



UNITED NATIONS

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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

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 the following legislative text.

New York, 1951

UNITED STATES OF AMERICA

LAWS OF NEW YORK. -By Authority

CHAPTER 529

AN ACT to amend the penal law, in relation to violations of the public health law with respect to narcotic drugs

Became a law April 4, 1951, with the approval of the Governor. Passed, by a majority vote, three-fifths being present

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

Section 1. Section seventeen hundred fifty-one of the penal law, as last amended by chapter three hundred forty-six of the laws of nineteen hundred fifty, is hereby *repealed*, and a new section is hereby inserted in lieu thereof, to be section seventeen hundred fifty-one, to read as follows:

§ 1751. *Violations of the public health law with respect to narcotic drugs.*

1. Any person who shall barter or exchange with or sell, give or offer to give to another any narcotic drug, as defined in section four hundred twenty-one of the public health law, in violation of section four hundred twenty-two or any other section of article twenty-two of such law shall be punishable by imprisonment for an indeterminate term the minimum of which shall be not less than five years if such barter or exchange is with or such sale, gift or offer of gift is to another who is under the age of twenty-one, and not less than two years if such barter (if) exchange is with or such sale, gift or offer of gift is to another who is twenty-one years of age or over, and the maximum of which shall be not more than fifteen years.
2. Any person who shall possess or have under his control any narcotic drug, as defined in section four hundred twenty-one of the public health law, with intent to barter or exchange with, or to sell or give to another the same, or any part thereof, or to aid, abet, or directly or indirectly counsel, command, induce or procure the barter or exchange with or the sale or gift to another of the same or any part thereof, in violation of section four hundred twenty-two or any other section of article twenty-two of the public health law, shall be punishable by imprisonment for an indeterminate term the minimum of which shall be not less than two years and the maximum of which shall be not more than fifteen years.

(1). So in original bill - should be "or"

Such intent is presumptively established by proof that the person knowingly possessed or had under his control, in violation of section four hundred twenty-two or any other section of article twenty-two of the public health law, one or more preparations, compounds, mixtures or substances, each containing three per centum or more of the respective alkaloids of heroin, morphine or cocaine, of an aggregate weight of two or more ounces, or one or more preparations, compounds, mixtures or substances each containing one or more than one of any of the other narcotic drugs as defined in section four hundred twenty-one of the public health law, of an aggregate weight of sixteen ounces or more. In determining said weight, avoirdupois ounces shall be used for solids or semi-solids and fluid ounces for liquids. This presumption may be rebutted.

§ 2. This act shall take effect July first, nineteen hundred fifty-one.

STATE OF NEW YORK, }
Department of State. } ss:

I have compared the preceding with the original law on file in this office, and do hereby certify that the same is a correct transcript therefrom and of the whole of said original law.

Secretary of State

E/NL.1951/88

CHAPTER 530

AN ACT to amend the penal law, in relation to punishment for illegal traffic in narcotic drugs

Became a law April 4, 1951, with the approval of the Governor. Passed, by a majority vote, three-fifths being present

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

Section 1. Section seventeen hundred fifty-one of the penal law, as added by a chapter of the laws of nineteen hundred fifty-one, is hereby amended by adding thereto a new subdivision, to be subdivision three, to read as follows:

3. Any person who shall possess or have under his control, in violation of section four hundred twenty-two or any other section of article twenty-two of the public health law, one or more preparations, compounds, mixtures or substances, each containing one per centum or more of the respective alkaloids of heroin, morphine, or cocaine of an aggregate weight of one quarter ounce or more, or one or more preparations, compounds, mixtures or substances, each containing one or more than one of any of the other narcotic drugs as defined in section four hundred twenty-one of the public health law, of an aggregate weight of two ounces or more, shall be punishable by imprisonment for an indeterminate term the minimum of which shall be not less than two years and the maximum of which shall be not more than ten years. In determining said weight, avoirdupois ounces shall be used for solids or semi-solids and fluid ounces for liquids.

§ 2. This act shall take effect July first, nineteen hundred fifty-one.

STATE OF NEW YORK, }
Department of State. } ss:

I have compared the preceding with the original law on file in this office, and do hereby certify that the same is a correct transcript therefrom and of the whole of said original law.

Secretary of State