

CORRESPONDENCE RELATIVE TO BUOYS AND BEACONS AT MANUKAU HARBOUR.

No. 1.

Copy of a Letter from His Honor F. WHITAKER to the Hon. E. W. STAFFORD.

(No. 119.)

Superintendent's Office, Auckland,

9th March, 1867.

SIR,—

I have the honor to enclose eight accounts of money due by the General Government to the Provincial Government of Auckland, on account of advances made by the latter on behalf of the former.

Most of these accounts have already been rendered in detail; some of them more than once.

It is essential that these sums should be refunded to the Provincial Treasury as soon as possible, as they have been paid without appropriation—in fact the money which was devoted to their payment has been appropriated to other purposes.

In reference to expenses on the Manukau Harbour, I have to direct your attention to the fact that in future it will be impossible to make advances of this nature from the Provincial funds, even under the most exigent circumstances, and therefore in order to prevent loss of life and property, perhaps in fact calamities of a fearful character, it is absolutely necessary that some provisions should be made for restoring, without the delay of a reference to Wellington, buoys when washed away, and for removing beacons whenever the channel changes—occurrences which, I regret to say, are by no means unfrequent.

I have, &c.,

FREDK. WHITAKER,
Superintendent.

The Hon. the Colonial Secretary, Wellington.

No. 2.

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

(No. 117.)

Colonial Secretary's Office,

Wellington, 6th April, 1867.

SIR,—

I have to acknowledge the receipt of the late Superintendent's letter, No. 119, of the 9th ultimo, transmitting eight accounts of money alleged to be "due by the General Government to the Provincial Government of Auckland, on account of advances made by the latter on behalf of the former."

These claims consist of several classes, and in order to avoid confusion, I will address your Honor on the subject of these claims respectively in separate letters.

The claim on account of beacons and buoys amounts to £2,919 13s. 8d., of which £2,576 16s. 5d. is for buoys and beacons for the Manukau Harbour, and the remainder on account of Shearer and Flat Rocks. In reference to expenses on the Manukau Harbour, the letter now acknowledged states that, "it will be impossible to make advances of this nature from the Provincial funds, even under the most exigent circumstances, and therefore in order to prevent loss of life and property, perhaps in fact calamities of a fearful character, it is absolutely necessary that some provision should be made for restoring, without the delay of a reference to Wellington, buoys when washed away, and for removing beacons whenever the channel changes—occurrences which I, the writer, regret to say, are by no means unfrequent."

As I think that some of the former circumstances connected with the maintenance of buoys within and at the entrance of harbours, especially Manukau, had escaped Mr. Whitaker's recollection when he wrote the above words, I would state that it has been evidently for many years the intention of the Colonial Legislature to make provision "for restoring without the delay of a reference" buoys, &c., within and at the entrance of harbours, and that with reference to Manukau the Government fully believed that proper provision had been made when "The Marine Act, 1866," was passed by the General Assembly, and when the Superintendent of the Province of Auckland accepted a delegation (dated 10th January, 1867,) under it of the powers vested in the Governor by section seven, as enable him "to erect, superintend, and maintain harbour marks, lights, and beacons, now or hereafter to be placed within the limits of any port in the Province of Auckland, or the approaches thereto."

In a letter dated 23rd January, 1864, to the Superintendent of Auckland, the Colonial Secretary (Mr. Fox) states that he has consulted the Attorney-General, (Mr. Whitaker, who was also Premier), as to the definition of coast and harbour buoys in "The Marine Boards Act, 1863," and requested his opinion upon whom their maintenance respectively devolves, and that the Attorney-General had informed him "that there is considerable difficulty in the interpretation of the Act on this point. It seems clear what the law should be, namely, that there are three classes of beacons. 1. Those used entirely for the general navigation of the Coast: 2. Those used for the coast and for entering particular harbours: and, 3. Those used only as guides for entering a harbour; the cost of the first being properly chargeable to the Marine Board; the second partly to the Marine Board, and partly to the Province in which the harbour benefited is situated; and the third entirely to such