

## 25 OF 1922.

## TO AMEND THE LAW RELATING TO ROADS.

MALCOLM STEVENSON.]

[May 13, 1922.

Short title.

1. This Law may be cited as the Roads Law, 1922.

Interpretation.

2. In this Law:—

“ Road ” includes—

(a.) All public carriageways, cartways and pathways, and all bridges, drains, embankments, causeways and ditches in connection therewith;

(b.) All land adjoining any road which has been reserved for its protection or benefit;

(c.) All land which has been marked off and reserved for the construction of any road; and

(d.) All public squares, greens, market places, and other public places other than public buildings.

“ Court ” means the District Court of the District within which materials for constructing or repairing the road are taken.

Proper officers empowered to enter upon lands for repair, etc., of roads.

3. The Director of Public Works or any person authorized by him, and the servants, workmen and labourers employed by or under him, may at all reasonable times and with all necessary and proper carriages, animals, and other means enter upon any land adjacent to or near any existing or intended road, and there do all acts, matters and things necessary for the purpose of tracing, measuring, making, working, opening, altering, turning, repairing, clearing, improving, or fencing any road.

And to take materials.

4. The Director of Public Works or any person authorized by him, and the servants, workmen and labourers employed by or under him, may at all reasonable times and with all necessary and proper carriages, animals and other means search for, dig, cut, take and carry away any water, timber, brushwood, stone, gravel, clay, or any other materials whatsoever, for the purpose of tracing, measuring, making, working, opening, altering, turning, repairing, clearing, improving, or fencing, or in any way assisting in the tracing, measuring, making, working, opening, altering, turning, repairing, clearing, improving, or fencing any

existing or intended road, or in any way connected therewith; and may carry away the same through the ground of any person, without being deemed a trespasser.

5.—(1.) Every person who shall sustain loss or damage by reason of the exercise of any of the powers and authorities conferred by this Law shall be entitled to receive compensation for the same in manner hereafter provided by this Law. Provided that such person shall make application in that behalf to the Director of Public Works at any time before the expiration of two months after the act, matter, or thing in respect of which such damage shall be alleged to have been done, and if he shall fail to make such application within the aforesaid period his claim to compensation for the alleged injury may be disallowed, and he shall be barred from recovering the same.

Compensation for injury to property.

(2.) Every person who, prior to the date of the coming into operation of this Law, shall have sustained loss or damage by reason of any act, matter, or thing done by the Director of Public Works or by any person authorized by him or by the servants, workmen, or labourers employed by or under him, in respect of any of the matters as mentioned in sections 3 and 4 in connection with any road shall be entitled to receive compensation for the same in manner hereafter provided by this Law. Provided that such person shall make or shall have made application in that behalf to the Director of Public Works at any time before the expiration of three months after the act, matter, or thing in respect of which such damage shall be alleged to have been done, and if he shall fail or shall have failed to make such application within the above period, his claim to compensation for the alleged injury may be disallowed and he shall be barred from recovering the same.

6. If within one month from the date of the application for compensation made in pursuance of the provisions of section 5, the applicant does not agree with the Director of Public Works as to the amount of the compensation, the Director of Public Works shall apply to the Court to refer the determination of the amount of the compensation to arbitrators; and the Court shall thereupon order that a notice be served on the persons interested, and shall fix a day for the appearance of the parties before the Court.

Compensation: how assessed.

