

1878.
NEW ZEALAND.

OTAGO HARBOUR BOARD AND SOUTH DUNEDIN CORPORATION

(CORRESPONDENCE BETWEEN).

Laid on the Table by the Hon. Sir George Grey, with the leave of the House.

LETTER of the SECRETARY of the OTAGO HARBOUR BOARD to the CHAIRMAN of the BOARD (Hon. W. H. Reynolds), and published by his Instructions.

SIR,—

Wellington, 14th October, 1878.

I have the honor to report that, in accordance with instructions of the Board, and with your approval and direction this morning, I tendered to lay before the Waste Lands Committee of the House of Representatives documentary evidence of the Board's right and title to the land sought to be taken from it by Mr. Seaton's Bill, now before Parliament. The Committee, I was informed, had, on Friday, reported (although made aware beforehand that I was deputed by the Board to produce evidence), and therefore declined to receive it. It is not for me to criticise the mode of procedure which has so far precluded the Board's side of the question being heard, but I deem it my duty to the Board to furnish you with copies of some of the documentary evidence I have with me, and would respectfully suggest that the same should be published for the information of members of the Assembly and of the public generally. I may say that the original documents, together with others that I have thought it unnecessary at present to add, I have with me, also original minute books and letter books, which in a Court of justice would be held to be evidence, before which no verbal statements (which are too often mere opinions or wishes of the individual) would stand for one moment. I only regret an opportunity has not been afforded for their production. Before copying the documents I refer to, allow me to fix the date of the first gazetting of the South Dunedin Municipality—its embryo birth—for its full growth to include the land sought to be taken from the Board did not take place till some twelve months ago. Its first original birth was 15th December, 1875 (see *Gazette*). On 18th August, 1875, the Engineer of the Otago Harbour Board submitted his plans of the survey of the Upper Harbour and proposed improvements, John Davie, Esq., a member of the Provincial Executive, being in the chair. On the 19th August, 1875, His Honor the Deputy-Superintendent being in the chair, it was resolved that a deputation of the Board wait upon His Honor in his capacity as Superintendent in relation to the provisions of section 31 of "The Otago Harbour Board Ordinance, 1874," which provided as follows: "The Superintendent is hereby authorized, by deed under his hand, and sealed with the seal of the province, to convey to and invest in the Board the lands described in the First Schedule hereto (for the improvement of the Dunedin Harbour, &c., 421 acres 3 roods and 13 perches), and also all other lands which already have been or may hereafter be granted to the Superintendent in trust for the endowment of or for purposes of public utility for the said Harbour of Otago," &c.

On the 21st August the deputation waited on His Honor, and, as reported in the public newspapers, he stated—"He might say, without any breach of confidence, that he expressed his opinion that the transfer was a desirable thing to do in the present state of affairs." Mr. Cargill, a member of the Board, then stated "that the Minister for Works had expressed himself in favour of a comprehensive plan for the Board as now provided by their Engineer, and that the whole of the reclaimed lands should be vested in the Board."

As Mr. Cargill was proceeding North, he was requested to interview the Government; and on the 25th August the following telegram from Mr. Cargill was sent to me from Wellington: "Had a meeting this morning, with very successful result so far. Will you please to come yourself to Wellington without delay, bringing plan and all needful papers." Accordingly I proceeded to Wellington, arranged all details of plans and Bill to be laid before Parliament. As a few slight alterations were required to be made on the plans requiring the assent of the Board, I returned and laid before the Board the result of my mission on the 5th October, 1875, when I was instructed to forward the following letter:—

"Otago Harbour Board Office, Dunedin, 6th October, 1875.

"SIR,—I have the honor to transmit, for the assent of His Excellency the Governor in Council,