



ANNO QUADRAGESIMO TERTIO ET QUADRAGESIMO
QUARTO

VICTORIÆ REGINÆ.

A.D. 1880.

No. 168.

An Act to provide for the alteration of the Boundaries of
Municipal Corporations and District Councils in
certain cases, and for other purposes.

[*Assented to, 11th August, 1880.*]

WHEREAS there are various roads situate within certain Corporations and Councils, the whole of the cost of making, repairing, maintaining, and keeping in repair of which has hitherto been borne by such Corporations and Councils, notwithstanding that adjoining Corporations or Councils receive rates in respect of property abutting on such roads: And whereas there are also various other roads which are not included within the limits of any Corporation or Council, and by reason thereof there is no authority to enable the adjoining Corporations or Councils to expend money out of their rates or other funds in maintaining and repairing such roads, and it is expedient to remedy such inconveniences by enabling the Governor to alter the boundaries of such Corporations and Councils: And whereas it is also expedient to authorise Corporations and Councils to expend moneys out of their rates or other funds in making, maintaining, repairing, and keeping in repair the footpaths of certain main roads intersecting or adjoining such Corporations and Councils—Be it therefore Enacted by the Governor of the Province of South Australia, with the advice and consent of the Legislative Council and House of Assembly of the said province, in this present Parliament assembled, as follows:

Preamble.

1. The Governor may from time to time, by Proclamation in the *Government Gazette*, upon receiving a petition from any Corporation or Council, alter the boundaries of such Corporation or Council, by declaring

Governor, after receipt of petition, may by Proclamation alter boundaries of Corporations or Councils.

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Extending powers of
sec. 214 of 16 of 1861.

declaring to be vested in or excluded from the limits of any such Corporation or Council the whole or any part of the roads which may abut on or form the boundary, or portion of the boundary, of any such Corporation or Council, and may, whenever he shall declare part only of any such road to be vested in any Corporation or Council, by the same or any other Proclamation, alter the boundary of any adjoining Corporation or Council by declaring the other part of such road to be vested in such adjoining Corporation or Council.

Particulars to be con-
tained in petition.

2. Every petition upon which any such Proclamation as aforesaid shall be made shall describe the boundaries of the road or portion of the road proposed to be included in or excluded from the Corporation or Council petitioning, and shall also, in cases where it is proposed to exclude portion of a road from any Corporation or Council, and add the same to any other Corporation or Council, state the name of the Corporation or Council to which it is proposed to add the same, and describe the boundaries of the portion of road so proposed to be added to such other Corporation or Council.

Petition to be pub-
lished in *Gazette*.

3. Every such petition shall be published for three consecutive weeks in the *Government Gazette*, and notice in writing thereof, signed by the Commissioner of Crown Lands and Immigration, shall be sent to any Corporation or Council interested, and such Corporation, Council, or any person interested may, by memorial to the Governor, show cause against such petition or any part thereof being granted.

After the Proclama-
tion roads to be
vested.

4. From and after the publication of any such Proclamation as aforesaid by the Governor in the *Government Gazette* the care, management, and control of the roads or portions of roads therein described shall be vested in the Corporation or Council therein mentioned.

Repairs to footpaths
of main roads to be
subject to sanction of
Road Board.

5. Any Corporation or Council may, from time to time, and at all times hereafter, out of the rates or other funds of such Corporation or Council make, maintain, repair, or keep in repair the footpaths of any main line of road which may run through the limits of the said Corporation or Council, and also the footpath adjoining any main road bounding any such Corporation or Council: Provided nevertheless that before making, maintaining, or repairing any such footpaths or footpath such Corporation or Council shall procure the consent thereto, in writing, of the Local Board of Main Roads, or other authority in whom for the time being such main road shall be vested by virtue of the "Main Roads Act, 1874," or any other Act hereafter in force regulating main roads in the said province.

Interpretation clause.

6. In the construction of this Act, unless inconsistent with the context, the word "Corporation" shall mean any Municipal Corporation now or hereafter existing under any laws now or hereafter

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after in force in the said province regulating Corporations; the word "Council" shall mean any District Council now or hereafter existing under any laws now or hereafter in force relating to District Councils; and the word "road" shall mean all roads (except main roads), and shall include the footpaths adjoining such roads.

7. This Act may be cited for all purposes as "The Corporations and Councils Boundaries Act, 1880." Short title.

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

WM. F. DRUMMOND JERVOIS, Governor.