

Distillation

WESTERN AUSTRALIA

ANNO TRIGESIMO NONO

VICTORIÆ REGINÆ

No. 3

An Act to empower the Governor under certain circumstances to authorise persons to have and use Distilling Apparatus without a License.

[Assented to 21st December, 1875.]

WHEREAS by section one hundred and twenty of 'The Distillation Act, 1871,' it is provided that every person who shall have in his possession or custody or upon whose premises shall be found any unlicensed still or any still-head or worm or other utensil for distilling whatsoever, shall be liable to fine and imprisonment as therein set forth; and whereas persons exploring in divers parts of the Colony and desirous of having and using distilling apparatus for the purpose of distilling salt water cannot under such circumstances obtain the license required by the said Act, and it is expedient to allow such persons to have and use distilling apparatus for the said purpose without rendering themselves liable to the penalties of the section above cited: Be it therefore enacted by His Excellency the Governor of Western Australia and its Dependencies, by and with the advice and consent of the Legislative Council thereof, as follows:—

Preamble
35 Vic., No. 6

1. This Act may be cited as 'The Distillation Act 1871 Amendment Act, 1875.'

Short title

2. It shall be lawful for the Governor, on the application of any person who may be desirous of using any still or any still-head or worm or other utensil for distilling for the purpose of distilling salt water, to grant such person authority under his hand to have and use any such still, still-head, worm or other utensil used for distilling as may be required for the purpose of distilling salt water, at such times and places and under such conditions as to giving security and otherwise as to him may seem fit.

Power to Governor to grant authority to use stills without license

3. Any person having such authority from the Governor as aforesaid, may, if any information or proceeding be brought against him in respect of his having or using any such still, still-head, worm or other utensil for distilling, plead that he had received the said authority from the Governor; and thereupon if the acts or matters charged against such person shall appear to be within the scope of the said authority, such person shall be entitled to have the said information or proceeding dismissed.

Such authority may be pleaded in bar of information

WILLIAM C. F. ROBINSON,
GOVERNOR.