

*Unlawful Distillation Prevention.***No. XXVI.**

UNLAWFUL
DISTILLATION
PREVENTION.

An Act to prevent unlawful Distillation and to provide for the protection of the Revenue arising from the Duties on Spirits. [26th September, 1849.]

Preamble.

WHEREAS it is expedient to make provision for the prevention of unlawful distillation and for the protection of the Revenue arising from the duties on Spirits Be it therefore enacted by His Excellency the Governor of New South Wales with the advice and consent of the Legislative Council thereof That it shall be lawful for any Inspector of Distilleries Officer of Customs or any other person appointed by the Governor to seize any still still-head worm or other apparatus or utensil whatsoever intended or suited for distilling or for any process of distillation found in any house building premises or place whatsoever unless the owner or occupier thereof shall hold and produce a valid license to distil or to rectify spirits or shall have otherwise complied with the regulations and provisions of any law in force for the time being relating to distillation and also to seize all materials capable of fermentation and all worts wash wines spirits and other chattel property found in any such house building place or premises and all such articles so seized as aforesaid shall be forfeited and disposed of in manner hereinafter provided.

Officer may seize
stills &c.

Officers may seize
spirits.

2. And be it enacted That it shall be lawful for any Inspector of Distilleries Officer of Customs or other person appointed as aforesaid to seize all or any spirits on which the full amount of duty chargeable shall not have been paid except as may be provided in any Act now or hereafter in force relating to the distillation of spirits in the said Colony and its Dependencies or in any Act relating to Her Majesty's Customs and all such spirits so seized shall be forfeited.

Officers may proceed
under warrant.

3. And be it enacted That in case any Inspector of Distilleries Officer of Customs or other person appointed as aforesaid shall have cause to suspect that any unlicensed still or any still-head or worm or other utensil for distilling whatsoever or any back or other vessel for making worts or wash or any worts or wash or other material preparing for distillation or any spirits upon which the full duty shall not have been paid is or are set up kept or concealed in any house building premises or place then and in such case upon information exhibited by such Inspector of Distilleries Officer of Customs or other person as aforesaid before any Justice of the Peace setting forth the ground of his suspicion it shall and may be lawful for such Justice of the Peace before whom such information shall have been exhibited if he shall judge it to be reasonable by warrant under his hand and seal to authorize and empower such Inspector of Distilleries Officer of Customs or other person appointed as aforesaid by day or by night (but if in the night time then in the presence of a constable) to break open the doors or any part of such house building premises or place where he shall so know or suspect such unlicensed still or other things as before enumerated to be set up kept or concealed and to enter into such house or place and to seize all and every such still or other such things as aforesaid and also all chattels found within such house building premises or place and either to detain and keep the same in the house building premises or place where found or to remove the same to the Queen's Warehouse or to the Police Office next to the place where the same shall be discovered and found or to any other place of security.

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4. And whereas cases may occur in which it may not be deemed expedient to make seizures under the provisions of the clause last hereinbefore enacted Be it therefore enacted That it shall be lawful for any Inspector of Distilleries Officer of Customs or other person appointed as aforesaid having reasonable grounds to believe that any unlicensed still or any still-head or worm or other utensil for distilling whatsoever or any back or other vessel for making worts or wash or any worts or wash or other material preparing for distillation or any spirits upon which the full duty shall not have been paid is or are set up kept or concealed in any house or place then and in such case to enter into such house or place with writ of assistance and search for and seize any such unlicensed still or other things as before enumerated and also all chattels found within such house or place and either to detain or keep the same in the house or place where found or to remove the same to the Queen's Warehouse or to the Police Office nearest to the place where the same shall be discovered and found or to any other place of security.

Officers may proceed under writ of assistance.

5. And be it enacted That it shall be lawful for any Inspector of Distilleries Officer of Customs or other person appointed as aforesaid to arrest or cause to be arrested and to take or cause to be taken before one of the Judges of the Supreme Court of New South Wales any person whatsoever who shall have in his custody or possession or who shall keep or make use of any unlicensed still or utensil for distilling or who shall unlawfully make or shall be aiding assisting or otherwise concerned in unlawfully making any spirits or who shall knowingly supply the means or materials for establishing maintaining or working any unlicensed still or who shall carry convey or conceal or be aiding assisting or otherwise concerned in the carrying conveying or concealing of any spirits upon which the full duty shall not have been paid and upon proof being given on oath to the satisfaction of the said Judge of the existence of a reasonable suspicion of the guilt of the person so arrested it shall and may be lawful for the said Judge by order under his hand to direct the person so arrested to be held to bail in such sum as the said Judge shall name to abide the event of an action information or other proceeding for the offence for which the said person shall have been arrested to be commenced within such time as the said Judge shall direct and in default of bail to commit such person to gaol to abide the event of the said action information or other proceeding as aforesaid and such bail shall be justified in like manner and subject to the same rules as bail in actions at law is justified and subject to.

Officers may arrest and take certain persons before a Judge.

6. And be it enacted That it shall be lawful for any Inspector of Distilleries Officer of Customs or other person as aforesaid to arrest or cause to be arrested and to take or cause to be taken before any one or more Justice or Justices of the Peace to be dealt with according to law any person whatsoever who shall have in his custody or possession or who shall keep or make use of any unlicensed still or utensil for distilling or who shall unlawfully make or shall be aiding assisting or otherwise concerned in making unlawfully any spirits or who shall knowingly supply the means or materials for establishing maintaining or working any unlicensed still or who shall knowingly carry convey or conceal or be aiding assisting or otherwise concerned in the carrying conveying or concealing of any spirits upon which the full duty shall not have been paid.

Officers may arrest and take certain persons before a Justice of the Peace.

7. And whereas it is expedient that time should be allowed to prepare informations convictions and warrants of commitment in such cases as last aforesaid Be it enacted That when any person shall have been arrested by any Inspector of Distilleries Officer of Customs constable or other person appointed as aforesaid and taken before any

Time allowed for preparing informations.

Justice

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Justice of the Peace if it shall appear to such Justice that there is reasonable cause to detain such person such Justice may and he is hereby authorized and required to order such person to be detained a reasonable time and at the expiration of such time to be dealt with according to law.

Persons escaping
may be arrested.

8. And be it enacted That if any person so liable to be arrested as aforesaid shall not be arrested at the time of committing the offence for which he is liable to be arrested or after arrest shall make his escape it shall and may be lawful for any Inspector of Distilleries Officer of Customs or other person appointed as aforesaid or for any constable to arrest such person so liable to arrest as aforesaid at any time afterwards and to take him before any Judge of the Supreme Court or Justice of the Peace to be dealt with as aforesaid.

Penalty for keeping
unlicensed still &c.

9. And be it enacted That every person who shall have in his possession or custody any unlicensed still or any still-head or worm or other utensil for distilling whatsoever or who shall unlawfully make or who shall be aiding assisting or otherwise concerned in unlawfully making any spirits or who shall knowingly supply the means or materials for establishing maintaining or working any unlicensed still or who shall knowingly carry convey or conceal or be aiding assisting or otherwise concerned in the carrying conveying or concealing any spirits upon which the full duty shall not have been paid shall forfeit and pay a sum of not more than five hundred nor less than one hundred pounds.

Notice of making or
importing stills.

10. And be it enacted That it shall not be lawful for any person to commence to make or to land out of any ship any still still-head worm or other utensil for distilling whatsoever without having first given notice thereof in writing to the Chief Inspector of Distilleries or other person appointed as aforesaid and every such notice shall set forth the number of gallons which such still is capable of containing and every person who shall commence to make or who shall land out of any ship any still still-head worm or other utensil for distilling whatsoever without having first given such notice as aforesaid shall forfeit and pay a sum not exceeding fifty pounds.

Notice of selling
stills.

11. And be it enacted That it shall not be lawful for any person to sell any still still-head worm or other utensil for distilling whatsoever either separately or as part of any house building premises or place in which any still shall have been erected without having given notice in writing to the Chief Inspector of Distilleries of the name and residence of the purchaser thereof and also of the number of gallons which such still is capable of containing and every person who shall sell any such still still-head worm or other utensil for distilling whatsoever as aforesaid without having first given such notice or shall knowingly give an incorrect return shall forfeit and pay a sum not exceeding fifty pounds.

Notice of setting up
stills

12. And be it enacted That it shall not be lawful for any person to erect and set up any still without having first given notice in writing to the Chief Inspector of Distilleries of his intention so to do which notice shall also set forth the number of gallons which such still is capable of containing the name and residence of the owner thereof the place in which it is intended to erect and set up the same and the purpose for which such still is to be used and every person who shall erect and set up any still without having first given such notice as aforesaid or shall knowingly give an incorrect return shall forfeit and pay a sum not exceeding five hundred nor less than one hundred pounds unless such person shall at the time hold a valid license under any Act in force for the time being relating to distillation.

Registration of
brewers.

13. And whereas unlawful distillation may with great facility be carried on in breweries Be it therefore enacted That before any person

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person shall carry on the trade or business of a brewer such person shall cause his name to be registered by the Clerk of the Bench at the place nearest to the residence of such person at which a Court of Petty Sessions is or shall be established and shall also cause to be registered a particular description of the premises in which the business of brewing is to be carried on and such registration shall be renewed on the first day in January in every year and shall be made in the form set forth in Schedule A to this Act annexed.

14. And whereas unlawfully distilled spirits may with great facility be sold by spirit merchants Be it therefore enacted That it shall not be lawful for any person to sell spirits upon which the duty shall have been paid and in quantities of two gallons or upwards unless holding a Publican's General License without having first registered his name by the Clerk of the Bench at the place nearest to the residence of such person at which a Court of Petty Sessions is or shall be established and also a particular description of the premises in which the sale of spirits shall be carried on and in which spirits shall be kept and stored and such registration shall be renewed on the first day in January in every year and shall be made in the form set forth in Schedule B to this Act annexed.

Registration of
spirit merchants.

15. And be it enacted That the Clerk of the Bench at every place where a Court of Petty Sessions is or shall be established shall within ten days after every such registration as aforesaid make a return thereof to the Chief Inspector of Distilleries which return shall be an exact copy of every such registration and every such Clerk of the Bench who shall fail or neglect to make any such return as aforesaid shall forfeit and pay a sum not exceeding five pounds.

Clerk of the Bench
to make returns.

16. And be it enacted That the names and residences of all persons registered as aforesaid shall be published in the *New South Wales Government Gazette*.

Registrations to be
published in *New
South Wales Govern-
ment Gazette*.

17. And be it enacted That if any person shall carry on the trade or business of a brewer or shall sell or be engaged in the trade or business of selling spirits upon which the duty has been paid and in quantities of two gallons or upwards without having registered or renewed the registration of his name and premises as aforesaid every such person shall forfeit and pay a sum not exceeding thirty pounds or at the option of the party suing for the penalty shall forfeit and pay a sum not exceeding five pounds for every day that he shall fail or neglect to make such registration as aforesaid.

Penalty in default
of registration.

18. And be it enacted That all premises registered as aforesaid or occupied by brewers or by persons selling spirits upon which the duty has been paid and in quantities of two gallons or upwards shall be open at all times to the inspection of any Inspector of Distilleries Officer of Customs or person appointed as aforesaid who shall respectively have power to enter into and to search all such premises and if any person shall obstruct or molest any such officer in the performance of his duty such person shall forfeit and pay a sum not exceeding two hundred pounds.

Registered premises
open to inspection.

19. And be it enacted That it shall not be lawful for any person engaged in the trade or business of a brewer to carry on the trade or business of a dealer in spirits either by wholesale or retail upon any premises registered as aforesaid for carrying on the trade or business of brewing or on any premises situate within the distance of one hundred yards from the same and any person offending herein shall forfeit and pay a sum not exceeding thirty pounds.

Business of brewing
and selling spirits
may not be carried
on in the same
premises.

20. And be it enacted That all spirits found on the premises of any brewer registered as aforesaid beyond the quantity of six imperial gallons may be seized by any Inspector of Distilleries Officer of Customs

Brewers may not
have more than six
gallons of spirits on
their premises.

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or person appointed as aforesaid and shall be forfeited and for every gallon of spirit so seized such brewer shall forfeit and pay a sum not exceeding forty shillings.

Brewer's name to be painted on his carts.

21. And be it enacted That every brewer registered as aforesaid shall cause his name to be painted legibly in letters not less than two inches in length upon every dray cart or other vehicle used for the purpose of his trade or business and every such brewer who shall fail to comply with the regulations herein contained shall forfeit and pay a sum not exceeding twenty pounds.

Officers may stop brewers' carts.

22. And be it enacted That it shall be lawful for any Inspector of Distilleries Officer of Customs or person appointed as aforesaid to stop any dray cart or other vehicle belonging to or bearing the name of or used by any registered brewer and to examine all goods carried thereon and any person who shall obstruct or offer any hinderance to any such Inspector of Distilleries Officer of Customs or person appointed as aforesaid in the performance of their duty shall forfeit and pay a sum not exceeding fifty pounds.

Governor may make rules.

23. And be it enacted That it shall and may be lawful for the said Governor to make such rules and regulations as he may think necessary to carry the provisions of this Act into effect and to appoint such officers and other persons for that purpose as he may deem fit and proper.

Bribes collusive agreements &c. how punishable.

24. And be it enacted That if any person shall give offer or promise to give any bribe recompense or reward or shall make or offer to make any collusive agreement with any Inspector of Distilleries Officer of Customs or other person appointed as aforesaid to induce him in any way to neglect his duty or to conceal or connive at any act whereby any of the provisions of this or any other Act now or hereafter in force relating to distillation may be evaded every such person so offending shall on conviction thereof forfeit and pay a penalty not exceeding two hundred pounds whether such gift or offer shall be accepted or such promise performed or not and any Inspector of Distilleries Officer of Customs or other person appointed as aforesaid who shall directly or indirectly take or receive any bribe recompense or reward or shall in any way neglect his duty or conceal or connive at any act whereby any of the provisions of this or any other such Act as aforesaid may be evaded shall forfeit and pay a like penalty or sum not exceeding two hundred pounds.

Officers to have notice of action.

25. And it enacted That no writ shall be sued out nor a copy of any process served upon any Inspector of Distilleries Officer of Customs or other person appointed by the Governor as aforesaid for anything done in the exercise of his office until one calendar month after notice in writing shall have been delivered to him or left at his usual place of abode by the attorney or agent to the party who intends to sue out such writ or process in which notice shall be clearly and explicitly contained the cause of action the name and place of abode of the person who is to bring such action and the name and place of abode of the attorney or agent and no evidence of the cause of such action shall be produced except of such as shall be contained in such notice and no verdict shall be given for the plaintiff unless he shall prove on the trial that such notice was given and in default of such proof the defendant shall receive in such action a verdict and costs.

Action to be brought within three months.

26. And be it enacted That every such action shall be brought within three calendar months after the cause thereof and the defendant may plead the general issue and give the special matter in evidence and if the plaintiff shall become nonsuited or shall discontinue the action or if upon a verdict or demurrer judgment shall be given against the plaintiff the defendant shall receive treble costs and have remedy of the plaintiff as any defendant can have in other cases where costs are given by law.

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27. And be it enacted That in case any information or suit shall be brought to trial on account of any seizure made under this Act and a verdict shall be found for the claimant thereof and the Judges or Court before whom the cause shall have been tried shall certify upon the record that there was probable cause of seizure the claimant shall not be entitled to any costs of suit nor shall the person who made such seizure be liable to any action indictment or other suit or prosecution on account of such seizure and if any action indictment or other suit or prosecution shall be brought to trial against any person on account of such seizure wherein a verdict shall be given against such defendant the plaintiff besides the things seized or the value thereof shall not be entitled to more than two-pence damages nor to any cost of suit nor shall the defendant in such prosecution be fined more than one shilling.

Judges may certify probable cause of seizure.

28. And be it enacted That it shall be lawful for any Inspector of Distilleries Officer of Customs or other person as aforesaid within one calendar month after such notice to tender amends to the party complaining or his agent and to plead such tender in bar to any action together with other pleas and if the jury shall find the amends sufficient they shall give a verdict for the defendant and in such case or in case the plaintiff shall become nonsuited or discontinue his action or judgment shall be given for the defendant upon demurrer then such defendant shall be entitled to like costs as he would have been entitled to in case he had pleaded the general issue only Provided always that it shall be lawful for such defendant by leave of the Court where such action shall be brought at any time before issue joined to pay money into Court as in other cases.

Officer may tender amends.

29. And be it enacted That all property seized under the provisions of this Act shall be considered as forfeited unless claimed within one month after the same shall have been seized and shall be sold by public auction.

Forfeited property to be sold by auction.

30. And be it enacted That all claims for property seized under this Act shall be lodged within one month after the seizure shall have been made with the Colonial Treasurer for the time being.

Claims to be lodged within one month.

31. And be it enacted That no claim to any property seized under this Act and returned into any of Her Majesty's Courts for adjudication shall be admitted and that no appearance shall be permitted to be entered to any information filed for the forfeiture of property seized for any cause of forfeiture under this Act unless such claim or appearance is entered in the name of the owner of such property so seized describing the place of residence and the business or profession of such owner and if such owner shall reside in Sydney or within twenty miles thereof oath shall be made before one of the Judges of the Court in which such information is filed or before one of the Justices of the Bench of Magistrates before whom any cause of forfeiture shall be tried for property seized under this Act that the property so seized was really and truly the property of him at the time of such seizure but if such owner shall not be resident in Sydney or within twenty miles thereof then and in such case oath shall be made in like manner by the agent attorney or solicitor by whom such appearance shall be entered that he has full power and legal authority and directions from such owner to enter such appearance and that to the best of his knowledge and belief such property was at the time of the seizure thereof *bond fide* the property of the party in whose name such appearance is entered and on failure thereof the property shall be absolutely forfeited and judgment be entered thereon by default according to the usual method of proceedings of the Court in the same manner as if no appearance had been entered thereto and every person who shall be convicted of making or taking a false oath to any of the facts

Claims to be entered in the name of the owner.

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facts hereinbefore directed or required to be sworn to shall be deemed to be guilty of perjury and shall be liable to the pains and penalties to which persons are liable for wilful and corrupt perjury.

Claimant to be bound
by recognizance to
pay costs.

32. And be it enacted That upon the entry of any claim to any property seized for any cause of forfeiture or for any appearance to any information filed for such forfeiture the person who shall enter such claim or appearance if such claimant shall reside within the Colony shall be bound by a recognizance (to be entered into before one of the Judges of the Supreme Court or one of Her Majesty's Justices of the Peace) with two sufficient sureties in the penalty of one hundred pounds to answer and pay the costs occasioned by such claim or appearance and if the owner shall not reside within the said Colony then and in such case the agent attorney or solicitor by whose directions such claim or appearance shall be entered shall in like manner be bound with two sufficient sureties in like penalty to pay the costs occasioned by such claim or appearance.

Recovery of
penalties.

33. And be it enacted That all penalties and forfeitures incurred or imposed by this Act shall and may be sued for prosecuted and recovered by action of debt bill plaint or information in any of Her Majesty's Courts of Record in the said Colony in the name of Her Majesty's Attorney General or in the name or names of some Officer or Officers of Customs or Inspector of Distilleries or in cases where the penalty does not exceed the sum of one hundred pounds by information in a summary way before any two or more Justices of the Peace.

Actions to be
brought with one
year.

34. And be it enacted That actions or suits for the recovery of any of the penalties or forfeitures imposed by this Act may be commenced and prosecuted at any time within one year after the offence committed by reason whereof such penalty or forfeiture shall be incurred.

Form of information
&c.

35. And be it enacted That all informations before Justices of the Peace for any offences committed against this or any other Act now or hereafter to be in force relating to the prevention of unlawful distillation and all convictions for such offences and all warrants of Justices of the Peace founded upon such convictions shall be drawn respectively in the form set forth in the Schedules C D and E to this Act annexed or in words to the like effect.

Offence to be set
forth in the words of
this Act.

36. And be it enacted That every information for any penalty or forfeiture under this or any other Act now or hereafter in force relating to the prevention of unlawful distillation and every conviction or warrant of commitment for any penalty shall be deemed valid and sufficient in which the offence for which such penalty shall be inflicted or the cause of forfeiture is set forth in the words of this or any other such Act as aforesaid or in words to the like effect.

Proof of appoint-
ment of officers.

37. And be it enacted That in case of any information or proceeding under this Act or any Act now or hereafter in force relating to the prevention of unlawful distillation the averment that the person prosecuting such information or proceeding is an Inspector of Distilleries or Officer of Customs shall be sufficient proof of the appointment of such Inspector of Distilleries or Officer of Customs without proof of the appointment of such Inspector of Distilleries or Officer of Customs unless the defendant shall in such case prove to the contrary.

Officers to be com-
petent witnesses.

38. And be it enacted That any Inspector of Distilleries Officer of Customs and every person acting in his aid or assistance shall be deemed a competent witness upon the trial of any suit or information on account of any seizure or penalty as aforesaid notwithstanding such Inspector of Distilleries Officer of Customs or other person may be entitled to any part of such seizure or penalty or to any reward upon conviction of the party charged in such suit or information.

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39. And be it enacted That if any spirits or other property shall be seized or stopped for any cause of forfeiture and any dispute shall arise as to ownership or whether the duties have been paid for the same the proof thereof shall be on the owner or claimant and not on the officer who shall seize or stop the same.

Proof of payment of duties to be on claimant.

40. And be it enacted That all fines penalties and forfeitures recovered under this Act or any other Act for the time being in force relating to the distillation of spirits shall be paid to Her Majesty Her Heirs and Successors and shall be divided and applied as follows (that is to say) after deducting the charges of prosecution from the proceeds thereof one-third part of the net produce thereof shall be applied to the public uses of the said Colony and in support of the Government thereof as by any Act of the Governor and Legislative Council may be appointed one-third part thereof shall be paid to the informer and one-third part thereof to the person who shall sue for the same where such fines penalties and forfeitures are recovered in consequence of information being given to the seizing officer and when the said fines penalties and forfeitures are otherwise recovered the same are to be divided and applied as follows (that is to say) after deducting the said charges the one moiety or half of the net produce thereof as aforesaid to the public uses of the said Colony and in support of the Government thereof as by any Act of the said Governor and Legislative Council may be appointed and the other moiety or half to be paid to the seizing officer or person suing for the said penalty Provided always that nothing herein contained shall be deemed or construed to affect or in any way to interfere with the right of Her Majesty Her Heirs and Successors to pardon the offender and to remit the whole or any part of any such fine penalty or forfeiture as to Her Majesty shall seem meet.

Payment and application of fines penalties and forfeitures.

41. And be it enacted That if in or upon any information suit or action for the recovery of any fines forfeitures or penalties imposed by this Act the party shall be convicted and sentenced to pay any such fine or penalty and in case any such fine or penalty shall not be immediately paid or security given to the satisfaction of the Court or Justices before whom the case shall have been heard and determined for the due payment of such fine or penalty the party or parties who shall have been convicted and sentenced to pay such fine or penalty shall forthwith be committed to gaol there to remain for a period of not less than three nor more than twelve calendar months unless such fine or penalty shall be sooner paid.

Imprisonment in default of payment.

42. And be it enacted That no writ of *certiorari* shall issue from Her Majesty's Supreme Court to remove any proceedings before any Justice or Justices of the Peace under this or any other Act now or hereafter in force relating to the prevention of unlawful distillation and that it shall be lawful for any Justice or Justices of the Peace and they are hereby required to amend any information conviction or warrant of commitment for any offence under any such Act at any time whether before or after conviction.

Not removable by writs of *certiorari* or *habeas corpus*.

43. And to remove all doubts respecting the use of certain words in this Act be it enacted That all material that may be used in the process of distillation after the same shall have been mashed and before fermentation shall have commenced therein shall be deemed and called worts and that all such material after fermentation shall have commenced therein and before the same shall have been distilled shall be deemed and called wash and that the term "spirit" shall be construed to mean brandy rum gin low wines feints and all descriptions of spirituous liquor whatsoever and that the word "Governor" shall be construed to mean the Governor of this Colony or person for the time being lawfully administering the Government thereof and that the word

Construction of terms.

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word "Officer" shall be construed to mean an Inspector of Distilleries Officer of Customs or other person appointed by the Governor and that the provisions and enactments of this Act shall be deemed and taken to extend to persons as well in the plural as in the singular number and as well in the feminine as in the masculine gender and to things as well in the plural as in the singular number unless there be something in the subject or context repugnant to such construction.

SCHEDULES REFERRED TO.

A.

Registration of Brewers.

		Court House at	
		day of	18
Name of Brewer			
Description and situation of premises			
		Registered by me	
		Clerk of the Bench.	

B.

Registration of Spirit Merchants.

		Court House at	
		day of	18
Name of Spirit Merchant			
Description and situation of premises			
		Registered by me	
		Clerk of the Bench.	

C.

Form of Information before Justices of the Peace.

New South Wales }
to wit. }

BE it remembered that on the day of in the year of our Lord A. B. Chief Inspector of Distilleries or Inspector of Distilleries who is directed by the Chief Inspector of Distilleries (as the case may be) to prefer this information gives us Esquires two of Her Majesty's Justices of the Peace to understand and to be informed that C. D. on the day of in the year of our Lord (*here state the offence*) contrary to the form of the Act in that case made and provided whereby the said C. D. hath forfeited the sum of and the said A. B. prays that we the said Justices will proceed according to law.

D.

Form of Conviction to be used for an Offence against this Act.

New South Wales }
to wit. }

BE it remembered that on the day of in the year of our Lord an information was exhibited by A. B. Chief Inspector of Distilleries or Inspector of Distilleries (as the case may be) before us Esquires two of Her Majesty's Justices of the Peace of the said Colony against C. D. which said information charged that the said C. D. on the day of in the year of our Lord (*here state the offence as in the information*) contrary to the form of the Act in such case made and provided which offence has been duly proved before us the said Justices We do therefore convict the said C. D. of the said offence and do adjudge that the said C. D. hath forfeited for his said offence the sum of Given under our hands and seals this day of in the year of our Lord

Colonial Distillation.

E.

Form of Warrant of Commitment to Gaol for a Penalty.

New South Wales } To A. B. Constable and to E. F. the Gaoler of the
to wit. } in the
WHEREAS C. D. has been duly convicted before us Esquires
two of Her Majesty's Justices of the Peace for the said Colony of having
(here state the offence as in the information)
And whereas we the said Justices did adjudge that the said C. D. hath forfeited for
his said offence the sum of and whereas the said sum was not immediately
paid nor security given to our satisfaction for the due payment thereof These are therefore
to require you the said A. B. forthwith to take carry and convey the said C. D. to the
at in the and to deliver him into the
custody of the Gaoler or Keeper of the said and we the said Justices do
hereby authorize and require the said E. F. the Gaoler or Keeper of the said
to receive the said C. D. into his custody and him safely to keep for the period of
unless he shall sooner pay the said sum of or otherwise be
delivered by due course of law.

Given under our hands and seals at in the
this day of in the year of our Lord