ANNO PRIMO

VICTORIÆ REGINÆ.

C A P. XXXVI.

An Act for consolidating the Laws relative to Offences against the Post Office of the United Kingdom, and for regulating the judicial Administration of the Post Office Laws, and for explaining certain Terms and Expressions employed in those Laws. [12th *July* 1837.]

WHEREAS an Act was passed in the present Session of Parliament, intituled *An Act to repeal the several Laws relating to the Post Office;* be it 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 on the Day on which the recited Act shall come into operation this Act shall come into operation for making Provision respecting Offences against the Post Office, and the judicial Administration of the Post Office Laws.

Commencement of Act.

II. And for preventing any Breach of the Privilege conferred by the Post Office Acts on the Postmaster General for the Benefit of the Public Revenue, be it enacted, That every Person who shall convey otherwise than by the Post a Letter not exempted from the exclusive Privilege of the Postmaster General shall for every Letter forfeit Five Pounds, and every Person who shall be in the Practice of so conveying

Contravening the Privilege of Post Office.

Letters not so exempted shall for every Week during which the Practice shall be continued forfeit One hundred Pounds; and every Person who shall perform otherwise than by the Post any Services incidental to conveying Letters from Place to Place, whether by receiving or by taking up or by collecting, or by ordering or by despatching, or by carrying or by re-carrying or by delivering a Letter not exempted from the exclusive Privilege of the Postmaster General, shall forfeit for every Letter Five Pounds, and every Person who shall be in the Practice of so performing any such incidental Services shall for every Week during which the Practice shall be continued forfeit One hundred Pounds; and every Person who shall send a Letter not exempted from the exclusive Privilege of the Postmaster General otherwise than by the Post, or shall cause a Letter not so exempted to be sent or conveyed otherwise than by Post, or shall either tender or deliver a Letter not so exempt in order to be sent otherwise than by Post, shall forfeit for every Letter Five Pounds, and every Person who shall be in the Practice of committing any of the Acts last mentioned shall for every Week during which the Practice shall be continued forfeit One hundred Pounds; and every Person who shall make a Collection of exempted Letters for the Purpose of conveying or sending them otherwise than by the Post, or by the Post, shall forfeit for every Letter Five Pounds; and every Person who shall be in the Practice of making a Collection of exempted Letters for either of those Purposes shall forfeit for every Week during which the Practice shall be continued One hundred Pounds: And be it declared, that the Term Post shall herein include all Post Communications by Land or by Water (except by Outward-bound Vesssels not being employed by or under the Post Office or the Admiralty to carry Post Letters); and the above Penalties shall be incurred whether the Letter shall be sent singly or with any thing else, or such incidental Service shall be performed in respect to a Letter either sent or to be sent singly or together with some other Letter or Thing; and in any Prosecution by Action or otherwise for the Recovery of any such Penalty the Onus shall lie upon the Party prosecuted to prove that the Act in respect of which the Penalty is alleged to have been incurred was done in conformity to the Post Office Laws.

Ship Letters retained after delivering of Letters to Post Office.

III. And be it enacted, That every Person, being either the Master of a Vessel Inward-bound, or one of the Officers, or one of the Crew, or a Passenger thereof, who shall knowingly have any Letter in his Possession not exempted from the Privilege of the Postmaster General, after the Master shall have sent any Part of his Ship's Letters to the Post Office, shall forfeit for every Letter Five Pounds; and whether the Letter be in the Baggage or on the Person of the Offender, or otherwise in his Custody, it shall be held to be in his Possession; and every such Person who shall detain any such Letter after Demand made, either by the Officer of the Customs or by a Person authorized by the Postmaster General to demand Ship's Letters, shall forfeit for every Letter Ten Pounds.

Penalties for abusing the Franking Privilege.

IV. And for preventing the Abuse of any Privilege by the Post Office Acts conferred of sending Letters or Papers free of Postage, or

at a reduced Rate of Postage, whereby the Post Office Revenue may be defrauded, be it enacted, That every Person who shall send or cause to be sent a Banker's Parcel, wherein or upon the Cover whereof there shall be a Writing or Communication, or any thing other than negociable Notes, contrary to the Post Office Laws or the Regulations of the Postmaster General, shall forfeit Two hundred Pounds; and every Franking Officer or other Person authorized by virtue of their Office to frank Official Letters who shall unlawfully superscribe a Letter as belonging to his Office or Department which does not concern the Business thereof shall for the first Offence forfeit One hundred Pounds, and for the Second Offence shall forfeit the like Sum, and be dismissed from his Office; and every Person having the Command of a Ship or Vessel, or Regiment or Corps or Detachment, who is authorized to write his Name, and the Name of the Ship, or of the Vessel, or of the Regiment or Corps or Detachment, commanded by him, upon a Single Letter from a Seaman or Soldier privileged to send his Letter at a reduced Rate of Postage, who shall wilfully write his Name upon a Letter that is not from and on the private Concerns only of such Seaman or Soldier so privileged, shall for every such Offence forfeit Five Pounds; and every Person not having at the Time the Command of the Ship or Vessel, or Regiment or Corps or Detachment to which a Seaman or Soldier so privileged belongs, who shall write his Name upon a Letter in order that the same may be sent at a lower Rate of Postage than by Law established, shall for every such Offence forfeit Five Pounds; and every Person who shall procure a Seaman or Soldier to obtain the Signature of his Commanding Officer to a Letter to be sent by the Post which shall not be on the private Concerns of such Seaman or Soldier, and every such Seaman or Soldier who shall obtain the Signature of his Commanding Officer upon a Letter which shall not be from such Seaman or Soldier, and upon his own private Concerns only, in order to avoid the Payment of the Rates of Postage by Law established, shall for every such Offence forfeit Five Pounds; and every Person who shall wilfully address a Letter to such Seaman or Soldier having the Privilege of receiving his Letters at a reduced Rate, which shall be intended for another Person, or which shall be concerning the Affairs of another Person, with Intent to evade the Payment of the Rate of Postage by Law established, shall for every such Offence forfeit Five Pounds; and every Person who shall, with Intent to evade any Duty of Postage, falsely superscribe a Letter as being the Owner or the Charterer or the Consignee of a Vessel conveying the same, or as the Owner or the Shipper or the Consignee of Goods shipped in such Vessel, shall for every such Offence forfeit Ten Pounds.

Penalty for falsely superscribing the Letter of an Owner of a Vessel, &c.

V. And for the Prevention of the Abuse of the Privilege of sending Newspapers free by the Post, or at a reduced Rate, be it enacted, That every Person who shall inclose or cause or procure to be inclosed in a Newspaper to be sent by the Post, or under the Cover thereof, any Letter or Paper or Thing, and every Person who shall print or cause to be printed any Words or Communication, either upon any such Newspaper after the same shall have been published, or upon the Cover thereof, or who shall put or cause to be put any Writing or Marks either upon the Newspaper or upon the Cover thereof, other than

Penalty on Abuse of Privilege as to Newspapers.

than the Name and Address of the Person to whom it shall be sent, and every Person who shall knowingly either send or cause to be sent by the Post, or who shall either deliver or tender in order to be sent by the Post, a Newspaper in respect of which any One of the Offences herein-before mentioned shall have been committed, shall for every such Offence forfeit Treble the Duty of Postage, computed by Weight and by Distance, as if the Paper in respect of which the Offence was committed were a Letter, such Postage to be recoverable as Postages not exceeding in Amount Twenty Pounds are recoverable; or he shall, except in those Cases in which the said Newspaper or Cover shall only have Marks thereon, and not Writing, at the Option of the Postmaster General, be prosecuted as for a Misdemeanor, and shall suffer Punishment accordingly.

Penalties on Masters of Ships not taking Letter Bags.

VI. And for compelling the Observance of the Provisions of the Post Office Laws relating to the Conveyance of Ship Letters, be it enacted, That every Master of a Vessel Outward-bound to *Ceylon*, the *Mauritius*, the *East Indies*, or the *Cape of Good Hope*, who shall refuse to take a Post Letter Bag delivered or tendered to him by an Officer of the Post Office for Conveyance, shall forfeit Two hundred Pounds; and every Master of a Vessel who shall open a sealed Letter Bag with which he shall be intrusted for Conveyance shall forfeit Two hundred Pounds; and every Master of a Vessel who shall take out of a Letter Bag with which he shall have been intrusted for Conveyance a Letter or any other Thing shall forfeit Two hundred Pounds; and every Master of a Vessel who shall not duly deliver a Letter Bag with the Contents at the Post Office on his Arrival in Port, without wilful or unavoidable Delay after his Arrival, shall forfeit Two hundred Pounds; and every Person to whom Letters may have been intrusted by the Master of a Vessel to bring on shore who shall break the Seal, or in any Manner wilfully open the same, shall forfeit Twenty Pounds; and every Master of a Vessel who shall refuse or wilfully neglect to make the Declaration of having delivered his Ship's Letters to the Post Office, as required by an Act of the present Session, intituled *An Act for the Regulation of the Duties of Postage*, shall forfeit Fifty Pounds; and every Collector, Comptroller, or Officer of the Customs who by the said Act is required to prohibit any Vessel reporting until the Requisites of such Act shall have been complied with, who shall permit such Vessel to report before the Requisites of such Act shall have been complied with, shall forfeit Fifty Pounds; and every Master of a Vessel (not having been able to send his Letters ashore previous to his Arrival at the Port where the Vessel is to report) who shall break Bulk or make Entry before all Letters on board shall be sent to the Post Office shall forfeit Twenty Pounds; and every Master of a Vessel, or any other Person on board any Ship liable to the Performance of Quarantine, who shall neglect or refuse to deliver to the Person or Persons appointed to superintend the Quarantine all Letters in his Possession, shall forfeit Twenty Pounds.

Persons engaged or employed in carrying, conveying, or

VII. And whereas Post Letter Bags and Post Letters are sometimes lost or delayed by the Carelessness or other Misconduct of the Persons having charge of the same; be it therefore enacted, That every Person employed to convey or deliver a Post Letter Bag or a Post

Post Letter who shall whilst so employed, or whilst the same shall be in his Custody, Care, or Possession, leave a Post Letter Bag or a Post Letter, or suffer any Person, not being the Guard or Person employed for that Purpose, to ride in the Place appointed for the Guard in or upon any Carriage used for the Conveyance of a Post Letter Bag or Post Letter, or to ride in or upon a Carriage so used and not licensed to carry Passengers, or upon a Horse used for the Conveyance on Horseback of a Post Letter Bag or a Post Letter, or if any such Person shall be guilty of any Act of Drunkenness, or of Carelessness, Negligence, or other Misconduct, whereby the Safety of a Post Letter Bag or a Post Letter shall be endangered, or who shall collect or receive, or convey or deliver, a Letter otherwise than in the ordinary Course of the Post, or who shall give any false Information of an Assault or Attempt at Robbery upon him, or who shall loiter on the Road or Passage, or wilfully mis-spend his Time so as to retard or delay the Progress or Arrival of a Post Letter Bag or a Post Letter, or who shall not use due and proper Care and Diligence safely to convey a Post Letter Bag or a Post Letter at the Rate of Speed appointed by and according to the Regulations of the Post Office for the Time being, being thereof convicted, shall forfeit Twenty Pounds.

delivering Bags or Mails of Letters, &c. guilty of Carelessness, Negligence, or Misconduct, punishable on summary Conviction before a Justice of the Peace.

VIII. And to prevent Obstructions opposite the General Post Offices in *London* and *Dublin*, be it enacted, That no Hackney Carriage shall stand or ply for Hire opposite the General Post Office in *Saint Martin's-le-Grand, London*, or the General Post Office in *Sackville Street, Dublin*, or any Part thereof respectively; and that every Driver, or any Person having the Management of any Hackney Carriage, who shall permit the same to stand or ply for Hire opposite either of the said Post Offices, shall forfeit for every such Offence Five Pounds; and for the Purposes of this Provision every Carriage with Two or more Wheels, whatever may be the Form or Construction of such Carriage, or the Number of Persons which the same shall be calculated to convey, or the Number of Horses by which the same shall be drawn, shall be a Hackney Carriage within the Meaning of this Act, and in all Proceedings at Law or otherwise, and upon all Occasions whatsoever, it shall be sufficient to describe it by the Term Hackney Carriage; and every Hawker, Newsvender, or idle or disorderly Person, who shall stop or loiter on the Flagway or Pavement opposite the General Post Office in *Saint Martin's-le-Grand, London*, or in *Sackville Street, Dublin*, or any Part thereof respectively, shall forfeit for every such Offence Five Pounds.

No Hackney Carriage to ply for Hire opposite the General Post Office in London or Dublin.

Definition of Hackney Carriage within the Meaning of this Act.

No Hawker, Newsvender, &c. to stop or loiter on Pavement on Penalty of 5*l.*

IX. And be it enacted, That every Toll Collector or Receiver, or other Person employed to receive the Tolls or Rates at a Turnpike Gate or Bar erected upon a Highway, Bridge, or Post Road, and every Person who shall have the Care of a Gate of a walled Town, or the Custody of the Keys of such Gate, who shall demand Toll for any Person or Horse or Carriage going for or conveying or employed to go for or carry a Mail, or who shall not permit the Mail to pass without Delay, or who shall wilfully delay or obstruct the Mail at or in passing a Turnpike Gate or Bar, or a Gate of a walled Town, shall for every such Offence forfeit Five Pounds; and

Penalty on Collectors of Tolls, Ferrymen, or Keepers of Gates, &c. demanding Toll on Mail Coach, or stopping the Mail.

every Ferryman or other Person employed to receive the Tolls or Rates at a Ferry who shall demand any such Toll for any such Person, Horse, or Carriage, or who shall not, within the Space of Fifteen Minutes after Demand made, convey the Mail (if it be possible or safe to do so) across such Ferry to the usual Landing Place, shall for every such Offence forfeit Five Pounds.

No Officer of the Post Office travelling with a Mail to pay for passing Ferries in North America.

X. And be it enacted, That no Deputy, Officer, or Agent of the Postmaster General travelling with a Mail shall pay for passing or repassing a Ferry within any of Her Majesty's Colonies or Dominions in *North America*, but the Ferryman at every such Ferry shall forthwith on Demand convey over every such Deputy, Officer, or Agent without any Payment for the same, on pain of forfeiting for every Offence Five Pounds, to be recovered in any Court of Record within any of the Provinces or Colonies in *North America* by Bill, Plaint, or Information, wherein no Essoign, Protection, or Wager of Law shall be allowed, one Moiety thereof to Her Majesty, towards the Support of the Government of the said Provinces and the contingent Charges thereof, and the other Moiety to the Postmaster General who shall sue and prosecute for the same, together with full Costs of Suit.

Abettors in Offences punishable on summary Conviction.

XI. And be it enacted, That every Person who shall aid, abet, or counsel or procure the Commission of an Offence which is by the Post Office Acts punishable on summary Conviction, shall, on Conviction before a Justice of the Peace in *England* and *Ireland*, and before a Justice of the Peace, Sheriff, Sheriff Substitute, Steward, or Steward Substitute in *Scotland*, be liable to the same Forfeiture and Punishment to which a principal Offender is by the Post Office Acts made liable.

In what Courts pecuniary Penalties may be sued for.

XII. And be it enacted, That all pecuniary Penalties imposed by the Post Office Acts may be sued for and recovered, with full Costs of Suit, by any Person who shall inform and sue for the same, in any of Her Majesty's Courts of Record at *Westminster* for any Offence committed in *England*, *Wales*, or *Berwick-upon Tweed*, and in Her Majesty's Court of Session in *Scotland* for any Offence committed in *Scotland*, and in any of Her Majesty's Courts of Record in *Dublin* for any Offence committed in *Ireland*; and the Proceeding may be either by Action of Debt, or by Bill or Plaint or Information, wherein no Essoign, Protection, or Privilege, nor more than One Imparlance, shall be allowed; and where the Offence shall be committed in the *British* Isles, or in any other Parts of Her Majesty's Dominions, such Penalties may be recovered in any of the Royal or Superior Courts of such Isles, or other Parts of Her Majesty's Dominions, by all the Proceedings, Ways, and Means by which Penalties are there recoverable.

Mode of proceeding before Justices for Offences within their Jurisdiction.

XIII. And be it enacted, That any Justice of the Peace having Jurisdiction where the Offence shall be committed may hear and determine any Offence against the Post Office Acts which may subject the Offender to a pecuniary Penalty not exceeding Twenty Pounds; and any such Justice shall, upon Information given or Complaint

made before him, summon the Party accused, and also the Witnesses on either Side, to be and appear before him, or before any other Justice of the Peace, at a Time and Place to be appointed for that Purpose; and either on the Appearance of the Party accused, or in default thereof, the Justice present at the Time and Place appointed for such Appearance may proceed to examine into the Matter of Fact, and upon due Proof made thereof by voluntary Confession of the Party, or by Oath of One Witness or more, may give Judgment for the Plaintiff or Complainant, or for the Defendant, and if for the Plaintiff or Complainant such Justice may award and issue out his Warrant for the levying of the Penalty so adjudged, together with the Costs and Expences of such Proceeding, and also the Costs and Expences of such Warrant, and of levying the same on the Goods of the Offender, and may cause Sale to be made of such Goods in case they shall not be redeemed within Five Days, rendering to the Party the Overplus (if any); and where Goods of such Offender cannot be found sufficient to answer the Penalty, and all such Costs and Expences, the Justice shall commit the Offender to the Common Gaol or House of Correction, there to remain for any Time not less than Three Calendar Months and not exceeding Six Calendar Months, if the full Penalty imposed by the Post Office Acts for the Offence of which such Offender shall have been convicted shall amount to the Sum of Twenty Pounds, and for any Time not exceeding Three Calendar Months if such Penalty shall not amount to Twenty Pounds, unless such Penalty and all such Costs and Expences shall be sooner paid; and if the Person convicted shall find himself aggrieved by the Judgment of any such Justice he may appeal against the same to the Justices of the Peace at the General or Quarter Sessions of the Peace for the County or Place within which the Offence shall be committed which shall be held next after the Expiration of Ten Days from the Day on which such Conviction shall have been made, of which Appeal Notice in Writing shall be given to the Prosecutor or Informer Seven clear Days previous to the First Day of such Sessions, and such Justices at such Sessions may examine Witnesses upon Oath, and finally hear and determine such Appeal; and in case the Judgment of the Justice shall be affirmed the Justices at such Sessions may award and order the Person appealing to pay such Costs occasioned by such Appeal as to them shall seem meet: Provided always, that no Person convicted before a Justice shall be permitted to appeal against such Conviction unless within Five Days next after such Conviction made he shall enter into a Recognizance, with Two sufficient Sureties, before such Justice, to enter and prosecute such Appeal, and to pay the Amount of the Penalty and Costs in which he shall have been convicted, and also to pay such further Costs as shall be awarded in case such Conviction shall be affirmed on the hearing of such Appeal: Provided also, that no such Proceedings so to be had or taken shall be quashed or vacated for Want of Form, or for any Error or Mistake which in the Judgment of the Court has not a Tendency to mislead the Defendant, or shall be removed by Certiorari, Suspension, Advocation, or Reduction, or by any other Writ or Process, into any Superior or other Court or Jurisdiction, any Law or Usage to the contrary notwithstanding.

Appeal.

XIV. And

Justices may mitigate Penalties.

XIV. And be it enacted, That the Justice of the Peace before whom a Person shall be convicted of an Offence against the Post Office Acts may mitigate the Penalty imposed in Cases where such Justice shall see Cause so to do; provided that all reasonable Costs and Charges incurred in prosecuting for such Offence shall be always allowed over and above the Sum to which the Penalty shall be mitigated.

Application of Penalties.

XV. And be it enacted, That all pecuniary Penalties incurred under the Post Office Acts, which shall be sued or prosecuted for or recovered by or in the Name of a Person other than Her Majesty's Attorney General in *England*, Her Majesty's Attorney General in *Ireland*, or Her Majesty's Advocate for *Scotland*, or the Solicitor to the Post Office, or any other Officer of the Post Office in *England*, *Ireland*, or *Scotland* respectively, shall respectively be distributed and divided in manner following; (that is to say,) one Moiety thereof to Her Majesty, and the other Moiety thereof, with full Costs of Suit, to the Person who shall inform and sue or prosecute for the same; and all such pecuniary Penalties as aforesaid which shall be sued and prosecuted for and recovered by or in the Name of the above-named Officers shall be applied to the Use of Her Majesty: Provided always, that the Postmaster General, at his Discretion, may give all or any Part of such Penalties or Shares of Penalties belonging to Her Majesty as Rewards to any Person who shall have detected such Offences, or given Information which may have led to the Discovery thereof or to the Conviction of the Offenders.

Justices shall receive the Crown's Share of Penalties, and pay the same to the Clerk of the Peace, to be remitted to the Post Office.

XVI. And be it enacted, That every Justice of the Peace before whom a Person shall be convicted of an Offence against the Post Office Acts shall take the Penalty or Share of the Penalty belonging to Her Majesty levied or paid under such Conviction, and shall pay or cause to be paid all such Sums of Money which he shall so take at the next General or Quarter Session of the Peace after he shall have so taken the same into the Hands of the Clerk of the Peace, Town Clerk, or other such Officer of the County or Place within which such Conviction shall have been made, who shall within Fourteen Days after his Receipt thereof, and without Fee or Reward, pay or remit the same, for the Use of Her Majesty, to the Solicitor of the Post Office at the Post Office in *London*, *Edinburgh*, or *Dublin*, as the Conviction shall happen to be in *England*, *Scotland*, or *Ireland* respectively; and every such Justice shall, within One Week after every such Payment made by him to a Clerk of the Peace, Town Clerk, or other such Officer, transmit to such Solicitor a Schedule containing the Name of the Person so convicted, the Nature of the Offence, and the Amount of the Penalty in which he shall have been convicted, the Date of such Conviction, and the Sum of Money which shall have been paid by virtue thereof, together with the Name of the Clerk of the Peace, Town Clerk, or other such Officer to whom he shall have paid the same; and every Justice who shall omit to pay or cause to be paid to such Clerk of the Peace or other Officer as aforesaid, at the Time and in the Manner herein-before directed, any such Penalty or Share of Penalty received by him, or upon Payment thereof shall omit to transmit to the proper Solicitor of the Post Office such Schedule,

Penalty on the Justice or Clerk of the Peace for omitting so to do.

Schedule, and every Clerk of the Peace, Town Clerk, or other Officer who shall omit to pay or remit the Penalty or Share of Penalty to such Solicitor of the Post Office, within the Time and in the Manner herein-before directed in that Behalf, shall forfeit Fifty Pounds.

Justices empowered to award Costs to Defendants, where Informations or Complaints are withdrawn or dismissed in certain Cases.

XVII. And be it enacted, That when any Person shall be summoned before a Justice of the Peace to answer an Information or Complaint exhibited or made against him by a Person other than an Officer of the Post Office, touching an Offence committed or alleged to have been committed by such Person against the Post Office Acts, and such Information or Complaint shall afterwards be withdrawn, or quashed or dismissed, or if the Defendant shall be acquitted of the Offence charged against him, the Justice may order and award that the Informer or Person exhibiting the Information or making the Complaint shall pay to the Defendant such Costs of making or preparing for his Defence, and also such Compensation for his Loss of Time, and for the Time of his Witnesses (if any), in attending such Justice touching such Information or Complaint, as to such Justice shall seem reasonable; and in default of immediate Payment of the Sum so awarded the Justice may cause the same to be levied by Distress and Sale of the Goods and Chattels of the Person ordered to pay the same, together with the Costs of such Distress and Sale; and if Goods and Chattels of such Person sufficient to answer the Sum so awarded, and such Costs as aforesaid, cannot be found, the Justice may commit such Person to the Common Gaol or House of Correction for any Time not exceeding One Calendar Month, unless the Sum so awarded, together with all Costs and Expences, shall be sooner paid.

What shall be deemed a Service of a Justice's Summons.

XVIII. And be it enacted, That a Summons issued by a Justice of the Peace, requiring a Defendant or a Witness or other Person to appear before him or any other Justice, with reference to an Information, Complaint, or other Proceeding for the Recovery of any Postage, Postage Debt, or Penalty under the Post Office Acts, shall be deemed to be sufficiently served in case either the Summons or a Copy thereof be served personally upon the Person as aforesaid, or be left at his usual or last known Place of Residence, or, if such Person be a Proprietor, Driver, Conductor, or Guard of any Stage Carriage, if such Summons or Copy be left with the Book-keeper or Person for the Time being acting as Book-keeper for such Stage Carriage in any Town or Place from, into, or through which such Carriage shall go or be driven nearest to the Place where any such Offence shall be committed.

Penalty for neglecting to serve a Summons, &c.

XIX. And be it enacted, That every Constable or other Peace Officer who shall refuse or neglect to serve a Summons or execute a Warrant or Order granted, issued, or made by a Justice of the Peace, pursuant to the Post Office Acts, shall forfeit Ten Pounds.

Penalty on Witnesses neglecting to attend.

XX. And be it enacted, That every Person who shall be summoned as a Witness to give Evidence before a Justice of the Peace, or before Justices at Sessions, touching the Matters alleged in or relating to an Information, Complaint, Appeal, or other Proceeding depending

before such Justice or Justices for the Recovery of a Postage, Postage Debt, or Penalty under the Post Office Acts, who shall neglect or refuse to appear before such Justice or Justices at the Time and Place to be for that Purpose appointed, without a reasonable Excuse for such Neglect or Refusal, to be allowed by such Justice or Justices, and every Person so summoned who shall appear, but shall refuse to be examined and give Evidence before such Justice or Justices touching the Matters aforesaid, shall forfeit Ten Pounds.

Officers of the Post Office not disqualified from being Witnesses.

XXI. And be it enacted, That upon the Trial or Hearing of an Information exhibited or Complaint made under the Post Office Acts any Officer of the Post Office shall be a competent Witness, notwithstanding that such Officer may be the Informant or Complainant, or may be entitled to or expect a Part of any pecuniary Penalty, or any Remuneration or Reward on the Conviction of an Offender upon such Information or Complaint.

In what Manner Goods distrained under this Act shall be sold.

XXII. And be it enacted, That in all Cases where Goods or Chattels distrained or otherwise seized or taken under the Post Office Acts are directed to be sold the same shall be sold by public Auction; and Notice of the Time and Place of such Sale shall be given to the Owner of such Goods or Chattels, or left at his last known Place of Abode, Three Days at least prior to such Sale: Provided always, that if the Owner of any such Goods or Chattels shall give his Consent in Writing to the Sale thereof at an earlier Period than is by this Act or shall be by any such Notice appointed for such Sale, or in any other Manner than is by this Act directed, it shall be lawful to sell such Goods or Chattels according to such Consent: Provided also, that if the Owner of such Goods or Chattels shall at any Time before the Sale thereof pay or tender to the Person who by any Warrant or other Process shall be directed or authorized to cause such Goods or Chattels to be sold the Sum which he shall by such Warrant or Process be directed to levy or raise by the Sale of such Goods or Chattels, together with all reasonable Costs and Expences incurred, no Sale of such Goods or Chattels shall be made.

Postmaster General may compound Actions, &c.

XXIII. And be it enacted, That the Postmaster General may compromise and compound any Action, Suit, Bill, Plaint, or Information which shall at any Time hereafter be commenced by his Authority or under his Control against any Person for recovering Penalties incurred under the Post Office Acts, on such Terms and Conditions as the Postmaster General shall in his absolute Discretion think proper, with full Power for him, or any of his Officers or Agents by him thereunto authorized, to accept the Penalties so incurred or alleged to be incurred, or any Part thereof, without Action, Suit, or Information brought or commenced for Recovery thereof.

Penalties to be sued for within a Year.

XXIV. And be it enacted, That all Penalties incurred by any Person for Offences against the Post Office Acts shall be sued for within the Space of One Year next after the Penalty shall be incurred.

Opening or delaying Post

XXV. And be it enacted, That every Person employed by or under the Post Office who shall contrary to his Duty open or procure

or

or suffer to be opened a Post Letter, or shall wilfully detain or delay, or procure or suffer to be detained or delayed, a Post Letter, shall in *England* and *Ireland* be guilty of a Misdemeanor, and in *Scotland* of a Crime and Offence, and being convicted thereof shall suffer such Punishment by Fine or Imprisonment, or by both, as to the Court shall seem meet: Provided always, that nothing herein contained shall extend to the opening or detaining or delaying of a Post Letter returned for Want of a true Direction, or of a Post Letter returned by reason that the Person to whom the same shall be directed is dead or cannot be found, or shall have refused the same, or shall have refused or neglected to pay the Postage thereof; nor to the opening or detaining or delaying of a Post Letter in obedience to an express Warrant in Writing under the Hand (in *Great Britain*) of One of the Principal Secretaries of State, and in *Ireland* under the Hand and Seal of the Lord Lieutenant of *Ireland*.

Letters, a Misdemeanor.

Proviso.

XXVI. And be it enacted, That every Person employed under the Post Office who shall steal, or shall for any Purpose whatever embezzle, secrete, or destroy, a Post Letter, shall in *England* and *Ireland* be guilty of Felony, and in *Scotland* of a high Crime and Offence, and shall, at the Discretion of the Court, either be transported beyond the Seas for the Term of Seven Years, or be imprisoned for any Term not exceeding Three Years; and if any such Post Letter so stolen or embezzled, secreted or destroyed, shall contain therein any Chattel or Money whatsoever, or any valuable Security, every such Offender shall be transported beyond the Seas for Life.

Embezzlement, &c. of any Letter or Packet, Felony.

XXVII. And be it enacted, That every Person who shall steal from or out of a Post Letter any Chattel or Money or valuable Security shall in *England* and *Ireland* be guilty of Felony, and in *Scotland* of a high Crime and Offence, and shall be transported beyond the Seas for Life.

Stealing Money, &c. from or out of Letters, Felony.

XXVIII. And be it enacted, That every Person who shall steal a Post Letter Bag, or a Post Letter from a Post Letter Bag, or shall steal a Post Letter from a Post Office, or from an Officer of the Post Office or from a Mail, or shall stop a Mail with intent to rob or search the same, shall in *England* and *Ireland* be guilty of Felony, and in *Scotland* of a high Crime and Offence, and shall be transported beyond the Seas for Life.

Persons stealing Post Letter Bags or Post Letters sent by Mail to be transported for Life;

XXIX. And be it enacted, That every Person who shall steal or unlawfully take away a Post Letter Bag sent by a Post Office Packet, or who shall steal or unlawfully take a Letter out of any such Bag, or shall unlawfully open any such Bag, shall in *England* and *Ireland* be guilty of Felony, and in *Scotland* of a high Crime and Offence, and shall be transported beyond the Seas for any Term not exceeding Fourteen Years.

stealing Post Letter Bags or Post Letters sent by Packet to be transported for 14 Years.

XXX. And with regard to Receivers of Property sent by the Post and stolen therefrom, be it enacted, That every Person who shall receive any Post Letter or Post Letter Bag, or any Chattel or Money or valuable Security, the stealing or taking or embezzling or secreting whereof shall amount to a Felony under the Post Office Acts, knowing

Receivers of Property sent by the Post and stolen or embezzled, guilty of Felony.

ing the same to have been feloniously stolen, taken, embezzled, or secreted, and to have been sent or to have been intended to be sent by the Post, shall in *England* and *Ireland* be guilty of Felony, and in *Scotland* of a high Crime and Offence, and may be indicted and convicted either as an Accessory after the Fact or for a substantive Felony, and in the latter Case, whether the principal Felon shall or shall not have been previously convicted, or shall or shall not be amenable to Justice; and every such Receiver, howsoever convicted, shall be liable to be transported beyond the Seas for Life.

Punishment.

Fraudulently retaining, after Delivery thereof by Mistake, any Letter or Packet, and wilfully secreting or detaining any Letters, &c. that have been lost, a Misdemeanor.

XXXI. And whereas Post Letters are sometimes by Mistake delivered to the wrong Person, and Post Letters and Post Letter Bags are lost in the course of Conveyance or Delivery thereof, and are detained by the Finders in expectation of Gain or Reward; be it therefore enacted, That every Person who shall fraudulently retain, or shall wilfully secrete or keep or detain, or being required to deliver up by an Officer of the Post Office, shall neglect or refuse to deliver up a Post Letter which ought to have been delivered to any other Person, or a Post Letter Bag or Post Letter which shall have been sent, whether the same shall have been found by the Person secreting, keeping, or detaining, or neglecting or refusing to deliver up the same, or by any other Person, shall in *England* and *Ireland* be guilty of a Misdemeanor, and in *Scotland* of a Crime and Offence, and being convicted thereof shall be liable to be punished by Fine and Imprisonment.

Punishment.

Stealing, &c. any printed Votes or Proceedings in Parliament, Newspapers or other printed Paper, Misdemeanor.

XXXII. And for the Protection of printed Votes and Proceedings in Parliament and printed Newspapers sent by the Post, be it enacted, That every Person employed in the Post Office who shall steal, or shall for any Purpose embezzle, secrete, or destroy, or shall wilfully detain or delay in course of Conveyance or Delivery thereof by the Post, any printed Votes or Proceedings in Parliament, or any printed Newspaper, or any other printed Paper whatever sent by the Post without Covers, or in Covers open at the Sides, shall in *England* and *Ireland* be guilty of a Misdemeanor, and in *Scotland* of a Crime and Offence, and being convicted thereof shall suffer such Punishment by Fine or Imprisonment, or by both, as to the Court shall seem meet.

Forging the Handwriting of the Receiver General in England or Ireland, Felony.

XXXIII. And be it enacted, That every Person who shall knowingly and wilfully forge or counterfeit, or cause or procure to be forged or counterfeited, the Name or Handwriting of the Receiver General for the Time being of the General Post Office in *England* or *Ireland*, or of any Person employed by or under him, to any Draft, Instrument, or Writing whatsoever, for or in order to the receiving or obtaining of any Money in the Hands or Custody of the Governor and Company of the Bank of *England* or *Ireland* on account of the Receiver General of the Post Office, or shall forge or alter, or shall offer, utter, dispose of, or put off, knowing the same to be forged or altered, any Draft, Warrant, or Order of such Receiver General, or of any Person employed by or under him, for Money or for Payment of Money, with Intent to defraud any Person whomsoever, shall be guilty of Felony, and being convicted thereof shall be transported beyond the Seas for Life.

Punishment.

XXXIV. And

Forging or altering Franks.

XXXIV. And in order to prevent the Imitation and Forgery of lawful Franks, be it further enacted, That every Person who shall forge or counterfeit the Handwriting of another Person in the Superscription of a Post Letter, or who shall alter or change upon a Post Letter the Superscription thereof, or who shall write or send by the Post or cause to be written or sent by the Post a Letter the Superscription whereof in whole or in part shall be forged or counterfeited or altered, knowing the same to be forged, counterfeited, or altered, with Intent in either of those Cases to avoid the Payment of the Duty of Postage, shall in *England* and *Ireland* be guilty of Felony, and in *Scotland* of a high Crime and Offence, and being convicted thereof shall be transported beyond the Seas for the Term of Seven Years.

Punishment.

Principal in the Second Degree, and Accessories, how to be punished.

XXXV. And be it enacted, That in the Case of every Felony punishable under the Post Office Acts, every Principal in the Second Degree, and every Accessory before the Fact, shall be punishable in the same Manner as the Principal in the First Degree is by the Post Office Acts punishable; and every Accessory after the Fact to any Felony punishable under the Post Office Acts (except only a Receiver of any Property or Thing stolen, taken, embezzled, or secreted,) shall, on Conviction, be liable to be imprisoned for any Term not exceeding Two Years; and every Person who shall aid, abet, counsel, or procure the Commission of any Misdemeanor punishable under the Post Office Acts shall be liable to be indicted and punished as a principal Offender.

Endeavouring to procure the Commission of any Felony or Misdemeanor.

XXXVI. And be it enacted, That every Person who shall solicit or endeavour to procure any other Person to commit a Felony or Misdemeanor punishable by the Post Office Acts shall in *England* and *Ireland* be guilty of a Misdemeanor, and in *Scotland* of a Crime and Offence, and being thereof convicted shall be liable, at the Discretion of the Court, to be imprisoned for any Term not exceeding Two Years.

Venue.

XXXVII. And for the more effectual Prosecution of Offences committed against the Post Office Acts, be it enacted, That the Offence of every Offender against the Post Office Acts may be dealt with, and indicted and tried, and punished, and laid and charged to have been committed in *England* and *Ireland*, either in the County or Place where the Offence shall be committed, or in any County or Place in which he shall be apprehended or be in Custody, as if his Offence had been actually committed in that County or Place, and if committed in *Scotland* either in the High Court of Justiciary at *Edinburgh* or in the Circuit Court of Justiciary to be holden by the Lords Commissioners of Justiciary within the District where such Offence shall be committed, or in any County or Place within which such Offender shall be apprehended or be in Custody, as if his Offence had been actually committed there; and where an Offence shall be committed in or upon or in respect of a Mail, or upon a Person engaged in the Conveyance or Delivery of a Post Letter Bag or Post Letter, or in respect of a Post Letter Bag or Post Letter, or a Chattel or Money or valuable Security sent by the Post, such Offence may

be dealt with and inquired of, and tried and punished, and laid and charged to have been committed, as well in any County or Place in which the Offender shall be apprehended or be in Custody, as also in any County or Place through any Part whereof the Mail, or the Person, or the Post Letter Bag or the Post Letter, or the Chattel, or the Money, or the valuable Security sent by the Post in respect of which the Offence shall have been committed, shall have passed in due Course of Conveyance or Delivery by the Post, in the same Manner as if it had been actually committed in such County or Place; and in all Cases where the Side or the Centre or other Part of a Highway, or the Side, the Bank, the Centre, or other Part of a River, or Canal or Navigation, shall constitute the Boundary of Two Counties, such Offence may be dealt with and inquired of, and tried and punished, and laid and charged to have been committed in either of the said Counties through which or adjoining to which or by the Boundary of any Part of which the Mail or Person shall have passed in due Course of Conveyance or Delivery by the Post, in the same Manner as if it had actually been committed in such County or Place; and every Accessory before or after the Fact to any such Offence, if the same be a Felony or a high Crime, and every Person aiding or abetting or counselling or procuring the Commission of any such Offence, if the same be a Misdemeanor, may be dealt with, indicted, tried, and punished as if he were a Principal, and his Offence laid and charged to have been committed in any County or Place in which the principal Offender may be tried.

Accessories in, Felony; and Persons aiding and counselling in, Misdemeanor.

Bail.

XXXVIII. And be it enacted, That where an Offence shall have been committed in *Scotland* no Person committed in *Scotland* on a Charge of a high Crime or Offence under this Act shall be entitled to insist on Bail; nevertheless in the following Cases the Party may be admitted to Bail; (that is to say,) First, if the public Prosecutor shall consent thereto, in which Case the Bail shall be such as he shall agree to; Second, if the Judges of the Court of Justiciary, or the Sheriff or Sheriff's Substitute, or Stewart or Stewart's Substitute of the County or Stewartry within which the Person shall be committed, shall deem it consistent with the Ends of Justice, and in this Case the Bail shall be of such Amount as such Judge, under the Circumstances of the Case, may think necessary for ensuring the Appearance for Trial of the Person accused.

Admiralty Jurisdiction.

XXXIX. And be it enacted, That where an Offence punishable under the Post Office Acts shall be committed within the Jurisdiction of the Admiralty the same shall be dealt with and inquired of and tried and determined in the same Manner as any other Offence committed within that Jurisdiction.

Property sent by the Post to be laid in the Postmaster General.

XL. And be it enacted, That in every Case where an Offence shall be committed in respect of a Post Letter Bag or a Post Letter, or a Chattel, Money, or a valuable Security, sent by the Post, it shall be lawful to lay in the Indictment or Criminal Letters to be preferred against the Offender the Property of the Post Letter Bag or of the Post Letter, or Chattel or Money or the valuable Security sent by the Post, in the Postmaster General; and it shall not be necessary in the Indictment or Criminal Letters to allege or to prove upon the

Trial or otherwise that the Post Letter Bag or any such Post Letter or valuable Security was of any Value; and in any Indictment or in any Criminal Letters to be preferred against any Person employed under the Post Office for any Offence committed against the Post Office Acts it shall be lawful to state and allege that such Offender was employed under the Post Office of the United Kingdom at the Time of the committing of such Offence, without stating further the Nature or Particulars of his Employment.

Punishments.

XLI. And be it enacted, That every Person convicted of any Offence for which the Punishment of Transportation for Life is herein awarded shall be liable to be transported beyond the Seas for Life or for any Term not less than Seven Years, or to be imprisoned for any Term not exceeding Four Years; and every Person convicted of any Offence punishable according to the Post Office Acts by Transportation for Fourteen Years shall be liable to be transported for any Term not exceeding Fourteen Years nor less than Seven Years, or to be imprisoned for any Term not exceeding Three Years.

Power to award hard Labour or solitary Confinement under this Act.

XLII. And be it enacted, That where a Person shall be convicted of an Offence punishable under the Post Office Acts for which Imprisonment may be awarded the Court may sentence the Offender to be imprisoned, with or without hard Labour, in the Common Gaol or House of Correction, and may also direct that he shall be kept in solitary Confinement for the Whole or any Portion of such Imprisonment, as to the Court shall seem meet.

Power of Distress for Recovery of Sums not exceeding 20*l.* in the United Kingdom or elsewhere in HerMajesty's Dominions.

XLIII. And be it enacted, That so often as any Sum or Sums of Money not exceeding Twenty Pounds shall be due for Postage from any Person within the United Kingdom or other Her Majesty's Dominions, or which shall be due for Postage from any Deputy, Agent, or Letter Carrier, or any other Person employed in receiving or collecting the Postage of Letters or any of the Post Office Revenue, or from the Sureties of any such last-mentioned Person, a Complaint may be made to One or more of Her Majesty's Justices acting for the Place (whether County, Riding, Division, City, Town, or other Place), and thereupon he shall summon the Party complained of and the Witnesses on either Side, and shall examine into the Matter of Fact; and on due Proof being made of the Money due from the Person complained of, either by his voluntary Confession, or by the Oath of One Witness or more, the Justice shall grant a Warrant to a Peace Officer (whether Constable, Tithing Man, or other Peace Officer,) of the same Place to distrain the Party complained of by his Goods and Chattels to the Amount of the Debt and of all the Expences, (whether Costs, Charges, or otherwise, of obtaining such Warrant, and of the Proceedings relating thereto, and to the making of the Distress and Sale thereof); and the Constable having taken the Distress may keep it for Five Days at the Charge of the Party complained of, and if the Amount of the Debt and all the Expences shall not be paid within that Time, then the Goods and Chattels distrained shall be sold by the Peace Officer, and the Surplus (if any) of the Money arising by the Sale thereof, after deducting the Amount of the Debt and all the Expences, shall be

be rendered by the Peace Officer to the Person distrained upon; and for the Purpose of taking such Distress the Peace Officer, when either a Refusal or a Resistance shall be made, may break open in the Daytime any Place (whether House, Building, or otherwise,) where any Goods or Chattels of such Person shall be; and if no sufficient Distress can be had whereon to levy the Debt and Expences, or in case an insufficient Distress only can be found, or if an insufficient Distress has been sold, then a Justice of the Peace may commit such Person to the Prison of the Place, there to remain until the Debt and all Expences, or so much thereof as shall remain after deducting therefrom the Proceeds of the Sale, shall be satisfied; and, in addition to the above Proceedings, if the Postage due from any Officer of the Post Office, Surety, or any other Person in *Ireland* shall not exceed Fifty Pounds, the same may be recovered with full Costs in a summary Way by Process or Civil Bill in the Court of the District where the Person sued shall reside which has Jurisdiction to try Matters on Civil Bill; but no Decree shall be made thereon unless Process or Civil Bill shall have been served on the Person sued Eight clear Days at least before the First Day of the Quarter Sessions at which it is to be tried; and if the Person sued shall appeal from the Decree made thereon against him, and on the hearing of the Appeal the Decree shall be affirmed, he shall pay to Her Majesty Double the Costs of the original Decree, and the Affirmance thereof shall be conclusive on all the Parties therein.

In what Way Duties of Postage may be sued for.

XLIV. And be it enacted, That all Duties of Postage granted by any of the Post Office Acts, and charged by virtue thereof, may be sued for and recovered by Suit, Action, or Information in any of Her Majesty's Courts of Record, and by all such Ways and Means and in such Manner and Form as any other Duties granted to Her Majesty by any Act or Acts relating to Her Majesty's Revenue are recoverable by Law, as well as by the particular Ways and Means provided by this Act; and in all Actions, Bills, Plaints, Informations, and Proceedings to be commenced, prosecuted, entered, or filed in the Name or on behalf of Her Majesty for the Recovery of any such Duties Her Majesty may have and recover such Duties with full Costs of Suit.

Forms of Conviction, &c.

XLV. And be it enacted, That every Complaint, Information, Summons, Conviction, Warrant of Distress, or Commitment or other such Proceeding which shall be had or taken for the Recovery of any Postage Debt or Penalty under the Provisions of the Post Office Acts, may be drawn or made out according to the several Forms contained in the Schedule hereunto annexed, or to the Effect thereof, with such Changes therein as the Case shall require; and every such Complaint, Information, Summons, Conviction, Warrant, or other such Proceeding which shall be so drawn or made out shall be good and effectual to all Intents and Purposes whatsoever, without stating the Case or the Facts or Evidence in any more particular Manner than is required in and by such Forms respectively.

Mode of Proceeding in Actions.

XLVI. And for the Protection of Persons acting in the Execution of the Post Office Acts, be it enacted, That all legal Proceedings, whether by Action or by Prosecution, which shall be commenced against

against any Person for any thing done in pursuance of or under the Post Office Acts, shall be commenced and prosecuted within Three Calendar Months next after the Commission of the Act, and not afterwards; and such Proceedings shall be laid and tried in the County or Place where the Cause of Action shall arise, and not elsewhere; and Notice in Writing of such Action, and of the Cause thereof, shall be given to the Defendant One Calendar Month at least before the Commencement of the Action; and in the following Cases the Defendant shall recover his full Costs of Suit as between Attorney and Client, that is to say, if a Verdict shall pass for the Defendant, or if the Plaintiff shall become Nonsuit, or if the Plaintiff shall discontinue the Action, or if on Demurrer or otherwise Judgment shall be given against the Plaintiff; and the Defendant shall have the like Remedy for his Costs as any Defendant may have for Costs of Suits in other Cases at Law; and although a Verdict shall be given for the Plaintiff in any such Action, the Plaintiff shall not have Costs against the Defendant, unless the Judge before whom the Trial shall be had shall at the Time of such Trial certify in Writing his Approbation of the Action, and of the Verdict obtained thereupon.

Interpretation Clause.

XLVII. And for the Interpretation of the Post Office Laws, be it enacted, That the following Terms and Expressions 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 "*British* Letter" shall mean a Letter transmitted within the United Kingdom; and the Term "*British* Newspapers" shall mean Newspapers printed and published in the United Kingdom liable to the Stamp Duty and duly stamped; and the Term "*British* Postage" shall mean the Duty chargeable on Letters transmitted by Post from Place to Place within the United Kingdom, or if transmitted to or from the United Kingdom, chargeable for the Distance which they shall be transmitted within the United Kingdom, and including also the Packet Postage, if any; and the Term "Colonial Letter" shall mean a Letter transmitted between any of Her Majesty's Colonies and the United Kingdom; and the Term "Colonial Newspapers" shall mean Newspapers printed and published in any of Her Majesty's Dominions out of the United Kingdom; and the Term "Convention Posts" shall mean Posts established by the Postmaster General under Agreements with the Inhabitants of any Places; and the Term "Double Letter" shall mean a Letter having One Inclosure; and the Term "Double Postage" shall mean Twice the Amount of Single Postage; and the Term "*East Indies*" shall mean every Port and Place within the Territorial Acquisitions now vested in the *East India* Company in Trust for Her Majesty, and every other Port or Place within the Limits of the Charter of the said Company (*China* excepted), and shall also include the *Cape of Good Hope*; and the Term "Express" shall mean every Kind of Conveyance employed to carry Letters on behalf of the Post Office other than the usual Mail; and the Term "Foreign Country" shall mean any Country, State, or Kingdom not included in the Dominions of Her Majesty; and the Term "Foreign Letter" shall mean a Letter transmitted to or from a Foreign Country; and the Term "Foreign Newspapers"

British Letter.

British Newspapers.

British Postage.

Colonial Letter.

Colonial Newspapers.

Convention Posts.

Double Letter.

Double Postage.

East Indies

Express.

Foreign Country.

Foreign Letter.

Foreign Newspapers. Foreign Postage. Franking Officer. Her Majesty. HerMajesty's Colonies. Inland Postage. Letter. Packet. Lord Lieutenant of Ireland. Lords of the Treasury. Mail. Mail Bag. Master of a Vessel. Officer of the Post Office. Packet Postage. Packet Letter. Penalty. Persons employed by the Post Office. PacketBoats, Post Office Packets.

Newspapers" shall mean Newspapers printed and published in a Foreign Country in the Language of that Country; and the Term "Foreign Postage" shall mean the Duty charged for the Conveyance of Letters within such Foreign Country; and the Term "Franking Officer" shall mean the Person appointed to frank the Official Correspondence of Offices to which the Privilege of Franking is granted; and the Term "Her Majesty" shall mean "Her Majesty, Her Heirs and Successors"; and the Term "Her Majesty's Colonies" shall include every Port and Place within the Territorial Acquisitions now vested in the *East India* Company in Trust for Her Majesty, the *Cape of Good Hope*, the Islands of *Saint Helena*, *Guernsey*, *Jersey*, and *Isle of Man*, (unless any such Places be expressly excepted,) as well as Her Majesty's other Colonies and Possessions beyond Seas; and the Term "Inland Postage" shall mean the Duty charged for the Transmission of Post Letters within the Limits of the United Kingdom or within the Limits of any Colony; and the Term "Letter" shall include Packet, and the Term "Packet" shall include Letter; and the Expression "Lord Lieutenant of *Ireland*" shall mean the Chief Governor or Governors of *Ireland* for the Time being; and the Expression "Lords of the Treasury" shall mean the Lord High Treasurer of the United Kingdom of *Great Britain* and *Ireland*, or the Lords Commissioners of Her Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland*, or any Three or more of them; and the Term "Mail" shall include every Conveyance by which Post Letters are carried, whether it be a Coach or Cart or Horse, or any other Conveyance, and also a Person employed in conveying or delivering Post Letters, and also every Vessel which is included in the Term Packet Boat; and the Term "Mail Bag" shall mean a Mail of Letters, or a Box, or a Parcel, or any other Envelope in which Post Letters are conveyed, whether it does or does not contain Post Letters; and the Term "Master of a Vessel" shall include any Person in charge of a Vessel, whether Commander, Mate, or other Person, and whether the Vessel be a Ship of War or other Vessel; and the Expression "Officer of the Post Office" shall include the Postmaster General, and every Deputy Postmaster, Agent, Officer, Clerk, Letter Carrier, Guard, Post Boy, Rider, or any other Person employed in any Business of the Post Office, whether employed by the Postmaster General, or by any Person under him or on behalf of the Post Office; and the Term "Packet Postage" shall mean the Postage chargeable for the Transmission of Letters by Packet Boats between *Great Britain* and *Ireland*, or between the United Kingdom and any of Her Majesty's Colonies, or between the United Kingdom and Foreign Countries; and the Term "Packet Letter" shall mean a Letter transmitted by a Packet Boat; and the Term "Penalty" shall include every pecuniary Penalty or Forfeiture; and the Expression "Persons employed by or under the Post Office" shall include every Person employed in any Business of the Post Office according to the Interpretation given to Officer of the Post Office; and the Terms "Packet Boats" and "Post Office Packets" shall include Vessels employed by or under the Post Office or the Admiralty for the Transmission of Post Letters, and also Ships or Vessels (though not regularly employed as Packet Boats) for the Conveyance of Post Letters under Contract,

and also a Ship of War or other Vessel in the Service of Her Majesty, in respect of Letters conveyed by it; and the Term "Postage" shall mean the Duty chargeable for the Transmission of Post Letters; and the Term "Post Town" shall mean a Town where a Post Office is established (not being a Penny or Twopenny or Convention Post Office); and the Term "Post Letter Bag" shall include a Mail Bag or Box, or Packet or Parcel, or other Envelope or Covering in which Post Letters are conveyed, whether it does or does not contain Post Letters; and the Term "Post Letter" shall mean any Letter or Packet transmitted by the Post under the Authority of the Postmaster General, and a Letter shall be deemed a Post Letter from the Time of its being delivered to a Post Office to the Time of its being delivered to the Person to whom it is addressed; and the Delivery to a Letter Carrier or other Person authorized to receive Letters for the Post shall be a Delivery to the Post Office; and a Delivery at the House or Office of the Person to whom the Letter is addressed, or to him, or to his Servant or Agent or other Person considered to be authorized to receive the Letter according to the usual Manner of delivering that Person's Letters, shall be a Delivery to the Person addressed; and the Term "Post Office" shall mean any House, Building, Room, or Place where Post Letters are received or delivered, or in which they are sorted, made up, or despatched; and the Term "Postmaster General" shall mean any Person or Body of Persons executing the Office of Postmaster General for the Time being, having been duly appointed to the Office by Her Majesty; and the Terms "Post Office Acts" and "Post Office Laws" shall mean all Acts relating to the Management of the Post, or to the Establishment of the Post Office, or to Postage Duties, from Time to Time in force; and the Term "Ships" shall include Vessels other than Packet Boats; and the Term "Single Postage" shall mean the Postage chargeable for a Single Letter; and the Term "Single Letter" shall mean a Letter consisting of One Sheet or Piece of Paper, and under the Weight of an Ounce; and the Term "Sea Postage" shall mean the Duty chargeable for the Conveyance of Letters by Sea by Vessels not Packet Boats; and the Term "Ship Letter" shall mean a Letter transmitted inwards or outwards over Seas by a Vessel not being a Packet Boat; and the Term "Treble Letter" shall mean a Letter consisting of more than Two Sheets or Pieces of Paper, whatever the Number, under the Weight of an Ounce; and the Term "Treble Postage" shall mean Three Times the Amount of Single Postage; and the Term "Treble the Duty of Postage" shall mean Three Times the Amount of the Postage to which the Letter to be charged would otherwise have been liable according to the Rates of Postage chargeable on Letters; and the Term "United Kingdom" shall mean the United Kingdom of *Great Britain* and *Ireland*; and the Term "Valuable Security" shall include the Whole or any Part of any Tally, Order, or other Security whatsoever, entitling or evidencing the Title of any Person or Body Corporate to any Share or Interest in any Public Stock or Fund, whether of this Kingdom or of *Great Britain* or of *Ireland*, or of any Foreign State, or in any Fund of any Body Corporate, Company, or Society, or to any Deposit in any Savings Bank, or the Whole or any Part of any Debenture, Deed, Bond, Bill, Note, Warrant, or Order or other Security whatsoever for Money or for Payment of Money,

Postage.
Post Town.
Post Letter Bag.
Post Letter.
Post Office.
Postmaster General.
Post Office Acts.
Post Office Laws.
Ships.
Single Postage.
Single Letter.
Sea Postage.
Ship Letter.
Treble Letter.
Treble Postage.
Treble the Duty of Postage.
United Kingdom.
Valuable Security.

Money, whether of this Kingdom or of any Foreign State, or of any Warrant or Order for the Delivery of Transfer of any Goods or valuable Thing; and the Term "Vessel" shall include any Ship or other Vessel not a Post Office Packet; and whenever the Term "between" is used in reference to the Transmission of Letters, Newspapers, Parliamentary Proceedings, or other Things between one Place and another it shall apply equally to the Transmission from either Place to the other; and every Officer mentioned shall mean the Person for the Time being executing the Functions of that Officer; and whenever in this Act or the Schedules thereto, with reference to any Person or Matter or Thing, or to any Persons, Matters, or Things, the Singular or Plural Number or the Masculine Gender only is expressed, such Expression shall be understood to include several Persons or Matters or Things as well as one Person or Matter or Thing, and one Person, Matter, or Thing as well as several Persons or Matters or Things, Females as well as Males, Bodies Politic or Corporate as well as Individuals, unless it be otherwise specially provided, or the Subject or Context be repugnant to such Construction.

Vessel.

Between.

Where Provisions of Act shall extend to.

XLVIII. And be it enacted, That this Act shall extend to and be in force in the Islands of *Man*, *Jersey*, *Guernsey*, *Sark*, and *Alderney*, and in all Her Majesty's Colonies and Dominions where any Post or Post Communication is established by or under the Postmaster General of the United Kingdom of *Great Britain* and *Ireland*.

Act may be altered.

XLIX. And be it enacted, That this Act may be altered or repealed during the present Session of Parliament.

SCHE-

SCHEDULE to which the foregoing Act refers.

No. 1.

Form of an Information for the Recovery of a Penalty under this Act.

County [*or as the Case may be*] of to wit. } BE it remembered, That on the Day of in the Year of our Lord at in the of *A. B.* of, &c. [*or A. B.*, an Officer of the Post Office, *as the Case may be*,] cometh before me, *C. D.* Esquire, One of Her Majesty's Justices of the Peace for the said and informeth me the said Justice that *E. F.* of heretofore, to wit, on the Day of in the Year of our Lord at in the said did [*here state the Offence*], contrary to the Form of the Statute in such Case made and provided, whereby the said *E. F.* hath forfeited for his said Offence the Sum of

Taken and received by me, the Day and Year first above written.

No. 2.

Form of a Summons on the foregoing Information.

To *E. F.* of, &c.

County [*or as the Case may be*] of to wit. } WHEREAS an Information hath been exhibited before me, *C. D.* Esquire, One of Her Majesty's Justices of the Peace for the of , charging that you the above-named *E. F.*, on the Day of at did [*here state the Substance of the Charge*], whereby you have forfeited the Sum of These are therefore to require you personally to be and appear before me the said Justice, or before such other of Her Majesty's Justices of the Peace for the said as shall be then present, at on the Day of at the Hour of in the noon of the same Day, then and there to answer the same Information and to make your Defence thereto; and if you fail to appear accordingly such Proceedings will be taken as if you had personally appeared and had not made any Defence to the said Charge.

Given under my Hand and Seal this Day of .

No. 3.

Form of a Conviction on the foregoing Information.

County [*or as the Case may be*] of to wit. } BE it remembered, That on the Day of at *E. F.* of, *&c.* was duly convicted before me One of Her Majesty's Justices of the Peace for in pursuance of an Act passed in the First Year of the Reign of Her Majesty Queen Victoria, intituled "An Act," *&c.* [*Title of this Act*] for that the said *E. F.* on the Day of did [*here state the Offence as the Case may happen to be*], contrary to the Form of the Statute in that Case made and provided; for which Offence I do adjudge that the said *E. F.* hath forfeited the Sum of and [*if the Justice mitigate the Penalty*] which Sum of I do hereby mitigate to the Sum of over and above the Sum of for the Costs and Charges of *G.H.*, the Informer, in prosecuting this Conviction. Given under my Hand and Seal the Day of

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No. 4.

Form of a Warrant of Distress founded on the foregoing Conviction.

To the Constable of in the of

County [*or as the Case may be*] of to wit. } WHEREAS *E. F.* of has been duly convicted of a certain Offence, for [*here state the Offence as in Conviction*] whereby he hath forfeited the Sum of [*and in case of Mitigation,* which hath been mitigated to the Sum of] over and above the reasonable Costs and Charges of the Informer, allowed and assessed at the Sum of : Therefore I command you to levy the said Sum of and also the said Sum of for the Costs and Charges aforesaid; making together the Sum of by distraining the Goods and Chattels of the said *E. F.*; and if within the Space of Five Days next after such Distress taken the said Sum of together with the reasonable Costs and Charges of taking and keeping such Distress, shall not be paid, then I order and direct that you shall sell and dispose of the said Goods and Chattels which shall be so distrained, seized, and taken as aforesaid, and shall levy and raise thereout the said Sum of and all reasonable Costs and Charges of taking and keeping and selling such Distress, rendering the Overplus, if any, to the Owner of the said Goods and Chattels; and you are to certify to me what you shall have done by virtue of this my Warrant. Given under my Hand and Seal the Day of

(Signed)

One of Her Majesty's Justices of the Peace for the said of

No. 5.

No. 5.

Form of a Warrant of Commitment for Want of a sufficient Distress founded on the foregoing Conviction.

To the Constable of and to the Keeper of the Common Gaol [*or* House of Correction] at in the said

County [*or as the Case may be*] of to wit. } WHEREAS *E.F.* of has been duly convicted of a certain Offence, for that [*here state the Offence as in the Conviction*], whereby he hath forfeited the Sum of [*and in case of Mitigation,* which hath been mitigated to the Sum of] over and above the reasonable Costs and Charges of the Informer, allowed and assessed at the Sum of making together the Sum of : And whereas it has been duly made to appear to me, that no sufficient Distress can be found whereon to levy the said Sum of : Therefore I command you the Constable of to apprehend and take the said *E.F.* and safely to carry him to the Common Gaol [*or* House of Correction] at in the of and there to deliver him to the Keeper thereof, together with this Warrant; and I do hereby command you the said Keeper to receive into your Custody in the said Gaol [*or* House of Correction] him the said *E.F.*, and him therein safely to keep for the Space of unless the said Sum of shall be sooner paid. Given under my Hand and Seal the Day of

(Signed)
One of Her Majesty's Justices of the Peace for the said of

No. 6.

Form of a Complaint whereon to found a Warrant of Distress for Recovery of Postage.

County [*or as the Case may be*] of to wit. } BE it remembered, That on this Day of in the Year of our Lord at in the of *A.B.*, an Officer of the Post Office, complaineth to me, *C.D.* Esquire, One of Her Majesty's Justices of the Peace for the said that the Sum of is due and owing from *E.F.* of to Her Majesty [*or* to the said *A.B.*, *if the Case be so,*] for the Duty of Postage, which he hath refused or neglected to pay; and thereupon the said *A.B.* prayeth of me the said Justice that the said *E.F.* may be summoned to appear and show Cause, if any he have, why, due Proof being made of the Sum due and owing from him for Postage as aforesaid, a Warrant of Distress should not be granted for Recovery thereof, pursuant to the Direction of the Statute in that Behalf made.

Taken and received by me the Day and Year first above written.

No. 7.

No. 7.

Form of Summons on the foregoing Complaint.

To *E. F.* of

County [*or as the Case may be*] of to wit. } WHEREAS Complaint has been made unto me, *C. D.* Esquire, One of Her Majesty's Justices of the Peace for the of that the Sum of is due and owing from you to Her Majesty [*or* to *A. B.*, an Officer of the Post Office, *if the Case be so,*] for the Duty of Postage, which you have refused or neglected to pay: These are therefore to summon you to be and appear at in the said on the Day of at the Hour of in the noon of the same Day, before me the said Justice, or before such other of Her Majesty's Justices of the Peace for the said as shall be then present, in order that you may show Cause, if any you have, why, on due Proof being made of the Sum of Money due and owing from you for such Duty of Postage as aforesaid, a Warrant of Distress should not be granted for the Recovery thereof, pursuant to the Directions of the Statute in that Behalf made; and if you fail to appear accordingly, such Proceedings will be taken as if you had appeared, and had not shown any sufficient Cause why such Warrant should not be granted. Given under my Hand and Seal this Day of .

No. 8.

Form of a Warrant of Distress founded on the foregoing Complaint.

To the Constable of [*or* to *C. D.* of *as the Case may be.*]

County [*or as the Case may be*] of to wit. } WHEREAS Complaint hath been made that *E. F.* of is indebted to Her Majesty [*or* to *A. B.*, an Officer of the Post Office, *if the Case be so,*] in the Sum of for the Duty of Postage, which he hath refused or neglected to pay: And whereas the said *E. F.* hath been duly summoned, and due Proof hath been made on Oath before me that the Sum of is due and owing from the said *E. F.* for such Duty of Postage as aforesaid, and that he hath neglected to pay the same: Therefore I command you to distrain the said *E. F.* by his Goods and Chattels, and to levy thereon the said last-mentioned Sum, being the Amount of such Duty of Postage as aforesaid, and also the further Sum of for the Costs, Charges, and Expences of proceeding for and obtaining this Warrant, and of the Proceedings incident and relating thereto, making together the Sum of and if within the Space of Five Days next after the taking of such Distress the Sum of together with the reasonable Costs and Charges of taking and keeping such Distress, shall not be paid, then I do hereby order and direct that you shall sell and dispose of the said Goods and Chattels which shall be so distrained, and that you shall levy

levy and raise thereout the said Sum of and all reasonable Costs and Charges of taking, keeping, and selling such Distress, rendering the Overplus (if any) to the Owner of the said Goods and Chattels; and you are to certify to me what you have done by virtue of this my Warrant. Given under my Hand and Seal this Day of

(Signed)
One of Her Majesty's Justices of the Peace for the said of

No. 9.

Form of a Warrant of Commitment for Want of sufficient Distress, founded on the foregoing Complaint.

To the Constable of in the of and also to the Keeper of the Common Gaol [*or* House of Correction] at in the said .

County [*or as the Case may be*] of to wit. } WHEREAS Complaint was made that *E. F.* of was indebted to Her Majesty [*or* to *A. B.*, an Officer of the Post Office, *if the Case be so*], in the Sum of for the Duty of Postage, which he had refused or neglected to pay: And whereas the said *E. F.* was duly summoned, and due Proof was made on Oath that the Sum of was due and owing from the said *E. F.* for such Duty of Postage as aforesaid, and that he had neglected to pay the same: And whereas a Warrant has been issued directed to *C. D.* of commanding him, by Distress and Sale of the Goods and Chattels of the said *E. F.*, to levy the said last-mentioned Sum, being the Amount of such Duty of Postage as aforesaid, due and owing from the said *E. F.*, and also the further Sum of for the Costs, Charges, and Expences of proceeding for and obtaining the said Warrant, and of the Proceedings incident and relating thereto, making together the Sum of ; and it now appearing to me by the Oath of the said *C. D.* that no sufficient Distress can be found whereon to levy the said Duty, Costs, and Charges [*or in case an insufficient Distress shall have been taken,* And whereas the said *C. D.* hath certified to me that he hath under the said Warrant levied and raised the Sum of only; and it now appearing to me by the Oath of the said *C. D.* that no sufficient Distress can be found whereon to levy the Residue of the said Duty, Costs, and Charges]: Therefore I command you the said Constable of to apprehend and take the said *E. F.*, and safely to convey him to the Common Gaol [*or* House of Correction] of the said at in the said and there to deliver him to the Keeper thereof, together with this Warrant; and I do hereby command you the said Keeper to receive into your Custody in the said Gaol [*or* House of Correction] him the said *E. F.*, and him therein safely to keep until the said Sum of or until the Sum of the Residue

of the said Duty, Costs, and Charges remaining after deducting the said Sum of so levied and raised as aforesaid, shall be fully paid and satisfied. Given under my Hand and Seal this Day of .

(Signed)
One of Her Majesty's Justices of the Peace for the said

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