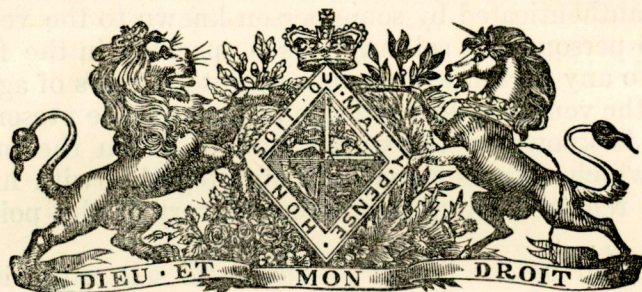


New South Wales.



ANNO QUADRAGESIMO

VICTORIÆ REGINÆ.

No. IX.

An Act for regulating the Sale and Use of Poisons. [Assented to,
21st August, 1876.]

WHEREAS the unrestricted sale of Poisons often leads to fatal accidents and the commission of crime And whereas large quantities of Arsenic Strychnine and other poisons are used in the Colony for pastoral and agricultural purposes and fatal accidents occur by reason of the careless custody and use of such Poisons by the owners thereof or other persons in their employ And it is expedient for the safety of the public to regulate the sale of Poisons and to make provision for the exercise of proper precautions in the use of the same Be it therefore enacted by the Queen's Most Excellent Majesty by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in this present Parliament assembled and by the authority of the same as follows (that is to say) :—

1. This Act may be cited as the "Sale and use of Poisons Act 1876."

2. Every person who shall sell any poison specified in the first part of Schedule A shall before the delivery thereof to the purchaser inquire his name place of abode and occupation and the purpose for which such poison is required or stated to be required and shall thereupon

Preamble.

On sale of poison specified in the first part of Schedule A entry thereof to be made in a book.

Sale and use of Poisons.

make a faithful entry of such sale specifying the poison and the quantity thereof and all such particulars so given by the purchaser together with the day of the month and year of such sale in a book to be kept by the vendor for that purpose in the form set forth in the Schedule F to this Act and every such entry shall be signed by the person making the same and also by the purchaser unless he shall declare himself unable to write (in which case the person making the entry shall add thereto the words "Purchaser cannot write") and whenever a witness to the sale is required by this Act such entry shall be signed by such witness together with his place of abode. Provided that in cases where sales and purchases of poisons are made by correspondence the letter ordering the same shall be preserved by the vendor and a memorandum of the date of the said letter by whom it was written and the quantity and particulars of the poison therein ordered shall be entered in the said book and no person shall sell poison so ordered to any person with whose signature he is not acquainted unless such signature shall have been witnessed or purport to have been witnessed by a Justice Clergyman or public officer or be authenticated by some person known to the vendor.

Restrictions as to the sale of any poison specified in the first part of Schedule A.

3. No person shall sell any poison specified in the first part of Schedule A to any person who is under eighteen years of age or who is unknown to the vendor unless the sale be made in the presence of some witness who is known to the vendor and to whom the purchaser is known and which witness signs his name together with his place of abode to the required entry before the delivery of the poison to the purchaser.

Sales of poison for destruction of vermin to be made only to householders.

4. It shall not be lawful to buy or to sell any poison for the avowed purpose of destroying rats or other vermin infesting houses unless the purchaser be a householder.

Arsenic and strychnine must be coloured.

5. No person shall sell any arsenic or strychnine or any preparation of the same respectively unless in the case of arsenic and any uncoloured preparation of the same such poison shall be mixed before the sale or delivery thereof 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. And in the case of strychnine or any uncoloured preparation of the same such poison shall be coloured with Armenian bole or other red colouring matter before the sale or delivery thereof. Provided always that whenever the purchaser states that such arsenic or strychnine or any preparation thereof respectively is required not for any pastoral or agricultural use but for some other purpose for which such admixture would according to the representation of the purchaser render it unfit such poison may be sold without the admixture hereinbefore specified.

Penalties for offences under this Act.

6. If any person shall sell any Poison specified in the Schedule A to this Act unless as authorized herein—or if on any sale thereof he shall deliver the same without having made and signed the entry hereby required on such sale—or without having obtained such signature to such entry as required by this Act—or if any one purchasing such poison shall give false information in answer to inquiries to the person selling the same in relation to the particulars which he is by this Act authorized to inquire into of such purchaser—or if any one shall sign his name as a witness to the sale of any such poison to a person unknown to such witness every person so offending shall for every such offence upon summary conviction thereof before two Justices be liable to a penalty not exceeding twenty pounds.

Sales of any poison medicines or by wholesale dealers excepted.

7. This Act shall not extend to the sale of any poison when made up or compounded as a medicine according to the prescription of a medical practitioner or in the form of homœopathic medicine unless in the crude state mother tincture or of a greater strength than the third potency. Nor to the sale of patent medicines or of photographic

Sale and use of Poisons.

graphic materials for the purpose of photography Nor to the sale of medicines dispensed by veterinary surgeons for animals under their treatment Nor to the sale of fly poison papers or packets of poisonous mixtures for the destruction of vermin when duly marked as such Nor shall it extend to any sales by wholesale dealers in the ordinary course of wholesale dealing if an order in writing signed by the purchaser shall be given for the supply of the same Provided that all such sales be entered in a book and the packages of poisons be labelled as required by section seventeen.

8. The several substances mentioned in Schedule A hereto shall be deemed poisons within the meaning of this Act Provided always that the Governor with the advice of the Executive Council may by Proclamation duly published in the *Gazette* at any time declare that any other natural or chemical substance or preparation specified in such Proclamation shall be deemed a poison within the meaning of this Act.

Substances named in first Schedule to be deemed poisons.

9. The Governor with the advice of the Executive Council may appoint for the purposes of this Act a Board of Pharmacy to consist of the President of the New South Wales Medical Board the Medical Adviser to the Government and the Council of the Pharmaceutical Society of New South Wales.

The Governor may appoint a Board of Pharmacy.

10. After the time when this Act shall come into operation no person shall sell any poison unless he shall have received a certificate from the said Board that he is duly qualified to be a dealer in poisons and any person so selling without such certificate shall be liable to a penalty not exceeding fifty pounds.

Unqualified persons not allowed to sell poisons.

11. No person shall receive such certificate unless he shall prove to the satisfaction of the said Board that he has been duly admitted a Pharmaceutical Chemist by the Pharmaceutical Society of Great Britain or a Member or Licentiate of the Apothecaries Halls of London or Dublin—Or has received a certificate as a legally qualified medical practitioner—Or is entitled to be certified as such under the authority of the Acts passed in the second ninth and nineteenth years of the reign of Her present Majesty and numbered respectively twenty-two twelve and seventeen—Or unless he be a person who shall at the time of the passing of this Act be carrying on business as a chemist and druggist in New South Wales—Or unless he shall make a declaration accompanied by a certificate in the form in Schedule E that he has served as an apprentice or assistant to a chemist and druggist for not less than three years and during that period been actually engaged in the dispensing and compounding of medical prescriptions and been examined as hereinafter provided as to his skill and competency to conduct the business of chemist and druggist Provided always that in places remote from large towns any person who shall produce a certificate according to Schedule D from a legally qualified medical practitioner and a police magistrate that he is a fit and proper person to be allowed to sell poisons in such place shall receive a certificate as a “dealer in poisons.”

Certificate of qualification.

12. The several persons mentioned in the last section shall be entitled to be registered upon paying a fee of one pound for such registration Provided however that any chemist and druggist claiming to be registered must send to the Secretary of the said Board (who shall also be the Registrar for the purposes of this Act) a claim in the form in Schedule C to this Act Provided also that for any such registration of a chemist and druggist unless it be so claimed by him within three months after the passing of this Act he shall pay for registration the said fee of one pound.

Such persons to be registered by the Board of Pharmacy.

13. The said Board shall without any unnecessary delay make regulations for keeping up the “Register of Chemists and Druggists” which

The Board of Pharmacy to keep a register &c.

Sale and use of Poisons.

which shall be alphabetically arranged in accordance with the form in Schedule B hereto and shall be kept by their Secretary and for appointing the fees to be charged for the examination of assistants and apprentices to chemists and druggists—and the mode of conducting the same—and before whom—and the subjects for examination (which shall not extend beyond matters immediately connected with the business of a chemist and druggist)—and for the registration of chemists and druggists and of any other certified dealers in poisons—all which regulations shall be submitted to the Governor and Executive Council for approval or alteration and shall when confirmed be published in the *Gazette*.

Deaths of chemists and druggists to be noted in register.

14. Every Registrar of Deaths on receiving notice of the death of any chemist and druggist shall forthwith transmit by post to the Secretary of the said Board a certificate under the hand of such Registrar of such death stating the time and place of death for which certificate he shall be entitled to demand and receive from the said Secretary a fee of two shillings and sixpence and on the receipt of such certificate the said Secretary shall erase the name of the deceased from the register.

Names of qualified persons only to be entered in register.

15. No name shall be entered in the register except of persons authorized by this Act to be registered nor unless the Secretary and Registrar shall be satisfied by the proper evidence that the person claiming is entitled to be registered and any appeal from the decision of the Registrar may be decided by the said Board and any entry which may be proved to the satisfaction of the said Board to have been fraudulently or incorrectly made may be erased from or amended in the register by the order in writing of such Board.

Register to be published annually and to be evidence.

16. The Secretary and Registrar of the said Board shall in the month of January in every year cause to be printed and published a copy of the said register showing the names and residences of all persons registered as chemists and druggists under this Act on the thirty-first day of December last preceding which shall be certified by him to be a true copy of the original register (the names of deceased persons being omitted) And every such printed copy or any certificate under the hand of the said Secretary and Registrar shall be *prima facie* evidence in all Courts of Justice that the persons or person therein specified respectively are duly registered under this Act And the absence of any person's name in the said printed copy of the said register shall be *prima facie* evidence that such person is not duly registered under this Act.

Wilful falsification of register &c. an offence.

17. If the Secretary and Registrar aforesaid shall wilfully make any false entry in the said register or if any person shall cause himself to be fraudulently registered therein by making any false representation or producing any forged certificate to the Secretary and Registrar the offender shall be deemed guilty of misdemeanor and shall be liable on conviction thereof to be fined and imprisoned for any term not exceeding twelve months.

Rules to be observed in the sale of Poison.

18. It shall not be lawful to sell any poison specified in Schedule A hereto or which may hereafter be declared as hereinbefore provided such either by wholesale or retail unless the bottle or other vessel wrapper or cover box or case immediately containing the same bears thereon the word "Poison" printed conspicuously together with the name of the article and the name and address of the seller thereof.

Persons selling contrary to act liable to a penalty of £20.

19. Any person selling any poison otherwise than is herein provided shall upon summary conviction thereof before any two Justices be liable to a penalty not exceeding twenty pounds And for the purposes of this section the person on whose behalf any such sale is made by any apprentice or servant shall be deemed to be the seller Provided always that such apprentice or servant shall be liable to a like penalty.

Sale and use of Poisons.

20. The Governor with the advice of the Executive Council may direct the name of any person who is convicted of any offence against this Act which in their opinion renders him unfit or who shall be deemed by them unfit through habitual intoxication or otherwise to be on the register under this Act to be erased from the same and the Secretary and Registrar shall erase his name accordingly.

Governor in Council may direct the names of unfit persons to be erased from the register.

21. The Governor with the advice of the Executive Council may from time to time make any further regulations as to the colouring of any poisons—or the sale or custody of the same—or for the registration of persons claiming to be registered as chemists and druggists (in the event of sufficient regulations in that behalf not being made by the said Board)—or otherwise carrying into effect the objects of this Act—which after publication in the *Gazette* shall have the same force and validity as if the same formed part of this Act Provided that a copy of the same shall be laid before both Houses of Parliament without unnecessary delay.

The Governor in Council may make Regulations for sale of poisons.

22. It shall not be lawful for the owner or other person in charge or possession of any poison to leave it in any place (whether the same be ordinarily accessible to others or not) unless the bottle or package of whatever kind in which such poison may be contained shall be marked as “Poison” and be otherwise duly labelled in the manner provided by section eighteen And any person so offending shall be liable on summary conviction thereof before any two Justices to a penalty not exceeding twenty pounds.

Owners of poisons not to leave them about unlabelled under a penalty.

23. Any person feeling himself aggrieved by any conviction or penalty imposed under the authority of this Act where the penalty exceeds five pounds may appeal against the same to the next Court of Quarter Sessions holden in the district where the subject matter thereof arose unless such Quarter Sessions shall be held within fourteen days from the date of such conviction or judgment and in that case to the Court of Quarter Sessions then next following And such Court shall have power to hear and determine the matter in a summary way and shall have and exercise all other powers vested in them by the third section of the Act fifth William the Fourth number twenty-two and the decision of such Court shall be final and conclusive in respect to the subject matter of such appeal Provided always that the person so appealing shall have given written notice seven days at the least before the hearing of such appeal of his intention to appeal and stating the grounds thereof to any one of the convicting Justices and to the person who prosecuted the matter before the Justices in Petty Sessions And provided also that the person appealing (in case a penalty shall have been awarded against him) shall pay into the hands of the convicting Justices the full amount thereof together with the costs awarded within one week next after conviction and shall within the same period enter into a bond with two sureties approved by such Justices conditioned to prosecute such appeal with effect and to abide the event of such appeal and to pay the full amount of all such costs as may on such appeal be awarded against him.

Appeal allowed to Quarter Sessions.

24. This Act shall come into operation on the first day of October next excepting the several sections having reference to the appointment of the aforesaid Board and the several provisions connected therewith which shall come into operation on the passing thereof.

Commencement of Act.

SCHEDULES.

Sale and use of Poisons.

SCHEDULES.

SCHEDULE A.

LIST of Poisons.

1ST PART.

Arsenic.
 Prussic Acid.
 Strychnine.
 Savin and its Oil.
 Ergot of Rye and its preparations.
 Chloral Hydrate.
 Laudanum.

2ND PART.

Cyanides of Potassium and all metallic Cyanides.
 All poisonous vegetable Alkaloids and their Salts.
 Aconite and its preparations.
 Tartar Emetic.
 Corrosive Sublimate.
 Cantharides.
 Oxalic Acid.
 Chloroform.
 Belladonna and its preparations.
 Opium and all preparations of Opium or of Poppies other than Laudanum.
 Arsenical preparations except Green and other coloured Paints.

SCHEDULE B.

FORM of the Register of Chemists and Druggists.

Name.	Residence.	Qualification.
A.B.....	Albury	Kept a store for sale of poison prior to "Sale and use of Poisons Act 1876."
C.D.....	Sydney	Carried on business of chemist and druggist prior to "Sale and use of Poisons Act 1876."
E.F.....	Gundagai	Admitted a Pharmaceutical Chemist.

SCHEDULE C.

DECLARATION by a person who was in business as a Chemist and Druggist before the passing of this Act.

To the Secretary and Registrar of the Board of Pharmacy.

I residing at in the Colony of New South Wales hereby declare that I was in business as a Chemist and Druggist in the keeping of open shop for the compounding of Medical prescriptions before the passing of the "Sale and use of Poisons Act 1876."

Dated this day of 1876.

(Signature.)

SCHEDULE D.

CERTIFICATE to be signed by a legally qualified Medical Practitioner and a Police Magistrate.

To the Secretary and Registrar of the Board of Pharmacy.

I residing at in the Colony of New South Wales being a legally qualified medical practitioner and I a Police Magistrate hereby certify that now residing at in the Colony of New South Wales is in our opinion a fit and proper person to be allowed to sell poisons in that place.

SCHEDULE E.

Sale and use of Poisons.

SCHEDULE E.

DECLARATIONS to be signed by and on behalf of an Apprentice or assistant claiming to be registered.

To the Secretary and Registrar of the Board of Pharmacy.

I hereby declare that the undersigned residing
at in the Colony of New South Wales has been for three years employed
in dispensing and compounding prescriptions as an apprentice or assistant to Mr.
of Chemist and Druggist and has attained the age of twenty-one years.

Dated this day of 1876.

(Signature) A.B.
Registered Chemist and Druggist.

DECLARATION to be signed by the Applicant.

I HEREBY declare that I was an apprentice (*or* assistant) to of
in the Colony of New South Wales in the years and and was
for three years actually engaged in dispensing and compounding prescriptions and that
I have attained the age of twenty-one years.

Dated this day of 1876.

(Signature) J.H.

SCHEDULE F.

FORM of Entry in Book on Sale of Poison.

Day of sale.	Name of purchaser.	Place of abode.	Occupation.	Quantity and names of Poison.	Purpose for which it is required.	Purchaser's signature.	Witness.	Vendor's signature.
1 March 1876	John Jones.	Bona Station Merool Creek.	Squatter	20lbs. arsenic ... 10ozs. strychnine	Sheep-dressing Poisoning Native dogs.	John Jones ... (<i>or if the purchaser cannot write insert the words "Purchaser cannot write"</i>).	Henry Squires Farmer Merool.	Richard Stiffener.

[6d.]

By Authority : THOMAS RICHARDS, Government Printer, Sydney, 1876.

SALE AND USE OF POISONS BILL.

SCHEDULE of the Amendments made by the Legislative Assembly in the Bill intituled "An Act for regulating the Sale and Use of Poisons," returned to the Legislative Council with Message of 3rd August, 1876.

STEPHEN W. JONES,
Clerk of Legislative Assembly.

- Page 1, preamble, line 11. *After "Assembly" insert "of New South Wales"*
- „ clause 2, lines 16 to 18. *Omit "arsenic or strychnine or any preparation of the same respectively" insert "poison specified in the first part of Schedule A"*
- Page 2, clause 2. *At end of clause add Proviso.*
- „ clause 3, lines 20 and 21. *Omit "arsenic or strychnine or any preparation of the same respectively" insert "any poison specified in the first part of Schedule A"*
- „ clause 4, lines 27 and 28. *Omit "arsenic or strychnine or any preparation of the same respectively" insert "poison"*
- „ clause 5, line 33. *Before "preparation" insert "uncoloured"*
- „ „ „ 37. *After "any" insert "uncoloured"*
- „ „ „ 44. *After "specified" omit remainder of clause.*
- „ clause 6, line 50. *Omit "thereof"*
- „ „ „ 59. *Omit "fifty" insert "twenty"*
- „ „ „ 59. *After "pounds" omit remainder of clause.*
- Page 3, clause 7, lines 1 and 2. *Omit "arsenic or strychnine or any preparation of the same respectively or to"*
- „ clause 7, line 2. *Omit "other"*
- „ „ „ 3. *Omit "required to be"*
- „ „ „ 4. *Omit "legally qualified"*
- „ „ lines 4 to 12. *Omit "a member of the medical profession or" insert "in the form of homœopathic medicine unless in the crude state mother tincture or of a greater strength than the third potency Nor to the sale of patent medicines or of photographic materials for the purpose of photography Nor to the sale of medicines dispensed by veterinary surgeons for animals under their treatment Nor to the sale of fly poison papers or packets of poisonous mixtures for the destruction of vermin when duly marked as such Nor shall it extend"*
- „ clause 7, line 15. *Omit "the sale in either case" insert "all such sales"*
- „ clause 7, line 16. *Omit "sections" insert "section"*
- „ „ „ 16. *After "seventeen" omit remainder of clause.*
- „ *After clause 8, insert new clause 9.*
- „ clause 9-10, line 35. *Omit "be permitted to"*
- „ „ lines 35 to 37. *Omit "of the poisons mentioned in Schedule A hereto or hereafter declared to be poisons as hereinbefore provided" insert "poison"*
- „ clause 9-10, line 38. *Omit "Secretary of the New South Wales Medical" insert "said"*
- „ clause 9-10, lines 39 and 40. *Omit "or he" insert "and any person so selling without such certificate"*
- „ clause 10. *Omit clause 10.*
- Page 4, *After clause 10 insert new clause 11.*
- „ clause 11-12, lines 23 to 25. *Omit "for the purposes of this Act be deemed to be 'chemists and druggists' and shall"*

- Page 4, clause ~~11~~ 12, line 25. *Omit* "as such"
 " " " 26. *Omit* "half-a-crown" *insert* "one
 " " " " *insert* "pound"
 " clause ~~11~~ 12, line 28. *Omit* "New South Wales Medical"
insert "said"
 " clause ~~11~~ 12, line 30. *Omit* "accompanied by a certificate
 " " " " "in the form in Schedule D"
 " clause ~~11~~ 12, lines 33 and 34. *Omit* "same fee as persons
 " " " " "admitted to the Register after examination" *insert*
 " " " " "said fee of one pound"
 " clause ~~12~~ 13, line 35. *Omit* "New South Wales Medical"
insert "said"
 " clause ~~12~~ 13, line 44. *Omit* "in relation to the objects of
 " " " " "this Act"
 " clause ~~12~~ 13, line 45. *After* "druggists" *insert* "and of any
 " " " " "other certified dealers in poisons"
 " clause ~~13~~ 14, line 51. *Omit* "New South Wales Medical"
insert "said"
 " clause ~~13~~ 14, line 54. *Omit* "one shilling" *insert* "two
 " " " " "shillings"
 Page 5, clause ~~14~~ 15, line 1. *Omit* "New South Wales Medical"
insert "said"
 " clause ~~14~~ 15, line 2. *Omit* "Medical"
 " " " " 5. *Omit* "Medical"
 " clause ~~15~~ 16, lines 6 and 7. *Omit* "New South Wales Medi-
 " " " " "cal" *insert* "said"
 " clause ~~17~~ 18, line 27. *After* "declared" *insert* "as herein-
 " " " " "before provided"
 " clause 18. *Omit* clause 18.
 " clause 19, line 42. *Omit* "fifty" *insert* "twenty"
 " " " " 44. *After* "seller" *omit* remainder of clause
insert Proviso.
 " clause 20, line 58. *Omit* "the" *insert* "their"
 " " " " lines 58 and 59. *Omit* "of the Court before
 " " " " "whom he is convicted"
 " clause 20, line 59. *After* "unfit" *insert* "or who shall be
 " " " " "deemed by them unfit through habitual intoxication or
 " " " " "otherwise"
 Page 6, clause 21, line 6. *Omit* "or manner"
 " " " " 6. *Omit* "using"
 " " " " 8. *After* "druggists" *insert* "(in the event
 " " " " "of sufficient regulations in that behalf not being made
 " " " " "by the said Board)"
 " clause 22, line 19. *Omit* "seventeen" *insert* "eighteen"
 " " " " 21. *Omit* "fifty" *insert* "twenty"
 " *After* clause 23 *insert* new clause 24.
 Page 7, Schedule A. *Omit* Schedule A, *insert* new Schedule A.
 Page 8, Schedule C, line 4. *Omit* "New South Wales Medical"
 " " " " *After* "Board" *insert* "of Pharmacy"
 " Schedule D, line 13. *Omit* "New South Wales Medical"
 " " " " *After* "Board" *insert* "of Pharmacy"
 " Schedule E, line 20. *After* "apprentice" *insert* "or assistant"
 " " " " 22. *Omit* "New South Wales Medical"
 " " " " *After* "Board" *insert* "of Pharmacy"
 " " " " lines 24 and 25. *Omit* "immediately before the passing of the 'Sale
 " " " " "and use of Poisons Act 1876'"
 " " " " line 26. *After* "an" *insert* "apprentice or"
 " " " " 30. *Omit* "Legally Qualified Medical Practitioner &c." *insert*
 " " " " "Registered Chemist and Druggist"
 " " " " line 34. *Omit* "immediately before the passing of the 'Sale and
 " " " " "use of Poisons Act 1876'"
 Pages 8 and 9, Schedule F. *Omit* Schedule F *insert* new Schedule F.

This PUBLIC BILL originated in the LEGISLATIVE COUNCIL, and, having this day passed, is now ready for presentation to the LEGISLATIVE ASSEMBLY for its concurrence.

*Legislative Council Chamber,
Sydney, 3rd May, 1876. }*

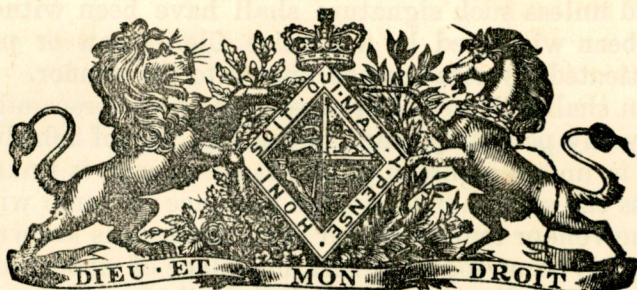
JOHN J. CALVERT,
Clerk of the Parliaments.

The LEGISLATIVE ASSEMBLY has this day agreed to this Bill with Amendments.

*Legislative Assembly Chamber,
Sydney, 3 August, 1876. }*

STEPHEN W. JONES,
Clerk of Legislative Assembly.

New South Wales.



ANNO QUADRAGESIMO

VICTORIÆ REGINÆ.

No. .

An Act for regulating the Sale and Use of Poisons.

WHEREAS the unrestricted sale of Poisons often leads to fatal accidents and the commission of crime And whereas large quantities of Arsenic Strychnine and other poisons are used in the Colony for pastoral and agricultural purposes and fatal accidents occur by reason of the careless custody and use of such Poisons by the owners thereof or other persons in their employ And it is expedient for the safety of the public to regulate the sale of Poisons and to make provision for the exercise of proper precautions in the use of the same Be it therefore enacted by the Queen's Most Excellent Majesty by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in this present Parliament assembled and by the authority of the same as follows (that is to say) :—

1. This Act may be cited as the "Sale and use of Poisons Act 1876."

2. Every person who shall sell any ~~arsenic or strychnine or any~~ **poison specified in the first part of Schedule A** shall before the delivery thereof to the purchaser inquire his name place of abode and occupation and the purpose for which such

C 54—A 3/8/76.

On sale of arsenic or strychnine poison specified in the first part of Schedule A entry thereof to be made in a book.

NOTE.—The words to be omitted are ruled through; those to be inserted are printed in black letter.

Sale and use of Poisons.

such poison is required or stated to be required and shall thereupon make a faithful entry of such sale specifying the poison and the quantity thereof and all such particulars so given by the purchaser together with the day of the month and year of such sale in a book to be kept by the
 5 vendor for that purpose in the form set forth in the Schedule F to this Act and every such entry shall be signed by the person making the same and also by the purchaser unless he shall declare himself unable to write (in which case the person making the entry shall add thereto the words "Purchaser cannot write") and whenever a witness to the sale is required
 10 by this Act such entry shall be signed by such witness together with his place of abode. **Provided that in cases where sales and purchases of poisons are made by correspondence the letter ordering the same shall be preserved by the vendor and a memorandum of the date of the said letter by whom it was written and the quantity and particulars**
 15 **of the poison therein ordered shall be entered in the said book and no person shall sell poison so ordered to any person with whose signature he is not acquainted unless such signature shall have been witnessed or purport to have been witnessed by a Justice Clergyman or public officer or be authenticated by some person known to the vendor.**

20 3. No person shall sell ~~arsenic or strychnine or any preparation of the same respectively~~ **any poison specified in the first part of Schedule A** to any person who is under eighteen years of age or who is unknown to the vendor unless the sale be made in the presence of some witness who is known to the vendor and to whom the purchaser is known and
 25 which witness signs his name together with his place of abode to the required entry before the delivery of the poison to the purchaser.

4. It shall not be lawful to buy or to sell any ~~arsenic or strychnine or any preparation of the same respectively~~ **poison for the** avowed purpose of destroying rats or other vermin infesting houses
 30 unless the purchaser be a householder.

5. No person shall sell any arsenic or strychnine or any preparation of the same respectively unless in the case of arsenic and any
 35 **uncoloured** preparation of the same such poison shall be mixed before the sale or delivery thereof 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. And in the case of strychnine or any **uncoloured** preparation of the same such poison shall be coloured with Armenian bole or other red colouring matter before the sale or delivery thereof. **Provided always that whenever the pur-**
 40 **chaser states that such arsenic or strychnine or any preparation thereof respectively is required not for any pastoral or agricultural use but for some other purpose for which such admixture would according to the representation of the purchaser render it unfit such poison may be sold without the admixture hereinbefore specified in any quantity at one**
 45 **time of not less than ten pounds in the case of arsenic or its preparations and of not less than one pound in the case of strychnine or its preparations.**

6. If any person shall sell any Poison specified in the Schedule
 50 A to this Act unless as authorized herein—or if on any sale thereof he shall deliver the same ~~thereof~~ without having made and signed the entry hereby required on such sale—or without having obtained such signature to such entry as required by this Act—or if any one purchasing such poison shall give false information in answer to inquiries to the person selling the same in relation to the particulars which he is
 55 by this Act authorized to inquire into of such purchaser—or if any one shall sign his name as a witness to the sale of any such poison to a person unknown to such witness every person so offending shall for every such offence upon summary conviction thereof before two Justices be liable to a penalty not exceeding ~~fifty~~ **twenty** pounds ~~or less than~~
 60 ~~five pounds.~~

Restrictions as to the sale of arsenic etc. any poison specified in the first part of Schedule A

Sales of poison for destruction of vermin to be made only to householders.

Arsenic and strychnine must be coloured.

Penalties for offences under this Act.

Sale and use of Poisons.

7. This Act shall not extend to the sale of ~~arsenic or strychnine or any preparation of the same~~ ^{Sales of arsenic etc. any poison as medicines or by wholesale dealers excepted.} respectively or to any other poison when required to be made up or compounded as a medicine according to the prescription of a legally qualified medical practitioner or a member of the medical profession or in the form of homœopathic medicine unless in the crude state mother tincture or of a greater strength than the third potency Nor to the sale of patent medicines or of photographic materials for the purpose of photography Nor to the sale of medicines dispensed by veterinary surgeons for animals under their treatment Nor to the sale of fly poison papers or packets of poisonous mixtures for the destruction of vermin when duly marked as such Nor shall it extend to any sales by wholesale dealers in the ordinary course of wholesale dealing if an order in writing signed by the purchaser shall be given for the supply of the same Provided that the sale in either case all such sales be entered in a book and the packages of poisons be labelled as required by sections section seventeen. and eighteen and this Act shall not extend to the sale of arsenic or strychnine or to any other poison if made up in the form of homœopathic medicines nor to the making or selling patent medicines nor to the dispensing of medicines by veterinary surgeons for animals under their treatment.

8. The several substances mentioned in Schedule A hereto shall be deemed poisons within the meaning of this Act Provided always that the Governor with the advice of the Executive Council may by Proclamation duly published in the *Gazette* at any time declare that any other natural or chemical substance or preparation specified in such Proclamation shall be deemed a poison within the meaning of this Act. ^{Substances named in first Schedule to be deemed poisons.}

9. The Governor with the advice of the Executive Council may appoint for the purposes of this Act a Board of Pharmacy to consist of the President of the New South Wales Medical Board the Medical Adviser to the Government and the Council of the Pharmaceutical Society of New South Wales. ^{The Governor may appoint a Board of Pharmacy.}

9. 10. After the time when this Act shall come into operation no person shall be permitted to sell any of the poisons mentioned in Schedule A hereto or hereafter declared to be poisons as hereinbefore provided poison unless he shall have received a certificate from the Secretary of the New South Wales Medical said Board that he is duly qualified to be a dealer in poisons or he and any person so selling without such certificate shall be liable to a penalty not exceeding fifty pounds. ^{Unqualified persons not allowed to sell poisons.}

10. No person shall be entitled to receive such certificate unless he shall prove to the satisfaction of the said Medical Board that he has been duly admitted a Pharmaceutical Chemist by the Pharmaceutical Society of Great Britain—or a member or Licentiate of the Apothecaries Halls of London or Dublin—or has received a certificate as a legally qualified medical practitioner—or is entitled to be certified as such under the authority of the Acts passed in the second ninth and nineteenth years of the reign of Her present Majesty and numbered respectively twenty-two twelve and seventeen—or unless he be a person who shall be duly registered as a chemist and druggist by the New South Wales Medical Board after having served an apprenticeship to a chemist and druggist for not less than three years and during that period been actually engaged in the dispensing and compounding of medical prescriptions and been examined as hereinafter provided as to his skill and competency to conduct the business of chemist and druggist—or a person who shall in reference to sales in any place remote from large towns produce a certificate according to Schedule D from a duly legally qualified medical practitioner and a Police Magistrate that he is a fit and proper person to be allowed to sell poisons in such place. ^{Who to be deemed qualified.}

Sale and use of Poisons.

11. No person shall receive such certificate unless he shall Certificate of qualification.
 prove to the satisfaction of the said Board that he has been
 duly admitted a Pharmaceutical Chemist by the Pharmaceutical
 Society of Great Britain or a Member or Licentiate of the Apothecaries
 5 Halls of London or Dublin—Or has received a certificate as a legally
 qualified medical practitioner—Or is entitled to be certified as such
 under the authority of the Acts passed in the second ninth and nine-
 teenth years of the reign of Her present Majesty and numbered
 respectively twenty-two twelve and seventeen—Or unless he be a
 10 person who shall at the time of the passing of this Act be carrying on
 business as a chemist and druggist in New South Wales—Or unless
 he shall make a declaration accompanied by a certificate in the form
 in Schedule E that he has served as an apprentice or assistant to a
 chemist and druggist for not less than three years and during that
 15 period been actually engaged in the dispensing and compounding of
 medical prescriptions and been examined as hereinafter provided as
 to his skill and competency to conduct the business of chemist and
 druggist Provided always that in places remote from large towns any
 person who shall produce a certificate according to Schedule D from
 20 a legally qualified medical practitioner and a police magistrate that he
 is a fit and proper person to be allowed to sell poisons in such place
 shall receive a certificate as a “dealer in poisons.”
- ~~11. 12. The several persons mentioned in the last section shall for~~ Such persons to be
~~the purposes of this Act be deemed to be “chemists and druggists”~~ registered by the
 25 ~~and shall be entitled to be registered as such upon paying a fee of~~ Medical Board of
~~half a crown one pound for such registration~~ Pharmacy.
 Provided however that any
 chemist and druggist claiming to be registered must send to the Secretary
 of the New South Wales Medical said Board (who shall also be the
 Registrar for the purposes of this Act) a claim in the form in Schedule
 30 C accompanied by a certificate in the form in Schedule D to this Act
 Provided also that for any such registration of a chemist and druggist
 unless it be so claimed by him within three months after the passing
 of this Act he shall pay for registration the same fee as persons admitted
 to the Register after examination. said fee of one pound.
- 35 ~~12. 13. The New South Wales Medical said Board shall without any~~ The Medical Board
~~unnecessary delay make regulations for keeping up the “Register of~~ of Pharmacy
~~Chemists and Druggists” which shall be alphabetically arranged in~~ to keep a register &c.
 accordance with the form in Schedule B hereto and shall be kept by
 their Secretary and for appointing the fees to be charged for the
 40 examination of assistants and apprentices to chemists and druggists
 —and the mode of conducting the same—and before whom—and the
 subjects for examination (which shall not extend beyond matters
 immediately connected with the business of a chemist and druggist
~~in relation to the objects of this Act)—and for the registration of~~
 45 chemists and druggists and of any other certified dealers in poisons—
 all which Regulations shall be submitted to the Governor and Executive
 Council for approval or alteration and shall when confirmed be
 published in the *Gazette*.
- ~~13. 14. Every Registrar of deaths on receiving notice of the death~~ Deaths of chemists
 50 ~~of any chemist and druggist shall forthwith transmit by post to the~~ and druggists to be
~~Secretary of the New South Wales Medical said Board a certificate under~~ noted in register.
 the hand of such Registrar of such death stating the time and place of
 death for which certificate he shall be entitled to demand and receive
 from the said Secretary a fee of ~~one shilling~~ two shillings and sixpence
 55 and on the receipt of such certificate the said Secretary shall erase
 the name of the deceased from the register.
14. 15. No name shall be entered in the register except of persons Names of qualified
 authorized by this Act to be registered nor unless the Secretary and persons only to be
 Registrar shall be satisfied by the proper evidence that the person claim- entered in register.
 60 ing is entitled to be registered and any appeal from the decision of the
 Registrar

Sale and use of Poisons.

Registrar may be decided by the ~~New South Wales Medical~~ said Board and any entry which may be proved to the satisfaction of the said Medical Board to have been fraudulently or incorrectly made may be erased from or amended in the register by the order in writing of such ~~Medical Board.~~

15. 16. The Secretary and Registrar of the ~~New South Wales Medical~~ said Board shall in the month of January in every year cause to be printed and published a copy of the said register showing the names and residences of all persons registered as chemists and druggists under this Act on the thirty-first day of December last preceding which shall be certified by him to be a true copy of the original register (the names of deceased persons being omitted) And every such printed copy or any certificate under the hand of the said Secretary and Registrar shall be *primâ facie* evidence in all Courts of Justice that 15 the persons or person therein specified respectively are duly registered under this Act And the absence of any person's name in the said printed copy of the said register shall be *primâ facie* evidence that such person is not duly registered under this Act.

16. 17. If the Secretary and Registrar aforesaid shall wilfully make 20 any false entry in the said register or if any person shall cause himself to be fraudulently registered therein by making any false representation or producing any forged certificate to the Secretary and Registrar the offender shall be deemed guilty of misdemeanor and shall be liable on conviction thereof to be fined and imprisoned for any 25 term not exceeding twelve months.

17. 18. It shall not be lawful to sell any poison specified in Schedule A hereto or which may hereafter be declared as **hereinbefore provided** such either by wholesale or retail unless the bottle or other vessel wrapper or cover box or case immediately containing the same bears 30 thereon the word "Poison" printed conspicuously together with the name of the article and the name and address of the seller thereof.

18. It shall not be lawful to sell any of the poisons specified in the first part of Schedule A to this Act or which may hereafter be declared such by the Governor with the advice of the Executive 35 Council to any person unknown to the seller unless introduced by some person known to the seller and in every sale of any such poison the seller shall before delivery thereof comply with all the requirements set forth in section two of this Act in regard to the sale of arsenic and strychnine.

19. Any person selling any poison otherwise than is herein provided shall upon summary conviction thereof before any two Justices be liable to a penalty not exceeding **fifty twenty** pounds And for the purposes of this section the person on whose behalf any such sale is made by any apprentice or servant shall be deemed to be the seller 45 Provided always that the provisions of the two last sections which are solely applicable to the poisons specified in the first part of Schedule A shall not apply to sales thereof by wholesale dealers in the ordinary course of wholesale dealing Nor shall any of the provisions of those sections apply to any such poison when forming 50 part of the ingredients of any medicine dispensed by a person registered under this Act provided such medicine be labelled in the manner specified in section seventeen and the ingredients thereof be entered with the name and address of the person to whom it is sold or delivered in a book to be kept by the seller for that purpose **Provided always** 55 **that such apprentice or servant shall be liable to a like penalty.**

20. The Governor with the advice of the Executive Council may direct the name of any person who is convicted of any offence against this Act which in the ~~their~~ opinion of the Court before whom he is convicted renders him unfit or who shall be deemed by them unfit through

Register to be published annually and to be evidence.

Wilful falsification of register &c. an offence.

Rules to be observed in the sale of Poison

Poisons to be sold only to known persons.

Persons selling contrary to act liable to a penalty of £50 £20.

Governor in Council may direct the names of unfit persons to be erased from the register.

Sale and use of Poisons.

through habitual intoxication or otherwise to be on the register under this Act to be erased from the same and the Secretary and Registrar shall erase his name accordingly.

21. The Governor with the advice of the Executive Council The Governor in Council may make Regulations for sale of poisons. may from time to time make any further Regulations as to the colouring of any poisons—or the sale or custody or ~~manner of using~~ the same—or for the registration of persons claiming to be registered as chemists and druggists (in the event of sufficient regulations in that behalf not being made by the said Board)—or otherwise carrying into effect the objects of this Act—which after publication in the *Gazette* shall have the same force and validity as if the same formed part of this Act Provided that a copy of the same shall be laid before both Houses of Parliament without unnecessary delay.

22. It shall not be lawful for the owner or other person in charge or possession of any poison to leave it in any place (whether the same be ordinarily accessible to others or not) unless the bottle or package of whatever kind in which such poison may be contained shall be marked as "Poison" and be otherwise duly labelled in the manner provided by section ~~seventeen~~ eighteen And any person so offending shall be liable on summary conviction thereof before any two Justices to a penalty not exceeding ~~fifty~~ twenty pounds. Owners of poisons not to leave them about unlabelled under a penalty.

23. Any person feeling himself aggrieved by any conviction or penalty imposed under the authority of this Act where the penalty exceeds five pounds may appeal against the same to the next Court of Quarter Sessions holden in the district where the subject matter thereof arose unless such Quarter Sessions shall be held within fourteen days from the date of such conviction or judgment and in that case to the Court of Quarter Sessions then next following And such Court shall have power to hear and determine the matter in a summary way and shall have and exercise all other powers vested in them by the third section of the Act fifth William the Fourth number twenty-two and the decision of such Court shall be final and conclusive in respect to the subject matter of such appeal Provided always that the person so appealing shall have given written notice seven days at the least before the hearing of such appeal of his intention to appeal and stating the grounds thereof to any one of the convicting Justices and to the person who prosecuted the matter before the Justices in Petty Sessions And provided also that the person appealing (in case a penalty shall have been awarded against him) shall pay into the hands of the convicting Justices the full amount thereof together with the costs awarded within one week next after conviction and shall within the same period enter into a bond with two sureties approved by such Justices conditioned to prosecute such appeal with effect and to abide the event of such appeal and to pay the full amount of all such costs as may on such appeal be awarded against him. Appeal allowed to Quarter Sessions.

24. This Act shall come into operation on the first day of October next excepting the several sections having reference to the appointment of the aforesaid Board and the several provisions connected therewith which shall come into operation on the passing thereof. Commencement of Act.

SCHEDULES.

Sale and use of Poisons.

SCHEDULES.

SCHEDULE A.

List of Poisons.

1st Part.

5	Arsenic and its preparations.	
	Prussic Acid.	
	Cyanides of Potassium and all metallic Cyanides.	
	Strychnine and all poisonous vegetable Alkaloids and their Salts.	
	Aconite and its preparations.	
10	Tartar Emetic.	
	Corrosive Sublimate.	
	Cantharides.	
	Savin and its Oil.	
	Ergot of Rye and its preparations.	
15		2nd Part.
	Oxalic Acid.	
	Chloroform.	
	Chlorodine.	
	Belladonna and its preparations.	
20	Essential Oil of Almonds unless deprived of its Prussic Acid.	
	Opium and all preparations of Opium or of Poppies.	

SCHEDULE A.

List of Poisons.

1st Part.

25	Arsenic.
	Prussic Acid.
	Strychnine.
	Savin and its Oil.
	Ergot of Rye and its preparations.
30	Chloral Hydrate.
	Laudanum.

2nd Part.

	Cyanides of Potassium and all metallic Cyanides.
	All poisonous vegetable Alkaloids and their Salts.
35	Aconite and its preparations.
	Tartar Emetic.
	Corrosive Sublimate.
	Cantharides.
	Oxalic Acid.
40	Chloroform.
	Belladonna and its preparations.
	Opium and all preparations of Opium or of Poppies other than Laudanum.
	Arsenical preparations except Green and other colored Paints.

SCHEDULE B.

FORM of the Register of Chemists and Druggists.

45	Name.	Residence.	Qualification.
	A.B.....	Albury	Kept a store for sale of poison prior to "Sale and use of Poisons Act 1876."
	C.D.....	Sydney	Carried on business of chemist and druggist prior to "Sale and use of Poisons Act 1876."
50	E.F.....	Gundagai	Admitted a Pharmaceutical Chemist.

SCHEDULE C.

Sale and use of Poisons.

SCHEDULE C.

DECLARATION by a person who was in business as a Chemist and Druggist before the passing of this Act.

To the Secretary and Registrar of the ~~New South Wales Medical Board of Pharmacy.~~

5 I ~~residing at~~ in the Colony of New South Wales hereby declare that I was in business as a Chemist and Druggist in the keeping of open shop for the compounding of Medical prescriptions before the passing of the "Sale and use of Poisons Act 1876."

Dated this day of 1876.

(Signature.)

SCHEDULE D.

10

CERTIFICATE to be signed by a legally qualified Medical Practitioner and a Police Magistrate.

To the Secretary and Registrar of the ~~New South Wales Medical Board of Pharmacy.~~

I ~~residing at~~ in the Colony of New South Wales being
15 a legally qualified medical practitioner and I a Police Magistrate
hereby certify that now residing at in the Colony of
New South Wales is in our opinion a fit and proper person to be allowed to sell poisons
in that place.

SCHEDULE E.

20 DECLARATIONS to be signed by and on behalf of an Apprentice or assistant claiming to be registered.

To the Secretary and Registrar of the ~~New South Wales Medical Board of Pharmacy.~~

I ~~hereby declare that the undersigned~~ residing
at ~~in the Colony of New South Wales has been for three years imme-~~
25 ~~diately before the passing of the "Sale and Use of Poisons Act 1876"~~ employed in dis-
pensing and compounding prescriptions as an apprentice or assistant to Mr. of
Chemist and Druggist and has attained the age of twenty-one years.

Dated this day of 1876.

(Signature) A.B.

30 ~~Legally Qualified Medical Practitioner etc.~~ Registered Chemist and Druggist.

DECLARATION to be signed by the Applicant.

I HEREBY declare that I was an apprentice (or assistant) to of
in the Colony of New South Wales in the years and and was
for three years immediately before the passing of the "Sale and Use of Poisons Act 1876."
35 actually engaged in dispensing and compounding prescriptions and that I have attained
the age of twenty-one years.

Dated this day of 1876.

(Signature) J.H.

SCHEDULE F.

Form of Entry in Book on Sale of Poison.

40	Day of sale.	Name of purchaser.	Place of abode.	Occupation.	Quantity and names of Poison.	Purpose for which it is required.
	1 March, 1876	John Jones..	Bona Station Merool Creek.	Squatter	20lbs. arsenic 10ozs. strychnine ...	Sheep-dressing. Poisoning Native dogs.
	Purchaser's signature— <i>John Jones.</i>		Witness— <i>Henry Squires</i> <i>Farmer Merool.</i>		Vendor's signature— <i>Richard Stiffener.</i>	
45	(or if purchaser cannot write insert the words "Purchaser cannot write.")					

SCHEDULE F.

Sale and use of Poisons.

SCHEDULE F.

Form of Entry in Book on Sale of Poison.

	Day of sale.	Name of purchaser.	Place of abode.	Occupation.	Quantity and names of Poison.	Purpose for which it is required.	Purchaser's signature.	Witness.	Vendor's signature.
5									
	1 March 1876	John Jones	Bona Station Merool Creek	Squatter	20lbs. arsenic ... 10ozs. strychnine	Sheep-dressing Poisoning Native Dogs.	John Jones ... (or if the purchaser cannot write insert the words "Purchaser cannot write").	Henry Squires Farmer Merool.	Richard Stiffener.
10									

Legislative Council.

39^o VICTORIÆ, 1876.

A BILL

For regulating the Sale and Use of Poisons.

[MR. DOCKER;—1 *March*, 1876.]

WHEREAS the unrestricted sale of Poisons often leads to fatal accidents and the commission of crime And whereas large quantities of Arsenic Strychnine and other poisons are used in the Colony for pastoral and agricultural purposes and fatal accidents occur
5 by reason of the careless custody and use of such Poisons by the owners thereof or other persons in their employ And it is expedient for the safety of the public to regulate the sale of Poisons and to make provision for the exercise of proper precautions in the use of the same Be it therefore enacted by the Queen's Most Excellent
10 Majesty by and with the advice and consent of the Legislative Council and Legislative Assembly in this present Parliament assembled and by the authority of the same as follows (that is to say) :—

1. This Act may be cited as the "Sale and use of Poisons Act Short title.
1876."

15 2. Every person who shall sell any arsenic or strychnine or On sale of arsenic or strychnine entry thereof to be made in a book.
any preparation of the same respectively shall before the delivery thereof to the purchaser inquire his name place of abode and occupation and the purpose for which such poison is required or stated

to be required and shall thereupon make a faithful entry of such sale specifying the poison and the quantity thereof and all such particulars so given by the purchaser together with the day of the month and year of such sale in a book to be kept by the vendor for that purpose in the form set forth in the Schedule F to this Act and every such entry shall be signed by the person making the same and also by the purchaser unless he shall declare himself unable to write (in which case the person making the entry shall add thereto the words "Purchaser cannot write") and whenever a witness to the sale is required by this Act such entry shall be signed by such witness together with his place of abode.

Restrictions as to the sale of arsenic &c.

3. No person shall sell arsenic or strychnine or any preparation of the same respectively to any person who is under *eighteen* years of age or who is unknown to the vendor unless the sale be made in the presence of some witness who is known to the vendor and to whom the purchaser is known and which witness signs his name together with his place of abode to the required entry before the delivery of the poison to the purchaser.

Sales of poison for destruction of vermin to be made only to householders.

4. It shall not be lawful to buy or to sell any arsenic or strychnine or any preparation of the same respectively for the avowed purpose of destroying rats or other vermin infesting houses unless the purchaser be a householder.

Arsenic and strychnine must be coloured.

5. No person shall sell any arsenic or strychnine or any preparation of the same respectively unless in the case of arsenic and any preparation of the same such poison shall be mixed before the sale or delivery thereof 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. And in the case of strychnine or any preparation of the same such poison shall be coloured with Armenian bole or other red colouring matter before the sale or delivery thereof. Provided always that whenever the purchaser states that such arsenic or strychnine or any preparation thereof respectively is required not for any pastoral or agricultural use but for some other purpose for which such admixture would according to the representation of the purchaser render it unfit such poison may be sold without the admixture hereinbefore specified in any quantity at one time of not less than ten pounds in the case of arsenic or its preparations and of not less than one pound in the case of strychnine or its preparations.

Penalties for offences under this Act.

6. If any person shall sell any Poison specified in the Schedule A to this Act unless as authorized herein—or if on any sale thereof he shall deliver the same thereof without having made and signed the entry hereby required on such sale—or without having obtained such signature to such entry as required by this Act—or if any one purchasing such poison shall give false information in answer to inquiries to the person selling the same in relation to the particulars which he is by this Act authorized to inquire into of such purchaser—or if any one shall sign his name as a witness to the sale of any such poison to a person unknown to such witness every person so offending shall for every such offence upon summary conviction thereof before two Justices be liable to a penalty not exceeding *fifty* pounds nor less than *five* pounds.

Sales of arsenic &c. as medicines or by wholesale dealers excepted.

7. This Act shall not extend to the sale of arsenic or strychnine or any preparation of the same respectively or to any other poison when required to be made up or compounded as a medicine according to the prescription of a legally qualified medical practitioner or a member of the medical profession or to any sales by wholesale to retail dealers in the ordinary course of wholesale dealing if an order in writing signed by the purchaser shall be given for the supply of the same

same Provided that this Act shall not extend to the sale of arsenic or strychnine or to any other poison if made up in the form of homœopathic medicines nor to the making or selling patent medicines nor to the dispensing of medicines by veterinary surgeons for animals under
 5 their treatment Provided that the sale in either case be entered in a book and the packages of poisons be labelled as required by sections seventeen and eighteen.

8. The several substances mentioned in the first Schedule hereto shall be deemed and held to be poisons within the meaning of this Act
 10 Provided always that the Governor with the advice of the Executive Council may by Proclamation duly published in the *Gazette* at any time declare that any other natural or chemical substance or preparation specified in such Proclamation shall be deemed a poison within the meaning of this Act.

Substances named in first Schedule to be deemed poisons.

15 9. From and after the time when this Act shall come into operation no person shall be permitted to sell any of the poisons mentioned in the first Schedule hereto or hereafter declared to be poisons as hereinbefore provided unless he shall have received a certificate from the *Secretary of the New South Wales Medical Board* that he is duly
 20 qualified to be a dealer in poisons or he shall be liable to a penalty not exceeding fifty pounds.

Unqualified persons not allowed to sell poisons.

10. No person shall be entitled to receive such certificate unless he shall prove to the satisfaction of the said *Medical Board* that he has been duly admitted a Pharmaceutical Chemist by the Pharmaceutical
 25 Society of Great Britain—or a member or Licentiate of the Apothecaries Halls of London or Dublin—or has received a certificate as a legally qualified medical practitioner—or is entitled to be certified as such under the authority of the Acts passed in the second ninth and nineteenth years of the reign of Her present Majesty and numbered
 30 respectively twenty-two twelve and seventeen—or before the passing of this Act shall have carried on the business of a chemist and druggist—or openly kept a shop or store for the sale of poisons amongst other things (either of which latter facts may be proved by the production of a certificate under the hand of a legally qualified
 35 medical practitioner or a Police Magistrate according to Schedule D to this Act)—or any person who shall be duly registered as a chemist and druggist by the New South Wales Medical Board after having served an apprenticeship to a chemist and druggist for not less than three years and during that period been actually engaged in the
 40 dispensing and compounding of medical prescriptions and been examined as hereinafter provided as to his skill and competency to conduct the business of chemist and druggist.

Who to be deemed qualified.

11. The several persons mentioned in the last section shall for the purposes of this Act be deemed to be "chemists and druggists"
 45 and shall be entitled to be registered as such upon paying a fee of *half-a-crown* for such registration Provided however that any chemist and druggist claiming to be registered must send to the Secretary of the New South Wales Medical Board (who shall also be the Registrar for the purposes of this Act) a claim in the form in Schedule C accompanied
 50 by a certificate in the form in Schedule D to this Act Provided also that for any such registration of a chemist and druggist unless it be so claimed by him within *three* months after the passing of this Act he shall pay for registration the same fee as persons admitted to the Register after examination.

Such persons to be registered by the Medical Board.

55 12. The New South Wales Medical Board shall without any unnecessary delay make regulations for keeping up the "Register of Chemists and Druggists" which shall be alphabetically arranged in accordance with the form in Schedule B hereto and shall be kept by their Secretary and for appointing the fees to be charged for the examination

The Medical Board to keep a register &c.

examination of assistants and apprentices to chemists and druggists—and the mode of conducting the same—and before whom—and the subjects for examination (which shall not extend beyond matters immediately connected with the business of a chemist and druggist in relation to the objects of this Act)—and for the registration of 5 chemists and druggists—all which Regulations shall be submitted to the Governor and Executive Council for approval or alteration and shall when confirmed be published in the *Gazette*.

Deaths of chemists and druggists to be noted in register.

13. Every Registrar of deaths on receiving notice of the death of any chemist and druggist shall forthwith transmit by post to the 10 Secretary of the New South Wales Medical Board a certificate under the hand of such Registrar of such death stating the time and place of death for which certificate he shall be entitled to demand and receive from the said Secretary a fee of *one shilling and six pence* and on the receipt of such certificate the said Secretary shall erase the name of 15 the deceased from the register.

Names of qualified persons only to be entered in register.

14. No name shall be entered in the register except of persons authorized by this Act to be registered nor unless the Secretary and Registrar shall be satisfied by the proper evidence that the person claim- 20 ing is entitled to be registered and any appeal from the decision of the Registrar may be decided by the New South Wales Medical Board and any entry which may be proved to the satisfaction of the said Medical Board to have been fraudulently or incorrectly made may be erased from or amended in the register by the order in writing of such 25 Medical Board.

Register to be published annually and to be evidence.

15. The Secretary and Registrar of the New South Wales Medical Board shall in the month of January in every year cause to be printed and published a copy of the said register showing the names and residences of all persons registered as chemists and druggists under this Act on the thirty-first day of December last preceding 30 which shall be certified by him to be a true copy of the original register (the names of deceased persons being omitted) And every such printed copy or any certificate under the hand of the said Secretary and Registrar shall be *prima facie* evidence in all Courts of Justice that the persons or person therein specified respectively are duly registered 35 under this Act And the absence of any person's name in the said printed copy of the said register shall be *prima facie* evidence that such person is not duly registered under this Act.

Wilful falsification of register &c. an offence.

16. If the Secretary and Registrar aforesaid shall wilfully make any false entry in the said register or if any person shall cause himself 40 to be fraudulently registered therein by making any false representation or producing any forged certificate to the Secretary and Registrar the offender shall be deemed guilty of misdemeanor and shall be liable on conviction thereof to be fined and imprisoned for any term not exceeding *twelve* months. 45

Rules to be observed in the sale of Poison.

17. It shall not be lawful to sell any poison specified in Schedule A hereto or which may hereafter be declared such either by wholesale or retail unless the bottle or other vessel wrapper or cover box or case immediately containing the same bears a printed label stating the name of the article with the word "Poison" together with the name and 50 address of the seller thereof.

Poisons to be sold only to known persons.

18. It shall not be lawful to sell any of the poisons specified in the first part of Schedule A to this Act or which may hereafter be declared such by the Governor with the advice of the Executive Council to any person unknown to the seller unless introduced by some 55 person known to the seller and in every sale of any such poison the seller shall before delivery thereof comply with all the requirements set forth in section two of this Act in regard to the sale of arsenic and strychnine.

19. Any person selling any poison otherwise than is herein provided shall upon summary conviction thereof before any two Justices be liable to a penalty not exceeding *fifty* pounds. And for the purposes of this section the person on whose behalf any such sale is made by any apprentice or servant shall be deemed to be the seller. Provided always that the provisions of the three last sections which are solely applicable to the poisons specified in the first part of Schedule A shall not apply to sales thereof by wholesale to retail dealers in the ordinary course of wholesale dealing. Nor shall any of the provisions of those sections apply to any such poison when forming part of the ingredients of any medicine dispensed by a person registered under this Act provided such medicine be labelled in the manner specified in section seventeen or eighteen as the case may be and the ingredients thereof be entered with the name and address of the person to whom it is sold or delivered in a book to be kept by the seller for that purpose.

Persons selling contrary to act liable to a penalty of £50.

20. The Governor with the advice of the Executive Council may direct the name of any person who is convicted of any offence against this Act which in the opinion of the Court before whom he is convicted renders him unfit to be on the register under this Act to be erased from the same and the Secretary and Registrar shall erase his name accordingly.

Governor in Council may direct the names of unfit persons to be erased from the register.

21. The Governor with the advice of the Executive Council may from time to time make any further Regulations as to the colouring of any poisons—or the sale or custody or manner of using the same—or for the registration of persons claiming to be registered as chemists and druggists—or otherwise carrying into effect the objects of this Act—which after publication in the *Gazette* shall have the same force and validity as if the same formed part of this Act. Provided that a copy of the same shall be laid before both Houses of Parliament without unnecessary delay.

The Governor in Council may make Regulations for sale of poisons.

22. It shall not be lawful for the owner or other person in charge or possession of any poison to leave it in any place (whether the same be ordinarily accessible to others or not) unless the bottle or package of whatever kind in which such poison may be contained shall be marked as "Poison" and be otherwise duly labelled in the manner provided by sections seventeen and eighteen. And any person so offending shall be liable on summary conviction thereof before any two Justices to a penalty not exceeding *one hundred* pounds and not less than *ten* pounds.

Owners of poisons not to leave them about unlabelled under a penalty.

23. Any person feeling himself aggrieved by any conviction or penalty imposed under the authority of this Act where the penalty exceeds *five* pounds may appeal against the same to the next Court of Quarter Sessions holden in the district where the subject matter thereof arose unless such Quarter Sessions shall be held within fourteen days from the date of such conviction or judgment and in that case to the Court of Quarter Sessions then next following. And such Court shall have power to hear and determine the matter in a summary way and shall have and exercise all other powers vested in them by the third section of the Act fifth William the Fourth number twenty-two and the decision of such Court shall be final and conclusive in respect to the subject matter of such appeal. Provided always that the person so appealing shall have given written notice seven days at the least before the hearing of such appeal of his intention to appeal and stating the grounds thereof to any one of the convicting Justices and to the person who prosecuted the matter before the Justices in Petty Sessions. And provided also that the person appealing (in case a penalty shall have been awarded against him) shall pay into the hands of the convicting Justices the full amount thereof.

Appeal allowed to Quarter Sessions.

thereof together with the costs awarded within one week next after conviction and shall within the same period enter into a bond with two sureties approved by such Justices conditioned to prosecute such appeal with effect and to abide the event of such appeal and to pay the full amount of all such costs as may on such appeal be awarded against him. 5

SCHEDULES.

SCHEDULE A.

List of Poisons.

1ST PART.

Arsenic and its preparations.	
Prussic Acid.	
Cyanides of Potassium and all metallic Cyanides.	
Strychnine and all poisonous vegetable Alkaloids and their Salts.	
Aconite and its preparations.	15
Tartar Emetic.	
Corrosive Sublimate.	
Cantharides.	
Savin and its Oil.	
Ergot of Rye and its preparations.	20

2ND PART.

Oxalic Acid.	
Chloroform.	
Chlorodine.	
Belladonna and its preparations.	25
Essential Oil of Almonds unless deprived of its Prussic Acid.	
Opium and all preparations of Opium or of Poppies.	

SCHEDULE B.

FORM of the Register of Chemists and Druggists.

Name.	Residence.	Qualification.	30
A.B.....	Albury	Kept a store for sale of poison prior to "Sale and use of Poisons Act 1876."	
C.D.....	Sydney	Carried on business of chemist and druggist prior to "Sale and use of Poisons Act 1876."	
E.F.....	Gundagai	Admitted a Pharmaceutical Chemist.	35

SCHEDULE C.

DECLARATION by a person who was in business as a Chemist and Druggist before the passing of this Act.

To the Secretary and Registrar of the New South Wales Medical Board.

I residing at in the Colony of New South Wales hereby 40
declare that I was in business as a Chemist and Druggist in the keeping of open shop
for the compounding of Medical prescriptions before the passing of the "Sale and use of
Poisons Act 1876."

Dated this day of 1876.

(Signature.) 45

SCHEDULE D.

SCHEDULE D.

CERTIFICATE to be signed by a legally qualified Medical Practitioner or Police Magistrate.
To the Secretary and Registrar of the New South Wales Medical Board.

I _____ residing at _____ in the Colony of New South Wales being
5 a legally qualified medical practitioner (or a Police Magistrate) hereby certify that to
my knowledge _____ now residing at _____ in the Colony of New
South Wales was in business as a Chemist and Druggist in _____ in the said
Colony (or kept a shop or store for the Sale of Poisons amongst other things) before
the passing of the "Sale and use of Poisons Act 1876."

SCHEDULE E.

DECLARATIONS to be signed by and on behalf of an Apprentice claiming to be registered.
To the Secretary and Registrar of the New South Wales Medical Board.

I _____ hereby declare that the undersigned _____ residing
at _____ in the Colony of New South Wales has been for three years imme-
15 diately before the passing of the "Sale and use of Poisons Act 1876" employed in dis-
pensing and compounding prescriptions as an assistant to Mr. _____ of
Chemist and Druggist and has attained the age of twenty-one years.

Dated this _____ day of _____ 1876.

(Signature) A.B.
Legally Qualified Medical Practitioner &c.

DECLARATION to be signed by the Applicant.

I HEREBY declare that I was an apprentice (or assistant) to _____ of
in the Colony of New South Wales in the years _____ and _____ and was
for three years immediately before the passing of the "Sale and use of Poisons Act 1876"
25 actually engaged in dispensing and compounding prescriptions and that I have attained
the age of twenty-one years.

Dated this _____ day of _____ 1876.

(Signature) J.H.

SCHEDULE F.

FORM of Entry in Book on Sale of Poison.

Day of sale.	Name of purchaser.	Place of abode.	Occupation.	Quantity and names of Poison.	Purpose for which it is required.
1 March, 1876	John Jones..	Bona Station Merool Creek.	Squatter	20lbs. arsenic 10ozs. strychnine ...	Sheep-dressing. Poisoning Native dogs.

35 Purchaser's signature—
John Jones.
(or if purchaser cannot write insert
the words "Purchaser cannot
write.")

Witness—
Henry Squires
Farmer Merool.

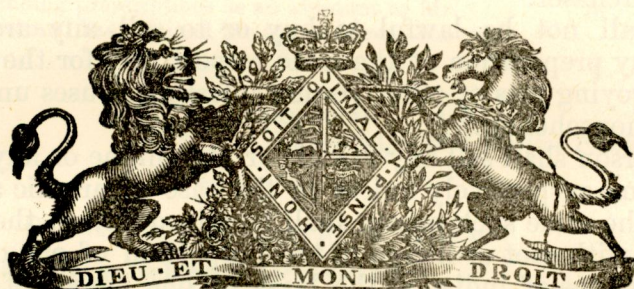
Vendor's signature—
Richard Stiffener.

This PUBLIC BILL originated in the LEGISLATIVE COUNCIL, and, having this day passed, is now ready for presentation to the LEGISLATIVE ASSEMBLY for its concurrence.

Legislative Council Chamber,
Sydney, 3rd May, 1876. }

JOHN J. CALVERT,
Clerk of the Parliaments.

New South Wales.



ANNO TRICESIMO NONO

VICTORIÆ REGINÆ.

No.

An Act for regulating the Sale and Use of Poisons.

WHEREAS the unrestricted sale of Poisons often leads to fatal accidents and the commission of crime And whereas large quantities of Arsenic Strychnine and other poisons are used in the Colony for pastoral and agricultural purposes and fatal accidents occur by reason of the careless custody and use of such Poisons by the owners thereof or other persons in their employ And it is expedient for the safety of the public to regulate the sale of Poisons and to make provision for the exercise of proper precautions in the use of the same Be it therefore enacted by the Queen's Most Excellent Majesty by and with the advice and consent of the Legislative Council and Legislative Assembly in this present Parliament assembled and by the authority of the same as follows (that is to say) :—

1. This Act may be cited as the "Sale and use of Poisons Act Short title. 1876."

15 2. Every person who shall sell any arsenic or strychnine or any preparation of the same respectively shall before the delivery thereof to the purchaser inquire his name place of abode and occupation and the purpose for which such poison is required or stated

On sale of arsenic or strychnine entry thereof to be made in a book.

Sale and use of Poisons.

to be required and shall thereupon make a faithful entry of such sale specifying the poison and the quantity thereof and all such particulars so given by the purchaser together with the day of the month and year of such sale in a book to be kept by the vendor for that purpose
 5 in the form set forth in the Schedule F to this Act and every such entry shall be signed by the person making the same and also by the purchaser unless he shall declare himself unable to write (in which case the person making the entry shall add thereto the words "Purchaser cannot write") and whenever a witness to the sale is required
 10 by this Act such entry shall be signed by such witness together with his place of abode.

3. No person shall sell arsenic or strychnine or any preparation of the same respectively to any person who is under eighteen years of age or who is unknown to the vendor unless the sale be made in the
 15 presence of some witness who is known to the vendor and to whom the purchaser is known and which witness signs his name together with his place of abode to the required entry before the delivery of the poison to the purchaser.

Restrictions as to the sale of arsenic &c.

4. It shall not be lawful to buy or to sell any arsenic or
 20 strychnine or any preparation of the same respectively for the avowed purpose of destroying rats or other vermin infesting houses unless the purchaser be a householder.

Sales of poison for destruction of vermin to be made only to householders.

5. No person shall sell any arsenic or strychnine or any preparation of the same respectively unless in the case of arsenic and any
 25 preparation of the same such poison shall be mixed before the sale or delivery thereof 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 And in the case of strychnine or any preparation of the same such poison shall
 30 be coloured with Armenian bole or other red colouring matter before the sale or delivery thereof Provided always that whenever the purchaser states that such arsenic or strychnine or any preparation thereof respectively is required not for any pastoral or agricultural use but for some other purpose for which such admixture would according to the
 35 representation of the purchaser render it unfit such poison may be sold without the admixture hereinbefore specified in any quantity at one time of not less than ten pounds in the case of arsenic or its preparations and of not less than one pound in the case of strychnine or its preparations.

Arsenic and strychnine must be coloured.

40 6. If any person shall sell any Poison specified in the Schedule A to this Act unless as authorized herein—or if on any sale thereof he shall deliver the same thereof without having made and signed the entry hereby required on such sale—or without having obtained such signature to such entry as required by this Act—or if any one
 45 chasing such poison shall give false information in answer to inquiries to the person selling the same in relation to the particulars which he is by this Act authorized to inquire into of such purchaser—or if any one shall sign his name as a witness to the sale of any such poison to a person unknown to such witness every person so offending shall for
 50 every such offence upon summary conviction thereof before two Justices be liable to a penalty not exceeding fifty pounds nor less than five pounds.

Penalties for offences under this Act.

7. This Act shall not extend to the sale of arsenic or strychnine or any preparation of the same respectively or to any other poison
 55 when required to be made up or compounded as a medicine according to the prescription of a legally qualified medical practitioner or a member of the medical profession or to any sales by wholesale dealers in the ordinary course of wholesale dealing if an order in writing signed by the purchaser shall be given for the supply of the
 same

Sales of arsenic &c. as medicines or by wholesale dealers excepted.

Sale and use of Poisons.

same Provided that the sale in either case be entered in a book and the packages of poisons be labelled as required by sections seventeen and eighteen and this Act shall not extend to the sale of arsenic or strychnine or to any other poison if made up in the form of homœopathic medicines nor to the making or selling patent medicines nor to the dispensing of medicines by veterinary surgeons for animals under their treatment.

8. The several substances mentioned in Schedule A hereto shall be deemed poisons within the meaning of this Act Provided always that the Governor with the advice of the Executive Council may by Proclamation duly published in the *Gazette* at any time declare that any other natural or chemical substance or preparation specified in such Proclamation shall be deemed a poison within the meaning of this Act.

Substances named in first Schedule to be deemed poisons.

9. After the time when this Act shall come into operation no person shall be permitted to sell any of the poisons mentioned in Schedule A hereto or hereafter declared to be poisons as hereinbefore provided unless he shall have received a certificate from the *Secretary of the New South Wales Medical Board* that he is duly qualified to be a dealer in poisons or he shall be liable to a penalty not exceeding fifty pounds.

Unqualified persons not allowed to sell poisons.

10. No person shall be entitled to receive such certificate unless he shall prove to the satisfaction of the said *Medical Board* that he has been duly admitted a Pharmaceutical Chemist by the Pharmaceutical Society of Great Britain—or a member or Licentiate of the Apothecaries Halls of London or Dublin—or has received a certificate as a legally qualified medical practitioner—or is entitled to be certified as such under the authority of the Acts passed in the second ninth and nineteenth years of the reign of Her present Majesty and numbered respectively twenty-two twelve and seventeen—or unless he be a person who shall be duly registered as a chemist and druggist by the New South Wales Medical Board after having served an apprenticeship to a chemist and druggist for not less than three years and during that period been actually engaged in the dispensing and compounding of medical prescriptions and been examined as hereinafter provided as to his skill and competency to conduct the business of chemist and druggist—or a person who shall in reference to sales in any place remote from large towns produce a certificate according to Schedule D from a duly legally qualified medical practitioner and a Police Magistrate that he is a fit and proper person to be allowed to sell poisons in such place.

Who to be deemed qualified.

11. The several persons mentioned in the last section shall for the purposes of this Act be deemed to be "chemists and druggists" and shall be entitled to be registered as such upon paying a fee of half-a-crown for such registration Provided however that any chemist and druggist claiming to be registered must send to the Secretary of the New South Wales Medical Board (who shall also be the Registrar for the purposes of this Act) a claim in the form in Schedule C accompanied by a certificate in the form in Schedule D to this Act Provided also that for any such registration of a chemist and druggist unless it be so claimed by him within three months after the passing of this Act he shall pay for registration the same fee as persons admitted to the Register after examination.

Such persons to be registered by the Medical Board.

12. The New South Wales Medical Board shall without any unnecessary delay make regulations for keeping up the "Register of Chemists and Druggists" which shall be alphabetically arranged in accordance with the form in Schedule B hereto and shall be kept by their Secretary and for appointing the fees to be charged for the examination

The Medical Board to keep a register &c.

Sale and use of Poisons.

examination of assistants and apprentices to chemists and druggists—and the mode of conducting the same—and before whom—and the subjects for examination (which shall not extend beyond matters immediately connected with the business of a chemist and druggist in relation to the objects of this Act)—and for the registration of chemists and druggists—all which Regulations shall be submitted to the Governor and Executive Council for approval or alteration and shall when confirmed be published in the *Gazette*.

10 13. Every Registrar of deaths on receiving notice of the death of any chemist and druggist shall forthwith transmit by post to the Secretary of the New South Wales Medical Board a certificate under the hand of such Registrar of such death stating the time and place of death for which certificate he shall be entitled to demand and receive from the said Secretary a fee of one shilling and sixpence and on the receipt of such certificate the said Secretary shall erase the name of the deceased from the register.

Deaths of chemists and druggists to be noted in register.

14. No name shall be entered in the register except of persons authorized by this Act to be registered nor unless the Secretary and Registrar shall be satisfied by the proper evidence that the person claiming is entitled to be registered and any appeal from the decision of the Registrar may be decided by the New South Wales Medical Board and any entry which may be proved to the satisfaction of the said Medical Board to have been fraudulently or incorrectly made may be erased from or amended in the register by the order in writing of such Medical Board.

Names of qualified persons only to be entered in register.

15. The Secretary and Registrar of the New South Wales Medical Board shall in the month of January in every year cause to be printed and published a copy of the said register showing the names and residences of all persons registered as chemists and druggists under this Act on the thirty-first day of December last preceding which shall be certified by him to be a true copy of the original register (the names of deceased persons being omitted) And every such printed copy or any certificate under the hand of the said Secretary and Registrar shall be *prima facie* evidence in all Courts of Justice that the persons or person therein specified respectively are duly registered under this Act And the absence of any person's name in the said printed copy of the said register shall be *prima facie* evidence that such person is not duly registered under this Act.

Register to be published annually and to be evidence.

16. If the Secretary and Registrar aforesaid shall wilfully make any false entry in the said register or if any person shall cause himself to be fraudulently registered therein by making any false representation or producing any forged certificate to the Secretary and Registrar the offender shall be deemed guilty of misdemeanor and shall be liable on conviction thereof to be fined and imprisoned for any term not exceeding twelve months.

Wilful falsification of register &c. an offence.

17. It shall not be lawful to sell any poison specified in Schedule A hereto or which may hereafter be declared such either by wholesale or retail unless the bottle or other vessel wrapper or cover box or case immediately containing the same bears thereon the word "Poison" printed conspicuously together with the name of the article and the name and address of the seller thereof.

Rules to be observed in the sale of Poison.

18. It shall not be lawful to sell any of the poisons specified in the first part of Schedule A to this Act or which may hereafter be declared such by the Governor with the advice of the Executive Council to any person unknown to the seller unless introduced by some person known to the seller and in every sale of any such poison the seller shall before delivery thereof comply with all the requirements set forth in section two of this Act in regard to the sale of arsenic and strychnine.

Poisons to be sold only to known persons.

Sale and use of Poisons.

19. Any person selling any poison otherwise than is herein provided shall upon summary conviction thereof before any two Justices be liable to a penalty not exceeding fifty pounds. And for the purposes of this section the person on whose behalf any such sale is made by any apprentice or servant shall be deemed to be the seller. Provided always that the provisions of the two last sections which are solely applicable to the poisons specified in the first part of Schedule A shall not apply to sales thereof by wholesale dealers in the ordinary course of wholesale dealing. Nor shall any of the provisions of those sections apply to any such poison when forming part of the ingredients of any medicine dispensed by a person registered under this Act provided such medicine be labelled in the manner specified in section seventeen and the ingredients thereof be entered with the name and address of the person to whom it is sold or delivered in a book to be kept by the seller for that purpose.

Persons selling contrary to act liable to a penalty of £50.

20. The Governor with the advice of the Executive Council may direct the name of any person who is convicted of any offence against this Act which in the opinion of the Court before whom he is convicted renders him unfit to be on the register under this Act to be erased from the same and the Secretary and Registrar shall erase his name accordingly.

Governor in Council may direct the names of unfit persons to be erased from the register.

21. The Governor with the advice of the Executive Council may from time to time make any further Regulations as to the colouring of any poisons—or the sale or custody or manner of using the same—or for the registration of persons claiming to be registered as chemists and druggists—or otherwise carrying into effect the objects of this Act—which after publication in the *Gazette* shall have the same force and validity as if the same formed part of this Act. Provided that a copy of the same shall be laid before both Houses of Parliament without unnecessary delay.

The Governor in Council may make Regulations for sale of poisons.

22. It shall not be lawful for the owner or other person in charge or possession of any poison to leave it in any place (whether the same be ordinarily accessible to others or not) unless the bottle or package of whatever kind in which such poison may be contained shall be marked as "Poison" and be otherwise duly labelled in the manner provided by section seventeen. And any person so offending shall be liable on summary conviction thereof before any two Justices to a penalty not exceeding fifty pounds.

Owners of poisons not to leave them about unlabelled under a penalty.

23. Any person feeling himself aggrieved by any conviction or penalty imposed under the authority of this Act where the penalty exceeds five pounds may appeal against the same to the next Court of Quarter Sessions holden in the district where the subject matter thereof arose unless such Quarter Sessions shall be held within fourteen days from the date of such conviction or judgment and in that case to the Court of Quarter Sessions then next following. And such Court shall have power to hear and determine the matter in a summary way and shall have and exercise all other powers vested in them by the third section of the Act fifth William the Fourth number twenty-two and the decision of such Court shall be final and conclusive in respect to the subject matter of such appeal. Provided always that the person so appealing shall have given written notice seven days at the least before the hearing of such appeal of his intention to appeal and stating the grounds thereof to any one of the convicting Justices and to the person who prosecuted the matter before the Justices in Petty Sessions. And provided also that the person appealing (in case a penalty shall have been awarded against him) shall pay into the hands of the convicting Justices the full amount thereof together with the costs awarded within one week next after conviction.

Appeal allowed to Quarter Sessions.

Sale and use of Poisons.

conviction and shall within the same period enter into a bond with two sureties approved by such Justices conditioned to prosecute such appeal with effect and to abide the event of such appeal and to pay the full amount of all such costs as may on such appeal be awarded against him.

SCHEDULES.

SCHEDULE A.

LIST of Poisons.

1ST PART.

- 10
- Arsenic and its preparations.
Prussic Acid.
Cyanides of Potassium and all metallic Cyanides.
Strychnine and all poisonous vegetable Alkaloids and their Salts.
- 15
- Aconite and its preparations.
Tartar Emetic.
Corrosive Sublimate.
Cantharides.
Savin and its Oil.
- 20
- Ergot of Rye and its preparations.

2ND PART.

- 25
- Oxalic Acid.
Chloroform.
Chlorodine.
Belladonna and its preparations.
Essential Oil of Almonds unless deprived of its Prussic Acid.
Opium and all preparations of Opium or of Poppies.

SCHEDULE B.

FORM of the Register of Chemists and Druggists.

30	Name.	Residence.	Qualification.
	A.B.....	Albury	Kept a store for sale of poison prior to "Sale and use of Poisons Act 1876."
	C.D.....	Sydney	Carried on business of chemist and druggist prior to "Sale and use of Poisons Act 1876."
35	E.F.....	Gundagai	Admitted a Pharmaceutical Chemist.

SCHEDULE C.

DECLARATION by a person who was in business as a Chemist and Druggist before the passing of this Act.

To the Secretary and Registrar of the New South Wales Medical Board.

40 I residing at in the Colony of New South Wales hereby declare that I was in business as a Chemist and Druggist in the keeping of open shop for the compounding of Medical prescriptions before the passing of the "Sale and use of Poisons Act 1876."

45 Dated this day of 1876. (Signature.)

SCHEDULE D.

SCHEDULE D.

To the Secretary and Registrar of the New South Wales Medical Board.

5 I residing at in the Colony of New South Wales being
a legally qualified medical practitioner and I a Police Magistrate
hereby certify that now residing at in the Colony of
New South Wales is in our opinion a fit and proper person to be allowed to sell poisons
in that place.

SCHEDULE E.

10

To the Secretary and Registrar of the New South Wales Medical Board.

I hereby declare that the undersigned residing
at in the Colony of New South Wales has been for three years imme-
diately before the passing of the "Sale and use of Poisons Act 1876" employed in dis-
pensing and compounding prescriptions as an assistant to Mr. of
Chemist and Druggist and has attained the age of twenty-one years.

Dated this day of 1876.

20 (Signature) A.B.
Legally Qualified Medical Practitioner &c.

DECLARATION to be signed by the Applicant.

I HEREBY declare that I was an apprentice (or assistant) to _____ of _____ in the Colony of New South Wales in the years _____ and _____ and was for three years immediately before the passing of the "Sale and use of Poisons Act 1876" 25 actually engaged in dispensing and compounding prescriptions and that I have attained the age of twenty-one years.

Dated this day of 1876.

(Signature) J.H.

SCHEDULE F.

30

FORM of Entry in Book on Sale of Poison.

Day of sale.	Name of purchaser.	Place of abode.	Occupation.	Quantity and names of Poison.	Purpose for which it is required.
1 March, 1876	John Jones..	Bona Station Merool Creek.	Squatter	20lbs. arsenic 10ozs. strychnine ...	Sheep-dressing. Poisoning Native dogs.

35 Purchaser's signature—

John Jones.

(or if purchaser cannot write insert
the words "Purchaser cannot
write.")

Witness—

Henry Squires

Farmer Merool.

Vendor's signature—

Richard Stiffener.

SCHEDULE D

1. To the Secretary and Registrar of the New South Wales Medical Board, in the Colony of New South Wales, I, a legally qualified medical practitioner, do hereby certify that I am now residing in the Colony of New South Wales in an opinion a fit and proper person to be allowed to sell poisons in that place.

SCHEDULE E

2. In the Colony of New South Wales, I, a legally qualified medical practitioner, do hereby certify that I am now residing in the Colony of New South Wales in an opinion a fit and proper person to be allowed to sell poisons in that place.

SCHEDULE F

3. In the Colony of New South Wales, I, a legally qualified medical practitioner, do hereby certify that I am now residing in the Colony of New South Wales in an opinion a fit and proper person to be allowed to sell poisons in that place.

SCHEDULE G

4. In the Colony of New South Wales, I, a legally qualified medical practitioner, do hereby certify that I am now residing in the Colony of New South Wales in an opinion a fit and proper person to be allowed to sell poisons in that place.

SCHEDULE H

5. In the Colony of New South Wales, I, a legally qualified medical practitioner, do hereby certify that I am now residing in the Colony of New South Wales in an opinion a fit and proper person to be allowed to sell poisons in that place.

SCHEDULE I

6. In the Colony of New South Wales, I, a legally qualified medical practitioner, do hereby certify that I am now residing in the Colony of New South Wales in an opinion a fit and proper person to be allowed to sell poisons in that place.

SCHEDULE J

7. In the Colony of New South Wales, I, a legally qualified medical practitioner, do hereby certify that I am now residing in the Colony of New South Wales in an opinion a fit and proper person to be allowed to sell poisons in that place.

SCHEDULE K

8. In the Colony of New South Wales, I, a legally qualified medical practitioner, do hereby certify that I am now residing in the Colony of New South Wales in an opinion a fit and proper person to be allowed to sell poisons in that place.

SCHEDULE L

9. In the Colony of New South Wales, I, a legally qualified medical practitioner, do hereby certify that I am now residing in the Colony of New South Wales in an opinion a fit and proper person to be allowed to sell poisons in that place.

SCHEDULE M

10. In the Colony of New South Wales, I, a legally qualified medical practitioner, do hereby certify that I am now residing in the Colony of New South Wales in an opinion a fit and proper person to be allowed to sell poisons in that place.

SCHEDULE N

11. In the Colony of New South Wales, I, a legally qualified medical practitioner, do hereby certify that I am now residing in the Colony of New South Wales in an opinion a fit and proper person to be allowed to sell poisons in that place.

SCHEDULE O

12. In the Colony of New South Wales, I, a legally qualified medical practitioner, do hereby certify that I am now residing in the Colony of New South Wales in an opinion a fit and proper person to be allowed to sell poisons in that place.

SCHEDULE P

13. In the Colony of New South Wales, I, a legally qualified medical practitioner, do hereby certify that I am now residing in the Colony of New South Wales in an opinion a fit and proper person to be allowed to sell poisons in that place.