

No. 6.—1847.

AN ORDINANCE for facilitating the apprehension of certain Offenders escaping to this Colony from any place within the Territories or Dominions of the Republic of Venezuela in order that such offenders may be delivered up to justice.

(L. S.) HARRIS.

WHEREAS persons who have committed crimes within the Territories or Dominions of the Republic of Venezuela sometimes escape to this Colony, and it is expedient to provide for the apprehension of certain of such offenders in this Colony, in order that they may be sent back to the territory or place where such crimes may have been committed, there to be dealt with according to law: Be it therefore enacted by His Excellency the Governor by and with the advice and consent of the Council of Government, and by the authority of the same, That in case requisition shall at any time be made by the Government of the said Republic of Venezuela to deliver up to justice any person who, being charged with the crime of murder, or of an attempt to commit murder, or of arson, or of rape, or of robbery, or of forgery, or of the utterance of any forged security for money committed within the jurisdiction of the said Republic of Venezuela shall be found within the Colony of Trinidad or any of its Dependencies, it shall be lawful for the Governor or other officer administering the Government of this Colony, if he shall think fit, but not otherwise, by warrant under his hand and seal to signify that such requisition has been so made, and to require all Justices of the Peace, and other Magistrates and officers of justice within their several and respective jurisdictions to govern themselves accordingly, and to aid in apprehending the person so accused, and committing such person to gaol for the purpose of being delivered up to justice, and thereupon it shall be lawful for any Justice of the Peace or Magistrate in this Colony, to examine upon oath any person or persons touching the truth of such charge, and upon such evidence as, according to the law of this Colony, would justify the

Preamble—
Persons guilty of certain offences committed in the territories of Venezuela and escaping to this Colony may be apprehended on requisition of the Venezuelan Government.

apprehension and committal for trial of the person so charged, if the crime or offence with which he or she shall be so charged had been committed within this Colony, to issue his warrant for the apprehension of such person, and also to commit such person to gaol, there to remain until delivered pursuant to such requisition as aforesaid.

Copies of depositions to be received as evidence.

2. Provided always and be it enacted, That in every such case copies of the deposition or depositions upon which the original warrant for the apprehension of the offender issued by the Magistrate or other authority in Venezuela was granted certified under the hand and seal of office of the Officer of the said Republic making such requisition, may be received in evidence of the criminality of the person so apprehended.

Such offenders when apprehended, may be delivered up to officers appointed by the Government of Venezuela, and escaping may be retaken.

3. And be it enacted, That upon the certificate of such Justice of the Peace or Magistrate, that such supposed offender has been so committed to gaol, it shall be lawful for the Governor, or Officer administering the Government of this Colony, by warrant under his hand and seal to order the person so committed to be delivered to such person or persons as shall be authorized by any warrant under the hand of the Officer of the said Republic making such requisition as aforesaid to receive the person so committed, and to convey such person to the place where the crime or offence with which such person is charged was committed, there to be tried for such crime or offence, and such person shall be delivered up accordingly; and it shall be lawful for the person or persons authorized as aforesaid to hold such person in custody, and take him or her to the place where such crime or offence was committed; and if the person so accused shall escape out of any custody to which he or she shall be committed, or to which he or she shall be delivered as aforesaid, it shall be lawful to retake such person in the same manner as any person accused of any felony committed within this Colony may be retaken upon an escape.

Offenders not delivered up within three months after appre-

4. And be it enacted, That where any person who shall have been committed under this Ordinance to remain until delivered up pursuant to requisition as aforesaid, shall not be delivered up pursuant thereto and

conveyed out of this Colony within three calendar months after such committal, it shall in every such case be lawful for the Supreme Civil Court of this Colony or any Judge thereof, upon application made to them or him by or on behalf of the person so committed, and upon proof made to them or him that reasonable notice of the intention to make such application has been given to the Attorney-General, to order the person so committed to be discharged out of custody, unless sufficient cause shall be shewn to such Court or Judge why such discharge ought not to be ordered.

5. And be it enacted, that this Ordinance shall commence and take effect when and so soon as the Governor or other officer administering the Government of this Colony shall by Proclamation under his hand and the public seal of this Colony, declare and proclaim that the legislature of the said Republic of Venezuela hath made sufficient provision by law for the apprehension of offenders escaping to any place within the territories or dominions of the said Republic, who may be charged with having committed within this Colony any of the crimes or offences hereinbefore mentioned.

Ordinance to take effect when similar concessions shall have been made by a law of Venezuela, to the satisfaction of the Governor.

Passed in Council this sixteenth day of March, one thousand eight hundred and forty-seven.

THOMAS F. JOHNSTON,

Clerk of Council.

The foregoing Ordinance was duly proclaimed in Port of Spain, this nineteenth day of March, one thousand eight hundred and forty-seven.

A. CLOGSTOUN, *Marshal.*