



WESTERN AUSTRALIA.

ANNO DECIMO SEXTO

VICTORIÆ REGINÆ.

No. III.

An Ordinance to Repeal an Ordinance, passed in the 10th year of the reign of Her present Majesty, No. 9, entitled "An Ordinance to authorise the sale of Wines in smaller quantities than those hitherto appointed by Law," and to make other provisions in lieu thereof.

WAEREAS an Ordinance was passed in the 10th year of the Preamble. reign of Her present Majesty Queen Victoria, No. 9, entitled

10 Vic., No. 9, re-
pealed.

“An Ordinance to authorise the Sale of Wines in smaller quantities than those hitherto appointed by law,” and whereas it is expedient to repeal the said recited Ordinance, and to enact other provisions in lieu thereof;—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thereof, that from and after the passing of this Ordinance, the said recited Ordinance shall be, and the same is hereby repealed.

5 Gallons of Wine
may be sold.

Wine to be delivered
and removed immedi-
ately.

Wine not to be con-
sumed on premises,
unless licensed.

II. AND be it enacted, that it shall be lawful for any person to sell or otherwise dispose of, at any one time, any quantity, not being less than five gallons, of Wine, the produce of land of which he is the owner or lawful tenant, without having a retail license for that purpose, provided always that nothing herein before contained shall legalize the sale of any quantity of such Wine, being less than fifteen gallons, unless the entire quantity of such Wine so sold as aforesaid be delivered, absolutely, upon such sale, and unless the entire quantity so delivered be, immediatly upon such delivery, removed by the person to whom the same shall be so delivered, from the premises custody, controul, and power of the vendor. Provided also, that nothing herein contained shall authorise the consumption of such Wine, or of any portion thereof, on the premises of the vendor, not being a Licensed Publican.

Duty maybe remitted
on Spirits for admix-
ture with Colouial
Wine.

III. AND whereas the production of Wine in this Colony would be promoted and encouraged by permitting a return or remission of the duty charged upon imported Spirit used for the purpose of admixture with such wine, by the produce thereof; Be it therefore enacted, that from and after the passing of this Ordinance it shall be lawful for the Governor, subject to such regulations as His Excellency may from time to time establish, to refund or return the amount of duty paid for, or to authorise the delivery, duty free, of any imported Spirit used or to be used, by any proprietor or tenant of a vineyard, who may manufacture Wine from grapes grown therein, for the purpose of admixture with any quantity of such Wine, not being less than 100 Gallons. Provided that the quantity of Spirit upon which a return or remission of dnty shall be made as aforesaid, do not exceed the proportion of Four Gallons of Spirit to each 100 gallons of Wine so manufactured and fortified as aforesaid.

CHARLES FITZGERALD,
GOVERNOR AND COMMANDER-IN-CHIEF.

Passed the Council the 17th }
day of Dec., 1852. }

A. O'GRADY LEFROY,
Clerk of the Council.