

No. 17.--1882.

AN ORDINANCE to amend the law enabling Joseph Brown Payne to lay down and maintain Tramways in Port-of-Spain.

(L.S.) S. FREELING, *Governor*.

5th December, 1882.

BE it enacted by His Excellency the Governor, with the advice and consent of the Legislative Council, as follows:—

1. This Ordinance may be cited for all purposes as "The Supplemental Port-of-Spain Tramways Ordinance, 1882," and shall be construed as one with "The Port-of-Spain Tramways Ordinance, 1882," in this Ordinance called "The Principal Ordinance," and referred to by that title. Short title and construction.

2. In case the said Joseph Brown Payne shall at any time make default in maintaining, keeping in good condition or repairing at his own expense so much of any street or road whereon any of "The Tramways" is laid, as is specified in the 15th Section of "The Principal Ordinance," and with such materials and in such manner as are therein prescribed, the Road Authority, if he thinks fit, may himself, after seven days notice to the said Joseph Brown Payne, do all things that are necessary for maintaining and keeping in good condition and repairing so much of any such street or road as aforesaid: and the costs and expenses incurred by the Road Authority in doing any of such things shall be paid by the said Joseph Brown Payne to the Road Authority on demand. Power to Road Authority to repair streets on which tramway is laid in case of default by J. B. Payne.

3. The Road Authority on the one hand, and the said Joseph Brown Payne on the other hand, may from time to time enter into and carry into effect, and from time to time alter, renew or vary contracts, agreements or arrangements with respect to the paving and keeping Alteration or renewal of contracts for paving, &c.

in repair of the whole or any portion of any street or road on which any of "The Tramways" is constructed; and the portion of expense to be borne by the Road Authority and the said Joseph Brown Payne shall be fixed by the Governor, and his decision in the matter shall be conclusive.

Consent of Governor to be obtained for selling concession, &c.

4. None of the powers given to the said Joseph Brown Payne by the 19th, 20th and 21st sections of "The Principal Ordinance" respectively:—

To sell the concession or undertaking;

To lease the undertaking; and

To farm or let the traffic on the whole or any portion of "The Tramways;"

shall be exercised without the previous consent of the Governor.

Power to Governor to appoint commission to enquire into ability of J. B. Payne to carry on undertaking, and to determine concession.

5. Besides the forfeiture incurred under section 4 of "The Principal Ordinance" for non-completion of the "The Tramways," if at any time after the opening of the Tramways for traffic, it shall be made to appear to the Director of Public Works that the said Joseph Brown Payne cannot carry on the undertaking, or is unable to maintain the same with advantage to the Public; and such Director of Public Works shall make a Report to that effect to the Governor and Legislative Council, the Legislative Council may by Resolution determine that an inquiry be made into the truth of the Report so made, and for such enquiry the Governor shall issue a Commission to such persons as he may think proper.

If on such enquiry the Commissioners find that the inability to carry on and maintain the undertaking in working order by the said Joseph Brown Payne arises from his insolvency, the Governor on such finding of the Commissioners certified under their hands may by order rescind all the powers conceded to the said Joseph Brown Payne by "The Principal Ordinance." Such order shall take effect at the expiration of six months from the time of its being served on the said Joseph Brown Payne, and all the powers given to the said Joseph Brown Payne and all concessions made in respect

to the said undertaking shall thereupon immediately cease and determine.

Passed in Council this First day of December, in the year of Our Lord One thousand eight hundred and eighty-two.

A. C. ROSS,

Clerk of the Council.
