ANNO DECIMO & UNDECIMO

VICTORIÆ REGINÆ.

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CAP. LXXXV.

An Act for giving further Facilities for the Transmission of Letters by Post, and for the regulating the Duties of Postage thereon, and for other Purposes relating to the Post Office.

[22d *July* 1847.]

So much of 3 & 4 Vict. c. 96. as enacts that no Letter exceeding Sixteen Ounces Weight shall be sent by Post, repealed.

WHEREAS by an Act passed in the Fourth Year of the Reign of Her present Majesty, intituled *An Act for the Regulation of the Duties of Postage*, it is enacted, that no Letter exceeding Sixteen Ounces in Weight shall be forwarded by the Post between Places within the United Kingdom, except as therein mentioned: And whereas it is expedient that such Enactment should be repealed: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Enactment shall be and the same is hereby repealed.

Power to Treasury to fix maximum Weight of Letters to be

II. And be it enacted, That in order to prevent Packets of an unwieldy Bulk or an inconvenient Size being transmitted by the Post it shall be lawful for the Commissioners of Her Majesty's Treasury, at any Time or Times hereafter, by Warrant under their Hands,

to

sent by Post from Time to Time.

to fix the maximum Weight of Letters to be sent by the Post, and from Time to Time to repeal or revoke such maximum Weight, wholly or in part, and declare any other Maximum of Weight in lieu thereof; and all Letters shall be forwarded, conveyed, and delivered by the Post in conformity with any such Warrant, and also in conformity with and under and subject to all such Orders, Conditions, Limitations, Regulations, and Restrictions as to the Form, Size, or Dimensions thereof, whether in proportion to the Weight or otherwise, as the Postmaster General, with the Consent of the Commissioners of Her Majesty's Treasury, shall from Time to Time direct.

Power to collect Foreign and Colonial Rates, and to require Pre-payment of Postage in Money or Stamps.

III. And be it enacted, That the Postmaster General may collect and receive the Foreign and Colonial Postage charged or chargeable on any Letters sent by the Post, and may also, with the Consent of the Commissioners of Her Majesty's Treasury, require the Postage (*British*, Colonial, or Foreign,) of any Letters sent by the Post to be pre-paid, either in Money or in Stamps (as he may think fit), on the same being put into the Post Office, and he may also, with such Consent, abolish or restrict the Pre-payment in Money of Postage on Letters sent by the Post, either altogether or on certain Letters, and may require the Pre-payment thereof to be in Stamps, and may refuse to receive or send by the Post any Letters tendered contrary to any Regulations made under this Enactment.

Power to Treasury to reduce British Postage.

IV. And be it enacted, That in all Cases in which the *British* Postage chargeable on any Letters sent by the Post shall exceed the Sum of One Penny, it shall be lawful for the Commissioners of Her Majesty's Treasury, by Warrant under their Hands, to reduce such Postage to any other Rate of Postage they may from Time to Time think fit.

Power to allow Writing or Marks, &c., in addition to the Direction, to be put on printed Newspapers.

V. And be it enacted, That it shall be lawful for the Postmaster General, if he shall think fit (with the Consent of the Commissioners of Her Majesty's Treasury), to allow any printed Words, Writing, or Marks (in addition to the Direction) to be put on any printed Newspapers or other printed Papers sent by the Post, or on the Covers thereof; and any such Newspapers or other printed Papers shall from thenceforth be forwarded either free of Postage, or subject to such Rates of Postage as the Postmaster General, with the Consent of the Commissioners of Her Majesty's Treasury, shall from Time to Time direct.

Repeal of Restriction on Letters of Seamen, &c. liable to Foreign Postage.

VI. And be it enacted, That the Enactment in the said Act passed in the Fourth Year of the Reign of Her present Majesty contained, that the Privilege thereby given to Seamen and Soldiers shall not extend to any Letters liable to any Foreign Rates of Postage, shall be and the same is hereby repealed.

Privilege to be enjoyed by them, but subject to Payment of

VII. And be it enacted, That the Privilege given to Seamen and Soldiers by the said Act passed in the Fourth Year of the Reign of Her present Majesty shall be enjoyed by such Seamen and Soldiers, whether any such Letters shall be liable to any Foreign Postage or

not, but subject to the Payment of the Foreign Postage, if any be chargeable thereon. Foreign Postage.

VIII. And be it enacted, That it shall be lawful for the Postmaster General (if he shall think fit) to direct, that in case a Receipt for any Letters brought to the Post Office to be forwarded by the Post shall be required, a printed or written Receipt shal. be given for the same, in such Form as the Postmaster General shall appoint, at the Expence of the Person requiring the same; and the Charge for such Receipt shall be fixed at such Amount, and shall be collected or paid at such Time and in such Manner, whether in Stamps or in Money, as the Postmaster General, with the Consent of the Commissioners of Her Majesty's Treasury, shall from Time to Time direct; and the Letters for which such Receipts may be required shall be delivered to the Post Office, and shall also be delivered by the Post Office, under and subject to all such Regulations in every respect as the Postmaster General shall from Time to Time appoint; but the giving of such Receipts shall not render the Postmaster General or any Officer of the Post Office or the Post Office Revenue liable for the Loss of any such Letters or the Contents thereof. Receipts to be given for Post Letters, &c. at Expence of Person requiring the same.

IX. And be it enacted, That the Commissioners of Stamps and Taxes shall from Time to Time provide proper and sufficient Dies and other Implements for expressing and denoting the Rates or Duties of Postage payable within the United Kingdom under this Act, or under any Warrant or Warrants issued by the Commissioners of Her Majesty's Treasury under the Provisions of this Act or the said recited Act, and also for expressing and denoting the Duties to be payable upon any such Receipts for Letters to be forwarded by the Post as aforesaid; and the Duties which shall be expressed or denoted by any such Dies shall be denominated and deemed to be Stamp Duties, and shall be under the Care and Management of the Commissioners of Stamps and Taxes for the Time being; and so much of the said Act passed in the Fourth Year of the Reign of Her present Majesty as relates to the Stamp Duties arising under that Act shall, so far as the same may be applicable, and consistent with the Provisions of this Act, be applicable to the Stamp Duties arising under this Act. Dies to be provided by Commissioners of Stamps and Taxes.

X. And be it enacted, That it shall be lawful for the Postmaster General and any Officer of the Post Office to detain any Letters which shall be posted or sent by the Post contrary to the Regulations of this Act or the said recited Act, or contrary to any Regulations made under the Authority of this Act or the said recited Act, or contrary to the Regulations of any Treasury Warrant which shall be issued under or by virtue of this Act, or which has been or shall be issued under or by virtue of the said recited Act, and to open such Letters, and either to return them to the Senders thereof, or to forward them to the Places of their Destination, charged in either Case with such Rates of Postage as the Postmaster General, with the Consent of the Commissioners of Her Majesty's Treasury, shall from Time to Time direct. Letters sent contrary to the Regulations of this or the recited Act may be detained.

XI. And

Commissioners under any Fiat of Bankruptcy may order Letters addressed to the Bankrupt to be re-directed or delivered to the Official Assignee.

XI. And be it enacted, That it shall be lawful for any Commissioner of Bankrupts or any Court of Bankruptcy acting under any Fiat or Commission of Bankruptcy, in *England* or *Ireland*, to order that for a Period not exceeding Three Calendar Months from the Date of any such Order all Post Letters directed or addressed to any Bankrupt at the Place of which he shall be described in the Fiat or Commission awarded or issued against him shall be re-directed, re-addressed, sent, or delivered by the Postmaster General, or the Officers acting under him, to the Official or other Assignee, or other Person named in such Order; and that upon Notice of any such Order to be given to the Postmaster General, or the Officers acting under him, by the Official or other Assignee, or other Person named in such Order, of the making of such Order, it shall be lawful for the Postmaster General, or such Officers as aforesaid, in *England* or *Ireland*, to re-address, re-direct, send, or deliver all such Post Letters to the Official or other Assignee, or other Person named in such Order, accordingly; and such Commissioner or Court of Bankruptcy may, upon any Application to be made for that Purpose, renew any such Order for a like or any other less Period as often as may be necessary.

Power to compel Senders to pay Postage of rejected Letters.

XII. And whereas Provision is made by the Post Office Laws for Payment of the Postage of Letters which have been refused, or which have been addressed to Persons who are dead or cannot be found, by the Writers or Senders thereof; and it is expedient to extend such Provision to rejected Letters in certain Cases; be it enacted, That in all Cases in which the Postage of any unstamped Letter shall not have been paid by the Sender thereof, and the Party to whom such Letter shall be addressed shall, upon receiving the same, and paying the Postage thereof, be desirous to reject such Letter, and to compel the Sender thereof to pay such Postage, it shall be lawful for the Postmaster General, upon the Application of the Party to whom any such Letter shall be addressed, and under such Regulations as the Postmaster General, with the Consent of the Commissioners of Her Majesty's Treasury, shall think fit, to charge the Postage thereof to the Sender of such Letter, and also the additional Postage of returning the same to him, and in every such Case the Sender of such Letter shall pay the Postage of sending and also of returning the same: Provided that nothing herein contained shall operate to release the Party to whom any such Letter shall be originally addressed from his Liability to pay the Postage thereof upon the Delivery of such Letter to him.

Post Office Stamps to be Evidence of Letters being rejected.

XIII. And be it enacted, That upon any Trial or Hearing of any Action or Proceeding for the Recovery of any Postage the Production of any Letter in respect of which such Postage shall be sought to be recovered, having thereupon a Post Office Stamp denoting that such Letter had been refused or rejected, or that the Party to whom any such Letter had been addressed was dead or could not be found, shall be *primâ facie* Evidence of the Refusal or Rejection of such Letter, or that such Person was dead or could not be found, according to the Import and Meaning of the said Post Office Stamp thereupon.

XIV. And

In Proceedings for Postage the apparent Writer to be deemed the Sender of a Letter.

XIV. And be it enacted and declared, That in any Suit or other Proceeding for the Recovery of any Postage payable under or by virtue of the Post Office Laws the Person from whom any Letter in respect of which any Postage shall be sought to be recovered shall purport to have come shall be deemed to be the Sender thereof, and the Onus shall lie upon the Party proceeded against to prove that such Letter did not come from and was not sent by him.

Post Office Tax to be Evidence of Postage due.

XV. And be it enacted, That in all Proceedings whatsoever for the Recovery of any Postage, either within the United Kingdom or within any of Her Majesty's Colonies, the Post Office Tax upon any Letter shall in all Cases be Evidence of the Liability of such Letter to be so taxed, and that the Sum so taxed thereupon is payable as and for the Postage thereof.

Power to send Mails by Railways in manner prescribed by 1 & 2 Vict. c. 98. without a Guard.

XVI. And whereas by an Act passed in the Second Year of the Reign of Her present Majesty, intituled *An Act to provide for the Conveyance of the Mails by Railways*, Provision is made for the Transmission of the Mails by Railways; be it enacted, That it shall be lawful for the Postmaster General to require, in the Manner prescribed by the said last-mentioned Act, that any Mails and Post Letter Bags shall be conveyed and forwarded by any Railway Company on their Railway, under and pursuant to the said Act, notwithstanding any Guard or other Officer of the Post Office shall not be sent with the same or in charge thereof, and such Mails and Post Letter Bags shall be conveyed and forwarded by such Railway Company accordingly.

Postage Duties to be Part of the Post Office Revenue.

XVII. And be it enacted, That all Monies paid to or received by the Post Office for Rates or Duties of Postage under or by virtue of this Act, or for Receipts for Letters sent by the Post, shall form Part of the Revenue of the Post Office.

Treasury Warrants may be signed by Three Commissioners.

XVIII. And be it enacted, That whenever the Warrant of the Commissioners of Her Majesty's Treasury is required by this Act, such Warrant may be under the Hands of the Commissioners of Her Majesty's Treasury, or any Three of them; and that whenever the Order, Consent, Authority, or Direction of the Commissioners of Her Majesty's Treasury is prescribed by this Act, such Order, Consent, Authority, or Direction (not being by Warrant) may be signified either under the Hands of the Commissioners of Her Majesty's Treasury, or any Three of them, or under the Hand of One of their Secretaries or Assistant Secretaries.

London Gazette to be Evidence of Treasury Warrants.

XIX. And be it enacted, That any printed Copy of the *London Gazette* purporting to be printed and published by the Person or Persons having Authority to print and publish the same shall be admitted as Evidence by all Courts, Judges, Justices, and others, in any Part of Her Majesty's Dominions, of any Treasury Warrant which shall be issued under or by virtue of this Act, or which has been or shall be issued under or by virtue of the said Act passed in the Fourth Year of the Reign of Her present Majesty, or of an Act passed in the Eighth Year of the Reign of Her present Majesty,

intituled *An Act for the better Regulation of Colonial Posts*, or either of them, and contained in any such Gazette, and of the due issuing thereof, and of the Rates and Regulations contained in any such Warrant having been duly made and established, and of the other Contents of any such Warrant, without any further or other Proof of such Warrant.

Interpretation of Act.

XX. And be it enacted, That this present Act shall be deemed and taken to be a Post Office Act; and that the following Terms and Expressions, whenever used in this Act, or in any Treasury Warrant issued under or by virtue thereof, shall have the several Interpretations herein-after respectively set forth, unless such Interpretations are repugnant to the Subject Matter or inconsistent with the Context in which they may be found; (that is to say,) that the Term "by the Post" shall include the Conveyance by any Post established under the Authority or Control of the Postmaster General; and that the Term "Letter," as also the Term "Letters," used in this Act, shall be construed according to the Interpretation of the Term "Letter" contained in the said Act passed in the Eighth Year of the Reign of Her present Majesty; and that the Term "Railway," used in this Act and in the said Act passed in the Second Year of the Reign of Her present Majesty, shall include every Railway already constructed or hereafter to be constructed under the Powers, of any Act of Parliament; and that whenever the Term "Railway Company" or "Company of Proprietors" is used in this Act, or in the said last-mentioned Act, it shall be construed to extend to include the Proprietors for the Time being of any such last-mentioned Railway, and any Lessees or Tenants thereof; 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 passed in the Fourth Year of the Reign of Her present Majesty, so far as those Interpretations are not repugnant to the Subject or inconsistent with the Context of such Terms and Expressions.

Commencement of Act.

XXI. And be it enacted, That this Act shall come into operation on the First Day of *August* One thousand eight hundred and forty-seven.

Act may be altered, &c.

XXII. And be it enacted, That this Act may be altered or repealed by any Act to be passed during the present Session of Parliament.

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