

No. III.

NEWSPAPERS DUTY. An Act for imposing a Duty upon all Newspapers and Papers of a like nature printed to be dispersed and made public. [3rd May, 1827.]

Preamble. **W**HEREAS it is expedient to provide a fund for defraying the charge of printing the public Acts Proclamations Orders and Notices of the Government of this Colony by means of some Stamp Duty upon all Newspapers and other Papers containing public news or intelligence or serving the purpose of a Newspaper printed within the Colony of New South Wales or any of the Dependencies thereof to be disposed of and made public Be it therefore enacted by His Excellency the Governor of the Colony of New South Wales and its Dependencies with the advice of the Legislative Council That from and after the first day of June next there shall be levied raised and paid to the use of His Majesty His Heirs and Successors for every sheet half-sheet or other piece of paper whereof any Newspaper or other such paper as aforesaid printed within the Colony of New South Wales or any of the Dependencies thereof shall consist the sum of Four-pence Sterling.

From the 1st June 1827 four-pence sterling to be paid to His Majesty on every Newspaper printed in New South Wales.

The Collector of Internal Revenue to have the care and management of such Duties and to provide stamps.

Also to employ persons to mark and stamp such Newspapers.

2. And be it further enacted by the authority and with the advice aforesaid That the Duties hereby granted shall be under the care and management of the Collector of Internal Revenue or Acting Collector for the time-being who is hereby empowered and required to provide and use proper and sufficient stamps for expressing and denoting upon all such Newspapers and other Papers as aforesaid the said duties hereby granted thereon respectively and to alter and renew such stamps from time to time as occasion shall require and also with the approbation of the Governor or other person for the time-being administering the Government of this Colony to employ such person or persons as shall be found necessary for the marking and stamping such

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such Newspapers and other Papers as aforesaid and for effectually collecting and levying the Duties hereby granted.

3. And be it further enacted That before any such Newspaper or other Paper as aforesaid shall be printed every sheet half-sheet or other piece of paper upon which the same is intended to be printed shall be brought to the office of the Collector of Internal Revenue to be marked and stamped and the said Collector of Internal Revenue or Acting Collector or such other person or persons as shall be employed in that behalf as aforesaid shall upon demand made thereof and without fee or reward stamp or mark such quantity or parcel of paper as shall be so brought upon which such Newspaper or other Paper as aforesaid is intended to be printed the person or persons bringing the same first paying the Duty hereby charged thereon and for which Duty the stamp thereto belonging shall be a sufficient discharge.

Every sheet or other piece of paper upon which a Newspaper is intended to be printed shall be marked and stamped the Duty being first paid.

4. And be it further enacted That if any person shall forge or counterfeit or cause to be forged or counterfeited any plate stamp or die or any part of any plate stamp or die which shall have been provided made or used in pursuance of this Act for expressing and denoting the Duty granted by this Act or shall forge counterfeit or resemble or cause or procure to be forged counterfeited or resembled the impression or any part of the impression of any such plate stamp or die upon any Paper whatsoever or shall stamp or mark or cause or procure to be stamped or marked any Paper whatsoever with any such forged or counterfeited plate stamp or die as aforesaid or if any person shall utter or sell or expose to sale any Paper having thereupon the impression of any such forged or counterfeited plate stamp or die or part of any such plate stamp or die or any such forged counterfeited or resembled impression or part of impression as aforesaid knowing the same respectively to be forged counterfeited or resembled or if any person shall privately and secretly use any plate stamp or die which shall have been so provided made or used as aforesaid then every person so offending and every person knowingly and wilfully aiding abetting or assisting any person or persons in committing any such offence as aforesaid and being thereof lawfully convicted shall be subject to transportation to a penal settlement for fourteen years.

To forge or counterfeit any plate stamp or die used in pursuance of this Act or to utter sell or expose to sale any Paper with the impression of such counterfeit punishable on conviction by transportation for fourteen years.

5. And be it further enacted That if any person shall knowingly and wilfully print or publish or cause to be printed or published any Newspaper or any other such Paper as aforesaid he or she shall forfeit and pay over and above all other penalties recoverable under and by virtue of this Act the sum of Twenty Pounds for every such Newspaper or other Paper as aforesaid so printed upon paper not duly stamped and proof made according to the provisions of a Law or Ordinance made by His Excellency the Governor with the advice of the Legislative Council in the eighth year of the reign of His present Majesty intituled "*An Act for preventing the Mischiefs arising from the printing and publishing Newspapers and other Papers of a like nature by persons not known and for regulating the printing and publication of such Papers in other respects and also for restraining the Abuses arising from the publication of blasphemous and seditious Libels*" that the party proceeded against is a printer or publisher of such Newspaper or other Paper as aforesaid which shall be so printed or published upon paper not duly stamped shall in any proceeding to recover a penalty hereby imposed be deemed and taken to be proof that such party is a person wilfully and knowingly printing or publishing or causing the same to be printed or published contrary to the present provision of this Act unless he or they shall satisfactorily prove the contrary thereof.

Penalty for printing any Newspaper upon paper not duly stamped £20.

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Any person who shall knowingly receive and keep a Newspaper not duly stamped to forfeit £20.

6. And be it further enacted That if any person shall knowingly and wilfully take or receive into and keep in his or her custody any Newspaper or other such Paper as aforesaid not duly stamped as aforesaid such person shall forfeit for every such Newspaper or other Paper as aforesaid not duly stamped which he or she shall so take or receive into and keep in his or her custody the sum of Twenty Pounds.

Persons printing Newspapers upon unstamped paper shall be liable to pay such sum as would have accrued for Duty.

7. And be it further enacted That all and every persons or person printing or publishing or being concerned either as proprietors or proprietor or otherwise in printing or publishing or causing to be printed or published any Newspaper or other such Paper as aforesaid upon paper not duly stamped as aforesaid shall be deemed and taken to owe to His Majesty such sum as would have accrued to His Majesty in case the same had been printed upon paper duly stamped and in case any information or bill shall be filed or other proceeding shall be had on His Majesty's behalf for the discovery of the matters aforesaid and an account and payment of such sums it shall not be lawful for the defendant or defendants on any account to plead or demur to such information bill or proceeding but he she or they shall be compellable to make such discovery as is hereby required to be made Provided nevertheless that such discovery shall not be made use of as evidence or otherwise in any other proceeding than that in which the discovery is made.

A separate account to be kept of the Duties hereby granted which shall be applied to the payment of the costs of printing the Public Acts and Ordinances and the surplus if any to defray the expenses of the Colonial Police.

8. And be it further enacted That the Collector of Internal Revenue or Acting Collector shall keep a separate and distinct account of all monies which shall be received by him in each and every year for and in respect of the Duties by this Act granted or either of them and that such monies shall be a fund for the payment and discharge of all costs charges and expenses which shall be incurred by the Government of this Colony for printing the Public Acts Proclamations Orders and Notices thereof during the current year within which such sum or sums of money respectively hath and have been received and be paid applied and disposed of accordingly and the surplus if any which shall remain at the end of every or any year after the payment of such costs charges and expenses as aforesaid shall be applied towards defraying the expenses of the Colonial Police.

Fines penalties and forfeitures how leviable.

9. And be it further enacted That all fines penalties and forfeitures imposed by this Act shall on proof upon oath of the offence before any two or more Justices of the Peace of the Colony of New South Wales or of the Dependencies thereof be levied by distress and sale of the offender's goods and chattels by warrant under the hands and seals of such Justices rendering the overplus if any on demand after deducting the charges of such distress and sale to the person whose goods and chattels shall have been so distrained and sold and for want of sufficient distress such Justices are hereby required to commit such offender to any common gaol within the said Colony or any of the dependencies thereof for any time not exceeding three calendar months and the money arising by all such fines penalties and forfeitures respectively when recovered shall be as to one moiety thereof to and for the use of our Sovereign Lord the King His Heirs and Successors and be carried to and form part of the Colonial fund of the said Colony and be applied to the public uses and in support of the Government thereof and as to the other moiety of such fines to and for the use of such person as shall inform or sue for the same.

And their appropriation.

GOVERNMENT NOTICE.

Colonial Secretary's Office,
May 31st, 1827.

WHEREAS a certain Bill purporting to be an Act entitled "*An Act for imposing a Duty upon all Newspapers and Papers of a like nature printed to be dispersed and made public*" hath been published in the *Sydney Gazette* bearing date the fourth instant and the said publication being premature Notice is hereby given to such effect and further that all matters and things in the said Bill contained will be suspended until full and effectual provision shall be made in respect of the same in due course of law and the same shall be published accordingly.

By Command of His Excellency the Governor
ALEXANDER MCLEAY.
