



1906.

ANNO SEXTO

EDWARDI VII. REGIS,

No. 6.



AN ACT to prohibit the Smoking of Opium,  
and for other purposes. [13 September, 1906.]

A.D. 1906.

BE it enacted by His Excellency the Governor of *Tasmania*, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

1 This Act may be cited as "The Opium Smoking Prohibition Act, 1906," and shall come into operation on the First day of *January*, One thousand nine hundred and seven.

Short title and commencement.  
Vic., 1905, No. 2003, s. 1.

2 No person shall smoke opium.

Opium smoking prohibited.

3 No person shall sell or deal or traffic in opium in any form suitable for smoking.

*Ibid.*, s. 2.  
Opium sale prohibited.  
*Ibid.*, s. 3.

4 No person shall prepare or manufacture opium in any form suitable for smoking.

Opium preparation for smoking prohibited.

5 No person shall have in his possession, order, or disposition opium in any form suitable for smoking.

*Ibid.*, s. 4.  
Possession of opium prohibited.  
*Ibid.*, s. 5.

4d.]

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Permit for  
possession of  
opium.  
Vic., 1905, No.  
2003, s. 6.

Record of opium  
kept or disposed  
of.

*Ibid.*, s. 7.

**6** No person shall have in his possession, order, or disposition opium in any form, which, though not suitable for smoking, may yet be made suitable, unless he holds a permit so to do, issued by the Chief Secretary of *Tasmania*, who may at any time cancel the permit.

**7** The person named in the permit mentioned in the next preceding Section shall from time to time enter or cause to be entered in a book kept for that purpose—

- i. the quantity and description of opium held under the permit, together with the date when he acquired the same, and the name of the person from whom the same was acquired : and
- ii. particulars stating how any such opium has been disposed of, whether by process of manufacture or by sale : and
- iii. if by process of manufacture, the entry shall state the amount and description of opium used and the purpose for which it is intended to be used, together with the date of such disposition : and
- iv. if by sale, the entry shall state the amount and description of opium sold, together with the date of such sale and the name and address of the purchaser, and every such entry shall be verified by the signature of such purchaser and the person making the same.

Meaning of  
possession.  
*Ibid.*, s. 8.

**8** Without restricting the meaning of the word “possession,” opium shall be deemed to be in the possession of any person so long as it remains or is upon any land or premises occupied by him, or is used, enjoyed, or controlled by him in any place whatever, unless it be shown that he had no knowledge thereof.

Search for opium.  
Cf. *ibid.*, s. 9.

**9** If any member of the police force has reasonable cause to suspect that there is in or on any house, premises, or place, any opium in contravention of this Act, or that opium is being smoked therein or thereon, he may, if expressly authorized in that behalf by a warrant of a Justice of the Peace, by virtue of such warrant, enter at any time, and if needs be by force, any such house, premises, or place, and every part thereof, and examine and search the same, and seize and carry away any such opium, and arrest all persons therein found offending against this Act.

A Justice of the Peace may in his discretion, upon information made and reasonable cause for suspicion assigned upon oath by any such member of the police force, grant and issue the said warrant to him.

All opium seized under this Section shall, on conviction of the person in whose possession the same was found, be forfeited to His Majesty, and shall be forthwith destroyed.

Penalty.  
*Ibid.*, s. 10.

**10** Any person who offends, or aids, abets, or is privy to offending, against any of the provisions of this Act shall be liable on conviction to a penalty of not less than Ten Pounds nor more than Two hundred

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Pounds, or to be imprisoned for any term of not less than One month nor more than Twelve months, or to both such penalty and imprisonment A.D. 1906.

**11**—(1.) All informations for offences against this Act, and all penalties imposed by this Act, shall be heard, determined, and recovered in a summary way by and before a Police Magistrate or any Two or more Justices of the Peace in the mode prescribed by *The Magistrates Summary Procedure Act* Offences to be dealt with summarily. 19 Vict. No. 8.

(2.) All penalties recovered under this Act shall be paid into the Treasury of *Tasmania*, and form part of the Consolidated Revenue Fund. Appropriation.

CHAPTER I

The first part of the history of the United States is the story of the early years of the Republic. It is a story of struggle and sacrifice, of the men who laid the foundation of the nation. The story begins with the signing of the Declaration of Independence in 1776. It is a story of the men who fought for the right of self-government, of the men who risked their lives for the sake of a new nation. It is a story of the men who built the nation from a wilderness of savages and Indians. It is a story of the men who created a government of laws, of the men who established a system of justice. It is a story of the men who made the United States a great and powerful nation.