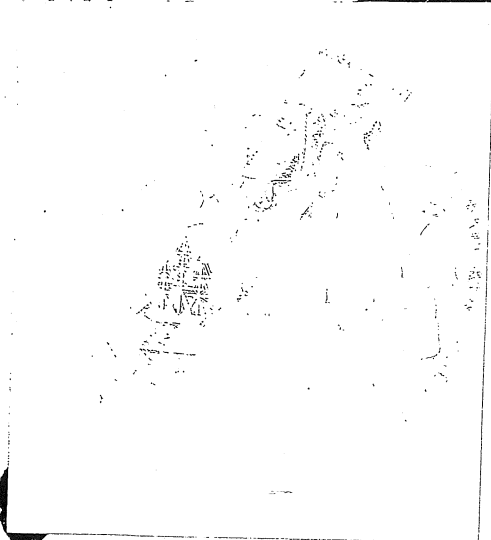


No. 31.—1921.



I ASSENT,

J. R. Chancellor
Governor.

19th May, 1921.

AN ORDINANCE to consolidate the law relating to offences punishable on summary conviction.

[19th May, 1921.]

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 Summary Convictions (offences) Ordinance, 1921. Short title.

2. In this Ordinance, unless the context otherwise requires: Interpretation.

“Carnival” means the time during which persons are permitted to appear masked or otherwise disguised in conformity with regulations made by the Chief Officer of Constabulary in any town or district.

“Cattle” includes horses, asses, mules, kine, sheep, goats, and swine, as well as all horned cattle ;

[Price 1/9.]

"Constable" means a member of the Constabulary Force ;

"Convicted felon" means any person convicted of felony either summarily or on indictment ;

"Convicted person" means any person convicted either summarily or on indictment otherwise than for felony ;

"Fireworks," "Firework" include bombs, torpedoes, squibs, rockets and serpents ;

"Goods" means goods, wares or merchandise, of any kind whatsoever ;

"House" means any dwelling house, store, warehouse, counting house, manufactory, stable or shed ; and also includes any building capable of containing goods, wares or merchandize ;

"Obeah" signifies every pretended assumption of supernatural power or knowledge whatever for fraudulent or illicit purposes or for gain, or for the injury of any person ;

"Occupier" means any person in actual occupation of the whole or any part of any house, building, yard or other place ;

"Owner" means the person for the time being receiving or entitled to receive the rents of any house, building, yard or other place, or his agent, and shall include joint tenants and tenants in common ;

"Prison" includes any lock-up house, cell or other duly authorized place of detention ;

"Property" includes any description of real and personal property, money, debts and legacies, and all deeds and instruments relating to or evidencing the title or right to any property or giving a right to recover or receive any

money or goods, and includes not only such property as has been originally in the possession or under the control of any person, but also any property into or for which the same has been converted or exchanged, and anything acquired by such conversion or exchange, whether immediately or otherwise ;

“Shop” means any shop, store, house, room, shed, or booth used, wholly or in part, temporarily or otherwise, for the purpose of selling therein any goods ;

“Street” includes any road, square, court, alley, lane, wharf, jetty, quay, bridge, footway, thoroughfare, or public passage or highway, and any public place and the waters of any harbour in the Colony ;

“Valuable security” includes any writing entitling or evidencing the title of any person to any share or interest in any public stock, annuity, fund, or debt of any part of His Majesty’s dominions, or of any foreign state, or in any stock, annuity, fund, or debt of any body corporate, company, or society, whether within or without His Majesty’s Dominions, or to any deposit in any bank, and also includes any scrip, debenture, bill, note, warrant, order or other security for payment of money, or any accountable receipt, release or discharge, or any receipt or other instrument evidencing the payment of money, or the delivery of any chattel personal, and any document of title to lands or goods as hereinbefore defined ;

“Vehicle” includes waggons, carts and carriages of every description on wheels, sledges, trucks, barrows, and all other machines for the portage of goods or persons ;

“Vessel” includes schooners, sloops, droghers, flats, punts, boats, canoes, barges, scows, corials, rafts, or other craft.

3. All offences cognizable under this Ordinance may ^{Jurisdiction} be prosecuted before any Justice except where herein otherwise provided.

ASSAULT AND BATTERY.

Assault and battery.

4. Every person who shall unlawfully assault or beat any other person shall upon complaint by or on behalf of the party aggrieved, and upon conviction thereof before any magistrate, be liable to imprisonment with or without hard labour for any term not exceeding three months, or to a penalty not exceeding ten pounds.

Assault upon children, women, old, infirm and sickly persons.

5. When any person shall be charged before any magistrate with assault or battery upon any male child whose age shall not, in the opinion of such magistrate, exceed fourteen years, or upon any female, or upon any old, infirm or sickly person, the said magistrate, if the assault or battery is of such an aggravated nature that it cannot in his opinion be sufficiently punished under the provisions hereinbefore contained as to common assaults and batteries, may proceed to hear and determine the same, and such person on conviction thereof shall be imprisoned with hard labour for any term not exceeding six months.

Assaults by masked persons.

6. Any person who, being masked or otherwise disguised, shall unlawfully assault or beat any other person, shall upon conviction before a magistrate, be imprisoned with hard labour for any term not exceeding six months.

Where assault unproved or trivial, certificate of dismissal to be bar to proceedings.

7. If the magistrate, upon the hearing of any case of assault or battery upon the merits where the complaint was laid by or on behalf of the person aggrieved, shall deem the offence not to be proved, or find the assault or battery to have been justified, or so trifling as not to merit punishment, and shall accordingly dismiss the information, he shall forthwith give to the defendant a certificate of the dismissal, and such certificate shall release the defendant from all other proceedings, civil or criminal, for the same cause.

Magistrate to abstain from adjudication in certain cases.

8. In case the magistrate shall find the assault or battery complained of to have been accompanied by any attempt to commit felony, or shall be of opinion that the same is from any other circumstance a fit subject for prosecution by indictment, he shall abstain from any adjudication thereupon

and shall deal with the case in all respects in the same manner as if he had no authority finally to hear and determine the same: Provided also that nothing herein contained shall authorise any magistrate to hear and determine any case in which any question shall *bonâ fide* arise as to the title to any lands, tenements or hereditaments or any interest therein or accruing therefrom, or as to any bankruptcy or any execution under the process of any court of justice.

Questions of title, bankruptcy and execution.

LARCENY, EMBEZZLEMENT, FALSE PRETENCES, AND MALICIOUS INJURIES.

9. Any person who is guilty of the larceny or the attempt to commit the larceny of any chattel, money or valuable security, such larceny not being accompanied by burglary or housebreaking, menace or threat, nor amounting to robbery with violence, or who embezzles or by any false pretence obtains or attempts to obtain from any other person with intent to defraud any chattel, money or valuable security, where such chattel, money or valuable security shall not in any case exceed the value of twenty pounds, is liable on conviction before any magistrate to imprisonment with or without hard labour for any term not exceeding six months or to a penalty not exceeding fifty pounds.

Larceny, embezzlement, false pretences.

10. Whosoever being a bailee of any chattel, money, or valuable security not exceeding in value twenty pounds, fraudulently takes or converts the same to his own use or to the use of any person other than the owner thereof, although he does not break bulk, or otherwise determine the bailment, shall be deemed to have feloniously stolen the same and may be convicted and punished accordingly.

Larceny by a bailee.

11. Any person who steals or attempts to steal in any dwelling house any chattel, money or valuable security not exceeding in value twenty pounds, such stealing not being accompanied by burglary or housebreaking, menace or threat, nor amounting to robbery with violence, is liable, on conviction before a magistrate, to imprisonment with or without hard labour for any term not exceeding six months, or to a penalty not exceeding fifty pounds.

Larceny in dwelling house.

Stealing
sugar, rum,
cocoa, etc.

12. Any person who steals or attempts to steal, any sugar, rum, sling, syrup or molasses, being in any boiling house or curing house or in any store or warehouse, or being in any cask or package in the neighbourhood of such boiling house, curing house, store or warehouse; or any cocoa or coffee or coffee berries from any cocoa house or coffee house or any other place on any plantation or estate where the same is placed for the purpose of being dried or cured, or in any store or warehouse, or from any sack, bag, cask or package placed in the neighbourhood thereof, not exceeding in value twenty pounds, is liable, on conviction before a magistrate, to imprisonment with or without hard labour for any term not exceeding six months, or to a penalty not exceeding fifty pounds.

Stealing goods
from vessels.

13. Any person who steals or attempts to steal, any goods in any vessel, barge, flat or boat of any description whatsoever, being at anchor within the Gulf of Paria, or in any of the waters surrounding this Colony, or bound to or from any part of the coast of this Colony from or to any other part of the coast of the said Colony, or being in any port or usual place of discharge, or upon any navigable river or canal or in any creek belonging to or communicating with any such port, place of discharge, river or canal, or who steals or attempts to steal any goods from any dock, wharf, embarcadere or quay adjacent to any such port, place of discharge, river, canal or creek, not exceeding in value twenty pounds, is liable, on conviction before a magistrate, to imprisonment with or without hard labour for any term not exceeding six months, or to a penalty not exceeding fifty pounds.

Stealing
animals.

14. Every person who shall steal any dog or who shall steal any bird, beast or other animal ordinarily kept in a state of confinement or for any domestic purpose, not being the subject of larceny by the common law of England, shall be imprisoned with hard labour for any term not exceeding three months, or shall forfeit any sum not exceeding five pounds, in addition to the value of the stolen dog; bird, beast or other animal, and on any subsequent conviction be imprisoned with hard labour for any term not exceeding six months.

15. If any such bird or any of the plumage thereof, or any such dog or beast or the skin thereof or any such animal or any part thereof shall be found in the possession or on the premises of any person, any Justice may restore the same respectively to the owner thereof; and any person in whose possession such bird or the plumage thereof or such dog or beast or the skin thereof, or such animal or any part thereof shall be found, such person knowing that the bird, dog, beast or animal has been stolen, or that the plumage is the plumage of a stolen bird, or that the skin is the skin of a stolen dog or beast, or that the part is a part of a stolen animal, shall be liable for the first offence to such forfeiture, and for every subsequent offence to such punishment as any person convicted of stealing any dog, beast, bird or other animal is herein made liable to.

Unlawful possession of animals or parts thereof.

16. Every person who shall unlawfully and maliciously kill, maim or wound any dog, bird, beast or other animal not being cattle but being either the subject of larceny by the common law of England or ordinarily kept in a state of confinement or for any domestic purpose, shall be imprisoned with or without hard labour for any term not exceeding three months, or shall forfeit any sum not exceeding twenty pounds over and above the amount of the injury done, and on any subsequent conviction shall be imprisoned with hard labour for any term not exceeding six months.

Killing and wounding animals.

17. Every person who shall unlawfully and wilfully kill, wound or take any house-dove or pigeon under circumstances which do not constitute larceny by the common law of England, shall be imprisoned with or without hard labour for any term not exceeding one month, or shall forfeit any sum not exceeding two pounds, in addition to the value of the bird.

Killing and wounding pigeons.

18. Every person who shall unlawfully and wilfully take and destroy any fish in any water which shall be private property shall forfeit any sum not exceeding five pounds in addition to the value of the fish taken or destroyed.

Unlawfully taking fish.

19. Every person who shall steal, or unlawfully and maliciously root up, destroy or damage, the whole or part of any tree, sapling, shrub or underwood, wheresoever growing, the value thereof or the injury done being to the

Stealing and damaging trees.

amount of one shilling at the least, shall forfeit any sum not exceeding five pounds, in addition to the value of the property stolen or the amount of the injury done, and on any subsequent conviction shall be imprisoned with hard labour for any term not exceeding four months.

Stealing and
destroying
fences.

20. Every person who shall steal, or unlawfully and maliciously destroy or damage, any part of any live or dead fence whatsoever, or any iron or wooden post, pale, rail or wire, used as a fence, or any stile or gate, or any part thereof respectively, shall forfeit any sum not exceeding five pounds, in addition to the value of the property stolen, or the amount of the injury done, and on any subsequent conviction be imprisoned with hard labour for any term not exceeding six months.

Stealing and
destroying
cultivated
plants.

21. Every person who shall steal, or unlawfully and maliciously root up, destroy, or damage, any plant, root, fruit, or vegetable production growing in any garden, orchard, or nursery ground, greenhouse, or conservatory, shall be imprisoned with hard labour for any term not exceeding three months, or shall forfeit any sum not exceeding twenty pounds, in addition to the value of the property stolen, or the amount of the injury done, and on any subsequent conviction shall be imprisoned with hard labour for any term not exceeding six months.

Stealing, &c.,
sugar-cane,
cocoa or
other tree or
vegetable pro-
ductions, &c.

22. Whosoever shall steal, or destroy or damage or cut or pluck with intent to steal, any sugar-cane, cocoa-tree, coconut tree, lime tree, rubber tree or coffee-tree, or any fruit, vegetable or other prædial production, or any cultivated root or plant used or capable of being used for the food of man or beast or for medicine, distilling or dyeing or in the course of any manufacture, whatever the value of the article stolen may be and whether the land on which the same is at the time growing or in course of cultivation be open or enclosed, shall on conviction before any magistrate, be liable to be imprisoned and kept to hard labour for any term not exceeding three months, or if the offender be a male under the age of sixteen, the magistrate may in lieu of imprisonment sentence such offender to undergo corporal punishment or to be fined any sum not exceeding one pound in addition to the value of the

property stolen, or the amount of the injury done, and if any person so convicted of an offence under this section shall afterwards commit any of the said offences, such offender shall be guilty of felony and being convicted thereof shall be liable to be punished in the same manner as in the case of simple larceny.

23.—(1.) Any person who steals, or destroys, damages, cuts or plucks with intent to steal any growing crops within a proclaimed district is liable, on conviction before a magistrate, to a fine not exceeding twenty-five pounds, or to imprisonment with or without hard labour for any period not exceeding six months, and the magistrate may also sentence the offender, in substitution for or in addition to any such penalty, to undergo corporal punishment. ^{Stealing}
^{growing crops.}

(2.) Any person who attempts to commit any of the offences in the preceding sub-section mentioned, is liable on conviction before a magistrate for such attempt, to the same punishment as if he had committed any such offence.

(3.) In this section "growing crops" includes sugar cane, coconuts, cocoa, coffee, limes, nutmegs, tonca beans, plantains, bananas, arrowroot, Indian corn, peas, beans, yams, tannias, cassava, sweet potatoes, rice, melongenes, cucumbers, tomatoes, avocado pears, oranges, breadfruit, tobacco and any other fruit, vegetable or product which the Governor in Executive Council may by proclamation direct to be included within the definition of growing crops, whatever the value of the article stolen may be, and whether the land on which the same is at the time growing or in course of cultivation be open or enclosed.

(4.) The provisions of this section shall not become operative until the Governor in Executive Council by proclamation declares a district to be a proclaimed district within the meaning of this section; and such provisions shall thereupon become operative in any district so proclaimed.

(5.) A proclamation under this section, whether made before or after the commencement of this Ordinance, may be varied from time to time or revoked by a proclamation made in like manner,

Fraudulent
conversion.

24. Every person who—

- (a) being entrusted either solely or jointly with any other person with any chattel, money or valuable security, not exceeding twenty pounds in value, in order that he may retain in safe custody or apply, pay or deliver, for any purpose or to any person, the chattel, money or valuable security or any part thereof or any proceeds thereof; or
- (b) having either solely or jointly with any other person received any chattel, money or valuable security not exceeding twenty pounds in value, for or on account of any other person; or
- (c) having contracted with any other person to make anything or execute any work, obtains from that other person any money not exceeding twenty pounds, to be laid out in providing materials, tools or other things necessary or suitable for the making of the thing or the execution of the work,

fraudulently converts to his own use or benefit or the use or benefit of any other person such chattel, money or valuable security or any part thereof or any proceeds thereof, shall be guilty of an offence and on conviction thereof before a magistrate may be imprisoned, with or without hard labour, for any term not exceeding three months, and also be ordered to pay to the party aggrieved any sum not exceeding twenty pounds by way of compensation.

Damaging
property not
otherwise
provided for

25. If any person wilfully or maliciously commits any damage to any real or personal property whatsoever, either of a public or private nature, for which no punishment is otherwise provided, he shall on summary conviction before a magistrate be liable

- (a) if the amount of the damage is one pound or less, to a fine not exceeding five pounds or to imprisonment with or without hard labour for a term not exceeding one month;
- (b) if the amount of the damage exceeds one pound and does not exceed five pounds, to a fine not exceeding twenty pounds or to imprisonment

with or without hard labour for a term not exceeding three months.

And in either case to the payment of such further amount as appears to the magistrate reasonable compensation for the damage so committed.

Provided that this provision shall not apply where the alleged offender acted under a fair and reasonable supposition that he had a right to do the act complained of.

26. The provisions in the last preceding section contained shall extend to any person who shall wilfully or maliciously commit any injury to any tree, sapling, shrub or underwood, for which no punishment is hereinbefore provided.

Injuring trees less than the value of one shilling.

27. If the whole or any part of any tree, sapling or shrub, or any underwood or any part of any fence, or any post, pale, wire, rail, stile or gate, or any part thereof, being of the value of one shilling at the least, shall be found in the possession or on the premises of any person with his knowledge, and such person shall not satisfy the Justice before whom he shall be brought that he came lawfully thereby, he shall forfeit in addition to the value of the article or articles so found, any sum not exceeding two pounds, and on any subsequent conviction shall be imprisoned with hard labour for any term not exceeding four months.

Unlawful possession of trees or parts of fences.

28. If any horse, mare, gelding, colt or filly, or any mule or ass, or any bull, cow, ox, heifer or calf or any ram, ewe, sheep or lamb, goat or swine, or the carcass, head, skin or any part thereof shall be found in the possession or on the premises of any person, and if such person shall not satisfy the Justice before whom he shall be brought, that he came lawfully by such cattle, or the carcass, head, skin, or any part thereof, he shall forfeit any sum not exceeding five pounds, and on any subsequent conviction shall be imprisoned with hard labour for any term not exceeding six months.

Unlawful possession of cattle or parts thereof.

29. If any person shall be convicted under this Ordinance of stealing or wilfully receiving, knowing the same to have been stolen, any horse, mare, gelding, colt or filly, or any mule or ass, or any bull, cow, ox, steer, heifer or calf, or any ram, ewe, sheep or lamb or any hog, sow or pig, or any goat

Corporal punishment may be awarded for stealing, &c. cattle or domestic animals.

or kid, or of stealing or wilfully receiving, knowing the same to have been stolen, any animal ordinarily kept in a state of confinement or for any domestic purpose, or any animal ordinarily used for human food, it shall be lawful for the convicting Magistrate or Justice, in addition to any other punishment awarded by law for such offence, to direct that the offender, if a male, shall undergo corporal punishment.

And for second offence of stealing or damaging useful plants and domestic animals.

30. If any person having been convicted before the Supreme Court or any magistrate of stealing, or unlawfully and maliciously destroying or damaging any sugar cane, cacao tree or coffee tree, or any cultivated root or plant used for the food of man or beast, or for medicine, or for dyeing or distilling, or for or in the course of any manufacture, and growing in any land, whether open or enclosed, shall afterwards commit any of the said offences, and shall be convicted thereof before any magistrate, it shall be lawful for such magistrate, in addition to any other punishment awarded by law for such offence, to direct that the offender, if a male, shall undergo corporal punishment.

Not necessary to prove malice.

31. In any prosecution for maliciously destroying or damaging any property, it shall not be necessary to prove malice against the owner.

Compensation to injured person.

32. Every sum of money adjudged to be paid as the value of any property stolen or taken, or the amount of the injury done, which shall be assessed by the convicting magistrate or Justice, shall be paid to the party aggrieved, if known, but if unknown it shall be applied in the same manner as any fine; but when several persons shall be convicted for the same offence and each shall be adjudged to pay the value of the property stolen or taken, or the amount of the injury done, the party aggrieved shall receive only one such sum, and the residue shall be applied in the same manner as any fine.

RECEIVING, &c.

Receiving punishable as stealing.

33.—(1.) Every person who receives any property knowing the same to have been stolen or obtained in any way whatsoever under circumstances punishable under this Ordinance, is liable to be punished in the same manner as any person guilty of such offence under this Ordinance.

(2.) Every such person may be charged whether the principal offender has or has not been previously convicted or is or is not amenable to justice.

(3.) In any proceeding for receiving under this Ordinance, any number of persons who have at different times so received such property or any part thereof may be charged or tried together.

34. If property of any kind belonging to or forming part of the cargo of a vessel in distress, or wrecked, stranded, or cast on shore, or belonging to any of the officers, crew or passengers of such vessel, shall be found in the possession or on the premises of any person with his knowledge and such person shall not satisfy the Justice before whom he shall be brought that he came lawfully by the same, he shall forfeit any sum not exceeding twenty pounds.

Unlawful possession of property pertaining to ships, &c.

35. If any person shall offer or expose for sale property of any kind which shall have been unlawfully taken or shall be reasonably suspected so to have been taken from any vessel in distress, or wrecked, or stranded, or cast on shore, in every such case any person to whom the same shall be offered for sale, or any officer of Customs or constable may lawfully seize the same, and shall with all convenient speed carry the same or give notice of such seizure to a Justice, and if the person who shall have offered or exposed the same for sale being summoned by such Justice shall not appear and satisfy the Justice that he came lawfully by such property, then the same shall by order of the Justice be forthwith delivered over to or for the use of the rightful owner thereof, upon payment of a reasonable reward (to be ascertained by the Justice) to the person who seized the same; and the offender shall forfeit any sum not exceeding twenty pounds, and on any subsequent conviction shall be imprisoned with hard labour for any term not exceeding six months.

Offering for sale property belonging to ships.

STOLEN OR UNLAWFULLY OBTAINED GOODS.

36.—(1.) It shall be lawful for a constable to arrest without warrant any person having in his possession or under his control in any manner or in any place anything which the constable has reasonable cause to suspect to have been stolen or unlawfully obtained.

Person conveying goods.

(2.) The constable shall bring such person and thing before a magistrate as soon as possible, and if such person does not within a reasonable time to be assigned by the magistrate, give an account to the satisfaction of the magistrate by what lawful means he came by the same, he is liable to a penalty not exceeding twenty pounds, or to imprisonment with or without hard labour for any term not exceeding six months.

(3.) If any person liable to arrest under the provisions of sub-section (1) hereof, escapes from any constable attempting to arrest him, or lets fall or throws away any such thing as in the said sub-section is mentioned, it shall be lawful for any magistrate or Justice upon application to issue his warrant for the arrest of such person, and upon his arrest such person shall be deemed to have been arrested within the meaning of the said sub-section, and may be dealt with in the manner laid down in sub-section (2) hereof.

Search
warrant.

37.—(1.) If information is given on oath to any magistrate or Justice that there is reasonable cause for suspecting that anything stolen or unlawfully obtained is concealed or lodged in any house, store, yard or other place, or any land whether enclosed or not, or in any vessel, it shall be lawful for such magistrate or Justice by warrant under his hand directed to any constable to cause any such house, store, yard or other place, or any such land, or any such vessel to be entered and searched at any time of the day, or by night, if power for that purpose be given by such warrant.

(2.) The magistrate or Justice may by such warrant, if it shall appear necessary to him, give authority to the Constable, with such assistance as may be found necessary, to use force for the effecting of such entry, whether by breaking open doors or otherwise; provided always that before using force for the purposes aforesaid, such constable shall make known his authority as aforesaid.

(3.) If upon search made as hereinbefore provided, anything so stolen or unlawfully obtained as aforesaid, or any other thing which there shall be reasonable cause to suspect to have been stolen or unlawfully obtained, is found, the constable shall take the same before a magistrate or guard the same on the spot or in some place of security subject to the orders of a magistrate.

(4.)—(a.) The constable shall apprehend and bring before a magistrate the person or persons in whose house, store, yard, place or vessel anything as aforesaid shall be found, and also any other person found in such house, store, yard, place or vessel, if the constable has reasonable cause to suspect any such person as is hereinbefore mentioned to have been privy to such concealment or lodging as aforesaid.

(b.) If the constable fails, or is, for any reason whatsoever, unable to arrest any such person as is hereinbefore mentioned, it shall be lawful for a magistrate or Justice to issue his warrant for the arrest of any such person, or a summons requiring him to appear before a magistrate at a time and place to be mentioned in the said summons.

(5.) A magistrate may call upon any such person as is mentioned in the preceding sub-section to give an account, to the satisfaction of the magistrate, by what lawful means any such thing as aforesaid came to be in such place as aforesaid, or that he was not privy to such concealment or lodging as aforesaid, and any person who fails to so satisfy the magistrate is liable to a penalty not exceeding twenty pounds, or to imprisonment, with or without hard labour, for any term not exceeding six months.

38.—(1.) It shall be lawful for any constable to enter on board any vessel, barge, flat or boat in any harbour, bay, roadstead or river, and to remain on board any such vessel such reasonable time as he deems expedient, and if he has reasonable ground to suspect that there is on board of any such vessel anything stolen or unlawfully obtained, it shall be lawful for him to search with any assistants any and every part of such vessel, and after demand and refusal of the keys to break open any receptacle, and upon discovery of anything which he may reasonably suspect to have been stolen or unlawfully obtained, to take such thing and the person in whose possession the same is found before any magistrate to be dealt with as hereinbefore provided.

Constable
may board
vessel.

(2.) It shall be lawful for any such constable to pursue and detain any person in the act of conveying any such thing away from any such vessel, whether he has landed or not, together with anything so conveyed away or found in his possession.

Tracing
possession.

39.—(1.) If any person brought or appearing before a magistrate under the provisions of the three preceding sections declares that he received any such thing as therein mentioned from some other person, or that he was employed as a carrier, agent or servant to convey the same for some other person, the magistrate may cause every such other person and also any other person through whose possession any such thing shall previously have passed to be brought before him.

(2.) Upon any such person as is in the preceding subsection mentioned being brought before him, it shall be lawful for the magistrate to examine him as to whether he has been in possession of any such thing as aforesaid, and upon his admitting such possession or upon its being proved to the satisfaction of the magistrate that such person has been in possession of any such thing, the magistrate may call upon such person to give an account to the satisfaction of the magistrate by what lawful means such person came by such thing, and if such person fails within a reasonable time to be assigned by such magistrate to give such account, he is liable to a penalty not exceeding twenty pounds or to imprisonment with or without hard labour for any term not exceeding six months.

(3.) For the purposes of this section the possession of a carrier, agent or servant shall be deemed to be the possession of the person who shall have employed such carrier, agent or servant to convey the same.

Disposal of
unclaimed
stolen goods.

40. When any person shall have been convicted under this Ordinance of having received any goods knowing the same to have been stolen, it shall be lawful for the magistrate or Justice before whom the conviction shall have taken place to cause such goods to be publicly advertised for sale, and such goods shall be sold to the highest bidder at public auction within thirty days from the date of such advertisement, if no person shall prove his right to the said goods, or forthwith if such goods shall be of a perishable nature, and the proceeds thereof shall be paid to the Receiver-General for the use of the Colony.

STOLEN OR UNLAWFULLY OBTAINED AGRICULTURAL PRODUCE.

41. In sections 43, 44 and 45 of this Ordinance, unless Interpretation. the context otherwise requires :—

“Article of agricultural produce” means any fruit, vegetable, or product falling within the definition of growing crops given in section 23 of this Ordinance, and includes any other fruit, vegetable or product directed, from time to time, to be included within such definition under the provisions of the said section ;

“Authorised person” means any person authorised and appointed to arrest suspected persons ;

“Suspected person” means any person who has been or is in possession of any article of agricultural produce under such circumstances as shall reasonably cause any constable or authorised person to suspect that such article has been stolen or has been received knowing the same to have been stolen or has been in any other way dishonestly come by.

42. Sections 41 to 46 (inclusive) of this Ordinance Application of Ordinance. shall apply throughout the Colony, irrespective of whether the provisions of section 23 of this Ordinance are in operation or not.

43.—(1.) The Inspector-General of Constabulary may Selection of authorised persons. from time to time authorise and appoint such number of persons as he shall from time to time think fit to arrest and deal with suspected persons, and may from time to time cancel any such appointments.

(2.) The names of such authorised persons shall from time to time be published in the *Royal Gazette*.

(3.) Production of the *Royal Gazette* containing a notice of an appointment under this section shall be *prima facie* evidence in all courts and for all purposes of such appointment.

44.—(1.) Any constable or authorised person may Arrest of and dealing with suspected persons. arrest a suspected person without a warrant,

(2.) The constable or authorised person shall bring the suspected person, together with any article of agricultural produce in his possession, before a magistrate as soon as possible; and the suspected person shall be charged with being or having been in unlawful possession of such article.

Inquiry by
magistrate.

45.—(1.) The magistrate shall inquire into, hear and determine the case, and the burden shall be on the suspected person of proving that the article of agricultural produce, of which he is charged with being or having been in unlawful possession, was honestly come by.

(2.) If any suspected person refuses or is unable to satisfy the magistrate that his possession of the said article is or was lawful, it shall be deemed *prima facie* evidence of his guilt, and the magistrate may convict him of the offence with which he is charged.

(3.) The magistrate may make such order as to him shall seem just for the disposal of any such article of agricultural produce as aforesaid.

Penalties.

46. Any person convicted before a magistrate under the provisions of section 45 of this Ordinance is liable to a fine not exceeding twenty-five pounds, or to imprisonment, with or without hard labour, for any term not exceeding six months.

LIMITATION.

Limitation
of time.

47. All cases punishable under this Ordinance as stealing, attempting to steal, aiding, abetting, counselling or procuring stealing, receiving any chattel, money or valuable security knowing it to have been unlawfully come by, or of embezzling or obtaining or attempting to obtain under false pretences any chattel, money or valuable security, with intent to defraud, may be prosecuted at any time within twelve months after the commission of the offence.

SUPERSTITIOUS DEVICES.

Assumption of
supernatural
power or
knowledge.

48. Every person who, by the practice of obeah or by any occult means or by any assumption of supernatural power or knowledge, shall intimidate or attempt to intimidate any person, or shall obtain or endeavour to obtain any chattel, money or valuable security from any other person, or shall pretend to discover any treasure or any lost or stolen goods, or the person who stole the

same, or to inflict any disease, loss, damage or personal injury to or upon any other person, or to restore any other person to health, and every person who shall procure, counsel, induce or persuade or endeavour to persuade any other person to commit any such offence shall, on conviction before any magistrate, be imprisoned with or without hard labour, for any term not exceeding six months, and if a male, may be sentenced to undergo corporal punishment, and if a female, may during such imprisonment be kept in solitary confinement not exceeding three days at any one time, and not exceeding one month in the whole, as such magistrate shall direct.

49. If it shall be shewn, upon the oath of a credible witness, that there is reasonable cause to suspect that any person is in possession of any article or thing used by him in the practice of obeah or witchcraft, it shall be lawful for any Justice, by warrant under his hand, to cause any place whatsoever belonging to or under the control of such person, to be searched, either in the day or in the night, and if any such article shall be found in any place so searched, to cause the same to be seized and brought before him or some other Justice, who shall cause the same to be secured for the purpose of being produced in evidence in any case in which it may be required.

Articles used
in obeah and
witchcraft
may be seized.

IDLE AND DISORDERLY PERSONS.

50. Every person committing any of the offences herein-after mentioned in this section shall be deemed an idle and disorderly person, and shall be imprisoned with or without hard labour for any term not exceeding one month :—

Who shall be
deemed idle
and disorderly
persons.

1. Every person who being able by labour or other lawful means to maintain himself or his wife or child, where such wife or child is without other means of support, shall refuse or neglect so to do.
2. Every person wandering abroad or placing himself in any street to beg or gather alms or causing or procuring or encouraging any child so to do.
3. Every person sleeping or loitering in or under any verandah, gallery, outhouse, passage, gateway, or building wholly or in part unoccupied, or

Not supporting
wife or child.

Begging.

Sleeping or
loitering.

being found in or under any cart, carriage, or vessel, or on or under any wharf, quay, jetty, bridge, footway, or other public place, or within any enclosed land, without leave of the owner, occupier or person in charge thereof, and not giving a good account of himself.

Placarding.

4. Every person who shall without leave of the owner or occupier, affix any placard or notice upon any building, wall, pillar, post or fence, or otherwise deface the same.

Fortune telling.

5. Every person pretending or professing to tell fortunes.

ROGUES AND VAGABONDS.

Who shall be deemed rogues and vagabonds.

51. Every person convicted a second time of being an idle and disorderly person, and every person apprehended as an idle and disorderly person violently resisting any constable apprehending him, and who shall be subsequently convicted of the offence for which he shall have been so apprehended, and every person who shall commit any of the offences hereinafter mentioned in this section, shall be deemed a rogue and vagabond, and shall on conviction be imprisoned with hard labour for any term not exceeding two months:—

Begging.

1. Every person procuring or endeavouring to procure alms or charitable contributions for himself or others under any false or fraudulent pretence.

House breaking implements.

2. Every person having in his custody or possession any implement which there is reasonable cause to believe is intended for the purpose of unlawfully breaking into any building, and every such implement shall on the conviction of the offender be forfeited.

Weapons.

3. Every person armed with or having upon him, any weapon or instrument which there is reasonable cause to believe is intended for the purpose of committing any felony; and every such weapon and instrument shall, on the conviction of the offender, be forfeited.

Being in place for unlawful purpose.

4. Every person found in any verandah, gallery, passage, gateway, dwelling house, warehouse, store, stable, outhouse or other building, or in

- any yard, garden or other inclosed land, for any unlawful purpose.
5. Every person found in or about any market, wharf or jetty, or in or about any vessel for any unlawful purpose. Being in place for unlawful purpose.
 6. Every person who exposes in any public place or in view thereof any defamatory or insulting writing or object. Defamatory objects.
 7. Every person who offers for sale or distribution, or who exhibits to public view any profane, indecent or obscene book, paper, print, drawing, painting or representation. Obscene prints.
 8. Every person wilfully and obscenely exposing his person in any public place or within view thereof. Obscene exposure.
 9. Every person playing or betting in any open and public place at any game or pretended game of chance or with any instrument of gaming. Gaming.
 10. Every woman loitering about and soliciting passengers for the purpose of prostitution. Prostitutes.

Incorrigible Rogues.

52. Every person committing an offence against this Ordinance which shall subject him to be dealt with as a rogue and vagabond, such person having been previously convicted as such, and every person apprehended as a rogue and vagabond and violently resisting any constable so apprehending him, and who shall afterwards be convicted of the offence for which he shall have been apprehended, and every person who shall break or escape out of any place of lawful confinement before the expiration of the term for which he shall have been committed under this Ordinance, shall be deemed to be an incorrigible rogue, and shall on conviction before any magistrate be imprisoned with hard labour for any term not exceeding six months, and if a male, may be sentenced to undergo corporal punishment.

53. Any Justice, upon information upon oath that any person reasonably suspected to be an idle and disorderly person or a rogue and vagabond, or an incorrigible rogue, is or is reasonably suspected to be harboured or concealed in any house or place, may by warrant authorise any constable to enter at any time into such house or place, and to apprehend and bring him before some magistrate to be dealt with according to law. Person suspected of being idle and disorderly or a rogue and vagabond, &c., and harboured may be apprehended.

GAMING HOUSES.

Keeping
gaming
houses.

54. Every owner or occupier or keeper of any house or room used as a common gaming house, and every other person who shall be in anywise engaged in the management thereof, shall on conviction before any magistrate forfeit any sum not exceeding fifty pounds or be imprisoned with or without hard labour for any term not exceeding six months.

Gaming
houses may be
entered and
persons taken
into custody
and instru-
ments of
gaming, &c.,
seized.

55. It shall be lawful for any Justice, on the information in writing of any credible person, to authorise by warrant any constable with any necessary assistants forcibly to enter any house or room used as a common gaming house, and to take into custody all persons, and to seize all tables or instruments of gaming, and all moneys or securities for money found therein; and upon proof that such house or room has been used as a common gaming house, every person found therein, without lawful excuse, shall on conviction before any magistrate forfeit any sum not exceeding ten pounds, and all such tables or instruments shall be destroyed, and all such moneys or securities for money shall be paid to the Receiver-General for the use of the Colony; provided always that nothing herein contained shall prevent any proceeding by indictment against the owner, occupier, keeper, or other person having the care and management of any gaming house.

Evidence as to
what is a
gaming
house.

56. In default of other evidence to prove a house, room or place to be a common gaming house, it shall be sufficient to prove that it is kept or used for playing therein at any game of chance, and that a bank is kept there by one or more of the players exclusively of the others, or, that the chances of any game played therein are not alike favourable to all the players, including among the players the banker or other person by whom the game is managed, or against whom the other players stake, play, or bet.

Idem.

57. Where any cards, dice, balls, counters, tables, or other instruments of gaming used in playing any game of chance, shall be found in any house, room or place suspected to be used as a common gaming house, or about the person of any of those who shall be found therein, it shall be evidence, until the contrary be made to appear, that such house, room or place is used as a common gaming house.

58. Where any constable authorised to enter a house, room, or place suspected to be used as a common gaming house is wilfully prevented from, or obstructed or delayed in entering the same, or where such house, room, or place is found fitted or provided with any means or contrivance for unlawful gaming, or any means or contrivance for concealing, removing or destroying any instruments of gaming, it shall be evidence, until the contrary be made to appear, that such house, room or place is used as a common gaming house.

Evidence as to what is a gaming house.

59. The owner or occupier of any house, room or place knowingly and wilfully permitting it to be opened or used by any other person for the purpose of unlawful gaming being carried on therein shall be imprisoned for any term not exceeding six months, or forfeit any sum not exceeding fifty pounds.

Permitting house to be used for gaming.

60. Every person who shall wilfully prevent any constable duly authorised from entering any house, room or place suspected to be used as a common gaming house, or shall use any means or contrivance whatsoever for the purpose of preventing, obstructing, or delaying the entry of any constable so authorised, into such house, room, or place, shall be imprisoned with or without hard labour for any period not exceeding four months or forfeit any sum not exceeding twenty pounds.

Obstructing constable entering suspected gaming house.

61. No house, office, room or other place shall be opened, kept or used for the purpose of any money or valuable thing being received by or on behalf of the owner, occupier or keeper thereof, or any person using the same or any person having the care or management or in any way conducting the business thereof or by or on behalf of any person procured or employed by or acting for or on behalf of such owner, occupier, keeper or person using or having the care or management of the business, as or for the consideration for any assurance, undertaking, promise, or agreement, express, implied or understood, to pay or give thereafter any money or valuable thing on any event or contingency of or relating to the game, pretended game or lottery called or known as whé-whé, or to any lottery, raffle, game or pretended game of chance, or as or for the consideration for securing the paying or giving by some

House, &c., kept for the purpose of gaming.

other person of any money or valuable thing on any such event or contingency as aforesaid; and every house, office, room or other place opened, kept or used for the purposes aforesaid, or any of them, shall be taken and deemed to be a common gaming house within the meaning of this Ordinance.

Penalty on
owner, &c.

62. Any person who, being the owner or occupier of any house, office, room, or other place, or a person using the same, opens, keeps or uses the same for the purposes hereinbefore mentioned, or either of them; and any person who being the owner or occupier of any house, office, room or other place knowingly and wilfully permits the same to be opened, kept, or used by any other person for the purposes aforesaid, or either of them; and any person having the care or management of or in any manner conducting or assisting in conducting the business of any house, office, room or place opened, kept, or used for the purposes aforesaid, or either of them, shall on summary conviction before any magistrate be liable to a penalty not exceeding fifty pounds; and if such penalty be not forthwith paid, or in the first instance if the magistrate thinks fit, may be imprisoned, with or without hard labour, for any term not exceeding six months.

Penalty on
persons receiv-
ing deposit.

63. Any person, being the owner or occupier of any house, office, room or place opened, kept or used for the purposes aforesaid, or either of them, or any person acting for or on behalf of any such owner or occupier, or any person having the care or management or in any manner assisting in conducting the business thereof, who receives, directly or indirectly, any money or valuable thing as a deposit on condition of paying any sum of money or other valuable thing on the happening of any event or contingency of or relating to any lottery, raffle or game, or pretended game of chance, or as or for the consideration for any assurance, undertaking, promise or agreement, express, implied or understood, to pay or give thereafter any money or valuable thing on any such event or contingency, and any person giving any acknowledgment, note, security or draft on the receipt of any money or valuable thing so paid or given as aforesaid purporting or intended to entitle the bearer or any other person to receive any money or valuable thing on the

happening of any such event or contingency as aforesaid, shall, on summary conviction before a magistrate be liable to a penalty not exceeding fifty pounds; and if such penalty be not forthwith paid, or in the first instance if the magistrate thinks fit, may be imprisoned, with or without hard labour, for any term not exceeding three months.

- 64.—(1.) Any one who gives or sells or offers for sale any paper, ticket or token authorizing or for the purpose of enabling or entitling any person to receive any money or valuable thing on any event or contingency of or relating to the game, pretended game or lottery called or known as whé-whé, or to any lottery, raffle, game or pretended game of chance, Sundry gaming offences.
- (2.) Any person or persons attending or assembling in any public or private place for the purpose of ascertaining or waiting for the result of any such event or contingency as aforesaid, and
- (3.) Any person who on or under any pretence, device, form, denomination or description whatsoever shall pay or agree or promise to pay any sum or sums of money, or shall deliver or agree or promise to deliver any goods, or shall do or forbear doing or shall agree or promise to do or forbear doing anything for the benefit of any person or persons whether with or without consideration on any event or contingency arising upon or relative or applicable to the drawing or choice by chance or otherwise of any ticket or tickets, lot or lots number or numbers, figure or figures, or on any event or contingency arising upon or relative or applicable to the displaying or declaring of any winning number or numbers, figure or figures, token or tokens, ticket or tickets, lot or lots in any lottery, raffle, game or pretended game of chance, or shall publish any proposal for the purposes aforesaid

shall on summary conviction before a magistrate be liable to a penalty not exceeding twenty pounds, and if such penalty be not forthwith paid, or in the first instance if the magistrate thinks fit, may be imprisoned with or without hard labour for any term not exceeding two months.

Justice may
authorize
search of sus-
pected house.

65. It shall be lawful for any Justice, upon complaint made before him on oath that there is reason to suspect any house, office, room or place to be kept or used contrary to this Ordinance, to give authority by special warrant under his hand, when in his discretion he thinks fit, to all constables, to enter with such assistance as may be found necessary, into such house, office, room or place, and if necessary, to use force for making such entry, whether by breaking open doors or otherwise, and to arrest, search, and bring before a magistrate all persons found therein, and to seize all instruments of gaming and all tickets, lists, cards, or other documents relating to gaming found in such house or premises, and to remain in such house, office, room or place such reasonable time as he deems expedient, and if he has any reasonable grounds to suspect that there is concealed in any receptacle in any house, room, office or place any instruments of gaming, tickets, lists, cards, or other documents relating to gaming and after demand and refusal of the keys of such receptacle to break open the same, and upon discovery of any instruments of gaming, tickets, lists, cards or other documents relating to gaming, to seize and detain the same till such reasonable time as will allow them to be produced in evidence: Provided that whenever from the lateness of the hour or other reasonable cause it shall be inconvenient to obtain a warrant, then it shall be lawful for any commissioned officer of constabulary or any non-commissioned officer of constabulary not under the rank of sergeant, at any time of the day or night, with such assistance as he may take to his aid, to enter such house, office, room or place as aforesaid where he may suspect such gaming as aforesaid to be then going on, in the same manner as if empowered to do so by a warrant: Provided further that no such entry without a warrant shall be made unless such commissioned or non-commissioned officer as aforesaid shall at the time of such entry and search be in the dress and uniform of the Constabulary Force.

Raffles, etc.,
at bazaars.

66. Provided always that none of the provisions of this Ordinance shall apply to or prevent the sale by raffle or lottery of articles exposed for sale at any bazaar or fancy fair held for raising funds in aid of any institution of a public character, provided that permission for such sale shall have been given in writing by the Governor.

CRUELTY TO ANIMALS.

67. In sections 68 to 79 (inclusive) of this Ordinance, unless the context otherwise requires:—“Animal” means any horse, mare, gelding, colt, filly, bull, cow, ox, steer, heifer, calf, mule, ass, ram, ewe, sheep, lamb, boar, sow, barrow, hog, pig, goat, kid, dog, cat or any other domestic animal, whether of the kind or species particularly mentioned or of any other kind or species whatsoever, and whether a quadruped or not. <sup>Interpre-
tation.</sup>

68.—(1.) Any person who cruelly beats, ill-treats, starves, over-drives, over-rides, over-loads, abuses, tortures, or otherwise maltreats any animal is liable on conviction before a magistrate to a penalty not exceeding ten pounds or to imprisonment with or without hard labour for any term not exceeding two months. <sup>Cruelty to
animals.</sup>

(2.)—(a.) For the purposes of this section “overloads” and cognate expressions include:—

- (i.) causing an animal to draw a vehicle carrying more than four persons if one animal is drawing such vehicle or eight persons if two animals are drawing the vehicle; and
- (ii.) causing an animal to carry a burden or draw a load which is beyond its strength or after it is exhausted.

(b.) The fact that a vehicle is not carrying more than four persons or eight persons, as the case may be, shall be no answer to a charge under this section if owing to the presence of any other thing on the vehicle or to the size, strength or condition of an animal the magistrate is of opinion that the animal is overloaded.

69. Any person who works any animal in such a condition as to be unfit for work, whether from lameness or from emaciation or from any gall or sore or otherwise, and whether that condition is caused by disease or deficient feeding or otherwise, in any cart, plough or carriage, or other vehicle of pleasure or burden, is liable on conviction before a magistrate to a penalty not exceeding ten pounds or to imprisonment with or without hard labour for any term not exceeding two months. <sup>Working
animal unfit
for work.</sup>

Power to
arrest.

70.—(1.) A constable or the owner of any animal in whose view an offence under either of the two last preceding sections is committed may apprehend the offender and take him before a magistrate or Justice to be dealt with according to law.

(2.) Such constable or owner may similarly apprehend the offender if information of the offence is given by any other person declaring his name and place of abode.

Compensation
for damage
done by
cruelty to
animals.

71.—(1.) If any person shall, by committing any offence under sections 68 or 69 of this Ordinance, cause any damage or injury to be done to any animal or to any person or property, he shall on conviction before a magistrate for any such offence pay to the owner of the animal (if the offender is not the owner) or to the person who shall sustain damage or injury as aforesaid, such sum of money by way of compensation, not exceeding ten pounds, as the magistrate shall adjudge.

(2.) The payment of such compensation or imprisonment for the non-payment thereof shall not prevent or in any manner affect the punishment to which the offender may be liable for or in respect of any such offence as aforesaid.

(3.) Nothing herein contained shall prevent any proceeding by action against the offender or his employer where the amount of the damage or injury is not sought to be recovered under this Ordinance.

Bull-baiting,
cock-fighting
and similar
offences.

72.—(1.) Every person who:—

- (a) in any manner encourages, aids or assists at the fighting or baiting of any animal, whether domestic or wild; or
- (b) keeps or uses, or acts in the management of, any place to be used for the purpose of fighting or baiting any such animal as aforesaid; or
- (c) being the owner or occupier thereof, permits or suffers any place to be so used;

is liable on conviction before a magistrate to a penalty not exceeding ten pounds or to imprisonment with or without hard labour for any term not exceeding two months.

(2.) Every person who receives money for the admission of any other person to any place kept or used for any of the purposes aforesaid, shall, unless the contrary is proved, be deemed to be the keeper thereof.

73. A magistrate or Justice may by warrant under his hand authorise any constable to enter any place used for the purpose of fighting or baiting any animal and to apprehend all persons who and to seize all animals which may be found therein, and to take them before a magistrate or Justice to be dealt with according to law.

Power of entry, arrest and seizure.

Detention of animals for treatment.

74. On any conviction for any offence under sections 68 or 69 of this Ordinance, the magistrate may, if he thinks that such animal is unfit to work, direct that it be detained in any place which shall have been notified in the *Royal Gazette* as set apart by the Trinidad Society for the Prevention of Cruelty to Animals for that purpose, for any period not exceeding thirty days; during which the maintenance of such animal shall be provided free of cost to the Government.

Animals may be detained for treatment.

75. Any place so set apart as aforesaid shall be deemed to be a pound for the purposes of section 13 of the Pound Ordinance (No. 12).

Such place be a pound^a

76. Except for gross negligence, no officer or servant of the said Society or person having charge of any place set apart as aforesaid shall be liable in respect of the death or sickness or deterioration of or any accident or casualty to any animal detained in such place under the provisions of this Ordinance.

Liability for animals detained.

77. If any animal detained under the provisions of section 74 of this Ordinance for any period shall on the expiration of that period or within forty-eight hours thereof not be claimed by the owner thereof, or if such owner does not pay to the said Society the cost of the keep and treatment of such animal during the period it is detained as aforesaid, the person having charge thereof may after seven days notice published in the *Royal Gazette* sell it by auction and apply the proceeds towards the expenses to be incurred under this Ordinance, or may destroy it.

Unclaimed animals may be sold or destroyed.

78.—(1.) The Governor in Executive Council may make regulations prescribing the scale of charges for the treatment and keep of animals detained under section seventy-four of this Ordinance.

Scale of charges.

(2.) All such regulations shall be published in the *Royal Gazette*.

Destruction of Animals.

Power to order
destruction of
animal. 79.—(1.) In the case of any offence under sections 68 or 69 of this Ordinance the Court may, if it thinks fit, order as part of its sentence that the animal shall be destroyed and its body disposed of at the expense of the offender.

(2.) The Inspector-General of Constabulary shall give such orders as may be necessary for the destruction of any such animal and the disposal of its body.

DRUNKENNESS OR DISORDERLY CONDUCT IN PLACES OF
PUBLIC RESORT.

Drunkeness
in public
houses, &c. 80. Every owner or occupier, or any person in the employment of any owner or occupier, of any house, shop, room, or other place of public resort wherein provisions, liquors or refreshments of any kind shall be sold or consumed (whether the same shall be kept or retailed therein or procured elsewhere), who shall knowingly permit drunkenness, gambling or any other disorderly conduct therein or knowingly permit or suffer known prostitutes or convicted felons, rogues and vagabonds, or incorrigible rogues to meet together or remain therein shall be imprisoned with or without hard labour for any term not exceeding three months, or shall forfeit any sum not exceeding twenty pounds.

Ejection of
disorderly
persons. 81. Any person who shall be drunk, riotous, quarrelsome, or disorderly in any shop, house, premises or place licensed for the sale of beer, wine or spirituous liquors by retail, or for refreshment, or kept or used for the time being for public resort, entertainment, instruction or amusement, or shall insult or annoy any person therein, and shall refuse or neglect to quit such shop, house, premises or place upon being requested to do so by the owner, manager, or occupier, or his agent or servant, or by any honorary steward of any entertainment, or by any constable, shall on conviction thereof before any Justice forfeit any sum not exceeding forty shillings; and all constables are hereby authorised, empowered and required, on the demand of such owner, manager, occupier, agent or servant, or honorary steward, or when such conduct as aforesaid comes under their own special notice, to assist in expelling such drunken, riotous, quarrelsome or disorderly persons from such shops houses, premises or places.

PEACE PRESERVATION.

82. The Governor may from time to time by proclamation prohibit during periods specified respectively in the proclamation all or any of the following things in any street, highway or public place,—

1. The carrying of any lighted torch.
2. The beating of any drum, the blowing of any horn or the use of any other noisy instrument.
3. Any dance or procession, and
4. Any assemblage or collection of persons armed with sticks or other weapons of offence and numbering ten or more.

Such proclamation may extend to the whole Colony or to some specified parts or part thereof and may at any time be revoked.

Any person who does any act or takes part in any dance procession, assemblage or collection contrary to any such proclamation shall be guilty of an offence punishable on summary conviction and may be fined in any sum not exceeding twenty pounds, or imprisoned with or without hard labour for any term not exceeding six months.

83. Any constable and any one whom he may call to his assistance or aid may extinguish any torch carried contrary to any such proclamation, and may arrest any person found doing any act or taking part in any dance, procession, assemblage or collection contrary to any such proclamation, and may take or cause to be taken any person so arrested to some convenient place, there to be detained until he is brought before a magistrate or Justice to be dealt with according to law.

84. Every owner or occupier of any house, building, yard or other place, who shall knowingly permit or suffer any convicted felons, persons convicted of riot or affray, common prostitutes, rogues and vagabonds, or incorrigible rogues to meet together or remain therein to the number of ten or more, shall on conviction before any magistrate,

For a first or second offence, forfeit and pay any sum not exceeding ten pounds ;

For a third or subsequent offence, be imprisoned with hard labour for six months.

Power to prohibit certain acts.

Power to extinguish torches, and arrest.

Penalty on owner for permitting felons, &c., to assemble.

Penalty on owner, &c., permitting felons, &c., to dance.

85. Every owner or occupier of any house, building, yard or other place, who shall knowingly permit or suffer any convicted felons, persons convicted of riot or affray, common prostitutes, rogues and vagabonds, or incorrigible rogues to meet together and remain therein, and to play or sing or dance therein, or to play or bet therein at any game or pretended game of chance with any instrument of gaming or with any coin, card or token, shall on conviction before any magistrate be liable to the same penalties and punishments as last aforesaid.

Penalty on felons, &c., assembling together, dancing, &c.

86. If any convicted felons, persons convicted of riot or affray, common prostitutes, rogues and vagabonds and incorrigible rogues shall to the number of ten or more meet together or remain in any house, building, yard or other place, or shall to such number as aforesaid be found playing or singing or dancing therein, or playing, gaming or betting therein with any instrument of gaming or with any coin, card or token, all such persons shall be guilty of an offence against this Ordinance, and on conviction before any magistrate shall,

For a first or second offence, forfeit and pay any sum not exceeding two pounds;

For a third or subsequent offence, be imprisoned with hard labour for three months.

Constable may enter premises, &c.

87. It shall be lawful for any constable at any time of the day or night, with such assistants as he may take to his aid, to enter such house, building, yard or place as aforesaid where he may suspect any such persons as aforesaid to the number aforesaid may be together or may be playing or singing or dancing, or playing or gaming or betting as aforesaid, and to take into custody all such persons found therein to the number of ten or more and to seize and carry away all drums, gongs, tambours, bangées, chac-chacs, or other musical instruments or instruments of gaming found therein, and the same shall be forfeited. Such constable may enter by force, if he is refused admittance after demand thereof.

Possession of weapons intended for crime.

88. Every person having in his custody or possession any weapon, instrument, stick, bottle, stone, or other thing intended for the purpose of committing any felony or

misdemeanour shall be deemed a rogue and vagabond and on conviction be imprisoned with hard labour for any term not exceeding two months.

Every such weapon, instrument, stick, bottle, stone, or other thing shall be forfeited to His Majesty, and it shall be lawful for any constable to enter by force if necessary any house, building, yard or other place where he has reasonable cause to believe that there is contrary to this section any such thing as aforesaid, and any such thing there found to remove, destroy or otherwise deal with.

THE CARNIVAL.

89. If any person shall, at any time during the Carnival throw, or cause to be thrown upon, or at any person or passenger or resident in any street, any lime, flour, or other substance, matter or thing whatsoever, whether solid or fluid, such person shall be guilty of an offence against this Ordinance, and on conviction before any magistrate shall forfeit any sum not exceeding five pounds.

Annoyance of passengers or residents in streets.

90. Every person committing any offence against section 89 hereof may be taken into custody by any constable:—

Apprehension of offenders.

(a.) in whose view any such offence may be committed;

(b.) or upon the complaint of any person or passenger or resident upon or at whom any such lime, flour, or other substance as aforesaid may have been thrown, whether in view or not of any such constable.

PLAYING DRUMS, DANCING, ETC.

91. Every owner or occupier of any house, building, yard, or other place who shall

Playing drums, dancing, etc.

(1.) without licence under the hand of a Commissioned Officer of Constabulary, permit any persons to assemble and play or dance therein to any drum, gong, tambour, bangée, chac-chac or other similar instrument of music, at any time between the hour of ten o'clock in the evening of one day, and the hour of six o'clock in the morning of the next day; or

(2.) permit any persons to assemble and dance therein the dance known as "bungo" or any similar dance

shall on summary conviction thereof before a magistrate be liable to a fine not exceeding ten pounds, and it shall be lawful for any constable, with such assistants as he may take to his aid, to enter any house, building, yard or place where any persons may be so assembled, and stop such dance or seize and carry away all such drums, gongs, tambours, bangées, chac-chacs, or other instruments of music, and the same shall be forfeited:

DRUNKENNESS, &c., IN STREETS, POLICE COURTS, &c.

Drunkenness
and riotous
conduct in
certain places.

92. Any person drunk and disorderly in any street, and any person guilty of any riotous, indecent or disorderly behaviour therein, or insulting, obstructing, or annoying any passengers therein, or guilty of any riotous, indecent or disorderly behaviour in any Government office, Police court or station or in any place of public entertainment, shall forfeit any sum not exceeding five pounds for every such offence, or be imprisoned with or without hard labour for any term not exceeding two months.

VIOLENT OR OBSCENE LANGUAGE, FIGHTING, &c.

Violent and
obscene
language.

93. Any person making use of any violent or obscene language with intent to provoke any other person to commit a breach of the peace, and any person who shall use any obscene or profane language to the annoyance of any resident or passenger in any street, or shall fight or otherwise disturb the peace shall forfeit any sum not exceeding five pounds or be imprisoned with or without hard labour for any term not exceeding thirty days.

OFFENCES IN STREETS AND OTHER PUBLIC PLACES.

Offences in
streets.

94. Every person who commits any of the following offences in any street shall forfeit any sum not exceeding five pounds for each offence, or shall be imprisoned with or without hard labour for any term not exceeding one month, that is to say :

1. Every person who exposes for show, hire or sale (except in a market or market place lawfully appointed for that purpose) any animal, or exhibits any show for public entertainment, or shoes, bleeds or farries any animal (except in

- cases of accident), or cleans or turns loose any animal, or makes; or repairs, washes, or cleans any vehicle (except in case of accident where repair on the spot is necessary).
2. Every person who slaughters any animal, except such as may have met with accident, or which for public safety, or other reasonable cause, ought to be killed on the spot. Slaughtering animals.
 3. Every person who offers or exposes for sale any herbage or forage in any public place in any town, other than such place or places as may from time to time be lawfully appointed for that purpose. Forage.
 4. Every person who exposes for sale any goods whatsoever so that the same project into or over any footway, or beyond the line of the house, shop or building in which the same are exposed. Goods on footway.
 5. Every person who hangs or places any clothes on any line or cord projecting over any part of any street, or on any wall, fence, or paling abutting upon any street. Hanging clothes.
 6. Every person who sings any profane or obscene song or ballad. Obscene songs.
 7. Every parent or guardian or person standing in the relation of parent or guardian to any child above the age of five years who shall permit such child to go naked. Naked children.
 8. Every person who wantonly extinguishes the light of or destroys or damages any street lamp, or who wantonly disturbs any inhabitant by pulling or ringing any door bell or knocking at any door. Street lamps, bells, knockers.
 9. Every person who wantonly pulls down, destroys, damages or defaces any sign or sign-board. Sign-boards.
 10. Every person who throws or lays down any stone, timber or any other materials (except building materials so inclosed as to prevent injury to passengers). Placing materials on street.
 11. Every person who throws, or who, being the owner or occupier of any house or other building, permits to be thrown from any part of such house or other building any rubbish, water, matter or thing whatsoever. Throwing matter from house.

Throwing
rubbish on
street.

12. Every person who throws or lays any dirt, ashes or nightsoil, or any carrion, offal, trees, brush-wood, bush, decayed vegetables, or rubbish of any kind into or upon any street or footway.

Masking

13. Every person appearing masked or otherwise disguised except at such times and in conformity with such regulations as may from time to time be made by the chief officer of constabulary in the town or district.

Hoops.
Missiles
Bonfires

14. Every person trundling a hoop.

15. Every person who throws or discharges any missile or makes any bonfire.

Blowing
horns.

16. Every person who shall blow any horn or use any other noisy instrument for the purpose of calling persons together, or of announcing any show or entertainment, or for the purpose of hawking or distributing any articles whatever or of obtaining money or alms, or which is calculated to frighten any horse or other cattle.

17. Every person who by obstructing the street wilfully prevents any person or vehicle from passing him or any vehicle under his care.

Offences in
streets to the
annoyance,
&c., of resi-
dents or
passengers.

95. Every person who in any street commits any of the following offences to the obstruction, annoyance, or danger of any resident or passenger shall forfeit any sum not exceeding five pounds for each offence, or shall be imprisoned with or without hard labour for any term not exceeding one month; that is to say:

Every person who places or leaves, or causes to be placed or left, any furniture or goods, or any cask, tub, basket, box, pail, bucket, stool, bench, seat or package on any footway, or places or causes to be placed any blind, shade, covering, awning or other projection over or along any such footway unless the same be eight feet at least above such footway in every part thereof.

Every person who rolls or carries any cask, tub or wheel or any ladder, plank, board, pole, timber, or log of wood upon any footway except for the purpose of loading or unloading any waggon, cart or carriage, or of crossing the footway.

Every person who carries any lighted torch.

96. Every person who throws or discharges any stone or other missile, to the annoyance damage or danger of any person, in any place, shall be liable on conviction before any magistrate to a penalty not exceeding five pounds.

Throwing stones or other missiles.

BATHING IN MARAVAL RIVER.

97. Any person who—

(a.) shall bathe in any part of the Maraval river; or

(b.) shall wash clothes in the said river or on the banks thereof; or

(c.) shall throw or discharge any water used in the washing of clothes or holding soap in solution or any dirt or filth or any noxious or fetid matter of any description whatsoever in the said river;

Bathing in Maraval river.

shall be liable on conviction before any magistrate to a penalty not exceeding twenty pounds or to imprisonment with or without hard labour for any term not exceeding three months.

FOULING OF STREAMS AND PONDS.

98. Every person who shall wash any clothes, or throw or discharge any water which may have been used in the washing of clothes, or holding soap in solution, or any dirt or filth, or any noxious or fetid matter of any description whatsoever, into any stream or pond, or water, whether running or not, without the permission of the owner of such stream, pond, or water, shall on summary conviction before a magistrate be liable to a penalty not exceeding five pounds or to imprisonment with or without hard labour for any term not exceeding one month; and every person found committing any such offence may be immediately apprehended by any constable, or by the owner of the property on which the offence shall be committed, or by his servant, or by any person authorised by him, and forthwith taken before any magistrate, to be dealt with according to law.

Washing clothes in or discharge of noxious matter into stream or pond.

99. Every owner of land who shall wash, or cause or permit any person to wash any clothes, or throw or discharge, or cause or permit any person to throw or discharge any dirt, filth, or other noxious or fetid matter into, or in, any water running through such land, whereby such water coming or flowing into any other land may be polluted and rendered unfit for use, shall on summary conviction before a

Owner of land not to pollute water flowing into any other land.

magistrate be liable to a penalty not exceeding twenty pounds nor less than one pound or to imprisonment with or without hard labour for any term not exceeding three months.

Recovery and appropriation of penalties.

100. Any penalty under sections 98 and 99 hereof may be recovered on the information of any Warden, Assistant Warden, Ward Officer, Forest Ranger or constable, or of the owner of the property upon, or in respect of which such offence shall have been committed, and every such penalty, if recovered on the information of the owner, shall be paid to such owner, which term shall in sections 98 and 99 and in this section extend to and include any person having the immediate possession, or the management or charge of any land.

INCITING DOGS ETC., TO ATTACK.

Inciting dogs to attack.

101. Every person who incites a dog or other animal to attack, worry, or put in bodily fear, any other person or any animal shall on summary conviction before a magistrate be imprisoned with or without hard labour for any term not exceeding two months, or fined any sum not exceeding ten pounds.

KEEPING SWINE.

Keeping swine.

102. Every person who keeps any swine in any town shall be imprisoned with or without hard labour for any term not exceeding one month or forfeit any sum not exceeding five pounds, and it shall be lawful for any constable to enter in the day time any place in any town in which he may have reasonable cause to suspect that any swine are kept and to seize all swine which may be found therein, and the same shall be forfeited to the use of His Majesty.

TRADE LICENCES.

Certain trades to be licensed.

103. Any person who shall within the limits of any town commence or carry on the trade or business of a blacksmith, tinman, founder, farrier or cooper without having first obtained a licence under the hand of the magistrate of the district, authorising him to carry on such trade or business in some particular house, workshop, or premises to be therein specified, or who, having such licence shall carry on such trade or business in any place except the house, workshop or premises therein specified, shall forfeit any sum not exceeding twenty pounds.

104. One month's notice by public advertisement shall be given by the magistrate of any application made to him for a licence to carry on any trade or business mentioned in the last preceding section, in which notice shall be inserted the name of the applicant and the place where such trade or business is intended to be carried on.

Notice of application for licence.

105. Every person carrying on the trade or business of a blacksmith, tinman, founder, farrier or cooper, who on being required by any constable on the premises where such trade or business is carried on to produce his licence shall refuse to do so, shall forfeit any sum not exceeding forty shillings, or be imprisoned for any term not exceeding fourteen days.

Refusing to produce licence.

OBSTRUCTIONS IN STREETS, &c.

106. Every person who shall place or leave or cause to be placed or left any obstruction whatsoever upon any street or landing place except such part thereof respectively as may from time to time be allowed by public notice for the purpose by the Chief Officer of Constabulary in the town or district, or shall cause or suffer the same to be left upon the part so allowed for any time exceeding sixty hours from the time of the same being first placed there, shall upon conviction forfeit any sum not exceeding ten pounds, and if any person so convicted shall not within the space of forty-eight hours after such conviction remove the impediment in respect of which such conviction was had, he shall forfeit a further sum of two pounds for every twenty-four hours during which the same shall remain on such street or landing place.

Obstructions in streets and landing places.

107. If any goods be left upon any part of any street or landing place contrary to the provisions of this Ordinance, it shall be lawful for any Justice to direct such goods to be removed to some other place, and there detained until all the expenses of the removal and storage of such goods and the amount of any penalties, if any, which may have been incurred in respect thereof shall have been paid; and in case such penalties, and all expenses of the removal and storage of such goods, shall not be paid within one month after the same shall have been incurred, such Justice shall order such articles to be sold, and after satisfaction from the proceeds of sale of all such penalties and expenses,

Disposal of goods improperly placed in streets.

shall pay the balance of such proceeds of sale to the person entitled to the same; but if no claim is made to such balance of proceeds of sale within thirty days, then the whole of such moneys remaining unclaimed shall be paid to the Receiver-General for the use of the Colony.

Regulations for route of vehicles, &c. and for preventing obstruction in public places.

108. The Inspector-General or the Chief Officer of Constabulary in any district may from time to time make orders for the route to be observed by all vehicles, horses and persons and for preventing obstructions in any public place in any case when such public place is liable to be thronged or obstructed; and any person committing any wilful breach of any such order shall be guilty of an offence under this Ordinance and shall forfeit any sum not exceeding forty shillings.

DISTURBING PLACES OF WORSHIP.

Disturbing places of worship and molesting ministers performing functions.

109. Every person who shall be guilty of any riotous, violent, indecent or disorderly behaviour, in any place of divine worship, or in any ground or land contiguous to the place of divine worship and employed therewith, whether during divine service, or at any other time, or who shall disturb or molest any person therein whether during service, or at any other time, and any person who shall disturb or molest any minister celebrating any religious rite or office, in any street or other public place, or any other person aiding, assisting or attending at the celebration of such rite or office, shall forfeit any sum not exceeding five pounds.

NAVY DISCIPLINE.

Bringing intoxicating liquor to or aiding deserters from H.M. ships.

110. Any person who brings any intoxicating liquor on board any of His Majesty's ships without the previous consent of the officer commanding such ship, or approaches or hovers about any of His Majesty's ships for the purpose of bringing any such liquor on board the same without such previous consent or for the purpose of giving or selling without such previous consent such liquor to men in His

Majesty's Service, or who aids or assists any officer, seaman or marine in His Majesty's Service to desert or improperly absent himself from his ship, shall on conviction thereof before a magistrate forfeit and pay a sum not exceeding ten pounds for every such act or offence; and it shall be lawful for any officer in His Majesty's service or warrant or petty officer of the Navy, or non-commissioned officer of Marines, with or without seamen or persons under his command, to search any vessel hovering about or approaching or which may have hovered about or approached any of His Majesty's ships, and any such officer with or without seamen or persons under his command or any constable or peace officer with or without any warrant or other process may apprehend or cause to be apprehended any person contravening any of the provisions of this section and bring him or cause him to be brought before any magistrate.

Any intoxicating liquor found on board such vessel shall be seized and forfeited to His Majesty.

NAVAL AND MILITARY UNIFORMS.

111.—(1.) It shall not be lawful for any person not serving in His Majesty's Military Forces to wear without His Majesty's permission the uniform of any of those Forces, or any dress having the appearance or bearing any of the regimental or other distinctive marks of any such uniform: Provided that this enactment shall not prevent any person from wearing any uniform or dress in the course of a stage play performed in a place duly licensed or authorised for the public performance of stage plays, or in the course of a music hall or circus performance, or in the course of any *bonâ fide* military representation.

Uniforms not to be worn without authority.

(2.) If any person contravenes this section he shall be liable on summary conviction before a magistrate to a fine not exceeding five pounds.

(3.) If any person not serving in His Majesty's Naval or Military Forces wears without His Majesty's permission the uniform of any of those Forces, or any dress having the appearance or bearing any of the regimental or other distinctive marks of any such uniform, in such a manner or under such circumstances as to be likely to bring contempt

Bringing contempt on uniform.

upon that uniform, or employs any other person so to wear that uniform or dress, he shall be liable on summary conviction before a magistrate to a fine not exceeding ten pounds.

Interpre-
tation.

(4.) In this section :—

The expression "His Majesty's Military Forces" means the Regular Forces, the Reserve Forces and the Auxiliary Forces within the meaning of the Army Act (other than the Naval Coast Volunteers and Naval Volunteers), and the Local Forces of the Colony.

The expression "His Majesty's Naval Forces" means the Navy, the Naval Coast Volunteers, and the Naval Volunteers.

FIREWORKS AND FIREARMS.

Fireworks in
towns.

112.—(1) It shall not be lawful, except as prescribed by regulations under this Ordinance, to throw, cast, set fire to or let off any fireworks within any town; and any person contravening the provisions of this section is liable on conviction thereof before a magistrate to a penalty not exceeding twenty pounds.

(2.) In this section and in the two next succeeding sections "town" includes the City of Port-of-Spain as defined from time to time under the provisions of the Port-of-Spain Corporation Ordinance, 1914, the Borough of San Fernando and the Borough of Arima, and every part of the area within two miles of the boundaries of such city or of either of such Boroughs, and also any place or area declared by the Governor by proclamation to be a town or to be deemed to be included within a town for the purposes of sections 112, 113 and 114 of this Ordinance.

Fireworks
outside towns.

113. Any person who throws, casts, sets fire to or lets off any fireworks into in or upon any street not being in any town, or into in or upon any place being within sixty feet of the centre of any such street, is liable on conviction thereof before a magistrate to a penalty not exceeding ten pounds.

114. The Governor may make regulations prescribing Regulations. the times, places and conditions on and at which fireworks may be let off or set fire to in towns. All such regulations shall be published in the *Royal Gazette*, and shall be judicially noticed.

115. Any person who discharges any gun, pistol or other Discharging firearm in any street or within sixty feet of the centre of firearms in such street, except on some lawful and necessary occasion street. or when acting under a power conferred by any Ordinance, is liable on conviction thereof before a magistrate to a penalty not exceeding ten pounds.

OBSCENE PUBLICATIONS.

116. It shall be lawful for any magistrate upon complaint Warrant to made before him upon oath that the complainant has reason search for to believe and does believe that any obscene books, papers, obscene writings, prints, pictures, drawings or other representations publication. are kept in any house, shop, room or other place within the limits of the jurisdiction of any such magistrate, 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, distributed, exhibited, lent or otherwise published as aforesaid, at or in connection with such place, so as to satisfy such magistrate that the belief of the said complainant is well founded, and upon such magistrate 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 the Criminal Offences Ordinance (No. 22) or paragraph 7 of section 51 of this Ordinance, to give authority by special warrant to any constable to enter into such house, shop, room or other place with such assistance as may be necessary, 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 magistrate issuing the said warrant, or some other magistrate exercising

the same jurisdiction; and such magistrate 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 magistrate 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 magistrate 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 magistrate 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 magistrate 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.

CONFINEMENT OF ANIMALS.

Inter-
pretation.

117.—(1.) In this section, unless the context otherwise requires:—

“Animal” includes swine, goats and such other animals as the Governor in Executive Council may from time to time by proclamation direct to be included in such term;

“Owner” includes the head of a family occupying any premises in which an animal is kept or permitted to remain;

“Confined” means confined in a pen or fenced place or securely tethered so as to prevent the animal from wandering.

Owners
to confine
animals.

(2.) Every animal shall, except when it is in transit and in charge of the owner or some person acting on his behalf, be confined by its owner.

(3.) Any owner who refuses fails or neglects to act in conformity with the provisions of this section is liable on summary conviction before a magistrate to a penalty not exceeding two pounds for a first offence, to a penalty not exceeding five pounds for a second offence and to a penalty not exceeding ten pounds or to imprisonment not exceeding two months for a third or subsequent offence.

(4.) The fact that an animal is found off the premises of its owner shall be *prima facie* evidence that an offence under this section has been committed by the owner of such animal.

SUNDAY EMPLOYMENT OR TRADING GENERALLY.

118. Subject to the provisions of the Customs Ordinance, No. 178, any person who on a Sunday employs for hire any other person in any agricultural or manufacturing labour or employment, or in the carting or crooking of any goods, or in the loading of any vessel, or the transshipping of any goods, or who on a Sunday after the hour of nine o'clock in the morning, sells or offers or exposes for sale in any public market, any goods, is liable, on conviction before a magistrate, to a penalty not exceeding five pounds, and in default of payment to imprisonment for any term not exceeding one month.

MISCELLANEOUS.

119. Any person who shall aid, abet, counsel, or procure the commission of any offence punishable on summary conviction shall be liable to the same punishment as the principal offender, and may be proceeded against either with such principal offender, or before or after his conviction, and either in the district in which such principal offender may be convicted, or that in which the offence of aiding, abetting, counselling or procuring may have been committed. Aiders and abettors.

Any person so aiding, abetting, counselling, or procuring may be tried before any magistrate or Justice having cognizance of the principal offence.

120. Every person convicted summarily who shall have paid the fine and costs, or been discharged therefrom by the Crown or shall have undergone imprisonment for Defendant to be only liable once

non-payment thereof, or imprisonment adjudged in the first instance, or shall have been discharged from his conviction in manner aforesaid shall be released from all other proceedings for the same cause.

Proof of convictions.

121. In any proceedings under this Ordinance, production of a copy of the commitment certified under the hand of the Superintendent of Prisons or of the person for the time being acting as such, or production of the Police register book of persons convicted of crime, upon proof of the identity of the person named therein, shall be sufficient proof that such person has been convicted of the offence therein specified.

Production of a certificate stating the substance and effect of any conviction or order, omitting the formal parts thereof, signed by the Clerk of the Peace for the time being, or other officer having the custody of the records of any court, upon proof of the identity of the person therein named shall be sufficient proof of such conviction, or that the order therein specified has been made against the person therein named.

No proof need be given of the signature or official character of any person signing such commitment or certificate as aforesaid.

Prima facie proof of knowledge against occupiers.

122. On the trial or hearing of any information or proceeding under this Ordinance, proof of the meeting together of any convicted felons, persons convicted of riot or affray, common prostitutes, rogues and vagabonds, or incorrigible rogues, in any house, building, yard or other place, or of such persons playing or singing or dancing or gaming or betting therein shall be *prima facie* evidence that such person or persons as aforesaid had there met together or were remaining therein or were therein playing or singing or dancing or gaming or betting as aforesaid with the knowledge of the occupier of such house, building, yard or other place.

Jurisdiction and powers of Supreme Court.

123. Nothing herein contained shall in any manner affect the jurisdiction or the power or authority of the Supreme Court to try any of the offences made punishable under this Ordinance, or to limit the power of the said Court to award any punishment which may be awarded by the said Court for any of the said offences.

124. Production of a copy of the *Royal Gazette* containing a proclamation or notice issued under this Ordinance shall be *prima facie* evidence in all courts and for all purposes whatever of the due making and tenor of such proclamation or notice. Evidence.

125. The Summary Convictions (Offences) Ordinance (No. 5), The Uniforms Ordinance (No. 116), sections 4, 5, 6, 7, 8, 14, 15, 16, 17, 18, 19, 20, 21, 29, 37 and 38 of the Summary Convictions (Offences) (Amendment) Ordinance, 1916, (No. 43—1916), The Summary Convictions (Offences) (Amendment) Ordinance, 1917, (No. 25 of 1917), the Cruelty to Animals Ordinance, 1917 (No. 38 of 1917), the Animals (Confinement) Ordinance, 1917, (No. 39 of 1917) the Summary Convictions (Offences) Ordinance, 1919, (No. 22 of 1919) and sections 5 and 6 of the Summary Convictions (Offences) (Amendment) Ordinance, 1920 (No. 6 of 1920) are hereby repealed. Repeal.

Passed in Council this sixth day of May, in the year of Our Lord one thousand nine hundred and twenty-one.



Clerk of the Council.