

No. 14.—1879.

1st September.

AN ORDINANCE to regulate the Sale of Opium.

(L.S.) HENRY T. IRVING.

10th September, 1879.

BE it enacted by His Excellency the Governor, with the advice and consent of the Legislative Council, as follows:—

- Short title. 1. This Ordinance may be cited for all purposes as "The Opium License Ordinance 1879."
- Commence-
ment. 2. This Ordinance shall not come into operation until a day to be appointed by the Governor by proclamation.
- Duty on
opium
license. 3. From and after the commencement of this Ordinance there shall be paid to Her Majesty for the purposes of this Colony for a license to be taken out yearly by every person who sells or deals in opium, the annual duty of one pound.
- Persons
authorized to
grant
licenses. 4. The said duty may be paid to and the said license may be granted by the Receiver General or Sub-Receiver; and all moneys received directly or indirectly by the Receiver General or Sub-Receiver on account of such duty shall be accounted for and paid over as public moneys received by them for the use of Her Majesty, and in case of any default or misapplication they and each of them shall be liable to the same actions, suits, proceedings, penalties, forfeitures and punishments to which they are respectively liable in the case of other public moneys received for the use of Her Majesty.
- Form of
license. 5. Every license granted under this Ordinance shall be in such form as the Receiver General directs, and shall contain the name and description of the licensee and the description of the premises in respect of which

the license is granted, and shall be dated on the day of grant and expire on the next following thirty-first of December. No license under this Ordinance shall be granted upon payment of a less sum than the duty for a whole year, nor shall any such license be transferable.

6. Every person who grants licenses under this Ordinance shall keep a register of all such licenses granted by him, specifying the name and description of every licensee, the description of the licensed premises and the date of every such license.

Register of
licenses.

7. Every person who sells or deals in opium, without having in force a license granted to him under this Ordinance, or upon any premises other than those specified in his license, shall be guilty of an offence punishable on summary conviction and liable to a penalty not exceeding fifty pounds.

Penalty for
unlicensed
sale of opium.

8. The occupier of any unlicensed premises on which any opium is sold or dealt in, or if such premises are occupied by more than one person, every occupier thereof, shall be guilty of an offence punishable on summary conviction and liable to a penalty not exceeding fifty pounds, unless he proves to the satisfaction of the Justice or Justices before whom the case is heard that he had no notice of such sale or dealing or intended sale or dealing, or that having such notice he took all reasonable means to prevent such sale or dealing, and as soon as he reasonably could, gave information thereof to some police constable.

Penalty on
occupier in
case of sale in
unlicensed
premises.

9. No opium or compound containing opium, except tincture of opium to be used for medicinal purposes only, shall be imported or brought into this Colony except to be warehoused in the first instance in the Customs Warehouse in Port of Spain, and if any opium or compound containing opium is imported contrary to this section, or being imported is not forthwith duly entered or warehoused, the same shall be forfeited, and the importer thereof and every dealer or other person concerned in the importation thereof, or to whose hands

Prohibition
on importing
opium, except
to be
warehoused.

any such opium or compound comes, shall forfeit either treble the value thereof or the penalty of one hundred pounds at the election of the Collector of Customs.

Restrictions
on delivery of
opium for
consumption
in the colony.

10. No opium or compound containing opium shall be delivered from the customs warehouse for consumption in the Colony except under the following conditions :—

1. Such opium or compound shall be made into separate packets of such weights respectively as the Collector of Customs directs ;
2. Each such packet shall be enclosed by the importer in a wrapper or box approved by the Collector of Customs ;
3. Each such wrapper or box shall be securely fastened by a label, to be provided by the Collector of Customs and pasted on such wrapper or box by the importer, so that the packet cannot be opened nor any part of the contents thereof abstracted without tearing or destroying the label or cutting or destroying the wrapper or box at any other part or place than that on which the label is pasted or secured ;
4. Before any opium imported or warehoused is made into packets as aforesaid, the same shall be duly entered for consumption in the Colony, and the full duty of customs paid thereon.

The labels provided by the Collector of Customs under this section shall be printed or stamped with such device as the Collector of Customs thinks proper.

Penalty on
sale or
possession of
unlawfully
packed opium.

11. If any opium or compound containing opium, not being enclosed in a wrapper or box securely fastened by such label as in this Ordinance is prescribed, or of which such wrapper, box or label has been cut, torn, obliterated or cancelled, or bears any mark or appearance of having been opened or tampered with, is sold or exposed for sale by, or found in the possession of, any importer or dealer in or retailer of opium, he shall forfeit either treble the value thereof or the penalty of one hundred pounds at the election of the Collector of

Customs, and all such opium or compound shall be forfeited.

Provided that if at the commencement of this Ordinance any importer or retailer of or dealer in opium has in his possession any opium or compound containing opium he shall not till the expiration of twenty-eight days after the commencement of this Ordinance be liable to any penalty in respect of such possession, and within such period he may bring the same to the Customs Warehouse in Port of Spain, and may there wrap or enclose and label the same according to this Ordinance, first rendering an account thereof and showing to the satisfaction of the Collector of Customs that the duty due on the importation thereof has been duly paid.

12. If any person forges or counterfeits any label provided by the Collector of Customs pursuant to this Ordinance or the device thereon, or utters any such label or device knowing the same to be forged or counterfeited he shall be guilty of a misdemeanor, and on conviction thereof may be imprisoned with or without hard labour for any term not exceeding two years. Forgery of labels.

13. If any vendor of any packet of opium or compound containing opium labelled as required by this Ordinance fails on the sale thereof and before delivery to the purchaser to obliterate the label so as to render the same incapable of being again used for the same purpose, he shall be guilty of an offence punishable on summary conviction and liable to a penalty not exceeding twenty pounds. Penalty on not defacing label.

14. Any penalty incurred under this Ordinance, except in respect of an offence punishable on summary conviction shall be recoverable as if it were a penalty incurred under "The Customs Ordinance, 1878." Recovery of penalties.

15. Nothing in this Ordinance shall apply to a licensed druggist importing for medicinal purposes opium or any compound containing opium, or selling Saving as to druggists.

and delivering any medicine, whether for man or any animal, containing opium, or when ordered by the prescription of a legally qualified medical practitioner, un-compounded opium.

Passed in Council this first day of September, in the year of our Lord one thousand eight hundred and seventy-nine.

G. F. BUSHE,
Acting Clerk of the Council.

No. 15.—1879.

3rd November.

AN ORDINANCE to amend the Law as to the recovery of Public Land Charges.

(L.S.) HENRY T. IRVING.

5th November, 1879.

BE it enacted by His Excellency the Governor, with the advice and consent of the Legislative Council, as follows:—

- Short title. 1. This Ordinance may be cited for all purposes as “The Public Land Charges Ordinance, 1879.”
- Commence-
ment. 2. This Ordinance shall not come into operation until the first day of January, one thousand eight hundred and eighty, which day is in this Ordinance referred to as the commencement of this Ordinance.
- Interpreta-
tion. 3. In this Ordinance the expression “Public Land-Charge” means—
1. Any quit-rent payable to Her Majesty the Queen in respect of any lands in this Colony;