

ANNO QUADRAGESIMO SECUNDO

GEORGII III. REGIS.

CAP. LXXXI.

An Act for amending so much of an Act, passed in the Seventh Year of the Reign of His present Majesty, as relates to the secreting, embezzling, or destroying any Letter or Packet sent by the Post; and for the better Protection of such Letters and Packets; and for more effectually preventing Letters and Packets being sent otherwise than by the Post. [22d *June* 1802.]

7 Geo. 3. c. 50.

WHEREAS by an Act made in the Seventh Year of the Reign of His preſent Majeſty, intituled, *An Act for amending certain Laws relating to the Revenue of the Poſt Office, and for granting Rates of Poſtage for the Conveyance of Letters and Packets between* Great Britain *and the* Iſle of Man, *and within that Iſland*, it was, among other Things, enacted, that if any Deputy, Clerk, Agent, Letter Carrier, Poſt-boy or Rider, or any other Officer or Perſon whatſoever, employed, or to be thereafter employed, in receiving, ſtamping, ſorting, charging, carrying, conveying, or delivering Letters or Packets, or in any other Buſineſs relating to the Poſt Office, ſhould, from and after the Firſt Day of *November* One thouſand ſeven hundred and ſixty-ſeven, ſecrete, embezzle, or deſtroy any Letter or Letters, Packet or Packets, Bag or Mail of Letters, which he, ſhe, or they ſhould and might be reſpectively intruſted with, or which ſhould have come to his, her, or their Hand or Poſſeſſion, containing any Bank Note, Bank Poſt Bill, Bill of Exchange, Exchequer Bill, South Sea or *Eaſt India* Bond, Dividend Warrant of the Bank, South Sea, *Eaſt India*, or any other Company, Society, or Corporation, Navy or Victualling, or Tranſport Bill, Ordnance Debenture, Seaman's Ticket, State Lottery Ticket or Certificate, Bank Receipt for Payment on any Loan, Note of Aſſignment of Stock in the Funds, Letter of Attorney for receiving Annuities or Dividends, or for ſelling Stock in the Funds, or belonging to any Company, Society, or Corporation, *American* Provincial Bill of Credit, Goldſmith's or Banker's Letter of Credit, or Note for or relating to the Payment of Money, or other Bond or Warrant, Draught, Bill, or Promiſſory Note whatſoever for the Payment of Money, or ſhould ſteal and take out of any Letter or Packet that ſhould come to his, her, or their Hands or Poſſeſſion any ſuch Bank Note, Bank Poſt Bill, Bill of Exchange, Exchequer Bill, South Sea or *Eaſt India* Bond, Dividend Warrant of the Bank, South Sea, *Eaſt India*, or any other Company, Society, or Corporation, Navy or Victualling, or Tranſport Bill, Ordnance Debenture, Seaman's Ticket, State Lottery Ticket or Certificate, Bank Receipt for Payment on any Loan, Note of Aſſignment of Stock in the Funds, Letter of Attorney for receiving Annuities or Dividends, or for ſelling Stock in the Funds, or belonging to any Company, Society, or Corporation, *American* Provincial Bill of Credit, Goldſmith's or Banker's Letter of Credit, or Note for or relating to the Payment of Money, or other Bond or Warrant, Draught, Bill, or Promiſſory Note whatſoever, for the Payment of Money, every ſuch Offender or Offenders being thereof convicted in due Form of Law, ſhould be deemed guilty of Felony, and ſhould ſuffer Death as a Felon without Benefit of Clergy: And whereas it is expedient to extend the Proviſions of the ſaid in Part recited Act, ſo as to protect the Conveyance by the Poſt of all and every Part or Parts of any ſuch Securities or Inſtruments as aforeſaid: May it therefore pleaſe Your Majeſty that it may be enacted; and be it 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 Deputy, Clerk, Agent, Letter Carrier, Poſt-boy or Rider, or any other Officer or Perſon what-

Perſons employed in any Buſineſs re-

whatsoever, employed, or to be hereafter employed, in receiving, stamping, sorting, charging, carrying, conveying, or delivering Letters or Packets, or in any other Business relating to the Post-Office, shall, from and after the passing of this Act, secrete, embezzle, or destroy any Letter or Letters, Packet or Packets, Bag or Mail of Letters, which he, she, or they shall and may be respectively intrusted with, or which shall have come to his, her, or their Hands or Possession, containing any Part or Parts of any such Security or Instrument as in the said recited Act are described or mentioned, or shall steal or take out of any Letter or Packet that shall come to his, her, or their Hands or Possession, any Part or Parts of any such Security or Instrument, every such Offender or Offenders, being thereof convicted in due Form of Law, shall be deemed guilty of Felony, and shall suffer Death as a Felon without Benefit of Clergy.

lating to the Post Office, secreting, *etc.* Letters or Packets containing any Security or Instrument mentioned in the recited Act, shall be deemed guilty of Felony.

II. And be it further enacted, That, from and after the passing of this Act, if any Person whatsoever, whether employed in any Business relating to the Post Office or not, shall counsel, command, hire, persuade, procure, aid, or abet, any such Deputy, Clerk, Agent, Letter Carrier, Post-boy or Rider, or any other Officer or Person whatsoever, employed, or to be hereafter employed, in receiving, stamping, sorting, charging, carrying, conveying, or delivering Letters or Packets, or in any other Business relating to the Post Office, to commit any Felony or Offence in the said in Part recited Act or in this Act before mentioned, or shall with a fraudulent Intention buy or receive the Whole or any Part or Parts of any such Security or Instrument as aforesaid, which at the Time of buying or receiving thereof he shall know to have been contained in any such Letter or Letters, Packet or Packets, so by any Deputy, Clerk, Agent, Letter Carrier, Post-boy or Rider, or any other Officer or Person whatsoever, employed, or to be hereafter employed, in receiving, stamping, sorting, charging, carrying, conveying, or delivering Letters or Packets, or in any other Business relating to the Post Office, secreted or embezzled, or stolen or taken out of any Letter or Letters, Packet or Packets, that shall come to his, her, or their Hands or Possession, or which he, she, or they, at the Time of buying or receiving thereof, shall know to have been contained in, and stolen or unlawfully taken out of any Letter or Letters, Packet or Packets, stolen and taken by any Person or Persons whatsoever from or out of any Mail or Mails, Bag or Bags of Letters, sent and conveyed by the Post, or from or out of any Post Office, or House or Place for the Receipt or Delivery of Letters or Packets sent or to be sent by the Post, each and every Person so offending in any of the Ways last before mentioned, being thereof convicted, shall be deemed guilty of Felony, and shall suffer Death as a Felon without Benefit of Clergy, and shall and may be tried, convicted, and attainted of such Felony, as well before as after the Trial or Conviction of the principal Felon, and whether the said principal Felon shall have been apprehended, or shall be amenable to Justice or not.

Persons procuring, *etc.* Officers of the Post Office to commit any such Offence, or fraudulently receiving such Securities or Instruments, *&c.* shall be deemed guilty of Felony.

III. And whereas by the said in Part recited Act, made in the Seventh Year of the Reign of His present Majesty it was, among other Things, enacted,

The Offence of robbing the Mail may be laid and pro-

Profecuted, if committed in *England*, either in the County where committed, or where the Offender is apprehended, and if committed in *Scotland*, either in the Juſticiary Court of *Edinburgh* or in the Circuit Court, *etc.*

enacted, that, from and after the ſaid Firſt Day of *November* One thouſand ſeven hundred and ſixty-ſeven, if any Perſon or Perſons whatſoever ſhould rob any Mail or Mails in which Letters are ſent or conveyed by the Poſt, of any Letter or Letters, Packet or Packets, Bag or Mail of Letters, or ſhould ſteal and take from or out of any ſuch Mail or Mails, or from or out of any Bag or Bags of Letters ſent or conveyed by the Poſt, any Letter or Letters, Packet or Packets although ſuch Robbery, ſtealing, or taking ſhould not appear or be proved to be a taking from the Perſon, or upon the King's Highway, or to be a Robbery committed in any Dwelling Houſe, or any Coach-houſe, Stable, Barn, or any Outhouſe belonging to a Dwelling Houſe, and although it ſhould not appear that any Perſon or Perſons were put in Fear by ſuch Robbery, ſtealing, or taking, yet ſuch Offender or Offenders, being thereof convicted as aforeſaid, ſhould nevertheleſs reſpectively be deemed guilty of Felony, and ſhould ſuffer Death as a Felon without Benefit of Clergy: And whereas, by Reaſon of the Difficulty and frequent Impoſſibility of diſcovering and proving the particular County, Stewartry, or Place within which the ſaid laſt mentioned Offences have been committed, divers Perſons have eſcaped the Pains and Puniſhments by the ſaid in Part recited Act intended to be inflicted on ſuch Offenders, and it is reaſonable to make further Proviſions for the Trial and due Puniſhment of ſuch Offenders; be it therefore further enacted, That all and every the ſaid laſt mentioned Felonies and Offences, which ſhall be committed from and after the paſſing of this Act, ſhall and may be alledged and laid, proſecuted, enquired of, tried, and determined, if committed in that Part of *Great Britain* called *England* either in the County wherein ſuch Felony or Offence ſhall be committed, or wherein ſuch Offender or Offenders ſhall be apprehended, and if committed in that Part of *Great Britain* called *Scotland* either in the Juſticiary Court of *Edinburgh*, or in the Court of the Circuit of that Part of the United Kingdom within which Circuit ſuch Felony or Offence ſhall be committed, or ſuch Offender or Offenders ſhall be apprehended.

Perſons ſecreting or refuſing to deliver up Bags or Mails of Letters, *etc.* ſent by the Poſt or put up for that Purpoſe, which ſhall be found or picked up, ſhall be deemed guilty of a Miſdemeanor.

IV. And whereas it frequently happens that Bags or Mails of Letters ſent and conveyed by the Poſt which may have been ſtolen or accidentally loſt and afterwards found or picked up are wilfully detained by the Perſons finding the ſame in the Expectation of Gain or Reward, to the great Inconvenience of divers of His Majeſty's Subjects, and the Prejudice of Commerce; to remedy therefore the ſaid Evil, be it further enacted, That, from and after the paſſing of this Act, if any Perſon or Perſons ſhall wilfully ſecrete, keep, or detain, or being required to deliver up by any Deputy, Clerk, Agent, Letter Carrier, Poſt-boy, Rider, Driver, or Guard of any Mail Coach, or any other Officer or Perſon whatſoever employed or to be employed in any Buſineſs relating to the Poſt-Office, ſhall refuſe or wilfully neglect to deliver up any Mail or Bag of Letters ſent or conveyed, or made up in order to be ſent or conveyed by the Poſt, or any Letter or Letters, Packet or Packets ſent or conveyed by the Poſt, or put for that Purpoſe into any Poſt-Office, or Houſe or Place for the Receipt or Delivery of Letters or Packets ſent or to be ſent by the Poſt, and which

which Letter or Letters, Packet or Packets, Bag or Mail of Letters ſhall have been found or picked up by the ſame or any other Perſon or Perſons, or ſhall by or through Accident or Miſtake have been left with or at the Houſe of the ſame or any other Perſon or Perſons, each and every Perſon and Perſons ſo offending ſhall be deemed and taken to be guilty of a Miſdemeanor to be puniſhed by Fine and Impriſonment.

V. And whereas, notwithſtanding the Proviſions made in an Act, paſſed in the Ninth Year of the Reign of Her late Majeſty Queen *Anne*, intituled, *An Act for eſtabliſhing a General Poſt Office for all Her Majeſty's Dominions, and for ſettling a weekly Sum out of the Revenues thereof for the Service of the War, and other Her Majeſty's Occaſions*, the Practice of ſending and conveying by Stage Coaches, Carts, Waggons, Ships, Veſſels, Boats, Barges, and other Conveyances, Letters and Packets, which, by virtue of the Laws relating to the Poſt-Office, ought to be ſent by the Poſt, prevails to a conſiderable Extent, to the great Prejudice and Diminution of His Majeſty's Revenue; be it therefore enacted, That, from and after the paſſing of this Act, no Perſon or Perſons whatſoever ſhall ſend or cauſe to be ſent or conveyed, or tender or deliver in order to be ſent or conveyed, otherwiſe than by the Poſt, or by and with the Authority and Conſent of the Poſtmaſter General, for the Time being, or his Deputy or Deputies, or to the neareſt or moſt convenient Poſt Town, to be from thence forwarded by the Poſt, any Letter or Letters, Packet or Packets of Letters, on Pain of forfeiting, for every ſuch Offence againſt the Tenor of this preſent Act, the Sum of Five Pounds, to be recovered with full Coſts of Suit by any Perſon who ſhall and will inform and ſue for the ſame by Action of Debt, Bill, Plaint, or Information in any of His Majeſty's Courts of Record at *Weſtminſter*, wherein no Eſſoign, Protection, Privilege, or Wager of Law ſhall be admitted, One Moiety thereof to the Uſe of His Majeſty, His Heirs and Succeſſors, and the other Moiety to the Uſe of the Perſon who ſhall ſo inform and ſue for the ſame.

9 Annæ, c. 2

Perſons ſending Letters or Packets otherwiſe than by Poſt, ſhall forfeit 5 *l.*

VI. Provided always, and be it further enacted, That this Act ſhall not extend to ſubject any Perſon to any ſuch Penalty or Forfeiture as aforeſaid, for ſending or for cauſing to be ſent or conveyed, or for tendering or delivering in order to be ſent or conveyed, any Letter or Letters which ſhall reſpectively concern Goods ſent by any common known Carrier of Goods, and ſhall be ſent with and for the Purpoſe of being delivered with the Goods that ſuch Letter or Letters do concern, without Hire or Reward, Profit or Advantage for the receiving or delivering the ſame, nor any Letter or Letters of Merchants, Owners of any Ships, Barks, or Veſſels of Merchandize, or any the Cargo or Lading therein ſent on board ſuch Ships, Barks, or Veſſels of Merchandize, whereof ſuch Merchants or Maſters are Owners as aforeſaid, to be delivered by the Maſters of ſuch Ships, Barks, or Veſſels of Merchandize, or by any other Perſon employed by them for the Carriage of ſuch Letters according to their reſpective Directions, without paying or receiving any Hire or Reward, Advantage or Profit for the ſame in anywiſe, nor any Commiſſion or Return thereof, Affidavits, Writs, Proceſs, or Proceedings, or Return thereof,

But not to extend to Letters herein deſcribed.

iſſuing out of any Court, nor any Letter or Letters to be ſent by any private Friend or Friends in their Way of Journey or Travel, or by any Meſſenger ſent on Purpoſe for or concerning the private Affair of any Perſon or Perſons.

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