

Road Laws and Reform in Roadmaking.

The question of roads, and the best system of maintaining and improving them, has been made a live question in some sections of the province, and by-laws for the abolition or change of the statute labor system will be submitted to the people at the municipal elections in January next. All who are interested in the discussions of the question, and who may be desirous of promoting a new plan to be substituted for the statute labor system will find the following synopsis of our present road laws, and other information especially valuable.

STATUTE LABOR LAWS.

(Section 92) of the Consolidated Assessment Act of 1892, gives the council of every township power to pass by-laws to reduce the amount of statute labor to be performed by the ratepayers or others within the township, or to entirely abolish such statute labor and the performance thereof by all persons within said township.

(Section 93) of the same Act authorizes councils to regulate the rate of service or number of days work to be performed in case of persons assessed.

(Section 94) provides that the council of any township may by by-law, direct that a sum not exceeding one dollar a day shall be paid as commutation of statute labor for the whole or any part of such township, in which case the commutation tax shall be added in a separate column in the collectors roll and shall be collected and accounted for like other taxes.

(Section 95) authorizes the council by by-law to fix the rate at which parties may commute their statute labor at any sum not exceeding one dollar for each days labor.

MUNICIPAL ACT.

(Section 521) of the Consolidated Municipal Act provides that the council of every township may pass by-laws.

1st. For empowering any person (resident or non-resident) liable to statute labor within the municipality, to compound for such labor for any term not exceeding five years, at any sum not exceeding \$1 for each day's labor.

2nd For providing that a sum of money not exceeding \$1 for each day's labor, may or shall be paid in commutation of such statute labor.

3rd. For increasing or reducing the number of days labor to which the persons rated on the assessment roll or otherwise shall be liable, in proportion to the statute labor to which such persons are liable in respect of the amounts at which they are assessed, or otherwise respectively.

4th. For enforcing the performance of statute labor or payment of a commutation in money in lieu thereof when not otherwise provided by law.

5th. For regulating the manner and divisions in which statute labor or commutation money shall be performed or expended.

6th. For reducing the amount of statute labor to be performed by the ratepayers or others within the municipality, or for entirely abolishing such statute labor.

6. (a) For reducing or varying the amount of statute labor to be performed by the ratepayers or others within certain defined areas in the municipality when in the opinion of the council exceptional circumstances exist rendering such reduction of variation equitable and upon such conditions as may be imposed by the by-law.

Section 17, chapter 42, of 55 Vic.,—provides that, on petition of a majority of the ratepayers of an unincorporated village, the township council may set apart the same, and the council of every township wherein a portion has been so set apart to have all the rights and powers conferred on the councils of cities, towns and incorporated villages as respects such portion as shall be so set apart and may pass by-laws which shall apply exclusively to such part as to compel all persons.

(a) To compel all persons (resident or non-resident) liable to statute labor within such prescribed limits, to compound for such labor at any sum not exceeding \$1 for each day's labor, and that such sum shall be paid in commutation of such statute labor, and for enforcing the payment of such commutation in money in lieu of such statute labor, and for the purpose of enforcing such payment like proceedings may be taken against the person in default as are provided for in sub-section 1 of section 98 of the Consolidated Assessment Act of 1892. In case of neglect or refusal to pay any sum for statute labor commuted under section 94 of the said assessment act.

(b) For all purposes specified in sections 612 to 630, inclusive, of this act. (Referring to local improvements and frontage.)

(Section 524) of the Consolidated Municipal Act provides that roads where statute labor is performed are to be public highways.

Section 479 of the Consolidated Municipal Act, sub-section 1, provides for the appointment of overseers of highways, road surveyors and road commissioners, and provides that any member of a corporation may act as commissioner, surveyor or overseer over any road or work undertaken and carried on in part or in whole at the expense of the municipality, and it shall be lawful for the municipality to pay such member of the corporation acting as such commissioner, surveyor or overseer. The same section also authorizes the council to regulate the remuneration fees, charges and duties of such officers.

LAWS AS TO CONSTRUCTION AND MAINTENANCE OF ROADS.

(Section 531) makes the municipal corporations liable for the repair of public roads.

(Section 532) of the same act provides,—that the county council shall have exclusive jurisdiction over all roads and bridges lying within any township, town or village within the county and which the council by by-law assumes with the assent of such township, town or village municipality as a county road until the by-law has been repealed by the council.

(Section 533) provides—that any county council may assume, make and maintain any township or county boundary lines at the expense of the county or may grant such sums from time to time for such purposes as they may deem expedient.

(Section 534) provides—That when a county council assumes by by-law any road within a township as a county road, they shall, with as little delay as reasonably may be, cause the road to be planked, gravelled or macadamized.

(Section 554) of the Municipal Act provides—The council of any municipality may grant aid to any adjoining municipality for road improvements.

(Section 566 sub-section 5) of the same act provides—That the council of every county may pass by-laws for granting to any town or unincorporated village in the county aid by by-law or otherwise, towards opening any new road or bridge in the town, township or village in cases where the council deems the county at large sufficiently interested in the work to justify such assistance but not sufficiently interested to justify the council in at once assuming the same as a county work.

Section 567 provides—That townships may aid counties in the improvement of roads.

Section 612 provides—That the council of every township may pass by-laws for providing the means of ascertaining and determining what real property will be immediately benefitted by any proposed work, or improvement the expense of which is proposed to be assessed as hereinafter mentioned upon the real property benefitted thereby and of ascertaining the proportions of which the cost thereof is to be made on the various portions of real estate so benefitted and for assessing and levying, by means of a special rate, the cost of opening, widening, macadamizing, grading, levelling, paving or planking any street, lane, alley, public-way or place, or if constructing any sidewalk, bridge, culvert or embankment forming part of a highway therein. The provisions of this section do not apply to any work of repair or maintenance and all work or improvements constructed under the said section shall thereafter be kept in a good and sufficient state of repair at the expense of the township generally.

TOWNSHIP ROADS.

In about fifty per cent. of the townships statute labor is performed and may be commuted at the rate of \$1 per day; forty per cent. of the townships have