

TRINIDAD AND TOBAGO.

No. 3.—1922.

I ASSENT,

[L.S.]

S. H. WILSON,
Governor.

10th March, 1922.

AN ORDINANCE relating to Hucksters, Pedlars, Porters
and Carters in San Fernando and Arima.

[10th March, 1922.]

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 San Fernando and Short title.
Arima Hucksters, Pedlars, Porters and Carters Ordinance,
1922.

2. This Ordinance shall apply to the borough of San Application of
Fernando as defined in the Municipal Corporations (San Ordinance.
Fernando Amendment) Ordinance, 1912, and to the borough Ord. 35 of
of Arima as defined in the charter of incorporation thereof. 1912.

3. In this Ordinance, unless the context otherwise Interpreta-
requires— tion.

“Mayor and Burgesses” means the Mayor and Bur-
gesses of San Fernando or Arima as the case may be.

[Price 6d.]

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Ord. 40 of
1914.

“Licensed Cart” means any cart or hand cart licensed under the Licensing of Vehicles Ordinance, 1914, as amended by any subsequent enactment.

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 of that Borough under the hand of the Town Clerk and Treasurer thereof, that is to say—

- (a) To ply, hire, or engage himself as a porter for hire or reward;
- (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 merchandize, goods, or provisions, save and except the merchandize, goods, provisions, and other things specified in Schedule I hereto.

Penalty for
acting without
licence.

(2.) Any person acting in contravention of this section shall, on summary conviction before a magistrate, be liable for each offence to a fine not exceeding ten pounds.

Term of and
fees for
licences.

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

(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 and Treasurer of the Borough for the use of the Borough in respect of such licences such sums of money as are specified in Schedule II hereto.

6. The Town Clerk and Treasurer shall in a proper book ^{Register of licences.} 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 and Treasurer shall be accepted as evidence in any Court of law.

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

(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 and Treasurer.

8.—(1.) Every such requisition shall be received as ^{Evidence and false particulars.} 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 summary conviction before a magistrate, be liable for each offence to a fine not exceeding forty shillings.

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

10.—(1.) As often as any licensee changes his residence or office of business he shall forthwith give notice thereof in ^{Change of abode of licensee.} writing signed by him to the Town Clerk and Treasurer

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and shall at the same time produce the licence to the Town Clerk and Treasurer, 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 summary conviction before a magistrate, be liable for each offence to a fine not exceeding forty shillings.

Forging or
counterfeiting
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.

Penalty for
contravention
of sections 12
or 13.

14. Every licensee under this Ordinance failing to comply with the provisions of sections 12 or 13 hereof shall, on summary conviction before a magistrate, be liable for each offence to a fine not exceeding five pounds.

15. Every licensed porter and the driver of any licensed cart shall be entitled within the limits of the borough for which he is licensed to demand for his hire the fares set forth in Schedule III 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.

16.—(1.) 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 summary conviction before a magistrate, be liable for each offence to a fine not exceeding forty shillings.

Porters and carters bound to hire themselves.

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

(2.) The driver of every licensed cart 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 such cart, and to take and carry thereon such loads 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 summary conviction before a magistrate, be liable for each offence to a fine not exceeding forty shillings.

Provided that no driver of any such cart shall be compelled to take or carry on his cart as and for one load any heavier weight or greater quantity of goods, wares, or merchandize than the weights and quantities specified in Schedule IV hereto and which are set forth against the several items appearing in the said Schedule.

17.—(1.) The Mayor and Burgesses may from time to time by resolution alter the table of fares in Schedule III and the tariff of loads in Schedule IV.

Power to alter fares and tariff of loads.

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 or tariff of loads 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 drivers and
porters for loss
of time.

18.—(1.) If the driver of any licensed cart in civil and explicit terms declares to any person desirous of hiring the cart that it is actually hired or that he is not plying for hire or gives any other reasonable excuse for refusing to hire the cart, and afterwards notwithstanding such reply is summoned to answer for his refusal to hire the cart or take or carry thereon such loads as aforesaid, and proves that the cart was actually hired or that he was not plying for hire, or that he had other reasonable excuse for refusing to hire the cart, 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 driver such compensation for his loss of time in attending to make his defence as the magistrate deems reasonable.

(2.) 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.

Fine for
carters
failing to keep
engagements.

19. Every driver of a licensed cart who either verbally or in writing contracts with any person to let or hire any such cart at a time and place certain and without reasonable

excuse fails to attend with such cart at such time and place, or without reasonable excuse otherwise fails to perform such contract shall, on summary conviction before a magistrate, be liable for each offence to a fine not exceeding forty shillings.

20. Every licensed porter and the driver of every licensed cart who demands more than his legal fare, shall, on summary conviction before a magistrate, be liable for each offence to a fine not exceeding forty shillings. Penalty for demanding more than legal fare.

21. 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, 1918. Procedure. Ord. 9 of 1918.

22. All fines recovered under this Ordinance shall be paid to the magistrate for the use of the Mayor and Burgesses. Application of fines.

23. Nothing in this Ordinance or in Schedule I 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, 1907, and the Arima Markets Ordinance, 1907, 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 Part IX of the Public Health Ordinance, 1915, or to legalise the sale of any intoxicating liquor as defined by the Liquor Licences Ordinance as amended by any subsequent enactment, without the licences required by that Ordinance as amended as aforesaid. Licences under the laws as to marketable commodities, milk, and intoxicating liquor. Ord. 9 of 1907. Ord. 14 of 1907. Ord. 15 of 1915. Ord. No. 177.

24.—(1.) The San Fernando and Arima Hucksters, Porters and Carters Ordinance and the San Fernando and Arima Hucksters, Porters and Carters (Amending) Ordinance, 1907 are hereby repealed. Repeals and saving of existing licences. Ords. 151 and 16 of 1907.

(2.) But licences granted under those Ordinances or either of them and in force at the commencement of this Ordinance shall be deemed to have been issued under this Ordinance.

SCHEDULE I.

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 Licenses Ordinance (No. 177) as amended by any subsequent enactment.

SCHEDULE II.

FEEES PAYABLE FOR LICENCES.

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.

SCHEDULE III.

FARES.

IN SAN FERNANDO. (Both for carts and porters.)

	s.	d.
To or from the Wharf—		
From or to King Street and intermediate places ...	5	
Do. High Street or Chacon Street as far as the corner of Penitence Street ...	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 Ciperó Street and Pointe-à-Pierre Road ...	1	0
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 ...	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.

PORTERS.	{	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.		
LICENSED CARTS.	{	From Railway Station to Robinson Circular—to and from ...	0	6
		From Robinson Circular to any other part of the Town—to and from ...	0	6
		From Devenish street to De Gannes street or any intermediate street ...	0	6
		From King street to New street or any intermediate street ...	0	6

SCHEDULE IV.

TARIFF OF LOADS TO BE CARRIED BY LICENSED CARTS.

ITEMS.	Quantities or Weights.	ITEMS.	Quantities or Weights.
BARRELS :		BAGS.—Continued :	
Bread ...	6	Salt ...	8
Cement ...	4	Salt—Half Bags ...	16
Flour ...	6	Starch—Half Bags ...	20
Lime ...	6	Do.—Bales ...	16
Malt ...	6	Oats ...	8
Meal ...	6	Pepper, &c. ...	10
Peas and Beans ...	6	Cocoa ...	8
Pork ...	5	Coffee—160 lbs. ...	8
Salt ...	5	All other Bags in pro- portion.	
Sugar ...	6	FISH :	
Tar ...	4	Tierces ...	2
Coal ...	6	Large Drums ...	2
Pitch ...	4	Small Do. ...	8
Rosin ...	4	Boxes ...	10
All other Barrels ...	6	Half Boxes ...	20
HALF BARRELS :		PICKLED FISH :	
Beef and Pork ...	10	Barrels ...	6
Flour ...	10	Half Barrels ...	10
Sugar ...	10	Tierces ...	4
All other half barrels ...	10	Dried Fish ...	1,000 lbs.
CASKS, TIERCES, HOGS- HEADS, &c.		KEGS, FIRKINS, &c. :	
Tierces Coals ...	1	Oil—Drums ...	12
Do. Lime, Chalk, } Salt, Whiting }	1	Tallow—Kegs—56lbs. } each }	15
Funcheons Temperlime.. Do. Building lime	1	Cart Grease—Kegs 56 lbs. each }	15
Coal Tar—Runlets ...	2	Paint 25 lbs. ...	50
Oilmeal—Casks ...	2	Do. 56 lbs. ...	25
Wine—Casks ...	2	Nails 100 lbs. ...	12
Oil—Casks 50 gallons ...	2	Butter—Firkins ...	15
Spirits—Half Casks ...	4	Do.—Half Firkins ...	25
Wine—Half Casks ...	4	Malaga—Kegs ...	15
Malt—Casks ...	2	Do.—Half Kegs ...	25
Do.—Half Casks ...	4	Blacking—Kegs 6-12 } doz., 8-8 doz., and } 10-6 doz. }	
All other Hogsheads and Casks in same proportion.		All other Kegs and Firkins, &c., in proportion.	
BAGS :			
Rice ...	8		
Peas, E.L., Dholl, &c. ...	8		
Peas, B. E. ...	15		
Corn ...	15		
Oilmeal ...	12		

TARIFF OF LOADS.—CONTINUED.

ITEMS.	Quantities or Weights.	ITEMS.	Quantities or Weights.
CASES, BOXES :		SUNDRIES.—Contd. :	
Cutlasses, 5 doz. each ...	10	Iron, Bundles—1 cwt. each	10
Sheathing Copper ...	2	Iron Hoops—Bundles 56 lbs. each	20
Brandy ...	20	Bar Iron ...	1200 lbs.
Bitters ...	25	Chains and Cables ...	1200 "
Gin—Green Cases ...	20	Cocoa House Wheels (Large)	30
Gin—Red Do. ...	12	Cocoa House Wheels (Small)	50
Wines in Bottles ...	20	Danish Pots ...	60
Vermouth ...	20	Coal Pots ...	30
Soap ...	20	Lumber Feet ...	250
Sardines ...	25	Shingles, Large— (Bundles)	15
Vermicelli ...	50	Shingles, Small— (Bundles)	30
Matches (10 gross) ...	8	Bricks, G.S. ...	250
Milk ...	25	Bricks, Fire ...	200
Ghee ...	6	Slates ...	250
Butter (100 lbs.) ...	8	Paving Tiles ...	80
Lard (100 lbs.) ...	8	Galvanized Roofing— (Large Sheets)	100
Candles ...	30	Galvanized Roofing— (Small Sheets)	200
Sugar (30 lbs.) ...	25	Garlic, (Loose—Strings)	100
Sugar (50 lbs.) ...	20	Tasajo ...	1000 lbs.
Pipes ...	30	Potatoes, Hampers— (Small)	25
Biscuits 28 lbs. ...	20	Potatoes, Hampers— (Large)	10
Biscuits, Large cases ...	20	Wrapping Paper— (Bales of 20 reams each)	8
Raisins, Boxes ...	25	Demijohns—(Full) ...	20
Raisins, $\frac{1}{2}$ Boxes ...	50	Demijohns—(Empty) ...	30
Raisins, $\frac{1}{4}$ Boxes ...	100	Tobacco—(Bales) ...	10
Herrings ...	100	Non-enumerated pack- ages in proportion— weight not to exceed 1500 lbs.	
Salmon ...	20		
Lobsters ...	20		
Prunes ...	8		
Sago and Barley ...	6		
Florida Water ...	30		
Fleur d'Orange ...	30		
Blue 112 lbs. ...	8		
Cheese ...	25		
Olive Oil, Baskets ...	25		
Kerosine Oil ...	10		
All other cases and boxes in same proportion.			
SUNDRIES :			
Oakum—Bales ...	15		
Fencing wire—Coils 112 lbs. }	12		
C. H. Rails—Lengths ...	20		

Passed in Council this third day of March in the year
of Our Lord one thousand nine hundred and twenty-two.

JOHN DE NOBRIGA,
Acting Clerk of the Council.