



SUPPLEMENT

TO THE

NEW SOUTH WALES

GOVERNMENT GAZETTE,

OF TUESDAY, DECEMBER 28, 1841.

Published by Authority.

WEDNESDAY, DECEMBER 29, 1841.

ANNO QUINTO
VICTORIÆ REGINÆ.

No. 11.

By His Excellency SIR GEORGE GIPPS, Knight,
Captain-General and Governor-in-Chief of
the Territory of New South Wales and its
Dependencies, and Vice Admiral of the same,
with the advice of the Legislative Council.

*An Act to amend an Act, intituled "An Act for
better regulating the keeping and carriage of
Gunpowder."*

WHEREAS an Act of the Governor and
Preamble Council of New South Wales was
passed in the seventh year of the Reign of His late
Majesty King William the Fourth, intituled "*An
7 Wm. IV. Act for better regulating the keeping and
No. 7. carriage of Gunpowder;*" and whereas
it is expedient to amend the said recited Act, in
manner hereinafter mentioned: Be it therefore
enacted, by His Excellency the Governor of New
South Wales, with the advice of the Legislative
Council thereof, That from and after the passing
of this Act, the master of every ship or vessel,
arriving in the Harbour of Port Jackson, in the
Colony of New South Wales, shall be required to
land at the Government Magazine, in manner
required by the said recited Act, all Gunpowder
which may be on board such ship or vessel,
whether as cargo or stores; and that no ship or
vessel shall be allowed to enter Sydney Cove or
Darling Harbour, until all Gunpowder, which may
be on board, whether as cargo or stores, shall be
first landed as aforesaid; and the master of every
ship or vessel, lying either in Sydney Cove or
Darling Harbour, at any time after the passing of
this Act, on board which any Gunpowder shall be
found, shall be liable to a fine of one pound ster-
Penalty. ling, for every pound weight of such

Gunpowder so found: Provided that twelve hours
from the time of anchorage shall be allowed to the
master of every ship or vessel anchoring in Sydney
Cove or Darling Harbour, for the landing of such
Gunpowder, not exceeding twenty pounds in weight
as he may have brought up as stores in such ship
or vessel.

*(Boats conveying Gunpowder to be provided with
Tarpaulins.)*

II. And be it enacted, That all boats used for
the conveyance of Gunpowder, shall be provided
with tarpaulins, and be properly housed over; and
any person who shall convey any Gunpowder in
any boat not so provided with tarpaulins and pro-
perly housed over, shall forfeit and pay the sum of
ten pounds for every such offence.

*(Steam Vessels prohibited from carrying Gun-
powder.)*

III. And be it enacted, That no Steam vessel
engaged in the Coasting or Colonial trade of the
said Colony, shall carry Gunpowder either as
stores or cargo; and the master or owner of any
Steam vessel, on board which any gunpowder may
be found, contrary to the provisions of this Act,
shall forfeit and pay for every such offence any sum
not exceeding fifty pounds, nor less than ten
pounds: Provided that nothing herein contained
shall prevent, or be construed to prevent any Steam
vessel, bound to any Port or Ports beyond Seas,
to carry any such reasonable quantity of Gun-
powder, as may be required for the purpose of
making signals.

*(Gunpowder from Government Magazine, to be
landed at Queen's Wharf only.)*

IV. And be it enacted, That no Gunpowder shall
be landed from the Government Magazine, in any
part of the Harbour of Port Jackson, other than

at the Queen's Wharf, or at any time other than between the hours of six and ten in the morning; and any person who shall land, or attempt to land any Gunpowder, contrary to the provisions hereof, shall forfeit and pay the sum of two shillings for every pound of Gunpowder so landed, or attempted to be landed.

(No more than eight hundred weight of Gunpowder to be conveyed at one time.)

V. And be it enacted, That not more than eight hundred weight of Gunpowder shall be conveyed at one time in any cart or other carriage; and every cart or other carriage used in conveying Gunpowder, shall have a complete covering of wood, or of painted cloth tarpaulin, or woollen cloth tilts, over all the Gunpowder conveyed therein; and any person who shall convey any greater quantity of Gunpowder on any cart or other carriage, or who shall convey any quantity of Gunpowder in any cart or other carriage, not properly provided with covering as aforesaid, shall forfeit and pay, for every such offence respectively, the sum of ten pounds.

(Not to extend to Gunpowder belonging to the Queen.)

VI. Provided always, and be it enacted, That this Act shall not extend to the keeping of Gunpowder at any Storehouse or Magazine belonging to Her Majesty, Her Heirs or Successors, or to the carriage of Gunpowder, to or from the Queen's Magazines, under an order of the Governor for the time being of the said Colony, or under the control and management of any Officer of Her Majesty's Army, Navy, or Ordnance.

(Recovery and application of Penalties.)

VII. And be it enacted, That all Penalties imposed by this Act, shall be recovered and applied, in the same manner as any Penalties may be recovered and applied under the provisions of the said recited Act.

GEORGE GIPPS,
Governor.

Passed the Legislative Council,
this fourteenth day of December,
One thousand eight hundred and forty-one.

WM. MACPIERSON,
Clerk of Councils.

ANNO QUINTO
VICTORIÆ REGINÆ.
No. 12.

By His Excellency SIR GEORGE GIPPS, Knight, Captain General and Governor in Chief of the Territory of New South Wales and its Dependencies, and Vice Admiral of the same, with the advice of the Legislative Council.

An Act to amend an Act, intituled "An Act for subjecting Vessels coming to New South Wales, from certain places, to the performance of Quarantine."

WHEREAS an Act was passed in the third year of the Reign of His late Majesty Preamble. King William the Fourth, intituled

"An Act for subjecting Vessels coming to New South Wales, from certain places, to the performance of Quarantine;" and whereas it is expedient to amend the said recited Act in manner hereinafter mentioned: Be it therefore enacted, by His Excellency the Governor of New South Wales, with the advice of the Legislative Council thereof, That it shall be lawful for the Health Officers duly appointed for the Harbours of Port Jackson and Port Phillip, respectively, to order any ship or vessel arriving in the said Harbours, from parts beyond Seas, into Quarantine, provided there be at the time, or shall have been during the voyage, any infectious or contagious disease on board such ship or vessel; or provided such ship or vessel shall have touched at any Port or place, during the voyage, where any such infectious or contagious disease shall have prevailed, or shall have communicated with any other ship or vessel on board which any such disease may have existed, in consequence of which, danger may reasonably be apprehended to the public health, from the immediate admission of any such ship or vessel to entry: Provided that every such case be immediately reported by such Health Officer to His Excellency the Governor, at Sydney, or His Honor the Superintendent, at Melbourne, as the case may be, in order that further measures may be taken, according to law, for the continuance of such ship or vessel in Quarantine, or the release thereof, as may be judged expedient; and every such ship or vessel so placed in Quarantine, with the contents thereof, and every person on board, whether any such person shall belong to, or have come as a passenger by such ship or vessel, or shall have gone on board the same after the arrival thereof in either of the said Ports, shall be subject to the same laws, rules, and penalties, in all respects, as are in force with respect to ships, goods, or persons placed in Quarantine, under the provisions of the said recited Act.

(Certain powers vested in the Superintendent of Port Phillip.)

II. And whereas it is expedient to vest in His Honor the Superintendent of Port Phillip, or the Chief Officer resident in, and administering the Government of the said District, such and the like powers in respect to matters of Quarantine, as are by the said recited Act, vested in his Excellency the Governor of New South Wales, with the advice of the Executive Council thereof: Be it therefore enacted, That within the limits of the District of Port Phillip, the same powers and authority in respect to the performance of Quarantine by any ships or vessels, persons, goods, wares, merchandise, packets, packages, baggage, wearing apparel, books, letters, or any other article or thing whatsoever, or in respect to the prevention of infectious or contagious disease prevailing on shore, in any part of the said District, shall be vested in His Honor the Superintendent of Port Phillip, or the Chief Officer resident in, and administering the Government of the said District, as fully and effectually, and to all intents and purposes, as are now vested in his Excellency the Governor of New South Wales, with the advice of the Executive

Council thereof, under the provisions of the said recited Act.

GEORGE GIPPS, Governor.

Passed the Legislative Council }
this fourteenth day of De- }
cember, One thousand eight }
hundred and forty-one.

WM. MACPHERSON, Clerk of Councils.

ANNO QUINTO
VICTORIÆ REGINÆ.

No. 13.

By His Excellency SIR GEORGE GIPPS, Knight, Captain General and Governor in Chief of the Territory of New South Wales and its Dependencies, and Vice Admiral of the same, with the advice of the Legislative Council.

An Act for vesting in certain Trustees, the Estate in fee-simple of a certain piece of Land in Macquarie-street, Sydney, upon the Trusts set forth in the Model Deed of the Society, denominated Wesleyan Methodists.

WHEREAS, under the provisions of an Act of the Governor and Council of New South Wales, passed in the third year of the Reign of Her present Majesty Queen Victoria, intituled "An Act to enable the Society, denominated WESLEYAN METHODISTS, to appoint certain Trustees for Chapels built before the year one thousand eight hundred and thirty-six," certain Trustees were appointed for a Wesleyan Chapel situated in Macquarie-street, in the Town of Sydney; and whereas doubts have arisen whether the Legal Estate in the said Chapel, and the ground whereon it stands, be sufficiently vested in the Trustees so appointed, and it is expedient to remove such doubts; Be it therefore enacted, Legal Es- by His Excellency the Governor of New tate of Wes- South Wales, with the advice of the ley an Legislative Council thereof, That from Church, and ground in and after the passing of this Act, the Macquarie- Legal Estate of and in all that piece or street, Syd- parcel of ground, containing sixty-six ny, vested rods, lying and situate in the Town of in certain Trustees Sydney, in the Colony of New South under this Wales aforesaid, bounded on the east Act. by Macquarie-street, bearing north ten and two-third degrees, west one hundred and sixty-six feet; on the north side by a line bearing west two and one-third degrees, south one hundred and seven feet; on the west by a line bearing south a quarter of a degree, east one hundred and sixty-six feet; and on the south by a line bearing east two and a half degrees, north one hundred and thirteen feet, together with the appurtenances, shall be considered, and the same is hereby declared to be, vested in John McKenny, Wesleyan Minister, Parramatta; William Schofield, Wesleyan Minister, Sydney; Edward Sweetman, Wesleyan Minister, Sydney; Thomas Wheaton Bowden, Ironmonger, Sydney; John Jones, Saddler, Sydney; Mark Blanchard, Shopkeeper, Sydney; William John Munce, Gentleman, Sydney; John Von Mangerhousen Weiss, Linen Draper, Sydney; Joseph William Brown, Baker, Sydney; their heirs and assigns for ever, without any Deed or Conveyance being necessary for that

purpose, in order that the said hereditaments may be fully and completely vested in them, their heirs and assigns, upon the trusts, and for the ends, intents, and purposes, and with, under, and subject to, the powers, provisoes, agreements, and declarations mentioned, expressed, and declared in the Model Deed of the people called Methodists, late in connexion with the Reverend John Wesley, duly executed and enrolled, and bearing date the twenty-seventh day of February, one thousand eight hundred and forty, and made between John Jenkins Peacock, William John Munce, Josiah Atwool, Sizar Elliot, and James Chapman, of the first part, Joseph William Brown, William Rowe, and John Jones, of the second part, the said Josiah Atwool, Thomas Wheaton Bowden, James Blanch, Mark Blanchard, James Chapman, Sizar Elliot, William Hebblewhite, Launcelot Iredale, John Jones, William Matthews, William John Munce, John Neale, John Jenkins Peacock, George Smith, and John Von Mangerhousen Weiss, of the third part, and Samuel Munce of the fourth part; but subject nevertheless to the reservations to the Crown, contained in a Deed poll or Grant, bearing date the ninth day of January, one thousand eight hundred and twenty-one.

GEORGE GIPPS,

Passed the Legislative Council } Governor.
this fourteenth day of De- }
cember, One thousand eight }
hundred and forty-one.

WM. MACPHERSON, Clerk of Councils.

ANNO QUINTO
VICTORIÆ REGINÆ,

No. 14.

By His Excellency SIR GEORGE GIPPS, Knight, Captain General and Governor in Chief of the Territory of New South Wales and its Dependencies, and Vice Admiral of the same, with the advice of the Legislative Council.

An Act for rendering a Notarial Copy of an Exemplification of the Charter of "THE BANK OF AUSTRALASIA," Evidence in all Courts of Law, Equity, Admiralty, and Vice Admiralty, and in all Courts of Inferior Jurisdiction, in the Colony of New South Wales.

WHEREAS a Royal Charter, issued under the Sign Manual, tested at Westminster Preamble. the twenty-first day of May, in the fifth year of the Reign of His late Majesty King William the Fourth, under the Privy Seal, whereby the several persons named in the said Charter, together with so many other person or persons as had already become, or at any time or times thereafter should or might, in the manner provided in a certain Deed of Settlement, bearing date the second day of June then last past, and recited in the said Charter, become a Proprietor or Proprietors of any share or shares of or in the Capital for the time being of the Society or Copartnership, were constituted one Body, Politic and Corporate, in name and in deed, by the name of "THE BANK OF AUSTRALASIA," and were by that name empowered to sue and be sued, implead and be impleaded, in all Courts whether of Law or Equity, and were granted

perpetual succession, with a common Seal, which might by them be altered, varied, or changed at their pleasure; and whereas it was declared by such Charter that the said Corporation was established for the purpose of carrying on the business of Banking, in any such British Settlements as had then been, or might thereafter be, formed in any part of the Territories commonly called New Holland and Van Diemen's Land, and the Islands adjacent thereto, situate between the one hundred and tenth, and the one hundred and fifty-fifth degrees of longitude, east of Greenwich, and between the tenth and forty-fifth degrees of south latitude, or in any Dependencies on the respective Governments thereof, but subject nevertheless to the conditions, restrictions, regulations, and provisions thereinafter contained; and whereas by the said Charter it was also provided, that the said Letters Patent, or the enrolment thereof, should be in and by all things valid and effectual in the Law, according to the true intent and meaning of the same, and should be recognised as valid and effectual by all Courts and Judges in England, and by the respective Governors for the time being of the several Colonies or Settlements of New South Wales and Van Diemen's Land, and of the other Colonies or Settlements in Australasia, and by all other Officers, Persons, and Bodies, Politic or Corporate, whom it did, should, or might concern; and whereas the Governors for the time being of the several Colonies and Settlements in the said Charter mentioned, were respectively enjoined to give full force and effect to the said Charter, and to be in all things aiding and assisting to the said Corporation and their Successors; and whereas a Branch Establishment of the said Bank of Australasia was formed at Sydney, in the Colony of New South Wales, in or about the month of December, one thousand eight hundred and thirty-five, and a Copy of an Exemplification of the said Charter was shortly afterwards enrolled in the Supreme Court of the said Colony; and whereas by an Act of the Governor of New South Wales, with the advice of the Legislative Council thereof, passed in the fourth year of the Reign of Her present Majesty Queen Victoria, intituled "An Act to Victoria, No. 13. provide for the periodical publication of the Liabilities and Assets of Banks in New South Wales and its Dependencies, and the registration of the names of the Proprietors thereof," provision is made for the registration of a Copy of the Charter or Deed of Copartnership of every Banking Company, or Firm, engaged in Banking business in the Colony of New South Wales or its Dependencies, in the Office of the Registrar of the Supreme Court of the said Colony; and by the sixth section of the said Act it is provided, that as often as any new Charter of any such Banking Company, or Firm, may issue, a Copy thereof shall be registered in the said Supreme Court; and whereas Branch Establishments of the said Bank of Australasia have also been formed at Melbourne, Bathurst, and Maitland, in the said Colony of New South Wales, and the business of the said Corporation is now conducted and carried on at the four places hereinbefore respectively named; and whereas, until lately, there was in the Colony of New South Wales but one Supreme Court for the trial of causes, and the general administration of justice, which was usually holden at Sydney afore-

said; and whereas there have recently been established a Supreme Court at Melbourne, aforesaid, and Circuit Courts for certain districts of the said Colony; and whereas the said Bank of Australasia have, in the Colony of New South Wales, but one Exemplification of the said Charter, which was sufficient before the establishment of the said Supreme Court at Melbourne aforesaid, and the institution of such Circuit Courts in the districts aforesaid; and whereas the said Exemplification might be lost, or evidence of its contents might be required in two or more places within the said Colony at the same time, and it is expedient to provide against the public and private detriment which might occur, either from the loss of the said Exemplification, or the impracticability of affording evidence of the said Charter, by the production of an Exemplification thereof, on occasions on which the production of the same might be required:—

A Notarial Copy of an Exemplification of the Charter to be evidence of its contents.

Be it therefore enacted, by His Excellency the Governor of New South Wales, with the advice of the Legislative Council thereof, That a Copy of an Exemplification of the said Charter of Incorporation of the said Bank of Australasia, or of any new Charter which may have issued, or which may hereafter issue, relating to or affecting the Corporation of the said Bank, certified by a Notary Public, under his hand, and sealed with his seal of office, to be a true Copy, shall be received as legal evidence of the contents of any such Charter as is hereinbefore mentioned or referred to respectively, and be recognised as valid in all Courts of Law, Equity, Admiralty, and Vice Admiralty, and in all Courts of Inferior Jurisdiction in the said Colony of New South Wales, and by all Judges, Justices, and others in such Courts respectively.

(Nothing herein contained to affect rights, &c., of the Crown, &c.)

II. Provided always, and be it enacted, That nothing in this Act contained, shall be construed or taken to affect or apply to, any right, title, privilege, immunity, or interest of Her Majesty, Her Heirs and Successors, or of any Body or Bodies, Politic or Corporate, or of any person or persons other than such as are mentioned or referred to herein, or of those claiming by or under her, him, or them.

(Commencement of Act.)

III. And be it enacted, That this Act shall commence and take effect from and after the passing and publication thereof in the *New South Wales Government Gazette*.

(Act to be a public Act.)

IV. And be it enacted, That when and so soon as this Act shall have been published, as aforesaid, the same shall be deemed and taken to be a public Act, and shall be judicially taken notice of as such, by the Judges of the Supreme Court of New South Wales, and by all other Judges, Justices, and others, within the Colony of New South Wales and its Dependencies, without being specially pleaded.

GEORGE GIPPS,

Passed the Legislative Council, } Governor.
this fourteenth day of Decem- }
ber, One thousand eight hundred }
and forty-one. }

WM. MACPHERSON,

Clerk of Councils.

ANNO QUINTO
VICTORIÆ REGINÆ.

No. 15.

By His Excellency SIR GEORGE GIPPS, Knight, Captain-General and Governor-in-Chief of the Territory of New South Wales and its Dependencies, and Vice-Admiral of the same, with the advice of the Legislative Council.

An Act to amend an Act, intituled "An Act to amend an Act, intituled, 'An Act to provide for the Conveyance and Postage of Letters.'" "for the Conveyance and Postage of Letters."

WHEREAS by an Act of the Governor and Council of New South Wales, passed in the Second Year of the Reign of Her Majesty Queen Victoria, intituled "An Act to amend an Act, intituled 'An Act to provide for the Conveyance and Postage of Letters,'" provision is made by the Schedule thereunto annexed, for a charge of four pence as the Postage demandable on every Letter or Packet weighing less than half an ounce, forwarded by Sea, from one Port of the Colony of New South Wales to another; and whereas, since the passing of the said recited Act, Post Office communication by Steamer between Sydney and Port Phillip has become frequent, and it is expedient to increase the Rate of Postage on Letters and Packets transmitted by Steamers plying between Sydney and Port Phillip: Be it therefore enacted, by His Excellency the Governor of New South Wales, with the advice of the Legislative Council thereof, That from and after the passing of this Act, the Rate of Postage to be demanded and taken for conveyance of Packets and Letters by Steamers, between Sydney and the district of Port Phillip, shall be the same in amount as is now, or may hereafter be demanded and taken, for transmission of Packets and Letters between the said places by Land.

GEORGE GIPPS,
Governor.

Passed the Legislative Council,
this fourteenth day of Decem-
ber, One thousand eight hundred
and forty-one.

WM. MACPHERSON,
Clerk of Councils.

ANNO QUINTO
VICTORIÆ REGINÆ.

No. 16.

By His Excellency SIR GEORGE GIPPS, Knight, Captain General and Governor in Chief of the Territory of New South Wales and its Dependencies, and Vice Admiral of the same, with the advice of the Legislative Council.

An Act to amend the Laws regulating the Distillation of Spirits in the Colony of New South Wales, and the levying of Duties thereon.

WHEREAS an Act of the Governor and Council of New South Wales was passed in the Third Year of the Reign of Her present Majesty Queen Victoria, intituled, "An Act to consolidate and amend the

3 Victoria, No. 9, Laws for the Distillation of Spirits in the Colony of New South Wales, and for the Issue of Licenses for Distilling, Rectifying, and Compounding, Spirits therein, and for repealing certain Laws relating thereto;" and whereas, to render the said recited Act more effectual, it is expedient that certain provisions thereof should be explained and amended, and that other provisions thereof should be repealed; and whereas a certain other Act of the said

4 Victoria, No. 9, repealed. Governor and Council was passed in the Fourth Year of the Reign of Her said Majesty, intituled "An

Act to increase the Duty on Spirits Distilled in New South Wales, and its Dependencies," which said Act was found insufficient for the purposes thereby intended, and it is expedient to repeal the same: Be it therefore enacted, by His Excellency the Governor of New South Wales, with the advice of the Legislative Council thereof, That from and after the passing of this Act, the Act herein last recited shall be repealed, and also so much of the Act herein first recited, as enacts, that from and after the first day of April, in the year one thousand eight hundred and forty, it shall not be lawful for any Distiller to make or distil any Spirits from sugar, molasses, or any other materials whatsoever of foreign growth, or any mixture thereof, (Grain alone excepted); and also, so much thereof as enacts, that if any Distiller shall, from and after the first day of April aforesaid, make or distil Spirits from any such foreign materials, (Grain excepted,) such Distiller shall forfeit the sum of five hundred pounds, and that all such wort, wash, and Spirits, shall be forfeited, and may be seized by any Inspector of Distilleries, or Officer of Customs duly authorised in that behalf; and also so much thereof as Section 27, of 3 Victoria, No 9, repealed relates to the keeping of Colonial and Foreign Spirits in distinct and separate cellars; and the same are hereby respectively repealed, save and except as to any thing or matter done, or commenced to be done, before the passing of this Act, which said matters and things shall be dealt with, respectively, as if this present Act had not been passed.

(Duty on Spirits distilled in the Colony.)

II. And be it enacted, That upon all Spirits hereafter made or distilled within the Colony of New South Wales, or any Dependency thereof, from and after the passing of this Act, whether from grain, sugar, molasses, or any other article whatsoever, there shall be levied and collected a rate or duty of nine shillings for each and every gallon, imperial measure, of such Spirits, not exceeding the strength of hydrometer proof, and so in proportion for Spirits of greater strength.

(Store for Spirits.)

III. And be it enacted, That within three months from and after the passing of this Act, there shall be, within the walls of every licensed disillery, a house or store, built of stone or brick, in which the Spirits, when distilled, shall be deposited, the door, or every door of which, if more than one, shall be secured by two locks to each door, the key of one of which locks on each door shall be kept by the owner of such Distillery, and the key of the other of the said locks, shall be kept by the Inspector of Distilleries, or by such other Officer as may be appointed by the Governor for

the time being, for the purpose of keeping the same; and it shall not be lawful for any person to open the said locks, or enter into the said house or store, unless in the presence, or by the permission of, such Inspector of Distilleries, or other Officer so appointed as aforesaid; and any person who shall open the said locks, or enter into the said house or store, otherwise than in the presence, or with the permission of, such Inspector or Officer, so appointed as aforesaid, shall be liable, on conviction thereof, to forfeit and pay a penalty of One Hundred Pounds.

(Officers taking bribes, or persons offering the same, to forfeit £200.)

IV. And be it enacted, That if any person shall give, offer, or promise to give, any bribe, recompense, or reward, or shall make any collusive agreement with any such Inspector or other Officer, so appointed as aforesaid, to induce him in any way to neglect his duty, or to conceal or connive at any act, whereby any of the provisions of this Act or the first recited Act may be evaded, every such person so offending shall, on conviction thereof, forfeit and pay a penalty or sum of Two Hundred Pounds, whether such gift or offer shall be accepted, or such promise performed or not; and any Inspector or other Officer who shall, directly or indirectly, take or receive any bribe, recompense, or reward, or shall in any way neglect his duty, or conceal, or connive, at any act, whereby any of the provisions of the said recited Act, or this Act, may be evaded, shall forfeit and pay a like penalty or sum of Two Hundred Pounds.

(Officers of Customs may seize Spirits.)

V. And be it enacted, That if any Officer of Customs, Inspector of Distilleries, or any other Officer or Officers appointed by the said Governor in that behalf as aforesaid, shall have reasonable grounds to believe that Spirits, upon which the duty has not been paid, are kept or concealed in any house or place within the said Colony or its Dependencies, it shall and may be lawful for such Officer of Customs, Inspector of Distilleries, or other Officer or Officers appointed as aforesaid, to enter into such house or place, in the day time, with writ of assistance, and accompanied by a Peace Officer, and search for and seize any such Spirits found therein, and to deposit the same in the Queen's Warehouse, at the Custom House, or other place appointed by the said Governor for that purpose, until restored or condemned in manner directed by the said first recited Act.

(Number of Worms to be used.)

VI. And be it enacted, That if any Licensed Distiller shall have or keep upon his premises any Worm or Worms, except one Worm for each Still licensed in manner provided by the said recited Act, such Distiller shall forfeit and pay a penalty or sum of Twenty Pounds for each and every Worm found on his said premises, exceeding the number of Stills licensed to be used thereon: Provided, however, that nothing herein contained shall prevent any number of Worms being kept in the Store in which Spirits, when distilled, are to

be deposited, under the security of two locks as aforesaid.

(Meaning of terms declared, to prevent Misconstruction.)

VII. And be it enacted, That in order to prevent any misconstruction of the terms and expressions used in the said first recited Act, or in this Act, wherever the terms or expressions following occur therein, the same shall be construed, respectively, in manner hereinafter directed, (that is to say): That the term Wort shall be construed to mean Wort, Wash, Pot-ale, Dunder, and Singlings: That the term Spirits shall be construed to mean Brandy, Rum, Gin, Low Wines, and Feints, and all descriptions and kinds of Spirituous Liquors whatsoever: And that the term premises shall include and extend to all out-houses and other buildings belonging to the same proprietor, on the place appropriated to the distillation and storing of Spirits.

(The duty shall be levied in the manner prescribed by 3 Victoria, No. 9.)

VIII. And be it enacted, That the Duty by this Act imposed, shall be raised, collected, recovered, secured, and paid in such manner, and by such ways and means, and under such management, and under and subject to such rules, regulations, conditions, penalties, and forfeitures, and with such power of adjudging and mitigating penalties, and forfeitures, and with and subject to such powers and to the like rules and directions, and by such methods, and in such manner and form as is directed and prescribed by the Act hereinbefore first recited; and that all the provisions, penalties, forfeitures, powers, authorities, rules, and directions mentioned and contained in the said recited Act, shall be practised and put in execution, for the raising, receiving, levying, recovering, or securing payment of the said Duty, by this Act imposed, and the respective penalties hereinbefore mentioned, as fully and effectually, to all intents and purposes, as if the said recited Act were particularly repeated, and re-enacted in this Act.

(Governor may remit or reduce Penalties.)

IX. And be it enacted, That it shall and may be lawful for the Governor for the time being of the said Colony, to remit, or reduce, the said Penalties, as to the said Governor shall seem meet.

GEORGE GIPPS,

Governor.

Passed the Legislative Council
this seventeenth day of December,
One thousand eight hundred and forty-one.

WM. MACPHERSON,

Clerk of Councils.

Sydney:—Printed by WILLIAM JOHN ROW,
Government Printer, and Published by him at
the Government Printing Office, Bent-street.—
December 29, 1841.