

NEW SOUTH WALES.

TELEGRAPH CABLES.

ORDER RELATIVE TO THE TENDERS FOR THE CONSTRUCTION OF, BETWEEN NEW SOUTH WALES AND THE ISLANDS,
150 MILES BETWEEN SYDNEY BAY, AUSTRALIA, AND SINGAPORE.

Presented to Parliament, by Command.

No. 1.

MINUTE FOR RESERVING COUNCIL.

General Post Office,
Sydney, 25 April, 1873.

I present for approval an Agreement showing the conditions for the construction of a Telegraph Cable between New Zealand and New South Wales, and one between Newcastle in Queensland and Singapore, which the Representatives, at the late Conference of New South Wales, New Zealand, and Queensland, agreed to recommend to their Governments, with a view of being subsequently submitted for the sanction of their respective Parliaments.

RAUL SAMUEL,
Postmaster General.

The Executive Council approve of the Agreement herewith submitted, for the construction of Telegraph Cables between the places specified, and advise that the necessary steps be taken to give effect thereto:—*ALICE C. FRYER, Clerk of the Council.*

Minute 72/18. 17/4/73. Confirmed, 21/4/73.
Approved.—E.C. 24/4/73.

Agreement.

The following Conditions for the construction of a Telegraph Cable between New Zealand and New South Wales, and one between Newcastle in Queensland and Singapore, are those which the Representatives of New South Wales, New Zealand, and Queensland agree to recommend their Governments to submit for the approval of their respective Parliaments:—

1. The three Colonies shall jointly enter into an arrangement for the construction of an electric cable to be laid between some point in New Zealand and some point in New South Wales, and also a cable to be laid from Newcastle in Queensland to Singapore, the latter to be a through cable touching only at such points as may be agreed on, and to be entirely distinct, the whole distance, from the line between Port Darwin and Singapore.

2. The arrangement to be for a guarantee of five per cent. for a term not exceeding thirty-five years, upon a sum not exceeding one million pounds for the cost of the two lines.

3. Positive thousand pounds per annum to be allowed, to cover in full, all expenses. All receipts above twelve thousand pounds to pass in reduction of the guarantee. The construction to retain receipts in excess of the guarantee; but if the profits are more than ten per cent, the Governments may require that the rate shall be lowered to amounts calculated to reduce the profits to ten per cent.

4. The guarantee to be paid only whilst the lines are in working order: Provided that four weeks in each year will be allowed for repairs. If the New Zealand line only be in order, one-third of the guarantee to be paid; if the Singapore line only be in order, two-thirds of the guarantee to be paid. If the lines are not kept in order with due diligence, or if communication should permanently fail, the guarantee to cease.

5. The two lines to be commenced and constructed simultaneously.

6. The cost per message of twenty words, from New Zealand to New South Wales, not to exceed three shillings; the charge for each word above twenty being nine-pence. And the cost for twenty words from Newcastle in Singapore not to exceed forty shillings for the first two years, and thirty-five shillings afterwards; the charge for each word above twenty being two shillings.

7. Queensland to undertake to keep the land line in Newcastle open for the use of the other contributing Colonies at rates not to exceed at any time seven shillings for twenty words.

8. The three Governments to act in union and to jointly arrange the details.

2. This agreement, after being approved of by the respective Governments, to be subject to ratification by the respective Parliaments; and the details to be arranged in London by representatives appointed by the three Colonies.

15. The Governments will require to be satisfied that the contractors have made proper provision for the use of a through line of communication between Singapore and London.

HENRY PARKER.
SAML. SAMUEL.
JULIUS VOHRL.
WILLIAM H. REYNOLDS.
A. H. PALMER.
J. MALCOLM THOMPSON.

Sydney, 16 February, 1873.

No. 2.

AUDLEY COOTE, Esq., to THE POSTMASTER GENERAL.

Post's Hotel, 2 p.m.
21 February, 1873.

SIR,

I have the honor to inform you I have just received a reply to my telegram.

The Company and Contractors have accepted the proposals according to your terms, having repeated, almost word for word, the telegram I sent them, taken from your name, at the Conference.

The telegram was sent on to Fremantle by mistake.

I telegraphed to the Superintendent of that Colony this morning, asking him to look out for it, and in less than an hour we heard of it going through Victoria; it was re-transmitted at once on to Sydney.

You will please excuse a hasty letter, as I am anxious you should know the result of the telegram at once.

I have, &c.,
AUDLEY COOTE.

[Enclosure]

Telegram from Audley Coote, Esq., Sydney, to Messrs. Siemens Brothers, London.

DEPARTURE from New Zealand, Queensland, and New South Wales, commenced their Governments to guarantee fixed sum, equal 5 per cent, upon £1,000,000 for thirty-five years, for cables Sydney to New Zealand, Newcastle to Singapore, touching at Melbourne. Proposed tariff—Sydney, New Zealand, 18s.; Newcastle, Singapore, £120 weekly, £12,000 per annum allowed working expenses; receipts were that to reduce guarantee; all details to be arranged in London; four weeks allowed for reply per annum; this is final offer subject to ratification of Parliament; reply and accept the conditions you agree to; other offers have been made, but have this reason to believe I can secure it on these terms only; inform Wilson Crofton; Conference breaking up.

AUDLEY COOTE.

Telegram from Messrs. Siemens Brothers, London, to Audley Coote, Esq., Sydney, accepting terms.

London, eighteen six twelve. "We accept terms," namely guarantee fixed sum, equal 5 per cent, upon £1,000,000 for thirty-five years, for cables Sydney to New Zealand, Newcastle to Singapore, touching at Melbourne. We have responsibility of forming Company to raise necessary capital; four (4) weeks allowed for reply per annum. Proposed tariff—Sydney to New Zealand, 18s.; Newcastle to Singapore, £120 weekly, £12,000 per annum allowed working expenses, receipts were that to reduce guarantee. All details to be arranged in London; 5 per cent, on £1,000,000 will work only equal about 5 per cent, on capital, require you should therefore endeavor to get increase.

SIEMENS BROTHERS.

No. 3.

AUDLEY COOTE, Esq., to THE POSTMASTER GENERAL, STREET.

Post's Hotel,
25 February, 1873.

SIR,

Referring to our conversation of yesterday, and to the promises I hold; also, to the gentlemen with whom I am associated for the purpose of constructing and laying a Submarine Telegraph Cable to connect England with Australia and New Zealand,—I have now the honor to inform you, those gentlemen are quite prepared to take that responsibility upon the terms named at the conference. I have now the honor to give you a list of their names, &c., &c.

The Honorable Robert Robinson, Chairman of the Indo-European Telegraph Company, and Director of several other Telegraph Companies.

Henry Waring, Esq., Managing Director of the Atlantic Cable Company, also the French Atlantic Cable Company, and Director of the Indo-European Telegraph Company.

Henry Darlow, Esq., C.E., a Member of the Council of the Institute of Civil Engineers, and Official Director of the Indo-European Telegraph Company.

Baron Julius Reuter, Managing Director of Reuter's Telegram Company, one of the most successful of Telegraph Companies.

George Tod Christie, Esq., Director of the Indo-European Telegraph Company.

George Rufus Trevelyan, Esq., Director of the Indo-European Telegraph Company.

William Andrews, Esq., General Manager of the Indo-European Telegraph Company.

Norman Clarke, Esq., late General Manager of the Great Northern and Great Western Railway Companies.

Messrs. Siemens Brothers, Telegraph Cable Constructors, London and Berlin.

MINE.

Minutes of Agreements, Contracts, Powers, and Letters of Instructions held by Audley Coote.

1. A contract entered into between Messrs. Siemens Brothers, Telegraph Engineers and Constructors of the one part, and Baron Julius Reuter, Managing Director of Reuter's Telegraph Company; Henry Warner, Esq., Director of the Indo-European Telegraph Company, and General Manager of the Anglo-American Cable Company, also the Manager of the French Atlantic Cable Company; William Henry Barker, Esq., Member of the Council of the Institute of Civil Engineers, and Official Director of the Indo-European Telegraph Company, of the other part, three of the Directors of the Indo-European Telegraph Company, for the laying of a submarine cable to connect England with Australia and New Zealand.—1882-1883.

2. A contract entered into between Messrs. Siemens Brothers, of the one part, and the before-mentioned Syndicate or Directors of the Indo-European Telegraph Company, limited, for the land line from Singapore to the frontier of the British possessions in India, and then to connect with the land line of the Government of India for the sum of £120,000.

3. An agreement between the Honourable Robert Grimston, of 24, Mount Street, Grosvenor Square, London, Chairman of the Indo-European Telegraph Company; Messrs. Siemens Brothers, Telegraph Engineers and Constructors; Seymour Charles, Esq., of the Great Northern and Great Western Railway Companies; and Audley Coote. The Honourable Robert Grimston, that the Indo-European Telegraph Company will be prepared to enter into traffic arrangements for the reciprocal advantage of both Colonies, to secure prompt transmission of messages in both directions, and undertake the traffic arrangements shall be made upon the most favourable terms, consistent with the rules and provisions of the International Telegraph Convention. Siemens Brothers undertake to complete the negotiations for the land line through them with Seymour Charles, who holds the concession from the King of Siam for all telegraphs through his country for thirty-four years; and Audley Coote to take the necessary steps for inducing from the Governments of New South Wales, Victoria, New Zealand, Queensland, "or some or one of them," such acts or contracts upon the terms and conditions he shall be able to secure.

4. An agreement in which the before-mentioned Syndicate associates and combine together to establish direct communication with Australia, with Messrs. Siemens Brothers as the Constructors, and authorizes Audley Coote to negotiate on behalf of all parties.

5. A full power of attorney from all parties before mentioned to Audley Coote.

6. An agreement with the Syndicate, the Indo-European Telegraph Company, Messrs. Siemens Brothers, Audley Coote, and others, for the security of all parties, having been entered under the common seal of the Indo-European Telegraph Company, also by the other parties to it, and duly verified under the City Seal.

7. Letter of instructions authorizing Audley Coote to accept 5 per cent. from the time the cable was laid.

8. Resolutions passed at a meeting of the Board of Directors of the Indo-European Telegraph Company, stating they are prepared to enter into arrangements on the most favourable terms, and signed by the Managing Director.

AUDLEY COOTE.

P.R.—I have the honour to state copies of all papers are sent on to you, and duplicate of each paper have gone on to the other Governments.—A.C.

Messrs. Wilson, Patterson, & Coopers, Solicitors, 1, Copthall Buildings, London.

Messrs. Darro & Son, Solicitors, of Copthall Court, London.

"The cables will be worked in connection with the land line of the Indian Government and the Indo-European Telegraph Company. I may be permitted to add, no other Company could give the same facility for direct communication with England without laying a third cable between Singapore and Madras, or Bombay, at an extra cost of £250,000, which they were allowed to work in connection with the Port Darwin Cable Company.

In conclusion, I may be permitted to add, by the Government having a Company of so influential a character to deal with, they are guaranteed the completion of the cables and the satisfactory working of the whole line.

I have, &c.,

AUDLEY COOTE.

No. 4.

AUDLEY COOTE, Esq., to THE PORTLANDS OVERSEA, SYDNEY.

Perry's Hotel, Sydney,

9 March, 1879.

Sir,

I have the honour to state, on behalf of the Indo-European Telegraph Company and Messrs. Siemens Brothers, Telegraph Constructors, of London and Berlin, that they are prepared to contract with the Governments of New South Wales, New Zealand, and Queensland, for the construction and laying of a cable between New South Wales and New Zealand, and between New Zealand and Queensland, and Singapore, on the terms which I am given to understand the Representatives at the late Conference of the Governments of the three Colonies are willing to recommend to their Governments for submission to their respective Parliaments, namely:—

The three Governments—New South Wales, New Zealand, and Queensland—to guarantee five per cent. on the sum of one million pounds for thirty-five years, for a cable between New Zealand and New South Wales, and for one between New Zealand and Queensland. The cables to be entirely distinct from the line between Port Darwin and Singapore, the point of landing in New Zealand to be approved of by the Government of Queensland; the point of landing in New South Wales to be approved of by the Government of New Zealand, and the point of landing in New Zealand to be approved of by the Government of New Zealand.

The guarantee to be paid only whilst the line up is working order, provided that four weeks in each year will be allowed for repairs.

If the New Zealand line only be in order, one-third of the guarantee to be paid; if the Singapore line only be in working order, two-thirds of the guarantee to be paid.

The cables to be used to be approved of by engineers appointed by the Governments.

The cables to be constructed and laid with the utmost possible expedition.

The tariff between New South Wales and New Zealand not to exceed fifteen shillings for twenty words, and nine pence for each additional word; the tariff between Newmarket and Singapore not to exceed two pounds for twenty words, and two shillings for every additional word, for the first two years, and subsequently thirty-five shillings for twenty words, and one shilling and sixpence for every additional word.

The guarantee to be paid whilst the two lines are respectively in working order; but if the line remains out of order for an unreasonable time, the guarantee to cease altogether.

Twelve thousand pounds per annum to be allowed, to cover in full all expenses, all receipts above twelve thousand pounds to pass in reduction of the guarantee; but if the profits are more than ten per cent., the Governments may require that the sum shall be lowered to amounts calculated to reduce the profits to ten per cent.

This proposal, if approved of by the three Governments, to be submitted to their respective Parliaments, and if their Parliaments approve, an arrangement on the basis of this proposal to be made in London by representatives appointed by the three Governments with any principals there; the details not having yet been arranged.

The contractors to make proper provision for the use by the three Colonies of a through line of communication between Singapore and London, at rates which shall not be more than the rates charged by any other line between Singapore and London.

I have, &c.,

AUGUST CROFT.

No. 5.

THE CHIEF SECRETARY, QUEENSLAND, TO THE COLONIAL SECRETARY, NEW SOUTH WALES.

Colonial Secretary's Office,
Sydney, 26 March, 1872.

SIR,

I have the honor to transmit herewith, to be submitted to your Government, copy of an Executive Minute confirming and ratifying the proceedings of the Colonial Secretary and the Secretary of Public Lands of Queensland, as the representatives of this Colony at the recent International Conference held at Sydney during the months of January and February last, in respect of the construction of a Telegraph Cable between New Zealand and New South Wales, and one between Newmarket in Queensland and Singapore, subject to the approval of Parliament, to which the same will be submitted in its next Session.

I have, &c.,

A. H. PALMER.

[Enclosure.]

Copy of Minute of Proceedings of the Executive Council on 17th February, 1872. Re Construction of Telegraph Cables between New Zealand and New South Wales, and between Newmarket and Singapore.

His Excellency the Governor, at the instance of the Honorable the Colonial Secretary, submits to the Council certain conditions for the construction of a Telegraph Cable between New Zealand and New South Wales, and one between Newmarket in Queensland and Singapore, which the representatives of New South Wales, New Zealand, and Queensland, at the International Conference held at Sydney, in New South Wales, during the months of January and February, 1872, have agreed to recommend to their Governments to submit for the approval of their respective Parliaments.

The Council advise that the action taken by the Honorable the Colonial Secretary and the Honorable the Secretary for Public Lands, as the representatives of Queensland at the said Conference, in respect of the agreement for the construction of the said Telegraphic Cables, be approved, and that the said agreement be ratified, subject to the approval of the Parliament of Queensland, to which it is to be submitted in its next Session.

A. V. DEERY,

Clerk of the Council.

No. 6.

THE COLONIAL SECRETARY, QUEENSLAND, TO THE CHIEF SECRETARY, NEW SOUTH WALES.

Queensland, Colonial Secretary's Office,
Sydney, 4 July, 1872.

SIR,

With reference to the memorandum of conditions for the construction of a Telegraph Cable between New Zealand and New South Wales, and one between Newmarket in Queensland and Singapore, agreed to at the late International Conference, held in Sydney, in the months of January and February last, I have the honor to forward, for the information of your Government, copies of Minutes of Proceedings of the Legislative Council and Legislative Assembly of this Colony, whereby it will be perceived that the Resolutions relative to the proposed extension of Telegraph Cable Communication having been submitted to the Legislative Assembly, on 15th June last, were adopted; and also, received the concurrence of the Legislative Council, to which they were transmitted in due course.

I have, &c.,

A. H. PALMER.

[Enclosure.]

Extract from the Votes and Proceedings of the Legislative Assembly of Queensland.

Wednesday, 18 June, 1872.

On motion of Mr. Palmer, the Speaker left the Chair, and the House resolved itself into a ^{A. Extension of} Committee of the Whole for consideration of Resolutions relative to Extension of Telegraph Cable Construction. ^{Public-works}

The Chairman having reported that the Committee had come to certain Resolutions, the same were then read in the House at length, by the Clerk, as follows, viz. :—

(1.) That this House approves of the following Memorandum of Conditions for the Construction of a Telegraph Cable between Singapore and Norman Mouth, and between New South Wales and New Zealand, as agreed upon by the Representatives of the Colonies of New Zealand, New South Wales, and Queensland, in Sydney, on the 14th February, 1872; and resolves the Government to enter into a Contract in conjunction with the other Governments named, upon the terms therein stated, for the purpose of carrying out this undertaking.

Memorandum of Conditions for the Construction of a Telegraph Cable between New Zealand and New South Wales, and one between New Zealand and Queensland and Singapore.

The following Conditions for the Construction of a Telegraph Cable between New Zealand and New South Wales, and one between New Zealand in Queensland and Singapore, are those which the Representatives of New South Wales, New Zealand, and Queensland agree to recommend their Governments to submit for the approval of their respective Parliaments.

1. The three Colonies shall jointly enter into an arrangement for the Construction of an Electric Cable to be laid between some point in New Zealand and some point in New South Wales, and also a Cable to be laid from New Zealand in Queensland to Singapore, the latter to be a through Cable, touching only at such points as may be agreed on, and to be entirely distinct the whole distance from the line between Port Darwin and Singapore.

2. The arrangement to be for a guarantee of five per cent. for a term not exceeding thirty-five years, upon a sum not exceeding nine millions pounds for the cost of the two lines.

3. Twelve thousand pounds per annum to be allowed in money in full of interest. All receipts above twelve thousand pounds to pass in reduction of the guarantee. The Contractors to retain receipts in excess of the guarantee; but if the profits are more than five per cent., the Government may require that the same shall be lowered to amounts calculated to reduce the profits to five per cent.

4. The guarantee to be paid only whilst the lines are in working order, provided that four weeks in each year will be allowed for repairs. If the New Zealand line only be in order, one-third of the guarantee to be paid; if the Singapore line only be in order, two-thirds of the guarantee to be paid. If the lines are not kept in order with due diligence, or if communication should prove permanently fail, the guarantee to cease.

5. The two lines to be commenced and completed simultaneously.

6. The cost, per message of twenty words, from New Zealand to New South Wales, not to exceed fifteen shillings, the charge for each word above twenty being nine-pence; and the cost of twenty words from New Zealand to Singapore, not to exceed forty shillings for the first two years, and thirty-five shillings afterwards, the charge for each word above twenty being two shillings.

7. Queensland to undertake to keep the land line to Normanston open for the use of the other contributing Colonies, at rates not to exceed, at any time, seven shillings for twenty words.

8. The three Governments to act in unison, and to jointly arrange the details.

9. The Agreement, after being approved of by the respective Governments, is to be subject to ratification by the respective Parliaments, and the details to be arranged in London by Representatives appointed by the three Colonies.

10. The Governments will resolve to be satisfied that the Contractors have made proper provision for the use of a through line of communication between Singapore and London.

HENRY PARKIN.
PAUL SAMUEL.
JULIUS VOGEL.
WILLIAM H. REYNOLDS.
J. H. PALMER.
J. MALCOLM THOMLINSON.

Sydney, 14th February, 1872.

(2.) That this Resolution be transmitted to the Legislative Council, for their concurrence, by Message in the usual form.

Mr. Palmer then moved, That these Resolutions be now agreed to by the House.
Question put and passed.

Extract from the Minutes of the Proceedings of the Legislative Council of Queensland.

Wednesday, 20 June, 1872.

8. RESOLUTION with Memorandum of Conditions for the Construction of a Telegraph Cable between Singapore and Norman Mouth, and between New South Wales and New Zealand.—On the Order of the Day being read, The Honorable the Postmaster General moved,—That this House do now concur in the Resolution of the Legislative Assembly respecting the Construction of a Telegraph Cable between Singapore and Norman Mouth, and one between New South Wales and New Zealand.

Question put and passed.

The Honorable the Premier General then moved,—That the following Message be transmitted to the Legislative Assembly:—

—*Mr. Speaker,*

- “The Legislative Council having this day considered the Legislative Assembly’s Resolution
- “respecting the Construction of a Telegraph Cable between Singapore and Sydney, Perth, and
- “one between New Zealand and New South Wales, as agreed to at the late Inter-colonial Conference and transmitted by Message of the 18th June, beg now to intimate their concurrence
- “in the same.

—*DANIEL F. ROBERTS,*

“*Chairman of Committee,*

“*Acting for the President.*

—*Legislative Council Chamber,*

“*Wellington, 10th June, 1873.*”

Question put and passed.

The Clerk Assistant reported the delivery of the Message.

No. 7.

THE COLONIAL SECRETARY, NEW ZEALAND, TO THE COLONIAL SECRETARY, NEW SOUTH WALES.

Colonial Secretary's Office,

Wellington, 7 June, 1873.

Sir,

I have the honor to transmit herewith, to be submitted to your Government, copy of an Executive Minute, confirming and ratifying the proceedings of the representatives of this Colony at the recent Inter-colonial Conference, held at Sydney during the months of January and February last, in respect of the construction of a telegraph cable between New Zealand and New South Wales, and one between New Zealand in Queensland and Singapore, subject to the approval of Parliament, to which the same will be submitted in the coming Session.

I have, &c.,

WILLIAM H. REYNOLDS.

[Enclosure.]

His Excellency the Governor authorizing the Government, at the instance of the Honorable the Premier, submits to the Council certain conditions for the construction of a telegraph cable between New Zealand and New South Wales, and one between New Zealand in Queensland and Singapore, which the representatives of New South Wales, New Zealand, and Queensland, at the Inter-colonial Conference held at Sydney in New South Wales, during the months of January and February, 1873, have agreed to recommend to their Governments to submit for the approval of their respective Parliaments.

The Council advise that the action taken by the Honorable the Colonial Treasurer and the Honorable the Commissioners of Customs on the representatives of New Zealand at the said Conference, in respect of the agreement for the construction of the said telegraphic cables, be approved, and that the said agreement be ratified, subject to the approval of the Parliament of New Zealand, to which it is to be submitted in the next Session.

June 5, 1873.

Approved in Council.

Approved—G. A. ARMY.

THOMAS DOUGLAS,

Clerk of the Executive Council.

No. 8.

THE PREMIER GENERAL OF NEW ZEALAND TO THE COLONIAL SECRETARY, NEW SOUTH WALES.

New Zealand Telegraph, Head Office,

Wellington, 8 October, 1873.

Sir,

I have the honor to enclose you herewith a copy of “The Telegraph Cables Subsidy Agreement Ratification Act, 1873,” as passed at the last Session of the New Zealand Parliament.

I have, &c.,

JULIUS VOIGEL.

NEW ZEALAND.

THOMAS DOUGLAS,

NOTARIAL PUBLIC.

No. XXXVI.

Act done in authorizing the Governor to agree with the Governments of New South Wales and Queensland for jointly subsidizing Lines of Telegraph between New Zealand and New South Wales, and between Queensland and Singapore. [22nd September, 1873.]

WHEREAS certain Articles of Agreement were on the fourteenth day of February, one thousand eight hundred and seventy-three, made and entered into between the Honorable Henry Parkes and the Honorable Paul Seddon on behalf of New South Wales, and the Honorable Julius Vogel and the Honorable William Hunter Reynolds on behalf of New Zealand, and the Honorable Arthur Herbert Palmer and the Honorable J. Mathew Thompson on behalf of Queensland, which articles are as follow, that it is eny,—

- (1.) The three Colonies shall jointly enter into an arrangement for the construction of an Electric Cable, to be laid between some point in New Zealand and some point in New South Wales, and also a cable to be laid from New Zealand, in Queensland, to Singapore, the latter to be a through cable, touching only at each colony so may be agreed on, and to be entirely distinct the whole distance from the line between Port Darwin and Singapore.

- (12) The arrangement to be for a guarantee of five per centum for a term not exceeding thirty-five years, upon a sum not exceeding one million pounds, for the cost of the two lines.
- (13) Twelve thousand pounds per annum to be allowed in order to defray all expenses. All receipts above twelve thousand pounds to go in reduction of the guarantee. The contractors to retain receipts in excess of the guarantee; but if the profits are more than two per centum, the Government may require that the rate shall be lowered to amounts calculated to reduce the profits to two per centum.
- (14) The guarantee to be paid only whilst the lines are in working order; Provided that four weeks in each year will be allowed for repairs. If the New Zealand line only be in order, one-third of the guarantee to be paid; if the Singapore line only be in order, two-thirds of the guarantee to be paid. If the lines are not kept in order with due diligence or if communication should permanently fail, the guarantee to cease.
- (15) The two lines to be commenced and constructed simultaneously.
- (16) The cost per message of twenty words from New Zealand to New South Wales not to exceed fifteen shillings, the charge for each word above twenty being proportionate, and the cost per twenty words from New Zealand to Singapore not to exceed thirty shillings for the first ten years and thirty-five shillings afterwards, the charge for each word above twenty being two shillings.
- (17) Undertaken to undertake to keep the land line to New Zealand open for the use of the other participating Colonies, at rates not to exceed at any time seven shillings for twenty words.
- (18) The three Governments to act in union, and to jointly arrange the details.
- (19) This agreement, after being approved of by the respective Governments, to be subject to ratification by the respective Parliaments; and the details to be arranged in London, by representatives appointed by the three Colonies.
- (20) The Governments will require to be satisfied that the contractors have made proper provision for the use of a through line of communication between Singapore and London.

And whereas the said Agreement has been approved of by the Governments respectively of New South Wales, New Zealand, and Queensland; and it is expedient that the same should, on the part of New Zealand, be ratified by the General Assembly of New Zealand:

En it therefore enacted by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same as follows:—

1. The short title of this Act shall be: "The Telegraph Cables Subsidy Agreement Ratification Act, 1901."

2. The Governor, with the advice of the Executive Council of New Zealand, may subject to and with the modification (if any) hereby authorized to be made, ratify the said Articles of Agreement, and the same, subject to and with such modifications (if any), being so ratified, shall be binding on New Zealand.

3. The Governor in Council, or any person authorized by the Governor in Council in that behalf, may, subject to the provisions of this Act, agree with the Governments of New South Wales and Queensland respectively, or any person, or persons duly authorized to act for such Governments respectively, for any modifications of the said agreement, respecting always as regards the third article of the said agreement.

4. The Governor in Council, or any person authorized by the Governor in Council in that behalf, may, subject to the provisions of this Act, jointly with the Governments of New South Wales and Queensland respectively, or any person or persons duly authorized to act for such Governments respectively, agree with any company or persons for the construction and maintenance of the said Telegraph Cables on the terms and conditions contained in the said Articles of Agreement, subject to and with the modification of the same (if any) agreed upon under the powers contained in the preceding sections of this Act.

5. It shall not be lawful, by any modification of the said ratified agreement, or by any agreement with any company or person entered into under the provisions of the preceding section, to stipulate for the expenditure of any money from the revenue of New Zealand for the purposes of any such agreement as aforesaid, exceeding seventeen thousand pounds in any one year, nor shall any such modification or agreement be made stipulating for such expenditure during a period exceeding thirty-five years.

6. For the purposes aforesaid there shall and may from time to time be issued and applied, in each and every year during the period of thirty-five years commencing from the time of the completion of the said lines of telegraph, out of the Consolidated Fund, any sum or sums not exceeding seventeen thousand pounds.

7. Any agreement entered into under the authority of this Act for the construction and maintenance of the said Telegraph Cables shall contain a stipulation for the expenditure thereon, and a stipulation that, in accordance with the terms contained in a letter dated the thirteenth of March last, addressed by Mr. Andrew Cocks to Mr. Vogel, the cables to be used shall be such as shall be approved of by an engineer appointed or approved of by or on behalf of the respective Governments of New South Wales, New Zealand, and Queensland; and also a stipulation that if either of the lines is not kept in order with due diligence, or if communication through either of the two lines should permanently fail, the guarantee shall cease.

8. Any agreement entered into under the authority of this Act shall contain, if the Governments of New South Wales and Queensland agree to such modification, provisions in virtue of which all or any of the Governments may purchase either or both of the lines.

9. The Governor in Council, or any person of any line authorized by the Governor in Council in that behalf, may, in the event of no agreement being entered into under the fourth section of this Act, agree, by way of guarantee of interest on outlay, with any company or persons for the construction, maintenance, and working of a submarine electric telegraph cable between New Zealand and any of the Australian Colonies, on such terms and conditions as the Governor in Council, or such person so authorized as aforesaid, in the case may be, may think fit, subject to the following conditions:—

(1) That such agreement shall not involve an expenditure out of the revenue of the Colony exceeding the annual sum of twenty thousand pounds, nor for such expenditure during a period exceeding thirty-five years, commencing from the date of such agreement.

[3.] That the agreement shall contain stipulations to the following effect:—

(a.) *A sum per annum shall be fixed in the agreement as allowance to cover in full all expenses.* In the event of the agreement being made by an agent or agents appointed by the Governor in Council, the same shall in the agreement shall not be in excess of a sum to be fixed by the Governor in Council in instructions to be given to the agent or agents, but it shall not be incumbent upon the contractors to call for a period of such instructions.

All receipts above the sum fixed to pass in reduction of the guarantee. The same tender to return receipts in excess of the guarantee; but if the profits are more than ten per centum, the Government is to be empowered to require that the rates shall be lowered to amounts calculated to reduce the profits to ten per centum.

(b.) For the expeditious construction of the line; and that if the line is not kept in order with due diligence, or if communication by the line should fail, the guarantee to cease.

(c.) That the guarantee shall be payable only whilst the line is in working order; and that line works in each year will be allowable for repairs; and that the cables to be used shall be subject to approval by an Engineer to be appointed or approved of by the Governor or such person as shall be authorized to enter into the agreement.

(d.) That the cost per message of twenty words from New Zealand to Australia do not exceed fifteen shillings, and the charge for each word above twenty not to exceed sixpence.

(e.) That the line may be purchased by the Government of New Zealand on terms to be specified in the agreement.

In the event of an agreement being entered into under the authority of this section of this Act, there may, for the purpose of such agreement, be loaned and applied in each and every year during the period mentioned in the first subsection of this section, out of the Consolidated Fund, any sum or sums not exceeding twenty thousand pounds.

NO. 2.

THE CHIEF SECRETARY, QUEENSLAND, TO THE CHIEF SECRETARY, NEW SOUTH WALES.

Colonial Secretary's Office,

Brisbane, 4 November, 1878.

Sir,

I have the honor to inform you that a copy of the "Telegraph Cables Subsidy Agreement Ratification Act, 1878," as passed in the last Session of the New Zealand Parliament, has been received from the Government of that Colony, with an intimation by wire "that they are prepared to appoint an agent in London to arrange contract in case as New South Wales and Queensland are ready to do the same."

A resolution approving of the memorandum of conditions adopted at the last Intercolonial Conference for the construction of a Telegraph Cable between Singapore and Yarmouth Mouth and between New South Wales and New Zealand, was moved in by the Legislative Assembly of Queensland, on 29th June last, and received the concurrence of the Legislative Council on the day following, and I have the honor to request that you will be good enough to inform me what steps (if any) have been taken by your Government to ratify the agreement referred to, and which has been approved of by the Governments respectively of New South Wales, New Zealand, and Queensland.

I have, &c.

A. H. PALMER.

[One copy.]



