

volume of traffic which comes from Levels itself. We say that with the single exception of St. Andrew's sales there is no interchange of traffic between Levels and Waimate, and the road, so far as Waimate is concerned, is a causeway to the Borough of Timaru.

6. As to the Act only being intended to apply to extraordinary cases: I look at the Act itself, and I say that this is an extraordinary case. I believe that this county is extraordinarily situated. It is a middle circle round a point, and it is a causeway from the outer counties of South Canterbury to that point. There is no similar case in New Zealand.

7. As to contributing body having no voice in the apportionment of money: This is an objection to section 8 itself, and once it became law this argument fails. The same difficulty applies to boundary-roads and to bridges.

8. That practically everything comes from Levels County by road: I admit this, and I credit them with the Levels traffic.

9. As to the constitution of "The Harbour District Act, 1876," and as to "The Rating District Act 1882," and that the local bodies have impliedly agreed to maintain these roads: The statement of that proportion carries on its own face its refutation. It is a legal fiction. When they refer to an implied agreement they refer to an agreement which did not obtain in fact. We have to look at the very fact of this case, and this contention can only be set up on equitable grounds as involving a breach of faith on the Levels County. Such an undertaking was never considered. Even if they ought to have done so, they did not do so, and we must take facts as we find them.

As to the remarks that nothing of this case would have been heard if Levels had not severed from Geraldine, I say that nothing would have been heard of it if section 8 had not been passed. Even Mr. McLaren shows that his riding is being impoverished by the special traffic on these roads. It was not contemplated that this county should carry all this traffic for nothing.

Then, as to the question as to whether Levels is specially benefited by Timaru. I say it is not more proportionately than the other districts are in Canterbury. A rise in value means a rise in rental, and we must consider what is a rental. It is measured by the produce of the land and its proximity to market. If the Levels land is nearer to market than Waimate, and the land is equal, the difference in rental is the difference in the cost of freight. Mr. Rhodes admitted that the land at Saltwater Creek was not used for any other than agricultural and pastoral purposes. Mr. Mundell's statement as to there being an advance of 25 per cent. in two or three years on account of Timaru is ridiculous. There has been a general rise both in town and country. Mr. Mundell showed that creameries had been established near Waimate, and this will increase the value of the surrounding land there.

10. That nothing was heard of this claim until the Bill was rejected by the House: I do not say that Waimate County did oppose the Bill. If the Bill had passed the grievance would have ceased to exist, and it does not lie in the mouth of the Waimate County to say, "You can get your Bill passed, and we will oppose it." If we bring ourselves under section 8, and have not acted inequitably, then the question of the Bill does not help Waimate; and I claim that it is the strongest ingredient in the case of Waimate. The evidence shows that an enormous majority in value of the Upper Pareora Riding were in favour, and that there was unanimity amongst the settlers of the Lower Pareora Riding in favour of joining Levels. They all admit in the petition that their traffic is towards Timaru. The Waimate County refused to discuss the matter, and Mr. Rhodes instructed a solicitor, and communicated with members, and the Bill was therefore not passed. Now, Mr. Stowell and Mr. Lisle say that the interests of the Upper and Lower Pareora Ridings would be served by their annexation to Levels. The real ground of opposition is that the Waimate County people do not like to see their county dismembered.

11. That, if you get your award, the cost will fall on the whole of the Waimate County, and that the two ridings will escape: Mr. Rhodes was willing for the Lower Riding to go, but it is from the lower part of the Upper Riding that all the traffic comes—namely, the very part that the county wishes to retain; and the part that they will let go is the part they have less traffic from. Mr. Rhodes said that the Waimate County declined to make any contribution towards these roads.

12. Section 8 does not apply to traffic from part of the county: If our facts bring us within it we are within the terms of the section. If we show that traffic comes from that district, it is immaterial whether it is from the Pareora Riding or anywhere else. We could easily get over the difficulty if we had the ridings. We could call the Main South Road a main road, and so the fair maintenance of these roads could be thrown upon the ridings of Waimate County. The Waimate County has prevented us getting the legislation we want, and the matter of internal finance of the Waimate County has nothing to do with us. If the Act does not apply in this case it applies in no case, for nowhere else is there a large county which uses the road in a similar one such as ours. If the Act does not apply to us, it means that the larger the county the less liability there would be.

13. As to the freezing-works: These works are established by the Christchurch Meat Company, and are on the border of the borough, and it is admitted that the shareholders are scattered over the whole of the South Canterbury District, and the only benefit which Levels gets from these works is a rate of £87 a year. Their rateable value is £21,000 out of a total of over £1,000,000. The rateable value of the land in the vicinity of these works is deteriorated by them, and the tendency will be to depreciate that value. For the purposes of stock in South Canterbury a slaughterhouse had to be established where the whole of the exportable stock of the county could be slaughtered, and where forty-five thousand carcasses are annually sent. Levels derives no benefit whatever from these works apart from £87 a year. All that Waimate can claim on the ground of mutuality is a fraction of those rates, and without those works part of the County of Waimate would be of comparatively little value. The existence of these works enhances the value of Waimate more than Levels, because Waimate is much more pastoral than is Levels.