

CHAPTER 171.

TRINIDAD SURVEY.

AN ORDINANCE RELATING TO THE SURVEY OF TRINIDAD.

Ordinances
No. 114,
,, 29 of 192F,
s. 8.

[9th June, 1897.]

1. This Ordinance may be cited as the Trinidad Survey Ordinance. Short title.

2. It shall be lawful for any surveyor appointed by the Governor, and for any other person acting in aid and under the orders of any such surveyor so appointed, from time to time, after three days' notice in writing of his or their intention of entering shall have been given to the owner or occupier, as the case may be, at any time to enter into or upon any private land of any person for the purpose of carrying any meridian, boundary, or other line which he shall deem necessary through such land, and for the purpose of cutting sightways or traces, or for the purpose of making and carrying out any survey authorized by this Ordinance or by order of the Governor, and for the purpose of fixing any mark or object to be used in the survey, or any beacon, post, stone, or boundary mark whatsoever, and to carry such line, cut such sightways or traces, fix and place any such object, beacon, post, stone, or boundary mark on any such private land, and to dig up any ground for the purpose of fixing any such object, beacon, post, stone, or boundary mark for such object or purpose. Power to enter lands.

3. Every surveyor appointed as aforesaid by the Governor for the purposes of this Ordinance, and his assistants, shall, in the exercise of the several powers vested in him by this Ordinance, do as little damage as may be, and shall make satisfaction to the owners or occupiers, as the case may require, of such lands or owners of trees which shall be in any way hurt, damaged, or injured, for all damages sustained by them in or by the execution of all or any of the powers given by this Ordinance, in case the same shall be demanded. Damage caused by surveyors.

Settlement of
disputes.

4. In case of dispute between the surveyor and the owner or occupier as to the amount of damage sustained, the same shall be ascertained and determined on the complaint or information of such owner or occupier by the Magistrate of the district in which the lands or trees may be situated. In any such case the decision of the Magistrate shall be final.

Warden to
attend
surveyor on
notice.

5. For the purpose of surveying, ascertaining, and marking out the reputed public boundaries, whether natural or artificial, of any ward union, ward, county, or district, it shall be lawful for the surveyor, by notice in writing under his hand, and directed and delivered to any Warden, to require the attendance of any such Warden (or his Ward Officers) in or for every such ward union, ward, county, or district, or in or for any adjoining ward, either in the same or any adjoining ward, at such time, not being less than twenty-one days after the date of such notice, at such place as may be specified in such notice, and to produce to such surveyor any books, maps, papers, or other documents in his custody or possession as such Warden, which such surveyor may require for the purpose of carrying this Ordinance into execution; at which time and place every such Warden or his Ward Officer shall and is hereby required to attend upon such surveyor accordingly, and to aid and assist him in the execution of this Ordinance.

Boundaries of
wards, etc.,
to be ascer-
tained and
marked.

6. It shall be lawful for such surveyor appointed as aforesaid, accompanied by the Warden (or his Ward Officer) of the ward, the reputed boundaries of which are to be defined and marked out, and by the Warden (or his Ward Officer) of any ward adjoining thereto, and they are hereby authorized and required to visit and inspect the boundaries of such ward union, ward, county, or district, for the purpose of surveying, ascertaining, and marking the same; and for that purpose it shall be lawful for such surveyor, Wardens, or Ward Officers to require any inhabitant of such ward unions, wards, counties, or districts to assist them in so doing; and when it shall appear to such surveyor that the reputed boundaries of any such ward union, ward, county, or district are sufficiently ascertained, such boundaries shall be marked out by such surveyor in such manner as may be necessary, by the putting down of any posts, blocks, or bolts of wood, metal, or stone, or by

the affixing of any mark on or against any church, chapel, bridge, house, or private building or post, or by the doing of any other act, matter, or thing which may be necessary, and with such distinguishing letters or figures as such surveyor shall think fit and proper for the occasion.

7. If any person not duly authorized shall knowingly and wilfully take away, remove, displace, or alter the situation of any boundary stone, post, block, bolt, or mark which shall be set up and placed for the purposes of this Ordinance, or shall knowingly and wilfully deface, mutilate, break, or destroy any such boundary stone, post, block, bolt, or mark, every person so offending shall be liable, on summary conviction before a Magistrate, to a penalty not exceeding ten pounds.

Removing or defacing boundary marks, etc.

8. If any person shall wilfully obstruct, hinder, assault, or resist any surveyor in the execution of his duty under this Ordinance, or any Warden or Ward Officer, workman, or other person acting in aid of such surveyor, every such person shall be liable, on summary conviction before a Magistrate, to a penalty not exceeding ten pounds.

Obstructing survey, etc.

9. Every person (other than Wardens or Ward Officers) who shall, in pursuance of notice from any surveyor, attend in the company of any such surveyor in the ascertaining, surveying, and marking out boundaries of any division, ward union, ward, county, or district under the provisions of this Ordinance, shall be entitled to receive for his trouble and loss of time such sum of money or allowance as the Governor shall think fit for every day during which such person shall be employed by or engaged with such surveyor in the execution of this Ordinance, upon a certificate to be signed by such surveyor.

Allowance to parties, etc., attending to point out boundaries.

10. The amount of compensation for any damage sustained by the owners or occupiers of lands, or owners of trees, as aforesaid, together with the costs, if any, awarded against any surveyor, and the allowance to be made to other persons as aforesaid, shall be paid by the Treasurer on the warrant of the Governor, and no surveyor shall be held personally liable for any such compensation, costs, or allowance.

Payments for damage.

Ordinance
not to affect
boundaries
or rights of
property.

11. Nothing done in pursuance of this Ordinance shall be deemed to extend, define, alter, enlarge, increase, or decrease, or in any way to affect, any boundary of any division, ward union, ward, county, district, city, town, borough, or other place, howsoever the same may be respectively known or called, nor the boundary of any land or property in relation to any owner or claimant to any such land, nor to affect the title of any such owner or claimant respectively in or to or with respect to any such land or property, but all the right and title of any owner or claimant of any land or property whatever within any division, ward union, ward, county, district, city, town, borough, or other place shall remain to all intents and purposes in like state and condition as if this Ordinance had not been passed; any description of any such land with reference to any such division, ward union, ward, county, district, city, town, borough, or other place or otherwise, or anything in this Ordinance contained or any law, custom, or usage to the contrary notwithstanding.

Supervision
by Crown
Surveyor.

12. All acts, matters, and things which any surveyor is authorized to do under the authority of this Ordinance shall in all cases be subject to the supervision and control of the Crown Surveyor.

Application
to Tobago.

13. This Ordinance shall apply to Tobago. (*Added by 29 of 1925, s. 8.*)