

(L. s.) FORM OF LETTERS OF ADMINISTRATION.

The Supreme Civil Court of the Island of Trinidad to A. B. of _____ the lawful nephew (or as the case may be) and one of the next of kin of C. D., late of _____

in the said Island of Trinidad, deceased, Greeting :
Whereas the said C. D. as is alleged lately died intestate, having whilst living, and at the time of his death, goods, chattels or credits in the said Island of Trinidad, We being desirous that the said goods, chattels, and credits may be well and faithfully administered, applied, and disposed of according to law, do therefore by these presents grant full power and authority to you in whose fidelity we confide, to administer and faithfully dispose of the said goods, chattels, and credits ; and to ask, demand, recover, and receive whatever debts and credits which whilst living, and at the time of his death did in any way belong to his estate, and to pay whatever debts the said deceased at the time of his death did owe, so far as such goods, chattels, and credits will therefore extend, and the law requires, you having been already sworn well and faithfully to administer the same, and to make a true and perfect inventory of all and singular the said goods, chattels, and credits, and to exhibit the same into the Registry of the said Court on or before the _____ day of _____ and also to render a just and true account thereof, on or before the _____ day of _____ which will be

in the year of our Lord _____ ; and We do by these presents ordain, depute, and constitute you administrator of all and singular the goods, chattels, and credits of the deceased. In witness whereof the Honorable G. S., Chief Justice of the said Island of Trinidad, has hereunto set his hand and caused the seal of the said Court to be hereunto affixed.

Dated at the Court House in the town of Port of Spain, in the said Island of Trinidad, this _____ day of _____ in the year of our Lord _____

G. S., *Chief Justice.*

No. 9.—1845.

AN ORDINANCE for shortening the time of Prescription in certain cases.

(L. s.) H. MACLEOD.

WHEREAS it is expedient that the laws relating to Prescription in certain cases should be amended,

and that the same should be assimilated to the laws of England in like cases: Be it therefore enacted by His Excellency the Governor in and over the Island of Trinidad and its dependencies, by and with the advice and consent of the Council of Government thereof, That when any claim shall be made to any right of common or pasture or other profit or benefit, except rent and services, or to any way or other easement or to any water-course, or the use of any water to be taken or enjoyed or derived upon, over, or from any land or water of our lady the Queen, her heirs or successors, or of any body corporate or person, and such right of common or other matter as hereinbefore mentioned shall have been actually enjoyed by any person claiming right thereto without interruption for the full period of sixteen years, the right thereto shall be deemed absolute and indefeasible, unless it shall appear that the same was enjoyed by some consent or agreement expressly given or made for that purpose by deed or writing.

Claims of right of common and other profits not to be defeated after sixteen years enjoyment, unless had by consent or agreement.

2. And be it enacted, That when the access and use of light to or for any dwelling-house, work-shop, or other building shall have been actually enjoyed therewith for the full period of eight years without interruption, the right thereto shall be deemed absolute and indefeasible, any law, custom or usage to the contrary notwithstanding, unless it shall appear that the same was enjoyed by some consent or agreement expressly given or made for that purpose by deed or writing.

Claim to the use of light enjoyed for eight years indefeasible, unless shown to have been by consent.

3. And be it enacted, That each of the respective periods of years hereinbefore mentioned shall be deemed and taken to be the period next before some suit or action wherein the claim or matter to which such period may relate shall have been or shall be brought into question, and that no act or other matter shall be deemed to be an interruption within the meaning of this Ordinance, unless the same shall have been or shall be submitted to or acquiesced in for one year after the party interrupted shall have had or shall have notice thereof and of the person making or authorizing the same to be made.

Before-mentioned periods to be deemed those next before suits for claims to which such periods relate.

4. And be it enacted, That in all actions and other pleadings it shall be sufficient to allege the enjoyment of the right in question as of right by the occupiers of the

The claimant may allege his right generally.

Exceptions or other matters to be replied specially.

tenement in respect whereof the same is claimed for and during such of the periods mentioned in this Ordinance as may be applicable to the case, and if the other party shall intend to rely on any proviso, exception, incapacity, disability, contract, agreement, or other matter hereinbefore mentioned, or any cause or matter of fact or of law not inconsistent with the simple fact of enjoyment, the same shall be specially alleged and set forth in answer to the allegation of the party claiming, and shall not be received in evidence on any general traverse or denial of such allegation.

No presumption to be allowed in support of claims herein provided for.

5. And be it enacted, That in the several cases mentioned in and provided for by this Ordinance, no presumption shall be allowed or made in favour or support of any claim upon proof of the exercise or enjoyment of the right or matter claimed for any less period of time or number of years than for such period or number mentioned in this Ordinance as may be applicable to the case and to the nature of the claim.

Proviso for infants, *feme covert*, &c.

6. Provided always and be it enacted, That the time during which any person otherwise capable of resisting any claim to any of the matters before mentioned shall have been or shall be an infant, idiot, *non compos mentis*, *feme covert*, or tenant for life, or during which any action or suit shall have been pending and which shall have been diligently prosecuted until abated by the death of any party or parties thereto, shall be excluded in the computation of the periods hereinbefore mentioned.

What time to be excluded in computing the term of sixteen years appointed by this Ordinance.

7. Provided also and be it enacted, That when any land or water upon, over, or from which any such way or other convenient water-course or use of water shall have been or shall be enjoyed or derived hath been or shall be held under or by virtue of any term of life or under any term of years exceeding three years from the granting thereof, the time of the enjoyment of any such way or other matter as herein last before mentioned during the continuance of such term shall be excluded in the computation of the said period of sixteen years in case the claim shall within three years next after the end or sooner determination of such term be resisted by any person entitled to any reversion expectant on the determination thereof.

8. And be it enacted, That from and after the commencement of this Ordinance the fifteenth and sixteenth laws of the thirty-first title of the third Partida, together with all other laws, orders of Government, and Ordinances whatsoever relating to the several matters contained in this Ordinance, so far as the same are or any part thereof is inconsistent with or repugnant to any of the provisions of this Ordinance, shall be, and the same are hereby repealed. Repeals certain Laws.

9. And be it enacted, That this Ordinance shall take effect from and after the expiration of six calendar months next after the promulgation thereof. Commencement of Ordinance.

Passed in Council the twenty-third day of April, one thousand eight hundred and forty-five.

JAMES PORTER,

Acting Clerk of Council.

No. 10.--1845.

AN ORDINANCE for the Limitation of Actions and Suits relating to Real Property.

(L. S.) H. MACLEOD.

WHEREAS it is expedient that the laws relating to the limitation of time for the bringing of actions and suits, relating to real property in this Colony, should be amended, and that the same should be made more clear and determinate. Be it therefore enacted, by his Excellency the Governor in and over the Island of Trinidad and its dependencies, by and with the advice and consent of the Council of Government thereof, That the words and expressions hereinafter mentioned which in their ordinary signification have a more confined or a different meaning, shall in this Ordinance, except where the nature of the provision or the context of the Ordinance shall exclude such construction, be interpreted as follows, that is to say, the word "land" shall extend Meaning of the words in the Ordinance.