

TRINIDAD AND TOBAGO.

Petty Civil Courts.

No. 26.—1904.

C. P. G. 1905
290

19th December.

AN ORDINANCE to amend the Petty Civil Courts Ordinances, 1901 and 1904. (37—1901 and 7—1904.)

[L.S.]

H. M. JACKSON,

GOVERNOR.

23rd December, 1904.

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 as the Petty Civil Courts short title. (Amendment) Ordinance 1904. It shall be read as one with the Petty Civil Courts Ordinances 1901 and 1904.

2. Section 41 of the Petty Civil Courts Ordinance 1901, Repeal. is hereby repealed and in lieu thereof shall be read the following:

(a.) Either of the parties to any action or other proceeding under this Ordinance may obtain Summonses to witnesses. from the Clerk summonses for witnesses to appear at the hearing of the action or proceeding and give evidence or give evidence and produce any books deeds papers writings or articles in their possession or control.

- (b.) Summonses to witnesses may by leave of the Judge be served by the party applying for the same or by his solicitor or by someone in the permanent or exclusive employment of the party or his solicitor. It shall be sufficient if such summons be served a reasonable time before the return day.
- (c.) Every person on whom any summons shall have been served and who shall refuse or neglect without sufficient cause to appear and give evidence or to give evidence and produce any books deeds papers writings or articles required by such summons to be produced, and also every person present in Court who shall be required to give evidence and who shall refuse to be sworn and give evidence, shall forfeit and pay such fine not exceeding £5 as the Judge shall direct, and the whole or any part of such fine may in the discretion of the Judge be paid to the party injured by such refusal or neglect or to the Receiver-General for the use of the Colony.

Power to administer oath to and examine witnesses.

3. On the hearing or trial of any action or other proceeding under this Ordinance the parties thereto and all other persons may be examined (either on behalf of the plaintiff or the defendant) either on oath or solemn affirmation in those cases in which persons are by law allowed to make an affirmation instead of taking an oath. Such oath or affirmation shall be administered by or in the presence of the Judge.

Perjury.

4. Every person who in any examination upon oath or solemn affirmation before the Judge acting under this Ordinance shall wilfully and corruptly give false evidence shall be deemed guilty of perjury.

Passed in Council this 19th day of December, in the year of Our Lord one thousand nine hundred and four.

C. J. ROOKS,
Clerk of the Council.