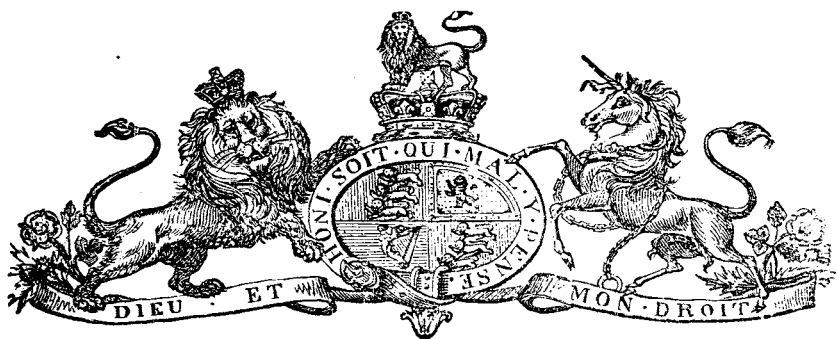


T A S M A N I A.



1886.

ANNO QUINQUAGESIMO

VICTORIÆ REGINÆ,

No. 14.



AN ACT to prohibit the placing of Poisoned A.D. 1886.  
Flesh and Poisonous Matters in open  
places. [8 December, 1886.]

BE it enacted by His Excellency the Governor of *Tasmania*, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows :—

**1** Every person who shall knowingly and wilfully set, lay, put, or place, or cause to be set, laid, put, or placed, in or upon any street, road, or highway, or in or upon the land of any other person, any animal or vegetable substance which has been mixed with, or steeped in, or impregnated with poison or any poisonous ingredient, so as to render such animal or vegetable substance poisonous and calculated to destroy life, and every person who shall, without reasonable excuse have in his possession any such animal or vegetable substance as is hereinbefore mentioned or any poison or poisonous ingredient, shall be liable to forfeit and pay a penalty not exceeding Ten Pounds, or, at the discretion of the Justices before whom any such person is convicted, to be imprisoned for any term not exceeding Six months.

Penalty for placing poisoned substances in streets, &c., or on land of any other person.

**2** It shall be lawful for any Constable, in any street, road, or highway, to search any person whom he may have good cause to suspect of having set, laid, put, or placed any such animal or vegetable substance as is hereinbefore mentioned or to have in his possession any such animal or vegetable substance or any poison or poisonous ingredient contrary to the provisions of this Act, and should there

Power to constables to search persons without warrant in certain cases. 25 & 26 Vict. c. 114, s. 2.

*Poisoned Substances Prohibition.*

A.D. 1886.

29 Vict. No. 6,  
s. 29.

be found any such animal or vegetable substance or any poison or poisonous ingredient as aforesaid upon such person, to seize and detain the same; and it shall be lawful for any Constable acting as aforesaid to require the person found in possession of any such animal or vegetable substance or any poison or poisonous ingredient as aforesaid, to tell his Christian name, surname, and place of abode, and in case such person refuses to tell his real name or place of abode, or gives such a general description of his place of abode as is illusory for the purpose of discovery, it shall be lawful for such Constable to apprehend such offender and convey him or cause him to be conveyed as soon as conveniently may be before a Justice of the Peace to be dealt with according to law: Provided always, that no person so apprehended shall, on any pretence whatsoever, be detained for a longer period than Twenty-four hours from the time of his apprehension before he is brought before some Justice of the Peace; and if he cannot, on account of the absence or distance of the residence of any Justice of the Peace, or owing to any other reasonable cause, be brought before a Justice of the Peace within such Twenty-four hours as aforesaid, then the person so apprehended shall be discharged, but may nevertheless be proceeded against for his offence by Summons or Warrant as if no such apprehension had taken place.

Occupier of land  
liable to penalty  
in certain cases.

**3** If any occupier of any land shall set, lay, put, or place, or cause to be set, laid, put, or placed upon such land any such animal or vegetable substance as is hereinbefore mentioned, without posting in a conspicuous place upon such land notice that such animal or vegetable substance has been so set, laid, put, or placed, he shall be liable to forfeit and pay a penalty not exceeding Ten Pounds.

Not to apply to  
occupier placing  
poisoned pre-  
parations for  
destruction of  
vermin;  
27 & 28 V. c. 115.

Nothing herein contained shall make it unlawful for the occupier of any dwelling-house or other building, or the owner of any rick or stack of wheat, barley, oats, beans, peas, tares, seeds, or of any cultivated vegetable produce, to put or place, or cause to be put or placed in any such dwelling-house or other building, or in any enclosed garden attached to such dwelling-house, or in the drains connected with any such dwelling-house, provided that such drains are so protected with gratings or otherwise as to prevent any dog from entering the same, or within such rick or stack, any such animal or vegetable substance for the destruction of rats, mice, or other small vermin.

or in pursuance  
of notice.

Nothing in this Section shall apply to any such occupier laying poison on such land in pursuance of any notice served upon him by the Chief Inspector or any Inspector of Sheep.

Act not to apply  
to Inspector of  
Sheep laying  
poison.

**4** Nothing in this Act shall apply to the Chief Inspector or any Inspector of Sheep laying poison upon any street, road, or highway, or upon any land in pursuance of any law authorising or requiring him so to do.

"Street" defined.  
42 Vict. No. 25.

**5** For the purposes of this Act the term "street" shall have the meaning assigned thereto in Section Two of "The Police Act Amendment Act, 1879."

Recovery of  
penalties.

**6** All offences against this Act shall be heard and determined, and all penalties shall be recovered, in the mode prescribed by *The Magistrates Summary Procedure Act*.