



ANNO QUADRAGESIMO PRIMO ET QUADRAGESIMO  
SECUNDO

# VICTORIÆ REGINÆ.

A.D. 1878.

No. 92.

*An Act to amend The Inebriates Act of 1874.*

[Assented to, 21st August, 1878.]

**W**HEREAS it is desirable to amend The Inebriates Act of 1874 Preamble.  
—Be it therefore Enacted by the Governor of the Province  
of South Australia, with the advice and consent of the Legislative  
Council and House of Assembly of the said Province, in this present  
Parliament assembled, as follows:

37 and 38 Victoriae,  
No. 8.

1. If any inmate of any retreat shall abscond or escape therefrom before the expiration of the term specified in the order of detention, or shall wilfully damage or destroy any property belonging to any such retreat, such inmate may be brought before any two or more Justices of the Peace for the said Province, who shall make inquiry as to the complaint made against such inmate, and upon proof of such complaint, may order such inmate to be imprisoned for any term not exceeding three months with or without hard labor. And such inmate shall at the termination of such imprisonment, be sent back to the retreat and detained therein for the remainder of the term mentioned in the order of detention.

Inmate absconding  
or destroying property

2. Any person who shall directly or indirectly counsel or induce by letter or otherwise, any inmate of any retreat to abscond or escape therefrom before the expiration of the term specified in the order of detention, or before such inmate shall have been regularly discharged, or who shall aid or abet any such inmate in so escaping or absconding, or who knowing any such inmate to have so absconded or escaped, shall harbor or conceal, or assist in harboring or concealing, such inmate, or prevent him from returning to such retreat, shall, on conviction

Punishment for aiding  
absconders.

*Inebriates Act Amendment Act.—1878.*

viction, forfeit and pay any sum not exceeding Twenty Pounds, or at the discretion of the Justices may be imprisoned for any term not exceeding two months, with or without hard labor.

Amendment of section  
21 of original Act.

3. Section 21 of The Inebriates Act of 1874 shall be read and construed as if the words "by statutory declaration" had been omitted therefrom, and a certificate in the form in the Schedule hereto, or to the like effect, signed by two medical practitioners, shall be deemed a sufficient compliance with the provisions of the said section in reference to a certificate.

Forms.

4. The several forms in the Schedule to this Act or forms to the like effect, shall be deemed good, valid, and sufficient in law.

Short Title and in-  
corporation.

5. This Act may be cited for all purposes as the Inebriates Act Amendment Act, 1878, and shall be incorporated with The Inebriates Act of 1874.

In the name and on behalf of Her Majesty, I hereby assent to  
this Bill.

WM. F. DRUMMOND JERVOIS, Governor.

*Inebriates Act Amendment Act.—1878.*

## SCHEDULE.

[The Inebriates Act of 1874.]

*Medical Certificate.*

We the undersigned duly qualified medical practitioners, do hereby certify that we have examined \_\_\_\_\_ of \_\_\_\_\_ and that in our opinion the said \_\_\_\_\_ requires curative treatment in a Retreat.

[The Inebriates Act of 1874.]

*Order of Detention.*

South [Royal Arms.] Australia.

WHEREAS on the \_\_\_\_\_ day of \_\_\_\_\_ application was made to \_\_\_\_\_ by \_\_\_\_\_ in the said Province of \_\_\_\_\_ for a summons calling upon the said \_\_\_\_\_ to appear before \_\_\_\_\_ at \_\_\_\_\_ in the said Province on the \_\_\_\_\_ day of \_\_\_\_\_ 18 \_\_\_\_\_ to show cause why he should not be committed to a Retreat under the provisions of the Inebriates Act of 1874: and whereas the reasonableness of the said application being proved to \_\_\_\_\_ by the evidence of \_\_\_\_\_ did therefore issue \_\_\_\_\_ summons to the said \_\_\_\_\_ to appear before \_\_\_\_\_ at \_\_\_\_\_ in the said Province on the \_\_\_\_\_ day of \_\_\_\_\_ 18 \_\_\_\_\_: and whereas it now manifestly appears to \_\_\_\_\_ having heard the evidence adduced in support of the said summons in the \_\_\_\_\_ of the said \_\_\_\_\_ that by reason of his abuse of intoxicating liquor the said \_\_\_\_\_ is unable to control himself and is incapable of managing his affairs

from the continuous use of such intoxicating liquors: and two Medical Practitioners, to wit, \_\_\_\_\_ and \_\_\_\_\_ having certified in writing that the said \_\_\_\_\_ requires curative treatment in a Retreat: now, therefore, \_\_\_\_\_ do order that the said \_\_\_\_\_ be apprehended and conveyed to the \_\_\_\_\_ Retreat, and be there delivered to the Superintendent or other proper officer thereof; and that the said \_\_\_\_\_ be there received, detained, and subjected to curative treatment therein for \_\_\_\_\_ and \_\_\_\_\_ do further order and adjudge that the said \_\_\_\_\_ of \_\_\_\_\_ do pay to \_\_\_\_\_ of \_\_\_\_\_ in the said Province \_\_\_\_\_ the sum of \_\_\_\_\_ for his costs in this behalf, and the sum of \_\_\_\_\_ for the costs of the conveyance of the said \_\_\_\_\_ to the said Retreat; and the sum of \_\_\_\_\_ for his maintenance and treatment therein.

Given under \_\_\_\_\_ hand and seal at \_\_\_\_\_ in the said Province, the \_\_\_\_\_ day of \_\_\_\_\_ 18 \_\_\_\_\_