

No. 118.

2nd Session, 3rd Parliament, 12 Victoria, 1849

BILL.

An Act to prohibit the use of Strychnine
and other poisons, for the destruction
of certain kinds of wild animals.

Received and Read a first time, Monday, 26th
February, 1849.

Second Reading, Monday, 5th March, 1849.

DR. LATERRIÈRE.

PRINTED BY LOVELL AND GIBSON.

BILL.

An Act to prohibit the use of Strychnine and other poisons, for the destruction of certain kinds of wild animals.

WHEREAS there are parties who are in Preamble.
 the habit of using Strychnine and other
 deadly poisons, as a substitute for the ordi-
 nary means of ensnaring or killing foxes, mar-
 5 tens and other wild animals, in the forests
 and other parts of this Province, without
 regard to the destruction thereby caused
 among domestic animals, which have been
 found dead in great numbers, wherever such
 10 poisons have been used for the purpose
 aforesaid; And whereas in addition to the
 mischief above mentioned, the practice afore-
 said tends to the total destruction of various
 species of wild animals, the fur whereof
 15 forms an important article in the trade of the
 Province:—Be it therefore enacted, &c.

And it is hereby enacted by the authority Penalty on persons using poison as a means of destroying wild animals.
 of the same, That no person shall use any
 Strychnine or other poison of any kind, mine-
 20 ral or vegetable, commonly known as deadly
 poison, as a means of killing or catching any
 fox, marten or other wild animal of any kind,
 or shall place any such poison, whether con-
 cealed in food or otherwise, in any place
 25 where it may be found by any such wild
 animal; and for each and every offence
 against the provisions of this Section, the
 offender shall incur a penalty of *ten pounds*
 currency, and shall, if the same be not forth-
 30 with paid upon his conviction, be committed
 to Gaol for a period not exceeding
 months, or until such penalty and the costs
 of prosecution shall be paid.

Penalty on
Apothecaries
and others
selling poison
to any person
not furnished
with a proper
certificate

II. And be it enacted, That no apothecary, chemist, druggist, vendor of medicines or other person in this Province, shall sell or deliver any arsenic, corrosive sublimate, strychnine, or other poison, mineral or vegetable, simple or composite, commonly known as deadly poison, or which being incautiously or secretly administered, may cause immediate death, to any person who shall not then produce and deliver a certificate or note from some Justice of the Peace, Physician, Priest or Minister of religion, resident in the locality, addressed to such apothecary, chemist, druggist, vendor of medicines or other person, and mentioning the name, residence, calling or profession of the person requiring such arsenic, corrosive sublimate, strychnine or other such poison as aforesaid, and stating the purpose for which it is required, and that it ought to be sold to the person requiring the same; and such certificate or note shall be kept by the person selling or delivering such poison as his justification for so doing; and any apothecary, chemist, druggist, vendor of medicines, or other person who shall contravene the provisions of this Section, shall for each offence incur a penalty of *ten pounds* currency, and shall, if such penalty be not forthwith paid upon conviction, be committed to Gaol for a period not exceeding months or until such penalty and the costs of prosecution shall be paid.

Recovery of
penalties under
this Act.

III And be it enacted, That the penalties imposed by this Act shall be recoverable, with costs, in a summary manner before any one Justice of the Peace, on the oath of any one or more credible witness other than the prosecutor, and the prosecution may be commenced at any time within six months after the offence committed; and one moiety of the penalty shall belong to the prosecutor, and the other moiety to Her Majesty, for the public uses of the Province.