

No. 58.

MR. FOX TO THE SUPERINTENDENT, OTAGO.

Colonial Secretary's Office,
Auckland, 5th February, 1862.

SIR,—

I have to acknowledge Your Honor's letter of the 20th ultimo, in which you state that on consideration of the circumstances of the case, it appears to Your Honor desirable that the "Port Chalmers Estate Ordinance" should be disallowed.

Ministers have recommended His Excellency the Governor to disallow the Ordinance accordingly.

I have, &c.,

WILLIAM FOX.

His Honor the Superintendent,
Otago.

No. 59.

THE SUPERINTENDENT, OTAGO, TO THE COLONIAL SECRETARY.

Superintendent's Office,
Dunedin, 21st December, 1861.

SIR,—

I have the honor to forward herewith the following Ordinances, viz. :—

The Licensing Ordinance, 1861,
Harbour Endowment Ordinance, 1861,
Water Police Ordinance, 1861,
The Criminals' Ordinance, 1861,
Vagrants' Ordinance, 1861,
Dunedin Roads and Streets Ordinance, 1861,
Appropriation Ordinance, 1861-2,

passed by the Provincial Council of the Province of Otago, Session XIV., and assented to by me on behalf of the Governor. All these are in duplicate. You will be good enough, therefore, to return one of the copies.

I have, &c.,

J. RICHARDSON,
Superintendent.

The Honorable the Colonial Secretary.

No. 60.

No. 63.

MR. SEWELL TO THE SUPERINTENDENT, OTAGO.

Colonial Secretary's Office,
Auckland, January 7th, 1862.

SIR,—

Before deciding on the course which the Government will advise His Excellency to pursue with reference to the Ordinance named in the margin, I draw your Honor's attention to the following points.

Harbour Endowment Ordinance, 1861.

2nd. The object of the Harbour Endowment Ordinance appears to be to provide for the embankment from the sea of about 400 acres of land, lately granted under the Public Reserves Act, in front of the Port Town of Dunedin. This important work is estimated roughly to cost about £400,000, and the value of the property when reclaimed is at a like rough estimate stated at about £700,000. No plan of the work seems as yet to have been made, nor is it stated by your Honor whether it has been considered by any competent Engineer. The intention, no doubt, is to place in your Honor's hands the power of doing the work and leaving the manner of it to your Honor's judgment. The magnitude of the undertaking and the important interests affected, oblige the Government to regard it with more than ordinary anxiety.

3rd. The plan, if carried into execution, will have the effect of interposing between the sea and the present Town a large space of land which, if properly laid out will no doubt greatly improve the town. But the Ordinance vests in the Superintendent the absolute and uncontrolled disposal of the reclaimed land, without even those provisions for drainage and sewerage which are essential for the health of the present town residents no less than for those who will reside on the newly enclosed flat. The absence of provisions of this nature led to litigation in the case of a similar embankment on a smaller scale at Auckland.

4th. The "Public Reserves Act" reserves the right of persons having water frontages. It is probable (though it does not appear) that rights or claims of this kind may exist within the limits of the present Town of Dunedin. In a recent application of a similar kind from the Provincial Government of Napier, it appeared that questions of this kind had arisen, upon which the Government thought it expedient to recommend to the Provincial Government of that Province to