

TRINIDAD AND TOBAGO.

*Summary Convictions.*

No. 21—1898.

*1st August.*

AN ORDINANCE to explain and amend certain provisions of "The Summary Conviction Offences (Procedure) Ordinances, 1895 and 1897."

[L.S.]

C. C. KNOLLYS.

ACTING GOVERNOR.

*9th August, 1898.*

**B**E it enacted by the Governor of Trinidad and Tobago with the advice and consent of the Legislative Council thereof as follows :—

1. This Ordinance shall be referred to as the Summary Conviction Offences (Procedure) Ordinance, 1898, and shall be read together with "The Summary Conviction Offences (Procedure) Ordinances, 1895 and 1897."

Short title.  
Construction.

2. Nothing in Sections 81 and 83 of "The Summary Conviction Offences (Procedure) Ordinance 1895" or in Section 13 of "The Summary Conviction Offences (Procedure) Ordinance 1897" shall be construed or deemed in any way to lessen or interfere with the

Summary  
trials for  
larceny.

Attorney-General may require Stipendiary Justice of the Peace to adjourn or deal specially with case.

discretion and Summary powers of a Stipendiary Justice of the Peace conferred by any of the provisions of the Ordinance No. 6 of 1868, but it shall be lawful for the Attorney-General in the case of any charge of an indictable offence brought before a Stipendiary Justice at any time before the decision thereof by writing under his hand to require such Stipendiary Justice to adjourn such case or to deal with the same as one for trial before a Judge and Jury at the Criminal Sessions, and on receipt of such requisition the Stipendiary Justice shall deal with such case accordingly.

Stipendiary Justice of the Peace to adjourn case on request of Police.

3. A Stipendiary Justice shall any time before the decision thereof at the request of any Police Officer in charge of any prosecution adjourn the hearing of any charge involving an indictable offence punishable on summary conviction, in order that the Attorney-General may be consulted with a view of obtaining an Order as in the previous section mentioned to have the case committed for trial at the Criminal Sessions if a *prima facie* case is made out.

Consent need not be alleged on conviction or committal.

4. It shall not be necessary to the validity or regularity of any conviction or committal in respect of an indictable offence under the provisions of section 81 of "The Summary Conviction Offences (Procedure) Ordinance 1895" as amended by section 13 of "The Summary Conviction Offences (Procedure) Ordinance, 1897" that the same should contain any averment or statement of the consent of the person charged or his guardian to any offence in such sections and the schedule thereto mentioned being dealt with summarily by such justice: Provided however that in every case in which such Stipendiary Justice so deals summarily with any

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offence by consent of the person charged, a note of such consent having been given and of the person by whom the same has been given shall be taken by such Justice or his clerk.

5. In Section 118 of the Summary Conviction (Offences) Procedure Ordinance, 1895, the words "he shall pay the same to the keeper and the keeper shall forthwith pay the same to the Justice who issued the warrant of commitment" are hereby repealed, and in lieu thereof shall be read the following: "the same shall be paid either to the keeper or to the Justice who issued the warrant of commitment, and if to the keeper, the keeper shall thereupon discharge the person detained and shall forthwith pay the same to such Justice and if to the Justice such Justice shall on receipt of such sum from any person on behalf of the person committed issue under his hand to the keeper an order to liberate such person, and such person shall thereupon be liberated by the keeper accordingly."

To whom fine  
may be paid.

Passed in Council this First day of August, in the year of Our Lord one thousand eight hundred and ninety-eight.

C. J. ROOKS,  
*Acting Clerk of the Council.*