

No. XI.

An Act to confirm certain Acts of His Excellency PAST ACTS CONFIRMATION.
Sir Thomas Brisbane passed with the advice
of the Council before the residence of William
Stewart Esquire in the Colony of New South
Wales. [15th June, 1825.]

WHEREAS by an Act of Parliament passed in the fourth year of Preamble.
the reign of His Majesty King George the Fourth intituled
“ *An Act to provide until the first day of July one thousand eight* Act of Parliament
“ *hundred and twenty-seven and until the end of the next Session of* enabling His Ma-
“ *Parliament for the better Administration of Justice in New South* jesty by Warrant
“ *Wales and Van Diemen's Land and for the more effectual Govern-* under His Sign
“ *ment thereof and for other purposes relating thereto*” it is amongst Manual to constitute
other things enacted that it shall be lawful for His Majesty His a Council in New
Heirs and Successors by Warrant under his or their Sign Manual to South Wales recited.
constitute and appoint a Council to consist of such persons resident
in the said Colony not exceeding seven nor less than five as His
Majesty His Heirs and Successors shall be pleased to appoint and
upon the death removal or absence of any of the Members of the said
Council in like manner to constitute and appoint such and so many
other person or persons as shall be necessary to supply the vacancy or
vacancies and the Governor or Acting Governor for the time-being of
the said Colony with the advice of the Council to be appointed as
aforesaid or the major part of them shall have power and authority to
make Laws and Ordinances for the peace welfare and good government
of the said Colony such Laws and Ordinances not being repugnant to
the said Act or to any Charter or Letters Patent or Order in Council
which may be issued in pursuance thereof or to the laws of England
but consistent with such laws as far as the circumstances of the said
Colony will admit And it is thereby provided that no Law or Ordinance
shall be passed or made unless the same should first by the said
Governor or Acting Governor be laid before the said Council at a
meeting to be for that purpose convened by a written summons under
the hand of such Governor or Acting Governor to be delivered to or
left at the usual place of abode of the Members of such Council respec-
tively And whereas His Majesty by Warrant under his Royal Sign His Majesty's War-
Manual bearing date the first day of December in the year of our rant bearing date
Lord one thousand eight hundred and twenty-three did nominate con- the 1st day of
stitute and appoint William Stewart Esquire Lieutenant Governor of December 1823
His Majesty's Settlements in New South Wales Francis Forbes recited.
Esquire Chief Justice of the said Settlements Frederick Goulburn
Esquire

Past Acts Confirmation.

Acts passed by the Governor and the majority of the Council enumerated.

V. Geo. IV. No. 1.

V. Geo. IV. No. 2.

V. Geo. IV. No. 3.

VI. Geo. IV. No. 4.

VI. Geo. IV. No. 5.

VI. Geo. IV. No. 6.

VI. Geo. IV. No. 7.

VI. Geo. IV. No. 8.

VI. Geo. IV. No. 9.

VI. Geo. IV. No. 10.

The absence from the Colony of W. Stewart Esq. not to invalidate the said Laws and Ordinances made previously to his arrival.

No proceeding to be had against any person for having advised executed or acted under any of the said Acts Laws or Ordinances.

Esquire Colonial Secretary of the said Settlements James Bowman Esquire the Principal Surgeon of the said Settlements and John Oxley Esquire the Surveyor General of the said Settlements to be the Members of the Council of the said Colony of New South Wales for and during His Majesty's will and pleasure And whereas the following Laws or Ordinances were passed or made by His Excellency the Governor of New South Wales with the advice of the Members of the Council then resident in the said Colony or the majority thereof that is to say "*An Act to make Promissory Notes and Bills of Exchange payable in Spanish Dollars available as if such Notes and Bills had been drawn payable in Sterling Money of the Realm*" "*An Ordinance to stay Proceedings against any person or persons advising issuing or executing any Proclamation Order or other Act of any any Governor or Acting Governor of New South Wales and the Dependencies of the Government of the said Colony*" "*An Act to prevent the harbouring of Runaway Convicts and the encouraging of Convicts tipping or gambling*" "*An Act to regulate the granting of Licenses for the Sale of Spirits Ale Beer and other Liquors in New South Wales and Van Diemen's Land respectively*" "*An Act for the summary Punishment of Misbehaviour or Disorderly Conduct in any offender in the service of Government or of any Inhabitant in New South Wales or Van Diemen's Land*" "*An Act to suspend for a limited time so much of an Act entitled 'An Act to regulate the granting of Licenses for the Sale of Spirits Ale Beer and other Liquors in New South Wales and Van Diemen's Land respectively' as requires the Certificate therein mentioned to be signed by a Minister of the Church of England*" "*An Act to enlarge the time for the granting of Licenses in pursuance of an Act entitled 'An Act to regulate the granting of Licenses for the Sale of Spirits Ale Beer and other Liquors in Van Diemen's Land respectively'*" "*An Act for the Relief of Persons imprisoned for Debt*" "*An Act to facilitate the Proceedings of Justices of the Peace in the exercise of their summary Jurisdiction*" and "*An Act for the regulation of Shipping in the Harbours of New South Wales and Van Diemen's Land respectively*" And whereas William Stewart Esquire was not resident in the said Colony at the time of the making of the said several Laws or Ordinances but hath since arrived and it is expedient to prevent any doubts as to the validity of the said Laws or Ordinances that the same should be confirmed Now therefore be it enacted by His Excellency the Governor of New South Wales with the advice of the Council that all the said Laws or Ordinances hereinbefore mentioned shall be of the same force and effect to all intents and purposes as if the same and every clause proviso matter and thing therein respectively contained were herein particularly repeated and re-enacted.

2. And it is further enacted That it shall not be lawful to commence or to prosecute any action suit information indictment prosecution or proceeding whatsoever in any manner howsoever against any person or persons for having advised executed or acted under any of the said Acts Laws or Ordinances or any part thereof respectively and that if any action suit information indictment prosecution or proceeding whatsoever shall be commenced or prosecuted against any person or persons for having advised executed or acted under any of the said Laws or Ordinances it shall be lawful for the defendant or defendants in any such action or suit information or indictment prosecution or proceeding as aforesaid to apply to the Court in which the same shall be commenced or prosecuted during the sitting of such Court or to the Judge thereof during vacation to stay proceedings therein and such Court and Judge respectively are hereby required to stay such proceedings accordingly.