

CHAPTER 233.

SAN FERNANDO AND ARIMA HUCKSTERS,
PEDLARS, AND PORTERS.Ordinance
No. 3 of 1922.AN ORDINANCE RELATING TO HUCKSTERS, PEDLARS, AND
PORTERS IN SAN FERNANDO AND ARIMA.

[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—

“ Mayor and Burgesses ” means the Mayor 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 Mayor and Burgesses 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 to this Ordinance.

(2) Any person acting in contravention of this section shall, on conviction before a Magistrate, be liable for each offence to a penalty not exceeding ten pounds. 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 thirty-first day of December next following the date of its issue;

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

(c) a licence for six months, on the thirtieth day of June or the thirty-first day of 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 to this Ordinance.

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 of Law. Register 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 parti-
culars.

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, on conviction before a Magistrate, be liable for each offence to a penalty not exceeding two pounds.

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, on conviction before a Magistrate, be liable for each offence to a penalty not exceeding two pounds.

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, being convicted thereof on indictment, shall be liable to be imprisoned, with or without hard labour, for any term not exceeding 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.

Hucksters'
and pedlars'
badges.

13. 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.

14. Every licensee under this Ordinance failing to comply with any of the provisions of the two last preceding sections shall, on conviction before a Magistrate, be liable for each offence to a penalty not exceeding five pounds.

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 to this Ordinance, 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.

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, on conviction before a Magistrate, be liable for each offence to a penalty not exceeding two pounds :

Porters
bound to
hire them-
selves.

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

17. (1) The Mayor and Burgesses may, by resolution, alter the table of fares in the Third Schedule to this Ordinance :

Power to
alter fares.

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

(2) Production of a copy of the *Royal Gazette* purporting to contain a resolution of the Mayor and Burgesses

altering the said table of fares and stating that such resolution has been approved by the Governor in Executive Council shall be sufficient evidence that such resolution was duly passed and approved as required by this Ordinance, and of the terms and the 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, on conviction before a Magistrate, be liable for each offence to a penalty not exceeding two pounds.

Procedure.

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

Cap. 24.

Application of fines.

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

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

Cap. 232.

Cap. 236.

Cap. 98.

Cap. 199.

22. Nothing in this Ordinance or in the First Schedule to this Ordinance shall be construed to legalise the sale of fresh meat, fish, or turtle, or other marketable commodities as defined by the San Fernando Markets Ordinance and the Arima Markets 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.

FIRST SCHEDULE.

(Section 4.)

Bread, milk, mawby, spruce, syrup, vegetables, candles, fruit, confectionery, poultry, game, meat, not being fresh meat. Any liquor not being an intoxicating liquor as defined by the Liquor Licences Ordinance.

Cap. 199.

SECOND SCHEDULE.

FEES PAYABLE FOR LICENCES.

(Section 5.)

IN THE BOROUGH OF SAN FERNANDO.

Porters, Pedlars, and Hucksters. { Five shillings per annum.
One shilling and threepence for every quarter of a year if the licence is taken for less than a year.

IN THE BOROUGH OF ARIMA.

Porters, Pedlars, and Hucksters. { Five shillings per annum.
One shilling and sixpence for every quarter of a year if the licence is taken for less than a year.

THIRD SCHEDULE.

FARES.

(Sections 15 & 17.)

IN SAN FERNANDO.

To or from the Wharf—		s.	d.
From or to	King Street and intermediate places	0	5
Do.	High Street or Chacon Street as far as the corner of Penitence Street	0	6
Do.	the remainder of High Street, Harris Promenade ...	0	7½
Do.	Penitence Street, St. Vincent Street or any intermediate Street or place except High Street and Chacon Street	0	10
Do.	any place beyond St. Vincent Street to the North thereof or any distance not exceeding 500 yards from St. Vincent Street	1	0
	and for each additional 500 yards a further sum of	0	5
Do.	any street or place beyond the foregoing as far as but not including Pointe-à-Pierre Road... ..	1	0
Do.	Coffee Street as far as the corner of Cipro Street and Pointe-à-Pierre Road	1	0
Do.	Cipro Street, the remainder of Coffee Street, Royal Road and Circular Road between Pointe-à-Pierre and the nearest boundary of the Vista Bella Estate	1	3
Do.	Circular Road beyond the point before mentioned	1	8
	From or to any place not herein specially mentioned, for every one thousand yards (1,000 yards)	1	0

IN ARIMA.

For the day not exceeding 8 working hours	2	6
For the half day not exceeding 4 working hours	1	8
For the hour... ..	0	7½
For the trip or job exceeding half a mile but not exceeding one mile	0	5
For the trip or job not exceeding half a mile	0	3
For every half mile or part thereof after the first mile, an additional threepence.		