

**CHAPTER 267.****COTTON TRAFFIC.**12/1922.  
3/1924.  
1/1930.

(28th July, 1922.)

1. This Ordinance may be cited as the Cotton Traffic Ordinance. Short title.
2. In this Ordinance— Interpretation.  
“cotton” shall include both seed cotton and lint cotton;  
“Inspector” means any officer or non-commissioned officer of the Police Force or any other person appointed under this Ordinance as an Inspector;  
“licensed seller” means a person for the time being licensed under the provisions of this Ordinance to sell cotton in the Colony;  
“licensed purchaser” means a person for the time being licensed under the provisions of this Ordinance to purchase cotton in the Colony; Ord. 3/1924.  
“sell”, “sells”, “selling”, include, where the context so admits, an offer for sale.
3. (1) The Administrator may appoint in addition to or in substitution for any officer or non-commissioned officer of the Police Force, any other fit and proper person or persons to be Inspector or Inspectors for the purposes of this Ordinance. Appointment of Inspectors.  
(2) An Inspector shall receive such salary as the Administrator may determine.
4. Any owner or occupier or person having the management of any lands, who plants the same with cotton, shall within seven days after the last day of the planting season, attend personally at the office of the nearest Inspector and make application in the Form H in the Schedule, to be registered as a grower of cotton. Any person failing to comply with the provisions of this section shall be guilty of an offence. Application for registration as a cotton grower.  
Ord. 1/1930.

Certificate of  
Registration.

Ord. 1/1930.

5. An Inspector to whom an application under section 4 has been made, shall, on being satisfied as to the accuracy of the information furnished in such application, issue a Certificate of Registration in Form I, in the Schedule, and shall notify the chief police officer in the Colony who shall keep a register of the names of all persons to whom certificates have been issued.

No person to  
sell cotton  
unless licensed

6. (1) Any person who sells any cotton in the Colony without being licensed under the provisions of this Ordinance so to do shall be guilty of an offence.

(2) The preceding sub-section shall not apply in the case of a person who :—

(a) sells as the agent of a licensed seller; and

(b) informs the purchaser or person acting on his behalf that he is selling as agent for such licensed seller; and

(c) produces to the purchaser or the person so acting a current licence and Vendor's Record of such licensed seller.

Procedure to  
be followed to  
obtain Seller's  
Licence.

7. Any person who is desirous of obtaining a licence to sell cotton shall—

(a) fill in and sign an application for such a licence in accordance with Form A in the Schedule,

(b) request an Inspector to countersign the form of application, and

(c) in the event of an Inspector countersigning such form lodge the application with the Treasurer.

Power of  
Treasurer to  
grant or refuse  
Seller's  
Licence.

8. On such application being lodged with the Treasurer duly filled in with all the requisite particulars and signed by the applicant and countersigned by an Inspector at the places therein provided the Treasurer shall within one week from the date upon which the application is lodged with him grant or refuse to grant the licence applied for and in the event of his deciding to refuse the same he shall declare such refusal by writing the word "refused" on the face of the said application and appending his signature and the date of such refusal and thereupon the applicant shall forthwith be made acquainted with such refusal.

9. (1) Should the Treasurer decide to grant to the applicant a licence to sell cotton he shall do so by giving the applicant a licence in accordance with Form B in the Schedule.

Grant of  
Seller's  
Licence.

(2) The licence shall contain in the spaces therein provided the same particulars as are contained in the application for the licence.

10. All licences to sell cotton shall be numbered consecutively and the Treasurer shall keep a record of the same and shall from time to time supply copies to the chief police officer in the Colony and to an Inspector.

Licences to be  
numbered.

11. Every person who has obtained a licence to sell cotton shall keep a Book (in this Ordinance referred to as the Vendor's Record) the pages of which shall be in accordance with Form C in the Schedule.

Vendor's  
Record.

12. (1) Any person who purchases any cotton in the Colony without being licensed under the provisions of this Ordinance so to do or who being so licensed purchases cotton otherwise than at the premises to which such licence applies shall be guilty of an offence.

No person to  
purchase cotton  
unless licensed.

(2) The preceding sub-section shall not apply in the case of a person who purchases cotton on behalf of a Licensed Purchaser, at the premises to which such purchaser's licence applies.

13. Any person who is desirous of obtaining a licence to purchase cotton shall on paying into the Treasury the sum of forty-eight dollars receive a form of application for such licence in accordance with Form D in the Schedule and shall fill in and sign the said Form and lodge the same with the Treasurer. Should the Treasurer refuse to grant the licence the said sum of forty-eight dollars shall be refunded to the applicant.

Procedure to  
be followed to  
obtain  
Purchaser's  
Licence.

14. On such application being lodged with the Treasurer duly filled in with all the requisite particulars and signed by the applicant, the Treasurer shall within one week from the date upon which the application is lodged with him grant or refuse to grant a licence to purchase, and in the event of his deciding to refuse the same he shall declare such refusal by writing the word "refused" on the face of the said application and appending his signature and the date of such refusal, and thereupon the applicant shall forthwith be made acquainted with such decision.

Power of  
Treasurer to  
grant or refuse  
Purchaser's  
Licence.

Grant of  
Purchaser's  
Licence.

15. (1) Should the Treasurer decide to grant to the applicant a licence to purchase cotton, he shall do so by giving to the applicant a licence in accordance with Form E in the Schedule.

(2) All licences to purchase cotton shall be numbered consecutively and the Treasurer shall keep a record of the same and shall from time to time supply copies to the chief police officer in the Colony and to an Inspector.

Appeal to  
Administrator  
in Council.

16. The Treasurer shall not be bound to give his reasons for any refusal to grant a licence under this Ordinance but the applicant for the licence may appeal from such refusal to the Administrator in Council whose decision shall be final.

Duration of  
licence.

17. Every licence granted under this Ordinance shall not continue in force for a longer period than twelve months and shall expire on the thirty-first day of March in each year.

Purchaser's  
Record.

18. Every licensed purchaser shall keep a book (in this Ordinance referred to as the Purchaser's Record) the pages of which shall be in accordance with Form F in the Schedule.

Entries in  
Records.

19. In the case of each and every sale of cotton in the Colony, the licensed purchaser or the person acting on his behalf shall at the time of such sale enter in clear and legible handwriting in the Vendor's Record and in the Purchaser's Record all the particulars therein indicated as being required and shall thereupon read the entries which he has made therein to the seller or to his agent, and shall then sign his name to each of the entries made in the said books.

Production of  
certificate of  
registration to  
ginner.

Ord. 1/1930.

20. Where any cotton is presented at any ginnery to be ginned or is offered to any person for sale, the owner or bearer of any cotton so presented or offered for sale, shall produce to the owner or occupier or person in charge of the ginnery or to the purchaser or agent for the purchaser as the case requires, the certificate of registration relating to the land on which the cotton was grown and the owner, occupier or person in charge of the ginnery, or the purchaser or agent for the purchaser as the case requires shall enter upon the back of the certificate the quantity of cotton so presented or purchased, and shall keep a record of all the particulars contained in such certificate as is required by this Ordinance.

21. (1) The owner or occupier of any ginnery shall keep a book (in this Ordinance referred to as the Ginner's Record) in which an entry shall be made by the owner or occupier or any person duly authorised in that behalf of all cotton received at such ginnery to be ginned or ginned and shipped for sale.

Ginner's  
Record.

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(2) Every such entry shall show in clear and legible handwriting:—

- (a) the date such cotton was received,
- (b) the name of the owner of such cotton,
- (c) if the bearer is not the owner the name of the bearer and his address,
- (d) the name and description of the lands on which such cotton was grown and particulars of the certificate of registration in respect of such land,
- (e) whether to be ginned, or ginned and shipped on behalf of the owner.

(3) After such entry has been made the same shall be read to the owner or bearer of the cotton and shall be signed by the owner or occupier of the ginnery, or by any person acting on his behalf, and the owner or bearer of such cotton shall also sign such entry, or make his mark thereto. The pages of such book shall be according to the Form G in the Schedule.

22. If the owner or occupier of any ginnery shall be the holder of a Purchaser's Licence he shall in addition to the Ginner's Record provided for in the preceding section keep a Purchaser's Record as provided for in this Ordinance.

Ginner to keep  
Purchaser's  
Record if  
holder of a  
Purchaser's  
Licence.

23. The Vendor's Record, the Purchaser's Record and the Ginner's Record shall at all reasonable hours on every day of the week be produced for the inspection of an Inspector or of any other person on the written requisition of an Inspector and any such Inspector or other person so inspecting any of the said records shall be at liberty to make a copy of any entry or entries and take away with him such copy of any entry or entries in the said records.

Inspection of  
Records.

24. It shall be the duty of every holder of any licence under the provisions of this Ordinance and of the owner and occupier of any ginnery at all times to give any Inspector or person authorized in writing by an Inspector all information in his power concerning any sale or purchase of any cotton or any

Licensees and  
Ginners to give  
information  
and assistance  
in detecting  
breaches of the  
law.

transaction connected with any cotton, and to afford him every assistance in his power in detecting any breach of any of the provisions of this Ordinance or any larceny of or illicit dealing or trading in cotton.

Cotton may be removed under certain conditions.

**25.** No cotton shall be moved from any one place to another between the hours of sunset and sunrise without a permit which shall be issued by the owner or other person on whose behalf the cotton is to be moved. Such permit shall be signed by the owner or other person and shall contain the following particulars :—

- (a) from where removed and destination
- (b) the quantity
- (c) whether lint or seed cotton
- (d) name of owner
- (e) date of removal :

Provided always that nothing in this section shall be construed to apply to cotton in the course of removal from the field where such cotton shall be gathered to the storeroom of the owner of such cotton.

Offences.

**26.** Any person who :—

- (a) sells cotton to a person other than a licensed purchaser under this Ordinance, or
- (b) purchases cotton from a person other than a licensed seller under this Ordinance, or
- (c) wilfully makes any false statement or misrepresentation with the intent to procure any licence under this Ordinance to be granted or issued to any person, or
- (d) being the holder of a licence under this Ordinance or being the owner or occupier of any ginnery refuses, neglects or fails to permit the inspection of any of his records when lawfully required so to do, or to allow any copy thereof to be taken in accordance with the provisions of this Ordinance, or
- (e) being the holder of a licence under this Ordinance or being the owner or occupier of any ginnery wilfully makes or gives any false statement to any person concerning any sale or purchase of any cotton or any dealing in cotton or in relation to any matter or thing incidental to any such sale or purchase or intended sale or purchase, or

(f) wilfully makes any false statement to the owner or occupier of any ginnery concerning any cotton taken to such ginnery, or

(g) in any manner whatsoever fails to comply with any of the provisions of this Ordinance,

shall be guilty of an offence.

27. Any person guilty of an offence under this Ordinance shall on summary conviction be liable to a fine not exceeding two hundred and forty dollars.

Penalty

28. A licensed purchaser who is convicted of a second offence under this Ordinance shall forfeit his licence.

Licence  
forfeited on  
second  
conviction.

29. Nothing in this Ordinance contained shall prejudice or in any wise affect any civil or criminal proceedings which but for the passing of this Ordinance might be taken or instituted against any person: Provided always that no person shall be liable to be punished twice for the same offence.

Ordinance not  
to affect certain  
proceedings.

30. This Ordinance shall not apply to any sale pursuant to legal process or by public auction.

Exemptions of  
certain sales.

31. (1) Cotton shall not be imported into the Colony except by the permission in writing of the Administrator in Council first had and obtained.

Cotton not to  
be imported  
except by  
permission.

(2) The grant of any such permission shall be in the absolute discretion of the Administrator in Council.

(3) The Administrator in Council may in his absolute discretion attach to the grant of such permission any conditions that he may think fit.

(4) The Administrator in Council may in his absolute discretion at any time cancel such permission and no court of law shall have any jurisdiction to question the exercise of any such discretion on any grounds whatever.

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## SCHEDULE.

S. 7.

*The Cotton Traffic Ordinance.*

## FORM A.

No.

## APPLICATION FOR LICENCE TO SELL.

*To the Treasurer.*

I hereby apply for a licence to sell cotton planted on (1)  
 land situate at (2)  
 which land has been duly registered as required by section 5 of the  
 Cotton Traffic Ordinance.

Dated this            day of            19

Applicant.

(1) Here insert area of land planted in cotton.

(2) Here insert situation of land.

Countersigned.

*The Cotton Traffic Ordinance.*

## FORM B.

S. 9(1)

No.        of 19

## LICENCE TO SELL.

Area of land planted.	Situation of land.

Licence is granted to..... of .....  
 to sell the cotton from above-mentioned land.

Dated this.....day of.....19

Treasurer.



*The Cotton Traffic Ordinance.*

## FORM C.

S. 11.

## THE VENDOR'S RECORD.

Date of Sale.	Name of Purchaser.	Address of Purchaser.	No. of Purchaser's Licence.	Description (viz. lint or seed) and weight of cotton sold	Price received per lb.	Signature of Purchaser or person acting on his behalf.

*The Cotton Traffic Ordinance.*

## FORM D.

S.13.

## APPLICATION FOR LICENCE TO PURCHASE.

To the Treasurer.

I hereby apply for licence to purchase cotton at my premises situate in \_\_\_\_\_ in the Colony in accordance with the provisions of the above mentioned Ordinance.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_.

(Name)

(Address).

*The Cotton Traffic Ordinance.*

## FORM E.

S. 15.

## LICENCE TO PURCHASE.

Licence is hereby granted to \_\_\_\_\_ of \_\_\_\_\_ to purchase cotton at his (or her) premises situate in \_\_\_\_\_ in the Colony in accordance with the provisions of the above mentioned Ordinance.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_.

Fee Paid  
\$48.

Treasurer.

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## FORM F.

S. 18.

## PURCHASER'S RECORD.

Date of Purchase.	Name of Vendor.	Address of Vendor.	No. of Vendor's licence.	All particulars on grower's certificate.	Name and address of bearer.	Description ( <i>viz.</i> Lint or seed) and weight of cotton purchased.	Price paid per lb.

.....  
Signature of purchaser or person acting on his behalf.

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## FORM G.

S. 21(3)

## GINNERS' RECORD.

Date.	Name.	If bearer not owner the name of the bearer and address.	Name and description of lands.	All particulars of grower's certificate.	Whether to be ginned or ginned and shipped.	Weights of cotton.	Signature of Ginner or Occupier.	Signature of owner or bearer of cotton.

*The Cotton Traffic Ordinance.*

## FORM H.

S. 4. Ord. 1/1930.

Application for registration as a grower of cotton.

I hereby apply to be registered as a grower of cotton  
planted on (1) of land situate at (2)

Dated this day of 19 .

Signed

(1) Here insert area of land actually planted in cotton

(2) Here insert situation of land :

*The Cotton Traffic Ordinance.*

## FORM I.

S. 5. Ord. 1/1930.

Certificate of Registration as a grower of cotton.

To of

You are hereby registered as a grower of (1)  
of cotton planted on land situate at (2)

Dated this day of 19

Signed.

Inspector.

(1) Here insert acreage actually planted in cotton

(2) Here insert situation of land :