

**ACT No. XIV. OF 1851.**

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*Passed by the Hon'ble the President of the Council of India  
in Council on the 21st November 1851, with the assent  
of the Most Noble the Governor General of India.*

*An Act for consolidating the laws for collecting a Revenue of Excise on  
Spirituous Liquors and Intoxicating Drugs in the Settlement of  
Prince of Wales' Island, Singapore and Malacca.*

**WHEREAS** it is expedient to make better provision for the collection of a Revenue of Excise upon Opium, Chandoo, Toddy and Bang, Arrack and Spirits, and the granting of Excise Licences for the sale of the said Articles by retail within the Settlement of Prince of Wales' Island, Singapore and Malacca, It is enacted as follows :

I. Regulations II., IV., and V. of 1830, passed by the Governor of Prince of Wales' Island, Singapore and Malacca in Council, Regulation IV. of 1831 and Act No. V. of 1839, passed by the President of the Council of India in Council, and Regulation X. of 1833, passed by the Governor General of India in Council, are repealed.

II. The exclusive right of making Chandoo or other preparation of Opium for smoking, and of retailing Chandoo, or Opium in smaller quantities than one chest; and the exclusive right of retailing Spirituous

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Liquors

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Liquors and Arrack in less quantities than One Hundred and Sixty Gallons, and of making and distilling Arrack and Spirituous Liquors; and the exclusive right of selling Toddy and Bang within the Settlement of Prince of Wales' Island, Singapore and Malacca, shall be vested, from time to time, in such persons as the Governor, or other Chief Civil Authority of the said Settlement, or such public Officer by him thereto authorized, may license for that purpose, on such conditions as may be determined, either by public or private sale of such exclusive rights.

III. Any person in whom the exclusive right of making Chandoo or other preparation of Opium for smoking, and of retailing Opium in smaller quantities than one chest shall be vested, shall be called the "*Opium Farmer* of Prince of Wales' Island, or of Singapore, or of Malacca, as the case may be;" and the person in whom the exclusive right of retailing Spirituous Liquors and Arrack in less quantities than One Hundred and Sixty Gallons, and of making and distilling Arrack and Spirituous Liquors shall be vested, shall be called the "*Spirit Farmer* of Prince of Wales' Island, or of Singapore, or of Malacca, as the case may be;" and the person in whom the exclusive right of selling Toddy and Bang shall be vested, shall be called the "*Toddy Farmer* of Prince of Wales' Island, or of Singapore, or of Malacca, as the case may be."

IV. The number of Houses or Shops to be severally registered under this Act for the retailing, or smoking of Chandoo or prepared Opium, and for retailing Spirituous Liquors and Arrack, and for the retail of Toddy or Bang, within the said Settlement and places, shall be determined, from time to time, by the Governor or other Chief Civil Authority of the said Settlement, or by such public Officer or Officers as he may authorize for that purpose; and the said Houses or Shops shall, as regards their situation and hours for opening and closing, be subject to

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to such Rules and penalties as the said Governor or other Chief Civil Authority shall, from time to time, make in that behalf.

V. The Superintendent of Police at each of the Stations of Prince of Wales' Island, Singapore, and Malacca, shall grant to the keeper of every such House or Shop a Licence, which shall contain the name of the keeper or keepers, and the situation of the House or Shop, and shall be registered in the Police Office of the Station in which the same shall be granted; for which grant and registration the following Fees shall be paid, that is to say, for an Opium House, Three Dollars; for a Tavern, Five Dollars; for an Eating House or Spirit Shop, Three Dollars; for a Toddy Shop, Two Dollars: and every such Licence may be recalled and cancelled by the Superintendent of Police with the sanction of the Chief Local Authority as occasion shall appear to him to require: and every person who shall open or keep such House or Shop, without having first obtained and registered such Licence, shall forfeit a penalty not exceeding Fifty Dollars.

VI. Every Farmer under this Act, and every keeper of any House or Shop registered under this Act, who shall sell or exchange Opium, prepared or unprepared, Spirituous Liquor or Arrack, Toddy or Bang, otherwise than for the Coin usually current within the said Settlement, shall forfeit a penalty not exceeding Twenty-five Dollars.

VII. Every person within the said Settlement, who shall deliver to any servant or labourer any Opium prepared or unprepared, Spirituous Liquor or Arrack, Toddy or Bang, in consideration of wages or hire due to such servant or labourer, or on any account whatsoever, shall forfeit a penalty not exceeding Fifty Dollars.

VIII. Every

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VIII. Every keeper of any House or Shop registered under this Act, who shall allow any person to gamble therein, or in whose House any person shall be found gambling, shall forfeit a penalty not exceeding Twenty-five Dollars.

IX. Every keeper of any House or Shop registered under this Act, who shall knowingly allow any person to be therein, with any kind of Arms or offensive Weapon upon his person, shall forfeit a penalty not exceeding Fifty Dollars.

X. Every person, other than the Opium Farmer of the Station, who shall make Chandoo or any other preparation of Opium for smoking within the said Settlement, or who shall import thereto any Chandoo or Opium prepared elsewhere for smoking, or who shall sell or offer for sale or purchase, or who shall knowingly have or receive into his or her possession any such Chandoo or other preparation of Opium for smoking, shall forfeit, for the first offence, a penalty not exceeding One Hundred Dollars; for the second offence, shall forfeit a penalty not exceeding Two Hundred Dollars; and for every subsequent offence, forfeit a penalty not exceeding Four Hundred Dollars: and all such contraband Chandoo or other preparation of Opium, and the receptacles in which the same is contained, and all vessels and utensils, which have been, or are plainly intended to be used in making Chandoo or any other preparation of Opium, shall be seized and forfeited.

XI. Every person, other than the Opium Farmer, who shall sell or offer for sale, and also every person who shall buy from any person other than the Opium Farmer any quantity of raw Opium less than one chest, save for exportation, shall forfeit, for the first offence, a penalty not exceeding One Hundred Dollars; for the second offence, forfeit a penalty not exceeding Two Hundred Dollars; and for every subsequent offence,  
forfeit

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forfeit a penalty not exceeding Four Hundred Dollars : and all such raw Opium shall be seized and forfeited.

XII. The foregoing provisions of this Act shall not apply to the sale of Opium for Medicinal purposes by recognized Medical Practitioners, Chemists and Druggists.

XIII. Every person who shall import into the said Settlement any raw Opium in less quantity than one chest, or have in his possession, custody or control, any raw Opium in less quantity than one chest, unless for the purpose of being exported, shall forfeit a penalty not exceeding Four Hundred Dollars : and all such raw Opium so imported or found shall be seized and forfeited.

XIV. Every person arriving in any vessel at any of the Ports or Harbours of the said Settlement, who may have on board any Chandoo, or other preparation of Opium, or any raw Opium, in less quantity than one chest, shall, within twenty-four hours after such vessel shall have come to anchor, give notice thereof to the Opium Farmer, and shall apply to the Registrar of Imports and Exports, or his Deputy, for a permit to land or deposit the said Opium, Chandoo, or other preparation of Opium in his Office, and on obtaining such permit shall forthwith land, and so deposit the same, where it shall remain till re-exported, unless the same shall be sold to the Opium Farmer. Any person having on board such Opium, Chandoo, or other preparation of Opium, as above described, and failing to give notice, or otherwise not complying with the provisions of this Section, shall forfeit a penalty not exceeding Two Hundred Dollars, and the Opium, Chandoo or other preparation of Opium shall be seized and forfeited.

XV. Every person, other than the Opium Farmer, who shall export any Opium by land, from the said Settlement, shall forfeit a penalty

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not exceeding Four Hundred Dollars: and the Opium and vessels and conveyances in which it is contained, shall be seized and forfeited.

XVI. Every person, who shall be desirous of exporting by Sea, or of selling for exportation by Sea, raw Opium, in any quantity less than one chest, shall deposit a chest containing the customary quantity in the Office of the Registrar of Imports and Exports; and whenever such person shall apply for any portion of such Opium to be delivered to him or to any purchaser thereof for exportation, he shall deliver to the Registrar of Imports and Exports, or his Deputy, a written Bill of Entry in duplicate, expressing the quantity of Opium that is to be exported, and the name of the person who is about to export the same, and of the vessel, and of the master, and of the place to which the same is to be exported, and having also, in case the Opium mentioned therein is to be sold for exportation, the name of the purchaser written on the back thereof; and the said Registrar, or his Deputy, shall thereupon cause the quantity of Opium specified in the Bill of Entry to be taken out of such chest and delivered to the person who is to export the same, and shall deliver to such person one of the copies of such Bill of Entry, signed by the said Registrar or his Deputy, and having the hour upon which the same shall be so delivered marked thereon; and the Bill of Entry so signed shall be the Exporter's Permit to export the said Opium; and such chest shall remain in the custody of the said Registrar or his Deputy, until all the Opium contained therein shall have been exported or sold, when the chest shall be destroyed: and every person, who shall commit a breach of any of the provisions contained in this Section, shall forfeit a penalty not exceeding One Hundred Dollars.

XVII. Every person who shall receive any such Permit as aforesaid, for the exportation by Sea of any quantity of Opium less than one chest, and who shall not, upon receiving the same, forthwith cause such  
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Opium to be conveyed to and placed on board of the vessel mentioned in such Permit, shall forfeit a penalty not exceeding Fifty Dollars, and the Opium, and the vessels and conveyances in which it is contained, shall be seized and forfeited.

XVIII. Every person, not thereunto authorized under this Act, who shall make Chandoo or other preparation of Opium for smoking on board of any vessel anchored or being within the limits of the jurisdiction of the Court of Judicature of the said Settlement, or in whose possession any such Chandoo or prepared Opium shall be found on board of such vessel, shall forfeit a penalty not exceeding One Hundred Dollars, and all such Chandoo or prepared Opium so made or found, shall be seized and forfeited.

XIX. Every person, who shall sell or buy or have in his possession save for the purpose of exportation under Section XVI. of this Act, on board any vessel anchored, or being within the limits of the jurisdiction aforesaid, any raw Opium in a less quantity than one chest, shall forfeit a penalty not exceeding One Hundred Dollars: and all such raw Opium so sold or bought, shall be seized and forfeited.

XX. Any Justice of the Peace within the said Settlement, upon the information upon oath of any person, that he has good cause to believe that there is on board of any vessel anchored, or being within the limits of the jurisdiction aforesaid, any contraband Opium or Chandoo or raw Opium, may issue his Warrant, in the form of Schedule (A) to this Act annexed, or to the like effect, authorizing the Opium Farmer, or any Revenue Officer duly appointed under this Act, or any Peace Officer to go on board of such vessel, and to make search for, and to seize such Opium or Chandoo, and to bring the offender or offenders in whose possession, custody or control the said Contraband Opium or Chandoo or raw

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raw Opium shall be found before a Justice of the Peace, to be dealt with according to this Act.

**XXI.** Every person, other than the Opium Farmer or keeper of a registered Opium Shop, who shall sell Tye-Chandoo or Opium-Dross mixed with Opium, shall, for the first offence, forfeit a penalty not exceeding One Hundred Dollars; for the second offence, shall forfeit a penalty not exceeding Two Hundred Dollars; and for every subsequent offence, shall forfeit a penalty not exceeding Four Hundred Dollars.

**XXII.** Every keeper of a Registered Opium Shop who shall sell, or have in his possession, any Opium or Chandoo other than such as shall have been bought from the Opium Farmer, shall, for every such offence, forfeit a penalty not exceeding One Hundred Dollars.

**XXIII.** Every person, other than the Spirit Farmer of the Station, who shall import into the said Settlements any Spirituous Liquor or Arrack, shall, before landing such Spirituous Liquor or Arrack, or any part thereof, deliver to the Spirit Farmer, a Bill in which shall be specified the name of the vessel, the quantity and kind of the Liquor, and the place where the same is intended to be stored; and, if such Liquor is intended to be used or consumed in the House of the Importer, he shall, at the same time, pay or secure to the Spirit Farmer, the sum of Fifty Cents for every gallon of such Liquor, or if in bottles, the sum of Fifty Cents for every four quart bottles, and a proportionate rate for any quantity less than one gallon, or less than four quart bottles so to be landed; and the Spirit Farmer shall thereupon in either case, if the application is made between the hours of six in the morning and six in the evening, deliver to such person a written Permit to land the same; and every person who shall land any such Liquor without having first delivered such Bill, and paid or tendered such sum when payable, and also every  
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Spirit Farmer, who shall refuse to give such Permit without good cause shown, shall, for every such offence, forfeit a penalty not exceeding One Hundred Dollars, and all such Liquor, landed contrary to the provisions of this Section, and the vessels and conveyances in which the same is contained, shall be seized and forfeited.

XXIV. Every person, other than the Spirit Farmer, or a person duly licensed as hereinafter mentioned, who shall sell within the Settlement of Prince of Wales' Island, Singapore and Malacca, otherwise than for exportation, any Spirituous Liquor or Arrack in a less quantity than One Hundred any Sixty Imperial Gallons, or, if sold in bottles, in a less quantity than fifty dozens of quart bottles, without first tendering and paying to the Spirit Farmer a sum of Fifty Cents for every Gallon, or for every four quart bottles of such Spirituous Liquor or Arrack, and a proportionate rate for any quantity less than one Gallon, or less than four quart bottles, shall forfeit a penalty not exceeding One Hundred Dollars and all such Spirituous Liquor or Arrack, and the Vessels in which the same is contained, shall be seized and forfeited.

XXV. Every person, other than the Spirit Farmer, who shall remove or cause to be removed any Spirituous Liquor or Arrack from one House, Shop, Godown or other Building to another, or from the possession of one person to that of another, without having first obtained from the Spirit Farmer a written Permit, hereinafter described, to remove the same, shall forfeit a penalty not exceeding Fifty Dollars: and all such Spirituous Liquor or Arrack so removed, and the Vessels in which the same is contained, shall be seized and forfeited.

XXVI. The Spirit Farmer shall, on the application of any person; (if made between the hours of six in the morning and six in the evening,) grant a written Permit for the removal of any Spirituous Liquor or

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Arrack (provided the same be not sold contrary to the provisions of this Act,) which Permit shall describe the quantity and kind of Liquor required to be removed, and the name of the person about to remove the same, and the places from and to which the same is to be removed, and the time during which such Permit is in force: and every Spirit Farmer who shall, without good cause shown, refuse to grant such Permit, shall forfeit a penalty not exceeding One Hundred Dollars.

XXVII. The Spirit Farmer may enter the Warehouse, Godowns or Premises of any person wherein are kept any Spirituous Liquors or Arrack not contained in bottles, and take an account of the quantity of such Liquors, and notice any leakage of the same, and gauge, and otherwise examine the same, at any time between the hours of eight in the morning and five in the evening, upon obtaining a Warrant so to do, under the hand of any Justice of the Peace, which Warrant such Justice is authorized to grant whenever he shall see cause so to do.

XXVIII. The keepers of all Taverns duly registered under this Act may sell to the inmates, customers, or frequenters thereof, Spirituous Liquors, so that the same be drunk within such Taverns; and every keeper of any such registered Tavern who shall sell any Spirituous Liquor otherwise than is herein provided, shall forfeit a penalty not exceeding Fifty Dollars.

XXIX. Every keeper of any Eating House or Spirit Shop registered under this Act, who shall serve, supply or sell to the customers, inmates, or frequenters thereof, any Spirituous Liquor or Arrack, other than such as shall have been bought by him from the Spirit Farmer, shall, for every such offence, forfeit a penalty not exceeding Fifty Dollars.

XXX. Every Spirit Farmer, and also every keeper of a registered Eating House or Spirit Shop, who shall knowingly sell or deliver to any  
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European or Native Soldier any Spirituous Liquor or Arrack, without having an authority in writing so to do from the Commanding Officer of such Soldier, shall, for every such offence, forfeit a penalty not exceeding Fifty Dollars.

XXXI. Every Spirit Farmer, or other person, who shall sell or offer for sale any adulterated Spirits or Spirits distilled from Neepa, shall forfeit for every such offence, a penalty not exceeding Four Hundred Dollars.

XXXII. From the passing of this Act, whoever, being a Manufacturer of Sugar in the said Settlements, shall be desirous of having a Distillery at his Sugar Manufactory, for making, or distilling, or rectifying, or compounding Spirits or Arrack, shall apply in writing to the Superintendent of Police of the Station or place within which such Sugar Manufactory is situated, for a Licence, and in such application shall be inserted the name of the applicant, the situation of his Manufactory, and the number and size of the Stills he is desirous of keeping; and the Superintendent of Police shall grant such Licence, renewable every year under his hand and seal, to the applicant, on payment of a fee of Ten Dollars, and such Licence shall be registered in the Police Office of such Station or place.

XXXIII. No licensed Distiller shall be at liberty to sell to any person other than the Spirit Farmer, or to sell, send out of, or deliver from his Distillery, for exportation, any Spirits or Arrack in a less quantity than One Hundred and Sixty Imperial Gallons, or, if in bottles, in a less quantity than fifty dozens of quart bottles; and every licensed Distiller who shall sell, send out, or deliver from his Distillery, any Spirits or Arrack, (except as aforesaid,) shall, for every such offence, forfeit a  
penalty

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penalty not exceeding One Hundred Dollars: and all such Spirituous Liquors or Arrack, and the vessels in which the same are contained, shall be seized and forfeited.

XXXIV. Every person, other than the Spirit Farmer or a licensed Distiller, who shall make, or distil, or rectify, or compound, any Spirits or Arrack, or shall keep or have in his possession any Still or other Utensil or Apparatus, for distilling, or making, or rectifying, or compounding, Spirits or Arrack, shall, for every such offence, forfeit a penalty not exceeding One Hundred Dollars: and all such Spirits or Arrack, and every such Still or other Utensil or Apparatus, shall be seized and forfeited, but nothing contained in this or any other Section shall be construed to extend to distillations for medical or scientific purposes.

XXXV. Every person, other than the Spirit Farmer, who shall make or distil Samsoo or Spirits distilled from Rice, in the said Settlements, or who shall keep or have in his possession any Still or other Utensil or Apparatus for distilling or making Samsoo, shall forfeit a penalty not exceeding One Hundred Dollars: and all such Samsoo, and every such Still or other Utensil or Apparatus, shall be seized and forfeited.

XXXVI. No person shall land Samsoo, or Spirits distilled from Rice, in any part of the said Settlements, except for the purpose of selling the same to the Spirit Farmer; and every person who shall land any Samsoo in any part of the said Settlements, except for the purpose of selling the same to the Spirit Farmer, and also every person, who shall sell any Samsoo to any person other than the Spirit Farmer, shall forfeit a penalty not exceeding One Hundred Dollars: and all such Samsoo and the vessels in which the same is contained, shall be seized and forfeited.

XXXVII. All

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XXXVII. All Spirituous Liquor or Arrack imported, landed, removed in, or exported from any part of the said Settlements on account of Her Majesty's Government, or the Government of the East India Company, is exempt from the operation of this Act.

XXXVIII. Every Owner, Renter, or Occupier of any land which produces Toddy or Bang, and also every other person, other than the Toddy Farmer and the keepers of the registered Toddy Shops, who shall sell any Toddy or Bang within the said Settlements to any person other than to the Toddy Farmer, shall forfeit a penalty not exceeding One Hundred Dollars, and all such Toddy or Bang shall be seized and forfeited; but this enactment shall not be deemed to forbid Bakers from using in their Bread Toddy, the produce of their own Estate or Plantation.

XXXIX. Every person, other than the Owners, Renters, or Occupiers of lands which produce Toddy or Bang, who shall have in his possession any Toddy or Bang, unless the same shall be duly proved to have been bought from the Toddy Farmer, or from the keeper of a registered Toddy Shop hereinafter mentioned, shall forfeit a penalty not exceeding Fifty Dollars: and all such Toddy or Bang, and the vessels in which the same is contained, shall be seized and forfeited.

XL. Every keeper of a registered Toddy Shop, who shall sell to any person, or shall have in his possession any Toddy or Bang, unless the same shall be duly proved to have been bought from the Toddy Farmer, shall forfeit a penalty not exceeding Fifty Dollars: and all such Toddy or Bang, and the vessels in which the same is contained, shall be seized and forfeited.

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XII. Every Toddy Farmer and keeper of a registered Toddy Shop who shall knowingly sell or deliver any Toddy or Bang to any European or Native Soldier, without having an authority in writing from the Commanding Officer of such Soldier, shall forfeit a penalty not exceeding Fifty Dollars.

XIII. All Fees received for registering Licences to keep Opium Shops under this Act, shall be paid to the Opium Farmer for the time being: and all Fees received for registering Licences to keep Spirit Shops and Distilleries under this Act, shall be paid to the Spirit Farmer for the time being; and all Fees received for registering Licences to keep Toddy Shops for the sale of Toddy and Bang under this Act, shall be paid to the Toddy Farmer for the time being; and all other Fines, Penalties or forfeitures whatsoever, received under this Act, shall, after the adjudication at the discretion of the Magistrate of a portion of such fines and penalties to the informer, be paid into the Municipal Fund, established under Act No. IX. of 1848, or that may be established by any future Act, of the station at which such Fines, Penalties or Forfeitures shall be imposed, to be applied to the general purposes of the said Act.

XIV. Any Justice of the Peace within the said Settlement may, by his Warrant, in the form of Schedule B. to this Act annexed, or to the like effect, directed to any Peace Officer or Officers within the said Settlement, or to any Revenue Officer or Officers appointed in manner hereinafter mentioned, empower him or them by day or by night (but if between the hours of six o'clock at night and six in the following morning, then such Warrant to be addressed to and executed by, or in the presence of a Peace Officer) to enter and search any Dwelling-house, Shop, or other Building, in any case in which there shall appear to such

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Justice of the Peace, upon the oath of any party, good and sufficient cause to believe that in any such Dwelling-house, Shop, or other Building is concealed or deposited any article subject to forfeiture under this Act, and to seize and take possession of any such article found to be concealed or deposited therein: and to arrest and take any person, or persons, being in such Dwelling-house, Shop or Building, in whose possession, custody or control any such article may be found, or whom the said Officer, or Officers may have good and sufficient reason to suspect had concealed or deposited therein any such article, and any Officer to whom such Warrant shall be directed may, in case of resistance, break open any door of such Dwelling-house, Shop or other Building, and remove by force any other obstruction to such entry, search, seizure and removal as aforesaid.

XLIV. If any person shall be found committing any act in breach of this Act, or if any Peace or Revenue Officer shall have probable cause to believe that any person has concealed upon his person any article subject to forfeiture under this Act, such Peace or Revenue Officer may immediately arrest such person without a Warrant, and shall thereupon immediately take such person before some neighbouring Justice of the Peace, who shall determine if there be reasonable grounds of suspicion, and such Justice may direct such person to be immediately searched: and every person who shall obstruct any such Officer in making any such arrest as aforesaid, and also every Officer who shall not immediately take any person so arrested before a Justice of the Peace, shall forfeit a penalty not exceeding Fifty Dollars.

XLV. Every Peace or Revenue Officer who shall maliciously and without reasonable grounds arrest or detain any person on the plea that  
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such person hath infringed any of the provisions of this Act, shall forfeit a penalty not exceeding Fifty Dollars.

XLVI. No Revenue Officer shall be competent to act under the provisions of this Act, unless he shall be appointed specially so to do in writing by the Governor or other Chief Civil Authority of the Station in which such Revenue Officer is required to act, which authority shall be duly registered at the Police Office of such Station, and shall be liable to be annulled at the pleasure of the said Governor or other Chief Civil Authority.

XLVII. Any Farmer named in this Act who shall either by himself, or by the means of any other person, take from any person who may have committed, or be suspected of having committed a breach of any of the provisions of this Act, any sum of money, or any goods or chattels whatsoever, as a compromise, reward or payment for not prosecuting such person for such offence under this Act, shall forfeit a penalty not exceeding Two Hundred Dollars, a moiety of which may, at the discretion of the Magistrate, be adjudged to the informer.

XLVIII. All penalties under this Act may be imposed on conviction of the offence by confession of the offender, or by the oath of one or more witnesses before two Justices of the Peace, and in case of non-payment of any Penalty imposed or forfeited under this Act, the convicting Justices may issue their Warrant of Distress in the form of Schedule C. to this Act annexed, or to the like effect, under their hands and seals, directed to any Peace Officer or Officers to levy the amount of such Penalty by seizure and sale of any Goods of the offender which may be found within the jurisdiction of such Justices; and if no such property shall be found within such jurisdiction, then the aforesaid

Justices,



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Justices, by Warrant under their hands and seals, in the form of Schedule D. to this Act annexed, or to the like effect, may commit the offender to prison, with or without hard labour, for any period not exceeding two calendar months, where a pecuniary penalty of Twenty-five Dollars can be imposed, and in the same proportion for any greater penalty which can be imposed. Provided always that in case it shall appear to such Justices by the confession of the offender, or in any other manner, that he has no goods whereon to levy such distress, then and in every such case it shall be lawful for such Justices, if they shall deem it fit, instead of issuing such Warrant of Distress, by Warrant under their hands and seals in the form of Schedule E. to this Act annexed, or to the like effect, to commit the offender to prison, with or without hard labor, for any period not exceeding two calendar months, where a pecuniary penalty of Twenty-five Dollars can be imposed, and in the same proportion for any greater penalty which can be imposed. Provided always that in no case shall the term of imprisonment exceed two years.

XLIX. All convictions under this Act may be in the form of Schedule F. to this Act annexed, or to the like effect, and no conviction shall be quashed or set aside for want of form, or be removed by Certiorari or otherwise into Her Majesty's Superior Court of Record, and no conviction shall be quashed or set aside except for error of law apparent upon the face of such conviction, and no Warrant of Commitment shall be held void by reason of any defect therein, provided it be therein alleged that the party has been convicted, and there be a valid conviction as aforesaid to sustain the same.

L. In all Sections of this Act in which the Stations of Prince of Wales' Island, Singapore or Malacca, or any or either of them are

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inserted,

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inserted, all places attached to, or dependent on the said Stations respectively shall be taken to be included.

LI. This Act shall commence and take effect from and after the 1st day of May 1852.

SCHEDULE A.

*Form of Search Warrant under Section XX.*

*Prince of Wales' Island.* To the Opium Farmer or any Revenue Officer duly appointed under the Act XIV. of 1851, or any Peace Officer.

Whereas it appears to me *A. B.*, one of Her Majesty's Justices of the Peace for the said *Settlement*, by the information on Oath of *C. D.* of that he hath good cause to believe and doth believe that there is on board the Vessel *Inconstant* anchored, or being within the limits of the jurisdiction of this *Settlement*, *Contraband Opium, Chandoo or Opium*. These are, therefore, in the name of our said Lady the Queen, to authorize and require you, with necessary and proper Assistants, to go on board and enter in the day time into the said Vessel, and there diligently to search for the said *Contraband Opium, Chandoo or raw Opium*, and if the same shall be found upon such search, that you bring the said *Contraband Opium, Chandoo or raw Opium* and also the body or bodies of the offender or offenders, in whose possession, custody or control the said *Contraband Opium, Chandoo or raw Opium* shall be found, before me or some other Justice of our said Lady the Queen, assigned to keep the peace in this *Settlement* to be disposed of and dealt with according to law. Given under my hand and seal, at *Prince of Wales' Island*, the 1st day of *June* in the year 1852.

(Sd.) *A. B.*

Justice of the Peace.

(The words, letters and figures in Italics, in this Schedule, to be filled up according as the case may be, and the blank space therein, with the description of the informant.)

SCHEDULE B.

*Form of Search Warrant under Section XLIII.*

*Prince of Wales' Island.* To the Peace Officer or Officers within this Settlement, or to the Revenue Officer or Officers appointed according to the provisions of XLVI. Section of Act XIV. of 1851.

Whereas

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Whereas it appears to me *A. B.*, one of Her Majesty's Justices of the Peace for the said *Settlement*, by the information on Oath of *C. D.* of \_\_\_\_\_ that he has good cause to believe and doth believe that Articles, subject to forfeiture under the provisions of Act XIV. of 1851 are concealed or deposited in the *Dwelling House, Shop or other Building* of *E. F.* of \_\_\_\_\_ in the said *Settlement*. These are, therefore, in the name of our said Lady the Queen, to authorize and require you, with necessary and proper assistants, to enter in the day time into the said *Dwelling House, Shop or other Building* of the said *E. F.*, and there diligently to search for the said articles, and also to authorize and require you, if a Peace Officer, and if not, in the presence of a Peace Officer to enter in the night time (that is to say, at any time between the hours of 6 o'Clock in the evening and 6 in the following morning) into the said *Dwelling House, Shop or other Building* of the said *E. F.*, and there diligently to search for the said articles, and if the same shall be found upon such search, that you seize and take possession of the said articles so found, and also the body or bodies of any person or persons being in the said *Dwelling House, Shop or other Building*, in whose possession custody or control any such articles may be found, or whom you may have good and sufficient reason to suspect had concealed or deposited therein any such article, before me the said *A. B.* or some other of the Justices of our said Lady the Queen assigned to keep the peace in the Settlement aforesaid, to be disposed of and dealt with according to law. Given under my hand and seal, at *Prince of Wales' Island*, the 1st day of *June* in the year 1852.

(Sd.) *A. B.*,  
Justice of the Peace.

(The words, letters and figures in Italics, in this Schedule, to be filled up according as the case may be, and the first blank space therein with the description of the informant and the second blank space therein with the description of the party whose house, shop or building is to be searched).

SCHEDULE C.

*Form of Distress Warrant.*

*Prince of Wales' Island* To the Peace Officers, or to any Peace Officer of the said *Settlement*.

Whereas *A. B.* of \_\_\_\_\_ has been on the 1st day of *June* 1852, duly convicted before us, *C. D.* and *E. F.*, two of Her Majesty's Justices of the Peace for the said \_\_\_\_\_

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said *Settlement* of the offence of \_\_\_\_\_ against the form of the Act XIV. of 1851 in that case made and provided, and was thereupon adjudged by us that he the said *A. B.* had forfeited the sum of \_\_\_\_\_ Dollars for the offence aforesaid, and whereas the said *A. B.* being required to pay the said sum hath not paid the same, but therein has made default. These are to command you to distrain the Goods and Chattels of the said *A. B.*, which may be found within this *Settlement*, to the amount of the said sum and such further sum as may be sufficient to defray the charges of making such distress, and if within five days next after such distress the said sum, together with the reasonable charges for taking and keeping the said distress, shall not be paid, to sell the said Goods and Chattels, and having paid out of the money arising by such sale the said sum of \_\_\_\_\_ Dollars to us to be applied according to the provisions of the said Act XIV. of 1851, and having deducted the necessary charges of taking, keeping and selling the said distress, to return the overplus, if any, on demand to the person whom you shall find in possession of the said Goods and Chattels, and if no such distress can be made that then you Certify the same unto us to the end that such further proceedings may be had thereon as to the law doth appertain. Given under our hands and seals, this 2nd day of June 1852.

*C. D.,*  
*E. F.,*

Justices of the Peace.

(The words, letters and figures in Italics, in this Schedule, to be filled up according as the case may be, and the first blank space therein with the description of the party convicted, the second blank space therein with a Statement of the offence committed, and the third and fourth blank spaces therein with the amount of Dollars forfeited.)

SCHEDULE D.

*Form of Commitment.*

*Prince of Wales' Island.* To the Peace Officers, or any Peace Officer and the Keeper of the Prison of the said *Settlement*.

Whereas *A. B.* of \_\_\_\_\_ was, on the 1st day of June 1852, duly convicted before us *C. D.* and *E. F.* two of the Justices of the Peace for the said *Settlement* of the offence of \_\_\_\_\_ against the form of Act XIV. of 1851 in that case made and provided, and was thereupon adjudged by us that he the said *A. B.* had forfeited \_\_\_\_\_

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forfeited the sum of \_\_\_\_\_ Dollars for the offence aforesaid, to be commuted in case of non-payment of the said sum to imprisonment for \_\_\_\_\_ *with hard labour*. And whereas we have issued a Distress Warrant to levy the amount of the said sum by seizure and sale of the Goods and Chattels of the said *A. B.* within our jurisdiction, and no Goods and Chattels of the said *A. B.* have been found within such jurisdiction, and the said *A. B.* had not yet paid the said sum, but therein had made default. These are, therefore, to command you, the said Peace Officers or Peace Officer, to take the said *A. B.* and him safely to convey to the prison of the said *Settlement*, and there to deliver him to the said Keeper thereof together with this precept. And we do hereby command you, the said Keeper of the said Prison, to receive the said *A. B.* into the said Prison there, to imprison him *with hard labour* for the space of \_\_\_\_\_ Given under our hands and seals, at *Prince of Wales' Island*, this 3rd day of *June* 1852.

C. D.,

E. F.,

Justices of the Peace.

(The words, letters and figures in Italics, in this Schedule, are to be filled in according as the case may be, and the first blank space therein with the description of the party committed, the second blank space therein with a Statement of the offence, and the third blank space therein with the amount of Dollars forfeited, and the fourth blank space therein with the period of imprisonment.)

SCHEDULE E.

*Form of Commitment when it appears that the offender has no Goods whereon to levy a distress.*

*Prince of Wales' Island.* To the Peace Officers, or any Peace Officer and the Keeper of the Prison of the said *Settlement*.

Whereas *A. B.* of \_\_\_\_\_ was on the 1st day of *June* 1852, duly convicted before us *C. D.* and *E. F.* two of Her Majesty's Justices of the Peace for the said *Settlement* of the offence of \_\_\_\_\_ against the form of Act XIV. of 1851 in that case made and provided, and was thereupon adjudged by us that he the said *A. B.* had forfeited the sum of \_\_\_\_\_ Dollars for the offence aforesaid, to be commuted in case of non-payment of the said sum to imprisonment for \_\_\_\_\_ *with hard labour*, and whereas the said *A. B.* hath not paid the said sum, but therein hath made default, and it appears to us that the said *A. B.* has no Goods or Chattels whereon to

F

levy

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levy a distress. These are, therefore, to command you, the said Peace Officers or Peace Officer, to take the said *A. B.* and him safely to convey to the Prison of the said *Settlement*, and there to deliver him to the said Keeper thereof together with this precept, and we do hereby command you, the said Keeper of the said Prison, to receive the said *A. B.* into the said Prison, there to imprison him *with hard labour* for the space of

Given under our hands and seals, at *Prince of Wales' Island*, on the said 1st day of *June* 1852.

*C. D.,*

*E. F.,*

Justices of the Peace.

(The words, letters and figures in Italics, in this Schedule, are to be filled in according as the case may be, and the first blank space therein with the description of the party committed, the second blank space therein with a statement of the offence committed, the third blank space therein with the amount of Dollars forfeited, and the fourth and fifth blank spaces therein with the period of imprisonment.)

SCHEDULE F.

*Form of Conviction.*

Be it remembered that, on the 1st day of *June* in the year 1852, *A. B.* is found *Prince of Wales' Island, to wit.* guilty before us *C. D.* and *E. F.*, two of the Justices of the Peace for the said *Settlement*, of the offence of against the form of the Act XIV. of 1851 in that case made and provided, and we do hereby convict him of the offence aforesaid, and do adjudge that he the said *A. B.* hath forfeited the sum of        Dollars for the offence aforesaid, to be commuted in case of non-payment of the said sum to imprisonment for        *with hard labour.* Given under our hands and seals, at *Prince of Wales' Island*, the day and year first mentioned.

*C. D.,*

*E. F.,*

Justices of the Peace.

(The words, letters and figures in Italics, in this Schedule, to be filled in according as the case may be, and the first blank space therein with a Statement of the offence, the second blank space therein with the amount of Dollars forfeited, and the third blank space therein with the period of imprisonment.)