

passengers thereon. When the road passes between lands the property of different owners, each owner shall repair half of that portion of the road which lies opposite to his property.

7. The Commissioner of any District may at any time order any person who has failed to comply with the provisions of the last preceding section to comply therewith within such period as to the Commissioner shall seem fit, and if at the expiration of such period he has failed to obey the order, the Commissioner may direct the necessary repairs and work to be done under the superintendence of the Council of Elders of the village, who shall make the necessary outlay for this purpose, and may recover the amount so paid, with costs, from the person in default before any Village Judge.

Enforcement
of repairs.

8. This Law may be cited as the Roads Protection Law, 1885. Short title.

6 OF 1885.

TO MAKE PROVISION FOR THE CONSTRUCTION OF CERTAIN ROADS IN
THE DISTRICTS OF LIMASSOL AND LARNACA.

ROBERT BIDDULPH.]

[*March* 19, 1885.]

1. The High Commissioner in Council may order that a road or roads shall be constructed under the provisions of this Law:—

High Com-
missioner may
order roads to
be made.

- (1.) For connecting with the town of Limassol the villages of Agios Ambrosios, Kissousa, Omodhos, Mallia, Vassa, Vouni, and such other villages as may from time to time desire to be connected with the said road or roads, or with the military road already existing between Platres and Limassol.
- (2.) For connecting with the main roads passing through the village of Kophinou, the villages of Upper and Lower Lefkara, and such other villages as may desire to take the benefits of the provisions of this Law.

Such road or roads shall be constructed in such sections as the High Commissioner shall from time to time by Order in Council prescribe. Such order shall specify the terminal points of the section or sections named therein and the villages through or near which each such section shall pass.

Works to be under Government Engineer.

2. All works undertaken in pursuance of this Law shall be carried out under the direction of the Government Engineer, who shall determine the course of each section subject to the provisions of the Order in Council under which such section is constructed.

Power to take lands, etc.

3. It shall be lawful for the Government Engineer for the purposes of this Law, by himself, his agents or contractors, after giving notice to the Mukhtar of the village to which such lands belong, to enter upon any lands for the purpose of surveying and setting out any section or any part thereof and to do all things necessary for such purpose, and also to enter upon and take all such lands and buildings as it may appear to him necessary to take for the purpose of constructing any such section, and to cut down or remove all such trees, vines, or growing crops, hedges, walls, or other things as it may appear to him necessary to cut down or remove for the purpose of carrying out this Law.

Provided always that before the taking of any land, building or trees under the provisions of this section, the compensation to be paid for the same shall be assessed as hereinafter provided.

Penalty for obstructing the Government Engineer.

4. Any person wilfully obstructing the Government Engineer, his agents or contractors or any of them in the surveying, setting out, or construction of any road under the provisions of this Law, shall be liable for each offence to a fine not exceeding one pound or to imprisonment for any term not exceeding ten days.

Cost, how to be defrayed.

5. The cost of each section constructed under the provisions of this Law shall be defrayed as follows:—

One-half of the cost shall be paid out of the general revenue of the Island, and the other half by the inhabitants of such villages as the High Commissioner in Council shall by order prescribe, in manner hereinafter mentioned.

Assessment of amount to be paid by villages.

6. For the purpose of ascertaining the amount which ought to be contributed by the inhabitants of any village towards defraying the expense incident to the construction of any section under this Law, the High Commissioner may appoint a committee consisting of the Commissioner of the District and four other persons resident in the district and elected by the Mejlis Idaré of the District to examine and report upon the following matters:—

- (1.) What villages ought to contribute to the expense of each section;
- (2.) What proportion of such contribution ought to be borne by each village.

The committee shall make their report to the Chief Secretary to Government with regard to each section, within such time as the High Commissioner shall prescribe. The report shall be published in the *Cyprus Gazette*, and at the expiration of thirty days after such publication the High Commissioner in Council may by order prescribe what villages shall contribute to the cost of the section, and what proportion of the cost shall be borne by each village, and the order shall be final and conclusive.

7. The amount payable by any village in respect of the construction of any section by virtue of any such order shall be levied by levying upon the immovable property within the village an additional charge of one per thousand on the capital value of all property subject to Verghi Kimat.

Collection of amount payable by villages.

Such additional charge shall be levied in the same manner and at the same times as the Verghi Kimat is ordinarily levied, and shall continue to be levied yearly so long as any sum remains due and unpaid by the inhabitants of the village in respect of their contribution to the expense of the construction of any road or roads constructed under the provisions of this Law.

8. The High Commissioner may from time to time order advances to be made out of such funds of the Agricultural Bank as may be from time to time in the hands of the Receiver-General for the purpose of defraying any part of the cost attending the construction of any section under the provisions of this Law beyond the half of such cost payable out of the general revenue of the Island. Such advances shall be made by the Receiver-General to the Government Engineer upon the order of the High Commissioner, and shall be repaid out of the moneys contributed by villages under the provisions of this Law.

Advances out of funds of Agricultural Bank.

9. For all property taken, destroyed or injured in carrying out the purposes of this Law, compensation shall be made to the owner thereof by the owners of property situate in the village in which the property is situate. The nature and amount of the compensation to be made to any person and the proportion in which each person shall contribute thereto shall be settled by the Mukhtar and Azas of the village.

Assessment of compensation.

10. The decision of the Mukhtar and Azas in each case shall be reduced to writing in duplicate, and each copy thereof shall be signed or sealed by the Mukhtar and Azas. One of such copies shall be forwarded forthwith to the Commissioner of the

Record of assessment.

District, and the other shall be given to the person claiming compensation. The decision shall also be published in the village in such manner as the Mukhtar and Azas shall think fit.

Appeals.

11. Every such decision of the Mukhtar and Azas of any village shall be subject to appeal on the part of any person aggrieved thereby to the Mejlis Idaré of the District whose decision shall be final.

All appeals under this section must be lodged within fourteen days of the publication of the decision appealed against.

Appointment of assessors if Mukhtar and Azas fail to assess.

12. Whenever the Government Engineer shall require an assessment to be made of any compensation in respect of any property required to be taken under the provisions of this Law, he shall serve upon the Mukhtar of the village in which the property is situate a notice in writing to the Mukhtar and Azas of the village, calling upon them to make the assessment within seven days of the notice; and in case the Mukhtar and Azas shall neglect or refuse to make the assessment in accordance with the notice, the Government Engineer may appoint two experts to assess the amount of compensation, and also appoint a third expert to act as umpire in case the two experts shall not be able to agree upon a decision.

Assessment how decided.

13. The two experts appointed under the last preceding section shall forthwith proceed to assess the compensation; and if they are unable to agree upon a decision shall refer the matter to the third expert as umpire. The decision of the two experts, or of the third expert in case of difference, shall be subject to appeal on the part of any person aggrieved thereby to the Mejlis Idaré of the District, whose decision shall be final.

Distribution of compensation.

14. Every sum assessed as compensation under the provisions of the last preceding section shall be collected from persons liable to pay Verghi Kimat in respect of property situate in the village in which the property is situate in respect of which compensation is payable; and the amount payable by each person shall be an amount bearing the same proportion to the whole amount of the compensation assessed as the amount of Verghi annually payable by him bears to the whole amount of Verghi annually payable in respect of the lands of the village.

Collection of compensation.

15. The amount payable by any person in respect of his contribution to any compensation awarded under this Law shall be

deemed to be a tax duly assessed within the meaning of the Tithe and Tax Collection Law, 1882, and may be collected in the manner prescribed by the said Law by any person duly authorized by the Commissioner of the District to collect it, and shall be paid by the Government of Cyprus to the persons entitled thereto.

16. In case any person entitled to compensation under this Law shall be under disability or residing abroad, any sum to which he may be entitled in respect of such compensation may be paid to his guardian or duly authorized agent, if any (whose receipt shall be a sufficient discharge for it), or, in the absence of such guardian, into the District Court of the District within which the property in respect of which it is paid is situate, to be disposed of as the Court shall direct for the benefit of the person entitled thereto.

In case of person under disability compensation to be paid to guardian or agent.

17. After the completion of any section of any road made under the provisions of this Law, such section shall be inspected at least once a year by the Government Engineer or by some person on his behalf, and the Government Engineer shall from time to time cause all necessary repairs to be performed thereon.

Repair of roads.

The cost of such repairs shall be defrayed by the owners of property situated in the villages which contributed to the construction thereof and in like proportion; and the amount payable by any village in respect of such repairs shall be collected as provided by section 7 in respect of the expenses of construction.

18. This Law may be cited as the Limassol and Lefkara Roads Law, 1885.

Short title.

8 OF 1892.

TO PROVIDE FOR THE CONSTRUCTION OF BRANCH ROADS TO CONNECT
OUTLYING VILLAGES WITH MAIN ROADS.

WALTER J. SENDALL.]

[July 2, 1892.]

1. In this Law the expression "main road" means the roads Main roads. comprised in the Schedule, and such other roads as the High Commissioner shall from time to time by notice in the *Cyprus Gazette* declare to be main roads within the meaning of this Law.