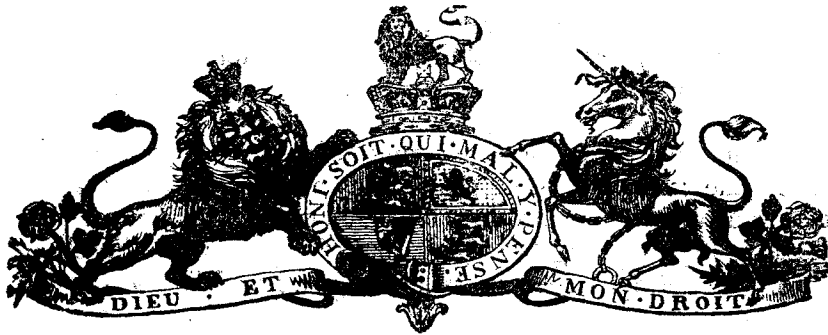


T A S M A N I A.



1873.

ANNO TRICESIMO-SEPTIMO

VICTORIÆ REGINÆ,

No. 16.



AN ACT to provide for the Treatment and Cure of Inebriates. [31 October, 1873.] A.D. 1873.

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 This Act may be cited as "The Inebriates Act, 1873." Short title.

2 The Governor in Council may, subject to any provisions or conditions that he thinks fit, grant to any person or to two or more persons jointly a Licence for Twelve months to keep a house for the treatment and cure of habitual Inebriates, hereinafter called a "Retreat," and may from time to time revoke or renew such Licence. "Retreats" may be licensed.

3 Any person desirous of being committed to a Retreat may make application to any Justice, and such Justice if satisfied that the applicant has habitually used excessive quantities of intoxicating drinks and that he is at the time of his application sober, and that he fully understands the nature of his application, may make, in the form in the Schedule or to the like effect, an order authorising the apprehension of such person, his conveyance to some Retreat, and his delivery to the Superintendent or other proper officer thereof, and his reception, detention, and curative treatment therein for any term not exceeding Twelve months. Inebriates may apply to be admitted.

4 Upon the application of any relation or friend of any person addicted to the habitual use in excess of intoxicating drinks, any Judge of the Supreme Court sitting in Chambers may, upon proof to him of Inebriates may be summoned to attend before a Judge.

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the reasonableness of the application, summon such person to appear before him, on a day named, to show cause why such person should not be committed to a Retreat.

Inebriates may be committed.

5 If, upon the hearing of such summons in the presence or the absence of the inebriate, it appears that by reason of his abuse of intoxicating drinks the person summoned is unable to control himself and incapable of managing his affairs, or is dangerous to himself or to others, or is suffering under or recovering from *delirium tremens* or chronic alcoholism, or is in imminent danger of death from the continuous use of such drinks, and if two medical practitioners certify by declaration in writing made before any Justice of the Peace under the Act of Council 8 W. 4, No. 2, that such person requires curative treatment in a Retreat, the Judge may make an order authorising the apprehension of such person, his conveyance to some Retreat, and his delivery to the Superintendent or other proper officer thereof, and his reception, detention, and curative treatment therein for any term not exceeding Twelve months; or such summons may be dismissed with costs as against the applicant.

It shall be lawful for any Judge making any such Order as aforesaid to appoint a Receiver for the protection, care, and management of the estate of such inebriate during his detention in such Retreat; and such Receiver shall have the same powers and authorities as the Receiver of the estate of a lunatic found such by inquisition now has.

Duration and effect of orders.

6 Every Order made in pursuance of this Act, until and unless the same is rescinded by a Judge of the Supreme Court upon application made to him in Chambers for that purpose, shall be a sufficient authority to all persons acting under and in conformity to such Order; and any Judge of the said Court is hereby authorised to rescind the said Order with or without costs as to him may seem fit.

Inebriates may be retaken after escape.

7 Any person received into any Retreat under any such Order as is required by this Act may be detained therein for the period specified in any such Order or until he is discharged as hereinafter provided; and in case of escape may, by virtue of such Order, be retaken at any time after his escape by any officer or servant belonging to such Retreat, or by any constable, or by any person authorised in writing in that behalf by the Superintendent or other Manager of the Retreat, and be conveyed to such Retreat and received and detained therein.

Inebriates to pay expenses of cure.

8 The Justice or Judge as aforesaid may, if he think fit, by the same or a different Order, direct the payment by the inebriate, or in case of his inability then by the person applying for his committal, of all costs and charges of the proceedings before him, and of the conveyance of the inebriate to a Retreat, and of his maintenance and treatment therein; and the amount so ordered to be paid shall be deemed to be a judgment debt due by the person liable thereto to the parties in such Order mentioned.

Discharge of inebriates.

9 The Superintendent or other proper officer of the Retreat may at any time before the expiration of the term specified in the Order of Detention discharge any person so detained.

Regulations may be made.

10 The Governor in Council may from time to time make and alter Regulations for the good government of Retreats, and for the fees payable by the residents therein, and for the better carrying out the purposes of this Act; and such Regulations shall provide among other

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things for the inspection from time to time of every such Retreat by the Commissioners appointed under the Insane Persons Hospital Act or other proper persons to be appointed for that purpose by the Governor; and all such Regulations shall be published in the *Gazette*, and shall be laid before both Houses of Parliament as soon as may be after the making thereof. A.D. 1873.

SCHEDULE.

FORM of Commitment upon Voluntary Application.

To _____ and all Constables and Peace Officers,
and to the Superintendent or other proper Officer of the Retreat for Inebriates
at _____

WHEREAS on the _____ day of _____ 187 ,
A.B., of _____ came before me C.D., one of Her Majesty's
Justices of the Peace in and for *Tasmania*, and applied to be committed under the
provisions of "The Inebriates Act, 1873," to the Retreat situated at _____

And whereas it appears to me that the said A.B. has habitually used
excessive quantities of intoxicating drinks, and that he was sober at the time of his
application aforesaid, and that he fully understood the nature of his application and
the consequences thereof: Now therefore I, the said C.D., one of Her Majesty's
Justices of the Peace as aforesaid, do, in pursuance of "The Inebriates Act, 1873,"
and by the authority on me thereby conferred, hereby order that you the said Con-
stables or peace officers apprehend the said A.B. and convey him to the said Retreat,
and deliver him to the said Superintendent or other proper officer thereof, and that
you the said Superintendent, or other proper officer, receive him into your custody in
the said Retreat, and him there safely keep and submit to curative treatment for the
term of _____ months unless he is sooner discharged according to law; and
I do by this Order direct that the said A.B. shall pay to E.F., of _____
the sum of £ _____ for the expenses of his conveyance to the said
Retreat, and to the said Superintendent the sum of £ _____ for every
month of his stay therein, being the amount of the Fees in that behalf ordered to be
paid by the Regulations made by the Governor in Council in pursuance of the said
Act. And for these this shall be a sufficient warrant.

Given under my hand this _____ day of _____ 187 .
C.D.,
Justice of the Peace.

