



## Western Australia.

ANNO SEXAGESIMO QUARTO

# VICTORIÆ REGINÆ.

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No. XVI.

AN ACT to amend and consolidate the Laws  
relating to Distillation.

*[Assented to, 5th December, 1900.]*

BE it enacted by the Queen's Most Excellent Majesty, by  
and with the advice and consent of the Legislative Council  
and Legislative Assembly of Western Australia, in this present  
Parliament assembled, and by the authority of the same, as  
follows:—

1. THIS Act may be cited as the Distillation Act, 1900, and  
shall come into operation one month after the passing thereof.

Short title.

2. THE Acts mentioned in the First Schedule hereto are hereby  
repealed.

Repeal.  
Schedule I.

3. IN this Act, unless the context otherwise requires,—

“Colonial Spirits” means spirits distilled in Western Australia  
and liable to excise duty;

Interpretation.  
35 Vict., 6, s. 153.

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Distillation Act,  
1884 (S.A.), s. 3.

- “Distiller” means a person holding a “Distillation License,” as hereinafter defined;
- “Distillery” means the premises of any distiller or wine manufacturer where the process of distillation, or rectifying, or compounding of spirits is carried on, and all spirit stores and buildings connected therewith or appurtenant thereto;
- “Feints” means spirits produced by the re-distillation of low wines;
- “Illicit spirits” means spirits produced and made contrary to this Act, and spirits on which the full duty has not been paid;
- “Imported spirits” means all imported spirits and strong waters liable to a duty of Customs;
- “Impurity” means any substance other than ethylic alcohol and water;
- “Inspector” means the Chief Inspector of Distilleries;
- “Any Inspector” means the Chief Inspector of Distilleries or any other Inspector of Distilleries.
- “Low wines” means all spirits drawn and produced by one distillation of wash;
- “Officer” means any officer of Customs, and any inspector or any officer appointed by the Chief Inspector of Distilleries for any of the purposes of this Act;
- “Premises,” when used with reference to a distiller or rectifier, means any building or place used by him and of which entry is required to be made;
- “Prescribed” means prescribed by any regulations made by the Governor under this Act;
- “Proof” means the ordinary and conventional degree of strength indicated as such by Sykes’ hydrometer;
- “Spent Wash” means the liquor which may remain in the wash after the low wines have been extracted by distillation;
- “Spirits” means alcohol, brandy, whisky, rum, gin, low wines, feints, cordials, liqueurs, wines, and spirits of any sort, including all liquors mixed with spirits, and all mixtures, compounds, or preparations made with spirits containing more than thirty-five per centum of proof spirits;
- “Spirit Merchant” means a vendor of duty-paid spirituous liquors, wine, or fermented malt liquors in quantities not

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less than one gallon, and any person who exposes the same for sale in any shop, warehouse, or premises, except an auctioneer or broker selling on account of a licensed wine and spirit merchant, or brewer, or a licensed publican ;

“ Still ” includes the head or worm, and any part of a still or apparatus connected therewith or appurtenant thereto, and any apparatus whatever for the making, distilling, compounding, or rectifying of spirits ;

“ Wash ” means all materials in which, after being mashed for use in the process of fermentation, fermentation has commenced, but which have not been distilled ;

“ Wine ” means the fermented juice of the grape ;

“ Winemaker ” means a person (not holding a wine manufacturer’s license) who makes wine from grapes or other fruit, and may require to purchase spirits for the purpose of fortifying such wine ;

“ Wine Manufacturer ” means a person holding a wine manufacturer’s license as hereinafter defined ;

“ Worts ” includes all materials intended to be used in the process of distillation after the same have been mashed and before fermentation has commenced therein.

4. THIS Act shall be divided into Parts, as follows:—

Division of Act.

PART I.—OF THE LICENSING AND WORKING OF STILLS USED BY WINE MANUFACTURERS AND THE SUPPLY OF SPIRITS, DUTY FREE, FOR FORTIFYING WINE. Distillation Act, 1884 (S.A.), s. 4.

PART II.—OF THE LICENSING AND WORKING OF STILLS USED BY DISTILLERS, AND THE DISPOSAL OF SPIRITS.

PART III.—OF THE LICENSING AND WORKING OF STILLS FOR CHEMICAL, MANUFACTURING, AND OTHER PURPOSES.

PART IV.—OF LICENSES IN GENERAL.

PART V.—OF THE REMOVAL OF SPIRITS AND SUPERVISION OF STILLS.

PART VI.—OF DUTIES ON SPIRITS.

PART VII.—OF OFFICERS, SEIZURES, PROCEDURE, AND PENALTIES.

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### PART I.—OF THE LICENSING AND WORKING OF STILLS USED BY WINE MANUFACTURERS AND THE SUPPLY OF SPIRITS, DUTY FREE, FOR FORTIFYING WINE.

Wine manufacturer's  
distillation license.

See 35 Vict., 6, s. 10.  
Distillation Act,  
1884 (S.A.), s. 5.

Schedule 2.

5. WHERE any person or any company is in the actual occupation of any vineyard or orchard of not less than twenty-five acres in extent, in full bearing, and is engaged in the making of wine, the Colonial Treasurer may, on the written application of such person or company, grant to such person or to an officer of the company a license to be called a "Wine Manufacturer's License," in the form in the Second Schedule hereto. The application shall specify the size and description of the still intended to be used and shall have annexed thereto a correct drawing of such still and of the premises where the same is intended to be used.

The holder of such license is hereby authorised to keep and use upon such vineyard or orchard a still of not less than fifty gallons capacity, for the purpose of distilling spirits from the fermented juice of the grape or other fruit, being the produce of such or any other vineyard or orchard.

The spirits so distilled, except as hereinafter excepted, shall be used only for fortifying wines the property of and on the premises of such wine manufacturer, so that when such wines are fortified they shall not contain more than thirty-five per centum of proof spirit and shall be pure and untainted with fusel oil or other deleterious substance: Provided that wine manufacturers may use spirits lawfully distilled by them for the purpose of washing and cleansing casks.

Certificate of  
applicant's fitness to  
be produced and  
bond executed.

See 35 Vict., 6, ss.  
10, 14, Distillation  
Act, 1884 (S.A.), s. 6.

6. BEFORE such license is granted, the person applying for the same shall produce to the Chief Inspector of Distilleries a certificate, signed by two Justices of the Peace or by a Resident or Police Magistrate, certifying that the applicant is in actual occupation of not less than twenty-five acres of land planted with vines or fruit trees, in full bearing, and is a fit and proper person to hold such license; and the applicant shall, with two good and sufficient sureties, to be approved by the Colonial Treasurer, execute a bond to him in a penal sum of Five hundred pounds, conditioned that the applicant will not use or suffer use to be made of the still in respect of which he is licensed for any other purposes than such as are authorised by his license and further conditioned for the due observance of this Act and of all Regulations made hereunder.

Spirit cellar and  
store-room to be  
provided.

7. EVERY wine manufacturer shall provide upon his premises a cellar or store-room built of stone, brick, or concrete, wherein all spirits made on the premises, and all wines containing more than

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thirty-five per centum of proof spirit, shall be deposited and kept securely locked by such wine manufacturer until required for the purpose of fortifying wine, or washing or cleansing casks, or blending as hereinbefore mentioned; and all spirits so made shall be conveyed into such cellar or store-room, and shall be secured in such manner as the inspector shall direct; and all such spirits or wines found in any other place or places on the said premises than the said cellar or store-room, in quantity greater than five gallons in the aggregate, shall be forfeited, and such wine manufacturer shall thereby become liable to a penalty of Fifty pounds, together with an additional penalty of Forty shillings for every gallon of spirits so found in excess: Provided that spirits requiring to be rectified may be removed from the said cellar or store-room to the still-room for the purpose of re-distillation.

35 Vict., 6, s. 12,  
Distillation Act, 1884  
(S.A.), s. 7.

8. (1.) UPON payment of a Sixpence per gallon proof for colonial spirits, and Two shillings and sixpence per gallon proof for imported spirits, any wine manufacturer may remove from such cellar or store-room such quantity of spirits as may be required for the purpose of fortifying wines the property of such wine manufacturer (but so that such wines, when so fortified, shall not contain more than thirty-five per centum of proof spirit), or for washing or cleansing casks, or for blending.

Removal of spirits  
for fortifying wines.

Distillation Act,  
1884 (S.A.), s. 8.

See 35 Vict., 6, s. 18.

(2.) All spirits so removed from such cellar or store-room for fortifying such wines or blending shall be mixed on the premises of the proprietor in the presence of an inspector or with his written permission.

(3.) Provided that, if such wine manufacturer has a surplus of spirits more than sufficient for fortifying his wines, the inspector may grant permission in writing to the proprietor to sell or dispose of the same once in every month during the year, under the supervision of an inspector or officer, upon payment of the duties chargeable on such spirits, or to remove the same to a duly licensed bonded warehouse.

(4.) Any wine manufacturer acting in contravention of this section shall be liable to a penalty not exceeding One hundred pounds.

9. EVERY wine manufacturer shall keep a journal, which shall be provided by the Government Printer at cost price, in the form in the Third Schedule hereto, showing:—

Return to be  
furnished.

Distillation Act,  
1884 (S.A.), s. 9.

See 35 Vict., 6, ss.  
11, 19.

Schedule 3.

The day of notice of commencing and of having ceased to distil being posted and delivered, and where;

The date given in such notice for commencing to distil;

The day given in such notice for ceasing to distil;

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The days when actually distilling, and number of hours at work in each day ;

The materials distilled from ;

The total quantity of proof spirits distilled during the month ;

The total quantity, in proof gallons, on hand from last month ;

The total quantity of proof gallons purchased for fortifying wine ;

The total quantity, in proof gallons, disposed of during the month, showing the manner in which the same has been disposed of ;

The stock on hand, in proof gallons, at the end of the month ;

And the quantity of wine fortified during the month.

And shall, within seven days after the end of each month, deliver or send to the inspector, at his principal office, by means of a registered letter, a copy of such journal, and of the entries (if any) therein during the month just ended, in the form of the Fourth Schedule hereto, also to be provided by the Government Printer at cost price.

If any such wine manufacturer neglects to keep such journal as aforesaid, or to forward a copy thereof as aforesaid, or makes, or is party or privy to making any false entry therein, he shall be liable to a penalty of not less than Fifty pounds nor more than Two hundred pounds.

Schedule 4.

Wine manufacturer to produce books, answer questions, and permit testing.

Distillation Act, 1884 (S.A.), s. 10, altered in form.

See 35 Vict., 6, sec. 48.

**10.** (1.) EVERY wine manufacturer shall, when so required, produce on his premises to any inspector or officer, or any duly authorised officer of police, the journal before mentioned, and shall produce and exhibit the whole of the spirits, wines, or spirituous compounds on such premises, and shall also permit such official to gauge and take such samples as he may deem necessary of all spirits, wines, or spirituous compounds on the premises of such wine manufacturer, and shall, when so directed by any of such officials, set up the casks so required to be gauged and tested for the purpose of testing or analysing, and shall truly answer all questions put by any of the officials aforesaid relative to the entries in the journal, whether such answers tend to render such wine manufacturer liable to any penalty or not.

(2.) Every wine manufacturer who shall fail to comply with the requirements of this section shall be guilty of an offence, and, on conviction thereof, shall be liable to a fine not less than Fifty pounds and not exceeding Five hundred pounds.

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**11.** (1.) EVERY wine maker who desires to remove, take away, or have delivered to him any spirit for the purpose of fortifying and blending wine, the produce of Western Australia, or for washing or cleansing his casks, from any cellar, store-room, or bonded warehouse, shall execute a bond to the Colonial Treasurer, with two sufficient sureties, to be approved of by him, in the sum of Two hundred pounds, conditioned for the using of such spirit only for the purposes aforesaid and only in the presence of an inspector.

Spirits to be delivered from cellar, store-room, and bonded store in presence of an inspector or officer, and a bond to be first executed.

Distillation Act, 1884 (S.A.), s. 11, altered in form.

See 35 Vict., 6, s. 18.

(2.) Such wine maker, upon giving bond as aforesaid, and upon payment of a fee at the rate of Two shillings and sixpence per gallon proof for imported spirits, and Sixpence per gallon proof for colonial spirits, may obtain from the Chief Inspector of Distilleries his warrant for the delivery of such spirits in the form contained in the Fifth Schedule hereto, and every person receiving such delivery shall use such spirits only for the purposes aforesaid, and on his own premises, and in the presence of an inspector or officer.

Schedule 5.

(3.) Every person who acts in contravention of this section shall be guilty of an offence, and shall be liable, on conviction thereof, to a fine not exceeding One hundred pounds.

**12.** BY the permission of the inspector, and in accordance with any conditions prescribed by him, any person holding a license under this Act may take samples for trade purposes from any cask of spirits in his possession.

Permission to take samples of spirits for trade purposes.  
Distillation Act, 1884 (S.A.), s. 12.

**13.** EVERY wine maker shall keep a journal in the form in the Sixth Schedule hereto, to be furnished by the Government Printer at cost price, showing:—

Wine maker to keep journal.

*Ibid.*, s. 13.

Schedule 6.

- (1.) The quantity in proof gallons on hand at the end of the previous month ;
- (2.) The quantity in proof gallons purchased or otherwise obtained for fortifying wine ;
- (3.) The quantity in proof gallons used for fortifying wine ;
- (4.) The quantity in proof gallons used for washing or cleansing casks ;
- (5.) The quantity in proof gallons on hand at the end of the month ;
- (6.) The quantity of wine fortified.

And every such wine maker shall, within seven days after the end of each month, deliver or send to the inspector, at his principal office, by means of a registered letter, a copy of such journal for the month then ended, in the form in the Seventh Schedule hereto.

Schedule 7.

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If any such wine maker neglects or refuses to keep a journal, or forward a copy thereof as aforesaid, or makes or is party or privy to making any false entries therein, he shall be guilty of an offence, and, on conviction thereof, shall be liable to a penalty of not less than Fifty pounds nor more than Two hundred pounds.

Unlawful hours for distilling.

*Ibid.*, s. 14.

**14.** (1.) A DISTILLER must not, without the permission of the inspector, use a still on any day between the hours of six o'clock in the afternoon and eight o'clock in the forenoon, or between the hours of one o'clock in the afternoon of Saturday and eight o'clock in the forenoon of Monday, or at all on Sunday, Christmas Day, or Good Friday, or any duly proclaimed public holiday.

(2.) But a distiller may use his still with the permission of the inspector, and upon such terms as the inspector may think proper to impose, during such prohibited hours and on such prohibited days, except Sunday, Christmas Day, and Good Friday.

(3.) If a distiller contravenes this section he shall be guilty of an offence, and, on conviction thereof, shall be liable to a fine of Fifty pounds.

PART II.—OF THE LICENSING AND WORKING OF STILLS USED BY DISTILLERS, AND THE DISPOSAL OF SPIRITS.

Application for license.

35 Vict., 6, s. 4.

**15.** A PERSON desirous of obtaining a license to distil or to rectify and compound spirits shall apply by memorial addressed to the Colonial Treasurer for such license, and such memorial shall describe the premises where such distillation is to be carried on, and shall be accompanied by a plan thereof showing the situation of the still and all other vessels and apparatus to be used on such premises, together with the dimensions and capacity of all such vessels and apparatus, and such plan shall contain such other particulars as shall from time to time be directed by the Colonial Treasurer to be given.

See *ante*, s. 6.

Before such license is granted the applicant shall, with two good and sufficient sureties to be approved by the Chief Inspector of Distilleries, execute a bond to him in the penal sum of Five hundred pounds, conditioned that the applicant will not use or suffer use to be made of the still, vessels, or apparatus on the premises in respect of which he is licensed for any other purposes than such as are authorised by his license and further conditioned for the due observance of this Act and of all regulations made hereunder.

Distillation License.

Distillation Act,  
1884 (S.A.), s. 16.

**16.** THE Colonial Treasurer may grant to any person who has applied to him, as hereinbefore provided, a license, to be called a "Distillation License," in the form in the Eighth Schedule hereto,



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which shall authorise such person to have and use on his premises (to be specified in such license) a wine still of a capacity of not less than eighty gallons, and a feints or spirit still of not less than forty gallons, or a distilling apparatus capable of exhausting not less than fifty gallons of wash in the hour, for the purpose of distilling spirits from the fermented juice of the grape or other fruit, potatoes, roots, or grain, or any produce of Western Australia.

See 35 Vict., 6, ss. 5, 6.

Schedule 8.

17. A DISTILLATION License granted pursuant to the last preceding section may, if the Colonial Treasurer thinks fit, authorise the person to whom it is granted to have and use on his premises (to be specified in such license) an apparatus for distilling in accordance with the said section, and consisting of more than one still, subject to the following conditions:—

One apparatus consisting of not less than six stills may be licensed.

Distillation Act, 1884 (S.A.), s. 17.

- (1.) The apparatus shall not consist of more than six stills ;
- (2.) No such still shall be of a less capacity than forty gallons ;
- (3.) The whole apparatus shall be so contrived and placed that the use thereof may be supervised by the proper officer as readily as in the case of an apparatus consisting of a single still, or, if not so contrived and placed, any additional expense caused thereby, in the employment of additional supervision or otherwise, shall be paid by the holder of the license to the Colonial Treasurer or such person as he shall appoint for that purpose.

18. EVERY person applying for a Distillation License shall furnish to the Colonial Treasurer a certificate signed by a Resident or Police Magistrate, or by two Justices of the Peace, certifying that such person is, in the opinion of the person or persons so certifying, a fit and proper person to hold a Distillation License; and before such license shall be issued the applicant shall execute a bond to the Colonial Treasurer, with two good and sufficient sureties to be approved by him, for the sum of One thousand pounds, and each surety for the sum of Five hundred pounds, conditioned that such applicant will not make use of such still, or suffer it to be made use of for any other purposes than such as are authorised by the license, and further conditioned for the due observance of the provisions of this Act and of all regulations made thereunder.

Applicant for Distillation License to furnish certificate of fitness, and execute bond with sureties.

*Ibid.*, s. 19.

See 35 Vict., 6, s. 8.

19. UPON the premises of every distillery licensed under this part there shall be an office fit and proper for the safe custody of the Government's books, accounts, and instruments, and convenient for the accommodation of the officer on duty, and upon obtaining his license the distiller shall deliver the key and give over possession of the said office to the inspector, and shall thereby relinquish all right to the occupancy

Office for the inspector.

35 Vict., 6, pt. s. 32.

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of the said office so long as he shall hold a license, or as there shall remain in the store-room of the licensed premises any spirit upon which the duty has not been paid. Every distiller failing to comply with this section shall be guilty of an offence, and shall be liable, on conviction thereof, to a fine not exceeding One hundred pounds.

Distiller working more than ten miles from Perth to find lodgings for officers.

*Ibid.*, pt. s. 32.

Distillation Act, 1884 (S.A.), s. 20.

**20.** IF the premises in respect of which the license is granted are situate more than ten miles from the Post Office at Perth, the Colonial Treasurer may, if he thinks fit, make it a condition to the granting of the license that the distiller shall provide, to the satisfaction of the inspector, lodgings for the officers to be placed in charge of the distillery. The lodgings must be conveniently situate, and must form part of the distillery or of the distiller's dwelling-house, and the rent charged for them, unfurnished, must not exceed Twenty pounds a year. If a distiller to whom a license is granted on these terms fails to provide the lodgings, or to keep them in repair, or interrupts any officer residing therein in his use or enjoyment thereof, the Colonial Treasurer may suspend or revoke the license.

Spirit cellar or store-room to be provided.

See Distillation Act, 1884 (S.A.), s. 21.

See 35 Vict., 6, ss. 17, 33.

**21.** EVERY distiller shall provide a cellar or store-room wherein all spirits made by him shall be placed and securely locked until required to be removed for sale on payment of duty or fortifying wine, bonding, or exportation; and every such cellar or store-room shall be of brick or stone, and the windows thereof shall be fastened or secured by bars of iron one inch thick and firmly fixed in the masonry or brickwork at not more than six inches apart, and the only entrance thereto shall be by a stout door sheeted on the inside with iron and fastened by two locks, of one of which the key shall be kept by the distiller and of the other of which the key shall be kept by the inspector.

All spirits not removed within two months from the date of distillation shall be placed in a bonded warehouse unless the inspector is of opinion that it is absolutely necessary that such spirits should be kept longer in such cellar or store-room, in which case he may give permission for such spirits to be so kept for a further period not exceeding two months.

Returns to be furnished.

Distillation Act, 1884 (S.A.), s. 22.

See 35 Vict., 6, s. 81. Schedule 9.

**22.** EVERY distiller shall keep a journal, to be provided by the Government Printer at cost price, in the form in the Ninth Schedule to this Act, showing:—

The date of notice of commencing or having ceased to distil being posted or delivered, and where;

The date given in such notice for commencing to distil;

The date given in such notice for ceasing to distil;

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The days when actually distilling, and the number of hours worked in each day ;

The materials distilled from ;

The total quantity, in proof gallons, distilled during the month ;

The total quantity, in proof gallons, on hand from last month ;

The total quantity, in proof gallons, disposed of during the month, showing the manner in which the same has been disposed of ;

The stock on hand, in proof gallons, at the end of the month ;

And such distiller shall, within seven days after the end of each month, deliver or send to the inspector, at his principal office, by means of a registered letter, a copy, in the form (to be provided by the Government Printer at cost price) of the Tenth Schedule hereto, of the entries in such journal during the month just ended ; and if any such distiller neglects to keep such journal and forward the copy thereof as aforesaid, or shall make, or be party or privy to making any false entry therein, he shall be guilty of an offence, and, on conviction thereof, shall be liable to a fine of not less than Fifty pounds nor more than Two hundred pounds.

Schedule 10.

**23.** EVERY distiller shall, when so required, produce to any inspector or officer, or duly authorised officer of police, the journal before-mentioned, and permit him to gauge and take such samples of all spirits, wines, and spirituous compounds found on the premises of such distiller as such inspector or officer, or officer of police may deem necessary for the purpose of testing or analysing, and shall truly answer all questions put by the inspector or any officer as aforesaid relative to the entries in such journal ; and every distiller who does not produce and exhibit upon his own premises, when required by such inspector or any officers as aforesaid, such journal, and the whole of the spirits, wines, and spirituous compounds on hand, and permit the same to be gauged, tested, and inspected, or who does not answer, or fails to answer truly all questions put to him as aforesaid relative to the entries in the journal, or the manufacture and disposal of the wines and spirits, notwithstanding that such answer may render him liable to a penalty, shall be guilty of an offence, and, on conviction thereof, shall be liable to a fine of not less than Fifty pounds nor more than Two hundred pounds.

Journal to be produced.

Distillation Act, 1884 (S.A.), s. 23.

See 35 Vict., 6, s. 19.

**24.** NO distiller or agent of a distiller shall have, keep, or make use of any store, erection, or building, for the sale of duty-paid spirits, at any place nearer to any part of any distillery than fifty

Distances between spirit store and distillery.

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*Ibid.*, s. 24, altered  
as to distance.

See 35 Vict., 6, s. 90.

Warehousing of  
spirits.

35 Vict., 6, s. 93.

Distillation Act,  
1884 (S.A.), s. 25.

Entry to be made be-  
fore removal.

*Ibid.*, s. 95.

*Ibid.*, s. 26.

Mode of proceeding  
where spirits are  
entered for home  
consumption.

yards, and every person acting in contravention of this section shall be guilty of an offence, and, on conviction thereof, shall be liable to a fine of Two hundred pounds.

**25.** THE inspector may, without payment of any fee, grant permission to any distiller to deposit in a warehouse (erected on the premises of such distiller licensed under the regulations for the time being in force) spirits from the cellar or store-room of the said distiller without payment of duty thereon, and such spirits and no other goods shall be secured under the locks of the Crown in such bonded warehouse, and in respect of deficiencies arising on spirits so warehoused, such abatement and allowance shall be made as may be sanctioned by such regulations. Provided that all spirits so warehoused, if not removed from such warehouse within the period of two years, shall, at the expiration of that time, be examined by the proper officer, and the duty upon any difference or deficiency between the quantity ascertained on being first warehoused and the quantity found to exist at such examination shall, subject to such allowance as may be sanctioned as aforesaid, be paid down, and the quantity so found shall be re-warehoused in the same manner as at first.

**26.** BEFORE any spirits shall be removed from the cellar or store-room of any distiller, or from the bonded store erected as aforesaid on the premises of such distiller, to any bonded warehouse under the supervision of the Customs, an entry of the same in the usual and proper form for warehousing goods under bond shall be passed at the custom house, and the person entering the same shall give security, by bond, in double the amount of duty which would be payable thereon if taken out of the said store for home consumption (with one sufficient surety, to be approved of by the Collector or other chief officer of customs), that the said spirits shall be warehoused to the satisfaction of the said Collector or other chief officer of customs, and thereupon the said Collector or other chief officer of customs shall grant a warrant for the removal of such spirits from the said bonded warehouse erected on the premises of said distiller to the bonded warehouse named in the warrant, and upon the delivery of the warrant aforesaid to the inspector or officer on duty at the distillery, such inspector or officer shall deliver the spirits therein described to the officer of customs appointed to convey the same to the bonded warehouse named in the margin, and upon the removal of such spirits aforesaid it shall be re-weighed in the presence of such officer, who shall thereupon give a receipt for the same to the inspector or officer on duty at the distillery.

**27.** WHEN any spirits deposited in the bonded store attached to any distillery are required for home consumption, for exportation, or for ship's stores, the distiller shall procure from the Inspector of

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Distilleries or other officer on duty at, and in charge of, such store a certificate, on which shall be written the distinguishing mark or number of each cask, also the number of proof gallons in each cask so required for home consumption, for exportation, or for ship's stores, as the case may be, and thereupon such distiller shall present such certificate to the Collector or other chief officer of customs, and shall make entry and pay duty thereon if such spirits be required for home consumption, or make entry and enter into the necessary bond if such spirits be required for exportation, and the said Collector shall thereupon grant a warrant for the due delivery of the spirits in the manner and form as is required in the case of imported spirits when delivering from a bonded warehouse, and such warrant, on being delivered to the officer on duty at and in charge of said store, shall be a sufficient order for the delivery of the spirits mentioned therein.

*Ibid.*, s. 100.*Ibid.*, s. 27.

PART III.—OF THE LICENSING AND WORKING OF STILLS FOR  
CHEMICAL, MANUFACTURING, AND OTHER PURPOSES.

**28.** THE Colonial Treasurer may grant a license, in the form in the Eleventh Schedule hereto, to any apothecary, chemist, druggist, manufacturer, photographic artist or maker of perfumes to use a still of not more than twenty gallons contents for the purposes of his trade only, upon an application in writing to the inspector, accompanied by a certificate signed by a Resident or Police Magistrate, or two Justices of the Peace, that the person applying for such license carries on the trade therein mentioned, being one of the trades aforesaid, and is a fit and proper person to hold such license; but before any such license shall issue, the applicant shall execute a bond to the Colonial Treasurer, with two sufficient sureties to be approved by him, for Two hundred pounds, conditioned that, during the currency of such license and of any renewal thereof, the applicant will not make use of such still, or suffer it to be made use of, except for the purpose and at the place named in the license, and that he will obey this Act and the regulations made hereunder.

License to apothecaries, chemists, etc.

Distillation Act,  
1884 (S.A.), s. 28.

See 35 Vict., 6, s. 21.

Schedule 11.

**29.** THE Colonial Treasurer may grant a license for a still of not less than fifty gallons contents, in the form in the Twelfth Schedule to this Act, to any person to distil fresh water from salt water, on such person making an application in writing to the inspector stating the place and the premises where the still is intended to be kept, and accompanied by a certificate, signed by a Resident or Police Magistrate, or two Justices of the Peace, that the place named in the application is a part of the Colony where fresh water is not easily obtainable in sufficient quantities for the wants of the district, or not easily obtainable in sufficient quantities for the business of the applicant, and that the applicant is a fit and proper person to hold a license.

Persons may be  
licensed to distil fresh  
water from salt  
water.Distillation Act,  
1884 (S.A.), s. 29,  
altered in form.See 39 Vict., 3, and 57  
Vict., 28.

Schedule 12.

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Before such license is granted, the applicant shall execute a bond to the Colonial Treasurer for Two hundred pounds, with two sufficient sureties to be approved by him, conditioned that the still shall only be used for distilling fresh water from salt water, and for no other purpose whatever, and that the obligor will obey all the provisions of this Act and the regulations made thereunder.

Every person so licensed who changes his residence or ceases to make use of such still shall, within a month thereafter, give written notice thereof to the inspector, and shall, in the latter case, place the still in the bonded store nearest to the district or place named in the license for such still, or deliver the same to the nearest officer of police; and every person so licensed who fails to give such notice or so to place or deliver such still shall be guilty of an offence, and shall be liable, on conviction thereof, to a fine of not less than Fifty pounds nor more than One hundred pounds, and to the forfeiture of the still, which may be destroyed by the inspector or any person acting under his orders.

Every person who, not being licensed as aforesaid, distils fresh water from salt water, shall be guilty of an offence, and, on conviction thereof, shall be liable to a fine of not less than Twenty pounds nor more than One hundred pounds.

License may be granted to import and sell stills, etc., for condensing water.

57 Vict., 28,  
Schedule 13.

**30.** THE Colonial Treasurer may grant a license, in the form in the Thirteenth Schedule hereto to any person to import into Western Australia, and to sell or keep for sale on the premises specified in the license, stills, still-heads, worms, and other utensils and apparatus necessary for distilling salt water.

Such license may be issued subject to any special conditions imposed by the Treasurer, and may at any time be revoked by him.

A person licensed as aforesaid shall not sell any still, still-head, worm, or other such utensil or apparatus elsewhere than on the premises mentioned in the license, and shall, immediately after every sale, give notice in writing to the Resident or Police Magistrate or Warden of the District within which the premises are situate of the article or articles sold, and the name of the purchaser. And every person licensed as aforesaid who contravenes or fails to observe the conditions of his license or this section shall be guilty of an offence, and, on conviction thereof, shall be liable to a fine of not less than Five pounds nor more than Fifty pounds, together with the forfeiture of all stills, still-heads, worms, or utensils or apparatus for distilling in his possession.

License for pint still for testing Western Australian wines.

45 Vict., 9, slightly altered.

**31.** THE Colonial Treasurer may, if he thinks fit, grant to any person applying for the same a license to keep and use a still of not more than one pint in capacity, for the purpose of testing the strength of wines made in Western Australia. Every such license shall

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specify the purpose for which it is granted, and the premises on which such still shall be used, and the person applying for such license shall, before the same is granted, enter into a bond to the Colonial Treasurer, with one surety, in the sum of Fifty pounds, conditioned that the person applying for the license will not use such still, or suffer the same to be used for any other purpose, or in any other place or premises than that specified in the license.

**32.** IN all proceedings under this Act or under any Act which may hereafter be in force for the regulation of distillation or respecting licensed and registered spirit merchants, the person against whom such proceedings are taken shall be deemed to be unlicensed, unless he shall at the hearing produce his license before and exhibit the same to the Court before which such proceedings shall be taken, or shall produce other proof to the satisfaction of such Court that he is not such person as described in such proceedings, or that he is a duly licensed person, and of the description of the license held by him.

Oaths of proof.

*Ibid.*, s. 135.

**33.** 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 certificate, and every such Clerk of the Bench who shall fail or neglect to make any such return as aforesaid shall be liable to a penalty not exceeding Five pounds, and the Chief Inspector of Distilleries shall cause the names and residences of all persons so registered as aforesaid to be published in the *Government Gazette*.

Clerk of the Bench to make returns.

*Ibid.*, s. 136.

### PART IV.—OF LICENSES IN GENERAL.

**34.** ALL licenses granted under this Act shall, unless previously revoked or forfeited, continue in force until the thirty-first day of December next following the granting thereof, and there shall be paid to the Colonial Treasurer by the person obtaining such license in respect of every such license the sums respectively mentioned in the Fourteenth Schedule of this Act, and upon such payment, and upon the production of a certificate from the Chief Inspector of Distilleries that all the requirements of this Act have been complied with, such license shall forthwith issue to the person who shall be entitled to the same.

Termination of license.

35 Vict., 6, s. 22.

Schedule 14.

**35.** EVERY license granted under this Act may be renewed annually upon the person applying for such renewal paying to the Colonial Treasurer the sum required by this Act to be paid for the license which such person desires to renew, and upon receipt of such

Renewal of licenses.

*Ibid.*, s. 23, and see Distillation Act, 1884 (S.A.), s. 31.

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sum by the Colonial Treasurer and a certificate from the Chief Inspector of Distilleries that all the regulations of this or of any other Act in force for the time being relating to the distillation, rectifying, or compounding of spirits have been complied with: Provided that if the person applying for such license shall have been convicted of any offence under this Act, or under any Act in force for the time being relating to distillation, or shall have forfeited any recognisance under any such Act, it shall not be lawful for the Colonial Treasurer to grant such renewal of any former license unless it is proved to his satisfaction that the offence or forfeiture was not wilful: And provided, also, that no license shall be renewed after such offence or forfeiture unless the applicant enters into a new bond to the Colonial Treasurer (if so required, by him), with two sufficient sureties to be approved by him, for the same amount as that executed by the applicant on obtaining his license, and conditioned in like manner.

Refusal or suspension of licenses.

*Ibid.*, s. 24.

35 Viet., 6, s. 24.

**36.** THE Colonial Treasurer may refuse to grant or to renew any license under this Act, and may suspend or annul any such license upon proof being given to his satisfaction that the provisions and requirements of this Act or any of them have been contravened or have not been fulfilled, or that the Chief Inspector of Distilleries or any other officer appointed under this Act has been obstructed or prevented from performing any part of his duty by the person applying for or holding such license or renewal thereof, or by any person acting under his authority or by his direction, or where, from the local situation of a distillery (the license for which is required to be granted or renewed) in respect of any brewery, vinegar manufactory, or manufactory of cordials (in the making of which spirits are used), or of any store or house in which spirits are sold, either by wholesale or retail, it may appear to the Colonial Treasurer inexpedient to grant such license.

Transfer of licenses on death, lunacy, etc.

Distillation Act, 1884 (S.A.), s. 33.

**37.** IN the event of the death of any person holding a license under this Act, such license may be transferred to the legal representatives of such person, or, in the case of his lunacy or bankruptcy, to the persons who, in the event of his being then dead, would be his personal representatives, upon fresh securities being entered into, and upon the Colonial Treasurer being satisfied that such persons are fit and proper persons to hold a license under this Act.

Certain licenses to become void in certain cases.

35 Viet., 6, s. 25.

Distillation Act, 1884 (S.A.), s. 34.

**38.** NO wine manufacturer or distiller, or any person who shall be the owner or part owner, or who has any interest or share in a distillery or in any premises or concerns used for rectifying or compounding spirits, nor any maker of wine, the produce of his own vineyard, licensed to use a still, nor any medical practitioner or chemist licensed to use a still, nor any person licensed to use a still



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for scientific or other purposes, nor any maker of perfumes licensed to use a still, nor any person licensed to distil water, shall have or hold a license to retail spirituous or fermented liquors; and in case any person who shall have obtained a license for the sale of fermented or spirituous liquors by retail shall, after the obtaining of such license, become the owner or part owner, or have any share or interest in a licensed distillery, or in any premises or concerns used for rectifying or compounding spirits, such license so granted for sale of fermented or spirituous liquors by retail shall thereupon become and be absolutely void, and the party or parties continuing to sell spirituous liquors by retail after having become the owner or part owner of, or after obtaining an interest or share in, a licensed distillery or in any premises or concerns used for the rectifying or compounding of spirits, may be prosecuted and convicted as a person selling fermented or spirituous liquors by retail without a license.

PART V.—OF THE REMOVAL OF SPIRITS AND SUPERVISION  
OF STILLS.

**39.** EVERY wine manufacturer or distiller shall maintain and keep his still and distilling apparatus in good repair, and shall, at his own expense, provide proper and sufficient fastenings, to the satisfaction of the inspector, for the purpose of securely fastening the spirit store and the several covers and furnace-doors, and for securing the tail pipes, condensing chamber, safes, pumps, plugs, taps, and other utensils belonging to such still and distilling apparatus from use; and any inspector or officer may at any time enter upon any distillery or premises where distillation is authorised, for the purpose of inspecting the same and of locking and securing with locks of the Crown the still and several covers and furnace-doors, tail pipes, condensing chamber, safes, pumps, plugs, and taps thereof, or any of them, and for all such other purposes as in the opinion of such inspector or officer may be requisite; and any wine manufacturer or distiller who neglects to comply with this section, or who obstructs any inspector or officer in the discharge of his duty, shall be guilty of an offence, and, on conviction thereof, shall be liable to a fine of not less than Five pounds nor more than Fifty pounds.

Distillery and  
utensils to be kept  
in good repair and  
secured from use,  
and inspector to be  
allowed to enter.  
Distillation Act,  
1884 (S.A.), s. 35.  
See 35 Vict., 6, s. 15.

**40.** EVERY wine manufacturer or distiller, when requiring to make use of his still, shall give at least six days' notice thereof in writing, by delivery or by forwarding such notice in a registered letter to the inspector, in order that an officer may be in attendance to open the several locks and fastenings; and such notice shall state when such wine manufacturer or distiller intends to commence, and the materials from which he intends to distil, and a duplicate of such notice shall be delivered or posted in like manner to the officer in

Distiller, etc., to give  
notice before com-  
mencing to distil.  
Distillation Act,  
1884 (S.A.), s. 36.  
See 35 Vict., 6, s. 16.

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charge of the nearest police station; and within twelve hours after ceasing to distil, a notice of having ceased to distil shall be given in like manner, so that an officer as aforesaid may attend to lock and secure the still and spirit cellar or store-room. And every wine manufacturer or distiller who fails to comply with this section shall be guilty of an offence, and, on conviction thereof, shall be liable to a fine of not less than Fifty pounds nor more than One hundred pounds.

Permits for the removal of spirits.

35 Vict., 6, s. 86.

Distillation Act, 1894 (S.A.), s. 37.

**41.** NO spirits shall be removed out of the premises of any wine manufacturer or distiller except between the hours of nine in the forenoon and four in the afternoon, nor without a permit to remove the same, signed by an inspector or officer, such permit to contain the distiller's name and the place from whence such spirits are to be removed, the vessel or vessels in which such spirits are contained and the quantity of spirits contained in each and every such vessel or vessels, and the name and residence of the person or persons to whom such spirits are to be delivered or forwarded, and such permit shall also specify the time during which such permit is to be in force: Provided that such permit shall not be granted by the inspector or officer for the removal of any spirits which shall not have been previously lodged and deposited in the cellar or storeroom, nor in a less quantity than ten gallons, and provided that at the time such permit is required the distiller or other person requiring such permit shall give to such inspector or officer aforesaid, the certificate of the Collector of Revenue or other proper officer that the duty upon such spirits intended to be removed has been duly paid, or that due entry thereof has been made in manner hereinafter provided.

Spirits removed without permit may be seized.

*Ibid.*, s. 87.

*Ibid.*, s. 38.

**42.** ALL spirits removed from the premises of any wine manufacturer or distiller without a permit as aforesaid, or except between the hours mentioned in the last preceding section, may be seized and forfeited, together with the cask, casks, or packages in which the same shall be contained, and the cars, carts, drays, or other conveyances, and the horses or other animals employed in removing the same.

Unlawful permits.

*Ibid.*, s. 89.

*Ibid.*, s. 59.

**43.** EVERY permit used for any purpose whatever other than to accompany the removal and delivery of the spirits for which such permit was obtained and granted, and at the time limited, and to the place expressed in such permit, shall be deemed and taken to be an unlawful permit.

Officers may stop persons removing spirits and examine permits.

*Ibid.*, s. 88.

**44.** ANY inspector or officer or police constable may stop or detain any person who shall be found removing or carrying any spirits of any kind from the premises of any wine manufacturer or distiller, and demand the production of the permit or permits as aforesaid accompanying such spirits, and on being satisfied

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that the spirits are the same in quantity, quality, sort, or kind and strength as expressed in such permit or permits, and that the duty payable by law in respect thereof, has been paid, or secured to be paid for the same, such inspector, officer, or police constable shall indorse on such permit or permits the time, hour, and place of such examination, and shall sign his name thereto; and if any person so found removing or carrying away such spirits, which are by law required to be accompanied with a permit, shall refuse to produce such permit or permits as aforesaid immediately on being required so to do by any inspector, officer, or police constable, or shall be found removing or carrying any such spirits without a lawful permit, every such person shall be guilty of an offence, and, on conviction thereof, shall be liable to a penalty of One hundred pounds; and such inspector, officer, or police constable may, and is hereby required to stop, arrest, and detain every such person, and to convey the said person, together with the spirits so found being removed or carried by or with him, before one or more of Her Majesty's Justices of the Peace residing near to the place where any such person shall be so stopped or arrested, and it shall be lawful for such Justice or Justices of the Peace, and he and they is and are hereby required to hear and determine, in a summary way, any information against any such person so stopped or arrested under the provisions of this Act, and on the confession of any such person, or upon proof on oath by one or more credible witness or witnesses, to convict such person in such penalty as aforesaid.

*Ibid.*, s. 40.

45. NO person shall 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 inspector or Collector of Customs, and every such notice shall set forth as near as possible 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 be guilty of an offence, and, on conviction thereof, shall be liable to a penalty of not less than Ten pounds nor more than Fifty pounds.

Notice of making or importing stills.

*Ibid.*, s. 124.*Ibid.*, s. 41.

46. NO person shall part with or sell any still, still-head, worm, or other utensil for distilling, either separately or as part of any house, building, premises or place in which such still may be, without having given notice to the inspector of the name and residence of the transferee or purchaser thereof, and also of the number of gallons which such still is capable of containing, and every person acting in contravention of this section shall be guilty of an offence, and, on conviction thereof, shall be liable to a fine of not less than Twenty pounds and not more than Two hundred pounds.

Notice of selling or parting with still, etc.

Distillation Act, 1884 (S.A.), s. 42.

See 35 Vict., 6, s. 125.

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Notice to be given of setting up still.

*Ibid.*, s. 43.

*Ibid.*, s. 126.

**47.** NO wine manufacturer or distiller or other person not holding a valid license under any Act for the time being in force concerning distillation, shall erect or set up any still without having first given notice of his intention to do so to the inspector, which notice shall 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 or set up the same, and the purpose for which it is to be used. And every such wine manufacturer, distiller, or other person who erects or sets up any still without having first given such notice as aforesaid, or knowingly gives an incorrect notice, shall be guilty of an offence, and, on conviction thereof, shall be liable to a fine not exceeding One hundred pounds.

Stills not to be altered or removed without permission.

Distillation Act, 1884 (S.A.), s. 44.

**48.** NO wine manufacturer, distiller, or other person licensed under this Act shall remove or alter any still without the permission of the inspector. Any inspector is empowered to visit and inspect stills of all kinds at any time in the day, and if any still is removed or altered without the permission of the inspector, the still shall be forfeited, and the person who has removed or altered the same, or caused it to be removed or altered, shall be guilty of an offence, and, on conviction thereof, shall be liable to a penalty of not less than Twenty pounds nor more than Two hundred pounds.

Distance between the premises of licensed persons and those of brewers.

35 Vict., 6, s. 26.

**49.** NO distiller, wine manufacturer, or other person shall practise, follow, or use the trade or business of a brewer of ale, porter, beer, or maker of cordials within the premises on which there is a still for the distillation of spirits, nor on any part thereof, nor on any other place or premises within five hundred yards of the said premises on which there is a still for the distillation of spirits, and every person who acts in contravention of this section shall be guilty of an offence, and, on conviction thereof, shall be liable to a fine of not more than One hundred pounds for every day during which he carries on such trade or business: Provided that the Colonial Treasurer may, if he think fit, grant permission in writing to any person as aforesaid to carry on the trade or business as aforesaid at a less distance from the premises on which there is a still for the distillation of spirits than five hundred yards, upon satisfactory proof being given to him that the carrying on such trade or business at a less distance will not be conducive to any violation of the provisions of this or any Acts relating to the revenue.

PART VI.—OF DUTIES ON SPIRITS.

Rate of duty.

See 35 Vict., 6, s. 72.

**50.** FROM and after the commencement of this Act the duty payable upon all spirits that may be distilled in Western Australia from grapes, fruit, wine, roots, malt, grain, or other produce, and

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upon all spirits distilled in Western Australia from sugar, treacle, molasses, or from wort, wash, or spent wash with which sugar, treacle, or molasses has been made or mixed, or from beer or ale, shall be, for every gallon, one half of the import duty on such spirits for the time being.

Distillation Act,  
1884 (S.A.), s. 46.

Such duties shall be paid upon the standard gallon-measure of spirits of the strength of proof by Sykes' hydrometer, and so in proportion for any greater or less strength than proof, and also upon any deficiencies ascertained in the manner hereinafter directed.

See Act 348 (1885),  
S.A.

51. ANY inspector may, by writing under his hand, permit spirits lodged in any cellar, store-room, or bonded warehouse as aforesaid to be used for the purpose of dissolving resins and gums for varnishes and other like manufacturing purposes for which methylated spirits are used and required; and for that purpose such spirits so to be used shall be mixed with purified wood naphtha in such quantities and of such quality as such inspector shall direct, so that such spirits so methylated shall be rendered wholly unfit for human consumption; and such spirits so methylated may be delivered out of such bonded warehouse without payment of duty: Provided as follows:—

Spirits may be used  
for varnishes, etc., or  
for burning.

Distillation Act,  
1884 (S.A.), s. 47.  
35 Vict., 6, s. 96.

- (1.) The process of mixing hereinbefore mentioned shall be performed under the supervision and in the presence of an officer appointed to superintend the same;
- (2.) Any inspector may allow any spirits distilled under this Act to be rendered unfit for human consumption by the addition of such drugs as may be deemed necessary, and to be cleared free of duty for the purposes of fuel or illumination by burning;
- (3.) The inspector may, under any regulations made as hereinafter provided, allow spirits distilled under this Act to be cleared free of duty for the purpose of being manufactured into vinegar or of being used in the preparation of medicines.

52. THE inspector may, by writing under his hand, and on such terms and conditions as he may think fit, permit spirits lodged in any bonded warehouse to be used for making muscadine, containing not more than thirty-five per cent. of spirit, for export or for flavouring wine; and such spirits may then be so used in the presence of an officer on payment of Sixpence per gallon proof for colonial spirits, and Two shillings and sixpence per gallon proof for imported spirits.

Permission to use  
spirits in bond for  
making muscadine  
for export.

Distillation Act,  
1884 (S.A.), s. 48.

53. THE Colonial Treasurer may appoint any other bonded warehouse for the purpose of lodging, under bond, any spirits distilled

Appointment of  
bonded warehouse.

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35 Vict., 6, s. 94.

Distillation Act,  
1884 (S.A.), s. 49.

under the provisions of this Act without the payment of duty, and the spirits so lodged shall be subject to the same rules and regulations in respect to re-gauging and leakage as imported spirits when in bond in any bonded warehouse under the supervision of the Collector or other chief officer of customs.

Spirits may be re-  
moved to any colonial  
port under bond.

*Ibid.*, s. 97.

*Ibid.*, s. 50.

**54.** SPIRITS warehoused or bonded as in the last preceding section mentioned, being first duly entered in the custom house, may be delivered under the authority of the Collector, or other chief officer of customs, without payment of duty, for the purpose of removal to any port within the boundaries of the said Colony, under bond to the satisfaction of the said Collector or other chief officer of customs for the due arrival of such goods at such port, and for the payment of the duty payable thereon upon being landed, to the officer appointed to receive the same, or for the safe deposit of the same in some duly approved bonded warehouse at such port.

Spirits, cordials, etc.,  
may be exported  
without duty.

Distillation Act,  
1884 (S.A.), s. 51.

Sec 35 Vict., 7, s. 98.

**55.** SPIRITS distilled in Western Australia, and compounds, cordials, muscadine, and medicines containing such spirit (if intended for exportation and manufactured under any regulations made as hereinafter provided) may be exported to places beyond the boundaries of the said Colony without payment of duty, but the person exporting the same shall pass an entry outwards in the usual manner, and shall enter into bond in double the amount of duty which would be payable thereon if entered for home consumption, with one sufficient surety, to be approved of by the Collector or other chief officer of customs. that the same shall be landed at the place for which they shall be entered outwards, or be otherwise accounted for to the satisfaction of the said Collector or other chief officer of customs.

Duties, how to be  
paid.

Distillation Act,  
1884 (S.A.), s. 52.

35 Vict., 6, s. 101.

**56.** ALL duties on spirits distilled in Western Australia and deposited in bonded warehouses under the supervision of the Collector of Customs, other than bonded warehouses not subject to the provisions of this Act, shall be paid to the Collector of Customs in the same manner and under the same regulations as for imported spirits; Provided that in places where there is no Collector of Customs, the duties on spirits distilled in the said Colony as aforesaid shall be paid to such officer as the Governor may appoint to receive the same in the same manner and under the same regulations as if paid to a Collector of Customs.

### PART VII.—OF OFFICERS, SEIZURE, PROCEDURE, AND PENALTIES.

Appointment of  
officers.

*Ibid.*, s. 53.

**57.** THE Governor may appoint some fit and proper person to be Chief Inspector of Distilleries, and also such and so many inspectors of distilleries and other officers as may be necessary for

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the due execution of this Act, and until such appointments are made under this Act the Chief Inspector of Distilleries and all other officers appointed under the Acts hereby repealed shall be deemed to be appointed under this Act.

*Ibid.*, s. 1.

#### 58. EVERY person—

(a.) Who, having in his possession or under his control any bottles with labels affixed thereon shall, without removing and destroying such labels, make use of such bottles for the purpose of bottling spirits, liqueurs, cordials, wine or beer; or

As to bottling spirits, etc., in bottles already labelled. Distillation Act, 1884 (S.A.), s. 56.

(b.) Who shall knowingly sell or purchase such spirits so bottled in a bottle or bottles with such a label or such labels, shall be guilty of an offence, and, on conviction thereof, shall be liable to a fine of not less than Twenty pounds nor more than Two hundred pounds.

59. EVERY person who wilfully sells or gives a label with any article sold by him, and whether affixed or not to such article, which falsely describes the article sold, shall be guilty of an offence, and, on conviction thereof, shall be liable to a fine of not more than Twenty pounds.

Penalty for selling article with false label.

*Ibid.*, s. 57.

60. EVERY person who sells or offers for sale any spirit (except sweetened gin) which is of less strength than twenty-five per cent. under proof, or any sweetened gin which is of less strength than thirty-five per cent. under proof, shall be guilty of an offence, and, on conviction thereof, shall be liable to a fine of not more than Twenty pounds.

Spirits not to be sold more than a certain amount under proof.

*Ibid.*, s. 58.

61. ANY inspector or officer, or officer of police, police constable, or other person appointed by the Governor may 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, or shall have otherwise complied with the regulations and provisions of any law in force for the time being relating to distillation; and may also seize all materials capable of fermentation, and all worts, wash, wines, spirits, and other chattel property of every kind whatsoever found in any such house, building, place or premises, and all such articles so seized as aforesaid shall be forfeited unless the same have remained on the premises pending an inquiry as to the expediency of a renewal of a license.

Seizure of apparatus for distillation.

35 Vict., 6, s. 112.

Distillation Act, 1884 (S.A.), s. 59.

Seizure of spirits.

*Ibid.*, s. 113.

*Ibid.*, s. 60.

**62.** ANY inspector of distilleries, officer of customs, or other person appointed as aforesaid may seize all or any spirits not lawfully stored on which the full amount of duty chargeable has not been paid, and all spirits so seized shall be forfeited.

Proceedings under warrant.

*Ibid.*, s. 114.

*Ibid.*, s. 61.

**63.** IN case any inspector or officer, or other person duly authorised as aforesaid, has cause to suspect that any still, in respect of which no license has been granted, 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 prepared or preparing for distillation, or any spirits upon which the full duty has not 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 or officer, or other person as aforesaid, before any Justice of the Peace, setting forth the ground of the informant's suspicion, such Justice of the Peace before whom such information is exhibited may, if he shall judge it to be reasonable, by warrant under his hand and seal authorise and empower such inspector or officer, 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 goods and chattels of every kind whatsoever 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 some bonded warehouse or to the police office next to or most accessible from the place where the same shall be discovered and found, or to any other place of security: Provided that any inspector, officer, or other person appointed as aforesaid, having a writ of assistance under the hand of any Judge of the Supreme Court may, in company with a constable, and the inspector or Collector of Customs, may without such writ of assistance, in company with a Justice of the Peace, act as aforesaid without information or warrant.

Officer may break up ground on the premises of a distillery.

35 Vict., 6, s. 122.

**64.** ANY inspector of distilleries, officer, or person appointed as aforesaid, and any persons acting in their aid, may by night or by day break up any ground in any part of the distillery or premises of any distiller, or any ground near to or adjoining such distillery, or through any wall or partition thereof or belonging thereto, to search for any pipe or cock or any private conveyance or utensil, and upon finding any such pipe or conveyance leading therefrom or thereto, may break up the ground, house, wall, or other place through or into which such pipe or other conveyance shall lead, and may break up



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or cut away any such pipe, cock, or other conveyance, and turn any cock or cocks, and examine whether such pipe or other conveyance may or can convey or conceal any wort, wash, or other liquor fit for distillation, or low wines, feints, or spirits from the sight or view of the officer so as to hinder or prevent him from taking or keeping a true account thereof.

**65.** ANY inspector of distilleries, officer, or person appointed as aforesaid may enter into and upon the premises of any distiller to search for and seize any spirits the duty on which has not been paid, and which may be kept or concealed thereon in any manner contrary to this Act or any Act which may hereafter be in force respecting distillation.

Officer may enter premises and seize spirits.

*Ibid.*, s. 123.

**66.** ANY inspector, officer, or other person appointed under this Act may, upon reasonable suspicion, stop any cart, dray, or other vehicle whatsoever and examine all goods carried thereon for the purpose of ascertaining whether any unlicensed still, worm, or other utensil or apparatus for distilling or rectifying spirits is contained therein or carried thereon, and if no such still, worm, or other utensil or apparatus shall be found, then and in all such cases the inspector or other officer so stopping and examining such cart, dray, or other vehicle, having had reasonable and probable cause to suspect that the goods as aforesaid were contained or carried thereon, shall not on account of such stoppage and search be liable to any prosecution or action at law on account thereof; and if any still, worm, or other utensil or apparatus for distilling be found in or on any such dray, cart, or other vehicle without lawful permission, the same shall be forfeited, together with the said vehicle and the horse or horses or other cattle drawing the same, and the owner thereof shall be guilty of an offence, and, on conviction thereof, shall be liable to a fine of not less than Twenty pounds nor more than One hundred pounds.

Inspector may stop carts.

*Ibid.*, s. 127.

Distillation Act, 1884 (S.A.), s. 62.

**67.** ANY wine manufacturer, distiller, or other person who in any manner obstructs any inspector or officer appointed under this Act, or any person acting on his behalf, in the execution of any of their duties, or in the due seizing of any goods liable to forfeiture under this Act, or rescues, or causes to be rescued, or aids and abets in rescuing any goods or person who or which shall have been seized or arrested, or attempts or endeavours so to do, or before or at or after any seizure, steals, breaks, or otherwise destroys any goods to prevent the seizure or securing thereof, shall be guilty of an offence, and, upon conviction thereof, shall be liable to be imprisoned in any gaol with or without hard labour for any term not exceeding two years, or at the discretion of the Court, for every such offence shall be liable to a penalty not exceeding One hundred pounds nor less than Twenty pounds.

Obstructing officer—penalty.

*Ibid.*, s. 128.

*Ibid.*, s. 63.

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Assaulting or resisting officer—penalty.

*Ibid.*, s. 129.

*Ibid.*, s. 64.

**68.** IF any wine manufacturer, distiller, or other person assaults, or by force or violence resists, opposes, molests, hinders, or obstructs any officer appointed under this Act, or any person acting on his behalf, every person so offending, or aiding or abetting or assisting therein, shall be adjudged guilty of a misdemeanour, and shall be liable, at the discretion of the Court before which he is convicted, to be imprisoned in any gaol with hard labour for any term not less than three months nor more than three years.

Bribes—how punishable.

*Ibid.*, s. 130.

*Ibid.*, s. 65.

**69.** EVERY wine manufacturer, distiller, or other person who gives, offers, or promises to give any bribe, recompense, or reward, or makes or offers to make any collusive agreement with any inspector, officer, or other person authorised 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, shall be guilty of an offence, and shall, on conviction thereof, be liable to a fine not exceeding Two hundred pounds, whether such gift or offer shall be accepted or such promise performed or not, and every inspector, officer, or other person appointed as aforesaid who directly or indirectly takes or receives any bribe, recompense, or reward, or enters into any collusive agreement as aforesaid, or in any way neglects his duty or conceals or connives at any act whereby any of the provisions of this or any other such Act as aforesaid may be evaded, shall be guilty of an offence, and, on conviction thereof, shall be liable to a fine not exceeding Two hundred pounds.

Penalty for keeping or using still, etc., without license.

Distillation Act, 1854 (S.A.), s. 66.

See 35 Vict., 6, ss. 2, and 120.

**70.** EVERY wine manufacturer, distiller, or other person who has in his possession or on his premises, or who makes use of any still, utensil, or apparatus, or any part thereof for distilling or rectifying and compounding spirits without having first obtained a license under this Act, or, having obtained such a license, shall have or make use of any still, utensil, or apparatus, or any part thereof respectively, as aforesaid, otherwise than may be authorised by such license, shall be guilty of an offence, and, on conviction thereof, shall be liable to a fine of not less than One hundred pounds nor more than Five hundred pounds, together with a forfeiture of all such stills, utensils, and apparatus, or parts thereof, and also of all spirits and all materials from which spirits could be distilled and which may be found in or about such premises. Provided as follows:—

- (1.) Any wine manufacturer, distiller, or other person who may have in his possession at the commencement of this Act any still, utensil, or apparatus, or part thereof, and who does not desire to further or again use the same, may deposit the same in a store or secure place to be

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appointed and approved by the Colonial Treasurer, and shall not then be liable to the penalties herein mentioned in respect of the same being his property ;

- (2.) Nothing in this Act shall apply to any chemist, druggist, or other person having in his custody or possession for sale, or for use in his trade, business, or profession, any metal, glass, or earthenware retort or apparatus of a less capacity than three gallons.

**71.** EVERY wine manufacturer, distiller, or other person who sells or disposes of, or offers to sell or dispose of, or who purchases any illicit spirit, or spirit part of which is illicit, shall be guilty of an offence, and shall be liable, on conviction thereof, to a fine of One hundred pounds and the forfeiture of the spirit, and for a second or subsequent offence shall be liable, on conviction thereof, to imprisonment with hard labour for not less than six months nor more than twelve months, and to the forfeiture of the spirits as aforesaid: And if any person holding a license for the sale of fermented or spirituous liquors is convicted of an offence against this section his license shall be forfeited, and he shall be incapable of obtaining any such license for five years after such conviction.

Penalties on selling and buying illicit spirits.

*Ibid.*, s. 67.

*Ibid.*, s. 121.

**72.** 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 duty has been paid for the same, or if any suit or action shall be brought for any non-payment of license or other fee under this Act, the proof thereof shall be on the owner or claimant of such goods or upon the defendant in any suit for payment of license or other fees, and not on the officer who shall seize, stop, or sue for the same.

Onus of proof as to ownership of spirits or payment of duty in certain cases.

35 Vict., 6, s. 131.

Distillation Act.  
1884 (S.A.), s. 68.

**73.** NO colonial spirits shall be cleared from bond until an officer, to be appointed by the Collector of Customs for the purpose of examining colonial spirits, has first certified in writing to the said Collector that the spirits proposed to be cleared are free from any deleterious quantity of fusel oil ; and every person who clears, or attempts to clear any colonial spirits contrary to this section shall be guilty of an offence, and, on conviction thereof, shall be liable to a fine of not more than One hundred pounds.

Certificate as to fusel oil required before clearing colonial spirits.

Distillation Act.  
1881 (S.A.), s. 70.

**74.** WHERE, in any information or proceeding under this Act, the person laying or commencing the same avers that he is the Chief Inspector of Distilleries or an officer within the meaning of this Act, no further proof of his appointment shall be required unless the defendant adduces evidence to the contrary.

*Prima facie* proof of officer's appointment.

35 Vict., 6, s. 141.

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Officer to have notice of action.

*Ibid.*, s. 142.

75. NO action shall be commenced against any inspector, officer, or other person acting under this Act, or any Act which may hereafter be in force concerning distillation, for anything done in the exercise of his office after the lapse of a year from the cause of action arising, or until one month after the defendant has been served with notice of action stating the cause of action, the name and abode of the plaintiff, and the name and abode of his solicitor, if any, and no verdict or judgment shall be given for the plaintiff in any such action unless the service of such notice is proved or admitted.

Judge may certify probable cause of seizure.

*Ibid.*, s. 144.

76. 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 reasonable and 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 or other suit or prosecution on account of such seizure, and if any action 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 One shilling damages, nor to any cost of suit, nor shall the defendant in such prosecution be fined more than One shilling.

Officer may tender amends.

*Ibid.*, s. 145.

77. ANY inspector, officer, or other person as aforesaid may, within one calendar month after such notice, tender amends to the party complaining or his agent, and 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 non-suited or discontinue his action, or judgment shall be given for the defendant, 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 that it shall be lawful for such defendant, by leave of the Court where such action shall be brought, to pay money into Court by way of amends at any time before issue joined.

Property seized to be claimed within ten days.

Claims to be lodged with Collector of Revenue.

*Ibid.*, s. 146, altered in form.

78. ALL spirits and other property seized under the provisions of this Act shall be considered as forfeited and condemned, and shall be sold by public auction, unless claimed within ten days after the same shall be so seized, and all such claims for spirits or other property so seized as forfeited shall be lodged within the time hereinbefore mentioned with the Chief Inspector of Distilleries.

Informations, etc., may be tried in the Supreme Court.

79. (1.) ALL penalties and forfeitures incurred under or imposed by this Act, and the liability to forfeiture of all goods seized

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under the authority hereof, may be sued for, prosecuted, determined, and recovered in the Supreme Court by information or such other form of proceeding as may for the time being be applicable in the name of the Attorney General, the Chief Inspector of Distilleries, or any officer; or

Customs Consolidation Act, 1892, s. 295.  
See 35 Vict., 6, s. 137.

(2.) Where the maximum amount of the fine imposed by this Act, or the value of the forfeiture incurred does not exceed Two hundred pounds, the same may be sued for, prosecuted, determined, and recovered by information in the name of the said Chief Inspector or any officer before a Court of summary jurisdiction.

Penalties and forfeitures under £100 may be dealt with in a Court of summary jurisdiction.

(3.) All actions and informations for the enforcement of any penalties or forfeitures imposed by this Act shall be commenced within one year after the offence in respect of which the same were imposed was committed.

Proceeding to be commenced within a year.  
See 35 Vict., 6, s. 138.

(4.) Where an action or information has been commenced or laid for the enforcement of a fine or forfeiture imposed by this Act for any act or omission, and a bond has been given conditioned, either generally or specially, against such act or omission, no action shall be brought on such bond; and where an action has been brought on such bond, no proceeding shall be taken to enforce any fine or forfeiture incurred by any act or omission contrary to the obligation of the bond.

Provision against double remedies.

**80.** THE Chief Inspector of Distilleries and any officer, under the order and directions of the Colonial Treasurer, may prosecute, defend, or conduct any proceeding before any Justice of the Peace or Court of summary jurisdiction in any matter relating to distillation.

Certain officers may prosecute, etc.  
See 35 Vict., 31, s. 302.

**81.** IF, in or upon any information, suit, or action brought in the said Supreme Court, or before any Court of summary jurisdiction for the recovery of any fines or penalties imposed by this Act, the party shall be sentenced, ordered, or adjudged to pay 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 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 not less than three months nor exceeding twelve months, unless such fine or penalty shall be sooner paid, and such imprisonment shall in no case operate as a discharge of any such fine or penalty.

Imprisonment of convicted parties.  
*Ibid.*, s. 150.

**82.** ALL pecuniary penalties recovered under this Act shall be applied to the purposes next hereinafter mentioned in such proportions as may be directed by regulations to be made under this

Application of fines.  
Distillation Act, 1884 (S.A.), s. 72.

*Distillation.*

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Act, and, in default of such regulations, or so far as the same do not extend, in the proportions following, that is to say—one moiety to the Colonial Treasurer, to go to the Consolidated Revenue Fund, and the other moiety to the seizing officer, or, if there is an informer as well as a seizing officer, one-third shall be paid to the Colonial Treasurer, to go as aforesaid, one-third to the seizing officer, and one-third to the informer: Provided that all fines inflicted under this Act in cases where it is clearly proved that the stills can only have been used for the distillation of salt water may be remitted by the Governor.

Appeal.

**83.** ANY person aggrieved by any order or conviction of a Justice under this Act may appeal against such order or conviction under the provisions of "The Police Act, 1892," with respect to appeals.

Regulations.  
*Ibid.*, s. 73.  
*Ibid.*, s. 154.

**84.** THE Governor may make regulations for carrying out the provisions of this Act.

In the name and on behalf of the Queen I hereby assent  
to this Act.

ALEX. C. ONSLOW, Administrator.

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## *Distillation.*

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### The First Schedule.

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Section 2.

35 Vict., No. 6.—The Distillation Act, 1871.

39 Vict., No. 3.—The Distillation Act, 1871, Amendment Act, 1875.

45 Vict., No. 9.—An Act to amend the Distillation Act, 1871.

57 Vict., No. 23.—The Distillation Act, 1871, Amendment Act, 1893.

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### The Second Schedule.

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Section 5.

#### *Wine Manufacturer's License to Distil.*

No. \_\_\_\_\_ Perth, 19 \_\_\_\_ .  
do hereby license \_\_\_\_\_ to use a still of \_\_\_\_\_  
gallons capacity for the purpose of distilling spirits from the fermented juice of  
the grape or other fruit on his premises, situate \_\_\_\_\_  
from this date until the \_\_\_\_\_ day of \_\_\_\_\_ ,  
next ensuing under the provisions of the Distillation Act, 1900, and of any  
regulations made thereunder.

And I do hereby acknowledge to have received from the said  
the sum of \_\_\_\_\_ . pounds for this license.

Colonial Treasurer.

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## Section 9.

Gallons content.

[Signature of Licensed Wine Manufacturer.]



The Fourth Schedule.

Section 19.

Copy of Entries in Monthly Journal kept by

Licensed Wine Manufacturer at

License No.

Still

Gallons.

Year 19	Date of notice of commencing, and of having ceased to distil, being posted, and where.	Date given in such notice for com- menc- ing to distil.	Date given in such notice for ceasing to distil.	Dates when actually employed distilling, and the number of hours at work in each day.	Materials distilled from.	Total quan- tity, in proof gallons, dis- tilled during the month.	Total quan- tity, in proof gallons, on hand from last month.	Total quan- tity, in proof gallons, pur- chased for for- tifying wine.	Total quantity, in proof gallons, disposed of during the month —showing the manner in which the same has been disposed of.				Stock on hand, in proof gallons, at the end of the month.	Quan- tity of wine fortified during the month.
									Forti- fying wine.	Placed in bond.	Used in cleans- ing, etc.	By per- mission of Chief In- spectors.		
				Days ... Hours ...										
				Days ... Hours ...										
				Days ... Hours ...										
				Days ... Hours ...										

[Signature of Licensed Wine Manufacturer.]

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## Distillation.

### The Fifth Schedule.

Section 11.

#### Warrant for Delivery of Spirits for Fortifying Wines.

To \_\_\_\_\_, having in his possession \_\_\_\_\_ gallons of unfortified wine, the produce of his own or some other Western Australian vineyard, is entitled to clear \_\_\_\_\_ gallons of colonial distilled spirit on payment of a fee for fortifying such wine: You are, therefore, hereby authorised to deliver such an amount of colonial distilled spirit from any bonded warehouse, in one or more lots, upon the requirements of the Distillation Act, 1900, being required with.

Chief Inspector of Distilleries.

#### Spirits Delivered under Authority of this Warrant.


### The Sixth Schedule.

Section 13.

Monthly Journal kept by \_\_\_\_\_, Winemaker, at \_\_\_\_\_, pursuant to Section \_\_\_\_\_ of the Distillation Act, 1900.

Date of month and year.	Quantity, in proof gallons, on hand at end of last month.	Quantity, in proof gallons, for fortifying wine.	Quantity, in proof gallons, used for fortifying wine.	Quantity, in proof gallons, used for washing or cleansing casks.	Quantity, in proof gallons, on hand at the end of the month.	The quantity of wine fortified.

[Signature of Winemaker.]

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### Distillation.

### The Seventh Schedule.

Section 13.

Copy of entries in Monthly Journal kept by \_\_\_\_\_, Winemaker,  
at \_\_\_\_\_, pursuant to Section \_\_\_\_\_ of the Distillation Act, 1900.

Date of month and year.	Quantity, in proof gallons, on hand at end of last month.	Quantity, in proof gallons, for fortifying wine.	Quantity, in proof gallons, used for fortifying wine.	Quantity, in proof gallons, used for washing or cleansing casks.	Quantity, in proof gallons, on hand at the end of the month.	The quantity of wine fortified.

[Signature of Winemaker.]

### The Eighth Schedule.

Section 16.

*Distillation License.*

No. \_\_\_\_\_ Perth, \_\_\_\_\_, 19\_\_.

I do hereby license \_\_\_\_\_ to use a still of \_\_\_\_\_ gallons for the purpose of distilling spirits from the fermented juice of the grape or other fruit, potatoes, roots, or grain of any produce of Western Australia, on his premises situate at \_\_\_\_\_, from this date until the \_\_\_\_\_ day of \_\_\_\_\_ next ensuing, under the provisions of the Distillation Act, 1900, and of any regulations made thereunder.

And I hereby acknowledge to have received from the said  
the sum of                      pounds for this license.

Colonial Treasurer.

The Ninth Schedule.

Section 22.

Monthly Journal kept by \_\_\_\_\_, Licensed Distiller, at \_\_\_\_\_, License No. \_\_\_\_\_ Still \_\_\_\_\_ Gallons Content.

Year. 19 .	Date of notice of commencing, and of having ceased to distil, being posted or delivered, and where.	Date given in such notice for commencing to distil.	Date given in such notice for ceasing to distil.	Days when actually distilling, and number of hours' work in each day.	Materials distilled from.	Total quantity, in proof gallons, distilled during the month.	Total quantity, in proof gallons, in hand from last month.	Total quantity, in proof gallons, disposed of during the month, showing the manner in which the same has been disposed of.					Stock on hand, in proof gallons, at end of month.	Quantity of wine fortified during the month.
January ...				Days ...										
				Hours ...										
				Days ...										
				Hours ...										
February ...				Days ...										
				Hours ...										
				Days ...										
				Hours ...										
March ...				Days ...										
				Hours ...										
				Days ...										
				Hours ...										
April ...				Days ...										
				Hours ...										
				Days ...										
				Hours ...										

Distillation.

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*Still*

[Signature of Licensed Distiller.]

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## *Distillation.*

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### The Eleventh Schedule.

Section 28.

*License to an Apothecary, Chemist, Druggist, Manufacturer, Photographic Artist, or  
Maker of Perfumes.*

No. \_\_\_\_\_ Perth, \_\_\_\_\_, 19 \_\_\_\_.

I do hereby license \_\_\_\_\_ to use a still of \_\_\_\_\_ gallons capacity for the purpose of distilling, for the purposes of his trade only, on his premises situate at \_\_\_\_\_, from this date until the \_\_\_\_\_ day of \_\_\_\_\_ next ensuing, under the provisions of the Distillation Act, 1900, and any regulations made thereunder.

And I do hereby acknowledge to have received from the said \_\_\_\_\_ the sum of \_\_\_\_\_ pounds for this license.

Colonial Treasurer.

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### The Twelfth Schedule.

Section 29.

*Production of Fresh Water by Distillation.*

No. \_\_\_\_\_ Perth, \_\_\_\_\_, 19 \_\_\_\_.

I do hereby license \_\_\_\_\_ to use a still of \_\_\_\_\_ gallons capacity, only for distilling fresh water from salt water, on his premises situate at \_\_\_\_\_, from this date until the \_\_\_\_\_ day of \_\_\_\_\_ next ensuing, under the provisions of the Distillation Act, 1900, and of any regulations made thereunder.

And I do hereby acknowledge to have received from the said \_\_\_\_\_ the sum of \_\_\_\_\_ for this license.

Colonial Treasurer.

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### The Thirteenth Schedule.

Section 30.

*License to import Apparatus for Distilling Salt Water.*

I do hereby license \_\_\_\_\_ of \_\_\_\_\_ to import into the Colony and to sell or keep for sale at his premises situate at \_\_\_\_\_ stills, still-heads, worms, and other utensils or apparatus necessary for distilling salt water.

Dated the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_.

Colonial Treasurer.

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## *Distillation.*

### The Fourteenth Schedule.

Section 34.

#### *Table of Fees for Licenses.*

	£	s.	d.
For every wine manufacturer's license...	5	0	0
For every distillation license ...	50	0	0
For every license to keep and use a still for medical, chemical, assay, photographic, or scientific purposes, or for distilling perfumes, or for other manufactures where a still is necessary and in which no spirits are made ...	0	10	0
For every license to distil water ...	0	1	0