

## No. 29.—1867.

21st October.

## AN ORDINANCE for the appointment of Bailiffs.

(L.S.) ARTHUR GORDON.

Preamble.  
Cites ordi-  
nance 6 of  
1855 and 10  
of 1859.

**W**HEREAS it is expedient to repeal an Ordinance passed in Council on the first day of March in the year of our Lord one thousand eight hundred and fifty-five entitled "An Ordinance for the appointment of Bailiffs for the several Petty Civil Courts of the Colony:" and an Ordinance passed in Council on the first day of March in the year of our Lord one thousand eight hundred and fifty-nine entitled "An Ordinance to authorize the payment of salaries to the Bailiffs of the Petty Civil Courts:" and to amend and consolidate the provisions thereof: Be it enacted by His Excellency the Governor with the advice and consent of the Legislative Council as follows:

Repeals cited  
ordinances.

1. The said Ordinances are hereby repealed, excepting so far as regards the appointment of any Bailiff, or any bond given by any Bailiff or his sureties, or any summons or writ of execution already issued, all which appointments and bonds shall be of the like force, and all which summonses and writs of execution shall be served and executed in the same manner as if this Ordinance had not been passed.

Summonses to  
be served by  
the marshal in  
Port of Spain.

2. All summonses and writs of execution to be issued by the Commissioner of the Petty Civil Court of Port of Spain, shall be served and executed by the Marshal of the Island, or any of his assistants.

Bailiffs to be  
appointed for  
other dis-  
tricts.

3. It shall be lawful for the Governor to appoint Bailiffs for the service of other Petty Civil Courts, and to assign to every such Bailiff the district or districts for which he shall act, and to remove every such Bailiff from his office.

Salaries to be  
allowed to  
bailiffs.

4. To every such Bailiff there shall be allowed such salary as the Governor may see fit not exceeding two hundred pounds by the year.

Bailiffs to give  
security.

5. Every Bailiff unless he be a non-commissioned officer or constable of the police force, shall, before

entering on the duties of his office, give security by bond to Her Majesty the Queen, himself in the sum of fifty pounds with two or more sufficient sureties to be approved by the Stipendiary Justice of the district in the like sum of fifty pounds in the whole for the due and faithful accounting by such Bailiff for all moneys received by him.

6. The return to any summons or writ of execution endorsed on the same by the Marshal or his assistant, or the Bailiff to whom the same shall have been delivered shall specify the day, place and mode of service and every such return shall be taken as *prima facie* evidence of the truth of the facts stated therein.

Return of service of summons or writ to be made.

7. In lieu of the fees specified in the schedule of the Ordinance of the first day of August in the year of our Lord one thousand eight hundred and fifty-one entitled "An Ordinance for the establishing of Petty Civil Courts," there shall be allowed and taken the several fees mentioned in the schedule to this Ordinance, and a table of such fees signed by the Commissioner of the Petty Civil Court or by the Stipendiary Justice shall be exposed to public view in every place where any such Petty Civil Court shall be held.

Fees to be taken. Table thereof to be exhibited.

8. In case it shall be made to appear to the Commissioner of the Petty Civil Court of the County of Victoria with the town of San Fernando or to any Stipendiary Justice that any Bailiff has wilfully made any false return to any summons or writ of execution delivered for service or addressed to such Bailiff, or has been guilty of any fraudulent or improper conduct, it shall be lawful for such Commissioner or Stipendiary Justice by order to be made by him in open court after hearing such Bailiff to suspend such Bailiff until the pleasure of the Governor shall be known.

Bailiff may be suspended in case of misconduct.

9. All fees payable to Bailiffs under this Ordinance shall be paid to the Commissioner of the Petty Civil Court of the County of Victoria with the town of San Fernando, or to the Stipendiary Justice of the district, and shall be accounted for and paid over by such Commissioner or Stipendiary Justice to the Receiver General of the Colony.

Fees to be paid into Colonial Treasury.

10. The salaries paid to such Bailiffs or Police Con-

Salaries to be charged to

administra-  
tion of  
justice.

stables appointed to act as Bailiffs shall be charged in the accounts of the Receiver General under the head of Administration of Justice.

Passed in Council this twenty-first day of October in the year of our Lord one thousand eight hundred and sixty-seven.

R. LECHMERE GUPPY,

*Clerk of the Council.*

A.—TABLE OF FEES.

	£	s.	d.
To the Commissioner or Stipendiary Justice of the Peace—			
On the entry of every Plaintiff . . . . .	0	1	0
For every Conveyance of Land . . . . .	0	5	0
To the Marshal and Bailiffs—			
For every Summons . . . . .	0	1	0
For every Subpcena to any Witness . . . . .	0	1	0
For every Summons to show cause . . . . .	0	1	0
For every Writ of Execution . . . . .	0	5	0
Fees of Solicitors—			
On any Plaintiff where the sum recovered shall not exceed £2 10s. . . . .	0	5	0
Where the sum recovered shall exceed £2. 10s. but not exceed £5 . . . . .	0	7	6
Where the sum recovered shall exceed £5 . . . . .	0	10	0

No. 33.—1867.

*30th December.*

AN ORDINANCE for rendering Copies of Deeds Certified by the Chief Clerk of the Registrar General admissible in evidence.

(L.S.) ARTHUR GORDON,

**B**E it enacted by His Excellency the Governor with the advice and consent of the Legislative Council as follows:—