

Passed in Council this second day of July, 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 this tenth day of July, one thousand eight hundred and fifty-five, by me,

EDWARD MURRAY,

Marshal.

No. 25.—1855.

Repealed by 9 of 1873

1st August.

AN ORDINANCE for introducing a Supply of Water from the River Ariapita, for the use of the Port of Spain Water Works.

CHARLES ELLIOT.

WHEREAS an Ordinance was passed in Council on the eighteenth day of November, in the year of Our Lord one thousand eight hundred and fifty-one, entitled "An Ordinance for supplying the Town of Port of Spain and the vicinity thereof with Water:" and whereas in pursuance of the powers given by the said Ordinance the waters of the River Maraval and of the River St. Ann have been brought down into the town of Port of Spain: and whereas it is expedient that for the use of the inhabitants of the said town, and more particularly for the use of the Public Hospital and the public washhouses which it is proposed to erect the supply of water should be increased by taking the waters of the River Ariapita in the Valley of Saint Ann at a point within the lands in the ward of St. Ann belonging to Pierre Debot, Esquire, and called Monte Christo: and whereas of the two sums of twenty thousand pounds and four thousand pounds appropriated to the erection of the said Water Works the sum of one thousand pounds remains still unexpended: Be it enacted by His Excellency the Governor

Power to take
and divert
waters of the
Ariapita
River, &c.

by and with the advice and consent of the Council of Government, That it shall be lawful for Her Majesty to take and divert the waters of the said Ariapita River at any point within the lands of the said Pierre Debot, Esquire, in the ward of St. Ann and called Monte Christo, and to erect, make complete and maintain such water works, dams, reservoirs, pipes, and other conveniences as may be necessary for diverting and bringing down the waters of the said River Ariapita into the town of the Port of Spain.

Power to take
and appropriate
certain
lands for pur-
poses of this
Ordinance.

2. And be it enacted, That it shall be lawful for Her Majesty to take and appropriate for the purposes of this Ordinance any part of the lands within the ward of St. Ann, now in the possession of the said Pierre Debot, Esquire, and called Monte Christo, and the lands now in the possession or occupation of Pierre Antoine Marie Alphonse Ganteaume, Esquire, and called Adelie, and any other lands lying between the Digue or Dam in the valley of St. Ann, and the lands now in the occupation of Philip Wehekind, Esquire, and all lands so taken shall be vested in Her Majesty, her heirs and successors.

Power to
Superintend-
ent of Public
Works to
enter and pass
into certain
lands, &c.

3. And be it enacted, That it shall be lawful for the Superintendent of Public Works for the time being, and all workmen and servants, and other persons employed in the execution of this Ordinance to enter and pass into, upon, over and through the lands of the said Pierre Debot, Esquire, called Monte Christo, and the lands of the said Pierre Antoine Marie Alphonse Ganteaume, Esquire, called Adelie, and all other lands in the ward of St. Ann lying between the lands of the said Pierre Debot, Esquire, and the lands now in the occupation of Philip Wehekind, Esquire, and set out and ascertain such parts of such lands as such Superintendent shall deem most convenient for the purposes of this Ordinance, such Superintendent, workmen, and servants doing as little damage as possible in the execution of the powers granted by this Ordinance.

Proviso.

4. Provided always and be it enacted, That it shall be lawful for the said Pierre Debot or other occupiers for the time being of the lands called Monte Christo to erect, and at all times hereafter to maintain a bath in any part of the said lands below the point at which the

waters of the river shall be taken and diverted under the authority of this Ordinance, and at all times to take and use a sufficient quantity of the waters of the said river for the supply of such bath, and to return the waters so taken and used into the bed of the said river at any point below the point at which the waters of the said river shall be so taken and diverted.

5. And be it enacted, That it shall be lawful for the Governor on behalf of Her Majesty to contract and agree with the owner of any lands which may be taken by Her Majesty for the purposes of this Ordinance in respect of the compensation to be allowed and paid to such owner for the lands which may be so taken, and also to contract and agree with the owner of any lands adjoining the River Ariapita in respect of the compensation to be allowed and paid to such owner for the diversion or diminution of the waters of the said river, and in estimating the damage caused by such diversion or diminution the benefit to be derived by such owner from the establishment of public washhouses within the ward of St. Ann shall be estimated and allowed, and the amount of such compensation shall be paid to such owner from the Colonial Treasury on the warrant of the Governor out of the moneys appropriated to the purposes of the Ordinance of the eighteenth day of November aforesaid.

The Governor may contract with proprietors for compensation.

6. And be it enacted, That there shall be erected at the public expense in the ward of St. Ann for the free use of the inhabitants thereof, and at such places as the Governor may appoint, three public fountains in addition to those already erected under the provisions of the said Ordinance of the eighteenth day of November aforesaid.

Fountains to be erected.

7. And be it enacted, That where any question shall arise touching the title of any person to any lands which may be taken or used for the purposes of this Ordinance, the person in possession of such lands shall, for the purposes of this Ordinance, be deemed to be the owner of the same.

Construction of word "owner."

8. And be it enacted, That if any person shall refuse to accept such compensation as may be offered to him in respect of any lands which may be taken in pursuance

Refusing to accept compensation to be assessed by a Jury.

of the powers given by this Ordinance or in respect of the damage arising from the diversion or diminution of the waters of the said River, or if no such offer of compensation shall be made to such person within thirty days after the Superintendent of Public Works shall have entered on such lands, where any lands shall be taken under this Ordinance, or within thirty days after the completion of the Works authorised by this Ordinance in all other cases, then the amount of such compensation shall be assessed by a Jury, to be summoned for that purpose in the same manner as is provided in the like cases by the said Ordinance of the eighteenth day of November aforesaid.

Penalty for
hindering or
injuring
Works, or
fouling the
water.

9. And be it enacted, That if any person shall wilfully hinder or obstruct, or cause or procure to be hindered or obstructed, the Superintendent of Public Works, or any workman or other person to be employed in doing or performing any of the works by this Ordinance authorised to be made, or in the exercise of any of the powers or authorities in this Ordinance contained, or if any person shall wilfully break, throw down, injure, damage, or destroy any canal, reservoir, aqueduct work, matter or thing, made, or to be made in the pursuance of this Ordinance, or if any person shall bathe in the said Ariapita River, at any part thereof, within the distance of eight hundred yards by the line of the river above the Digue, in the valley of St. Ann, or shall wash any clothes in, or wash, cast, or throw any horse, mule, ass, dog, or cat, or any other animal, alive or dead, or any cloth, wool, filth, dirt, or any other noisome or offensive matter or thing, or shall cause, permit, or suffer any noisome or offensive matter or thing, or the water of any sink or drain to run or be conveyed in, or into the said river within the limits aforesaid, or into any reservoir, canal, aqueduct, conduit, or pipe erected, built or laid under this Ordinance, or shall otherwise unlawfully foul or cause, or render noisome or impure the water running to or contained in any such reservoir, pipe, canal, aqueduct, or conduit, every such person shall, on conviction of any such offence before a Justice of the Peace, forfeit and pay such sum not exceeding twenty pounds, as to the convicting Justice shall seem fit.

Apprehension
of offenders.

10. And whereas persons guilty of offences against

this Ordinance may be persons unknown to the officers and other persons acting under this Ordinance, be it therefore enacted, That it shall be lawful for any police constable, acting with such aid as shall be necessary, and without any warrant or other authority to apprehend and detain any such unknown person guilty of any offence against this Ordinance, and forthwith to convey him before any Justice of the Peace having jurisdiction within the Town of Port of Spain, and such Justice of the Peace is hereby required to proceed and deal with respect to such offender according to the provisions of this Ordinance.

Passed in Council this first day of August, 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 sixteenth day of August, one thousand eight hundred and fifty-five.

EDWARD MURRAY,

Marshal.

No. 29.—1855.

1st October.

AN ORDINANCE to authorise the Governor to fix the days for the hearing of Actions and Suits in the Petty Civil Courts of the several Police Districts.

CHARLES ELLIOT.

WHEREAS by an Ordinance passed in Council on the first day of August in the year of Our Lord, one thousand eight hundred and fifty-one, and entitled "An Ordinance for the establishing of Petty Civil Courts," it is among other things enacted, That the Commissioner at such place in the Town of Port of Spain, as the Governor shall from time to time appoint, and the Stipendiary Justice at the Police Office of the District shall sit for the hearing of actions and suits on the