



TRINIDAD AND TOBAGO.

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No. 9—1939.

[L.S.]

I ASSENT,

J. HUGGINS,
Acting Governor.
20th May, 1939.

AN ORDINANCE to amend and supplement the Criminal
Appeal Ordinance, 1931.

[20th May, 1939.]

Commencement,

ENACTED by the Governor of Trinidad and Tobago with
the advice and consent of the Legislative Council
thereof.

1. This Ordinance may be cited as the Criminal Appeal
(Amendment) Ordinance, 1939, and shall be construed as
one with the Criminal Appeal Ordinance, 1931, hereinafter
referred to as the Principal Ordinance.

Short title.
Construction.
No. 31—1931.

Section 3 of
the Principal
Ordinance
added to.

2. (1) The following subsection numbered (9) shall be added to and form part of section 3 of the Principal Ordinance :—

(9) For the purposes of this Ordinance, the terms “Chief Justice” and “Puisne Judge” shall include respectively any person appointed by the Governor under the provisions of section 7 of the Judicature Ordinance to act as such or as a Judge of the Supreme Court and the provisions of sections 6 and 7 of the Judicature Ordinance shall apply to any person holding such appointment as if such sections formed part of this Ordinance.

Effect of
amendment
of clause 3
of the
Principal
Ordinance.

(2) The said subsection (9) added to section 3 of the Principal Ordinance shall have retrospective effect and be deemed to have always formed part of the Principal Ordinance, and any sentence passed, judgment given or order made before the commencement of this Ordinance by the Court of Criminal Appeal or by any Court purporting to act as the Court of Criminal Appeal and composed either wholly or in part of Judges acting as Judges of the Supreme Court or appointed *ad hoc* for the purpose of determining any appeal before the Court of Criminal Appeal shall be deemed to be and always to have been valid and to be and always to have been within the jurisdiction of the Court of Criminal Appeal and no action or other legal proceeding whatsoever shall be instituted in any Court for or on account of or in respect of any such sentence, judgment or order, and all persons are hereby fully indemnified against all claims or proceedings whatsoever in respect of anything in good faith done or intended to be done or omitted to be done in relation to or in consequence of any appeal before the Court of Criminal Appeal or of any sentence, judgment or order of the Court as aforesaid :

Provided that the Appeal of Tubal Uriah Butler against his conviction and sentence passed on the 16th day of December, 1937, in the case of *The King v. Tubal Uriah Butler for Sedition* before the Supreme Court, and in respect of which appeal notices dated the 24th day of December, 1937, were filed with the Registrar of the Court

of Criminal Appeal, shall be deemed not to have been heard and to be still pending before the said Court of Criminal Appeal, and the said Tubal Uriah Butler shall be at liberty to proceed with the said appeal before the Court of Criminal Appeal if he elects so to do by notifying the Registrar of the Court of Criminal Appeal to that effect in writing within one month from the date of the commencement of this Ordinance.

Passed in Council this nineteenth day of May in the year of Our Lord one thousand nine hundred and thirty-nine.

W. E. BOARDMAN,
Clerk of the Council.