

No. 12.—1847.

AN ORDINANCE for the appointment of a Registrar-General.

(L. S.) HARRIS.

WHEREAS, on the fifth day of February, one thousand eight hundred and fourteen, a Proclamation was made by His Excellency Sir Ralph James Woodford, the Governor and Commander-in-Chief in and over the Island of Trinidad; and on the sixth day of April, one thousand eight hundred and eighteen, a certain Order in Council was made by His Royal Highness the Prince Regent, in the name and on the behalf of His Majesty King George the Third, providing for the execution and registration of deeds, acts, or other instruments, within the Island of Trinidad; and whereas on the seventh day of September, one thousand eight hundred and thirty-eight, a certain other Order in Council was made by Her Majesty the Queen for regulating the celebration of marriages and the registration thereof within the Colonies of British Guiana, Trinidad, St. Lucia, the Cape of Good Hope, and Mauritius; and whereas on the twenty-fourth day of April, one thousand eight hundred and forty-seven, an Order was made by Her Majesty in Council, whereby it is ordered, that it shall and may be lawful for the Governor of the Island of Trinidad, by and with the advice and consent of the Legislative Council thereof, by any Ordinance or Ordinances; to be by them from time to time made and enacted, to make such provision as to them shall seem meet, for the registration of such acts, deeds, instruments and marriages, and for regulating the fees, salaries and emoluments to be received by the officers charged with the duty of such registration, anything in the said recited Orders in Council to the contrary notwithstanding. Provided always, that every such Ordinance shall be so made and enacted, that the same shall take effect in the said Island, and shall be transmitted for Her Majesty's confirmation or disallowance in such and the same manner and under and subject to all such and the same rules and regulations, as in the case of any other Ordinance or Ordinances made and enacted by the said

Governor and Legislative Council. And whereas a certain Ordinance was passed in Council on the first day of August, one thousand eight hundred and forty-five, entitled an Ordinance for improving the remedies of creditors against the property of their debtors. And whereas it is expedient that provision should be made for the appointment of a Registrar-General of the Island of Trinidad; be it enacted, by His Excellency the Governor, by and with the advice and consent of the Council of Government, That it shall be lawful for the Governor, in the name of Her Majesty the Queen, to appoint a fit and proper person to be Registrar-General of the Colony of Trinidad, and in case of the death, absence, sickness, retirement or removal of such Registrar-General, to appoint some other person in his stead.

Governor may
appoint Registrar-
General.

Registrar-
General to
hold office
during plea-
sure.

2. And be it enacted, That any person appointed Registrar-General shall hold his office during pleasure, and before entering on office shall take an oath before the Governor to the effect following:—

Oath of office.

“ I do hereby swear, that I will faithfully perform the duties of the office of Registrar-General of the Colony of Trinidad to the best of my ability.”

Salary of
Registrar-
General.

3. And be it enacted, That there shall be allowed to the person holding the office of Registrar-General, an annual salary, at the rate of five hundred pounds sterling per annum, to be paid quarterly, from the Colonial Treasury, on the warrant of the Governor.

All deeds,
&c., in the
custody of
Registrar of
Deeds to be
transferred to
Registrar-
General.

4. And be it enacted, That on the first Registrar-General to be appointed under this Ordinance entering on office, all deeds, protocols, indexes, registers of judgments, and other documents, now in the custody of the Registrar of Deeds, shall be transferred to, and placed under the custody of such Registrar-General, and all deeds to be thereafter enregistered, shall be acknowledged before, and all judgments to be thereafter recorded, shall be recorded by the Registrar-General, and such Registrar-General shall have the same powers and authorities, and shall perform and execute the same duties as are imposed on or given to the Registrar of Deeds, by the said proclamation of the fifth day of February, one thousand eight hundred and fourteen, and the said Order in

Duties of
Registrar of
Deeds to be
performed by
Registrar-
General.

Council of the sixth day of April, one thousand eight hundred and eighteen, and by the said Ordinance of the first day of August, one thousand eight hundred and forty-five.

5. And be it enacted, That the Registrar-General shall keep a registry of all births, deaths, and marriages, in this Colony, and all maps, papers and documents, heretofore under the charge of the commissary of population, shall be transferred to, and be placed and kept in the custody of the said Registrar-General.

Registrar-General to keep a registry of births, deaths, and marriages.

6. And be it enacted, That such Registrar-General shall have his office at Port of Spain, and shall be bound to attend at such office, from the hour of ten in the forenoon, to the hour of four in the afternoon of every day, Sundays, Good Friday, Christmas Day, and New Year's day, only excepted.

Place and hours of attendance.

7. And be it enacted, That for the better enabling such Registrar-General to perform the duties of his office, there shall be allowed for the payment of a clerk the sum of two hundred pounds sterling, to be paid quarterly, from the Colonial Treasury, on the certificate of such Registrar-General, to the person performing the duties of such clerk, but such clerk shall be appointed and removed by the Registrar-General at his pleasure.

Allowance for clerk.

8. And be it enacted, That in order to afford greater facilities for the making of transcripts or copies of deeds and other documents in the office of the Registrar-General, it shall be lawful for him to employ from time to time such assistants as he may see fit as copying clerks, and such copying clerks shall be remunerated by an allowance of so much, and such proportion of the fees allowed for copies as the Governor for the time being shall from time to time think fit to allow.

Copying clerks to be allowed.

9. And be it enacted, That the Registrar-General shall be entitled to demand and receive the several fees specified in the Schedule to this Ordinance annexed.

Fees to be allowed.

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Section 10 is repealed by Ordinance 10 of 1880.

11. And be it enacted, That all persons shall be permitted to have free access to, and to examine all indexes

Indexes and Deeds to be

open to public, of deeds in the office of the Registrar-General, and also on payment to inspect, examine, and take notes or extracts from any of the fees in deed on the payment of the fees allowed in the annexed the Schedule. Schedule.^a

Registrar to keep a book of all fees received by him, and to pay over the amount to Colonial Treasurer.

12. And be it enacted, That the Registrar-General shall keep at his office, a book in which he shall enter or cause to be entered, from day to day, all fees received by him, and the names of the persons from whom, and the service or duty for which such fees respectively shall have been received, and shall sign his name at the foot of each page of such book, in proof of the correctness of the same, and shall on the expiration of each month produce such book, and pay over the amount of all monies received by him to the Colonial Treasurer, for the use of the Colony, and such book shall be kept at all times in the public office, and open to the inspection of the public.

Penalty in case of neglect.

13. And be it enacted, That if any Registrar-General shall fail or neglect to keep such book, or shall make any false or untrue entry therein, or shall neglect to enter in such book the amount of any fee received by him, and the name of the person from whom the same shall have been received, and the service for which the same was paid, within twenty-four hours after the same shall have been received, such Registrar-General shall forfeit and pay the sum of one hundred pounds sterling, for every such offence, to be recovered on the information of any person who will sue for the same, whereof one moiety shall be paid to Her Majesty the Queen, for the use of the Colony, and the other moiety shall go and belong to the informer.

Commencement of Ordinance.

14. And be it enacted, That this Ordinance shall commence and take effect from and immediately after the promulgation thereof.

Passed in Council this sixteenth day of July, in the year of our Lord one thousand eight hundred and forty-seven.

THOMAS F. JOHNSTON,

Clerk of Council.