

TRINIDAD AND TOBAGO.

No. 23.—1914.

29th May.

AN ORDINANCE to amend the Judicature Ordinance.
(No. 34.)

[L.S.]

GEORGE R. LE HUNTE,

GOVERNOR.

20th June, 1914.

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

Short Title.

1. This Ordinance may be cited as the Judicature (amendment) Ordinance, 1914.

Declaratory
Enactment as
to Common
Law, &c.

2. It is hereby declared that the Common Law, Doctrines of Equity and Statutes of general application of the Imperial Parliament which were in force in England on the 1st day of March, 1848, shall, subject to the terms of any Ordinance of the Colonial Legislature in operation at that date, be deemed to have been introduced into, and enacted in, this Colony on the 1st day of March aforesaid, and subject to the terms of such last mentioned Ordinances and of any Ordinances passed subsequently thereto, to have been in force in this Colony as from that date.

3. The first part of Section 4 of the Judicature Ordinance down to and including the word "appointments" in line 7 is hereby repealed and in lieu thereof shall be read the following:—

Constitution
of Supreme
Court.

4. The Supreme Court shall consist of not more than three and not less than two Judges, of whom one shall be called the Chief Justice of Trinidad and Tobago and shall be the President of the Court, and the other or others shall be called the Puisne Judge or Puisne Judges of Trinidad and Tobago, and shall, if more than one, be called the First and Second Puisne Judges according to the terms of their respective appointments.

4. Section 5 of the Judicature Ordinance is hereby repealed and in lieu thereof shall be read the following:—

Full Court.

5. Any two Judges of the Court shall be sufficient to constitute a Full Court. Where the Full Court sits to hear appeals from a single Judge, whether final or interlocutory, or to determine a question of law reserved during the trial of a person convicted of an indictable offence, the Judge whose judgment or order is appealed from or who presided at such trial shall not sit in such Full Court. Where the two Judges hearing an appeal or sitting to determine a question of law reserved as aforesaid differ in opinion, the judgment in the Court below shall stand. Where the Full Court sits otherwise than for the hearing of appeals or for the determination of a question of law reserved as aforesaid and the two Judges constituting it differ in opinion, they shall not give judgment if there is a third Judge of the Court in the Colony, and the cause or matter shall be reheard and determined by the three Judges of the Court; if, however, there is no third Judge of the Court in the Colony, the opinion of the Senior Judge sitting shall prevail.

Repeals.

5. Ordinance No. 274, entitled "an Ordinance to provide for the better administration of justice in civil cases and to extend and define the jurisdiction and powers of the Supreme Court" and Section 21 (9) of the Judicature Ordinance (No. 34) are hereby repealed.

Passed in Council this Twenty-ninth day of May, in the year of Our Lord one thousand nine hundred and fourteen.

HARRY L. KNAGGS,
Clerk of the Council.
