

6. That all moneys to be received by the Stewards of such Races under this Ordinance shall be applied towards the payment of the expenses of such Races and of the prizes for horses running at such Races.

Passed in Council this first day of December, in the year of Our Lord one thousand eight hundred and fifty-five.

RICHARD D. CADIZ,
Clerk of Council.

The foregoing Ordinance was duly proclaimed in Port of Spain by me, this seventh day of December, one thousand eight hundred and fifty-five.

EDWARD MURRAY,
Marshal.

No. 4.—1856.

22nd May.

AN ORDINANCE for encouraging the formation of
Tram Roads.

CHARLES ELLIOT.

Preamble.

Power to take
up on loan on
Debenture
moneys for
formation of
Tram Roads.

WHEREAS the carriage of the staple products and the general traffic of the Island would be rendered more cheap and easy by Tram Roads to be laid down in the Rural Districts: and whereas it is expedient for the promotion of such Tram Roads that money should be borrowed on the faith of the general revenue of the Colony and applied to the laying down of such Tram Roads, and that the repayment of such moneys should be secured on the several plantations and lands through which such Tram Roads shall be carried, and the tolls to be taken on such Tram Roads: Be it enacted by His Excellency the Governor by and with the advice and consent of the Council of Government, That it shall be lawful for the Governor from time to time to take up by way of loan on debenture such sums of money as he shall see fit so always that the whole principal moneys of the debentures to be issued under the

authority of this Ordinance shall not exceed the sum of fifty thousand pounds sterling.

2. That all moneys to be taken up on loan on such debentures with interest on the same at the rate of six pounds for every one hundred pounds by the year shall be charged on the general revenues of the Colony.

Interest to be allowed on debentures.

3. That every such debenture shall be made for the sum of five pounds, and shall bear interest from the day on which the same shall be dated to the day on which the same shall be redeemable.

Amount of debenture.

4. That all such debentures shall be in the form given in the Schedule to this Ordinance, and shall be numbered in regular numerical progression, beginning with the number *one*, and shall be signed by the Governor and countersigned by the Colonial Secretary and the Receiver-General.

Form of debenture.

5. That such debentures shall be issued by the Receiver-General on payment of the sum of money specified therein to the persons who shall become the purchasers of the same, and the Receiver-General shall insert in every such debenture the name of the person to whom and the day on which the same shall be so issued.

Debentures to be issued by Receiver-General.

6. That the Receiver-General shall in a proper book to be kept by him for that purpose, enter from time to time the distinguishing number of every such debenture so issued by him, and the day on which, and the name of the person to whom such debenture shall be so issued.

Note of debentures issued to be kept by Receiver-General.

7. That the property in every such debenture shall be transferable by delivery.

Debentures transferable.

8. That the interest on such debentures shall be payable by the Receiver-General at the Colonial Treasury half yearly, on the thirty-first day of March and the thirtieth day of September of each year.

Interest.

9. That one-twentieth part of such debentures shall be redeemable on the thirty-first day of March in the year one-thousand eight hundred and sixty, and on the same day in each year thereafter, and the particular debentures redeemable in each year shall be determined by lot in such manner as the Governor may from time

Time and manner in which debentures shall be redeemable.

to time direct ; and notice of the distinguishing numbers of the debentures so redeemable shall be given in the *Royal Gazette* on or before the fifteenth day of January of the year ; and the interest on every such debenture shall cease from the day on which the same shall be so redeemable.

An account of all moneys, &c., to be laid before Council.

10. That the Receiver General shall in the month of June in each year lay before the Council of Government an account of all moneys received by him by virtue of the debentures issued under this Ordinance and of the moneys paid by way of interest on such debentures, and also an account of all moneys received by him from year to year applicable to the payment of the moneys taken up on loan under this Ordinance, and also a statement of the numbers and amounts of the debentures, if any, redeemed during the twelve calendar months next preceding such month of June.

Distribution and appropriation of moneys to be vested in Central Road Board. Mode of proceeding by parties desirous of obtaining moneys for laying down Tram Roads.

11. That the distribution and appropriation of the moneys to be taken up on loan under this Ordinance shall be vested in the Central Road Board.

12. That when the owners of not less than one-fourth part in number of the several Plantations or Lands within any Ward or Wards which it shall be proposed to charge with the payment of the moneys to be taken up under the authority of this Ordinance shall be desirous of obtaining an advance of moneys under this Ordinance for making a Tram Road for the public use of the inhabitants of such Ward or Wards, it shall be lawful for such owners to apply to the Central Road Board by petition in writing to be signed by such owners or their attorneys or agents for the advance of such sum of money as the petitioners may agree upon for the making of such Tram Road ; and such petition shall specify the local situation and length and the name of the proposed Tram Road, and the points from and to which it is proposed to lay down the same, the estimated cost of such Tram Road, the names of the plantations and lands through which such Tram Road will pass, and also the names of the other Plantations and Lands the owners of which in the belief of the petitioners will make use of such Tram Road for the cartage of produce, and the distances, measured from the proposed terminus of such Tram Road nearest the sea, of the

several points at which the produce of such Plantations or Lands respectively could be placed for carriage on such Tram Road, and the annual produce on an average of the last three years of such Plantations or Lands respectively, and the names of the several Plantations and Lands and the owners thereof on which it is proposed to charge the re-payment of such advance; and every such petition shall be accompanied by a plan made by some sworn surveyor on a scale of one inch to six chains each of sixty-six feet, shewing the direction of such Tram Road, the Plantations or Lands through which it will pass, its relative bearing to any Public Road and the points at which it is proposed that such Tram Road shall traverse or meet any such Public Road, and such petition and plan shall be delivered to the Secretary of the Central Road Board; and the petitioners shall cause a copy of such petition to be published in the *Royal Gazette*, and such petition and the plan accompanying the same shall be open for the inspection of all persons desirous of inspecting the same at the office of such Secretary.

13. That if any person having any estate in or charge upon any Plantation or Land which it shall be proposed by such petition to charge with the re-payment of any part of the moneys to be advanced on such petition shall object to the granting of such petition, it shall be lawful for such person or his agent at any time within four calendar months from the first publication of such petition to leave with the Secretary of the Central Road Board a statement in writing of such objection, and the grounds and reasons of such objection to be signed by such person or his agent, and such Secretary shall cause a notice of such objection having been made to be given to the persons who shall have signed such petition.

Mode of proceeding by parties objecting.

14. All such petitions, and all objections to such petitions shall be signed by some solicitor or other agent residing in the Town or Port of Spain, and notice of any matter by this Ordinance required to be given to any petitioner or any person objecting to such petition, shall be given to such solicitor or agent, and such service shall be a sufficient service for all purposes.

Petitions and objections to be signed by solicitor or agent residing in Port of Spain, and notices to be given to such solicitor or agent.

15. That the Central Road Board at any meeting to

Central Road

Board to determine on petition.

be held not earlier than four calendar months next after the first publication of such petition, or at any adjournment of such meeting, shall proceed to consider such petition and any objections thereto, and may for that purpose hear the petitioners, and the persons making any such objection, or their respective agents or counsel; and the Central Road Board may from time to time call for and require the production by the persons promoting any such petition of any sections or plans of such proposed Tram Road, or any other information touching the same; and the Central Road Board may grant such petition or reject the same, or may on the consent of the petitioners or their agent grant such petition in part, and with such variation as to the extent line or direction, or as to both or either of the termini of the proposed Tram Road, or as to the plantations or lands to be charged with the payment of moneys to be advanced; or the proportion to be charged upon any such plantation or lands as to the Central Road Board shall seem fit: Provided always that no such variation shall be allowed except on the consent in writing of the owners of the several plantations or lands in which any divergence from the line laid down in the original plan accompanying the petition shall take place, or through which or any part of which the line so extended may pass, or in the absence of such consent then until after notice in writing of such proposed variation shall have been given by the parties prosecuting such petition in the *Royal Gazette* at least four calendar months before the making of the order of the Central Road Board allowing any such variation.

Plans to be deposited with Secretary of the Central Road Board.

16. That in all cases in which the Central Road Board shall grant any such petition with any variation as to the extent line or direction, or as to both or either of the termini of the proposed tram road, the petitioners shall deposit with the secretary of the Central Road Board a plan of such Tram Road amended in accordance with the variations so ordered by the Central Road Board.

Plantations to be charged with payment of moneys advanced.

17. That where the Central Road Board shall determine to grant such petition in the whole or in part, the Board shall, with reference to the amount of moneys to be advanced upon such petition, determine what plantations or lands shall be charged with the payment of such

moneys and the several proportions of such moneys to be charged on such plantations or lands respectively, so always that the Board shall not have the power to charge any plantation or lands which it shall not have been proposed by such petition to charge; and such apportionment shall be made according to the proportion which the distance of each of such plantations or lands respectively from the terminus of such tram road nearest the sea, and the value of the annual produce of each of such plantations or lands on an average of the last preceding three years shall bear to the whole of such distances and the whole of such annual values.

18. That on the granting of any such petition in the Final order. whole or in part the Central Road Board shall make a final order on such petition, which order may be according to the form in the schedule to this Ordinance annexed, and shall be under the seal of the Board and be signed by the secretary of the Board, and such order shall authorise the formation of the tram road, specifying the points from and to which, and the names of the plantations and lands, or if the names thereof shall not be known then the names of the owners of the plantations or lands through which such tram road may be carried, and the respective times within which such tram road shall be commenced and shall be completed, and shall also specify the moneys to be advanced under the authority of this Ordinance for the making of such tram road, and a plan of such tram road certified by the secretary of the Board shall be annexed to such order: And the Central Road Board shall also make a separate order to be called a charging order, according to the form in the schedule to this Ordinance under the seal of the said Board, and signed by the secretary of the Board for securing the repayment of the moneys to be so advanced with interest, and shall in such order specify the names of the several plantations and lands, or if the names thereof be not known then of the owners of the plantations or lands to be charged with the payment of such moneys and interest, and the respective proportions to be charged upon such plantations and lands respectively; and the respective proportions to be so ascertained as aforesaid with interest for the same from the day of the date of such charging order at the rate of

six pounds per centum per annum shall be payable to Her Majesty by twenty-four equal annual payments and the respective amounts of such annual payments shall be specified in such charging order.

Annual pay-
ments.

19. That such annual payments shall be payable to the Receiver General on the thirty-first day of March of every year, and the first of such payments shall be made on the thirty-first day of March which shall first happen after the day of the date of such final order.

Charging
order to be en-
registered, &c.

20. That every such charging order shall be enregistered in the office of the Registrar General without any fee or fee or payment for the same, and the plantations and lands specified in such order shall be respectively charged with the payment to Her Majesty of the several annual payments to be specified in such charging order, and such charge shall be subsequent in priority to any quit rent or ward rate payable to Her Majesty but shall have priority to all other charges on the same lands; and such final order shall be binding and conclusive upon all persons having any estate or interest in the plantations or lands mentioned in such order, and it shall not be lawful for any person to question such charging order for anything whatsoever done or omitted to be done under the provisions of this Ordinance, or for any other reason whatsoever.

Final order to
be binding.

Rent charge
not to pre-
clude trustees
investing
trust funds on
lands charged.

21. That the charge in respect of such annual payments shall not be deemed such an incumbrance as shall preclude a trustee of money held in trust to be invested on mortgage from investing the same upon mortgage of any lands so charged, unless the terms of such trust shall expressly provide that the lands to be so taken in mortgage shall not be subject to any annual payment under the provisions of this Ordinance.

Tenant for
life to be
charged with
yearly pay-
ments of rent
charge.

22. That every owner of any plantation or lands which shall be charged with any such annual payment under this Ordinance, and every succeeding tenant for life or other person having a limited interest in the same, shall, as between such person and the persons in remainder or reversion, be bound to pay the yearly payments in respect thereof which shall become payable during the continuance of his interest, and in case he shall be in the actual occupation of or entitled to an

apportioned part of the rent and profits of such plantation or lands up to the time of the termination of his interest shall also be bound to pay an apportioned part of the yearly payment in respect of such charge which shall become due next after the termination of his interest proportioned to the time which shall have elapsed between the day of the previous yearly payment and the day of such termination.

23. That the annual payments which shall become payable in respect of any plantation or lands by virtue of this Ordinance shall be recoverable by the Warden for the time being of the ward in which the same shall be situated by the same means and in the like manner in all respects as ward rate is recoverable under and by virtue of any Ordinance which may be in force relating to the mode of recovery of such ward rate.

Payments
how to be
enforced.

24. That the moneys specified in any such final order shall on the warrant of the Governor be carried by the Receiver General to a separate account to be opened by him to the credit of the tram road specified in such final order, and such moneys shall be paid by the Receiver General to the Commissioners in whom the control of such moneys may for the time being be vested, or the major part of them, in such sums as the Central Road Board may from time to time by their order in writing direct.

Moneys to be
carried to
credit of
Tram Road,
&c.

* * * * *

Section 25 repealed by Ordinance No. 20 of 1869.

26. That it shall be lawful for the Commissioners of any such tram road, if authorized by the Central Road Board so to do, and upon such terms and conditions and subject to such rules and regulations as the Central Road Board may see fit to order in that behalf, to carry such tram road upon, over, under or across any public road or highway.

Tram Road
may be carried
across public
road.

27. That it shall be lawful for the Commissioners with all proper and necessary workmen and other servants to enter upon any lands being not more than twenty feet from the line laid down in the plan annexed to the final order as the line of the proposed tram road, and to

Power to Com-
missioners to
enter on lands.

set out and take for such tram road any part of such land not being more than sixty feet in breadth, and the land so set out and taken shall thereupon become and be vested in Her Majesty.

Compensation
may be
awarded.

28. That it shall be lawful for the Commissioners of such tram road to pay to the owner of any lands which may be so entered upon or set out and taken under this Ordinance, and to any other person having any estate or interest in or charge upon such land or any part thereof from the moneys advanced under this Ordinance, such sum of money as such Commissioners shall deem reasonable by way of compensation for the injury done to any land which may be so entered on, or for the value of any land which may be so taken for the purposes of such tram road.

In lieu of
compensation
certain privi-
leges may be
granted.

29. That it shall be lawful for the Commissioners in lieu of compensation in money to grant to the owner of any plantation or lands who may be willing to accept the same the right to make use of such tram road within the limits of such plantation or lands without any charge or at a reduced charge for the same upon such terms or conditions as may be agreed upon between the owner and such Commissioners.

Mode of pro-
ceeding in
event of com-
pensation
being refused
or no offer of
compensation
being made.

30. That if any owner of any lands, or any other person having any estate or interest in or charge upon such lands or any part thereof, shall refuse to accept such compensation as may be offered to him, or if no such offer for compensation shall be made to such owner or other person as aforesaid within thirty days after the Commissioners shall have entered on such lands, the amount of compensation to be paid to such owner or other person as aforesaid shall be settled by the verdict of a jury, and for such purpose it shall be lawful for the Supreme Civil Court or any Judge thereof, on the application of such owner or other person as aforesaid, and on notice being first given by or on the behalf of such owner or other person as aforesaid to the Commissioners or any one of them, and in which notice such owner or other person as aforesaid shall state the sum which he is willing to accept as such compensation to make order that the amount of compensation shall be inquired of and assessed by a jury before a Judge of the Supreme Civil Court at any sittings for the trial of issues to be held not earlier than

fourteen days after the time of such order being made and thereupon a Writ shall issue to the Marshal requiring him to summon a Jury for that purpose.

31. That the Marshal shall summon a Jury of not less than twenty-four indifferent persons duly qualified to act as jurors, and out of the jurors appearing on such summons a Jury of twelve persons shall be drawn by the Registrar in such manner as juries for trial of issues are by law required to be drawn, and if a sufficient number of jurymen do not appear in obedience to such summons the Marshal shall return other indifferent men duly qualified as aforesaid of the bystanders or others that can speedily be procured to make up the jury, and all parties may have their lawful challenge against any of the jurymen.

Mode of
summoning
Jury.

32. That on such inquiry the party claiming compensation shall be deemed the Plaintiff and the Commissioners shall be deemed the Defendants, and either party shall have power to subpoena any person as a witness and to enforce the attendance of such witness, and any witness failing to attend without sufficient excuse or who shall appear but refuse to be examined or to give evidence touching the subject matter in question shall be proceeded against in the same manner as any other person failing to attend or refusing to be examined or to give evidence as a witness on the trial of any issue in the Supreme Civil Court.

Who shall be
deemed plain-
tiff and who
defendant.

33. That before the jury proceed to inquire of the compensation in respect of which their verdict is to be given, they shall make oath or affirmation in those cases where an affirmation is admitted in lieu of an oath, that they will truly and faithfully inquire of and assess such compensation, and on such inquiry, the Judge before whom such inquiry shall be had, may, if he shall see fit, on the request of either party, order the Jury, or any six or more of them, to view the land for the use of which such compensation shall be claimed in like manner as views may be had on the trial of an action in the Supreme Civil Court.

Jury to be
sworn.

34. That where the verdict of the jury shall be given for a sum not exceeding the sum, if any, previously offered, as compensation to such owner or

By whom
costs of
inquiry are to
borne.

other person aforesaid, all the costs of such inquiry shall be borne by such owner or other person as aforesaid, and shall be deducted from and out of the compensation assessed by the jury; but if the verdict of the jury be given for a greater sum than the sum previously offered, as compensation, or if no compensation shall have been previously offered the costs of such inquiry shall be allowed to such owner or other person as aforesaid.

Cost of inquiries to be settled by a Judge of the Supreme Civil Court.

35. That the costs of any inquiry under this Ordinance shall be settled by a Judge of the Supreme Civil Court, and such costs shall include all reasonable costs, charges, and expenses incurred in obtaining the order for inquiry, the summoning, impanelling, and returning of the jury, the attendance of the witnesses, the fees of counsel and solicitors, and recording the judgment thereon or otherwise incidental to such inquiry.

Registrar of Supreme Civil Court to sign judgment, &c.

36. That the Registrar of the Supreme Civil Court shall sign judgment, which judgment shall be for the amount of compensation assessed by the jury, together with the costs, if any, allowed to such owner or other person as aforesaid, or for the amount of such compensation, after deducting the costs, if any, payable by such owner or other person as aforesaid, or if the costs allowed to the Commissioners shall exceed such compensation then for the amount of the excess of such costs, and shall keep such judgment among the records of the Supreme Civil Court.

Amount of judgment to be paid out of moneys to credit of such Tram Road.

37. That the amount of any such judgment against such Commissioners shall be paid out of the moneys standing to the credit of the Tram Road, of which they shall be Commissioners, or out of the tolls to be received in respect of such Tram Road under this Ordinance; and such Commissioners shall be authorised to retain out of such moneys or tolls all costs and expenses incurred by any such Commissioners in defending any such action or otherwise, in the execution of their duties under this Ordinance.

Time within which claims are to be made.

38. That no claim for compensation shall be admitted or entertained unless the same shall be made within one year next after the Commissioners shall have first

entered on the lands, in respect whereof such compensation shall be claimed.

39. That if any question shall arise as to the title of the owner of any lands taken for the purpose of this Ordinance, it shall be lawful for the Commissioners of such Tram Road to deposit the compensation payable in respect of such lands, in the name and with the privity of the Registrar of the Supreme Civil Court with the Receiver General, to be placed to the credit of the parties interested in such lands (describing them so far as such Commissioners can do), subject to the control and disposition of the Supreme Civil Court in Equity.

Where question shall arise as to owner of lands, compensation to be deposited with Receiver General, &c.

40. That upon the application by petition of any party making claim to the money so deposited as last aforesaid, or any part thereof, or to the lands in respect whereof the same shall have been so deposited, or any part of such lands, or any interest in the same, the said Supreme Civil Court may, in a summary way, and after such notice as to the Court shall seem fit, and to such person or persons, as the Court shall direct, order distribution of such moneys, according to the respective estates, titles or interests of the parties making claim to such money or lands, or any part thereof, and may make such other order in the premises as to such Court shall seem fit.

On application for money so deposited, Supreme Civil Court to make order thereon.

41. That if any question shall arise respecting the title to the lands in respect whereof such moneys shall have been so deposited as aforesaid, the parties respectively in possession of such lands, as being the owners thereof, or in respect of the rents of such lands, as being entitled thereto at the time of such lands being taken, shall be deemed to have been lawfully entitled to such lands until the contrary be shown to the satisfaction of the said Court: And unless the contrary be shown as aforesaid, the parties so in possession, and all parties claiming under them, or consistently with their possession, shall be deemed entitled to the money so deposited, and the same shall be paid and applied accordingly.

Parties in possession to be deemed owners unless the contrary be shewn.

42. That in all cases of moneys deposited under this Ordinance, it shall be lawful for the Supreme Civil

Costs how to be paid.

Court, if they shall see fit, to order all costs attending the depositing of such moneys, and the orders for the distribution and payment of such moneys, and of all proceedings relating thereto, except such as are occasioned by litigation between adverse claimants, to be paid by the Commissioners of such Tram Road.

Tolls to be fixed by Commissioners, &c.

43. That there shall be levied and taken on all passengers and produce, goods and merchandise, carried by such Tram Road, such fares and tolls as the Commissioners of such Tram Road, with the approval of the Central Road Board, may from time to time order to be so levied and taken: And a table of such tolls shall be placed in some open and conspicuous place upon or adjoining to such Tram Road.

Moneys advanced to be further charged on the tolls.

44. That the moneys to be advanced for the formation of any Tram Road, and the interest on the same, shall be a charge as well on the fares and tolls to be taken on such Tram Road as on the several plantations and lands, on which the same shall be so charged by the Charging Order of the Central Road Board.

Commissioners may accept compensation in lieu of tolls.

45. That it shall be lawful for the Commissioners from year to year, if they shall see fit, and with the consent of the Central Road Board, to accept from the owner of any plantation or lands a sum of money in advance by way of compensation in lieu of the tolls payable on the produce and other goods, which may be carried by such Tram Road to or from such plantation or lands during the year.

Regulations to be made.

46. That it shall be lawful for the Commissioners for the time being of any such Tram Road from time to time to make regulations.

For regulating the using and working of the Tram Road, and the loading or unloading of carriages on such Tram Road.

For regulating the carriage of passengers and the payment of the fares of such passengers.

For regulating the times of the arrival and departure of any such carriages; and

For the preventing of trespasses upon or injuries or destructions to such Tram Road.

Power to make bye laws.

47. That for the better enforcing of such regulations it shall be lawful for the Commissioners from time to

time to make Bye-laws and from time to time to repeal or alter such Bye-laws and make others ; Provided that such Bye-laws be not repugnant to the laws of this Colony or the provisions of this Ordinance and that the same be approved and confirmed by the Central Road Board ; and any person offending against any such Bye-law shall forfeit for every such offence any sum not exceeding Ten pounds, to be imposed by the Commissioners in such Bye-laws as a penalty for any such offence ; and if the infraction or non-observance of any such Bye-law or other such regulation as aforesaid be attended with danger or annoyance to the persons using such Tram Road or hindrance to the Commissioners in the lawful use of the Tram Road it shall be lawful for the Commissioners summarily to interfere to obviate or remove such danger, annoyance or hindrance and that without prejudice to any penalty incurred by the infraction of any such Bye-law.

48. That such Bye-laws shall be painted on boards or printed on paper and pasted on boards and hung up and affixed and continued on the front or other conspicuous part of every station of any Tram Road so as to give public notice thereof to the parties interested therein or affected thereby ; and such boards shall from time to time be renewed as often as the Bye-laws thereon or any part thereof shall be obliterated or destroyed ; and no penalty imposed by any such Bye-law shall be recoverable unless the same shall have been published and kept published in manner aforesaid.

Bye-laws to
be made
public.

49. That such Bye-laws when so approved and confirmed, published and affixed shall be binding upon and be observed by all parties and shall be sufficient to justify all persons acting under the same ; and for proof of the approval, confirmation and publication of any such Bye-law it shall be sufficient to prove that a printed paper or painted board containing a copy of such Bye-laws purporting to have been approved and confirmed by the Central Road Board was affixed and continued in manner by this Ordinance directed, and in case of its being afterwards displaced or damaged then that such paper or board was replaced as soon as conveniently might be.

Proof of bye
laws.

50. That all penalties imposed by such Bye-laws

Penalties how
recoverable.

shall be payable to the Commissioners for the time being and shall be recoverable in a summary manner before any Justice of the Peace.

In case works not completed the Final Order to be revoked, and powers given by the Ordinance to cease.

51. That in case any Tram Road of which the formation shall have been authorised under this Ordinance shall not be commenced, or having been commenced shall not be completed within such time as may have been appointed by the Final Order made in respect of the same, or within such extended period as the Central Road Board may by its Order from time to time allow, it shall be lawful for the Board to make an Order revoking and annulling such Final Order, and thereupon all the powers and authorities given by this Ordinance shall so far as regards such Tram Road, actually cease and determine: And it shall be lawful for the Central Road Board in any such case from time to time to make such Order as it shall see fit for winding up the affairs of any such Tram Road; but the several plantations and lands which by the Charging Order of the Board may have been so charged with the re-payment of the moneys advanced for such Tram Road, shall remain still charged, and the annual payments under such Charging Order shall be made from year to year, until all expenses actually incurred in or about such Tram Road shall have been paid and satisfied; and when such expenses shall have been paid and satisfied such annual payments shall cease and determine.

Account of receipts and expenditure to be open for inspection, &c.

52. That the account of the receipts and expenditure of the Commissioners of any Tram Road shall be made out in writing from year to year up to the thirty-first day of December of each year, inclusive, and a copy of such accounts shall be left open for the inspection of all persons using such Tram Road from the fifteenth day of January to the fifteenth day of March of each year, at the office of the Warden, being one of such Commissioners, and such accounts shall be audited as soon as may be after the thirty-first day of March of each year by Auditors to be from time to time appointed for that purpose by the Central Road Board and a copy of such accounts when audited and allowed shall be laid before the Central Road Board, and shall be published on the direction of such Board in the *Royal Gazette*.

Balance arising from

53. That the balance of all monies received by such

Commissioners in any one year in respect of tolls under this Ordinance which on the auditing of such yearly accounts shall be found to remain in the hands of such Commissioners shall be applied to the purposes and in the order following—that is to say :

tolls how to
be applied.

1stly.—To the formation of a fund for the maintaining and keeping in repair of such Tram Road, for which purpose such portion as the Central Road Board may from time to time direct of the balance of such tolls shall from year to year be deposited in the Colonial Treasury, and such funds shall be applied in such manner as the Central Road Board may from time to time direct.

2ndly.—In or towards the satisfaction of the several annual payments which shall be payable to Her Majesty on the thirty-first day of March of the year next after the year in which such tolls shall have been received in respect of the moneys advanced for the construction of such Tram Road, and in relief of the several plantations or lands charged with such annual payments.

3rdly.—In repayment of the moneys actually paid by the owners of any such plantations or lands in respect of such annual payments with the interest on such moneys at the rate of six pounds for every one hundred pounds by the year.

4thly.—To the improvement and extension of such Tram Road ; and

5thly.—To the general benefit of the Ward or Wards through which such Tram Road shall run in such proportions as the Central Road Board may from time to time direct, and in such manner as the Warden and Auditors of the respective Wards may from time to time determine.

54. That the word “Owner” in this Ordinance shall mean the person having the ostensible possession or enjoyment of the rents and profits of any lands.

Interpre-
tation of word
“Owner.”

55. That all acts matters and things by this Ordinance authorised to be done or performed by the Commissioners of any Tram Road may be done and performed by the major part of them.

Acts required
to be done
by Commis-
sioners may be
done by major
part of them

56. That this Ordinance shall not come into force or take effect until Her Majesty's pleasure thereon be known.

GOVERNMENT OF TRINIDAD.
TRAM ROAD DEBENTURE.

No _____
This Debenture, issued this _____ day of _____ in the year of Our Lord 185 _____ to _____ entitles the Bearer, to be paid at the office of the Receiver General, the sum of Five pounds British sterling money, under the terms of the Ordinance No. 4 of 1856, entitled, "An Ordinance for encouraging the formation of Tram Roads," with interest on the same at the rate of six per centum per annum from the date hereof; such interest to be paid half-yearly on the thirty-first day of March and the thirtieth day of September in each year at the office of the Receiver General, for which payment of principal and interest the general revenue of the Colony stands charged.

Witness my hand this _____ day of _____ 185 _____

FINAL ORDER.

(L.S.)

The Central Road Board, by virtue of the powers vested in the said Board by the Ordinance No. 4 of 1856, entitled, "An Ordinance for encouraging the formation of Tram Roads," do order that a Tram road, to be called the _____ Tram Road, be laid down in the Ward of _____ such Tram Road to commence at _____ in the _____ Ward, and to end at _____ in the _____ Ward, and to pass through the several plantations and lands hereinafter mentioned—that is to say:

in the line described in the plan annexed to this order; and the Board do order that the sum of _____ be applied, from and out of the moneys raised or to be raised under the said Ordinance, to the making of such Tram Road; and the Board do further order that _____ Warden of _____ Ward, and _____ and _____ be the Commissioners for the making of such Tram Road, and the control and expenditure of the moneys appropriated to making the same.

Dated this _____ day of _____ in the year of Our Lord one thousand eight hundred and fifty _____

By order of the Board,

S. D.,
Secretary to the Central Road Board.

CHARGING ORDER.

(L.S.)

Whereas the Central Road Board, by virtue of the powers vested in the Board by the Ordinance No. 4 of 1856, entitled "An Ordinance for encouraging the formation of Tram Roads," have by their order, bearing even date herewith, ordered that a Tram Road, to be called the _____ be laid down in the Ward of _____

such Tram Road to commence at _____ in the _____ Ward, and to end at _____ in the _____ Ward, and to pass through the plantations and lands mentioned in the said order, and that the sum of _____ be appropriated, from and out of the moneys raised or to be raised under the said Ordinance, to the making of such Tram Road. The Central Road Board, by virtue of the powers vested in the Board by the said Ordinance, do hereby order that the said sum of _____ with interest thereon at the rate of six pounds per centum per annum be charged upon the several plantations and lands hereinafter mentioned in the several proportions hereinafter mentioned, and that there shall be paid for and in respect of the said several plantations and lands the several annual payments hereinafter mentioned, which annual payments shall be payable for the term of twenty-four years, and whereof the first payment shall be made on the thirty-first day of March next ensuing the day of the date of this order—that is to say, plantation or lands, proportion of total sum, annual payments.

Dated this _____ day of _____ in the year of Our Lord one thousand eight hundred and fifty _____

By order of the Board,

S. D.,

Secretary to the Central Road Board.

Passed in Council this twenty-second day of May, in the year of Our Lord one thousand eight hundred and fifty-six.

RICHARD D. CADIZ,

Clerk of Council.

No. 8.—1856.

6th August.

AN ORDINANCE to authorise the Supreme Civil Court in Equity to proceed by way of Sale on Bills of Partition.

CHARLES ELLIOT.

BE it enacted by His Excellency the Governor, by and with the advice and consent of the Council of