

CHAPTER 276.

GEORGETOWN (VLISSENGEN) IMPROVEMENT.

[No. II of 1876.]

[1st January, 1877.]

Short title.

1. This Ordinance may be cited as the Georgetown (Vlissengen) Improvement Ordinance, 1876.

Interpretation of terms.

2. In this Ordinance, unless the context otherwise requires,—

“ Plantation *Vlissengen* ” means that piece of land known as Plantation *Vlissengen*, and the pieces of land held under licences of occupancy granted to the proprietors of the said Plantation *Vlissengen*; the whole being bounded on the west by the River Demerara, on the east by the land granted for the Lamaha Fresh Water Canal, on the north by the land known as the Company's Path, and on the south by Stabroek and the lands held under licences of occupancy granted to the proprietors of Plantation *Werk-en-Rust*; save and except that portion of the said Plantation *Vlissengen* which was vested in the Commissioners of Robb's Town by the Georgetown Improvement (Robb's Town) Ordinance 1864¹:

“ The Commissioners ” means the Board of Commissioners of Vlissengen, hereinafter appointed:

“ The Secretary ” means the Secretary to the Commissioners:

“ The New Town Ward ” means the Municipal Ward No. 8 of the City of Georgetown, as defined in the Georgetown Town Council Ordinance 1860¹:

“ The Columbia and Lacy Town Ward ” means the Municipal Ward No. 7 of the City of Georgetown, as defined in the Georgetown Town Council Ordinance 1860¹:

“ The Columbia District ” means that portion of the Columbia and Lacy Town Ward which lies to

¹Repealed by Ordinance No. 25 of 1898, s. 213. As to the Wards mentioned, see s. 5 of above Ordinance.

the west of the street called King Street in the City of Georgetown :

“ The Lacy Town District ” means that portion of the Columbia and Lacy Town Ward which lies to the east of the Columbia District :

“ The Bourda District ” means that portion of Plantation *Vlissengen* which lies to the east of the Columbia and Lacy Town Ward.

Vesting of Lands etc.,

3. From and after the commencement of this Ordinance, Plantation *Vlissengen*, and all and every the rights, members, and appurtenances thereto appertaining, and the absolute dominion and the inheritance of the same, and the right to receive all sums of money now due to the proprietors thereof for the rent or occupation of the said lands or any part thereof, shall vest, and the same are hereby vested, in the Commissioners of Vlissengen, who shall be deemed in law to be the absolute owners thereof; subject, nevertheless, to the provisions of this Ordinance: Provided always that nothing herein contained shall alter, prejudice, or take away any right, estate, property, or interest of His Majesty, his heirs and successors, or of any public officer, corporation, or body, who may have or hold the same on behalf of the Colony: (s. 9.)

Vesting of Plantation *Vlissengen* and right to receive rents in arrear in the Commissioners.

General Powers and Duties of the Commissioners.

4. The Commissioners shall have full power and authority to demand, have, sue for and recover all sums of money, including capital and interest, that are now due or claimable for or in respect of the use or occupation, or for or in respect of rent, of any portion or part of the said lands hereby vested in the Commissioners, since the 1st day of January, 1858; and all buildings now on the said lands are hereby declared and made liable and executable for the proper payment of all sums so due or claimable in respect of the occupation or rent of the portion or lot of land on which such buildings are situate and which is occupied therewith: Provided always that no person shall be bound to pay to the Commissioners for or in respect of the use or occupation or for or in respect of the rent of any land within the Lacy Town District, for any period before the commencement of this Ordinance, any sum exceeding in amount one-sixth of the appraised value of such land: Provided also that the Commissioners may,

Power to recover rents in arrear.

in case of the proved inability of any person to pay the full amount of rent demanded, receive a smaller amount and stay all proceedings for the recovery of the remainder. (s. 10.)

Power to
sell, etc.,
lands.

5. The Commissioners may, subject to the provisions of this Ordinance, sell and transport or lease any of the lands hereby vested in them. (s. 11.)

Execution of
documents.

6. All transports, agreements, or other documents of any kind or description, except bonds or debentures and except as hereinafter provided, requiring to be passed or executed by the Commissioners, may be passed or executed by the Senior Commissioner and the Secretary. (s. 12.)

Power to
employ
Secretary and
other officers.

7.—(1) The Commissioners shall employ a Secretary, and may pay him such remuneration as may be approved of by the Governor-in-Council.

(2) The Commissioners may from time to time employ such other officers, agents, or servants as may be necessary for the due execution of the provisions of this Ordinance, and pay them a reasonable remuneration. (s. 13.)

Service of
process, etc.

8.—(1) All notices, summonses, or other process required by law to be given to or served upon the Commissioners may be served upon the Secretary, either personally or by leaving the same at the Office of the Commissioners.

(2) All notices required to be given by the Commissioners may be given and signed by the Secretary.

(3) In all legal proceedings by the Commissioners the power *ad litem* may be signed by the Secretary. (s. 15.)

Service by
the Com-
missioners
on persons
interested.

9.—(1) All notices required by this Ordinance to be served by the Commissioners upon any persons interested in any lands hereby vested in the Commissioners, or in any buildings thereon, may be served personally on such persons or left at their last usual place of abode, if any such can, after diligent inquiry, be found.

(2) If no usual place of abode of such person is known to the Commissioners, then such notice may be served by leaving the same with the occupier of such lands, or, if there is no such occupier, by affixing the same upon some conspicuous part of such land or buildings. (s. 16.)

10. The Commissioners may require all notices to be served by the Registrar or his officers, and the Registrar shall be entitled to demand the same fees for so doing as if the notice were a summons issued at the instance of the Commissioners in a proceeding in the Supreme Court of British Guiana in its civil jurisdiction. (s. 17.)

Power to require service to be made by the Registrar.

11.—(1) All books of account shall be kept in the Office of the Commissioners, and shall be open during the ordinary business hours for the inspection of every person who may wish to inspect the same, on his first paying a fee of one dollar for each hour during which he may wish to inspect the same.

Right of inspection of accounts.

(2) The Commissioners in the months of January and July in each year, shall lay before the Governor and Court of Policy a balance sheet of each of such accounts to the end of the preceding half-year. (s. 19.)

Terms of Sale of Lands, etc.

12.—(1) The Commissioners may receive the purchase money of any land sold by them under the provisions of this Ordinance in sixteen instalments, to be paid to the Commissioners in the following manner, that is to say, one-tenth of the whole of the purchase money in cash at the time of completing the sale, and one-fifteenth of the remaining nine-tenths of the purchase money at the expiration of each succeeding year thereafter, together with interest on the whole balance remaining unpaid at the rate of six per cent. per annum, until the whole is paid : Provided always that the purchaser shall be at liberty to anticipate the payment of all or of such instalments.

Power to receive purchase money of lands in instalments.

(2) The Commissioners may require the purchasers to give promissory notes for the different instalments of the purchase money of any land or buildings, but the acceptance of such notes shall in no way affect the lien of the Commissioners or their right to recover by parate execution.

(3) The purchasers shall pay all the expenses of passing transports. (s. 48.)

13.—(1) The Commissioners may receive the purchase money of any buildings sold by them with any land under the provisions of this Ordinance in four instalments, to be paid in the manner following, that is to say, one-fourth

Power to receive purchase money of buildings in instalments if purchaser keeps them insured.

in cash at the time of the sale and the remaining three-fourths by three equal annual instalments, with interest at the rate of six per cent. per annum on the balance remaining unpaid: Provided that the said buildings shall be insured by the purchaser for the amount of the purchase money from injury by fire and that the policy of insurance shall be transferred to the Commissioners.

(2) In the event of the premium on the policy of insurance not being duly paid by the purchaser, the Commissioners may pay the same, and the whole of the purchase money shall thereupon at once become payable, and the Commissioners are hereby authorized and required forthwith to proceed for the recovery of the same together with the amount of the premiums so paid. (s. 49.)

Power to pass transport on receiving first instalment.

14. The Commissioners on receiving one-tenth of the purchase money of any land sold by them, and one-fourth of the purchase money of the buildings sold by them, if any, on such land, may transport such land with the buildings thereon, to the purchaser thereof; but in every case in which the Commissioners transport the land before the whole amount of the purchase money has been paid to them, a statement shall be inserted in the transport that such transport is made "subject to the lien of the Commissioners of Vlissengen." (s. 50.)

Recovery of Purchase Moneys of Lands, etc.

Charging of interest on overdue instalment.

15. In the event of any instalment of the purchase money of any land or buildings sold by the Commissioners, or any interest on such instalment, remaining unpaid for fourteen days after the same has become payable, the Commissioners may demand and recover interest on such overdue and unpaid instalment and the interest thereon at the rate of ten per cent. per annum, until the same is fully paid. (s. 51.)

Preferent lien for unpaid purchase money.

16. The Commissioners shall have a preferent lien on all land sold by them, and on all and each of the buildings which may be erected on such land, and shall have a preferent lien on all buildings sold by them, over and above all liens and mortgages thereon, legal or conventional, excepting only liens and preferent rights of the Crown or of the Colony, for securing the due payment of the several instalments of the purchase money payable in respect of such land, with all interest thereon, including

the additional interest on any unpaid instalments or interest which the Commissioners are authorized by this Ordinance to recover. (s. 52.)

17. The preferent lien created by this Ordinance in favour of the Commissioners shall subsist and continue in full force and effect upon the land sold by the Commissioners, and upon all and each of the buildings erected thereon, and upon each building sold by the Commissioners, until the whole of the purchase money for such land or buildings, and all interest thereon, including the additional interest on any unpaid instalment or interest which the Commissioners are by this Ordinance authorized to recover, have been paid in full, notwithstanding any sale, either at their instance or otherwise, transport, letters of decree, conveyance or any devolution of such land or buildings of any kind or description. (s. 53.)

Subsistence of preferent lien notwithstanding devolution of property.

18.¹—(1) The Commissioners may recover by parate execution every sum which may become payable to them under the provisions of this Ordinance, and whether the same becomes payable for the purchase of any lands or buildings sold by them, or for the rent or use or occupation of any of the lands hereby vested in them, or for the rent of any lands let to hire by them, or for any rate, or for any other cause whatsoever, together with all interest and costs; and the Commissioners may proceed by parate execution to recover such sum either against the persons liable to pay such sum or against the proprietors of the lands and buildings in respect of which such sum may have become payable, without naming any of such proprietors.

Power to recover sums due by parate execution.

(2) In every proceeding by parate execution, the signature of the Senior Commissioner and of the Secretary, subscribed to any document setting forth or containing a statement of the amount claimed, shall, without proof of such signatures or of any other matter or thing, be held to be *primâ facie* evidence of the amount claimed being in every particular correct, and that the same is due to the Commissioners by the proprietors of the lands or buildings or by the persons therein specified. (s. 54.)

Appraisement of Buildings.

19.—(1) Whenever it may become necessary for the Commissioners to have any buildings appraised, they shall

Power to appraise buildings.

¹See Ordinance No. 22 of 1896, s. 10.

appoint two competent persons to appraise such buildings, and such persons shall give in their appraisal in writing, signed by them, and shall therein state the size and condition of each building so appraised, and the sum of money which they consider such building to be worth.

(2) The appraisal shall be kept in the Office of the Commissioners, and shall be open to the inspection of all persons interested therein without any fee.

(3) The appraisers shall be entitled to receive from the Commissioners reasonable remuneration for their trouble.

(4) The value in money as ascertained by such appraisal shall be deemed, for all purposes and in all Courts of Law, to be the full value in money of such buildings, except as hereinafter provided. (s. 55.)

Application for re-appraisal, and proceedings thereon.

20.—(1) If any person interested is dissatisfied with the appraisal of any building made by the Commissioners, he may, on filing at the Office of the Commissioners an affidavit sworn to by two carpenters stating what, in their opinion, is the true value of such building, and that the value of the said building as appraised by the persons appointed by the Commissioners is more than ten per cent. below the real value of the said building, and on lodging with the Secretary the sum of ten dollars, require the said building to be re-appraised; and the said building shall thereupon, at the request of the Commissioners be appraised by the Colonial Civil Engineer and the Town Superintendent, who shall each be entitled to receive from the Commissioners a fee of five dollars for their trouble.

(2) If the Colonial Civil Engineer and the Town Superintendent do not agree in their estimate of the value of the said building, they shall appoint an umpire, who shall receive a fee of ten dollars from the Commissioners.

(3) The value as appraised by the Colonial Civil Engineer and the Town Superintendent, or by the umpire only, as the case may be, shall be taken as the appraised value of such building for all the purposes of this Ordinance. (s. 56.)

Rule as to expenses of person objecting to appraisal.

21. If the value of the said building, as appraised by the Colonial Civil Engineer and the Town Superintendent, or by the umpire, exceeds the amount appraised by the persons appointed by the Commissioners by ten per cent. of the

amount as first appraised, the person who has deposited the said sum of ten dollars shall be entitled to re-payment of the same from the Commissioners, and the person requiring the new appraisement shall be entitled to receive from the Commissioners the reasonable expenses of the appraisement made by the carpenters appointed by him. (s. 57.)

22.—(1) Where the commissioners have reason to suppose that any minors or persons who are incapable of protecting their own interests, or who are not properly represented, are interested in any building requiring to be appraised, they shall submit the appraisement given in by the persons appointed by them to the Colonial Civil Engineer for his approval; and if the Colonial Civil Engineer, after investigation, considers the appraisement a fair and reasonable one, he shall write a certificate thereon to that effect; or, if he considers the value as appraised to be too small, he shall state what in his opinion is the true value, and such value so stated by him shall be taken to be the appraised value of the said building.

Obtaining of certificate of the Colonial Civil Engineer as to appraisement.

(2) The Commissioners shall pay to the Colonial Civil Engineer a fee of five dollars in respect of each principal building and the outbuildings connected therewith so appraised by him. (s. 58.)

Recovery of Tax.

23.¹ If any tax imposed by the Mayor and Town Council of Georgetown on any lot or half-lot forming a portion of the lands hereby vested in the Commissioners remains unpaid, the Commissioners may pay the same and recover the amount thereof, with interest at six per cent. per annum, by parate execution against the proprietors of the buildings on the said lot or half lot, or, if the said lot or half-lot has been previously sold by the Commissioners, against the said lot or half-lot, together with the buildings thereon. (s. 67.)

Power to the Commissioners to pay tax and recover amount thereof.

Special Provisions with respect to Columbia and Lacy Town Ward and Bourda District.

24. The cost of making or widening the streets or roads, and of laying out, cleaning, and digging the drains and trenches, of the Bourda District, so as to conform to the plan as approved by the Governor and Court of Policy, may be defrayed in the first instance by the Commissioners from any funds at their disposal, and shall thereafter be

Defraying of cost of improvements in Bourda District.

¹See Ordinance No. 22 of 1896, ss. 11 and 14.

recovered by a special rate to be levied on all property within the said District, and which rate the Commissioners are hereby authorized and required to levy in the manner herein provided. (s. 80.)

The Commissioners to sell building lots.

25. The Commissioners shall, as soon as practicable, sell and dispose of all the building lots, as laid out on the plan of the Columbia and Lacy Town Ward and the Bourda District, as the same is finally settled by the Governor and Court of Policy, and such lots may be sold either as whole or half lots, but the Commissioners shall not sell or dispose of less than a half-lot, or of any half-lot which does not abut on a street. (s. 81.)

Pre-emption right of occupier of lot or of owner of buildings.

26. The person in the occupation of any lot or half-lot, as laid out on the plan approved by the Governor and Court of Policy, and which is not required for any public purpose, or who owns the buildings thereon, shall be entitled to purchase such lot or half-lot, on paying the appraised value thereof, as ascertained and determined in the manner herein provided, together with such further sum, if any, as may be due and claimable for the rent or for the use or occupation of the said lot or half-lot. (s. 82.)

Provision for cases where there are several occupiers of lot.

27.—(1) Where several persons having different interests are in the occupation of the same lot or half-lot of land, as laid out on the said plan, being any portion of the lands hereby vested in the Commissioners, other than in the New Town Ward, or where there are several buildings or erections on any such lot or half-lot belonging to different persons, the Commissioners shall proceed in the following manner, that is to say,—

(a) They shall ascertain whether any lease, or any transfer of any lease, or any document has been recorded in the Registrar's Office for the Counties of Demerara and Essequibo, affecting or pretending or intended to affect the land comprised in, or the buildings or erections on, such lot or half-lot;

(b) The Commissioners shall serve a notice, in the Form contained in the Schedule to this Ordinance, upon each person within the Colony who, they know or have reason to suppose, claims to be entitled to the occupation of the said lot or half-lot, or of any portion thereof, or to be entitled to any of the buildings or erections thereon, requiring each such person, within

Schedule.

twenty-one days from the day of the service of such notice, to state at their Office, either verbally or in writing, the nature and extent of the interest which he claims to the occupation of, or to the buildings or erections on, the said lot or half-lot; and where any person states verbally the nature and extent of the interest which he claims, the Secretary shall reduce his statement to writing, and require such person to sign the same or put his mark thereto; and the Secretary shall inquire as to the mode in which such person acquired his interest and whether he has any, and, if so, what, documents to support his claim; and the Secretary shall inform such person of his rights under this Ordinance;

- (c) The Commissioners, within one week after the service of the notice last served, shall have each of the buildings and erections on the said lot or half-lot appraised in the manner provided by this Ordinance. The Commissioners shall state in writing at the end of such appraisement what sum they claim for rent or for the use or occupation of the said lot or half-lot; and
- (d) The Commissioners, on receiving the said appraisement, shall issue an advertisement in *The Official Gazette* and one other newspaper published in the Colony, for three successive Saturdays, calling on all persons claiming any right to the occupation of the said lot or half-lot, or any interest in any of the buildings or erections thereon, who may wish to purchase the whole of the said lot or half-lot, with all the buildings and erections thereon, to send in to their Office, on or before noon on the Monday following the third publication of the advertisement, a tender in writing for the purchase of the said lot or half-lot, with all the buildings and erections thereon. If the amount of the highest tender exceeds the aggregate amount of the appraised value of the said lot or half-lot and of the buildings and erections thereon, as ascertained by the Commissioners as aforesaid, together with the amount, if any, which may be due and claimed in respect of rent or for the use or occupation of the said lot or half-lot, the person

so offering to pay the highest amount shall be entitled to purchase the said lot or half-lot, with all the buildings and erections thereon, for the amount offered in such tender. If the highest amount so offered does not exceed the said aggregate amount, the Commissioners shall put up the said lot or half-lot, with all the buildings and erections thereon, for sale by public auction, but the Commissioners shall not allow the said lot or half-lot to be sold for less than the aggregate amount, without the consent of the Governor and Court of Policy, and in such case the Commissioners shall not pay as the price of such lot or half-lot under section 21¹ more than the sum which may be received by the sale of such lot or half-lot.

(2) The Commissioners are hereby authorized and empowered to sell the said buildings and erections with the said lot or half-lot, and to give a valid title thereto. (s. 83.)

Preparation
of statement
as to division
of price of
buildings
sold.

28.—(1) Where the Commissioners sell any lot or half-lot with the buildings thereon, whether by tender or otherwise, they shall prepare a statement in writing, showing the proportions in which they propose to divide the amount of the purchase money, after deducting the amount of the appraised value of the said lot or half-lot, and the amount, if any, claimed in respect of rent or for the use or occupation of the said lot or half-lot, among the different persons claiming an interest in the said lot or half-lot or in the buildings or erections thereon.

(2) Such statement shall be open, at the Office of the Commissioners, for the inspection of all persons, and shall be published for three successive Saturdays in *The Official Gazette* and one other newspaper published in the Colony. (s. 84.)

Making of
objection to
proposed
division.

29. Within fourteen days after the first publication of the advertisement, any person objecting to the mode in which it is proposed to divide such surplus may enter, in a book to be kept for that purpose in the Office of the Commissioners, his objections to the proposed division and the grounds thereof; and such entry may be made by the person himself, or by a barrister-at-law, advocate, or attorney-at-law on his behalf, or if such person so requests, by the Secretary to the Commissioners. (s. 85.)

¹Sec. 21 was repealed by Ord. No. 22 of 1896, s. 15.

30. If any objection is entered to the proposed division, the Commissioners shall, within fourteen days after the last publication of the advertisement, lodge in the Registry of Court a statement, signed by the Senior Commissioner and the Secretary, showing the number of the lot or half-lot as laid down on the said plan, the appraised value of the said lot or half-lot, the amount claimed and due, if any, for rent, or for the use or occupation of the said lot or half-lot, the appraised value of each of the buildings or erections on the said lot or half-lot, the division of the purchase money proposed to be made by the Commissioners; and a copy of the objections entered in the said book; and the Commissioners shall lay over with such statement the original appraisement of the buildings and erections on the said lot or half-lot. (s. 86.)

Transmission
of objections
to the
Registrar.

31.—(1) On the statement being lodged with the Registrar, he shall issue, at the cost of the Commissioners, an advertisement in *The Official Gazette* and in one other newspaper published in the Colony, calling upon all persons interested in the division of the said money to appear before one of the judges, at a time and place to be fixed by the judge, being not less than fourteen days after the date of such notice; and all persons interested may then appear and oppose or support the division made by the Commissioners.

Summoning
of persons
interested
to appear
before a
Judge.

(2) If any person wishes to oppose the said division who has not entered any objection in the said book in the Office of the Commissioners, he shall be entitled to do so on filing with the Registrar a statement in writing, signed by himself or by a barrister-at-law, advocate, or attorney-at-law, of the grounds of his opposition, at least two days before the day so appointed, but he shall not in any such case be entitled to any costs. (s. 87.)

32.—(1) Any person wishing to summon witnesses may do so on depositing the necessary amount and on lodging in the Registrar's Office a certificate from the Registrar stating that the Commissioners have lodged their statement as to the division of the purchase money of the said lot or half-lot, and the time which has been fixed by the Judge for the hearing of the matter.

Summoning
of witnesses.

(2) Such certificate may be granted by the Registrar, who shall be entitled to demand the sum of one dollar for each such certificate. (s. 88.)

Power to the Judge to alter or confirm division.

33. On the day fixed by the Judge, or as soon thereafter as may be convenient, the parties shall be heard, and their witnesses, if any, and the Judge may alter, vary, or modify the division of the Commissioners in any way that he may consider the justice of the case requires or may confirm such division. (s. 89.)

Costs.

34. The Judge may make such order as to costs as to him may seem meet; and, where the Commissioners are ordered to pay costs, they may defray them out of the funds at their disposal. (s. 90.)

Compliance with order of the Judge.

35. The decision of the Judge in all cases where the question at issue is under five hundred pounds sterling shall be final, and the Commissioners shall, within three weeks thereafter, pay in cash to the several persons interested the amount to which they are entitled under such order: Provided always that where the purchaser of the said lot or half-lot becomes entitled to any money under such order, the amount so awarded shall be considered and taken as a payment on account of the purchase money. (s. 91.)

Appeal to H.M. in Council.

36. Every person wishing to appeal to His Majesty in His Privy Council in any case where the question at issue is above five hundred pounds sterling in value shall be bound to follow the same mode of procedure as in ordinary cases. (s. 92.)

Provision for case where the Commissioners cannot sell at appraised value.

37.—(1) If the Commissioners are unable to sell any lot or half-lot in the manner hereinbefore provided, they may either permit the owners of the buildings on the said lot or half-lot to remain in the occupation of the said lot or half-lot at an annual rental, or may permit the owners of the said buildings to remove such buildings from the said lot or half-lot on paying to the Commissioners all sums claimed and due for rent in arrear, or for the use or occupation of the land on which such buildings may stand.

(2) If the owners of any of such buildings continue in the occupation of any lot or half-lot, they shall pay to the Commissioners as rent of the said land a sum which shall be not less annually than eight per cent. of the appraised value of the said lot or half-lot, and such sum shall be payable in equal monthly instalments, and where there are several

buildings on the same lot or half-lot belonging to different owners, the rent shall be apportioned amongst the owners of such buildings in the proportion of the appraised value thereof. (s. 93.)

38.—(1) Where the owners desire to remove their buildings from the said lot or half-lot, they shall be allowed six months within which to remove the same, without any charge for rent beyond the amount that may be claimed and due for rent or for the use and occupation of the lot or portion of land on which the buildings are situate and which is occupied therewith at the commencement of this Ordinance.

Time allowed for removal of buildings.

(2) If the said buildings are not removed within the said period of six months, the owner thereof shall be bound to pay rent to the Commissioners at the rate before specified for any period beyond the said period of six months during which such buildings may remain on the said lot or half-lot. (s. 94.)

39.—(1) In any case where there are several owners and one of them purchases the whole lot or half-lot, with all the buildings thereon, or where the Commissioners sell the whole lot or half-lot, with all the buildings thereon, under the provisions of this Ordinance, the occupier of each of the buildings shall have three months free of any rent wherein to remove therefrom; and the said period of three months shall commence to run from the day on which the Commissioners pay or tender the amount to be paid in respect of such building to the owner or person entitled to receive the same, or pay the same into the Registry of Court.

Time allowed for quitting buildings sold.

(2) If any person refuses or neglects to quit any such building when required by the Commissioners to do so, the Commissioners, on the expiration of the said period of three months, shall be entitled, on a petition *ex parte*, to obtain an authorization *de facto* to eject and put out such person from the said building. (s. 95.)

Miscellaneous Provisions.

40. The Commissioners shall transport the land taken for the streets, roads, dams, drains, trenches, or open spaces, as laid down in the plans approved of by the Governor and Court of Policy, to and in favour of the Colony. (s. 99.)

Transport of land forming streets, etc.

Saving as to certain land belonging to the Colony.

41. Nothing in this Ordinance shall prevent the erection of buildings on the strip of land, the property of the Colony, lying between Lot 26, New Town, and the River, and adjoining the American Stelling, with the permission of the Governor-in-Council, and on such terms and conditions as the Governor-in-Council may think fit. (3 of 1895, s. 2 (1).)

Protection to the Commissioners, etc.

42. The provisions of the Justices Protection Ordinance, 1850, shall extend to the commissioners, and to each and all of them, and to their several officers and servants acting in the execution of this Ordinance. (s. 101.)

No. 2 of 1850.

THE SCHEDULE.

FORM OF NOTICE.

Section 27.

The Commissioners of Vlissingen hereby give notice to you that under the provisions of the Georgetown (Vlissingen) Improvement Ordinance, 1876, you are hereby required, within twenty-one days from the day on which this notice shall be served on you, to state at the Office of the Commissioners of Vlissingen at the nature and extent of the interest which you claim to the occupation of, or to the buildings or erections on, Lot situate in .

Dated this day of , 19 .

A.B.,
Secretary.
