

## No. 21.

The TOWN CLERK to the SECRETARY, Marine Department.

SIR,—

Wellington, 3rd April, 1882.

Referring to my letter of the 27th ultimo, I am instructed to inform you that a special meeting of the City Council has been convened for Wednesday evening, the 5th instant, for the purpose of considering the question of the Te Aro reclamation, when it is hoped there may be some reply from your department to my several letters to lay before the Council.

I have, &amp;c.,

CHARLES C. GRAHAM,

The Secretary, Marine Department, Wellington.

Town Clerk.

## No. 22.

The TOWN CLERK to the SECRETARY, Marine Department.

SIR,—

Town Clerk's Office, Wellington, 6th April, 1882.

On the 9th ultimo I addressed a letter to the Hon. the Member of the Executive Council administering the Marine Department, and at the same time a letter to you accompanying plans of the works ancillary to this reclamation, and requested that they should be submitted for the consideration of the Governor in Council as early as possible.

On the 20th ultimo I addressed you again on the subject, requesting to be informed of the then position of the matter, and received a reply stating that it "was under consideration," but without saying under whose consideration.

I have since addressed two letters to you, namely on the 27th ultimo and the 3rd instant, to which I have received no reply.

As the work in question is one of great importance to the city, and the City Council are desirous of calling for tenders for its execution, I am instructed to protest against the delay to which they are subjected by your department, which appears to them both unnecessary and uncalled for.

I am further instructed to request that you will immediately submit this letter to the Minister in charge of the department, and ask him to make an early appointment to receive a deputation of the Council, who desire to confer with him upon the subject.

I have, &amp;c.,

CHARLES C. GRAHAM,

The Secretary, Marine Department, Wellington.

Town Clerk.

## No. 23.

DEPUTATION to the GOVERNMENT.

[Extract from *New Zealand Times*, 8th April, 1882.]

PURSUANT to a resolution passed at the Council meeting on Wednesday night, a deputation waited on the Hon. Major Atkinson on Thursday afternoon. The deputation consisted of the Mayor (Mr. G. Fisher), Councillors Danks, Logan, Greenfield, A. W. Brown, Stafford, and McKenzie, the Town Clerk, and City Surveyor. Mr. McKellar, Acting Secretary of the Marine Department, was present.

The MAYOR.—In order not to take up too much of your time, it will be better to take the matter up at the point where we left it when we last saw you. You will remember that the matter was left to a conference between the Engineers, and that the result of this was not satisfactory to the Council. Then, upon taking legal advice, we were advised that a prior submission of the plans of the work to the Marine Department was not necessary. Upon that, and acting on the advice of our Solicitor, we forwarded to the Marine Department a letter, dated the 9th March, a copy of which you have received, in which it was stated that the Solicitor had no doubt of the right of the Corporation to carry on the main reclamation, but that it might be advisable to obtain the assent of the Governor in Council to the manner in which it was proposed to carry out the ancillary works. We have since then forwarded four letters to the Marine Department, and have only received one answer, which is not regarded as satisfactory by the Council. We are aware that Ministers have been travelling over the country on departmental matters; but a month has elapsed and nothing has yet been done. Of course, we are in this position: In spite of the Harbours Act of 1878 we have a special Act—the Te Aro Reclamation Act of 1879. And it seems a strange thing that we should have a special Act authorizing us to carry on this work, and then that objections should be raised to the work being carried out. Our Solicitor, in order to avoid any misconception as to the construction of the Act, advised us to go to you and endeavour to obtain the assent of the Governor in Council to the work. Although he advises us to do this, he still says that, upon a strict construction of the statute itself, the reclamation and the works essential to its completion do not fall within the provisions of the 156th section of the Harbours Act, and that he will have no hesitation in advising the Council to proceed with the work, even if the Governor in Council give his decision against it. He says that all particulars relating to this work were placed before the Marine Department, which was represented at the time of the passing of the Te Aro Reclamation Act, and that all these doubts were fully explained then. Although our Solicitor gives us this opinion, he would still prefer that we should exhaust all conciliatory means before taking any decisive step, and we have come to you in the hope that you will give a satisfactory answer on the subject. As is pointed out in the letter of the Town Clerk, which you have received, the matter is one of urgency, and one that has been looked forward to with great interest for many years; and it seems strange to us, as to the great body of the people, that, after the Legislature has passed an Act authorizing us to carry out the work, these objections should be put in at a crucial moment. I do not think I need take up any more of your time, as these are the main points, shortly stated.

Major ATKINSON.—Am I to understand that the object of this visit is to obtain the sanction of the Marine Department?

The MAYOR.—I understand that this sanction will embrace the approval of the Governor in Council.

Major ATKINSON.—Of course in what I say I should like to correct what appears to be a misapprehension at the beginning. You say that a letter was forwarded to me, and that the date upon which it was forwarded was the 9th March, that a whole month has elapsed without anything being done, and that the citizens are unable to understand why departmental objections should be thrown in the way. I should like to point out that no difficulties of this kind have been thrown in the way. The whole question has been considered upon the broad basis as to whether the proposed work will be an injury to the harbour of the town or not. I was at a great deal of pains to put this to the last meeting. Instead of a departmental difficulty, it is a question of principle, whether injury is likely to be done to the harbour or not. This alone is what the Marine Department is concerned with at the present time. With regard to the apparent waste of a month, the letter dated the 9th March was not received until the 13th of that month. I have got Mr. Blackett's opinion on it, and have referred to the Law Officers to know my position. It seemed to me that if the Marine Department had been relieved from interference by the Act I should have nothing to do; but I am advised that the responsibility is on me, beyond question, and that the consent of the Governor in Council is absolutely necessary before any steps are taken. It then became my duty to see whether the Marine Engineer's opinion was against the opinions held by other competent persons, and I got Messrs. Napier Bell, Higginson, and Blair to send in reports upon the question. This consumed time until the 27th of last