

attempting so or endeavour to escape from the custody of any officer  
 to do, and on having the charge and custody of such convict, or shall  
 persons assist. escape or endeavour to escape from such labor yard, or  
 ing them or if any person shall rescue or endeavour to rescue any  
 attempting so such convict when going to or returning from such  
 to do. labor yard from the custody of any officer having the  
 charge and custody of any such convict, or shall aid or  
 assist any such convict to escape from any such labor  
 yard, every such person shall be guilty of a misdemeanor,  
 and being convicted thereof shall be imprisoned with or  
 without hard labor for the whole or any part of such  
 term not exceeding two years as the Court may award.

Passed in Council this ninth day of April, in the year  
 of our Lord one thousand eight hundred and fifty.

GEORGE B. VAN BUREN,

*Clerk of Council.*

The foregoing Ordinance was duly proclaimed in  
 Port of Spain this twenty-second day of April, one  
 thousand eight hundred and fifty.

A. CLOGSTOUN,

*Marshal.*

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No. 23.—1850.

14th October.

AN ORDINANCE for assimilating the Law with regard  
 to the distribution of intestate Estates to the Law of  
 England.

HARRIS.

Interpretation  
 clause.

WHEREAS it is expedient that the law of this Colony  
 with regard to the distribution of intestate estates

should be assimilated to the law of England: Be it enacted by his Excellency the Governor, by and with the advice and consent of the Council of Government, that the words "personal estate" hereinafter mentioned, shall extend to leasehold estates and other chattels real, and also to monies, shares of Government and other funds securities for money not being real estates, debts, choses in action, rights, credits, and goods, and all other property whatsoever which by law devolves upon the executor or administrator, and to any share or interest therein.

2. And be it enacted, That where any person shall depart this life intestate, being at the time of his or her decease domiciled in this Colony, the surplusage of the personal estate of such person after all debts, funeral and just expenses of every sort first allowed and deducted, shall be distributed amongst the same persons, in the same manner, and in the same proportion as the same would be distributed by the law of England in case such person had died intestate in England.

Personalty of persons dying intestate to be distributed as in England.

3. And be it enacted, That every person entitled to any distributive share of the surplusage of the personal estate of any intestate shall take such share by virtue of this Ordinance, and not by way of inheritance from or as heir of such intestate,

Personalty to go by virtue of this Ordinance and not by way of inheritance.

4. And be it enacted, That the words "next of kin," wherever the same shall be used in any will or codicil to a will or in any deed or instrument, shall be construed to mean such and the same person or persons as would in the like case answer to the description of next of kin by the law of England.

Next of kin the same as in England.

5. Provided always, and be it enacted, That this Ordinance shall not extend to the estate of any person who shall have died before the commencement of this Ordinance, or to any will or codicil or any deed or instrument made before the first day of January now next ensuing.

Ordinance not to extend to persons dying or wills made before 1st January next.

6. Provided also, and be it enacted, That as regards all persons married before the twenty-eighth day of December, in the year of our Lord one thousand eight hundred and forty-four, the wife, in case of the husband predeceasing her intestate, shall not be entitled to any

Saves rights of husbands and married women.

share of the estate or effects of such husband; and the husband, in case of the wife predeceasing him intestate, shall not be entitled to any share of the personal estate and effects of the wife; but the whole of all such estate and effects shall be distributed under this Ordinance equally to and amongst the children, and in case there be no child, then to and amongst the next of kin of kindred in equal degree of or to such husband or wife as the case may be.

Ordinance not  
to extend to  
illegitimate  
children born  
before 1845.

7. Provided also, and be it enacted, That nothing herein contained shall take away or affect the right of any person not born in lawful wedlock, but born before the eleventh day of December, one thousand eight hundred and forty-five, to the personal estate or effects of his or her mother dying intestate; or the right of the mother of any child not born in lawful wedlock, but born before the eleventh day of December aforesaid, to the personal estate of any such child dying intestate.

8. And be it enacted, That this Ordinance shall take effect upon and from and after the first day of January, in the year of our Lord one thousand eight hundred and fifty-one.

Passed in Council this fourteenth day of October, in the year of our Lord one thousand eight hundred and fifty.

RICHARD D. CADIZ,

*Clerk of Council.*

The foregoing Ordinance was duly proclaimed in Port of Spain, this eighteenth day of December, one thousand eight hundred and fifty.

A. CLOGSTOUN,

*Marshal.*