

PROVINCE OF SOUTHLAND.

The Roads Ordinance, 1862.

THIS Ordinance divides the Province into districts, or rather authorizes the Superintendent to proclaim, define, and establish a road district whenever it shall appear to him that a population of not less than two hundred persons reside within a certain range of country, not being less than ten thousand acres in area; or whenever a majority of its inhabitants residing therein shall petition for the constitution of the same into a road district, and upon a resolution of the Provincial Council duly passed to that effect, to abolish or alter the boundaries of any such district.

Five road trustees are to be elected at a meeting of ratepayers, to be convened by the Superintendent, for each district, who shall continue in office for two years; but if the ratepayers fail to meet and elect the trustees, then the Superintendent is to appoint three persons to act as such until the 1st of January following, when another meeting and an election by the ratepayers is to take place.

The trustees of every district have charge and control over all the highways, roads, pathways, bridges, &c., and all rivers, watercourses, ditches, &c., not being private property; but the Superintendent may except any such roads, &c., from their management and control; and the Provincial Engineer is to approve all plans, specifications, &c., of works proposed to be undertaken in each district; and such works may be executed under his supervision, or by authority of the Superintendent upon his receiving a resolution from the Provincial Council to that effect.

The trustees are to estimate their probable expenditure for each year, and levy a rate upon all lands in the district according to an assessment to be made by the treasurer of their annual value to let, which rate shall not exceed one shilling in the pound in any one year, unless a greater rate is assented to by three-fifths of the ratepayers. Special rates may also be levied in any particular locality for the execution of any work for its special benefit, and loans also may be accepted by the trustees on security of the rates.

The Provincial Treasurer is empowered to pay over to the treasurer of any district, out of any moneys voted for road purposes by the Provincial Council, "a sum which shall bear the same proportion to the sum raised by assessment within such district as the annual value to let of the waste lands of the Crown (not being land reserved from rate by the Governor or Superintendent) shall bear to the annual value to let of all lands within such district liable to be assessed, to be applied by such trustees to the formation, repair, &c., of the roads, &c., of the district."

The Road Ordinance, 1862, Amendment Ordinance, 1867,

however, as validated by Act of General Assembly last year, repeals the 29th, 30th, 32nd, and 38th sections of the above Ordinance, which provided that the rate should be levied upon the annual value to let, and substituted in lieu thereof a uniform acreage rate upon all lands, which shall not exceed the sum of twopence per acre, unless upon the consent in writing of ratepayers holding not less than two-thirds of the entire assessed acreage of the district.

Any aid given from the Provincial Treasury to any district shall be to the sum raised by rate in the same proportion as the acreage of unsold or unreserved waste lands within the district bears to the total acreage of the land therein liable to be assessed.

There is another Ordinance (which, however, has not been validated by Act of the General Assembly) entitled

The Local Improvement Ordinance, 1866,

intended to apply to towns or portions of the Province not included in any district constituted under the provisions of *The Roads Ordinance, 1862*, by which, when a majority of the persons occupying property liable to be rated represent to the Superintendent their willingness to be specially rated for any public work, or the improvement of any road, street, or thoroughfare, he is empowered to cause an estimate to be formed of the cost of such improvement, and then to cause an equitable rate to be levied upon all real property benefited thereby.

[F. J.]