

See 8/1997 in borrowing powers

CHAPTER 230.

MUNICIPAL CORPORATIONS.

AN ORDINANCE RELATING TO MUNICIPAL CORPORATIONS.

DIVISION OF ORDINANCE.

	PRELIMINARY	...	...	Sections 1 to 3.
Part I.—	CONSTITUTION AND GOVERNMENT OF			
	BOROUGHES	...	...	„ 4 „ 70.
Part II.—	HOUSE RATE	..	...	„ 71 „ 82.
Part III.—	MISCELLANEOUS	...	...	„ 83 „ 86.
Part IV.—	REVOCATION OF CHARTERS	...	...	„ 87 „ 91.
Part V.—	PROVISIONS APPLICABLE TO SAN			
	FERNANDO ONLY	...	...	„ 92 „ 102.

Ordinances
No. 210,
„ 217, ss.
2 & 3,
„ 35 of 1912,
„ 14 of 1914,
„ 32 of 1916,
„ 11 of 1921,
„ 12 of 1921.

[30th August, 1853.]

1. This Ordinance may be cited as the Municipal Corporations Ordinance. Short title.

2. This Ordinance shall not apply to the City of Port-of-Spain. Application of Ordinance.

3. In this Ordinance—

Interpretation.

“Borough” means any borough constituted by this Ordinance or by any Charter of Incorporation under this Ordinance;

“Council” means the Council of any borough;

“Town Clerk” means the Town Clerk and Treasurer of any borough;

“House,” in reference to the rate to be imposed and the qualification of burgesses under this Ordinance, shall include any dwelling-house, warehouse, stable, counting-house, store, manufactory, shop, workshop, shed, or other building used in carrying on any trade or business, and any lands appurtenant to or occupied with the same, and not rated separately;

"Person" includes any body, politic or corporate, municipal or civil, aggregate or sole, as well as an individual.

PART I.

CONSTITUTION AND GOVERNMENT OF BOROUGHES.

San
Fernando
constituted a
borough.

4. The town of San Fernando shall be a borough, and the Council of San Fernando shall bear the name of "the Mayor and Burgesses of San Fernando," and by such name shall have perpetual succession, and shall be capable in law, by the Council of such corporate body, to sue and be sued, implead and be impleaded in all Courts of Justice in the Colony, and to exercise all such powers as hereinafter mentioned, and shall have and use a common seal to be approved and from time to time altered by the Council.

Metes and
bounds of
San
Fernando.

5. For the purposes of this Ordinance, the metes and bounds of the Borough of San Fernando shall be as follows, namely :—

A line commencing on the west from the sea at the point of boundary on the sea-side between the lands known as the Paradise Estate and the Government lands, and drawn along the sea shore until the line meets the south-western boundary of the Vista Bella Estate, and thence along the southern side of the Vista Bella Estate to the Pointe-à-Pierre Road, and thence in a northerly direction to a point 300 feet in the Vista Bella Estate, thence to a point 150 feet north of the junction of Pointe-à-Pierre Road and Cane Street, thence running eastward parallel to Cane Street and to the new Circular Road to London Street, thence southward and parallel to the new Circular Road to the point where such parallel line crosses the road to Savanna Grande, thence to the north-eastern boundary of the lands of Etienne Thoulouis, and thence along the western boundary of the Felicity Estate to the point where such line meets the south-eastern boundary of the lands of Etienne Thoulouis, and thence in a straight line to the westward along the northern boundary of the Les Efforts Estate to the point where such line meets

the Cipro tramline, and thence in a southerly direction along the said tramline to the point where the line again meets the northern boundary of the Les Efforts Estate, and thence across the said tramline in a westerly direction along the northern boundary of the Les Efforts Estate to the point where the line meets the south-eastern boundary of Paradise Estate, and thence along the eastern boundary of Paradise Estate in a northerly direction to the point where the line meets the Government lands, and thence along the northern side of the Paradise Estate to the point on the sea-side from which the line commenced.
(Substituted by 35 of 1912, s. 3.)

6. If the inhabitant householders of any town shall petition His Majesty to constitute them a borough within the meaning of this Ordinance, it shall be lawful for the Governor, in the name and on the behalf of His Majesty, to grant them a Charter of Incorporation, and by such charter to define the limits of such borough, and thereupon the powers and provisions in this Ordinance contained shall extend and be applied to such borough. (a)

Governor
may grant
Charters of
Incorporation.

Burgesses.

7. (1) Every male person of full age, who on the last day of the month of August in any year, and for twelve calendar months immediately previous thereto, shall have occupied any house within a borough rated to the house tax at a rental of not less than twenty pounds, or any part or portion of any such house for which part or portion he shall really and *bonâ fide* have paid for one year at the least not less than twenty pounds, and also during the time of such occupation shall have been an inhabitant householder within such borough or within three miles of any part thereof (such three miles being computed by the nearest public road or way by land or water), shall, if duly enrolled in that year according to the provisions of this Ordinance, be a burgess of such borough and a member of the body corporate of the Mayor and Burgesses of such borough :

Who are
entitled to be
burgesses.

(a) By Charter dated 1st August, 1888, the inhabitants of the town of Arima were constituted a borough.

Provided always, that no such person shall be so enrolled in any year unless the rates payable in respect of the house, as occupier of which or part of which he shall so claim to be enrolled, shall have been paid on or before the last day of August aforesaid :

Provided also, that in case any house or part of a house shall be jointly occupied by more persons than one, each of such joint occupiers shall be entitled to be enrolled in respect of such house or part of such house jointly occupied, in case the annual rental at which such house shall be rated to the house tax or the yearly rent really and *bonâ fide* paid by such joint occupiers for one year at the least in respect of the house or the part of the house so jointly occupied by them shall be of an amount which, when divided by the number of such occupiers, shall give a *bonâ fide* rent of not less than twenty pounds for each of such occupiers :

Provided also, that the premises in respect of the occupation of which any person shall have been so rated need not be the same premises or in the same ward, but may be different premises in the same ward or in different wards :

Provided also, that no person being an alien shall be so enrolled unless he shall have been an inhabitant householder for ten years immediately preceding such enrolment, and shall have taken the oath of allegiance to His Majesty before the Governor.

Special
provisions as
to Arima.

(2) In its application to Arima, sub-section (1) of this section shall be read as if, for the words "twenty pounds" wherever the same may occur, there had been substituted the words "twelve pounds and ten shillings": Provided always, that in the case of a house occupied by the owner or owners thereof, as the case may be, the said sub-section shall be read as if, for the word "twenty" where it occurs in the fifth and thirty-second lines, there had been substituted the word "ten." (*As amended by 32 of 1916, s. 2.*)

In case of
titles by
descent, etc.,
how the occu-
pation and
rating to be
reckoned.

8. Where any house in a borough shall come to any person by descent, marriage, marriage settlement, or devise, such person shall be entitled to reckon the occupancy and rating in respect of the occupancy thereof by the person from or by whom such house shall have so come to him, as his own occupancy and rating conjointly with the time during which he shall have since occupied or been rated for the same, and shall be entitled to be enrolled a burgess in respect of such successive occupancy and rating, provided

he shall be otherwise qualified as in this Ordinance provided ; and it shall not be necessary, in support of the title of such person to be enrolled on the burgess roll, to prove that he was an inhabitant householder within such borough or within three miles thereof, or that he was an occupant or rated within the same, before the title to such house shall have devolved upon him, and the rating of the person previously occupying shall be considered a sufficient rating of the person so entitled until a new rate shall be made subsequent to such devolution of title as aforesaid.

Preparation of Burgess Roll.

9. The Town Clerk of every borough shall, on the first day of September in each year, make out an alphabetical list, to be called the burgess list, according to Form A in the First Schedule to this Ordinance, of all persons who shall be entitled to be enrolled in the burgess roll of the year according to the provisions of this Ordinance in respect of property within such borough, and such Town Clerk shall sign such burgess list, and shall forthwith cause copies of such list to be printed, and shall deliver a copy of such list to any person requiring the same on payment of the sum of one shilling for each copy, and shall cause a copy of such list to be fixed on or near the outer door of the Town Hall or in some other conspicuous place within the borough on every day during the week next preceding the fifteenth day of September in each year : Provided always, that as regards any borough which may be divided into wards, the burgess roll shall be made out under several heads according to the number of wards into which such borough may be divided, and shall distinguish, under the head of each ward, the persons entitled to be enrolled as burgesses in respect of property within such ward.

Town Clerk
to make up
burgess list.

10. Every person whose name shall have been omitted from the burgess list, and who shall claim to have his name inserted therein, shall, within twenty-one days next after the publication of such list, give notice thereof to the Town Clerk in writing according to Form B in the First Schedule to this Ordinance, or to the like effect ; and every person whose name shall have been inserted in such burgess list may object to any other person as not being entitled to have his name retained in such list, and every person so objecting shall, within fifteen days next after the publication

Persons
omitted from
list.

Objection to
insertion of
name in list.

of such list, give to the Town Clerk, and also give to the person objected to, or leave at the premises in respect of which he shall appear to be inserted in such burgess list, notice thereof in writing, according to Form C in the First Schedule to this Ordinance, or to the like effect; and the Town Clerk shall include the names of all persons so claiming to be inserted in the burgess list, in a list according to Form D in the First Schedule to this Ordinance, and shall include the names of all persons so objected to as not entitled to be retained in the burgess list, in a list according to Form E in the First Schedule to this Ordinance, and shall cause copies of such several lists to be fixed on or near the outer door of the Town Hall, or in some public and conspicuous place within the borough, on every day from the time after such notice shall have been given to him to the last day of the holding of the Court as hereinafter provided for the revision of all such lists; and the Town Clerk shall also keep a copy of the names of all such persons so claiming as aforesaid, and also a copy of the names of all persons so objected to as aforesaid, to be perused by any person, without payment of any fee, at all reasonable hours in any day previous to the holding of the Court for the revision of such lists, and shall deliver a copy of each of such lists to any person requiring the same on payment of a sum not exceeding one shilling for each copy.

Revising
barrister to
revise lists.

11. (1) In each year an open Court shall be held in every borough for the purpose of revising the said burgess lists; and such Court shall be held by or before some barrister to be named by the Governor, on some day between the first day and the fifteenth day of October inclusive, to be appointed by the Mayor; and the Town Clerk shall give three days' notice of the holding of such Court by fixing such notice on or near the outer door of the Town Hall, or in some public or conspicuous place within the borough.

(2) The Town Clerk shall, at the opening of the said Court, produce the said lists and a copy of the lists of the persons claiming and of the persons objected to, so made out as aforesaid, and also all books in his custody containing the names of all persons rated to the house rate in and for such borough, and shall answer upon oath all such questions as may be put to him.

(3) The revising barrister shall insert in the burgess list the name of every claimant who shall be proved to his

satisfaction to be entitled to be inserted therein according to the provisions of this Ordinance, and shall retain on the said list the names of all persons to whom no objection shall have been duly made, and shall also retain on the said list the name of every person who shall have been objected to, unless the party so objecting shall appear by himself or by some one on his behalf in support of such objection.

(4) In case the name of any person inserted in any one of the said lists shall have been duly objected to, and the person objecting shall appear as aforesaid in support of such objection, the revising barrister shall require proof of the qualification of the person so objected to, and in case the qualification of such person shall not be proved to his satisfaction, the revising barrister shall expunge the name of every such person from the said lists, and he shall also expunge from the said lists the name of every person who shall be proved to be dead, and shall correct any mistake or supply any omission which shall be proved to have been made in any of the said lists in respect of the name, surname, or place of abode of any person who shall be included in any such lists, or in respect of the local description of the property in respect of which he is entitled to be a burgess: Provided always, that no person's name shall be inserted in any such list or shall be expunged therefrom (except in the case of death), unless notice shall have been given as is hereinbefore required in each of the said cases.

12. Every revising barrister holding any Court under this Ordinance for the revision of the said lists shall have power to adjourn the same from time to time, so that no such adjourned Court shall be held after the fifteenth day of October in any year; and such revising barrister shall have power to require the Town Clerk, or any other person having the custody of any book containing any rate on houses within the borough made for that or any preceding year, to produce the same, and allow the same to be inspected at any Court to be held for the revision of the burgess lists, and, for the purpose of the revision of the said lists, shall have power to administer oaths; and the revising barrister shall, upon the hearing in open Court, determine upon the validity of such claims and objections, and shall in open Court write his initials against the names

Revising
barrister may
adjourn and
administer
oaths.

Barrister to
determine
claims and
sign lists.

respectively struck out or inserted, and against any part of the said lists in which any mistakes shall have been corrected, and shall sign his name to every page of the several lists so settled.

Revised
burgess lists
to be kept by
the Town
Clerk.

13. The burgess list so revised and signed as last aforesaid shall be delivered by the revising barrister to the Town Clerk, who shall keep the same and shall cause the said burgess list to be fairly and truly copied into one general alphabetical list in a book to be by him provided for that purpose, with every name therein numbered, beginning the numbers from the first name and continuing them in a regular series to the last name; and the Town Clerk shall also cause such book to be completed on or before the twenty-second day of October in every year; and every such book in which the said burgess lists shall have been copied shall be the burgess roll of the burgesses of such borough entitled to vote in the choice of the Councillors and Auditors of such borough at any election which may take place in such borough between the first day of November inclusive in the year in which such burgess roll shall have been made and the first day of November in the succeeding year.

Such book
to be the
burgess roll.

Copies of the
burgess roll
to be printed
for sale.

14. The Town Clerk of every borough shall cause to be written or printed copies of the burgess roll in every year, and shall deliver such copies to all persons applying for the same, on payment of one shilling for each copy; and the moneys arising from the sale thereof, and of the burgess lists, and of the lists of claims and objections as aforesaid, shall be carried by the Town Clerk to the credit of the Council of the borough.

Mayor and Councillors.

Mayor and
councillors to
be elected.

15. In every borough there shall be elected, annually, one fit person who shall be called the Mayor of such borough, and a certain number of other fit persons who shall be called the Councillors of such borough, and such Mayor and Councillors for the time being shall be called the Council of such borough; and the number of persons so to be elected Councillors shall be nine for the town of San Fernando, and for every other borough which shall be constituted under this Ordinance such number as the Governor, by the charter constituting such borough, may see fit to assign to such borough.

16. (1) No person being in holy orders or being the regular minister of any dissenting congregation shall be qualified to be elected or to be a Councillor or Auditor of any borough, nor shall any person be qualified to be elected or be a Councillor for any borough who shall not speak the English language, and who shall not be entitled to be, and actually be, on the burgess roll of such borough, and who shall not be possessed as absolute owner, or as tenant for life or lives, or of some other estate of freehold of real property assessed to the house tax for the borough on the following value; that is to say, in all boroughs which may be divided into wards on an annual value of not less than fifty pounds, and in all boroughs which shall not be divided into wards on an annual value of not less than thirty pounds; or who shall not be the actual tenant of, and as such tenant shall have *bonâ fide* paid within the preceding twelve months at least one year's rent in respect of, a house rated to the house tax of the borough on a rental of not less than seventy-five pounds per annum if the same shall be situated in any borough which may be divided into wards, or on a rental of not less than fifty pounds per annum if the same shall be situated in any borough not divided into wards; or during such time as he shall hold any office or place of profit, other than that of Mayor, in the gift or disposal of the Council of such borough, or during such time as he shall have, directly or indirectly, by himself or his partner, any share or interest in any contract or employment with, by, or on behalf of such Council: Provided that no person shall be disqualified from being a Councillor of any borough by reason of his being a proprietor or shareholder of any company which shall or may contract with the Council of such borough for lighting, or supplying with water, or insuring against fire, such borough or any part thereof.

Who are not qualified to be Councillors or Auditors.

(2) In its application to Arima, sub-section (1) of this section shall be read as if—

Special provisions as to Arima.

(a) for the word "thirty" in the fourteenth line, the words "twenty-five" were substituted; and

(b) for the word "fifty" in the twenty-first line the words "thirty-five" were substituted.

(As amended by 32 of 1916, s. 3.)

17. Every burgess of any borough who shall be enrolled on the burgess roll for the time being of such borough shall

Who shall vote at election.

be entitled to vote in the election of Councillors and of the Auditors for such borough, and no person who shall not be entered on such burgess roll for the time being shall have any voice or be entitled to vote in any such election

Councillors to
be chosen on
1st November.

18. On the first day of November in each year the burgesses of each borough shall elect, from the persons qualified to be Councillors, the Councillors of such borough or such part of them as shall be needed to supply the places of those who shall go out of office : Provided always that, as regards any borough which may be divided into wards, every burgess shall be entitled to vote at the election for the Councillors for that ward only in which the property in respect whereof such burgess appears to be rated on the burgess roll for the time being shall be situated and not otherwise ; and if any burgess shall be rated in respect of any premises in two or more wards, then he shall be entitled to be enrolled and to vote in such one of the wards as he shall select, but not in more than one.

One-third
part of the
Council to go
out of office
annually.

19. On the first day of November in each year one-third part of the whole number of Councillors shall go out of office, and those who shall so go out of office shall be the Councillors of the borough, or of each ward where the borough shall be divided into wards, who shall have been longest in office without being re-elected : Provided always, that any Councillor so going out of office shall be capable of being forthwith re-elected, if then qualified as herein provided.

If any person
is elected a
Councillor in
more than
one ward.

20. If, at any election of Councillors for any borough divided into wards, any person shall be elected a Councillor in more than one of the wards, he shall, within three days after notice thereof, choose, or on his default the Mayor shall declare, for which one of the said wards he shall serve, and such person shall thereupon be held to be elected for that ward only which he shall so choose or which the Mayor shall so declare.

Occasional
vacancies of
Councillor or
Auditor.

21. If any extraordinary vacancy shall be occasioned in the office of Councillor or Auditor, the burgesses entitled to vote shall, on a day to be fixed by the Mayor (such day not to be later than ten days after such vacancy), elect, from the persons qualified to be Councillors, another burgess to supply such vacancy ; and such election shall be

held and the voting and other proceedings shall be conducted in the same manner and subject to the same provisions as with respect to the election of Councillors and Auditors; and every person so elected shall hold such office until the time at which the person in room of whom he was chosen would regularly have gone out of office, but shall be capable of immediate re-election if then qualified as herein provided.

22. (1) If any revising barrister who shall be named or appointed as aforesaid for the revision of the burgess lists under this Ordinance shall neglect or refuse to revise such burgess lists, and if any Mayor, who shall be in office at the time appointed for any election of Councillors or Auditors which he is required to conduct or declare, shall neglect or refuse to conduct or declare such election as aforesaid, every such revising barrister and Mayor shall, for every such offence, forfeit and pay the sum of one hundred pounds.

Revising
barrister,
Mayor, or
Town Clerk
refusing to
comply with
Ordinance.

(2) If any Town Clerk appointed under this Ordinance shall neglect or refuse to make out, sign, and deliver such burgess lists to be made out, signed, and delivered as aforesaid, or shall neglect or refuse to receive, print, and publish such lists as hereinbefore directed, or shall refuse to allow any such list to be perused by any person having right thereunto, or shall refuse or neglect to deliver any copy of such lists to any person applying for the same and paying or tendering the sum of one shilling for every such copy, and if any such Town Clerk or other person having the custody of any book containing any rate on houses within any such borough for any year shall neglect or refuse to produce and allow the same to be inspected at any Court to be held for the revision of the burgess lists as aforesaid, such Town Clerk or person shall forfeit and pay for every such offence the sum of fifty pounds.

(3) The penalties hereby imposed shall be recovered with full costs of suit by any person who may sue for the same within six months after the commission of such offence by action of debt in the Supreme Court, and the money so to be recovered shall, after the payment of the costs and expenses attending the recovery thereof, be paid and apportioned as follows; that is to say, one moiety thereof to the person so suing, and the other moiety thereof to the Town Clerk of the borough for the use of the borough.

Election of
Mayor.

23. On the ninth day of November in every year the Council shall elect, out of their own body of Councillors, a Councillor to be the Mayor of such borough, and such Mayor shall continue in office for one whole year, and in case a vacancy shall be occasioned in the office of Mayor by reason of any person who shall have been elected to such office not accepting the same, or by reason of his dying, or ceasing to hold the said office, the Council shall, within ten days after such vacancy, elect out of their own body another fit person to be Mayor for the remainder of the time for which the person so failing to accept or dying or ceasing to act as aforesaid shall have been elected. (*As amended by 16 of 1915, s. 68.*)

Declaration
of acceptance
of office
and of
qualification.

24. No person elected a Councillor or Auditor under this Ordinance shall be capable of acting as such (except in administering the declaration hereinafter contained) until he shall have made and subscribed before any two or more of such Councillors, who are hereby respectively authorized and required to administer the same to each other, a declaration in the words or to the effect following; that is to say:—

I, A.B., having been elected councillor (or auditor) for the borough of do hereby declare that I take the said office upon myself, and will duly and faithfully fulfil the duties thereof according to the best of my judgment and ability; and I do hereby declare that the property in respect whereof I am qualified are the premises No. of street in ward in the borough of of which I am possessed as absolute owner (or in my own right, or in the right of my wife, or as tenant for my life, or as the case may be), or of which I am the actual tenant and have *bonâ fide* paid for the same one year's rent within the preceding twelve months, and the same are rated to the house tax on the annual value of.....pounds sterling.

Renewal of
declaration.

25. Every Councillor who shall have made and subscribed the foregoing declaration in respect of estate shall, once in every three months, if required in writing so to do by any two members of the Council, make and subscribe a declaration that he is qualified to the amount mentioned in the declaration originally made and subscribed by him.

Penalty on
refusing to
accept office.

26. Every person duly qualified who shall be elected to the office of Councillor or Auditor, and every Councillor who shall be elected to the office of Mayor of any borough, shall accept such office to which he shall have been elected, or shall in lieu thereof pay to the Mayor and burgesses a fine of one hundred pounds, and such fine, if not duly paid, shall be recovered with full costs of suit by an action of debt in the name of the Mayor and burgesses of such borough in the Supreme Court; and every such person

so elected shall accept such office by making and subscribing the declaration hereinbefore mentioned within five days after notice of his election, otherwise such person shall be liable to pay the said fine as for his non-acceptance of such office, and such office shall thereupon be deemed to be vacant, and shall be filled up by a new election to be made in the manner hereinbefore mentioned :

Provided always, that no person disabled by lunacy or imbecility of mind, or by deafness, blindness, or other permanent infirmity of body, shall be liable to such fine as aforesaid :

Provided also, that every person so elected to any such office who shall be above the age of sixty-five years, or who shall have already served such office or shall have paid such fine respectively within three years from the day on which he shall be so re-elected, shall be exempted from accepting or serving the same office if he shall claim such exemption within five days after notice of his election :

Provided also, that any officer in the public service of the Colony who obtains, within five days after notice of his election, a certificate of exemption from the Governor on the ground that the public duties of such officer do not allow of his accepting such office, shall not be liable to such fine as aforesaid. (*As amended by 14 of 1914, s. 2.*)

27. Any officer in the public service who shall be elected to the office of Councillor or Auditor, or who shall be selected for the office of Mayor, may, by the direction of the Governor, at any time resign any such office by writing signed by such officer and delivered to the Town Clerk, and no such officer shall be liable to any fine in consequence of such resignation. (*Added by 14 of 1914, s. 3.*)

Resignation
by public
officer.

28. If any Mayor, elected under the provisions of this Ordinance, shall depart from the Colony before the termination of his term of office, it shall be lawful for the Council to elect, out of their own body of Councillors, a fit and proper person to be Deputy Mayor during such absence of the Mayor.

Mayor
leaving
Colony.

29. Every Deputy Mayor so appointed as aforesaid may lawfully do and perform all acts which the Mayor in his official capacity might himself do and perform ; and shall have and exercise all the powers and authorities in and by this Ordinance given and granted to the Mayor.

Powers of
Deputy
Mayor.

Mayor,
Councillor,
or Auditor
becoming
bankrupt, or
absenting
himself.

30. If any person holding the office of Mayor, Councillor, or Auditor for any borough shall be adjudged a bankrupt, or shall compound by deed with his creditors, or shall be absent from the Colony without leave of the Council for more than thirty days at one and the same time, then and in every such case such person shall thereupon immediately become disqualified, and shall cease to hold such office of Mayor, Councillor, or Auditor as aforesaid, and in the case of such absence without such leave as aforesaid shall be liable to the same fine to be recovered in the same manner as if he had refused to accept the said office; and the Council thereupon shall forthwith declare the said office to be vacant, and shall signify the same by notice in writing under the hands of three or more of them, countersigned by the Town Clerk, to be affixed in some public place within the borough, and the said office shall thereupon become vacant:

Provided that every person so becoming disqualified and ceasing to hold such office on account of his having been adjudged a bankrupt or having compounded with his creditors as aforesaid shall, on obtaining an order of discharge or on payment of his debts in full, be capable (if otherwise qualified) of being re-elected to such office; and every person becoming disqualified to hold such office on account of absence as aforesaid shall, on his return to the Colony, be capable of being re-elected to such office, provided he shall then be otherwise qualified.

Penalty on
persons not
qualified, etc.,
acting as
Mayor, etc.

31. If any person shall act as Mayor, Councillor, or Auditor for any borough without having made the declaration hereinbefore required in that behalf, or without being duly qualified as aforesaid at the time of making such declaration, or after he shall cease to be qualified according to the provisions of this Ordinance, or after he shall have become disqualified to hold any such office, he shall for every such offence forfeit and pay the sum of one hundred pounds; and such sum shall and may be recovered with full costs of suit by any person who may sue for the same within three months after the commission of such offence by action of debt in the Supreme Court; and every person so sued by reason of not being so qualified in respect of estate, shall prove that he was, at the time of so acting, qualified as aforesaid, or otherwise shall pay the said penalty without any further evidence being required or given on

the part of the plaintiff than that such person has acted as such Mayor, Councillor, or Auditor, as the case may be :

Provided always, that it shall be lawful for any defendant, by a Judge's order to be obtained within fourteen days after he shall have been served with process in any such action, to require the plaintiff to give security for costs ; and in such case all further proceedings in the said cause shall be stayed until the plaintiff shall give security to the satisfaction of the proper officer of the Court for the costs of such action in case a verdict shall pass for the defendant, or the plaintiff shall become nonsuit or discontinue such action, or if upon demurrer or otherwise judgment shall be given against the plaintiff ; and the defendant shall in either of such cases recover his full costs as between solicitor and client :

Provided also, that no such action shall be brought except by a burgess of the borough, and unless the burgess bringing the same shall have personally served a notice in writing upon the party committing such offence of his intention to bring such action, and of the cause of such action ; and in case the plaintiff in any such action shall obtain a verdict, or the defendant shall have suffered judgment by default, the money so to be recovered shall, after payment of the costs and expenses attending the recovery thereof, be paid and apportioned as follows ; that is to say, one moiety thereof to the person so suing, and the other moiety to the Town Clerk of the borough for the use of the borough :

Provided also, that all acts and proceedings of any person in possession of the office of Mayor, Councillor, or Auditor shall, notwithstanding such disqualification or want of qualification, be as valid and effectual as if such person had been duly qualified.

32. The Mayor for the time being of any borough shall be a Justice of the Peace in and for the borough, and shall continue to be a Justice during the next succeeding year after he shall cease to be such Mayor, unless disqualified as aforesaid.

Mayor to
be Justice of
the Peace.

Officers of the Borough.

33. (1) The Council shall appoint a fit person, not being a member of the Council, to be the Town Clerk of the borough, who shall hold his office during good

Town Clerk
and officers to
be appointed.

behaviour ; and such Council may remove any such Town Clerk from office for any such misconduct as would warrant removal from any office held during good behaviour.

(2) The Council shall, in every year, appoint such other officers as they shall think necessary for enabling them to carry into execution the various powers and duties vested in them by virtue of this Ordinance, and may from time to time discontinue the appointment of such officers as shall appear to them not necessary to be re-appointed.

(3) The Council shall take such security for the due execution of his office by any such Town Clerk or other officer as the Council shall think proper, and shall order to be paid to the Town Clerk, and to every such other officer to be employed as aforesaid, such salary or allowance as the Council shall think reasonable ; and in case of a vacancy in any such office as aforesaid by death, resignation, or removal, the Council may appoint another fit person in the place of the person so making such vacancy.

Town Clerk's
leave of
absence.

34. Whenever it shall be made to appear to the satisfaction of the Council that the state of health or the private affairs of the Town Clerk require that leave of absence should be granted to such Town Clerk, it shall be lawful for the Council, upon the accounts of such Town Clerk being audited and found correct, to grant such leave of absence to such Town Clerk for such period of time, not exceeding nine months, as to the Council may seem meet, and in every such case the Council shall appoint some fit person to act in the place and during the absence of the Town Clerk obtaining such leave of absence ; and the person so appointed shall give the like security and shall perform and discharge the same duties as are required of the Town Clerk by this Ordinance.

Salary while
on leave.

35. Whenever leave of absence shall be granted to any Town Clerk, the Council shall make order as to the proportion of salary to be paid during such absence to the Town Clerk obtaining such leave of absence.

Town Clerk
to receive and
account for
moneys.

36. All moneys received by the Town Clerk by virtue of this Ordinance shall be so received for the use and benefit of the Council, and shall be accounted for by such Town Clerk.

37. The Town Clerk shall pay no money on account of the Council, save only upon the order in writing of the Council, signed by two or more Councillors.

Money to be paid on order of two Councillors.

38. (1) Every Town Clerk or any other officer appointed under this Ordinance shall, in books to be by each of them kept for that purpose, enter true accounts of all sums of money by him received and paid, and of the several matters for which such sums shall have been received and paid; and the books containing such accounts shall be at all times open to the inspection of the Councillors and Auditors of the borough; and every Town Clerk or other officer appointed under this Ordinance shall, at such time during the continuance of his office or within three months after the expiration of his office, and in such manner as the Council shall direct, deliver to the Council, or to such persons as they shall authorize for that purpose, a true account, in writing, of all matters committed to his charge by virtue of this Ordinance, and also of all moneys which have been received by him by virtue or for the purposes of this Ordinance, and how much thereof shall have been paid and disbursed, and for what purposes, together with proper vouchers for such payments, and a list of the names of all such persons as shall not have paid the moneys due from them under this Ordinance, and of the amount due from each of them; and every Town Clerk or other officer shall forthwith pay all such moneys as remain in his hands to the said Town Clerk for the time being, or to such person as the said Council shall authorize in writing to receive the same.

Town Clerk's accounts.

(2) If any such Town Clerk or other officer shall refuse or wilfully neglect to deliver such account or the vouchers relating to the same, or such list as aforesaid, or to make payment as aforesaid, or shall refuse or wilfully neglect to deliver to the Council, or to such person as they shall authorize, within three days after being thereunto required by notice in writing under the hands of any three or more of the Council, to be given to or left at the last place of abode of such Town Clerk or other officer, all books, papers, and writings in his custody or power relating to the execution of this Ordinance, or to give satisfaction to the Council or to such other person as aforesaid respecting the same, then and in every such case, upon complaint made on behalf of the Council by such person

as they shall authorize for that purpose of any such refusal or wilful neglect as aforesaid to any Justice having jurisdiction within the borough wherein such officer so refusing or neglecting shall be or reside, such Justice is hereby authorized and required to issue a warrant under his hand for bringing any such officer before any Magistrate having jurisdiction within such borough, and upon such officer appearing or not being found, it shall be lawful for such Magistrate to hear and determine the matter in a summary manner.

(3) If it shall appear to such Magistrate that any moneys remain due from such officer, such Magistrate may, and he is hereby authorized and required, upon non-payment thereof, by warrant under his hand, to cause such moneys to be levied by distress and sale of the goods of such officer; and if sufficient goods shall not be found to satisfy the said moneys and the charges of the distress, or if it shall appear to such Magistrate that such officer has refused or wilfully neglected to deliver such account, or the vouchers relating thereto, or such list as aforesaid, or that any books, papers, or writings relating to the execution of this Ordinance remain in the hands or in the custody or power of such officer, and that he has refused or wilfully neglected to deliver the same or to give satisfaction respecting the same as aforesaid, then and in every such case such Magistrate shall and he is hereby required to commit such offender to the Royal Gaol, there to remain without bail until he shall have paid such moneys as aforesaid, or shall have compounded with the Council for such moneys and shall have paid such composition in such manner as they shall appoint (which composition the Council is hereby empowered to make and receive), or until he shall have delivered a true account as aforesaid, together with such vouchers and lists as aforesaid, or until he shall have delivered up such books, papers, and writings, or have given satisfaction in respect thereof to the said Council or to such other person as aforesaid, as the case may be:

Provided always, that no person so committed shall be detained in prison for want of sufficient distress only for a longer space of time than three calendar months:

Provided also, that nothing in this Ordinance contained shall prevent or abridge any remedy by action against any

such officer so offending as aforesaid, or against any surety for any such officer ; but such officer shall not be sued by action and also proceeded against in a summary manner by virtue of this Ordinance for the same cause.

39. (1) The Town Clerk, as soon as he has in his hands as such Town Clerk any sum exceeding twenty-five pounds, shall pay the same into some bank appointed by resolution of the Council, or, in default of such appointment, selected by himself. In case of any contravention of this section the following consequences shall ensue :—

Custody of money.

- (a) The Town Clerk shall be personally liable in respect of all moneys in his hands as such Town Clerk, and shall be bound to make the same good even although they may have been lost by the Act of God or any other cause and without any default on his part ; and
- (b) The Town Clerk shall be liable to a penalty of fifty pounds recoverable on summary conviction before a Magistrate.

(2) Any penalty recovered under this section shall be appropriated as follows ; that is to say, one moiety shall be applied to the use of His Majesty and accounted for accordingly, and the other moiety the Magistrate shall cause to be paid to the credit of the banking account kept under this section.

40. (1) Cheques against the banking account required by this Ordinance to be kept shall be signed by the Town Clerk and countersigned as in this section is mentioned.

Management of accounts.

(2) The Council may, by resolution, make regulations as to all or any of the following matters :—

- (a) As to the title of the said account, the mode in which cheques shall be countersigned, the custody of the pass book and paid cheques, the persons entitled to require information as to the state of the account, and, generally, as to all matters necessary for the proper keeping of the account ; and
- (b) Authorizing the transfer from such account of any sum to a deposit account, or the re-transfer of any sum from such deposit account to the current account ; and

- (c) Authorizing the Town Clerk from time to time to retain in his hands to meet immediate payments any sum not exceeding fifty pounds.

Duties of
Town Clerk.

41. It shall be the duty of the Town Clerk to attend the meetings of the Council, and of the committees thereof, and to draw up minutes of the proceedings of all such meetings, and have the same fairly entered into books to be by him kept for that purpose, and the minutes of such proceedings of the Council so entered shall be signed, when confirmed at the next ensuing meeting, by the Mayor or other Councillor presiding at such ensuing meeting; and the Town Clerk shall have the custody of all the books and papers belonging to the Council, and shall deliver all such books and papers at the expiration of his office to the person succeeding him in such office; and in case any Town Clerk shall refuse or wilfully neglect to deliver all such books and papers as aforesaid, such Town Clerk shall forfeit and pay for every such offence the sum of two hundred pounds, to be recovered with full costs of suit, by and in the name of the Council, by action of debt in the Supreme Court.

Bailiff to be
appointed.

42. The Council may from time to time appoint some fit and proper person, not being a Councillor or Auditor, to be and be called the bailiff of the borough, who shall hold his office during pleasure, and shall take an oath before the Mayor of the borough to discharge the duties of bailiff faithfully and to the best of his judgment and ability; and such bailiff shall give security for the due and faithful discharge of his office as the Council shall think proper; and such bailiff shall have power to appoint in writing under his hand one or more fit and proper person or persons to be his assistant or assistants in his said office; and the Council shall allow to such bailiff such salary or other remuneration as the Council shall think reasonable.

Meetings and Proceedings of the Council.

All acts of the
Council to be
decided by a
majority.

43. All acts whatsoever authorized or required by virtue of this Ordinance to be done by the Council, and all questions of any kind or nature whatsoever that may come or be proposed before the Council, shall be done

and decided by the majority of the Councillors who shall or may be present at any meeting of the Council, the whole number present at such meeting not being less than Quorum. one-third of the total number of Councillors composing such Council, of whom the chairman shall be one; and at all such meetings the Mayor, if present, shall preside, and in the absence of the Mayor, the Councillors present, not being less than one-third of the aforesaid number of the Councillors aforesaid, shall choose from amongst the Councillors present a Councillor to act and who shall act as chairman during such meeting, and at all such meetings the Mayor, if present, or in his absence the Councillor Casting vote. whom the Councillors then present shall have chosen to be the chairman at that meeting, shall have a second or casting vote.

44. It shall be lawful for the Council to enact all such rules and regulations for the good government of the Council and of the proceedings at its meetings, and the form and order of its debates, and for the regulating and enforcing the regular attendance of the Councillors at the meetings of the Council or of the committees thereof, as to the Council shall seem meet; and such rules and regulations shall and may be enforced on the Councillors as if they had been enacted by the Legislature of the Colony: Provided that such rules and regulations shall not be repugnant to the laws now in force or hereafter to be in force in the Colony. Regulations, etc.

45. (1) It shall be lawful for the Council to make such bye-laws as to them shall seem meet for the good rule and government of the borough, and for the prevention and suppression of all such nuisances as are not already punishable in a summary manner by virtue of any Ordinance in force throughout such borough, and to appoint by such bye-laws such fines as they shall deem necessary for the prevention and suppression of any offence against such bye-law, which fines shall be recoverable on summary conviction before any Justice having jurisdiction within such borough: Bye-laws.

Provided that no fine so to be appointed shall exceed the sum of five pounds, and no such bye-laws shall be made unless at least two-thirds of the whole number of the Council shall be present:

Provided also, that no such bye-law shall be of any force until the expiration of thirty days after the same or a copy thereof shall have been sent, sealed with the seal of the said borough, to the Governor, and shall have been affixed on the outer door of the Town Hall or in some other public place within such borough, and if at any time within the period of thirty days the Governor shall disallow the same bye-law, or any part thereof, such bye-law or the part thereof disallowed shall not come into operation :

Provided also, that it shall be lawful for the Governor, if he shall think fit, at any time within the said period of thirty days to enlarge the time within which such bye-law, if disallowed, shall not come into force ; and no such bye-law shall in that case come into force until after the expiration of such enlarged time.

(2) All bye-laws made under this section shall be published in the *Royal Gazette*.

Appointment of Committees.

Power to
appoint
committees.

46. It shall be lawful for the Council to appoint out of their own body from time to time such and so many committees, either of a general or special nature, and consisting of such number of persons as they may think fit, for any purposes which, in the discretion of such Council, would be better regulated and managed by means of such committees : Provided that the acts of every such committee shall be submitted to such Council for their approval.

Watch
Committee.

47. The Council shall appoint, for such time as they may think proper, a sufficient number of their body who, together with the Mayor of the borough for the time being, shall be and be called the Watch Committee for such borough, and all the powers hereinafter given to such committee may be executed by the majority of those who shall be present at any meeting of such committee, not being less than three ; and such Watch Committee shall, within three weeks after their first formation, and so from time to time thereafter as occasion shall require, appoint a sufficient number of fit men, to be sworn in before some Justice having jurisdiction within the borough, to act as watchmen within the limits of such borough for preventing the contravention of any bye-laws, rules, or regulations in force for the good

Watchmen
to be
appointed.

government of such borough, and such watchmen shall obey all such lawful commands as they may from time to time receive from the Council or the Watch Committee.

48. The Watch Committee of any borough may make such regulations as they shall deem expedient for preventing neglect or abuse on the part of such watchmen, and for rendering such watchmen efficient in the discharge of their duties; and such regulations, when approved by the Council, shall and may be enforced on all such watchmen; and the Council or such Watch Committee may at any time suspend or dismiss any such watchman whom they shall think unfit for his duty; and when any man shall be so dismissed, or cease to belong to such force, all powers and privileges vested in him as a watchman by virtue of this Ordinance shall immediately cease.

Watch
Committee
to make
regulations.

49. If any watchman appointed under this Ordinance shall be guilty of any neglect of duty or disobedience of any lawful order, or of any disorderly or improper conduct in the discharge of his duty as such watchman, every such offender, on summary conviction before a Magistrate, shall for every such offence be liable to a penalty not exceeding two pounds, or to be imprisoned for any term not exceeding ten days.

Penalties on
watchmen.

50. The Watch Committee of any borough shall, at the first meeting of the Council in the months of March, June, September, and December in every year, lay before the Council a report of the number and names of the watchmen appointed to act as such under this Ordinance, and of the description of arms, accoutrements, clothing, and other necessities furnished to each watchman, and also a report of the state of the borough, and of all other general or special circumstances relating to the rule and government thereof; and the Town Clerk shall without delay cause a copy of every such report to be published in any newspaper printed in the borough, and another copy thereof certified by him to be transmitted to the Colonial Secretary.

Watch
Committee
to make
quarterly
returns.

Borough Constables.

51. The Inspector-General may appoint such persons to be borough constables as may from time to time be nominated by the Watch Committee of any borough.

Appointment
of borough
constables.

Council to
make
provision for
pay.

52. No borough constable shall be appointed unless provision be made by the Council, to the satisfaction of the Inspector-General, for the payment of the salary and allowances of such constable.

Regulations
relating to
duties of
constables,
etc.

53. (1) The Watch Committee may make such regulations as they shall deem expedient for regulating the duties of borough constables, for preventing neglect or abuse on the part of such constables, and for rendering such constables efficient in the discharge of their duties; and such regulations, when approved by the Council, shall forthwith be transmitted by the Town Clerk to the Inspector-General: Provided that the Inspector-General may at any time command any borough constable to perform and discharge within the limits of the borough such duties as members of the Constabulary Force may by him be required to perform and discharge.

(2) Any regulations made under this section may prescribe a penalty not exceeding three pounds for breach thereof.

(3) Such penalty shall be recoverable by deduction in the manner provided by this Ordinance from any pay or allowances coming to the borough constable guilty of the breach, and the same or any part thereof at any time unpaid may also be recovered on summary conviction before a Magistrate or Justice.

Rewards to
constables.

54. Any regulations made under the last preceding section may prescribe and provide for the granting of rewards and gratuities to such borough constables as the Council may think deserving of reward or gratuity; and the sums so granted may be paid out of the general funds and moneys of the borough by the Town Clerk upon the order of the Council: Provided that in no case shall any reward or gratuity exceed the sum of three pounds.

Pay of
constables.

55. It shall be lawful for the Council from time to time to regulate the salary and allowances of borough constables, and, in case of the imposition on any such constable of any fine or penalty, the Council may direct the amount thereof to be paid and satisfied out of the pay or allowances coming to such constable by the deduction of not more than half the amount which may be due on any day of payment until the whole be paid.

56. All borough constables appointed under this Ordinance shall have, in addition to the special powers hereby vested in them, all the powers, authorities, privileges, immunities, and liabilities which any police constable now has and may hereafter have, and every act done by or to any borough constable in the execution of his duty as such shall have the same effect, and be attended with the same liabilities and other consequences, and shall be punishable in the same manner as if done by or to a police constable in the execution of his duty as such.

Borough constables to have powers of police constables.

57. The Inspector-General may at any time suspend or dismiss any borough constable. When any such constable is so dismissed, all powers and privileges vested in him by virtue of this Ordinance shall forthwith cease and determine; and immediately upon such suspension or dismissal notice thereof in writing shall be given to the Town Clerk.

Power to dismiss constables.

58. (1) It shall be lawful for any borough constable to arrest without warrant all persons whose names and addresses are unknown to him found by him committing any offence against this Ordinance or against any bye-law or regulation of any borough made according to this Ordinance.

Offenders against bye-laws may be arrested without a warrant.

(2) A person so arrested may be taken to some Constabulary Station in the borough, and the constable on duty at such station shall, on receiving a warrant signed by the borough constable who made the arrest and purporting to show that the person arrested was liable to arrest under this Ordinance, detain such person at such Station until he can be conveniently taken before a Justice to be dealt with according to law: Provided that—

- (a) no person so arrested shall be detained longer than is reasonably necessary for bringing him before a Justice, or more than forty-eight hours at the utmost; and
- (b) no action shall lie against any constable for anything done by him under a warrant according to this section.

(3) A warrant under this section may be according to Form F in the First Schedule to this Ordinance.

59. (1) Where any person is brought under this Ordinance without warrant to a Constabulary Station in any borough at any time by day or night at which a Justice

Power to bail.

is not actually sitting for the public administration of justice at the place used for that purpose in the borough, the police constable on duty at such Station may, if he thinks fit, take bail from that person by recognizance to any amount not exceeding ten pounds, conditioned for his appearance for examination within two days before a Justice at some time and place therein specified.

(2) Such constable shall enter in a book kept for that purpose the name, residence, and occupation of the person entering into the recognizance, and of his sureties or surety, if any, with the condition of the recognizance and the sums acknowledged.

(3) Such constable shall lay the book before the Justice present at the time when and the place where the recognisor is required to appear.

(4) If the recognisor does not appear at the time and place required or within one hour afterwards, the Justice may, by endorsement on such recognizance, declare the same to be forfeited, and may issue his warrant for the imprisonment of the defendant and his sureties or surety, if any, for any term not exceeding six months, unless the amount mentioned in such recognizance be sooner paid.

(5) Whether the recognisor does or does not appear, the Justice may, if he thinks fit, enlarge the recognizance to such further time as he appoints.

Superannuation Allowances.

Superannua-
tion allow-
ances.

60. The Council may grant to any person who has served the borough in an established capacity as a permanent servant, a superannuation allowance to be computed as follows, that is to say :—

To any person who has served ten years or upwards, and under eleven years, an annual allowance of ten-sixtieths of the annual salary and emoluments of his office ;

To any person who has served eleven years and under twelve years, an annual allowance of eleven-sixtieths of such salary and emoluments ;

And in like manner a further addition to the annual allowance of one-sixtieth in respect of each additional year of service, until the completion of a period of service of forty years, when the annual allowance of forty-sixtieths may be granted; and no addition shall be made in respect of any service beyond forty years :

Provided that if the grantee has not been in receipt of the salary enjoyed by him at the time of his retirement for a period of three years at least immediately before the grant, his superannuation allowance shall be calculated upon the average amount of his salary for the three years immediately before the grant.

61. It shall not be lawful to grant any superannuation allowance under this Ordinance to any person under sixty years, unless it is shown to the satisfaction of the Council granting the same that he is incapable of discharging the duties of his office or situation by reason either of mental or bodily infirmity of a permanent nature, or of severe bodily injury, occasioned without his own default in the discharge of his duties.

Restriction
on super-
annuation
grants.

62. The Council may grant to any officer or servant of the borough who is constrained from mental or bodily infirmity to leave the service of the borough before the completion of the period which would entitle him to a superannuation allowance, such sum of money by way of gratuity as the Council thinks proper: Provided that no such gratuity shall exceed the amount of one month's pay for each year of service.

Premature
retirement
from
infirmity.

63. The Council may grant to any officer or servant of the borough who, not having completed the period which would entitle him to a superannuation allowance, is compelled to quit the service of the borough by reason of severe bodily injury, occasioned without his own default in the discharge of his duties, a gratuity not exceeding three months' pay for every two years of service or a superannuation allowance not exceeding ten-sixtieths of the annual salary and emoluments of his office.

Premature
retirement
from bodily
injury.

64. Every officer or servant of a borough to whom a superannuation allowance is granted before he attains the age of sixty years shall, until he attains that age, be liable

Liability in
case of super-
annuation
under sixty.

to be called upon to fill any office or situation under the Council for which his previous services render him eligible, and which in the opinion of the Governor he may properly be called upon to fill; and if he, being in a competent state of health, declines when so called upon to take upon him such office or situation, or declines or neglects to execute the duties thereof satisfactorily, he shall forfeit all right to the superannuation allowance granted to him.

No absolute
right to
allowance.

65. Nothing in this Ordinance shall give any officer or servant of a borough any absolute right to compensation for past services, or to any superannuation or retiring allowance, or interfere with the power of any body or person to dismiss any such officer or servant without any compensation or allowance.

Confirmation
of grant
required.

66. No grant under sections 60, 61, 62, and 63 of this Ordinance shall be valid or of any effect until it is confirmed by the Governor or the Secretary of State. Any confirmation by the Governor may be disallowed by the Secretary of State, and, upon such disallowance being notified by the Governor to the grantee, the grant shall determine and become void.

Alms-houses, Asylums, and Markets.

Alms-houses.

67. The Council may erect, at the expense of the borough, an alms-house for the reception of indigent persons, and allow from the borough funds such reasonable sums as the Council may from time to time see fit for the maintenance and support of such persons, so always that such persons shall reside within the limits of such alms-house.

Persons not
residing in
alms-house
not entitled
to relief.

68. The Council shall not grant any charitable pension, allowance, or sum for or towards the maintenance of any person whomsoever, not being a resident within the limits of such alms-house: Provided always, that all charitable allowances which have been hitherto paid to any person or persons whomsoever from the funds of a borough may be continued, so long as the Council shall see fit, to the person or persons entitled or accustomed to have and receive the same.

69. The Council shall have the government of any asylum for the relief of indigent or infirm persons established in the borough at the expense of the borough, and also of the several markets for the sale of meat, fish, vegetables, grass, and other commodities in the borough.

Control of
asylums and
markets.

Powers of Sale, etc.

70. It shall not be lawful for the Council to sell, mortgage, or alienate any lands, tenements, or hereditaments of the borough or any part thereof, or to demise or lease any lands, tenements, or hereditaments of the borough or any part thereof for any term exceeding thirty years from the time when such lease shall be made :

Power of sale
and leasing.

Provided, nevertheless, that in every case in which the Council shall deem it expedient to sell and alienate, or to demise or lease for a longer term than thirty years, any of such lands, tenements, or hereditaments, it shall be lawful for the Council to represent the circumstances of the case to the Governor ; and it shall be lawful for the Council, with the approbation of the Governor authenticated under the Seal of the Colony, to sell and alienate or to demise and lease any of the lands, tenements, or hereditaments of the borough in such manner and on such terms and conditions as shall have been approved by the Governor :

Provided also, that notice of the intention of the Council to make such application as aforesaid shall be published in any newspaper printed in the borough, and shall also be fixed on the outer door of the Town Hall or in some public and conspicuous place in the borough one calendar month at least before the making of such application, and the Town Clerk shall, during such month, keep in his office a copy of the memorial intended to be sent to the Governor, and such copy shall be freely open to every burgess at all reasonable hours during such month.

PART II.

HOUSE RATE.

71. (1) The Council shall have power to levy, and shall levy on all houses now erected or which may be hereafter erected within the borough, yearly and every year, an annual rate or tax of five per centum of the annual rent

Power to
levy
house rate.

or value of every such house: Provided that it shall be lawful for the Council of the Borough of San Fernando, if they shall see fit, from time to time by bye-law to be made by them for the purpose, to increase the rate on houses and lands within the borough to such higher rate as they shall think fit.

(2) No bye-law made under this section shall have any force or effect unless and until it is approved by the Governor.

(3) All such bye-laws shall be published in the *Royal Gazette*.

Lands not
appurtenant
to house.

72. Every parcel of land in any borough not appurtenant to or occupied with any house, and not otherwise rateable under this Ordinance, shall be rated at five per centum of the annual value of such parcel of land, such value to be fixed by the Commissioners to be appointed under this Ordinance.

Commissioner
of assessment
to be
appointed.

73. For the purpose of ascertaining the annual rental or value of the several houses and lands within any borough which may be subject to the payment of the said rate, and the names of the several owners or occupiers thereof, the Council shall appoint yearly and every year some fit and proper person, not being a Councillor or Auditor, to be a Commissioner to ascertain and assess the annual rent or value of such houses and lands, and to take the names of the owners, occupiers, or tenants thereof; and such Commissioner shall have an allowance of three pounds per centum on the total amount of the rate assessed, or such other remuneration as the Council shall think reasonable.

When rate is
to be
ascertained.

74. (1) The annual rent or value of all houses and lands on which such rate shall be payable, and the amount of such rate, shall be ascertained and fixed by the said Commissioner, and shall be so ascertained and fixed by him on or before the thirty-first day of March in each and every year; and it shall be lawful for any such Commissioner to require any person who may be the owner or occupier of, or in the receipt of the rent of, any house or lands actually rented or hired out, and also any person renting or hiring any such house or land, or any part thereof, and the attorney or agent of any such person, to make a declaration in writing before him of the annual value of every such

Declaration
to be made.

house or land or of the amount of the annual rent paid or payable for the same, which declaration may be in the form following, that is to say—

<p><i>I.A.B. of</i> <i>do hereby declare that the rent payable by (or to) me in respect of</i> <i>the house or land (or of the upper or lower part of the house) No. in street</i> <i>(or square) in the borough of rented by me (from C.D. or let by me to E.F. as</i> <i>the case may be) is at the rate of per month ; (and if the declaration is made by</i> <i>the owner he must say) and that the names of my tenants (or other occupiers of house or</i> <i>land) are , and that I receive from (respective names of tenants) per</i> <i>month (or by the year.)</i></p>	<p>[Month and Date.] Form of declaration.</p>
--	---

(2) Any such person who shall knowingly refuse or wilfully neglect to make such declaration, or who shall make any false or untrue declaration, shall be liable to a penalty not exceeding twenty pounds, to be recovered on the complaint of the Town Clerk for the use of the borough on summary conviction before a Magistrate.

75. In all cases where no such declaration shall be made, or where the Commissioner shall be of opinion that the value or rent mentioned in such declaration is not the fair annual value or rent of the house or lands mentioned in such declaration, and also in all cases where any house or lands shall not be actually rented, it shall and may be lawful for the Commissioner, and he is hereby required, to assess, according to the best of his judgment and ability, the annual value of such house or land on which the rate shall be payable; and notice in writing of the annual value so assessed shall be given by the Commissioner to the owner or person in possession of such house or land or his agent or attorney.

76. The Commissioner shall, on or before the thirty-first day of March in each year, cause a notice signed by him and specifying the annual rent or value of each house or parcel of land, and of the amount of rent payable in respect thereof, and the time when and where such rate is to be paid, to be served on the owner or person in possession or occupation of such house or land, or his agent or attorney, or to be left at such house or land with some person actually residing therein, or if no person shall be found in such house or land then to be attached to the door of such house or some conspicuous part of such house or land.

77. The owner or person in possession of any house or land, or the attorney or agent of any such owner, who

shall be dissatisfied with the assessment so made by the Commissioner, at any time within fourteen days next after the service of such notice as aforesaid, may lodge with the Town Clerk a declaration in writing stating such objection, and thereupon the annual value of the house or land in respect of which such objection shall be made shall be fixed and determined by any Justice, and such Justice shall have power for that purpose to summon and examine all witnesses on oath and to administer such oath, and, if necessary, to enter and inspect the house or the lands in respect of which such objection shall be made, and shall confirm such assessment or shall order the same to be altered and amended as he shall think proper; and if any person, being duly summoned to appear before such Justice within a reasonable time to be examined as a witness for the purpose aforesaid, shall refuse or neglect to appear, it shall be lawful for such Justice to issue a warrant to any constable for the bringing of such person before such Justice on a day to be appointed by such Justice, such day not being later than the fifteenth day of May in any year.

House Rate
Book.

78. The rate so assessed by the Commissioner, with any such alterations and amendments of any such rate, shall be copied by the Commissioner into a book to be called the "House Rate Book," according to the alphabetical order of the names of the several streets, squares, lands, and other places in the borough in which the same is situated; and the Commissioner shall also enter in such book the number or other mark by which every house or land so rated shall be known, together with the amount of every such rate, and the names of the several persons by whom such rate is payable; and, if there is more than one occupier or tenant of such house or land, the names of every such occupier or tenant, and the amount of monthly, annual, or other rent or consideration payable by every such occupier or tenant; and the Commissioner shall deliver such book so completed to the Town Clerk on or before the thirty-first day of May in every year.

Appropriation of
moneys.

79. The amount of rate assessed on all houses and lands shall be paid to the Town Clerk of the borough for the use of the borough.

Rate to be a
preferential
charge.

80. The amount of the rate assessed on all such houses or lands shall be borne and paid by the owner or person in

charge of such house or land, and shall be a lien and charge on every such house or land prior and preferential to all mortgages and charges thereon, save and except debts due to His Majesty; but the amount of such rate may be collected from and paid by the tenant or occupier of any such house or land or any part thereof, and such tenant or occupier may deduct the amount so paid from the rent payable by him in respect of such house or land.

81. The said rate shall be payable to the Town Clerk on or before the first day of June in each and every year. When rate payable.

82. Sections 71 to 81 of this Ordinance, both sections inclusive, shall not apply to the Borough of Arima. (*Added by 13 of 1906, s. 2.*) Part II not to apply to Arima.

PART III.

MISCELLANEOUS.

83. The accounts of every borough, with all the vouchers and papers relating thereto, shall, in the months of January and July in every year, be submitted by the Town Clerk to the Auditors, and to such member of the Council as the Mayor shall for that purpose from time to time name and appoint, for the purpose of being examined and audited from the first day of July in the year preceding the election of such Auditors to the first day of January, and from the first day of January to the first day of July in the year for which the said Auditors were elected and named; and if the said accounts shall be found to be correct, the Auditors and such Councillor named and appointed as aforesaid shall sign the same, and the Town Clerk shall, at the next meeting of the Council after such accounts shall have been so examined, lay the same before the Council, and thereupon the Town Clerk shall cause a full abstract thereof to be made out in writing to be open to the inspection of all burgesses, and shall cause a copy thereof to be published in any newspaper printed in the borough; and shall also deliver a copy of such abstract to every person applying for the same on payment of sixpence for every such copy. Accounts of boroughs to be audited, etc.

84. The funds and moneys of each borough shall be applied towards the payment of the respective salaries or Appropriation of funds of borough.

other remuneration of the Town Clerk and other officers whom the Council shall appoint, and of the watchmen appointed under this Ordinance, and also towards the payment of the expenses incurred from time to time in preparing and printing burgess lists and notices, and in the payment of the revising barristers and assessors to be appointed under this Ordinance, and in other matters relating to the revision of the burgess lists or to the election of Councillors and Auditors, and towards the expenses of the prosecution and punishment of offenders against the provisions of this Ordinance, and towards keeping the public cemetery of the borough in good order, and the making, cleaning, repairing, and keeping in proper order and repair, the streets, footpaths, pavements, markets, squares, and public walks within the borough, and towards the maintenance of the markets within the same, and towards the support and maintenance of alms-houses and asylums for infirm and indigent persons residing within the borough, and the payment of the expenses of poor persons admitted into any public hospital on the order of any Councillor of the borough, and towards establishing, supporting, and maintaining schools within the borough, and the payment of all other expenses not herein otherwise provided for, which shall or may be necessarily incurred in carrying into effect the provisions of this Ordinance; and in case such funds and moneys shall be more than sufficient for the purpose aforesaid, the surplus thereof shall be applied, under the direction of the Council, and with the consent of the Governor in Executive Council, towards establishing or maintaining, or towards the acquisition of land or buildings for, a library or other public institution for the diffusion of knowledge, and generally for the improvement of the borough and the benefit of the inhabitants thereof.

Sundays.

85. Where any day on which any act is appointed to be done under this Ordinance shall happen to be a Sunday, such act shall be done on the Monday immediately following such Sunday.

Offences
against
bye-laws
punishable
summarily.

86. Every act or default in respect whereof a penalty is, under the authority of any Ordinance, imposed by the bye-laws or regulations of any borough shall be an offence punishable on summary conviction before a Magistrate or Justice.

PART IV.

REVOCATION OF CHARTERS.

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

Governor may
revoke or
amend
charters.

(2) Immediately on the revocation of any such charter, the corporation constituted thereby shall be dissolved, and all powers and jurisdiction of any corporate officer holding office under such charter shall cease, whether such power and jurisdiction is conferred by such charter or by any Ordinance, and the town to which such charter applied shall be subject to the same jurisdiction, administration, and government as the Ward in which it is situate.

Powers of
officers.

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

Property of
dissolved
corporation.

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

Appeal by
parties
aggrieved.

90. (1) All property by this Ordinance vested in the Warden shall, so far as the same can be transferred by this Ordinance, be transferred by virtue of this Ordinance, and

Provision as
to property
and transfer
thereof.

so far as the same cannot be so transferred, be held in trust for the Warden, and shall be vested for the same estate and interest and subject to the same liabilities for and subject to which such property was held at the time immediately before the same became so vested.

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

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

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

Liabilities to
be discharged.

91. (1) All liabilities of any corporation or officer abolished under this Ordinance, existing at the time of such abolition, shall be discharged out of the same fund and in the same manner as near as may be as they would have been if such abolition had not taken place; and the Warden, on the application of any person interested and with the consent of the Governor in Executive Council, may, by order, provide in such manner as he thinks expedient for the discharge of such liabilities.

(2) For the purposes of this section a rate, toll, or due may continue to be levied and may be made, assessed, levied, and collected by such persons as the Warden with the consent of the Governor in Executive Council directs,

in like manner as if they were the persons who, if such abolition had not taken place, would have been authorized to make, assess, and levy such rate, toll, or due.

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

PART V.

PROVISIONS APPLICABLE TO SAN FERNANDO ONLY.

92. This Part of this Ordinance shall apply to the borough of San Fernando only. Application of Part V.

93. (1) Every person who comes into possession, whether in his own right, or as trustee for any other person or persons, or as personal representative of any person deceased, or committee of any other person, of lands, tenements, or hereditaments within the Borough of San Fernando shall, within one month next after he comes into possession, send to the Town Clerk a return, according to such form as may from time to time be prescribed by the Council, describing such lands, tenements, or hereditaments, in the manner indicated in such form, and stating the title under which such possession has been acquired. Return by persons coming into possession of premises.

(2) If any owner or person who is required by this section to make a return of lands, tenements, or hereditaments fails or neglects to make any such return as hereinbefore required, and in such form as may from time to time be prescribed by the Council, or makes a return thereof which is in any respect defective or incomplete, or is wilfully untrue in any particular, every such owner or person shall be liable, on summary conviction before a Magistrate or Justice, to a penalty not exceeding ten pounds. (*Added by 35 of 1912, s. 10.*) Penalty for failure to make returns, or making incomplete or false returns.

94. (1) It shall not be lawful for any person to pull down or to remove any building from the site on which it stands unless he shall, not more than fourteen days and not less than two days before such removal, have given to the Council notice in writing of his intention to pull down or remove such building. No building to be removed from its site except after notice to Council.

Form of
notice.

(2) The notice to be given under the preceding subsection may be according to Form G in the First Schedule to this Ordinance, or in such other form as may from time to time be prescribed by the Council.

Owner of land
to notify
removal of
house there-
from.

(3) The owner of the land from which any house shall have been removed shall, within seven days after such removal, notify the Council thereof.

Form of
notice.

(4) The notice to be given by such owner shall be according to Form H in the First Schedule to this Ordinance.

Penalty.

(5) Every owner of any land who shall fail or neglect to give such notice within the time prescribed by this section shall, for every such offence, be liable, on summary conviction before a Magistrate or Justice, to a penalty not exceeding five pounds. (*Added by 35 of 1912, s. 8.*)

Penalty for
removing a
building with-
out previous
notice to
Council.

95. (1) Any person who shall pull down or remove any building from its site, and any owner of any building who shall cause, permit, or suffer any building to be removed from such site, without having first given the notice prescribed by the last preceding section, shall be liable, on summary conviction before a Magistrate or Justice, to a penalty not exceeding ten pounds.

(2) Every building pulled down or removed in contravention of this section shall be deemed to have been pulled down or removed by the owner. (*Added by 35 of 1912, s. 9.*)

San Fernando
wharf.

96. The San Fernando wharf, and the old and new lots adjoining to the said wharf, shall belong to and be vested in the Mayor and Burgesses of San Fernando.

Tariff of
wharf dues.

97. (1) There shall be levied and paid to the Mayor and Burgesses of San Fernando the several dues and sums set out in the tariff of wharf dues in the Second Schedule to this Ordinance.

(2) It shall be lawful for the Mayor and Burgesses of San Fernando, by regulation, to alter, vary, or rescind the said tariff.

(3) Regulations made under this section shall be laid before the Legislative Council, and when approved by the said Council and published in the *Royal Gazette* shall have the effect of law as from the date of such publication. (*Added by 11 of 1921, ss. 2 and 3.*)

98. No dues shall be charged in respect of any goods, merchandise, and effects the property of the Government which may be landed on or shipped from the San Fernando wharf. Government goods free.

99. If any person or persons shall remove or endeavour to remove any goods or merchandise landed on the wharf of San Fernando, and subject to the payment of wharf dues, or brought to or laid or placed at such wharf for the purpose of being shipped or water-borne therefrom, without paying the dues appointed to be paid for such goods or merchandise, every person so offending shall, on summary conviction before a Magistrate or Justice, on the complaint of any officer of the Council of the Borough, or of any lessee or farmer of such wharf dues, be liable to a penalty not exceeding ten pounds, one moiety whereof shall be paid to the person who shall sue for the same, and the other moiety to the Town Clerk for the use of the Borough. Penalty on removing goods.

100. (1) It shall be lawful for the Mayor and Burgesses of San Fernando to rent or lease for periods not exceeding twelve months for the storage of goods and merchandise any space on that portion of the San Fernando wharf comprising one acre and twenty-two perches coloured pink on the plan or diagram prepared by George Fitz-Gerald, Esquire, Sworn Surveyor, signed by John Davidson Hobson, Esquire, Mayor of San Fernando, on behalf of the Borough of San Fernando and deposited in the Crown Lands Office on the twenty-fourth day of January, 1921, and to make bye-laws to regulate the control and use of the same : Space on wharf may be rented or leased and bye-laws made.

Provided that the said space shall not be permitted to be used in manner so as to obstruct a clear way of approach of a minimum width of thirty-three feet to the gate of the level crossing over the Trinidad Government Railway at the point marked B in the said plan.

(2) Bye-laws made under this section shall be laid before the Legislative Council, and when approved by the said Council and published in the *Royal Gazette* shall have the effect of law as from the date of such publication. Approval of bye-laws.

(3) Any person committing a breach of any bye-law made under this section shall, on the complaint of the Town Penalties for breaches of bye-laws.

Clerk or some person authorized in writing by him, be liable, on summary conviction before a Magistrate, to a penalty not exceeding five pounds.

Penalty for
storing
dangerous
goods.

(4) Any person who deposits or stores in the space delimited under this section any goods of a noxious, dangerous, or deleterious nature, or liable to emit harmful, inflammable, or explosive gases, liquors, or substances, shall be liable, on summary conviction before a Magistrate, to a penalty not exceeding twenty pounds, and, in case of a continuing offence, to a penalty not exceeding ten pounds for each day during which such goods remain so deposited or stored.

Appropriation.

(5) All penalties and costs paid under this section shall be paid by the Magistrate to the Mayor and Burgesses of San Fernando. (12 of 1921 *incorporated.*)

Street and
building lots
to be laid out
on Paradise
Estate.

101. The Council of the Borough of San Fernando shall cause to be laid down upon and through the lands of the plantation Paradise, a street of not less than sixty feet in width, with side ways for foot passengers on each side thereof of not less than eight feet in width, through the middle of which street the Ciperio tramway shall run, and shall cause the lands abutting on either side of such street to be laid out in building lots of a frontage of fifty feet. (*S. 2 of 217 incorporated.*)

Building
lots to be sold
or leased.

102. It shall be lawful for the Mayor and Burgesses of the said Borough, by deed under their Common Seal, to sell the lots to be so laid out for such sums of money payable at such times, or to lease the same for such term of years, reserving such yearly rent as the Council of the said borough may see fit, and the Governor may by writing under his hand approve: Provided always, that in every such deed of sale or lease shall be inserted a covenant whereby the purchaser or lessee of any such lot of land or those claiming under him shall be bound not to erect any house or other building which shall not be in conformity with the rules and regulations to be made by the Council of the said borough, and to be approved by the Governor for regulating buildings to be erected on such lots of land. (*S. 3 of 217 incorporated.*)

FIRST SCHEDULE.

FORM A.

List of Burgesses of the Borough of _____ for the year 19 ____.

(Section 9.)

Christian Name and Surname of each person at full length.	Nature of qualification.	Number, street, square, lane, or other place in which the property for which he is qualified is situated.
	Occupier of house rated to the house rate this year.	No.
	Tenant of part of a house at a yearly rent of _____.	No.

(Signed) _____ A.B.,
Town Clerk.

FORM B.

NOTICE OF CLAIM.

(Section 10.)

To the Town Clerk of the Borough of _____.

I hereby give you notice that I claim to have my name inserted in the Burgess List of the Borough of _____, that I occupy the house (or part of the house) No. _____ (here describe the property by mentioning the number of the lot and the street, square, or other place in which it is situated), and that such house has been rated to the house rate this year.

Dated this, etc.

(Signed) _____ C.B. of (place of abode).

FORM C.

NOTICE OF OBJECTION.

(Section 10.)

To the Town Clerk of the Borough of _____ (or to the person objected to by name).

I hereby give you notice that I object to the name of _____ of house No. _____ street, being retained in the Burgess List.

Dated this, etc.

(Signed) _____ C.B. of
(description of property for which he is a burgess.)

FORM D.

LIST OF CLAIMANTS.

(Section 10.)

The following persons claim to have their names inserted in the Burgess List of the Borough of _____

Christian Name and Surname of each Claimant.	Nature of qualification.	Number and situation of property in respect of which he claims.
	Occupying house [or part of a house] rated to the house rate [or for which he pays an annual rental of £ ____].	House [or part of a house] No. _____ street.

FORM E.

(Section 10.)

LIST OF PERSONS OBJECTED TO.

The following persons have been objected to, as not being entitled to have their names retained in the Burgess List of the Borough of

Christian Name and Surname of each person objected to.	Number and situation of property for which he is on the list.	Christian Name and Surname of each person objecting, and his place of abode, and the property for which he is on the list.

FORM F.

(Section 58.)

FORM OF WARRANT.

To the Police Constable on duty at the Constabulary Station at _____ and to all other Constables.

Whereas A.B. was found by me the undersigned, a Borough Constable for the Borough of _____, under circumstances which rendered him the said A.B. liable to be arrested by me under the Municipal Corporations Ordinance, and I arrested him accordingly: Now these presents are to authorize and require you the Constable on duty at the Constabulary Station above mentioned and to authorize all other Constables him the said A.B. safely to keep and detain at the said Station until he may be conveniently taken before some Justice of the Peace to be dealt with according to law or until the expiration of forty-eight hours from the time when he is received into custody at such Station, whichever first happens, and for so doing this shall be your Warrant.

Witness my hand this _____ day of _____ 19 _____

P. R.,

Borough Constable for the Borough of _____

FORM G.

(Section 94.)

REMOVAL OF HOUSE IN SAN FERNANDO—NOTICE BY OWNER OF HOUSE.

MUNICIPAL CORPORATIONS ORDINANCE.

To the Town Clerk and Treasurer.

I, the undersigned, the owner of the house now numbered and assessed as No. _____ standing on lands belonging to _____ do hereby give you notice that I intend to remove (or pull down, as the case may be), the said house from its present site on or before the _____ day of _____, 19 _____.

Signature of owner of house.
Address _____

Dated _____

FORM H.

(Section 94.)

REMOVAL OF HOUSE IN SAN FERNANDO—NOTICE BY OWNER OF LAND ON WHICH HOUSE STOOD.

MUNICIPAL CORPORATIONS ORDINANCE.

To the Town Clerk and Treasurer.

I, the undersigned, the owner of the land on which stood the house heretofore numbered and assessed as No. _____ hereby notify you that the said house was removed (or pulled down, as the case may be), from my said land on or about the _____ day of _____, 19 _____.

Signature of owner of land.
Address _____

Dated _____

SECOND SCHEDULE. (a)

(Section 97.)

Tariff of wharf dues to be levied and taken on the undermentioned packages of Produce and Merchandise landed on or shipped from the San Fernando wharf.

	£	s.	d.
For every hogshead, tierce, barrel or bag of Sugar, rate per ton	0	0	9
For every puncheon or cask of Rum or Molasses	0	0	6
„ barrel or bag of Cocoa, Coffee, or other Colonial Produce	0	0	1
Manjak, loose or in bags, rate per ton	0	0	6
For every hogshead of Tobacco	0	2	6
„ half hogshead of Tobacco	0	1	3
„ hogshead, puncheon, tierce or crate of Merchandise over 4 cubic feet	0	0	6
„ case, bale, trunk or box under 4 cubic feet	0	0	3
„ barrel of merchandise (excepting Flour)	0	0	2
„ barrel or bag of Flour, Oats, Oilmeal and other Stock Feed	0	0	1½
Galvanized Iron, per ton	0	2	0
For every case Soda Water of 2 dozen bottles	0	0	1
„ „ 4 „	0	0	2
„ „ 6 „	0	0	3
„ Wine or Spirituous Liquors	0	0	2
„ cask Wine or Spirituous Liquors of over 25 gallons	0	0	3
„ Wine or Spirituous Liquors of 25 gallons and under	0	0	2
„ bag, basket, jar, firkin, demijohn, half-barrel, keg or drum	0	0	1
„ box of candles, soap, pipes, American cheese, tin plates, half box of fish of 50 lbs., Florida water, raisins and other packages under 56 lbs.	0	0	1
„ case containing Carboy of Acid	0	0	1
„ box of Fish 100 lbs., or any wet goods over 60 lbs.	0	0	1
„ bag or tin of corn, salt, starch, pepper, half-box raisins, figs, vermicelli	0	0	0½
„ bundle of iron hoops, brooms, buckets, shooks, forks, spades and shovels	0	0	1
Sheet lead, 100 lbs.	0	0	1
Piping (lead), 100 lbs.	0	0	1
Fencing wire, per coil, for each cwt. or part of a cwt.	0	0	1
Earthen pots, jars, goblets, empty demijohns, per dozen	0	0	1
Onions, potatoes, (loose) per 100 lbs.	0	0	1
Iron, Iron Piping, per ton	0	3	0
Iron pots and stoves, per 100 lbs.	0	0	2
Grindstones and Flagstones, over 24 inches	0	0	2
„ „ 24 inches and under	0	0	1
Anchors, Anvils, Axles, per 100 lbs.	0	0	1
Spokes, per 100	0	0	2
Naves and Felloes, per dozen	0	0	2
Dried Fish and Dried Meat (loose) Tasajo, &c., per 100 lbs.	0	0	1
Draining pipes, 12 inches and under, each	0	0	1
„ over 12 inches, each	0	0	2
Lumber (per 1000 feet) superficial measurement	0	4	2
Staves (per 1000)	0	1	0
Fencing Posts and Sleepers, (per 1000)	0	2	6
Coals (loose), Patent Fuel in blocks, per ton	0	0	6
Fuel Oil, per 100 Imperial gallons	0	1	0
Oil of other kinds, cask of 40 Imperial gallons	0	0	6
Tanks, capacity 400 gallons, with Merchandise	0	2	0
„ 200 „ „	0	1	0
„ 400 „ empty	0	1	0
„ 200 „ „	0	0	6
Machinery (loose) per ton, including Boilers and Grating Bars	0	3	0
Carriage and Cart wheels, per pair	0	1	0
Motor Cars, each	1	0	0
Motor Lorries, each	2	0	0

(a) Added by 11 of 1921, s. 2.

