

101. Do you know that that was not paid?—Because, taking all the Road Boards and the county together, the sum amounted to more than £2,500.

102. Well, then, where is the qualification?—In subsection (4).

103. I will quote subsection (4): “No greater sum in all than £2,500 shall be paid in respect of any county and its road districts; and when the total amount of subsidy that would be payable in respect of the total amount of general rates collected as aforesaid exceeds £2,500, then the total amount of subsidy to be payable to the Road Boards and County Council shall be apportioned *pro rata* according to the amount of general rates collected as aforesaid by such Road Boards and the County Council respectively.” Have I quoted that correctly?—Yes.

104. Does not the section that I have quoted contemplate a county where there is a County Council, and say that the rates are to be divided between the Road Boards and the County Council?—Yes.

105. Then, if that is the case, it cannot apply to the subsection which I quoted before—subsection (i) of subsection (c) of section 2?—There are County Councils in all counties.

106. No?—Then there ought to be. The Counties Act requires it—

107. No?—Unless the Counties Act is not in force, and then there are no local governing bodies of any kind.

108. Except Road Boards?—No. It is a very popular error to confuse the two terms, “not in force” and “suspended.” I am speaking now of counties in which the Counties Act has never been in operation and which are mentioned in the Counties Act itself. There is another class of county, such as Manukau and Ashley, in which the Counties Act is said to be suspended—that is, that certain provisions are suspended.

109. I do not think you have quite followed me. Are you not of opinion that subsection (4) contemplates a system of local government where a County Council is in existence at the present moment?—Yes.

110. I mean where it refers to the “rates collected as aforesaid by such Road Boards and the County Council”?—Yes, and I say that where the Counties Act is suspended the Counties Act requires a Council to be elected.

111. But supposing there is no Council in existence, and has not been for twenty or thirty years?—Then they are doing something which is not contemplated by the law. There is no doubt about that.

112. If there is no County Council, then section 4 does not govern subsection (i) which I have quoted?—I have not considered the point, but I should imagine that the effect would be that the amount payable to the County Council would lapse.

113. Then the full amount would be paid to the Road Boards?—No. Well, it is getting to a little bit of a puzzle. The limit probably would never be reached by a Road Board, if there was no County Council.

114. What limit?—£2,500 over the whole county. It would probably never be reached by any Road Board, if there was no payment to a County Council under paragraph (d).

115. But supposing there are two or three dozen Road Boards, what then?—It would hardly be possible, I should imagine, for that maximum to be reached.

116. *Right Hon. Sir J. G. Ward.*] The suggestion of Mr. Massey is that where the Counties Act is suspended, within the area of that county there may be twenty Road Boards, but the limitation of £2,500 which would apply to the whole county if those Road Boards were not in existence, or if only some were in existence, is absolutely abolished and the whole of those Road Boards can get anything they like up to 10s. in the pound?—That is not the law.

117. That would mean that, if there were twenty Road Boards there, and they each received up to 10s. in the pound, it would be possible for those twenty to get the whole £2,500?—Yes.

118. And, according to Mr. Massey's interpretation, as much more as they liked, up to the limit in subsection (c) of that schedule?—I can hardly answer that question. The subsidy payable in counties is made up of two items—a payment to the Road Boards and a payment to the County Council. If there is no County Council there is more subsidy available for Road Boards before they reach the limit; but when that limit is reached, it does not matter whether there is a County Council or not, any payment in excess of that would be illegal: and those words that I have inserted at the beginning of that proviso absolutely carry that out—“No greater sum in all than £2,500 shall be paid in respect of any county and its road districts.”

119. *Mr. Massey.*] Those words were not in the original Act?—No, but similar words were.

120. *The Chairman.*] Where is the equivalent of those words?—“Shall be paid . . . in respect of the total amount of general rates levied and collected.” The words that follow in the 1885 Act are absolutely superfluous—“by the Road Boards in the road districts and by the County Council in the outlying districts in any county, and in the ridings by the last proviso.”

121. *Mr. Massey.*] There is an alteration?—Merely in form. They both cover the whole ground.

122. *Right Hon. Sir J. G. Ward.*] You are still of opinion that the alteration made was, as I was informed, inconsequential?—I am of opinion that it is inconsequential.

GEORGE FREDERICK COLIN CAMPBELL re-examined. (No. 3.)

1. *The Chairman.*] I understand that you have perused the report of the evidence that was given by you the other day, and that there are one or two points in regard to which you thought it might be necessary for you to come before the Committee again so as to make some amendment beyond what you would care to make by way of revision of your copy?—That is right.

2. This is the first point that you wanted to speak about: Mr. Massey asked you this question: “I think you suggested that it would be possible to greatly exceed the amount that is at present paid by way of subsidies, by the local bodies subdividing and other bodies being created?” and you answered “Yes.” Then he asked, “Of course you are aware that nothing of the sort can be done without legislation?” and you said “Yes.” Q. “It can only be done under Act of Parliament?” A. “Yes.” You wish to supplement your evidence by revising your answers to those two last questions?—I should like to.