

Mr. LEVIN said he felt quite certain if they could go out of that room unanimous they would get what they desired, but they would weaken themselves by division. He urged them to come to a unanimous decision if possible.

Mr. FISHER said he should be sorry to appear obstinate in a matter of this sort. Of course the matter would be brought before the Council, and the fact of his yielding would not affect the Council, who would have to consider the whole question. He did not like yielding when it seemed to be only for the sake of yielding. The question of danger was purely visionary, for whatever danger existed by one line existed by the other. However, he should not like it to be said that the ultimate settlement of the matter had been endangered by any vote of his, and he would accept the amendment in order that they might be unanimous about it.

It was resolved to tack the amendment on to the original motion, which was altered to read thus: "That, while the Board has the fullest confidence in the report of the Marine Engineer, it is of opinion that the proposed Te Aro reclamation with the following modification will not encroach upon the waters of the harbour in such a manner as to injure navigation of the harbour. [Here follows Mr. Jackson's amendment.] The Board recommend that the plan, as modified, be assented to."

Mr. LEVIN pointed out that the resolution as written was somewhat inconsistent, and Captain Rose and Mr. Nathan, while assenting to the modifications proposed by Mr. Jackson, merely for the sake of being unanimous, objected to the wording of the resolution, as they did not wish any reason to be assigned. They wished the resolution to state only that they agreed to the modification.

Mr. FISHER would not give way however, and, after about two hours had been devoted to trying to come to a solution of the difficulty, Mr. Fisher insisted upon his original motion being put, with Mr. Jackson's amendment tacked to it as his own.

The CHAIRMAN objected to this, and ultimately, after many further efforts to get the Board to come to some amicable understanding, he put Mr. Jackson's amendment first, remarking that he had done his utmost to make both ends meet, and that he did not feel himself called upon to do any more. He felt ashamed, he said, at having had to sit so long listening to such schoolboy folly.

The amendment was carried, Messrs. Nathan, Jackson, Rose, and Krull voting for it, and Messrs. Fisher and Lancaster against. Mr. Levin did not vote.

The meeting then closed.

No. 11.

The SECRETARY, Harbour Board, to the Hon. the MINISTER, Marine Department.

SIR,—

Wellington Harbour Board, Wellington, 24th February, 1882.

I have the honor to acknowledge receipt of your letter dated the 16th instant, No. 812/31, enclosing copies of two memoranda by the Marine Engineer on the proposed Te Aro reclamation, together with tracings of the plans referred to therein, and requesting an expression of the Board's opinion on the matter.

In reply I beg to inform you that a special meeting of the Board was held on Tuesday last, the 21st instant, to consider the question submitted by you, when the following resolution was adopted, viz.: "That the Board approves of the plans of the proposed Te Aro reclamation, with the following modification: The starting-point to commence at a point on the Queen's Wharf marked A, 86 feet landwards of the inner face of the inner T, in a depth of about 5 feet 3 inches at low water; that the line should continue as nearly as possible parallel with the arms of the Queen's Wharf until it reaches the mark K, which it would pass in, say, 10 feet of water; from thence it would follow the curve line as shown on the plan as nearly as possible, until it reaches the letter U in a depth of water not exceeding 11 feet 6 inches."

I return herewith the Marine Engineer's enlarged tracing, showing the line referred to in the foregoing resolution, coloured yellow.

I have, &c.,

The Hon. Minister in Charge of the Marine Department,
Wellington.

H. M. LYON,
Secretary.

No. 12.

The SECRETARY, Marine Department, to the CHAIRMAN, Harbour Board.

SIR,—

Marine Department, Wellington, 3rd March, 1882.

With reference to the decision of the City Council to proceed with the Te Aro reclamation before the plans of the same are approved by His Excellency the Governor in Council, I have the honor, by direction of the Minister, to inform you that the Government are advised by the Crown Law Officers that section 156 of "The Harbours Act, 1878," is applicable to the proposed reclamation; and I am to draw your attention to section 164 of that Act, which contains a saving of rights in land granted below high-water mark under "The Public Reserves Act, 1854," or the amending Act of 1862 (under which Act the grant was made to the Corporation), but adds a condition that no harbour works shall be constructed on such land except with the consent of the Governor in Council. You will observe on reference to section 8 of the Harbours Act that the reclamation of land from the sea is included in the term "harbour works."

The Government are further advised that, as your Board has the control of the harbour, and is primarily charged with the care of navigation, should the Board consider that the proposed work will be injurious to the navigation of the harbour, it is the proper authority to move the Attorney-General to take steps to obtain an injunction of the Supreme Court to restrain the Corporation from proceeding with the reclamation before the plans have been approved by the Governor in Council.

I have, &c.,

The Chairman, Wellington Harbour Board, Wellington.

H. S. MCKELLAR,
For Secretary.