

TRINIDAD AND TOBAGO.

No. 48.—1921.

I ASSENT,



*Acting Governor.*

8<sup>th</sup> November, 1921.

AN ORDINANCE relating to the Caroni and Laventille reclamation scheme.

[6th November, 1920.]

WHEREAS by contract in writing (in this Ordinance referred to as "the Contract") dated the sixth day of November nineteen hundred and twenty and made between the Government of the Colony of Trinidad and Tobago acting by Thomas Alexander Vans Best, C.M.G., C.B.E., Colonial Secretary, (hereinafter called the Government) of the one part and the Honourable Albert Henry Cipriani, M.B.E., of the City of Port-of-Spain, member of the Legislative Council of the Colony (in this Ordinance referred to as "the Contractor") of the other part and published as Council Paper No. 152 of 1920, the Contractor has agreed to execute the drainage works therein specified (in this Ordinance referred to as "the drainage works") for the reclamation of the Caroni and Laventille Swamps in the Counties of St. George and Caroni upon the terms and conditions therein expressed ;

[Price 2d.]

And Whereas the drainage works will be executed partly on Crown land and partly on land belonging to private owners ;

And Whereas the execution of the drainage works will benefit the said private owners ;

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

Short title.

1. This Ordinance may be cited as the Caroni and Laventille Reclamation Ordinance, 1921.

Authority to enter and execute and maintain the works.

2.—(1.) The Contractor, and also the Government in the event of the Government taking possession of the works of the Contractor under the power contained in the Contract, and their respective servants, workmen, agents, and sub-contractors are hereby authorised to enter upon the land delineated on the plans annexed to the contract whether Crown land or belonging to private owners, and execute thereon the drainage works in the manner provided by the Contract and also, in addition to the drainage works, to bring upon, make, and maintain on the said land such dams, trenches, drains, outfalls, sluices, pipes, banks, walls, bridges, buildings, erections, engines, machinery, appliances, tools, and things as may be necessary or convenient in connection with or subsidiary to or for rendering effective the drainage works.

(2.) The Contractor (but only during the period for which he is under the Contract liable to keep the drainage works in repair), and the Government, and their respective servants, workmen, agents and sub-contractors are hereby authorised from time to time to enter upon the said land and do all things thereon necessary or convenient for the purpose of inspecting, repairing, maintaining, rendering and keeping effective and operating the drainage works.

Injunctions.

3. No injunction or order restraining the execution or maintenance of the drainage works or other things authorised by this Ordinance shall be granted by any court of justice.

4.—(1.) No person shall be entitled to compensation for damage resulting from the execution or maintenance of the drainage works or other things authorised by this Ordinance; or from anything lawfully done in the course of the execution or maintenance of such works or things or from any failure of the drainage works except to the extent mentioned in this section. Regulation of right to compensation.

(2.) A person sustaining damage on account of the negligent act or omission of any person may recover compensation from that person and every other person by law responsible for such act or omission, but not from the Government.

(3.) A person sustaining damage on account of an injury done to any building, valuable tree, or growing crop by the executing, repairing, maintaining, or rendering or keeping effective the drainage works, or on account of the permanent occupation of land by any building, dam, or trench constructed for any of the purposes aforesaid, shall be entitled to receive from the Government compensation for the actual damage sustained by him, the amount of such compensation, in default of agreement, to be assessed by the magistrate of St. George West.

(4.) In assessing compensation for damage sustained by any person on account of the permanent occupation of land, the magistrate shall deduct from the value of the damage such sum, if any, as, in his opinion, represents the value of any benefit which will accrue to that person from the execution of the drainage works.

5.—(1.) Any person who wilfully and unlawfully damages or in any manner interferes with the drainage works authorised by this Ordinance or the dams, trenches, drains, outfalls, sluices, pipes, banks, walls, bridges, buildings, erections, engines, machinery, appliances, tools and things connected with the execution or maintenance of such works shall be liable on summary conviction by a magistrate to a penalty not exceeding twenty pounds. Damage to the works.

(2.) The Contractor (but only during the period for which he is under the Contract liable to keep the drainage works in repair) and the Government and their respective

servants, workmen, agents and sub-contractors may seize any animal found on any land occupied for the purpose of the execution or maintenance of such drainage works or other things authorised by this Ordinance and may send or take every such animal to the nearest pound.

(3.) The provisions of the Pound Ordinance, No. 12, shall apply to animals seized under this section.

Ordinance  
retrospective.

6. This Ordinance shall be deemed to have commenced on the sixth day of November, 1920.

Passed in Council this twenty-eighth day of October, in the year of Our Lord one thousand nine hundred and twenty-one.

  
Clerk of the Council.

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