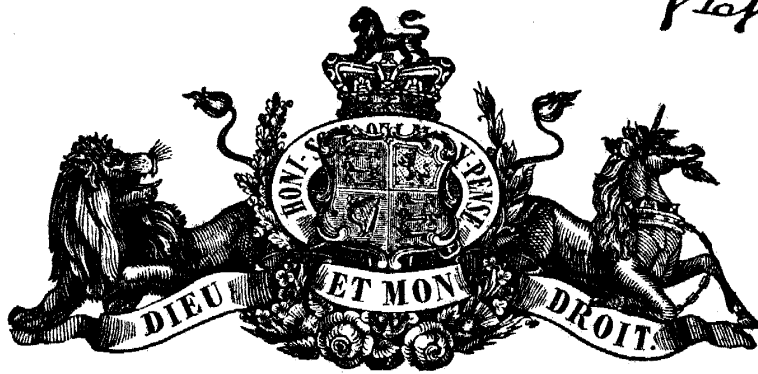


See Pharmacy Act No 509 of 1891

Ref: 968 of '08, sec 4



ANNO VICESIMO QUINTO ET VICESIMO SEXTO

VICTORIÆ REGINÆ.

A.D. 1862.

No. 5.

An Act to regulate the Sale of certain Poisons.

[Assented to, 21st October, 1862.]

WHEREAS it is expedient to regulate the sale of certain poisons Preamble.
—Be it therefore Enacted, by the Governor-in-Chief 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:

1. No person under the age of seventeen years shall buy or sell the several poisons called arsenic, corrosive sublimate, prussic acid, essential oil of bitter almonds, or strychnine, and no person shall sell any of the aforesaid poisons to any person under the age aforesaid, or buy any of the aforesaid poisons from any person under the age aforesaid, and no person shall sell any of the said poisons unless the sale be made in the presence of a witness; and no person shall sell any of the said poisons to any person who is unknown to the seller, unless the purchaser be known to the witness and the witness be known to the seller. Restrictions on sale of certain poisons.

2. Every person who shall sell any of the aforesaid poisons shall forthwith and before the delivery of any such poison to the purchaser, enter or cause to be entered in a fair and regular manner in a book to be kept by the seller for that purpose, in the form set forth in the Schedule to this Act, or to the like effect, a statement of such sale, with the name of the poison so sold, the quantity thereof, the purpose for which such poison is required or stated to be required, the day of the month and year of the sale, and the name, place of abode, Particulars of every sale to be entered in a book.

abode, and condition or occupation of the purchaser, and of the witness, into all which circumstances, as well as the age of the purchaser, the person selling such poison is hereby required and authorized to inquire of the purchaser before the delivery to such purchaser of the poison sold; and such entries shall, in every case, be signed by the person making the same, and shall also be signed by the purchaser, unless such purchaser profess to be unable to write, in which case the person making the entries shall add to the particulars of such sale the words "cannot write," and shall also be signed by the witness before the delivery to the purchaser of the poison sold.

Poisons to be labelled.

3. Every packet, bottle, or other parcel containing any of the before-mentioned poisons, or any opium, laudanum, white precipitate, red precipitate, sugar of lead, oxalic acid, sulphate of zinc, or Goulard's Extract, which shall be hereafter sold, shall be, before such sale, clearly and distinctly labelled with a printed or written label, having the name of the contents and the word "Poison" legibly printed or written thereon, firmly affixed to such packet, bottle, or other parcel.

Provision for coloring arsenic.

4. No person shall sell any arsenic unless the same be before the sale thereof mixed with soot or indigo in the proportion of one ounce of soot or half an ounce of indigo at the least to one pound of arsenic, and so in proportion for any greater or less quantity: Provided always that where such arsenic is stated by the purchaser to be required for some purpose for which such admixture would, according to the representation of the purchaser, render it unfit, such arsenic may be sold without such admixture.

Not to affect poisons in medicine, or any wholesale dealing.

5. Nothing in this Act contained shall extend to the sale of any of the aforesaid poisons when the same or any of them form or forms part of the ingredients of any medicine required to be made up or compounded according to the prescription of any medical practitioner, or to affect dealings between one trader and another upon orders in writing in the ordinary course of dealings, or to affect wholesale dealing upon orders in writing.

Penalties.

6. If any person shall sell any of the aforesaid poisons save as authorized by this Act, or on any sale of any of the aforesaid poisons, shall deliver the same without having made and signed the entries hereby required on such sale, or without having obtained such signatures to such entries as required by this Act, or if any person purchasing any such poison shall give false information to the person selling the same, in relation to the particulars which such last-mentioned person is hereby authorized to inquire of such purchaser, or if any person shall sign his name as a witness to a sale of any of the aforesaid poisons to a person unknown to the person so signing as witness, or if any person shall cause, allow, or permit any such poison to be bought or sold by any person who shall be under the age of seventeen years, every person so offending shall

see SR 12 '94, 77

shall for every such offence, upon a summary conviction for the same before two Justices of the Peace for the said Province, be liable to a penalty not exceeding Twenty Pounds: Provided that every person convicted as aforesaid shall be at liberty to appeal to any Court, having jurisdiction for the time being, to hear appeals upon summary convictions.

In the name and on behalf of the Queen I hereby assent to this Act.

D. DALY, Governor.

SCHEDULE REFERRED TO

Day of sale.	Poison sold.	Quantity.	Purchaser's name, place of abode, and condition or occupation.	Witness's name, place of abode, and condition or occupation.
June 1, 1862	Strychnine	4 ozs.	John Jones, Mosquito Plains, shepherd	Joseph Hobbs, Druggist's Assis- tant, Hindley- street, Adelaide.

(Purchaser's signature) JOHN JONES. (Or, if purchaser cannot write, seller here to put the words "Cannot write.")

(Seller's signature) JAMES ALLEN.

Witness—J. HOBBS.