

## No. 11.—1841.

AN ORDINANCE to enable the Judges of the said Island to award Writs of *Habeas Corpus* for bringing Persons detained in Gaol before Magistrates and the several Courts therein mentioned.

H. MACLEOD.

WHEREAS it is expedient to make provision by law for bringing as well for trial as for examination before Courts-Martial, the Courts of Petty Sessions, Petty Debt Courts and Magistrates, touching matters depending before such Courts and Magistrates respectively, persons detained in custody under civil or criminal process; Be it therefore enacted by the Governor in and over the said Island of Trinidad, by and with the advice and consent of the Council of Government thereof, That from and after the promulgation of this Ordinance, it shall be lawful for the Chief Justice or either of the Puisne Judges of the said Island, at his discretion, to award a writ or writs of *Habeas Corpus* for bringing any prisoner detained in any gaol or prison within the said Island before any Court-Martial, Court of Petty Sessions, Petty Debt Court, or any Magistrate or Magistrates, for trial, or to be examined touching any matter depending before such Court-Martial, Court of Petty Sessions, Petty Debt Court, Magistrate or Magistrates; and the like proceedings shall be had upon such writ or writs of *Habeas Corpus* so to be awarded as aforesaid as by law may now be had in England upon writs of *Habeas Corpus* awarded by the Judges of Her Majesty's Courts of Record at *Westminster* for bringing persons detained in gaol before Magistrates or Courts of Record for such purposes as aforesaid, any law, custom or usage to the contrary thereof in any wise notwithstanding.

The Chief Justice or either of the Puisne Judges may issue Writs of *Habeas Corpus* to bring for Trial or Examination before Courts-Martial, and certain other Courts, and Magistrates, Persons detained in Gaol, &c.

2. And be it enacted, That this Ordinance shall take effect and come into operation from and immediately after the promulgation thereof.

Ordinance to come into immediate operation.

Passed in Council this fifth day of October, in the year of our Lord one thousand eight hundred and forty-one.

THOMAS F. JOHNSTON,  
*Clerk of Council.*

The foregoing Ordinance has been duly proclaimed in Port of Spain on this nineteenth day of October, one thousand eight hundred and forty-one, by me,

RICHARD JOELL,  
*Assist. Marshal.*

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## No. 10.—1842.

AN ORDINANCE for assimilating the Laws of the Colony, relating to Offences against the Person, to the Laws of England in the like cases.

(L. S.) C. CHICHESTER,

*Acting Governor, Lieut.-Colonel 81st Regiment.*

WHEREAS it is expedient that the laws of this Colony relative to offences against the person should be assimilated to the Laws of England in the like cases, and that the same should be consolidated into one Ordinance: Be it therefore, and it is hereby enacted and ordained by the Governor and Commander-in-Chief in and over the said Island and its Dependencies, by and with the advice and consent of the Council of Government thereof, That whosoever shall do or commit any act or acts which, if done or committed in England would amount to or constitute the offence of murder, manslaughter, buggery, or rape, shall be deemed guilty of murder, manslaughter, buggery, or rape, as the case may be; and every offence mentioned in this Ordinance, which would be a felony or misdemeanor according to the law of England, shall be, and be deemed to be a felony or misdemeanor, as the case may be, in this Colony.

Rule of construction.

Punishment of principals and accessories in murder.

§ 2. And be it enacted, That from and after the promulgation of this Ordinance, every person convicted of murder, or of being an accessory before the fact to