



SUPPLEMENT  
TO THE  
**NEW ZEALAND GAZETTE**  
OF  
THURSDAY, JULY 19, 1900.

Published by Authority.

WELLINGTON, MONDAY, JULY 23, 1900.

*"The Railways Construction and Land Act, 1881."—New Zealand Midland Railway.*

RANFURLY, Governor.

ORDER IN COUNCIL.

At the Government House, at Wellington, this twenty-third day of July, 1900.

Present:

HIS EXCELLENCY THE GOVERNOR IN COUNCIL.

WHEREAS in pursuance and exercise of the powers conferred by the one-hundred-and-twenty-third section of an Act of the General Assembly of New Zealand intituled "The Railways Construction and Land Act, 1881," the Governor of the Colony of New Zealand did, on or about the twenty-fifth day of May, one thousand eight hundred and ninety-five, take possession of and assume the management of two several lines of railway partly constructed by the New Zealand Midland Railway Company (Limited), and being the lines of railway from Springfield to Brunnerton and from Brunnerton to Belgrove more particularly mentioned and described in a certain deed of contract bearing date the third day of August, one thousand eight hundred and eighty-eight, and expressed to be made between Her Majesty the Queen of the one part and the New Zealand Midland Railway Company (Limited) of the other part, which said deed was entered into and executed pursuant to the provisions of "The Midland Railway Contract Act, 1887": And whereas the said lines of railway are hereinafter referred to as "the railway": And whereas certain expenditure of public money has been entailed in and about the completion of the railway and in conducting the traffic on the railway, and accounts of the outlay and expenditure of public money so entailed and incurred, crediting the said company with all earnings and receipts of the railway, have been computed and rendered to the said company as provided by "The Railways Construction and Land Act, 1881": And whereas the said company failed after the Governor had taken possession as aforesaid to repay sums of public money which have been expended towards completing the railway and the equipment thereof, and sums of public money which have been expended on the repair and management of the railway and in connection therewith in excess of the receipts there-

from, which sums of public money have been shown to be due from the said company to the Governor by accounts computed and rendered as aforesaid after crediting the said company as aforesaid: And whereas such failure and default by the said company had continued with respect to certain of such sums of public money for the space of more than one year at the date of the notice hereinafter referred to: And whereas by a document bearing date the eleventh day of April, one thousand nine hundred, under the hand of the Governor of the Colony of New Zealand, notice was given to the said company that at the expiration of the period of three months from the date of service thereof the Governor intended to retain the railway as Government property: And whereas the said period of three months has now expired, and the said company has failed as well during that period as before to repay the said sums of public money, and no arrangement has in the meantime been made between the Governor of the Colony of New Zealand and the said company:

Now, therefore, His Excellency the Governor of the Colony of New Zealand, by and with the advice and consent of the Executive Council of the said colony, and in exercise of the powers and authorities vested in him by the one-hundred-and-twenty-sixth section of "The Railways Construction and Land Act, 1881," and of every other power and authority him in this behalf enabling, doth hereby declare that possession of the railway has been taken as aforesaid, and will be permanently retained by the Government, and accordingly doth hereby declare and direct that the two several lines of railway from Springfield to Brunnerton and from Brunnerton to Belgrove, and the land whereon the same are constructed and that may be used therewith respectively, and all works, buildings, rolling-stock, machinery, and plant of every kind connected therewith respectively, and the right to construct and work the same respectively, and all the powers and privileges belonging and appertaining thereto respectively, and all stations connected therewith respectively, and all plant, equipments, and appurtenances belonging thereto respectively, shall become and be absolutely vested in Her Majesty the Queen.

ALEX. WILLIS,  
Clerk of the Executive Council.

