

(No. 160.)



1886.

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PARLIAMENT OF TASMANIA.

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**ROAD TRUST SYSTEM OF THE COLONY:**

**REPORT OF SELECT COMMITTEE, WITH MINUTES OF  
PROCEEDINGS, AND EVIDENCE.**

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Brought up by the Minister of Lands, and ordered by the House of Assembly to  
be printed, November 12, 1886.



*SELECT COMMITTEE appointed, on Tuesday, 7th September, to enquire into and report upon the Working of the present Road Trust System of the Colony; also to report as to any Amendment of the existing Roads Act that may be considered by the Committee to be necessary; with power to send for Persons and Papers.*

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MEMBERS OF THE COMMITTEE.

MR. BRADDON.  
MR. FENTON.  
MR. SIDEBOTTOM.  
MR. HAWKES.

MR. LEWIS.  
MR. BIRD.  
MR. MINISTER OF LANDS (*Mover*).

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DAYS OF MEETING.

Wednesday, 8th September; Friday, 10th September; Tuesday, 14th September; Tuesday, 21st September; Thursday, 23rd September; Friday, 24th September; Thursday, 30th September; Wednesday, 6th October; Friday, 8th October; Friday, 22nd October; Thursday, 28th October; Wednesday, 3rd November; Thursday, 5th November; Friday, 12th November.

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WITNESSES EXAMINED.

Mr. C. Sprent, Deputy Surveyor-General; Mr. W. Duffy, Engineer of Roads; Mr. C. J. M'Kenzie, M.H.A.; Mr. J. M'Kenna; Mr. W. Smith, Chief Clerk, Public Works Department; Mr. B. S. Bird, M.H.A.; Mr. H. Lamb, Mr. W. E. Shoobridge, Mr. John Henry, Mr. John Lyne, Mr. J. W. Falkiner, M.H.A.

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EXPENSES OF WITNESSES.

Mr. J. M'Kenna, 10s.

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## R E P O R T.

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Your Committee have the honor to report to your Honorable House as follows :—

The enquiry of your Committee has proved that many defects exist in the Road Trust system of the Colony. Some of these defects arise necessarily from the difficult circumstances under which road construction and maintenance must be carried on in hilly and sparsely settled parts of the country, and they are especially conspicuous in those localities where groups of settlements composed of small farms are established in close proximity to large estates occupied for the most part for pastoral purposes, and which are already, and have been for some time past, provided with good roads or railways.

A remedy has been frequently sought, and, in some cases, partially obtained (so far as the special grievance of those asking for the subdivision was concerned) by a subdivision of Districts; but the result of subdivision and the establishment of small Road Trusts with inadequate revenues has proved to be generally unsatisfactory.

Apart from questions relating to the area or revenues of the Districts, certain objectionable features in the existing provisions for the election of Trustees and other matters seem to be remediable by amendments of the Roads Acts, which your Committee will recommend.

Your Committee, in addition to the examination of witnesses whose evidence is appended hereto, caused a series of questions to be addressed to the Chairmen of Road Trusts throughout the Colony. An analysis of the answers obtained gives the following results :—

A majority (35 to 7) state that their experience of the working of the present system is favourable, or favourable on the whole; but they suggest various minor modifications and amendments of the existing Roads Acts.

As to the amalgamation of small Road Districts in order to constitute larger Districts with adequate revenues, their opinions are equally divided for and against such a change.

The majority are opposed to making the boundaries of Road Districts coterminous with the boundaries of Electoral Districts.

The majority are in favour of the Trusts being constituted as at present, by the election of Trustees by the Ratepayers without any nominated Members; but would approve of the Parliamentary Representative of the District being *ex officio* a Member of the Road Trust or of two or more Road Trusts that may exist in the Electoral District.

There is a unanimous expression of opinion in favour of voting by Ballot for the election of Trustees, and an almost equally unanimous desire for the simplification of the mode of election, and for the avoidance of what appears to be regarded as unnecessary expense in advertising nominations of candidates.

A large majority are in favour of the expenditure of votes granted by Parliament, and the funds available under the provisions of the Waste Lands Act in the various districts, being placed under the control of the Local Road Trusts; but both in the replies of Chairmen of Trusts and in the evidence of witnesses there is an absence of any suggestions for ensuring the necessary check upon such expenditure by the Minister of Lands and Works, who is responsible to Parliament for the fair and efficient administration of these funds.

Your Committee have the honor to submit the following recommendations as to the amendments required in the Laws relating to Road Trusts :—

1. As to the election of Trustees—

A day for the election of Trustees throughout the Colony should be fixed by law; and the Committee recommend that the second Thursday in April be so fixed as the day in every year on which certain of the Trustees shall go out of office in rotation, and the election of new Trustees to fill the vacancies should take place on the preceding day.

In the event of any election not taking place upon the day fixed, the Governor-in-Council to appoint such other day in the month of April or May for the holding of such election as to him may seem fit.

The Chairman of the Road Trust to be the Returning Officer; but if he be one of the retiring Trustees and seeking re-election, the continuing Trustees to nominate one of their number to be Returning Officer. In the case of the first election of Trustees in a newly proclaimed Road District, or in the event of the continuing Trustees refusing or neglecting to nominate one of their number as aforesaid, the Governor-in-Council to appoint a Returning Officer.

Nominations of candidates, with their written consent attached, to be sent in a prescribed form to the Returning Officer not less than 5 and not more than 10 days before the day fixed for the election.

A list of candidates so nominated to be published in the *Gazette*, and at least three clear days before the day of election at every police office, police station and post office, and wherever else in the Road District the Returning Officer may think fit.

If no greater number of persons than the number of Trustees then to be elected be nominated, the Returning Officer, upon day of election, to declare the persons so nominated to be elected as Trustees, and notice thereof to be inserted in the *Gazette* within one month from the day of election.

The Returning Officer, with consent of Road Trust, to appoint such Polling-places within the District as he thinks necessary, and to give notice of the situation of such Polling-places as soon as can conveniently be done; and names and situation of the Polling-places of a District to be published with the list of candidates for election.

The Polling to be taken by ballot; and the provisions contained in the Rural Municipalities Act for carrying out Municipal Elections, and for securing purity thereof, to be adopted in the election of Road Trustees.

Polling to commence at 10 A.M. and close at 6 P.M. Returning Officer to have a casting vote only.

Returning Officer to declare state of Poll within two days of the election, and, if the Returning Officer be also the Chairman of the Road Trust, to cause the same to be entered in the Minutes of the Road Trust Meetings, and cause to be published in the *Gazette* the names, &c. of every Trustee elected, and send a notice to every person so elected. If the Returning Officer be not the Chairman of the Road Trust, he shall send to the Chairman, in writing, a statement of the result of the Poll, and the Chairman shall thereupon act as aforesaid.

The existing provisions as to filling vacancies in Road Trusts to be retained, except as qualified by preceding recommendations.

Every Trustee going out of office, if otherwise qualified, to be eligible for re-election.

If any person elected or appointed a Trustee refuses or fails to accept such office, the same to be thereupon deemed vacant, and to be filled up by a fresh election or appointment in the same manner as before provided.

The Governor-in-Council to have power at his discretion to cancel any election on the ground of illegality, informality, or for any other cause, provided that a Petition, signed by not less than 20 landowners resident in the District, be forwarded to the Governor in Council within 30 days from date of such election, stating the illegality, informality, or other cause, and praying that the election be set aside. In such event the day for fresh election to be fixed by proclamation by the Governor-in-Council.

The Parliamentary Representative of the District in the House of Assembly to be *ex officio* a Member of the Road Trust or Trusts of his District.

A simple Handbook, embodying all particulars relating to Election of Road Trustees, including scale of voting, to be issued from the Lands and Works Office for the guidance of Returning Officers.

## 2. As to Districts—

That where the boundaries of a Road District and a Municipal District are coterminous, provision should be made that the Municipal Council may act as Road Trust on the petition of a majority in number and value of landholders.

No Districts in future to be proclaimed with a revenue of less than £400 per annum from a rate of One Shilling; and wherever opportunities occur, with the consent of the Ratepayers concerned, steps should be taken for amalgamating small Districts having revenues of less than £400 per annum at such rate.

Every Road Trust to appoint a Secretary, who may act as Treasurer; all expenditure for stationery and other "petty expenses" to be voted by the Trust, and expenditure to be subject to the audit of the Colonial Auditor. No Trustee to hold any paid office under such Trust.

## 3. As to Subsidies—

That a subsidy be only granted when 1s. rate is declared, and the full subsidy of 1s. for 1s. to be granted only where the rate of 1s. has been continuous; a subsidy of 9d. where 1s. rate has been preceded by a lower one; and a subsidy of 6d. for 1s. where no rate has been levied in the preceding year.

In the opinion of your Committee, if it be found practicable to provide a sufficient check upon the outlay of public money, all sums voted for Roads by Act of Parliament, or available from Waste Lands Fund, should be placed at the disposal of the Road Trust for expenditure wherever such Road Trust shall have an income from 1s. rate of £400 per annum.

Your Committee trust that the decision arrived at by the House of Assembly as to the reduction of the maximum number of votes to five will be included in any amendment of the Law relating to Road Trusts.

NICHOLAS J. BROWN, *Chairman*.

Committee Room, 12th November, 1886.

## MINUTES OF PROCEEDINGS.

TUESDAY, SEPTEMBER 8, 1886.

The Committee met at 11 A.M.

*Present*.—Mr. Minister of Lands, Messrs. Bird, Fenton, Braddon, Lewis, and Sidebottom.

Hon. N. J. Brown elected Chairman of the Committee.

Reports of Deputy Surveyor-General and Engineer of Roads laid upon the Table by the Chairman.

Decided that Mr. Sprent be summoned for 11 A.M. on Friday, the 10th instant, and directed to bring plans of Road Trust Districts, and Return of Road Trust Revenue and Expenditure. Mr. Duffy to be summoned for 12 noon of the same day.

Decided that the next meeting of the Select Committee be appointed for Friday, the 10th instant, at 11 A.M.

FRIDAY, SEPTEMBER 10, 1886.

The Committee met at 11 o'clock.

*Present*.—Mr. Minister of Lands (Chairman), Messrs. Bird, Braddon, Hawkes, Sidebottom, Lewis, and Fenton.

The Minutes of the last meeting were read and confirmed.

Mr. C. P. Sprent, Deputy Surveyor-General, was called in and examined. He also handed in a Return showing the Amount of Rates levied by the various Road Trusts during the last five years; and a Petition from residents of Port Cygnet praying that the Government would abolish the Port Cygnet Road Trust.

Mr. Sprent withdrew.

Mr. Wm. Duffy, Engineer of Roads and Bridges, was also called and examined.

The Minister of Lands retired at 12:25 P.M., and Mr. Bird was elected Chairman temporarily.

The Committee adjourned at 1 P.M. till Tuesday, the 14th instant, at 11 A.M., when Mr. Duffy will resume his evidence.

TUESDAY, SEPTEMBER 14, 1886.

The Committee met at 11 A.M.

*Present*.—Messrs. Braddon, Lewis, and Sidebottom.

The Minutes of the last meeting were read and confirmed.

The Committee adjourned till Friday, 17th instant, at 11 A.M.

TUESDAY, SEPTEMBER 21, 1886.

The Committee met at 11 A.M.

*Present*.—Mr. Minister of Lands (Chairman), Messrs. Braddon, Lewis, Fenton, and Hawkes.

The Minutes of the last meeting were read and confirmed.

Mr. W. Duffy resumed his evidence, and also promised to furnish in writing suggestions for alterations and reforms in the present Road Trust System.

Mr. C. P. Sprent forwarded a statement as to the relative advantages of small and large Districts.

It was decided that Mr. Duffy's evidence, if necessary, should be resumed on Thursday, for which day Mr. C. J. Mackenzie, M.H.A., was also to be summoned.

The Committee adjourned at 1 P.M. till Thursday, the 23rd instant, at 11 A.M.

THURSDAY, SEPTEMBER 23, 1886.

The Committee met at 11 A.M.

*Present*.—Mr. Minister of Lands (Chairman), Messrs. Braddon, Lewis, and Sidebottom.

The Minutes of last meeting were read and confirmed.

A letter was received from Mr. J. M. Dooley, M.H.A., having been forwarded him by Mr. J. Russell, sen., Kindred Plains, Forth, in connection with the dispute Cowle v. Forth Road Trust. It was decided the Committee could not deal with the matter, and it was ordered to be returned to Mr. Dooley, with the suggestion that the attention of the Minister of Lands be directed thereto.

Mr. W. Duffy was re-examined, and handed in a copy of suggestions for remodelling the Road Trusts of the Colony, which were ordered to be included in his evidence.

Mr. C. J. Mackenzie was also examined, and the Committee adjourned at 1 P.M. till 11 A.M. on Friday, when Messrs. J. Gray, M.H.A., and W. Smith will be examined.

FRIDAY, SEPTEMBER 24, 1886.

The Committee met at 11 A.M.

*Present*—Messrs. Bird, Braddon, Fenton, and Lewis.

The Minutes of the last meeting were read and confirmed.

The Hon. Minister of Lands wrote expressing his regret at not being able to attend the meeting, and Mr. Bird was in consequence elected Chairman.

Mr. J. M'Kenna was called and examined.

The Committee adjourned at 1 P.M. till Wednesday, the 29th instant, at 11 A.M.

THURSDAY, SEPTEMBER 30, 1886.

The Committee met at 11 A.M.

*Present*—Mr. Minister of Lands (Chairman), Messrs. Bird, Fenton, Lewis, and Sidebottom.

The Minutes of the last meeting were read and confirmed.

Mr. Wm. Smith, Chief Clerk in the Public Works Department, was called in and examined.

Mr. Smith withdrew.

Mr. B. S. Bird also gave evidence, at the request of the Committee.

It was decided that Mr. Lyne, M.H.A., be invited to give evidence at 11 A.M. on Wednesday, October 6; that Mr. H. Lamb, of Clarence, be summoned for the same day; and Mr. W. Shoobridge, of Bushy Park, be summoned for 11 A.M. on Thursday.

The Committee adjourned at 1 P.M. till 11 A.M. on Wednesday, the 6th proximo.

WEDNESDAY, OCTOBER 6, 1886.

The Committee met at 11 A.M.

*Present*—Mr. Minister of Lands (Chairman), Messrs. Bird, Braddon, Lewis, and Sidebottom.

The Minutes of the last meeting were read and confirmed.

A letter was received from Mr. J. W. Falkiner, calling attention to the fact that Road Trustees are prevented by the present Act from allowing gates to be erected on any cross roads unless such gates were erected previous to 1870. Mr. Falkiner said it is considered by a number of Trusts that no evil results could ensue from giving them power to erect gates and inflict a small fine for not closing the same. He would not advise taking away the power of Road Trusts to remove such gates at any time, and trusted that the matter would be considered by the Committee.

Mr. H. Lamb was called in and examined.

Mr. Lamb withdrew.

Mr. Shoobridge continued and concluded his evidence.

Mr. Shoobridge withdrew.

Mr. John Henry was called in and examined.

Mr. Henry withdrew.

A series of questions, to be forwarded to Chairmen of the various Road Trusts throughout the Colony, was submitted and approved. The Clerk was instructed to forward a copy thereof to each Chairman, requesting an early answer (*vide* Appendix A.)

It was decided that Mr. Lyne be requested to give evidence at 11 A.M. on Thursday.

The Committee adjourned at 3:55 P.M. till 11 A.M. on Thursday, 7th instant.

FRIDAY, OCTOBER 8, 1886.

The Committee met at 11:15 A.M.

*Present*—Mr. Minister of Lands (Chairman), Messrs. Sidebottom, Lewis, and Fenton.

Mr. John Lyne was called in and examined.

Mr. John William Falkiner was called in and examined.

The Committee adjourned at 12:15 A.M. till Thursday next, at 11 A.M.

FRIDAY, OCTOBER 22, 1886.

The Committee met at 11 A.M.

*Present*—Mr. Braddon (Chairman), Messrs. Lewis, Fenton, and Sidebottom.

The Minutes of the last meeting were read and confirmed.

The replies from Chairmen of Road Trusts received to date were tabled and considered.

The Committee adjourned at 1 P.M. till Wednesday, the 27th instant, at 11 A.M.

THURSDAY, OCTOBER 28, 1886.

The Committee met at 11 A.M.

*Present*—Mr. Minister of Lands (Chairman), Messrs. Braddon and Lewis.

The Minutes of the last meeting were read and confirmed.

The Committee proceeded with the preparation of the Draft Report.

The Committee adjourned until Tuesday, the 2nd November, at 11 A.M.

WEDNESDAY, NOVEMBER 3, 1886.

The Committee met at 11 A.M.

*Present*—Mr. Braddon (Chairman), Messrs. Hawkes and Lewis.

The Minutes of the last meeting were read and confirmed.

A letter was read from Mr. J. McKenna, of the Penguin, taking exception to the action of the Leven Road Trust in forwarding replies to the Committee, and representing them to have been carried unanimously by the Trustees, when Mr. McKenna had disagreed entirely with many of the replies so sent.

The Committee proceeded with the preparation of the Draft Report.

The Committee adjourned until Wednesday, 4th November.

THURSDAY, NOVEMBER 5, 1886.

The Committee met at 11 A.M.

*Present*—Mr. Minister of Lands (Chairman), Messrs. Hawkes, Bird, Fenton, and Braddon.

The Minutes of the last meeting were read and confirmed.

The Committee proceeded with the preparation of the Draft Report.

The Committee adjourned till Wednesday, 10th November, at 11 A.M.

FRIDAY, NOVEMBER 12, 1886.

The Committee met at 11 A.M.

*Present*—Mr. Minister of Lands (Chairman), Mr. Lewis, Mr. Braddon, Mr. Fenton, and Mr. Hawkes.

The Minutes of the last meeting were read and confirmed.

The Draft Report was agreed to.

The Committee adjourned *sine die*.

## EVIDENCE.

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FRIDAY, SEPTEMBER 10, 1886.

MR. C. P. SPRENT *examined.*

1. *By the Chairman.*—What position do you occupy? Deputy Surveyor-General.
2. In your Annual Report you have called attention to difficulties existing in carrying out "The Roads Act, 1885,"—can you place before the Committee any details as to what led you to recommend the amendments which you speak of in your Report? The ratepayers of various districts have complained very much that during the present year the elections for road trusts have been illegally carried out, and that the provisions of the Act have not been complied with.
3. Have the difficulties that have arisen been caused to any marked extent by the amendments made in the Roads Act last session? Yes, so far as the amendments add to an already complicated business, but there are other complaints as to the mode of election.
4. In what way? There are so many things to be done before the elections can be properly carried out, and the omission of any of these may invalidate the election.
5. Can you state any instance in which an election has been invalidated by the omission of any provisions of the Act? Yes; the elections for trustees in the Sorell Creek, South Glenorchy, Port Cygnet, Tarleton, Leslie, Forth Road Trusts, and others.
6. Have the informalities arisen in any number of cases from a want of understanding the ballot system or difficulties in arranging for carrying out the elections by ballot? The difficulties occur more from omission to carry out the formalities prescribed by the Act.
7. I ask you that question because in your Report you say, "The Roads Acts Amendment of 1885 provided that the elections should be by ballot; and as a fresh series of complications was thus thrust upon the bewildered electors, this year the Department found itself appealed to on all sides, sometimes for advice, more frequently by disappointed candidates and ratepayers, asking that the elections might be quashed on account of alleged informalities"? Act 48 Vict. No. 28, in my opinion, provided an unnecessary number of things to be done before an election could be properly carried out; then by providing for a ballot you introduce a great many more formalities, such as posting up notices, receiving nominations, and carrying out the ballot, so that there are more chances of elections being informal. Take, for instance, Section 5 of 49 Vict. No. 38, Roads Act, 1885. This would appear clear, but mistakes in it frequently occur, and its provisions are not always carried out.
8. *By Mr. Braddon.*—Do you attribute these errors to ignorance of the law generally or to confusion arising out of change of the law? Some are owing to changes in the law, and some to general inability to interpret the Act.
9. *By Mr. Sidebottom.*—Do you think the old system of electing trustees would answer the case—that is, to make it compulsory to return to the old simple system of voting? I think that would be the best course.
10. *By Mr. Hawkes.*—Have the errors to which you refer arisen from the change in the law so far as the ballot is concerned, or misinterpretation of the new Act? Some have occurred through the change in the system, and others from inability to interpret the Act. There are certain provisions relating to nominations; in many cases these provisions have not been complied with. Some road trusts carried out their elections by the old system, as if the new Act had not been passed; others omitted to give the necessary notice required by the Act. I think the Government should fix a day on which nominations and elections should be held; these should be properly published in the *Gazette* so as to let the people know on what days nominations and elections should be held. This would save a deal of trouble.
11. *By Mr. Lewis.*—Is it a rule to send chairmen of road trusts copies of every alteration of the Roads Act? I do not know—I do not send them.
12. *By Mr. Braddon.*—Do you know any instances where votes by proxy have been received during the last elections? Yes, on the occasion of the election of the Forth or Leven Trusts, I forget which, it was represented to us that proxies had voted.
13. Is that the only one? I think so.
14. *By the Chairman.*—Were you applied to for advice on that occasion? Yes, by the ratepayers.
15. *By Mr. Lewis.*—Is it not doubtful between what hours the elections should be held, whether for two hours between 10 A.M. and 2 P.M., or for any two hours during the day? I do not think there is any doubt about it.
16. Is there not some doubt of the hours of voting under the 1885 Act? The 36th section of the 1884 Act provides that the election shall be held between the hours of 10 in the forenoon and 2 in the afternoon.
17. *By Mr. Bird.*—That section was not repealed? No.



18. *By Mr. Lewis.*—Do you know of any election held in the afternoon? Yes, at South Glenorchy an election was held between 4 and 6 o'clock in the afternoon.

19. *By Mr. Bird.*—Has the validity of that election been disputed? Yes, and a new election was fixed by the Governor in Council; but the second election was also illegal, being held between 2 and 4 o'clock.

20. Was the first election declared void because it was held at the wrong hour? There were other informalities, and the ratepayers have now petitioned to abolish the road district. They made a mistake twice.

21. *By Mr. Fenton.*—Is there anything in the present Act to guide electors as to the scale of voting? That is provided in a separate Act—the Rural Voting Act.

22. How would the electors be supposed to know anything about that Act? I cannot say; I have nothing to do with that.

23. Do you not think it advisable that the Road Act should give that information? Yes.

24. *By Mr. Bird.*—Do you think that a sort of hand-book, giving full information and directions for the election of trustees, should be issued for the guidance of trustees? Such a book would be useful, but it would be more useful to simplify the mode of election.

25. In any case, whatever the law may be, do you think it advisable that instructions clearly written out should be given to road trustees? Yes. I draw attention to the 43rd section of "The Roads Act, 1884." It provides that in the annual election of trustees the Chairman presiding at the meeting shall cause to be published in the *Gazette* the names and places of residence of every trustee elected, and then goes on to say that the Chairman of Trustees shall do the same thing, and shall also give notice in writing to each person elected? In many instances the Chairman of the meeting forgets all about it, and sends no notice to the *Gazette*.

26. *By the Chairman.*—Do you know of any instances of such occurrence? None have been officially brought under my notice, but I have noticed the omissions.

27. Then such meetings would be rendered invalid if attention were drawn to it? Yes.

28. *By Mr. Braddon.*—Such invalidity would not come under your notice unless especial attention were drawn to it? No.

29. Are you in a position to know of the mistakes that arise in road trust elections? No, only in cases where complaint is made to the Department.

30. *By Mr. Bird.*—Do you hear of any mistakes except those which come directly under your notice? Yes.

31. *By Mr. Hawkes.*—Is there any provision in the Act whereby road trusts can have the opinion of the Attorney-General in law matters? No.

32. Do you think it would be an improvement if the Chairmen of Road Trusts could have the privilege of the Attorney-General's opinion on law matters? I cannot say. I do not know what is the practice of the Attorney-General in giving advice.

33. You know there are questions of law with which chairmen of road trusts are incompetent to deal; these occur in carrying out the business of the road trust: does the Act give the chairmen the privilege of obtaining the Solicitor-General's opinion? No.

34. *By Mr. Bird.*—Have the ratepayers or road trusts complained of the cost entailed by the present system of election? No.

35. Do you think it necessary to go through the form of advertising the nominations in newspapers,—would it not be sufficient to post them in the district; that is, the names of the candidates? I think the nominations should be received at times fixed by law; then they should be forwarded through the Minister of Lands for advertising in *Gazette* and newspapers.

36. At the public cost? That might be arranged as a matter of detail: I think if the day of election were fixed by law there would not be so great a necessity for advertising.

37. What would be gained by the nominations being forwarded to the Minister of Lands? We should then be sure of getting them, and he could at once draw attention to omissions. The Act provides that the nominations shall be posted up not less than three clear days before the day of election, but complaints have been made that if these lists ever were sent out, there was not time to see them. If the nominations were sent to the department we would see that they were properly advertised, and the ratepayers would know exactly when the elections would take place.

38. *By Mr. Hawkes.*—Do you think the nominations should first be posted by the chairmen of the road trusts to the Minister? Yes.

39. *By Mr. Bird.*—Would there not be the same fear of his forgetting that? We would remind him.

40. Would much be gained by advertising the nominations in the newspapers?—would not everything be met by posting them in the district? That would compel the ratepayers to go and look for them; it would not be giving publicity.

41. *By the Chairman.*—As to what you have said in your report of the constant subdivision of districts, do you think it would be desirable to limit the power in future to such districts as would have a stated amount of revenue? Yes, I think so.

42. Are you in a position to give an opinion as to what amount should be fixed as a minimum revenue of such districts at the maximum rate of 1s. in the £? If the present system of road trusts be continued it should certainly be not less than £200 revenue per year, the larger the better.

43. *By Mr. Sidebottom.*—Would that interfere with existing road trusts? Yes, with a large number.

44. *By Mr. Bird.*—If a limit of £200 revenue were fixed, would there not be a great difficulty in managing road trust work in some of the sparsely-settled districts? I do not think so; £200 a year revenue at 1s. from rates, and 1s. from Government, would mean property valued at about £2000.

45. Would it not be difficult to work such road districts in some parts of the Colony where a revenue of £200 would not be received without having the districts excessively extensive? I admit there would be difficulties, but the advantages arising from having a larger income would, I think, overpower them.

46. Do you think the ratepayers in road districts now established would readily consent to amalgamation? Some would, and some would not.

47. Do you think it would be desirable to pass an Act, or have an alteration made in the existing Act, to compel small trusts to amalgamate with their neighbours? Yes.

48. *By Mr. Braddon.*—Have you noticed that in some of the small districts the expenses of management bear an undue proportion to the income? I do not see the details of expenditure; they go to the Treasurer.

49. It has not come under your observation? No.

50. Would it economise expenditure if two or more small districts were amalgamated? No doubt of it.

51. *By Mr. Hawkes.*—Can any other claims except that of clerk be legally made for expenses? Yes; see the 86th section of "The Roads Act, 1884."

52. *By Mr. Sidebottom.*—What is the objection to having small districts, and what are the advantages of large districts? The objection to small and poor districts is that their funds are too limited for anything but small repairs; the expenses are out of proportion to the expenditure, and they are apt to degenerate into mere family affairs. There may be cases where it will be expedient to have small districts, but in my opinion such cases should be very few, and the Government should not readily consent to the subdivision of large districts. In large districts with large revenues it is possible to employ stone-crushers and rollers, and to arrange for the services of competent road engineers, and I believe it is possible to arrange for fair representation of all classes of ratepayers. Subdivision arises from one of two causes,—either the petitioners desire to have a rate levied and its expenditure in their own hands, or they wish to escape paying rates altogether. In the latter case I am of opinion that the Government should insist that all should contribute to the common responsibility, and in the former case I believe a remedy can be found without subdivision. Repeated subdivision has crippled many road trusts in the south, and unless checked will do the same for the northern districts. For instance: the Road District of Horton was for many years one of the best managed in Tasmania; lately the ratepayers of Montagu and Detention, becoming dissatisfied, have petitioned for a separation, but their petition has not been granted, as it was considered that the creation of two new trusts would have the effect of crippling the Horton Trust, without achieving any commensurate result. Other instances might be cited. In my opinion the whole system of local government requires revision, and I respectfully recommend to the Committee an examination of the system in force in Victoria, and a Bill proposed in South Australia. Should it not be considered desirable to revise the system of local government, I respectfully suggest for the consideration of the Committee some such scheme as the following for a reorganisation of road trusts:—Municipalities to act as road trusts, and to have control of all roads within their boundaries; all subdivisions to be abolished. Road Trusts.—The boundaries of road trusts to be rearranged, as far as possible keeping the districts within the Electoral Districts, and making the subdivision of such Electoral Districts as large or as few as possible. Trustees to be seven in number, three nominated by the Government and four elected by the ratepayers. District inspectors to be appointed, and paid by the Government out of moneys provided for each district; such inspectors to be advisers of the trust, but subject to the control of the Engineer of Roads. The construction, maintenance, and repair of all roads to be undertaken by the trust. All moneys derived from rates to be at their disposal. All moneys voted by Parliament, or arising from the Land Fund, to be expended by them, subject to the control of the Engineer of Roads. Trusts to have the power of purchasing land or exchanging land required for roads, and to exercise all such powers as may be necessary to facilitate road construction. Regulations to be issued under the Act defining the powers of trusts, engineers, &c., and the extent of the control to be exercised by Engineer of Roads, &c.

53. *By Mr. Hawkes.*—Do you consider that the object of creating these small road trusts is for practical considerations connected with the district, or merely from local jealousies? Mostly from local disagreements, which cause a subdivision.

54. *By the Chairman.*—Does it not arise from a feeling on the part of some of the small property holders of a sense of injustice of the mode of levying rates and carrying out the expenditure? That naturally follows. It is the most frequent cause of disagreement.

55. *By Mr. Bird.*—Do you think that the small trusts have their rates better levied and expended than the larger ones? I cannot say, but I should not think so.

56. *By the Chairman.*—Do you think if the road trusts were made larger, by having sufficient revenue to lay out they could employ a road inspector continuously all the year round, their business would not thus be better looked after than by having separate trusts? Much better.

57. *By Mr. Braddon.*—Would the enlarging of road trusts secure better regard for the public interests when compared with private interests? I think so.

58. Are you aware of any instances in which road trusts have been moved by personal interests? I do not know anything about the details of their work.

59. *By the Chairman.*—With reference to the expenditure by small road trusts, can you produce any evidence which will give instances of alleged maladministration on the part of the road trusts? Yes. A petition (produced) came to the Lands Office yesterday from Port Cygnet.

60. Have you any documentary evidence of maladministration of funds by other trusts? I cannot call any to mind.

61. *By Mr. Hawkes.*—Do you think it preferable that the town boards and municipalities should exercise all the powers of the road trusts within the limits of these districts? The town board does exercise the control; the municipalities have control of the streets in their towns, and in many places are road trusts.

62. *By Mr. Lewis.*—In some municipalities are there not three or four road trusts? Yes.

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MR. WM. DUFFY *examined.*

63. *By Mr. Bird.*—What position do you occupy? Engineer of Roads.

64. Have you carefully examined the system of road trusts in this Colony? Yes.

65. Do you think the system capable of improvement? I do.

66. Will you briefly indicate the chief features of improvement you would desire to see? The first feature would be to have fewer road trusts than at present exist. There would then be a saving in the working expense, and in many instances they would be able to employ skilled labour where now they have not got it.

67. About what limit of revenue would you think the proper one to decide the size of a road trust? The minimum should be £500; it would be better to have it £700, and I would prefer to see it fixed at £750,—that would be with the maximum rate of 1s. in the £. This, with the Government grant, would make a good practical road trust.

68. Do you not think that with such large districts as this sum would necessarily entail in sparsely settled portions of the colony, the trusts would be worked with very great difficulty? In sparsely settled districts there might be difficulty, but my experience in other colonies and here shows that a number of small road districts is a great source of corruption, and very great difficulty is experienced in getting the right men to undertake the work. Now men enter the trusts for their own private ends, and when they have got the road wanted constructed they retire from the trusts.

69. Suppose you had to make a district 50 or 60 miles in extent to get a revenue of £500 or £700 per year, could that district be worked satisfactorily in one trust? I believe so. You would have the possibility of getting returned to the trust of an extended area respectable men who would intelligently and honestly work the trust.

70. Do you think the ratepayers generally would agree in such large districts? I know they complain bitterly that the influence of large property holders is now thrown in elections against small holders, and their interests are not identical with the public interests.

71. That happens when the districts are very limited in area? Yes, mostly.

72. Have you reason to think these interests would be better served if they were in the hands of men within a larger locality? I think were the road trusts not biassed by their own properties in the district, and were there not militating influences of self-interest and jealousies, preventing working for the general interests, better men would be got to serve as trustees.

73. Has there been a tendency towards the division of road trusts in the past? That is on account of the difficulty of the distribution of the funds, and where money has been wanted for a particular locality. The residents wanted money for their district. I have known neighbourhoods paying rates for eight or nine years, and during that time have not got a penny expended in the locality, although the trusts have levied the rates. In some places rates have been paid for ten or fifteen years, but no money has been expended there.

74. If that state of things occurs in the present large districts, what reason would there be for its not occurring more if the districts were made larger? The districts complained of are not large, but they are large in comparison with some that now exist. I think the fault consists in the districts not being large enough.

75. *By Mr. Fenton.*—You consider the principal advantage of large districts would be the amount of money they would have to expend, thereby enabling them to obtain skilled labour? That is one reason; and the position of trustee would then be sought by gentlemen who would give effect to the object of the Government and the purpose for which road trusts are created.

76. *By Mr. Braddon.*—Do you find, as a general rule, that the chairmen of the trusts are influenced by personal motives and self-interest? I do not say as a general rule they are, but I know of many cases in which they were. I know trusts containing gentlemen of the highest probity and rectitude, but in others it is simply a scramble for the money being spent among their own particular clique or members of their family.

77. *By Mr. Hawkes.*—You think to extend the area of road trusts would make persons of the latter class less dangerous? I do. A road trustee would then be considered an honorable position.

78. *By Mr. Braddon.*—In your evidence before the Royal Commission you say you find self-interest guiding the chairmen of road trusts and apt to recommend what will benefit themselves rather than the good of the district? Yes; these are the small trusts which are created for that purpose, and there is a scramble for the money. I was speaking of the trusts where the districts are being created. I repeat what I said in my evidence before the Commission.

79. Have you noticed that the expenses of the small road trusts bear undue proportion to the income? I have; and ratepayers complain bitterly of it.

80. Have you noticed any expenditure that should not have been charged against the trust funds? I do not go into detail, I only know what the officers tell me. We have had to send from the Audit Office to enquire into accounts of trusts, and the Audit Department has recommended us to abolish these trusts.

81. Would it economise if two or more trusts were amalgamated? Yes, I think so.

82. *By Mr. Bird.*—Would you think it desirable to have all those small trusts abolished by Act of Parliament, and amalgamated with larger ones? Yes.

83. *By Mr. Fenton.*—Do you think that would meet with the wishes of the ratepayers? In many districts throughout the country it would. Complaints have been repeatedly made to me, but I can do nothing to help them. I think the majority of the ratepayers would favour larger districts.

84. *By Mr. Bird.*—Were there any especial trusts which the Audit Office recommended you to abolish? Yes; but we do not care to go to extremes unless they become flagrant. There is only one trust that I would care to mention. There the main road has had to be taken from them for what I would call fraud. The other trusts after being cautioned have done a little better.

85. Were there any flagrant cases to which the Audit Office called attention? My attention was called to metal that was paid for on measurement made by the chairman of the Port Cygnet trust; there was not one-third of the metal paid for in existence. I then advised the Minister to have their books and papers examined. In the other cases to which attention was called the members generally had the matters in question investigated; resignations followed, and no complaints have been made since.

86. There was no other case so serious as that of Port Cygnet? No.

87. *By Mr. Fenton.*—Should there not have been prosecutions? That is not my duty. I only report the matter.

88. *By Mr. Bird.*—Speaking generally, do you think the funds of road trusts are to any extent wasted for work performed by the trust or expenses of management? I can only deal with the management. I have had to refuse to recommend acceptance of contracts, which were afterwards cancelled, because I found them to be almost fraudulently excessive. These were let to relatives of the trust. In one instance—this was not at Port Cygnet—a contract was accepted at 9s. per yard for placing stone on the roadside. To break and spread it would thus have cost 14s. per yard. When attention was drawn to it the contract was not let. This was in connection with a main road board, and the contract came to me to check. Generally, however, I find them very careful and useful.

89. *By Mr. Fenton.*—I suppose you are satisfied that the stone in question was not worth the money? Stone has since been put on the road for 6s. 6d. per yard.

90. *By Mr. Bird.*—Have you become aware of any illegalities in trust elections? I have heard complaints from farmers and others who had gone to vote and found that the election had not been properly advertised, or was on the wrong day, and the old trust therefore retained office.

91. Have you heard other complaints? The chief complaint is that when trustees get in they take good care that they remain in perpetually. I am speaking generally of things since I came to the colony—the trustees by “jockeying” the election retain office without the consent of the ratepayers.

92. Have you become aware of any case of maladministration? I have a case now under consideration, in which a trust has only struck a rate spasmodically, and work was authorised during one year in which a rate was struck. This year no rate was struck, and although the work has been passed as having been honestly done, it cannot be taken over until it is paid for. The trust is repudiating it because they have no money. We constantly have roads returned on our hands for reasons that will not bear investigation.

93. *By Mr. Hawkes.*—Are any steps taken to keep such roads clear of timber? Now and then the Minister may take steps to clear away timber, but it must be through a separate vote.

94. *By Mr. Bird.*—If extensive districts were made, how would you provide for casual and frequent requirements, such as removing blocking trees? That is a matter of detail that could be settled afterwards. The different localities would not be so situated that all the trustees would be elected from one place, and if general authority were given, as now, each member could authorise imperative expenditure up to a certain amount: I have, however, known that power to become a danger, and very much abused. With a larger trust would come also an efficient officer whose duties it would be to see to that kind of work.

95. Suppose a district extended from Franklin to Southport, and the inspector was at Franklin and would not be at Southport for a week, the bulk of the trustees are elected at Franklin, and there would not be a trustee living anywhere near the spot where a tree fell across the road—would there not be difficulty in clearing the road, as no one would be near to give the necessary authority? That might occur as a special case, but, by a telegram being sent to the executive officer, attention would be called to the case, and the remedy would be effected. We hear frequently of trees being down on the Corinna Road, and we have to send a man specially to clear the way. This is of frequent occurrence.

96. What other permanent features of improvement would you like to see in the management of road trusts? I would like to see larger districts, and the election of trustees so as to prevent the larger property-holders having the power to elect all the trustees. I will furnish my suggestions in writing.

97. *By the Chairman.*—Can you inform the Committee generally as to the mode in which the road trusts of the Colony have fulfilled their obligations under the Branch Roads Maintenance Act—firstly, as to consenting to maintain the roads after they have been made or improved, and, secondly, as to keeping their promises after their consent has been given? I can give instances of road trusts whose promises are freely given and honestly kept; a great many give their consent, but are afterwards culpable for delay in taking over the roads, they not being taken over sometimes for 15 or 18 months after they have been constructed; and this occurs in the worst stage, when the road is fresh and green from the hands of the contractor, the road thus being allowed to take care of itself. Sometimes the reason for this is owing to the

road not having been officially handed over to the trusts because they think it has not been sufficiently constructed. There are other instances in which the consent of the trust is refused altogether, and roads are now hung up because such consent has never been given. In several cases the trusts refused their consent because they had not a voice in construction, alteration, and superintendence of the work. I have one notorious instance in my mind. Last year I had occasion to go into a district, and I found that practically I had no inspector in the district, owing to the large distance he had to travel. I saw some of the trustees, and told them that the expenses against the road vote would be very great if I had to keep an inspector permanently on the work. I asked them if they would take charge of the work. I went over it with them, and they consented to take charge. Two members of the trust did their work honestly. I have since seen the work; yet, last year, when the trust was asked to give its consent to accepting the road, the chairman said the work had been scamped, and he would not give his consent to accepting a road unless the specifications for it were first sent to him, and it was afterwards constructed under his control. The construction of the road was put entirely under the road trust, because I had to send an inspector 30 miles. During the work one of the contractors, thinking he had got out of sight of the trust, began to scamp his work by putting on a smaller quantity of metal than was requisite. One of the trustees made a complaint to me, and I sent an inspector to view it, and we then had the work properly carried out, and the road put in good order. Yet the road has been hung up to this moment.

98. What road is that? On the road from Fingal to Mathinna, in the Fingal District. The matter was then brought before the trust, and the chairman resigned.

99. *By Mr. Fenton.*—Are the trustees in office now? Yes; two of those trustees are trustees now. The road in question is a good one at the present moment, and £10 would put it in order, although it has been 18 months in existence. In other instances the trusts only levy a rate every second year; they then put on the maximum rate in order to claim the Government subsidy. The previous year they provide funds by arrangement with a bank, so that practically they make the Government subsidy and their rate do for two years. Other trusts delay considerably, and we send round to get their consent early in the year, as soon as the money is available after the first of the year. The trusts are generally communicated with during the first week in January, but very often their consent is not given for the first four months, and we lose that time, being unable to do the work.

100. *By the Chairman.*—Can you give instances where, for want of consent being given, the work is driven into the winter months? Yes; the Frankford Trust delayed work through not giving their consent.

101. Was their consent withheld because they did not approve of the way the work was to be located? In one instance, because they had not been consulted, in another the work did not meet with their approval. In regard to the first instance, I would explain that they were a new body, and my officers did not know that they were in existence: it is very hard to find out their residences, especially in new trusts. They took offence at not being consulted; we ought to have consulted them, but the omission was caused through ignorance on the part of my people in not knowing they were a trust. In the second instance, the work appertained to two trusts. It was the old Green's Creek Road—a main road running through the West Tamar and Frankford Trusts. The principal part of the road was intended to go through the older trust of the district so as to lead to the other. There was a certain amount from the Waste Lands Fund, and a special vote had been made for a large sum. Launceston was always regarded as the market for the biggest part of the district, whereas some of the Frankford people wanted to make Green's Creek or Port Sorell the market. Owing to their wishing to have the money spent in their district, they withheld their consent until the depth of winter.

102. Do you know cases in which trusts have allowed work to be carried out under their own eyes in an insufficient manner, and have not objected to the work until they had become injured by traffic? There is a case in which one of my inspectors, either through over-confidence in the contractor, or neglect, allowed insufficient work to be done, and the Circular Head Trust knew of it at the time. They admitted having seen and examined it before completion, but never drew attention to it till four months after the work was out of the hands of the contractor.

103. Had there been much traffic on it meantime? Yes, there is a large potato traffic, and it was cut through in every direction. I found the metal was, all told, only between five and six inches deep. Afterwards I reported to the Government that the inspector had been got at by the contractor. I then estimated the amount needed to repair it at £120, so that the trust by receiving that sum would take the road over.

104. What do you mean by the inspector being "got at"? He had neglected his duty.

105. Do you mean that he was bribed, or was he deceived by the contractor? He was deceived by the contractor. So far as I can understand, he had examined the road in company with the contractor; the contractor had got certain places specially prepared, and whilst talking with the inspector opened the road at these places.

106. You do not mean to imply that there had been corruption? Not in the slightest. The inspector afterwards made a plea that he had been away down the coast looking at roads there, but there was no excuse for the insufficient work.

107. Are these cases exceptional, or do they frequently occur throughout the Colony—I mean cases in which the trusts do not fairly perform their duties so far as giving their consent and afterwards maintaining the work is concerned? Considering that there are about 90 trusts in the Colony, and we have only to complain of 12 or 15, I should not say they were general.

108. *By Mr. Hawkes.*—Are you aware of any trusts that have been called upon to give their consent to maintain roads outside their district? No; if it has been done it was in error from the office. It may have been done. It is very difficult to determine the boundaries of districts from a map, and this may have led sometimes to such as that represented being done.

109. Do you know of any instance? Yes; the Ringarooma trust was asked to undertake a road outside their boundary, through ignorance of their boundary.

110. Is it not a fact that a road through Lisle has been hung up in consequence of the Scottsdale trust refusing to take it over? I believe it is considered that there is a lapse between Millwood's and the Scottsdale boundary, which is a kind of no-man's land.

111. Is it a fact that no rate has been levied in that portion of the Colony for some years, and for all practical reasons there has been no trust there? Yes; but there is hardly anything in the shape of property there that would bear assessment.

112. *By Mr. Lewis.*—How many ratepayers escape paying rates? There are only a few fossickers and storekeepers. There are a few farmers, but not sufficient to form a road district.

113. *By Mr. Hawkes.*—Is there such a trust now as North Esk? I believe so.

114. *By Mr. Fenton.*—Do you consider it would be better if the Government had the power to expend votes on branch roads without consulting road trusts, or asking them to promise to maintain them in any way? Of course the roads must be maintained and kept in order. I believe main roads should be in the hands of the Government, and branch roads should be under local jurisdiction as to construction and responsibility.

115. *By Mr. Braddon.*—Do you mean that the money voted by Parliament should be placed in the hands of the trusts? Yes, provided you had larger districts, differently constituted to those at present existing.

116. *By Mr. Fenton.*—I was speaking of the trusts as at present constituted? I think that hardly a fair question. I have stated that the trusts are too small, and that in some instances they have abused their positions; but in many cases we have trusts that are a credit. I advocate that we should have a radical and very large change before the money is entrusted to them as I suggest. I would like to see the money entrusted to them after the districts are made larger; always with the proviso that the Government, before paying the funds, satisfies itself that the work is fairly done.

117. *By the Chairman.*—How, under such a system, would you provide for the rights of contractors? In every case the Government or their superintendents would be between the board and the contractor. To ensure getting the work done, the money should be spent by the officer reporting that the work was efficiently done, or in granting a certificate.

118. Would not the unfortunate contractor come to grief in case of dispute? If the contractor kept to the specifications he would have nothing to do with the Government.

119. I am supposing a case of a board having no funds, but is depending entirely on the vote paid by Parliament? The board would be obliged to raise at least half the money paid for roads. I always make the proviso that the Government should exercise the right to see that the money is properly expended.

120. But if you withheld the money you would not trust them? In other Colonies the contracts are let, and part of the money is voted by Parliament and part from rates. They are liable at any time for the Government officer to see that the work is carried out with integrity and properly. If there is any collision between the board and the contractor, then the Government withhold their portion of the money. I have known instances in South Australia where the board has arranged with the contractor to do certain work for £20, but they agree that he shall put in a contract for £40, and then the board obtain £20 from the Government,—this being the full cost of the work.

121. Are you aware of any instances in which, owing to the representations of the Government officer, disputes have arisen between the contractor and the board? The only disputes I remember occurred in two or three cases where insufficient work was reported to the central Government, and money stopped till made good.

122. Do you know of any case in which a contractor had to sue a district board or the Government for his money in South Australia? I have not heard of it.

123. *By Mr. Hawkes.*—Have you found any instance in which the district board has not efficiently carried out the work of road construction and maintenance where they have had thorough control of the funds? In South Australia all the funds are given to the board, but remains in the Treasury until absolutely required month by month, and the expenditure is liable to the system of supervision as I have before stated.

124. Are the moneys paid through the Treasury on the certificate of the board only? Yes; every month the probable amount that will be required for the board is intimated, certificates are sent to the Minister of Lands, and he gives an order on the Treasury. This money is paid to the credit of the board for the purpose of paying them month by month, but it is liable at any moment to be stopped by an officer from the Audit Office, or by an inspecting engineer belonging to the Government.

125. *By the Chairman.*—Is there power held by the Government to cancel a certificate order for the payment of moneys? I cannot say; but the money can be stopped, and enquiry would then be made. I know of cases where a contract has been reported as not being according to specifications. The Government have called attention to the fact, and asked that enquiries be made; the payment of money has been stopped until they were satisfied.

126. *By Mr. Braddon.*—That would permit of dual inspection? Yes.

127. *By the Chairman.*—Have these boards their own engineer or inspector of roads solely under their own control? Practically he is under their control, but he is paid by the Government, and owes his duty to the Minister of Works. The other officers are named by the board, and appointed with his approval.

128. Has that system worked fairly well in South Australia? Yes, admirably well.

129. Was there ever dispute or difficulty between the Government and the Boards? I have never known of any dispute of importance.

130. *By Mr. Fenton.*—How is the money provided? It is voted by Parliament *in globo* for roads within the district, mostly for main roads, or, it may be, for branch roads. As soon as the board knows what money is allotted, they call together the chairmen of the smaller districts, and different sums are allotted for the wants of the roads in the various districts.

131. If we adopted the same system here, would a vote be given to, say, Wellington for the whole district? A lump sum would be voted for the north-west district, and they would divide it amongst themselves.

132. What proportion of funds would the local bodies raise for the expenditure in the district? The main roads would be made by funds voted by Parliament, for the branch or by-roads the district would raise an equal proportion to that voted by Government.

133. *By Mr. Braddon.*—Would not the proposed local responsibility for branch roads operate unfairly in the case of newly settled districts whose branch roads have been constructed, whilst in later districts roads, railroads, bridges, &c. have been made by Government? Undoubtedly; but no system is perfect.

134. Do you think all the newly settled districts are in a position to find this moiety? No.

135. Then what would they do? I should propose that they should be nursed by being more liberally treated for two or three years at a diminishing rate.

136. *By Mr. Fenton.*—Do you recommend the South Australian system to be adopted in Tasmania? No; I should be more inclined to favour the Shire Council system of Victoria provided that they die out, so far as State aid is concerned, after a number of years, as other districts would then be coming in for their claims, and the earlier districts should then be left out. The Government aid to districts should only last for a certain number of years,—that would prevent their always being a burden on the State; and I would recommend some system whereby funds could be raised, such as tracts of land being allowed them, to be let, not sold, thus adding to their funds and assisting the rates. This would prevent the necessity of the Government grant becoming a perpetuity.

137. *By Mr. Hawkes.*—Do you not think that much of the objections and difficulties in carrying out the works under local authority have arisen from want of attention or interference on the part of the Department? No, I do not. In those districts where the interests of the districts are taken properly to heart there has been very little clashing between the Government and the trust. It is only in districts where the Act is not fairly worked and carried out that clashing occurs.

138. Are you aware of instances in which representations have been made by chairmen of trusts and no reply given by the authorities in Hobart. I mean in reference to roads in their districts? I cannot say, nor it is not my duty to answer letters, but it is very possible that such might occur through inadvertence.

139. Are you aware of any funds placed at the disposal of a main road board having to be expended for repairing injuries done to the road by the construction of roads by the Government in winter? I am not aware of it.

140. Are you aware that a sum of close on £50 was expended by the Scottsdale Trust in repairing a road cut up by traffic caused by the Government making a road during the winter? No. They sent us a scheme of certain repairs they were going to make, and I found about £50 was expended. I think it is part of their duty to repair the roads.

141. This money was allowed for ordinary maintenance: should it be expended for extra repairs caused by damage done by contractors carrying out works in winter? It has not been brought under my notice. They generally send us their scheme, but beyond that we do not know anything about it. I have stopped everything in the shape of doing anything to roads in winter, unless it is something special.

142. *By Mr. Braddon.*—What is your view as to the constitution of the district boards, which should include, say, a district inspector, members of the district *ex officio*, and the remaining members to be elected by the ratepayers? I would like to see the boards elected half by the ratepayers and half named by the Government. I do not think it would work to restrict the nomination to the members of the district. I think it would be far better for half the board to be properly elected by the ratepayers and the other half nominated by Government. The executive officer, whilst being elected by the board, must also be properly qualified, and his status must be such as to satisfy the Minister of the Department.

143. *By Mr. Hawkes.*—What is your opinion of the value of the elected portion of the board—what is the object in having a portion elected? I think the ratepayers should have a right to choose their own members to form part of the board. Possibly the members nominated would act to the board as a second legislature for Parliament. They would be more liable to study the interests of the whole district if they were not dependent on the district for their seats on the board.

144. The object really is that the nominated members should look after the interests of the Government, and the elected portion look after the interests of the ratepayers? To a certain extent, yes; but both interests should be identical.

145. *By Mr. Braddon.*—If that be so, why have a portion nominated to look after the Government, interests? I simply say it would act as a conservative element, but I would not do away with the elective privilege.

146. *By Mr. Lewis.*—Do you consider it would be advisable to hand over the duty of looking after roads to the municipal council? Municipal districts such as Hobart, I would not interfere with at all, for it is their own rates they expend. If they came to Parliament for a vote, it is only granted specially, not being a grant in aid.

147. I mean could not the powers now exercised by the trusts be more efficiently carried out by the municipal councils? I do not think the municipal councils would act for the country districts.

148. Do not many road trusts exist in one municipality? Yes; in some four or more.



149. Would it not be better to have one set of officers to attend to police, schools, board of health, and roads? I can give no opinion about the first three subjects.

150. Would not the municipal councils do for road construction? I would not be in favour of such a scheme.

151. *By the Chairman.*—Have you any suggestions you would like to make on the subject? I will furnish them in writing.

#### *Local Boards of Roads.*

Tasmania to be divided into districts for the purpose of taking charge of all the main roads and trunk lines of road, as well as direction and supervision of the road districts.

The constitution of these local boards to be elective as far as three of its members or commissioners, and two of its commissioners nominated by the Minister of Lands and Works. A competent and qualified engineer to be chosen by the road commissioners, and subject to the approval of the Minister of Lands and Works, and paid month by month by the Minister of Lands and Works out of moneys either voted by Parliament in the yearly Estimates or from moneys voted for road purposes. The duty of such officer to be the preparation of all plans, surveys, estimates, conduct of all contracts, with the assistance and sanction of the board of commissioners, and under their guidance and control, always recognizing and being amenable to the Minister of Lands and Works and to the officer immediately under such Minister as the departmental head of the public works; that all works and expenditure of money devoted or raised for public works is legally spent, and that the preparation of all plans and the execution of all works are carried out with strict impartiality and skill. That the engineer of the local board of roads, and not the commissioners, is responsible for the due execution and economy of all works carried out under the authority of the board. That the engineer, whilst appointed by the Minister of Lands and Works at the recommendation of the road commissioners, cannot be dismissed or suspended by the road commissioners, but it is in their province to bring their recommendations for investigation into the conduct of their engineer under notice of the Minister to be dealt with by him, after enquiry as the nature of the charge may require. That the secretary of the board be nominated and the amount of salary fixed by the board for approval and confirmation of the Minister of Lands and Works; that his suspension or dismissal be left with the Board of Commissioners.

That the appointment of overseers, inspectors, and roadmen be made by the engineer in charge, subject to the approval of the Board of Commissioners.

That the roads of the Colony be divided under two heads—those in settled districts, and those in outlying or unsettled districts.

That a schedule of all important bridges, jetties, and harbour works shall define the jurisdiction and maintenance of such works either by the central government or marine boards.

That the roads and works required in the unsettled and outlying districts be under the charge and control of the central government.

That in the settled districts all roads now under the jurisdiction of municipalities, corporations, and town boards be exempt from the control of the local boards.

That schedules of all main roads, trunk roads, and roads connecting or leading to centres of population, shall be prepared and submitted to Parliament; and that such lines of road that receive sanction of Parliament shall be deemed and declared to be roads under the control of these local boards.

That all other roads, whether cross or by-roads, tracks that are in course of development into service roads of new settlements, shall be under the control and management of the district councils.

That when any road, after being under charge of the district council, shall have attained sufficient importance, either as being a connecting link between centres of population or from its position a trunk line of road with a resident population, it shall be competent for the district council to bring the claims of such road under notice of the local board of roads with a view to include such road on the schedule of roads under the control of such local board. The claims of roads (in districts known as settled districts, that are not scheduled and approved by Parliament) to be included in the schedule are, amongst other claims, as being important and of service to centres of population, or being trunk lines of development, that they have been cleared throughout and made passable for pioneer traffic, from funds arising from waste land funds or rates levied, or an equivalent in labour paid by the residents and landowners residing on the line of road. It should not be obligatory that the local board include any such road on the Schedule to be submitted through the Minister of Lands and Works to the sanction of Parliament.

It shall be optional with the Minister of Lands and Works to refuse his sanction to have any road included in the schedule of roads under control of the local boards.

Funds for construction of roads on schedules to be provided out of votes granted by Parliament, and to be expended by the local boards of roads, subject to the approval or veto of the Minister of Lands as to particulars of work to be done and fidelity in their execution.

The maintenance of all roads on the schedule constructed and in course of construction, other than certain main roads, to be under the care and control of the local boards. The maintenance funds to be devoted solely to repairs and renewals of constructed work, culverts, retaining walls, fencing in dangerous places. Such maintenance funds to be raised by road rate, the maximum and minimum to be fixed by Parliament, such rate to be made and collected each year, and the votes granted by Parliament to be made contingent upon the due levy and expenditure of this road rate. Any special funds that may be voted for main roads maintenance to be devoted wholly to the road so provided for, whether entrusted to the care of the local boards or kept under the care and control of the Minister of Lands and Works.

To provide for the grant-in-aid for the maintenance and renewals of roads on the schedule, funds to be furnished *pro rata* to the amount raised by the rate as at present existing, or by funds to be provided out of the rents of endowment grants of land, with power to the local boards to lease and let such lands for the purpose of raising such road funds.

With regard to district councils, their creation to be somewhat on the lines of the present road boards, and their duties to be mainly the pioneer work of roads into new settlements, cross and by-roads not



scheduled or under control of the local boards. The chairmen of the district councils to have the right to be present at the meeting of the local board when the road rate is struck and declared, to advise and express their opinion, but not to vote either as to the amount of rate or its disposal.

The funds for road purposes to be derivable from waste land funds of their district, their just quota of the road rate levied by their local board, less collection charges, and the grant-in-aid contingent on such road rate.

The members of the local board, to be elected, in *contra distinction* to those nominated or appointed by the Government, shall be elected by the district councils. Any landowner, leaseholder, tenant, or ratepayer who is liable to be rated, and is not a defaulter in the payment of his road rates, is eligible to be a candidate for election on the local board. The names of candidates shall be sent one clear calendar month at least by the secretary of the local board to the chairmen of the district councils, and each district council shall be entitled to one or more votes for each candidate for election, as may be hereafter determined by the amount of rateable property of the district council, say, one vote for each £1000 of rateable property up to three votes, for £6000 four votes, and for £8000 to £10,000 five votes, and one vote additional for every £5000 of rateable property.

The month and the day of such month on which members of the local board are to be elected to be named in the Act constituting such local boards. When the day of such election—say the third Tuesday in April—shall be a public holiday, or one from local causes on which public inconvenience might arise, it shall be lawful for the next succeeding Tuesday to be named as the day of election. At such election the chairman and a quorum of the commissioners shall examine the votes sent in to the secretary of the board from the various district councils, such votes to be deposited on or before the Saturday next preceding the declaration of the poll, and the chairman to open all such votes in presence of the commissioners, and proceed to declare the candidates in whose favour the greatest number of votes are recorded the commissioners for the next period of office. Such election shall take place one month prior to the term of expiration of office by the then Commissioners.

THURSDAY, SEPTEMBER 23, 1886.

MR. W. DUFFY, *called and re-examined.*

152. *By Mr. Lewis.*—Have you found any difficulty in interpreting the definitions of the different roads, branch roads, by-roads, and cross roads? I found that sometimes they are misunderstood by young trusts, but not by us. They apply to us and we give them the information. There has been no serious difficulty.

153. Would you advise the extension of the definition of cross roads? I think it would be more wise that they should be made clearer.

154. Would you have it extended? I would.

155. To include roads from one centre of population to another? Yes; I think in the written notes I am preparing that matter will be fairly treated.

156. *By Mr. Sidebottom.*—You said you would advise that road trusts should have an income of not less than £500 or £700 per year from a 1s. rate: would that include the Government subsidy? Yes.

157. Do you still think that would be advisable in scattered districts? I do not think it would be wise to form a road district in those scattered districts: they would come under the category of unsettled or outlying districts. They would remain such until they could claim by assessment to come under the local boards.

158. You would give them a different system? Yes, that is what I would propose to do.

C. J. MACKENZIE, *M.H.A., called and examined.*

159. *By the Chairman.*—Where do you reside? Table Cape.

160. Are you aware of any necessity for a change in the road system of the Colony? I think, in the first place, the election of ratepayers should not be quite so inconvenient as at present. I would prefer the old arrangement; it is far more simple.

161. Do you mean by ballot? I mean the whole system. You have to get a list of those nominated, it must be gazetted, and then posted up at the post and police offices of the district. Formerly you just got a meeting of landholders, persons were nominated on the spot, and the election proceeded.

162. Under the open voting system? No; I prefer the ballot.

163. In your district was ballot or open voting adopted? By ballot always.

164. Are you aware that under the "Roads Act of 1884" any election decided by ballot was illegal? No; I thought it was optional, by ballot or open voting.

165. As to the size or revenue of road trusts, do you think it advisable that there should be a change? Yes; I think there should be a limit. If the limit were fixed at a revenue of £200 with a 1s. rate, I think it would be advisable. When the revenue reached that amount a trust might be appointed, but not with a smaller revenue. The expenses connected with it, I think, would make it hardly worth having a separate district.

166. That is to say, you would think a revenue of £400 per year including the Government subsidy a desirable limit to establish? I should think so. There might be especial cases where that might be reduced, but I think £200 small enough revenue for a district.

167. If you fixed that limit, how would you propose to deal with isolated districts where it would be impossible for a road trust to be formed under those conditions? Unless the district were completely cut off from every other part of the Colony it might fall in with the adjoining district; but if there was a district, say on the West Coast, that system would not work, as it would not be connected with any other part of the Colony.

168. Have any instances come under your notice where outlying groups of settlers have complained of inattention to their requirements by local trusts? No. I had occasion to go as far north as Montagu, which is included in the Horton District, during my election campaign, and the settlers there did not complain of being neglected or of the small amount of work done there, but they complained of the mode in which the work was done.

169. Supposing the minimum revenue were fixed at, say, £200, and thinly settled portions of the Colony were thus precluded from forming themselves into road trusts, do you think it desirable that the business of those portions unable to form road trusts should be dealt with directly by the Public Works Department? I think it might be so with advantage.

170. *By Mr. Braddon.*—Do you think it would be desirable to make road trusts coterminous with the boundaries of Electoral Districts? I think it would be very desirable. I certainly think there should be a redistribution of the various districts. We have now Police Districts, Road Districts, Registration Districts, Electoral Districts, and are to have Educational Districts.

171. Would you be in favour of a scheme which provided for district road boards, or whatever they might be styled, in this way:—The member or members of the district and the road inspector should be *ex officio* members of the board, the other members being elected by the ratepayers as at present, and as the member of the district would be? If the member were a resident of the district I think it advisable that he should be a member of the board, also the road inspector.

172. You would not favour the idea of some of the members being elected and some nominated by the Government? No, I do not think it would be desirable.

173. Do you think under such a board there would be an improvement in the distribution of the rates, expending it more fairly over the district according to its requirements? Yes, I think there would be, for the member of the district would have a larger interest in seeing that the money was distributed more fairly all over the district.

174. Do you think that the other members being elected by the district as a whole they would deal more fairly with the district as a whole? Yes, of course, if it were a large district; but it would not do to have only one board in a district like Wellington. We have four boards there at present, and I do not think we could do with less than three.

175. Do you think it advisable to make each electoral district one road district where there are no physical reasons against the whole of the district being amalgamated in that way? I think it might be advisable in some instances, but certainly in some districts it would not act. In Wellington there are physical objections against having only one board. We might possibly reduce the number to three, but I do not see how they could be reduced further. There are large tracts of uninhabited country intervening.

176. Your objection would be the difficulty of getting from one place to another? Yes; you could not get a meeting of the board.

177. In such a district as Wellington, where, from physical difficulties, it is not possible to make a district into one board, would you propose that the member or members of the district and the district inspector should be *ex officio* members of all the boards? Yes, I can see no objection to that. They would not be able to attend the meetings very often, but I can see no objection to the system. In such large districts there would be two, perhaps more, district inspectors. In Wellington there are two inspectors, one of them being also inspector for West Devon.

178. If boards were constituted in that way do you not think it would be safe in the interests of the public to entrust them with the money expended for branch roads and under the Waste Lands Act? Yes, I think so.

179. Do you think under such boards that the work would be constructed more economically and with greater satisfaction than at present? I think so. As it is now, the ratepayers are called upon to give their consent to certain expenditure, and then are called upon to keep that road in order, but they never see the specifications, and know nothing about how the road is to be laid out or made, or when completed. Occasionally they hear the contractor has finished the work, and then they consider it is in the hands of the trustees, and keep it in order.

180. You have no power over the construction or supervision? No.

181. Do you consider that an objection? Yes.

182. *By the Chairman.*—Do you think, when funds are provided by Parliament for roads, it would be necessary for the Government to have some check upon the expenditure? Yes, I think so.

183. How would you reconcile the provisions of that check with the absolute local control which you think advisable? I think the district inspector should look after it in the interests of the department.

184. Do you not think some higher authority than the district inspector should have the inspection of plans, and give final consent before making payment? The district inspector would be appointed by the Government, and he would be supposed to be an efficient and straightforward man, and competent to lay out the work. He would be under the ministerial head of the Department.

185. My question was rather relating to the professional part of the business that would have to be carried on. You are aware that many of the district inspectors are not engineers: would it not be necessary, assuming that parliamentary votes were given to local boards, that there should be some special check higher than the district inspector? Yes, I think it would be necessary.

186. *By Mr. Braddon.*—In your opinion is it not desirable that the district inspectors should be engineers? Yes, I think they certainly ought to be if they are to be *ex officio* members of the boards, and competent to direct the boards on technical points.

187. *By the Chairman.*—Bearing in mind that there would be a body of those engineers spread over the country, do you think it would be possible that proper discipline and control would be exercised over them unless they had a professional head to see the proper performance of their duty? I think there should be a head, but think the inspectors should be competent to lay out the work and advise the board. It is difficult in some districts to get men even of ordinary knowledge of road-making to become members of road trusts.

188. Do I understand you to mean there should be a professional head for district inspectors? Yes.

189. In what way would the necessary check for the efficiency and proper carrying out of the work be provided? A vote, of course, would come from the Government for a certain road, then the inspector should lay out that road, prepare estimates, and then advise with the board as to calling tenders, and so on. When the work was completed it would be passed by the board of which the inspector would be a member.

190. Would there be any further check necessary? No. I think if the money was spent on the road for which Parliament voted the money, and it should be checked to see that it was so expended, and if the work is passed by the board it should not be questioned.

191. *By Mr. Braddon.*—It being remembered that the board would undertake to maintain the road for all time? Yes.

192. *By the Chairman.*—Instead of, as at present, on the recommendation of the Minister of the day undertaking to say where part of the votes should be expended, do you think it would be better for a lump sum to be voted for a district, leaving the allocation of the principal roads to be decided by the district board? I think I would rather see the Government vote a certain sum for a certain road.

193. Do you think there would be a risk of charges of unfair distribution being brought against a district board? I think it is very possible there would be risk.

194. Referring to your answer as to a final check on the manner in which work is done, if you had not some check on the part of the Engineer-in-Chief or Engineer of Roads, how would you deal with harbour works, which are not only for the benefit of a particular locality but also for a large portion of the community, especially the mercantile community? The Engineer of Roads might not be an engineer of harbours. In special cases it would be necessary to make special provision.

195. In regard to the question about allocation of money votes, would you recommend that the distribution of money on works should be recommended by the district board? Yes.

196. Although they would not undertake the allocation of a lump sum? I think they should be consulted; they should be responsible for making certain recommendations.

197. As regards the control by the Public Works Department of the works under these road districts, would you consider it sufficient that the department would have official hold on the district inspector, and would be in a position to remove him, if necessary, and take what other action they chose if he failed to carry out his duties? Yes; if he failed to carry out his duties in a satisfactory manner.

198. *By Mr. Braddon.*—You would not like to see power given to the central department to stop the money due to the contractors? Not if it were passed by the board, and the inspector was satisfied with the work. If the road board found that the engineer was not competent or efficient, they should have someone to complain of on the charge of inefficiency or dishonesty. If you had an official head to complain to, and if the charges were proved to be true, then it would be for the Government to dismiss him.

199. In the same way the Government could take action against him if dissatisfied? Yes.

200. *By Mr. Sidebottom.*—You advise that no districts with a revenue less than £200 should be formed into trusts: what would be the advantages thereof? A revenue smaller than £200 seems hardly worth having. Such a trust could not be expected to keep many roads in order with less than £200.

201. Is there any other advantage? There is always a certain amount of expenses connected with road trust duties, such as collecting, advertising, rents, and other matters. When the revenue is very small these expenses absorb so much of it, leaving little to be spent on roads. It requires the same expenses for a trust of £100 revenue as for one with £500 revenue. Where you have a large district with good revenue they can employ a road inspector. The revenue from rates might be a little less than £200; I just fixed that as an approximate minimum.

202. You say trusts are asked to take over roads without seeing the specifications: can they not be seen now if the trustees like? If the road inspector were a member of the board the specifications would be open to the members at meetings.

203. Cannot members now see the specifications if they like? Yes, if they go and see them, but they should be in the hands of the chairman, so that they could be discussed at any meeting. Now trustees have to go to the post office to look at them. Complaints may be made that roads are not being constructed according to contract or specifications, but we do not know what the specifications are. Then we hunt up the specifications, but sometimes the inspector is necessarily absent for two or three weeks, as our district extends from Cooe Creek, near Emu Bay, to Arthur River.

204. If the country were divided into electoral districts, and the money voted in a lump sum and divided by the board, do you think there would be friction? Yes.

205. Would not the same apply to the rates? No; that would not be so important. It would be a very important thing for the district if the whole of the money voted by Parliament were taken for one portion of the district. The money might be taken and spent in one portion of the district, and the next year's election of trustees could not affect or stop the distribution.

206. *By Mr. Lewis.*—You said you would like to see a return to the old system of election of road trusts: would that system be possible if the electoral districts became road trusts? Yes, I think so. You would advertise or gazette a meeting to be held of members, then it would be for the landholders to meet on that day and elect trustees. Under the present system you have to get landholders nominated by two other landholders for the position of trustees. In a large district there might be 50 nominated, and they would have to be advertised in newspapers, posted at the local post offices and police offices in the district, and there remain for 14 days before you could proceed with the election of trustees.

207. In the large electoral districts we have now, would it not give an advantage to those landholders who live in the place where the meeting is held—giving them an unfair preponderance? No, I do not think so. A meeting is called for the election of trustees, and any landholder can attend.

208. In your district, for instance, landholders might have to travel 50 miles: would it not give an unfair preponderance to those living in the district? Yes, that might be; but I think the election should be simplified. Even if you nominated your trustees, unless you were there to vote for those men you supported, you would not be able to record your vote. You might have to travel a long distance to vote for them.

209. *By Mr. Braddon.*—You are not in favour of a return to the system of open voting? No, I simply desire to see simpler machinery applied to elections.

210. *By Mr. Lewis.*—Have you considered if it would be advisable for municipal councils to take over roads? I have not considered it; but in many districts municipal councillors are road trustees. I cannot see any objection to it.

211. Would you consider it more advisable to have road trusts coterminous with electoral boundaries rather than with police districts or municipal boundaries? I think, wherever practicable, the road boundaries and electoral boundaries should be coterminous. Some of the police districts are so very extensive that they could hardly be included in one road district.

212. *By Mr. Braddon.*—Do you consider that by having larger trusts they would be more effective and more representative, with less chance of public interests being subordinated to local ones? Yes.

213. Is the law scrupulously observed in the election of and general conduct of business by the present trusts? I do not think the law is carried out by the present trusts.

214. Would the enlargement of trusts into district boards tend to improve the management and secure a better class of representatives? At present we always endeavour to get the best class of men to be road trustees in our district. I have never seen how they could be improved in that respect.

215. Has the management been good? Yes, we manage fairly economically.

216. Speaking generally, would enlarging the districts improve the management? I think so. The whole of the country is in road districts now, and I presume the best men are elected trustees. If you amalgamated two or three trusts, probably the best men from these trusts would be selected.

217. You think the best seven men out of, say, the present 21 trustees would be chosen? Of course, that is presumed.

218. Would it not, in your opinion, be sufficient check upon the expenditure of public money on roads that the district would be for all time responsible for maintenance of the roads? I should prefer a central board or central head.

219. You have said you do not think the Government should have the control of expenditure and to stop payment for work authorised by the local board: would it not be sufficient check for the board to be responsible for the maintenance of the road for all time? Yes, I think perhaps it would be sufficient check, in addition to the fact that you would have a district inspector who is a Government officer.

220. Will you make any other suggestions that may occur to you in connection with this subject? I would suggest that the election of trustees should be less complicated and confusing. The old method, as under Section 18 of 33 Vict. No. 8, would, I think, be better; that the appointment of trustee when a vacancy occurs should be as under old Act; that the scale of voting should be inserted in the Act; that the landlord and tenant should not have a vote in respect of the same property; that the time for making declaration after election of trustee should be extended to, say, six weeks; that road boards should be free to call for tenders, or otherwise get work done without the delay of first getting consent of Commissioner of Roads, advertising, &c.

FRIDAY, SEPTEMBER 24, 1886.

MR. JOHN M'KENNA, *called and examined.*

221. *By the Chairman.*—Where do you reside? At Penguin.

222. What is your occupation? Farmer.

223. Are you acquainted with the working of road trusts in that neighbourhood? Yes, I am a member of the road trust and main road board there.

224. Have you been a member long? Only since April last.

225. You say you are familiar with the working of the road trust? Yes, for a long time before I became a member—ever since I have been in the district, 13 or 14 years.

226. *By Mr. Braddon.*—Have the elections of the Leven road trust been conducted with strict regard to the law? No, it is not generally believed so.

227. Will you state in what instances there has been a breach of the law; has there been voting by proxy? I cannot say with regard to voting by proxy; I have heard that such was the case, but it has not come under my own knowledge.

228. Has there been dissatisfaction among the people as to the manner in which the elections are conducted? Yes, general dissatisfaction.

229. *By the Chairman.*—In what respect has the law been evaded? In not keeping the office open the proper time on the day of nomination: it has not been kept open the time allowed by law.

230. *By Mr. Braddon.*—Has it ever resulted in there being no election, owing to informalities of the proceedings? Yes; and the old members have continued in office because there was no election.

231. Has the business of the Leven trust been conducted with due regard to economy? No, I think not.

232. Can you give an instance as example? The cost of supervision for every little job in our neighbourhood is sometimes equal to or more than what the job actually costs; in one instance it was a good deal more.

233. Is it a fact that you offered to supervise that work for nothing and were overridden? Yes, that is quite true.

234. What was the cost of that particular work? It was in regard to repairing a culvert; the actual cost of the repairing would be about 15s., and the supervision cost about £2 5s.

235. How did it cost so much? In sending their man to report on it to see how much it would cost, and then reporting on the work.

236. Do the trustees charge anything when they go to inspect the work? They have not charged anything since I became a member. When there is money passed at a meeting they sometimes take the job to do for so much, and they have the supervision or spending of the money. If £5, say, is passed for a job a trustee takes the work, or rather he lets the work. I know of one instance where one of our members applied for £5 for repairs to a culvert, and that amount was given into the hands of the trustee to spend, although some members thought £2 sufficient. I do not know who he got to do the work, but he furnished an account to the trust.

237. *By Mr. Fenton.*—Who signs the vouchers? I did not look at the vouchers last meeting, but that is how the money was passed.

238. *By the Chairman.*—Do you know whether that trustee was interested in the work that was done? If he was not interested in that job, I have reason to believe he was in other little jobs of a similar kind.

239. Do you mean that he has been interested pecuniarily in the work done for the road trusts? Yes, inasmuch as his team has been at work.

240. Employed for another contractor, or directly employed at his own instance? I know that at meetings of the road trust the trustee in question has agreed to meet men with his team to do work for the trust.

241. *By Mr. Fenton.*—Is the Chairman of your trust paid either directly or indirectly? I believe he takes mileage, but I am not sure; I have not been long in the trust.

242. Is the Treasurer paid? Yes.

243. What does he get? He is paid £10 per year, and this year wanted more, but it was carried against him.

244. *By the Chairman.*—Does he get anything else? He gets £3 10s. for the use of his office, and there is a £10 bill for stationery, making in all £23 10s. expenses.

245. What is the amount of your rates? Last year it was £146 8s., and we expect about £160 this year.

246. Has your trust charge of the main road in your district? Yes.

247. Do you keep a gang of men under an officer to do the work on that road? Yes.

248. Also a road trust officer on the cross roads? We do.

249. Do you approve of the work being done by day-work under an officer? Decidedly not. I have every reason to believe the work costs double as much as if let by contract.

250. Can you give any instance of work costing more than it was worth? Yes, for putting out gravel for maintaining the main road. We have any quantity of gravel, but I have known instances of getting gravel costing over £3 per chain, and it is never less than from £2 to £3. It is only rounding the road up from 8 feet to 9 feet in width. I have known instances where a road has been formed and made, and the men have made wages out of it, for £4 per chain by contract, putting on 9 inches depth of gravel. In maintaining it as mentioned above it would not average more than 4 or 5 inches.

251. The cost of maintenance work you speak of was by day-work? By day-work, under the supervision of the road trust officer.

252. Would that include cost of supervision? Yes.

253. You think it could be done cheaper by contract? I would like to get the job at half the money.

254. *By Mr. Fenton.*—Do they do the work on branch roads by day-work? Nearly all of it.

255. Do you know any instance of unnecessary cost on branch roads? The same thing applies to all the roads, for the same men are employed. I have seen a table drain that has cost £2 per chain for merely cleaning it out. I have known in our district an officer of works to be sent to ascertain how much it would cost to maintain 9 chains of road. He lost three days examining it, and the whole work could be done for £6 or £7. He did about 40 out of 54 chains of cleaning out a drain, and it cost about £18. It was merely to clean out silt that had washed up.

256. Was it a portion of this work that cost £2 per chain? No, that was another job.

257. Had there been a slip to fill up the drain? No, there was only sand silted up. If it had been done in proper time it could have been done in a few hours, but local favouritism keeps these men employed as long as there is 1s. of the ratepayers' money to pay them.

258. Was the payment of £2 per chain excessive, or do you mean that it could have been done at another time at very much less cost? It was excessive, and the men employed were making full time when others working in the district could not make quarter time. I do not see how the full time was made up. If the work had been done when the men could be fully employed the cost would have been much less. But such information is never produced at our meetings; if any trustee wants information he must hunt for it among outsiders.

259. Are not time-tables produced at your meetings? No such thing as time-tables are ever produced.

260. Who checks the time? The overseer of the trust is supposed to take it, but if we want to know anything about it we have to look for the information among the local people.

261. Is the officer in question specially employed for the purpose of carrying out the work? Yes, he is a working overseer employed for the purpose of carrying out the work of the trust.

262. Are his time accounts handed in to the treasurer? They must be, but we never see them. The money is paid away before anyone knows anything about it. The money is paid before we see the vouchers. I have never seen a time-sheet since I have been in the trust; they are never produced.

263. Has any member of the trust moved for the production of such information? Yes, I have, but it was met evasively; they said it was not ready then. I asked for particulars of the £10 stationery bill, but the treasurer said he did not keep those small accounts.

264. *By Mr. Fenton.*—Is dinner provided for the trustees? No.

265. Do you think that larger road trusts would be better? I think anything would be better than our present road trust.

266. *By the Chairman.*—Even a smaller trust? I do not know much about the system, but our trust is very bad—it could not be worse.

267. *By Mr. Fenton.*—Do you think the money for the main road would be better spent under Government supervision? I do.

268. Do you think if the road trusts were very much larger than they are, that better men as trustees would be got? Yes, I do. I think they should be larger. In small localities there is difficulty in getting five or seven good men to undertake the duty of road trustees, or who will devote attention to it.

269. And you think it an objection that they have not money to employ skilled inspectors? Yes.

270. What is your rate? A shilling in the pound.

271. Is it always levied? Yes.

272. *By the Chairman.*—Have the collected rates been, generally speaking, distributed fairly? It has not given satisfaction in our district, and at the last meeting of the trust that subject was brought up, and I suggested our district should have a fair share of the money collected in the locality with the subsidy added, but three or four of the trustees were against it. They thought the Pine road should be put in good repair, that being the principal road of the district, and required more money to maintain it than was collected in the district. It is a branch road, and no money is voted for it.

273. Do you think with the present size of the district you could get better trustees to distribute the money? I do, indeed; the present men have not given satisfaction at all.

274. How is it that an attempt has not been to get better men? These men had been elected illegally on a previous occasion, and on the last election but one it was open voting, and of course that did not suit our district. Some of the ratepayers are under obligation to some of the members of the trust who put up for election. They decided to have open voting, but I believe if the election had been by ballot a different result would have been arrived at.

275. Had you ballot-voting last election? Yes, and two new men were put in. Local influence is brought to bear in all these small places.

276. Can you give the Committee your opinion as to the extent of a road district that might embrace such a district as yours? I am of opinion that if the whole electoral district of West Devon was made into one road trust, and the work carried out under the supervision of a man of experience, it would be better, with each place sending one man to represent it. I would like to see something like a ward system, and elect the members locally.

277. *By Mr. Lewis.*—What do you think should be the minimum revenue at a rate of 1s. in the £ so as to make a good practical road trust? I see by the road trust returns that the three trusts in West Devon—Don, Forth, and Leven—have a revenue of about £700. I think that would be a fair minimum for a road district.

278. Do you mean no district should be smaller? In sparsely settled districts it would be very difficult to get that revenue, but I would recommend it in regard to our district.

279. *By the Chairman.*—What do you think should be the limit of road trusts generally—what revenue should they have? There are other districts which would require to be very much less. They are not so progressive as our district, and it would take them a long time, even if they started at once, to raise that revenue.

280. Practically you think the boundaries of the road trust should be fixed according to the peculiarities of the district? Yes.

281. *By Mr. Fenton.*—Would it be well for the funds available under “The Waste Lands Act” to be given into the hands of the trustees if the trusts were made larger? Yes, decidedly.

282. Would you recommend it now with the present road trusts? No, I certainly would not. There is a decided waste of the money collected, and if they got the money from “The Waste Lands Act” there would be more waste. If large trusts were created under some new system, and in the hands of men able to lay out the work, it would be better for them to receive the money in question.

283. Would the large trusts be able to give assistance in expending the Parliamentary votes? Yes, I think so.

284. *By Mr. Braddon.*—Do you think it would be fair to the district to enforce any machinery of local liability for the cost of construction of new roads? No, I do not.

285. You think it would be unfair? Yes.

286. Why? Because the land has been purchased for perhaps 25 years with the understanding that roads would be made, and they have paid taxes all that time under that promise; then when they want roads, they would be told they must make them themselves.

287. *By the Chairman.*—On what grounds do you think it would be desirable to make over the expenditure of the waste lands fund, and the Parliamentary votes for roads construction, into the hands of local trustees, whilst at the same time you disapprove of the votes for main roads maintenance being expended by local trustees? My reason is because, in the next district to us, the money is expended by Government, and they have the advantage of a good road inspector, who lays out the work and then calls for tenders. They get a deal more for their money than we do, because they have a skilled man to lay out the work and supervise its construction.

288. If the Government can expend money more profitably on main roads, can they not do it on branch roads with equal profit? I do not think it would answer; for the skilled engineer could not make himself cognizant with the wants of a district in branch roads in the same way as he can on main roads. He would not have the time at his disposal to enquire into all the little local wants of a district.

289. Do you think the ratepayers generally would be contented with the enlarged districts? I can speak for our district. The people would recommend any change from the present system; nothing could give more dissatisfaction than the present system.

290. Would the ratepayers generally prefer large districts or small ones? I am sure there are more who would prefer large ones. I think it would be beneficial to the country to have large districts.

291. Have you known any case where the ratepayers have sought or procured the division of a district owing to dissatisfaction of the manner of distributing the money? I cannot say that I have.

292. What led to the separation of your district from Emu Bay? It separated 18 years ago when the boundaries were altered in making the district smaller; it merely altered the boundaries of the road district.

293. *By Mr. Lewis.*—What reason do you give for the irregularities that occur in the election of ratepayers? I cannot give a reason.

294. Have the complications and many formalities that have to be gone through anything to do with it? It might have something to do with it; but it was always contended that our trust got illegally elected, and they held their seats.

295. Your district has levied a rate of one shilling in the pound for the last six years: have you heard any complaints from the ratepayers on account of the excessive rates? There have been complaints and wondering where the money has been spent. They do not object to the rates if they get anything in reason in return.

296. Can you tell us of any other items of expenses of management besides the £23 10s. for the treasurer? We pay the collector £7 10s.

297. Does he get any travelling expenses? He does no travelling. He gets the usual provision allowed to the collectors of other trusts.

298. Have you a clerk as well? No, the treasurer does that.

299. Is he paid for being treasurer or for secretary? For both, I suppose.

300. Is the collector a trustee? No.

301. Is the treasurer? Yes.

302. Has the work that has been done in your district by the Government Road Inspector given satisfaction? It has, so far as I am concerned. I only wish our work was done the same.

303. And so far as you have heard, it was satisfactory? It has given satisfaction generally.

304. Do you think a system would work well by which the Government would allot to each district a specified sum in each year, leaving the local authorities to distribute this sum? That would entirely depend upon how the trust was elected. They would have to be large trusts, and it would entirely depend on who would have the expenditure of the money. If we had an Engineer of Roads it would be just as well, in fact better, for the Government to have the laying out of the roads, which could be maintained by the trusts when once made. If the trusts had the management of the waste lands funds and other moneys it

would be as well for the Government to retain something in their hands, and I think they should have the laying out of grants.

305. *By Mr. Braddon.*—Would you approve of a system by which Parliament should vote money for a district in a lump sum, and leave the distribution and expenditure of that sum to the local authorities? I think it would be better to leave it in the hands of the Government. I think they should also have a say in the appointment of the engineer.

306. *By the Chairman.*—You believe in leaving the allotment of the money to the Government? The road rate, the subsidy from Government, and the waste lands fund should be expended by the road trusts, but the votes from Parliament should be left in the hands of the Government to expend.

307. Do you think the present mode of election of trustees likely to prove satisfactory if carried out properly? If it was less complicated it would be better.

308. Do you think the open voting or ballot system is generally preferred? The ballot system.

309. Do you think the meeting of landholders to elect a chairman necessary? I think the chairman of the trust would be sufficient.

310. And when he was a candidate the senior trustee could be chairman? Yes.

311. *By Mr. Fenton.*—Can you understand the present system of election? Indeed I cannot; I do not think anyone can.

312. *By the Chairman.*—Have you a municipality in your district? No.

313. Can you say whether the work that is now being done by road trusts could be advantageously committed to the hands of municipal councils where they exist? I have had very little experience with regard to municipalities, and cannot make any recommendation regarding them.

THURSDAY, SEPTEMBER 30, 1886.

MR. WILLIAM SMITH, *called and examined.*

314. *By the Chairman.*—What position do you occupy? Chief Clerk in the Public Works Department.

315. Does the correspondence with road trusts and main road boards pass through your hands? Yes, so far as relates to the works under the control of the department. There may be correspondence with road trusts in respect to boundaries of districts which does not come to me.

316. Does the correspondence relating to the expenditure of money pass through you? Yes, as regards the expenditure of road votes sanctioned by Parliament.

317. Do you remember any correspondence with the Scottsdale main road board as to the expenditure of maintenance money, on what was alleged to be a work of construction? I have no recollection of it just now.

318. *By Mr. Fenton.*—It was in relation to the contract of Mr. Cassidy? I do not at present recollect the case.

319. Do you know if Mr. Cassidy had a contract, and by carting to it over the main road the road was very much cut up, so that the maintenance money for that road had to go to repairing the damage done by that carting? I have no recollection of it; but I will have the papers looked up and give information thereon.

320. *By the Chairman.*—What does the bulk of the correspondence generally arise out of? Since the passing of the Roads Maintenance Act, the first correspondence with road trusts is to obtain the consent of the respective trusts to the maintenance of works after construction, as required by the provisions of the Roads Maintenance Act, 1881. We very often have to communicate with them again and again to get this consent, and after the consent is obtained it often has to be returned to be completed properly. This frequently delays the acceptance of tenders for works. Then we are often met with difficulties with respect to routes for roads. Sometimes the route recommended by the trust does not agree with that recommended by the department. Then with respect to joint supervision of the works, we have had correspondence with several trusts on this matter, several trusts wanting to supervise the works conjointly with the department. Then after the works have been finished the trusts in some cases have refused to carry out their agreement of maintenance, alleging that the works have not been constructed or done as they expected or considered they should have been done. Occasionally trusts neglect to maintain the works, and also neglect to look after bridges so as to prevent their being endangered or washed away in flood time. This has necessitated a good deal of correspondence. Several of the trusts also seem to imagine that large bridges on branch roads are not under their control, but immediately under the control of the Government, and this has caused a good deal of correspondence. In some cases the maintenance of roads has been neglected, and this fact being brought under the notice of the department by ratepayers, the trusts are in each case communicated with and asked to do their duty.

321. With what results? Generally, I think the requests of the department have been responded to, but in other cases the trusts say they have done their best with the funds at their disposal. Other trusts have failed altogether in their duty in respect to rendering their accounts properly. I allude particularly to the Port Cygnet Trust, which, as a main road board, has been abolished on the recom-



mendation of the Auditor, and on representations made by the officers of the Department. I think this is, in concise form, the subjects of correspondence; there may be little things which I cannot think of now.

322. *By Mr. Bird.*—Do you think the correspondence generally with road trusts leads to satisfactory results? I do not.

323. Can you specify in what respects the results are unsatisfactory? One case, that of the Hamilton Trust, in respect to the route. Great delay has taken place in expending the vote for this road owing to the route recommended by the Department not being adopted. Again, with the Forth Trust the result has not been satisfactory. This trust refused to take over work after construction. Whether they have taken it over now or not I cannot say, but their last communication was not very satisfactory. Again, in regard to the Horton Trust the result was not satisfactory. Work was neglected which should have been maintained by the trust, and serious complaints were made by residents of their being unable to get their produce to market owing to the road not being maintained.

324. Are these sample cases of many others? Yes; but I think generally the trusts do the work as well as they can with the funds at their disposal.

325. Has the Governor in Council yet had to exercise his authority in levying a special rate to maintain roads which the trusts have undertaken to maintain? Not yet.

326. Can you suggest any remedy for the unsatisfactory state of things existing between the road trusts and the Department? I am not in a position at the present time to make such suggestion.

327. Is it in your opinion desirable that two or more road trusts should be united in the supervision of work which is being carried out by the Department? I do not think it would be wise or judicious to have joint supervision.

328. Have you had applications from trusts for permission to supervise work conjointly with the Department? Yes.

329. How have they been treated by the Department? The applications have not been acceded to, because it was thought undesirable, and a course that could not be allowed consistently with the proper control of the Department.

330. If there was in a road trust a skilled inspector, would you think it desirable then that there should be joint supervision in the expenditure of money? I do not, if he would have official control and charge of the road.

331. Do you not think in many cases, in the absence of the Government inspector the supervision of some local authority would be advantageous? Yes, I do.

332. Do you think it impossible or impracticable to employ such supervision? There would be the difficulty of having two masters over the contractor. If such an officer were, however, in some way recognised, I have no doubt he would act advantageously, and his report might be made to the inspector and through the trust of what he considered improper work.

333. If the road trust's officer were acting in conjunction with the road inspector, would that joint supervision be practicable and desirable? The trust's officer should not have power to order a contractor during the Government Inspector's absence. The contract is made with the Director of Public Works, and that officer is alone responsible to Parliament.

334. If the local authority were acting as sub-inspector to the Government officer, calling his attention to imperfect carrying out of work, would that be desirable? It would.

335. It would not be dual authority, but one acting in conjunction with the other? Yes, as subordinate.

336. Can that be done as the trusts are now constituted? I do not think it could.

337. If they were larger in extent, so that they could secure as trustees more practical men, would joint supervision then be practical? I think it might, in the manner before referred to.

338. Do you think it would be better to have larger trusts than those now in existence? I do.

339. Can you give any particular reason why that should be so? One reason against the smallness of the trusts is that often there are not competent men to undertake the supervision of the work. By an amalgamation I consider you would get better men and more efficient supervision. On the score of expense, also, it would be found to work more satisfactory, and more efficient officers could be appointed.

340. Would the ratepayers be in favour of larger districts? I think so.

341. Has not the tendency been to break up large trusts in smaller ones rather than to amalgamate small trusts with larger? That matter does not come under my immediate knowledge. The division of road trusts does not come under my department. Such matters as are connected with the boundaries of trusts are under the Lands Branch.

342. Do you think the extent of road districts should be determined by the geographical features of the district, or by the amount of revenue obtained? I should think by the amount of revenue they obtain.

343. In every case? Yes.

344. What would you think a practical limit to fix for the minimum revenue of a road trust with the maximum rate of 1s. in the £? I could not give an answer to that just now. The expenditure of road trusts funds is a matter that I know nothing of without looking into figures. I do not know what amounts the respective trusts spend,—it does not come under my knowledge.

345. Do you think it would be desirable to compel the amalgamation of existing small road districts with large ones, or operate only on the constitution of future road trusts? I think it would be wise to compel the amalgamation.

346. Suppose a district extends for 50 miles in length in a country where there are very bad roads, and there would be difficulty in getting the trustees to meet, say monthly, would it be desirable in that case to have a very large district? No; in that case I would not think it wise. Of course there must be exceptions.

347. *By Mr. Fenton.*—If these large trusts were formed, would you advise that they should have the expenditure of all Government votes for all branch roads? I would not.

348. Not even large trusts? No, I would not.

349. If you had competent engineers employed by the trusts, would they not be capable of expending the money to the best advantage? I do not think it would be the wisest course.

350. *By Mr. Bird.*—Do you think it would be well to commit to these large trusts the expenditure of the Waste Lands Fund money? No, I would not.

351. You would not wish to place more money in the hands of the trustees than the present subsidy, in addition to the rates collected? No, no more.

352. If they could be trusted to spend their own rates and the Government subsidy, why could they not be trusted to expend the Waste Lands money? I do not think it is altogether a question of trusting; it is more a question of keeping in the proper groove. The expenditure might be arranged by local bodies as well as the department could manage, but you want to have these things centralised. For instance: if information is wanted to lay before Parliament you would have to go to every country district to get it, and they would not keep these records in the same manner as they are kept by the department.

353. *By Mr. Fenton.*—You would not consider the local boards and their engineers capable of expending the money under the supervision of the Engineer of Roads? Yes; I think they would be capable of expending the money.

354. Would you advise that they should have it? I do not.

355. If money is voted now for a particular branch road, have the trustees of that district any power to decide what particular part should be constructed with that vote? They have no power to say it shall be spent anywhere. The department invariably consults the wishes of the trusts, and in very few cases that I am aware of has collision occurred. Hamilton is the only one that I know of at present.

356. Have the trusts power to give the Department considerable trouble and annoyance if the work does not please them? Yes; but the Department invariably wishes to act in harmony with the trusts.

357. Can you account for there being so much trouble in getting trusts to take over work? The consent of the trusts is obtained before the work is commenced. Consent forms are sent out to the trusts for the maintenance of these roads as soon as possible after votes are passed. There may or may not be rival routes or deviations in connection with them, and the Department and trusts may not agree, and this leads to correspondence.

358. *By Mr. Sidebottom.*—You said the correspondence with the Hamilton trust as to route was very unsatisfactory? Yes.

359. Do you mean to the Department? Yes; and to certain residents of the district.

360. Was the result a better route being obtained or one more satisfactory to the district? I am not prepared to say. The matter has not yet been finally decided.

361. Can you say whether the route was altered? I think the trustees have not yet consented to the route required by the Department, and correspondence is still proceeding.

362. Do you not think the trustees should be better able to judge of the route than the inspector? I do not. I do not lay that down as an unalterable opinion.

363. *By Mr. Bird.*—Do you think an inspector is at all liable to be biased to take a road in a certain direction against the wishes of the road trusts? I do not.

364. Do you think them immaculate? I certainly think they would not do that.

365. Do you not think, speaking generally, that the road trusts, being elected by the ratepayers, are in the best position to decide as to the best route? No, I rather think the other way. If an officer does his duty, and ascertains all he should ascertain, I think he is in the best position to decide.

366. When it comes to a clashing of opinions between the road trusts and inspectors as to route, will not the result be, that if the inspector's route is decided on, the road trusts will refuse to maintain the road, and consequently the whole thing will be hung up? That is the case; the expenditure is deferred.

367. Have you found many such cases? No, not many.

368. Can you refer to any instances in which these difficulties have occurred? Hamilton is the only instance I can refer to.

369. What is the position of the Hamilton-on-Forth and Barrington Road dispute? The expenditure of the vote is deferred. The route recommended by the Trust, by the Engineer of Roads, and District Inspector, was adopted in this case by the Minister; but certain residents—I do not know how many, desired and petitioned for another route. They have petitioned to His Excellency praying that the decision of the Minister may be reconsidered before the vote is expended.

370. *By Mr. Lewis.*—Do you receive many letters from ratepayers complaining of the manner in which road trusts expend the trust money, conduct elections, or perform their duties generally? Not many; there are very few of that character.

371. Have you received many requests from ratepayers to have smaller trusts created? They would not come to me. The matter of arrangement of district boundaries belongs to the Lands branch. The Deputy Surveyor-General would be the officer to answer that.

372. *By Mr. Sidebottom.*—Have there been mistakes made in applying to the wrong trusts to keep and repair any particular work? Yes, there may have been mistakes.

372A. In what districts? In several districts.

373. Could you not see from the boundaries of the road districts which would be the proper trusts to apply to,—how did you come to make such mistakes? Mistakes may arise from more than one cause. A vote for a certain branch road may be from place to place in two districts. The consent of the two trusts is obtained, but it may be found that the whole of the work cannot be completed, and the road is only made in one district.

374. The trust would only be required to keep in repair the portion of the road in their own district? Yes, that is all.

375. Would not the department know what portion is in each district? The particular part of the road to be done is not stated when the vote is passed. A certain amount is passed for expenditure, and the trust's consent obtained, but it may be found afterwards that the amount will not permit of the whole work being done.

376. Do you not get specifications for the work first? No; the consent of the trusts is first obtained, and then information is given to the inspector to communicate with the trust, and to take particulars of works to be done out of the amount voted by Parliament. The district inspector then represents to the head of the department the best way he thinks the vote should be expended.

377. And to see in what district the vote should be expended? Yes, but the consent form has gone out before this, and consent perhaps received.

378. Then you apply to that particular trust? Consent is obtained first, and after it is obtained the work is proceeded with, but nothing is done till consent is obtained.

379. Do you recollect the case of a vote being passed for the Lisle road? Yes.

380. Do you recollect the Scottsdale Trust being asked if they would consent to take over the road and maintain it after the work was done? I do not call to mind the circumstances.

381. Can you remember if the Department referred to the Scottsdale Trust for work on the Lisle road, which was not in their district? A mistake might arise through a clerical error or through sufficient care not being taken in looking up the work to ascertain the correct district before sending out consent form. The road trust in such a case informs the Department that the road is not in their district, and the right trust is immediately communicated with.

382. *By Mr. Fenton.*—Do you consider it fair to ask a road trust to maintain work of which they do not know the mode or style of construction? That is defined by Act of Parliament; they are only asked to do what the Act defines.

383. Is it fair to ask them to maintain work when they do not know what class of work it will be? They are conferred with as to the work to be done.

384. But if their consent is given before the specifications, how can they know? It is mentioned or should be mentioned by the inspector what the work will be. Each trust should know by the vote, and by the wants of the particular road, what class of work would be proposed.

385. Suppose instead of macadamising the road the Government should put down slabbing, would it be fair to ask a trust to maintain it when they would prefer a macadamised road? The trust would not give its consent to the work if they objected to it. Before the specifications are prepared, the officer of the Department confers with the road trust, or should do so.

386. *By Mr. Bird.*—Have you ever found trusts refuse to maintain roads which they had consented to maintain, on the grounds that they were not properly constructed? Yes; that is one of the causes of correspondence.

387. Have their objections been maintained? I am not aware what these trusts are now doing with respect to the maintenance or otherwise of these works.

388. To what extent does the consent of the trusts render them liable to maintain roads that are only cleared, formed, and culverted? That is defined by the Act; it is only to keep in good condition the drains and culverts, and keep road clear of timber.

389. Suppose the formation was very much cut up by traffic, would they be expected to keep them in order? The duty is clearly defined in the second clause of the Roads Maintenance Act, 1881, which does not appear to demand repairs to formation; it simply extends to drains and culverts and keeping the road clear of trees.

390. Do you know anything as to moneys expended by road trusts in carrying out their work apart from actual expenditure on roads, such as supervision, cost of collecting rates, &c.? That does not come under my knowledge.

391. Do you think it would be well that the main roads should be under the control of main road boards? I do not.

392. Do you think they should be under the direct control and supervision of the Public Works Department? I do.

393. Do you think the money would be expended more economically by the Department? Yes, I think on the whole it would, and better work would result.

394. Do you know whether there have ever been complaints against main road boards for expending the maintenance money too largely on a particular part of a road to the neglect of others? I cannot just now call to mind any such complaints.

395. Have you had complaints from road districts as to the unsatisfactory working of the main road boards? There have been some, but with respect to the majority there have been no complaints.

396. Has your opinion as to the desirableness of main roads being maintained by the Department arisen chiefly from representations made by the inspectors, or from your own observation? From my own observation.

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MR. B. S. BIRD, *M.H.A.*, examined.

397. *By the Chairman.*—Are you connected with any road trusts? I am Chairman of the Surges Bay Trust.

398. What is the revenue of that trust? About £20, with the maximum rate of 1s.

399. Have you not found it very inconvenient, and to some extent wasteful, to have to work with so small a revenue? Yes, I have.

400. What are you able to do with so small an amount as £40, this including your subsidy from the Government? A considerable sum has been required at times for keeping roads open from fallen trees, other sums for placing culverts over gullies, and the balance in forming portions of roads and slabbing.

401. What other road trusts are there in your Electoral District? Southport, Esperance, Liverpool, Huon, and Upper Huon.

402. What would be the combined revenue of the Huon Road Trusts at a rate of 1s., with the Government subsidy? £678, in the Electoral District of Franklin.

403. If, in addition to that sum, it were decided to hand over to local bodies the money accruing under the Waste Lands Act, do you think it would be possible to have an elected body that would supervise the works of the district more satisfactorily than the present bodies, or are there difficulties in the way of amalgamation? So far as the Liverpool, Huon, and Upper Huon Road districts are concerned, they might be amalgamated and easily worked; but I fear to include the trusts south of Liverpool would make the district so large as to be practically unworkable, in consequence of the very bad roads extending from Surges Bay southwards, and the distance between the centres of population.

404. You mean with reference to the difficulties of road trustees attending meetings? Yes.

405. But if the large board had an inspector of roads similar, or even superior to the road inspectors now employed by the Government, would it not be only necessary for the trustees to meet occasionally, say once in six or eight weeks, the work of practical supervision being attended to by their officer? That would certainly obviate to some extent the difficulty felt from the district being largely extended.

406. What do you think would be the view of the ratepayers generally as to abolishing the small trusts, and creating another body with larger powers? I think there would be some objections in the southern portions of the Franklin district to amalgamation, for the tendency ever since I have known the district has been to cut up large districts into small ones. Surges Bay was formerly portion of the Liverpool Trust, and the Southport and Esperance Road Trusts as now existing only a very short time ago were one trust.

407. Would those objections be removed by retaining the existing boundaries, leaving the present districts as wards, and allowing them to send a representative to the body having control of the roads of the whole district? To some extent it would, but there would be a feeling on the part of the smaller trusts that they would not get a fair share of the money. It was dissatisfaction at Surges Bay of the small amount expended in their district that caused them to petition for separation. Two years ago I made a proposal to divide the Surges Bay District, joining half with the Esperance District on one side and with Liverpool on the other. I then pointed out the difficulties and expenses we incurred with our small revenue, but the trustees were averse to the proposal.

408. Do you not think that the establishment of a body with enlarged power and enlarged representation would be found to result in men of sufficient public spirit and impartiality being selected to deal with the funds at their disposal, as to remove those suspicions of unfair treatment? I think the probability is that, with a larger constituency to choose from, you would get on the whole a better class of men than are now obtained or obtainable. For my own part, I have no fear of injustice being done.

409. What has been your experience of the relations between the Roads Trusts and the Public Works Department—have there been any cases of dispute as to maintenance of roads or anything of that kind? No, not up to the present. We have only recently been in the position of having roads which we have undertaken to maintain. There has been no dispute yet, nor any difficulty with the Public Works Department generally.

410. *By Mr. Fenton.*—In the event of these large trusts being formed, would you think it advisable to allow them to expend the money on their branch and cross roads, with only the supervision of the Engineer-in-Chief on behalf of the Government? No, I incline to the belief that the expenditure of money voted by Parliament should be under the control and supervision of the officers of the department.

411. Without interference of the officers of the trusts? I would have no objection whatever to joint supervision on the part of the road trusts so far as to render assistance, without being authoritative, and being subordinate to the inspector.

412. Would not that lead to complications, without removing the trouble the Government labour under? I do not know if it would affect the matter in making more or less trouble in the way of correspondence, but I think it might result in better oversight being obtained in the construction of roads, which in many cases is most desirable.

413. Can you offer any suggestions to the Committee for improving the existing Road Trust system? I think, speaking generally, that larger road districts would be more advantageous than the small ones which to a large extent prevail; that the enlargement of the trusts would result in more economical expenditure of the rates collected and subsidies granted, for it is very clear that in small trusts there is expenditure out of all proportion to the rates collected. I mean expenditure in carrying out the work of the trusts, such as payment to clerks, collectors, and sometimes in supervising works; perhaps having to lose time in laying out works or reporting on them—all of which could be done more satisfactorily and cheaply in the large trusts than in small ones. There is no doubt that there has been a very great amount of waste in the expenditure of road trusts owing to the incapacity of road trustees to lay out roads. If the trusts were larger, and thus able to employ a skilled engineer or inspector, a very great advantage would ensue. I think also that the mode of election of trustees under the present law is somewhat complicated and unsatisfactory. The amount necessarily expended in advertising and holding meetings for elections largely runs into the moneys of the trusts, and in some cases have been spoken of; and some districts have raised objections to the present system.

414. Would you suggest that the present law relating to the election of trustees should be much simplified? I would.

415. Would you do away with the advertising of meetings? In some districts it would appear to be more necessary to advertise nominations than in others, but it seems undesirable to have a hard-and-fast rule which involves so much apparently useless expenditure in that particular. I think also that the mode of election, as to being by ballot or open voting, might well be left to the decision of the electors in annual meeting assembled. The requirements now existing that a ballot shall be taken results in some instances in protracting a meeting which might be concluded quite satisfactorily in very much shorter time.

416. *By Mr. Lewis.*—If there were larger trusts than now, would you advise the rate being fixed and levied by the Government in preference to being fixed and levied by the trust itself? I could not express an opinion on that subject without consideration, but on the face of it it seems a violation of the principles of self-government to have the rate fixed by the Government. I am almost afraid to say so, but there are many cases in which it would seem very desirable to give the Governor-in-Council that power, but if it were exercised the question would arise whether it should be left in the hands of those people to expend that which they had not collected. It so trenches on the principles of self-government that the question would require very serious consideration.

WEDNESDAY, OCTOBER 6, 1886.

MR. H. LAMB, *called and examined.*

417. *By the Chairman.*—Where do you reside? At Bellerive.

418. Are you connected with any road trust? I am chairman of the Clarence road trust, and of the main road board.

419. Has your experience of the working of the road trusts of the colony been favourable or otherwise? It is not favourable.

420. What difficulties have you noticed in the working of the system? I think the road districts, in a great many instances, might be extended, and some of the road trusts amalgamated. I will give an instance in my own district of Cambridge. It is divided into three road trusts—the South Arm, Clarence, and Cambridge. Since the Government took over the main roads of the colony the road district of Cambridge has been comparatively clear of the charge of roads. In taking over the main road from Bellerive to Richmond the Government took away from the Cambridge road trust nearly the only road they had to expend money upon. I may mention that the boundary of the Clarence and Cambridge road districts intersects the township of Bellerive. The Clarence road trust rate their district nearly annually, and the Cambridge trust only about once in five or six years. Consequently, half the district and the properties on one side of the road are paying a rate annually, whilst the other half rate themselves only once in five or six years. The properties on one side of the street in Bellerive are almost exempt from rate, whilst the others are rated regularly. I do not think a more forcible instance of inequality of rating than that can be given. I do not say generally it would be desirable to amalgamate the whole of the trusts in one district, for I do not think it would work well in the district of Clarence, which is a peculiar form. South Arm is almost cut off from the mainland, and if it were amalgamated with the other portions of the district it would be very inconvenient for the trustees to attend meetings in the centre of the district; they would have to travel from 20 to 25 miles. In a case of that kind it would not be desirable to amalgamate; but in a great many districts throughout the colony I think it would be very much to the advantage of the roads to amalgamate the districts. I have always thought, and still think, it would be advisable for the Government to take over the whole of the roads of the colony, levy a general rate throughout the colony, and allot the money to be expended under local supervision.

421. *By Mr. Bird.*—How would you apportion the rate levied by the Government? Classify the roads, and allot the money to be expended in the same way that the main roads are now treated—that is allot them so much money per mile. There does not appear to me to be any difficulty in apportioning the money.

422. Suppose the Government levied 1s. rate in the Cambridge district, and felt it would be proper to expend three-fourths of that outside that district, what would the ratepayers say? I do not see that the ratepayers could complain in any way. The ratepayers in Cambridge would still be deriving the same advantage as those outside the district if they have their roads maintained.

423. I presume they thought a rate once in five years would be sufficient to keep their roads in good condition? The main road from Bellerive to Richmond has been taken over from the Government, and that is the only road they had to maintain. They have only a few miles of other roads.

424. Apart from that particular district, there is the general question whether ratepayers in trusts that levy rates only once in five years would be satisfied if called upon to levy rates every year and have no voice in the distribution of the money, and find the money is expended in some other portion of the island, and perhaps get no equivalent? I imagine the road trusts that only rate themselves every five years are the favoured road districts. Cambridge is a favoured district, and I imagine other districts are similarly situated. They would always have a main road to keep in order, and would have no just cause to complain even if the money were distributed elsewhere. It appears to me that the tax in that way would be much more equitable than at present.

425. *By the Chairman.*—Would you advocate that the present road trusts be left as they now are, retaining their existing boundaries? I think not. It would be desirable in many instances to amalgamate the districts.

426. Even if your suggestion as to levying rates were adopted? Yes, I think many of the districts are too small.

427. Really, the only change you would advocate in connection with your suggestion of reform would be the levying of an uniform rate throughout the whole island, instead of as at present leaving it to the individual trusts? Yes; and to allot the money to be spent *pro rata*.

428. *By Mr. Sidebottom.*—Would you do away with the main roads under the provisions of the present Act, and with the Government assistance to main roads? I do not know that such would be desirable, for that would probably cause too high a rate to be placed on the ratepayers.

429. Would you do away with Government assistance to outlying districts where there are no main roads? No.

430. *By Mr. Braddon.*—Would you apply the main road system to all roads? Yes, that is my opinion, and has been so for many years; the money to be spent under local supervision.

431. *By the Chairman.*—As it is now, where the road trusts are main boards? Yes.

432. *By Mr. Braddon.*—Would you propose a mileage rate for maintenance, or subsidy equal to the amount collected by rates? I think they should be subsidised by the Government.

433. *By Mr. Sidebottom.*—If you classify roads, you would have a different price for roads? Just so.

434. *By Mr. Braddon.*—What about the construction of roads in new districts? That would be rather a difficult matter to deal with. There would be a difficulty there; but the districts that do not want roads have been highly favoured once, and I do not think they ought to object to assist those who have not received that help.

435. *By the Chairman.*—Presuming that your proposal be found impracticable, would you be in favour of enlarged districts being generally, if not always, coterminous with the electoral districts, the existing road trusts remaining as they are, and being regarded as wards, to send a proportion of the representatives to the road board of the district? The great objection to that would be that electoral districts would be too large, for representatives of such districts would have to travel too long a distance, and the road trustees would not be found to do their duty.

436. *By Mr. Braddon.*—You would approve of it where the size of the district would not prevent it? Yes; but the distance to be travelled in such districts would be too great.

437. Where the distance is not too great, you would retain the present districts as wards, they sending representatives to the road board and abolishing the existing boards? Yes, I should imagine it would be better to abolish the existing boards.

438. *By the Chairman.*—In raising the objection that the distance would be the difficulty in road trustees meeting in a large district, have you considered that, with the larger revenue and enlarged functions, they would have the power and means of employing an efficient road inspector, thereby relieving the road trustees of a good deal of their present duties? That would relieve road trusts of a great deal of their present labour; but I do not think it would be well to have a district too large,—and some of the electoral districts would be too large even for an inspector.

439. *By Mr. Bird.*—Would you arrange your district by distance, that is, area or revenue? You would have to be guided a good deal by the country. I think it would be better to arrange it by revenue, but you would have to be guided to some extent by the distance the road trustees would have to travel over.

440. What do you think should be the minimum revenue with a rate of 1s.? That would depend entirely on the area of the district and the state of the roads in the district, and possibly also whether there are conflicting interests.

441. Do you think it worth while having a road trust with a revenue under £100 apart from the Government subsidy? Certainly not.

442. Would it with £200? No; it might do with £300; that, with the Government subsidy, would give a total revenue of £600.

443. If a district was very sparsely settled, and the revenue were less than £300, in this exceptional case would you recommend that smaller road trusts be formed rather than make them too big to be convenient? Yes; you would have to be guided by circumstances.

444. *By the Chairman.*—What is the revenue of the trust in Clarence? The revenue of the Clarence Trust is £224, Cambridge £170, and South Arm £32 6s.

445. Those are the three road districts in the Clarence Electoral District? Yes.

446. *By Mr. Braddon.*—Would you approve of a district board of which the member for the electoral district should be *ex officio* a member of the board? I cannot see the slightest objection to that.

447. Would you approve of the district inspector being *ex officio* a member of the board, it being in charge of all the roads in the district and money expended on roads, the remainder of the board being elected by the ratepayers? I think it undesirable that the district inspector should be a member of the board, because I think the board should be composed of gentlemen who have an interest in the district, and who are elected by the ratepayers. I would imagine the district inspector would have no interest in the district.

448. But if the Government inspector is presumably to watch over the proper expenditure of the money, would it not be well that he should have a position on the board? I think it would be undesirable; I do not think it would work well.

449. *By Mr. Sidebottom.*—Would you be in favour of gates on cross-roads? No; I think they would be very objectionable.

450. Would you approve of them on by-roads? I can see no objection to them on by-roads.

451. Would you be in favour of the trustees saying where such gates shall be allowed, and where they are allowed should it be compulsory for people to close them? I can see no objection to it on by-roads, but I certainly do on cross-roads.

452. Are you aware that since 1870 it is not compulsory to close gates except on by-roads? Yes, I am aware of that.

453. *By Mr. Lewis.*—Are you Warden of the Clarence Municipal District? Yes.

454. Do you approve of roads being placed under the charge of municipal councils? No, I do not.

455. Can you give your reasons? I see no objection, but I would not recommend that it be made compulsory for the council to take charge of the roads—it should be left optional with them; that would be with the enlarged boards; under the present system I should say decidedly no.

456. *By Mr. Braddon.*—What check would you propose to have on the expenditure of money on these roads? I think the Government should be allowed to exercise a certain amount of supervision as to main roads to see that the money is properly expended. I do not know any better system than that.

457. Would you propose to give any power to the Government to stop any subsidy or payment, or actively to interfere with the work? In certain cases I would. If the Government found the money was being misapplied I think they should have power to stop payment.

458. *By Mr. Bird.*—Are you in favour of the Government supervising the work done under the enlarged boards? I think they should, if the Government provide the funds.

459. Would you be in favour of grants from Parliament for roads in large districts being expended under the supervision of the road trusts? I think that would be throwing too much on the trusts, and probably it would be neglected. I think it would be better to leave it as at present.

460. You would leave it as at present, the trusts to expend only the rates and subsidy? Yes.

461. What would be gained by the Government road inspector supervising the work?—would he be there to report to the Government, or as some check on how the work is being done? I think if he found the work is not being properly done he should have power to stop it.

462. Even if both the road inspector of the district and the road trust were satisfied with the work? In that case I would not say so.

463. Would he have power to stop the work, or only to report to the Government? Only to report to the Government.

464. Do you think any improvement could be made in the new mode of election of trustees? No; I think the new mode satisfactory, and I could not suggest any improvement.

465. *By the Chairman.*—What was the practice in your district previous to passing the 1885 Act—open voting or ballot? The practice was open voting.

466. Have you ever found any inconvenience or objection to it on the part of the ratepayers? I never heard any objection to it.

467. Have they complained of voting by ballot? No.

468. The ratepayers are satisfied with either system? Yes, I never heard any complaints.

469. *By Mr. Braddon.*—Which system do you approve? I think it is more satisfactory to vote by ballot. Individually I prefer the previous system of open voting, but I think the ballot is generally more satisfactory.

470. Which is more likely to result in purity of the elections? The present system.

MR. W. E. SHOBRIDGE, *called and examined.*

471. *By Mr. Bird.*—Are you connected with any road trust? Yes, I am Chairman of the Upper Derwent road trust.

472. I presume you have been long familiar with the working of road trusts? For the last 15 years I have been connected with road trusts.

473. Do you consider the present mode of election of trustees satisfactory? If you mean by ballot, no.

474. Is it the ballot particularly to which you take exception, or is it to the general management? I think the ballot should be optional, not compulsory, and to have the nominations so long beforehand is, I think, unnecessary, for this reason, it does not answer the end for which it was introduced. It puts the power of electing trustees in the hands of the officers.

475. You mean in the case of the election of two or three trustees the present system places too much power in the hands of the still existing trustees? Yes. People generally do not take sufficient interest in road trust elections to take the trouble beforehand of going through the necessary forms, and for outsiders it is very difficult for them to do it.

476. Do you think the requirements for advertising excessive? I do not think it at all necessary to advertise nominations unless the districts were made very much larger than at present. If, as I contend they should be, the districts are made much larger, it might be necessary to advertise nominations; but with the present small districts there is no necessity for it.

477. Are you in favour of the districts being made larger? Most decidedly, speaking generally.

478. What is the annual revenue of the Upper Derwent Trust at the maximum rate of 1s.? It was £252 last year. The Plenty Road District has since been taken out of it, but there is an increase in another direction, so I think the revenue will be about the same.

479. Do you think it too small a district? Yes, far too small to be worked profitably.

480. How many other trusts are there in your neighbourhood that could be amalgamated? Certainly all in the New Norfolk Municipality could be amalgamated—the New Norfolk, Lower Derwent, Plenty, and Upper Derwent. The Plenty District has only been formed during the present year.

481. What would be the revenue of those four trusts combined? About £800. I am confident that for the profitable working of a road district the income should be £1000; that would be £2000 with the Government subsidy. Perhaps in places like the Huon it would not be possible to have them so large.

482. Where existing road trusts could be amalgamated conveniently as to distance, you would recommend that the revenue without the subsidy should be something like £1000? Yes.

483. Where a district is sparsely settled would you think smaller trusts would be desirable? I think so; but the revenue should never be less in any case than £500, or a total of £1000 with the Government subsidy.

484. What would be the general feeling of landholders with regard to the amalgamation of trusts? There would be some difficulty, because road districts have been separated owing to difficulties. Old districts have generally separated from new districts because in old districts the roads are made by Government, and they seek to remove themselves from the expense of making the roads of new districts.

485. Have you heard of any case where it was the new district that separated? Yes; take the Plenty, for instance. They separated because they were cut off from road communication with the rest of the district.

486. Was it at all because they thought they were unfairly dealt with in the distribution of rates? That was not their reason, because lately the whole of the rates raised there have been apportioned to that district; but they had no interest in common with the other parts of the district, and they wished to have the management of the district themselves. There was a grievance about the distribution of rates formerly, but not lately.

487. Were ever the three districts, Upper and Lower Derwent, and New Norfolk, in one? I do not think so; not within my recollection.

488. The only case of division has been that of the Plenty? Yes, that is all.

489. In event of large districts being formed, how would you recommend the trustees should be elected—that is to say, would you recommend that a district should be treated as one, and the ratepayers vote for the total number of trustees, or have sectional elections? I would recommend sectional elections.

490. Regulated by the number of ratepayers, or by the amount of rates paid? It would not much matter,—the principal thing would be to have a fair division.

491. In case of such elections would you consider the present system of election would be fairly well suited? Yes, as long as the ballot was made optional.

492. Do you think in large districts the trustees should have entire control of levying rates, or would you advocate a compulsory rate? Decidedly a compulsory rate.

493. Do you think the maximum rate of 1s. should be levied by law, or would you leave the amount optional with Government? I would only recommend a rate of 6d. with a subsidy of 6d. allowed by Government. I took the trouble some years ago to issue circulars to all the trusts in the island, in conjunction with the New Norfolk and Upper Derwent combined, on this question, and a great majority were in favour of an equal amount of subsidy being granted instead of the present sliding scale.

494. Would you recommend that after the compulsory rate was levied the whole of that rate with the Government subsidy shall be expended in the district? Yes, if the district is large enough; that is the reason why you must have large districts.



495. Do you think there are any districts which have not been accustomed to levy annual rates, in which such system would lead to unnecessary expenditure of rates? I do not think so in the least, because in almost every case the enlarged districts would include country where road construction is generally required.

496. Would you consider it desirable in these large districts that there should be a skilled engineer or inspector? Yes; that is one of my reasons for desiring large districts.

497. Do you think the distribution of the revenue of these large districts should be left entirely with the road trustees? Yes, I do.

498. Do you think there should be any Government supervision over the expenditure of road trust funds? I do not think it is required, beyond what exists under the present audit.

499. Would you think it desirable that moneys accruing to the district under the Waste Lands fund should be placed in the hands of the enlarged road trusts for expenditure? I do, most decidedly.

500. Would you approve of the Government inspectors supervising such expenditure under the Waste Lands fund and sums voted by Parliament, or would you leave that expenditure, together with the ordinary rates, in the hands of the trusts? In that case, I think the Director of Works, or whoever has charge of the Government roads, should have *ex officio* a seat in each road trust, to take part in the proceedings of each meeting, and before any money was passed it should be signed for by the Government Inspector of Roads as having been properly expended.

501. Why would you think it desirable that the Government inspector should have a seat in road trusts? The Inspector of Roads is, or is supposed to be, better qualified to give an opinion as to construction than the road trustees. It is necessary that the Government should have a check on the expenditure.

502. Do you not think there would be sufficient check exercised by the inspector in examining the work as it proceeds, and reporting to the Government? No. If you have the Government inspector attending the meetings things could be discussed and arranged. If such things are worked outside there is an enormous loss of time in communication. When the Government grant a vote they have a right to expect that it shall be expended in a satisfactory way, and to serve the public interest. If you are not able to communicate directly, you get into trouble and lose a lot of time.

503. Whilst it is admitted that it is desirable for the Government inspector to consult with the trusts as to expenditure of moneys voted, or to grants, why is it necessary that he should be *ex officio* a member of the trust? Simply because that would be the best possible method of communicating with him.

504. Does it not strike you as being very unusual to place an official on the same footing as the elected members of the board? There are nominee members now, such as in the marine boards. I think it is of the utmost importance that the Government inspector should have a seat in the road trust to consult with them as to the expenditure of Government money, especially in regard to the sums under the Waste Lands Act and Parliamentary votes, but perhaps it is not at all necessary that he should have a vote at the meetings.

505. Have you any special reasons why road districts should be enlarged? In order that they may use stone-crushers. It is impossible for small trusts to employ a stone-crusher, and metal can be put on a road with the crusher from 25 to 50 per cent. cheaper than by hand.

506. Is there any other matter in which economy would be secured by larger trusts? Better men would be secured as trustees, because larger interests would be at stake, and the business of the trust would be conducted in a less expensive and more businesslike fashion. The business of large trusts would be attended to in a more methodical manner. Look how well the Hamilton and Westbury trusts, the two largest in the colony, manage their affairs when compared with the small trusts.

507. In the event of large trusts being elected, would you think it well that the member for the district in which the road district is situated should be a member of the trust or board? It is not at all necessary. He might not be a person connected with the road, and every road trustee should be a person directly interested in the roads.

508. *By Mr. Sidebottom.*—You would recommend having no trust whose revenue with the maximum rate is under £500? No; unless the district was so widely scattered that this revenue could not be obtained.

509. What area would you think practicable for trustees to meet together? I do not think a district 30 miles across would be too large.

510. Suppose they met in the centre, you would not think 15 miles would be too far for trustees to travel? No.

511. Suppose they are many parts of the country where you could not get that revenue within the given area—where £500 could not be obtained at 1s. rate? Then you would have to put up with small trusts and make them as large as practicable.

512. You think the small trusts are disadvantageous in many ways? Yes, in every way. The only possible advantage is that all the money collected in a locality is spent there, but it is objectionable in two ways. The money is wastefully expended, because on a larger scale you would get the work done cheaper. If you have metalling to do, the cost of hand metal over machine metal is not less than 25 per cent.

513. Can you see any objection to two trusts combining to obtain a stone-crusher? My experience is that it never pays to employ a stone-crusher unless you have £400 or £500 to spend. It does not pay to bring a machine for less. I do not think any trust should be formed that cannot engage a stone-crusher.

514. Could it not be hired? Unless you have £400 or £500 to lay out it would not pay to use it at all. The heaviest part of road-making is metalling, and in some places the crusher would save 50 per cent., and in all cases 25 per cent.

515. You are aware that roads in some districts are made of gravel? Yes; but I think broken metal, at least for foundation, is best.

516. *By Mr. Lewis.*—Can you tell the Committee what the working expenses of your road trust are for salaries? We pay no one except the collector.

517. Have you no office or stationery expenses? We pay for stationery, but that is merely a trifle.

518. *By Mr. Bird.*—Is the collector a member of the trust? No; we pay him on commission.

519. *By Mr. Sidebottom.*—Is the secretary paid? No; one of the members does the work for nothing.

520. *By Mr. Bird.*—Do you ever pay members for overlooking work? No.

521. *By Mr. Lewis.*—Is most of your work done by contract? Yes.

522. Is any done by day-work? Yes, but most of it is by contract. A very small amount is done by day-work.

523. *By Mr. Bird.*—Have you been connected with main road boards? No.

524. Do you know anything of their working? Yes.

525. Do you think the maintenance of main roads should be left in the hands of main road boards or the Government? The Government should have entire control of them.

526. In what respect do you regard the main road board system so defective as to require the change? Main road boards are not elected for their fitness to look after the roads.

527. I presume the road trusts are elected for presumed fitness for looking after roads? In some cases municipal councils are main road boards.

528. If road trustees are elected for supposed fitness, why should they be unfitted for main road boards? As road trustees they would be eligible as main road boards, but the strongest possible objection against them is that they are too small—they are cut up too much. Sometimes there are three or four main road boards in one municipality.

529. Would not that be obviated by amalgamation? It would be better, certainly, than the present system, but not the best. The Government should have entire control of the main roads. My idea is that the main roads districts should be divided into stone-crusher districts, and districts that a staff of men with a machine could keep in order. I am very strongly of that opinion.

530. *By Mr. Lewis.*—Have you any paid supervision over works? No.

531. *By Mr. Sidebottom.*—What is your opinion about gates on by-roads—if allowed should there be a penalty for not closing them? I think if gates are allowed at all, persons passing through should be compelled to shut them.

532. Would you give road trustees power to say where gates should be erected on cross roads? They should have power in special cases of saying where gates should be erected, and of compelling them to be shut under penalty.

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MR. JOHN HENRY, *called and examined.*

533. *By the Chairman.*—Where do you reside? At the Don.

534. Have you been chairman of any road trust? Yes, I have been, but am not now.

535. From your experience of the working of the road trust system of the Colony, do you think it requires amendment or alteration in any direction? Yes, undoubtedly, so far as my observation of my own district and the districts immediately about me have shown.

536. What defects have you observed? I consider the districts are all too small. The consequence is that, with the limited revenue at their disposal, they are unable to employ competent officers, and then the work is thrown on to road trustees, who as a rule do not understand road making. Most of our small trusts have small revenues, and they go on in vain attempts to make roads, the result being a series of patchwork. In my own experience, within the last 14 years, roughly speaking, the Don Road Trust has expended nearly £5000 in road patching, and the part of the road from Forth bridge to Leith is at this day in a worse state than it was 14 years ago. The fundamental mistake is attempting to make long roads with a small revenue. In my opinion the rates of a district should be devoted to the payment of interest on borrowed money and a sinking fund and maintenance. Parliament should give large districts power to borrow money conditionally on the establishment of a sinking fund, roads being then constructed as a whole instead of the vain attempts to make roads by patchwork. Of course, with greater power the local bodies would have greater liability.

537. As a remedy for that, would you recommend an amalgamation of the small trusts, making larger districts? Yes, I have suggested that.

538. Would you recommend that, as a rule, the boundaries of road districts should be coterminous with electoral districts? I think not. The question requires consideration. It might suit in certain districts and not in others. The circumstances of each particular district would have to be considered. My own idea is that each present road trust should form a sort of ward of the whole district or shire; and trustees from these present districts should be returned on the basis of population, to prevent any undue influence of one district being thrown into one centre,—in other words, that each ward might be represented.

539. Then you would retain the present boundaries of road districts? They might be retained, but the council might be divided into better wards than even the present road districts.

540. From your experience of the existing small road trusts, do you think there would be any strong objection to the abolition of these little trusts? It is very possible there might be jealousies and fears of the powers vested in the trustees. I do not know how far such a thing would be popular, but it would be very desirable.

541. Assuming these larger bodies were created, to what extent would you think it judicious to allow them the expenditure of funds beyond those raised from rates and the Government subsidy? I am strongly of opinion that the money voted by Parliament for a district would be far better spent by a council such as indicated. The present chairmen of the road trusts would in all probability be elected the future councillors, and you would thus have the very best men of the district. While the present road trusts are incompetent, I believe, to make roads, yet there is plenty administrative and business-like ability in the several districts, so far as my observation goes, to provide a very capable body of men who would be quite competent, with efficient officers, to expend any money voted by Parliament. My opinion is you would have a very important body who would advise Parliament in the matter of votes for public works much better than they are now advised. It would be under the control of men interested in the district, and, with an efficient officer to do the work, they would select the road and time to carry out the work, and, with the local knowledge thus brought to bear, there is every probability that such a body would expend the money to much better advantage than it is spent now.

542. Would you advocate that the whole procedure—preparing plans for the work, calling for tenders, acceptance of tenders, and payment of moneys to the contractor—should be left in the hands of the Council? Not altogether. I think after the plans are prepared by such a council they should be submitted to Parliament, and, if approved, then the local body should call for tenders, which should be approved by the board of tenders in Hobart; the accounts should be audited, and there should be a sufficient check on the local body, but all the direct carrying out of the work should be left to the local body.

543. *By Mr. Bird.*—With or without a Government inspection? I think the Government inspection should be only so far as auditing accounts and approving plans are concerned. It might be necessary for the Government to employ an officer to pass work of sufficient magnitude, but all the ordinary work should be left to the local body.

544. *By the Chairman.*—How would you dispense with the Ministerial responsibility to Parliament—these votes are authorised by Parliament, and embodied in an Act which places the whole responsibility for the due carrying out of the whole work to Parliament upon the Minister of the Department? I assume he would only be responsible for what his control reaches and extends over. I have not thought upon that point, but I assume his responsibility would cease at a certain point. Of course the votes would have to be submitted to Parliament, and the auditing of accounts seen to.

545. As to final payments for work, do you consider that sufficient safeguard would be afforded by the certificate of the inspector of the local body, unchecked by an officer of the Public Works Department? In works of magnitude it would be more prudent to have it passed by an officer from the central department, but in ordinary road work the certificate of the local inspector would be sufficient.

546. *By Mr. Bird.*—How many councillors would be sufficient? I think population should be the basis of representation. A small trust that now has five trustees in all probability would send one councillor, whereas there are other trusts embracing larger districts and larger population, to which two might be given. It would depend on the population.

547. How many councillors would you have in such a council? I think about nine. You would necessarily have more than at present, unless you made your wards larger. To secure the fair representation of each district you would require one trustee from each ward or present road district.

548. Suppose you were forming an entirely new district, would you adopt the system of wards? Certainly I would, to secure fair representation for each portion of the district, for without wards there is the danger of the more populous portions of the district swamping the lesser one.

549. *By Mr. Braddon.*—Do you think it would remove the difficulty of inspection if the Government inspector were made *ex officio* a member of the council, so that he could work with the council? I do not think it would be desirable at all. I assume the Government engineer would be a competent man, and it is scarcely likely the Government would keep a highly salaried officer to attend council meetings and act as councillor.

550. Would you approve of the member of the district being *ex officio* a member of the trust? I had not thought of that. I think if he does his work well in Parliament he might well leave the local work to local men. I think also the local bodies should have the expenditure of all moneys due under the Waste Lands Act and certain fees that they might receive. I understand the shire councils in Victoria get certain fees as part of their revenues, such as timber licences, dog licences, and, I think, public-house licences.

551. *By Mr. Sidebottom.*—Have they anything else in their charge except roads? No, chiefly roads. I think those councillors should be paid, and should have a mileage rate allowed them as travelling expenses, as they would have to travel large distances in the large districts. They should be paid so much for attendance at each meeting.

552. *By Mr. Lewis.*—Would you preserve the districts that are too large for wards for the large council? I think not; but that is a question of detail. It might be found advisable in a particular district to map out the wards to better advantage.

553. *By the Chairman.*—What do you suppose would be sufficient revenue for a district board, at the maximum rate of 1s.? I have scarcely thought of that, but they ought to have at least something like £4000, including the Government subsidy.

554. Where in the colony would you find even an electoral district with that revenue? The electoral districts probably would not be large enough, but a less sum than £4000 might be sufficient. I merely mention that as a probable sum. There must be competent officers employed, and to have an engineer and

clerk the annual expenditure should be something near that sum, though councils could be formed to work with less revenue.

555. Has your attention been called to the existing provision for the election of trustees? Not beyond the question of voting. It has been complained, and I agree with it, that the maximum number of votes is too large and gives too much power to the large landholders. That question has been discussed.

556. Do you think the scale requires reduction? I do; I think that would be a step in the right direction.

557. To what extent would you reduce the present maximum of seven votes? I have not thought out to what extent it should be reduced.

558. *By Mr. Braddon.*—Would you be prepared to go the whole length and apply the principle that obtains in Parliamentary elections—one man, one vote? I do not know how far that would be prudent. It requires consideration; that might be running from one extreme to the other.

559. *By the Chairman.*—Would you be prepared to abandon the principle of property paying rates being represented somewhat in proportion to the rates paid? No, I would not.

560. Have any instances come under your notice in which difficulties have occurred as to the election of trustees owing to the provisions of the existing law with regard to elections? No, I cannot say I have noticed any difficulties, but I have not taken much interest in the election of trustees during the last two years.

561. Do you approve of the ballot system? Yes, I disapprove of open voting. I think that is a mistake.

562. *By Mr. Sidebottom.*—Would you be in favour of allowing trustees to say where gates should be on cross roads in special cases, and compelling the public to shut the gates? I think the local body should have control, and determine what is right in the public interest.

563. *By Mr. Bird.*—Are you aware that some of the road trusts as at present constituted only levy rates every two or more years? I have not experienced it, but I have heard of it.

564. Would you think it desirable that the Government should make it compulsory to levy a rate every year in all districts, or would you leave it optional? It would seem very arbitrary for the Government to say to a local body—"You shall levy a rate whether you want it or not."

565. Then you would leave the entire system of road management in the hands of the councillors, even to the levying of rates, and the expenditure of all moneys? Yes; these local bodies should have very large control.

566. *By the Chairman.*—You said just now that you would advocate that the rates raised locally should be regarded as rather set apart for payment of interest on money borrowed, and a sinking fund? Yes, that is my opinion, including, of course, maintenance.

567. If you leave it optional for local bodies to levy rates, how would that answer? I would certainly make it compulsory that they should meet their engagements, and then the levying of rates follows. If you pass a laws making it compulsory on them to levy a rate whether they want the money or not, that would be arbitrary; but if they incur a liability, I would make them pay a rate to meet their liability: but it would be very arbitrary to say they must levy a rate every year whether they want it or not.

568. *By Mr. Bird.*—Would you hold the said trusts liable for the whole of the money borrowed? Certainly not; that is a difficult question as to what the liability should be—namely, what the State should grant, and what the local bodies should bear. That matter would require time to consider. In reference to the question of local liability that principle already exists in dealing with road trusts, but I understand this last question (No. 568) to refer to money now granted to country districts for branch roads and expended by the Government, which might in my opinion be entrusted to shire councils for expenditure. It appears to me that a certain measure of local liability should accompany the larger control which these bodies would have, as without that there would be a constant clamour to Parliament for grants for the several districts unchecked by any weight, and the present undesirable system or want of system in Parliament of distributing mondy for roads and bridges would not be much improved. With the sense of responsibility which a share of the responsibility would give to these councils votes for unnecessary works would not be so likely to pass through Parliament. As to the extent of this liability, I should require to get more information than I have at present before venturing to suggest any proportion.

569. Will you furnish in writing your opinion on that subject, and any other that you may deem advisable? I will.

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JOHN LYNE, *M.H.A.*, examined.

570. *By the Chairman.*—You reside at Swansea, and are Chairman of the Glamorgan Road Trust? Yes.

571. Is your experience of the working of the present road trust system favourable or otherwise, on the whole? It has been generally favourable in our district. But perhaps I had better mention, as our district is somewhat singular in the working of the road trust, how we manage. We have been ever since the municipality was established, and it was the first in the colony of the rural municipalities, always desirous of working the road trusts throughout the district with municipal action. During the last eight years I have been warden, including the other duties of chairman of the road trust, chairman of the main road board since the establishment of the main road system, and every other matter in connection with the working of the district for eight years in succession.

572. The members of the municipal council are also members of the road trust? Yes.

573. And members of the main road board also? Yes. We find it is advisable to work these various duties under the one power for the sake of economy, and to prevent any cross purposes between the various bodies in the same district. I think it would be an advantage if the road trusts were furnished with an officer from the Public Works Department for giving estimates, laying out the work, and afterwards passing the work as complete and according to agreement.

574. Is the revenue of your trust insufficient to enable you to employ such an officer? Not so. I think one officer might serve four or five districts, each district paying a fair share of officer's salary.

575. Do you think there would be any difficulty in dealing with an officer who was employed by the Government, and supposed also to be at the command of local bodies, owing to the great variety of masters he would have? The works, being paid for out of the general revenue, should be approved by the Government, and the officer should be under the immediate control of the board, subject to the head of the Department. The board would be a check upon the officer, and, *vice versa*, the officer would be a check upon the board to see that the public moneys were properly spent. Further, that officer, whoever he might be, ought to know more about roadmaking than the road trustees. We have found to work out the law with respect to keeping the roads clear of gorse and briars and so forth thoroughly unworkable, and the road trust now have full control of the roads to keep them clear, without reference to the occupier of the property adjoining. By the 63rd clause of the old Act the proprietors had to clear the road in front of their properties, but they would not do it, and it was found unreliable; so the trust does it, and finds it work very well.

576. As far as your experience goes, the precise difficulty you have to complain of is the want of a skilled officer to lay out the work and to advise the trustees and pass the works when completed? Yes.

577. And that arises from the small revenue of your trust, from which you cannot afford to employ such an officer? If we had a man around once a month it would be sufficient.

578. Would you be in favour of amalgamating two or three trusts in order to secure that sufficient revenue—for instance, joining the Glamorgan and Spring Bay trusts? No, by no means. I would rather keep the municipalities under one trust, but the use of this officer could be paid for by various trusts. If three or four or five trusts had the use of this officer let them pay him between them in proportion to the salary he should receive.

579. To what extent would you think it desirable to place under the control of local bodies the expenditure of money voted by Parliament, apart from their revenue derived from rates and the Government subsidy—the votes that are passed by Parliament from year to year for public works? The whole of the expenditure, provided there was an officer from the department to give the road trust assistance, and to pass the road before the money could be paid.

580. Then, who would have the consideration of that? The road trust.

581. Suppose there was a difference of opinion between the road trust and the officer? Then the head of the department must decide, because the revenue comes from the Crown.

582. Do you think the local bodies, if entrusted with this expenditure, would apply the money voted with better effect or with greater economy? More economically; not better.

583. Do you think the existing provisions for the election of trustees satisfactory? I hardly know what they are. I am not prepared to give an opinion, except so far as my own district is concerned. We vote a man in as a municipal councillor, and he takes the other work as a matter of course.

584. But if that is so, your road trusts are illegally constituted? If there are no other trustees elected under the road trust Act, then the municipal council can take action.

585. Am I to understand that you have no election of trustees as trustees? Yes.

586. *By Mr. Sidebottom.*—Would you express any opinion as to whether voting by open show of hands or ballot is best? I prefer voting by ballot in general.

587. Do you think it desirable that road trustees should have the power to erect gates across roads and enforce a penalty for not closing them? Each road trust ought to have the power of erecting gates; but as to the penalty, I would rather not see it unless it was a very small one, because a road might pass through land belonging to a councillor, and the penalty upon the public for not shutting the gates might become a very great inconvenience. Again, all gates on public roads should be made to pass either way so that horses that have got accustomed to them may force them open and go through without requiring the vehicle to stop. There are some thirty-five gates between Swansea and Campania, and some of these gates are erected so that a horse accustomed to them drives through without stopping, the gate flying open sufficiently to allow a carriage to pass, and then shut themselves.

588. Would you be in favour of one general road rate being levied throughout the colony? No; because it is not necessary. In some districts, such as Brighton, there is scarcely any necessity for a road rate at all.

589. *By Mr. Fenton.*—If we compel them to levy rates to keep up the road requirements, would it not be just? I believe this: no public money should be granted to any road trust unless a rate is put on of 1s. in the £1.

590. *By the Minister of Lands.*—The question is, as to one general road rate throughout the colony—like the police rate? No, I would not favour it; but I would not allow any public money to be voted unless the road trust levied a rate of 1s. in the £1.

591. Continuously? Continuously, or at all events up to the time they ask for a grant.

592. *By Mr. Fenton.*—Are you in favor of the Government subsidy being granted as it is at present? No; my previous answer shows that I think they should levy a shilling rate in order to get the benefit of a Government subsidy.

593. Sometimes a trust levies no road rate one year, and next year levies a shilling in order to get the benefit of the full Government subsidy? I would not allow any subsidy unless they had rated themselves up to one shilling.

594. Suppose you do not wish to go to the Government for extra votes, and a 6*d.* rate is sufficient for them for that year, would you be in favour of giving some assistance from the public funds? No, no assistance whatever, unless they rate themselves up to 1*s.* It would have a great effect in doing away with the scramble which takes place year after year. I should like to mention also that I believe the main road system should be extended to the greater part of the cross roads. It would be a great advantage to work many of them under the main road system instead of under the present cross road system.

595. *By the Minister of Lands.*—Do you mean by a certain amount being provided for the year for their maintenance at per mile? I mean the roads should be worked the same as the main roads, at the expense of the general revenue.

596. *By Mr. Sidebottom.*—Would not that have the effect of almost exempting a district from road rates? If it had that effect the road trusts would not be able to get anything from the Government in any other way.

597. That answer would be in favour of the Government levying a general rate? No, I do not see it.

598. If your suggestion were carried out, would it not necessitate the Government levying a general rate? No, it would come out of the general taxation of the Colony. The public at large have the use of these roads, and the public at large ought to pay for them. It is done in New South Wales. I think the main road scheme should be extended.

599. *By Mr. Lewis.*—Would you be in favour of the municipal councils throughout the Colony taking over the work of the road trusts? Yes.

600. Do you think it would be generally acceptable to the municipal councils? I should think so. I am very sure that road trusts in our district, in addition to the municipal authority, would never work well.

601. What do you think should be the minimum revenue to make a road trust workable at a shilling rate?—what revenue do you consider a road trust should derive at a shilling rate from all the ratepayers so as to conduct the work properly and to employ a sufficient staff of skilled officers? I should think £500 a year in the aggregate—£250 from the rates and £250 from the subsidy, provided the whole municipality would give that amount.

JOHN WILLIAM FALKINER, *M.H.A., examined.*

602. *By the Chairman.*—Where do you reside, Mr. Falkiner? At Longford.

603. Are you a member of any road trusts? No, but I have been in several within the last two years.

604. What has been your experience of the working of the road trust system?—favourable or otherwise? It has been favourable. I was in the Fingal District for some years, and also in the Evandale Road Trust. My experience of the working of the system in those districts has been favourable to it.

605. You have addressed a letter to the Committee as to one defect in the existing law which you wish to have remedied with reference to the gates on cross roads? Yes. In some districts now the road trusts are not able to give permission to erect gates on cross roads. There was provision for this previous to 1869, but since that time it has been done away with. What I ask for now is to give power to erect gates on cross roads if it is thought fit to use it, with a small fine as a penalty for not shutting them.

606. Would it not be a convenience for thinly populated districts, and quite the reverse in thickly populated districts? Well, on the road to Swanport, where I first drew attention to it, there are gates on the cross roads in nearly every case.

607. I suppose the object would be to save the trouble of fencing the ground through which the road runs? Yes.

608. You desire to have the law amended so as to give power to the trustees to permit gates to be erected, and to enforce a penalty for non-closing or damage? Yes; the same as it is now with regard to the by-roads.

609. *By Mr. Sidebottom.*—Are you in favour of larger trusts than at present exist? I might be in favour of larger trusts in general, but not to fix them to the electoral districts, where the interests of the different parts would not be identical.

610. *By the Minister of Lands.*—How do you think it would answer to take the electoral districts, and retain the present boundaries of the road trust districts and use them as the boundaries of wards in the larger district, with representation in proportion to their population? The only thing is that there are complaints now that the large centres of population swamp out the small settlers in the outside districts. I do not think that plan would answer.

## APPENDIX A.

House of Assembly,  
7th October, 1886.

SIR,

I HAVE the honor, by direction of the Chairman of the Select Committee appointed to enquire into the Road Trust System of the Colony, to forward you the accompanying Questions, and to request that you will at your earliest convenience forward Replies thereto for the information of that Committee.

I have the honor to be,

Sir,

Your most obedient Servant,

HENRY T. MANING.

*The Chairman of the  
Road Trust.*

1. Has your experience of the working of the present Road Trust System of the Colony been favourable or unfavourable?

2. If unfavourable, please state the particular defects which you consider require remedying.

3. Would you be in favour of an amalgamation of two or more small road trusts where such amalgamation would be necessary to create a road trust with a sufficient revenue to employ a competent road inspector?

4. Would you recommend that such road boards should be coterminous with the boundaries of an electoral district?

5. Would you approve of the election of the members of such road boards by the ratepayers, as at present, and of making any Member of Parliament for the district an *ex officio* member?

6. Would it be desirable, in your opinion, that the money voted by Parliament for Public Works should be placed at the disposal of these enlarged district boards for expenditure, subject to supervision of the Public Works Inspector?

7. Do you think that the district board, if entrusted with this expenditure, would apply the money voted with better effect or more economically than at present?

8. Do you consider the existing provisions for the election of trustees satisfactory?

9. If unsatisfactory, please state in what particulars.

10. Do you think it desirable that road trustees should have the power to permit the erection of gates on cross-roads in special cases, and to enforce a penalty for leaving such gates open?

The Committee will be glad to be furnished with any suggestions that you may be disposed to offer as to the general question of amendment of the present Road System of the Colony.