CAP. CXIII.

An Act to prohibit the Sale and Use of poisoned Grain or Seed.

[28th *July* 1863.]

'WHEREAS it is expedient to prohibit the Sale and Use of poisoned Grain or Seed;' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title of Act.

1. This Act may be cited for all Purposes as "The Poisoned Grain Prohibition Act, 1863."

Penalty for selling poisoned Grain, Seed, or Meal.

2. Every Person who shall offer or expose for Sale or sell any Grain, Seed, or Meal which has been so steeped or dipped in Poison, or with which any Poison or any Ingredient or Preparation has been so mixed, as thereby to render the same poisonous, and calculated to destroy Life, shall in either Case for every such Offence, upon summary Conviction, as herein-after provided, forfeit any Sum not exceeding Ten Pounds.

Penalty for sowing, &c. poisoned Grain, Seed, or Meal.

3. Every Person who shall knowingly and wilfully sow, cast, set, lay, put, or place, or cause to be sown, cast, set, laid, put, or placed, into, in, or upon any Ground or other exposed Place or Situation, any such Grain, Seed, or Meal which has been so steeped or dipped in Poison, or with which Poison or any Ingredient or Preparation has been so mixed as thereby to render such Grain, Seed, or Meal poisonous, and calculated to destroy Life, shall, upon a summary Conviction thereof as herein-after provided, forfeit any Sum not exceeding Ten Pounds.

Solutions or Infusions, &c. allowed for Use in Agriculture.

4. Nothing in this Act shall prohibit the offering or exposing for Sale or selling or the Use of any Solution or Infusion, or any Material or Ingredient for dressing, protecting, or preparing any Grain or Seed for *bonâ fide* Use in Agriculture only, or the sowing of such last-mentioned Grain or Seed so prepared.

Recovery of Penalties.

Application of 11 & 12 Vict. c. 43. and 14 & 15 Vict. c. 93. to this Act.

Informer (not a Constable) entitled to Moiety of Penalty.

Indemnity to Witnesses, &c.

5. All Penalties imposed by this Act may be recovered in *England* and *Ireland* before Two Justices of the Peace, and in *Scotland* before Two Justices of the Peace or the Sheriff; and for that Purpose in *England* and *Scotland* the Provisions of the Act of the Eleventh and Twelfth Years of Her present Majesty, Chapter Forty-three, and in *Ireland* the "Petty Sessions (*Ireland*) Act, 1851," shall extend and apply to this Act, and to all Proceedings in relation thereto; and it shall not in any such Proceedings be necessary to allege or prove the Ground or other Place where an Offence is committed to be the Property of or occupied by any Person: Provided always, that the convicting Justices or Sheriff may, if they or he shall think fit, award to the Informer or Prosecutor (not being a Police Constable or Peace Officer) in any such Proceedings any Portion not exceeding One Moiety of any Penalty recovered under the aforesaid Enactments: Provided also, that every Informer or Prosecutor, and every Person who shall give Evidence against any other Person proceeded against under this Act, shall be freed and discharged from any such Penalty which he may have incurred for or by reason of his having participated or aided in the Commission of the Offence with respect to which he shall so inform or prosecute or give Evidence, provided the Information against such other Person has been laid, or such Evidence has been given, before the laying of any Information (if any) against such Informer, Prosecutor, or Witness for the Recovery of any Penalty he may have so incurred.