

used with the same with the distinguishing number ( ) and I do hereby allow the use of the said Weighing Machine and the said Weights. The Weights are (*state the number of weights and the amount of each.*)

Dated this            day of            186

H. G. B., Inspector.

## SCHEDULE II.

*Fees to be allowed to and taken by the Inspector of Weights and Measures.*

	£	s.	d.
For adjusting and regulating any Weighing Machine, including the cost of closing the aperture to the Balance Ball, and the aperture to the Iron Ballast Plate . . . . .	0	10	6
For stamping or marking each Weight to be used with such Machine . . . . .	0	2	0
For every Certificate . . . . .	0	2	6

## No. 10.—1864.

*2nd May.*

AN ORDINANCE to empower the Mayor and Burgesses of the Borough of San Fernando to lay down a tramroad from the Ciperó Tramroad to the San Fernando Wharf.

ROB. W. KEATE.

**W**HEREAS the Mayor and Burgesses of San Fernando have by their petition to the Governor and Legislative Council prayed that they may be empowered to take up by way of loan on debentures the sum of fifteen thousand pounds to be applied (after repaying a sum of one thousand and seven pounds three shillings and eleven pence now due to Her Majesty for the rebuilding of the San Fernando Wharf) to the formation of a tramroad from the Ciperó Tramroad at the terminus thereof on the lands of the Plantation Les Efforts to the San Fernando Wharf: And whereas a map or diagram drawn by Sylvester Devenish, Esquire, a sworn surveyor, has been deposited with the Keeper of

Preamble.

Maps and Surveys, by which map or diagram the line of the proposed tramroad and of a proposed branch thereof, and the lands through which such tramroad and such branch will pass are shewn: And whereas the Mayor and Burgesses of San Fernando have entered into a provisional arrangement with Francis Burke, Esquire, the owner of the Plantation Paradise for the purchase at the price of ten thousand dollars of twenty-five acres, two roods, and twelve perches of land parcel of the said Plantation Paradise, through which the line of the proposed tramroad will pass: And whereas the said sum of fifteen thousand pounds may be obtained at a lower rate of interest, if the repayment of the said sum and interest be secured on the public revenues of the Colony: Be it enacted by His Excellency the Governor with the advice and consent of the Legislative Council as follows:

The sum of £15,000 may be raised on debentures.

1. It shall be lawful for His Excellency the Governor to take up from time to time by way of loan on debentures such sums of money as may from time to time be required for the purposes of this Ordinance not exceeding in the whole the sum of fifteen thousand pounds.

Interest to be at the rate of six per cent.

2. All moneys to be taken up on loan under the authority of this Ordinance with interest on the same at the rate of six pounds for every one hundred pounds by the year shall be charged upon the general revenues of the Colony.

Debentures to be for £100 each.

3. Every debenture to be issued under the provisions of this Ordinance 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 to be numbered and signed.

4. All such debentures shall be in the form given in the first schedule to this Ordinance, 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 on payment of sum specified therein.

5. All such debentures shall be issued by the Receiver General on payment of the sum of money specified therein to the persons who shall become the

purchasers 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.

6. 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 issued. Particulars of debentures to be entered in a book.

7. The property in every such debenture shall be transferable by special endorsement only. Debentures transferable.

8. 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. Interest payable half-yearly.

9. Of the debentures to be issued under this Ordinance debentures to the amount of six hundred pounds shall be redeemable on the thirty-first day of March in the year one thousand eight hundred and sixty-seven, 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 year, and the interest on every such debenture shall cease from the day on which the same shall be so redeemable. £600 of debentures to be redeemed annually.

10. The moneys to be raised under the authority of this Ordinance (after deducting therefrom and repaying the sum due to Her Majesty by the Mayor and Burgesses of San Fernando for the rebuilding of the San Fernando Wharf) shall be held by the Receiver General for the use of the Mayor and Burgesses of San Fernando to be by them applied to the purposes of this Ordinance, and shall be paid out in such sums as the Governor may by warrant under his hand from time to time direct upon the receipt in writing of the Mayor and two other members for the time being of the Council of the Borough of San Fernando. Moneys raised to be issued to borough council of San Fernando for the purposes of this Ordinance,

Tramroad to be laid down from the Ciperro tramroad to the San Fernando wharf.

11. It shall be lawful for the Council of the Borough of San Fernando and they are hereby empowered and directed to lay down a tramroad in connection with the Ciperro Tramroad from the terminus thereof on the lands of the Plantation Les Efforts upon and through the lands of the Plantation Les Efforts and thence in to upon and through the lands of the said Plantation Paradise, and thence in to upon and through the several parcels of land mentioned in the second schedule to this Ordinance unto a terminus on the San Fernando Wharf with a branch tramroad diverging from the main tramroad at or near the point in High Street of the town of San Fernando designated in the said map or diagram by the letter C in to upon and through the several parcels of land mentioned in the third schedule to this Ordinance unto the said terminus on the San Fernando Wharf.

Persons authorised by the borough council of San Fernando may enter upon and take lands for the tramroad.

12. It shall be lawful for the Mayor and Burgesses of the Borough of San Fernando, and for all persons authorised by the Council of the said Borough by writing signed by the Mayor and Town Clerk of the said borough with all necessary and proper workmen and other servants to enter upon any lands not being more than thirty feet from the line designated in the said map or diagram as the line of the proposed tramroad or the proposed branch tramroad, and to set out and take for the purposes of such tramroad or branch tramroad any part of such lands not being more than thirty feet in breadth and the land so taken shall thereupon become and be vested in the Mayor and Burgesses of San Fernando.

Borough council may enter into agreements as to compensation.

13. It shall be lawful for the Council of the said Borough to agree with the owner and also with any person having any estate or interest in or charge upon any lands which may be taken under the authority of this Ordinance as to the amount of compensation in money to be paid to such owner or other person for the value of any lands which may be so taken, and to pay the amount of such compensation as may be so agreed on, from the moneys to be raised under this Ordinance.

14. If any owner of any lands or any other person having any estate or interest in or charge upon such lands or any part thereof shall refuse to accept such compensation as may be offered to him, or if no such offer for compensation shall be made to such owner or other person as aforesaid within thirty days after such lands shall have been entered upon the amount of compensation to be paid to such owner or other person as aforesaid shall be settled by a jury, and for such purpose it shall be lawful for the Supreme Civil Court or any judge thereof on the application of such owner or other person as aforesaid, and on notice being first given by or on the behalf of such owner or other person as aforesaid to the Town Clerk of the borough of San Fernando, and in which notice such owner or other person as aforesaid shall state the sum which he is willing to accept as such compensation to make order that the amount of compensation shall be inquired of and assessed by a jury before a judge of the Supreme Civil Court at any sittings for the Trial of Issues to be held not earlier than fourteen days after the time of such order being made, and thereupon a writ shall issue to the marshal requiring him to summon a jury for that purpose.

In case of refusal of or neglect to make compensation, jury to assess the same before the Supreme Court.

15. The marshal shall summon a jury of not less than twenty-four indifferent persons duly qualified to act as jurors, and out of the jurors appearing on such summons a jury of twelve persons shall be drawn by the Registrar in such manner as juries for trial of issues are by law required to be drawn, and if a sufficient number of jurymen do not appear in obedience to such summons the marshal shall return other indifferent men duly qualified as aforesaid of the bystanders or others that can speedily be procured to make up the jury, and all parties may have their lawful challenge against any of the jurymen.

Marshal to summon jury.

16. On such inquiry the party claiming compensation shall be deemed the plaintiff, and the Mayor and Burgesses of San Fernando shall be deemed the defendants, and either party shall have power to subpoena any person as a witness, and to enforce the attendance of such witness, and any witness failing to attend with-

Plaintiff and defendant may subpoena witnesses.

out sufficient excuse, or who shall appear, but refuse to be examined or to give evidence touching the subject-matter in question, shall be proceeded against in the same manner as any other person failing to attend or refusing to be examined or to give evidence as a witness on the trial of any issue in the Supreme Civil Court.

Jury to be sworn.

17. Before the jury proceed to enquire of the compensation in respect of which their verdict is to be given they shall make oath, or affirmation in those cases where an affirmation is admitted in lieu of an oath, that they will truly and faithfully inquire of and assess such compensation, and on such inquiry the judge before whom such inquiry shall be had, may if he shall see fit on the request of either party order the jury or any six or more of them to view the land for the use of which such compensation shall be claimed in like manner as views may be had on the trial of an action in the Supreme Civil Court.

Costs to be paid by or allowed to the owner of land, according to verdict.

18. Where the verdict of the jury shall be given for a sum not exceeding the sum if any previously offered as compensation to such owner or other person as aforesaid, all the costs of such inquiry shall be borne by such owner or other person as aforesaid, and shall be deducted from and out of the compensation assessed by the jury; but if the verdict of the jury be given for a greater sum than the sum previously offered as compensation, or if no compensation shall have been previously offered the costs of such inquiry shall be allowed to such owner or other person as aforesaid.

Costs to be settled by the Court.

19. The costs of any inquiry under this Ordinance shall be settled by a judge of the Supreme Civil Court, and such costs shall include all reasonable costs, charges and expenses incurred in obtaining the order for inquiry, the summoning, impanelling and returning of the jury, the attendance of the witnesses, the fees of counsel and solicitors, and recording the judgment thereon or otherwise incidental to such inquiry.

Registrar of the Court to sign judgment for compensation and costs.

20. The Registrar of the Supreme Civil Court shall sign judgment, which judgment shall be for the amount of compensation assessed by the jury, together with the costs, if any, allowed to such owner or other person as

aforesaid, or for the amount of such compensation after deducting the costs if any payable by such owner or other person as aforesaid, or if the costs allowed to the Mayor and Burgesses shall exceed such compensation, then for the amount of excess of such costs, and shall keep such judgment among the records of the Supreme Civil Court.

21. The amount of any such judgment against the Mayor and Burgesses of San Fernando shall be paid out of the moneys standing to the credit of such Mayor and Burgesses, or out of the tolls to be received in respect of such tramroad under this Ordinance; and the Mayor and Burgesses shall be authorised to retain out of such moneys or tolls all costs and expenses incurred by any such Mayor and Burgesses in defending any such action or otherwise in the execution of their duties under this Ordinance.

Judgments against borough council to be met out of the moneys at their credit, or out of tolls.

22. No claim for compensation shall be admitted or entertained unless the same shall be made within one year next after the Mayor and Burgesses shall have first entered on the lands in respect whereof such compensation shall be claimed.

No claim to be admitted after one year.

23. If any question shall arise as to the title of the owner of any lands taken for the purpose of this Ordinance it shall be lawful for the mayor and burgesses to deposit the compensation payable in respect of such lands in the name and with the privity of the Registrar of the Supreme Civil Court with the Receiver General to be placed to the credit of the parties interested in such lands (describing them so far as such Mayor and Burgesses can do) subject to the control and disposition of the Supreme Civil Court in Equity.

In cases of disputed title moneys to be deposited in the the treasury in the name of the Registrar of the Court.

24. Upon the application by petition of any party making claim to the money so deposited as last aforesaid or any part thereof, or to the lands in respect whereof the same shall have been so deposited, or any part of such lands, or any interest in or charge upon the same, the said Supreme Civil Court may, in a summary way and after such notice as to the Court shall seem fit, and to such person or persons as the Court shall direct, order distribution of such moneys according to the respective

Moneys so deposited to be paid on the order of the Supreme Court.

Estates, Titles, or Interests of the parties making claim to such money or lands or any part thereof, and may make such other order in the premises as to such Court shall seem fit.

Actual possessors to be deemed owners unless otherwise shown.

25. If any question shall arise respecting the title to the lands in respect whereof such moneys shall have been so deposited as aforesaid, the parties respectively in possession of such lands, as being the owners thereof, or in respect of the rents of such lands, as being entitled thereto at the time of such lands being taken shall be deemed to have been lawfully entitled to such lands until the contrary be shewn to the satisfaction of the said Court; and unless the contrary be shewn as aforesaid the parties so in possession and all parties claiming under them, or consistently with their possession, shall be deemed entitled to the money so deposited, and the same shall be paid and applied accordingly.

Costs attending depositing, &c., of moneys to be paid by borough council.

26. In all cases of moneys deposited under this Ordinance it shall be lawful for the Supreme Civil Court, if they shall see fit, to order all costs attending the depositing of such moneys, and the orders for the distribution and payment or investment of such moneys and of all proceedings relating thereto, except such as are occasioned by litigation between adverse claimants, to be paid by the Mayor and Burgesses.

Borough Council may carry out agreement for the purchase of certain land of the plantation Paradise; such land to become part of the borough.

27. It shall be lawful for the Council of the Borough of San Fernando to carry out the agreement made with the said Francis Burke for the purchase of the twenty-five acres two roods and twelve perches of land, parcel of the lands of the Plantation Paradise, and on the same lands being conveyed to the Mayor and Burgesses of San Fernando to pay the purchase money thereof out of the moneys raised under the authority of this Ordinance, and the said lands when so purchased shall be included in and form part of the Borough of San Fernando in the same manner as if the same had been included within the limits of the said Borough ascertained by the Ordinance No. 10, of 1853, entitled "An Ordinance for the regulation of Municipal Corporations in this Island."

Street and building lots to be laid out

28. The Council of the Borough of San Fernando shall cause to be laid down upon and through the lands

of the Plantation Paradise to be purchased under the authority of this Ordinance, a street of not less than sixty feet in width, with side ways for foot passengers on each side thereof of not less than eight feet in width through the middle of which street the said tramroad shall run, and shall cause the lands abutting on either side of such street to be laid out in building lots of a frontage of fifty feet.

on the purchased land.

29. It shall be lawful for the Mayor and Burgesses of the said Borough, by Deed under their Common Seal, to sell the lots to be so laid out for such sums of money payable at such times, or to lease the same for such term of years, reserving such yearly rent as the Council of the said Borough may see fit, and the Governor may, by writing under his hand approve: Provided always that in every such Deed of Sale or Lease shall be inserted a Covenant whereby the purchaser or lessee of any such lot of land, or those claiming under them, shall be bound not to erect any house or other building which shall not be in conformity with the rules and regulations to be made by the Council of the said Borough, and to be approved by the Governor for regulating buildings to be erected on such lots of land.

Building lots to be sold or leased.

30. The Council of the Borough of San Fernando shall lay down and maintain a sufficient bridge of not less than twenty-four feet in width for the passage of carriages and foot-passengers over and across the said tramroad at some convenient place between the Roman Catholic Church and the Police Station so as to connect the lands of Harris Promenade which may be intersected by the said tramroad.

Bridge to be built at Harris Promenade.

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*Sections 31 to 38 both inclusive are repealed by Ordinance 24 of 1878.*

39. Any person who shall wilfully do or cause to be done any thing in such manner as to obstruct any carriage using any tramway or to endanger the safety of persons conveyed in or upon the same, or shall aid or assist therein, shall be guilty of a misdemeanor, and being convicted thereof shall be liable at the discretion

Penalty for obstructing tramroad.

of the Court before which he shall have been convicted to be imprisoned, with or without hard labour, for any term not exceeding two years.

Penalty for obstructing officers, &c., or trespassing upon tramroad.

40. If any person wilfully obstruct or impede any officer or agent of such tramroad in the execution of his duty upon such tramroad, or upon or in any of the stations or other works connected therewith, or if any person shall wilfully trespass upon such tramroad, or any of the stations or other works connected therewith, and shall refuse to quit the same upon request to him made by any officer or agent of the said tramroad, every such person so offending and all others aiding or assisting therein, shall and may be seized and detained by any such officer or agent or any person whom he may call to his assistance until such offender can be conveniently taken before some Justice of the Peace for the county or place wherein such offence shall be committed, and when convicted before such Justice as aforesaid (who is hereby authorised and required upon complaint to him upon oath to take cognizance thereof and to act summarily in the premises) shall, in the discretion of such Justice, forfeit to Her Majesty any sum not exceeding five pounds, and in default of payment thereof shall or may be imprisoned for any term not exceeding two calendar months, such imprisonment to be determined on payment of the amount of the penalty.

Passed in Council this second day of May, in the year of Our Lord one thousand eight hundred and sixty-four.

R. LECHMERE GUPPY,

*Clerk of Council.*

SCHEDULE I.

GOVERNMENT OF TRINIDAD.

£100. SAN FERNANDO TRAMROAD DEBENTURES.  
No.

This Debenture issued this            day of            in the year of Our Lord, one thousand eight hundred sixty-            to            entitles the Holder to be paid at the Office of the Receiver General the sum of One hundred Pounds under the terms of the Ordinance No. 10 of 1864, entitled "An Ordinance to empower the Mayor and Burgesses of the Borough of San Fernando to lay down a Tramroad from the Ciperó Tramroad to the San Fernando Wharf,"

with interest on the same at the rate of six per centum per annum from the date hereof; such interest to be paid half-yearly on the thirty-first day of March and the thirtieth day of September in each year at the office of the Receiver General for which payment of principal and interest the General Revenue of the Colony stands charged.

Witness my hand

Governor.

Colonial Secretary  
Receiver General.

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### SCHEDULE II.

*Shewing the several parcels of Land and Streets through which the proposed main line of the San Fernando and Cipero Tramroad will pass.*

*In the Borough of San Fernando :*

Lands of Her Majesty the Queen, designated in the plan as Crown Land, lying between the Plantation Paradise and Harris Promenade.

Lands of the Mayor and Burgesses of San Fernando called Harris Promenade.

Lands of Her Majesty the Queen, lying on the north side of Harris Promenade.

High Street.

Queen Street.

Public Wharf.

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### SCHEDULE III.

*Shewing the parcels of Land and Streets through which the proposed Branch of the San Fernando and Cipero Tramroad will pass.*

*In the Borough of San Fernando :*

Lands of Her Majesty the Queen, lying to the north of Harris Promenade.

Lands adjoining the Church of St. Paul's, vested in the Bishop of Barbados for Ecclesiastical purposes.

High Street.

Cuenca Street.

Lands in the possession of James Nankin.

„ of Toussaint Felix.

„ of Julie Canegre.

„ of Juan Pedro Dabrio.

„ of Agnes Telesford.

„ of James Boyle.

„ of Marimootoo (otherwise Jean Marie).

„ lying between Cuenca Street and a Ravine.

„ in the possession of Marie Duberry.

Lands of Albert Samuel.  
 „ of Rose Thatcher.  
 „ of Eustache Armand.  
 „ of Marianne Walton.  
 „ of Augustine Thoulouis.  
 „ of Marie Evarice Martin.

The Grass Market,  
 King Street.

Lands of Her Majesty the Queen, lying on the north side of  
 San Fernando Wharf.  
 San Fernando Wharf.

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## No. 12.—1864.

*19th July.*

AN ORDINANCE for registering the Presbytery of Diego Martin as a Place in which Marriages may be solemnized, and for confirming certain Marriages already celebrated therein.

ROB. W. KEATE.

**W**HEREAS for some time previously to the passing of the Ordinance passed in Council on the first day of August, one thousand eight hundred and sixty-three, entitled “An Ordinance to amend the Law with regard to the Solemnization and Registration of Marriages,” the Roman Catholic Church at Diego Martin, mentioned in the Schedule A to the said Ordinance, had been disused for public Christian worship, but by inadvertence the said Roman Catholic Church was mentioned in the said schedule instead of the building known as the Presbytery, and standing on the lands formerly called Reunion, and in which at the time of the passing of the said Ordinance public Christian worship was celebrated: And whereas since the passing of the said Ordinance of the first day of August divers marriages have been solemnized in the said building known as the Presbytery; And whereas it is necessary that provision should be made for the registration of the said building as a temporary place for the solemnization of marriages;