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GEORGII III. REGIS.

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C A P. CXIV.

An Act to stay Proceedings against any Governor or other Persons concerned in imposing and levying Duties in *New South Wales*; to continue, until the First Day of *January* One thousand eight hundred and twenty-one, certain Duties; and to empower the said Governor to levy a Duty on Spirits made in the said Colony.

[12th *July* 1819.]

WHEREAS since the Establishment of a Colony in *New South Wales*, the Governors, or other Persons administering the Government thereof, have from Time to Time caused to be raised and levied certain Rates and Duties upon Goods, Wares, and Merchandize imported into or exported from the Settlements therein: And whereas it is expedient that the said Governors and all other Persons who may have advised, issued, or executed any Order with respect to the raising or levying any such Rates or Duties should be protected from vexatious Suits until further Provision shall be made by Parliament; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That, until the First Day of *January* One thousand eight hundred and twenty-one, no personal

Till Jan. 1, 1821, no Action shall be

prosecuted against Governors or others for levying Rates or Duties prior to this Act.

Actions, if brought, to be stayed.

personal Action or Suit, Indictment, Information, Prosecution, or Proceeding whatsoever, shall be prosecuted or commenced against any Governor of *New South Wales*, or against any Person or Persons, for having advised, commanded, or carried into Execution any Orders for the Levy of any Rate or Duty in the said Colony previous to the passing of this Act; and that if any Action or Suit, Indictment, Information, or other Proceeding shall be prosecuted or commenced against any Person or Persons, for or by reason of any such Act, Matter, or Thing so advised, commanded, appointed, or done, it shall be lawful for the Defendant in any such Action, Suit, Indictment, or Information as aforesaid, to apply to the Court in which such Action shall be brought, during the Sitting of such Court, or to any Judge of such Court during Vacation, for Stay of Proceedings, and such Court and such Judge respectively are hereby required to stay such Proceedings accordingly until the said First Day of *January* One thousand eight hundred and twenty-one.

Rates and Duties levied before passing of this Act, may be collected or discontinued.

II. And be it further enacted, That from and after the passing of this Act, until the First Day of *January* One thousand eight hundred and twenty-one, it shall be lawful for the Governor, or other Person administering the Government of *New South Wales*, to order and direct the Levy of any Rate or Duty which may have been imposed or usually collected or levied in the said Colony previous to the passing of this Act, and no other: Provided also, that nothing herein contained shall be construed to prevent the said Governor, or other Person administering the Government of the said Settlement, from ordering at any Time the Discontinuance of any Rate or Duty heretofore imposed, collected, or levied within the said Colony or Settlement.

Governors empowered to levy a Duty upon Spirits made within the Colony.

III. And be it further enacted, That it shall and may be lawful for the Governor or other Person administering the Government of the said Colony for the Time being, to order and direct the Levy of a Duty upon any Spirits made within the Colony, although no such Duty may have been heretofore imposed and collected; provided always, that the Amount of such Duty shall in no Case exceed the Amount of Duty levied and paid upon Spirits imported into the said Colony and Settlements; and it shall be lawful for the Governor to make such Rules and Regulations as may be necessary for the Collection and Levy of the same, in the same Manner as if the said Duty upon Spirits made within the said Colony had been imposed, collected, and levied previous to the passing of this Act; any thing in this Act to the contrary notwithstanding.

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