

AN ACT REGULATING THE SALE OF INTOXICATING LIQUORS WITHIN THE CITY OF MANILA AND ITS ATTACHED BARRIOS.

Act No. 59, December 14, 1900

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By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. All laws and regulations heretofore governing the issue of licenses for the sale of liquor within the jurisdictional limits of the city of Manila are hereby repealed and the following substituted therefor, but nothing herein shall be construed as affecting any outstanding license issued conformably to the laws and regulations formerly existing until such licenses shall have expired or, have been revoked for cause.

SEC. 2. A license for a period of six months may be issued to a person or persons of good character, authorizing him or them to keep and maintain, at a place to be specified in the license, a saloon, bar or drinking place for the sale of intoxicating liquors, including thereunder fermented vinous, fermented malt, and spirituous beverages in quantities less than one gallon (three and seventy-eight one-hundredths litres), upon payment in advance of the sum of six hundred pesos. A license of this class shall be known as a "first-class bar license."

SEC. 3. A license for a period of six months may be issued to a person or persons of good character, authorizing him or them to keep and maintain, at a place to be specified in the license, a saloon, bar or drinking place for the sale of fermented malt or fermented vinous liquors only, in quantities less than one gallon (three and seventy-eight one-hundredths litres), upon payment in advance of the sum of three hundred and fifty pesos. A license of this class shall be known as a "second-class bar license."

SEC. 4. A license for a period of six months may be issued to a person or persons of good character, owning or managing a bona fide theater, authorizing him or them to keep and maintain a bar in the theater, for the sale of fermented vinous, fermented malt, and spirituous liquors in quantities less than one gallon (three and seventy-eight one-hundredths litres), which liquors may be sold or served to bona fide guests of the theater in their seals or elsewhere on the premises, under such restrictions as to hours as may be prescribed by the Provost-Marshal-General, upon payment in advance of the sum of eight hundred pesos. A license of this class shall be known as a "theater liquor license."

SEC. 5. No application for a license, or for a renewal thereof, to conduct a first or a second class bar, shall be received until the applicant or applicants shall have, at his or their own expense, published a notice in six consecutive editions of one Spanish and one English newspaper, to be designated by the Provost-Marshal-General, which notice shall be in such form as the Provost-Marshal-General may determine, and shall set forth the fact that, on a certain date, it is proposed by such applicant or applicants to make application at the Department of Licenses and Municipal Revenue for a license to conduct a bar in the building situated on a specified street and at a specified number. Such notice shall be signed by the applicant or applicants, and copies of the newspapers containing the notice shall be filed with the application.

SEC. 6. All saloons, bars and other drinking places shall be closed from such hour at night as the Provost-Marshal may direct, or, in the absence of such direction, from the "curfew hour," or, in the absence of such direction and if

no "curfew hour" be established, then from twelve o'clock midnight until six o'clock antemeridian the following day, except that, when the following day shall be Sunday, they shall remain closed until six o'clock antemeridian the following Monday; and it shall be unlawful for any person to sell, give away, or otherwise dispose of any fermented, malt, vinous, or spirituous or other intoxicating liquors between the above-mentioned hours, except as hereinafter provided for, but the words "give away" where they occur in this Act shall not apply to the giving away of intoxicating liquors by a person in his private dwelling unless such private dwelling becomes a place of public resort.

SEC. 7. (a) A license for a period of six months may be issued to a person or persons of good character, owning or managing bona fide hotels, restaurants or cafes, authorizing him or them to sell, serve, give away or otherwise dispose of fermented vinous, fermented malt, and spirituous beverages or liquors, in quantities less than one gallon (three and seventy-eight one-hundredths litres), to bona fide guests of such hotels, restaurants or cafes with bona fide meals at any and all hours, upon the payment in advance of the sum of two hundred and fifty pesos. A license of this class shall be known as a "first-class restaurant liquor license."

(b) A license for a period of six months may be issued to a person or persons of good character, owning or managing bona fide hotels, restaurants or cafes, authorizing him or them to sell, serve, give away or otherwise dispose of fermented malt or fermented vinous beverages or liquors in quantities less than one gallon (three and seventy-eight one-hundredths litres), to bona fide guests of such hotels, restaurants or cafes with bona fide meals at any and all hours, upon the payment in advance of the sum of one hundred and fifty pesos. A license of this class shall be known as a "second-class restaurant liquor license."

SEC. 8. (a) A license for a period of six months may be issued to a person or persons of good character, owning or managing bona fide hotels and holding for such hotel a "first-class restaurant liquor license," authorizing him or them to sell, serve, give away or otherwise dispose of fermented vinous, fermented malt, and spirituous beverages or liquors, in quantities less than one gallon (three and seventy-eight one-hundredths litres), to bona fide guests of such hotels in their rooms at any and all hours upon payment in advance of the sum of two hundred and fifty pesos. A license of this class shall be known as a "first-class hotel liquor license."

(b) A license for a period of six months may be issued to a person or persons of good character, owning or managing bona fide hotels, and holding for such hotel a "second-class restaurant liquor license," authorizing him or them to sell, serve, give away or otherwise dispose of fermented malt and fermented vinous beverages or liquors, in quantities less than one gallon (three and seventy-eight one-hundredths litres), upon payment in advance of the sum of one hundred and fifty pesos. A license of this class shall be known as a "second-class hotel liquor license."

SEC. 9. None of the above-mentioned licenses: shall be construed to permit the keeping in stock, selling, giving away or otherwise disposing of any of the so-called native wines, such as "vino," "anisado," "tuba," etc., and it shall be unlawful to keep in stock, sell, give away or otherwise dispose of any such so-called native wines at any place for the keeping or maintaining of which any of the above-mentioned licenses shall have issued.

SEC. 10. It shall be unlawful for any person or persons to conduct or maintain any saloon, bar or drinking place without first having obtained a license therefor, or to keep in stock, sell, give away or otherwise dispose of any intoxicating liquors that are not included within the license so obtained; and it shall likewise be unlawful for the proprietor or manager of any hotel, restaurant or cafe to keep in stock, sell, serve, give away or otherwise dispose of any intoxicating liquor without having obtained a license therefor as prescribed in this Act. It shall be unlawful for any employee or agent of the proprietor of a saloon, bar, drinking place, hotel, restaurant or cafe to sell or give away liquor when no license has been issued to his principal authorizing the same.

SEC. 11. It shall be unlawful to play or permit to be played any musical instrument or conduct or operate or permit to be conducted or operated any gambling device, slot machine, phonograph, billiard or pool table or other form of amusement in saloons, bars or drinking places, but this shall not be construed as prohibiting music in the dining or other rooms than the bar rooms of bona fide hotels holding liquor licenses, or in theaters holding "theater liquor licenses."

It shall be unlawful for the holder of licenses herein provided for to maintain any but a clean, quiet, and orderly place, or to sell or serve or permit to be sold or served any intoxicating liquors to any intoxicated person, or to permit such persons to be or remain in or about the premises where such liquors are kept for sale or to sell or keep therein any wine, beer, or liquor, except such as is of good standard quality and free from adulteration.

SEC. 12. A license for a period of six months may be issued to a person or persons of good character, authorizing him or them to maintain a shop for the keeping in stock, selling, giving away or otherwise disposing of such native wines (so-called) and liquors only as are not now, or shall not hereafter be, prohibited to be manufactured and sold, in quantities less than one gallon (three and seventy-eight one-hundredths litres), upon payment in advance of the sum of one and one-half pesos, but no such license shall be construed to include or authorize the keeping in stock, selling, giving away or otherwise disposing of any of the liquors or beverages included within the licenses provided for in sections two and three of this Act, and it shall be unlawful to keep in stock, sell, give away or otherwise dispose of any of such liquors or beverages at any place licensed for the sale of native wines and liquors. A license of this class shall be known as a "native wine license," and it shall be unlawful for any person or persons to sell such native wines or liquors or to maintain a shop for keeping in stock, selling, serving, giving away or otherwise disposing of any such native wines or liquors without such license, or having obtained such license, to sell, serve, give away or otherwise dispose of such wines and liquors except as herein prescribed.

SEC. 13. Licenses for periods of one year may be issued to any person or persons of good character, operating a regularly licensed bona fide apothecary shop or drug store, authorizing him or them to sell, give away or otherwise dispose of fermented malt, fermented vinous, and spirituous liquors, in quantities not less than one bottle nor more than one case or one barrel of bottles, and of such intoxicating liquors as may be kept in bulk, to sell, give away or otherwise dispose of not less than two litres nor more than fifty litres at any one time or to any one person, upon payment in advance of the sum of one hundred pesos. Such license shall be known as a "'druggists' liquor license," and it shall be unlawful for the proprietor of any drug store or apothecary shop or for his employees or agents to sell, serve, give away or otherwise dispose of any intoxicating liquors without such license, or, having obtained such license, to sell, serve, give away or otherwise dispose of such intoxicating liquors except as herein provided, or to allow any such liquors to be drunk upon the premises.

SEC. 14. Licenses for periods of one year may be issued to any person or persons of good character, operating a regularly licensed, bona fide grocery store, authorizing him or them to sell, give away or otherwise dispose of malt, fermented, vinous, and spirituous liquors, in quantities not less than one bottle, nor more than one case or one barrel of such bottles, and of such intoxicating liquors as may be kept in bulk, to sell, give away or otherwise dispose of not less than two litres nor more than fifty litres at any one time or to any one person, upon payment in advance of the sum of one hundred pesos. Such license shall be known as a "grocery liquor license" and it shall be unlawful for the proprietor of any grocery or any of his employees or servants to sell, serve, give away or otherwise dispose of any intoxicating liquors without such license, or having obtained such license, to sell, serve, give away, or otherwise dispose of such intoxicating liquors except as herein provided, or to allow any such liquors to be drunk upon the premises.

SEC. 15. Licenses for periods of one year may be issued to any person or persons of good character, authorizing him or them to conduct the business of a brewer, and to sell, give away or otherwise dispose of the products of his

or their brewery in quantities of one gallon (three and seventy-eight one-hundredths litres) or more upon payment in advance of the sum of one thousand two hundred pesos. A license of this class shall be known as a "brewer's license," and it shall be unlawful for any person or persons to conduct any brewery without such license, or, having secured such license, to sell, give away or otherwise dispose of the products of such brewery except as herein prescribed.

SEC. 16. Licenses for periods of one year may be issued to any person or persons of good character, authorizing him or them to conduct the business of a distiller of alcoholic liquors and to sell, give a way or otherwise dispose of the products of such distillery, in quantities of one gallon (three and seventy-eight one-hundredths litres) or more, upon payment in advance of the sum of six hundred pesos. A license of this class shall be known as a "distiller's license," and it shall be unlawful for any person or persons to conduct any distillery for the manufacture of alcoholic liquors without such license, or, having secured such license, to sell, give away or otherwise dispose of the products of such distillery except as herein prescribed.

SEC. 17. Licenses for periods of one year may be issued to any person or persons of good character, authorizing him or them to keep in stock and sell or give away fermented malt, vinous, and spirituous liquors in quantities of one gallon (three and seventy-eight one-hundredths litres) or more, upon payment in advance of the sum one thousand two hundred pesos. A license of this class shall be known as a "first-class wholesale liquor license," and it shall be unlawful for any person or persons to sell or otherwise dispose of fermented malt, vinous, and spiritous liquors at wholesale without such license, or having obtained such license, to sell or otherwise dispose of such liquors, except as herein prescribed, but nothing herein shall be construed as prohibiting any person or persons holding a "brewer's license" or "distiller's license" from disposing of the products of such brewery or distillery.

SEC. 18. Licenses for periods of one year may be issued to any person or persons of good character, authorizing him or them to keep in stock, and sell or give away fermented malt and fermented vinous liquors in quantities of one gallon (three and seventy-eight one-hundredth litres) or more, upon payment in advance of the sum of six hundred pesos. A license of this class shall be known as a "second-class wholesale liquor license," and it shall be unlawful for any person or persons to sell, or otherwise dispose of fermented malt or fermented vinous liquors at wholesale without such license, or, having obtained such license, to sell, or otherwise dispose of any liquor but fermented malt or fermented vinous liquors, or to sell or otherwise dispose of such liquors except as herein prescribed.

SEC. 19. Licenses for periods of one year may be issued to any c person or persons of good character, authorizing him or them to keep in stock fermented vinous liquors, except champagne and other sparkling wines, and to sell such fermented vinous liquors in quantities of not less than one bottle and of such liquors as are kept in bulk, to sell not less than two litres, not to be drunk upon the premises, upon payment in advance of the sum of fifty-two pesos. Such license shall be known as a "third-class wholesale liquor license," and it shall be unlawful for any person or persons to sell, give away or otherwise dispose of fermented vinous liquors at wholesale without such license, or, having obtained such license, to sell, give away or otherwise dispose of any liquor but fermented vinous liquor, not including champagne or other sparkling wines, or to sell, give away or otherwise dispose of such liquor except as herein prescribed.

SEC. 20. No license shall be transferred from one person to another or from one place to another except by the written authority of the Provost-Marshal-General, and no transfer shall be made which involves the addition of privileges.

For all authorized transfers ten per cent of the original fee shall be collected.

SEC. 21. It shall be the duty of the holder of every license for the sale of intoxicating liquors to keep it posted in a

conspicuous place in the room where the liquors are sold and the failure to do so is hereby declared unlawful.

SEC. 22. All licenses herein provided for shall be issued by the Department of Licenses and Municipal Revenue.

SEC. 23. No license shall be granted for the sale of any intoxicating liquor in the public markets, kioskos, booths, or stands situated in the public streets or plazas, or to street vendors or peddlers, and no "first-class bar license," "second-class bar license," or "theater liquor license" shall be issued for any bar room being or having an entrance on any of the following named streets and plazas: The Escolta, Calle Rosario, Plaza Moraga, Plaza Cervantes and that portion of Calle Nueva between Calle San Vicente and the Bridge of Spain, and any of the streets, alleys, or passageways lying between Calle San Vicente and the line of that street extended to the Estero de San Jacinto, on the north, the Pasig river on the south, Calle Nueva on the west, and the Estero de San Jacinto on the east, all in the district of Binondo.

SEC. 24. Nothing in this Act shall be construed as authorizing the sale, gift or other disposal to soldiers of the United States Army of any of the so-called "native wines." such as "vino," "anisado," "tuba," etc., which is declared to be unlawful.

SEC. 25. Criminal prosecutions hereunder shall be instituted in the Provost Courts against the person or persons violating any of the provisions of this Act, and upon conviction thereof offenders shall be punishable for each offense by fine, not to exceed two hundred pesos, or imprisonment for a term not exceeding six months, or both at the discretion of the trial court.

In addition to the above penalty, any holder of a license herein provided for upon being convicted of a violation of any of the provisions of this Act, or of any police regulation or law governing the manufacture or sale of liquor, now, or which shall hereafter be, in force in Manila, shall become liable to have his, her, or their license revoked and canceled by the Provost-Marshall-General in his discretion; but in case any holder of a license herein provided for shall be convicted of selling, giving away or otherwise disposing of any intoxicating liquor during the hours wherein the sales of such liquors are prohibited, or shall be convicted of selling, giving away or otherwise disposing of liquors not included in his, her, or then license, or shall be convicted of selling, giving away or otherwise disposing of any intoxicating liquor to any intoxicated person, or shall be convicted of violating section twenty-four of this Act, in addition to the above penalty, his, her, or their license shall at once become null and void as a consequence of any such conviction.

SEC. 26. The short title of this Act shall be "The Manila Liquor Licenses Act."

SEC. 27. The provisions of this Act shall take effect upon its passage, except the provisions of section eleven, which shall take effect on January first, nineteen hundred and one, and those of section twenty-three, which shall take effect July first, nineteen hundred, and one.

Enacted, December 14, 1900.

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