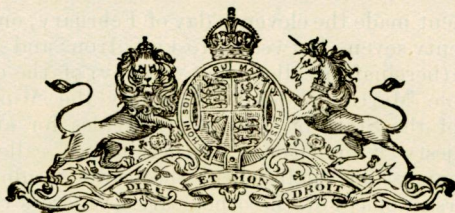


New South Wales.



ANNO SEPTIMO DECIMO

GEORGI V REGIS.

Act No. 21, 1927.

An Act to ratify a certain Agreement made between Hoskins Iron and Steel Company Limited and the Minister for Public Works, relating to the construction of Ironworks at Port Kembla and of the Moss Vale to Port Kembla Railway. [Assented to, 28th February, 1927.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the "Moss Vale- Short title. Port Kembla Railway Agreement Ratification Act, 1927."

(2) This Act shall bind the Crown,

A

Act to bind the Crown,

2.

*Moss Vale-Port Kembla Railway Agreement Ratification.*Ratification
of agreement.

2. The agreement, a copy of which is contained in the Schedule to this Act, is hereby ratified and confirmed.

SCHEDULE.

THIS Agreement made the eleventh day of February, one thousand nine and twenty-seven Between Hoskins Iron and Steel Company Limited (hereinafter called the Company) of the one part and the Honorable Martin Matthew Flannery the Minister for Public Works of the State of New South Wales for and on behalf of His Majesty King George V (hereinafter called the Minister which expression shall where the context admits include his successors in office) of the other part Whereas the Company has acquired lands at Port Kembla in the said State for the purpose of constructing thereon extensive iron and steel works and carrying on thereon the businesses of iron masters steel makers and workers and manufacturers of and in iron and steel And whereas the Parliamentary Standing Committee on Public Works of the said State having duly entered upon the consideration of a certain public work that is to say the construction of a railway from Moss Vale to Port Kembla in the said State made its report thereon in which it stated that in view of the fact that the success of the proposed public work was mainly dependent upon the establishment of the said works of the Company it was necessary for the Government of the said State to obtain an assurance from the Company that such works would be proceeded with before the said public work was undertaken And whereas by the Moss Vale to Port Kembla Railway Act, 1924, the carrying out of the said public work was sanctioned And whereas the Company at the request of the Minister has agreed to procure a guarantee in the sum of Twenty-five thousand pounds (£25,000) from the Commercial Banking Company of Sydney Limited in favour of the Minister And whereas the parties have agreed to execute these presents for the purpose of binding the Company to construct the ironworks and carry on the businesses hereinafter mentioned and of binding the Government of the said State to construct the said railway line: Now it is hereby agreed as follows:—

1. (a) Upon ratification of this Agreement by the Parliament of the said State the Company shall commence the erection and construction of ironworks at Port Kembla and shall continuously thereafter proceed with such erection and construction and shall within three years from the date of ratification of this Agreement as aforesaid, complete the same with all necessary buildings plant machinery apparatus and appurtenances to the value of approximately Six hundred and fifty thousand pounds (£650,000) inclusive of all expenditure already incurred and hereafter to be incurred by the Company in and about such works buildings plant

Moss Vale-Port Kembla Railway Agreement Ratification.

plant machinery apparatus and appurtenances and in and about the construction of private railway lines the acquisition and development of quarries and the provision of adequate supplies of fuel and raw materials for the purposes of the conduct and operation of the said ironworks so that at the expiration of three years from the date of ratification of this Agreement as aforesaid the Company shall have ready for operation at Port Kembla complete ironworks capable of and fully equipped for extensively carrying on the businesses of iron masters and workers and manufacturers of and in iron.

(b) In event of the Company failing to erect such complete ironworks as provided by the preceding subclause within the time thereby limited the Company will pay to the Minister the sum of Twenty-five thousand pounds (£25,000) as liquidated damages.

2. The Company shall during the first twelve months in which the said railway line from Moss Vale to Port Kembla shall be open for traffic expend the further sum of One hundred thousand pounds (£100,000) in the erection and construction of the said ironworks at Port Kembla and buildings plant machinery apparatus and appurtenances necessary thereto. The said sum of One hundred thousand pounds (£100,000) shall be expended in addition to the expenditure imposed on the Company by Clause 1 Provided that the obligation imposed on the Company by this clause shall be deemed to be satisfied if before the expiration of the first twelve months in which the said railway line shall be open for traffic the Company shall have constructed and erected the said ironworks at Port Kembla with all necessary buildings plant machinery apparatus and appurtenances to the value of Seven hundred and fifty thousand pounds (£750,000) inclusive of all expenditure in and about the construction of private railway lines and the acquisition and development of quarries and the provision of adequate supplies of fuel and raw materials for the purposes of the conduct and operation of the said ironworks.

3. The Company shall at its own expense despatch over the whole length of the said railway line from Moss Vale to Port Kembla (Unanderra) during the first twelve months in which such line shall be open for traffic limestone iron ore and other materials for use in connection with the ironworks to be constructed by the Company as aforesaid and/or iron products manufactured at such works to the extent of One hundred thousand (100,000) tons at least.

4. On the execution of this Agreement the Company shall deposit with the Minister the sum of One hundred thousand pounds (£100,000) to be held by him on the terms hereinafter set out, that is to say—

(a) Once every quarter after the ratification of this Agreement by the Parliament of the said State the Minister shall repay to the Company such part of the said sum as is equal to the amount which an engineer of the Department of Public Works nominated by the Minister shall certify has been expended by the Company during the previous quarter in connection with the erection and construction at Port Kembla of the ironworks as provided by Clause 1 (a).

B

(b)

Moss Vale-Port Kembla Railway Agreement Ratification.

(b) Interest on the said sum of One hundred thousand pounds (£100,000) or on so much thereof as shall from time to time be held by the Minister calculated at the rate of $£5\frac{1}{4}$ per cent. per annum shall be paid by the Minister to the Company quarterly.

5. The Company shall from time to time produce all books vouchers documents and evidence to and allow the ironworks the buildings plant machinery apparatus and appurtenances and the other works plant and materials mentioned in Clause 1 to be inspected by :

- (a) the Minister and his agents for the purpose of ascertaining the performance or non-performance by the Company of Clauses 1 (a) 2 and 3, and
- (b) every engineer nominated by the Minister under Clause 4 (a) for the purpose of certifying the expenditure by the Company therein mentioned.

6. The Minister agrees with the Company that the Railway Commissioners of New South Wales shall upon the ratification of this Agreement by the Parliament of the said State commence the construction of the said railway line from Moss Vale to Port Kembla (Unanderra) and shall thereafter proceed with such construction so that the said railway line shall be open for the traffic of the Company at the expiration of three years from the date of ratification of this Agreement as aforesaid Provided that the Government of the said State shall not in any case whatever be liable to the Company in damages for a breach or breaches of this clause in a sum or sums exceeding Fifty thousand pounds (£50,000) in all.

7. This Agreement is subject to ratification by the Parliament of the said State.

In witness whereof the parties hereto have executed these presents.

THE COMMON SEAL OF HOSKINS
IRON AND STEEL COMPANY
LIMITED was hereto affixed in
the presence of us, two Directors
of the said Company, in
pursuance of a resolution of
Directors of such Company on
the eleventh day of February
A.D. 1927.

CECIL H. HOSKINS. (L.S.)
A. S. HOSKINS.

R. J. BURNS,
Secretary.

Signed, sealed, and delivered by
THE HONORABLE MARTIN
MATTHEW FLANNERY in the
presence of—

M. M. FLANNERY. (L.S.)

R. G. ALLMAN.

Moss Vale-Port Kembla Railway Agreement Ratification.

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By Authority :

ALFRED JAMES KENT, Government Printer, Sydney, 1927.

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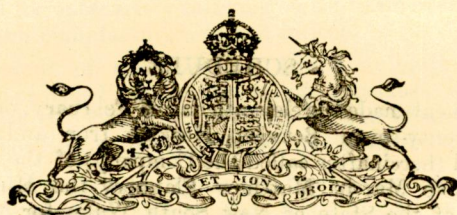
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By Authority
 Printed and Published by the Government Printer, Sydney, 1937.

I certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.

S. G. BOYDELL,
For Clerk of the Legislative Assembly.
Legislative Assembly Chamber,
Sydney, 23 February, 1927.

New South Wales.



ANNO SEPTIMO DECIMO

GEORGII V REGIS.

Act No. 21, 1927.

An Act to ratify a certain Agreement made between Hoskins Iron and Steel Company Limited and the Minister for Public Works, relating to the construction of Ironworks at Port Kembla and of the Moss Vale to Port Kembla Railway. [Assented to, 28th February, 1927.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the "Moss Vale-
Port Kembla Railway Agreement Ratification Act, 1927." Short title.

(2) This Act shall bind the Crown.

2. Act to bind
the Crown.

I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.

R. GREIG,
Chairman of Committees of the Legislative Assembly.

Moss Vale-Port Kembla Railway Agreement Ratification.

Ratification
of agreement.

2. The agreement, a copy of which is contained in the Schedule to this Act, is hereby ratified and confirmed.

SCHEDULE.

THIS Agreement made the eleventh day of February, one thousand nine and twenty-seven Between Hoskins Iron and Steel Company Limited (hereinafter called the Company) of the one part and the Honorable Martin Matthew Flannery the Minister for Public Works of the State of New South Wales for and on behalf of His Majesty King George V (hereinafter called the Minister which expression shall where the context admits include his successors in office) of the other part Whereas the Company has acquired lands at Port Kembla in the said State for the purpose of constructing thereon extensive iron and steel works and carrying on thereon the businesses of iron masters steel makers and workers and manufacturers of and in iron and steel And whereas the Parliamentary Standing Committee on Public Works of the said State having duly entered upon the consideration of a certain public work that is to say the construction of a railway from Moss Vale to Port Kembla in the said State made its report thereon in which it stated that in view of the fact that the success of the proposed public work was mainly dependent upon the establishment of the said works of the Company it was necessary for the Government of the said State to obtain an assurance from the Company that such works would be proceeded with before the said public work was undertaken And whereas by the Moss Vale to Port Kembla Railway Act, 1924, the carrying out of the said public work was sanctioned And whereas the Company at the request of the Minister has agreed to procure a guarantee in the sum of Twenty-five thousand pounds (£25,000) from the Commercial Banking Company of Sydney Limited in favour of the Minister And whereas the parties have agreed to execute these presents for the purpose of binding the Company to construct the ironworks and carry on the businesses hereinafter mentioned and of binding the Government of the said State to construct the said railway line: Now it is hereby agreed as follows:—

1. (a) Upon ratification of this Agreement by the Parliament of the said State the Company shall commence the erection and construction of ironworks at Port Kembla and shall continuously thereafter proceed with such erection and construction and shall within three years from the date of ratification of this Agreement as aforesaid, complete the same with all necessary buildings plant machinery apparatus and appurtenances to the value of approximately Six hundred and fifty thousand pounds (£650,000) inclusive of all expenditure already incurred and hereafter to be incurred by the Company in and about such works buildings
plant

Moss Vale-Port Kembla Railway Agreement Ratification.

plant machinery apparatus and appurtenances and in and about the construction of private railway lines the acquisition and development of quarries and the provision of adequate supplies of fuel and raw materials for the purposes of the conduct and operation of the said ironworks so that at the expiration of three years from the date of ratification of this Agreement as aforesaid the Company shall have ready for operation at Port Kembla complete ironworks capable of and fully equipped for extensively carrying on the businesses of iron masters and workers and manufacturers of and in iron.

(b) In event of the Company failing to erect such complete ironworks as provided by the preceding subclause within the time thereby limited the Company will pay to the Minister the sum of Twenty-five thousand pounds (£25,000) as liquidated damages.

2. The Company shall during the first twelve months in which the said railway line from Moss Vale to Port Kembla shall be open for traffic expend the further sum of One hundred thousand pounds (£100,000) in the erection and construction of the said ironworks at Port Kembla and buildings plant machinery apparatus and appurtenances necessary thereto. The said sum of One hundred thousand pounds (£100,000) shall be expended in addition to the expenditure imposed on the Company by Clause 1 Provided that the obligation imposed on the Company by this clause shall be deemed to be satisfied if before the expiration of the first twelve months in which the said railway line shall be open for traffic the Company shall have constructed and erected the said ironworks at Port Kembla with all necessary buildings plant machinery apparatus and appurtenances to the value of Seven hundred and fifty thousand pounds (£750,000) inclusive of all expenditure in and about the construction of private railway lines and the acquisition and development of quarries and the provision of adequate supplies of fuel and raw materials for the purposes of the conduct and operation of the said ironworks.

3. The Company shall at its own expense despatch over the whole length of the said railway line from Moss Vale to Port Kembla (Unanderra) during the first twelve months in which such line shall be open for traffic limestone iron ore and other materials for use in connection with the ironworks to be constructed by the Company as aforesaid and/or iron products manufactured at such works to the extent of One hundred thousand (100,000) tons at least.

4. On the execution of this Agreement the Company shall deposit with the Minister the sum of One hundred thousand pounds (£100,000) to be held by him on the terms hereinafter set out, that is to say—

(a) Once every quarter after the ratification of this Agreement by the Parliament of the said State the Minister shall repay to the Company such part of the said sum as is equal to the amount which an engineer of the Department of Public Works nominated by the Minister shall certify has been expended by the Company during the previous quarter in connection with the erection and construction at Port Kembla of the ironworks as provided by Clause 1 (a).

(b)

Moss Vale-Port Kembla Railway Agreement Ratification.

(b) Interest on the said sum of One hundred thousand pounds (£100,000) or on so much thereof as shall from time to time be held by the Minister calculated at the rate of $£5\frac{1}{4}$ per cent. per annum shall be paid by the Minister to the Company quarterly.

5. The Company shall from time to time produce all books vouchers documents and evidence to and allow the ironworks the buildings plant machinery apparatus and appurtenances and the other works plant and materials mentioned in Clause 1 to be inspected by :

- (a) the Minister and his agents for the purpose of ascertaining the performance or non-performance by the Company of Clauses 1 (a) 2 and 3, and
- (b) every engineer nominated by the Minister under Clause 4 (a) for the purpose of certifying the expenditure by the Company therein mentioned.

6. The Minister agrees with the Company that the Railway Commissioners of New South Wales shall upon the ratification of this Agreement by the Parliament of the said State commence the construction of the said railway line from Moss Vale to Port Kembla (Unanderra) and shall thereafter proceed with such construction so that the said railway line shall be open for the traffic of the Company at the expiration of three years from the date of ratification of this Agreement as aforesaid Provided that the Government of the said State shall not in any case whatever be liable to the Company in damages for a breach or breaches of this clause in a sum or sums exceeding Fifty thousand pounds (£50,000) in all.

7. This Agreement is subject to ratification by the Parliament of the said State.

In witness whereof the parties hereto have executed these presents.

THE COMMON SEAL OF HOSKINS IRON AND STEEL COMPANY LIMITED was hereto affixed in the presence of us, two Direc- tors of the said Company, in pursuance of a resolution of Directors of such Company on the eleventh day of February A.D. 1927.	}	CECIL H. HOSKINS. A. S. HOSKINS. (L.S.)
---	---	--

R. J. BURNS,
Secretary.

Signed, sealed, and delivered by THE HONORABLE MARTIN MATHEW FLANNERY in the presence of—	}	M. M. FLANNERY. (L.S.)
--	---	------------------------

R. G. ALLMAN.

*In the name and on behalf of His Majesty I assent to
this Act.*

D. R. S. DE CHAIR,
Governor.

Government House,
Sydney, 28th February, 1927.

This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

W. S. MOWLE,
Clerk of the Legislative Assembly.

Legislative Assembly Chamber,
Sydney, 18 February, 1927.

New South Wales.



ANNO SEPTIMO DECIMO

GEORGI V REGIS.

Act No. , 1927.

An Act to ratify a certain Agreement made between Hoskins Iron and Steel Company Limited and the Minister for Public Works, relating to the construction of Ironworks at Port Kembla and of the Moss Vale to Port Kembla Railway.

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the "Moss Vale-Port Kembla Railway Agreement Ratification Act, 1927." Short title.

(2) This Act shall bind the Crown.

2. Act to bind the Crown.

Moss Vale-Port Kembla Railway Agreement Ratification.

2. The agreement, a copy of which is contained in the Schedule to this Act, is hereby ratified and confirmed. Ratification
of agreement.

SCHEDULE.

THIS Agreement made the eleventh day of February, one thousand nine
5 and twenty-seven Between Hoskins Iron and Steel Company
Limited (hereinafter called the Company) of the one part and the
Honorable Martin Matthew Flannery the Minister for Public
Works of the State of New South Wales for and on behalf of
10 His Majesty King George V (hereinafter called the Minister
which expression shall where the context admits include his
successors in office) of the other part Whereas the Company has
acquired lands at Port Kembla in the said State for the purpose
of constructing thereon extensive iron and steel works and
15 carrying on thereon the businesses of iron masters steel makers
and workers and manufacturers of and in iron and steel And
whereas the Parliamentary Standing Committee on Public Works
of the said State having duly entered upon the consideration of a
certain public work that is to say the construction of a railway
20 from Moss Vale to Port Kembla in the said State made its report
thereon in which it stated that in view of the fact that the success
of the proposed public work was mainly dependent upon the
establishment of the said works of the Company it was necessary
for the Government of the said State to obtain an assurance from
25 the Company that such works would be proceeded with before the
said public work was undertaken And whereas by the Moss Vale
to Port Kembla Railway Act, 1924, the carrying out of the said
public work was sanctioned And whereas the Company at the
request of the Minister has agreed to procure a guarantee in the
30 sum of Twenty-five thousand pounds (£25,000) from the
Commercial Banking Company of Sydney Limited in favour
of the Minister And whereas the parties have agreed to execute
these presents for the purpose of binding the Company to construct
the ironworks and carry on the businesses hereinafter mentioned
and of binding the Government of the said State to construct the
35 said railway line: Now it is hereby agreed as follows:—
1. (a) Upon ratification of this Agreement by the Parliament of the
said State the Company shall commence the erection and construction
of ironworks at Port Kembla and shall continuously thereafter proceed
with such erection and construction and shall within three years from the
40 date of ratification of this Agreement as aforesaid, complete the same with
all necessary buildings plant machinery apparatus and appurtenances
to the value of approximately Six hundred and fifty thousand pounds
(£650,000) inclusive of all expenditure already incurred and hereafter
to be incurred by the Company in and about such works buildings
plant

Moss Vale-Port Kembla Railway Agreement Ratification.

plant machinery apparatus and appurtenances and in and about the construction of private railway lines the acquisition and development of quarries and the provision of adequate supplies of fuel and raw materials for the purposes of the conduct and operation of the said ironworks so that at the expiration of three years from the date of ratification of this Agreement as aforesaid the Company shall have ready for operation at Port Kembla complete ironworks capable of and fully equipped for extensively carrying on the businesses of iron masters and workers and manufacturers of and in iron.

10 (b) In event of the Company failing to erect such complete ironworks as provided by the preceding subclause within the time thereby limited the Company will pay to the Minister the sum of Twenty-five thousand pounds (£25,000) as liquidated damages.

2. The Company shall during the first twelve months in which the said railway line from Moss Vale to Port Kembla shall be open for traffic 15 expend the further sum of One hundred thousand pounds (£100,000) in the erection and construction of the said ironworks at Port Kembla and buildings plant machinery apparatus and appurtenances necessary thereto. The said sum of One hundred thousand pounds (£100,000) 20 shall be expended in addition to the expenditure imposed on the Company by Clause 1 Provided that the obligation imposed on the Company by this clause shall be deemed to be satisfied if before the expiration of the first twelve months in which the said railway line shall be open for traffic the Company shall have constructed and erected 25 the said ironworks at Port Kembla with all necessary buildings plant machinery apparatus and appurtenances to the value of Seven hundred and fifty thousand pounds (£750,000) inclusive of all expenditure in and about the construction of private railway lines and the acquisition and development of quarries and the provision of adequate supplies of 30 fuel and raw materials for the purposes of the conduct and operation of the said ironworks.

3. The Company shall at its own expense despatch over the whole length of the said railway line from Moss Vale to Port Kembla (Unanderra) during the first twelve months in which such line shall 35 be open for traffic limestone iron ore and other materials for use in connection with the ironworks to be constructed by the Company as aforesaid and/or iron products manufactured at such works to the extent of One hundred thousand (100,000) tons at least.

4. On the execution of this Agreement the Company shall deposit 40 with the Minister the sum of One hundred thousand pounds (£100,000) to be held by him on the terms hereinafter set out, that is to say—

(a) Once every quarter after the ratification of this Agreement by the Parliament of the said State the Minister shall repay to the Company such part of the said sum as is equal to the amount which an engineer of the Department of Public Works nominated by the Minister shall certify has been 45 expended by the Company during the previous quarter in connection with the erection and construction at Port Kembla of the ironworks as provided by Clause 1 (a).

(b)

Moss Vale-Port Kembla Railway Agreement Ratification.

- (b) Interest on the said sum of One hundred thousand pounds (£100,000) or on so much thereof as shall from time to time be held by the Minister calculated at the rate of $£5\frac{1}{4}$ per cent. per annum shall be paid by the Minister to the Company quarterly.
- 5 5. The Company shall from time to time produce all books vouchers documents and evidence to and allow the ironworks the buildings plant machinery apparatus and appurtenances and the other works plant and materials mentioned in Clause 1 to be inspected by :
- 10 (a) the Minister and his agents for the purpose of ascertaining the performance or non-performance by the Company of Clauses 1 (a) 2 and 3, and
- (b) every engineer nominated by the Minister under Clause 4 (a) for the purpose of certifying the expenditure by the Company therein mentioned.
- 15 6. The Minister agrees with the Company that the Railway Commissioners of New South Wales shall upon the ratification of this Agreement by the Parliament of the said State commence the construction of the said railway line from Moss Vale to Port Kembla (Unanderra) and shall thereafter proceed with such construction so that the said railway line shall be open for the traffic of the Company at the expiration of three years from the date of ratification of this Agreement as aforesaid
- 20 Provided that the Government of the said State shall not in any case whatever be liable to the Company in damages for a breach or breaches of this clause in a sum or sums exceeding Fifty thousand pounds (£50,000) in all.
- 25 7. This Agreement is subject to ratification by the Parliament of the said State.

In witness whereof the parties hereto have executed these presents.

30 THE COMMON SEAL OF HOSKINS }
 IRON AND STEEL COMPANY }
 LIMITED was hereto affixed in }
 the presence of us, two Direc- }
 tors of the said Company, in }
 35 pursuance of a resolution of }
 Directors of such Company on }
 the eleventh day of February }
 A.D. 1927. }
 R. J. BURNS, }
 40 Secretary. }

CECIL H. HOSKINS. (L.S.)
 A. S. HOSKINS. (L.S.)

Signed, sealed, and delivered by }
 THE HONORABLE MARTIN }
 MATTHEW FLANNERY in the }
 presence of— }
 45 R. G. ALLMAN. }

M. M. FLANNERY. (L.S.)