

CHAPTER 39. No. 10.

SAN FERNANDO AND ARIMA HUCKSTERS, PEDLARS,
AND PORTERS.

Ordinances AN ORDINANCE RELATING TO HUCKSTERS, PEDLARS, AND
Cap. 233— PORTERS IN SAN FERNANDO AND ARIMA.
1925.
No. 35—1934.

Commencement. [10th March, 1922.]

Short title. 1. This Ordinance may be cited as the San Fernando and Arima Hucksters, Pedlars, and Porters Ordinance.

Application of Ordinance. 2. This Ordinance shall apply to the Boroughs of San Fernando and Arima.

Interpretation. 3. In this Ordinance—
“ Corporation ” means the Mayor, Aldermen and Burgesses of San Fernando or Arima, as the case may be;
“ Town Clerk ” means the Town Clerk and Treasurer of San Fernando or Arima, as the case may be.

Licences to porters, pedlars, and hucksters. 4. (1) It shall not be lawful for any person to do any of the following acts within the limits of the Borough of San Fernando or the Borough of Arima without having first obtained a licence from the Corporation under the hand of the Town Clerk, that is to say,—

(a) to ply or to hire or engage himself as a porter for hire or reward; or

(b) to follow the trade or business of a pedlar or travelling huckster, or as such pedlar or travelling huckster to sell or barter, or offer or expose for sale or barter, any merchandise, goods, or provisions, save and except the merchandise, goods, provisions, and other things specified in the First Schedule hereto.

(2) It shall be lawful for any member of the Police Force to demand from any person travelling as or carrying on the trade of a pedlar the production of his licence, and unless such person shall on such demand produce a licence still in force, it shall be lawful for the person demanding the same to take the pedlar with his goods to the nearest Magistrate who shall have jurisdiction to try the offender for carrying on the trade of a pedlar without the licence required by law, although no act of trading may be proved to have been done within the district of such Magistrate.

Power to take unlicensed pedlar and his goods before Magistrate.

(3) Any person acting in contravention of this section shall be liable to a fine of forty-eight dollars.

Penalty for acting without licence.

5. (1) All such licences shall be granted either for one year, or for three or six months.

Term of and fees for licences.

(2) Every such licence, whensoever issued, shall expire, in the case of—

(a) a licence for one year, on the 31st of December next following the date of its issue;

(b) a licence for three months, on the last day of March, June, September, or December next following the date of its issue;

(c) a licence for six months, on the last day of June or December next following the date of its issue.

(3) There shall be paid to the Town Clerk for the use of the Borough in respect of such licences such sums of money as are specified in the Second Schedule hereto.

2nd Schedule.

6. The Town Clerk shall, in a proper book to be kept by him for the purpose, enter the name of every person taking out a licence under this Ordinance, the number of every such licence, the date whereon and the time for which such licence shall have been granted, and the sum paid for the same. A copy of any entry made in such book duly certified by the Town Clerk shall be accepted as evidence in any court.

Register of of licences.

7. (1) Before any licence under this Ordinance is granted, a requisition for the same shall be made and signed by the person requiring to be licensed.

Requisition for licence.

(2) In every such requisition shall be set forth the christian name and surname of the person requiring to be licensed and his place of residence.

(3) Every such requisition shall be left at the office of the Town Clerk.

Evidence
and false
particulars.

8. (1) Every such requisition shall be received as evidence and be deemed proof of all matters therein contained as against the party applying for such licence.

(2) Every person who, on applying for a licence, does not set forth truly in such requisition any of the particulars hereby required to be set forth, shall be liable for each offence to a fine of ten dollars.

Form of
licence.

9. Every licence shall bear date the day on which it is given, and shall have and contain a distinguishing number, the christian name and surname of the licensee and his place of residence, and the term for which such licence is granted.

Change of
abode of
licensee.

10. (1) As often as any licensee changes his residence or office of business, he shall forthwith give notice thereof in writing signed by him to the Town Clerk and shall at the same time produce the licence to the Town Clerk, who shall endorse thereon a memorandum specifying the particulars of such change.

(2) Every licensee failing to comply with the provisions of this section shall be liable for each offence to a fine of ten dollars.

Forging or
counter-
feiting
licence.

11. Every person who shall forge or counterfeit, or cause or procure to be forged or counterfeited, any licence under this Ordinance shall be guilty of felony, and, on conviction on indictment, shall be liable to be imprisoned for twelve months.

Porters'
badges.

12. Every person licensed to follow the trade of a porter, while plying for hire or while hired, shall bear on a conspicuous part of his right arm a metal plate or badge having the word "Porter" and the distinguishing number of his licence painted thereon in letters and figures not less than one inch in height and of a different colour from the ground upon which the same are painted.

13. (1) Every person licensed to follow the trade or business of a pedlar or travelling huckster shall cause his name and the words "Licensed Huckster" or "Licensed Pedlar," as the case may be, and the distinguishing number of his licence, to be painted on some conspicuous part of the outside of every trunk, box, tray, basket, or other receptacle or thing in which he shall carry about or expose any goods for sale, in letters and figures not less than one inch in height and in a different colour from the ground upon which the same are painted.

Hucksters' and pedlars' badges.

(2) No pedlar or huckster shall carry on his business on Sundays or any public holiday.

Ord. 35-1934, s. 3.

14. Every licensee under this Ordinance failing to comply with any of the provisions of the two last preceding sections shall be liable for each offence to a fine of twenty-four dollars.

Penalty for contravention of sections 12 or 13.

15. Every licensed porter shall be entitled, within the limits of the Borough for which he is licensed, to demand for his hire the fares set forth in the Third Schedule hereto, and may recover the same on complaint to a Magistrate, together with reasonable compensation for his loss of time in attending to make and establish his complaint.

Porters' fares.
3rd Schedule.

16. Every licensed porter plying for hire within the limits of the Borough for which he is licensed shall, unless actually hired or having other reasonable excuse, be obliged to hire himself to any person desirous of hiring him within the limits aforesaid, and to take and carry such load, and to go therewith to such places within the limits aforesaid, as he may lawfully and reasonably be directed by the hirer, and, if he fails to do so, shall be liable for each offence to a fine of ten dollars:

Porters bound to hire themselves.

Provided that no porter shall be compelled to carry any heavier load than fifty-six pounds.

17. (1) The Corporation may by resolution add to or vary the list of articles in the First Schedule, alter or add to the fees payable for licences in the Second Schedule and alter the table of fares in the Third Schedule hereto:

Power to add to or vary list of articles, licences and fares in Schedules.

Provided that no such resolution shall take effect until it has been approved by the Governor in Council and published in the *Royal Gazette*.

Ord. 35-1934, s. 6.

(2) Production of a copy of the *Royal Gazette* purporting to contain any such resolution and stating that such resolution has been approved by the Governor in Council shall be sufficient evidence that such resolution was duly passed and approved as required by this Ordinance, and of the terms and date thereof.

Compensation to porters for loss of time.

18. If any licensed porter in civil and explicit terms declares to any person desirous of hiring him that he is actually hired, or that he is not plying for hire, or gives any other reasonable excuse for refusing to hire himself, and afterwards, notwithstanding such reply, is summoned to answer for his refusal to hire himself and proves that he was actually hired or that he was not plying for hire or that he had other reasonable excuse for refusing to hire himself, and it does not appear that he used uncivil language or that he improperly conducted himself towards the complainant, the Magistrate shall order the complainant to pay the porter such compensation for his loss of time in attending to make his defence as the Magistrate deems reasonable.

Penalty for demanding more than legal fare.

19. Every licensed porter who demands more than his legal fare shall be liable for each offence to a fine of ten dollars.

Procedure.

20. The form and manner of procedure in all cases arising under this Ordinance (except an offence under section 11) shall be that provided by the Summary Courts Ordinance.

Application of fines.

21. All penalties recovered under this Ordinance shall be paid to the Magistrate for the use of the Corporation.

Licences under the laws as to marketable commodities, milk and intoxicating liquor.

22. Nothing in this Ordinance or in the First Schedule hereto shall be construed to legalise the sale of fresh meat, fish, or turtle, or other marketable commodities as defined by the San Fernando Corporation Ordinance and the Arima Corporation Ordinance, without the licences required by those Ordinances, or to legalise the sale of milk without the licences required by any bye-laws made or to be made under the Public Health Ordinance, or to legalise the sale of any intoxicating liquor as defined by the Liquor Licences Ordinance, without the licences required by that Ordinance.

SCHEDULES.

FIRST SCHEDULE.

Articles which may be sold without a licence.

(Section 4.)
Ord. 35-1934,
s. 4.

Fresh fish, milk, fruit, vegetables, ground provisions, meat, game, poultry, eggs, bread, confectionery, ice cream, mineral waters or any goods, wares or merchandise the growth or produce of or manufactured from the produce of the Colony, or any books, pamphlets or other literature issued or published by any religious or educational organization approved by the Governor.

SECOND SCHEDULE.

Fees payable for licences.

(Section 5.)
Ord. 35-1934,
s. 5.

In the Borough of San Fernando.

		\$	c.
Porters, Pedlars and Hucksters.	{	Per annum	1 20
		For every quarter of a year if the licence is taken for less than a year	30

In the Borough of Arima.

		\$	c.
Porters, Pedlars and Hucksters.	{	Per annum	1 20
		For every quarter of a year if the licence is taken for less than a year	36

In the Boroughs of San Fernando and Arima.

The following additional charges shall be made where the pedlar or huckster employs or uses for transport of his goods—

		\$	c.
(a) a porter or a pack animal		3	60
(b) a vehicle other than a motor vehicle		6	00
(c) a motor vehicle		12	00

(Sections 15
and 17.)**THIRD SCHEDULE.****Porters' Fares.***In San Fernando.*

To or from the Wharf—	\$	c.
From or to King Street and intermediate places	10	
Do. High Street or Chacon Street as far as the corner of Penitence Street	12	
Do. the remainder of High Street, Harris Promenade	15	
Do. Penitence Street, St. Vincent Street or any inter- mediate Street or place except High Street and Chacon Street	20	
Do. any place beyond St. Vincent Street to the North thereof or any distance not exceeding 500 yards from St. Vincent Street	24	
Do. any street or place beyond the foregoing as far as but not including Pointe-à-Pierre Road ...	24	
Do. Coffee Street as far as the corner of Ciperó Street and Pointe-à-Pierre Road	24	
Do. Ciperó Street, the remainder of Coffee Street, Royal Road and Circular Road between Pointe-à-Pierre and the nearest boundary of the Vista Bella Estate	30	
Do. Circular Road beyond the point before men- tioned	40	
From or to any place not herein specially mentioned, for every one thousand yards (1,000 yards)	24	

In Arima.

For the day not exceeding 8 working hours	60
For the half day not exceeding 4 working hours	40
For the hour	15
For the trip or job exceeding half a mile but not exceeding one mile	10
For the trip or job not exceeding half a mile	06
For every half mile or part thereof after the first mile, an additional six cents.	