

No. 10.—1853.

19th August.

AN ORDINANCE for the Regulation of Municipal Corporations in this Island.

HARRIS.

Preamble.

WHEREAS on the first day of June, in the year of our Lord one thousand eight hundred and forty, an Ordinance was enacted by the Governor of the Island of Trinidad, by and with the advice and consent of the Council of Government thereof, entitled “An Ordinance for regulating the powers and constitution and settling the mode of election of the members of the corporate body called the Illustrious Cabildo of the Town of Port of Spain, and changing the name thereof to that of the Town Council of Port of Spain:” And whereas on the first day of December, in the year of our Lord one thousand eight hundred and forty, another Ordinance was enacted by the Governor of the said Island, by and with the advice and consent of the Council of the Government thereof, entitled “An Ordinance to alter and amend the Ordinance entitled ‘An Ordinance for regulating the powers and constitution and settling the mode of election of the members of the corporate Body called the Illustrious Cabildo of the Town of Port of Spain, and changing the name thereof to that of the Town Council of Port of Spain:’” And whereas on the twentieth day of April, in the year of our Lord one thousand eight hundred and forty-four, another Ordinance was enacted by the Governor of the said Island, by and with the advice and consent of the Council of Government thereof, entitled “An Ordinance to authorize the Town Council of Port of Spain to levy a rate on houses in the said Town and the suburbs thereof, and to extend to persons owning or occupying houses liable to such rate the qualification of burgesses of the town:” And whereas on the eighteenth day of October, in the year of our Lord one thousand eight hundred and forty-five, another Ordinance was enacted by the Governor of the said Island, by and with the advice and consent of the Council of Government thereof, entitled “An Ordinance for constituting a corporate body within the

town of San Fernando :” And whereas on the second day of July, in the year of our Lord one thousand eight hundred and forty-nine, another Ordinance was enacted by the Governor of the said Island, by and with the advice and consent of the Council of Government thereof, entitled “An Ordinance for amending an Ordinance ‘For constituting a corporate body within the town of San Fernando :’” And whereas it is expedient to amend and consolidate the said Ordinances and to make further provision for the good government of corporations within this Island : Be it enacted by His Excellency the Governor, by and with the advice and consent of the Council of Government, that the said several Ordinances shall be and the same are hereby repealed.

Repeals certain Ordinances.

2. Provided always and be it enacted, That the Town of Port of Spain and the Town of San Fernando shall be, and the same are hereby respectively constituted boroughs, and the corporate body now called the Town Council of Port of Spain and the corporate body now called the Town Council of San Fernando shall have continuance, and after the commencement of this Ordinance shall respectively bear the name of “The Mayor and Burgesses of Port of Spain” and “The Mayor and Burgesses of San Fernando,” and each of such corporate bodies, by such name as aforesaid, 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 this 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 said Council.

Towns of Port of Spain and San Fernando constituted Boroughs.

3. Provided also and be it enacted, That all Acts heretofore enacted by the Town Council of Port of Spain or the Town Council of San Fernando respectively, under the authority of any or either of the said Ordinances respectively, shall be and continue in force until repealed under the provisions of this Ordinance, and all warrants and other process issued at any time before the commencement of this Ordinance by the Vice-President of the Town Council of Port of Spain or the President of the Town Council of San Fernando respectively, under the authority of the said Ordinances or either of the same, for the payment of any rate on houses or any quit rent

All acts done under previous Ordinances to be valid until repealed under provisions of this Ordinance.

or other rent due and payable to the said Town Councils respectively, shall be enforced in the same manner as if this Ordinance had not been made: and provided also that the present offices of town clerk and treasurer of the said Town Councils respectively shall continue, and that the present town clerks and treasurers and all other officers appointed by the said Town Councils respectively shall continue in office until other town clerks and treasurers and other officers shall be appointed under this Ordinance.

Present Town
Clerks to con-
tinue in office.

4. Provided also and be it enacted, That the several persons who at the time of the commencement of this Ordinance shall be the president or vice-president of the said town Councils respectively shall continue in office, and shall respectively bear the style or title of mayor, and together with the several persons who at the time of the commencement of this Ordinance shall be the councillors of the said Town Councils respectively shall form the councils of the said corporate bodies respectively until the first election of councillors under this Ordinance.

The President
and Vice-
President of
the present
Town
Councils to be
Mayors until
first election
under this
Ordinance.

5. And be it enacted, That for the purposes of this Ordinance the metes and bounds of the Borough of Port of Spain shall be as follows: that is to say, on the north, a line drawn from east to west from the north-western angle of the causeway over the River Saint Ann's on the north side of the Circular Road until it meets the turn to Maraval; on the south, the sea; on the east, a straight line drawn from the Spring at Madame Monereau's to the east end of the bridge over the River Saint Ann's, near Orange Grove Barracks, and from thence over the bed of the River Saint Ann's northward until it meets the eastern point of the northern boundary, above described; and on the west, a line drawn from the western extremity of the northern boundary and running south upon the west side of the Tragarete cross road until it meets the St. James's Road, and thence along the St. James's Road until it meets the north-western boundary of the public Cemetery of Port of Spain, and thence along the western side of the public Cemetery and the western boundary of the Ariapita Estate to the sea.

Metes and
bounds of the
Borough of
Port of Spain.

Metes and
bounds of the

6. And be it enacted, That 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 a Pierre road, and thence across the Pointe a Pierre road in a straight line to the new Circular road, and thence along and including the new Circular road unto the point of junction of the new Circular road with the high road leading to Savanna Grande, and thence across such high road in a southerly direction along the southern side of the high road leading to Savannah Grande to the point where such high road meets the southern boundary of the Mon Repos estate, and from thence along the southern boundary of the Mon Repos estate in an easterly direction to the point where such line meets 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 eastern boundary of the Paradise Estate and thence along the eastern boundary of the 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 such line commenced.

7. And be it enacted, That for the purposes of this Ordinance the Borough of Port of Spain shall be divided into Five Wards, and each of such Wards shall include therein such portions of the Town of Port of Spain, and to each of such Wards shall be apportioned such number of Councillors as are mentioned in the Schedule A annexed to this Ordinance.

The Borough of Port of Spain to be divided into Wards.

8. And be it enacted, That if the inhabitant householders of any Town shall petition Her 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 Her Majesty, to grant them a Charter of Incorporation, and by such Charter to define

Governor upon petition of householders may constitute boroughs.

the limits of such Borough, and thereupon the powers and provisions in this Ordinance contained shall extend and be applied to such Borough.

Who are
entitled to be
burgesses.

9. And be it enacted, That 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 any borough rated to the house tax at a rental of not less than twenty pounds sterling or any part or portion of any such house for which part or portion he shall really and bona fide have paid for one year at the least not less than twenty pounds sterling, 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 shall if duly enrolled in that year according to the provisions hereinafter contained be a burgess of such borough and member of the Body Corporate of the Mayor and Burgesses of such 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, and 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 bona 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 bona 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 Her Majesty before the Governor, and provided also

that in every case the distance of three miles shall be computed by the nearest public road or way by land or water.

10. And be it enacted, That where any house in any 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 herein 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 the said 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.

In case of titles by descent, &c., how the occupation and rating to be reckoned.

11. And be it enacted, That 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 the form B to this Ordinance annexed 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 therein on every day during the week next preceding the fifteenth day of September in each year, provided always that as regards the Borough of Port of Spain, and any other borough which may be hereafter divided into wards, the burgess roll shall be made out under several heads according to the number

Town Clerks to make lists of all persons entitled to be Burgesses in their respective boroughs.

of wards into which such town 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.

Persons omitted in lists may give notice.

Persons having their names on Burgess List may object to any other person not being entitled to have his name on the list.

12. And be it enacted, That every person whose name shall have been omitted in 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 the form C to this Ordinance annexed, 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 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 D to this Ordinance annexed, 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 E to this Ordinance annexed, 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 F to this Ordinance annexed, 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, 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 sterling for each copy.

Revising Barrister to revise lists and

13. And be it enacted, That 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, and 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 ; and the revising Barrister holding such Court 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 ; and 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 Court 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 the satisfaction of the Court, 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 the Court to be dead, and shall correct any mistake or supply any omission which shall be proved to the Court 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

to insert and
expunge
names.

case of death), unless notice shall have been given as is hereinbefore required in each of the said cases.

Power to revising barrister to adjourn and to administer oaths.

14. And be it enacted, That 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 shall have power to administer an oath to the Town Clerk or other person having the custody of such rate book, and also to all persons claiming to be inserted in or objecting to the omission or insertion of any name in any of the said lists, and to all persons objected to in any of such lists, and to all persons claiming to have any mistake in any of such lists corrected, and to all witnesses who may be tendered or examined on either side: 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 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.

Barrister shall sign the lists in open Court.

Affirmation may be substituted for oath.

15. And be it enacted, That every person authorized by the law of England to make an affirmation instead of taking an oath shall make such affirmation in every case in which by this Ordinance an oath is required to be taken; and if any person taking any oath required by this Ordinance, or making any affirmation instead of taking such oath, shall wilfully swear or affirm falsely, such person shall be deemed guilty of perjury, and shall be punished accordingly.

Revised Burgess Lists to be kept by the Town Clerk, &c.

16. And be it enacted, That the burgess lists so revised and signed as last aforesaid, shall be delivered by the revising Barrister to the Town Clerk and Treasurer, who shall keep the same and shall cause the said burgess lists 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 and Treasurer 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.

17. And be it enacted, That the Town Clerk and Treasurer 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 and Treasurer to the credit of the council of the borough.

Copies of the
Burgess roll
to be printed
for sale.

18. And be it enacted, That in every borough shall be elected at the time and in the manner hereinafter mentioned 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 fifteen for the Town of Port of Spain, and 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.

Mayor and
Councillors to
be elected.

19. And be it enacted, That 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

Who are not
qualified to be
Councillors or
Auditors.

or 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 the Borough of Port of Spain, and in all other 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 bona 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 Municipal 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 shall
vote in the
election for
councillors.

20. And be it enacted, That every burgess of any borough who shall be enrolled on the burgess roll for the time being of such borough shall be entitled to vote in the election of Councillors and of the Auditors hereinafter mentioned 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
the 1st
November in
every year.

21. And be it enacted, That on the first day of November in each year the Burgesses of each borough shall assemble and 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 the Borough of Port of Spain, and any other borough which may be divided into wards under this Ordinance, 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.

22. And be it enacted, That after the declaration of the first election of Councillors under this Ordinance the Mayor and the whole number of Councillors in every borough shall go out of office, and on the first day of November in each succeeding year one-third part of the whole number of Councillors shall go out of office, and in the year one thousand eight hundred and fifty-four those who shall go out of office shall be the Councillors of the borough, or of each ward where the borough shall be divided into wards, who were elected under the provisions of this Ordinance by the smallest number of votes in this present year, and in the next year one thousand eight hundred and fifty-five those who shall go out of office shall be the Councillors of the borough or of each ward where the borough shall be divided into wards, who were elected under the provisions of this Ordinance by the next smallest number of votes in this present year, the majority of the whole Council always determining when the votes for any such person shall have been equal who shall be the persons so to go out of office, and thereafter 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.

23. And be it enacted, That every election of Councillors within any borough under this Ordinance

One third part of the council to go out of office annually.

Elections to be held before Mayor and assessors.

shall be held before the Mayor and such Barrister as the Mayor of the Borough may from time to time appoint as assessor; and the voting at every such election shall commence at nine o'clock in the forenoon, and shall finally close at three o'clock in the afternoon of the same day, and shall be conducted in manner following: That is to say, every Burgess entitled to vote in the election of Councillors may vote for any number of persons not exceeding the number of Councillors then to be chosen, by delivering in person to the said Mayor and his assessor or other presiding officer as hereinafter mentioned, a voting paper containing the christian names and surnames of the persons for whom he votes with their respective places of abode and descriptions, such paper being previously signed with the name and surname of the Burgess voting, and containing the name of the ward, if any, and the street, lane or other place in which the property in respect of which he appears to be rated on the Burgess roll is situate. Provided always that in the Town of Port of Spain, and in every other town where there shall be a division into wards, the Burgesses of every such ward and none others shall separately elect from the persons qualified to be Councillors the whole number of Councillors assigned to such ward.

Auditors how
to be elected.

24. And be it enacted, That at every election of Councillors under this Ordinance, the Burgesses so assembled shall also elect from the persons qualified to be Councillors by a majority of votes two Burgesses who shall be and be called Auditors of such borough, and every such Auditor shall continue in office until the thirty-first day of October in the year following his election; and the election of such Auditors shall be in manner and form herein provided for the election of Councillors. Provided nevertheless that in every such election of Auditors no Burgess shall vote for more than one person to be an Auditor; and provided also that no Burgess shall be eligible to be or shall be elected such Auditor who shall be of the Council or the Town Clerk and Treasurer of such borough, and provided also that no such Auditor so long as he shall continue to hold such office shall be eligible as a Councillor.

Limitation of
inquiry as to
right of voter.

25. And be it enacted, That no inquiry shall be permitted at any election as to the right of any person to

vote as a Burgess except only as follows: That is to say that the Mayor or other presiding officer shall if required by any two Burgesses entitled to vote put to any voter at the time of his delivering in his voting paper, and not afterwards, the following questions or any of them, and no other:—

1st. Are you the person whose name is signed as A. B. to the voting paper now delivered in by you?

2nd. Are you the person whose name appears as A. B. in the Burgess roll now in force for this year, being registered therein in respect of property described to be situated in? (Here specify the street, &c., as described in the Burgess roll).

3rd. Have you already voted at the present election?

And no person required to answer any of the said questions shall be permitted or qualified to vote until he shall have answered the same; and if any person shall wilfully make a false answer to any of the questions aforesaid he shall be deemed guilty of a misdemeanor, and may be indicted and punished accordingly.

26. And be it enacted, That the Mayor and Assessor shall forthwith, at the close of every election, proceed to examine the voting papers so delivered as aforesaid for the purpose of ascertaining which of the several persons voted for are elected; and so many of such persons being equal to the number of persons then to be chosen as shall have the greatest number of votes shall be deemed to be elected; and in case of an equality in the number of votes for any two or more persons the Mayor and Assessor shall name from amongst those persons for whom the number of votes shall be equal, so many as shall be necessary to complete the requisite number of persons to be chosen; And the said Mayor shall cause the voting papers to be kept in the office of the Town Clerk and Treasurer during six calendar months at the least after every such election; And the Town Clerk and Treasurer shall permit any Burgess to inspect the voting papers of any year without payment of any fee; and the Town Clerk and Treasurer shall publish a list of the names of the persons so elected not later than two of the clock in the afternoon of the day next following the day of such election.

27. And be it enacted, That if the Mayor of any ^{Result of election to be declared.} _{In case of the death or in-}

ability of the Mayor, a Councillor to be chosen to preside at election.

borough shall at the time when it shall be necessary to execute the powers and duties herein provided with respect to elections, be dead, absent, or otherwise incapable of acting, the Council of such borough shall forthwith elect one of the Councillors to execute all such powers and duties in the place of the Mayor.

Manner of proceeding if any person is elected a Councillor in more than one ward.

28. And be it enacted, That 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 such Councillor 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 to be filled up by fresh election.

29. And be it enacted, That 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 of the said Council (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 hereinbefore enacted with respect to the election of Councillors and Auditors as aforesaid; 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.

Penalties on revising Barrister, Mayor, &c., refusing to comply with the provisions of this Ordinance.

30. And be it enacted, That if any revising Barrister who shall be named or appointed as aforesaid for the revision of the Burgess lists under this Ordinance, or for assisting at any election of Councillors or Auditors as hereinbefore provided, shall neglect or refuse to revise such Burgess lists, or to assist at such election as aforesaid; 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 sterling; and 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 said 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; and the said penalties hereby imposed shall be recovered with full costs of suit by any person who will sue for the same within six calendar months after the commission of such offence by action of debt in the Supreme Civil Court of this Island, 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 Treasurer of the borough to be appointed under this Ordinance for the use of the Council of the borough.

31. And be it enacted, That on the third day of ^{Election of} November in every year the Council shall elect out of ^{Mayor.} 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 such 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, such 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.

32. And be it enacted, That no person elected a ^{Councillors,} Councillor or Auditor under this Ordinance shall be ^{&c., elected} capable of acting as such (except in administering the ^{under this} Ordinance not

to act until they have made a declaration of acceptance of office and of qualification.

declaration hereinafter contained) until he shall have made and subscribed before any two or more of such Councillors, who are hereby respectively authorised 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 bona 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.

Declaration, if required, to be renewed once in every three months.

33. And be it enacted, That 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 the office of Mayor, Councillor or Auditor.

34. And be it enacted, That every person duly qualified who shall be elected to the office of Councillor or Auditor, and every Councillor who shall be selected 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 the sum 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 Civil Court of this Island, 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. Exemptions.

35. Provided always and be it enacted, That if any person holding the office of Mayor, Councillor, or Auditor for any borough under this Ordinance shall apply to take the benefit of any Ordinance for the relief of Insolvent Debtors; or shall be adjudged an insolvent, or shall compound by deed with his creditors, or shall be absent from this Island without leave of the said 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 and Treasurer, 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 applying to take the benefit of any Ordinance for the relief of Insolvent Debtors, or of his being adjudged an insolvent, or having compounded with his creditors as aforesaid shall, on obtaining his final order of protection 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

Any Mayor, Councillor or Auditor becoming insolvent, or absenting himself from the borough shall cease to hold office.

account of absence as aforesaid shall, on his return to this Island, be capable of being re-elected to such office, provided he shall then be otherwise qualified.

Penalty on persons not qualified, &c., acting as Mayor, &c.

36. And be it enacted, That if any person shall act as Mayor, Councillor, or Auditor for any borough under this Ordinance 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 will sue for the same within three calendar months after the commission of such offence by action of debt in the Supreme Civil Court of this Island, 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 served a notice in writing, personally 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

Proviso.

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 and Treasurer of the borough for the use of the said borough: Provided always 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.

37. And be it enacted, That if any person who shall have or claim to have any right to vote in any election of Councillor or Auditor of any borough under this Ordinance, shall ask or take any money or other reward by way of gift, loan, or other device, or agree or contract for any money, gift, office, employment or other reward whatsoever, to give or forbear to give his vote in any such election; or if any person by himself, or by any person employed by him, shall by any gift or reward, or by any promise or agreement or security for any gift, or reward, corrupt or procure, or offer to corrupt or procure any person to give or forbear to give his vote in any such election, such person so offending in any of the cases aforesaid shall for every such offence forfeit the sum of fifty pounds, to be recovered with full costs of suit by any one who shall sue for the same by action of debt in the Supreme Civil Court of this Island, and the money so to be recovered shall be paid and apportioned in the manner hereinbefore directed as to forfeitures to be recovered against any Mayor, Councillor or Auditor of any borough; and any person offending in any of the cases aforesaid being lawfully convicted thereof shall for ever be disabled to vote in any election of Councillors or Auditors, and shall for ever be disabled to hold, exercise, or enjoy any office or franchise to which he then shall, or at any time afterwards may be entitled as a Burgess of the borough as if such person was naturally dead.

Persons convicted of bribery, &c., liable to penalty and also disqualified from voting at any election in the borough and holding any office under said Council.

38. Provided always and be it enacted, That no person shall be made liable to any incapacity, forfeiture or penalty by this Ordinance imposed in any of the

Prosecutions to commence within six months.

cases last aforesaid, unless prosecution be commenced within six months after such incapacity, forfeiture or penalty shall be so incurred.

Mayor shall
be Justice of
the Peace.

39. And be it enacted, That 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 such Justice of the Peace during the next succeeding year after he shall cease to be such Mayor, unless disqualified as aforesaid.

Town Clerk
and Treasurer
to be ap-
pointed.

40. And be it enacted, That the Council of every borough, at the first meeting of Councillors to be elected under this Ordinance, shall appoint a fit person, not being a member of the Council, to be the Town Clerk and Treasurer of such borough, who shall hold his office during good behaviour; and the Council of every borough 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; and shall take such security for the due execution of his office by any such Town Clerk and Treasurer, or other officer, as the said Council shall think proper, and shall order to be paid to the Town Clerk and Treasurer, and to every such other officer to be employed as aforesaid, such salary or allowance as the said Council shall think reasonable; and in case of a vacancy in any such office as aforesaid by death, resignation or removal, the Council of such borough may appoint another fit person in the place of the person so making such vacancy.

Proviso as to
present Town
Clerks and
Treasurers.

41. Provided always and be it enacted, That the present Town Clerks and Treasurers of the towns of Port of Spain and San Fernando respectively, shall continue to act as Town Clerks and Treasurers of the said boroughs respectively under this Ordinance, and to execute all the duties belonging to such offices and be entitled to the same salaries as heretofore until they shall be removed from office and no longer; but it shall be lawful for the Councils of the said boroughs respectively to remove any such Town Clerk and Treasurer from office for any such misconduct as would warrant removal from any office held during good behaviour.

the said 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 said Council, to be given to or left at the last place of abode of such Town Clerk and Treasurer, 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 said Council or to such other person as aforesaid respecting the same, then and in every such case, upon complaint made on behalf of the said Council by such person as they shall authorize for that purpose, of any such refusal or wilful neglect as aforesaid, to any Justice of the Peace having jurisdiction within such 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 two Justices of the Peace having jurisdiction within such borough, and upon such officer appearing, or not being found, it shall be lawful for such Justices to hear and determine the matter in a summary manner; and if it shall appear to such Justices that any moneys remain due from such officer, such Justices may, and they are hereby authorized and required, upon non-payment thereof by warrant under their hands 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 Justices 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 Justices shall and they are 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 said Council for such moneys and shall have paid such composition in such manner as they shall appoint (which composition the said

42. And be it enacted, That all moneys received by the Town Clerk and Treasurer of any borough by virtue of this Ordinance, shall be so received for the use and benefit of the Council of the borough, and shall be accounted for by such Town Clerk and Treasurer.

Town Clerk and Treasurer to receive and account for moneys.

43. And be it enacted, That the Town Clerk and Treasurer of any borough shall pay no money on account of the Council of such borough, save only upon the order in writing of the said Council, signed by two or more Councillors.

No moneys to be paid except on order of two Councillors.

44. And be it enacted, That every Town Clerk and Treasurer of any borough or any other officer appointed under this Ordinance, shall, in books to be by every 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 such borough; and every Town Clerk and Treasurer, 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 of such borough shall direct, deliver to the said 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 such Town Clerk and Treasurer, or other officer shall, forthwith, pay all such moneys as remain in his hands to the said Town Clerk and Treasurer for the time being, or to such person as the said Council shall authorize, in writing, to receive the same; and if any such Town Clerk and Treasurer 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

Town Clerk and Treasurer to keep account of moneys received and paid by him, &c.

Mode of proceeding against Town Clerk and Treasurer for not accounting, &c.

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.

Proviso—
Remedy by
action.

45. And be it enacted, That all balances and sums of money which shall be in the hands of the Town Clerk and Treasurer of any borough on the first day of March and the first day of September in each and every year shall be paid into the Colonial Treasury on the account of the Council of the borough by the Town Clerk and Treasurer within fourteen days after each of such days respectively, and such Town Clerk and Treasurer shall produce and exhibit to the auditors to whom his accounts are submitted the receipt of the Colonial Treasurer for the sums so paid to him, and the Colonial Treasurer shall from time to time pay out, on the order of the Council of the borough, to be signed by the Mayor, such moneys as may from time to time be required for the use of the Council.

All sums of
money and
balances in
hands of the
Town Clerks
and
Treasurers to
be paid over
half-yearly to
the Colonial
Treasurer.

46. And be it enacted, That on all balances and sums of money which shall from time to time be standing to the credit of the Council of any borough in the books of the Colonial Treasury, there shall be allowed and paid from the Colonial Treasury interest at the rate of two pounds and ten shillings for every one hundred pounds, by the year.

Rate of in-
terest to be
allowed.

47. And be it enacted, That it shall be the duty of such Town Clerk and Treasurer 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

Duties of
Town Clerk
and Treasurer.

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 such Town Clerk and Treasurer 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 and Treasurer shall refuse or wilfully neglect to deliver all such books and papers as aforesaid, such Town Clerk and Treasurer 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 Civil Court of this Colony.

All acts of the Council to be decided by a majority of Councillors present—one third part of the whole number to be a quorum.

48. And be it enacted, That all acts whatsoever authorized or required by virtue of this Ordinance to be done by the Council of any borough, and all questions of any kind or nature whatsoever that may come or be proposed before the said Council shall be done and decided by the majority of the Councillors who shall or may be present at any meeting of the said Council, the whole number present at such meeting not being less than five such Councillors, 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 five such Councillors, 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 whom the Councillors then present shall have chosen to be the Chairman at that meeting, shall have a second or casting vote.

Council to have power to make rules, regulations, &c.

49. And be it enacted, that it shall be lawful for the Council of every borough to enact all such rules and regulations for the good government of such 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 said Council or of the Committees thereof as to the said Council shall seem meet, and such rules and regulations shall be legal, and shall and may be enforced on the said Councillors as if they had been enacted by the Legislature of this Colony, provided that such rules

and regulations shall not be repugnant to the laws now in force or hereafter to be in force in this Colony.

50. And be it enacted, That it shall be lawful for the Council of any borough 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 always that the acts of every such Committee shall be submitted to such Council for their approval.

Power to
appoint Com-
mittees.

51. And be it enacted, That it shall be lawful for the Council of any borough 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 levy and raise a sum not exceeding the sum of ten shillings per annum for every license to keep a dog within the limits of such borough, and to make such regulations as to them shall seem fit for the better prevention of the keeping of dogs, in respect of which no such license shall have been granted, 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 in a summary manner before any Justice of the Peace having jurisdiction within such borough; provided that no fine so to be appointed shall exceed the sum of five pounds, and that 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,

Council to
have power to
make bye-
laws.

Bye-laws to
be approved
by the
Governor.

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.

52. And be it enacted, That the Council to be elected for any borough shall, at the first meeting of the Councillors elected under this Ordinance, and so from time to time as they shall deem expedient, 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 herein-after 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 of the Peace 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 now in force, or hereafter to be in force for the good government of such borough, and such watchmen shall obey all such lawful commands as they may from time to time receive from the said Council or the Watch Committee.

53. And be it enacted, That the Watch Committee for any such borough, as aforesaid, shall and may from time to time frame 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 of by the said Council, shall and may be enforced on all such watchmen; and the said 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.

* * * * *

Sections 54 & 55 repealed by Ordinance 27 of 1875.

Watch committee to be appointed.

Watchmen to be appointed.

Watch Committee to make rules and regulations for rendering watchmen efficient.

56. And be it enacted, That 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 conviction thereof before any two Justices of the Peace having jurisdiction within the borough shall, for every such offence be liable to be imprisoned in the Royal Gaol for any period not exceeding ten days, or to be fined in any sum not exceeding forty shillings as to such Justice shall seem meet.

57. And be it enacted, That the Watch committee of every such Borough shall, at the first meeting of the said Council in the months of March, June, September and December in every year, lay before the said 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 necessaries furnished to each such 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 some newspaper printed in the said Borough, and another copy thereof certified by him to be transmitted to the Colonial Secretary.

58. And be it enacted, That it shall be lawful for the Council of any borough to erect at the expense of the borough, an alms-house for the reception of indigent persons, and to 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.

59. And be it enacted, That it shall not be lawful for the Council of any borough to grant any charitable pension, allowance or sum, for or towards the maintenance of any person or persons 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 such borough may be continued so long as the Council of such borough shall see fit, to the

Penalty on watchmen for neglect of duty.

Watch committee to make a return quarterly of the number and names of watchmen, &c.

Alms-houses may be erected.

Persons not residing within Alms-houses not to be entitled to relief. Proviso.

person or persons entitled or accustomed to have and receive the same.

Property of present Town Council to become vested in Mayor and Burgesses of Port of Spain and San Fernando respectively.

60. And be it enacted, That all the property, real and personal, dues, chattels and valuable securities belonging to the present corporate body named or known as the Town Council of Port of Spain, and the present corporate body named or known as the Town Council of San Fernando, or which the said bodies corporate are, or either of them is entitled to, and all moneys, funds, tolls, dues, charges, rents, issues, perquisites, profits, emoluments, and advantages, claims and demands whatsoever, or however payable to which the said bodies corporate are, or either of them is entitled, shall be transferred to and for ever vested in the Mayor and Burgesses of Port of Spain, and the Mayor and Burgesses of San Fernando respectively, and the Councils of such boroughs respectively shall have the direction and control of all such property dues, tolls, dues, charges, chattels, and valuable securities, and of all such moneys, funds, rents, issues, perquisites, profits, emoluments, advantages, claims and demands, and shall have the government of any asylum for the relief of indigent or infirm persons established in such borough at the expense of such boroughs, and also of the several markets for the sale of meat, fish, vegetables, grass, and other commodities in such boroughs respectively.

Councils to maintain Schools.

61. And be it enacted, That the Council of every borough shall be bound to maintain from the funds of the borough a sufficient number of primary and infant Schools within the limits of such borough for the education of persons resident within such borough, and all such Schools shall be under the supervision and direction of the Council of the borough, and shall be conducted according to such general rules as may be laid down from time to time by the Board of Education, and shall be subject to the inspection of the Inspector of Schools.

Mayor to be a member of the Board of Education.

62. And be it enacted, That the Mayor for the time being of any borough shall, during his year of office and the year next succeeding, be a member of the Board of Education.

San Fernando Wharf and the old and new lots ad-

63. And be it enacted, That the San Fernando Wharf and the old and new lots adjoining to the said wharf, and which now are vested in the Town Council of the

town of San Fernando, shall henceforth belong to and be vested in the Mayor and Burgesses of San Fernando, and the sum of four thousand and seven pounds three shillings and eleven pence sterling being the balance now due by the Town Council of San Fernando for the re-building of the wharf at San Fernando shall be a first charge on the funds of the borough of San Fernando, and shall be repaid to the Colonial Treasurer by annual payments of three hundred pounds sterling each, the first payment to be made on the thirty-first day of March next.

joining said wharf to be vested in Mayor and Burgesses of San Fernando.

64. And be it enacted, That there shall be levied and paid to the Council of the borough of San Fernando on all goods landed on or shipped from the San Fernando wharf the several dues and sums specified in the schedule marked G to this Ordinance annexed.

Duties to be levied on San Fernando wharf.

65. And be it enacted, That if any person or persons shall remove or endeavour to remove any goods or merchandize 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 merchandize, every person so offending shall, on summary conviction thereof before a Stipendiary or other Justice of the Peace on the complaint of any officer of the Council of the borough, or of any lessee or farmer, of such wharf dues forfeit and pay such sum not exceeding ten pounds sterling as to the convicting Justice shall seem fit, one moiety whereof shall be paid to the person who shall sue for the same, and the other moiety to the Treasurer of the borough for the use of the borough.

Penalty on removing goods.

66. And be it enacted, 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 that purpose to diminish the wharf dues payable on goods landed on or shipped from the San Fernando wharf, and to fix such other dues in lieu of those mentioned in the Schedule marked G to this Ordinance annexed as they shall see fit.

Power to diminish Wharf Dues at San Fernando.

* * * * *

Section 67 is repealed by Ordinance 27 of 1875.

68. And be it enacted, That it shall not be lawful for the Council of any borough to sell, mortgage, or alienate

Power of sale and leasing.

any lands, tenements, or hereditaments of such borough or any part thereof, or to demise or lease any lands, tenements, or hereditaments of such borough or any part thereof for any term exceeding thirty years from the time when such lease shall be made: Provided nevertheless, that in every case in which the said 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 said Council to represent the circumstances of the case to the Governor; and it shall be lawful for the said Council, with the approbation of the Governor authenticated under the Seal of the Government, to sell and alienate or to demise and lease any of the lands, tenements or hereditaments of such 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 said Council to make such application as aforesaid shall be published in some 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 said borough one calendar month at least before the making of such application, and the Town Clerk and Treasurer 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.

Bailiff to be appointed.

69. And be it enacted, That it shall be lawful for the said Council of any borough from time to time to 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 said 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 said Council shall allow to such bailiff such salary or other remuneration as the said Council shall think reasonable.

Power to levy house-rate.

70. And be it enacted, That the Council of every

borough shall have power to levy, and shall levy on all houses now erected or which may be hereafter erected within such borough yearly and every year, commencing on the first day of January in the year immediately succeeding the year when this Ordinance shall first come into operation, an annual rate or tax at and after the rate of five pounds in the hundred pounds, and so in proportion for every sum greater or less than one hundred pounds of the annual rent or value of every such house: Provided always that no house belonging to Her Majesty the Queen, her heirs and successors, or leased for the public service of the colony, shall be liable to the payment of such rate: and Provided also 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.

71. And be it enacted, That the word "House" so far as regards the rate to be imposed and the qualification of burgesses under this Ordinance shall be construed to extend to 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.

Construction of word "House."

72. And be it enacted, That 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 to such rate at and after the rate of five pounds in the hundred pounds of the annual value of such parcel of land, such value to be fixed by the Commissioners to be appointed under this Ordinance.

Rate on lands not appurtenant to house.

73. And be it enacted, That for the purpose of ascertaining the annual rental or value of the several houses and lands within every borough which may be subject to the payment of the said rate, and the names of the several owners or occupiers thereof, the Council of such borough 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

Commissioner of Assessment to be appointed.

such Commissioner shall have an allowance of three pounds in the hundred on the total amount of the rate assessed, or such other remuneration as the said Council shall think reasonable.

74. And be it enacted, That 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 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, month

When rate is to be ascertained.

Declaration to be made.

Form of declaration.

Penalty on making false declaration.

In cases where no declaration is made or unfair declaration made Commissioner to assess.

and date.—*I. A. B. of do hereby declare that the rent payable by (or to) me in respect of the house or land (or of the upper or lower part of the house) No. in street (or square) in the Borough of rented by me (from C. D. or let by me to E. F. as the case may be) is at the rate of per month; (and if the declaration is made by the owner he must say) and that the names of my tenants (or other occupiers of the house or land) are , and that I receive from (respective names of tenants) per month (or by the year.)*

And 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 sterling to be recovered in a summary manner on the complaint of the Town Clerk and Treasurer for the use of the borough upon conviction before any Justice of the Peace having jurisdiction within such borough.

75. And be it enacted, That 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 declar-

ation, 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 or her agent or attorney.

76. And be it enacted, That 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 or her agent or attorney, or to be left at such house or lands 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. And be it enacted, That it shall be lawful for 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 receiving such notice from such Commissioner to lodge with the Town Clerk and Treasurer 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 of the Peace, 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

Notices to be served.

Mode of proceeding in cases of objection.

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.

A "House
Rate Book"
to be kept.

78. And be it enacted, That 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 are 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. And be it enacted, That the amount of rate assessed on all houses and lands shall be paid to the Town Clerk and Treasurer of the Borough for the use of the Council of such Borough.

Rate to be a
preferential
charge.

80. And be it enacted, That 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 Her Majesty the Queen, her heirs and successors; 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.

When rate is
payable.

81. And it be enacted, That the said rate shall be payable to the Town Clerk and Treasurer of the borough on or before the first day of June in each and every year.

Defaulters to
be returned.

82. And be it enacted, That in case any person shall

make default in the payment of such rate, the Town Clerk and Treasurer shall, at the first meeting of the said Council, in the month of July in each year, lay before the council a return specifying the names of all persons in default, and the amount of all such rates respectively unpaid, and thereupon it shall be lawful for the Mayor of the borough to issue one or more warrant or warrants under his hand addressed to the bailiff of the borough appointed under this Ordinance, authorising and requiring him to distrain the goods and chattels of the person or persons by whom such rate shall be payable, or who may be in possession or occupation of the house or land or any part of the house or land in respect of which such rate shall be payable, for the amount of the rate in arrear, together with a per centage at the rate of ten per cent. on the amount of the rate mentioned in the warrant, and costs of such distress and sale.

Goods may be distrained.

83. And be it enacted, That it shall be lawful for such bailiff or his assistant or assistants appointed as aforesaid, in execution of any such warrant to distrain the goods and chattels of the person or persons mentioned in any such warrant, or of any person or persons who may be in the possession or occupation of the house or land or any part of the same in respect of which such rate shall be in arrear, and to cause such goods and chattels to be removed to some place, and to sell the same to the best bidder at public auction, at any time not less than fourteen days after such distress.

Goods and chattels of persons in arrear, may be distrained and sold.

84. And be it enacted, That the proceeds of any such distress, after deducting the costs of distress and sale, shall be forthwith paid over to the Town Clerk and Treasurer of the borough in satisfaction of the amount of the rate and per centage mentioned in the warrant, or of the amount thereof for which such goods and chattels shall have been sold, and the balance, if any, shall be paid over to the person or persons whose goods may have been so distrained as aforesaid.

Appropriation of proceeds of distress.

85. Provided always, and be it enacted, That no such warrant of distress shall be enforced for the recovery of any arrears of such rate due at any time more than three years before the time of making such distress.

Limitation warrants.

86. And be it enacted, That any goods and chattels

Any goods found on

premises may
be distrained
on.

found in or about any house in respect to which such rate may be payable, and which would be liable to be distrained for rent due to the landlord, according to the law of England may be distrained and sold for the payment of such rate and costs as is hereinbefore provided, notwithstanding that such goods may not be the property of the person or persons liable for the payment of such rate, or in the occupation or possession of such house or land, or any part thereof.

Bailiff to
return war-
rants within
a month
stating pro-
ceedings
under the
same.

87. And be it enacted, That such bailiff shall, within one month after any such warrant shall have been delivered to him, return the same to the Town Clerk and Treasurer, with a note or return written on the back of such warrant, and signed by such bailiff, stating his proceedings under such warrant, in case he has made any distress by virtue thereof, or that there are no goods and chattels on which such distress might be made, and in case such bailiff shall neglect to make such return, any such warrant within the time aforesaid, or shall make any false return thereon, he shall for every such offence forfeit and pay the sum of five pounds sterling over and above the amount of the arrears of rate and costs mentioned in such warrant, and every such penalty together with such arrears of rate shall and may be recovered from such bailiff in an action of debt in the Supreme Civil Court of this Island at the suit of the said Council of the borough, and for the use of the said Council.

Where no
sufficient
goods are
found for
satisfying dis-
tress, Mayor
to issue war-
rant for sale
of house or
land in respect
of which rate
is due, &c.

88. And be it enacted, That where no sufficient goods or chattels shall be found wherewith to satisfy any such warrant, it shall and may be lawful for the Mayor, by warrant in writing under his hand, directed to the Town Clerk and Treasurer of the borough, to make order for the sale of the house or parcel of land, in respect of which such rate shall be due, at some time to be named in such warrant, not less than two calendar months from the date of such warrant, and notice of such intended sale shall be published in the "Royal Gazette," and also by affixing a copy of such order on some conspicuous part of such house or parcel of land, at least thirty days before the day appointed for such sale, and unless the amount of such rate, together with such per centage be

paid to the Town Clerk and Treasurer before the day of such sale, the Town Clerk and Treasurer of such borough shall sell such house, or parcel of land, by public outcry, before the doors of the Town Hall of such borough to the highest bidder for the same, who shall forthwith pay down the amount of the purchase money to the Town Clerk and Treasurer of such borough, and hereafter such house or parcel of land shall become the property of the highest bidder for the same, absolutely discharged from all manner of other estates charges or incumbrances, whatsoever, save and except debts due to Her Majesty, and shall be conveyed by the said Town Clerk and Treasurer to the purchaser at the expense of such purchaser, and the balance of such purchase money, if any, after the payment of such rate and per centage and the expenses of such notices shall be paid over to the person who shall be entitled to and shall claim the same.

89. And for the better regulating the licensing of hucksters, porters, and carters plying within the limits of any borough : Be it enacted, That from and after the thirty-first day of March, the thirtieth day of June, the thirtieth day of September, or the thirty-first day of December, whichever shall first happen next after the commencement of this Ordinance, it shall not be lawful for any person within the limits of any such borough to follow the trade or business of a pedlar or travelling huckster, or as such pedlar or huckster to sell or barter, or offer to or expose for sale or barter any merchandize, goods or provisions, or any other thing whatsoever, save and except bread, vegetables, meat, milk, game, poultry, candles, confectionery, and any liquor not being a spirituous liquor, nor containing any admixture of any spirituous liquor within the limits of such borough, or for any person to keep or use any private cart for his or her use, or ply or cause to ply any cart for hire or reward within the limits aforesaid, or to ply, hire, or engage himself as a porter for hire or reward within the limits aforesaid, unless such person shall have first obtained a license from the Council of such borough, under the hand of the Town Clerk and Treasurer of such borough.

Regulation
of hucksters,
porters,
carters, &c.

Terms for which licenses shall be made, and moneys payable for the same.

90. And be it enacted, That all such licenses shall be made for a term not exceeding twelve calendar months, and there shall be paid to the Town Clerk and Treasurer of the borough for the use of the borough, in respect of such licenses such sums of money as may from time to time be fixed by the Council of such borough not exceeding the following rates, that is to say, for each license for a private cart, the sum of two pounds ten shillings for the year, and so in proportion for any space of time less than a year; and for each public cart the sum of five pounds sterling for the year, and one pound ten shillings sterling for each quarter of a year, where such license shall be taken for any time less than a year; and for each license as a pedlar or travelling huckster, or as a porter, the sum of ten shillings for each and every year, and three shillings sterling for every quarter of a year, when such license shall be taken for any time less than a year.

Penalty for forging.

91. And be it further enacted, That any person who shall forge or counterfeit, or cause or procure to be forged or counterfeited, any such license shall be guilty of felony, and being convicted thereof, shall be liable to be imprisoned with or without hard labour for any term not exceeding twelve calendar months.

Accounts of boroughs to be audited, &c.

92. And be it enacted, That the accounts of every borough with all the vouchers and papers relating thereto shall, in the months of March and September in every year, be submitted by the Town Clerk and Treasurer to the Auditors hereinbefore provided to be elected, 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 September in the year preceding the election of such Auditors to the first day of March, and from the first day of March to the first day of September 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 and Treasurer shall, at the next meeting of the said Council after such accounts shall have been so examined lay the same before the said Council and thereupon the Town Clerk and Treasurer 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 said 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.

93. And be it enacted, That the funds and moneys of ^{Appropriation of funds of the borough.} each borough subject to any debts due from the present Town Councils shall be applied towards the payment of *an annual allowance to the Mayor of the borough of the sum of three hundred pounds sterling for any borough which may be divided into wards, and of the sum of one hundred pounds sterling for any borough which may not be divided into wards,* and of the respective salaries or other remuneration of the Town Clerk and Treasurer and other officers whom the Council of such borough 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 under this Ordinance, and towards the expenses of the prosecution and punishment of offenders against the provisions of this Ordinance, and towards keeping the public Cemetery of such 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 such 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 such borough, and the payment of the expenses of poor persons admitted into any public hospital on the order of any Councillor of such borough, and towards establishing, supporting and maintaining schools within such 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

* The italicized portion of this Section is repealed by Ordinance 19 of 1858.

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 of the borough towards establishing or maintaining any public institution for the diffusion of knowledge, and generally the improvement of the borough and the benefit of the inhabitants thereof.

Notice of action to be given one month before bringing the same.

94. And be it enacted, That no action shall be maintained against any person for any thing done in the exercise of any office held by virtue of this Ordinance unless notice in writing shall have been delivered to such person, or left at his usual place of abode with some person residing therein, by the solicitor or agent of the party who intends to bring such action one calendar month before the bringing of such action, and unless such notice shall be signed by such party his solicitor or agent and shall contain the name and surname or place of abode of the party who intends to bring such action, and the cause of such action, and unless such action shall be brought within six calendar months after the cause of such action shall have occurred.

Party may tender amends.

95. And be it enacted, That it shall be lawful for any such person at any time before the bringing of such action to tender amends to the party complaining, or to his solicitor, and to plead such tender in bar to any such action together with other pleas, and if the jury shall find such amends sufficient, they shall give a verdict for the defendant: Provided always that it shall be lawful for such defendant at any time before issue joined to pay money into Court as in other actions.

96. And be it enacted, That 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.

Interpretation clause.

97. And be it enacted, That in the construction of this Ordinance the word Barrister shall apply to and include any advocate admitted to practise and actually practising in the Superior Courts of the Colony, and every word importing the singular number only shall extend and be applied to several persons, matters or things as well as one person, matter or thing, and every word importing the plural number shall extend and be

applied to one person, matter or thing as well as several persons matters and things, and every word importing the masculine gender only shall extend and be applied to a female as well as a male, and the word "person" shall extend to any body, politic or corporate, municipal or civil, aggregate or sole as well as an individual, unless in any of the cases aforesaid it be otherwise specially provided, or there be something in the subject or context repugnant to such construction.

98. And be it enacted, That this Ordinance shall commence and take effect upon and from and after the thirtieth day of August, in this present year of our Lord, one thousand eight hundred and fifty-three.

Passed in Council this nineteenth day of August, in the year of our Lord, one thousand eight hundred and fifty-three.

RICHARD D. CADIZ,

Clerk of Council.

The foregoing Ordinance was duly proclaimed in Port of Spain by me, this thirtieth day of August, in the year of our Lord, one thousand eight hundred and fifty-three.

EDWARD MURRAY,

Marshal.

SCHEDULE A.

Of the five wards into which the Town of Port of Spain is divided.

The first ward shall be called the "Market Ward," and shall comprise all the houses within a line drawn from the eastern boundary of the Town of Port of Spain, westward through the middle of Upper Prince Street, until it meets the middle of Frederick Street, thence southward through the middle of Frederick Street to the western end of the Old Jetty, thence to the eastward along the seashore, until it meets the eastern boundary of the Town of Port of Spain.

The second ward shall be called "Brunswick Ward," and shall comprise all the houses to the westward of the Market Ward, and a line drawn from the north-western angle of the Market Ward,

westward through the centre of Brunswick Square and along the middle of Lower Prince Street West, to the sea.

The third ward shall be called the "Central Ward," and shall comprise all the houses lying to the north of the Market and Brunswick Wards, until it meets a line drawn from the eastern boundary of the Town of Port of Spain through the middle of Park Street, and thence along to the sea on the west.

The fourth ward shall be called the "Eastern Ward," and shall comprise all the houses in Richmond Street North, and on the eastern side of a line drawn through the middle of First East Street, and all parts of the town lying to the east of Richmond Street North, and First East Street, and to the north of the Central Ward, and between the St. Ann's Road and the eastern boundary of the town.

The fifth ward shall be called the "Western Ward," and shall comprise all lands and houses lying to the north of the Central Ward and to the west of the Eastern Ward and New Town.

And the number of Councillors apportioned to each ward shall be three.

FORM B.

The List of Burgesses of the Borough of _____ for the year 186_____

Christian Name and Surname of each person at full length.	Nature of the 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 (Signed)	No. A. B. Town Clerk.

FORM C.

NOTICE OF CLAIM.

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, &c.

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

FORM D.

NOTICE OF OBJECTION.

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 on the Burgess List.

Dated this, &c.

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

FORM E.

LIST OF CLAIMANTS.

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

Christian Name and Surname of each claimant.	Nature of the 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 F.

LIST OF PERSONS OBJECTED TO.

The following persons have been objected to, as not being entitled to have their names retained on 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 G.

TARIFF OF WHARF DUES

To be levied and taken on the undermentioned packages, shipped or waterborne from San Fernando Wharf.

Every hogshead of sugar	One Shilling Sterling.	
” Tierce of sugar or puncheon of rum or molasses	} Sixpence	”
” Barrel or bag of sugar, cocoa, coffee, or other colonial pro- duce		} Twopence
On goods landed at the said wharf, viz. :—		
Every hogshead, puncheon, tierce and crate containing merchandize	} Sixpence	”
” Barrel or firkin containing mer- chandize		} Twopence
” Basket, jar, keg, or demijon con- taining merchandize	} One penny	
” Trunk, box, or bale containing merchandize		} Threepence
Lumber, per thousand feet	} One shilling and sixpence	
Staves, slates, bricks and hoops of all kinds, per thousand		} One shilling and sixpence
Shingles, per thousand	One shilling	
Every box of candles, not exceeding 10 lbs.	One half-penny	”
” above 10 lbs.	One penny	”
” Box of soap, not exceeding 20 lbs.	One half-penny	”
” above 20 lbs	One penny	”
” Steam engine boiler	Four shillings	”
” Sugar mill	Five shillings	”
” Sugar boiler	Two shillings	”
” Pair of wheels	One shilling	”
” Carriage	Four shillings	”
” Cart or gig	Two shillings	”
” Bundle of shooks	Twopence	”
” Pipe or butt of wine or spirituous liquors	} Two shillings	”
” Hogshead of wine or spirituous liquors		} One shilling
” Quarter cask or smaller pack- age of wine or spirituous liquors	} Sixpence	
Personal luggage excepted.		