

TRINIDAD AND TOBAGO.

No. 24.—1896.

12th October.

AN ORDINANCE to empower the Governor to revoke or amend any Charter granted under the Municipal Corporations Ordinance, 1853 (10—1853).

[L.S.]

C. C. KNOLLYS,

ACTING GOVERNOR.

22nd October, 1896.

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

1. It shall be lawful, but not imperative, for the Governor on receipt of an address from the Legislative Council founded on a petition signed by not less than one-third of the total number of burgesses on the burgess roll of the Borough to revoke or amend any charter granted under the Municipal Corporations Ordinance, 1853.

Governor may
revoke or
amend
Charters.

2. Immediately on the revocation of any such charter the corporation constituted thereby shall be dissolved, and all powers and jurisdiction of any corporate officer

Abolition of
powers of
officers.

holding office under such charter shall cease whether such power and jurisdiction is conferred by such charter or by any Ordinance, and the town to which such charter applied shall be subject to the same jurisdiction, administration and government as the Ward in which it is situate.

Property of Corporation to vest in Warden and to be applied for the benefit of the inhabitants.

3. All property of any corporation which is dissolved under this Ordinance, or of any person as member or officer thereof and the legal estate therein, shall immediately on such dissolution absolutely devolve upon and vest in the Warden, who shall have power with the consent of the Governor to sell or otherwise dispose of the same, and all such property and the proceeds arising from the sale thereof shall be held and applied by the Warden for the benefit of the inhabitants of the town in such manner as may be directed and ordered by the Governor.

Appeal by parties aggrieved.

4. Any corporation or person directly affected by any order or direction of the Governor under this Ordinance in relation to such property may, if aggrieved by the order, appeal to the Supreme Court which may after considering the objections and if necessary hearing parties, make such order as in their opinion the Governor ought to have made, and such order shall have the same effect under this Ordinance as if the same had been made by the Governor.

Provision as to property and transfer thereof.

5. (1.) All property by this Ordinance vested in the Warden shall so far as the same can be transferred by this Ordinance, be transferred by virtue of this Ordinance, and so far as the same cannot be so transferred, be held in trust for the Warden, and shall be vested for the same estate and interest and subject to the same

liabilities for and subject to which such property was held at the time immediately before the same becomes so vested.

(2.) For the purposes of this Ordinance the expression "property" includes all property, real and personal, and all things in action, and all rights of common or commonable rights, and rights which have any pecuniary value, and all charters, records, deeds, books, and documents, and includes any estate or interest, legal or equitable, in any property as so defined; and all property held, enjoyed, claimed or administered by any corporation or person shall for the purposes of this Ordinance be deemed to be the property of such corporation or person.

(3.) All trusts administered by any corporation abolished under this Ordinance or any officers of such corporation, either alone or jointly with other persons, shall vest in and be exercised and performed and administered by the Warden.

(4.) Any question which may arise as to whether anything is property within the meaning of this Ordinance or as to whether anything is vested in the Warden as provided by this Ordinance shall in the first instance be decided by the Governor, subject nevertheless to an appeal to the supreme Court, and such appeal may be presented by any person interested or claiming to be interested in the property.

6. (1.) All liabilities of any corporation or officer abolished under this Ordinance existing at the time of such abolition, shall be discharged out of the same fund and in the same manner as near as may be as they

Liabilities to
be discharged
as if no Ordi-
nance passed.

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would have been if this Ordinance had not passed ; and the Warden, on the application of any person interested and with the consent of the Governor, may by order provide in such manner as he thinks expedient for the discharge of such liabilities.

(2.) For the purposes of this Section a rate, toll or due may continue to be levied and may be made, assessed, levied and collected by such persons as the Warden with the consent of the Governor directs in like manner as if they were the persons who, if this Ordinance had not passed, would have been authorized to make, assess and levy such rate, toll or due.

(3.) An order under this Section may be made an order of the Supreme Court, and may be enforced accordingly.

Repeal.

7. So much of any Ordinance, law, charter or usage as is inconsistent with this Ordinance is hereby repealed.

Definitions.

8. In this Ordinance

“The Warden ” means the Warden for the time being of the Ward within which any Borough dissolved under this Ordinance is situate.

“The Governor ” means the Governor in Executive Council.

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

HARRY L. KNAGGS,
Acting Clerk of the Council.