

TRINIDAD AND TOBAGO.

No. 27—1925.

I ASSENT,

[L.S.]

H. A. BYATT,
Governor.

18th June, 1925.

AN ORDINANCE to amend the Wills and Probate
Ordinance, 1921.

[18th June, 1925.]

BE it enacted by the Governor of Trinidad and Tobago
with the advice and consent of the Legislative Council
thereof as follows:—

1. This Ordinance may be cited as the Wills and Probate Short title.
(Amendment) Ordinance, 1925, and shall be read as one Construction.
with the Wills and Probate Ordinance, 1921, hereinafter (18-1921)
called the Principal Ordinance.

2. Section 100 of the Principal Ordinance is hereby
repealed, and in lieu thereof shall be read the following:—

100.—(1) The will of any person, whether dying before Unproved will
or after the commencement of this Ordinance, shall not to be
not, after the commencement of this Ordinance, be registered.
registered as a document of title affecting land or

[Price 2d.]

be entered as affecting such land in the register of land under the Real Property Ordinance, No. 60, until probate of the same has been granted. All original wills that shall be proved after such commencement shall be deposited in the Registry of the Court and not with the Registrar-General. But a certified copy of every will proved, and of every administration granted, shall, immediately on probate or administration with such will annexed being granted, be sealed with the seal of the Court and transmitted to the Registrar-General, and be registered in the manner hereinafter provided in the protocol of wills in the office of the Registrar-General, and, in the case of any land under the Real Property Ordinance, No. 60, being affected thereby, shall be duly entered on the register of land under that Ordinance.

Registrar to
number
certified copies
and to annex
certificate.

- (2) The Registrar-General shall number every certified copy as aforesaid which shall be registered in each year according to the order of time in which the same shall be delivered to him for registration, beginning with the number one and proceeding in a regular numerical series, and shall, at the time when any such certified copy shall be delivered to him, endorse upon and annex to such copy a certificate, according to the Form in the Schedule to this Ordinance, under his hand, stating the name of the person by whom, and the day and time when, such certified copy shall have been delivered to him for registration, the number of pages on which such certified copy shall be written, and the distinguishing number under which such copy shall be registered.

Certified
copies of wills
to be bound
annually.

- (3) All certified copies of wills registered in each year shall, as soon as conveniently may be, be bound up in convenient volumes marked on the back thereof with the year in which the same shall be registered, and numbered in regular series according to the order of such volumes.

- (4) Where the certified copy of any will, by reason of its form, or of the material on which the same is written or engrossed, cannot conveniently be so bound up, the Registrar-General shall cause a true and correct transcript of the same, certified under his hand, to be inserted in lieu thereof in the proper volume, and in its proper order according to its distinguishing number, and shall retain and keep in his custody the original certified copy whereof such transcript shall be so made.

When certified copy of will cannot be bound, a copy to be bound.

3. The following shall be inserted as the Schedule to the Principal Ordinance :—

SCHEDULE.

I (A.B.), Registrar-General of the Colony of Trinidad and Tobago, do hereby certify that the annexed certified copy of a will was delivered to me for registration by _____ of _____ on the _____ day of _____, in the year one thousand nine hundred and _____ at _____ o'clock in the _____ noon; and that the number of pages on which the said certified copy is written is _____ and that the same is registered as No. _____ of wills for the year 19 _____.

Dated this _____ day of _____ in the year one thousand nine hundred and _____

(Sgd.)

Registrar-General.

4. Sections 2, 19, 20, 23 (so far as those sections relate to wills) and sections 15, 18, 24 and 25 and Schedule C. of the Registration of deeds Ordinance, No. 57, and section 2 (so far as that section relates to wills) and sections 5, 6, 7, 8 and 9 of the Purchasers and Mortgagees Ordinance, No. 95, are hereby repealed.

Repeal.

Passed in Council this twelfth day of June, in the year of Our Lord one thousand nine hundred and twenty-five.

E. F. AANENSEN,
Acting Clerk of the Council.

OBJECTS AND REASONS.

The law relating to the registration of Wills is in a state of considerable confusion and conflict owing to the fact that when the Wills and Probate Ordinance, 1921, was enacted it omitted to deal with the provisions of the existing law relating to Wills which appear in the Registration of Deeds Ordinance, No. 57, and the Purchasers and Mortgagees Ordinance, No. 95. The object of this Bill is to remedy the omission by embodying in the Wills and Probate Ordinance those provisions of Ordinances Nos. 57 and 95 which are still required in practice, and to repeal the remaining provisions.

Accordingly it is proposed by clause 2 of the Bill to re-enact section 100 of the Wills and Probate Ordinance as sub-section (1) and to re-enact sections 18, 19, and 20 (so far as they apply to Wills) of Ordinance 57 as sub-sections (2), (3), and (4), respectively.

Clause 4 of the Bill provides for the express repeal of the remaining provisions relating to Wills appearing in Ordinances Nos. 57 and 95 which have already been impliedly repealed by the Wills and Probate Ordinance.

The Bill, if accepted, will have the effect of embodying the whole law of the Colony relating to Wills in one Ordinance.

INFANTS BILL, 1925.

Table showing sources of the Bill.

| CLAUSE OF BILL. | |
|-----------------|------------------------|
| 3 | ... Ordinance No. 61. |
| 4 | ... New. |
| 5 | ... do. |
| 6 | ... do. |
| 7 | ... Ordinance 44 s. 2. |
| 8 | ... New. |

25, (2) ^{Ord. 31 of 1931} ~~The said~~ Subsection (9) added to section 3 of the Principal Ordinance shall have retrospective effect and be deemed to have always formed part of the Principal Ordinance, and any sentence passed, judgment given or order made before the commencement of this Ordinance by the Court of Criminal Appeal or by any Court purporting to act as the Court of Criminal Appeal and composed either wholly or in part of Judges acting as Judges of the Supreme Court or appointed *ad hoc* for the purpose of determining any appeal before the Court of Criminal Appeal shall be deemed to be and always to have been valid and to be and always to have been within the jurisdiction of the Court of Criminal Appeal and no action or other legal proceeding whatsoever shall be instituted in any Court for or on account of or in respect of any such sentence, judgment or order, and all persons are hereby fully indemnified against all claims or proceedings whatsoever in respect of anything in good faith done or intended to be done or omitted to be done in relation to or in consequence of any appeal before the Court of Criminal Appeal or of any sentence, judgment or order of the Court as aforesaid.

| | | | |
|----|-----|-----|----------|
| 25 | ... | do. | 43 s. 3. |
| 26 | ... | do. | 43 s. 4. |
| 27 | ... | do. | 43 s. 5. |
| 28 | ... | do. | 43 s. 6. |
| 29 | ... | do. | 43 s. 7. |

OBJECTS AND REASONS.

The law relating to the registration of Wills is in a state of considerable confusion and conflict owing to the fact that when the Wills and Probate Ordinance, 1921, was enacted it omitted to deal with the provisions of the existing law relating to Wills which appear in the Registration of Deeds Ordinance, No. 57, and the Purchasers and Mortgagees Ordinance, No. 97. The objects of the Bill are to amend the law relating to the registration of Wills and to amend the law relating to the registration of deeds and mortgages.

I ASSENT,

J. HUGGINS,
Acting Governor.

20th May, 1939.

AN ORDINANCE to amend and supplement the Criminal Appeal Ordinance, 1931.

[20th May, 1939.]

ENACTED by the Governor of Trinidad and Tobago with the assent of the Legislative Council

INFANTS BILL, 1925.

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| 7 | ... Ordinance 44 s. 2. |
| 8 | ... New. |
| 9 | ... do. |
| 10 | ... do. |
| 11 | ... do. |
| 12 | ... Ordinance 44 s. 3 |
| 13 | ... New |
| 14 | ... do. |
| 15 | ... do. |
| 16 | ... do. |
| 17 | .. do. |
| 18 | ... do. |
| 19 | ... do. |
| 20 | ... Ordinance 81 s. 8. |
| 21 | ... do. 79 s. 2. |
| 22 | .. do. 79 s. 3. |
| 23 | ... do. 79 s. 4. |
| 24 | ... do. 79 s. 5. |
| 25 | ... do. 43 s. 3. |
| 26 | ... do. 43 s. 4. |
| 27 | ... do. 43 s. 5. |
| 28 | ... do. 43 s. 6. |
| 29 | ... do. 43 s. 7. |

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TRINIDAD AND TOBAGO.

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No 9—1939.

OR FOR TRIAL

ED FAILURE TO
PROPER BOOKS

to keep proper books of
years before the presenta-
ruptcy petition on Sept. 24,
Benjamin Soddy, of Arundel-
burne, baker and confectioner,
alderman and mayor of East-
Sussex was committed to East Sussex
Quarter Sessions.

He was allowed bail in £100.
The Official Receiver, Mr. Robert
Fletcher, said that Soddy produced nine
books, and having studied these he found
it impossible to understand Soddy's finan-
cial position. There was no book contain-
ing day-to-day entries of cash receipts and
cash paid, and there were no statements of
stocktaking.

Soddy lodged a statement of affairs which
disclosed unsecured liabilities of £25,676,
and assets £1,989. Approximately £21,700
represented private loans.