

TRINIDAD AND TOBAGO.

No. 11—1895.

11th March.

AN ORDINANCE to amend and extend the provisions of "The Infirm Paupers Ordinance, 1882," and to make provision to restrict the landing in the Colony of Criminal and Vicious Immigrants.

[L.S.]

F. NAPIER BROOME,

GOVERNOR,

25th March, 1895.

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 for all purposes as Short title.
"The Immigrants Regulation Ordinance, 1895."

2. This Ordinance shall be read and construed as Construction.
one with "The Infirm Paupers Ordinance, 1882,"
(5 of 1882) hereinafter called "The Principal Ordinance."

Explanatory.

3. In this Ordinance,

“Visiting Officer” means a Visiting Officer acting under “The Quarantine Ordinance, 1893,” (18 of 1893) or under any other Ordinance or Law for the time being relating to Quarantine. It shall also include the Harbour Master, Assistant Harbour Master in the Colony and Inspector-General of Police and any Inspector of Police and any Officer expressly appointed by the Governor to execute the provisions of this Ordinance.

“Destitute Immigrant” means any person not being a native of the Colony as to whom notice that he is a destitute Immigrant shall be given in accordance with the provisions of this Ordinance.

“Colony” means the Colony of Trinidad and Tobago.

“Vessel” means any steamship, ship, vessel, sloop, boat or other floating craft.

“Court” means and includes the Supreme Court, or any Court exercising Summary Jurisdiction in Criminal matters.

“Colonial Court” means any Court outside the Colony exercising Criminal Jurisdiction within Her Majesty’s Colonial Dominion.

“Colonial Criminal” means any Criminal who having been sentenced by any Colonial Court to penal servitude or imprisonment for a term of not less than twelve months shall

afterwards come to this Colony either before or after the expiration of his term of imprisonment.

“Vicious or Criminal Immigrant” means any person or class of persons defined by or specified in any Proclamation made under Section 8 of this Ordinance to be vicious or criminal within the meaning of such Proclamation.

“Summary Conviction” shall mean conviction before any Stipendiary Justice of the Peace proceeding according to the provisions of the Ordinance No. 5 of 1868, intituled “An Ordinance respecting the Summary Administration of Justice,” or proceeding according to the provisions of any future Ordinance or Law regulating the Summary Administration of Justice.

4. If on the arrival in this Colony of any vessel there shall be on board any person who in the opinion of any Visiting Officer is a pauper or destitute and likely, if permitted to land, to become chargeable to the Colony, such Visiting Officer shall give notice that such person is a “Destitute Immigrant.”

Destitute
Immigrants.

Such notice may be given verbally or in writing to the Master or any of the crew of the vessel or by writing nailed or affixed to any mast or other part of the vessel, but shall, where practicable, be given to the Master.

Upon the giving of such notice all and every the Provisions of the Principal Ordinance shall apply to cases of Destitute Immigrants, and all and every the

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restrictions and conditions imposed by such Ordinance on the landing of Infirm Paupers, and imposing penalties on vessels from which Infirm Paupers shall land in any part of the Colony, and imposing penalties on Masters of vessels knowingly suffering Infirm Paupers to land, and all other the provisions of the said Ordinance shall apply to Destitute Immigrants in the same manner and to the same extent as the same respectively are applicable to Infirm Paupers.

Master of
vessel to
answer all
questions.

5. The Master of any vessel arriving in the Colony shall answer all questions which a Visiting Officer shall put to him, and any Master who shall either refuse to answer any such questions or shall give an untrue answer thereto shall be guilty of an offence against this Ordinance, and on Summary Conviction thereof shall forfeit and pay a penalty not exceeding Ten Pounds, and in default of payment shall be imprisoned either with or without hard labour for any term not exceeding six months.

Compulsory
statements by
Colonial
Criminals.

6. The Visiting Officer may call upon any person arriving in this Colony in any vessel and whom he shall have cause to suspect to be a Colonial Criminal to state

- (a) His name and occupation and the Colony, Parish, City or Town to which he belongs.
- (b) The Port, City, Town, Parish or Place from whence he came.

Person failing
to prove that
he is not a
Colonial
Criminal to be
adjudged a
suspected
person and to
be subject to
Police super-
vision.

7. It shall be lawful for any Visiting Officer by writing under his hand addressed to any Police Constable to cause any person coming to the Colony by any vessel whom such Visiting Officer may have reasonable cause to believe to be a Colonial Criminal within the

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meaning of this Ordinance to be taken into custody and be brought before a Stipendiary Justice of the Peace, and thereupon all and every the provisions of "The Alien Criminals Ordinance, 1870," (2 of 1870) shall apply and be applicable to any person so brought as aforesaid before any such Stipendiary Justice of the Peace, and such Justice shall have jurisdiction to deal with any such person so brought before him in the same manner as he is authorized to deal under the provisions of the said Ordinance with persons brought before him suspected to be Alien Criminals within the meaning of "The Alien Criminals Ordinance, 1870."

8. The Governor may by Proclamation whenever he deems it necessary, prohibit the landing in the Colony of any Vicious or Criminal Immigrant designated in such Proclamation except upon such conditions for insuring their retransportation to the Port or Place from whence they came with the least possible delay as the Governor in Council prescribes.

The landing of Vicious Immigrants may be prohibited by the Governor.

Such conditions may, if the Governor in Council deems it necessary, include the immediate return or the return with the least possible delay of the vessel and such Immigrants to the said Port or Place, such prohibited Immigrants remaining on board until the return of such vessel.

9. If any Vicious or Criminal Immigrant shall land in any part of the Colony contrary to the Proclamation of the Governor the vessel by which such Vicious or Criminal Immigrant arrived shall be subject to the Maritime lien created by Section 6 of "The Infirm Paupers Ordinance, 1882," and all and every the pro-

Penalty on vessels landing Vicious Immigrants.

visions of such Section shall apply and be applicable in the same manner as they apply and are applicable to Infirm Paupers landing in any part of the Colony contrary to the provisions of the said Ordinance.

Penalty on
Master of ves-
sel landing
Criminal and
Vicious Immi-
grants.

10. Any Master of a vessel who knowingly suffers any Vicious or Criminal Immigrant who arrives in such vessel to land contrary to the Proclamation of the Governor as aforesaid shall be guilty of an offence against this Ordinance, and on Summary Conviction thereof shall be liable to a penalty not exceeding Fifty Pounds, and in default of payment shall be imprisoned either with or without hard labour for any term not exceeding six months.

Proceedings
against
Masters of
vessels.

11. In any proceeding against the Master of any vessel for allowing any Vicious or Criminal Immigrant to land contrary to any Proclamation under Section 8 of this Ordinance, such vessel shall not be subject to the Maritime lien created by Section 6 of the Principal Ordinance, and no Master of any such vessel shall be liable to the penalties prescribed by Section 10 of this Ordinance unless it be proved to the satisfaction of the Court

(a) that notice was given verbally or in writing in the manner prescribed by Section 4 of this Ordinance in relation to Destitute Immigrants that any person being on board of such vessel is a Vicious or Criminal Immigrant as the case may be within the meaning of the Proclamation of the Governor aforesaid ; or

(b) that the Master of any such vessel independently of any notice had knowledge

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that any person by him permitted to be landed was a Vicious or Criminal Immigrant as the case may be within the meaning of any such Proclamation as aforesaid.

12. Any Vicious or Criminal Immigrant who knowingly and wilfully lands or suffers himself to be landed contrary to the Governor's Proclamation, and any person who knowingly lands or procures to be landed contrary to the Governor's Proclamation, or who aids or assists in landing or procuring to be landed contrary to the Governor's Proclamation any Vicious or Criminal Immigrant, shall be guilty of an offence against this Ordinance, and on Summary Conviction thereof shall be punished in like manner as in Section 10 mentioned.

Penalty on persons landing contrary to Proclamation.

13. The following words in Section 2 of the Principal Ordinance, vizt. :—

“The term ‘Infirm Pauper’ means a person as
 “to whom notice that he is an infirm pauper
 “is given according to this Ordinance,”

are hereby repealed, and, in lieu thereof, the following shall be read :—

The term “Infirm Pauper” means a person not being a native of the Colony as to whom notice that he is an infirm pauper is given according to the Principal Ordinance.

14. The Ordinance No. 13 of 1894, intituled “An Ordinance to extend the provisions of “The Infirm Paupers Ordinance, 1882,” and to make provision to restrict the landing in the Colony of Vicious or Criminal Immigrants” is hereby repealed.

Repeal.

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Provided that this repeal shall not affect the validity or invalidity of anything done or suffered or any right accrued or liability incurred before the commencement of this Ordinance, or any proceeding pending or uncompleted at the commencement of this Ordinance.

Passed in Council this Eleventh day of March, in the year of Our Lord one thousand eight hundred and ninety-five.

CHAS. J. ROOKS,
Acting Clerk of the Council.
