ANNO TRICESIMO QUINTO

Georgii III. Regis.

****

CAP. LXII.

An Act to enable His Majesty's Postmaster General to open and return certain Letters, contained in the Mails made up at the General Post Office in *London*, for the *United Provinces*, on the Thirteenth, Sixteenth, and Twentieth Days of *January* One thousand seven hundred and ninety-five, and now remaining in the said General Post Office.

[19th *May* 1795.]

Preamble, reciting that Mails intended to be sent to the *United Provinces* have been detained.

WHEREAS certain Mails of Letters, which were made up at the General Post Office in *London*, on the Thirteenth, Sixteenth, and Twentieth Days of *January* One thousand seven hundred and ninety-five, and were intended to be sent from the said General Post Office unto the *United Provinces*, have been detained by virtue of a Warrant under the Hand and Seal of One of His Majesty's Principal Secretaries of State, and the said Mails of Letters are now remaining in the said General Post Office: And whereas many of the Persons by whom the said Letters were written, signed, or sent, have applied to His Majesty's Postmaster General to have the same returned to them, and Doubts being entertained whether His Majesty's Postmaster General is authorized by Law to return the same: Be it therefore enacted by the King'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, if any Person or Persons by or from whom any Letter or Letters contained in the said Mails respectively were written, or signed, or sent to the Post Office, should be desirous to have the same returned, upon Application, in Writing, being made to His Majesty's Postmaster General at any Time within Three Calendar Months after the passing of this Act, for the Return of any such Letter or Letters, by the Person or Persons who wrote or signed or sent the said Letters respectively to the Post Office, or any other Person or Persons duly authorized for that Purpose by the Person or Persons who wrote, signed, or sent, the same respectively, each written Application being made at the General Post Office in *London*, and being signed by the Persons respectively making the same, and containing respectively either Duplicates of the respective Letters applied for, or Copies,

Postmaster General may open and return Letters in such Mails.

Copies of the reſpective Directions thereof, ſuch Copies of the Directions to be in the ſame Hand Writing as the reſpective Directions of which they purport to be Copies, and each written Application alſo ſetting forth the Names of the Perſons reſpectively who have in Writing ſubſcribed, or the Names of the Perſons reſpectively which are printed, ſet, or affixed, to ſuch Letters reſpectively, it ſhall and may be lawful, notwithſtanding any Law, Statute, Cuſtom, or Uſage, to the contrary, for the Poſtmaſter General, or any Officer or Officers of the Poſt Office to be authorized and empowered by ſuch Poſtmaſter General, in Writing, to open ſuch Letters reſpectively, for which Application ſhall be ſo made, in the Preſence of the Perſon or Perſons applying for the ſame reſpectively; and, in caſe the Names ſubſcribed in Writing, or the Names of the Perſons printed, ſet, or affixed, to ſuch Letters reſpectively, ſhall be found to be thoſe which had been ſo declared in ſuch Writing as aforeſaid, to return the ſaid Letters reſpectively, together with whatever ſhall appear to be contained therein, to the Perſon or Perſons applying for the ſame reſpectively: Provided nevertheleſs, that, before any ſuch Letter or Letters ſhall be ſo returned as aforeſaid, the Perſons reſpectively applying for the ſame ſhall firſt make Oath, to be adminiſtered as hereinafter is mentioned, that they did write or ſign or ſend the ſaid Letters reſpectively to the Poſt Office, or that the Perſon or Perſons by whoſe Authority they demand the Return of ſuch Letters reſpectively did, to the beſt of their Knowledge and Belief, write or ſign or ſend the ſame reſpectively to the Poſt Office, and that the Name or Names ſubſcribed in Writing, printed, ſet, or affixed, to ſuch Letters reſpectively, were ſo ſubſcribed, printed, ſet, or affixed, by the Perſons reſpectively making ſuch Application, or by their reſpective Directions, or to the beſt of their Knowledge and Belief, by or by the Authority of the Perſons reſpectively on whoſe Behalf ſuch Application is made, and whoſe Names are ſo ſubſcribed, printed, ſet, or affixed; and further, that ſuch Perſon or Perſons as apply under the Authority of any other Perſon or Perſons ſhall alſo firſt make Oath, to be ſo adminiſtered as hereinafter mentioned, that he or they is or are duly authorized by ſuch other Perſon or Perſons to apply for the Return of ſuch Letters reſpectively.

Perſons applying for Letters to make Oath of certain Particulars.

II. And whereas there may be contained in the ſaid Mails ſeveral Letters from Perſons reſiding in Parts beyond the Seas, which have been tranſmitted by ſuch Perſons to their reſpective Correſpondents in *London*, in order to be by ſuch Correſpondents put into the ſaid General Poſt Office, and forwarded by the Poſt unto the ſaid *United Provinces*, and which may have been accordingly put into the ſaid General Poſt Office; and it is apprehended that there are written or indorſed upon all or the greater Part of ſuch laſt mentioned Letters ſo put into the ſaid General Poſt Office, the Name or Names of the Perſon or Perſons, or the Firm of the Houſe or Houſes to whom ſuch Letters reſpectively have been tranſmitted, and by whom they have been forwarded: And whereas ſuch Perſons ſo reſiding in Parts beyond the Seas may not have an Opportunity of applying under the Proviſions hereinbefore contained for the Return of ſuch Letters, and it is apprehended that it will be a great Convenience to them that their Correſpondents in *London*, who forwarded ſuch Letters to the ſaid General Poſt Office, ſhould be authorized to receive them back: Be it therefore further enacted by the Authority aforeſaid, That, if Application ſhall be made to the Poſtmaſter General, at any Time within the Space of Three

Letters from Perſons reſiding in Foreign Parts may be returned to their Correſpondents in *London* unopened.

Calendar Months from and after the paſſing of this Act, by the Perſon or Perſons who ſo reſpectively wrote or indorſed, or authoriſed to be written or indorſed, the Name of the Perſon or Perſons, or the Firm of the Houſe or Houſes by whom ſuch laſt mentioned Letters reſpectively were put into the ſaid General Poſt Office, ſuch Application being made, in Writing, at the ſaid General Poſt Office, and being ſigned by the Perſon or Perſons reſpectively making the ſame, and containing reſpectively Copies of what ſhall be ſo wrote or indorſed upon ſuch Letters reſpectively, ſuch Copies reſpectively to be in the ſame Hand Writing as the Hand Writing indorſed upon ſuch laſt mentioned Letters reſpectively; and if upon comparing ſuch Copies of what ſhall be ſo written or indorſed upon ſuch Letters with the Letters reſpectively, it ſhall appear that the Copies are in the ſame Hand Writing as are indorſed upon ſuch laſt mentioned Letters reſpectively, it ſhall and may be lawful, notwithſtanding any Law, Statute, Cuſtom, or Uſage, to the contrary, for the Poſtmaſter General, or any Officer or Officers of the Poſt Office, to be authoriſed as aforeſaid, to deliver ſuch laſt mentioned Letters reſpectively without opening the ſame to the Perſon or Perſons reſpectively applying for the ſame; ſuch Perſon or Perſons firſt making Oath, to be adminiſtered as herein-after mentioned, that he or they did receive ſuch laſt mentioned Letter or Letters reſpectively from his or their Correſpondent or Correſpondents reſiding in Parts beyond the Seas, for the Purpoſe of being forwarded by the Poſt from *London* unto the ſaid *United Provinces*, and that ſuch Perſon or Perſons ſo applying as laſt aforeſaid, did write or indorſe, or cauſe to be written or indorſed, upon ſuch Letter or Letters reſpectively, the Words and Figures which ſhall appear to be written or indorſed thereon reſpectively, and that ſuch Perſon or Perſons did put, or cauſe to be put, ſuch Letter or Letters into the ſaid General Poſt Office in order to be forwarded by the Poſt unto the ſaid *United Provinces*, in the ſaid reſpective Mails, or ſome or One of them.

Oath to be made to certain Particulars by Perſons applying for ſuch Letters.

III. And be it further enacted by the Authority aforeſaid, That the ſaid Poſtmaſter General ſhall and may, notwithſtanding any Law, Statute, Cuſtom, or Uſage, to the contrary, detain and keep in his Poſſeſſion all and every ſuch of the ſaid Letters, together with the Contents thereof reſpectively, as ſhall not, within the Space of Three Calendar Months from the paſſing of this Act, be required to be returned in Manner in this Act mentioned, or under the Powers herein-after given, until he ſhall receive Directions from One of His Majeſty's Principal Secretaries of State, by Warrant under his Hand and Seal, to forward the ſame reſpectively unto the ſaid *United Provinces* in His Majeſty's Mails of Letters, to the End that ſuch Letters, and what may be contained therein reſpectively, may be ſent by Poſt for the Perſons reſpectively to whom the ſaid Letters reſpectively are addreſſed; which Directions it is hereby declared it ſhall and may be lawful for any One of His Majeſty's Principal Secretaries of State to give, by Warrant under his Hand and Seal, and which Directions the Poſtmaſter General is hereby required to obey, or cauſe to be obeyed.

Letters not applied for in Three Months after paſſing this Act may be detained till ordered to be forwarded by the Secretary of State.

IV. And, for the better aſcertaining the Perſons reſpectively by or from whom any Letter or Letters contained in the ſaid Mails reſpectively were written or ſigned or ſent, and for preventing Frauds in the Delivery of the ſaid Letters to Perſons not entitled to receive the ſame, or to require

For preventing Frauds the following Oaths to be taken:

the ſame to be returned; be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for His ſaid Majeſty's Poſtmaſter General, or any Perſon or Perſons authorized and empowered by him, in Writing under his Hand, to adminiſter an Oath or Oaths to the Perſon or Perſons applying for the Return of any ſuch Letters as aforeſaid, according to One of the Forms herein-after mentioned; (that is to ſay),

Oaths.

'I *A. B.* do ſwear, [*or, being one of the People called* Quakers, I *A. B.* do ſolemnly affirm], That I did write or ſign or ſend the Letter [*or* Letters] now claimed by me to be returned, to the Poſt Office; and that the Name [*or* Names] ſubſcribed in Writing, printed, ſet, or affixed, to ſuch Letter [*or* Letters], was [*or* were] ſubſcribed, printed, ſet, or affixed, to ſuch Letter [*or* Letters] by me, or by my Direction.'

Or,

'I *A. B.* do ſwear, [*or, being one of the People called* Quakers, I, *A. B.* do ſolemnly affirm], That I am duly authorized by [*C. D. &c. as the Caſe may be*] to receive the Letter [*or* Letters] now claimed to be returned to me, on Behalf of the ſaid [*C. D. &c. as the Caſe may be*]; and that the ſaid [*C. D. &c. as the Caſe may be*] did, to the beſt of my Knowledge and Belief, write or ſign or ſend the ſame to the Poſt Office; and that the Name [*or* Names] ſubſcribed in Writing, printed, ſet, or affixed, to ſuch Letter [*or* Letters] was [*or* were], according to the beſt of my Knowledge or Belief, ſo ſubſcribed, printed, ſet, or affixed, by or by the Authority of the ſaid [*C. D. &c. as the Caſe may be*].'

Or,

'I *A. B.* do ſwear, [*or, being one of the People called* Quakers, I *A. B* do ſolemnly affirm], That I did receive the Letter [*or* Letters] now applied for by me to be returned, and now produced and ſhewn unto me, from my Correſpondent [*or* Correſpondents], who reſides [*or* reſide] in Parts beyond the Seas, for the Purpoſe of being forwarded by me by the Poſt from *London* unto the *United Provinces*; and that I did write or indorſe, or cauſe to be written or indorſed, upon ſuch Letter [*or* Letters] the Words and Figures which now appear to be written or indorſed thereon; and that I did put, or cauſe to be put, ſuch Letter [*or* Letters] into the General Poſt Office in *London*, in order to be forwarded by the Poſt unto the ſaid *United Provinces*.'

Secretary of State may authorize the Delivery of Letters, though the Perſons applying cannot comply with the preſcribed Forms.

V. And inaſmuch as, in the Execution of this preſent Act, it may happen that ſome of the Perſons who may apply for the Return of Letters may not be enabled to comply with the preciſe Forms hereby directed, and probably cannot take the Oath or Oaths in the exact Form or Forms of Words hereby required to be taken, on which Account the Poſtmaſter General cannot, under the Reſtrictions herein-before contained, return all the Letters contained in the ſaid Mails which ſhall be applied for to be returned, notwithſtanding that the Perſons ſo applying may be well entitled to receive back ſuch Letters, and that the true Intent and Meaning of this Act is, that they ſhould be enabled ſo to receive them: For Remedy whereof, be it further enacted by the Authority aforeſaid, That, in any Caſe where ſuch Difficulty ſhall occur, it ſhall and may be lawful to and for any One of His Majeſty's Principal

Secretaries of State, by Warrant or Warrants under his Hand and Seal, to direct, order, require, and authorize, the Poſtmaſter General to open and return any ſuch Letter or Letters, for which Application ſhall be made to be returned, and which cannot be returned under the Forms and Reſtrictions herein-before contained, upon ſuch Perſon or Perſons identifying the Letter or Letters, and making Oath in ſuch Manner and Form as in ſuch reſpective Warrant or Warrants ſhall be required and expreſſed; and the Poſtmaſter General is hereby empowered and required to execute, or cauſe to be executed, all ſuch Orders and Directions, and to adminiſter, or cauſe to be adminiſtered, ſuch Oath and Oaths as ſhall, in ſuch reſpective Warrant or Warrants, be expreſſed or contained; any Thing herein-before contained to the contrary thereof in anywiſe notwithſtanding.

Penalty on Perſons taking falſe Oaths.

VI. And be it further enacted by the Authority aforeſaid, That any Perſon or Perſons who ſhall be convicted of wilfully taking a falſe Oath in any of the Caſes in which Oaths are required to be taken by virtue of this Act, or in any Caſe wherein an Oath or Oaths ſhall, by virtue of a Warrant or Warrants under the Hand and Seal of ſuch Principal Secretary of State, be authorized and required to be taken, every ſuch Perſon ſo taking a falſe Oath ſhall be liable to the Pains and Penalties to which Perſons are liable for wilful and corrupt Perjury.

Poſtmaſter General, &c. not liable to any Penalty for acting under this Act.

VII. And be it further enacted by the Authority aforeſaid, any Law, Statute, Uſage, or Cuſtom, to the contrary notwithſtanding, That neither the ſaid Poſtmaſter General, nor any ſuch Officer or Servant as aforeſaid, ſhall be liable to any Action, Suit, Indictment, Information, or other Proceeding, or be liable to or incur any Penalty, Forfeiture, or Incapacitation, for or by Reaſon of any Act, Matter, or Thing, done, or forborne to be done, by virtue and under the Authority of and according to this preſent Act, or in the Execution of the ſame, or of the Authorities herein contained, or any of them, or in relation thereto, or in purſuance of the Direction and Authority of ſuch Principal Secretary of State, to be given in Manner herein-before mentioned; but that all ſuch Actions, Suits, Indictments, Informations, Proceedings, Penalties, Forfeitures, and Incapacitations, ſhall be, and are hereby abſolutely diſcharged.

Perſons proſecuted may plead the General Iſſue.

VIII. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall, at any Time or Times, be ſued, moleſted, or proſecuted, for any Thing by him or them done or executed, in purſuance of this Act, or of any Clauſe, Matter, or Thing herein contained, ſuch Perſon and Perſons ſhall and may plead the General Iſſue, and give the ſpecial Matter in Evidence for his or their Defence; and if, upon the Trial, a Verdict ſhall paſs for the Defendant or Defendants, or the Plaintiff or Plaintiffs ſhall become nonſuited, then ſuch Defendant or Defendants ſhall have Treble Coſts awarded to him or them againſt ſuch Plaintiff or Plaintiffs.

Treble Coſts.

Perſons fraudulently obtaining Letters containing Bank-notes, &c. guilty of Felony.

IX. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons whatſoever ſhall falſely or fraudulently obtain any Letter or Letters, hereby authorized to be returned as aforeſaid, or that ſhall or may be authorized to be returned under the Authority of a Warrant or Warrants of ſuch Principal Secretary of State, by virtue of the Powers herein-before contained for that Purpoſe,

poſe, containing any Bank Note, Bank Poſt Bill, Bill of Exchange, Promiſſory Note, Letter of Credit, or any other Security or Inſtrument whatſoever, for the Payment of Money, every ſuch Perſon ſo offending, and being thereof convicted in due Form of Law, ſhall be deemed guilty of Felony, and ſhall be tranſported for the Term of Seven Years.

Letters may be returned to Foreign Miniſters upon Proof, with or without Oath, of writing them, &c.

X. And be it alſo further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for any One of His Majeſty's Principal Secretaries of State, by Warrant or Warrants under His Hand and Seal, to direct, order, require, and authorize, the Poſtmaſter General to open and return any Letter or Letters contained in the ſaid Mails reſpectively, for returning which, Application ſhall be made by or on Behalf of any Foreign Miniſter or Embaſſador, upon ſuch Proof being made, with or without Oath, that ſuch Foreign Miniſter or Embaſſador did write, ſign, or ſend to the Poſt, or cauſe to be written, ſigned, or ſent to the Poſt, ſuch Letter or Letters reſpectively, and upon ſuch other Directions reſpecting the ſaid Letter or Letters ſo applied for being complied with, as in ſuch Warrant or Warrants ſhall be required to be made or complied with; and the Poſtmaſter General is hereby alſo required to execute or cauſe to be executed all ſuch Orders and Directions as ſhall, in ſuch reſpective Warrant or Warrants, be expreſſed or contained; any Thing herein-before contained to the contrary notwithſtanding.

Secretary of State may authorize the Delivery of Letters, though the Perſons applying cannot comply with the preſcribed Forms.

XI. And inaſmuch as, in the Execution of this preſent Act, it may happen that ſome of the Perſons who may apply for the Return of Letters may not be enabled to comply with the preciſe Forms hereby directed, and probably cannot take the Oath or Oaths in the exact Form or Forms of Words hereby required to be taken, on which Account the Poſtmaſter General cannot, under the Reſtrictions herein-before contained, return all the Letters contained in the ſaid Mails which ſhall be applied for to be returned, notwithſtanding that the Perſons ſo applying may be well entitled to receive back ſuch Letters, and that the true Intent and Meaning of this Act is, that they ſhould be enabled ſo to receive them; be it further enacted by the Authority aforeſaid, That, in any Caſe where ſuch Difficulty ſhall occur, it ſhall and may be lawful to and for any One of His Majeſty's Principal Secretaries of State, by Warrant or Warrants under his Hand and Seal, to direct, order, require, and authorize, the Poſtmaſter General to open and return any ſuch Letter or Letters, for which Application ſhall be made to be returned, and which cannot be returned under the Forms and Reſtrictions herein-before contained, upon ſuch Perſon or Perſons ſo identifying the Letter or Letters, and making Oath, in ſuch Manner and Form as in ſuch reſpective Warrant or Warrants ſhall be required and expreſſed; and the Poſtmaſter General is hereby empowered and required to execute, or cauſe to be executed, all ſuch Orders and Directions, and to adminiſter, or cauſe to be adminiſtered, ſuch Oath or Oaths as ſhall, in ſuch reſpective Warrant or Warrants, be expreſſed or contained; any Thing herein-before contained to the contrary thereof in anywiſe notwithſtanding.

Act may be altered or repealed this Seſſion.

XII. Provided alſo, That it ſhall and may be lawful to alter or repeal this Act in the preſent Seſſion of Parliament.

FINIS.