

REPORT.

To His Excellency the Governor-General, Dominion of New Zealand.

MAY IT PLEASE YOUR EXCELLENCY,—

PART I.—PRELIMINARY.

We were each advised by letter during the month of July of our respective appointments to this Commission, and in due course we received Your Excellency's Warrant of appointment and the order of reference. We thereupon caused public notice of the appointment and of our intention of entering on the hearing of the matters embodied in the order of reference to be given. This notice took the form of advertisements setting out the time and the place of hearing, a brief outline of the scope of the inquiry, and an invitation to interested parties and persons, able by evidence to assist the Commission, to place themselves in communication with us. These advertisements were duly published in the newspapers, a list of which appears in Table A in the appendix hereto.

PART 2.—OPENING OF SITTINGS.

The place appointed for the sittings was the Council Chamber of the Napier Borough Council, and the Mayor of the borough very kindly placed his room at our disposal as an office where we could meet for our private conferences, and for our work whilst we were not actually in session. We arrived in Napier on Wednesday, the 3rd August, and the Commission was duly opened at 10.30 a.m. on Thursday, the 4th August, 1927. Each of us took his seat at the opening and was present throughout the whole of the sittings. On the inquiry being declared open at 10.30 a.m. on the 4th August the Chairman read Your Excellency's Warrant of appointment and the order of reference, and thereafter that document was left available for inspection by all responsible interested parties.

PART 3.—LEGAL ASSISTANCE.

Mr. A. Gray, K.C., appeared, with Mr. Grant, for the Napier Harbour Board, and Mr. H. B. Lusk appeared for the Marine Department, throughout the inquiry, and at the later stages, to put before the Commission also the views of the Napier Borough Council on the matter of land-reclamation.

Although the appearance of counsel is thus recorded it should be stated that the proceedings were not conducted in the ordinary way of litigation between contesting parties. Mr. Gray announced at the opening that his instructions from the Harbour Board were to call witnesses for the assistance of the Commission without respect to their standing in the matter of the parties which have arisen on the Harbour Board out of divergent views as to the best policy of harbour-construction. In pursuance of this policy Mr. Gray put forward as his first witness Mr. A. E. Jull, Chairman of the Harbour Board, a strong supporter of the Inner Harbour policy which commands the votes of the majority of the Harbour Board as at present constituted, and as his second witness Mr. P. F. Higgins, a member of the Harbour Board who just as strongly advocates the breakwater harbour policy, which is acceptable to the minority of the Harbour Board at present. Mr. Lusk made a statement on behalf of the Minister for Marine to the effect that there was nothing further from the Minister's wishes than that the Commission should be made the occasion of a personal conflict between persons holding different views, or that there should be any expressions of personal antagonism. The Minister desired him to say also that all questions of mistakes either of policy or administration should be avoided. If there had been any such mistakes, their realization would be to the benefit of the district, and no good purpose would be served by ventilating them now. It was for the good of the community that they should be allowed to rest.

PART 4.—REPORTING.

With the assistance of the Public Service Commissioner and the Justice Department, the services of the Clerk of the Magistrate's Court at Napier had been made available as Clerk to the Commission; whilst the services of Mr. Martin, of the Magistrate's Court at Napier, were placed at our disposal as a reporter to take a verbatim report of the evidence direct on the typewriter. This proved to be a satisfactory method of recording the evidence, and throughout Mr. Martin was able to take an accurate record at a speed representing the utmost of our ability to understand, assimilate, and collate the evidence. We think it right that we should here place on record the fact also that three local newspapers were represented at the inquiry throughout, and these papers all published the most excellent reports day by day of the proceedings. These reports were marked by fullness, clearness, and fairness, and we have every reason to believe that they stimulated and fed a marked public interest in the matter of the inquiry and the evidence tendered, and we believe that they have performed a most marked public service in making the constituents of the Napier Harbour Board better acquainted with the facts underlying the harbour problem than they have ever been before.