

Man's homemade still in Austin back yard results in criminal charges

Written by Marty Randall

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Advertising the sale of a homemade still on Craigslist may not have been the smartest thing for an Austin resident to have done.

Billy J. Morris' ad to sell his still, purportedly made to manufacture ethanol, caught the eye of officers with the Indiana State Excise Police (ISEP) in mid-January. When an agent contacted him, Morris reportedly agreed to meet with ISEP Officer Thomas Tully on Sunday, January 19.

Around 5:15 p.m. on January 16, Officer Tully allegedly tried to make contact with Morris, who resides on Broadway Street on Austin's north side. He had to leave a voice message. Morris obliged by returning the officer's call about an hour later, the probable cause affidavit related, and the pair reportedly discussed the still. Morris also allegedly offered to teach Tully how to make "...some good white whiskey."

The meeting between Morris and Tully took place on January 19 as scheduled. With Officer Tully wearing a hidden wire to record conversations, Tully and ISEP Officer Charles Peters arrived at the residence and were greeted by Morris. Morris reportedly invited the pair to walk to his back yard. There, they saw the assembled still, the affidavit related.

Morris explained how the still worked and showed them how to disassemble and then re-assemble it, Peters stated. He also purportedly told them the first pint would yield the highest proof alcohol, with the percentage lessening until the fourth pint would be between 60 to 70 proof. Morris also threw in a recipe for "apple pie," another alcoholic beverage, Peters' recollection stated.

The man explained to the officers that he had originally wanted to make his own fuel for his vehicles, but he apparently found that hard to do. Morris "...found that making moonshine was easier..." the affidavit advised.

When Morris responded to one of the officers' request for a sample of his product and handed the man a bottle with a clear liquid inside "...with the odor of a spirituous beverage..." the trio began negotiations on the still's price.

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They were still discussing its price when two more ISEP officers entered the back yard and identified themselves as excise police officers. According to Peters, Morris immediately stated he had a permit to make ethanol, Peters said, and also allegedly admitted to having made "...a little bit..." of alcohol.

One of the officers explained to Morris that the Austin resident was not permitted to make moonshine. The still, a separate copper "tower" for another still and other items were seized by the officers.

Morris has since been charged with two Class B misdemeanors, that of unauthorized dealing in an alcoholic beverage and sale/possession of an untaxed alcoholic beverage, and a Class C misdemeanor, making an alcoholic beverage without a license.

He waived his right to an initial hearing in Scott Superior Court, with Judge Marsha Owens Howser setting his jury trial for April 3. Morris was released on his own recognizance in lieu of bail of \$10,000 corporate surety bond or 10% cash.

He has retained an attorney to represent him in the case.