



Commence-  
ment.

2. This Ordinance shall not come into operation until the 1st of April, 1881, which day is in this Ordinance referred to as the commencement of this Ordinance.

Interpreta-  
tion.

3. In this Ordinance

The term "spirituous liquor" includes rum, brandy, gin, hollands and whiskey;

The term "intoxicating liquor" means any spirituous liquor, and any wine, ale, porter, beer, cider or other alcoholic liquor;

The term "premises" includes any house, shop, store, or other building;

The terms "sale" and "purchase" include barter and exchange;

The term "borough of Port-of-Spain" means the borough of Port-of-Spain as defined by the metes and bounds specified in Section 5 of Ordinance No. 10 of 1853, intituled "An Ordinance for the regulation of Municipal Corporations in this Island;"

The term "borough of San Fernando" means the borough of San Fernando as defined by the metes and bounds specified in Section 6 of the last-mentioned Ordinance; and

The term "town" means any area as to which it may be, by any enactment coming into operation after the commencement of this Ordinance, provided that the same shall be a town within the meaning of this Ordinance.

General  
licensing  
sessions.

4. Subject to the provisions of this Ordinance licenses under this Ordinance may be granted—

- (1.) In respect of premises situate in the borough of Port-of-Spain, or within one mile thereof, by the Justices of the Peace having jurisdiction in the borough of Port-of-Spain, and
- (2.) In respect of premises situate in the borough of San Fernando, or within half a mile thereof, by the Justices of the Peace having jurisdiction in the borough of San Fernando, and

- (3.) In respect of premises other than those aforesaid by the Stipendiary Justice within whose district such premises are situate.

Special sessions of the Justices aforesaid in this Ordinance referred to as "Licensing Sessions," shall be held in the months of March, June, September and December for the purpose of granting licenses to persons keeping or about to keep inns, ale houses or victualling houses for the sale of wine, ale, porter, beer or cider to be consumed on the premises, or spirit shops for the sale of spirituous liquors by retail; and subject to the provisions of this Ordinance such Justices may at such sessions or at any adjournments thereof grant licenses for the purposes aforesaid to such persons and in respect of such premises as such Justices in the exercise of their discretion deem proper.

5. A Stipendiary Justice of the Peace shall twenty-one days at least before each general 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.

6. Every person desiring to obtain a 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 Stipendiary Justice acting for the district within which the premises are situate, and such Stipendiary Justice shall cause such notice of such application to be published in the *Royal Gazette*.

Applications  
for licenses.

In every such application shall be stated the name, occupation and residence of the applicant, and the situation of the premises in respect of which a license is applied for.

7. At every licensing session any question as to the granting or withholding of any license or the fitness of any applicant or of any premises shall be determined as follows:—

Procedure at  
licensing  
sessions.

- (1.) If the premises are situate within the borough of Port-of-Spain or within one mile thereof or within

the borough of San Fernando or within half a mile thereof, by the majority of Justices present when such question arises, and

(2.) In all other cases by the Stipendiary Justice.

Form and  
effect of  
licenses.

8. Every license under this Ordinance shall be signed by the Justices who concur in granting it, or by the Stipendiary Justice who grants it, and shall enure to the benefit of the person applying for the same, his executors and administrators.

Every license to sell spirituous liquors by retail shall operate as a license to sell wine, ale, porter, beer, and cider to be consumed on the premises.

Publication  
of returns.

9. A return of all licenses granted 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 Stipendiary Justices to the Receiver-General within seven days next after such licenses are granted, and the Receiver-General shall cause a copy of every such return to be published in the *Royal Gazette*.

Periods of  
licenses.

10. Every license under this Ordinance shall commence on one of the following days, the first of January, the first of April, the first of July, or the first of October.

Every license for the retail of wine, ale, porter, beer or cider to be consumed on the premises shall continue in force until the thirty-first day of December next after its commencement.

A license for the retail of spirituous liquors may be granted for one year, or for nine, six or three months: Provided that no such license shall be granted for any term extending beyond the thirty-first of December next after its commencement.

In every license the term for which it is granted and the days of the commencement and expiration thereof shall be specified.

Renewal of  
licenses.

11. When any license to sell spirituous liquor by retail is granted for any term less than one year in respect of any premises, it shall be lawful for the Receiver-General, if such premises are situate within

the borough of Port-of-Spain or within one mile thereof, and for the Sub-Receiver, if such premises are situate within the borough of San Fernando or within half a mile thereof, and in all other cases for the Stipendiary Justice acting for the district within which such premises are situate from time to time before or after the expiration of the license or any renewal thereof and upon payment by the holder of the license of the sum of money required by this Ordinance, by writing under the hand of such Receiver-General, Sub-Receiver, or Stipendiary Justice, and indorsed on the original license, to renew such license for such term of nine, six or three months, to be computed from the day of the expiration of such license or renewed license, as the holder of the license may require: Provided that no license shall be renewed so as to extend beyond the thirty-first of December next after the commencement of the original license.

12. At the time of the grant or renewal of any license under this Ordinance there shall be paid to the persons specified in this section the following sums of money, that is to say:— Duties on licenses.

In respect of every license to sell wine, ale, porter, beer or cider to be consumed on the premises the sum of two pounds;

And in respect of every license to sell spirituous liquor by retail—

(1.) In any premises situate within the borough of Port-of-Spain or within one mile thereof—

If such license is for the term of one year the sum of two hundred pounds;

If such license is for the term of nine months the sum of one hundred and fifty-five pounds;

If such license is for the term of six months the sum of one hundred and five pounds, and

If such license is for the term of three months the sum of fifty-five pounds;

(2.) In any premises situate within the borough of San Fernando or within half a mile thereof—

If such license is for the term of one year  
the sum of one hundred pounds ;

If such license is for the term of nine months  
the sum of eighty pounds ;

If such license is for the term of six months  
the sum of fifty-five pounds ; and

If such license is for the term of three  
months the sum of thirty pounds ;

(3.) In any premises situate within any town or  
within a quarter of a mile thereof—

If such license is for the term of one year  
the sum of fifty pounds ;

If such license is for the term of nine months  
the sum of forty pounds ;

If such license is for the term of six months  
the sum of twenty-eight pounds ; and

If such license is for the term of three  
months the sum of fifteen pounds.

(4.) In any premises other than those aforesaid—

If such license is for the term of one year the  
sum of thirty pounds ;

If such license is for the term of nine months  
the sum of twenty-four pounds ;

If such license is for the term of six months  
the sum of eighteen pounds, and

If such license is for the term of three  
months the sum of ten pounds.

Such payments shall be made to the following persons  
(that is to say) : Upon the grant of a license,

Where the licensed premises are situate  
within the borough of Port-of-Spain, or  
within one mile thereof, to the Stipen-  
diary Justice within whose district the  
borough of Port-of-Spain is situate,  
and

Where the licensed premises are situate  
within the borough of San Fernando or  
within half a mile thereof, to the Stipen-  
diary Justice within whose district the  
borough of San Fernando is situate,  
and

Where the license is granted by a Stipendiary Justice, to such Stipendiary Justice.

And upon the renewal of a license to the person renewing the same.

13. If any premises in respect of which a license was granted are in consequence of destruction by fire or other calamity rendered unavailable, it shall be lawful for the Stipendiary Justice within whose district the premises are situate upon the application of the holder of the license by writing under the hand of such Stipendiary Justice and indorsed on the license to substitute for the premises unavailable other premises specified in such writing: Provided that such substituted premises are so situate that a license in respect of them might have been granted by the Justices or Stipendiary Justice by whom the license in respect of the premises rendered unavailable was granted. Substitution of premises.

14. Any Stipendiary Justice may at any time, if he considers it conducive to public convenience, comfort and order, grant to any person a special permission in writing empowering him to sell spirituous liquor at such place and during such period not exceeding twelve hours at any one time, as the said Stipendiary Justice approves, and such place and period shall be specified in the permission, and such person shall not be liable to any penalty on account of his selling spirituous liquor by retail at such place and during such time: Provided that the said permission shall not protect any such person in the sale of spirituous liquor unless he at the time of sale produces such permission if requested to do so by any officer of Excise or constable. Special permissions.

Every such special permission shall also operate as a permission to sell wine, ale, porter, beer, and cider to be consumed during the time and at the place specified in such permission.

For every such special permission there shall be paid to the Stipendiary Justice granting the same, for the use of Her Majesty for the purposes of this Colony, if such permission is granted to a person having a license in force under this Ordinance, the sum of ten shillings, but

if it is granted to any other person, the sum of one pound.

Limitation  
of right to  
recover for  
intoxicating  
liquor.

15. No licensed person shall be entitled to recover any debt or demand on account of any intoxicating liquor unless such debt or demand accrued in respect of intoxicating liquor delivered at one and the same time to the value of twenty shillings at the least, nor in any account, set-off or demand, shall any item for intoxicating liquor be allowed, unless such item is chargeable in respect of liquor delivered at one and the same time to the value of twenty shillings at the least.

Sign boards.

16. Every person licensed under this Ordinance shall cause to be painted in letters three inches at least in length, in white upon a black ground, or in black upon a white ground, publicly visible and legible, upon a board placed over the door of the licensed premises, the name or names at full length of such licensed person together with the words, "licensed to sell wine, ale, porter, beer and cider, to be consumed on the premises," or "licensed to sell spirituous liquor by retail" (as the case may be); and every such person shall preserve and keep up such name or names and words so painted visible and legible during all the time that he continues licensed, under a penalty in case of default of any sum not exceeding five pounds.

Selling wine,  
&c., without  
license.

17. Every person who sells any wine, ale, porter, beer or cider, to be consumed on the premises where sold, without having a license in force under this Ordinance authorising him so to do, shall be liable to a penalty not exceeding five pounds.

Selling  
spirits  
without  
license.

18. Every person not being duly licensed who sells by retail any rum, the quantity whereof sold at one and the same time is less than eighty gallons, or any spirituous liquor other than rum, the quantity whereof sold at one and the same time is less than two gallons, and every person duly licensed to sell spirituous liquor by retail who sells any spirituous liquor whatever by retail in any place not being the premises specified in the license held by such person, shall be liable for the first offence to a penalty of twenty pounds, and for the

second and every subsequent offence to a penalty of twenty pounds and to be imprisoned in any of Her Majesty's gaols with or without hard labour for any term not exceeding two months: Provided that no penalty for such sale shall be incurred by the executors or administrators of any licensed person or the trustee of the property of any licensed person adjudged a bankrupt so as such sale be made in the house or premises specified in the license, and before the expiration of the license.

19. If upon information given on oath it appears to any Justice of the Peace that there is reasonable cause for suspecting that any spirituous liquor is kept for the purpose of sale by retail by any person not duly licensed under this Ordinance, or by any duly licensed person in any premises not specified in his license, such Justice may by warrant under his hand directed to any constables authorise such constables to enter and search such premises, and by the said warrant, may, if he thinks fit, specially authorise such constables to enter and search such premises at any time of the day or night, and moreover if he thinks fit may specially authorise such constables with or without assistants after having made known their authority to break open or otherwise use force in order to effect an entry.

Power to enter suspected premises.

If upon search under this section any spirituous liquor or vessel used for the holding or measuring the same is found, the constables executing the warrant shall take possession of and secure such spirituous liquor or vessel and apprehend and bring before a Stipendiary Justice of the Peace 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 retail of spirituous liquor, and unless it be made to appear to such Stipendiary Justice that such spirituous liquor was not deposited for the purpose of being sold by retail in such premises, the person in whose premises such spirituous liquor is found, and every person so appearing to have been employed or assisting in the retail thereof in such premises shall for the first offence be liable to a penalty of twenty pounds, and for the second and every subsequent offence be liable to

one  
any  
quor  
oxi-  
the  
unt,  
quor  
t of  
e of

hall  
t in  
pon  
ard  
ame  
ther  
beer  
used  
e);  
uch  
ible  
r a  
five

beer  
old,  
nce  
not

by  
and  
any  
eof  
ms,  
uor  
by  
in  
the  
the

a penalty of twenty pounds, and to be imprisoned with or without hard labour for any term not exceeding two months.

All spirituous 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 Her Majesty.

Purchasing  
wine, &c.,  
from  
unlicensed  
dealers.

20. Every person who knowingly purchases any wine, ale, porter, beer or cider, to be consumed on the premises where sold from any person not duly licensed to sell the same, or who knowingly purchases by retail or causes or procures any other person to purchase by retail any spirituous liquor from any person not duly licensed to sell spirituous liquor by retail, or in any premises not duly licensed under this Ordinance for such sale, or at any time on a Sunday or Good Friday, or after eight of the clock in the evening, or before six of the clock in the morning on any other day in any premises so licensed, shall be liable to a penalty not exceeding five pounds.

\* \* \* \* \*

*Section 21 is Repealed by Ordinance 8 of 1885.*

Penalty for  
gambling.

22. If any persons are at any time found gambling in any premises licensed under this Ordinance for the sale of spirituous liquor by retail or in any outhouse or building in the same curtilage, and occupied with such premises, the holder of the license shall be liable to a penalty not exceeding twenty pounds.

Power of  
constable to  
enter licensed  
premises.

23. Any constable may, whenever he thinks proper, enter any premises licensed under this Ordinance. If any person having a license under this Ordinance in respect of any premises, or any servant or other person in his employ, or any person by his direction refuses or fails to admit any constable into or upon such premises, the person having such license shall be liable to a penalty not exceeding five pounds.

with  
two  
  
this  
; or  
the  
pect

ine,  
ises  
lthe  
s or  
any  
d to  
not  
r at  
fter  
six  
any  
not

g in  
sale  
ling  
ises,  
not

per,  
If  
, in  
rson  
s or  
ises,  
o a

24. Every holder of a license who sells or allows any person to sell any description of spirits to any person apparently under the age of twelve years shall be guilty of an offence against this Ordinance, and liable to a penalty not exceeding five pounds.

Prohibition  
of sale of  
spirits to  
person under  
twelve.

25. If any licensed person permits drunkenness or any violent, quarrelsome or riotous conduct to take place on his premises, or sells any intoxicating liquor to any drunken person, he shall be liable to a penalty not exceeding for the first offence ten pounds, and not exceeding for the second and any subsequent offence twenty pounds.

Licensed  
person  
permitting  
drunkenness.

26. 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, or disorderly, and any person whose presence on his premises would subject him to a penalty.

Power to  
remove  
disorderly  
person from  
licensed  
premises.

Any such person who upon being requested in pursuance of this section by such licensed person or his agent or servant or any constable to quit such premises, refuses or fails so to do shall be guilty of an offence against this Ordinance, and liable to a penalty not exceeding five pounds; and all 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.

27. Each of the following persons (that is to say) :—

Penalty on  
adulteration  
of intoxica-  
ting liquor.

1. Every person who mixes or causes to be mixed with any intoxicating liquor sold or exposed for sale by him any deleterious ingredient, that is to say, any of the ingredients specified in the first schedule of this Ordinance, or added to such schedule by any order made by the Governor under this Ordinance, or any ingredient deleterious to health and

2. Every person who knowingly sells or keeps or exposes for sale any intoxicating liquor mixed with any deleterious ingredient (in this Ordinance referred to as adulterated liquor),

shall be liable for the first offence to a penalty not exceeding twenty pounds, or to imprisonment for a term not exceeding one month with or without hard labour, and for the second and any subsequent offence to a penalty not exceeding fifty pounds, or to imprisonment for a term not exceeding three months with or without hard labour.

Possession of adulterated liquor or deleterious ingredient.

28. Every licensed person who has in his possession or in any part of his premises any adulterated liquor knowing it to be adulterated, or any deleterious ingredient specified in the first schedule to this Ordinance or added to such schedule by order of the Governor, the possession of which he is unable to account for to the satisfaction of the Court, shall be deemed knowingly to have exposed for sale adulterated liquor on such premises.

Schedule of deleterious ingredients.

29. It shall be lawful for the Governor, by order under his hand, from time to time to add to the first schedule to this Ordinance any ingredient which appears to him to be deleterious to health, and to remove any ingredient, and to revoke or alter any order previously made.

Every such order shall be published in the *Royal Gazette* and shall take effect at the expiration of seven days from the date of such publication or at any later date mentioned in the order, and shall have the same effect as if it were enacted in this Ordinance.

Disqualification of premises to which license is refused.

30. Where a license for the sale upon any premises of spirituous liquor by retail is refused, such premises shall be disqualified for any such license for one year from the time when the license refused would if granted have commenced.

Power to declare license forfeited.

31. Where at any time it is made to appear to any Stipendiary Justice of the Peace that any licensed person has been twice convicted of any offence against this Ordinance, such Justice may declare the license of the offender to be forfeited, and thereupon the offender shall be disqualified from holding a license under this Ordinance for the period of two years from the second conviction, and if each of such convictions is in respect

of a sale upon the same licensed premises, such Justice may also declare such licensed premises to be disqualified for the period of two years from being licensed under this Ordinance.

Any such declaration, if made immediately after the second conviction, may be made without any fresh summons or information.

**32.** Every act or default in respect of which according to this Ordinance a penalty or imprisonment may be imposed shall be an offence against this Ordinance, and shall be punishable on summary conviction before a Stipendiary Justice of the Peace. The provisions of the Ordinance No. 5 of 1868, intituled "An Ordinance respecting the Summary Administration of Justice," shall apply to every such offence, and the defendant and his wife or her husband shall be competent to give evidence. Procedure.

**33.** In any proceeding under this Ordinance a 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 a Court containing such conviction, and by proof of the identity of the person named in such certificate. Proof of conviction.

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

**34.** One moiety of every penalty imposed under this Ordinance shall be paid to the informer unless he be a police constable, in which case it shall be applied according to the Penalties Appropriation Ordinance, 1876: Provided that Her Majesty or the Governor on behalf of Her Majesty may remit the whole or any part of such penalty or of any imprisonment in default of payment thereof. Application of penalties.

**35.** From and after the commencement of this Ordinance, the Ordinances specified in the Second Schedule Repeal of certain enactments.

to this Ordinance shall be repealed to the extent specified in such schedule:—

Provided that,

1. Any license granted under the said repealed Ordinances or any of them shall, during the residue of the term thereof, enure as a license under this Ordinance, and
2. Any disqualification under the said repealed Ordinances or any of them shall, during the residue of the term thereof, continue in force as a similar disqualification under this Ordinance, and
3. Save as aforesaid, such repeal shall not affect any thing done, or any right accrued, or any liability, penalty, forfeiture or disqualification incurred before the commencement of this Ordinance, or any remedy or proceeding in respect of any of the matters aforesaid.

Passed in Council this third day of March, in the year of our Lord one thousand eight hundred and eighty-one.

A. C. ROSS,  
*Clerk of the Council.*

---

### THE FIRST SCHEDULE.

#### DELETERIOUS INGREDIENTS.

Cocculus indicus, chloride of sodium otherwise common salt, copperas, opium, Indian hemp, strychnine, tobacco, tobacco juice, burnt leather, darnel seed, extract of logwood, salts of zinc or lead, alum, sulphuric acid, cashew leaves, and any extract or compound of any of the above ingredients.

---

## THE SECOND SCHEDULE.

No. of Ordinance.	Title.	Extent of Repeal.
No. 13 of 1868	To regulate the granting of Licenses for the retail of wine, ale, beer and spirituous liquors.	The whole.
No. 12 of 1877	To amend the Ordinance No. 13 of 1868.	The whole.
No. 20 of 1879	To amend the Ordinance No. 13 of 1868 intituled "An Ordinance to regulate the granting of Licenses for the retail of wine, ale, beer and spirituous liquors."	The whole.

## No. 2.—1881.

*3rd March.*

AN ORDINANCE to amend the law as to Coroners.

(L. S.) S. FREELING, *Governor.*

*23rd March, 1881.*

**B**E it enacted by His Excellency the Governor, with the advice and consent of the Legislative Council, as follows:—

*Preliminary.*

1. This Ordinance may be cited for all purposes as Short title. "The Coroners Ordinance, 1881."

2. In this Ordinance

The term "police officer" shall include any police officer commissioned or non-commissioned, any police constable, and any rural or estates constable.