WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1935

ENROLLED

SENATE BILL No. 230

(By Mr. Sheehan)

PASSED March 8th, 1935

In Effect 90 Days from Passage
ENROLLED
Senate Bill No. 230

(By Messrs. Spillers and Young, of Upshur)

[Passed March 8, 1925; in effect ninety days from passage.]

AN ACT to regulate and control the production, preparation, manufacture, possession, transportation, sale, disposition and use of coca leaves, cocaine, opium, morphine, codeine, heroin, and any compound, manufacture, salt, derivative, mixture and preparation thereof or of either of them, to provide for the control and sale of cannabis, chloral and barbital, to provide for the issuance, suspension and revocation of licenses to produce, prepare, manufacture, sell, dispense and otherwise handle such drugs, to prescribe penalties for violations of
this act, and to provide that this act may be designated and
cited as the "Uniform Narcotic Drug Act."

Be it enacted by the Legislature of West Virginia:

Section 1. The following words and phrases, as used in this
act, shall have the following meanings, unless the context
otherwise requires:

1  (1) "Person" includes any corporation, association, co-
      partnership, or one or more individuals.

2  (2) "Physician" means a person authorized by law to
      practice medicine in this state and any other person authorized
      by law to treat sick and injured human beings in the state
      and to use narcotic drugs in connection with such treatment.

3  (3) "Dentist" means a person authorized by law to prac-
      tice dentistry in this state.

4  (4) "Veterinarian" means a person authorized by law to
      practice veterinary medicine in this state.

5  (5) "Manufacturer" means a person who, by compound-
      ing, mixing, cultivating, growing, or other process, produces
      or prepares narcotic drugs, but does not include a pharmacist
      who compounds narcotic drugs to be sold or dispensed on pre-
      scriptions.
(6) "Wholesaler" means a person who supplies narcotic drugs that he himself has not produced or prepared, on official written orders, but not prescriptions.

(7) "Pharmacist" means a licensed pharmacist as defined by the laws of this state.

(8) "Pharmacy Owner" means the owner of a store or other place of business where narcotic drugs are compounded or dispensed by a registered pharmacist; but nothing in this act contained shall be construed as conferring on a person who is not registered or licensed as a pharmacist any authority, right or privilege that is not granted to him by the pharmacy laws of this state.

(9) "Hospital" means an institution for the care and treatment of the sick and injured, approved by the state board of pharmacy as proper to be entrusted with the custody of narcotic drugs and the professional use of narcotic drugs under the direction of a physician, dentist, or veterinarian.

(10) "Laboratory" means a laboratory approved by the state board of pharmacy as proper to be entrusted with the custody of narcotic drugs and the use of narcotic drugs for
scientific and medical purposes and for purposes of instruction.

(11) "Sale" includes barter, exchange, or offer therefor, and each such transaction made by any person, whether as principal, proprietor, agent, servant, or employee.

(12) "Coca Leaves" includes cocaine and any compound, manufacture, salt, derivatives, mixture, or preparation of coca leaves, except derivatives of coca leaves which do not contain cocaine, ecgonine, or substances from which cocaine or ecgonine may be synthesized or made.

(13) "Opium" includes morphine, codeine, and heroin, and any compound, manufacture, salt, derivative, mixture, or preparation of opium.

(14) "Narcotic drugs" means coca leaves and opium.

(15) "Federal Narcotic Laws" means the laws of the United States relating to opium, coca leaves, and other narcotic drugs.

(16) "Official Written Order" means an order written on a form provided for that purpose by the United States commissioner of narcotics, under any laws of the United States making provision therefor, if such order forms are authorized
60 and required by federal law, and if no such order form is
61 provided then on an official form provided for that purpose
62 by the state board of pharmacy.
63 (17) "Dispense" includes distribute, leave with, give away
dispose of, or deliver.
65 (18) "Registry Number" means the number assigned to
each person registered under the federal narcotic laws.

Sec. 2. No person shall manufacture, possess, have under
2 his control, sell, prescribe, administer, dispense, or compound
3 any narcotic drug, except as authorized in this act.

Sec. 3. No person shall manufacture, compound, mix, cult-
2 ivate, grow, or by any other process produce or prepare nar-
3 cotic drugs, and no person as a wholesaler shall supply the
4 same, without having first obtained a license so to do from the
5 state board of pharmacy.
6 A fee of ten dollars shall be charged and collected by the
7 state board of pharmacy for each manufacturer's and each
8 wholesaler's license issued under the provision of this section.
9 The license shall be for the calendar year, and shall be re-
10 newable on the first day of January of each year.
Sec. 4. No license shall be issued under the foregoing section unless and until the applicant therefor has furnished proof satisfactory to the state board of pharmacy:

(a) That the applicant is of good moral character, or if the applicant be an association or corporation, that the managing officers are of good moral character;

(b) That the applicant is equipped as to land, buildings, paraphernalia properly to carry on the business described in his application; and that his trade connections are such that there is reasonable probability that he will apply all narcotic drugs manufactured or sold by him to medicinal and scientific purposes;

(c) No license shall be granted to any person who has within five years been convicted of a wilful violation of any law of the United States, or of any state, relating to opium, coca leaves, or other narcotic drugs, or to any person who is a narcotic drug addict;

(d) The state board of pharmacy may suspend or revoke any license for cause.

Sec. 5. (1) A duly licensed manufacturer or wholesaler may
2 sell and dispense narcotic drugs to any of the following persons,
3 but only on official written orders:
4 (a) To a manufacturer, wholesaler or pharmacist;
5 (b) To a physician, dentist or veterinarian;
6 (c) To a person in charge of a hospital, but only for use by
7 or in that hospital: Provided, That the official written order is
8 signed by a physician, dentist, veterinarian or pharmacist con-
9 nected with such hospital;
10 (d) To a person in charge of a laboratory, but only for use
11 in that laboratory for scientific and medical purposes.
12 (2) A duly licensed manufacturer or wholesaler may sell
13 narcotic drugs to any of the following persons:
14 (a) On a special written order accompanied by a certificate
15 of exemption as required by the federal narcotic laws, to a
16 person in the employ of the United States government or of any
17 state, territorial, district, county, municipal or insular govern-
18 ment, purchasing, receiving, possessing or dispensing narcotic
19 drugs by reason of his official duties;
20 (b) To a master of a ship or a person in charge of any
21 aircraft upon which no physician is regularly employed, for the
22 actual medical needs of persons on board such ship or aircraft,
when not in port: Provided, That such narcotic drugs shall be
sold to the master of such ship or person in charge of such air-
craft only in pursuance of a special order form approved by a
commissioned medical officer or acting assistant surgeon of the
United States public health service;

(e) To a person in a foreign country if the provisions of the
federal narcotic laws are complied with.

(3) An official written order for any narcotic drug shall be
signed in duplicate by the person giving said order or by his
duly authorized agent. The original shall be presented to the
person who sells or dispenses the narcotic drug named therein.

In event of the acceptance of such order by said person, each
party to the transaction shall preserve his copy of such order for
a period of two years in such a way as to be readily accessible
for inspection by any public officer or employee engaged in the
enforcement of this act. Compliance with the federal narcotic
laws, by the parties to the transaction, shall be deemed com-
pliance with this subsection, respecting the requirements govern-
ing the use of order forms.

(4) Possession of or control of narcotic drugs obtained as
authorized by this section shall be lawful if in the regular
44 course of business, occupation, profession, employment or duty
45 of the possessor.

46 (5) A person in charge of a hospital or of a laboratory, or
47 in the employ of this state or of any other state, or of any
48 political subdivision thereof, and a master or other proper
49 officer of a ship or aircraft, who obtains narcotic drugs under
50 the provisions of this section or otherwise, shall not administer,
51 nor dispense, nor otherwise use such drugs, within this state,
52 except within the scope of his employment or official duty, and
53 then only for scientific or medicinal purposes and subject to the
54 provisions of this act.

Sec. 6. (1) A pharmacist, in good faith, may sell and dis-
2 pense narcotic drugs to any person upon a written prescription
3 of a physician, dentist, or veterinarian: Provided, That such
4 prescription is properly executed, dated and signed by the
5 person prescribing on the day when issued, and bearing the full
6 name and address of the patient for whom, or of the owner of
7 the animal for which, the drug is dispensed, and the full name,
8 address, and registry number under the federal narcotic laws,
9 of the person prescribing, if he is required by those laws to
10 be so registered. If the prescription be for an animal, it shall
11 state the species of animal for which the drug is prescribed. The
12 person filling the prescription shall write the date of filling and
13 his own signature on the face of the prescription. The pre-
14 scription shall be retained on file by the proprietor of the
15 pharmacy in which it is filled for a period of two years, so as to
16 be readily accessible for inspection by any public officer or em-
17 ployee engaged in the enforcement of this act. The prescrip-
18 tion shall not be refilled.
19 (2) The legal owner of any stock of narcotic drugs in a
20 pharmacy, upon discontinuance of dealing in said drugs, may
21 sell said stock to a manufacturer, wholesaler, pharmacist or
22 pharmacy owner, but only on an official written order.
23 (3) A pharmacist, only upon an official written order, may
24 sell to a physician, dentist, or veterinarian, in quantities not ex-
25 ceeding one ounce at any one time, aqueous or oleaginous
26 solutions of which the content of narcotic drug does not exceed
27 a proportion greater than twenty per cent of the complete
28 solution, to be used for medical purposes. The original order
29 form must be filed by the pharmacist with his narcotic pre-
30 scriptions. Each package containing an aqueous or oleaginous
31 solution so furnished must bear a label showing the date and
number of the order form, the name and proportion of narcotic
drug contained in the solution, the name, address, and registry
number of the person furnishing the order, and the name,
address and registry number of the pharmacist or pharmacy
owner filling the order.

Sec. 7. (1) A physician or a dentist, in good faith and in
the course of his professional practice only, may prescribe on
written prescription, administer, and dispense narcotic drugs,
or he may cause the same to be administered by a nurse or
interne under his direction and supervision. Such a prescrip-
tion shall be dated and signed by the person prescribing on
the day when issued, and shall bear the full name and address
of the patient for whom the narcotic drug is prescribed, and
the full name, address and registry number under the federal
narcotic laws of the person prescribing: Provided, That he is
required by those federal laws to be so registered.

(2) A veterinarian, in good faith and in the course of his
professional practice only, and not for use by a human being,
may prescribe on written prescription, administer, and dis-
pense narcotic drugs, and he may cause them to be administered
by an assistant or orderly under his direction and supervision.
 Such a prescription shall be dated and signed by the person prescribing on the day when issued and shall bear the full name and address of the owner of the animal, and the species of the animal, for which the narcotic drug is prescribed, and the full name, address, and registry number under the federal narcotic laws of the person prescribing provided he is required by those laws to be so registered.

Sec. 8. Except as otherwise in this act specifically provided, this act shall not apply to the following cases:

(1) Prescribing, administering, dispensing, or selling at retail of any medicinal preparation that contains not more than two grains of opium, or more than one-fourth of a grain of morphine, or more than one-eighth of a grain of heroin, or more than one grain of codeine, or any salt or derivative of any of them in one fluid ounce, or if a solid or semi-solid preparation, in one avoirdupois ounce.

(2) Prescribing, administering, dispensing, or selling at retail of liniments, ointments, and other preparations that are susceptible of external use only and that contain narcotic drugs in such combinations as prevent their being readily extracted from such liniments, ointments, or preparations, except that
this act shall apply to all liniments, ointments, and other prepara-
tions, that contain coca leaves in any quantity or combination.

(3) The exceptions authorized by this section shall be subject to the following conditions:

(a) The medicinal preparation, or the liniment, ointment, or other preparations susceptible of external use only, prescribed, administered, dispensed, or sold, shall contain, in addition to the narcotic drug in it, some drug or drugs conferring upon it medicinal qualities other than those possessed by the narcotic drug alone;

(b) Such preparation shall be prescribed, administered, compounded, dispensed, and sold in good faith as a medicine, and not for the purpose of evading the provisions of this act;

(c) Nothing in this section shall be construed to limit the kind and quantity of any narcotic drug that may be prescribed, administered, compounded, dispensed, or sold, to any person or for the use of any person or animal, when it is prescribed, administered, compounded, dispensed, or sold, in compliance with the general provisions of this act.

Sec. 9. (1) Every physician, dentist, veterinarian, or other
2 person who is authorized to administer or professionally use
3 narcotic drugs, shall keep a record of such drugs received by
4 him, and a record of all such drugs administered, dispensed, or
5 professionally used by him otherwise than by prescription.
6 The keeping of a record by any such person using small quan-
7 tities of solutions or other preparations of such drugs for local
8 application, of the quantity, character, and potency of such
9 solutions or other preparations purchased or made up by him,
10 and of the dates when purchased or made up, without keeping
11 a record of the amount of such solution or other preparation
12 applied by him to individual patients, shall constitute a suffi-
13 cient compliance with this subsection.
14 (2) Manufacturers and wholesalers shall keep records of all
15 narcotic drugs compounded, mixed, cultivated, grown, or by any
16 other process produced or prepared, and of all narcotic
17 drugs received and disposed of by them, in accordance with the
18 provisions of subsection five of this section.
19 (3) Pharmacists and pharmacy owners shall keep records of
20 all narcotic drugs received and disposed of by them, in accord-
21 ance with the provisions of subsection five of this section.
22 (4) Every person who purchases for resale, or who sells
narcotic drug preparations exempted by section eight of this act,
shall keep a record showing the quantities and kinds thereof
received and sold, or disposed of otherwise, in accordance with
the provisions of subsection five of this section.

(5) The form of records shall be prescribed by the state
board of pharmacy. The record of narcotic drugs received shall
in every case show the date of receipt, the name and address of
the person from whom received, and the kind and quantity of
drugs received, the kind and quantity of narcotic drugs pro-
duced or removed from process of manufacture, and the date of
such production or removal from process of manufacture; and
the record shall in every case show the proportion of morphine,
cocaine, or ecgonine contained in or producible from crude
opium or coca leaves received or produced.

The record of all narcotic drugs sold, administered, com-
pounded, dispensed, or otherwise disposed of, shall show the
date of selling, administering, compounding, or dispensing, the
name and address of the person to whom or for whose use, or
the owner and species of animal for which the drugs were sold,
administered, compounded, or dispensed, and the kind and
quantity of drugs. Every such record shall be kept for a period
of two years from the date of the transaction recorded. The
keeping of a record required by or under the federal narcotic
laws, containing substantially the same information as is speci-
fied above, shall constitute compliance with this section, except
that every record shall contain a detailed list of narcotic drugs
lost, destroyed, or stolen, if any, the kind and quantity of such
drugs, and the date of the discovery of such loss, destruction, or
theft.

Sec. 10. (1) Whenever a manufacturer sells or dispenses a
narcotic drug, and whenever a wholesaler sells or dispenses a
narcotic drug in a package prepared by him, he shall securely
affix to each package in which that drug is contained a label
showing in legible English the name and address of the vendor
and the quantity, kind, and form of narcotic drug contained
therein. No person, except a pharmacist for the purpose of
filling a prescription under this act shall alter, deface, or re-
move any label so affixed.

(2) Whenever a pharmacist sells or dispenses any narcotic
drug on a prescription issued by a physician, dentist or veteri-
narian, he shall affix to the container in which said drug is
sold or dispensed, a label showing his name or the name of
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14 the store, address, and registry number, or the name, address, 15 and registry number of the pharmacist for which he is law- 16 fully acting; the serial number of the prescription; the name 17 and address of the patient, or, if the patient is an animal, the 18 name and address of the owner of the animal and the species 19 of the animal; the name, address and registry number of the 20 physician, dentist, or veterinarian, by whom the prescription 21 was written; and such directions as may be stated on the pre- 22 scription. No person shall alter, deface, or remove any label 23 so affixed, so long as any of the original contents remain.

Sec. 11. A person to whom or for whose use any narcotic 2 drug has been prescribed, sold, or dispensed, by a physician, 3 dentist, pharmacist, or other person authorized under the 4 provisions of section five of this act, and the owner of any 5 animal for which any such drug has been prescribed, sold, 6 or dispensed, by a veterinarian, may lawfully possess it only 7 in the container in which it was delivered to him by the person 8 selling or dispensing the same.

Sec. 12. The provisions of this act restricting the possess- 2 ing and having control of narcotic drugs shall not apply to 3 common carriers or to warehousemen, while engaged in law-
4 fully transporting or storing such drugs, or to any employee of
5 the same acting within the scope of his employment; or to
6 public officers or their employees in the performance of their
7 official duties requiring possession or control of narcotic drugs;
8 or to temporary incidental possession by employees or agents
9 of persons lawfully entitled to possession, or by persons whose
10 possession is for the purpose of aiding public officers in per-
11 forming their official duties.

Sec. 13. Any store, shop, warehouse, dwelling house, build-
2 ing, vehicle, boat, aircraft, or any place whatever, which is
3 resorted to by narcotic drug addicts for the purpose of using
4 narcotic drugs or which is used for the illegal keeping or sell-
5 ing of the same, shall be deemed a common nuisance. No person
6 shall keep or maintain such a common nuisance.

Sec. 14. All narcotic drugs, the lawful possession of which
2 is not established or the title to which cannot be ascertained,
3 which have come into the custody of a peace officer, shall be
4 forfeited, and disposed of as follows:
5 (a) The court or magistrate having jurisdiction shall im-
6 mediately notify the state board of pharmacy and unless other-
7 wise requested within fifteen days by the state board of
8 pharmacy, in accordance with subsection (b) of this section
9 shall order such narcotic drugs forfeited and destroyed. A
10 record of the place where said drugs were seized, of the kinds
11 and quantities of drugs so destroyed, and of the time, place,
12 and manner of destruction, shall be kept, and a return under
13 oath, reporting said destruction, shall be made to the court
14 or magistrate and to the United States commissioner of
15 narcotics, by the officer who destroys them;
16 (b) Upon written application by the state board of pharmacy
17 the court or magistrate by whom the forfeiture of narcotic
18 drugs has been decreed may order the delivery of any of them,
19 except heroin and its salts and derivatives, to said state board
20 of pharmacy, for distribution or destruction, as hereinafter
21 provided;
22 (c) Upon application by any hospital or institution within
23 this state, not operated for private gain, the state board of
24 pharmacy may in its discretion deliver any narcotic drugs that
25 have come into its custody by authority of this section to the
26 applicant for medicinal or scientific use. The state board of
27 pharmacy may from time to time deliver excess stocks of such
28 narcotic drugs to the United States commissioner of narcotics,
29 or may destroy same;

30 (d) The state board of pharmacy shall keep a full and complete record of all drugs received and of all drugs disposed of, showing the exact kinds, quantities, and forms of such drugs; the persons from whom received and to whom delivered; by whose authority received, delivered, and destroyed; and the dates of the receipt, disposal, or destruction, which record shall be open to inspection by all federal or state officers charged with the enforcement of federal and state narcotic laws.

Sec. 15. On the conviction of any person of the violation of any provision of this act, a copy of the judgment and sentence, and of the opinion of the court or magistrate, if any opinion be filed, shall be sent by the clerk of the court, or by the magistrate, to the board or officer, if any, by whom the convicted defendant has been licensed or registered to practice his profession or to carry on his business. A duplicate copy of the judgment and sentence and opinion, if any opinion be filed, shall be sent to the state board of pharmacy.

On the conviction of any such person the court may, in its discretion, suspend or revoke the license or registration of the convicted defendant to practice his profession or to carry on
13 his business. On the application of any person whose license
14 or registration has been suspended or revoked, and upon
15 proper showing and for good cause, said board or officer may
16 reinstate such license or registration.

Sec. 16. Prescriptions, orders, and records, required by
2 this act, and stocks of narcotic drugs, shall be open for inspec-
3 tion only to federal, state, county and municipal officers, whose
4 duty it is to enforce the laws of this state or of the United
5 States relating to narcotic drugs. No officer having knowledge
6 by virtue of his office of any such prescription, order or rec-
7 ords shall divulge such knowledge, except in connection with
8 a prosecution or proceedings in court or before a licensing or
9 registration board or officer, to which prosecution or proceed-
10 ing the person to whom such prescriptions, orders, or records
11 relate, is a party.

Sec. 17. (1) No person shall obtain or attempt to obtain
2 a narcotic drug, or procure or attempt to procure the admin-
3 istration of a narcotic drug, (a) by fraud, deceit, misrepre-
4 sentation, or subterfuge; or (b) by forgery or alteration of
5 a prescription or of any written order; (c) by the conceal-
ment of a material fact; or (d) by the use of a false name or
the giving of a false address.

(2) Information communicated to a physician in an effort
to unlawfully procure a narcotic drug, or unlawfully to pro-
cure the administration of any such drug, shall not be deemed
a privileged communication.

(3) No person shall wilfully make a false statement in any
prescription, order, report, or record, required by this act.

(4) No person shall, for the purpose of obtaining a narcotic
drug, falsely assume the title of, or represent himself to be, a
manufacturer, wholesaler, pharmacist, pharmacy owner,
physician, dentist, veterinarian, or other authorized person.

(5) No person shall make or utter any false or forged pre-
scription or false or forged written order.

(6) No person shall affix any false or forged label to a pack-
age or receptacle containing narcotic drugs.

(7) The provisions of this section shall apply to all transact-
ions relating to narcotic drugs under the provisions of section
eight of this act, and in the same way as they apply to transact-
ions under all other sections.

Sec. 18. In any complaint, information or indictment, and in
any action or proceeding brought for the enforcement of any
provision of this act, it shall not be necessary to negative any
exception, excuse, proviso, or exemption, contained in this act,
and the burden of proof of any such exception, excuse, proviso,
or exemption, shall be upon the defendant.

Sec. 19. No cannabis, including the following substances
under whatever names they may be designated (a) the dried
flowering or fruiting tops of the pistillate plant of Cannabis
Sativa L., from which the resin has not been extracted, or
(b) the resin extracted from such tops, or (c) any compound,
manufacture, mixture, or preparation of such resin, or of
such tops from which the resin has not been extracted, shall
be sold at retail or dispensed at retail to any person except up-
on the written prescription of a physician, dentist, or veter-
inarian, providing, however, that nothing in this section shall
prevent a registered pharmacist from supplying any of the
said drugs to a physician, dentist, veterinarian, or accredited
hospital for medicinal use: Provided further, That nothing
in this section shall prevent the sale or dispensing at retail of
preparations containing cannabis when used for external pur-
poses.
Sec. 20. No chloral hydrate, or any compound, manufacture, mixture, or preparation thereof containing over two grains to the ounce, shall be sold at retail or dispensed at retail to any person except upon the written prescription of a physician, dentist, or veterinarian: Provided, however, That nothing in this section shall prevent a registered pharmacist from supplying any of the said drugs to a physician, dentist, veterinarian, or accredited hospital for medicinal use.

Sec. 21. No malonylurea (barbituric acid), as such, or diethyl-malonylurea, as such, or any sodium or potassium salt of either of them, under whatever name they may be designated, or any sodium or potassium salt of any chemical derivative of malonylurea, or diethyl-malonylurea, under whatever name they may be designated, that may be classed as a dangerous hypnotic or narcotic as defined by regulations of the state board of pharmacy, shall be sold at retail or dispensed at retail to a person except upon the written prescription of a physician, dentist, or veterinarian: Provided, however, That nothing in this section shall prevent a registered pharmacist from supplying any of the said drugs to physicians, dentists, veterinarians and/or accredited hospitals for medi-
Provided further, That in order to carry out the intent of this section to control the misuse of certain drugs that no malonylurea or any of its salts, derivatives, mixtures, or preparations thereof shall be sold or dispensed, at retail, by any person not a pharmacist as defined.

Sec. 22. The state board of pharmacy, its officers, agents, inspectors, and representatives, and all peace officers within the state, and all prosecuting attorneys of the state, shall, enforce all provisions of this act, except those specifically delegated, and shall cooperate with all agencies charged with the enforcement of the laws of the United States, of this state, and of all other states, relating to narcotic drugs.

Sec. 23. Any person violating any provision of this act shall upon conviction be punished, for the first offense, by a fine not exceeding one hundred dollars, or by imprisonment in jail for not exceeding one year, or by both such fine and imprisonment; and for any subsequent offense, by a fine not exceeding one thousand dollars or by imprisonment for not exceeding five years in the penitentiary or by both such fine and imprisonment.

Sec. 24. No person shall be prosecuted for a violation of any
2 provision of this act if such person has been acquitted or con- 
3 victed under the federal narcotic laws of the same act or omis- 
4 sion which, it is alleged, constitutes a violation of this act.

Sec. 25. If any provision of this act or the application thereof 
2 to any person or circumstances is held invalid, such invalidity 
3 shall not affect other provisions or applications of the act which 
4 can be given effect without the invalid provisions or application, 
5 and to this end the provisions of this act are declared to be 
6 severable.

Sec. 26. This act shall be interpreted and construed as to 
2 effectuate its general purpose, to make uniform the laws of these 
3 states which enact it.

Sec. 27. All acts or parts of acts which are inconsistent with 
2 the provisions of this act are hereby repealed.

Sec. 28. This act may be designated and cited as the “Uni-
2 form Narcotic Drug Act.”

I certify that the foregoing act, having been presented to the Governor for his approval, and not having been returned by him to the House of the Legislature in which it originated within the time prescribed by the constitution of the state, has become a law without his approval.

This the 15th day of March, 1935.

[Signature]
SECRETARY OF STATE
The Joint Committee on Enrolled Bills hereby certifies that
the foregoing bill is correctly enrolled.

Clinton L. Howard
Chairman Senate Committee

Arnold M. Tinkers
Chairman House Committee

Originated in the ___________ Senate

Takes effect ___________ day of ________ passage.

__________
Clerk of the Senate

__________
Clerk of the House of Delegates

__________
President of the Senate

__________
Speaker House of Delegates

The within ___________________________ day of __________________________, 1935.

__________________________
Governor

Filed in the office of the Secretary of State
of West Virginia. MAR 15 1935

Wm. S. O'Brien,
Secretary of State