

TRINIDAD AND TOBAGO.

No. 8—1925.

I ASSENT,

[L.S.]

H. A. BYATT,
Governor.

21st March, 1925.

AN ORDINANCE to amend the Solicitors Ordinance, 1912.

[21st March, 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 Solicitors (Amendment) Ordinance, 1925, and shall be read as one with the Solicitors Ordinance, 1912.

Short title.
Construc-
tion.
(29-1912.)

2.—(1) The Registrar shall, on request, issue to every solicitor admitted to practise and duly enrolled, whether before or after the commencement of this Ordinance, a certificate of his enrolment in the form set forth in the Schedule to this Ordinance under the seal of the Court and signed by the Registrar.

Certificate of
enrolment.

[Price 2d.]

(2) The production of such certificate shall be prima facie evidence that the person named therein is duly enrolled as a solicitor of the Court, and such certificate shall be admissible in evidence without further proof of the sealing and signing thereof by the Registrar.

Property recovered may be charged with payment of costs.

3.—(1) In every case in which a solicitor shall be employed to prosecute or defend any suit, matter, or proceeding in the Supreme Court, it shall be lawful for the Court or Judge before whom any such suit, matter, or proceeding has been heard or shall be depending, to declare such solicitor entitled to a charge upon the property recovered or preserved, and upon such declaration being made and registered as hereinafter provided, such solicitor shall have a charge upon and against and a right to payment out of the property, of whatsoever nature, tenure, or kind the same may be, which shall have been recovered or preserved through the instrumentality of such solicitor, for the taxed costs, charges, and expenses of or in reference to such suit, matter, or proceeding; and it shall be lawful for such Court or Judge to make such order or orders for taxation of such costs, charges, and expenses as to such Court or Judge shall appear just and proper: Provided always, that no such order shall be made by any such Court or Judge in any case in which the right to recover payment of such costs, charges, and expenses is barred by any enactment relating to the limitation of actions.

(2) An office copy of any declaration made by a Court or Judge under this section may be left with the Registrar-General, who shall on payment of a fee of five shillings forthwith register the same in the judgment book in like manner as if the same were a judgment obtained in an action, and upon such registration the solicitor to whom such taxed costs, charges, and expenses are payable shall be deemed to be a judgment creditor within the meaning of the Remedies of Creditors Ordinance, No. 35, and shall be entitled to all the remedies thereby given to judgment creditors.

Solicitors Act 1860
s. 28
23 222 Vict. c. 127.

SCHEDULE.

Certificate of enrolment as a Solicitor of the Supreme Court of Trinidad and Tobago.

I hereby certify that

was on

duly admitted and enrolled a Solicitor of the said Court.

Given under my hand and the seal of the said Court at Port-of-Spain in the Island of Trinidad, British West Indies, this day of

Registrar of the Supreme Court.

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

JOHN DE NOBRIGA,
Clerk of the Council.

OBJECTS AND REASONS.

This Bill has been prepared at the instance of the Incorporated Law Society to rectify two omissions in the Solicitors' Ordinance, 1912.

In the first place, the Bill provides in clause 2 for the issue to every Solicitor admitted to practise under the Principal Ordinance a certificate of his enrolment. The production by Solicitors of such a certificate is necessary for the purposes of the Royal Order in Council applying the Colonial Solicitors' Act to this Colony.

In the second place, the Bill (clause 3) enables a Solicitor to obtain from the Court an order declaring the Solicitor entitled to a charge in respect of his fees and expenses upon any property recovered or preserved through his instrumentality in any action or proceedings. Such charge when registered as provided for in the Bill becomes enforceable in the same manner as a judgment. A similar provision appears in the law relating to Solicitors in the United Kingdom.