companies Act, 1882.'"