

whereof I have hereunto set my hand at
 this day of in the Year of our Lord, 185
 Signed in the presence of

A. B.,
 Commissioner (or Stipendiary Justice of)

C. D.
 E. F.
 H. G.

E.—TABLE OF FEES.

To the Commissioner, or Stipendiary Justice of the Peace.

	Above £5.	£5 and under.
Entering a Plaint... ..	1s. 0d.	1s. 0d.
For every summons to the defendant ...	1s. 0d.	0s. 6d.
" " to witness ...	0s. 3d.	0s. 3d.
" other summons ...	0s. 6d.	0s. 6d.
" conveyance, &c., of lands ...	4s. 2d.	4s. 2d.
" writ of execution ...	2s. 0d.	1s. 0d.
" every writ of execution ...	6s. 0d.	4s. 0d.

FORM OF ENTRIES IN CASH DEPOSIT BOOK.

Date.	Title of Cause.	Party paying.	Amount paid in.	When paid out.	To whom paid out.	Receipt.
1851.			£ s. d.			
July 25	A. B. v. C. D.	C. D. dft.	1 2 6	29th July.	A. B. plff.	A. B.
" 26	E. F. v. G. H.	Y. Z. for G. H. dft.	2 5 4	3rd Aug.	E. F. plff.	his E. X F. mark. Witness N. M.

No. 18.—1851.

18th November.

AN ORDINANCE for supplying the Town of Port of Spain and the Vicinity thereof with Water.

W. C. Ward, Lieut.-Colonel, R.E.

Acting Governor.

WHEREAS the Town of Port of Spain and its vicinity are not at present conveniently supplied with Water, and whereas great public benefit would be obtained by the appropriation of moneys for the purposes of this Ordinance.

tained by bringing down the waters of the Maraval river, in the valley of Maraval, to the said town and its vicinity, and by increasing the supply of water now derived to the said town from the river of St. Ann in the valley of St. Ann; Be it enacted by His Excellency the Governor, by and with the advice and consent of the Council of Government, that it shall be lawful for the Governor from time to time to issue and pay from the Colonial Treasury such sums not exceeding in the whole the sum of twenty thousand pounds sterling, as may be necessary for the completion of the works by this Ordinance, authorised to be made, the making satisfaction to the owners of any lands which shall be taken or used under the powers granted by this Ordinance, or otherwise, for carrying this Ordinance into execution.

Power to
construct
works, &c.

2. And be it enacted, That it shall be lawful for Her Majesty to make, complete, maintain, and keep such waterworks, dams, reservoirs, aqueducts, engines, pipes and other conveniences as may be necessary for supplying the town of Port of Spain and its vicinity, and the ships and other vessels frequenting the Harbour of Port of Spain with water from the river Maraval, in the valley of Maraval, and from the river of St. Ann, in the valley of St. Ann, and to supply such water works, reservoirs, aqueducts and pipes whilst the same shall be making, and at all times for ever after the same shall have been made with the waters of the river Maraval to be taken at or near the lands situate in the ward of Maraval, lately in the possession of Robert Finlay, Esquire, as Trustee for the Port of Spain Water Company, but now in the possession of Her Majesty, and with the waters of the river of St. Ann, in the valley of St. Ann, to be taken at or near the digue or dam in the valley of St. Ann.

Power to
Superin-
tendent of
Public Works
to enter upon
certain lands
in Maraval,
&c.

3. And be it enacted, That it shall be lawful for the Superintendent of Public Works for the time being, and all workmen and servants and other persons employed in the execution of this Ordinance to enter and pass into, upon, over and through the lands situate in the ward of Maraval, now or lately belonging to or in the occupation of Mrs. Eliza Pigott LaCoste, the lands situate in the several wards of Maraval and Mucurapo,

now or lately belonging to or in the possession of John Boissiere and Henry Boissiere, Esquires, or one of them, the lands situate in the ward of Maraval, now in the possession or occupation of Henry Fuller, Esquire, and called the Rookery, the lands situate in the ward of Mucurapo, now or lately in the possession of Fritz Urich, William Urich, and Charles Feez, and called Blarney Cottage, and the lands in the Ward of Mucurapo, called the St. Clair Estate, and thence across the circular road into the Queen's Park, and all other lands of or belonging to any person or persons, bodies, politic or corporate, situate, in either of the wards of Maraval or Mucurapo, and to set out and ascertain in such parts as such Superintendent shall deem most convenient of such lands or grounds a strip or tract of land not exceeding in any part thirty feet in breadth, for sinking and laying the mains, pipes, cleansing boxes, and other conveniences necessary for bringing down and maintaining a supply of water from the river Maraval, and also to set out and ascertain such other parts of such lands as to such Superintendent shall seem convenient as adits or ways for the passage of servants and workmen and the cartage of pipes and materials from the high road to the strip or tract of land to be so set out as aforesaid.

4. And be it enacted, That it shall be lawful for the Superintendent of Public Works and all workmen, servants, and other persons employed in the execution of this Ordinance to enter and pass into, upon, over, and through any lands or grounds situate in the ward of St. Ann, being within thirty feet on either side of the present water canal leading from the digue or dam in the valley of St. Ann, through the grounds of the Governor's residence at St. Ann's into the Queen's Park, and within the limits aforesaid to make, sink, and lay down any new canal, aqueduct, or pipe for bringing down the waters of the river of St. Ann.

Power to Superintendent of Public Works to enter upon lands adjoining present canal at St. Ann's.

5. And be it enacted, That it shall be lawful for the Superintendent of Public Works and all workmen and servants to be employed in the execution of this Ordinance from time to time, and at all times to enter into and upon such parts as may be so set out and

Superintendent of Public Works to take and use lands for the purposes of this Ordinance.

ascertained of any such lands, and to dig and break up the soil thereof, and to erect, sink and lay, and from time to time take up and alter the position of and repair, relay and maintain such mason work, canals, aqueducts, mains, trunks, pipes, stop cocks, plugs and other conveniences, as the Superintendent for the time being shall from time to time deem necessary for executing the purposes of this Ordinance, such Superintendent, workmen and servants doing as little damage as may be possible in the execution of the powers granted by this Ordinance.

Reservoirs ;
where to be
placed.

6. And be it enacted, That such and so many reservoirs shall be made and erected in such parts of the Queen's Park, and of the Little Savanna, and mains and pipes shall be laid down in such of the streets within the town of Port of Spain and its suburbs as the Governor shall from time to time direct, and for such purpose as it shall be lawful for the Superintendent of Public Works, and all workmen and servants employed in the execution of this Ordinance, to dig and break up the soil of the Queen's Park, and of the Little Savanna, and the soil and pavement of any of the roads, highways, streets, lanes and public places within the wards of Mucurapo and St. Ann respectively, and the town of Port of Spain and its vicinity, and to sink and lay in such places, and in such manner as shall be necessary for the purpose aforesaid, and from time to time to alter the position of and to repair, relay, and maintain such mains, pipes, trunks, stop cocks, fire plugs and air plugs as the Superintendent of Public Works shall deem necessary for such works ; Provided always that whenever any ground, highway, street, or pavement shall be opened or broken up under the authority of this Ordinance, the Superintendent of Public Works shall fill in and make good such ground, highways, street, or pavement with as little delay as possible, and at the public expense.

Water to be
supplied to
Governor's
residence.

7. And be it enacted, That a sufficient supply of water from the aqueduct or pipe leading from the river of St. Ann shall be maintained at all times at the public expense for the use of the Governor's residence at St. Ann's, and the gardens and fountains of the same.

8. And be it enacted, That from the moneys appropriated for the purposes of this Ordinance there shall be erected within the ward of St. Ann at such places as may be appointed by the Governor two public fountains, and within the limits of the town of Port of Spain at such places as may be appointed by the Governor seven public fountains at the least which Fountains shall be at all times supplied with water for the free use of the inhabitants from the works to be erected under the provisions of this Ordinance.

Public fountains in the valley of St. Ann's and Port of Spain.

9. And be it enacted, That from the moneys appropriated for the purposes of this Ordinance there shall be erected in or near one of the public piers or jetties in the town of Port of Spain a fountain for the supply of water to the ships or vessels within the harbour of Port of Spain at the rates or charges to be fixed as hereinafter mentioned.

Fountain for supplying shipping.

10. And be it enacted, That all works, reservoirs, mains, trunks, pipes and other conveniences to be erected, built, sunk or laid down under the provisions of this Ordinance and the canal or aqueduct from the dam of the river of St. Ann to the Governor's residence at St. Ann's shall be vested in Her Majesty the Queen, her heirs and successors.

Works, &c., to be vested in Her Majesty.

11. And be it enacted, That it shall be lawful for the Governor on behalf of Her Majesty to contract and agree with the owner of any lands in the wards of Maraval, Mucurapo and St. Ann respectively for the compensation to be allowed and paid to such owner not only for the actual damage sustained, in respect of any lands which may be taken or used under the authority of this Ordinance, but for the future damage to which such owner may be liable from or by reason of the right of entry on such lands to be exercised under this Ordinance and also to contract and agree with the owner of any lands adjoining the rivers Maraval or St. Ann for the compensation to be allowed and paid to such owner for the diversion or diminution of the waters of either of the said rivers, and in estimating the damage caused by such diversion or diminution the benefit to be derived by such owner from the establishment of public fountains under the provisions of this

The Governor may contract with proprietors for compensation.

Ordinance shall be estimated and allowed and the amount of such compensation shall be paid to such owner from the Colonial Treasury on the warrant of the Governor out of the moneys appropriated for the purposes of this Ordinance.

Construction
of word
"owner."

12. And be it enacted, That where any question shall arise touching the title of any person to any lands which may be taken or used for the purposes of this Ordinance, the person in possession of such lands shall be deemed the owner of the same.

Pipes to be
granted in
certain cases
in lieu of
compensation.

13. And be it enacted, That where the owner of any lands in the wards of Mucurapo, or Maraval, or either of them, or which may be entered upon under the authority of this Ordinance and in or upon which any aqueduct, canal, main or pipe shall be sunk or laid under the authority of this Ordinance shall be willing to accept such supply of water as hereinafter mentioned as full satisfaction for all damage which such owner may sustain or be liable to, not only from the right of entry on such lands to be exercised under the authority of this Ordinance but from the diversion of the waters of the river Maraval, then and in every such case it shall be lawful for the Governor if he shall see fit so to do to allow and grant to such owner a pipe of half an inch in diameter, leading from the main pipe into some convenient part of such lands, and a supply of water by such pipes for the use of the occupiers of such lands respectively free of all rate or charge, which pipes shall be laid down at the expense of Her Majesty, but shall be afterwards maintained, renewed and kept in order at the expense of the owners of such lands respectively.

Compensation
to owner of
Woodbrook
Estate.

14. And be it enacted, That it shall be lawful for the Governor if at any time hereafter it shall be made to appear to him that the spring upon the Woodbrook Estate in the ward of Mucurapo is fed or supplied with water from the said Maraval river, and that the owner of the said estate has been or will be injured or damnified by reason of the waters of the said river being diverted or diminished, to allow and grant to such owner a pipe of half an inch in diameter leading from the main pipe into and upon some convenient part of the said estate and a supply of water by such pipe for the use of the owner and occupier of such estate free of all rate or

charge which pipe shall be laid down at the expense of Her Majesty, but shall be afterwards maintained, renewed and kept in order at the expense of the owner or occupier of such estate; and in case the owner of the said Woodbrook Estate shall feel himself aggrieved by any refusal of the Governor to allow and grant such pipe and a supply of water thereby for the use of the said estate the right of the owner of the said estate to such pipe and to a supply of water thereby shall be inquired of and determined by the verdict of a jury to be summoned for that purpose in such and the same manner as hereinafter provided for the summoning of a jury to assess the amount of compensation to be paid to any person under this Ordinance.

15. And be it enacted, That the several owners or occupiers of houses in the ward of St. Ann to which houses water is now conveyed by pipes from the canal now leading from the digue or dam in the ward of St. Ann to the residence of the Governor shall be entitled to pipes of the dimensions hereinafter mentioned leading from the canal or main pipe to some convenient part of such houses respectively, and to a supply of water for the use of the occupiers of such houses respectively free of all rate or charge, that is to say, the owners or occupiers of the house now or lately in the possession of Joseph Peschier, Esquire, a pipe of half an inch in diameter, the owner or occupier of the house now or lately in the possession of George Fitzwilliam, Esquire, a pipe of half an inch in diameter, and the owner or occupier of the house now or lately in the possession of James Marshall, Esquire, a pipe of half an inch in diameter, and the owners or occupiers of the house now or lately in the possession of Francis Peschier, Esquire, a pipe of half an inch in diameter, and such pipes shall be laid down and maintained and renewed and kept in order at the expense of the owners or occupiers of such houses respectively.

16. And be it enacted, That if any owner of any lands shall refuse to accept such sum of money as may be offered to such owner as satisfaction and compensation for the use of and the right of entry upon any lands which may have been so entered upon

The owner of certain houses in the ward of St. Ann's to be entitled to pipes.

Refusing to accept compensation to be assessed by a jury.

by the Superintendent of Public Works, in pursuance of the powers given by this Ordinance, or for the damage sustained by any such owner in respect of any lands adjoining the rivers Maraval or St. Ann, by reason of the diversion or diminution of the waters of either of such rivers, or if no such offer of satisfaction or compensation shall be made to such owner within thirty days after the Superintendent of Public Works shall have entered on such lands where any lands shall be taken or used under this Ordinance or within thirty days after the completion of the works authorised by this Ordinance, in all other cases the amount of compensation to be paid to such owner shall be settled by the verdict of a jury, and for such purposes it shall be lawful for the Supreme Civil Court on the application of such owner, and on notice being first given by or on the behalf of such owner to the Superintendent of Public Works, and in which notice such owner 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 the next sitting for the trial of issues not less than fourteen days from 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.

Mode of sum-
moning a
jury.

17. And be it enacted, That 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.

Who shall
be deemed
plaintiff and
who defen-
dant.

18. And be it enacted, That on such enquiry the party claiming compensation shall be deemed the plaintiff and the Superintendent of Public Works shall be deemed the defendant, 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 without sufficient cause, 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.

19. And be it enacted, that before the jury proceed to inquire 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 enquiry shall be had shall 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.

Jury to be sworn.

20. And be it enacted, That the jury shall deliver their verdict separately for the sum of money to be paid for the use of and the right of entry upon the lands used for the purposes of this Ordinance, and for the sum of money to be paid by way of compensation for the damage to be sustained by the owner of any lands by reason of the diversion or diminution of the waters of either of such rivers.

Damage to be assessed separately.

21. And be it enacted, That 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, all the costs of such enquiry shall be borne by such owner 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 to the owner, or if no compensation shall have been previously offered to the owner, the costs of such inquiry shall be allowed to the owner.

By whom costs of inquiry are to be borne.

22. And be it enacted, That the costs of any inquiry under this Ordinance shall be settled by the Master of the Supreme Civil Court on the application of either party, and such costs shall include all reasonable costs, charges and expenses incurred in obtaining the order for inquiry, the summoning impanelling and returning

Costs of inquiries to be settled by the Master.

the jury, the attendance of the witnesses, the employment of counsel and solicitors, and recording the verdict and judgment thereon or otherwise incidental to such inquiry.

Registrar of Supreme Civil Court to sign judgment of amount of compensation and to keep a record of the same.

23. And be it enacted, That 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 the owner of the land, or for the amount of such compensation, after deducting the costs, if any, payable by the owner, and shall keep such judgment among the records of the Supreme Civil Court.

Amount of compensation to be paid by Treasurer on production of certified copy of judgment.

24. And be it enacted, That on the production of a copy of such judgment certified by the Registrar the amount for which judgment shall have been signed shall be paid to the owner by the Colonial Treasurer on the warrant of the Governor.

Costs incurred by Superintendent of Public Works to be paid by Colonial Treasurer. Time within which claims are to be made.

25. And be it enacted, That all costs and expenses incurred by the Superintendent of Public Works incidental to such inquiry, shall be paid by the Colonial Treasurer on the warrant of the Governor.

26. And be it enacted, That no claim for compensation shall be admitted or entertained, unless the same shall be made within two years next after the works proposed by this Ordinance shall have been certified by the Governor to have been completed as hereinafter provided.

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Section 27 repealed by Ordinance 12 of 1875.

How rate is to be fixed.

28. And be it enacted, That the annual rent or value of houses on which such rate shall be levied and paid shall be the annual rent or value ascertained or fixed from time to time on which the rate on houses payable to the Town Council of Port of Spain shall be payable.

Rate to be a charge on houses.

29. And be it enacted, That all rates payable under this Ordinance shall be a charge on the house in respect of which the same shall be payable, and shall have preference to all other charges save only and except

debts due to Her Majesty and the amount of such rate shall be paid to the Colonial Treasurer on or before the first day of June in each year.

* * * * *

Section 30 repealed by Ordinance 12 of 1875.

31. And be it enacted, That when the Superintendent of Public Works on the request of any person desirous of having water from the said water works laid in his house within the town of Port of Spain or the suburbs thereof, and on such person depositing with the said Superintendent the estimated expense of laying on the same shall cause a pipe not exceeding one half of an inch in diameter to be laid on from any main pipe of the works to be erected under this Ordinance to the house of such person, such person paying to Her Majesty the rates payable under this Ordinance.

Pipes to be laid down by Superintendent of Public Works.

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Section 32 repealed by Ordinance 15 of 1879.

33. And be it enacted, That if any person shall wilfully hinder or obstruct or cause or procure to be hindered or obstructed the Superintendent of Public Works or any workman or other person to be employed in doing or performing any of the works by this Ordinance authorized to be made or in the exercise of any of the powers or authorities in this Ordinance contained, or if any person shall wilfully break, throw down, injure damage or destroy any canal, reservoir, aqueduct work, matter or thing made or to be made in pursuance of this Ordinance, or if any person shall bathe in the said Maraval river at any part thereof within the distance of eight hundred yards by the line of the river above the dam head in the valley of Maraval, or in the river St. Ann at any part thereof within the distance of eight hundred yards by the line of the river above the digue or dam, or shall wash any clothes or wash, cast, put, lead or drive or throw any horse, mule, ass, dog or cat or any other animal alive or dead or any cloth, wool,

Penalty for injuring works or fouling the water.

filth, dirt or any other noisome or offensive matter or thing or shall cause, permit or suffer the water of any sink or drain to run or be conveyed into either of the said rivers within the limits aforesaid or into any reservoir, canal, aqueduct conduit or pipe erected, built or laid under this Ordinance or by this Ordinance vested in Her Majesty or shall otherwise unlawfully foul or cause or render noisome or impure the water running to or contained in any such reservoir, pipe, canal, aqueduct or conduit, every such person shall on conviction of any such offence forfeit and pay such sum not exceeding twenty pounds as to the convicting justice shall seem fit.

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Sections 34 & 35 repealed by Ordinance 3 of 1880.

Apprehension
of offenders.

36. And whereas persons guilty of offences against this Ordinance may be persons unknown to the officers and other persons acting under this Ordinance, be it therefore enacted, that it shall be lawful for any police constable acting with such aid as shall be necessary and without any warrant or other authority to apprehend and detain any such unknown person guilty of any offence against this Ordinance, and forthwith to convey him before any Justice of the Peace having jurisdiction within the town of Port of Spain, and such Justice of the Peace is hereby required to proceed and deal with respect to such offender according to the provisions of this Ordinance.

The Governor
and Council to
fix rates for
supplying
water to
houses and
shipping.

37. And be it enacted, That it shall be lawful for the Governor from time to time with the consent of the Council of Government by proclamation under his hand to fix the amount of rates and payments to be made for the supplying of water to houses and water to be supplied for the use of shipping under this Ordinance, and such rates and payment from time to time to alter and vary as the Governor with the consent of the Council of Government shall see fit.

Recovery
of penalties.

38. And be it enacted, That every penalty imposed by this Ordinance may be recovered in a summary manner on the complaint of the Superintendent of

Public Works before any Justice of the Peace having jurisdiction within the town of Port of Spain.

39. And be it enacted, That in the interpretation of this Ordinance save where there is any thing in the subject or context repugnant to such construction the word "House" shall be construed to extend to and include every dwelling house, warehouse, office, counting house, manufactory, store, shop, shed and every other building, and every yard whether open or inclosed used or occupied for the purposes of trade or business, words denoting the masculine gender shall include females as well as males and words denoting the singular number shall include two or more persons or things as well as one person or thing and vice versa.

Passed in Council this Eighteenth day of November, in Year of our Lord One thousand eight hundred and fifty-one.

RICHARD D. CADIZ,

Clerk of Council.

The foregoing Ordinance was duly proclaimed in Port of Spain, by me, this Twenty-fifth day of November, One thousand eight hundred and fifty-one.

EDWARD MURRAY,

Marshal.

No. 2.—1852.

9th February.

AN ORDINANCE for improving the administration of Criminal Justice.

W. C. WARD,

Col. R.E., Acting Governor.

WHEREAS an Act was passed in the session of Parliament held in the fourteenth and fifteenth years of Her present Majesty entitled "An Act for further improving the administration of Criminal Jus-
The court may amend certain variances not material to the merits of