

The foregoing Ordinance was duly proclaimed in the town of Port of Spain, on this eleventh day of November, one thousand eight hundred and forty-five.

A. CLOGSTOUN,

Marshal.

No. 36.—1845.

AN ORDINANCE for the amendment of the Law relating to Covenants and Warranties and assimilating the same to the Law of England.

(L. S.) H. MACLEOD.

WHEREAS by the law of this Colony no stranger to any covenant, action, or condition, can take any advantage or benefit of the same by any means or ways in the law, but only such as be privies thereto, and all contracts in respect of lands or goods are taken to imply much greater and more extensive warranties than would be implied in the like cases by the law of England: For remedy thereof, and for assimilating the law of this Colony in such respects to the law of England in like cases, Be it 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, and by the authority of the same, That all persons and bodies politic, being grantees or assignees to, or by any other person or persons of any lands, tenements, rents, or other hereditaments, or of any reversion or reversions of the same, and the heirs, executors, successors, and assigns of every of them shall and may have and enjoy like advantages against the lessees of any such lands, tenements, rents, or other hereditaments, their executors, administrators, and assigns, by entry for non-payment of the rent, or for doing of waste or other forfeiture, and also shall and may have and enjoy all and every such like and the same

Grantees of reversions may take advantage of conditions and covenants against the lessees of the same lands.

advantage, benefit and remedies, by action only for not performing other conditions or covenants or agreements, contained and expressed in the deeds of their several leases, demises, or grants, against all and every the said lessees and grantees, their executors, administrators, and assigns, as the said lessors or grantors themselves, or their heirs or successors, should or might have had and enjoyed.

2. And be it enacted, That all farmers, lessees, and grantees of lands, tenements, rents, and other hereditaments for term of years, life or lives, their executors, administrators and assigns, shall and may have like action, advantage, and remedy against all and every person and persons and bodies politic, their heirs, successors, and assigns, which have or shall have any gift or grant from any other person or persons of the reversion of the same lands, tenements, and other hereditaments so letten, or any parcel thereof for any condition, covenant, or agreement contained or expressed in the deed of their lease and leases, as the same lessees or any of them might and should have had against the said lessors and grantors, their heirs and successors.

Lessees may have the like remedy against the grantees of the reversions which they might have had against their grantors.

3. And be it enacted, That all privies in estate, in respect of any lands, tenements, or hereditaments, shall have and be subject to the like remedies and actions in respect of any covenant running with such lands, tenements, or other hereditaments, as privies in estate have and are subject to by the law of England in the like cases, and that where any question shall arise in any Court in this Island as to whether any covenant runs with the land or not, or whether an action on any covenant express or implied of the grantor or grantee or lessee of any lands, tenements, or other hereditaments, is or is not maintainable by or against the assignee of such lands, or by or against the assignee of such grantor, grantee or lessee, every such question shall be decided according to the law of England.

Privies in estate to have and be subject to the like actions as in the like cases by the law of England.

4. And be it enacted, That every contract in respect of any land or of any interest therein, or in respect of any goods, chattels, or other personal property, to be hereafter made or entered into, shall be taken to imply such and the same warranty as would be implied

All contracts to imply the same warranty as by the law of England.

in the like case by the law of England, and none other or more extensive warranty.

Commence-
ment of
Ordinance.

5. And be it enacted, That this Ordinance shall commence and take effect on the expiration of three calendar months next immediately after the promulgation thereof.

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

THOMAS F. JOHNSTON,
Clerk of Council.

The foregoing Ordinance was proclaimed in Port of Spain, this sixteenth day of December, one thousand eight hundred and forty-five.

A. CLOGSTOUN,
Marshal.

No. 1.—1846.

AN ORDINANCE for assimilating the Law with regard to Leases, and for the recovery of Rents and other periodical Sums of Money, to the Law of England.

(L. S.) H. MACLEOD.

Interpretation
clause.

WHEREAS it is expedient that the law with regard to leases, and for the recovery of rents and other periodical sums of money, should be assimilated to the law of England: 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, and by the authority of the same, 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