



ROADS CLAIMS ORDINANCE, 1859.

IN THE TWENTY-THIRD YEAR OF THE REIGN OF HER MAJESTY,  
QUEEN VICTORIA.

SESSION VIII.—NO. 36.

ANALYSIS.

Title.  
Preamble.

1. Trial may be Judicially as well as by Arbitration of Questions respecting Roads.
2. Short Title.

AN ORDINANCE *to authorise the Judicial Trial of Questions arising out of the Making or Altering of Roads.* Title.

**WHEREAS** by the Roads Ordinance, 1856, passed by the Superintendent and Provincial Council of Otago, it is enacted that disputes in regard to all matters arising out of the making, widening, diverting, altering, improving, or repairing of roads, are to be referred to Arbitration: And whereas doubts have been expressed whether, in consequence of said enactment, the trial of such questions be competent before a Court of Law instead of by Arbitration; and it is expedient to remove such doubts; Preamble.

**BE IT ENACTED** by the Superintendent of the said Province, with the advice and consent of the Provincial Council thereof, as follows:—

1. It shall be competent for the Superintendent, and other parties between whom any dispute, question, or difference may arise respecting any matter or thing which by the before recited Roads Ordinance is referred to Arbitration, to refer the same to Arbitration; and the Arbitration so referred to shall be deemed to be a Judicial Arbitration. 1. Trial may be Judicially as well as by Arbitration of Questions respecting Roads.

nance, 1856, is authorised to be settled by Arbitration, to institute proceedings in any competent Court of Law for the trial and decision of any such dispute, question, or difference, if the Superintendent or any of such other parties shall prefer to have the same tried and decided judicially, instead of by Arbitration.

2. Short Title.

2. This Ordinance may be cited and referred to by the title of the "Roads Claims Ordinance, 1859."

Passed the Provincial Council this 7th day of November 1859.

JAMES MACANDREW,  
*Speaker.*

ROBT. CHAPMAN,  
*Clerk of Council.*

Assented to on behalf of the Governor, at Dunedin,  
this Tenth day of November, One Thousand Eight  
Hundred and Fifty-nine.

W. CARGILL,  
*Superintendent of the Province of Otago.*