

To be construed with Ord. 3 of 1930; Ord. 1932; 3 of 1936  
 11 of 1936; Schedule to Ord. 31 of 1907

## CHAPTER 107.

## INTOXICATING LIQUOR LICENSING.

[No. I of 1929.]

[26th January, 1929.]

1. This Ordinance may be cited as the Intoxicating Short title.  
 Liquor Licensing Ordinance.

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

“board” means a district licensing board established  
 in pursuance of this Ordinance;

“business premises” includes any room or place  
 adjoining or adjacent to a store or shop;

“by wholesale,” when used with reference to rum,  
 means in quantities of forty-five gallons and  
 upwards if disposed of for consumption within  
 the colony, and of twenty gallons and upwards if  
 disposed of for exportation, and when used with  
 reference to other spirituous liquor means in  
 quantities of forty gallons and upwards;

“colonial bonded warehouse” means any colonial  
 bonded warehouse;

“constable” means any member of the police force;

“district” means the fiscal district wherein are situate  
 the premises sought to be licensed;

“district commissary” means anyone performing the  
 duties of commissary of taxation within a district;

“Inspector General” means the Inspector General of  
 Police;

“Inspector” means a district or county inspector of  
 police;

“intoxicating liquor” means any liquor the sale of  
 which is regulated by this Ordinance;

“malt liquor” does not include any liquor containing  
 more than twenty per centum of proof spirit;

“spirituous liquor” includes all liquor other than wine  
 containing more than twenty per centum of proof  
 spirit, and includes rum but does not include  
 coconut rum or coconut toddy;

“ wine ” does not include any liquor containing more than thirty-five per centum of proof spirits;

“ party ” means anyone who has applied for a renewal or transfer of a licence or who has opposed an application therefor;

“ permitted hours ” and “ permitted days ” mean the hours and days specified in a licence as the period for selling intoxicating liquor under that licence;

“ proof ” means of the strength of proof as indicated by Sikes’s hydrometer in accordance with the tables prescribed by section nineteen of the Finance (No. 2) Act, 1915, a copy of which has been signed by the Comptroller of Customs and deposited in the deeds registry, or, in cases where the true strength of any liquor cannot be immediately ascertained by Sikes’s hydrometer, as certified by the government analyst or an assistant analyst;

“ quart ” means the quart as defined by any Ordinance in force for the time being regulating weights and measures;

“ registrar ” means the registrar of deeds;

“ rum ” includes any liquor whatsoever of which rum forms a component part, other than bitters, cordials, liqueurs, or similar compounds which a commissary of taxation is satisfied were manufactured by a compounder from rum distilled in the colony under the Bitters and Cordials Ordinance;

“ sale ” includes barter and any disposal for valuable consideration;

“ spirit shop ” means a retail spirit shop;

“ transferee ” means a person to whom it is sought to transfer a licence;

“ the schedule ” means the schedule to this Ordinance.

Chapter 109.

#### CLASSIFICATION OF LICENCES FOR THE SALE OF INTOXICATING LIQUOR.

Classification of licences :  
liquor store licence :

3. Licences authorising the sale of intoxicating liquor under this Ordinance shall be classified as follows :—

(a) a liquor store licence, which shall authorise the sale in the licensed premises of spirituous liquor, wine, or malt liquor, not to be consumed on the premises and in quantity not less than two gallons :

Proviso :

Provided that, upon taking out an additional licence as provided for in the Tax Ordinance for the time being in force, the holder of a



- liquor store licence may sell, dispose of, and deliver from his licensed premises spirituous liquor in the quantity permitted by that licence;
- (b) a hotel licence, which shall authorise the sale of wine, malt liquor, and spirituous liquor, to be consumed on the licensed premises :  
 hotel licence ;  
 Provided that those premises shall contain for the accommodation of guests, if situate within the city of Georgetown, at least ten suitably furnished bedrooms, and if situate elsewhere at least four ;
- (c) a tavern licence, which shall authorise the sale at any station or stelling of the colonial transport department of wine, malt liquor, and spirituous liquor, to be consumed on the licensed premises during any hours prescribed in any Tax Ordinance ;  
 tavern licence ;
- (d) a spirit shop licence, which shall authorise the sale in the licensed shop in any quantities of wine, malt liquor, and spirituous liquor except rum, whether to be consumed on the premises or not, and shall authorise the sale of rum therein, whether to be consumed on the premises or not, in quantities not exceeding two quarts at any one time to any one person, or on the order of any one person except as otherwise provided by this Ordinance ;  
 spirit shop licence ;
- (e) an entertainment licence, which shall authorise the sale and consumption on any premises stated in the licence of wine, malt liquor, and spirituous liquor, during the hours of any entertainment at the premises aforesaid ;  
 entertain-  
 ment licence ;
- (f) a passenger steamer licence, which shall authorise the sale on board a passenger steamer (not under contract with the Government) while the steamer is on a voyage to or from any place, but not at other times, of wine, malt liquor, and spirituous liquor, to be consumed thereon ;  
 passenger  
 steamer  
 licence ;
- (g) an occasional licence, which shall authorise the sale for consumption on any premises stated in the licence of wine, malt liquor, and spirituous liquor, during the day, or the portion of a day, stated in the licence ;  
 occasional  
 licence ;
- (h) a malt liquor and wine licence, which shall authorise the sale in any licensed store, shop, floating shop, room, shed, stall or yard, of malt  
 malt liquor  
 and wine  
 licence ;

liquor and wine, or the liquor known by the name of Falernum, if it has been manufactured in the colony and does not contain more than twenty-five per centum of proof spirit, whether to be consumed on the premises or not, except in the case of the city of Georgetown and the town of New Amsterdam, where the consumption shall be off the premises only;

coconut rum  
or toddy  
licence.

(i) a coconut rum or coconut toddy licence, which shall authorise the sale of coconut rum or coconut toddy.

Certificate  
required for  
hotel, tavern,  
or spirit shop  
licence.

4. Subject to the provisions of this Ordinance a licence for a hotel, tavern, or spirit shop, shall be issued to that person only who holds a certificate granted by a board under section nineteen of this Ordinance.

#### LICENSING DISTRICTS AND BOARDS.

Licensing  
districts :

5. For the purpose of the consideration and disposal of applications for licences in respect of hotels, taverns, or spirit shops, there shall be three licensing districts, consisting of the counties of Demerara, Berbice and Essequibo respectively :

Proviso.

Provided that—

- (a) the Governor in Council may if he thinks it expedient increase or reduce the number of licensing districts and vary the limits accordingly; and
- (b) in each of the districts there shall be a board composed of three magistrates, one of whom if not disqualified shall be magistrate of a judicial district which is in whole or in part within the licensing district.

Establish-  
ment of  
district  
licensing  
boards.

6.—(1) There shall be established in each licensing district a district licensing board, which shall have power to hear and determine in the manner hereinafter provided all applications for hotel, tavern, or spirit shop, licences for premises situate within its district.

Demerara  
district  
licensing  
board.  
Berbice  
district  
licensing  
board.

(2) The board for the county of Demerara shall consist of three magistrates to be appointed by the Governor and shall sit in Georgetown or at any other places it appoints.

(3) The board for the county of Berbice shall consist of three magistrates to be appointed by the Governor and shall sit in New Amsterdam or at any other places it appoints.



(4) The board for the county of Essequibo shall consist of three magistrates to be appointed by the Governor and shall sit at Vergenoegen, or Suddie, or any other place it appoints.

Essequibo  
district  
licensing  
board.

(5) In the event of a member of a board being disqualified or absent or unable to act the Governor may appoint another magistrate to be a member of the board for a specific occasion, a limited time, or generally.

(6) Appointments to boards made by the Governor under this section shall be for any period he thinks fit and may be revoked at any time.

(7) The Governor may appoint a member of a board to be chairman, and in the absence of an appointment the member who has been a magistrate for the longest period shall be chairman.

7. Where under this Ordinance any power may be exercised or any duty is to be performed by a board in the event of a difference of opinion among the members of the board, that power may be exercised and that duty may be performed by a majority of the members of the board.

Majority of  
members  
may exercise  
power of  
board.

8.—(1) A magistrate shall be disqualified from being a member of a board in any proceedings before the board where he is—

Disqualifica-  
tion of  
magistrate  
in certain  
cases.

(a) the husband, or by blood or marriage the father, son, or brother, of the applicant or transferee; or

(b) the owner, or the husband, father, son, or brother of the owner, of any building which is the subject of an application by an applicant for a licence or a transfer; or

(c) the owner, or the husband, father, son, or brother of the owner, of any land on which there is any building aforesaid.

(2) No act done by any member of a board disqualified by this section shall be invalid by reason only of that disqualification.

(3) Any magistrate who knowingly acts as a member of a board in any proceeding in which he is declared by this Ordinance to be disqualified, shall be liable in respect of each offence to a penalty not exceeding two hundred and forty dollars, to be recovered by action in the Supreme Court.

Penalty.

Clerk of  
district  
licensing  
board.

9. A district commissary shall, with respect to applications for licences for premises situate within his district, act as clerk to the board and perform the duties directed by the board. In his absence any other commissary of taxation may act in his place.

#### GENERAL ANNUAL LICENSING MEETINGS.

Date and  
notice  
thereof.

10.—(1) For the purpose of dealing with applications for the grant of certificates for the issue or the renewal of licences for hotels, taverns, or spirit shops, each board shall hold a special session (to be called the general annual licensing meeting) on or before the thirtieth day of November in every year.

(2) The board, at least twenty-one days before the general annual licensing meeting, shall fix the day, hour and place at which the meeting is to be held, shall at the same time state the day, hour and place to which it is proposed to adjourn the meeting, and shall inform the chief commissary thereof.

(3) The chief commissary shall before the meeting cause to be published simultaneously in the Gazette and in a daily newspaper on at least two consecutive Saturdays a notice, stating the day, hour and place at which the meeting is to be held and the names and addresses of all applicants for the grant of new licences and the situation of the premises in respect of which the application is made.

Powers of  
board  
thereat.

11.—(1) Subject to the provisions of this Ordinance a board may at its general annual licensing meeting grant certificates for the issue and renewal of licences to any persons whom, in the execution of its powers under this Ordinance and in the exercise of its discretion, it deems fit and proper.

(2) The board may adjourn the meeting from time to time for any day, hour and place within the licensing district it thinks fit.

(3) Every adjourned meeting shall be deemed to be a continuation of the general annual licensing meeting and shall be held within one week from the date of the previous meeting.

(4) Where an applicant for a licence has, in the opinion of the board through inadvertence or misadventure, failed to comply with any requirements of this Ordinance



preliminary to an application the board may, if it thinks fit, and upon the terms it thinks proper, postpone the consideration of the application to a meeting to be held on a later date, and if at that meeting the board is satisfied that any terms imposed by it have been fulfilled may consider the application as if the preliminary requirements of this Ordinance had been properly observed.

(5) A meeting held for the consideration of an application so postponed may be held if necessary after the date on which an adjourned general annual licensing meeting may be held and the powers of the board may be exercised at that meeting in the same manner as at an adjourned general annual licensing meeting.

12.—(1) An application for a certificate for a hotel, tavern, or spirit shop licence under this Ordinance may be refused on any one or other of the grounds following, that is to say:—

Grounds on which licence may be refused.

(a) in case of premises not already licensed, that—

- (i) they are unfit for the purpose of the licence for which application is made;
- (ii) the applicant is a person of bad character;
- (iii) the applicant, having been within the preceding five years the holder of a hotel, tavern, or spirit shop licence in any part of the colony, has allowed his licensed premises to become a nuisance to the neighbourhood;
- (iv) the premises for which the application is made are so situate that they cannot be kept under effective police control or are likely to be a nuisance to the neighbourhood;
- (v) the applicant has neglected to comply with the provisions of this Ordinance in making his application;
- (vi) the applicant has not attained the age of twenty-one years;
- (vii) there is a sufficient number of premises already licensed to meet the needs of the neighbourhood;
- (viii) the applicant is already the holder of, or the applicant for, a certificate for a spirit shop or hotel licence within

four miles of the place in respect of which the application for either licence is under consideration;

- (b) in the case of premises already licensed that—
- (i) the applicant has neglected to comply with the provisions of this Ordinance in making his application;
  - (ii) the premises have within the preceding twelve months been so conducted as to be a nuisance in the neighbourhood;
- (c) in the event of the applicant not being then the holder of a licence that—
- (i) he is a person of bad character;
  - (ii) he has not attained the age of twenty-one years;
  - (iii) having within the preceding five years been the holder of a licence in any part of the colony, he has allowed his licensed premises to become a nuisance to the neighbourhood.

(2) No premises shall be deemed to be fit for the purposes of a tavern or a spirit shop which contain any dwelling or living room having an internal communication with that part of the premises wherein intoxicating liquor is sold, and that part of the building shall be separated from the rest by a partition built up to the roof.

(3) In addition to the grounds above set forth any application for the grant of a certificate for the issue or the renewal of a licence may be refused by a board for any other reason, based on the character or history of the applicant or the condition, circumstances, or locality of the premises, which the board in its discretion considers sufficient in the interest of the good order of the community; provided notice has been given to the applicant in the manner directed by section fourteen of this Ordinance.

#### PROCEDURE PRIOR TO AND AT MEETING.

Procedure on  
application  
for licence :

13.—(1) Anyone (in this Ordinance styled the applicant) who wishes to apply to a board for the grant of a certificate for the issue or renewal of a hotel, tavern, or spirit shop licence shall—

- (a) on or before the fifteenth day of October serve on the district commissary an application in duplicate signed by himself or his agent on his behalf



in form 1 in the schedule, and when he serves the application pay to the district commissary the sum of two dollars;

schedule;  
form 1.

- (b) in the case of premises not already licensed deposit with his application with the district commissary a plan of the house, shop, or premises, sought to be licensed and affix one copy of the application on the outside, and another on the inside, of the outer front door of the premises sought to be licensed and keep the copies so affixed until his application is determined.

(2) Every district commissary who has received an application shall forthwith transmit a duplicate thereof to the chairman of the board.

14.—(1) When notice has been duly given by anyone of his intention to apply for a certificate for the grant or renewal of a licence anyone may oppose the application on any of the grounds enumerated in section twelve hereof :

Opposition to  
grant or  
renewal of  
licence :

Provided that—

Proviso.

- (a) he shall give notice in writing to the applicant and to the district commissary of the grounds whereon the opposition is based, and that at the hearing of the application no objection shall be entertained by the Board other than those set forth in the notice aforesaid; and
- (b) the notice shall be served on the applicant and on the district commissary at least seven days before the meeting at which the application is to be heard.

(2) The applicant and anyone who has given notice of opposition shall be entitled to appear at the general annual licensing meeting in person or by counsel or solicitor and to adduce evidence in support of his case.

15. Where the board is of opinion that the grounds whereon anyone has opposed the grant of a licence are unreasonable or frivolous, the board may make an order that the opposer shall pay to the applicant a sum for costs (to be named in the order) which the board deems just, and the order shall and may be enforced in the same manner as an order of the like nature made by a magistrate's court in civil proceedings.

Costs  
awarded by  
board.

Summoning  
witnesses.

16.—(1) Anyone who opposes an application and an applicant may obtain from any member of a board summonses for witnesses to appear at the hearing of the application and give evidence, or give evidence and produce any books, deeds, papers, writings, or articles in their possession or control.

(2) There shall be paid on summonses the same fees as in the case of summonses in civil proceedings in a magistrate's court.

(3) Summonses issued under this section shall be served in the same manner as summonses issued in civil proceedings in a magistrate's court.

(4) Everyone on whom a summons as a witness has been duly served and to whom at the same time payment or a tender of payment of expenses, according to the scale prescribed in civil proceedings in a magistrate's court, has been made, who refuses or neglects, without sufficient cause, to appear and give evidence and produce any books, deeds, papers, writings, or articles in his possession or control, in obedience to the summons, and also everyone present at a meeting who is required to give evidence and refuses to be sworn or to give evidence accordingly, shall forfeit and pay a fine, not exceeding one hundred dollars, as directed by the board.

Hearing  
applications

17.—(1) On the day appointed the board shall openly hear, consider and deal with all applications presented, and may examine witnesses on oath, and if one or other of the objections to the grant or renewal of a licence set forth in section twelve hereof is, after due notice as required by section fourteen, established to the satisfaction of the board, the board may reject the application; otherwise the application may be granted if the board is satisfied that the application is duly made and can be granted. The chairman of the board shall take notes of the evidence.

(2) Where notice of opposition in the manner directed by section fourteen hereof has not been given to an applicant for a certificate for the renewal of a licence, the board shall grant the application if satisfied that it was duly made and ought to be granted, and it shall not be necessary for the applicant to attend the meeting. - - - - -

*Sec. 6 of Ord. No. 24 of 1932*

Special  
provision in  
cases of  
applications  
for premises  
situate in the  
same locality.

18. When more applications than one are made to the board for certificates for the issue of hotel, tavern, or spirit shop licences for premises which, in the opinion of the



board, are situate in the same locality, if the board considers that a certificate may be granted and that there is no objection to its being granted to any one of two or more applicants, the board may direct the district commissary to put up for sale the right to the grant of a certificate, either at public auction or by tender by notice in the Gazette and one daily newspaper for two successive Saturdays, at the time and place and amongst the applicants the board thinks fit, and the purchaser thereof shall be deemed to be a person whose application has been granted by the board.

19.—(1) Whenever an application is granted the board shall grant a certificate for the issue or renewal of the licence for which application is made, the certificate to be in accordance with form 2 in the first schedule.

Grant of certificate to successful applicant and issue of licence; schedule; form 2;

(2) On delivering the aforesaid certificate and on paying to the chief commissary the licence duty imposed by the Tax Ordinance for the time being in force the applicant shall be entitled to receive from the chief commissary or district commissary a licence in form 3 in the schedule, but the chief commissary shall not issue a licence after the ~~thirty first day of January.~~ *February.*

form 3.

*Ord. 3 of 1902  
Section 2*

#### TRANSFER SESSIONS.

20.—(1) At the general annual licensing meeting <sup>in</sup> every year each board shall appoint a day, hour and place for not less than two or more than four special sessions (in this Ordinance referred to as transfer sessions) to be held in its district in the year following the general annual licensing meeting at periods as near as may be equally distant, and the transfer of a licence shall not be authorised except at transfer sessions or at a general annual licensing meeting.

*sec. 6 of Ord.  
no. 1 of 1902*  
Appointment of days for holding and holding transfer sessions.

(2) When the day, hour and place for transfer sessions have been appointed, the same procedure shall be followed for the purpose of giving notice thereof as is hereby directed for the purpose of giving notice of a general annual licensing meeting.

(3) The board may adjourn a session to any day, hour and place it thinks fit, and every adjourned session shall be deemed to be a continuation of the sessions and shall be held within one week from the date thereof.



Application  
for transfer  
of licence and  
procedure  
thereon ;

21.—(1) At any transfer sessions any holder of a licence for a hotel, tavern, or spirit shop, may apply to the board to have his licence transferred to some other person or premises.

schedule ;  
form 4 ;

(2) In the case of a proposed transfer to some other person, both the applicant and the transferee shall, not later than fifteen days before the transfer sessions at which the application is to be heard, serve on the district commissary a joint application in duplicate in form 4 in the schedule.

form 5.

(3) In the case of a proposed transfer to some other premises, the applicant shall serve on the commissary of taxation of the fiscal district in which are situate the premises to which the licence is sought to be transferred, not later than fifteen days before the date fixed for the next transfer sessions, an application in form 5 in the schedule hereto.

(4) In both cases the applicant shall as far as practicable conform to the same conditions relating to the posting of notices on the shop or premises, as are hereby directed in respect of application for a certificate for the issue of a licence.

(5) In the case of a transfer from one place or premises to another place or premises, notices thereof shall be posted on both premises and a plan of the premises to which the licence is to be transferred shall be deposited with the commissary of taxation of the fiscal district wherein those premises are situate.

(6) The commissary shall, as soon as practicable after the receipt of the application, publish notice thereof as provided in sub-section (2) of section ten hereof.

(7) In either case the application may be opposed in manner similar to that provided by this Ordinance for opposition to the granting of original or the renewal of existing licences, save that anyone opposing a transfer of a licence from one person to another shall give notice of his opposition to both parties.

*Amended by  
20-3 7/9/20*

Principles be  
applied in  
determining  
applications :

22.—(1) The Board, if the conditions aforesaid have been observed, may grant the application subject to the same principles and considerations as apply to the case of an application for a certificate for the issue of a licence for premises not already licensed :

Proviso.

Provided that—

(a) in the case of a proposed transfer of a licence from one licensing district to another, the board of



the latter district shall deal with the application; and

- (b) where there has not been notice of opposition as provided by this Ordinance, the board may, if it think fit, grant the transfer prior to the day fixed for the meeting and shall cause the Chief Commissary to be so informed.

(2) Whenever an application is granted the subsequent procedure with respect to the issue of a certificate and of a licence shall be as nearly as practicable similar to that in the case of the grant of a licence under this Ordinance; but in the case of a transfer of a licence from one person to another, the transfer shall be effected by indorsement thereon by the Chief Commissary of the fact of that transfer.

**23.**—(1) On the death or insolvency of a holder of a hotel, tavern, or spirit shop licence his legal personal representative, the public trustee, the official receiver, or the trustee of a deed of arrangement, or the liquidator, shall, on proof of title, be entitled to have the licence transferred to him by the Chief Commissary who shall thereon indorse the fact of the transfer.

Transfer in case of death, insolvency, or execution sale :

(2) The person to whom a licence has been transferred by the Chief Commissary shall be entitled to the same rights and privileges and be subject to the same liabilities as the original holder of the licence :

Provided that none of these persons, other than the public trustee or the official receiver, shall be entitled to carry on business under a licence so transferred to him beyond the third transfer sessions after the transfer or the next general annual licensing meeting, whichever last happens.

Proviso.

(3) When the business of the holder of a hotel, tavern, or spirit shop licence is sold at execution by the registrar, the registrar and the purchaser shall apply to the board for the transfer of the licence to the purchaser, and the joint application shall be made and dealt with in the same manner as hereinbefore provided for the transfer of a licence from a holder thereof to some other person.

**24.** In the case of proceedings before a board,—

- (a) where a notice is to be served on the applicant for the grant of a certificate for a licence or a renewal, or for a transfer, service shall be made either personally or by registered post;

Mode of service of notices :

(b) where a notice is to be served on the district commissary, service shall be made either by delivery at his office or by registered post:

Proviso.

Provided that where service is by registered post, proof of the registration shall be given if required.

#### APPEAL.

Appeal from  
decision of  
board to  
Full Court :

25.—(1) An applicant for a certificate for the issue, renewal, or transfer of a hotel, tavern, or spirit shop licence and anyone who has duly opposed an application for the certificate may appeal against the decision of a board refusing or granting the certificate.

(2) The appeal shall lie to the Full Court of the Supreme Court (hereinafter referred to as "the Full Court") and, subject to any provisions inconsistent therewith hereinafter contained, shall, as to procedure, fees and the powers of the Full Court, be in accordance with the provisions, so far as they are applicable, of any Ordinance for the time being in force regulating appeals from the decisions of magistrates:

Proviso.

Provided that the term "board" shall be read for the term "magistrate" and the expression "clerk of the board" for the expression "clerk of the court" in any such Ordinance.

(3) The following and no other grounds of appeal may be relied on:—

- (a) that the board had no jurisdiction to deal with the application, provided the objection to the jurisdiction of the board has been formerly taken before the board at some stage of the proceedings before a certificate was granted or refused; or
- (b) that the board has exceeded its jurisdiction; or
- (c) that the board or a member thereof was personally interested in the application; but a disqualification under sub-section (1) of section eight hereof shall not of itself be a ground of appeal; or
- (d) that the board or a member thereof has acted corruptly or maliciously, or has taken extraneous matter into consideration; or
- (e) that the grant or refusal of a certificate has been obtained by fraud; or
- (f) that the grant or refusal of a certificate is affected by some specific illegality other than hereinbefore mentioned.



26.—(1) The Full Court shall hear and determine the matter of appeal and have power to decide all questions of fact or law raised in the appeal, and shall make any order therein with or without costs the Court thinks fit, and may if necessary grant the application for a certificate for the renewal or transfer of the licence in the same manner as the board might have granted it.

Jurisdiction  
of Full  
Court on  
appeal.

(2) Where the Full Court makes an order directing any costs to be paid they shall be recoverable in the same manner as is provided for the recovery of costs awarded on an appeal from the decision of a magistrate.

(3) Save as hereinbefore provided no decision of a board shall be subject to appeal.

#### PROVISIONAL LICENCES FOR NEW PREMISES.

27.—(1) A person by serving on the district commissary notice in form 6 in the schedule may apply to the board for the provisional grant of a certificate for the issue of a licence in respect of any premises about to be constructed or in course of construction for use as a hotel, tavern, or spirit shop; and the board, if satisfied with the plans submitted to it, and that if the premises had been actually constructed in accordance with those plans it would, on application, have granted a certificate for the issue of a licence in respect thereof, may make a provisional grant accordingly.

Provisional  
grant of  
licences to  
new premises;  
schedule ;  
form 6.

(2) A provisional grant shall not be of any validity until declared to be final by an order of the board made after notice given as required by the board at a general annual licensing meeting or transfer sessions. The declaration shall be made if the board is satisfied that the premises have been completed in accordance with the plans aforesaid, and when a declaration has been made the procedure and forms prescribed in section nineteen of this Ordinance, with the necessary variations, shall apply.

(3) An application for a provisional grant shall be subject to the same conditions as to giving of notice of opposition and generally as to procedure as those to which the grant would be subject if it were not provisional, with the exception that, where a notice is required to be put up on a door of a building, the notice may be put up in a conspicuous position on any part of the premises.

(4) This section shall, with the necessary variations, extend to the provisional grant of an application for the transfer of a licence from one premises to another.

## LIQUOR STORE LICENCES.

How granted ;  
schedule ;  
form 7.

**28.**—(1) Any person wishing to obtain a liquor store licence shall make application to the Chief Commissary in form 7 in the schedule, and the application shall be delivered to the district commissary of the fiscal district wherein the licence is desired.

(2) A liquor store licence may be granted at any time for the whole unexpired portion of any financial year provided the period for which it is taken out be not less than three months.

Grant or  
refusal.

**29.** The Chief Commissary shall immediately consider every application and may grant or refuse it as he thinks fit, and he shall intimate his decision in writing to the applicant at the address given by the applicant; if he grants the application he shall, on payment of the duty payable for the licence under the Tax Ordinance for the time being in force, issue a licence to the applicant in form 8 in the first schedule.

Form 8.

Transfer.

**30.** Every holder of a liquor store licence wishing to transfer it from one premises to another or to any other person shall apply to the Chief Commissary in writing, who may grant or refuse the application as he thinks fit, and if the application is granted, the transfer shall be effected by the chief commissary indorsing on the licence the fact of the transfer, and the date of the indorsement shall for all purposes be deemed to be the date of the transfer.

Right of  
appeal from  
decision of  
Chief  
Commissary

**31.** Where the Chief Commissary refuses to grant a licence or a transfer under either section twenty-nine or section thirty of this Ordinance, the applicant may, within fourteen days after receiving the decision of the Chief Commissary, appeal by petition to the Governor in Council who may affirm or reverse that decision.

ENTERTAINMENT, PASSENGER STEAMER, OCCASIONAL, AND  
MALT LIQUOR AND WINE LICENCES.

Grant:

**32.**—(1) A district commissary may grant a licence of any of the classes defined in paragraphs (e), (f), (g) and (h) of section three hereof.



(2) The licence shall specify the place where the person obtaining it is to be entitled to sell wine, or malt liquor, or spirituous liquor, and, in the case of an occasion licence, the permitted days and permitted hours :

Provided that an entertainment licence and a passenger steamer licence issued under the provisions of this section may be transferred from one premises to another, or from one person to another, or from one passenger steamer to another passenger steamer plying on the same route, by a district commissary's indorsement to that effect on the back of the licence, and the date and hour of the indorsement shall for all purposes be deemed to be the date and hour of the transfer. Proviso.

#### PROVISIONS RELATING TO COCONUT RUM OR COCONUT TODDY AND TO LICENCES FOR THE SALE THEREOF.

**33.** A licence to sell coconut rum or coconut toddy may be granted by the commissary of taxation for the fiscal district wherein the person applying for the licence resides. Licence for sale of coconut rum.

**34.** Everyone who sells, or offers for sale, or exchanges, barter, or otherwise disposes of for money or reward, coconut rum or coconut toddy without having a licence to sell it shall be guilty of an offence and on conviction thereof shall be liable to a penalty not exceeding forty-eight dollars. Penalty for selling coconut rum without a licence.

#### REGISTER OF LICENCES.

**35.**—(1) The Chief Commissary shall keep a register, to be called the register of intoxicating liquor licences, in the form prescribed by the Governor in Council, containing the particulars of all licences granted under this Ordinance in each fiscal district, the premises in respect whereof they were granted, the names of the owners of those premises, and the names of the holders for the time being of the licences. Register of licences to be kept.

(2) The Chief Commissary shall enter in the register of licences, in the form prescribed by the Governor in Council, notice of any conviction of the holder of a licence under this Ordinance for an offence committed by him as a holder (including any offence against the provisions of any Ordinance for the time being in force relating to the adulteration of drink), and the clerk of the court before whom

the holder of a licence under this Ordinance is so convicted shall forthwith send notice of the conviction to the Chief Commissary.

Entry of names of owners of premises on register of licences.

**36.** Everyone whose application for a certificate for the issue of a licence or the renewal of a licence has been granted shall at the time of payment of the licence duty state the name of the person for the time being entitled to receive on his own account the rackrent of the premises in respect whereof the licence is granted or renewed, and that name shall be indorsed on the licence and entered on the register as the name of an owner of the premises.

Regard to be had to entries in register of licences.

**37.** On any application for the grant, renewal, or transfer of a licence the board shall have regard to any entries in the register of licences relating either to the person by whom or to the premises in respect whereof the licence is to be held.

Inspection of register of licences.

**38.—(1)** Any officer of police, or of customs and excise, without payment, and any other person on payment of a fee of twenty-four cents, shall be entitled at all reasonable times to inspect and take extracts from the register.

**(2)** A copy of an entry made in the register of licences in pursuance of this Ordinance, purporting to be signed by the Chief Commissary and to be certified to be a true copy, shall be evidence of the matters stated in that entry, without proof of the signature or authority of the person signing it.

List of names of licensees to be exhibited in Chief Commissary's office.

**39.** The Chief Commissary shall cause a list of the names in alphabetical order of all persons to whom licences have been issued to be put up in a conspicuous part of his office after every sitting of a board at which licences have been granted. The Governor may at any time direct the publication of the list.

#### GENERAL REGULATIONS AS TO SALE OF LIQUOR AND CONDUCT OF LICENSED PREMISES.

Penalty for selling malt liquor or wine without a licence.

**40.** Subject to the provisions of this Ordinance, everyone who sells or offers for sale any malt liquor or wine, except by wholesale in quantities exceeding thirty gallons at one time to one person, or in some place or premises



for which he or someone by whom he is employed has a licence authorising the sale thereof within that place or premises and in accordance with the authority conferred by the licence, shall be guilty of an offence and liable to a penalty of not less than ten dollars and not more than fifty dollars.

41.—(1) Everyone who sells or offers for sale any rum, except by wholesale or in some place or premises for which he or someone by whom he is employed has a licence authorising the sale thereof within that place or premises and in accordance with the authority conferred by the licence, shall be guilty of an offence and liable to a penalty of not less than fifty dollars and not more than five hundred dollars.

Penalty for selling spirituous liquor without a licence.

(2) Everyone who sells or offers for sale any spirituous liquor other than rum, except by wholesale or in some place or premises for which he or someone by whom he is employed has a licence authorising the sale thereof and in accordance with the authority conferred by the licence, shall be guilty of an offence and liable to a penalty of not less than twenty dollars and not more than two hundred dollars.

(3) There shall not be more than one conviction against anyone in respect of offences against the provisions of this section committed on any one day.

42.—(1) Every holder of a liquor store licence who sells, or offers for sale, any spirituous liquor in any quantity of less than two gallons shall be liable to a penalty of not less than fifty dollars and not more than five hundred dollars :

Penalties on holders of licences for selling and disposing of spirituous liquor, in contravention of licence :

Provided that the holder of a liquor store licence who has also taken out the additional licence from time to time prescribed by the Tax Ordinance for the time being in force may sell or offer for sale spirituous liquor according to the tenor of the additional licence.

Proviso.

(2) Every holder of a hotel, or tavern, or entertainment, or passenger steamer, or occasional, licence who sells or offers for sale any spirituous liquor not to be drunk on the premises shall be liable to a penalty of not less than fifty dollars and not more than five hundred dollars.

(3) There shall not be more than one conviction against anyone in respect of offences against the provisions of this section committed on any one day.

## REGULATION OF LICENCE-HOLDERS.

Affixing of  
sign board on  
licensed  
liquor store,  
hotel, tavern  
or spirit  
shop.

**43.**—(1) Every holder of a licence for a liquor store, hotel, tavern, or spirit shop, shall affix on the outside of and over some conspicuous door in the front of the store, hotel, tavern, or shop, a board whereon there shall be legibly and clearly painted in white letters, each not less in length than three inches, on a black ground, the name of the holder of the licence at length, and underneath the words "Licensed Liquor Store," "Licensed Hotel," "Licensed Tavern," or "Licensed Spirit Shop," as the case may be, on pain in default thereof, of liability to a penalty of ten dollars for the first, twenty dollars for the second, and forty dollars for the third and every subsequent breach of this section.

(2) Every omission to affix the board continued for a period of ten days after the last previous conviction shall be considered a breach of this section.

Books to be  
kept by  
holder of  
licence ;  
schedule ;  
form 9 ;

form 10.

**44.**—(1) Every holder of a licence for a hotel, tavern, spirit shop, place of entertainment, and passenger steamer, shall keep in the premises for which the licence has been granted a book, in form 9 in the schedule wherein shall be entered all the rum received or brought into those premises, and a book in form 10 wherein shall be entered all the other spirituous liquor brought into the premises.

Penalty.

(2) Every holder of the licence who neglects to make the necessary entries in the books aforesaid on the same day whereon he receives any rum or other spirituous liquor shall be guilty of an offence, and on conviction thereof shall be liable to a penalty not exceeding twenty-five dollars.

Refusal to  
produce  
books,  
molestation  
or obstruction  
of  
commissary.

**45.** Every holder of a licence for a place or premises licensed under the provisions of this Ordinance who—

- (a) refuses to produce to a commissary of taxation, when required to do so, any book required to be kept by him in the premises for which the licence is granted; or
- (b) prevents a commissary of taxation from inspecting any book aforesaid; or
- (c) molests or obstructs any commissary of taxation when inspecting those books; or



(d) prevents or attempts to prevent, by any device or otherwise, a commissary of taxation from ascertaining the true quantity and strength of any liquor in those premises; or

(e) molests or hinders a commissary of taxation when ascertaining the quantity or strength,

shall be guilty of an offence, and on conviction thereof shall be liable to a penalty of not less than twenty dollars and not more than fifty dollars.

**46.**—(1) All rum, brandy, whisky, gin, or other spirituous liquor, in any place or premises licensed under the provisions of this Ordinance or in any part of the premises or out-buildings of, or connected with, them, shall be of good wholesome quality and (except brandy) shall be of a strength not below twenty-five per centum under proof.

Regulation of strength of spirit kept by licence holders.

(2) Any of the rum, brandy, whisky, gin, or other spirituous liquor, not of good wholesome quality or (except brandy) of a strength below twenty-five per centum under proof and the package containing it may be seized by any commissary of taxation or officer of customs and shall be forfeited, and the holder of the licence for the place or premises in or near which it is found, shall be guilty of an offence. and on conviction thereof shall be liable to a penalty not exceeding fifty dollars.

Forfeiture of liquor below strength.

(3) If any rum, whisky, gin, or other spirituous liquor (except brandy) of a strength below twenty-five per centum under proof is sold from any place or premises licensed under this Ordinance, the holder of the licence for the place or premises shall be guilty of an offence and on conviction thereof shall be liable to a penalty not exceeding fifty dollars.

(4) The provisions of this section as to the strength of rum, whisky, gin, and other spirituous liquor sold shall not apply to any bitters, cordials, liqueurs, or similar compounds of rum, manufactured by a compounder under the Bitters and Cordials Ordinance. or to any spirituous liquor that has been on importation passed by the Comptroller of Customs as bitters, cordials, or liqueurs, provided the strength of the bitters, cordials, liqueurs or similar compounds, compounded or imported has not been artificially altered since they were removed from the compounder's premises or imported, as the case may be.

Chapter 109.

**47.**—(1) The holder of a licence under this Ordinance shall not knowingly sell nor allow anyone to sell, nor shall any servant of his knowingly sell, to be consumed on the

Penalty for sale or supply of intoxicating liquor to young persons :



premises, any intoxicating liquor to anyone under the age of eighteen years; and no one under the age of eighteen years shall purchase or attempt to purchase in any licensed premises any intoxicating liquor for his own consumption therein :

Proviso.

Provided that nothing in this sub-section shall prevent the sale, supply, or purchase, of wine or malt liquor to or by a person over the age of sixteen years where it is sold, supplied, or purchased only for consumption at a meal to be consumed at the same time in the portion of the premises (not being a bar) usually set apart for the service of meals.

(2) The holder of a licence shall not knowingly allow, nor shall any servant of his knowingly allow, any intoxicating liquor to be consumed by anyone under the age of eighteen years in any bar on his licensed premises; and no one shall purchase, or attempt to purchase, any intoxicating liquor for consumption by a person under the age of eighteen years in that bar.

(3) In this section the bar of a licensed premises means any open drinking bar, or any part of the premises exclusively or mainly used for the sale and consumption of intoxicating liquor.

(4) Anyone who acts in contravention of this section shall be liable in respect of each offence to a fine not exceeding in the case of the first offence five dollars and in the case of any subsequent offence ten dollars.

Penalty for employment of young people to sell intoxicating liquor.

48.—(1) The holder of a licence shall not knowingly employ nor allow any person to employ, nor shall any servant of his knowingly employ anyone under the age of eighteen years to sell or assist in the sale of intoxicating liquor on any licensed premises where the licence authorises the sale of spirituous liquor.

(2) Anyone who acts in contravention of this section shall be liable in respect of each offence to a fine not exceeding in the case of the first offence five dollars and in the case of any subsequent offence ten dollars.

Offences in relation to constables.

49.—(1) The holder of a licence shall not—

(a) knowingly harbour or knowingly suffer to remain on his premises any constable being on duty, unless for the purpose of keeping or restoring order in execution of the constable's duty; or



- (b) supply any intoxicating liquor or refreshment, whether by way of gift or sale, to any constable on duty unless by authority of some superior officer of the constable; or
- (c) bribe or attempt to bribe any constable.

(2) Any holder of a licence who acts in contravention of this section shall be liable in respect of each offence to a fine not exceeding in the case of a first offence twenty-five dollars and in the case of any subsequent offence fifty dollars.

50.—(1) The holder of a licence shall not permit drunkenness or any violent, quarrelsome, or riotous conduct to take place on his premises, nor sell any intoxicating liquor to a drunken person. Penalty for permitting drunkenness.

(2) The holder of a licence who acts in contravention of this section shall be liable in respect of each offence to a fine not exceeding in the case of a first offence ten dollars and in the case of any subsequent offence twenty-five dollars.

(3) If the holder of a licence is charged with permitting drunkenness on his premises in contravention of this section and it is proved that anyone was drunk on his premises, it shall lie on him to prove that he and the persons employed by him took all reasonable steps to prevent drunkenness on the premises.

51.—(1) The holder of a licence shall not permit his premises to be a brothel. Penalty for permitting premises to be a brothel.

(2) The holder of a licence who acts in contravention of this section shall be liable in respect of each offence to a fine not exceeding one hundred dollars.

(3) A holder of a licence convicted, whether under this section or otherwise, of the offence of permitting his premises to be a brothel shall forfeit his licence.

52.—(1) The holder of a licence may refuse to admit to, and may turn out of, the premises in respect of which his licence is granted anyone who is drunken, violent, quarrelsome, or disorderly, and anyone whose presence on his premises would subject him to a penalty under this Ordinance. Power to exclude drunkards from licensed premises.

(2) Anyone upon being requested in pursuance of this section by the holder of the licence, or his agent or servant, or any constable, to quit the premises who refuses



or fails to do so shall be liable in respect of each offence to a fine not exceeding twenty dollars, and all constables are required, on the demand of the holder of the licence, or the agent, or servant, to expel or assist in expelling the offender from the premises and may use the force required for that purpose.

Articles,  
other than  
liquors  
permitted to  
be sold in  
spirit shops  
in George-  
town and  
New  
Amsterdam :

53.—(1) No goods, wares, or merchandise whatever, except ice, liquors of every description used for drink, empty packages which have contained those liquors, and tobacco, whether manufactured or not, cigars and cigarettes and smokers' requisites such as books of cigarette papers, matches, cigar and cigarette holders, pipes, and pipe cleaners, shall be dealt in, or sold, either directly or indirectly, in or from any licensed spirit shop in Georgetown or New Amsterdam, or by the holder of a licence for that shop in or from any adjoining house or premises.

(2) The holder of the licence shall be liable to a penalty of not less than ten dollars and not more than fifty dollars for every breach of any of the foregoing provisions of this section :

Proviso.

Provided that a licence may be granted to anyone to keep a shop, other than a spirit shop, in the adjoining house or premises where there is no internal communication between the two; and if after the grant of the licence, any internal communication is made, the holder of the licence shall be liable to a penalty of ten dollars for every day whereon the communication remains open.

Penalty.

Barter of  
liquor.

54. All liquors disposed of in any licensed tavern or spirit shop shall be sold for money and shall not be bartered or exchanged for any other thing, on pain of the holder of the licence being liable to a penalty not exceeding ten dollars for every breach of this section.

Penalty.

Non-dispersal  
of riotous  
meeting in, or  
near spirit  
shop.

55.—(1) If at any time there is a riotous, or disorderly, or noisy, meeting at, or assemblage of persons in, at, or near any licensed tavern or spirit shop the person in charge of the tavern or shop shall immediately call or send for the assistance of the nearest constable or rural constable to disperse the meeting or assemblage.

Penalty.

(2) If anyone so in charge fails without reasonable excuse to call or send for that assistance, the holder of the licence for the tavern or shop shall be liable to a

*Art. 3 979 30-  
Sec. 4*



penalty not exceeding ten dollars; and any constable or rural constable who, when so called or sent for, refuses or neglects to give the assistance shall be liable to a penalty not exceeding ten dollars.

56. No playing at cards or dice, whether for money or mere amusement, and no gaming of any kind whatever, shall be carried on in any licensed tavern or spirit shop, or in any part of the premises thereto appertaining or adjoining, on pain of the holder of the licence for the tavern or shop being liable to a penalty of fifty dollars, and of every one engaged in the playing at cards or dice, or in the gaming, being liable to a penalty of ten dollars.

Playing at cards, or dice, or gaming, in licensed spirit shop.

Penalty.

57.—(1) Any constable may, when and as often as he thinks fit, enter any licensed tavern or spirit shop, and into and upon the premises belonging thereto or used therewith.

Power to constable to enter licensed spirit shop.

(2) Everyone who refuses to admit a constable into the tavern, shop, or premises, or molests any constable when therein, shall be guilty of an offence and on conviction thereof shall be liable to a penalty not exceeding fifty dollars.

Penalty.

58.—(1) Except as hereinafter provided no holder of a spirit shop licence may sell, deliver, or dispose of more than two quarts of rum to any one person or on the order of any one person at any one time.

Sale of more than two quarts of rum at one time :

(2) Every holder of a spirit shop licence who by himself, his servant, or agent, sells, delivers, or disposes of more than two quarts of rum to any person or on the order of any person at any one time, and every holder of a spirit shop licence in whose shop more than two quarts of rum is sold, delivered, or disposed of, to any one person or on the order of any person at any one time, shall be guilty of an offence and shall on a first conviction be liable to a penalty of not less than one hundred dollars and not more than five hundred dollars, and on a second conviction to a like penalty and in addition to have his licence suspended for any period not exceeding one month, and on a third or any subsequent conviction to a like penalty and in addition to have his licence forfeited :

Penalty :

Provided that—

(a) the holder of a spirit shop licence may sell, deliver, or dispose of more than two quarts of rum to any one person if the holder has previously to the

Proviso.



- sale or delivery obtained a special authority in form 11 in the schedule from a commissary of taxation signed by the commissary authorising the holder to sell the larger quantity to the particular person named therein; and
- (b) the Chief Commissary may, in any cases and upon any conditions he thinks fit, authorise the holder of a spirit shop licence to sell, deliver, or dispose of rum in quantities exceeding two quarts and issue permits for its removal in form 12 in the schedule; but nothing contained in this paragraph shall be construed as authorising the removal of rum from one spirit shop to another.
- (3) Anyone who, being authorised by virtue of the proviso contained in paragraph (b) of the last preceding sub-section, sells, delivers, disposes of, or in whose shop there is sold, delivered, or disposed of, under any authority a larger or smaller quantity of rum than that named in the permit shall be guilty of an offence and on conviction thereof shall be liable to a penalty not less than twenty-five dollars and not more than five hundred dollars.
- (4) Anyone who, being authorised by virtue of the proviso contained in paragraph (b) of sub-section (2) of this section to issue permits, shall, on the sale, delivery, or disposal, of any rum, by himself or his agent issue a permit which is false in any material particular shall be guilty of an offence and on conviction thereof shall be liable to a penalty not less than twenty-five dollars and not more than five hundred dollars.
- 59.** Everyone holding a passenger steamer or occasional licence for the sale of intoxicating liquor who does not produce the licence, whenever required to do so by a commissary of taxation or constable on the steamer or at the licensed premises shall be guilty of an offence and on conviction thereof shall be liable to a penalty not exceeding one hundred dollars.
- 60.** The Inspector General, any commissary of taxation, any officer of the police force and any non-commissioned officer above the grade of corporal, and any member of the police force of or below the grade of corporal who has a general authority in writing from the Inspector General or an inspector, may enter any premises whatever wherein any wine or malt liquor to be drunk on the premises, or any spirituous liquor whatever, is sold, or is offered, exposed,

schedule ;  
form 11 ;

form 12.

Penalty.

Penalty.

Production  
of passenger  
steamer or  
occasional  
licence.

Penalty.

Power of  
police to  
enter licensed  
premises and  
demand  
licence ;  
procedure in  
case of non-  
production.



or kept, for sale, and any room or place thereto attached and belonging, and may demand from the person in charge of the premises, room, or place, his licence for selling the wine, malt liquor, or spirituous liquor, and, if the person does not immediately produce the licence, shall place someone in charge of the premises, room, or place, and of all wine, malt liquor and spirituous liquor found therein, and shall make a report of his proceedings and of the evidence he may have as to the selling, or offering, or exposing or keeping for sale aforesaid, to the nearest magistrate, and any such magistrate shall, if he thinks fit, order all wine, malt liquor and spirituous liquor in the premises, room, or place to be seized, and all the wine, malt liquor and spirituous liquor so seized shall be dealt with in accordance with this Ordinance.

61.—(1) All liquor, and every cask or other package, so seized shall be at once removed to, and, until forfeiture or restoration thereof, shall be kept at the colonial bonded warehouse, or some convenient place of custody elsewhere, and the owner, or person claiming it, shall be at liberty before the removal thereof to cause the liquor to be examined and, if in casks, to be gauged and, if rum, to be tested for proof by Sikes' hydrometer, and the examination, gauging and testing may be made by any commissary of taxation or any sworn gauger, or by any manager or overseer of a plantation, called in for the purpose.

Disposal of  
liquor,  
casks or  
packages.

(2) The owner or person claiming it and the person seizing it shall each take down or cause to be taken down in writing the particulars of the examination, gauging, and testing; and during the examination, gauging, and testing, the liquor seized, and the casks or other packages containing it, shall remain on the premises of the owner or person claiming them, but in the possession of the person seizing, or some person authorised by him to retain possession of, them; but not more than six hours shall be allowed for any examination, gauging, and testing.

62.—(1) Everyone owning any liquor so seized and wishing to dispute the seizure, shall, within fourteen days thereafter, by himself or by some agent authorised by him, make his claim in writing to the magistrate of the judicial district within which the seizure has been made, for the liquor and the casks or other packages containing it, and shall within the same time serve a copy of the claim on the commissary of the fiscal district within which the seizure

Mode of  
disputing  
seizure of  
liquor.



has been made and, if the seizure has been made by anyone other than the commissary, shall also within the same time serve a copy of the claim on that person.

(2) If the claim is to be resisted the commissary shall appear in person or by counsel or solicitor in opposition thereto and in support of the seizure.

(3) When the seizure has been made by any person other than the commissary that person shall be a co-defendant with the commissary and may also appear in opposition to the claim and in support of the seizure, if he thinks fit.

(4) Every claim shall contain the name of the claimant and his occupation and residence and, if the claim is made through an agent, the name, occupation, and residence of his agent and the grounds of the claimant for disputing the seizure, and shall also state that the liquor seized is the property of the claimant.

(5) Every claim shall be supported by the oath of the claimant or, if the claim is made through an agent, by that of his agent swearing to the best of his knowledge, information and belief.

(6) When a claim is made through an agent, sufficient evidence of his authority to satisfy the magistrate shall be given with the claim.

(7) No claim shall be received by the magistrate unless with it the claimant deposits the sum of twenty-four dollars by way of security for any costs awarded against him.

Onus of  
proof as to  
legality of  
seizure.

**63.** In every case under the last preceding section the proof of the illegality of the seizure shall be on the claimant; and the commissary or other person making the seizure may adduce evidence in answer to that given by the claimant.

Proof of  
capacity and  
authority of  
officer mak-  
ing seizure.

**64.** On the hearing of a claim, if the seizure has been made by a member of the police force of or below the grade of corporal, in addition to his statement upon oath that he is a constable he shall produce his authority from the Inspector General or inspector but if the seizure has been made by any other officer entitled to make it, it shall be sufficient for him to state upon oath that he acts as that officer.

Hearing and  
adjudication  
of claim ;

**65.** Every claim shall be heard before the magistrate of the judicial district within which the seizure has been made, and if the magistrate rejects the claim with respect to all



or any of the articles seized, he shall condemn those articles and make an order of condemnation in form 13 contained in the first schedule hereto.

first  
schedule :  
form 13.

66. If on the hearing of a claim any of the articles seized are condemned, the claimant shall be adjudged to pay all costs of the commissary and also of the co-defendant if there is any co-defendant, and any articles not condemned shall be restored to the claimant at his own expense; but if none of the articles seized is condemned, the magistrate shall order their restoration on the payment of all costs of the claimant by the seizing officer and at his expense.

Costs ;  
restoration  
of articles  
seized.

67. If any articles seized as aforesaid are not claimed, or if a copy of a claim relating to any of the articles is not served, as hereinbefore provided and in the manner and within the time hereinbefore limited, with respect to making the claim and the service of copies thereof, or if after a claim has been made any articles so seized are condemned, all those articles shall ipso facto become and be forfeited.

Forfeiture  
of articles  
seized.

68. All proceedings before a magistrate and every order made by him in relation to a claim shall be according to the provisions of, and shall be subject to the appeal provided by, any Ordinances for the time being in force regulating procedure before magistrates in the exercise of their summary jurisdiction and appeals from the decisions of magistrates.

Proceedings  
on claim.

#### REMOVAL OF RUM.

69.—(1) No rum exceeding in quantity two quarts shall be removed from one premises to another without a permit accompanying it, given and signed by a commissary of taxation or other person authorised under any law to grant permits for the removal of rum.

Prohibition  
of removal of  
rum exceed-  
ing in  
quantity two  
quarts with-  
out permit.

(2) Everyone concerned in the removal of any rum exceeding in quantity two quarts without the permit accompanying it, shall be guilty of an offence, and on conviction thereof shall be liable to a penalty not exceeding fifty dollars; and the rum so removed, together with the packages containing it, and every cart, vessel, or other conveyance, and every animal, employed in removing it, shall be forfeited.

Penalty.



Power of stoppage, search and arrest in regard to rum being removed.

70. Every commissary of taxation, officer of customs, and constable who has cause to suspect that anyone is carrying or removing any rum exceeding in quantity two quarts may stop, detain, and examine him, and may examine every package, cart, vessel, or conveyance, under his control, and may examine every cart, vessel, or conveyance on or in which he may be; and if any commissary of taxation, officer of customs, or constable ascertains that anyone is carrying or removing, or is concerned in the carriage or removal of, any rum exceeding in quantity two quarts, without having obtained a lawful permit for the removal, the commissary of taxation, officer of customs, or constable may seize the rum with the package containing it, and may seize the cart, vessel, conveyance and all animals employed in its removal and arrest the person carrying or removing it, or concerned in its carriage or removal, and may detain the person until he can be brought before a magistrate and dealt with according to law.

SPECIAL PERMIT TO KEEP SPIRITUOUS LIQUOR FOR  
SCIENTIFIC PURPOSES.

*Schedule 5 Ord. 31 of 1922*

Special permit for use of spirituous liquor in scientific pursuits, or art. manufacture, trade or business; schedule; form 14.

71.—(1) Notwithstanding anything in this Ordinance or in any Ordinance for the time being in force relating to spirits, the <sup>Comptroller of Customs</sup> ~~Chief Commissary~~ may at any time issue a special permit, in form 14 in the schedule, or as near thereto as circumstances permit, to any person engaged in a scientific pursuit, or in the practice of any art. or in any manufacture, trade, or business, authorising him to remove to and keep on the premises where he is engaged in that pursuit, practice, manufacture, trade, or business (in this Ordinance referred to as "factory premises") any spirituous liquor in the quantity, not exceeding fifty gallons, in each case fixed by the Comptroller of Customs and of a strength not exceeding fifty degrees over proof, for the purpose of being there used exclusively in that pursuit, art, manufacture, trade, or business.

(2) The permit shall not authorise the person to have or keep spirituous liquor in any place other than his factory premises.

(3) Everyone to whom the permit is issued shall account to the satisfaction of the <sup>Comptroller of Customs</sup> ~~Chief Commissary~~ for the due disposal of all spirituous liquor obtained by him under the permit before any new special permit shall be issued to him.

Accounting for spirits obtained under special permit.



72.—Everyone to whom any permit aforesaid has been heretofore or is hereafter issued who—

- (a) has or keeps any spirituous liquor aforesaid in any place other than his factory premises; or
- (b) uses or applies, or suffers to be used or applied, any spirituous liquor aforesaid for any purpose or in any way whatever other than for the bonâ fide preparation of or dealing with anything in the course of the pursuit, art, manufacture, trade, or business aforesaid,

shall be liable to a penalty not exceeding five hundred dollars.

Penalty for contravention of provisions relating to special permits.

73. The provisions of sections seventy-nine and eighty-four of this Ordinance shall extend and apply to the holder of any special permit issued under section seventy-one of this Ordinance and to his factory premises.

Application of certain provisions.

#### POWERS OF POLICE AND COMMISSARIES WITH RESPECT TO UNLICENSED PREMISES.

74. Everyone found selling, or offering or exposing for sale, any spirituous liquor or any wine or malt liquor at any place other than in a place or premises duly licensed under the provisions of this Ordinance who does not produce a licence authorising the sale or the offering or exposing for sale, of wine, malt liquor, or spirituous liquor at the time when and at the place where he is so found selling it, or offering or exposing it for sale, may be arrested by any commissary of taxation, constable, or rural constable and detained until he can be brought before a magistrate and dealt with according to law, and the wine, malt liquor, or spirituous liquor, so sold, or offered or exposed for sale, with the packages containing it, shall be seized and forfeited.

Arrest of person found selling spirituous liquor without licence.

75. Any commissary of taxation, and anyone authorised by him in writing for each particular case, may enter any store, shop, or business premises, whatever and search for wine and malt liquor.

Power of search.

76.—(1) The occupier of any store, shop, or business premises, whatever (other than a place or premises licensed under the provisions of this Ordinance for the sale of wine or malt liquor) wherein is found any wine or malt liquor shall be guilty of an offence and shall be liable to a penalty

Penalty on occupier of certain premises if wine or malt liquor is found thereon :



of not less than ten dollars and not exceeding fifty dollars, and all the wine and malt liquor whatsoever so found, and the packages containing it shall be seized by the commissary of taxation, or other authorised person making the search, and removed to a safe place of custody elsewhere, and shall there be detained until adjudication of the charge against the occupier for the offence.

(2) If the charge is decided against the defendant, the wine and malt liquor so detained and the packages shall ipso facto and without any condemnation whatever be forfeited; and if the charge is decided in favour of the defendant, the wine and malt liquor and packages shall be restored to him by the commissary of taxation :

Proviso.

Provided that if the person charged satisfies the magistrate before whom the charge is investigated that the whole of the wine or malt liquor found on the premises was there kept for the exclusive use of the occupier, or his servant or agents working or residing on the premises, and not for the purpose of being disposed of for money or reward, the magistrate shall dismiss the charge and order the restoration of the wine and malt liquor so seized.

(3) For the purposes of this section any member of a firm occupying a shop, store, or other business premises, may be prosecuted as occupier.

Limitation  
of time for  
proceedings  
under s. 76.

77.—(1) Every charge under the last preceding section shall be brought within one month from the seizure of the wine or malt liquor to which the charge relates.

(2) In default of the charge being so brought, the occupier of the premises wherein the wine or malt liquor has been seized shall be entitled, on application to a magistrate, to an order from him on the commissary of taxation who has removed the wine or malt liquor to re-deliver it, and the packages containing it to the occupier.

Privilege of  
wholesale  
dealer to  
keep samples  
of wine or  
malt liquor.

78. Anyone dealing in wine or malt liquor by wholesale may keep in any store, shop, or business premises, occupied by him a sample, not exceeding one quart, of each quality of wine or malt liquor in which he deals, without being guilty of an offence under section seventy-six of this Ordinance.

Persons  
authorised  
to enter and  
search for  
liquor.

79. Any commissary of taxation, and anyone specially authorised by him in writing for each particular case, may enter any store, shop, or business premises, whatever and search for spirituous liquor.



80.—(1) The occupier of any store, shop, or business premises whatever, (other than a place or premises licensed under the provisions of this Ordinance for the sale of spirituous liquor), wherein is found any spirituous liquor whatever, shall be liable to a penalty of not less than twenty dollars and not more than five hundred dollars.

Penalty for having rum or other spirituous liquor in premises not duly licensed :

(2) All spirituous liquor whatever so found and the packages containing it shall be seized by the person making the search and removed by the commissary of taxation to a colonial bonded warehouse, or to some convenient and safe place of custody elsewhere, and shall there be detained until adjudication on the complaint for the penalty to be brought against the occupier.

(3) If the complaint is decided against the defendant, the spirituous liquor and packages so detained shall ipso facto and without any condemnation whatever be forfeited; and if the complaint is decided in favour of the defendant, the spirituous liquor and packages shall be restored to him by the commissary of taxation :

Provided that if anyone charged satisfies the magistrate before whom the charge is investigated that the whole of the spirituous liquor found on the premises was kept there for the exclusive use of the occupier, or his servants or agents working or residing on the premises, and not for the purpose of being disposed of for money or reward, the magistrate shall dismiss the charge and order the restoration of the spirituous liquor so seized.

Proviso.

(4) For the purposes of this section any member of a firm occupying a shop, a store, or other business premises, may be prosecuted as the occupier.

81. Every complaint under the last preceding section shall be brought within one month from the seizure of the spirituous liquor to which the charge relates; and, in default of its being so brought the occupier of the premises in which the spirituous liquor has been seized shall be entitled on application to a magistrate to an order from him on the commissary of taxation who has removed the spirituous liquor, to re-deliver the liquor and the packages containing it to the occupier.

Limitation of time for making complaint under s. 80.

82. Anyone dealing in any spirituous liquor by wholesale may keep, in any store, shop, or business premises, occupied by him, a sample, not to exceed one quart, of each kind and each quality of spirituous liquor in which he deals without being held guilty of an offence under section eighty of this Ordinance.

Keeping samples of spirituous liquor.



Penalty for obstructing or impeding entry and search of premises.

83. Everyone who,—

- (a) by refusing to open any door which it is legally in his power to open, or in any other way, obstructs, or in any way molests, opposes, hinders, or impedes, any officer authorised by this Ordinance, or anyone having authority in writing under this Ordinance and exhibiting his authority, to enter any premises and there to search, or otherwise to ascertain whether there has been any breach of any part of this Ordinance; or
- (b) removes, throws away, or destroys, or causes to be removed, thrown away, or destroyed, any wine, malt liquor, or spirituous liquor, in order to prevent or impede any search for or seizure thereof,

shall be liable to a penalty of not less than twenty dollars and not more than five hundred dollars.

#### LEGAL PROVISIONS.

Breach of the Ordinance by member of licence holder's family and person in his employ.

84.—(1) Every holder of a licence issued under the provisions of this Ordinance shall be, and he is hereby declared to be, penally liable and responsible for every breach of any provision of this Ordinance by any member of his family, or by any person employed, whether temporarily or permanently, in or about any licensed premises, or in or about any room or place thereto attached and belonging, in the same manner and as fully as if he himself had committed the breach, and the member of the family or person employed shall be liable to the same punishment as the holder of the licence.

(2) The member of the family, or the person in the employ of the holder of the licence may be examined as a witness for or against the holder on any charge brought against him under this Ordinance, and, if so examined, shall not himself thereafter be liable to any charge in respect of such breach.

Special provisions where holder of licence incurs a penalty and where he is without the colony.

85. Where by the provisions of this Ordinance the holder of a licence is made liable to a penalty in respect of any act or omission, and a charge is preferred alleging that act or omission, the following proceedings shall be lawful; that is to say,—

- (a) the summons may be served in the manner now permitted by law, or by leaving it with any



person who is apparently a clerk or servant found on the premises for which the licence is granted, or, if that person cannot be found, by affixing it in a conspicuous manner to the outer door or outer wall of the premises;

- (b) where the holder is without the colony, his attorney or agent may appear on his behalf; and
- (c) where the holder is without the colony, either at the time of the act or omission charged or at the time when the summons is served, the magistrate, on being satisfied as to the service of the summons as hereinbefore authorised, shall proceed to investigate the matter of the charge whether any attorney or agent appears for the holder or not and, if the act or omission is proved, may order the penalty to be paid and to be levied upon the goods and chattels of the holder of the licence by distress, but where it is shown that the holder did not leave the colony to avoid the service of the summons upon him personally, the magistrate shall not make order or direct that the holder shall be imprisoned, either in default of sufficient goods or chattels being found or otherwise.

86. The attorney of the holder of a licence issued under this Ordinance, where the holder is without the colony, shall be liable to every penalty imposed by this Ordinance on the holder of the licence in respect of any act or omission, if it is proved that that act or omission occurred with the knowledge and consent of the attorney.

Liability of representative of holder of licence in certain cases

#### PROCEDURE.

87.—(1) Every holder of a tavern or a spirit shop licence who has been convicted twice under this Ordinance of any offences where the maximum penalty amounts to or exceeds fifty dollars may, on conviction a third time, be adjudged, in addition to any fine or penalty awarded against him, to forfeit his licence in respect of which he has been last convicted.

Liability of holder of spirit shop licence to forfeiture of licence on third conviction;

(2) In every case of forfeiture of a licence under this section the magistrate, in addition to the conviction awarded against the defendant, shall, by a separate adjudication under his hand in form 15 in the schedule,

schedule; form 15.



declare the licence of the defendant to be forfeited, and immediately that adjudication takes effect as hereinafter provided, the defendant shall deliver the licence theretofore held by him to the commissary of taxation for the fiscal district within which it has been used, on pain of liability to a penalty of fifty dollars for every day whereon he fails so to deliver it.

(3) When a forfeited licence has been delivered to the commissary he shall deliver it to the Chief Commissary who shall cancel the licence.

Time when  
an order  
suspending  
or forfeiting  
a licence  
takes effect.

88.—(1) When an order is made under the provisions of this Ordinance suspending or forfeiting any licence for a tavern or spirit shop, the order, unless an appeal is previously brought by the holder of the licence, shall take effect at the expiration of ten days next after the day on which it is made, and if an appeal is previously brought then at the expiration of ten days after the day on which it is finally confirmed.

(2) No one may sell any wine, malt liquor, or spirituous liquor in that tavern or spirit shop after the date when the order suspending or forfeiting the licence takes effect, and anyone who contravenes the provisions of this subsection shall be deemed to have sold the wine, malt liquor, or spirituous liquor, without having a licence to do so and shall become liable to the penalties imposed on everyone so acting.

Sale of  
forfeited  
article.

89. All articles forfeited under the provisions of this Ordinance, other than articles forfeited under section forty-six hereof, shall be put up to public competition by the commissary of taxation and sold by him for cash to the highest bidder, not sooner than fourteen days after the forfeiture, and after not less than three notices of the sale in the Gazette and at least one newspaper published in the colony. Articles forfeited under section forty-six hereof shall be destroyed.

Deduction  
for the  
revenue  
defence fund.

90.—(1) The officer into whose hands comes the gross amount of any fine, penalty, or forfeiture, recovered and realised under this Ordinance shall pay over the amount to the Colonial Treasurer, who shall deduct a sum equal to ten per centum thereof and enter it to the credit of the revenue defence fund.

(2) There shall also be deducted from such amount all costs and expenses whatever.



91. The Colonial Treasurer shall be entitled to parate or summary execution against all the parties to any bond given under this Ordinance, for any sum for which the Crown Solicitor instructs the registrar to issue summation on the bond; and the execution may be against all, or any one or more, of those parties; and to obtain the execution it shall not be necessary to give any proof of the signing or of the validity of the bond.

Recovery of money due on bond under the Ordinance.

92.—(1) In proving the sale or consumption of intoxicating liquor for the purpose of any proceeding relevant to an offence under this Ordinance, it shall not be necessary to show that any money or valuable consideration actually passed or that any intoxicating liquor was actually consumed, if the court hearing the cause be satisfied that a transaction in the nature of a sale actually took place, or that consumption of intoxicating liquor was about to take place.

Evidence of sale or consumption of intoxicating liquor.

(2) Proof of consumption or intended consumption of intoxicating liquor on premises to which a licence is attached by some person other than the occupier of, or a servant employed on, the premises shall be evidence that the liquor was sold by or on behalf of the holder of the licence to the person consuming, or being about to consume, or carrying away the liquor.

93.—(1) All fines and penalties to which anyone is liable under this Ordinance shall be sued for, prosecuted, realised and recovered, and all proceedings in respect of forfeitures under this Ordinance, shall be prosecuted and carried on, by any commissary of taxation under the Summary Jurisdiction Ordinances.

Procedure and appeal :

(2) Every conviction, order, or adjudication whatever, in respect of any fine, penalty, or forfeiture aforesaid shall be according to the forms (except as specially provided in this Ordinance) and the rules of procedure, and subject to any appeal, respectively provided by any Ordinances for the time being in force regulating procedure before magistrates in the exercise of their summary jurisdiction and appeals from the decisions of magistrates.

(3) Every magistrate shall have full jurisdiction and power to hear, determine, and adjudicate in the case of any fine, penalty or forfeiture aforesaid, whatever may be the amount or value thereof :

Provided that no prosecution or proceeding for or in respect of any fine, penalty, or forfeiture, exceeding in amount

Proviso.



or value the sum of two hundred and forty dollars shall be commenced without the authority in writing of the Attorney General.

Protection of person acting under the Ordinance.

94. All persons acting under the provisions of this Ordinance shall be entitled to the protection afforded by law to justices of the peace.

Liability to damages and costs of person making seizure under the Ordinance.

95.—(1) No action, suit, or prosecution whatever shall be brought against anyone in respect of any detention or seizure made under this Ordinance when the detention or seizure has been followed by forfeiture of the articles seized or any portion of them.

(2) When any action, suit, or prosecution whatever is brought against anyone in respect of any detention or seizure made under this Ordinance, which has not been followed by forfeiture of any of the articles detained or seized, if the judge or court before whom or which the action, suit, or prosecution is tried is of opinion that there was reasonable ground for the detention or seizure, the defendant shall not be liable to pay to the plaintiff in the action or suit any damages, or any costs of suit, nor shall he in that prosecution be liable to more than a fine of twenty-five cents.

Regulations and forms.

96. The Governor in Council—

- (i) may make regulations for carrying into effect the objects and purposes of this Ordinance; and
- (ii) may prescribe new forms and forms in place of those contained in the first schedule hereto, but no prescribed forms shall take effect until they have been published in three issues of the Gazette and of one daily newspaper respectively.

Saving of Ordinances relating to distillation, sale and keeping of rum.

97. Nothing in this Ordinance shall affect the provisions of any Ordinance for the time being in force relating to the distillation and sale of rum, or to the quantity of rum that may be kept by anyone or the regulations for keeping it, as by that Ordinance provided.

Licences in respect of the Colonial Transport Department.

98.—(1) The Governor in Council may authorise the Chief Commissary to issue—

- (a) a licence to the managing director of the Colonial Transport Department, or



(b) licences to any persons nominated by that Department,  
in respect of the sale of intoxicating liquor at any station or in any train or in any steamer of the Department.

(2) Any licence issued in pursuance of this section, shall be subject to any restrictions as to hours and manner of sale in each case prescribed by the Governor in Council, and any sale contrary to those restrictions shall be deemed to be a sale without a licence.

99. The grant of an application for a certificate for a licence, or the renewal of a licence, or issue of a licence, or the renewal of a licence consequent thereon, shall not be deemed to create any vested interest or right, or to confer any right to a renewal of the licence.

Grant of licence not to create vested right.

#### TEMPORARY PROVISIONS.

100.—(1) Each board shall hold a special session on such day in the month of March nineteen hundred and twenty-nine as the Governor may fix by notice to be published in the Gazette and two daily newspapers.

Procedure with respect to applications for period from 1st April to 31st December, 1929.

(2) At the special sessions the boards shall hear and determine applications for certificates for the grant or renewal of hotel or spirit shop licences, or the grant of tavern licences, for the period from the first of April to the thirty-first of December nineteen hundred and twenty-nine.

(3) An applicant for a certificate for any of the licences mentioned in the last preceding sub-section shall make his application as prescribed in section thirteen of this Ordinance but not less than fifteen days before the day fixed by the Governor as aforesaid.

(4) The procedure with respect to opposition shall be as in this Ordinance prescribed.

(5) The Chief Commissary shall not issue a licence after the thirtieth day of April, nineteen hundred and twenty-nine.

101.—(1) A holder of a tavern licence purporting to have been granted under the Wine, etc, Licences Ordinance, 1868, or any amending Ordinance, may apply to a board for a certificate for a spirit shop licence in respect of the premises and shall, with his application, deposit a plan of the house, shop, or premises.

Spirit shop licences may be granted in place of former tavern licences. (No. 8 of 1868.)

(2) An application under this section shall be deemed to be an application in respect of premises already licensed for the purposes of sub-section (2) of section twelve and sub-section (2) of section seventeen of this Ordinance.

Transfer of  
licences.

102.—(1) The special sessions aforesaid shall be transfer sessions, and a board may deal thereat with applications for transfer as provided in this Ordinance.

(2) Each board shall at the special sessions appoint a day, hour and place for transfer sessions to be held in its district prior to the general annual licensing meeting in the year nineteen hundred and twenty-nine, as near as may be equally distant between the special sessions and the general annual licensing meeting.

Applications  
to be decided  
before 31st  
March, 1929.

103. Each board shall, prior to the thirty-first of March nineteen hundred and twenty-nine, decide as to each application which has been made at the special sessions.

#### SCHEDULE OF FORMS.

1.

A.

(Section 13)

#### INTOXICATING LIQUOR LICENSING ORDINANCE.

##### *Application for a Hotel Licence.*

To the District Commissary of the \_\_\_\_\_  
fiscal district.

I,  
residing at \_\_\_\_\_ in the  
county of \_\_\_\_\_ hereby make application for  
a certificate for a hotel licence to sell intoxicating liquor in the house at  
the premises occupied by me and situate at\*  
subject to the provisions of the above-named Ordinance.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_.

(Signed)

\* Here describe accurately the situation of the house or building and state the number of rooms, etc., in the house or building which it is intended shall be licensed.

*Example.*—Lot no 48, New Town, Georgetown, consisting of a three-storey building containing 12 rooms, 3 on the lower storey, 4 on the second storey, and 5 on the top storey, and 8 bedrooms, 4 on the second storey and 4 on the top storey.



1.

B.

(Section 13)

## INTOXICATING LIQUOR LICENSING ORDINANCE.

*Application for a Tavern Licence.*

To the District Commissary of the \_\_\_\_\_  
fiscal district.

I,  
residing at \_\_\_\_\_ in the  
county of \_\_\_\_\_ hereby make application for  
a certificate for a tavern licence to sell intoxicating liquor in the house at  
the premises occupied by me and situate at \*  
subject to the provisions of the above-named Ordinance.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_.

(Signed)

\* *Here describe accurately the situation of the house or building.*

1.

C.

(Section 13)

## INTOXICATING LIQUOR LICENSING ORDINANCE.

*Application for a Spirit Shop Licence.*

To the District Commissary of the \_\_\_\_\_  
fiscal district.

I,  
residing at \_\_\_\_\_ in the  
county of \_\_\_\_\_ hereby make application for  
a certificate for a spirit shop licence to sell intoxicating liquor in the  
building situate at \*  
subject to the provisions of the above-named Ordinance.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_.

(Signed)

\* *Here describe accurately the situation of the premises and the shop or building, and state the number of rooms (all of which shall be numbered) and their situation in such shop or building, and state also in which room or rooms of the shop it is proposed to sell intoxicating liquor.*

*Example.*—Lot no. 360, Bourda, Georgetown, consisting of a two-storey building containing 8 rooms, 4 on the lower storey, and 4 on the upper storey, numbered 1 to 8, consecutively; in rooms numbered 1, 2, 3, 4, it is intended to sell intoxicating liquor.

2.

A.

(Section 19 (1))

## INTOXICATING LIQUOR LICENSING ORDINANCE.

District licensing board for the county of

*Certificate authorising the issue of a Hotel or Tavern Licence.*

It is hereby certified that the above-mentioned board on the day of 19 , granted the application of of for a certificate for the issue (or the renewal) of a licence to keep a hotel (or tavern as the case may be) in the house at the premises situate at in the county of for the financial year 19 .

Dated this day of , 19 .

Clerk of the district licensing board for the county of

*Note.*—A licence cannot be issued by the Chief Commissary unless this certificate is presented to him on or before the 31st day of January, 19 (See section 19 (2)).

2.

B.

(Section 19 (1))

## INTOXICATING LIQUOR LICENSING ORDINANCE.

District licensing board for the county of

*Certificate authorising the issue of a Spirit Shop Licence.*

It is hereby certified that the above-mentioned board on the day of 19 granted the application of of for a certificate for the issue (or the renewal) of a licence to keep a spirit shop in the building at the premises situate at in the county of , and that intoxicating liquor may be sold only for the financial year 19 , in the rooms numbered on the storey.

Dated this day of , 19 .

Clerk of the district licensing board for the county of



3.

A.

(Section 19 (2) )

## INTOXICATING LIQUOR LICENSING ORDINANCE.

*Hotel Licence.*

WHEREAS the district licensing board for the county of \_\_\_\_\_  
on the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_ granted the application  
of \_\_\_\_\_ of \_\_\_\_\_  
in the county of \_\_\_\_\_ for a certificate for the issue (or the  
renewal) of a licence to keep a hotel in the house on the premises occupied  
by him and situate at \_\_\_\_\_

These are, therefore, to authorise and license the said  
to sell intoxicating liquor at the house aforesaid to be consumed on the  
premises.

This licence is issued under and subject to the provisions of the above-  
named Ordinance.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_ .

Chief Commissary.

3.

B.

(Section 19 (2) )

## INTOXICATING LIQUOR LICENSING ORDINANCE.

*Tavern Licence.*

WHEREAS the district licensing board for the county of \_\_\_\_\_  
on the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_, granted the application  
of \_\_\_\_\_ of \_\_\_\_\_  
in the county of \_\_\_\_\_ for a certificate for the issue (or the  
renewal) of a licence to keep a tavern in the house on the premises occupied  
by him and situate at \_\_\_\_\_

These are, therefore, to authorise and license the said  
to sell intoxicating liquor in the following rooms of  
the said house  
and to be consumed on the premises.

This licence is issued under and subject to the provisions of the above-  
named Ordinance.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_ .

Chief Commissary.

3.

C.

(Section 19 (2) )

## INTOXICATING LIQUOR LICENSING ORDINANCE.

*Spirit Shop Licence.*

WHEREAS the district licensing board for the county of \_\_\_\_\_  
 on the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_, granted the application  
 of \_\_\_\_\_ of \_\_\_\_\_  
 in the county of \_\_\_\_\_ for a certificate for the issue  
 (or the renewal) of a licence to keep a spirit shop in the building  
 situate at \_\_\_\_\_

These are, therefore, to authorise and license the said \_\_\_\_\_  
 to sell intoxicating liquor in the following rooms of  
 the said building \_\_\_\_\_

This licence is issued under and subject to the provisions of the above-  
 named Ordinance.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

Chief Commissary.

4.

(Section 21 (2) )

## INTOXICATING LIQUOR LICENSING ORDINANCE.

*Application to Transfer a Licence to a Transferee.*

To the District Commissary of the \_\_\_\_\_  
 fiscal district.

We, \_\_\_\_\_ residing at \_\_\_\_\_ in the  
 county of \_\_\_\_\_ and \_\_\_\_\_ residing at \_\_\_\_\_  
 in the county of \_\_\_\_\_ hereby make application  
 for the transfer of the licence no. \_\_\_\_\_ in respect of the building situate at \_\_\_\_\_  
 from the said \_\_\_\_\_ to the said \_\_\_\_\_

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

(Signed)

(Signed)



5.

A.

(Section 21 (3) )

## INTOXICATING LIQUOR LICENSING ORDINANCE.

*Application to Transfer a Hotel Licence from one Premises to Another.*

To the District Commissary of the  
fiscal district.

I, \_\_\_\_\_ residing at \_\_\_\_\_  
in the county of \_\_\_\_\_ hereby make application that the  
hotel licence no. \_\_\_\_\_ now held by me in respect of the house  
situate at \_\_\_\_\_ may be transferred to, and held by me in respect of the house at the premises  
occupied by me and situate at \*  
subject to the provisions of the above-named Ordinance.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_.

(Signed)

\* Here describe accurately the situation of the house or building.

5.

B.

(Section 21 (3) )

## INTOXICATING LIQUOR LICENSING ORDINANCE.

*Application to Transfer a Tavern Licence from one Premises to Another.*

To the District Commissary of the  
fiscal district.

I, \_\_\_\_\_ residing at \_\_\_\_\_  
in the county of \_\_\_\_\_ hereby make application that the  
tavern licence no. \_\_\_\_\_ now held by me in respect of the house  
situate at \_\_\_\_\_ may be transferred to, and held  
by me in respect of the house at the premises occupied by me and situate  
at \*  
subject to the provisions of the above-named Ordinance.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_.

(Signed)

\* Here describe accurately the situation of the house or building.

5.

C.

(Section 21 (3) )

## INTOXICATING LIQUOR LICENSING ORDINANCE.

*Application to Transfer a Spirit Shop Licence from one Premises to Another.*

To the District Commissary of the  
fiscal district.

I, \_\_\_\_\_ residing at \_\_\_\_\_  
in the county of \_\_\_\_\_ hereby make application that the  
spirit shop licence no. \_\_\_\_\_ now held by me in respect of the house  
situate at \_\_\_\_\_ may be transferred to, and held  
by me in respect of the building situate at \*  
subject to the provisions of the above-named Ordinance.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_.

(Signed)

\* Here describe accurately the situation of the premises and the shop or building, and state the number of rooms (all of which shall be numbered) and their situation in such shop or building, and state also in which room or rooms of the shop it is proposed to sell intoxicating liquor.

*Example.*—Lot no 360, Bourda, Georgetown, consisting of a two-storey building containing 8 rooms, 4 on the lower storey and 4 on the upper storey, numbered 1 to 8, consecutively; in rooms numbered 1, 2, 3, 4, it is intended to sell intoxicating liquor.

6.

A.

(Section 27 (1) )

## INTOXICATING LIQUOR LICENSING ORDINANCE.

*Application for a Provisional Grant of Hotel Licence.*

To the District Commissary of the  
fiscal district.

I, \_\_\_\_\_ residing at \_\_\_\_\_  
in the county of \_\_\_\_\_ hereby make application for a  
provisional grant of a certificate for a hotel licence to sell intoxicating liquor  
in the house about to be constructed (or in course of construction) at the  
premises occupied by me and situate at \*  
subject to the provisions of the above-named Ordinance.

The plans of the said house are hereto annexed marked A.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_.

(Signed)

\* Here describe accurately the situation of the house or building.



6.

B.

(Section 27 (1) )

## INTOXICATING LIQUOR LICENSING ORDINANCE.

*Application for a Provisional Grant of a Tavern Licence.*

To the District Commissary of the  
fiscal district.

I, \_\_\_\_\_ residing at \_\_\_\_\_  
in the county of \_\_\_\_\_ hereby make application for a  
provisional grant of a certificate for a tavern licence to sell intoxicating  
liquor in the house about to be constructed (or in course of construction)  
at the premises occupied by me and situated at \*  
subject to the provisions of the above-named Ordinance.

The plans of the said house are hereto annexed marked A.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_.

(Signed)

\* Here describe accurately the situation of the house or building.

6.

C.

(Section 27 (1) )

## INTOXICATING LIQUOR LICENSING ORDINANCE.

*Application for a Provisional Grant of a Spirit Shop Licence.*

To the District Commissary of the  
fiscal district.

I, \_\_\_\_\_ residing at \_\_\_\_\_  
in the county of \_\_\_\_\_ hereby make application for a  
provisional grant of a certificate for a spirit shop licence to sell intoxicating  
liquor in the building about to be constructed (or in course of construction)  
situate at \*  
subject to the provisions of the above-named Ordinance.

The plans of the said building are hereto annexed marked A.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_.

(Signed)

\* Here describe accurately the situation of the premises and the shop or building, and state the number of rooms (all of which shall be numbered) and their situation in the shop or building and state also in which room or rooms of the shop it is proposed to sell intoxicating liquor.

*Example.*—Lot no. 360, Bourda, Georgetown, consisting of a two-storey building containing 3 rooms, 4 on the lower storey and 4 on the upper storey, numbered 1 to 8, consecutively; in rooms numbered 1, 2, 3, 4, it is intended to sell intoxicating liquor.

7.

(Section 28 (1) )

## INTOXICATING LIQUOR LICENSING ORDINANCE.

*Application for a Liquor Store Licence.*

To the Chief Commissary,  
Georgetown.

I, \_\_\_\_\_ residing at \_\_\_\_\_  
in the county of \_\_\_\_\_ hereby make application for a liquor  
store licence to sell spirituous liquor in the premises occupied by me and  
situate at \* \_\_\_\_\_  
subject to the provisions of the above-named Ordinance.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_.

(Signed)

\* Here describe accurately the situation of the house or building and the position of the room or rooms in such house or building, and state in which room or rooms it is intended to keep spirituous liquor.

*Example.*—Lot no. 67, Robb's Town, Georgetown, consisting of a two-storey building containing 8 rooms of which the room on the lower storey in the centre of the building marked "A" is intended to be used as a liquor store.

8.

(Section 29 (1) )

## INTOXICATING LIQUOR LICENSING ORDINANCE.

*Liquor Store Licence.*

WHEREAS \_\_\_\_\_ of \_\_\_\_\_  
on the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_, applied to  
the Chief Commissary for a licence to keep a liquor store at the premises  
situate at \_\_\_\_\_ in the county of \_\_\_\_\_

These are, therefore, to authorise and license the said \_\_\_\_\_  
to keep a liquor store and sell spirituous liquor and to keep the liquor in  
the following room \_\_\_\_\_

This licence is issued under and subject to the provisions of the above-named Ordinance.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_.

\_\_\_\_\_  
Chief Commissary.









Intoxicating Liquor Licensing  
Ordinance.

11.

(Section 58 (2) (a) )

(Section 58 (2) (a) )

INTOXICATING LIQUOR LICENSING ORDINANCE.

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No.	District.	No.
		<i>Authority to the Holder of a Spirit Shop Licence to sell more than Two Quarts of Rum.</i>
Date		Authority is hereby granted to _____ the holder of the
Spirit dealer		spirit shop licence no. _____ for the shop situate at _____
Locality		to sell _____ gallons of rum to _____
Purchaser		of _____ and the said _____ may remove
Locality		the said _____ gallons of rum to _____ within
No. of gallons		hours from _____ o'clock of the _____ day of _____ 19
Time allowed		
Reasons alleged in application		

Given under my hand this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_.

Commissary of Taxation.

INTOXICATING LIQUOR LICENSING.

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Intoxicating Liquor Licensing  
Ordinance.

(Section 58 (2) (b) )

12

(Section 58 (2) (b) )

## INTOXICATING LIQUOR LICENSING ORDINANCE.

No.	District.	No.		
Date	<i>Authority to Remove more than Two Quarts of Rum.</i>			
Licence holder		I	the holder of a spirit shop	
Locality		licence no.	for the shop situate at	have this day
Purchaser		sold to	of	gallons of
Number of gallons		rum of a strength (by Sikes' Hydrometer) of		and authority is
Strength (by Sikes' Hydrometer)		hereby granted to him to remove the said		gallons of rum to
Time allowed			within	hours from
Reasons alleged in application		the	day of	, 19
		Given under my hand this	day of	, 19
				Spirit shop licence-holder.

NOTE.—This permission does not authorise the removal of rum from one licensed premises to another.



13.

(Section 65)

## INTOXICATING LIQUOR LICENSING ORDINANCE.

*Order of Condemnation*

County of

Be it remembered that on the                    day of                    19  
at                    in the said colony, the following articles, to wit (1)  
were duly seized on certain premises said to be in the occupation of one  
(2)                    and that (3)                    has claimed the said  
articles, and that the claim has been this day adjudicated on by me, and that  
I have condemned, as I do hereby condemn (4)                    and I  
hereby adjudge (3)                    to pay to (5)                    the  
sum of                    for costs in that behalf, and if the said sum be not  
paid forthwith (or on or before the                    day of                    19                    )  
I adjudge the sum to be levied by distress and sale of the goods and chattels  
of (3)                    and, in default of sufficient distress in that behalf  
I adjudge (3)                    to be imprisoned in the gaol at  
in the said colony for the space of (6)                    from the date of  
these presents.

Dated this                    day of                    , 19                    .

Magistrate.

- (1) Describe all the articles seized.
- (2) Name of occupier of premises.
- (3) Name of claimant.
- (4) Specify the articles condemned.
- (5) Name of commissary of taxation and also of any other seizing officer who may be a defendant, if he has any costs.
- (6) Not to exceed two calendar months.

14

(Section 71)

## INTOXICATING LIQUOR LICENSING ORDINANCE.

*Special Permit to keep Spirituous Liquor for Scientific Purposes.*

Special permission is hereby granted to \_\_\_\_\_ of \_\_\_\_\_ engaged in \_\_\_\_\_  
 (or carrying on the manufacture, or trade, or business of \_\_\_\_\_) at \_\_\_\_\_ in the county of \_\_\_\_\_  
 to remove from \_\_\_\_\_ to the factory premises of the said \_\_\_\_\_ for the purpose of being there exclusively  
 used in the bonâ fide preparation of (or dealing with, *describing the mode of dealing*) and not otherwise, and there to keep and use  
 exclusively for the purpose aforesaid, spirituous liquor, the particulars whereof are as follows :—

Kind of spirituous liquor.	Number of gallons.	Degree of strength.	Whether coloured or not.	Name and place where made.	Kind of package.	Number of package.	Marks of package.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_.

Chief Commissary.



15.

(Section 87 (2))

## INTOXICATING LIQUOR LICENSING ORDINANCE.

*Adjudication of Forfeiture of Tavern or Spirit Shop Licence.*

County of

WHEREAS holder of the  
spirit shop (or tavern) licence no. has this day been convicted before  
and by me of an offence under the Intoxicating Liquor Licensing Ordinance  
and whereas it has been shown to me that the said  
has been heretofore twice convicted of offences under the said Ordinance ;  
now, by virtue of the provisions of section 86 of the said Ordinance, I do  
hereby adjudge and declare the said licence to be forfeited.

Dated this            day of            , 19

Magistrate.