

TRINIDAD AND TOBAGO.

Tobago Squatters.

No. 16.—1896.

3rd August.

AN ORDINANCE with regard to the removal of persons from Crown Lands in the Island of Tobago.

[L.S.]

F. NAPIER BROOME,

GOVERNOR.

19th August, 1896.

BE it enacted by the Governor of Trinidad and Tobago with the advice and consent of the Legislative Council thereof as follows:—

1. In this Ordinance the following terms shall have the meaning respectively assigned to them: Interpretation.

(a.) The “Stipendiary Justice of the Peace” shall mean any Stipendiary Justice of the Peace having jurisdiction in Tobago, and

(b.) The “Warden” shall mean the person for the time being acting as Warden of Crown Lands in Tobago.

2. It shall be lawful for the Stipendiary Justice of the Peace on information that any person is in possession without any probable claim or pretence of title of Stipendiary Justice to issue summons in cases of unlawful possession.

any Crown Lands in the Island of Tobago to issue a summons calling on such person to appear and answer to such information and if such person after having been duly summoned shall not appear or appearing shall fail to satisfy such Stipendiary Justice of the Peace that he or those under whom he claims hath or had some probable claim or pretence of title to such land such Stipendiary Justice of the Peace shall make an order for putting the person in possession of such land out of possession of the same and for the delivery of the possession thereof to the Warden.

Stipendiary
Justice to issue
summons in
case of breach
of License to
occupy.

3. It shall be lawful for the Stipendiary Justice of the Peace on information that any person is in possession of any Crown Lands in the Island of Tobago for the purchase whereof application has been made by him or by any one under whom he claims but that such person has failed to pay after due notice had been given the purchase money or any instalment thereof then due or to comply with any of the conditions under which such Crown Lands are held by him to issue a summons calling on such persons to appear and answer to such information and if such person after being duly summoned shall not appear, or appearing shall fail to satisfy such Stipendiary Justice of the Peace that such purchase money or instalment thereof has been paid or that he has complied with the conditions under which such Crown Lands are held by him it shall be lawful for such Stipendiary Justice of the Peace to make an order for putting the person in possession out of possession and delivering up possession of such land to the Warden immediately after the expiration of thirty days from the date of such order unless such purchase money or the instalment thereof be sooner paid or such other

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conditions complied with to the satisfaction of such Stipendiary Justice of the Peace.

4. Every information under this Ordinance may be preferred by the Warden; and every summons to issue upon such information shall specify a time and place at which the person informed against is to appear and every such Summons shall be served at least three clear days next before the day appointed for such appearance by delivering the same to the person summoned in person or by leaving the same at his usual place of abode, or if such abode be not known then by affixing the same to some building upon, or in some open and conspicuous part of the lands mentioned in the information.

Service of
summons.

5. All informations, summonses, orders, or warrants under this Ordinance may be in the form set forth in the Schedule annexed to this Ordinance or in any other form to the same effect.

Form of infor-
mations, &c.

6. An appeal shall lie to the Supreme Court against any order or judgment of the Stipendiary Justice of the Peace under this Ordinance; and the proceedings therein shall be as in other cases where the law allows of appeal from the judgment of a Stipendiary Justice of the Peace.

Appeal to
Supreme
Court.

7. Ordinance No. 3 of 1868 "An Ordinance to amend and consolidate the laws with regard to the removal of persons from Crown Lands" shall not apply to the Island of Tobago.

Ordinance 3 of
1868 not to
apply to
Tobago.

Passed in Council this third day of August, in the year of Our Lord one thousand eight hundred and ninety-six.

HARRY L. KNAGGS,
Acting Clerk of the Council.

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FORM OF INFORMATION UNDER SECTION II.

TOBAGO—SCARBOROUGH.

A. B. Warden of Crown Lands in the said Island of Tobago informs the undersigned Stipendiary Justice of the Peace that C. D. of _____ is without any probable claim or pretence of title in possession of certain Crown Lands situate at _____ and comprising (*describe situation and extent of the lands*).

(Signed) A. B.

Taken before me the undersigned Stipendiary Justice of the Peace this _____ day of _____ 189 .

F. S.,
S.J.P.

FORM OF SUMMONS UNDER SECTION II.

To C. D. of _____

Whereas information has been preferred before me the undersigned Stipendiary Justice of the Peace by A. B., Warden of Crown Lands in the Island of Tobago that you C. D. are without any probable claim or pretence of title in possession of certain Crown Lands situate at _____ and comprising (*state situation and extent of land*).

Now I the said Stipendiary Justice of the Peace do hereby summon you to attend before me at the Police Office at _____ on _____ the _____ day of _____ at the hour of _____ then and there to answer touching the matters of the said information and in default of your so appearing or if you shall fail to show to my satisfaction that you have some probable claim or pretence of title to such lands then I the said Stipendiary Justice of the Peace shall forthwith make order for putting you out of the possession of the said lands.

Given under my hand at _____ this _____ day of _____ 189 .

F. S.,
Stipendiary Justice of the Peace.

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ORDER OF DELIVERY OF POSSESSION UNDER SECTION II.

TOBAGO.

To X. Y., Police Constable and all other Police Constables.

Whereas an information was on the _____ day of _____ preferred before me the undersigned Stipendiary Justice of the Peace by A. B., Warden of Crown Lands in Tobago that C. D. is in possession of certain Crown Lands situate at _____ (*describe situation and extent of land following terms of information*). And I the said _____ Stipendiary Justice of the Peace issued my summons to the said C. D. to appear before me at _____ on _____ and answer touching the matter of such information.

And whereas the said C. D. after having been duly summoned failed to appear before me as aforesaid (or did appear before me but failed to satisfy me that he had any probable claim or pretence of title to such lands).

Now I the said Stipendiary Justice of the Peace do hereby order and require you the said Constable taking such force as may be required for the purpose to enter upon the said lands situate _____ and comprising (*situation and extent of land*) or any part thereof in the name of the whole and then and there to put the said C. D. out of possession of the said lands and deliver possession of the said lands together with all buildings (*if any*) thereon and all crops growing thereon to the Warden of Crown Lands in Tobago.

Given under my hand at _____ this _____ day of _____ 189 .

F. S.,
Stipendiary Justice of the Peace.

FORM OF INFORMATION UNDER SECTION III.

TOBAGO—SCARBOROUGH.

A. B., Warden of Crown Lands in the said Island of Tobago informs the undersigned Stipendiary Justice of the Peace that C. D. of _____ is in possession of certain Crown Lands situate in _____ and comprising (*state situation and extent*) for the purchase whereof an application has been made to the Commissioner but [that no part of purchase money of the said parcel of land has been paid] or [but that the sum of _____ being an instalment in respect of the purchase money of the said parcel of land

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is in arrear and unpaid] or [but that the said C. D. has failed to comply with the following condition under which the said parcel of land is held by him] namely (*here set out the condition*).

(Signed) A. B.,
Warden, &c.

Taken before me the undersigned Stipendiary Justice of the Peace this day of 189 .

F. S.,
S.J.P.

FORM OF SUMMONS UNDER SECTION III.

TOBAGO.

To C. D. of

Whereas information has been preferred before me the undersigned Stipendiary Justice of the Peace by A. B., Warden of Crown Lands in Tobago that you the said C. D. are in possession of certain Crown Lands situate at and comprising (*state situation and extent*) and that an application for the purchase of the said lands was made by you but [that no part of the purchase money of the said lands has been paid] or [that the sum of being an instalment in respect of the purchase money of the said parcel of land is in arrear and unpaid] or [that you the said C. D. have failed to comply with the following condition under which the said parcel of land is held by you] namely (*here set out the condition*).

Now I the said Stipendiary Justice of the Peace do hereby summon you to appear before me at the Police Office at on the day of at the hour of then and there to answer touching the matters of the said information and in default of your so appearing or if you shall fail to show to my satisfaction that [the purchase money of the said lands has been paid] or [that the said instalment if the purchase money of the said parcel of land has been paid] or [that you have complied with said condition under which the said land is held by you] then I the said Stipendiary Justice of the Peace shall forthwith make order for putting you out of possession of such lands immediately after the expiration of thirty days from the date of such order unless such (purchase money be sooner paid) or (such instalment of the purchase money be sooner paid) or (unless you comply with the said conditions to my satisfaction within the said period of thirty days.

Given under my hand this

F. S.,
S.J.P.

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FORM OF ORDER OF DELIVERY OF POSSESSION
UNDER SECTION III.

TOBAGO.

To X. Y., Police Constable and to all other Police Constables.

Whereas an information was on the _____ day of _____ preferred before me the undersigned Stipendiary Justice of the Peace by A. B., Warden of Crown Lands in Tobago that C. D. is in possession of certain Crown Lands situate at _____ and comprising _____ (*describe situation and extent of land following terms of information*) and that an application for the purchase of the said lands was made by you but that [no part of the purchase money has been paid] or (*set out the particular breach contained in the information*). And I the said _____ Stipendiary Justice of the Peace thereupon issued my summons to the said C. D. to appear before me at _____ on the _____ day of _____ and answer touching the matter of the said information. And whereas the said C. D. after having been duly summoned failed to appear before me as aforesaid [or did appear and failed to satisfy me that the said purchase money has been paid] or [that the said instalment of the purchase money has been paid] or [that he has complied with the said condition]. Whereupon I ordered that the said C. D. be put out of possession of the said parcel of land and that the same be delivered to the Warden immediately after the expiration of thirty days after the date of such order unless such purchase money or the instalment thereof be sooner paid or such condition be complied with. And whereas the said period of thirty days had elapsed since the date of such order and [such purchase money has not been paid] or [and such instalment of the purchase money has not been paid] or [and such condition has not been complied with to my satisfaction].

Now I the said Stipendiary Justice of the Peace do hereby order and require you the said Constable taking such force as may be required for the purpose to enter the lands situate and comprising _____ (*state situation and extent of land according to order*) or any part thereof in the name of the whole and then and there put the said C. D. out of the possession of the said lands and to deliver possession of the said lands together with all buildings thereon and all crops growing thereon to the Warden of Crown Lands.

Given under my hand at _____ this _____ day of _____

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F. S.,

Stipendiary Justice of the Peace.