

1889.
NEW ZEALAND.

GOLDFIELDS AND MINES COMMITTEE.

(REPORT ON PAPERS RELATING TO THE KUMARA SLUDGE-CHANNEL.)

Brought up 22nd August, 1889, and ordered to be printed.

THE Goldfields and Mines Committee have the honour to report that they are of opinion that the manager of the Kumara Water-race (Mr. J. Gow), when suggesting to the Minister of Mines the placing of gratings in the miners' tail-races, to prevent large stones going into the No. 1 Sludge-channel, did wrong in not informing the Minister of the fact that gratings had been previously tried for the same purpose and condemned; also, by a decision of Warden Giles, ordered to be removed, and that the then Minister of Mines had withdrawn the instructions for the introduction of the said grating.

That the manager of the race should have submitted the plans of the grating to the Mines Department prior to asking for authority for the reintroduction of the said gratings, and acted indiscreetly in advising the Minister "to be firm" in insisting on the reintroduction of the grating in the face of the decisions of the Warden and the orders of the late Minister of Mines.

That it is impracticable to profitably hydraulic sluice the auriferous drift at Kumara if gratings were placed in the miners' tail-races as proposed.

That, when the miners made the offer to reduce the grade in their tail-races, so as to prevent large stones going into the channel, also to pay increased fees for use of the channel, the manager should at once have telegraphed that offer to the Minister, or, at the very least, have forwarded same by the first mail thereafter leaving for Wellington; also, the manager should have notified the Minister that he, the manager, had stopped the works.

That the matter in dispute was not of sufficient import to warrant over one hundred men being for several weeks thrown out of employment, thus entailing serious loss and hardship upon them, besides causing great loss to the colony.

That, in the opinion of the Committee, the manager of the Kumara Sludge-channel showed want of tact in dealing with the sludge-channel difficulty; and the Committee advise the Minister, in the interests of the Kumara mines, to remove Mr. Gow to some other post.

That the maintenance of the No. 1 Channel, and the management thereof, after deviation and alteration by the miners themselves, will effect a large yearly saving to the colony, and more than compensate for the grant-in-aid made by the Minister.

That the action of the Minister of Mines in committing the colony to so large an expenditure without first consulting Parliament, and Parliament in session, is questionable; and that the paragraph in the agreement made between the Minister and the miners in which the Minister agrees to grant the miners the use of the unaltered portion of the channel is *ultra vires* and void, being contrary to the law, and the Minister intends to ask for an amendment of the law to meet the case.

That the paragraph in the agreement made between the Minister and the miners as to payment of moneys received from sales of water into a No. 2 Account, and to be operated upon by the manager during the construction of the deviation, comes more properly within the review of the Public Accounts Committee; and the Committee recommend the House to refer that part of the arrangements, as shown in the correspondence and papers, to the Public Accounts Committee.

A. J. CADMAN,
Chairman.

22nd August, 1889.

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1881

NEW YORK

GOVERNMENT AND THE PEOPLE

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NEW ZEALAND.

GOLDFIELDS AND MINES COMMITTEE

REPORT ON THE PAPERS RELATIVE TO THE KUMARA SLUDGE-CHANNEL, TOGETHER
WITH MINUTES OF PROCEEDINGS AND EVIDENCE.*Report brought up 28th August, 1889, and ordered to be printed.*

ORDERS OF REFERENCE.

Extracts from the Journals of the House of Representatives.

TUESDAY, THE 9TH DAY OF JULY, 1889.

Ordered, "That the papers laid on the table this day in reference to the Kumara Sludge-channel be referred to the Goldfields and Mines Committee."—(Hon. Mr. G. F. RICHARDSON.)

FRIDAY, THE 23RD DAY OF AUGUST, 1889.

Ordered, "That the Report of the Goldfields and Mines Committee relative to the Kumara Sludge-channel be referred back to the Committee for reconsideration."—(Hon. Mr. G. F. RICHARDSON.)

REPORT (No. 2).

THE Goldfields and Mines Committee, to whom were referred the papers relative to the Kumara Sludge-channel, have the honour to report as follows:—

1. That, in the opinion of your Committee, it is a matter of regret that serious loss of work should have been entailed on the miners in the settlement of this dispute.

2. That the proposal of the Minister, contained in paragraph 5 of the basis of agreement as between the Minister and the miners, cannot be given effect to as the law now stands, as the title to that portion of the No. 1 Sludge-channel proposed to be handed over is now vested in the Queen under the provisions of "The Public Works Act, 1882," and can only be disposed of and dealt with under that Act and "The Local Bodies' Finance and Powers Act, 1885," an amendment of the law will be necessary to give effect to the proposal contained in the agreement.

3. That the subject-matter, as set forth in paragraph 7 of the agreement, be referred to the Public Accounts Committee, the same being more a question of finance than of mining.

A. J. CADMAN,

Chairman.

28th August, 1889.

MINUTES OF PROCEEDINGS.

TUESDAY, 6TH AUGUST, 1889.

Present: Mr. Cadman (in the Chair), Mr. Allen, Colonel Fraser, Mr. Mackenzie, Mr. O'Connor, Mr. Pyke, Mr. R. Reeves.

Order of reference referring papers relative to the Kumara Sludge-channel read.

On motion of Colonel Fraser, *Resolved*, That the Chairman be requested to obtain further papers in respect to the Kumara Sludge-channel.

WEDNESDAY, 7TH AUGUST, 1889.

Present: Mr. Cadman (in the Chair), Mr. Allen, Colonel Fraser, Mr. Guinness, Mr. Mackenzie, Mr. O'Connor, Mr. R. Reeves.

The Chairman reported that application had been made to the Lands Department for papers relating to the Kumara Sludge-channel, and that copies were being prepared.

FRIDAY, 9TH AUGUST, 1889.

Present: Mr. Cadman (in the Chair), Mr. Allen, Mr. Brown, Colonel Fraser, Mr. Grimmond, Mr. Guinness, Mr. R. Reeves, Mr. Seddon.

After consideration of the papers relative to the Kumara Sludge-channel, it was resolved, on the motion of Colonel Fraser, That the meeting adjourn until Wednesday next.

Resolved, That Mr. H. A. Gordon be summoned to give evidence.

WEDNESDAY, 14TH AUGUST, 1889.

Present: Mr. Cadman (in the Chair), Mr. Allen, Mr. Duncan, Colonel Fraser, Mr. Guinness, Mr. O'Connor, Mr. R. Reeves, Hon. Mr. Richardson, Mr. Seddon.

Mr. H. A. Gordon, Inspecting Engineer, Mines Department, gave evidence relative to the Kumara Sludge-channel.

Explanations were given by the Minister of Mines, and also by Mr. Seddon.

WEDNESDAY, 21ST AUGUST, 1889.

Present: Mr. Cadman (in the Chair), Mr. Allen, Mr. Duncan, Colonel Fraser, Mr. Grimmond, Mr. R. Reeves, Mr. Seddon.

Mr. Seddon handed in a copy of the *Kumara Times* of 29th May, 1889, containing an advertisement relating to the Kumara Sludge-channel No. 1, also a copy of the *Kumara Times*, with a leading article thereon, dated 12th June, 1889; also a copy of the *Kumara Times*, dated 17th June, 1889, containing a report of a public meeting held in Kumara on the same subject.

Mr. Seddon moved that the following resolutions stand part of the report of the Committee to the House on the papers in connection with the Kumara Sludge-channel No. 1, viz.:—

That, the Committee are of opinion that the Manager of the Kumara Water-race, Mr. J. Gow, when suggesting to the Minister of Mines the placing of gratings in the miners' tail-races to prevent large stones going into the No. 1 Sludge-channel, did wrong in not informing the Minister of the fact that gratings had been previously tried for the same purpose and condemned, also by a decision of Warden Giles ordered to be removed, and that the then Minister of Mines had withdrawn the instructions for the introduction of the said grating.

That the Manager of the race should have submitted the plans of the grating to the Mines Department prior to asking for authority for the re-introduction of the said gratings, and acted indiscreetly in advising the Minister to be firm in insisting on the re-introduction of the gratings in the face of the decisions of the Warden and the orders of the late Minister of Mines.

That it would be impracticable to profitably hydraulic-sluice the auriferous drift at Kumara if gratings were placed in the miners' tail-races as proposed.

That when the miners made the offer to reduce the grade in their tail-races so as to prevent large stones going into the channel the Manager should at once have telegraphed that offer to the Minister, or, at the very least, have forwarded same by the first mail thereafter leaving for Wellington; also the Manager should have notified the Minister that he (the Manager) had stopped the works.

That the matter in dispute was not of sufficient import to warrant over one hundred men being for several weeks thrown out of employment, thus entailing serious loss and hardship upon them besides causing great loss to the colony.

That in the opinion of the Committee the Manager of the Kumara Sludge-channel showed want of tact in dealing with the sludge-channel difficulty, and the Committee advise the Minister, in the interests of the Kumara mines, to remove Mr. Gow to some other post.

And the Question being put, the Committee divided, and the names were taken down as follow:—

Ayes, 5.—Mr. Allen, Mr. Duncan, Captain Fraser, Mr. R. Reeves, Mr. Seddon.

Noes, 1.—Mr. Grimmond.

So it was resolved in the Affirmative.

On motion of Mr. Seddon, *Resolved* unanimously, That the following resolutions also stand part of the Report of the Committee:—

“That the maintenance of the No. 1 Sludge-channel, and the management thereof after deviation and alteration by the miners themselves, will effect a large yearly saving to the colony, and more than compensate for the grant-in-aid made by the Minister.

“That the action of the Minister of Mines in committing the colony to so large an expenditure without first consulting Parliament, and Parliament in session, is questionable; and that the paragraph in the agreement made between the Minister and the miners, in which the Minister agrees to grant the miners the use of the unaltered portion of the channel, is *ultra vires* and void, being contrary to the law; and the Minister intends to ask for an amendment of the law to meet the case.

“That the paragraph in the agreement made between the Minister and the miners as to payment of moneys received from sales of water into a No. 2 Account, and to be operated upon by the Manager during the construction of the deviation, comes more properly within the review of the Public Accounts Committee; and the Committee recommend the House to refer that part of the arrangements, as shown in the correspondence and papers, to the Public Accounts Committee.”

THURSDAY, 22ND AUGUST, 1889.

Present: Mr. Cadman (in the Chair), Mr. Allen, Mr. Brown, Mr. Duncan, Colonel Fraser, Mr. Grimmond, Mr. Guinness, Mr. M. J. S. Mackenzie, Mr. O'Connor, Mr. R. Reeves, Hon. Mr. G. F. Richardson, Mr. Seddon, Mr. Valentine.

Kumara Sludge-channel.

The Chairman made an explanation as to why he had not presented the report to the House yesterday. A discussion ensued thereon, and the Chairman intimated that he would present the report to-day.

The Hon. Mr. G. F. Richardson, at this stage, attended the meeting, and stated that he had just ascertained that he was required to attend the Resident Magistrate's Court this afternoon, and that consequently he could not be present at the House, and wished the presentation of the report to be held over until to-morrow.

A discussion ensued.

Mr. O'Connor moved, That the report be not presented until to-morrow.

The Chairman ruled that the motion was out of order, and he could not put it to the meeting.

Mr. Seddon intimated that he was prepared to agree that any discussion on the Report should be held over until to-morrow.

TUESDAY, 27TH AUGUST, 1889.

Present : Mr. Cadman (in the Chair), Mr. Allen, Mr. Brown, Mr. Duncan, Colonel Fraser, Mr. Grimmond, Mr. Guinness, Mr. M. J. S. Mackenzie, Mr. Pyke, Mr. R. Reeves, Hon. Mr. G. F. Richardson, Mr. Seddon, Mr. Valentine.

Order of reference, dated the 23rd August, referring back the report of the Committee on the Kumara Sludge-channel for reconsideration, read.

The Hon. Mr. G. F. Richardson, Minister of Mines, addressed the Committee on the subject.

The Hon. Mr. G. F. Richardson moved, "That a new Sludge-channel at Kumara was necessary, and the agreement entered into for its construction by the miners is in the interests of the district, and will relieve the colony of a considerable annual cost."

Mr. Guinness moved, "That the question be amended by the omission of all the words after the word "That," and the insertion of the following words in lieu thereof: "a Sub-Committee be appointed to draw up a report for consideration to-morrow."

And the question being put, That the words proposed to be omitted stand part of the question, the Committee divided, and the names were taken down as follow:—

Ayes, 3.—Mr. Allen, Hon. Mr. Richardson, Mr. Valentine.

Noes, 8.—Mr. Brown, Mr. Duncan, Colonel Fraser, Mr. Grimmond, Mr. Guinness, Mr. Pyke, Mr. R. Reeves, Mr. Seddon.

Motion negatived.

And the question being put, That the words proposed to be inserted be so inserted, the Committee divided, and the names were taken down as follow:—

Ayes, 8.—Mr. Brown, Mr. Duncan, Colonel Fraser, Mr. Grimmond, Mr. Guinness, Mr. Pyke, Mr. R. Reeves, Mr. Seddon.

Noes, 3.—Mr. Allen, Hon. Mr. G. F. Richardson, Mr. Valentine.

So it was resolved in the affirmative.

Resolved, That a Sub-Committee, consisting of Messrs. Pyke, Guinness, and the Chairman, be appointed to draw up the Report.

On motion of Mr. Seddon, *Resolved*, That the name of Colonel Fraser be added to the Sub-Committee.

WEDNESDAY, 28TH AUGUST, 1889.

Present : Mr. Cadman (in the Chair), Mr. Brown, Mr. Duncan, Colonel Fraser, Mr. Grimmond, Mr. Guinness, Mr. Pyke, Mr. R. Reeves, Mr. Seddon.

On motion of Colonel Fraser, *Resolved*, That the Report brought up on the 22nd August be withdrawn.

The Report of the Sub-Committee was brought up (*vide* Report, p. 1).

On the motion of Mr. Reeves the Report of the Sub-Committee was adopted.

On motion of Mr. Seddon, *Resolved*, That the Chairman be instructed to move that the papers and cases of agreement, as between the Minister of Mines and miners, to construct new channel to connect with No. 7 Channel at Kumara be referred to the Public Accounts Committee, and that paragraphs Nos. 1 and 2 of the Committee's Report on the subject be referred to Government for consideration.

MINUTES OF EVIDENCE.

WEDNESDAY, 14TH AUGUST, 1889.

Mr. GORDON, Inspecting Engineer, Mines Department, examined.

1. *Mr. Seddon*.] You have seen the work done in the lifting of the sludge-channel boxes at the time you went down?—Yes.

2. How many boxes were lifted; what distance from the mouth of the tunnel?—When Mr. Gow went to lift the boxes he found he could get very little fall outside the tunnel. He had to go a considerable distance into the tunnel.

3. How far up the channel did he go—three chains?—Three or four chains.

4. How many chains were they outside where he commenced sluicing?—There would be about four chains partly done.

5. How many chains altogether from the outside?—About ten or twelve chains before he could let the men go to work.

6. You saw the boxes when you were there?—Yes.

7. How many days was it after you saw the boxes before the miners commenced working; what date was it when you were there?—At the end of June, until the 1st or 2nd of July.

8. Do you know when the men commenced work?—I do not know exactly.

9. Eleventh or twelfth of July?—I know they were put to work about four days after I left.

10. There is nothing in these papers to show when these men commenced work?—No.

11. Do you know what length of time the work was going on?—I could not tell.

12. How many weeks?—Three or four weeks. It must be understood that it was impossible to work unless the boxes were lifted, as the tailings-site was all filled up to as high a level as the channel would permit.

13. You would not be surprised if the boxes inside and outside were lifted in six or seven days?—I do not think in that time.

14. Not less than a fortnight?—It possibly might not be done in that time.

15. For three weeks no work was done?—Yes.

16. Tell the Committee why.—The miners were requested to put gratings in their boxes to stop the big stones. If something was not done it was impossible for the miners to go on working.

17. The stoppage was because the miners would not agree to the gratings?—They did not agree for some time. It was a question of fall. They would not reduce the fall of the boxes.

18. When did you ask them to reduce the fall?—I think they were asked to reduce the fall some time before I went down to Kumara. I think the papers will show that.

19. Here is a telegram dated the 19th June, stating that the miners offer to reduce the grade of the tail-races so as to prevent large stones reaching the channel; and, if the grade is reduced satisfactorily, there is no necessity to use gratings. Also a reply dated the 20th June. [Telegram read]. Is that the first intimation from the Government as to the reduction of the grade?—I am not certain from memory whether that was the first intimation. I know they got that information. The papers before the Committee will show this.

20. Is this the first intimation—the telegram from Mr. Gow?—That is the first intimation the department knew about reducing the grades. The reason of having the grades reduced was that the tailings-site was filled up, and it was depending altogether upon floods in the Teremakau River to wash away the tailings. Mr. Gow had to think over the offer. In fact the miners themselves got experts to come and report upon the thing. They reported that the grade in some of the tailage-boxes was too much, and recommended 9in. as the maximum. They would not agree to the 9in. until after I went down.

21. At all events, that was the first official intimation, the 20th June?—Yes, that is so.

22. You saw the plan of the gratings as prepared by Mr. Gow?—Yes.

23. Are they practicable to work with in hydraulic sluicing, considering the nature of the ground at Kumara. Supposing you were a manager, would you use the gratings for sluicing the ground at Kumara?—Well, Mr. Gow knew the miners could not continue working, and he considered that gratings would obviate the difficulty to some extent. You must recollect that, at the time gratings were proposed, the men could not work at all. Their property would have been depreciated in value, and he thought the only way to allow the men to work would be to put in gratings, in order not to let big stones go down the channel.

24. Is it true that an attempt was made previously by Mr. Gow to have gratings placed in the miners' sluice-boxes in Mr. Larnach's time?—They were afterwards withdrawn by decision of the Minister.

25. A decision was given by the Warden in which the Government had to pay the law expenses, also damages, for placing the grating on the boxes?—Yes. I believe the Warden ordered their removal. I cannot say whether the Government had to pay damages.

26. Mr. Gow was removed from Kumara shortly after the dispute?—Yes; for two or three years.

27. How long was he back at Kumara when he sent this telegram in which he says he is insisting on the gratings and he is lifting the sludge-channel in order to give relief?—Two or three weeks before I went down to Kumara.

27A. How long is it since he resumed charge?—About three weeks before the question of gratings was thought of.

28. Mr. Gow was Manager at the time?—Yes. The gratings that the Manager recommended were different from those used on a former occasion; they were to be put in at the head of the boxes, and put on such a slope that the force of the water would throw off the heavy stones without manual labour.

29. Since you saw the plan even of these gratings they were condemned?—They were not condemned. It was thought that something might be done which would answer better.

30. When you went down to Kumara you agreed to allow the fall in the boxes to be altered to 9in. in the 12ft.?—9in.

31. I will ask you if there was any difficulty in getting the miners to accept the offer made to them: whether the miners themselves were unreasonable?—No; when once the thing was laid before them.

32. How many weeks idle were they altogether?—I could not tell exactly.

33. Well, there were over one hundred men?—Eighty-three and one-third strictly.

34. Do you know the number of men maintained in the channel?—Yes.

35. Outside, and idle?—About one hundred men.

36. If they were idle from the 24th of May until the 11th of July, it would be a great loss to them and to the colony?—There is one thing, if the channel were in the hands of a private company they would stop the channel for repairs. It would be impossible without stopping to make repairs from time to time. I think Mr. Gow was perfectly justified in stopping the thing. If I had been employed by the Government or by a private person to do a certain thing, I should certainly stop until I got instructions. I should be perfectly justified in waiting for instructions. [Documents read.] Mr. Gow gives the reason why he did stop.

37. *Colonel Fraser.*] Was the alteration beneficial to the colony?—Yes. The Government has been making a loss of £2,600 a year working that sludge-channel.

38. *Mr. Seddon.*] Did they not make 15 per cent. on the Kumara-race and sludge-channel?—Take away the sludge-channel altogether, about 15 per cent.

39. Did you not have a profit of £6,000 on the race last year on the general Goldfields Report?—I cannot tell; it is not £6,000. We made a good profit.

40. *Colonel Fraser.*] The income from the Kumara water-race goes to the consolidated revenue?—Yes.

APPENDIX.

BASIS OF AGREEMENT UPON WHICH MINERS AGREE TO CONSTRUCT NEW CHANNEL, AND MAINTAIN IT, TOGETHER WITH No. 1 SLUDGE-CHANNEL, KUMARA.

Laid on the Table by the Hon. Mr. Richardson, with Leave of the House, and ordered to be printed.

BASIS of AGREEMENT upon which Miners agree to construct New Channel, and maintain it, together with No. 1 Sludge-channel.

To the Hon. the Minister of Mines.

WE, the undersigned, do hereby agree to construct and completely finish thirty chains of a new sludge-channel deviation at Kumara on the following conditions:—

1. The new sludge-channel deviation shall commence at a point thirty chains up from the mouth of the tunnel of what is now known as No. 1 Sludge-channel, and to terminate at the face of the terrace, thirty-nine feet to the west of the mouth of No. 1 Sludge-channel Tunnel. The said new sludge-channel deviation to have a gradient of one foot ten inches per chain. The tunnel in the deviation shall be six feet wide and eight feet high in the clear, and shall be timbered with sawn timber of the heart of red pine, having sets placed four feet apart from centre to centre. The timber in the sets shall be as follows: The legs or props to be seven inches square, lap-pieces nine inches by eight inches, and the sills seven inches by four inches. The tunnel to be close-lathed on the roof and for five feet down on each side; laths to be of heart of red-pine timber, five feet long and two inches in thickness.

2. A box shall be constructed inside the tunnel, four feet wide inside in the clear, and three feet six inches high on the sides, made of heart of red-pine timber, one and a half inches in thickness; the box to be provided with lining-boards and blocks, and to be constructed with straps and ties, to the satisfaction of the Manager of the Kumara Water-race.

3. From the mouth of the tunnel deviation the new boxing to be carried on a curved line until it joins the line of the present sludge-channel, at a point about one hundred and forty-four feet from the mouth of the present tunnel; and thence to be carried in a north-easterly direction on the western side of Poulson's old tail-box line; no branch to be run out on the eastern side of that line. The extension of the straight run of boxing from the channel at one hundred and forty-four feet from the mouth of the present tunnel is also to be carried out simultaneously with the north-eastern line as may be required. The first ground to be filled up with tailings from the new channel shall be on the western side of the said north-eastern branch, and along the line now known as the straight run from the old channel. The available ground between the said straight run and what is known as the registered line of the channel to be utilised previous to commencing to run down tailings on the registered line, unless it may be found necessary at any time to use the said registered line for the purpose of maintaining the registered or legal right to the same and its extensions. After all the available ground or tailing-site has been filled up to the north-eastern side of the registered line, tailings may be deposited from the registered line, and its extension continued over the old line to a point about the boundary of what is known as Seater and Blake's tailing-site; the boxing is then to be carried on trestles for a distance of five chains before tailings are again deposited.

4. Seater and Blake's parties shall have the privilege of running any tailings from their claims into any branch of the channel running to the westward of what is known as the straight run, as provided for by agreement dated the twenty-second day of March, in the year eighteen hundred and eighty-eight, between James David, Manager of the Kumara Water-race, on behalf of Her Majesty the Queen, and the said Seater and Blake.

5. All the miners interested in the construction of the new tunnel deviation shall convey, by deed of trust, to trustees, not less than five in number, to be chosen from among the miners themselves; and such trustees shall register the said tunnel deviation, together with such portion of the No. 1 Sludge-channel as the Government may hand over to them, as a public tail-race, to be held in trust for the miners working on the field. The said trustees shall have the full management and control of the said deviation, and also any portion of No. 1 Sludge-channel which the Government may hand over, together with all branches that may be constructed hereafter, and to make rules and regulations for the proper working of the same. The said trustees shall not sell or transfer their right to the deviation or to the original rights granted as a sludge-channel by the Warden at Kumara on Certificates No. 6974, of the twentieth September, 1879, and No. 12044, of the fourteenth January, 1881.

6. On completion of the said tunnel deviation the said trustees shall keep and maintain in a thorough state of repair, at their own expense, the said tunnel deviation, together with shafts, trams and their gearing, signals and their appliances, plant, &c., in connection with the channel, and such portion of the No. 1 Sludge-channel as the Government may hand over to them, which shall be considered as part and parcel of the said channel.

7. The tunnel deviation to be completed and in full working order on or before the tenth day of April, one thousand eight hundred and ninety, and from that date, should the said deviation not be completed and in full working order, then the miners shall maintain and extend the No. 1 Sludge-channel at their own expense, on consideration of water being supplied from the Kumara Water-race to the miners' tailing into No. 1 Sludge-channel to the value of three thousand two hundred pounds. On commencing to construct the said deviation the value of the water to be supplied shall be paid to the Manager of the Kumara Water-race as heretofore monthly in advance, who shall lodge the same to the credit of a number two account in the Bank of New Zealand at Kumara; the said account shall be operated upon by the said Manager to pay over to the trustees such sums from time to time as the said Manager shall deem due on account of constructing the said deviation. As soon as the said deviation is completed and in full working order, and the maintenance and extensions taken over by the trustees, any moneys lying to the credit of the said number two account shall be handed over to the trustees, together with any further sum that may accrue, until the full amount authorised by the Hon. Minister of Mines on the seventh day of June, one thousand eight hundred and eighty-nine, viz., three thousand two hundred pounds, shall have been paid.

8. Flushing water for the use of the channel shall be supplied from the Kumara Water-race free of charge. The quantity of such flushing water to be not less than twenty-three sluice-heads, unless otherwise desired by the miners themselves.

9. The maximum gradient in sluice-boxes for a distance of sixty feet at the head of all the tail-races from which tailings are discharged into No. 1 Sludge-channel shall not exceed nine inches to every twelve feet.

10. Within three days from the date of this agreement the miners shall make application to the Warden for permission to construct the new sludge-channel of thirty chains, as herebefore referred to, and shall, within eight days after the granting of the certificate for the same by the Warden for the said deviation, appoint trustees, and convey to them, by deed of trust, their right to construct the said deviation. The whole of the work to be done by contract, and the construction of the said deviation shall be commenced on or before the tenth day of August next, and carried on with at least twelve men working at the deviation until the whole is completed.

Dated the third day of July, one thousand eight hundred and eighty-nine.

Patrick Chambers.
Eugene O'Sullivan.
Henry George.
James Hanson.
Charles Stockman.
William Bain.
Abel Trickey.
Hugh Fraser.
William Fraser.
John Gartelman.
Nathan Rothwell.
Thomas Dunnett.
J. P. Thomas.
Charles Hillier.
William Pollock.
Patrick Ryan.
William Seater.
Jacob Guckert.
Robert Keddie.
R. Bell.
Joseph Shrives.
George Rizzi.
Moirs Gonet.
Simone Spinette.
Robert Hunter.
James Wood.
Conrad Werner.
Michael Madden.
John Netherway.
Thomas Lapsley.
William Duckworth.
John Love.
Simon Peters.
James Conaghan.
Hugh McNeaster.
Robert McGregor.
Hugh O'Flaherty.

Edward O'Connell.
Frederick Lindbam.
Robert Reid.
Edward Gibbons.
G. H. Haymes.
James Anderson.
Charles Harris.
David Ross.
Alexander Campbell.
Peter A. Beyer.
John Light.
John Rosencar.
Peter Franzina.
Tom Knight.
Elijah Vincent.
William McCotter.
James Metcalfe.
Jeremiah Carew.
Patrick McGrath.
G. Battista Rizzi.
Richard Grunn.
John Higgins.
Gucheilmo Rizzi.
Michela Rizzi.
John S. Pearn.
M. Scanlon.
Daniel Jamieson.
Jeremiah Sullivan.
Thomas McTetrick.
Joseph D. Leary.
Matthew Davidson.
Stephen McNeill.
John O'Connor.
John Killer.
Thomas Lavitt, his x mark. } Witness: Henry
Thomas Rothwell, his x mark. } A. Gordon.
George Burt Way.

Witnesses to signatures—A. E. Kennedy, J. Gow, Henry A. Gordon.