

This PUBLIC BILL originated in the HOUSE OF REPRESENTATIVES, and, having this day passed as now printed, is transmitted to the LEGISLATIVE COUNCIL for its concurrence.

*House of Representatives,
13th September, 1890.*

[AS AMENDED BY THE LEGISLATIVE COUNCIL.]

Hon. Mr. Fergus.

KUMARA SLUDGE-CHANNEL ACT 1889 AMENDMENT.

ANALYSIS.

Title.		3. Assignment not to entitle trustees to take gold from No. 1 Channel until after a certain date.
Preamble.		
1. Short Title.		4. Registration of assignment. Schedule.
2. Assignment of portion of Kumara Sludge-channel described in Schedule validated.		

A BILL INTITULED

AN ACT to amend "The Kumara Sludge-channel Act, 1889." Title.

WHEREAS by "The Kumara Sludge-channel Act, 1889," power is given to the Governor to vest in certain trustees therein named a certain portion of the Kumara Sludge-channel, or main sludge-channel, as a public tail-race, for the purpose of using and working a deviation of the said main sludge-channel known as Number Three Deviation: Preamble.

And whereas it has been found that, in order to the more efficient working of the said deviation, the said trustees require to use and occupy a further portion of the said main channel, and an assignment or transfer of such further portion has recently been made as herein-after mentioned, and it is expedient that such transfer should be validated:

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 Amendment Act, 1890." Short Title.

2. The assignment or instrument of transfer given under the hand of His Excellency the Governor bearing date the twenty-first day of August, one thousand eight hundred and ninety, and more particularly described in the Schedule hereto, is hereby validated, ratified, and confirmed, and any transfer of property, right, or easement purported to be made thereby shall be deemed to have been and to be duly made and effected at the time and in manner specified in the said deed or instrument. Assignment of portion of Kumara Sludge-channel described in Schedule validated.

Such assignment shall be subject to the terms and conditions set forth in the memorandum or basis of agreement relative to the construction and maintenance of a new channel, which said memorandum is dated the third day of July, one thousand eight hundred and eighty-nine, and was validated by "The Kumara Sludge-channel Act, 1889;" and the portion of the main channel indicated in the assignment hereby validated shall be occupied, used, and worked by the trustees in such a manner as not to prejudicially affect the occupation and use of the several private sluices, flumes, or boxes now constructed, and which cross the registered line of the said main channel.

Assignment not to entitle trustees to take gold from No. 1 Channel until after a certain date.

3. Nothing contained in the assignment validated by this Act shall entitle the trustees mentioned therein to take, win, or extract any gold from the portion of the said No. 1 Sludge-channel described in the Schedule until after the first day of November, one thousand eight hundred and ninety,

New paragraph.

but such gold shall remain and be the property of Her Majesty the Queen, with full power until the said first day of November to enter on and work in the said sludge-channel for the purpose of taking, removing, and carrying away the said gold.

Registration of assignment.

4. The trustees mentioned in the said assignment shall duly register the same in the office of the Mining Registrar at Kumara within one calendar month from the passing of this Act, and immediately upon such registration give notice thereof to the Minister of Mines, otherwise the said assignment shall, upon the expiration of such calendar month, become *ipso facto* void and of no effect; and all rights of the Queen to that portion of the sludge-channel referred to in the said assignment shall be cancelled and be void.

Schedule.

SCHEDULE.

An assignment bearing date the twenty-first day of August, 1890, by which His Excellency the Governor, in the name and on behalf of Her Majesty the Queen, purported to grant, assign, transfer, and set over unto Patrick Chambers, Charles Stockman, Thomas Dennett, Eugene O'Sullivan, Abel Trickey, William Bain, Edmund O'Connell, John Powell, Thomas George Rizzi, William Williams, and Charles Hillier, as trustees, all the right, title, and interest of Her Majesty the Queen in and to All that portion of the said Kumara Sludge-channel commencing at a point where the channel known as No. 3 Deviation branches off therefrom, and continuing thence along the course of the said main channel to the termination thereof; as the said main channel is more particularly described in registration certificate dated the 20th day of September, 1889, No. 6974, given under the hand of the Mining Registrar at Kumara aforesaid, together with all rights, ways, easements, and appurtenances of every kind soever held and enjoyed therewith respectively.