

"1st. The land in question formed part of the foreshore of the Harbour at Dunedin, and was included in the plan of harbour improvements sanctioned by *His Excellency the Governor on 29th October, 1875*. By "The Otago Harbour Board Empowering Act, 1875," clause 5, the Governor was empowered to vest the land reclaimed of the foreshore according to the plans sanctioned, this being agreed to chiefly as a *quid pro quo* for the right reserved in clause 6 for the Government to take, for purposes of public utility, such portions of the Board's endowment as it required. Already all requisite for Port Chalmers, Dunedin, and Clutha Railway line, and stations at Pelichet Bay, Dunedin, and South Dunedin Recreation Ground, have been so taken. Further land will be wanted for enlarging Dunedin Station, &c., and these demands have so encroached on the most available portions of the Board's endowment that up to the present time no revenue has been obtained from that source, although the Board paid to the late Provincial Government over £12,000 for reclamation done by it.

"2nd. When the Government referred the Dunedin, Peninsula, and Ocean Beach Railway Bill of last session to the Harbour Board for consent for the line to pass through the Board's endowment, such consent was given, and the Board made application for the portion of its endowment lying between the Anderson's Bay Road and the railway embankment to be Crown-granted, with a view to leasing the same. In forming the line of railway the material has been taken from the surface, and will have to be replaced by the Board; and, as the embankment was considered practically a reclaiming of the portion referred to, the Crown grant was issued in accordance with clause 5 of the Act already referred to.

"3rd. The plans of harbour improvements sanctioned by the Governor, Provincial Ordinance, 1874, Act of 1875, and plan showing land Crown-granted and to be Crown-granted under Act of 1875, were submitted to the London Stock Exchange as the security for the Board's loan of £250,000. The Board would call special attention to the rights of bondholders under clauses 38, 39, and 44 of the Provincial Ordinance of 1874.

"4th. South Dunedin Municipality was *only proclaimed in Gazette of 15th December, 1875*, so that any promise made as referred to by the Hon. Mr. Macandrew must have been subsequent to the arrangements made by the General Government with the Harbour Board, and the passing of the Act of 1875, as it was gazetted on 30th October of that year.

"5th. Provincial authorities had no power over the foreshore below high watermark, and when the matter was brought before the local Waste Lands Board it was decided that the Board had no power to interfere.

"6th. Leave has already been granted, on an application made to the Board, for liberty to construct storm-water channels through the Board's property. The land referred to is in no way adapted for, nor could it be used as a reservoir for storm water.

"JOHN L. GILLIES, Secretary.

"Otago Harbour Board Office, Dunedin, 17th November, 1877."

The consideration of the South Dunedin Reserve Bill was further postponed.

FRIDAY, 23RD NOVEMBER, 1877.

The Committee met pursuant to adjournment at 10.30 o'clock.

PRESENT:

Mr. Curtis in the chair.

Mr. Ballance,
Mr. Beetham,
Mr. Harper,
Mr. Kennedy,

Mr. Lumsden.
Hon. Mr. Reid,
Mr. Teschemaker,
Mr. Thomson.

The minutes of the previous meeting were read and confirmed.

The consideration of the Bill intituled "The South Dunedin Reserve Act" was resumed.

An officer from the Public Works Department attended, and produced the record map signed by His Excellency the Governor.

The Hon. Mr. Reynolds, M.H.R., Mr. Seaton, M.H.R., and Mr. James McKerrow, Assistant Surveyor-General, were present.

Resolved, on motion of Mr. Harper, "That the land proposed to be dealt with by this Bill was included in the plan of land for harbour works and reclamation submitted to and approved by His Excellency the Governor before the existence of the South Dunedin Municipality, and has been granted by the Crown to the Otago Harbour Board accordingly.

That the Committee, therefore, recommend that the Bill be not passed.

That these resolutions be reported to the House at its next sitting."

Read and confirmed.
