

TRINIDAD AND TOBAGO.

No. 6.—1911.

13th February.

AN ORDINANCE to authorize the laying down of
a certain tramway.

[L.S.]

GEORGE R. LE HUNTE,

GOVERNOR.

18th February, 1911.

WHEREAS the Oil Exploration Company of Canada, Limited, and the Trinidad Oil Exploration Syndicate, Limited, desiring to lay down a tramway along the public road at Guayaguayare in the County of Mayaro known as Rust's Road, petitioned the Governor and Legislative Council for leave to introduce a Bill conferring upon them the powers necessary so to do:—

And Whereas such leave was granted on the Seventeenth day of January, 1910;

And Whereas the General Petroleum Properties of Trinidad, Limited, having under and by virtue of an agreement dated the 22nd day of March, 1910, acquired the

property and rights of the aforesaid Companies, have petitioned the Governor and Legislative Council that the said Bill may be proceeded with in the names of the General Petroleum Properties of Trinidad, Limited :—

And whereas it is expedient that the legislative powers necessary for the construction and use of the said tramway should be conferred upon the said General Petroleum Properties of Trinidad, Limited :—

And Whereas plans and sections of the proposed tramway have been deposited with and approved of by the Director of Public Works, which said plans and sections are hereinafter referred to as "the deposited plans and sections";

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

Short title.

1. This Ordinance may be cited as the Rust's Road Tramway Ordinance 1911.

Right to lay down and work tramway.

2. Subject to the provisions and restrictions contained in this Ordinance, the General Petroleum Properties of Trinidad, Limited, (hereinafter referred to as "the Undertakers") shall have the exclusive right to lay down, make, work, use and maintain a tramway for the conveyance of goods in accordance with the deposited plans and sections upon and along the road known as Rust's Road situate at Guayaquayare in the County of Mayaro from the sea inland up to the Southern boundary of the Undertakers' lands lying to the South of the Pilot River.

Caution money.

3. Before the Undertakers shall commence the laying down of the said tramway, they shall deposit with the Receiver-General a sum equal to four per centum of the estimated cost of the said tramway, and such sum shall be carried by the Receiver-General to the credit of a separate account, and the same with interest thereon at the rate of three pounds per centum per annum, shall be paid to the Undertakers on the completion of the undertaking.

4. The construction of the said tramway shall be commenced within two months and shall be completed within six months from the commencement of this Ordinance.

Time for commencement and completion.

5. In case the said tramway shall not be commenced or shall not be completed within the terms hereinbefore limited or any extended term which may be granted by the Governor and Legislative Council for the commencement or completion thereof, the right hereby granted shall cease and determine, and the sum deposited with the Receiver-General and the interest on the same shall be forfeited to His Majesty His Heirs and Successors.

Forfeiture of caution money.

6. The said tramway shall consist of a single line of rails laid at the side of the said road and shall be constructed according to the deposited plans and sections.

Details of construction.

7. The Undertakers shall at all times maintain and keep in good condition and repair and so as not to be a danger or annoyance to the ordinary traffic on the said road, the rails of the said tramway and the sub-structure on which the same rests.

Line to be kept in good order.

8. It shall be lawful for the Undertakers, subject to such bye-laws and regulations as may from time to time be made hereunder, to use any motive power for the propulsion of the carriages used on the said tramway.

Motive power.

9.—(1.) After first communicating with the Undertakers and taking into consideration any representations made by them, the Governor in Executive Council may from time to time make, alter and revoke bye-laws and regulations with regard to:—

Power to make bye-laws and regulations.

- (a.) The motive power to be used on the said tramway;
- (b.) The regulation of the traffic on the said tramway;
- (c.) The protection of the public from personal injury by reason of the construction, maintenance, operation or working of the said tramway;
- (d.) Any matter or thing in respect of which it may be expedient to make bye-laws or regulations in connection with the construction, maintenance, using and working of the said tramway.

(2.) All such bye-laws and regulations shall be published in the *Royal Gazette*, and production of such Gazette containing a copy of such bye-laws or rules shall in all legal proceedings be sufficient evidence of the due making and tenor thereof.

Penalties for
breach of
bye-laws.

10. Any such bye-laws or regulations may impose penalties for offences against the same, not exceeding two pounds for each offence, with or without further penalties for continuing offences not exceeding for any continuing offence ten shillings for every day during which the offence continues.

Obstruction or
damage.

11. If any person wilfully and unlawfully obstructs any person acting under the authority of the Undertakers in the lawful exercise of their powers in setting out, making, forming, laying down, repairing, renewing, working or using the said tramway or any part thereof, or defaces or destroys any mark made for the purpose of setting out any line thereof, or damages any property of the Undertakers, he shall for every such offence, in addition to his liability for the value of the property so damaged or destroyed, be liable to a penalty not exceeding ten pounds.

Certain
offences.

12. If any person without lawful excuse, the proof whereof shall lie on him, wilfully does any of the following things, namely:—

- (a.) Interferes with, removes or alters any part of the said tramway, or places or throws any stone, dirt, wood, refuse or other material in or upon any part of the said tramway;
- (b.) Does or causes to be done anything in such manner as to obstruct any carriage using the said tramway, or to endanger the life of any person therein or thereon;
- (c.) Knowingly aids or assists in the doing of any of such things;

he shall for every such offence be liable, in addition to any proceedings by way of indictment or otherwise to which he may be subject, to a penalty not exceeding Ten Pounds.

13. All penalties under this Ordinance or the bye-laws and regulations made thereunder shall be recoverable on summary conviction in accordance with the provisions of the Summary Conviction Offences (Procedure) Ordinance No. 1, on the information of any person. ^{Recovery of penalties.}

Passed in Council this thirteenth day of February, in the year of Our Lord one thousand nine hundred and eleven.

HARRY L. KNAGGS,
Clerk of the Council.
