

TRINIDAD AND TOBAGO.

Liquor Licensing.

No. 3.—1902.

3rd March.

AN ORDINANCE to consolidate and amend the law relating to the sale of Intoxicating Liquor and licenses in respect of the same.

[L.S.]

ALFRED MOLONEY,

GOVERNOR.

8th March, 1902.

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 Liquor Short Title. “ Licensing Ordinance, 1902.”

2. In this Ordinance the several terms in the first column Interpretation. of the following table shall, unless the context otherwise requires, have the respective significations placed opposite to them in the second column of such table.

TERM.	SIGNIFICATION.
Intoxicating liquor	... Spirits wine or beer or any mixture beverage or preparation containing the same.

TERM.	SIGNIFICATION.
Spirits	Any liquid containing alcohol the product of distillation; including Spirits known or sold as Rum, Brandy, Whiskey, Gin, Hollands, and Arrack, and all other distilled Spirit, whether usually sold under any of the afore-said names or any other name; and this term includes also for the purposes of this Ordinance all Liqueurs, Compounds and other mixtures intended for drinking and prepared from or mixed with Spirits, and all beverages whether purporting to be Wine Beer or other fermented liquors or not, when containing a greater proportion than 40 per cent. of proof spirit either due to fermentation or added.
Compounds	Spirits which have been prepared in the Colony by adding any ingredient or flavouring to rum or any other spirit.
Foreign Liqueurs	Spirits flavoured or sweetened imported into the Colony, by whatever name the same are sold.
Wine	Fermented grape juice and all liquor sold or offered for sale as Wine or under any name by which any wine is known. And for the purposes of this Ordinance "Wine" includes cider and perry and the fermented juice of any fruit.
Beer	Liquor fermented from malted barley or other malted grain or any substitute for malted grain; this includes ale, stout, porter, spruce beer, black beer and any description of beer; and also any liquor which is made or sold as a description of beer or as a substitute for beer, containing more than 2 per cent. of proof spirit or of an original gravity exceeding 1012 degrees.
License	Any license granted under this Ordinance.

TERM.	SIGNIFICATION.
Licensed (as regards persons or premises)	The persons to whom a license is issued and the premises in which a trade is licensed to be carried on under this Ordinance.
Licensing Sessions	... The Sessions holden under the provisions of Section 47 hereof for the granting of Licenses, and any adjournment of such Sessions.
Magistrate's license	... The License issued by the Receiver-General or a Sub-receiver or Supervisor of Excise or Warden under the certificate of a Magistrate granted at Licensing Sessions.
Excise license ...	... A License granted by the Receiver-General or Sub-receiver without the certificate of a Magistrate.
Licensing Authority	... A Magistrate in respect of Magistrates licenses and the Receiver-General Sub-Receiver or Supervisor of Excise in respect of Excise licenses.
Offence	... Any offence against this Ordinance.
Penalty	... The fine and imprisonment or either by this Ordinance prescribed as a penalty for any offence subject as in Section 24 hereof provided.
Prescribed	... Prescribed by this Ordinance or by any order or regulation made under the authority hereof.
House and premises	... Include every room and place under the same roof or within the same curtilage occupied with or as appurtenant to any House or Premises room or place.
Occupier	... The person in actual occupation of a house or premises as master of the same or of the trade or business therein carried on.
Retail and Retailer	... The trade of selling Intoxicating Liquor for consumption on or off the Licensed Premises without restriction as to quantity, and the person carrying on such trade respectively.

Term.	SIGNIFICATION.
Deal and Dealer ...	The trade of selling Intoxicating Liquor for consumption off the Licensed Premises in not less than the quantity prescribed in each case, and the person carrying on such trade, respectively.
Police inspection ...	Inspection by the Police; and includes a right of inspecting and taking copies of all books and all entries therein.
Excise inspection ...	A similar inspection by officers of excise; and this includes also a right of taking samples of any intoxicating liquor on the premises.
Magistrate ...	The Stipendiary Justice for the district within which the licensed premises are situated, or, as the case may be, within which any offence is charged to have been committed.
Excise officer ...	Includes the Receiver-General and the Sub-receivers and the Supervisors and any officer of the Receiver-General's Department and the Wardens and their assistants and any person authorized in writing by the Receiver-General or a Sub-receiver or a Warden.
Supervisor ...	A person appointed as Supervisor or assistant supervisor of excise under the provisions of the Spirits and Spirit Compounds Ordinance, 1892.
Permit ...	A permit for the removal of Spirits from a distillery or Excise Warehouse or Customs Warehouse under the provisions of the Spirits and Spirit Compounds Ordinance.
Port-of-Spain...	The Town of Port-of-Spain as defined by Ordinance 1-1899 or any amendment thereof for the time being in force.
San Fernando ...	The Borough of San Fernando as defined by Ordinance 3-1897 or any amendment thereof for the time being in force.
Scarborough ...	The Town of Scarborough in Tobago as defined in Schedule 1 hereto.

Term.	SIGNIFICATION.
Town	The several places specified in Schedule 1 hereto, and every other place declared to be a town for the purposes of this Ordinance by the Governor.
Renewal	A renewal of a License that shall have been in force in respect of the same Premises and in favour of the same person up to the day on which such renewal commences.
Transfer	A transfer by order of the Licensing Authority of an existing License to fresh Premises within the same district or of a License for the same Premises from one person to another person.
Trade	As applied to any person carrying on any trade in Intoxicating liquors, means such trade, and includes business occupation and calling,
Police Constable or Constable of Police.	Any Constable of the Police Force in the Colony, including every member of the Police Force of whatsoever higher rank.
Traveller	In relation to persons who within prohibited hours may be lawfully served with intoxicating liquors by a retailer of spirits or wine: A person who when so served is not less than three miles distant by the nearest public thoroughfare from the place where he lodged the previous night.
Guest	A person using any licensed premises for lodging during the night or taking a meal therein.
Company	A limited company registered in the Colony under the provisions of the Companies Ordinance 1869; and does not include any company or association or persons calling themselves a company not so registered.

PART I.

Licenses generally.

3. Any person dealing in retailing selling or offering for sale or having in his possession or on his premises for the purpose of sale any Intoxicating liquor shall commit an

All trading in Intoxicating liquor must be by License.

Offence and be liable to the penalty hereby or by any other Ordinance prescribed, in respect of any such dealing, retailing selling offering or possession not authorized by a License under this or some other Ordinance.

Licenses and
duties payable
thereon.

4. The several Licenses specified in the second Schedule hereto shall be applied for and granted subject to the provisions hereof; and there shall be paid in respect of each of the same the duty specified in the said Schedule.

What is
included in
each License.

5. A Spirit retailer's License shall be deemed to authorize the sale of Intoxicating liquor for consumption on or off the premises, and in any quantity.

A Spirit Grocer's License shall be deemed to authorize the sale to customers for private consumption of Spirits in bottle in any quantity not less than one imperial pint, and Beer or Wine in bottle not less than a reputed pint, and of Compounds and Foreign Liqueurs in the bottles (whatever the size) in which the same are imported or delivered by the Compounder as the case may be, but not to authorize any sale for consumption on the Licensed Premises.

A Spirit dealer's license shall be deemed to include a Wine Merchant's License.

Any license authorizing any selling of or dealing in or retailing of Wine shall be deemed to extend to Beer.

Unauthorized
sale by
licensed
person an
offence.

6. Save as in the last section mentioned the sale dealing in offering for sale or keeping for sale by any Licensed person of any Intoxicating liquor otherwise than according to the terms of his License or at any place other than the Licensed Premises shall be an Offence, and in addition to any other penalty the person so offending may have his License cancelled on conviction, or any application for the renewal thereof may be refused at the discretion of the Licensing Authority.

Duration and
date of
Licenses.

7.—(1.) Subject to the provisions of this Ordinance every License

(a.) Shall be granted for the time specified therein in accordance with the provisions hereof, and upon payment of the duty chargeable thereon; and

(b.) Shall be dated on the day on which it is granted and shall in no case continue in force beyond the thirty-first day of March after it is granted.

(2.) Subject hereto a Spirit retailer's License or Spirit Grocer's license may be granted on payment in advance of the duty for one or more complete quarters and such License shall in such case expire on the last day of the quarter which the license duty covers.

8.—(1.) Every License shall be issued by the Receiver-General, the Sub-Receiver or Warden (and as to Magistrate's licenses on production of a certificate authorising such issue) in the prescribed form. Issue of Licenses.

(2.) The Receiver-General may from time to time by Regulation alter the forms of Licenses.

9. No License shall be granted or transferred to :

(a.) Any person who has been convicted in the Colony of the offence of selling Intoxicating Liquor without a license in that behalf or of keeping an illicit still, or who has been convicted in the Colony or elsewhere of any offence involving dishonesty. Disqualifications for license.

(b.) Any person apparently under the age of 21 years, unless such person proves himself to have attained such age; or

(c.) Any person whose License has been cancelled under the provisions hereof or, during his life, his wife or any member of the family of such person resident with him.

10. No new License shall be granted or current License transferred except the person applying for such grant or to whom such transfer is to be made, personally appears before the Licensing Authority; or in the case of a Company, the manager or other servant of the Company by whom the business is to be carried on on behalf of such Company, so personally appears. Provided that it shall be lawful for the Licensing Authority on special grounds to dispense with such appearance in case of unavoidable absence. Personal application to Licensing Authority.

Against
personation
of applicant.

11. Any person falsely pretending before a Licensing Authority that he is the person applying for a License or the person to whom any existing License is to be transferred, shall be deemed so to have pretended with intent to deceive, and shall be guilty of an Offence; penalty £50; and if it is shown to the satisfaction of the Licensing Authority that he has so pretended with the connivance of the person entitled to apply, such License or Transfer shall not be granted.

Date of
license granted
by way of
renewal.

12. Where any person intending to apply for a renewal of a License pays the duty imposed on the new License at the time and place prescribed for payment thereof, the new License shall bear date on the day following the date of expiration of the previous License.

License to
apply to one
set of premises
only.

13. A License shall only authorize the person to whom it is granted to carry on the licensed trade in one set of premises to be specified in the License, and the whole of the premises must be adjoining and held together for the same trade.

Provision as to
partnership.

14. Where two or more persons carry on in partnership any trade, they shall not be required to take out in any year more than one License for each set of Premises in which the trade is carried on.

Inspection.

15.—(a.) Every Magistrate's License shall render the Licensed premises liable to both Police inspection and Excise inspection and every Excise License shall render the licensed premises liable to Excise inspection.

General
authority to
inspect.

(b.) Nothing in this Ordinance contained shall be deemed to exempt any premises from any further or other search or inspection to which the same may be subject under the express provisions of this or any other Ordinance.

Proportional
payments on
commence-
ment.

16.—1. Subject as is provided in Section 7 hereof a person who begins to carry on in any premises any trade mentioned in this Ordinance for which a License is required, may take out a License on payment of a proportion of the annual duty charged thereon, as follows:—

(a.) If the License is taken out within the second quarter of the current year, on payment of three fourths of the duty; and

- (b.) If the License is taken out within the third quarter of the current year, on payment of one half the duty ; and
- (c.) If the License is taken out within the last quarter of the current year, on payment of one fourth of the duty.

(2.) Provided that a person who has previously taken out a License for a trade shall not be entitled to the benefit of this section upon taking out a License to carry on the same trade whether on the same or on different premises, unless one year at least has elapsed between the expiration of the previous License and the taking out of the new License.

17.—1. On the death of any licensed person the License may, save as otherwise provided by this Ordinance, be transferred by indorsement by the Licensing Authority in the prescribed form to the executor administrator or the widow or child of the deceased person or the Administrator-General or any person appointed by him for the purpose.

Transfer on
death of
Licensee

(2.) On the *bona fide* assignment for value of any licensed business the License may save as aforesaid at the discretion of the Licensing Authority and with the consent of the parties be transferred by indorsement by such authority, stamped with the prescribed fee.

or assignment.

18. Any person having a Magistrate's License may apply to the Magistrate for leave to transfer his Licensed trade from his Licensed Premises to other Premises within the same district. Seven days' notice shall be given of the hearing of such application by the Clerk of the Peace to the Excise Officer of the district and also to the Police Officer in charge of the district ; and the same may be opposed by the Police or by any Officer of Excise on the ground that the Premises to which it is proposed to transfer the License are not suitable for the carrying on of such trade or on any other proper ground.

Transfer
to other
premises.

19. Any holder of an Excise License only may apply to the Receiver-General for a transfer thereof to any Premises in lieu of any licensed Premises, and the Receiver-General may in his discretion grant such transfer by writing under his

Idem.

hand carrying the prescribed stamp and the License shall thereupon be deemed to authorize the carrying on of the licensed trade on the Premises substituted and no longer to authorize the trade on the Premises originally licensed.

Transfer notice and fee (Magistrate's License).

20. An application for transfer of a Magistrate's License may be made at any time on ten days' notice in writing of the application to be given to the Clerk of the Peace and shall be published in the *Royal Gazette*; and the indorsed certificate or other permission for the same shall in every case be stamped with the prescribed fee.

Transfer of License lost or withheld.

21. Where an application is made for the transfer of a License it shall be lawful for the Licensing Authority in the event of the License being lost or mislaid or wilfully withheld by the holder thereof to receive a copy of such License and deal therewith as hereinbefore provided in case such Licensing Authority is satisfied that the License is withheld by some person without any legal right to withhold the same.

Sign boards as to names and trades.

22.—(1.) Every licensed person shall paint or place and fix to the satisfaction of the officer of Excise for the district in letters publicly visible and legible and of the prescribed size and colour upon the outside of the front of his Premises, his full name, or, where the trade is carried on by a Company or firm, the name or style of the Company or firm, and after the name the word "licensed," adding thereto the words necessary to express the trade for which the License has been granted.

Penalty £20.

(2.) If any person does not paint or place and fix such letters as aforesaid, or does not keep the same so painted or placed and fixed, he shall for every such offence incur a penalty of twenty pounds.

Illegal sign board.
Penalty £50.

(3.) If any person shall put or have any such letters as aforesaid upon his premises falsely importing that he is licensed to carry on any such trade, or that he is licensed to carry on any trade other than he is in truth so licensed to carry on, he shall for every such offence incur a penalty of fifty pounds.

23. Every person Licensed in respect of Spirits must in accordance with the prescribed regulations and in the prescribed form, make, with the officer of Excise for the district, entry in writing signed by him of every house, building, room, and of every fixed cask, vessel, or utensil intended to be used by him for the keeping or storing of or dealing in, or retailing such Spirits; and any person who commences or carries on business without making such entry shall incur a penalty of twenty pounds.

Persons licensed to sell spirits to make entry.

Penalty £20.

PART II.

Offences Generally.

24. Where a pecuniary Penalty is imposed by this Ordinance the amount of such penalty shall be deemed a maximum, and it shall be lawful for the Magistrate in his discretion in any case for a first Offence to impose a Penalty not less than one-fourth and for a second Offence (under whatever provision hereof) not less than one-half the maximum, but for any subsequent Offence or for any Offence committed by a person who has previously been licensed and whose License has been cancelled the maximum Penalty shall be inflicted.

Penalties.

25. If any licensed person deals in, or retails, or sells any Intoxicating liquor in contravention of the terms of his License, or otherwise than as he is authorised by the License, he shall, if the Offence is not one in respect of which a specific penalty is imposed by this or any other Ordinance, be guilty of the Offence and subject to the Penalty prescribed in respect of a person dealing in, or retailing, or selling such Intoxicating liquor without a License.

Penalty for contravention of terms of licenses.

26. If any Intoxicating liquor for the sale of which a License is required are sold in any Premises by any person who is unknown, or is not licensed for that purpose, the Occupier of the Premises, if privy or consenting to the sale, shall be deemed to be the seller of the same, and if such sale is not authorized by a License shall be liable to the Penalties imposed by this Ordinance in respect of such sale.

Liability of occupier for unauthorised sale.

27.—(1.) If any person solicits takes or receives an order for, or exposes for sale, or barter, or exchanges any Intoxicating Liquor, without having in force a License authorising

Licenses for soliciting or taking orders for goods.

him in that behalf, he shall incur the penalties imposed by this Ordinance on a person dealing in, retailing, or selling such goods without a License.

(2.) Provided that nothing in this Ordinance shall be deemed to impose any penalty on a person in the employment of a licensed dealer or merchant taking orders for goods which his employer is duly licensed to deal in or sell, or on any traveller for a merchant wine dealer or spirit dealer within or without the Colony soliciting orders on behalf of his employer, or on any auctioneer offering for sale by auction any spirits or wine *bonâ fide* the property of some licensed person or of some person not carrying on the business of a wine or spirit retailer or dealer or grocer.

Provided also that nothing herein contained shall be held to render illegal any *bonâ fide* resale by any person not carrying on business as a retailer of or dealer in wine or spirits, of any wine beer or spirits that have been legally and *bonâ fide* purchased by him for his own domestic consumption.

Exceptions.

28. Nothing herein contained shall be construed to make illegal.

- (a.) Any sale or delivery of or dealing in any Intoxicating Liquors on his licensed premises by a licensed distiller or licensed compounder or licensed brewer in the manner authorized by any Ordinance regulating the Trade of such person ; or
- (b.) Any dispensing by a licensed druggist of Spirits in the preparation of medicine prescribed by a qualified medical practitioner, or any sale or delivery by a licensed druggist of a *bonâ fide* medicine containing spirits or wine, or of any *bonâ fide* medicinal preparation of wine, beer or malt extract.

Penalty for not producing license.—£20.

29. If any Licensed person does not within a reasonable time after demand, produce and deliver the License to be read and examined by any Excise or Customs Officer, or Constable of Police, he shall commit an Offence and be subject to a Penalty of twenty pounds.

30. In the recovery of any Penalty under this Ordinance for selling or supplying on sale intoxicating liquors without a License or in a manner unauthorized by a License, it shall be sufficient to allege that the defendant sold either Beer, Spirits, or Wine without having in force a License authorising him so to do; and it shall not be necessary further or otherwise to describe the Offence.

Mode of describing offence of unlicensed sale.

31. In proving the sale or consumption of Intoxicating liquors, it shall not be necessary to show that any money actually passed, or that any Intoxicating liquor was actually consumed, if the Court hearing the case be satisfied that a transaction in the nature of a sale actually took place, or that any consumption of Intoxicating liquor was about to take place; and proof of consumption or intended consumption of Intoxicating liquor on licensed Premises by some person other than the Occupier or a member of his family or a servant in such Premises, shall be evidence that such liquor was sold to the person consuming or carrying away or being about to consume, or carry away the same.

Evidence of sale or consumption of intoxicating liquors.

32. No action or suit shall be maintainable to recover any debt or sum of money alleged to be due in respect of the sale of any Intoxicating liquor which was delivered for consumption on the Premises where sold or supplied, or in respect of any Spirits or Wine or Beer sold in less quantity at any one time than a reputed quart.

No action to recover debts for intoxicating liquor sold for consumption on the premises, or spirits less than one reputed quart.

33. Penalties under this Ordinance shall be recovered by prosecution on summons before a Magistrate; and, subject to the express provisions hereof, the provisions of the Summary Conviction Offences (Procedure) Ordinance, 1895, shall apply to all such prosecutions and the Penalties thereunder.

Procedure.

PART III.

PROVISIONS AS TO THE SEVERAL CLASSES OF LICENSES RESPECTIVELY.

34. Spirits shall be sold or supplied or kept for the purpose of sale for consumption on the Premises where sold, only by a person having a Spirit Retailer's license in force for such Premises, or his servant or his wife or a member of his family resident with him; and any person

Retailing Spirits.

selling delivering or keeping for the purpose of sale any Spirits in contravention of this section shall commit an Offence the penalty being £200.

Any licensed person convicted under this section may on the first conviction at the discretion of the Magistrate, and shall on the second conviction have his License cancelled.

Retailing
Wine and
Beer.

35. Wine or Beer shall be sold or supplied on sale or kept for the purposes of sale for consumption on any premises only by a person having a Spirit or Wine Retailer's license in force for such Premises, or his servant or his wife or some member of his family resident with him; and any person selling, supplying, or keeping Wine or Beer in contravention of this section shall commit an Offence the Penalty being Forty Pounds.

Any licensed person convicted under this section may on a second or subsequent conviction for such Offence have his License cancelled at the discretion of the Magistrate.

Wine Retailer
may keep
wine in any
quantity.

36. A wine retailer's license shall authorize the holder thereof to sell or keep for the purposes of sale wine and beer in any quantity whether for consumption on or off the premises.

Supply on
premises
optional.

37. No holder of a Spirit or wine retailer's license shall be compellable to supply spirits wine or beer for consumption on the Licensed Premises on the demand of any person, or to provide glasses or measures, or any accommodation for the purposes of such consumption.

Spirit dealers.

38. A spirit dealer's License shall be granted in respect of Premises in Port-of-Spain, San Fernando and Scarborough only, and only by the Receiver-General or a Sub-receiver, and shall authorize the licensed person to sell and deliver spirits in quantity not less than two gallons of one denomination at any one transaction. Provided that it shall be lawful to sell imported spirits sold in the original packages in quantities of not less than one-and-a-half gallons.

Any spirit dealer dealing retailing selling or delivering in quantity or manner not authorized by his License shall commit an offence; Penalty £200, and his license may be cancelled at the discretion of the Licensing Authority.

39. The holder of an hotel Spirit License shall not be deemed to have committed any offence under Section 30 by reason of his supplying Spirits in accordance with such License without being the holder of a Spirit Retailer's license. Saving as to licensed Hotel.

40. It shall be lawful for the Receiver-General or any Supervisor of Excise in his discretion to grant to any person who shall be in his judgment *bonâ fide* carrying on the trade of a grocer or provision dealer in a shop or premises in Port-of-Spain, San Fernando, or Scarborough, (or with the permission of the Governor in Council in any other Town), which shop or premises are in the opinion of the Receiver-General proper and suitable for the purpose, a Spirit Grocer's License. Spirit grocer.

41. (a.)—A Spirit Grocer's License shall not be deemed to authorize any sale of spirits other than in bottle. For bottled Spirits only.

(b.) Nor the sale or supply to any person of any Spirits wine or beer for consumption on the licensed premises. Any person offending against this section shall commit an Offence, Penalty £100, and may have his spirit grocer's License cancelled at the discretion of the Receiver-General. Not for consumption on premises.

42. A Wine merchant's License shall authorize the licensed person on and from the licensed Premises to deal in and sell and deliver for consumption off the Premises only, Wine and Beer only, and in quantities of not less than one gallon or six reputed quarts of Wine or two gallons of Beer at any one sale. Any wine Merchant who under cover of his license sells wine or beer for consumption on the licensed premises, or in less quantity than hereby authorized shall commit an Offence and be liable to a Penalty of Thirty Pounds and his merchant's license may be cancelled at the discretion of the Receiver-General. Wine Merchant's license.

43. A Hotel Spirit License shall be granted only in respect of premises within Port-of-Spain or San Fernando or the Town of Scarborough, and shall authorize the keeper of an hotel to supply Spirits, Wine and Beer to Guests at the hotel only. Any keeper of an hotel may supply Wine and Beer under a Wine and Beer Retailer's License. Hotel Spirit License.

Provided that the Governor in Council may from time to time authorize the Magistrate for any district to entertain an application for such a License in respect of any premises elsewhere situate, and to deal with such application at his discretion, subject as in the next section provided.

Certificate of
fitness, &c.

44. Save as in the next section provided no Hotel Spirit License shall be granted by a Magistrate for any hotel containing a bar for the resort and accommodation of the public; nor in any case without the production to him of a certificate from the Receiver-General that the premises sought to be licensed are *bonâ fide* an hotel and are suitable to be licensed as an hotel for the retailing of Spirits to be consumed therein.

Special Hotel
License.

45. It shall be lawful for the Governor on the joint certificate of the Inspector-General of Police and the Receiver-General that any hotel in which there is a bar or other drinking accommodation open to the public is kept mainly for the *bonâ fide* entertainment of guests using such hotel for sleeping and taking meals therein, and that it is for the general public convenience that such authority should be given, to authorize the Magistrate at his discretion to issue a special hotel license for such hotel at the prescribed duty. And such license shall be deemed to authorize the retailing of intoxicating liquors for consumption on the licensed premises, without distinction of the persons to whom or the part of the premises in which liquors shall be supplied.

Provided always that no liquor be sold under such special license to persons not guests at such hotel at any time during which the keeping open of licensed premises for the sale of intoxicating liquor to the public generally is forbidden by this or any other Ordinance.

Provided also that on the occasion of any dance, ball or other entertainment being held after closing hours in an hotel so specially licensed, it shall be lawful for the Magistrate of the district on application without any fee, to authorize in writing the licensed occupier of such hotel to supply intoxicating liquors to the persons attending such dance, ball or entertainment during such hours as may be specified in such authority, and thereupon such occupier may lawfully supply the same accordingly.

PART IV.

PROVISIONS APPLICABLE TO THE GRANTING OF LICENSES
AND THE PAYMENT OF EXCISE DUTIES CHARGEABLE
THEREON.

46. Subject to the provisions of this Ordinance, Licenses Issue of Licenses. under it may be issued on the payment of the Prescribed sum and production (in the case of a Magistrate's license) of the Magistrate's certificate authorising such issue; and in the case of Excise licenses, upon the Prescribed conditions being fulfilled.

47. Sessions for the granting of Magistrate's certificates for the issue or renewal of any Magistrate's License shall be held on convenient days in the months of March June September and December, to be appointed by the Magistrate; and any such sessions may at the discretion of the Magistrate be adjourned either generally or as respects any particular applications, to such other days as the Magistrate shall think fit, and subject to the provisions of this Ordinance the Magistrate may at such session or at any adjournment thereof grant such certificates to such persons and in respect of such Premises as such Magistrate in the exercise of his discretion deems proper. Licensing Sessions.

Provided that it shall be lawful for the Governor in the exercise of his discretion to direct any Magistrate to appoint and hold a special Session for the considering of any such applications at any other date.

48. The Magistrate shall twenty-one days at least before each licensing session appoint the time and place at which such session is to be held, and cause notice thereof to be inserted in the *Royal Gazette*, and to be affixed in some conspicuous place or places. Notice of licensing sessions.

The provisions of this section shall not apply to any adjournment of the Sessions.

49. Every person desiring to obtain a new License in respect of any Premises, shall, fifteen days at least before the day appointed for the Licensing session, make an application in writing to the Magistrate, who shall cause notice of such application to be published in the *Royal Gazette*. Applications for licenses.

(a.) In every such application shall be stated the name, occupation and residence of the applicant, and the situation of the Premises, and the Trade in respect of which a License is applied for.

(b.) Renewals may be granted at Licensing Sessions on personal application without notice; but it shall be lawful for any officer of Excise or Police in Court to object to any renewal on sufficient ground to be stated in Court, and the Magistrate may at his discretion in any such case adjourn the hearing of the application to a convenient day to admit of evidence being adduced.

Right of
objection to
License.

50. The owner of the Premises in respect of which a new License is applied for, and any owner or Occupier of property or a Minister in charge of a place of public worship situate within a quarter of a mile therefrom, and any Supervisor or Warden and any Inspector of Police or Constable of police in charge of the district, shall have the right of appearing before the Magistrate at Licensing Sessions to object to the granting of any new License or the transfer of any License to any new premises; and shall be heard by the Magistrate in support of any such objection.

Excise
Certificates for
Licenses.

51. Where any certificate permission or approval of the Receiver-General or any Officer is a condition of the granting of a Magistrate's License, the same shall be obtained by the applicant and lodged with the Clerk of the Peace before the day appointed for the Session. Provided that the Magistrate may in his discretion extend the time for the lodging of such certificate permission or approval, and adjourn the hearing of the application accordingly.

Transfer of
Excise licenses.

52. Excise Licenses may be granted renewed, and transferred by the Receiver-General, or a Sub-Receiver, or any Supervisor of Excise.

Publication
of returns.

53. A return of all certificates granted for the issue renewal or transfer of Licenses under this Ordinance, specifying the names and places of abode of the Licensees, the licensed premises, and the terms for which the licenses are granted, shall be transmitted by the Magistrate to the Receiver-General within seven days next after the same are granted, renewed or transferred.

54.—(a.) The Receiver-General shall cause to be published in the *Royal Gazette* as soon as may be after the expiration of each licensing quarter, a return of all Licenses granted issued and transferred during such quarter. Public notification of Licenses granted.

(b.) The production of the *Gazette* containing any such return as in this section mentioned shall be sufficient evidence of any fact therein stated as to any License therein returned.

55. Sections 140 to 163 inclusive of the Summary Offences Procedure Ordinance shall be applicable to the Court of sitting at any Licensing Sessions or adjournment thereof under this Ordinance. Offences at Special Sessions.

56. No Penalty under this Ordinance shall be incurred by the executors, or administrators, or the widow or child, of any licensed person who dies before the expiration of his License, or by the trustee of any person who is adjudged bankrupt or whose affairs are liquidated by arrangement, before the expiration of his License, in respect of the sale or exposure for sale of any Intoxicating liquor, so that such sale or exposure for sale be made on the Premises specified in such License, and takes place for not longer than twenty-eight days after the death of the said licensed person or the appointment of a trustee in the case of his bankruptcy or the liquidation of his affairs by arrangement. Temporary trading in case of death or bankruptcy protected.

57. Nothing in this Ordinance contained shall prohibit any licensed Spirit retailer or any one other person who shall have the written permission of two or more of the Stewards of any races to be held in the Queen's Park, or at any other place under the authority of the Governor, from selling any Intoxicating Liquor in booths, tents, or other places within the Queen's Park, or any other place where such races shall be held, during the days of such races between the hours of twelve at noon and seven in the afternoon. And any licensed wine retailer may in like manner sell and retail wine and beer in such place during the same hours. Sale of spirits on race course.

58. A licensed Retailer of Spirits or Wine and Beer may apply to a Magistrate at any time for a special License on the occasion of any public entertainment, festivity or meeting, to carry on his trade at the place of such festivity or meeting within the district in which his licensed premises Occasional License.

are situate and a Magistrate by certificate under his hand may at his discretion grant such special license for the hours and to the extent that may be deemed necessary for the public convenience. Provided—

- (a.) Sufficient notice of such application shall have been given to the principal officer of Police of the district, who may oppose the same.
- (b.) No such license shall be granted in any case to extend beyond the occasion in respect of which the same is granted.
- (c.) Such license shall not unless specially permitted therein be deemed to permit any sale of intoxicating liquors except between the hours during which the same may be by law allowed to be sold on the premises of the applicant.
- (d.) On the issue of every such certificate there be paid the prescribed fee.

Licenses for
Government
Railway and
Steamers, &c.

59. It shall be lawful for the Governor in Executive Council to authorize the Receiver-General without any Magistrate's Certificate to issue a spirit retailer's or wine retailer's license free of charge to

- (a.) The General Manager of the Government Railway or any person nominated by him in respect of any refreshment room that may be opened at any Station on the Government Railway.
- (b.) The Harbour Master or any person nominated by him in respect of the supply to passengers of Intoxicating Liquors during the actual passage on board any Government Steamer plying between ports of the Colony.
- (c.) Any owner or officer of a passengers' steamship regularly plying between ports of the Colony in respect of the sale of Intoxicating Liquor on board such ship during the actual passage.

Any license issued under this section shall be subject to such restrictions as to hours and manner of sale as the Governor in Executive Council may in each case prescribe and shall not be deemed to authorize any sale or delivery in violation of such restrictions.

60. Payments of Excise duty for licenses shall be made to the following persons :—

- (a.) Where the licensed premises are situate within the Western District of the County of St. George, to the Receiver-General.
- (b.) Where licensed premises are situate within the County of Victoria, or in the Ward of Tobago, to the Sub-Receiver for San Fernando or Tobago respectively.
- (c.) Where the licensed premises are situated elsewhere, to the Warden.

To whom
payments of
license duty
shall be made.

PART V.

Offences against Revenue and Order, &c.

61.—(a.) A licensed beer and wine retailer being also a provision dealer may keep open his licensed premises on Sunday and any other days before 9 o'clock in the morning and may on such days before such hour sell wine and beer in bottle.

Times of
closing.

(b.) Subject as aforesaid no licensed premises other than an hotel in which Intoxicating Liquors are sold for consumption on the premises shall be open on Sunday, Christmas day, or Good Friday, or Corpus Christi at any time, or on any other day after nine of the clock in the evening or before six of the clock in the morning ;

Provided that nothing in this Ordinance shall be deemed to apply to prevent a person licensed to sell Intoxicating Liquors for consumption on the premises from selling such Liquors to a *bonà fide* guest or traveller on Sundays or other prohibited days or during prohibited hours or to prevent any licensed person being a provision dealer from selling provisions in his licensed premises before 9 a.m. on any day.

Provided also that it shall be lawful for the Governor in his discretion on the joint recommendation of the Receiver-General and the Inspector-General of Police to authorize the Receiver-General to extend for one hour the time during which any licensed Premises mentioned in such authority may be kept open for the sale of intoxicating liquors ; such permission to be granted when the Governor is satisfied that the same will be for the general public

Extension
order on special
grounds.

convenience and will not injuriously affect public order. And in such case the Receiver-General shall endorse the license with the permission so authorized, and it shall be lawful for the licensed person during the currency of his license to supply intoxicating liquors on the licensed premises during such extended time.

Penalty where person is found on licensed premises during closing hours.

62.—(1.) Subject as herein before provided, if at any time during which any licensed Premises are required under the provisions of this Ordinance to be closed, such Premises are open for the sale of Intoxicating liquor, or any person is found thereon, or in any out-house or building in the same curtilage and occupied therewith, then unless the Magistrate is satisfied that such person was an inmate, servant, *bonâ fide* friend entertained at the expense of the licensed occupier, or a guest or lodger on such premises, or a *bonâ fide* traveller, or that otherwise his presence was not in contravention of the provisions aforesaid, the holder of the license shall be liable to a penalty of Twenty Pounds, and the person so found shall be liable to a penalty of Five Pounds.

(2.) Any Police Constable may demand the name and address of any person found on any licensed Premises during the period during which they are required to be closed, and, if he has reasonable ground to suppose that the name or address given is false, may require evidence of the correctness of such name and address, and may, if such person fail upon such demand to give his name or address, or evidence of the correctness of the name or address so given apprehend him without warrant, and carry him as soon as practicable, before a Justice of the Peace.

False address
—Penalty £5.

(3.) Any person required by a constable under this section to give his name and address, who fails to give the same, or gives a false name or address, or gives false evidence with respect to such name and address, shall be liable to a penalty of Five Pounds.

Penalty for false representation
—£5.

(4.) Every person who by falsely representing himself to be a traveller, or guest, or lodger buys or obtains, or attempts to buy or obtain at any licensed Premises any Intoxicating liquor during the period during which such Premises are or should be closed, shall be liable to a penalty of Five Pounds.

63. Any officer of Excise may at any time enter into any house or premises, building, room or other place, entered, licensed, or used for the keeping or storing of or selling intoxicating liquors, and examine any intoxicating liquor found therein, and may search for and take samples of any such intoxicating liquors (paying for any sample the usual price,) and may inspect all books, invoices, permits and certificates relating to the Trade, and may also search for and seize any Intoxicating liquor for the sale of which a License is not held; and if any person in the occupation of any House or Premises, building, room, or other place, or any servant or other person in his employment, or any person by his direction refuses or fails to admit any officer of Excise into or upon such House or Premises, building, room, or other place, or wilfully impedes resists or obstructs such officer in such inspection, he shall be liable to a penalty of Twenty Pounds.

Excise
inspection.

Any constable of police shall in respect of any premises licensed under a Magistrate's license have the same powers of entry, inspection, search and taking samples as an Excise officer.

Police
inspection.

64. Any licensed wine retailer or wine merchant who shall have in his possession in any part of the licensed premises any Spirits unless he shall account for the same to the satisfaction of the Magistrate shall be guilty of an offence, and shall forfeit such Spirits and the vessels containing the same, and be liable to a penalty of £100.

Penalty—If a
beer and wine
retailer has on
his premises
spirits—£100.

65.—(a.) If upon information given on oath it appears to any Justice of the Peace that there is reasonable cause for suspecting that any Intoxicating liquor is kept for the purpose of sale by retail by any person not duly licensed in that behalf or by any licensed person in any Premises not specified in his License, such Justice may by warrant under his hand directed to any officer of Excise or any constable of Police authorise such officer or constable to enter and search such Premises, and by the said warrant, may, if he thinks fit, specially authorise such officer or constable to enter and search such premises at any time of the day or night, and moreover, if he thinks fit, may specially authorise

Officer of
Excise or
Police
Constable
may enter
suspected
premises.

Search.

such officer or constable with or without assistants, after having made known his authority, to break open, or otherwise use force in order to effect an entry.

(b.) If upon search under this section any such intoxicating liquor or any vessel used for holding or measuring the same is found, it shall be lawful for the Excise officer or the constable executing the warrant to take possession of and secure such Liquor or vessel; and they may apprehend and bring before a Magistrate not only the person in whose premises the same are found, but also every other person found in such premises, who appears to have been employed or assisting in the retailing of Intoxicating liquor, and unless it be made to appear to such Magistrate that such Intoxicating liquor was not deposited for the purpose of being sold by retail in such Premises, the person in whose premises such intoxicating liquor is found, and every person so appearing to have been employed or assisting in the retailing thereof in such Premises, shall be liable to a penalty of One hundred Pounds.

(c.) All Intoxicating liquor found on any search under this section, together with all vessels used for holding or measuring the same, or in any way in and about the retailing thereof, shall upon any conviction in respect thereof be forfeited to His Majesty.

(d.) Every warrant under this section shall remain in force for one calendar month from the day of the date thereof and it shall be no defence to any charge under Sub-section (a) that the liquor found on the Premises was deposited or brought thereon after the issue of the warrant.

Clubs.

66.—(1.) No offence shall be committed against this Ordinance by the dispensing of intoxicating liquors by a *bonâ fide* club, provided:—

(a.) That such Liquor is the property of the club and not of an individual.

(b.) That no profit is made by the owner or Occupier of the Premises in which the club is held, or by any individual member, from the supply or sale of such Liquor.

- (c.) That such Liquors are supplied for consumption at the expense of members of the club only.
- (d.) That the club shall be constituted of not fewer than twenty members.
- (e.) That the club premises and a true copy of the club rules, and of a list of members of the club certified by the chairman or secretary or other responsible officer, shall be annually registered with the officer of Excise for the district.

(2.) If any Intoxicating liquor is supplied at a club in contravention of this section it shall be deemed a sale of that liquor by the person supplying the same.

67. When a volunteer or police canteen is authorized Canteens. by the Commandant of the local forces or the Inspector-General of Police, and is managed by a committee who have no interest in the profits, a License is not necessary for the sale therein of Intoxicating liquors to any person entitled to purchase articles at such canteen.

68. If any persons are at any time found gambling in any premises licensed under this Ordinance for the sale of Intoxicating liquors by retail, the holder of the License shall be liable to a penalty of Twenty Pounds unless he proves to the satisfaction of the Magistrate that such gambling was not by his permission or encouragement, and was unknown to him. Penalty for gambling —£20.

69. Every holder of a License who knowingly sells or allows any person to sell any description of Intoxicating liquors to any person for consumption on the Premises by any person under the age of fourteen years, shall be liable to a penalty of Ten Pounds. Prohibition of sale to children.

70. If a licensed person or any person assisting in the business under the license, permits drunkenness or any violent, quarrelsome, or riotous conduct to take place on the licensed premises, or sells intoxicating liquor to any drunken person, he shall be liable to a penalty of Twenty Pounds. Licensed person permitting disorder on the premises.

71. Any licensed person may refuse to admit to, and may turn out of the premises in respect of which his license is granted, any person who is drunken, violent, quarrelsome, Power to remove disorderly person from

licensed
premises.

or disorderly or whom he finds gambling on the premises, and any other person whose presence on his premises would subject him to a penalty.

Any such person who upon being requested in pursuance of this section by such licensed person, or his servant or a member of his family, or any constable of Police, to quit such Premises refuses or fails so to do, shall be guilty of an Offence, and liable to a penalty of Five Pounds; and all Police constables are required on the demand of such licensed person, agent or servant to expel or assist in expelling every such person from such Premises, and may use such force as may be required for that purpose.

Power to
close licensed
premises in
case of Riot.

72.—(a.) Any magistrate or any two Justices of the Peace acting for any district, or place where any riot or tumult happens, or is expected to happen, may order every licensed person in or near the place where such riot or tumult happens, or is expected to happen, to close his premises during any time which may seem fit.

(b.) Any person who keeps open his Premises for the sale of Intoxicating liquors during any time at which he has been ordered under this section to close them, shall on conviction be liable to a penalty not exceeding Fifty Pounds, and moreover, shall forfeit any license held by him, whether in respect of the Premises which he fails to close, or in respect of any other Premises, and shall for two years be disqualified from holding a License: and it shall be lawful for any person acting by order of any Magistrate or Justice of the Peace to use such force as may be necessary for the purpose of closing such Premises.

PART VI.

General.

Power to
prohibit the
use or
possession of
certain
substances.

73.—(1.) Whenever it shall appear to the satisfaction of the Governor that any substance, liquor, or ingredient, is used or is capable of use in the preparation of, or is mixed with any intoxicating liquor, and that such substance, liquor, or ingredient is of a noxious or detrimental nature, or that the use thereof will lead to His Majesty's revenue of excise being prejudiced, it shall be lawful for the Governor by

notice published in the *Royal Gazette* to prohibit the use by any person of any such substance, liquor or ingredient either entirely or in any greater quantity or proportion than in such notice shall be prescribed, in the preparation of or mixture with any Intoxicating liquor for sale, and by like notice to withdraw or modify such prohibition at any time.

(2.) If after the publication of any such notice of prohibition in the *Royal Gazette*, any person shall use or have on his premises any such prohibited substance, liquor, or ingredient, whether mixed with intoxicating liquor or not, or, as the case may be, shall have such substance liquor or ingredient mixed with liquor for sale in more than the prescribed quantity or proportion, he shall incur a fine of Fifty Pounds, and any such substance, liquor, or ingredient, and also the Intoxicating liquor in the preparation whereof any such substance, liquor, or ingredient may have been mixed or used, shall be forfeited.

The provisions of this section shall apply to any Licensed person, and also to any distiller, compounder or brewer licensed under any Ordinance.

74. Any officer of Excise shall at all times in relation to Intoxicating liquors, and to any substance, liquor, or ingredient which may be mixed with intoxicating liquors, and the use or possession of which shall have been prohibited by the Governor, have the same powers as if he had been one of the functionaries mentioned in Section 18 of the Food and Drugs Ordinance.

Power to take
samples under
Food and
Drugs
Ordinance.

75.—(1.) Every person licensed to deal in or retail Spirits must, by written request, obtain from an Excise officer a certificate book containing the prescribed forms of certificates and counterfoils, for which he must give a receipt.

Certificate
book.

(2.) Before sending out or delivering any Spirits required to be accompanied by a certificate, he must enter in one of these certificates and in its counterfoil the prescribed particulars.

(3.) He must deliver the certificate with the Spirits to the person to whom the Spirits are entered in the certificate.

(4.) He must use the certificates in the order in which they are numbered in the certificate book.

(5.) He must keep the certificate book in his premises open to inspection by any Police Constable or Excise officer, and must allow any such Constable or officer to make entry therein or take any extract therefrom.

(6.) He must return the certificate book when it is exhausted, or on request to the proper officer, who shall give a receipt for it.

Penalties for
removal with-
out certificate.

76.—(1.) If a dealer, grocer or retailer, sends out, delivers, or receives any Spirits required to be accompanied by a certificate without a certificate, or accompanied by an inaccurate certificate, he shall for each Offence forfeit and pay the sum of one hundred pounds, and all Spirits sent out, delivered, or received in contravention of this section shall be forfeited.

(2.) A Penalty shall not be incurred under this section by reason only of the spirits being in strength not more than one per centum above or two per centum below the strength expressed in the certificate.

Fraudulent
use of certifi-
cate.

77.—(1.) If any person uses or suffers to be used any certificate taken from his certificate book, except for the removal of spirits from his own stock, or delivers or parts with any form of certificate without filling it up as required by this Ordinance, he shall be guilty of an Offence; penalty £200.

(2.) If any person uses a certificate or form of certificate, whether filled up or not, so that the account of Spirits kept or checked by an officer, or any examination of Spirits by an officer, is or may be frustrated or evaded, he shall commit an offence; penalty £200.

(3.) If any person, is convicted of an offence under this section, he shall forfeit his license.

Cancelling and
delivering
permits and
certificates.

78.—(1.) Every licensed person must on receiving Spirits accompanied by a Permit or certificate, immediately cancel the Permit or certificate, and must deliver the cancelled Permit or certificate to the officer who first inspects his Premises after the receipt thereof.

(2.) If any person contravenes this section he shall commit an Offence; penalty £50.

79.—(1.) Every person licensed to deal in Spirits must provide himself with and keep a stock book according to a pattern to be obtained on application to an Excise Officer, and must on receiving any Spirits and also on sending out and delivering any Spirits required to be accompanied by a Permit or certificate, enter in his stock book the prescribed particulars. Stock books to be kept.

(2.) He must make the entries at such times as an Excise officer directs, or in the absence of any such directions before the expiration of the day on which the spirits are received, sent out or delivered.

(3.) He must keep the stock book in his Premises open to inspection by any Excise officer, and must allow any such officer to make any entry therein or take any extract therefrom.

(4.) He must keep it open to such inspection for not less than twelve months after it is filled up.

80. If a licensed person—

- (1.) Fails to obtain, provide, keep, produce or return a certificate book or a stock book as by this Ordinance required, or to make therein respectively the entries by this Ordinance required; or
- (2.) Hinders or obstructs any officer in examining a certificate book or a stock book, or in making any entry therein or extract therefrom; or
- (3.) Cancels, alters, obliterates or destroys any part of a certificate book or a stock book or any entry therein; or
- (4.) Makes a false entry in a certificate book or a stock book; or
- (5.) Separates any certificate, or form of certificate, from its counterfoil without properly filling up the certificate and counterfoil, or except on the occasion of sending out or delivering Spirits therewith;

Offences in respect of stock and certificate books.

he shall for each offence be liable to a penalty of Two Hundred Pounds.

Quantity of spirits dealer or retailer may take credit in stock for.

81. No licensed person shall have credit in stock for any greater quantity of spirits received or found in his stock than for the quantity computed at proof brought in by and expressed in the permits or certificates accompanying such spirits and delivered to the proper officer.

Spirits exceeding in quantity one gallon must be accompanied by a certificate.

82.—(1.) No Spirits in quantity exceeding one gallon of the same denomination at a time for the same person may be removed from any premises or place to any other premises or any place whether by a licensed person or his servant, or by any other person, unless accompanied by a Permit or a certificate of the quantity sold, the date of removal, the description and strength of Spirit and the purchaser's name and address, signed, if a Permit, by the proper authority and if a certificate by the licensed person supplying such Spirits.

Nothing herein contained shall be deemed to authorize the removal of any Spirits from the premises of a licensed distiller or compounder otherwise than as provided in and by Section 63 of the Spirits and Spirit Compounds Ordinance.

(2.) If any person receives without such certificate as in this section mentioned any Spirits required to be accompanied by such certificate, or receives any Spirits differing in quantity description or strength from that expressed in the permit or certificate accompanying the same he shall commit an offence the penalty being in addition to any other penalty or forfeiture £100.

(3.) All Spirits found to have been sent out delivered, or removed, or in course of being sent out, delivered or removed in contravention of this section, together with all horses, cattle, carriages, and boats, made use of in conveying the same, shall be forfeited, and every person in whose possession the same are found shall incur a penalty of £50.

Officers of Excise may conduct proceedings.

83. Any officer of Excise may prosecute, and conduct any information, complaint, or other proceeding before a Magistrate in respect of any Offence or Penalty.

Rewards.

84. The Receiver-General may with the approval of the Governor, reward any person who informs him of any offence against this or any other Ordinance relating to the

Excise revenue, or assists in the recovery of any fine or penalty, and with the like approval such reward may be paid by the Receiver-General out of the fine imposed in respect of such Offence.

85. Every act or default in respect of which according to Procedure. this Ordinance a penalty is imposed shall be an Offence, punishable on summary conviction before a Magistrate.

86. In any proceeding under this Ordinance a conviction Proof of conviction. may be proved by the production of a certificate, stating the substance and effect of such conviction, and omitting the formal parts thereof, purporting to be signed by the Clerk of the Peace or other officer having the custody of the records of the convicting Court, and by proof of the indentity of the person named in such certificate.

No proof need be given of the signature or official character of the person appearing to have signed such certificate.

87. At the hearing of any information or complaint of an Analyst's certificate evidence. offence against this or any Excise Ordinance, the production of a certificate signed by the Government Analyst shall be sufficient evidence of all the facts therein stated unless the defendant require that the Analyst be summoned as a witness, in which case the Magistrate shall cause the Analyst to be summoned to appear on a day and at a time to be specified.

88. If a person charged with any Offence be convicted Costs. he shall in addition to the penalty imposed upon him be ordered to pay the following sums, that is to say:—

- (a.) The sum of one guinea for every day or part of a day on or during which the Analyst in obedience to such summons shall have attended in Court.
- (b.) The travelling expenses of the Analyst.
- (c.) All other expenses whatsoever incurred in procuring, delivering and analysing any intoxicating liquor under this Ordinance.

(d.) The fee of any Barrister or Solicitor prosecuting.

(e.) All other lawful expenses of the prosecution.

The sums so payable shall be deemed costs of conviction recoverable in manner provided in and by the Summary Conviction Offences Procedure Ordinance.

Schedule of towns may be varied by Proclamation.

89. The First Schedule to this Ordinance may at any time be added to, altered, or varied by Proclamation by the Governor.

Regulations and Forms.

90. The Receiver-General may from time to time with the approval of the Governor in Council make rescind or amend regulations for the conduct of business in his department under the provisions of this Ordinance and prescribe forms to be used in respect of any application certificate notice license or other document relating to any matter or thing to be done under the provisions hereof including the forms to be used in respect of any application to the Magistrate at Licensing Sessions. Until amended by such regulations the forms in use under the provisions of any Ordinance hereby repealed may with such alterations as are necessary continue to be used. Every regulation made under the provisions of this Section shall be published in the *Royal Gazette*.

Duties may be altered by resolution.

91. The duties and fees chargeable under this Ordinance and specified in the second Schedule hereto may at any time be varied by resolution of the Legislative Council with the consent of the Governor.

Repeal.

92. The enactments specified in the Third Schedule to this Ordinance are to the extent specified in column three, hereby repealed.

Provided that the repeal by this Ordinance enacted shall not affect the validity or invalidity of anything done or suffered or any right accrued or liability incurred before or any proceeding pending or uncompleted at the commencement of this Ordinance.

Passed in Council this Third day of March in the year of Our Lord One thousand nine hundred and two.

C. J. ROOKS,
Clerk of the Council.

 SCHEDULE I.

 (TOWNS—Sections 2 and 89.)

THE CITY OF ST. JOSEPH bounded as follows :—

 The City of
St. Joseph.

NORTH AND EAST by the St. Joseph River.

SOUTH by the Eastern High Road.

WEST by a straight line running from the culvert on the Eastern High Road near the entrance to the Railway Station in a Northerly direction to the ford of the St. Joseph River on the Road to Maracas nearest to the Town of St. Joseph.

THE TOWN OF ARIMA bounded as follows :—

 The Town of
Arima.

NORTH by the Northern side of the Longden Street from the “ Muertos ” Ravine to the South-eastern corner of Fecundo Subero’s land on the road to “ Mount Pleasant.”

SOUTH by the Southern fence of the Arima Savannah.

EAST by a line running straight in a South-easterly direction from the South-eastern corner of Fecundo Subero’s land to the centre of the bridge on the Eastern High Road over the Lava Pies Ravine, thence straight in a Southerly direction to the North-eastern corner of Maria Estrada’s land at the junction of Devenish Street with the Cocorite Road, thence straight in a South-westerly direction to the South-eastern corner of the Arima Savannah.

WEST by the “ Muertos ” Ravine from its intersection with the North side of Longden Street to its intersection with the Western side of Gordon Street, thence in a straight line in a Southerly direction to the Western corner of the Savannah at the junction of the Omeara Road with the Eastern High Road, thence along the Eastern side of the Omeara Road as far as the Southern fence of the Savannah.

THE TOWN OF TUNAPUNA bounded as follows :—

 The Town of
Tunapuna.

NORTH.—Northern boundary of Chinab’s land and a line running due East and West from that line.

SOUTH.—Railway line.

EAST.—Back Street (East) and a line running due North and South from that street.

WEST.—St. Joseph’s Ward boundary.

SCHEDULE I.—CONTINUED.
PRINCES TOWN bounded as follows :—

NORTH by the boundary of the Malgretoute Estate from the iron bar at the Western end to the Cipero Tramline, thence to the Glenroy Estate boundary on the North Mission Road, thence by the Glenroy Estate boundary to the entrance of the Hard Bargain Road.

SOUTH by a line running in a South-easterly direction from St. John's Garden to the Lothians entrance of the Circular Road, thence in a North-easterly direction to the Broomage boundary on the Lengua Road.

EAST by a line running in a South-easterly direction from the entrance to the Hard Bargain Road to the Craignish boundary on the Royal Road to Monkey Town, thence in a South-westerly direction to the Broomage boundary on the Lengua Road.

WEST by a line running South from the iron bar at the Western extremity of the Malgretoute Estate to St. John's Garden.

THE TOWN OF COUVA bounded as follows :—

NORTH.—Lands of Exchange and Perseverance Estates.

SOUTH.—Lands of Brechin Castle and Exchange Estates

EAST.—Lands of Camden Estate.

WEST.—Lands of Perseverance Estate.

PERU VILLAGE bounded as follows :—

NORTH.—Maraval Ward.

SOUTH.—The Sea.

EAST.—The Maraval River.

WEST.—The Extravaganza Estate and the Fort George Road.

THE TOWN OF SCARBOROUGH bounded as follows :—

NORTH.—The Calder Hall Road.

SOUTH.—The Sea.

EAST.—The Ordinance lands.

WEST.—That portion of the Plymouth Road known as the Wilson Road, the bye-way leading from the Wilson Road by Darrell's Spring to the Northside Road the Northside Road and the bye-way leading from the Northside Road to the Calder Hall Road.

SCHEDULE II.

(DUTIES—Section 4.)

MAGISTRATES' LICENSES.

Spirit retailer's license	—For Port-of-Spain	...	.. £200 per annum, or 55 per quarter.
	For San Fernando and within a half a mile thereof	...	..£100 per annum, or 30 per quarter.
	For any Town or within a half a mile thereof	..	£ 50 per annum, or 15 per quarter.	
	Elsewhere	...	...£ 30 per annum, or 10 per quarter.
Wine and beer retailer's license whether for con- sumption on or off the premises	} Wherever situate	...	...£ 7 10 per annum.
Hotel Spirit license	—In Port-of-Spain	...	...£ 30 per annum.
	Elsewhere	...	... 15 "
Special Hotel license under Section hereof	} For Port-of-Spain For San Fernando Elsewhere	...	...£ 100 "
		£ 50 "
		£ 25 "

OCCASIONAL FEES

Transfer fees under Sections 17, 18, 19	...	...	10/-
Occasional license under Section 58	...	}	20/ for each con- secutive 24 hours or part of 24 hours for which the license is re- quired.

EXCISE LICENSES.

Spirit Grocer's license	—Port-of-Spain	...	...£100 per annum, or 27 10 per quarter.
	San Fernando	...	...£50 per annum, or 15 per quarter.
	Scarborough or any other Town	...	...£25 per annum, or 7 10 per quarter.
Spirit dealer's license.	}	...	...£10 per annum.
Wine Merchant's license		...	... 5 "

SCHEDULE III.

(REPEALS—Section 92.)

NO. AND YEAR OF ORDINANCE.	TITLE.	EXTENT OF REPEAL.
1.—1881.	“ The Licensing Ordinance, 1881 ”	... The whole.
17.—1883.	“ The Towns Definition Ordinance, 1883 ”	... The whole.
8.—1885.	“ The Licensing Ordinance, 1885 ”	... The whole.
18.—1886.	“ An Ordinance to amend ‘ The Licensing Ordinance, 1881 ’ ”	... The whole.
14.—1888.	“ An Ordinance to further amend the Law relating to the sale of Intoxicating Liquors ”	The whole.
19.—1892.	“ The Spirits and Spirits Compounds Ordinance, 1892. ”	Sections 51, 52, 53, 55, 61, 62, and Sub-sections 5, 6, and 7, of Section 63; Sections 69, 70, 71, 72, 87, 88, 89, 134; and Section 171, so far as relates to penalties under this Ordinance.
21.—1897.	“ The Towns Definition Amendment Ordinance, 1897 ”	... The whole.
30.—1898.	“ The Towns Definition Amendment Ordinance, 1898 ”	... The whole.
1.—1900.	“ The Licensing Ordinance, 1899 ”	... The whole.
33.—1900.	“ The Tobago Licenses Ordinance, 1900 ”	... The whole.
31.—1901.	“ The Licensing Ordinance, 1901 ”	... The whole.