

New Zealand.

ANNO VICESIMO NONO

VICTORIÆ REGINÆ.

No. —.

ANALYSIS.

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A BILL INTITLED

AN ACT to regulate the Sale of Poisons. Title.

WHEREAS the unrestricted sale of poison facilitates the commission of crime and it is expedient to regulate the sale thereof Preamble.

BE IT THEREFORE ENACTED by the General Assembly of New Zealand in Parliament assembled and by the authority of the same as follows—

I. This Act may be cited and referred to as "The Sale of Poisons Regulation Act 1865." Short Title.

II. In this Act the term "poison" shall mean and include all substances mentioned in the first schedule to this Act Interpretation. Provided that it shall be lawful for the Governor in Council at any time after the passing of this Act and from time to time thereafter to name any other substances and to order that such other substances shall be included within the said first schedule hereto and after the publication of any such order in the Government *Gazette* of the Colony and the expiration of the period mentioned in such order for the time of its coming into force the substances so named shall be deemed and considered as being thenceforward included in such schedule.

III. Every person who shall sell any poison shall forthwith and before the delivery thereof to the purchaser enter or cause to be entered in a fair and regular manner in a book or books to be kept by such person for that purpose in the form set forth in the second schedule to this Act or to the like effect a statement of such sale with the name description and also the quantity of poison so sold and the purpose for which such poison is required or stated by the purchaser to be required and the day of the month and year of the sale and the name place of abode and condition or occupation of the purchaser into all which circumstances the person selling such poison is hereby required and authorized to inquire of the purchaser before the delivery to such purchaser of the poison sold and such entries shall in every case be signed by the person Seller of poison to make certain entries in a book to be kept by him in a prescribed form. Second schedule.

Book to be produced for inspection on order of Justice.

making the same and shall also be signed by the purchaser unless such purchaser profess to be unable to write (in which case the person making the entries hereby required shall add to the particulars to be entered in relation to such sale the words "cannot write") and where a witness is hereby required to the sale shall also be signed by such witness together with his place of abode and condition or occupation and every person selling poison shall at any time or times produce such book or books to any person or persons authorized by an order in writing under the hand of any Justice of the Peace to inspect such book or books and permit such person or persons to examine and inspect the same and to copy any entries made therein.

Poison not to be sold to any person unknown to vendor except in presence of a witness who knows purchaser and is known to vendor—in no case to a person not of full age.

IV. No person shall sell poison to any person who is unknown to the person selling such poison unless the sale be made in the presence of a witness of full age who is known to the person selling such poison and to whom the purchaser is known and who signs his name as witness together with his place of abode and condition or occupation to such entries as aforesaid before the delivery of the poison to the purchaser and no person shall sell poison to any person other than a person of full age.

Poison sold to be delivered in a package with label having printed thereon the word "poison."

V. On every sale of poison the person selling such poison shall deliver the poison sold to the purchaser thereof enclosed in a glass bottle or wrapped or enclosed in paper or other package and on the outside of each and every such bottle paper or package containing any poison the person selling shall first gum paste or otherwise affix a label of paper of white color having printed thereon the word "POISON" in letters of not less than half an inch in length and such word shall be printed in ink of a red color and in capital letters and if on any such sale such poison be made up or contained in several bottles or paper or other packages and such several bottles or paper or other packages be together wrapped up or enclosed in another package or parcel the person selling such poison shall affix such label as aforesaid not only on each of such several bottles and paper or other packages but also in like manner on the outside of the package or parcel containing such several bottles or packages.

Provision for coloring arsenic and strychnine.

VI. No person shall sell any arsenic or strychnine unless the same be before the sale thereof mixed with soot or indigo in the following proportions that is to say in the case of arsenic in the proportion of one ounce of soot or half an ounce of indigo at the least to one pound of arsenic and so on in proportion for any greater or less quantity of arsenic and in the case of strychnine in the proportion of ounce of soot or ounce of indigo at the least to one pound of strychnine and so on in proportion for any greater or less quantity of strychnine Provided always that where such strychnine or arsenic is stated by the purchaser to be required not for the destruction of dogs or vermin or for use in agriculture but for some other purpose for which such admixture would according to the representation of the purchaser render it unfit such arsenic or strychnine may be sold without such admixture in the case of arsenic in a quantity of not less than ten pounds weight at one time and in the case of strychnine in a quantity of not less than weight at one time.

Penalties.

VII. If any person shall sell or deliver any poison save as authorized or prescribed by this Act or on any sale shall deliver the same without having made and signed the entries hereby required on such sale or without having obtained such signature or signatures to such entries as required by this Act or on any sale shall deliver the poison to the purchaser otherwise than in a bottle paper or package having affixed on the outside thereof the label specified in the fifth section of this Act or shall deliver the same in any other manner than as required by the said last-mentioned section of this Act or if any seller of poison shall refuse or neglect to produce such books as aforesaid for inspection

when ordered so to do by any Justice of the Peace as aforesaid or to allow the same to be examined or inspected as aforesaid or if any person purchasing any poison shall give false information to the person selling the same in relation to the particulars which such last-mentioned person is hereby authorized to enquire into of such purchaser or if any person shall sign his name as aforesaid as a witness to a sale of poison to a person unknown to the person so signing as witness every person so offending shall for every such offence upon a summary conviction before two or more Justices of the Peace of the Colony be liable to a penalty not exceeding twenty pounds.

VIII. Provided that this Act shall not extend to the sale of poison when the same forms part of the ingredients of any medicine required to be made up or compounded according to the prescription of a legally qualified medical practitioner or to the sale of poison by wholesale to retail dealers upon orders in writing in the ordinary course of wholesale dealing.

IX. In this Act and the first schedule hereto the words "arsenic" and "strychnine" have the following meanings "arsenic" shall include arsenic arsenious acid and the arsenites arsenic acid and the arseniates sulphurets of arsenic and all colorless poisonous preparations of arsenic and the word "strychnine" shall include strychnia and its salts nux vomica and all colorless poisonous preparations of strychnia or its salts or of nux vomica.

Act not to apply to ingredients of prescription of legally qualified medical practitioner.

Interpretation of arsenic and strychnine.

SCHEDULE THE FIRST.

Arsenic.

Strychnine.

SCHEDULE THE SECOND.

Day of Sale.	Name and surname of Purchaser.	Purchaser's place of abode.	Condition or occupation.	Quantity and name or description of Poison sold.	Purpose for which required or professed to be required.

Purchaser's Signature—
(or if Purchaser cannot write,
Seller to write here the words
"cannot write.")

Witness—
(Signature of Witness,
with condition or occu-
pation and place of abode.)

Seller's Signature—