

said, should be assimilated to the Law of England: Be it therefore enacted by His Excellency the Governor, by and with the advice and consent of the Council of Government, that from and after the commencement of this Ordinance, whenever any question shall arise in any action, suit, information, or other proceeding, whatsoever in or before any Court of Justice or Justice of the Peace, or before any person having by law or by consent of parties, authority to hear, receive, and examine evidence touching the admissibility or the sufficiency of any evidence, or the competency or obligation of any witness to give evidence, or the swearing of any witness, or the form of oath or of affirmation to be used by any witness, or the admissibility of any question put to any witness, or the admissibility or sufficiency of any document, writing, matter or thing tendered in evidence, every such question shall be decided according to the Law of England, as the same is, and stands at the time of the passing of this Ordinance.

Passed in Council this first day of June, in the year of Our Lord one thousand eight hundred and fifty-five.

RICHARD D. CADIZ,

Clerk of Council.

The foregoing Ordinance was duly proclaimed in Port of Spain, by me, this fifteenth day of June, one thousand eight hundred and fifty-five.

EDWARD MURRAY,

Marshal.

No. 13.—1855.

1st June.

AN ORDINANCE to amend the Law relating to the Administration of the Estates of Deceased Persons.

CHARLES ELLIOT.

WHEREAS it is expedient that the law whereunder the real and personal assets of deceased persons are administered should be amended: Be it therefore

enacted by His Excellency the Governor, by and with the consent of the Council of Government, That when any person shall, after the thirtieth day of September, one thousand eight hundred and fifty-five, die possessed of, or entitled to any estate or interest in any land, or other hereditaments which shall at the time of his death be charged with the payment of any sum or sums of money by way of mortgage, and such person shall not, by his will, or by any deed or other document, have signified any contrary or other intention, the heir or devisee, to whom such land or hereditaments shall descend or be devised, shall not be entitled to have the mortgage debt discharged or satisfied out of the personal estate, or any other real estate of such person, but the land or hereditaments so charged shall, as between the different persons claiming through or under the deceased person, be primarily liable to the payment of all mortgage debts, with which the same shall be charged, every part thereof, according to its value, bearing a proportionate part of the mortgage debts, charged on the whole thereof: Provided always that nothing herein contained shall affect or diminish any right of the mortgagee on such lands or hereditaments, to obtain full payment or satisfaction of his mortgage debt, either out of the personal estate of the person so dying as aforesaid or otherwise: Provided also that nothing herein contained shall affect the rights of any person claiming under, or by virtue of any will, deed, or document, made at any time heretofore, since the first day of March, one thousand eight hundred and forty-eight, or to be made at any time before the said thirtieth day of September, one thousand eight hundred and fifty-five.

Passed in Council this first day of June, in the year of Our Lord, one thousand eight hundred and fifty-five.

RICHARD D. CADIZ,

Clerk of Council.

The foregoing Ordinance was duly proclaimed in Port of Spain, by me, this fifteenth day of June, one thousand eight hundred and fifty-five.

EDWARD MURRAY,

Marshal.