



# Customs Consolidation Act 1876

## 1876 CHAPTER 36

AS TO THE COURSE OF PROCEDURE FOR RECOVERING PENALTIES, ENFORCING FORFEITURES, AND PUNISHING OFFENDERS UNDER THE CUSTOMS ACTS.

*As to the removal of proceedings before Justices under the Customs Laws*

**243 Writs of certiorari and habeas corpus not to issue except on affidavit.**

No writ of certiorari shall issue to remove any proceedings before any justice under the Customs Acts, nor shall any writ of habeas corpus or judge's order issue to bring up the body of any person who shall have been convicted before any justice under the Customs Acts, unless the party against whom such proceedings shall have been directed or who shall have been so convicted, or his attorney or agent, shall state by affidavit in writing duly sworn the grounds of objection to such proceedings or conviction; and upon the return to such writ of certiorari or habeas corpus or judge's order no objection shall be entertained by the court other than such as shall have been stated in such affidavit; and any justice shall and may amend any information, conviction, or warrant of commitment for any offence under such Acts at any time, whether before or after conviction.