



*United Nations*

E/NL.1950/115  
29 December 1950

## **LAWS AND REGULATIONS**

PROMULGATED TO GIVE EFFECT TO THE PROVISIONS OF  
THE CONVENTION OF 13 JULY 1931 FOR LIMITING  
THE MANUFACTURE AND REGULATING THE DISTRIBUTION  
OF NARCOTIC DRUGS  
AS AMENDED BY THE PROTOCOL OF 11 DECEMBER 1946

## **UNITED STATES OF AMERICA**

COMMUNICATED BY THE GOVERNMENT OF THE  
**UNITED STATES OF AMERICA**

Lake Success,  
New York, 1950

Note by the Secretary-General

In accordance with Article 21 of the Convention of 13 July 1931 for Limiting the Manufacture and Regulating the Distribution of Narcotic Drugs, as amended by the Protocol of 11 December 1946, the Secretary-General has the honour to communicate hereafter the text of a law.

STATE OF NEW YORK

No. 2783

Int. 2573

IN SENATE

February 21, 1950

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Introduced by Mr. MITCHELL—read twice and ordered printed,  
and when printed to be committed to the Committee on Codes

AN ACT

To amend the penal law, in relation to narcotic drugs

*The People of the State of New York, represented in Senate and  
Assembly, do enact as follows:*

1 Section 1. Section seventeen hundred fifty-one of the penal law,  
2 as last amended by chapter one hundred sixty-eight of the laws  
3 of nineteen hundred thirty-eight, is hereby amended to read as  
4 follows:

5 § 1751. Violations as felonies of public health law with respect  
6 to narcotic drugs. 1. Any person who shall peddle, sell, barter or  
7 exchange any narcotic drug, as defined in section four hundred  
8 twenty-one of the public health law, in violation of article twenty-  
9 two of such law, shall be guilty of a felony, punishable by imprison-  
10 ment for a term not exceeding ten years.

11 2. *Any person who shall possess or have under his control*  
12 *any preparation, compound or mixture containing any narcotic*

EXPLANATION — Matter in *italics* is new; matter in brackets [ ] is old law to  
be omitted.

1 *drug, as defined in section four hundred twenty-one of the public*  
2 *health law, with intent to peddle, sell, barter or exchange the same*  
3 *or any part thereof, or to aid, abet or directly or indirectly counsel,*  
4 *command, induce, or procure the peddling, sale, barter or exchange*  
5 *of the same or any part thereof, in violation of article twenty-two*  
6 *of the public health law, shall be guilty of a felony, punishable*  
7 *by imprisonment not exceeding ten years.*

8 *3. Such intent is presumptively established by proof that the*  
9 *person knowingly possessed or had under his control, in viola-*  
10 *tion of article twenty-two of the public health law, a total of two*  
11 *or more ounces of one or more of said preparations, compounds*  
12 *or mixtures containing three per centum or more of the respective*  
13 *alkaloids of heroin, morphine or cocaine, or sixteen or more ounces*  
14 *of one or more of said preparations, compounds or mixtures*  
15 *containing opium, cannabis indica, or any other narcotic drug,*  
16 *as defined in section four hundred twenty-one of the public health*  
17 *law. Avoidupois ounces shall be used for solids or semi-solids and*  
18 *fluid ounces for liquids.*

19 *4. The presumption may be rebutted.*

20 *§ 2. This act shall take effect immediately.*