



found in any lands, and shall refuse to quit the same upon request to him made by the owner of such lands, or his servant, every such offender, being convicted before a Justice of the Peace, shall forfeit and pay such sum of money, not less than one pound, and not exceeding five pounds, as to such Justice shall seem fit, and in default of immediate payment thereof shall be imprisoned in the Royal Gaol with hard labour for such term, not exceeding two calendar months, as to the convicting Justice shall seem fit: Provided always that every labourer or other servant, having or occupying any house or cottage, or any room in any house or cottage, on any lands, and the members of his family actually residing thereat with him shall not be liable to any forfeiture under this Ordinance by reason of his or their passing along or upon any road, path or way leading from any public high road to such house or cottage.

3. And be it enacted, That if any person shall fasten any vessel, boat, or craft to any private wharf or landing place, or shall land, place, or put any matter or thing whatsoever upon any such wharf or landing place on which or near to which there shall be stuck up a notice in legible letters forbidding all persons to trespass, every such offender, on conviction thereof, before a Justice of the Peace, shall forfeit and pay such sum, not less than one pound and not exceeding five pounds, as to such justice shall seem fit, and in default of immediate payment thereof shall be imprisoned in the Royal Gaol with hard labour for such term not exceeding two calendar months as to the convicting Justice shall seem fit.

Penalty on persons fastening any vessel &c., to any private wharf or landing place, where there shall be notice given forbidding such trespass.

4. And for the more effectual apprehension of all offenders punishable under this Ordinance; Be it enacted, that it shall be lawful for any police constable or the owner of the lands upon which such offence shall be committed, or his servant, or any person authorised by such owner to seize and apprehend such offender upon such lands, or in case of pursuit being made, in any other place to which he may have escaped therefrom, and to deliver him as soon as may be into the custody of the police at the next police station, to be dealt with according to law.

Offenders may be apprehended.

5. And be it enacted, That it shall be lawful for

Timber, lumber &c.

may be  
detained.

the owner of any lands, or his servant, or any person authorised to seize and detain any timber, lumber, wood, underwood, charcoal, sugar canes, cocoa, coffee, or other produce which shall be found upon the lands of such owner, and which there shall be reasonable cause to suspect to have been felled, cut, burned, or prepared upon such lands, and also to seize and detain any boat, cart, carriage, horse, ox, mule, or other animal employed in or for the purpose of carrying or removing the same, and to cause the same to be taken to the next police station; and such timber, lumber, wood, underwood, charcoal, sugar canes, cocoa, coffee, or other produce, shall be deemed the property of the owner of such lands, and may be disposed of in such manner as the owner of such lands may seem fit, and such boat, cart, carriage, horse, ox, mule, or other animal shall be forfeited to Her Majesty, and may be sold by the order of any Justice of the Peace, and the proceeds thereof paid into the Colonial Treasury for the use of the Colony, unless within three days from the day of the same being so seized the owner thereof shall claim the same, and shall, within the said term of three days, or such further term as such Justice may allow, prove to the satisfaction of such Justice that such timber, lumber, wood, underwood, charcoal, sugar canes, cocoa, coffee, or other produce was not felled, cut, burned, or prepared on the lands on which the same shall have been so seized.

Timber,  
lumber, &c.,  
to be deemed  
the property  
of the person  
on whose land  
the same may  
found.

Constables to  
assist in  
apprehension  
of offenders  
against this  
ordinance.

6. And be it enacted, That every constable shall assist in the apprehension of any person found committing any offence against this Ordinance whenever required so to do by the owner or any servant of the owner of the lands, upon or in respect whereof such offence shall be committed.

Justices not to  
determine  
cases wherein  
question of  
title to land  
arises.

7. And be it enacted, That nothing herein contained shall authorise any Justice of the Peace to determine any case of trespass in which any question shall arise as to the right or title to any lands, tenements or hereditaments, or any interest therein or accruing therefrom.

Prosecutions  
under this  
ordinance to  
be commenced  
within three  
months.

8. And be it enacted, That the prosecution for any offence, punishable on summary conviction under this Ordinance shall be commenced within three calendar months next after the commission of the offence, and

not otherwise, and the evidence of the party aggrieved shall be admitted in proof of the offence.

9. And be it enacted, That the information for any offence against this Ordinance may be laid by any inspector of police or constable where the lands shall belong to her Majesty, or in the name of the owner of the lands or the manager, bailiff, or other person having the charge of such lands where the same shall not be Crown lands.

Persons by whom information may be laid.

10. And with regard to the application of all forfeitures for any offence punishable under this Ordinance; Be it enacted, That every forfeiture shall be paid to the owner of the lands upon which such offence shall have been committed or to the manager or other person having the chief charge of such lands for the use of such owner, unless such owner shall have been examined in proof of the offence, and in that case, or when the lands upon which such trespass shall have been committed shall be Crown lands, such sum shall be paid into the Colonial Treasury for the use of the Colony.

Application of forfeitures under this ordinance.

11. And be it enacted, That in case any person convicted under this Ordinance shall have paid the sum adjudged to be paid, or shall have suffered the imprisonment awarded for non-payment thereof or the imprisonment adjudged in the first instance, in every such case he shall be released from all further or other proceedings for the same cause.

Where penalty shall be enforced, offender to be released.

12. And be it enacted, That in the construction of this Ordinance the word "night time" shall include any time between seven o'clock of the afternoon of one day and six o'clock in the morning of the next day; the word "owner" shall extend and be applied to the tenant, occupier or other person having the possession of any lands; every word importing the singular number only shall extend and be applied to several persons, matters or things as well as to one person, matter or thing; every word importing the plural number shall extend and be applied to one person, matter or thing as well as to several persons, matters or things; every word importing the masculine gender only shall extend and be applied to a female as well as to a male; and the word

Interpretation clause.

“person” shall extend and be applied to any body politic, corporate or collegiate as well as to an individual, unless in any of the cases aforesaid it be otherwise specially provided, or there be something in the subject or context repugnant to such construction.

Passed in Council, this sixth day of November, in the year of our Lord one thousand eight hundred and fifty-two.

RICHARD D. CADIZ,  
*Clerk of Council.*

The foregoing Ordinance was duly proclaimed in Port of Spain, by me, this tenth day of November, one thousand eight hundred and fifty-two.

EDWARD MURRAY,  
*Marshal.*

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## No. 17.—1852.

*13th December.*

AN ORDINANCE for Regulating the Publication of Notices.

HARRIS.

**B**E it enacted by His Excellency the Governor by and with the advice and consent of the Council of Government that from and after the first day of January next, in all cases in which by any Order in Council or Ordinance or any order or rule of any Court of Justice in this Colony it is provided that notice of any Act, order, matter or thing whatsoever shall be published in one or more newspaper or newspapers other than or in addition to the *Royal Gazette*, it shall be sufficient to publish such Notice in the *Royal Gazette* only, and the publication of any such Notice in the *Royal Gazette* only shall be good, sufficient and effectual to all intents and purposes whatsoever.