

TRINIDAD AND TOBAGO.

Summary Convictions (Offences).

No. 35.—1914.

30th October.

AN ORDINANCE to amend the Summary Convictions (Offences) Ordinance, No. 5.



[L.S.]

GEORGE R. LE HUNTE,

GOVERNOR.

18th November, 1914.

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) (Amendment) Ordinance, 1914. Short Title.

2. In this Ordinance—

“Town” includes the City of Port-of-Spain, 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 this Ordinance. Interpretation.

“Fireworks,” “Firework” include bombs, torpedoes, squibs, rockets and serpents.



“Constable” means a member of the Constabulary Force.

“Street.” **3.** The term “street” as defined in Section 2 of Ordinance No. 5 shall include any public place and the waters of any harbour in the Colony.

Fireworks in towns. **4.** 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 to a penalty not exceeding £20, and in default of payment to imprisonment with or without hard labour for any term not exceeding six months.

Fireworks outside towns. **5.** 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 to a penalty not exceeding £10, and in default of payment to imprisonment with or without hard labour for any term not exceeding three months.

Regulations. **6.** The Governor may make regulations prescribing the times places and conditions on and at which fireworks may be let off or set fire to in Towns.

Discharging firearms in street. **7.** Any person who discharges any gun, pistol or other firearm in any street or within sixty feet of the centre of such street, except on some lawful and necessary occasion or when acting under a power conferred by any Ordinance, is liable to a penalty not exceeding £10, and in default of payment to imprisonment with or without hard labour for any term not exceeding three months.

Person conveying goods. **8.—(1.)** It shall be lawful for a Constable to arrest without warrant any person conveying in any manner anything which the Constable has reasonable cause to suspect to have been stolen or unlawfully obtained.

(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 £20 or to imprisonment with or without hard labour for any term not exceeding six months.

9.—(1.) If information is given on oath to any Magistrate 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 in any vessel, it shall be lawful for such Magistrate by warrant under his hand directed to any constable to cause any such house, store, yard or other place, 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.

Search
warrant.

(2.) The Magistrate 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 as aforesaid 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.) 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 to have been privy to such concealment or lodging as aforesaid.

(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

such person came by any such thing as aforesaid, and any person who fails to so satisfy the Magistrate is liable to a fine not exceeding £20, or to imprisonment, with or without hard labour, for any term not exceeding six months.

Constable may
board vessel.

10.—(1.) It shall be lawful for any Constable to enter on board any vessel 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 hereinafter provided.

(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.

11.—(1.) If any person brought 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 fine not exceeding £20 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.

12. Sections 79, 80 and 81 of the Summary Convictions ^{Repeal.} (Offences) Ordinance, (No. 5) and the words "wantonly discharges any firearm or" in lines 1 and 2 and the words "or throws or sets fire to any firework" in lines 3 and 4 of paragraph 24 of Section 85 of the said Ordinance, and the Ordinances Nos. 10—1907 and 24—1913, are hereby repealed.

Passed in Council this Thirtieth day of October, in the year of Our Lord one thousand nine hundred and fourteen.

HARRY L. KNAGGS,
Clerk of the Council.
