

TRINIDAD AND TOBAGO.

Obscene Publications.

No. 24.—1905.

4th September.

AN ORDINANCE for more effectually preventing the sale of obscene books, pictures, prints and other articles.

[L.S.]

H. M. JACKSON

GOVERNOR.

14th September, 1905.

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 Obscene Publications Ordinance 1905. Short title.

2. It shall be lawful for any Stipendiary Justice of the Peace upon complaint made before him upon oath that the complainant has reason to believe and does believe that any obscene books, papers, writings, prints, pictures, drawings or other representations are kept in any house, shop, room or other place within the limits of the jurisdiction of any such Stipendiary Justice, for the purpose of sale or distribution, exhibition for purposes of gain, lending upon hire, or being otherwise published for purposes of gain, which complainant shall also state upon oath that one or more articles of the like character have been sold, Search warrant.

distributed, exhibited, lent or otherwise published as aforesaid, at or in connection with such place, so as to satisfy such Stipendiary Justice that the belief of the said complainant is well founded, and upon such Stipendiary Justice being also satisfied that any of such articles so kept for any of the purposes aforesaid are of such a character and description that the publication of them would be an offence punishable under Section 6 of Ordinance No. 22 or Section 34 para. 7 of Ordinance No. 5, to give authority by special warrant to any constable or officer of Police, into such house, shop, room or other place with such assistance as may be necessary, to enter in the daytime, and if necessary to use force by breaking open doors or otherwise, and to search for and seize all such books, papers, writings, prints, pictures, drawings or other representations as aforesaid found in such house, shop, room or other place, and to carry all the articles so seized before the Stipendiary Justice issuing the said warrant, or some other Stipendiary Justice exercising the same jurisdiction; and such Stipendiary Justice shall thereupon issue a summons calling upon the occupier of the house or other place which may have been so entered by virtue of the said warrant to appear within seven days before such Stipendiary Justice to show cause why the articles so seized should not be destroyed; and if such occupier or some other person claiming to be the owner of the said articles shall not appear within the time aforesaid, or shall appear and such Stipendiary Justice shall be satisfied that such articles or any of them are of the character stated in the warrant, and that such articles or any of them have been kept for any of the purposes aforesaid, it shall be lawful for the said Stipendiary Justice and he is hereby required to order the articles so seized, except such of them as he may consider necessary to be preserved as evidence in some further proceeding, to be destroyed at the expiration of the time allowed for lodging an appeal, unless notice of appeal be given, and such articles shall be in the meantime impounded; and if such Stipendiary Justice shall be satisfied that the articles seized are not of the character stated in the warrant, or have not been kept for any of the purposes aforesaid, he shall forthwith direct them to be restored to the occupier of the house or other place in which they were seized.

3. Any person aggrieved by any act or determination of such Stipendiary Justice in or concerning the execution of this Ordinance may appeal therefrom in the manner provided by the Summary Conviction Offences (Procedure) Ordinance, (No. 1). ^{Appeal.}

Passed in Council this Fourth day of September, in the year of Our Lord one thousand nine hundred and five.

HARRY L. KNAGGS,
Acting Clerk of the Council.
