

New Zealand.



ANALYSIS.

<p>Title. Preamble. 1. Short Title. 2. Terms and conditions of agreement for construction of deviation of main channel ratified.</p>	<p>3. Manager of Kumara Water-race may pay water-rents into Trust Account for payment of construction of deviation. 4. Governor may vest deviation in Trustees. 5. Vesting of Channel No. 2 in Trustees. 6. Liabilities of Trustees for keeping channels in good order.</p>
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1889, No. 19.—*Local.*

AN ACT relating to the Kumara Sludge-channel.

Title.

[16th September, 1889.]

WHEREAS on the third day of July, one thousand eight hundred and eighty-nine, the miners interested in the construction of a deviation of the Kumara Sludge-channel, in number about seventy-four, submitted certain proposals in the form of a basis of agreement to the Honourable the Minister of Mines, whereby they undertook, in consideration of the payment of the sum of three thousand two hundred pounds, to construct the said deviation, and thereafter to maintain the same, together with that portion of the said channel comprised between the point of junction of the proposed deviation therewith and the point where the Channel No. 2 branches off therefrom, at their own expense, as a public tail-race in trust for the use of the miners working on the Kumara Goldfield :

Preamble.

And whereas the Honourable George Frederick Richardson, the aforesaid Minister of Mines, on the eighth day of July in the year aforesaid, concurred in the aforesaid proposals, and agreed to the terms and conditions stated in the proposed agreement :

BE 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 is “The Kumara Sludge-channel Act, 1889.” Short Title.

2. The concurrence of the Honourable George Frederick Richardson, Minister of Mines, with the proposals submitted to him in the basis of agreement mentioned in the recitals of this Act, and dated the third day of July, one thousand eight hundred and eighty-nine, is hereby ratified; and the terms and conditions in such agreement, expressed for the construction of a deviation of the Kumara Sludge-channel, are hereby validated, and the said basis of agreement is

Terms and conditions of agreement for construction of deviation of main channel ratified.

hereby declared to be binding upon the said Minister, of the one part, and the Trustees appointed by the miners, signatories to the aforesaid agreement, of the other part.

Manager of Kumara Water-race may pay water-rents into Trust Account for payment of construction of deviation.

3. The Manager of the Kumara portion of the Waimea-Kumara Water-race is hereby authorised to pay from time to time into a Trust Account at the Bank of New Zealand, out of the rents received for the supply of water from the said race, any sums not exceeding three thousand and two hundred pounds in the whole; and such moneys may from time to time be paid out of the said Trust Account by the Manager aforesaid to the Trustees aforesaid in progress-payments for the construction of the said deviation, on his approval of the work done; and on completion thereof, and the vesting of the whole work and portion of the main channel as hereinbefore recited in the aforesaid Trustees, the said Manager may pay to the said Trustees so much of the said whole sum of three thousand two hundred pounds as shall not have been paid to the said Trustees in progress-payments as aforesaid.

And for making any such payments into the aforesaid Trust Account, and thereafter paying the same to the Trustees as aforesaid, this shall be sufficient authority to the said Manager, without any further appropriation, and all such payments shall be allowed in the accounts of the said Manager.

Governor may vest deviation in Trustees.

4. On completion of the deviation aforesaid, the Governor may vest in the Trustees appointed as hereinbefore mentioned the work constructed by them or under their control, together with so much of the main sludge-channel as lies between the point of junction of the aforesaid deviation and the point where the branch channel now existing and known as No. 2 Channel branches off from the said main channel, to hold the same as a public tail-race in trust for all the miners in the Kumara Goldfield.

Vesting of Channel No. 2 in Trustees.

5. The Governor may vest in Trustees, to hold in trust as aforesaid, the aforesaid Channel No. 2, together with that portion of the main channel from the point where the said Channel No. 2 branches off from the main channel to the top thereof; and any vesting thereof which has heretofore been made is hereby validated, and shall be deemed to have been so vested as from the time when the same was done.

Liabilities of Trustees for keeping channels in good order.

6. The respective Trustees of the deviation aforesaid and of Channel No. 2 shall, at their own expense, maintain all the works vested in them and all future channels which may be constructed in connection therewith in good working-order, and Her Majesty shall, from the date of such vesting respectively, be freed and exonerated from any demand or liability of any kind whatsoever in respect thereof or in relation thereto respectively.