

AUCKLAND STATION. AUCKLAND STATION TO NEWMARKET RAILWAY, AND ONEHUNGA BRANCH RAILWAY.

ARTICLES OF AGREEMENT made and entered into this nineteenth day of July, one thousand eight hundred and seventy-three, between the Governor of New Zealand, in the name and on behalf of Her Majesty the Queen, of the one part: and Alexander Brogden, Henry Brogden, and James Brogden, all of Queen's Square, in the City of Westminster, in England, railway contractors (hereinafter referred to as the Contractors), of the other part: Whereas by "The Railways Act, 1871," it is among other things enacted that the Governor may if he thinks fit construct and maintain, or cause to be constructed and maintained, under the provisions of "The Immigration and Public Works Act, 1870" hereinafter referred to as the "said Act"), and "The Immigration and Public Works Act Amendment Act, 1871" (hereinafter referred to as the "said Amending Act"), certain Railways therein mentioned: And whereas amongst such Railways is included a line of Railway from Auckland to Mercer: And whereas by Articles of Agreement dated the tenth day of August, one thousand eight hundred and seventy-two, and made between the Governor of New Zealand, on behalf of Her Majesty the Queen of the one part, and the said Contractors of the other part, it was agreed between the parties thereto that the Contractors should in accordance with the conditions, specifications, drawings, and plans therein mentioned, construct, make, complete, and maintain, and do and perform all the works, and supply all such plant and materials as therein mentioned or referred to, and it was further agreed that the Queen should pay to the Contractors for the construction and execution of the said works and the maintenance thereof, for the period of three months from the completion thereof, and for the supply of the materials therein mentioned, the sum of one hundred and sixty eight thousand nine hundred and twenty-four pounds: And whereas in the specification annexed to the hereinbefore in part recited agreement, it was provided that the line of Railway included under the title "Auckland and Mercer Railway," to which the said specification applied, should begin at a point in the town of New Market, and terminate at the Wharf in the township of Mercer, in the Waikato River: And whereas under the provisions of the said Act the Governor of New Zealand, on behalf of the Queen, has agreed with the Contractors for the execution and construction by them of certain station works at Auckland of that portion of the line of Railway from Auckland to Mercer which lies between the City of Auckland and the town of New Market aforesaid, and also for the execution and construction of a branch line from the said Auckland and Mercer line to Onehunga, as the several works are described or referred to herein, and in the specifications, drawings, and plans hereto annexed, or herein referred to, all of which specifications, drawings, and plans are signed by the Contractors, and by John Carruthers, Esquire, the Engineer-in-Chief of the Colony of New Zealand: Now these presents witness that Her Majesty the Queen for herself, her heirs, and successors (all of whom are hereinafter included in the expression "the Queen"), and so far as the covenants hereinafter contained are to be performed