

fifth day of July and the tenth day of October in any year, which may be appointed by the said Court or any judge thereof for the sitting of such Court in Bankruptcy.

Passed in Council this seventh day of July, in the year of our Lord one thousand eight hundred and seventy-four.

A. C. ROSS,
Clerk of the Council.

No. 9.—1874.

1st August.

AN ORDINANCE for giving a further opportunity to apply for Advances of Money for the Improvement of the Town of Port-of-Spain.

(L. S.) J. SCOTT BUSHE, *Administrator.*

10th August, 1874.

Preamble.
Cites
Ordinances
Nos. 28 and
29 of 1868,
and 16 of
1873.

WHEREAS an Ordinance, Number 28 for 1868, intituled "An Ordinance for regulating the laying out of new streets, and the construction of buildings in the town of Port-of-Spain" was passed in Council on the tenth day of November, in the year of our Lord one thousand eight hundred and sixty-eight: And whereas another Ordinance, Number 29 for 1868, intituled "An Ordinance for raising moneys for the improvement of the town of Port-of-Spain" was passed in Council on the same tenth day of November, for the purpose of giving facilities to persons who might be otherwise unable to comply with the provisions of the first-mentioned Ordinance; And whereas another Ordinance, Number 16 for 1873, intituled "An Ordinance for giving a further opportunity to apply for advances of money for the improvement of the town of Port-of-Spain" was passed in Council on the sixteenth day of November, in the year of our Lord one thousand eight hundred and seventy-three, which further

extended the time, and afforded another opportunity for persons to make such application; and it was by the thirdly-mentioned Ordinance made lawful for the owner of any premises who might be desirous of obtaining an advance of moneys to apply for such advance before the first day of July in the present year, one thousand eight hundred and seventy-four: And whereas it is expedient to afford a further opportunity for making such application as aforesaid, and also to make provision for the protection of such premises against fire: Be it enacted by His Excellency the Governor, by and with the advice and consent of the Legislative Council, as follows:—

Interpretation.

1. The following titles and words shall have the meanings and designations hereby given to them, unless there is something in the tenor of this Ordinance inconsistent with such meanings or designations—that is to say;

*Interpretation
of terms.*

The title “The Ordinance Number 29 for 1868” shall mean and designate the said Ordinance Number 29 for 1868, and entitled “An Ordinance for raising moneys for the improvement of the town of Port-of-Spain” and the title “The Ordinance Number 16 for 1873” shall mean and designate the said Ordinance Number 16 for 1873, and entitled “An Ordinance for giving a further opportunity to apply for advances of money for the improvement of the town of Port-of-Spain.”

The words “owners,” “premises,” “repairs,” and “alterations,” shall have the meanings respectively assigned to them by “The Ordinance Number 29 for 1868.”

2. This Ordinance shall, in every respect, except in the matter of the special provisions herein contained, be incorporated and read as one with the said “Ordinance Number 29 for 1868,” and the “Ordinance Number 16 for 1873.”

*Ordinance to
be read with
Ordinances
29 of 1868
and 16 of
1873.*

3. It shall be lawful for the owner of any premises who may be desirous of obtaining an advance of moneys under this Ordinance, “The Ordinance Number 29 for 1868” and “The Ordinance Number 16 for 1873” at

*Applications
for loans to be
made before
1st December,
1874.*

any time before the first day of December, one thousand eight hundred and seventy-four, to apply for the same in the manner pointed out, and subject to the provisions contained in the fifth section of "The Ordinance Number 29 for 1868;" but on the lodging of every application with the Secretary of the Port-of-Spain Improvement Board, every such owner shall deposit with the said Secretary such fees as may be payable for the printing and publishing of the order mentioned, and directed to be published in and by the seventh section of the last mentioned Ordinance.

The Port-of-Spain Improvement Board to exercise the same powers which it possesses under Ordinance Number 29 for 1868.

Power of
Port-of-Spain
Improvement
Board.

4. It shall be lawful for "The Port-of-Spain Improvement Board" to make all such orders, and exercise all such powers with regard to applications for advances of moneys made after the passing of this Ordinance, as by "The Ordinance Number 29 for 1868," it is empowered to do with respect to applications for advances made under the authority of that Ordinance.

What the Superintendent of Public Works is to do.

Powers and
duties of
Superinten-
dent of Public
Works.

5. The Superintendent of Public Works shall have in respect to all applications made for advances under this Ordinance the same powers, and shall perform the same duties, as were committed to the Surveyor-General in respect to advances made under the authority of the Ordinance Number 29 for 1868.

As to the
issue of loans.

6. The moneys for the advance whereof any order shall have been made shall be issued and paid by the Receiver-General on the warrant of the Governor, to be granted on the production of the certificate of the Superintendent of Public Works in the manner and in the proportions expressed in the ninth section of "The Ordinance Number 29 for 1868."

Receiver-General to carry Moneys to be advanced to a particular Account.

Account to be
kept of all
moneys ad-
vanced and
repaid.

7. The Receiver-General shall keep a separate account of all moneys advanced under this Ordinance, and of all moneys repaid to him on account of such advances.

Premises to be Insured.

8. On the making of any final order for the advance of any moneys under this Ordinance, and "The Ordinance No. 16 for 1873," the premises in respect of which any moneys shall be advanced shall be insured against fire; and for that purpose the said Board shall order that a sufficient portion of the moneys which shall be so advanced shall be expended by the owner of such premises in effecting such insurance to such amount as the said Board shall order and direct; and such insurance shall immediately be transferred to the Receiver-General of the said island. It shall be lawful for the Receiver-General, on the warrant of the Governor, immediately after the making of any final order, to pay to the owner of the premises mentioned in such final order, such amount of money, being part of the advance in respect of which such final order is made as may be required for effecting such insurance.

Premises in respect of which advances are applied for to be first insured.

9. The insurance shall be effected in such manner that the premium payable in respect thereof shall fall due on the thirty-first day of March in each year. The receipts for all premiums shall be delivered to the Crown Solicitor, and in case the owner of the premises mentioned in the charging order shall neglect to pay the premium for the time being payable in respect of such insurance on or before the twenty-eighth day of March in any year, or on or before such day to deliver to the Crown Solicitor the receipt for such premium, it shall be lawful for the Receiver-General, on the warrant of the Governor, to pay such premium, and the amount so paid, with interest thereon at the rate of eight pounds per centum per annum, shall stand charged on the premises mentioned in such charging order.

As to the payment of premiums on insurance.

Charging Order, how made, and its effect.

10. Every charging order made in respect of money advanced after the passing of this Ordinance under the provisions thereof, and of "The Ordinance No. 29 for 1868," and of "The Ordinance No. 16 for 1873," shall be in the form given in the schedule annexed to this Ordinance; and shall be under the Seal of the

Form of charging order.

said Board, and signed by the Secretary thereof. Every such order shall charge the premises in respect whereof any advance shall be made, with the repayment of such advance and interest on the same from the date of such charging order, at the rate of eight pounds per centum per annum by twenty-four equal annual payments; and the amount of such annual payments shall be specified in such charging order.

Payments of Moneys Advanced.

Repayments
of loans.

11. Such annual payments shall be payable to the Receiver-General on the thirty-first day of March of each year, and the first of such payments shall be made on the 31st day of March, which shall first happen after the day on which the last payment in respect of such advance shall have been made from the Colonial Treasury.

Registration of Charging Order.

Charging
orders to be
registered.

12. Every such charging order shall be enregistered in the office of the Registrar-General without any fee or payment for the same, and the premises mentioned in such order shall be charged with the payment to Her Majesty of the sum mentioned in such order and interest, and such charge shall be binding and conclusive upon all persons having any estate or interest in the premises mentioned in such order, and shall have priority over all other charges whatsoever on the same premises; and it shall not be lawful for any person to question such charging order for anything whatsoever done or omitted to be done under the provisions of this Ordinance, or of the Ordinance No. 29 for 1868, or of the Ordinance No. 16 for 1873, or for any other reason whatsoever.

Return of
charging
orders to be
laid before
the Council.

13. A return of all charging orders made under the authority of this Ordinance, distinguishing the several premises charged, and the principal moneys advanced on such premises respectively, shall be laid before the Legislative Council from time to time by the Secretary of the said Board.

Supreme Civil Court in Equity to make Order for Sale of Premises in case of Default.

14. If any payment which, under any such charging order, shall be payable in respect of any premises shall be in arrear and unpaid for the space of thirty days next after the day on which the same shall be payable, or if the receipt for the payment of the premium of insurance shall not be delivered in the manner hereinbefore appointed, it shall be lawful for the Supreme Civil Court in Equity, on the petition of the Attorney-General, and on the production of a copy of such charging order, certified under the hand of the Registrar-General, and on the affidavit of the Receiver-General that such payment has not been made, or that the receipt for the premium has not been delivered, and showing the amount due in respect of the principal moneys so advanced and interest for the same, and without any notice to the owner of the premises, unless the Court shall in any case direct notice of such petition to be given to the owner, to make order for the sale of the premises mentioned in such charging order by the Registrar of the Court at such times to be mentioned in such order of the Court as the Court shall see fit, unless the payment so in arrear and unpaid, together with the interest thereon at the rate of six pounds per centum per annum from the day of such default and in the case of non-delivery of the receipt for the premium, unless such receipt be delivered to the Receiver-General, or in case the premium shall have been paid by the Receiver-General, then unless the amount so paid, with interest at the rate of eight pounds per centum per annum, and the costs of such petition, and the proceedings thereon, be in the meantime paid; and notice of every such order of the said Court shall be published in the *Royal Gazette*, and the purchase moneys to arise on every such sale, shall be paid into the said Court, and after deducting such costs, and the costs of sale shall be applied, first, in payment to the Receiver-General of what may be due for principal and interest moneys in respect of such advance, and any moneys which may have been paid for keeping the premises insured with interest aforesaid, and after payment thereof the residue, if any, shall be paid to such person as the Court may direct.

Power to
Supreme
Civil Court
to make
order for the
sale of
premises in
case of
default.

The Governor empowered to raise Money on Debentures for the purposes of this Ordinance. Mode of doing so.

Power to
Governor to
issue
debentures.

15. For the raising of the moneys required for the purposes of this Ordinance, it shall be lawful for the Governor from time to time to take up by way of loan on debentures such sum of money as he shall see fit.

Debentures to
be for £100
each.

16. Every such debenture shall be made for the sum of one hundred pounds, and shall bear interest from the day on which the same shall be dated to the day on which the same shall be redeemable.

Debentures,
with interest
thereon, to be
charged on
the general
revenue of
the Colony.
Form of
debentures.

17. All moneys to be taken up on loan on such debentures with interest on the same at the rate of six pounds for every one hundred pounds by the year, shall be charged on the general revenue of the Colony.

18. All such debentures shall be in the form given in the schedule to the "Ordinance No. 29 for 1868" annexed, and shall be numbered in regular numerical progression, beginning with the number one, and shall be signed by the Governor, and countersigned by the Colonial Secretary and the Receiver-General.

Debentures to
be issued by
Receiver-
General.

19. All such debentures shall be issued by the Receiver-General on payment of the sum of money specified therein to the person who shall become the purchaser of the same, and the Receiver-General shall insert in every such Debenture the name of the person to whom, and the day on which, the same shall be so issued.

Note of
debentures
issued to be
kept by
Receiver-
General.

20. The Receiver-General shall, in a proper book to be kept by him for that purpose, enter from time to time the distinguishing number of every such debenture so issued by him; and the day on which, and the name of the person to whom, such debenture shall be so issued.

Debentures
transferable.

21. The property in every such debenture shall be transferable by special endorsement.

Interest
payable
half-yearly.

22. The interest on such debentures shall be payable by the Receiver-General at the Colonial Treasury half-yearly, on the thirty-first day of March and the thirtieth day of September of each year.

23. One-twentieth part of such debentures shall be redeemable on the thirty-first day of March, in the year one thousand eight hundred and seventy-six, and on the same day in each year thereafter, and the particular debentures redeemable in each year shall be determined by lot in such manner as the Governor may from time to time direct; and notice of the distinguishing numbers of the debentures so redeemable shall be given in the *Royal Gazette* on or before the fifteenth day of January of the same year; and the interest on every such debenture shall cease from the day on which the same shall be so redeemable.

As to redemption of debentures.

*Return of Moneys received and paid on Debentures,
and of Debentures redeemed, to be made by
Receiver-General.*

24. The Receiver-General shall, in the month of August in each year, lay before the Legislative Council a return of all the moneys received by him by virtue of the debentures issued under this Ordinance, and of the moneys paid by way of interest on such debentures, and of the numbers and amounts of the debentures, if any, redeemed during the twelve calendar months ended on the thirtieth day of June next preceding; and also a return of all moneys received by him in respect of payments under the charging orders made, and of all moneys received from the sale of any premises which may have been sold under the provisions of this Ordinance.

Returns to be laid before Council.

Passed in Council this first day of August, in the year of our Lord one thousand eight hundred and seventy-four.

A. C. ROSS,
Clerk of the Council.

SCHEDULE.

(L. s.)
The Port-of-Spain Improvement Board, by virtue of the powers vested in the said Board by Ordinance No. 9 of 1874, entitled "An Ordinance for giving a further opportunity to apply for advances of money for the improvement of the town of Port-of-

Spain," do hereby order that the sum of _____ with interest thereon at the rate of eight pounds per centum per annum together with the annual premiums payable, or any moneys paid by the Receiver-General in pursuance of the said Ordinance, on an insurance of £ _____ effected on the said premises, be charged upon the said premises hereinafter mentioned, and that there shall be paid for, and in respect of the said premises the annual payments hereinafter mentioned for the term of twenty-four years whereof the first payment shall be made on the _____ day of _____ next ensuing the day of the date of this order.

Premises.	Total Amount.	Annual Payment.

Dated this _____ day of _____ in the year of our Lord 187
 A. B.,
 Secretary to the Port-of-Spain
 Improvement Board.

No. 10.—1874.

1st August.

AN ORDINANCE with respect to the Petty Civil Court in Port-of-Spain.

(L.S.) J. SCOTT BUSHE, *Administrator*.
 10th August, 1874.

WHEREAS the office of Commissioner of the Petty Civil Court of Port-of-Spain has become vacant, and it is expedient that the jurisdiction given by the Ordinance No. 16 of 1851, entitled "An Ordinance for the establishing of Petty Civil Courts," shall vest in His Honour Horace FitzGerald, the first Puisne Judge of the Supreme Civil Court of this Island: Be it enacted by His Excellency the Governor, by and with the advice and consent of the Legislative Council, as follows:—