

Province. Under this rule the buoys put down as guides for entering the Manukau Harbour would be Provincial altogether, but the provisions of 'The Marine Boards Act, 1863,' do not, in the opinion of the Attorney-General, make them so." Mr. Fox then specifies the technical difficulty, and concludes by saying, "eventually the question must be determined by further legislation, and that may be made retrospective. If, therefore, neither of those whose duty it ought to be will accept the responsibility, the General Government will pay for the work as one of necessity, and obtain authority in the next Session of the General Assembly to charge the expense to the proper party."

It is obvious that some arrangement has for a long time been necessary whereby the maintenance of buoys and beacons, either within a port, or such as may be used solely in directing vessels through channels forming the entrance to a port, should be subject to the supervision of local authority. The officers whose especial duty it is to attend to harbour marks (Harbour Masters and Pilots), and who would immediately discover any derangement, are Provincial officers, and moreover, being on the spot, any accidents could in most cases be remedied by the staff (also Provincial) of these departments. If, on the other hand, the maintenance of harbour buoys and beacons devolves on the General Government, who has not at its disposal either machinery to execute or funds to pay for such works, a great risk of danger, or even loss of life, may be incurred before steps could be taken to remedy a defect.

This view of the case has been acquiesced in and acted on in all Provinces except in Auckland, and I cannot conceive that now that a formal delegation of the necessary power to carry it into effect has been made under the Act of 1866, that the Provincial Government of Auckland desire to abdicate the functions which so properly devolve on it, and to decline to supervise and maintain the guiding marks in its own harbours, and thus virtually to claim that all the other Provinces should both maintain buoys, &c., for their own harbours, and also contribute to maintain them for Auckland harbours. I fully anticipate, therefore, that your Honor will accept a delegation similar to that to your predecessor, under "The Marine Act, 1866," and give it practical effect.

As some time must necessarily elapse before I can hear from your Honor on this subject, I am compelled, in order to avoid a contingency of loss of life and property in the meantime, to authorize the Government Agent at Auckland to take such steps as may for the present be required for the maintenance and repair of buoys, &c., at the entrance of the Manukau, and to defray the necessary expenses incurred in that service, the adjustment of such expenses being left for the decision of the General Assembly; and in order to enable him to fulfil this duty with promptitude, I have to request that your Honor will direct the Harbour and Pilot Departments in the Manukau to communicate with and receive instructions (so far as they relate to the maintenance and repair of buoys, &c.) from himself directly.

With respect to the present claim of £2,919 13s. 8d., I have to state that its final adjustment must be decided by the General Assembly, but that in the meantime repayment will be made on production to the Sub-Treasurer of the proper vouchers, after deducting the sum of £2,583 17s. debited to the Province of Auckland in the separate account on the 28th February last, a copy of which account is enclosed.

His Honor the Superintendent, Auckland.

I have, &c.,

E. W. STAFFORD.

No. 3.

Copy of a Letter from Mr. W. GISBORNE to the GENERAL GOVERNMENT AGENT, Auckland.

(No. 339.)

Colonial Secretary's Office,

SIR,—

Wellington, 6th April, 1867.

I have the honor, by the direction of Mr. Stafford, to request you to be good enough to take such steps for the present as may be necessary for the maintenance and repair of the buoys and beacons at the entrance of the Manukau Harbour, and to defray the necessary expenses connected therewith. The Sub-Treasurer at Auckland will be instructed accordingly.

In order to enable you to discharge this duty with promptitude, His Honor the Superintendent of the Province of Auckland has been requested to direct the Harbour and Pilot Departments in the Manukau to communicate with and receive instructions (so far as they relate to the maintenance and repair of buoys, &c.) from yourself directly.

I have, &c.,

W. GISBORNE,

Under Secretary.

The General Government Agent, Auckland.

No. 4.

Copy of a Letter from His Honor J. WILLIAMSON to the Hon. E. W. STAFFORD.

(No. 14.)

Superintendent's Office,

SIR,—

Auckland, 1st May, 1867.

I have the honor to acknowledge the receipt of your letter No. 117, of date the 6th April ultimo, together with its enclosures, relative to the claim of the Province of Auckland against the General Government amounting to £2,919 13s. 8d., for the maintenance of buoys and beacons within or at the entrance of harbours in this Province, and forwarding a counter claim against the Provincial Government of the amount noted in the margin.

With reference to that portion of the letter alluded to above in which you request me to accept the delegated powers under the Marine Board Act, I have to inform you that I shall have no objection thereto.

I have, &c.,

J. WILLIAMSON,

Superintendent.

The Hon. the Colonial Secretary, Wellington.