

agents, servants, and workmen may be restrained by injunction from continuing the wrongful acts hereinbefore complained of, and that the said John Shaw may be at liberty to prosecute his complaint in the said Court for such further or other relief as the nature of the case may require.

Dated at Dunedin this tenth day of August, one thousand eight hundred and eighty-three.

ALFRED A. CATOMORE,
95, Princes Street, Dunedin,
Solicitor for the said John Shaw.

Mr. A. A. CATOMORE to the Hon. the MINISTER for PUBLIC WORKS.

SIR,—

95, Princes Street, Dunedin, 9th October, 1884.

I have the honour, by direction of Mr. John Shaw, farmer, East Taieri District, to write you relative to the damage done to his land at Duke's Road during the late flood on the 27th September last, by water flooding his land and washing away some eighteen chains of soil (which cannot be replaced), together with the grass and oat seeds sown thereon, estimated at £30. This damage, I am instructed, is caused by a certain bridge and other works having been made and constructed by the Public Works Department in the formation of the Otago Central line of railway at the north-east corner of Section 5, Block IX., East Taieri District, which are insufficient to carry away the water through the channel constructed for that purpose. Before the construction of such works the water in flood-time never took the course it has now done, or in any way interfered with Mr. Shaw's land in question. Mr. Shaw would therefore invite the Government to cause an inspection to be made of the damage done and the cause thereof, and would respectfully request that such steps may be taken to prevent further injury being done to his land, and also that the Government would see fit to compensate him for such damage.

I have, &c.

The Hon. the Minister for Public Works, Wellington.

A. A. CATOMORE.

The ENGINEER-IN-CHIEF to the DISTRICT ENGINEER, Dunedin.

Public Works Office, Wellington, 16th October, 1884.

Memorandum for District Engineer, Dunedin.

HEREWITH please find a copy of a letter received from Mr. Catomore with reference to damage sustained by Mr. John Shaw, through the flooding of his land at Duke's Road, East Taieri. Will you kindly furnish me with a report on the matter at an early date, and at the same time return correspondence, M.I. 84-1248, concerning the flooding of Mr. Shaw's land on a previous occasion.

WALTER CALLCOTT,

For Engineer-in-Chief.

The ASSISTANT ENGINEER-IN-CHIEF to the DISTRICT ENGINEER, Dunedin.

(Telegram.)

Wellington, 29th October, 1884.

Re Gawn's and Shaw's drainage at North Taieri. Please say what is position of matter. Is there no way of settling it without Gawn and Shaw going to law?

E. R. Ussher, Esq., Dunedin.

W. N. BLAIR.

The DISTRICT ENGINEER, Dunedin, to the ASSISTANT ENGINEER-IN-CHIEF.

(Telegram.)

Dunedin, 29th October, 1884.

IN reply *re* Shaw and Gawn, I will forward plan and report in a day or two. I think we will have to take land from Shaw under the Act, as he is most unreasonable. Gawn will do anything to settle this vexed point. I trust my report will give particulars.

E. R. USSHER,

District Engineer.

W. N. Blair, Esq., C.E., Wellington.

The DISTRICT ENGINEER, Dunedin, to the ENGINEER-IN-CHIEF.

Re the Flooding of Mr. J. Shaw's Land at East Taieri.

SIR,—

Public Works Office, Dunedin, 18th November, 1884.

In compliance with instructions contained in your memorandum of the 16th ultimo to examine and report on alleged damage sustained by Mr. John Shaw through the flooding of his land at East Taieri on the 27th September last (*vide* Mr. Catomore's letter of 9th ultimo to Minister for Public Works), I have now the honour to report that I visited the locality on the 5th instant with a view of ascertaining the amount of damage done.

In order that you may more clearly understand what I have to say, I enclose a plan of portion of Mr. Shaw's property, through which passes the Otago Central Railway. On it I have marked the place at Duke's Road, where the damage was supposed to have taken place; I have also marked the position of the bridge between the properties of Gawn and Bell, which Mr. Catomore states causes all the damage in time of flood, on account of its not being large enough to carry the water. I have also given some cross-sections of Mill Creek, showing how Mr. Shaw has obstructed the flow of water with fascines, and by placing wires across the creek.

With reference to the damage done to property at Duke's Road, I have only to say that the statement contained in Mr. Catomore's letter is entirely without foundation. The small quantity of water which lay on Mr. Shaw's ground at this place was caused by his own action, as the ditch at north end of Sections 11 and 12, Block V., was ploughed in, thereby causing an obstruction to the drainage. The fall of the Taieri Plain at this place is from north to south in a south-westerly direction, to foot of plain. The water of this extraordinary flood naturally flowed towards Mr. Shaw's ground, and had he not ploughed in and filled up the ditch the water would not have remained on the small peice of ground for the short time it did. By reference to the plan you will