ANNO SEPTIMO & OCTAVO

VICTORIÆ REGINÆ.

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CAP. XLIX.

An Act for the better Regulation of Colonial Posts. [29th *July* 1844.]

WHEREAS by an Act passed in the First Year of the Reign of Her present Majesty, intituled *An Act for the Management of the Post Office*, it was provided, that the Postmaster General should have the exclusive Privilege (except in the particular Cases therein mentioned) of conveying Letters from one Place to another, wheresoever, within the United Kingdom or other Her Majesty's Dominions, Posts or Post Communications then were or might be thereafter established; and by another Act passed in the Third and Fourth Years of the Reign of Her present Majesty, intituled *An Act for the Regulation of the Duties of Postage*, the Postmaster General was empowered to charge such Rates of Postage as the Commissioners of Her Majesty's Treasury might from Time to Time, by Warrant under their Hands, direct, on Letters conveyed by Post between Places therein mentioned where Post Communications should be established, and where Rates of Postage had not hitherto been authorized by Law: And whereas, in certain of Her Majesty's Colonies in which Posts or Post Communications have been or may be established by the Postmaster General, Rates of Postage have been already authorized to be taken: Now be it enacted and declared by the Queen's most Excellent Majesty, by and with the Advice and Consent

7 W 4. & 1 Vict. c. 33.

3 & 4 Vict. c. 96.

Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That in all Cases in which Posts or Post Communications have been established by the Postmaster General in any of Her Majesty's Colonies, and Rates of Postage, by Warrant under the Hands of the Commissioners of Her Majesty's Treasury, or any Three of them, have been directed to be charged by the Postmaster General on Letters conveyed by Post between Places within such Colonies, the same shall be deemed and taken to have been authorized by the said recited Acts, any thing to the contrary notwithstanding.

Rates of Postage established by the Postmaster General to be deemed authorized by recited Acts.

II. And it is hereby enacted and declared, That it shall be lawful for the Postmaster General for the Time being, from Time to Time, to establish any Posts or Post Communications in any of Her Majesty's Colonies, or in any of the Cities or Towns within any such Colony, or the Suburbs thereof, and to alter or annul any of the Posts or Post Communications already established or hereafter to be established in any of the said Colonies, Cities, Towns, or Suburbs, as he shall deem expedient, and to appoint sufficient Deputies, Agents, and Servants under him, for the better managing the Post Office Revenue, at any Place or Places where such Posts or Post Communications already have been or may hereafter be established, and such Deputies, Agents, and Servants from Time to Time to suspend, remove, or displace, and to appoint others in their Place or Stead; and whenever any such Posts or Post Communications shall be established in any of the said Colonies, all Colonial Legislative Acts and Colonial Ordinances relating to the Post or Postage of Letters in force within any such Colony shall cease and determine.

Postmaster General may establish Posts in the Colonies.

III. And be it enacted and declared, That it shall be lawful for the Commissioners of Her Majesty's Treasury, from Time to Time and at all Times after the passing of this Act, by Warrant under their Hands, to alter and fix any of the Rates of Colonial Postage payable by Law for the Transmission of Letters by the Post, and to subject the same to Rates of Postage according to the Weight thereof, and a Scale of Weight to be contained in such Warrant, and from Time to Time, by Warrant as aforesaid, to alter or repeal any such altered Rates, and make and establish any new or other Rates in lieu thereof, and the Rates of Colonial Postage from Time to Time to become payable under or by virtue of any such Warrant shall be charged and paid accordingly, and from Time to Time, by Warrant as aforesaid, to appoint at what Time the Rates which may be payable are to be paid; and the Power hereby given to alter and fix Rates of Postage shall extend to any Increase or Reduction or Remission of Postage.

Commissioners of the Treasury may establish Rates of Postage, and alter them from Time to Time.

IV. And be it enacted, That in all Cases in which any Rates of Colonial Postage shall be made payable under or by virtue of any Warrant of the Commissioners of Her Majesty's Treasury under this Act, every such Warrant shall be published in the *London Gazette*, and shall, within Fourteen Days after making the same, be laid before both Houses of Parliament if then sitting, or otherwise within Fourteen Days after Parliament shall re-assemble: Provided that any Rates made payable by any such Warrant may be demanded and

Warrants establishing Rates of Postage to be published in London Gazette.

taken at any Time after they shall have been so published in the *London Gazette*, although the same shall not then have been laid before Parliament.

Colonial Rates of Postage to be paid over to Postmaster General.

V. And be it enacted, That the Rates of Colonial Postage now or hereafter payable within any of Her Majesty's Colonies, where Posts or Post Communications have been or shall hereafter be established by or under the Authority of Her Majesty's Postmaster General, shall be charged by and be paid to Her Majesty's Postmaster General for the Time being, or his Deputies or Agents in such Colony, and, after deducting the Expences of Collection and Management of the Post Office in any such Colony, and Payment of the Salaries and Wages of the Officers and Servants employed in or about the same, shall be appropriated and applied, by or under the Authority of the Postmaster General for the Time being, to the Improvement and Extension of the Posts and Post Communications of the Colony within which such Postage shall be raised, and the Surplus thereof shall be applied for the Public Service of such Colony, and the Support of the Government thereof, in such Manner as the Commissioners of Her Majesty's Treasury for the Time being may from Time to Time by Writing under their Hands direct.

Postage Mark to be Evidence of Amount of Postage.

VI. And be it enacted, That the Postage, whether *British* or Foreign or Colonial, marked on any Letter brought into any of Her Majesty's Colonies or Dominions, shall, in all Courts of Justice and other Places within the said Colonies and Dominions, be received as conclusive Evidence of the Amount of *British* or Foreign or Colonial Postage payable in respect of such Letter, in addition to any other Postage chargeable thereon; and all such Postage shall be recoverable, within Her Majesty's Colonies and Dominions, as Postage due to Her Majesty.

Repeal of certain Provision in secondly-recited Act.

VII. And be it enacted, That so much of the Thirty-third Section of the said Act of the Third and Fourth Years of the Reign of Her present Majesty, intituled *An Act for the Regulation of the Duties of Postage*, as contains the Words "and where Rates of Postage have not hitherto been authorized by Law," shall be and the same is hereby repealed.

Defining the Term "Colonial Letters."

VIII. And be it enacted, That the Term "Colonial Letters" used in the Fifty-eighth Section of the said last-mentioned Act shall include all Letters transmitted by the Post between Places within any of Her Majesty's Colonies, or between any of such Colonies, or between any of the Colonies and the United Kingdom or a Foreign Country.

Commissioners of the Treasury may extend Provisions of Post Office Acts to other Colonies.

IX. And be it enacted, That it shall be lawful for the Commissioners of Her Majesty's Treasury, from Time to Time and at all Times after the passing of this Act, by Warrant under their Hands, to extend to all or any of Her Majesty's Colonies any of the Enactments, Clauses, and Provisions (not then relating to or affecting the Colonies) contained in the said last-mentioned Act, and also any of the Enactments, Clauses, and Provisions (not then relating to or affecting

affecting the Colonies) contained or which may be contained in any other of the Post Office Acts now or hereafter to be in force, and from Time to Time to revoke any such Warrant; and during the Time any such Warrant shall be unrepealed the Enactments, Clauses, and Provisions which may be so extended to any such Colonies shall be in force in such Colonies in like Manner as if the same had been declared by any such Acts to extend to such Colonies.

Construction of Terms.

X. And be it enacted, That the following Terms and Expressions whenever used in this Act shall have the several Interpretations herein-after respectively set forth, unless such Interpretations are repugnant to the Subject or inconsistent with the Context of the Provisions in which they may be found; (that is to say,) the Term "Letter" shall include Post Letters and Packets, Newspapers, Votes and Proceedings of the Imperial Parliament, and Votes and Proceedings of the Legislatures of any of Her Majesty's Colonies or Provinces, Pamphlets and other printed Papers; and the Term "Colonial Postage" shall include the Postage on Letters and Newspapers, and other Papers and Packets transmitted by the Post within any of Her Majesty's Colonies; and that the several other Terms and Expressions used in this Act shall be construed according to the respective Interpretations contained or referred to in the said Act of the Third and Fourth Years of Her present Majesty, intituled *An Act for the Regulation of the Duties of Postage*, as far as those Interpretations are not repugnant to the Subject, or inconsistent with the Context of such Terms or Expressions.

3 & 4 Vict. c. 96.

Act may be amended, &c. this Session.

XI. And be it enacted, That this Act may be amended or repealed by any Act to be passed in the present Session of Parliament.

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