



ANNO SEXAGESIMO PRIMO ET SEXAGESIMO
SECUNDO

VICTORIÆ REGINÆ.

A.D. 1898-9.

No. 715.

An Act relating to certain Offences to be cognizable under
the "Police Act, 1869."

[Assented to, January 28th, 1899.]

BE it Enacted by the Governor, with the advice and consent of
the Parliament of South Australia, as follows:

1. This Act may be cited as "The Police Act Amendment Act, 1898-9," and shall be incorporated and read as one with the "Police Act, 1869," hereinafter referred to as the principal Act.

Short title and incorporation.

2. Every person who obtains any chattel, money, or valuable security by passing any cheque which is not paid on presentation shall, unless he proves that he had reasonable ground to believe the cheque would be paid in full on presentation, and that he had no intent to defraud, be liable on summary conviction to imprisonment for any term not exceeding one year, notwithstanding that there may have been some funds to the credit of the account on which the cheque was drawn at the time it was passed.

Valueless cheques.

3. Where any person is accused of being an idle or disorderly person on the ground that he has no visible lawful means of support, or that he has insufficient lawful means of support, proof that he possesses money or property shall be no defence unless it is also proved that such money or property was honestly obtained.

Persons charged with being idle and disorderly and having money in their possession.

4. Any

The Police Act Amendment Act.—1898-9.

Rogues and
vagabonds.

4. Any person—

- i. In or near any public place or place of public resort, or in or near any house or premises licensed for the sale of liquors, engaging in betting, or soliciting or encouraging any other person to bet upon :
 - (a) Any confidence game or trick of sleight of hand ; or
 - (b) Any game or trick played with any instrument which, in the opinion of the Court, is constructed or used as a means of cheating ;
- ii. Being a known or reputed cheat, loitering in or near any public place or place of public resort, or in or near any premises licensed for the sale of liquors, and having in his possession any instrument of gaming, or any instrument which, in the opinion of the Court, is constructed or used as a means of cheating, unless such person shall account for his having such instrument in his possession to the satisfaction of the Court :

shall be deemed to be a rogue and a vagabond within the meaning of section 63 of the principal Act, and liable to the punishment therein mentioned.

Possession of goods
suspected to be
stolen.

5. Section 65 of the principal Act relating to the possession of stolen goods shall extend to money or any other thing which may be reasonably suspected of having been stolen or unlawfully obtained, proved to be or to have been in the possession of the accused, whether in a building or otherwise, and whether the possession had been parted with by the accused before being brought before the Court or not.

Furious driving.

6. If any person shall ride or drive through a road, street, or public place, negligently, carelessly, or furiously, he shall be liable to a penalty of not exceeding Two Pounds.

Negligent care of
vehicles.

7. It shall not be necessary, in any prosecution under sub-section 4 of section 79 of the principal Act relating to the use of roads by drivers of vehicles and horsemen, to prove that any act, omission, or matter charged against the accused was wilful.

Unlawfully ringing
housebells.

8. Every person who wilfully and wantonly disturbs the occupant of, or any other person in, any house by pulling or ringing any door bell, or knocking at any house, without lawful excuse, shall be liable to a penalty of not exceeding Two Pounds.

Playing games.

9. If any person in any public place or place of public resort plays at any unlawful game, or at either of the games commonly known as "pitch and toss" and "two up" respectively, he shall be liable to a penalty of not exceeding Two Pounds.

10. Every

The Police Act Amendment Act.—1898-9.

10. Every male person who—

Persons trading upon
prostitution.

(a) Knowingly lives wholly or in part on the earnings of prostitution; or

(b) In any public place persistently solicits or importunes for immoral purposes:

shall be deemed a rogue and vagabond within the meaning of section 63 of the principal Act, and may be dealt with accordingly.

11. If it is made to appear to a Special Magistrate, by information on oath, that there is reason to suspect that any house, or part of a house, is used by a female for purposes of prostitution, and that any male person residing in or frequenting the house is living wholly or in part on the earnings of the prostitute, the Magistrate may issue a warrant authorising any constable to enter and search the house and to arrest that male person.

Warrant may issue.

12. Where a male person is proved to live with or to be habitually in the company of a prostitute and has no visible means of subsistence he shall, unless he shall satisfy the Court to the contrary, be deemed to be knowingly living on the earnings of prostitution.

Proof.

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

S. J. WAY, Lieutenant-Governor.