

## PUBLIC PETITIONS COMMITTEE.

### REPORT ON THE PETITION OF THE MAYOR AND COUNCIL, CITY OF DUNEDIN.

THE petitioners state that it has come to their knowledge that the Otago Harbour Board is taking action prejudicial to their interest in the matter of certain city reserves, more particularly the Wharves or Quays Reserves held under "The Dunedin Reserves Management Act, 1867," and they pray that Parliament may not be led in the matter to legislate detrimentally to their interest.

The Committee have made inquiry, and taken evidence in the matter of the reserves in question, and find that they were granted in 1866 to the Superintendent of Otago in trust as a site for public wharves.

In 1867 "The Dunedin Reserves Management Ordinance" vested the reserves in the Corporation of the City of Dunedin in trust for the purposes of the grant. The same Ordinance vested the management in the Corporation, and empowered the Corporation, with the consent of the Superintendent, to lease the reserves for twenty-one years. The rents derived from the reserves by the Corporation are directed by the Ordinance to be applied and disposed of in the manner provided by the 94th section of "The Otago Municipal Corporation Ordinance, 1865." This section provides that the Corporation funds shall be applied to municipal purposes.

I am directed to report that the Committee have no recommendation to make to the House on the subject-matter of this petition,

22nd September, 1876,

THOS. KELLY,  
Chairman.

## MINUTES OF EVIDENCE.

TUESDAY, 12TH SEPTEMBER, 1876.

The Hon. Mr. REYNOLDS, M.H.R., examined.

1. *The Chairman.*] Will you please state what you know in reference to this petition?—In the Session of 1865, a special Committee was appointed to take into consideration a claim in connection with part of the water-frontage reserves. The Weld Government opposed the appointment of this Committee, and only consented to its being appointed on condition that the whole Committee should be nominated by the Government. I agreed to their proposition, and the Committee was appointed. It consisted of Mr. R. Graham, of Auckland; Mr. Waring Taylor, of Wellington; Mr. A. J. Richmond, of Nelson, who is now a member of this Committee; Dr. Featherston; Mr. Wilkin, of Canterbury; the Hon. Mr. Stafford; and myself, from Otago. That Committee went over the whole of the papers in connection with these reserves of the New Zealand Company and Otago Association, and in doing so they found that, in a letter addressed by Mr. T. C. Harrington, the principal Secretary of the New Zealand Company in London, under date 20th October, 1846, addressed to Colonel Wakefield, the Company's principal Agent in the colony, he conveys the opinion of the Court of Directors regarding water frontages in Dunedin. "With regard to water frontages, the opinion of the Court, after consultation with Mr. Cargill, is that it will conduce more to the general advantage of the settlement if such frontages, instead of being sold to private individuals, remain in every instance the property of the public or of the Municipality as the representatives and trustees of the local public. The acquisition of them by private persons may indeed hold out an inducement for the early erection of wharves and quays; but such erections may be otherwise secured by the Municipality. And it is considered that, whatever may be the extent of the first advantage, it would be dearly purchased by a greater ultimate inconvenience." This opinion was subsequently confirmed by the following despatch from Mr. Harrington to Colonel Wakefield, dated 21st October, 1864:—"The draft of the despatch which I had yesterday the honor of addressing to you, Otago, No. 3-46, having been communicated to Mr. Cargill, that gentleman has addressed to me the letter of which a copy is now enclosed; and I am instructed by the Court to request that you will give effect to the several suggestions therein contained." The suggestions above referred to were conveyed in a letter addressed to Mr. T. C. Harrington, and dated 21st October, 1846. They are as follow:—1st. That Colonel Wakefield, in conjunction with the Governor or officer appointed, should make the requisite appropriations for fortifications, Custom House sites, and all other Crown purposes. 2nd. That all water frontages from about high-water mark be reserved for public use, as at Glasgow, Bordeaux, &c. Such parts of the same as could not be improved immediately, or required by the public, will of course be let by the Municipal authorities upon lease and on encouraging terms to private parties, but with due provision against anything like the permanent system on the River Thames in London. 3rd. That Colonel Wakefield, assisted by his surveyor, be requested to appropriate sites for all other purposes referred to in clause 12, not omitting each principal town; and, under the head of "Public Buildings," a site for a church, with school and play-ground for the children; and also in the case of Dunedin, a site for a college. It appears that these instructions were carried into effect by Mr. Charles Kettle, the principal surveyor of the New Zealand Company in Otago, and under whose directions the