

TRINIDAD AND TOBAGO.

No. 36.—1918.

I ASSENT,

[L.S.]

J. R. CHANCELLOR,
Governor.

24th December, 1918.

AN ORDINANCE to amend the Port-of-Spain Corporation Ordinance, 1914, and to consolidate the Port-of-Spain Corporation (Amendment) Ordinances, 1914, 1915, and 1916.

[24th December, 1918.]

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

1. This Ordinance may be cited as the Port-of-Spain Corporation (amendment) Ordinance, 1918, and shall be read as one with the Port-of-Spain Corporation Ordinance, 1914, which is herein referred to as the Principal Ordinance. Short Title.

2. Sub-sections (b), (c), (e) and (j) of Section 3 of the Principal Ordinance are hereby repealed, and the following shall be inserted in lieu thereof:— Definitions.

(b) "City" means the City of Port-of-Spain as defined by this Ordinance, together with any extensions thereof under the powers conferred by Section 7 of this Ordinance.

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- (c.) "Corporation" means the Mayor, Aldermen and Citizens of the City of Port-of-Spain.
- (e.) "Corporate Office" means the offices of Mayor, Deputy Mayor, Alderman or Councillor.
- (j.) "Port-of-Spain" means the City of Port-of-Spain as defined by this Ordinance, together with any extensions thereof under the powers conferred by Section 7 of this Ordinance.

Extent of
City.

3. Section 7 of the Principal Ordinance is hereby repealed, and the following shall be inserted in lieu thereof:

7.—(1.) For the purposes of this Ordinance the City shall include all the lands and houses and buildings within the boundaries set forth in the First Schedule to this Ordinance.

Extension of
City.

(2.) The Corporation may, by resolution, subject to confirmation by the Governor in Executive Council, extend from time to time the limits of the City, and may add wards thereto or alter the boundaries of any ward.

Provided that not less than one month's notice of the intention to bring forward such a resolution shall be given by advertisement in the *Royal Gazette* and in one local newspaper circulating in the City.

Extension to
be advertised.

(3.) The Council shall, as soon as convenient after the incorporation of any area in the City under the powers conferred by this section, cause an advertisement to be inserted in the *Royal Gazette* and in one local newspaper circulating in the city describing the area so incorporated and setting forth the fact of the approval of the Governor in Executive Council to such incorporation; and in the case of the addition of new wards or the alteration of the boundaries of any ward, shall cause the same to be advertised in the *Royal Gazette* and in one local newspaper circulating in the City.

- (4.) The Council shall also, as soon as convenient after the incorporation of any area in the City under the powers conferred by this section, cause the several rateable hereditaments in such area to be valued in accordance with the provisions of Part VI of this Ordinance for the purpose of fixing the house rate payable in respect thereof, and shall cause such valuations and the rates payable in respect thereof to be entered either in the House Rate Book in force or in a separate book, in such manner and form as the Council may prescribe. Valuation of premises in added area.
- (5.) The valuations so made, subject to any variations thereof on appeal, shall take effect from a day to be fixed by resolution of the Council, and shall, for the purpose of computing all rates payable in respect of such rateable hereditaments be deemed to be the valuations thereof from such date for the unexpired period of the current triennial period; and the provisions of Part VI of the Principal Ordinance relating to the service of notices of assessment, to objections to the Corporation's valuations, and to appeals from the Corporation's decisions on such objections shall apply to such valuations. Valuations to take effect from date to be fixed.
- (6.) For all purposes relating to the qualification of burgesses and councillors, any area incorporated in the City under the powers conferred by this section shall be deemed to have formed part of the City during the whole of the twelve months immediately preceding the date of such incorporation. Extension to be deemed to have formed part of City for preceding 12 months.
- (7.) Save as otherwise expressly provided by this Ordinance, all statutory enactments, bye-laws and regulations in force and applicable to the City at the date of any extension of the limits thereof under the powers conferred by this section shall extend and apply to the area so added to the City. Enactments and bye-laws applicable to City to extend to added area.

Qualifications
of Burgesses.

4. Section 9 of the Principal Ordinance is hereby repealed, and the following shall be inserted in lieu thereof:—

9.—(1.) A person shall not be deemed to be a burgess for any of the purposes of this Ordinance unless he is enrolled as a burgess.

(2.) A person shall not be entitled to be enrolled as a burgess unless he is of full age, and is a British subject by birth or naturalization, or being any other person, has actually resided in the Colony for a continuous period of not less than five years immediately preceding the thirty-first day of March in any year, and also possesses either the two qualifications (a) and (b) hereunder, or, alternatively, the qualification (c) hereunder:—

(a) is, on the thirty-first day of March in any year, and has been during the whole of the preceding twelve months in occupation of any house, warehouse, counting house, shop or other building within the City (in this Ordinance referred to as qualifying property), assessed in the House Rate Book for the year at an annual rateable value of not less than £12.10, or of any portion of such qualifying property for which he shall have really and *bonâ fide* paid during such preceding twelve months not less than £12 10 rent; or has during the same twelve months occupied as owner any qualifying property assessed in the House Rate Book at an annual rateable value of not less than £10.

(b) has, during the same twelve months resided within the City or within ten miles thereof, such ten miles to be measured along the nearest public road or way by land or water;

- (c) is, on the thirty-first day of March, and has been during the whole of the preceding twelve months in occupation as a lodger of lodgings in the City, and as such lodger has paid during the period above named not less than £12.10 for rent only of such lodgings, or not less than £62.10 for rent and board combined, and has also resided in such lodgings during the whole of such period.

~~Provided that, for a period of ten years after the passing of this Ordinance, no person of German or Austrian parentage or nationality, even though he be naturalised as a British subject, shall be entitled to be enrolled as a burgess.~~

*Repealed by
24/1/1919*

- (3.) For the purposes of this section the term "lodgings" shall mean any room or rooms, whether furnished or unfurnished, separately occupied in a dwelling house.

5. Section 13 of the Principal Ordinance is hereby repealed, and the following shall be inserted in lieu thereof:—

Number and
Qualification
of Councillors.

- 13.—(1.) There shall be fifteen Councillors, who shall be fit persons elected by the burgesses.
- (2.) Three Councillors shall be returned for each ward, but the Council may from time to time with the approval of the Governor in Executive Council, alter the number of representatives to be returned for any ward, provided that the total number of Councillors shall remain fifteen.
- (3.) A person shall not be qualified to be elected or to be, a Councillor unless,—
- (a) he is of the male sex and is entitled to be, and is in fact enrolled as a burgess; and
- (b) he is a British subject by birth or naturalisation; and

- (c) he is possessed as absolute owner or as a tenant for life or of some other estate of freehold of or in real property assessed to the house rate at an annual rateable value of not less than £50, or is the actual tenant of a house assessed to the house rate at an annual rateable value of not less than £62.10 and as such tenant has *bonâ fide* paid within the preceding twelve months at least one year's rent in respect of such house; or alternatively
- (d) he is in receipt of an income of not less than £312.10 per annum.

Persons
disqualified to
be Councillors.

(4.) A person shall be disqualified for being elected and for being a Councillor,

- (a) if and while he holds any office or place of profit, other than that of Mayor or Deputy Mayor, in the gift or disposal of the Council;
- (b) if he does not speak the English language;
- (c) if and while he is in Holy Orders, or the regular Minister of any dissenting congregation;
- (d) if and while he is an undischarged bankrupt;
- (e) if he has been convicted of treason or felony or of any offence involving dishonesty;
- (f) if and while he has, directly or indirectly, by himself or his partner, any share or interest in any contract or employment with, by, or on behalf of the Council.

Proviso as to
exceptions.

(5.) Provided that a person shall not be disqualified by reason of his being interested,—

- (a) in any sale, purchase or lease of land to or from the Corporation; or

- (b) in any newspaper in which any advertisement relating to the affairs of the Corporation is inserted : or
- (c) in any company which contracts with the Council for lighting the city or any part thereof or for lighting or insuring against fire any property of the Corporation in any part of the City ; or
- (d) in any agreement for the loan of money or any security for the payment of money : or
- (e) in any contract with the Corporation as a director or shareholder in any company incorporated by or under any Act of Parliament, or by Royal Charter, or by or under any Ordinance ; but he shall not take part in any discussion of, or vote on, any question in which such company is interested at any meeting of the Council or of any Committee thereof.

6. Section 18 of the Principal Ordinance is hereby repealed, and the following shall be inserted in lieu thereof :—

18.—(1.) The Council may appoint any Alderman or Councillor to be the Deputy-Mayor to hold office ^{Deputy Mayor.} during the term of office of the Mayor ; and in the absence or illness of the Mayor, such Deputy Mayor shall be deemed to have authority to exercise all the powers and discharge all the duties vested in and imposed upon the Mayor under and by virtue of this Ordinance and any other Ordinance amending the same ; and all things done, exercised or suffered by the Deputy Mayor as aforesaid shall be as valid and effectual in all respects as if they had been done, exercised or suffered by the Mayor ; but such Deputy Mayor shall not, unless he is a Justice of the Peace, act as a Justice or in any judicial capacity.

On death, &c.,
of Mayor, the
Deputy
Mayor suc-
ceeds.

(2.) In the event of the death, resignation or disqualification from any cause of the Mayor, the Deputy Mayor shall forthwith succeed to the office of Mayor, and shall continue in such office until the time when the Mayor whom he succeeds would have gone out of office, and he shall then go out of office.

On death, &c.,
of Deputy
Mayor,
another
Alderman
or Councillor
to be appoint-
ed.

(3.) In the event of the death, resignation or disqualification from any cause of the Deputy Mayor, the Council may appoint any other Alderman or Councillor to be the Deputy Mayor to hold office for such term, not exceeding the term of office of the then Mayor, as the Council may by resolution determine.

Alderman or
Councillor to
be appointed
if Mayor and
Deputy Mayor
are both incap-
able of acting.

(4.) If the Mayor is dead or is absent or otherwise incapable of acting in the exercise of his powers and duties under this or any other Ordinance for the time being in force, and the Deputy Mayor is also incapable of acting for any of the reasons hereinbefore specified, the Council shall forthwith elect an Alderman or Councillor to execute those powers and duties in place of the Mayor for such term as the Council may by resolution determine.

7. Section 22 of the Principal Ordinance is hereby repealed, and the following shall be inserted in lieu thereof:—

Deputy
Town Clerk.

22.—(1.) The Council may from time to time appoint a fit person not being a member of the Council, to be the Deputy Town Clerk of the City, who shall hold office during the pleasure of the Council.

Power to
appoint per-
son to act as
Town Clerk.

(2.) In case of the illness, absence, resignation or death of the Town Clerk, the Deputy Town Clerk, if any, shall act as Town Clerk, and if there be no Deputy Town Clerk, the Council shall forthwith appoint a fit and proper person, not being a member of the Council, to act as Town Clerk; and all things required or authorised by law to be done by or to the Town Clerk shall

be done by or to the Deputy Town Clerk or the person so appointed.

8. Section 48 of the Principal Ordinance is hereby repealed, and the following shall be inserted in lieu thereof:— Declaration by person elected to a Corporate office.

48.—A person elected to a corporate office shall not, until he has made and subscribed before the Town Clerk a declaration in the form set forth hereunder, act in such office.

(Declaration to be made by Person elected to a Corporate Office.)

I,.....having been elected (Mayor, Deputy Mayor, Alderman or Councillor) for the City of Port-of-Spain, do hereby declare that I take the said office upon myself, and I declare that I am qualified as follows:—

(a.) I am the absolute owner (or the tenant for life) of the property assessed in the House Rate Book for the current year as No.....at an annual rateable value of \$.....; or

(b.) I am the actual tenant of premises No.....Street in Port-of-Spain assessed in the House Rate Book at an annual rateable value of \$.....and I have *bonâ fide* paid for the same one year's rent within the preceding twelve months; or

(c.) I reside at No.....,Street in Port-of-Spain, and I am and have during the preceding twelve months been in receipt of an annual income of \$.....derived from.....

Signature.

9. The following new section shall be inserted after Section 49 of the Principal Ordinance:—

Oath to be taken by person elected to Corporate office.

*will \$500
15/1/24*

49A. Every person elected to a Corporate office shall, at the first ~~regular~~ meeting of the Council which he attends after having made and subscribed the declaration set forth in the foregoing section take and subscribe the following oath of office, which shall be tendered to him by the Town Clerk, and attested by the Mayor:—

(Oath of Office.)

“I.....having been duly elected to the office of.....of the City of Port-of-Spain, do hereby swear that I will duly and faithfully fulfil the duties of such office without fear or favour, partiality or ill will, and to the best of my judgment and ability,—so help me God.”

Fines on resignation, &c.

10. Section 50 of the Principal Ordinance is hereby repealed, and the following shall be inserted in lieu thereof:—

50.—(1.) A person elected to a corporate office may at any time by writing signed by him and delivered to the Town Clerk, resign the office on payment of the fine provided for non-acceptance of office; Provided always that an officer of the Public Service who obtains from the Governor a certificate of exemption from serving in such corporate office, or who resigns a corporate office by direction of the Governor, shall not be liable to any such fine.

(2.) In any such case the Council shall, unless the office so resigned be that of Mayor, forthwith declare the office to be vacant, and signify the same by notice in writing signed by three members of the Council and countersigned by the Town Clerk, and fixed upon the Town Hall, and the office shall thereupon become vacant.

- (3.) Provided always that any person elected to a corporate office whose state of health, as certified by a member of the Medical Board, is such as to make his resignation necessary, or whose business or employment requires his residence at a distance from Port-of-Spain which is so considerable as to render it difficult for him to attend meetings of the Council, who obtains the permission of the Council to resign his seat, pursuant to a resolution carried by not less than three-fourths of the members present at a meeting attended by not less than two-thirds of the whole Council, shall not be liable to pay any such fine.

Resignation
without liability
to pay fine.

11. Section 52 of the Principal Ordinance is hereby repealed, and the following shall be inserted in lieu thereof:—

52.—(1.) If a person elected to a corporate office,—

- (a.) is declared bankrupt, or compounds by deed with his creditors, or makes an arrangement or composition with his creditors under the Bankruptcy Ordinance, by deed or otherwise; or
- (b.) is continuously absent from the City for more than 30 days without the leave of the Council, or is absent from three consecutive ordinary meetings of the Council without the leave of the Council; or
- (c.) refuses or neglects to take and subscribe the oath of office prescribed by Section 9 hereof,

Disqualifica-
tions for hold-
ing Corporate
office.

he shall thereupon immediately become disqualified, and shall cease to hold the office.

- (2.) In any such event the Council shall forthwith declare the office to be vacant, and signify the same by notice in writing signed by three members of the Council and countersigned by the Town Clerk and fixed upon the Town Hall, and the office shall thereupon become vacant.

*repealed by
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- (3.) Where a person becomes disqualified by being declared bankrupt, or compounding or making an arrangement or composition as aforesaid, the disqualification, as regards subsequent elections, shall, in the case of bankruptcy, cease on his obtaining his order of discharge, and shall, in cases of compounding or composition as aforesaid, cease on payment of his debts in full, and shall, in the case of an arrangement as aforesaid, cease on his obtaining his certificate of discharge.
- (4.) Where a person becomes disqualified by absence or by refusal or neglect to take and subscribe the prescribed oath of office, he shall be liable to the same fine as for non-acceptance of office, to be recovered in the same manner as if he had refused to accept office: but disqualification due to absence shall, as regards subsequent elections, cease on his return.

12. Section 53 of the Principal Ordinance is hereby repealed, and the following shall be inserted in lieu thereof:—

Filling of casual vacancy.

53.—(1) On a casual vacancy in any corporate office other than that of Mayor, an election shall be held by the same persons and in the same manner as an election to fill an ordinary vacancy, and the person elected shall hold the office until the time when the person in whose place he is elected would have gone out of office, and he shall then go out of office.

When there is more than one casual vacancy in the same Ward.

(2) In case of more than one casual vacancy in the office of Councillor being filled at the same election, the Councillor elected by the smallest number of votes shall be deemed to be elected in the place of him who would regularly have first gone out of office, and the Councillor elected by the next smallest number of votes shall be deemed to be elected in the place of him who would regularly have next gone out of office, and so with respect to the others; and if

there has not been a contested election, or if any doubt arises, the order of rotation shall be determined by the Council.

- (3) Non-acceptance of office by a person elected creates a casual vacancy.
- (4) The election to fill a casual vacancy shall be held within 30 days after notice in writing of the occurrence of such vacancy has been given to the Mayor or the Town Clerk by two burgesses.

13. Sections 57 to 70 of the Principal Ordinance are hereby repealed, and the following shall be inserted in lieu thereof:—

57.—(1) The Town Clerk shall, on or before the 30th day of June in each year make out a list, to be called the Burgess List, of all persons who are entitled to be enrolled as burgesses of the year in respect of qualifying property within the City, and shall sign such list.

Town Clerk to make out Burgess List.

(2) The Burgess List shall be made out under several heads according to the number of wards into which the City is divided, and shall distinguish under each ward in alphabetic order the persons entitled to be enrolled as burgesses in respect of qualifying property within such ward.

Burgess List to be made out under heads according to Wards.

(3) No burgess shall be entitled to be enrolled in more than one ward.

No burgess to have more than one vote

58.—(1) Any person claiming to possess a lodger qualification may claim in writing addressed to the Town Clerk to have his name entered in the Burgess List as a burgess for the ward in which he resides.

Lodger Qualification—Application.

(2) Every such claim shall be sent in to the Town Clerk on some day between the first and the fifteenth days of April in any year, and no such claims shall be received after the fifteenth day of April in any year.

Date to be received.

(3) Every such claim shall be in the form "A" in the Fourth Schedule to this Ordinance, or in

Form.

such other form as the Council may from time to time prescribe.

Council may direct name to be added to Burgess List.

- (4) If the Town Clerk, or any Committee appointed by the Council for that purpose, is satisfied that the applicant possesses a lodger qualification, the Town Clerk shall cause his name to be entered in a separate list, under the heading of "Burgesses for the——Ward qualified in respect of a Lodger Qualification"; and such list may, if the Council so direct, be added to the list of burgesses qualified for that ward in respect of the occupation of property as tenants or owners.

Burgess List to be published.

- 59.—(1) The Burgess List, including the list of burgesses qualified in respect of the occupation of lodgings, shall be published by fixing a copy thereof on or near the outer door of the Town Hall, or in some other conspicuous place therein, for a period of two weeks from the first day of July in each year.

Form.

- (2.) The Burgess List may be in the forms "B" and "C" in the Fourth Schedule to this Ordinance, or in such other form as the Council may from time to time appoint.

Claim by person omitted from List.

- 60.—(1.) Every person whose name is not in the Burgess List published in accordance with the last preceding section, and who claims to be entitled to have his name entered in such Burgess List, shall, not later than the fifteenth day of July, give notice in writing to the Town Clerk of his claim.

Form.

- (2.) The notice shall be in the form "D" in the Fourth Schedule to this Ordinance.

Objection.

- 61.—Every person whose name is in the Burgess List may object to any other person as not being entitled to have his name retained therein.

Objector to give notice.

- 62.—(1.) Every person so objecting (hereinafter referred to as an "objector") shall, within fifteen days

after the date of the first publication of the List, deliver to the Town Clerk and also to the person objected to (hereinafter referred to as the "respondent"), or shall leave at the premises in respect of which the respondent shall appear to be inserted in the Burgess List, notice thereof in writing.

- (2.) The notice shall be in the form "E" in the Form. Fourth Schedule to this Ordinance.

63.—(1.) The Town Clerk shall make two separate lists of the claimants and respondents and shall cause copies thereof in the forms "F" and "G" in the Fourth Schedule to this Ordinance to be fixed on or near to the outer door of the Town Hall or in some other public and conspicuous place in the City during the last seven days of July in each year.

Lists of claimants and respondents.

- (2.) The Town Clerk shall also keep a copy of each of such lists open to public inspection without any fee at all reasonable hours during the last seven days of July, and shall deliver a copy of any such list to any person requiring it on payment of the sum of one shilling for each such list.

To be open to public inspection.

64.—(1.) The Governor shall in each year not later than the first day of July name some barrister (hereinafter referred to as the Revising Barrister) to hold a court for the purpose of revising the Burgess List.

Revising barrister and Court.

- (2.) Such court shall be an open court, and shall be held on some day to be appointed by the Mayor between the first and the seventh days of August, both days inclusive.

Court to be open.

- (3.) The Town Clerk shall give three clear days notice of the holding of the court by affixing a notice thereof on or near the outer door of the Town Hall or in some public or conspicuous place within the City.

Notice.

Lists to be
produced in
Court.

65.—The Town Clerk shall at the opening of the court produce the Burgess List and a copy of the lists of claimants and respondents and also all books in his custody containing the names of all persons rated to the house rate in and for the City for the current year, and shall answer upon oath all such questions as shall be put to him.

Method of
procedure of
Court in
revising list.

66.—(1.) The court shall insert in the Burgess List the name of every claimant who has duly claimed to have his name entered therein and is proved to the satisfaction of the court to be so entitled.

(2.) The court shall expunge from the list the name of every person proved to the court to be dead.

(3.) Subject as aforesaid, the court shall retain on the list the name of every person to whom objection has not duly been taken.

(4.) The court shall also retain the name of every respondent unless the objector appears in support of his objection.

(5.) Where the objector so appears, the court shall require proof of the respondent's qualification, and if it is not proved to the satisfaction of the court, shall expunge his name from the list.

(6.) If the name of any person is entered in respect of property situated in more than one ward, such person shall, by written communication addressed to and served upon the Town Clerk not later than 3 o'clock in the afternoon of the day before the day fixed for the sitting of the court, declare in which of those wards he desires his name to be retained as a burgess, and in default of his so declaring, the court shall determine in which of such wards his name shall be so retained; and thereupon the court shall strike out the name of such person wherever else it shall have been entered in the Burgess List.

(7.) The court shall correct any mistake and supply any omission proved to the court to have been

- made in any of the ward lists with respect to the name or abode of any person.
- (8.) The court may require the Town Clerk or other person having the custody of any book containing any rate made in any year to produce the same to the court for inspection.
- (9.) The court may examine on oath the Town Clerk or other person having the custody of any rate book, and any claimant, objector, respondent or witness.
- (10.) The court shall on the hearing, in open court, determine the validity of all claims and objections.
- (11.) The Revising Barrister shall in open court write his initials against all names inserted or expunged and against any part of the lists in which a mistake has been corrected or an omission supplied, and shall sign his name at the foot of every page so revised.
- 67.—The Revising Barrister may adjourn the court ^{Adjournment of Court.} from time to time, but so that no adjourned court be held after the 15th day of August in any year.
- 68.—(1.) When the Burgess List has been revised and signed by the Revising Barrister, he shall ^{Burgess Roll to be signed by Town Clerk.} deliver it to the Town Clerk, and a written or printed copy thereof shall be prepared and signed by the Town Clerk, and shall be the Burgess Roll of the City for the year.
- (2.) The Burgess Roll shall be completed on or before the first day of October in each year and shall ^{Time when Roll comes into operation.} come into operation on the first day of November in that year, and shall continue in operation for the twelve months beginning on that day.
- (3.) Every person enrolled on the Burgess Roll shall be deemed to be enrolled as a burgess, and every person not enrolled on the Burgess Roll shall be deemed to be not enrolled as a burgess.

Printing and
sale of Burgess
Roll, &c.

69.—The Town Clerk shall cause the Burgess Roll and the lists of claimants and respondents to be printed, and shall deliver copies thereof to any person on payment of one shilling for each copy of any of such lists or roll, and the proceeds of such sale shall be received by him on behalf of the Corporation.

Date of ordi-
nary election
of Councillors.

70. The ordinary day for the election of Councillors shall be the third day of November in each year.

14. Sections 79 and 80 of the Principal Ordinance are hereby repealed and the following shall be inserted in lieu thereof:—

Date of
election
of Mayor,
Deputy Mayor
and Aldermen.

79.—The ordinary day for the election of the Mayor and Deputy Mayor, and for the election of Aldermen shall be the ninth day of November.

Election of
Mayor,
Deputy Mayor
and Aldermen.

80.—(1) The election of the Mayor shall be the first business transacted at the meeting of the Council held on that day: and shall be immediately followed by the election of the Deputy Mayor; Provided that whenever the election of an Alderman or of Aldermen is to take place on the same day as the election of the Mayor, the election of such Alderman or Aldermen shall be the first business transacted at such meeting, and immediately thereafter, the election of the Mayor, and then of the Deputy Mayor; and then any other business of which due notice shall have been given in the agenda paper for the meeting.

*repealed by
15/19/24*

Method of
election of
Aldermen.

(2.) In the election of Aldermen the following shall apply:—

(a.) A person entitled to vote may vote for any number of persons not exceeding the number of vacancies by filling in, signing, and personally delivering to the Chairman of the meeting a voting paper containing the surnames

and other names and the place of abode and description of the persons for whom he votes.

- (b.) The Chairman, as soon as all the voting papers have been handed to him, shall openly produce and read them or cause them to be read, and shall then deliver them to the Town Clerk to be kept for twelve months in a sealed envelope; and at the end of that time, the Town Clerk shall destroy them.
- (c.) An outgoing Alderman shall not vote.
- (d.) In case of an equality of votes, the Chairman, though an outgoing Alderman, shall have a casting vote.
- (e.) The persons, not exceeding the number of vacancies, who shall have the greatest number of votes, shall be declared to be, and shall thereupon be elected Aldermen of the City.

- (3.) In the election of the Mayor and of the Deputy Mayor, which shall be by motion, duly seconded, a candidate for election to either office, shall not preside at the election nor shall he vote.

15.—Section 96 of the Principal Ordinance is hereby repealed, and the following shall be inserted in lieu thereof:—

Proceedings
at Meetings of
Council.

96.—The following Rules with respect to meetings and proceedings of the Council shall be observed:—

- (1.) The Council shall hold monthly meetings for the transaction of general business.
- (2.) The monthly meetings shall be held at such hour and on such days as the Council may from time to time determine.
- (3.) The Mayor may at any time call a special meeting of the Council.

Special
Meeting.

Special
meeting by
requisition.

(4.) If the Mayor refuses to call a meeting after a requisition for that purpose signed by five members of the Council has been presented to him, any five members of the Council may forthwith on that refusal call a meeting. If the Mayor (without so refusing) does not within three days after such presentation call a meeting, any five members of the Council may on the expiration of those three days, call a meeting.

Summons to
attend.

(5.) Two clear days at least before any ordinary meeting of the Council a summons to attend such meeting specifying the business proposed to be transacted thereat and signed by the Town Clerk, shall be left at the usual place of business or abode of each member of the Council.

(6.) Want of service of the summons on any member of the Council shall not affect the validity of a meeting.

(7.) Except by leave of the Council no business shall be transacted at a meeting other than that specified in the summons relating thereto.

Mayor to be
Chairman.

(8.) The Mayor shall be *ex officio* Chairman of the Council and shall preside at all meetings of the Council at which he is present. In case of his absence, the Deputy Mayor shall preside, and in case of the absence of the Deputy Mayor, the members present and constituting a quorum shall elect a Chairman from among their number.

Quorum.

(9.) At any meeting of the Council five members shall form a quorum for the transaction of business.

How to decide
questions and
acts of the
Council.

(10.) All acts of the Council, and all questions coming or arising before the Council shall, unless otherwise prescribed by this or any other Ordinance, be done and decided by the majority of such members of the Council as are present and vote at a meeting held in pursuance of this

Ordinance, the whole number present at the meeting not being less than five members.

Provided that except with the unanimous consent of the members present, not being less than fifteen in number, no motion passed within the preceding six months, and no motion to the same effect as any motion which has been negatived by the Council within the preceding six months, shall be considered at any meeting of the Council; and no such motion shall be passed except upon the vote of a majority of at least twelve of the members present and voting thereon.

(11.) In case of an equality of votes the Chairman of the meeting shall have a second or casting vote. Chairman's casting vote.

(12.) Subject to the foregoing provisions, the Council may make such Standing Orders as they may think proper for the regulation and conduct of the proceedings of their meetings and the meetings of their Committees, and may by such Standing Orders provide that the minutes of the proceedings of any meeting shall, when copies thereof have been circulated to members, be taken as read, and may also provide for the postponement of the confirmation of the minutes of the proceedings of any meeting. Standing Orders.

Provided that a motion to suspend the Standing Orders of the Council or any of them may be made at any meeting of the Council without notice and shall be voted upon without debate, but shall not be carried unless supported by at least two-thirds of the members present and voting.

16. Section 122 of the Principal Ordinance is hereby repealed, and the following shall be inserted in lieu thereof:—

122.—(1.) The decision of the Corporation on every objection to any valuation or alteration of valuation made by the Corporation shall be final and binding on all parties and for all purposes unless the owner who has objected to Appeal from Corporation's decision on objection to assessment.

such decision shall, within seven days next after the decision shall have been communicated to him, lodge a notice of appeal against such decision with the Commissioner, and at the same time serve on the Corporation a copy of such notice of appeal.

Proviso.

Provided that on any such appeal the exercise by the Corporation of their discretion under Section 107 of this Ordinance in making or not making any deductions or allowances or as to the sufficiency of such deductions or allowances, if they have made any, shall not be subject to review.

Commissioner to appoint day for hearing appeal.

(2.) The Commissioner shall appoint a day for the hearing of such appeal not earlier than twenty-one days after the lodging of the notice of appeal with him; and he shall forthwith give notice in writing to the Corporation and to the appellant of the day so appointed. Provided that the Commissioner may, if he thinks fit in the interests of justice, postpone or adjourn the hearing of any appeal for such time, and upon such terms, if any, as he shall think fit.

Commissioner may summon witnesses and inspect premises:

(3.) On any such appeal the Commissioner shall have power to summon and compel the attendances of witnesses, to examine witnesses on oath and to administer such oath, to require the production by either party of any book or books containing entries relating to the rent charged or paid in respect of the hereditaments to which the appeal relates; and, if necessary, to enter and inspect such hereditaments; and such Commissioner may either confirm such valuation or, subject to the provisions of Section 106 of this Ordinance and to the proviso to Sub-section (1) hereof, alter or amend the same as he may think fit.

Costs.

(4.) Upon any appeal to the Commissioner under this section, the Commissioner may order

the party against whom the same is decided to pay to the other party such costs as the Commissioner may think proper.

17. Section 128 of the Principal Ordinance is hereby repealed, and the following shall be inserted in lieu thereof:—

- 128.—(1.) Whenever at any time after the completion of any House Rate Book and before the commencement of the next triennial period a new house is erected in the City, the Corporation may at any time after the completion thereof fix the annual rateable value thereof for the purposes of this part of this Ordinance. The rate payable for such new house for the year in which it was erected shall be a proportion of the amount of the yearly rate corresponding to the period from the date of the completion of such house to the end of the said year, and such proportionate rate shall be due and payable on such date as the Corporation may fix.
- (2.) Notice of the valuation of every such new house shall be given to the owner thereof. The notice may be according to the form "H" in the Fifth Schedule to this Ordinance. Notice of valuation of new house.
- (3.) Where the new house valued under this section stands upon premises already assessed and rated to the house rate in the House Rate Book in force under the same description as the new house bears, the rate payable in respect of such new house for the unexpired portion of the year in which it was erected shall be calculated upon the difference between the annual rateable value of the premises before the erection of such new house and the annual rateable value of the premises after the completion of such new house; and such rate, as well as the rate appearing in the House Rate Book in force before the erection of such new house shall be a charge upon such new house; and all necessary entries and alterations shall be made in the house rate book in force, Proportionate rate.

18. The following new section shall be inserted after Section 128 of the Principal Ordinance :—

Objections to assessments after completion of House Rate Book.

128A.—Whenever after the completion of the House Rate Book it appears to the Council that any rateable hereditament upon which the House Rate has not yet been paid has been insufficiently or too highly assessed, the Council may, if they think fit, value such rateable hereditament anew, and may order the amended rateable value thereof and the rate payable thereon to be entered in the House Rate Book in force in place of the previously entered annual rateable value and rate, and may levy and collect the amended rate under this part of this Ordinance, and may fix the date on which such amended rate shall become due and payable. Provided that notice of such amended valuation shall be served on the owner of such rateable hereditament, and the provisions contained in Sections 120 to 126 both inclusive of the Principal Ordinance relating to objections to valuations by the Council, and to appeals to the Commissioner against the decision of the Council on such objections shall apply to any amended valuations made by the Council under this section.

Dates amended.

19. Section 137 of the Principal Ordinance is amended by striking out the word "March" in line 2 thereof and inserting in lieu thereof the word "December"; and by striking out the word "April" in line 5 thereof and inserting the word "January" in lieu thereof.

20. Section 138 of the Principal Ordinance is hereby repealed, and the following shall be inserted in lieu thereof :—

Application of funds of Corporation.

138.—The funds or moneys belonging or payable to and collected by the Corporation under and by virtue of this Ordinance shall be applicable towards payment of the annual allowance if any, of the Mayor, the salaries and other remuneration of the Town Clerk and the other officers of the Corporation, the payment of expenses of

elections, the payment of the fees payable to the Revising Barrister appointed to revise the Burgess List, the payment of the superannuation allowances and gratuities granted under this Ordinance, the payment of the expenses of prosecuting offenders against this or any other Ordinance and any bye-laws, rules or regulations made by the Corporation, and towards forming and laying out, repairing, draining, cleaning and lighting the streets, footways, squares and other public places vested in the Corporation, the maintenance and management of markets, slaughter-houses, and cemeteries under the control of the Corporation, the maintenance and management of an almshouse or asylum for infirm and indigent persons residing within the City, the disposal and destruction of street and house refuse and rubbish, the maintenance and preservation of all corporate property, the payment of any sums payable by the Corporation under any judgment of any Court of Law, and generally towards the payment of all expenses of and incidental to the carrying out of the provisions of this Ordinance and of all works and matters incidental thereto.

21. Section 153 of the Principal Ordinance is hereby repealed, and the following shall be inserted in lieu thereof:—

153.—All streets which are now or which may at any time hereafter be repairable by the Corporation and the pavements, stones and other materials thereof, and the whole subsoil of such streets shall vest absolutely in the Corporation.

Streets, pavements and subsoil vested in Corporation.

22. Section 155 of the Principal Ordinance is hereby repealed, and the following shall be inserted in lieu thereof:—

155.—No person shall break up or open the surface, pavement or soil of any street in the City repairable by the Corporation, or lay any pipe or wire or any other matter or thing whatsoever

Breaking up pavement or soil in any street.

in or under any such street or any part of the subsoil thereof for any purpose whatsoever, or place or erect any pole, post, hoarding or barricade in any such street, without the previous consent of the Corporation; and every person offending against this enactment shall be liable to a penalty not exceeding Twenty Pounds, and to a further penalty not exceeding Five Pounds for every day that any wire, pipe, pole, post, hoarding or barricade or any other matter or thing shall remain so laid or erected after written notice of the offence from the Corporation.

Proviso.

Provided that this section shall not apply to the Director of Public Works or anyone authorised by him while discharging any duty imposed upon him by any Ordinance or other law.

Corporation may grant permission.

- (2.) The Corporation may by resolution or by agreement under their Common Seal, for such consideration as they may think proper, allow any person, for such purposes as shall be specified in such resolution or agreement, to break up or open the surface or soil of any street vested in them, or to lay any pipe or wire or any other matter or thing whatsoever in or under any such street, and at any depth in the subsoil thereof, or to place or erect any pole, post, hoarding or barricade in any such street upon such terms and conditions as the Corporation shall in each case think proper.

23. The following new section shall be inserted after Section 160 of the Principal Ordinance:—

Enclosure of land.

160A.—(1.) The owner of any lot of land in the City shall, whenever required by the Council, cause such land to be enclosed on every side with a sufficient fence to the satisfaction of the Council.

Enclosure of house with appurtenant land.

- (2.) The owner of any lot of land in the City on which one or more houses have been erected shall, whenever required by the Council, cause the site of every such house with the land appurtenant

thereto to be enclosed with a sufficient fence to the satisfaction of the Council.

(3.) Any person who fails or neglects to comply with any requisition of the Council under this section within the time therein prescribed shall be liable to a penalty not exceeding Five Pounds, and to a further penalty of ten shillings for every day during which such non-compliance continues after notice thereof in writing from the Corporation. Penalty.

(4.) Where the fence erected by the owner of any land in compliance with a notice served on him by the Council under this section divides the land of such owner from the land of an adjoining owner, one half of the cost of such dividing fence shall be borne by such adjoining owner, and shall be a debt due by him to the owner on whom the notice was served by the Council and who has erected such fence, and may be recovered in a summary manner by complaint before a Magistrate. Incidence of expense of erection of fence.

24. The following new section shall be inserted after Section 163 of the Principal Ordinance:—

163A.—(1.) Where any tree or the branches thereof or any brushwood or hedge overhang any street, it shall be lawful for the City Engineer to serve a notice on the owner or occupier of the lands whereon such tree or brushwood or hedge is planted or standing requiring such owner or occupier to cut off or remove such overhanging branches, brushwood or hedge within a time to be specified in such notice. Overhanging trees.

(2.) Where any tree standing on any lands abutting on any street is in the opinion of the City Engineer dangerous to passengers along such street, it shall be lawful for the City Engineer to serve a notice on the owner or occupier of the lands whereon such tree is planted or standing requiring such owner or occupier to Dangerous trees.

cut down or trim such tree within a time to be specified in such notice.

Failure to
comply with
notice.

- (3.) If any such owner or occupier shall refuse or neglect to comply with any notice served upon him under this section, within the time therein specified, it shall be lawful for the City Engineer or any person authorised by him in writing to cut down or trim such tree, or to cut off and remove such branches, brushwood or hedge, and for that purpose if necessary to enter into and upon the lands whereon such tree, brushwood or hedge is planted or standing; and the expenses incurred by the City Engineer in cutting down such tree or in cutting and removing such branches, brushwood or hedge may be recovered summarily from such owner or occupier.

25. Section 193 of the Principal Ordinance is hereby repealed, and the following shall be inserted in lieu thereof:—

Crossings for
vehicles over
footways.

193. Every person desirous of having an entrance for vehicles across any footway so as to afford access to any premises from a street repairable by the Corporation shall give notice in writing of such desire to the Council, and the Council, upon being satisfied of the necessity for such an entrance and upon deposit by such person of the estimated cost of the work, shall execute the same at the cost of such person.

26. Sections 195 to 203 of the Principal Ordinance are hereby repealed, and the following shall be inserted in lieu thereof:—

Certain signs
prohibited.

- 195.—(1.) It shall not be lawful for any person to retain, erect, fix or hang to, on, or along any building any sign except at a height of not less than ten feet from the footway abutting on such building, and so that the same shall not project more than twelve inches over such footway, measured at right angles to the front wall of such building.

- (2.) It shall not be lawful for any person to retain, erect, fix or hang to, on or along any balcony, verandah, hood or roof of any building any sign except under a licence from the Corporation. Licence for erection of certain signs.
- (3.) In granting a licence under this section, the Corporation may prescribe the size of any such sign, its situation, the extent if any to which it may project beyond the edge of any such balcony, verandah, hood or roof, and the measures to be taken by the licensee for maintaining the same in good order and condition and securely fixed to the satisfaction of the Corporation.

196. Any such licence granted by the Corporation under the preceding section shall become void if— When licence to be void.

- (a) any addition is made to any sign except for the purpose of making it more secure under the direction of the City Engineer.
- (b) any change is made in any sign or any part thereof.
- (c) any sign or any part thereof shall fall either through accident, decay or any other cause.
- (d) any addition or alteration is made to the building on, over, or to which any sign is placed or attached, if such addition or alteration involves the disturbance of the sign or any part thereof.
- (e) the building over, on, or to which the sign is placed or attached becomes unoccupied.

197. It shall not be lawful for any person to hang or allow to project over any street any blind, shade or awning. Awnings.

198. It shall not be lawful for any person to hang or allow to project over any footway any blind, shade or awning at a less height than ten feet from such footway, or to use any blind, shade or Length of awnings.

awning for purposes of advertisement. Provided that this enactment shall not preclude any person in occupation of the building to which any such blind, shade or awning is hung or fixed from having his name and address, or the name of his firm and company, and the name of the trade or business carried on in such premises printed or painted on such blind, shade or awning.

Advertising on
footways.

199. It shall not be lawful for any person to write, paint, stencil, or otherwise mark, or cause to be written, painted, stencilled or otherwise marked, any advertisement, matter or thing on any footway or street.

Hanging goods
over footways.

200. It shall not be lawful for any person to fix, hang, or expose any merchandise so that the same shall project or hang over any part of any footway or street.

Signs contrary
to Ordinance
may be
removed.

201. If any sign is erected or retained contrary to the provisions of Sections 195 to 200 inclusive of this Ordinance or after the licence for the erection, maintenance or retention thereof shall have expired or become void, it shall be lawful for the Corporation to cause the same to be removed and taken away after giving six hours notice in writing to the owner or occupier of the premises of the Corporation's intention so to do, and the expenses of and incidental to such removal shall be recovered in a summary manner as a fine in addition to the penalty incurred for the breach of the provisions hereof.

Interpreta-
tion.

202. In Sections 195-201 (both inclusive) of this Ordinance, the following words and expressions shall have the meanings hereinafter respectively assigned to them, that is to say:—

“ Sign ” means any sign, signboard, frame, glass or metal plate, transparency or other contrivance or thing employed wholly or in part for the purpose of an advertisement or announcement.

“Footway” means the space between any line of buildings and the inner edge of the side drain of a roadway.

“Street” means the space between the side drains of a roadway, and includes the side drains.

203. Any person offending against any of the provisions of Sections 195 to 201 hereof, both inclusive, shall for every such offence be liable to a penalty not exceeding Five Pounds, and to a further daily penalty not exceeding One Pound for every day during which he shall continue such offence after service upon him of a notice by the Corporation in writing requiring him to remove any signboard, matter or thing erected or retained contrary to the provisions of this Ordinance. Penalty.

27. Section 235 of the principal Ordinance is hereby repealed, and the following shall be inserted in lieu thereof:—

235.—(1.) Whenever any structure abutting on any street in the city shall be deemed by the City Engineer to be dangerous to passengers along such street, the City Engineer shall give notice in writing to the owner of such structure requiring him forthwith to take down, secure or repair the same, as the case may require, within a time to be specified in such notice.

(2.) Where any structure within the City shall be deemed by the City Engineer to be ruinous or so far dilapidated as thereby to have become and to be unfit for use or occupation, or to be from any cause whatever in a structural condition dangerous or prejudicial to the property in, or the inhabitants of, the neighbourhood, the City Engineer may give notice in writing to the owner of such structure requiring him forthwith to take down, secure, repair or rebuild the same, or any part thereof, or to fence in the ground on which such structure stands, or otherwise to put the same in a state of good repair, as the case may Structure
ruinous or
dilapidated.

require, to the satisfaction of the City Engineer, within a time to be specified in such notice.

Structure dangerous or prejudicial to occupier.

- (3.) Whenever it shall be made known to the Corporation that any internal part of any building, including any wall, partition or ceiling of any building, is in a state dangerous or prejudicial to any occupier of such building, or of any neighbouring building, the Corporation shall cause the same to be surveyed and examined by the City Engineer, and if the City Engineer is satisfied upon such survey and examination that such structure is in a state dangerous or prejudicial to any such occupier as aforesaid, he shall serve a notice in writing on the owner of such structure requiring him forthwith to have the same shored up, taken down, secured, repaired or rebuilt as the case may require, to the satisfaction of the City Engineer within a time to be specified in such notice.

Failure to comply with notice.

- (4) If the owner shall fail, within the time specified in any such notice served upon him under either of the three preceding sub-sections to comply with the requirements of such notice, the City Engineer may make complaint thereof before the Commissioner, and it shall be lawful for the Commissioner to order the owner to carry out the requirements of such notice within a time to be fixed by him in such order.

Penalty.

- (5) If such order is not complied with within the time therein prescribed, the person on whom such order is made shall be guilty of an offence under this Ordinance and shall be liable to a penalty not exceeding Twenty-five Pounds, to be recovered before the Commissioner, on complaint by the Corporation, and to a further penalty not exceeding Forty Shillings for every day during the continuance of such non-compliance; and the Corporation may, without prejudice to their right to recover such penalties, with all convenient speed enter upon the

structure, and the ground upon which it stands, and execute the order.

- (6.) When the order directs the taking down of a neglected structure or any part thereof, the Council, in executing the order, may remove the materials to a convenient place, and (unless the expenses incurred by the Council under this section in relation to such structure are paid to them within fourteen days after such removal) sell the same or any part thereof as and if they in their discretion shall think fit. Sale of structure or part thereof.
- (7.) All expenses incurred by the Council under this section in relation to a structure may be deducted by the Council out of the proceeds of the sale, and the surplus, if any, shall be paid by the Corporation to the owner of the structure on demand and upon proof of title; or the Council may, if they think fit, pay such surplus into the Supreme Court to an account to be entitled "In the matter of the Port-of-Spain Corporation Ordinances, 1914-18, and of the premises No.....the materials of which were sold under the provisions of Ordinance No.....of 1918"; and the Supreme Court or any Judge thereof may, on the petition of any person entitled or claiming to be entitled to such monies or any part thereof, make order for the payment of the same or any part thereof to the person or persons entitled thereto. Expenses to be paid from proceeds of sale.
- (8.) If such structure, or any part thereof is not taken down, and such materials are not sold by the Council, or if the proceeds of such sale are insufficient to defray the said expenses, the Council may recover such expenses or such insufficiency from the owner of such structure together with all costs in respect thereof in a summary manner, but without prejudice to his right to recover the same from any lessee or other person liable to the expenses of repairs. Expenses may be recovered from owners.

Definition.

(9.) For the purposes of this section the expression "structure" includes any building, or any part thereof, and any wall or fence or any other structure whatsoever, and anything fixed to or projecting from any building or any wall or fence or other structure.

28. The following new section shall be inserted after Section 239 of the Principal Ordinance.

Payment of rates before removal of house.

239A.—(1) It shall not be lawful for any person to remove any building from the site on which it stands unless and until all rates and charges due to the Corporation in respect of the rateable hereditament whereof such building forms part shall have been paid.

Penalty.

(2.) Every person who shall act in contravention of this section shall on summary conviction be liable to a penalty not exceeding Five Pounds.

Rate previously paid may be taken into account.

(3.) Where any such building is re-erected on some other site, the Corporation may, in assessing the same for the current house rate year, take into account the rate paid by the owner of such building before its removal from its original site.

29. Section 253 of the Principal Ordinance is hereby repealed, and the following shall be inserted in lieu thereof:—

Marketable commodities not to be sold in certain streets.

repealed by 15/19/24

253.—(1) It shall not be lawful for any person to sell or offer or expose for sale any marketable commodity in any street of the City within the area comprised within the following boundaries:—

On the North by the premises on the northern side of Park street, between the Dry River and Abercromby Street.

On the South by the premises on the southern side of Marine Square south, between the Dry River and Abercromby street.

On the East by the Dry River between Marine Square south and Park street, and

On the West by the premises on the western side of Abercromby street between Marine Square south and Park street.

(2.) Every person who shall act in contravention of the provisions of this section shall be liable on summary conviction to a penalty not exceeding £5.

30. Sections 256 and 257 of the Principal Ordinance are hereby repealed, and the following shall be inserted in lieu thereof:—

256.—(1) No fresh fish intended for sale shall be landed on any part of the foreshore within the limits of the City except at such place or places, and upon payment of such fees and upon such conditions as may from time to time be appointed and prescribed by the Corporation.

Landing of fish for sale at prescribed places.

(2.) Notice of any landing place appointed under this section shall be published in the *Royal Gazette* and in at least one local newspaper circulating in the City.

(3.) Every person who shall act in contravention of the provisions of this section shall be liable on summary conviction to a penalty not exceeding £5.

257.—(1) It shall not be lawful for any person to sell or offer or expose for sale any fish within the limits of the City except in a public market or under and in accordance with the terms of a licence in that behalf granted by the Corporation.

Sale of fish.

(2.) The Corporation may from time to time grant to any person a licence to sell or offer or expose for sale fish in any premises in the City; and every such licence shall be granted for such period, on payment of such sum, and upon such terms and conditions as the Corporation shall from time to time prescribe.

Licence to sell fish outside markets.

(3.) The Corporation may from time to time grant to any person a licence authorising such person to offer or hawk about for sale or sell fresh fish in the streets in any part of the City not comprised within the area described in Section 253 of this Ordinance; and every such licence

Licence to sell fish in streets.

repealed by
§ 30 of 157/1924
which see for
new (3)

shall be granted for such period, on payment of such sum, and upon such conditions as the Corporation may from time to time prescribe.

31. The following new section shall be inserted after section 250 of the Principal Ordinance:—

Protection of
marketable
commodities.

250A—The Corporation may by order prescribe the measures to be taken by vendors of marketable commodities at any market under their control for protecting such commodities from contamination by flies or dust or otherwise; provided that no such order shall come into operation until seven days after the same shall have been published in at least one local newspaper circulating in the City.

32. Section 269 of the Principal Ordinance is hereby repealed, and the following shall be inserted in lieu thereof:—

Bye-laws and
Regulations
for Slaughter-
houses.

269.—(1) The Corporation may from time to time make bye-laws and regulations for regulating the use of any slaughterhouse provided by them and of all buildings, stalls, pens, slaughtering places, or other parts thereof, and the approaches thereto and any pastures attached thereto, and specifically for all or any of the following purposes, namely:—

- repealed by sec.
12.7 17/1919*
- (a.) For fixing the tolls, rents and other charges to be paid thereat, and for regulating the rights and liabilities of owners of any animals brought therein and the right of access to such slaughterhouse and appurtenant grounds or any part thereof.
 - (b.) For regulating the manner of occupying and using such slaughterhouse, and the inspection and slaughtering of animals therein.
 - (c.) With respect to the licensing of slaughter-men and the suspension, revocation and cancellation of such licenses.

- (d.) For fixing the hours at which such public slaughter-house shall be opened and closed.
- (e.) For fixing the hours when, and prescribing the conditions and requirements under and subject to which animals are to be slaughtered therein.
- (f.) For fixing the times when and prescribing the conditions and requirements under and subject to which carcasses and other parts of any animals slaughtered in such slaughterhouse shall be removed therefrom.
- (g.) For prescribing the description and make of the carts to be provided by the owners of carcasses of animals slaughtered in such slaughterhouse, for the removal of such carcasses therefrom.
- (h.) For dealing with any animal or carcase or part thereof which may be found to be diseased or unfit for human consumption.
- (i.) For regulating the feeding and watering of animals brought therein and for preventing cruelty thereto.
- (j.) For regulating the landing of animals intended to be taken direct from the landing place to any such slaughterhouse, and prescribing the precautions to be observed by the owners of such animals in bringing such animals into the slaughterhouse or any part thereof.
- (k.) For regulating and fixing the charges for the use of any scales provided by the Corporation.
- (l.) For preventing nuisances and obstructions in any such slaughterhouse or any part thereof, or the approaches

thereto or the grounds around the slaughterhouse buildings, and for the summary ejection from such slaughterhouse approaches or grounds of any person or persons found fighting or behaving in a disorderly or riotous manner or creating any disturbance therein or committing a breach of any regulations or bye-laws made under this section.

Bye-laws and Regulations for Detention Station.

- (2.) The Corporation may make such bye-laws and regulations as they may think proper with respect to the management, good government and use of the Detention Station held by the Corporation under a lease from His Majesty the King, and the feeding and watering of animals taken there; and they may by such bye-laws and regulations fix the charges to be made for the landing, lairage, slaughtering and, when necessary, the destruction of animals therein.

Default of owners in complying with Bye-laws and Regulations.

- (3.) Where any owner makes default in complying with any bye-law or regulation made under this section imposing any duty on him with respect to any animal belonging to him, it shall be lawful for the Corporation, without prejudice to their right to institute summary proceedings for the breach of such bye-law or regulation, to undertake the execution of such duty, and the expenses incurred for the purpose shall be a debt due from such owner to the Corporation.

Default in payment of expenses.

- (4.) Where default is made by any owner in payment of any expenses due to the Corporation under this Part of this Ordinance or under any bye-laws or regulations made thereunder, it shall be lawful for the Corporation to recover the expenses due by summary proceedings before the Magistrate or by sale of any animal of the owner then in the slaughterhouse or the Detention Station.

(5.) Any sale under this section shall be by public auction, after seven days advertisement thereof, and the Corporation shall apply the proceeds of such sale in or towards the payment of the costs and expenses of such sale and secondly in or towards payment of the sums due by the owner to the Corporation; and the surplus, if any, shall be paid to the person entered as the owner of the animal in the books of the Corporation.

Sale and proceeds thereof.

33. The following new sections shall be inserted after Section 269 of the Principal Ordinance:—

269A. Every person who in the City slaughters any animal intended for the food of man elsewhere than in a public slaughter-house provided by the Corporation shall be liable to a penalty not exceeding Ten pounds for every such offence.

Penalty for slaughtering animals elsewhere than in a provided slaughter-house.

269B. Every person who sells, or offers or exposes for sale in the City the carcase or meat of any animal not slaughtered in a public slaughter-house provided by the Corporation shall be liable to a penalty not exceeding Ten pounds for every such offence.

Penalty for sale of meat of animal not slaughtered in a provided slaughter-house.

269c. For the purposes of the last two preceding sections, the word "animal" means ox, calf, pig, sheep and goat.

Definition.

34. Section 271 of the Principal Ordinance is hereby repealed, and the following shall be inserted in lieu thereof:—

271.—Any Inspector appointed under this part of this Ordinance may at any time or times between the hours of six in the morning and eight in the evening inspect and examine any animal, carcase, meat, poultry, fish, game or vegetables or provisions exposed for sale or deposited in any market or in any place in the City for the purpose of sale, or deposited in any cold stores in the City, and intended for the food of man, the proof that the same was not exposed or deposited in any such

Power of Inspectors.

*repealed by
§12 of 17/1919*

market or place or in any cold stores for any such purpose, or was not intended for the food of man, resting with the party charged. And if any such animal, carcase, meat, poultry, fish, game, vegetables or provisions or any of them or any part thereof, appears to such Inspector to be diseased, or unsound or unwholesome or unfit for the food of man, he may seize and carry away the same himself or by his assistants and cause the same to be destroyed, or may order the same or any part thereof to be kept apart and dealt with according to his directions; and the expenses incurred in carrying out the directions of the Inspector shall be paid to the Corporation by the owner of such animal, carcase, meat, poultry, game, fish, vegetables or provisions as the case may be.

35. Sections 273 and 274 of the Principal Ordinance are hereby repealed, and the following shall be inserted in lieu thereof:—

Licensed
burial grounds.

273.—(1) The Lapeyrouse Cemetery and the Western Cemetery, and any extensions thereof made by the Corporation with the approval of the Governor in Executive Council, shall be licensed public burial grounds vested in and under the control of the Corporation.

Government
may licence
burial ground.

(2.) The Governor in Executive Council may, on the application of the Corporation, set apart and license as a public burial ground any parcel of land vested in the Corporation within or without the limits of the City of Port-of-Spain; and such licensed public burial ground shall vest in and be under the control of the Corporation.

Interpreta-
tion.

274.—In and for the purposes of this part of this Ordinance the expression "any Cemetery under the control of the Corporation" means the Lapeyrouse Cemetery, and the Western Cemetery and any extensions thereof, and any other public burial grounds licensed under the preceding section.

36. Sections 278 to 281, both inclusive, of the Principal Ordinance, are hereby repealed, and the following shall be inserted in lieu thereof:—

- 278.—(1.) The Corporation may sell, subject to such conditions as they think fit, the exclusive right of burial in any portion of any cemetery under their control, and they may sell the right of placing any monument or gravestone or tablet in such cemetery. Power to grant exclusive right of burial.
- (2.) The grant of such exclusive right of burial need not be by deed, but may be in such form, and shall be executed in such manner as the Corporation may from time to time prescribe. Form of grant.
- 279.—(1.) The keeper of every cemetery under the control of the Corporation shall keep a register in which shall be entered the name of every person to whom the exclusive right of burial in any allotment in such cemetery has been granted, the date of such grant, and also the names of the persons in whom such right from time to time becomes vested by assignment, bequest or otherwise, and such other particulars as the Council may from time to time by resolution require. Register to be kept.
- (2.) The exclusive right of burial in any part of any cemetery under the control of the Corporation shall be considered as the personal estate of the grantee or of any other person for the time being entitled thereto. Exclusive right of burial to be personal estate.
- (3.) Every assignment of the exclusive right of burial, whether granted by the Corporation or by any of the preceding Port-of-Spain Corporations, shall be in such form and executed in such manner as the Council may from time to time by resolution prescribe; and such assignment may, if the Corporation so require, be endorsed on the original grant. Form of assignment.
- (4.) The personal representative of the person who for the time being is entered in the register as the owner of the exclusive right of burial in Procedure after probate &c.

any allotment or grave space in any cemetery under the control of the Corporation, shall, as soon as may be after the probate of the will of such person, or, in the case of intestacy, after the grant of letters of administration in respect of such person's estate, deposit with the keeper of the cemetery an office copy of such probate or grant of administration as the case may be; and the keeper shall forthwith make an entry thereof in the register; and until such deposit no exclusive right of burial shall be acquired under such will or by devolution on such intestacy. Provided that, pending the grant of probate of the will (if any) or of letters of administration (in case of intestacy) it shall be lawful for the Corporation, or such officer thereof as may be authorised by the Council in that behalf, to allow to be buried in such allotment any person shewn to the satisfaction of the Corporation or of such officer to be a member of the family of the person for the time being entered in the register as the owner of such exclusive right of burial.

Corporation
may grant
exclusive right
of burial under
conditions.

- (5.) Where any person claiming to be entitled to the exclusive right of burial in any allotment in the Lapeyrouse cemetery under or by virtue of an instrument in writing granted by any of the preceding Port-of-Spain Corporations, or by assignment or devolution, or otherwise, is unable to produce such instrument or to furnish strict legal proof of such right being vested in him, it shall be lawful for the Corporation, if they shall think fit, to grant the exclusive right of burial in such allotment to such person upon such terms and conditions as they may think proper; Provided that no such grant shall be issued except after public notice of the intention to issue the same shall have been inserted at the cost of the applicant in at least one local newspaper circulating in the Colony once a week at the least in each of four consecutive weeks, and

no objection to the issue of such grant has, within the time named in such advertisement, been lodged with the Corporation; or, in case any such objection is lodged with the Corporation, unless the Corporation is satisfied, after investigation, that the objector has not shewn any sufficient cause why such grant should not be issued to such applicant.

280. No body shall be buried in any allotment or grave space wherein the exclusive right of burial shall have been granted except upon an application signed by the person, or by one of the persons in whom such right is vested, (hereinafter called the owner of the allotment), or by any other person who states in such application that he is authorised by the owner of such allotment to make such application, or upon a statutory declaration by the applicant that the person to be buried is the father, mother, husband, wife, child, brother or sister of the owner of the allotment.

Burials where exclusive right of burial has been granted.

281.—(1.) Every person to whom the exclusive right of burial in any allotment in any cemetery under the control of the Corporation has been granted, or in whom such right becomes otherwise vested under this Ordinance, shall, within six months from the date when such right became vested in him, cause the area included in such grant to be enclosed with a proper enclosure to be approved by the Corporation, and shall also, where such enclosure is a wooden one, cause the same to be properly painted to the satisfaction of the Corporation.

Enclosure of allotments.

(2.) Every person in whom the exclusive right of burial in any allotment in the Lapeyrouse Cemetery granted by any of the preceding Port-of-Spain Corporations is now vested, shall, within three months from the commencement of this Ordinance, cause such allotment to be enclosed with a proper enclosure to be approved by the Corporation, and shall also, where such

enclosure is a wooden one, cause the same to be properly painted to the satisfaction of the Corporation.

Enclosure to be kept in repair.

(3.) The owner for the time being of the exclusive right of burial in any allotment in any cemetery under the control of the Corporation shall at all times keep such enclosure in good and substantial repair, and if a wooden one, properly painted, to the satisfaction of the Corporation ; and shall cause his name to be marked in a suitable manner in some place in such allotment to be approved by the Corporation.

Penalty.

(4.) Every person who makes default in complying with any of the requirements of this section shall be liable to a penalty not exceeding £5, and to a further penalty not exceeding forty shillings for every day that such default continues after notice thereof from the Corporation.

Where allotment is not enclosed or an enclosure is not kept in repair.

(5.) Where any allotment in which the exclusive right of burial has been granted by the Corporation or by any of the preceding Port-of-Spain Corporations remains unenclosed for more than six months from the time when such allotment is required to be enclosed under the provisions of this Ordinance, or where any enclosure of any such allotment is not kept in good and substantial repair, and, if a wooden one, is not also kept properly painted to the satisfaction of the Corporation, the Corporation may, after one month's notice in writing to the owner of the allotment of their intention so to do, declare the exclusive right of burial in such allotment to be forfeited, and thereupon it shall be lawful for the Corporation to dispose of such allotment or any part thereof as they may think fit.

Provided always that if such allotment has not been otherwise disposed of, the Corporation may, at any time after any such forfeiture, on the application of the person in whom the exclusive right of burial was vested at the time of such forfeiture, regrant such exclusive right

of burial to such person upon such terms and conditions as the Corporation shall think fit.

37. The following new sections shall be inserted after Section 293 of the Principal Ordinance:—

PART XIII.A.

Carts and Carters.

293A.—(1.) No cart shall be used on any street in the City unless there is painted at full length in legible letters in white upon black, or black upon white, not less than one inch in height upon some conspicuous part of the right or off side of such cart or upon the off side shaft thereof, the name and surname and the place of business or abode of the owner of such cart.

Name of owner
to be painted
on cart.

*repaired by
9/19/24*

(2.) Every owner of any cart who

Penalty.

(a) shall use or allow the same to be used on any street without his name and place of business or abode painted thereon as aforesaid, or

(b) shall suffer the same to become illegible, or

(c) shall paint, or cause or suffer to be painted, any false or fictitious name or place of business or abode on such cart,

shall be liable for every such offence to a penalty not exceeding forty shillings and in default of payment to imprisonment with or without hard labour for any term not exceeding one month.

(3.) When an owner is charged with an offence under this section, the fact that the cart has been used without the name and place of business or abode of the owner having been painted thereon in the manner prescribed by this section, or that the same has become illegible, or that any false or fictitious name or place of business or abode has been painted on such cart, shall be

Use of cart
without
owner's name
to be *prima*
facie evidence
against owner.

prima facie evidence that the owner allowed such cart to be used without his name and place of business or abode being painted thereon as aforesaid, or has suffered the same to become illegible, or has caused or suffered to be painted such false or fictitious name or place of business or abode on such cart as the case may be.

Penalty on driver of cart not having owner's name painted thereon.

- (4.) Every person who shall drive on any street in the City any cart not having the name and place of business or abode of the owner thereof painted thereon in the manner required by this section shall be liable to a penalty not exceeding forty shillings, and in default of payment to imprisonment with or without hard labour for any term not exceeding one month for every day on which he shall drive such cart.

Carters' badges.

- 293B.—The driver of every licensed cart in the City shall bear upon a conspicuous part of his right arm a metal plate or badge upon which shall be painted in letters and figures not less than one inch in height, and of a different colour to the ground upon which they are painted, the word "Carter," and the distinguishing number of the licence of his cart issued under the provisions of the Licensing of Vehicles Ordinance.

Penalty.

Every driver failing to comply with the requirements of this section shall be guilty of an offence against this Ordinance and shall, for every such offence, be liable to a fine not exceeding 40/- and in default of payment thereof, to imprisonment for any term not exceeding one month.

Driver of licensed cart not actually hired bound to hire such cart.

- 293c.—The driver of every licensed cart plying for hire within the limits of the City shall, unless he is actually hired, be obliged and compellable to hire such cart and to take and carry thereon such loads and to go therewith to such places within the limits of the city as he may be lawfully required by the hirer: Provided that no driver shall be compelled or compellable to take or carry on his cart as and for one load

any heavier weight or any greater quantity of goods, wares or merchandise than the weights and quantities specified in the second and fourth columns of the Eighteenth Schedule to this Ordinance and set forth against the several items appearing in the first and third columns of such schedule.

Provided also that such schedule may be amended from time to time by resolution of the City Council, with the approval of the Governor in Executive Council.

293D.—The driver of every licensed cart plying for hire ^{Fares.} within the limits of the City shall be entitled to demand for the carriage of loads the fares set forth in the Seventeenth Schedule to this Ordinance.

Provided that such schedule may be amended from time to time by resolution of the City Council, with the approval of the Governor in Executive Council.

293E.—Every licensed cart standing in any street or place appointed or used as a standing for carts plying for hire shall be deemed to be plying for hire; and the driver of every such cart shall, if not actually hired, be obliged and compellable to hire such cart and carry thereon such loads as aforesaid as he may be lawfully required by any person desirous of hiring such cart. ^{Licensed cart not actually hired to be deemed to be plying for hire.}

293F.—Upon the hearing of any complaint against the driver of any licensed cart for refusing to hire such cart or to take or carry thereon any such load as he may lawfully be required to take and carry, the burden of proof that such cart was hired at the time of such refusal or that such cart was not plying for hire shall be upon the driver. ^{Onus of proof of contrary on driver.}

293G.—If the driver of any licensed cart in the City in civil and explicit terms declares to any person desirous of hiring such cart that it is actually hired, or that it is not plying for hire, and ^{Compensation to driver for loss of time in certain cases.}

afterwards, notwithstanding such reply is summoned to answer for his refusal to hire such cart or to take such load thereon as aforesaid, and upon hearing of the complaint produces sufficient evidence to prove that such cart was at the time of such refusal actually and *bonâ fide* hired, or that it was not plying for hire, and if it does not appear that he used uncivil language or that he improperly conducted himself towards the person by whom he is summoned, the Magistrate before whom such case is heard shall order the person who summoned such driver to pay such driver such compensation for his loss of time in attending to make his defence as to such Magistrate seems reasonable, and in default of payment thereof may commit such person to prison for any term not exceeding one month, unless the same shall be sooner paid.

Carter bound
to keep
engagements.

293H.—Every driver of any licensed cart in the City who either verbally or in writing contracts with any person to let or hire any licensed cart at a time and place certain and fails to attend with such cart at such time and place, or otherwise fails to perform such contract without reasonable excuse to be allowed by the Magistrate before whom the matter shall be brought in question, the proof of which shall be on such driver, shall forfeit and pay a sum not exceeding 40 shillings, and in default of payment thereof shall be imprisoned for any term not exceeding one month.

Refusal to pay
fares.

293I.—If any person refuses or omits to pay to the driver of any licensed cart his legal fare, it shall be lawful for any Magistrate to grant a summons, or, if it appears to him necessary, a warrant, for bringing before him or any other Magistrate such defaulter, and any such Magistrate may award reasonable compensation to the party complaining for his fare and costs, and also reasonable compensation for his loss of time in attending to make and establish such complaint;

and upon the failure or refusal of such defaulter to pay or make such satisfaction it shall be lawful for such Magistrate to commit him to prison, there to remain for any term not exceeding one month, with or without hard labour, unless the amount of such satisfaction together with costs be sooner paid.

293j.—Every driver of any licensed cart in the City who while plying for hire, Offences by driver of licensed cart.

(a.) refuses to hire his cart to any person desirous of hiring the same or to take and carry thereon to such place as he may be lawfully required so to do such goods, wares and merchandise or other burden or thing as he may be lawfully required to carry; or

(b.) demands more than his legal fare, shall be guilty of an offence against this Ordinance, and shall on summary conviction therefor be liable to a fine not exceeding 40 shillings or in default of payment to imprisonment for any term not exceeding one month.

293k.—For the purposes of Sections 293A to 293J of this Ordinance, both inclusive, unless the context otherwise requires,— Definitions.

“Cart” includes any cart, dray, waggon, truck, car or other vehicle or machine, howsoever drawn or propelled, and used or intended or adapted to be used for the carriage or conveyance of any goods, wares, or other burden, article or thing whatsoever; and includes also any hearse or any carriage or vehicle used for conveying the dead, and also any handcart.

“Plying for Hire” means carrying or conveying in any street any goods, wares, or other burden, article or thing whatsoever for payment or other consideration, whether under a special contract or

arrangement or under some statutory or other tariff or otherwise; and includes standing in any recognised or appointed place or standing for the purpose of being hired.

38. Sections 294, 295 and 304 of the Principal Ordinance are hereby repealed, and the following shall be inserted in lieu thereof:—

License to ply
as Porter or
Huckster.

294.—(1) It shall not be lawful for any person without having first obtained a license from the Corporation under the hand of the Town Clerk:—

(a.) To ply, hire or engage himself as a porter for hire or reward within the limits of the City of Port-of-Spain.

(b.) To follow the trade or business of a pedlar, hawker or travelling huckster, or as such pedlar, hawker or travelling huckster to sell or barter or offer or expose for sale or barter any merchandise, goods or provisions, save and except the merchandise, goods, provisions and things specified hereunder, that is to say:—

Bread, mawby, spruce, syrup, vegetables, candles, fruit, confectionery, poultry, game, and any liquor not being a spirituous liquor, nor containing any admixture of any spirituous liquors.

Penalty.

(2) Any person acting in contravention of this section shall be guilty of an offence and on conviction thereof shall be liable to a penalty not exceeding £10.

Duration of
Licence.

295.—(1) Licences granted under this Part of this Ordinance may be either yearly, half-yearly or quarterly, and every such licence shall bear the date of and commence on the day on which the same shall be issued, and every such license, whersoever issued, shall expire, in the case of—

- (a) A yearly licence, on the thirty-first day of December next following the date of issue.
- (b.) A half-yearly licence, on the thirtieth day of June or the thirty-first day of December next following the date of its issue.
- (c.) A quarterly licence, on the thirty-first day of March, thirtieth day of June, thirtieth day of September or thirty-first day of December next following the date of its issue.
- (2) There shall be paid to the Town Clerk for the use of the Corporation in respect of such licences the licence fees specified hereunder, that is to say :—

*Licence fees payable by Porters, Pedlars,
Hawkers or Hucksters.*

For a quarterly licence	....	2 shillings.
For a half-yearly licence	....	3 „
For a yearly licence	....	5 „

304. Every licensed porter shall be entitled within the ^{Fares.} limits of the City of Port-of-Spain to demand for his hire the fares set forth hereunder, that is to say :—

Fares for Porters.

		s.	d.
For the day	....	2	6
For the half day	....	1	8
For the hour	....	0	7½
For the trip or job exceeding ½ mile but not exceeding one mile	....	0	5
For the trip or job not exceeding ½ mile	....	0	3
For every half mile or part thereof after the first mile an additional threepence.			

39. Sections 340, 341, 342 and 343 of the Principal Ordinance are hereby repealed, and the following shall be inserted in lieu thereof:—

Proportionate
service rates.

340. Where, at any time after the commencement of any water rate year, any premises which, up to that time were liable to the district rate only, are supplied with water by means of a service pipe, there shall be paid in respect of such premises, in addition to the district rate, a proportionate service rate calculated for the period from the date of the laying of the service to the end of the current water rate year; and such proportionate rate shall be due and payable on such date as may be fixed by the Corporation.

Water Rate
on new house
within City.

341. When any new house is erected in the City after the commencement of any water rate year, there shall be paid in respect of such new house, in addition to any rates already levied and payable in respect of the premises already assessed and rated to water rates in the Water rate book in force under the same description as the new house bears, an additional district rate calculated for the period from the date of the completion of such new house to the end of the current water rate year, upon the difference between the annual rateable value of the premises before the erection of such new house and the annual rateable value thereof after the completion of such new house; and in case a service pipe shall be laid in such new house, there shall also be levied a service rate computed on the annual rateable value of such new house, or, if there was a service pipe laid in the premises before the erection of such new house, then on the difference between the annual rateable value of the premises before the erection of such new house and the annual rateable value thereof after the completion of such new house, for the period from the date of the completion thereof to the end of the current

water rate year; and such district and service rates shall be due and payable on such date as may be fixed by the Corporation.

342.—(1.) When any new house is erected within the district, but outside the limits of the City after the commencement of any water rate year, the Corporation may at any time after the completion of such house fix the annual rateable value thereof for the purposes of this part of this Ordinance, and there shall be paid to the Corporation in respect thereof proportionate district and service rates computed on such annual rateable value for the period from the date of the completion of such house to the end of the current water rate year; and such proportionate rates shall be due and payable on such date as may be fixed by the Corporation.

Water Rate
on new house
outside the
City.

(2.) Notice of the annual rateable value so fixed by the Corporation and of the date on which such rate is payable shall be given to the owner of such new house.

Notice.

343. Where any rateable hereditament situate within the City or within any portion of the district situate outside the limits of the City is not assessed in the House Rate Book in force or the Ward Roll of the ward in which such rateable hereditament is situate, or where it is made to appear to the Council that any rateable hereditament situate within the City or within any portion of the district outside the limits of the City upon which the Water Rate is not yet paid is insufficiently or too highly assessed in the House Rate Book or Ward Roll in force at the commencement of that water rate year, it shall be lawful for the Council to fix the annual rateable value thereof for the purpose of determining the water rates payable thereon for that year, and to fix the date on which such water rates computed on such valuation shall be due and payable.

Premises not
assessed,
insufficiently
assessed, or
too highly
assessed.

Notice.

Notice of the rateable value so fixed by the Council, and of the rates payable thereon, and of the date on which such rates are due and payable, shall be given to the owner of such rateable hereditament.

40. Section 400 of the Principal Ordinance is hereby repealed, and the following shall be inserted in lieu thereof:—

Sewerage Rate
on new house
in City.

400. When any new house is erected in the City after the commencement of any sewerage rate year, there shall be paid in respect of such new house, in addition to any rates already levied and payable in respect of the premises already assessed and rated to sewerage rates in the sewerage rate book in force under the same description as the new house bears, an additional sewerage rate calculated for the period from the date of the completion of such new house to the end of the current sewerage rate year upon the difference between the annual rateable value of the premises before the erection of such new house and the annual rateable value thereof after the completion of such new house; and such additional sewerage rate shall be due and payable on such date as may be fixed by the Corporation.

Sewerage Rate
on new house
outside City.

401.—(1) When any new house is erected within the district but outside the limits of the City after the commencement of any sewerage rate year, the Corporation may at any time after the completion of such house fix the annual rateable value thereof for the purpose of this part of this Ordinance, and there shall be paid to the Corporation in respect thereof a proportionate sewerage rate computed on such annual rateable value for the period from the date of the completion of such house to the end of the current sewerage rate year; and such proportionate rate shall be due and payable on such date as the Corporation may fix.

(2) Notice of the annual rateable value so fixed by the Corporation and of the date on which such rate is payable shall be given to the owner of such new house. Notice.

402. Where any rateable hereditament situate within the City, or within any portion of the district outside the limits of the City is not assessed in the House Rate Book in force, or in the Ward Roll of the ward in which such rateable hereditament is situated, or where it is made to appear to the Council that any rateable hereditament situate within the City or within any portion of the district outside the City upon which the Sewerage Rate has not yet been paid is insufficiently or too highly assessed in the House Rate Book or Ward Roll in force at the commencement of that sewerage rate year, it shall be lawful for the Council to fix the annual rateable value thereof for the purpose of determining the sewerage rate payable thereon for that year, and to fix the date on which such sewerage rate computed on such valuation, shall be due and payable. Premises not assessed, or insufficiently or too highly assessed.

Notice of the rateable value so fixed by the Council, and of the rate payable thereon, and of the date on which such rate is due and payable, shall be given to the owner of such rateable hereditament. Notice.

41. Section 424 of the Principal Ordinance is hereby repealed, and the following shall be inserted in lieu thereof:—

424.—(1) A bye-law, rule or regulation shall not be made, altered, amended or repealed unless at least one-half of the whole number of the Council are present and vote. Bye-laws only to be made or altered when one half Council at least is present.

(2) The Corporation may make, in addition to any other bye-laws, rules or regulations which they are authorised to make under this Ordinance, such bye-laws, rules and regulations as to them shall seem meet for the good rule and government of the City, and for the prevention and Bye-laws for good rule and government.

suppression of nuisances not already punishable in a summary manner by virtue of any Ordinance in force throughout the City.

42. Section 432 of the Principal Ordinance is hereby repealed, and the following shall be inserted in lieu thereof:—

Certified copies of documents to be *primâ facie* evidence thereof.

432.—(1.) Where in any legal proceedings it becomes necessary to prove any document of the Corporation, a copy of or an extract from such document, purporting to be certified to be true by the Mayor or by the Town Clerk shall be sufficient *primâ facie* evidence of such document.

Proof not to be required.

(2.) No proof shall be required of the handwriting or of the official position of the Mayor or of the Town Clerk certifying in pursuance of this section to the truth of any such copy of or extract from any document.

Charge for copy or extract.

(3.) For every certified copy of or extract from any document supplied by the Corporation in pursuance of this section there shall be paid to the Corporation for every one hundred words or part thereof contained in such copy or extract the sum of two shillings.

Production of Documents.

(4.) No officer of the Corporation shall, in any legal proceedings whatsoever, be compellable to produce any document the contents of which can be proved by a certified copy under the provisions of this section, unless on the order of a Judge, Commissioner or Magistrate made for special cause.

Charge for attendance of officer in Court.

(5.) Where any officer of the Corporation is required under any order of a Judge, Commissioner or Magistrate made for special cause in pursuance of the provisions of this section to produce any original document of the Corporation, there shall be paid to the Corporation for the attendance of such officer upon *subpoena* in court for that purpose the sum of ten shillings.

- (6.) For the purposes of this section "document of the Corporation" includes notices, orders and authorities given, made and issued by the Corporation, and any entry in any rate book, account book, register or other book of the Corporation, and any resolution or other matter recorded in any minute book of the Corporation and all orders, rules, bye-laws, regulations, warrants, lists, certificates, requisitions, letters, notices, receipts, and any other documents whatsoever in the custody of or proceeding from the Corporation. Definition.
- (7.) The provisions of this section shall be deemed to be in addition to and not in derogation of any powers of proving documents given in any other part of this Ordinance or by any other Ordinance or law in force in the Colony. Powers to be in addition.
- (8.) Notwithstanding anything contained in this section, it shall be lawful for the Town Clerk to grant any person desiring the same for any other purpose than as evidence in legal proceedings, a certified copy of or extract from any document of the Corporation upon payment of such fee and upon such terms as may be fixed by resolution of the Council. Certified copy or extract may be granted by Town Clerk.
43. The following new section shall be inserted after section 439 of the Principal Ordinance:—

LICENCES.

- 439A.—(1.) All licences which the Corporation are or may be authorised to grant under the principal Ordinance or any other Ordinance existing or future, may, unless otherwise expressly provided, be granted by and under the hand of the Town Clerk or any other officer of the Corporation duly authorised in that behalf. Authentication of licences issued by Corporation.
- (2.) If any person to whom a licence has been granted by the Corporation under the principal Ordinance or under any other Ordinance existing or future, satisfies the Council that such licence has been lost or defaced, the Council may, if they Duplicate licence.

*repealed by
15/1974*

think fit, and on payment of a fee of one shilling, issue to him a duplicate licence, and the duplicate so issued shall have the same effect as the original licence.

44. The following new section shall be inserted after section 448 of the Principal Ordinance:—

PLANS, &C.

Plans, &c.,
deposited to
become
property of
Corporation.

448A. All applications, notices, plans and other documents delivered at the office of the Town Clerk or of the City Engineer in pursuance of the Principal Ordinance or of any other Ordinance for the time being in force, or of any bye-law, rule or regulation made thereunder, shall on delivery become the property of the Corporation.

45. The following new section shall be inserted after Section 453 of the Principal Ordinance:—

Transfer of
powers, rights
and property
of preceding
Corporations.

453A. Subject to the provisions of the Port-of-Spain Corporation Ordinances, all powers, authorities, interests, rights and privileges vested in any of the preceding Port-of-Spain Corporations shall, as and from the commencement of the Principal Ordinance be deemed to have been transferred to and vested in the Corporation; and all property, real and personal, belonging to any of such preceding Port-of-Spain Corporations is hereby declared to have been, as and from the commencement of the Principal Ordinance, transferred to, and vested in the Corporation.

Repeal.

46. Sections 82, 83, and 444 of the Port-of-Spain Corporation Ordinance, 1914, the Third, Tenth, Twelfth, Thirteenth, and Fourteenth Schedules of the Port-of-Spain Corporation Ordinance, 1914: the Port-of-Spain Corporation (Amendment) Ordinances Nos. 28 of 1914, 36 of 1915, 21 of 1916 and 47 of 1916, and Ordinance No. 150 are hereby repealed.

Passed in Council this Thirteenth day of December, in the year of Our Lord one thousand nine hundred and eighteen.

J. M. FARFAN,
Acting Clerk of the Council.

SEVENTEENTH SCHEDULE.

CART FARES.

For any distance

From the Wharf to Duke Street	...	...	... 18 cents.
" " New Street	...	...	... 25 "
" " Queen's Park W., between Charlotte Street and Cipriani Boulevard	...	...	... 30 "
" " Jerningham Avenue between Queen's Park East and Norfolk Street	...	...	... 36 "
" " any part of Belmont between Jerningham Avenue and Belmont Circular Road	...	...	... 36 "
" " any part of Newtown between Queen's Park West, Maraval Road and Warner Street	...	...	... 48 "
" " any place north of St. Clair Avenue as far as Serpentine Road	...	...	... 48 "
" " any part of Woodbrook and Newtown as far as French Street and Maraval Road	...	...	... 36 "
" " any part of Woodbrook and Newtown west of French Street and Maraval Road	...	...	... 48 "

EIGHTEENTH SCHEDULE.

TARIFF OF LOADS TO BE CARRIED BY CARTS.

ITEMS.	Quantities or Weights.	ITEMS.	Quantities or Weights.
BARRELS :		BAGS :	
Bread	6	Rice	8
Cement	4	Peas, E. I., Dhol, &c.	8
Flour	6	Peas, B.E.	12 of 160 lbs.
Lime	6 or 8 bags	Corn	12 of 112 lbs.
Malt	6	Oilmeal	12
Corn Meal	6	Salt	8
Peas and Beans	6	Salt—Half Bags	20 of 60 lbs.
Pork	5	Starch—Half Bags	20
Salt	5	„ Bales	16
Sugar	6	Oats	8
Tar	2	Pepper, &c.	8
Coal—Barrels	6	Cocoa	8
Pitch „	4	Coffee—160 lbs.	8
Rosin „	4	All other bags in proportion	
All other Barrels	6		
		FISH :	
HALF BARRELS :		Tierces	2
Beef and Pork	8	Large Drums	2
Flour	12	Small „	8
Sugar	8	Boxes	10
All other half barrels	10	Half Boxes	20
		PICKLED FISH :	
CASKS, TIERCES, HOGSHEADS, &C.		Barrels	5
Tierces, Coals	1	Half Barrels	8
„ Lime, Chalk, Salt }	1	Tierces	2
„ Whiting	1	Dried Fish	1000 lbs.
Puncheons, Temper lime	1		
„ Building lime	1	KEGS, FIRKINS, &C. :	
Coal Tar—Runlets	2	Oil—Drums	10 of 5 gals. ea.
Wine—Casks	2	Tallow—Kegs—56 lbs. ea.	15
Oil—Casks 50 gallons	2	Cart Grease—Kegs }	15
Spirits—Half Casks	5	56 lbs. each }	30
Wine—Half Casks	5	Paint 25 lbs.	20
Malt—Casks	2	„ 56 lbs.	10
„ Half-Casks	4	Nails 100 lbs.	12
All other Hogsheads and }		Butter—Firkins	20
Casks in same proportion		„ Half Firkins	12 of 6 gals. ea.
		Malaga—Kegs	

TARIFF OF LOADS.—Continued.

ITEMS.	Quantities or Weights.	ITEMS.	Quantities or Weights.
KEGS, FIRKINS, &c.—Contd.		CASES, BOXES.—Continued.	
Malaga—Half Kegs ...	25	Kerosine Oil ...	10
Blacking—Kegs 6-12 doz. } 8-8 doz., and 10-6 doz. }		All other cases and boxes in same proportion.	
All other Kegs and Firkins, &c., in proportion.		SUNDRIES :	
CASES, BOXES :		Oakum—Bales ...	10
Cutlasses, 5 doz. each ...	10	Fencing Wire—Coils, 112 lbs. ...	10
Sheathing Copper ...	2	C. H. Rails—Lengths ...	20
Brandy ...	20	Iron, Bundles—1 cwt. each	10
Bitters ...	25	Iron Hoops—Bundles 56 lbs. each... ..	20
Gin—Green Cases ...	20	Bar Iron ...	1,200 lbs.
Gin—Red " ...	12	Chains and Cables ...	1,200 lbs.
Wines in Bottles ...	20	Cocoa House Wheels } (large)	30
Vermouth ...	20	Cocoa House Wheels } (small)	50
Soap ...	20	Danish Pots ...	60
Sardines ...	25	Coal Pots ...	30
Vermicelli ...	50	Lumber—Feet ...	250
Matches (10 gross) ...	16	Shingles, Large—(Bundles)	15
Milk ...	25	Shingles, Small—(Bundles)	30
Ghee ..	6	Bricks, G. S. ...	150
Butter (100 lbs.) ...	8	Bricks, Fire ...	150
Lard (100 lbs.) ...	8	Slates ...	50
Candles ...	30	Paving Tiles ...	80
Sugar (30 lbs.)... ..	25	Galvanized Roofing— (Large Sheets)	50
Sugar (50 lbs.) ...	20	Galvanized Roofing— (Small Sheets)	50
Pipes ...	30	Garlic, (Loose—Strings)...	100
Biscuits, 28 lbs. ...	20	Tasajo ...	1,000 lbs.
Biscuits, large cases ...	20	Potatoes, Hampers— (Small)	25
Raisins, Boxes ...	25	Potatoes, Hampers— (Large)	10
Raisins, ½ Boxes ...	50	Wrapping (Paper—Bales of 20 reams each)	8
Raisins, ¼ Boxes ...	100	Demijohns—(Full) ...	20
Herrings ...	100	Demijohns—(Empty) ...	30
Salmon ...	20	Tobacco (Bales) ...	10
Lobsters ...	20	Non-enumerated packages in proportion—weight not to exceed 1,500 lbs.	
Prunes ...	8		
Sago and Barley ...	6		
Florida Water ...	30		
Fleur d'Orange ...	30		
Blue, 112 lbs....	8		
Cheese ...	25		
Olive Oil, Baskets ...	25		