

ANNO QUINQUAGESIMO NONO

GEORGII III. REGIS.

CAP. CXI.

An Act to repeal so much of an Act passed in the Fifty-fifth Year of His present Majesty, as relates to the Postage and Conveyance of Letters to and from the *Cape of Good Hope*, *Ceylon*, the *Mauritius*, and the *East Indies*; and to make other Regulations respecting the Postage of such Letters and Packets, and other Letters and Packets sent by the Post. [12th *July* 1819.]

WHEREAS an Act was passed in the Fifty-fifth Year of the Reign of His present Majesty, intituled *An Act for granting certain Rates on the Postage of Letters to and from* Great Britain, *the* Cape of Good Hope, *the* Mauritius, *and the* East Indies, *and for making certain Regulations respecting the Postage of Ship Letters, and of Letters in* Great Britain: And whereas it is expedient that the said Act, so far as it relates to the Postage and Conveyance of Letters, Newspapers, printed Prices Current, and printed Papers, to and from the *Cape of Good Hope, Ceylon*, the *Mauritius*, and the *East Indies*, should be repealed, and that other Regulations should be made in lieu thereof; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of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 from and after the passing of this Act the said Act of the Fifty-fifth Year of the Reign of His present Majesty, so far as relates to the Postage and Conveyance of Letters, Newspapers, printed Prices Current, and printed Papers, to and from the *Cape of Good Hope, Ceylon*, the *Mauritius*, and the *East Indies*, shall be and the same is hereby repealed. 55G.3.c.153.

So much of recited Act as relates to Postage from the Cape of Good Hope, &c. repealed.

Penalties incurred may be recovered.

II. Provided always nevertheless, and be it further enacted, That any Penalty which shall have been incurred for any Offence contrary to the Provisions of the said recited Act, previously to the passing of this Act, shall and may be recovered and applied in the same Manner, to all Intents and Purposes, as if the said recited Act had not been repealed.

The following Rates of Postage to be paid.

III. And be it further enacted, That it shall and may be lawful for His Majesty's Postmaster General, to demand, have, receive, and take, for every Letter or Packet which shall be brought into *Great Britain* by any Ship or Vessel arriving from *Ceylon*, the *Mauritius*, or any Port or Place within the Limits of the Charter of the United Company of Merchants of *England* trading to the *East Indies*, or from the *Cape of Good Hope*, the Rates following; that is to say,

Rates for Letters from India.

For every such Letter or Packet, a Sea Postage of Four-pence; provided the same shall not exceed the Weight of Three Ounces:

And for every Letter or Packet exceeding the Weight of Three Ounces, a Sea Postage of One Shilling *per* Ounce, in addition to any inland or internal Postage which may arise upon the inland Conveyance of such Letters and Packets.

And for the Encouragement of the Masters or Commanders of such Ships or Vessels, it shall be lawful for the Postmaster General to allow to every such Commander or Master the Sum of Two-pence a Letter or Packet, upon all such Letters and Packets as he or they respectively, on their Arrival from *Ceylon*, the *Mauritius*, or any Port or Place within the Limits of the Charter of the said United Company, or from the *Cape of Good Hope*, shall deliver unto the Deputy or Deputies of the Postmaster General, according to the Directions herein-after contained.

Letters may be forwarded to India.

IV. And be it further enacted, That it shall and may be lawful to and for His Majesty's Postmaster General, and his Deputy and Deputies by him thereunto authorized, in his and their Discretion, to collect and receive Letters and Packets of Letters directed to *Ceylon*, the *Mauritius*, or any Port or Place within the Limits of the said United Company's Charter, or to the *Cape of Good Hope*, and to forward the same by any Ships or Vessels that he in his Discretion shall think fit; and also that it shall and may be lawful to and for His Majesty's Postmaster General, and his Deputy and Deputies by him thereunto authorized, to and for the Use of His Majesty, His Heirs and Successors, to demand, have, receive, and take, for every Letter or Packet that shall be delivered to him, or to his Deputy, for Conveyance in Manner herein-before specified, the Rates following; that is to say,

Rates for Letters to India.

For every such Letter a Sea Postage of Two-pence; provided the same shall not exceed the Weight of Three Ounces:

And for every Letter or Packet exceeding in Weight Three Ounces, a Sea Postage at the Rate of One Shilling *per* Ounce; any Law, Statute, Usage, or Custom to the contrary thereof notwithstanding.

V. And

V. And be it further enacted, That it shall and may be lawful to and for His Majesty's Postmaster General, and his Deputy or Deputies by him thereunto authorized, in his and their Discretion, to receive Newspapers or printed Price Currents, and also any printed Paper liable to the Stamp Duties and duly stamped, for Conveyance to such Places as aforesaid; and also that it shall and may be lawful to and for His Majesty's Postmaster General, and his Deputy and Deputies, to and for the Use of His Majesty, His Heirs and Successors, to demand, have, receive, and take, for the Conveyance of the same, the Sum of One Penny for each Packet not exceeding One Ounce, and for each Packet exceeding One Ounce, at the Rate of One Penny *per* Ounce; provided always, that the same be sent in Covers open at the Sides.

Rates for Newspapers, &c.

VI. And be it further enacted, That nothing herein contained shall be construed to oblige any Person or Persons to send any Letters or Packets of Letters, or any Newspapers, or printed Prices Current, or any other printed Papers, to the *East Indies*, or to the Islands of *Ceylon* or the *Mauritius*, or any Port or Place whatsoever within the Limits of the Charter of the said United Company, or to the *Cape of Good Hope*, through His Majesty's Post Office, but that it shall be lawful for all Persons to send Letters and Packets of Letters, Newspapers, printed Prices Current, and other printed Papers to those Places in any Manner that they may find practicable and convenient.

Letters, &c. may be forwarded in any other Manner than through the Post Office.

VII. And be it further enacted, That the Commanders of all Ships or Vessels bound to *Ceylon*, the *Mauritius*, or any Port or Place within the Limits of the Charter of the said United Company, or to the *Cape of Good Hope*, are hereby required to receive on board their respective Ships any Bag or Bags of Letters and Packets which shall be tendered to them for Conveyance as aforesaid by the Postmaster General, or his Deputy and Deputies, without receiving or being entitled to receive any Remuneration for such Conveyance.

Commanders of Ships or Vessels bound to the East Indies required to take Bags.

VIII. And be it further enacted, That in case any such Commander shall refuse to receive on board his Ship any such Bag or Bags of Letters and Packets, which shall be so tendered to him for Conveyance as aforesaid, or having received on board any such Bag or Bags, shall wilfully neglect to deliver the same on his Arrival at the Port or Place of his Destination, then and in either of such Cases, such Commander shall forfeit and pay a Penalty of Two hundred Pounds.

Penalty on refusing to receive, or neglecting to deliver, 200*l.*

IX. And be it further enacted, That it shall be lawful for the Court of Directors of the said United Company, or the Secret Committee appointed by the said Court, in pursuance of Two Acts passed in the Thirty-third and Fifty-third Years of His present Majesty's Reign, to receive free from all Duty of Postage from the several Governments in *India*, or from any Agent or other Officer of the said Company, at any Place within the Limits of the Charter of the said Company, any Letter or Packet relating entirely to the Affairs of the said Company, and in like Manner to send any such Letters and Packets addressed to such Governments, Agents, or other Officers, free from all Duty of Postage; provided that all Letters so sent be superscribed by the Chairman or Deputy Chairman, or Secretary or Assistant Secretary of the said Company.

Court of Directors and Secret Committee may receive and send Letters and Packets to and from the Governments in India free of Postage, &c.

X. And

and may receive the same from their Agents by the Company's Ships, free of Postage.

X. And be it further enacted, That it shall and may be lawful for the said Court of Directors, Secret Committee, and Secretary or Assistant Secretary of the said United Company, to receive from any Officer or Agent of the said Company abroad any Letters or Packets entirely relating to the Affairs of the said Company by Ships in the Service of the said Company, in the Manner heretofore accustomed, without Payment of any Postage, and without subjecting any Person to any Penalty or Forfeiture in respect thereof.

Commissioners for the Affairs of India and Chairman of the Company may also send and receive Letters and Packets free from Postage.

XI. And be it further enacted, That it shall be lawful for the Commissioners for the Affairs of *India*, and for the Chairman and Deputy Chairman of the said *East India* Company for the Time being, to send and receive Letters and Packets to and from *Ceylon*, the *Mauritius*, or any Port or Place within the Limits of the Charter of the said Company, or to and from the *Cape of Good Hope*, free from all Duty of Postage; provided that no such Letter or Packet exceed the Weight of Three Ounces.

Public Officers who now send and receive Letters free, to have the same Privilege.

XII. Provided always, and be it further enacted, That nothing in this Act contained shall extend, or be construed to extend, to prevent such public Officers as may now send and receive Letters and Packets free of Postage, from sending and receiving Letters and Packets free from any Postage directed to be paid by this Act, in the same Manner as they are now authorized by Law to send and receive Letters and Packets free from Postage.

Secretary of the Board of Controul to have the same Privilege of franking as the Under Secretaries.

XIII. And be it further enacted, That it shall and may be lawful for the Secretary to the Board of Commissioners for the Affairs of *India* for the Time being, to send and receive Letters and Packets by the Post free from the Duty of Postage, in the same Manner and under such Regulations and Restrictions as the Under Secretaries to His Majesty's Principal Secretaries of State are, by an Act passed in the Forty-second Year of His present Majesty's Reign, or by any other Act, or by this Act, authorized to send and receive Letters and Packets free from Postage.

Letters from the Governor of Ceylon, &c. to the Agents of their Governments not chargeable.

XIV. And be it further enacted, That nothing in this or any other Act contained shall extend to charge with the Duty of Postage any Letters or Packets addressed by the Governors of His Majesty's Settlements of *Ceylon*, the *Cape of Good Hope*, or the *Mauritius*, or by the Secretaries of such Governments respectively, to the Agents of those respective Governments residing in *England*, or by such Agents to such Governors or Secretaries: Provided always, that the Contents of such Letters and Packets relate *bonâ fide* to the Public Service or Concerns of such Governments, and such Governor, Secretary, or Agent respectively superscribe the same.

Directors may receive Letters free of Sea Postage from India by the Ships of the Company.

XV. And be it further enacted, That it shall be lawful for the Directors of the said Company for the Time being, to receive Letters and Packets free from Sea Postage, from any Port or Place within the Limits of the Charter of the said United Company, by Ships in the Service of the said Company; provided that the Letters and Packets brought by any one such Ship to be received by any such Director, do not collectively exceed the Weight of Six Ounces;

Ounces; and that such Persons as shall have been Directors may continue to receive such Letters and Packets free from Postage for One Year after they respectively shall have ceased to be Directors.

Owners may receive Letters by their own Vessels free of Sea Postage:

XVI. And be it further enacted, That it shall be lawful for the Owners, Charterers, or Consignees of Vessels, resident in *Great Britain*, to receive their Letters by their own Vessels, from *Ceylon*, the *Mauritius*, or any Port or Place within the Limits of the Charter of the said United Company, or from the *Cape of Good Hope*, free from Sea Postage; provided that such Owners, Charterers, or Consignees shall be described as such in the Address and Superscription of such Letters, and that such Letters brought by any one Vessel to any one Owner, Charterer or Consignee, shall not collectively exceed the Weight of Twenty Ounces.

As also Owners or Consignees of Goods.

XVII. And be it further enacted, That it shall be lawful for the Owners or Consignees of Goods on board Ships arriving from *Ceylon*, the *Mauritius*, or any Port or Place within the Charter of the said United Company, or from the *Cape of Good Hope*, to receive Letters free from the Sea Postage by such Ships; provided that such Owners or Consignees shall be described as such in the Address and Superscription thereof; and provided it shall appear by the Ship's Manifest, that such Persons actually have Goods on board such Ships; and that the Letter or Letters brought by any one such Ship, for any one such Owner or Consignee, shall not collectively exceed the Weight of Six Ounces.

Penalty on Persons falsely superscribing Letters as being Ship Owners, &c. 10*l*.

XVIII. And be it further enacted, That if any Person whatsoever shall falsely superscribe any Letter, as being the Owner, Charterer, or Consignee of the Vessel conveying the same, or the Owner, Shipper, or Consignee of the Goods shipped in the Vessel, every such Person and Persons so offending shall for every such Offence forfeit and pay the Sum of Ten Pounds.

Owners and Consignees may obtain their Letters from the Master, before Delivery at the Post Office.

XIX. And be it further enacted, That such Owners, Charterers, Consignees and Shippers, may on the Account of such Ship obtain such Letters as they respectively may be entitled to receive free of Sea Postage as aforesaid, from the Master of such Ship, before he shall make his Delivery at the Post Office in Manner herein-after directed; but nothing in this Act shall entitle such Owners or Consignees to take away Letters whatever not within the Limitation of Weight and Superscription.

Owners Letters exceeding the Weight allowed may be seized and carried to the Post Office.

XX. And be it further enacted, That in case any Collector, Comptroller, or other Officer of His Majesty's Customs, shall find any Letter or Letters superscribed as the Letters of such Owners, Charterers, Consignees, or Shippers, exceeding the Weight limited by this Act, then it shall be lawful for such Collector, Comptroller, or other Officer, to seize so many of the Letters as shall reduce the Remainder within the proper Weight, and he shall take the same to the nearest Post Office; and the Post Master of the Place shall pay to the Officer delivering the same at the Rate of Sixpence for each Letter or Packet so seized.

Masters of Vessels on Arrival to collect, enclose, and seal Letters, and deliver them at the first Post Office, and make the following Declaration.

XXI. And be it further enacted, That on the Arrival of any Ship or Vessel off the Coast of *Great Britain*, the Master shall cause all Letters on board his Ship (except such Letters as may be obtained by such Owners, Charterers, Consignees, and Shippers as aforesaid, and except Letters and Packets exceeding the Weight of Three Ounces) to be collected, and enclosed in some Bag, Box, or other Envelope, to be sealed with his Seal, and to be addressed to any of His Majesty's Deputy Postmasters in *Great Britain*, to be in readiness to send on Shore by his own Boat or by the Pilot Boat, or any other safe and convenient Opportunity, in order that the same may be delivered at the first regular Post Office which can be communicated with, and be distributed from thence by the earliest Inland Posts; and shall likewise cause all Letters and Packets exceeding the Weight of Three Ounces (except such as may be obtained by Owners, Charterers, Consignees, and Shippers as aforesaid), to be collected and enclosed in some Bag, Box, or other Envelope, to be sealed and addressed as aforesaid, and shall deliver the same at the regular Port or Place where the Ship or Vessel shall report, and shall at such Port or Place sign a Declaration in the Presence of the Person authorized by the Postmaster General at such Port or Place, who shall also sign the same; which Declaration shall be in the Form or to the Effect following; that is to say,

'I *A. B.* Commander of the [*state the Name of the Ship or Vessel*] arrived from [*state the Place*] do, as required by Law, solemnly declare, That I have, to the best of my Knowledge and Belief, delivered, or caused to be delivered to the Post Office, every Letter, Bag, Package, or Parcel of Letters that were on board the [*state the Name of the Ship*] except such Letters as are exempted by Law.'

And that until such Declaration shall be made and produced to the Comptroller or Principal Officer of the Customs, he or they shall not permit such Ship or Vessel to report.

Penalty on refusing to make Declaration, 50*l.*

XXII. And be it further enacted, That if any Master of any Ship or Vessel shall willingly refuse or neglect to make or produce the said Declaration, he shall forfeit and pay for every such Offence, the Sum of Fifty Pounds.

Penalty on Persons permitting Vessels to report, until Regulations complied with, 50*l.*

XXIII. And be it further enacted, That if any Collector, Comptroller or Principal Officer, hereby required to prohibit any Ship or Vessel reporting until the Requisites of this Act shall be complied with, shall permit such Ship or Vessel to report, such Collector, Comptroller or Officer, for permitting such Ship or Vessel to report, shall forfeit and pay the Sum of Fifty Pounds.

Penalty on Person's having Letters on board after Delivery at the Post Office, 5*l.* for every Letter.

XXIV. And be it further enacted, That if, after the Master of any Vessel shall have sent his Letters to the Post Office of any Port at which he may touch, prior to his arriving at that Port where the Ship or Vessel is to report, any Letter or Packet not exempted by this Act shall be found on board his Vessel, in his Possession, or in the Possession of any of his Crew, or any Passenger on board, every such Person knowingly having such Letter or Packet in his Possession or in his Baggage, shall forfeit and pay for every Letter the Sum of Five Pounds.

XXV. And

XXV. And be it further enacted, That it shall be lawful for such Collector, Comptroller, or other Officer, at any Port or Place whatsoever, who in the due Execution of his Duty as a Revenue Officer shall discover any Letters or Packets on board any Vessel, in any Port or Place whatsoever, contrary to the Provisions of this Act, to seize and take all such Letters and Packets, and to forward the same to the Postmaster General or his Deputy at the Port or Place; and that the Officer seizing and sending the same shall be entitled to One Moiety of the Penalty which may be recovered for any such Offence; and that in all Cases of such Seizure, the Proof that the Provisions of this Act have been complied with, shall lie on the Person in whose Possession or Baggage the Letters or Packets shall be found. Officers to search Packages.

XXVI. And be it further enacted, That if any Person to whom any Letters may be entrusted by the Master of any Ship or Vessel, sealed up in the Manner required by this Act, shall break the Seal, or in any Manner open the same, or shall not duly deliver the same without wilful or unavoidable Delay, every Person so offending shall forfeit and pay for every such Offence the Sum of Twenty Pounds. Penalty on breaking Seals of Box, Bag, or Packages of Letters, 20*l.*

XXVII. And be it further enacted, That in case any Bags, Packages, or Parcels of Letters shall be brought by any Ship of War, the Commander thereof shall cause the same, and all Letters which may be on board (except the public Dispatches of Government), to be immediately sent to the Post Office at the first Port where he shall arrive; and such Commander shall, for all such Letters, be entitled to receive the same Allowances as are payable to the Masters of other Ships and Vessels. Commanders of Ships of War to send Letters to the Post Office, for which an Allowance shall be made.

XXVIII. And be it further enacted, That in case it shall happen from any unforeseen Circumstances, that the Master of any Ship or Vessel, or the Commander of any Ship of War, shall upon delivering his Bags, Packages, or Parcels of Letters, be prevented from receiving the Money to which he shall be entitled, such Master or Commander shall nevertheless be paid the same, by the Order of the Postmaster General, at such other Places as may be most convenient. Money due to Masters of Vessels to be paid by Postmaster General.

XXIX. And be it further enacted, That one Moiety of the several pecuniary Penalties hereby imposed shall be payable to the Use of His Majesty, His Heirs and Successors, and the other Moiety to any Person who shall inform and sue for the same, to be recovered with full Costs of Suit, by Action of Debt, Bill, Plaint, or Information, in any of His Majesty's Courts of Record in *Great Britain*, wherein no Essoign, Protection, or Privilege, or Wager of Law, shall be admitted. Penalties how to be recovered and applied.

XXX. And be it further enacted, That in any Action or Suit against any Person or Persons, for collecting, carrying, conveying, delivering, or sending Letters or Packets contrary to the Provisions in an Act made 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;* In Actions brought for carrying Letters contrary to the Provisions of 9 Anne, c. 10. or 42 G. 3. c. 81. Proof

shall lie on the Defendant.

Occasions; or contrary to the Provisions in an Act made in the Forty-second Year of the Reign of His present Majesty, intituled *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*; or in either of them, or contrary to the Provisions of this Act, the Proof that the Letters or Packets were collected, carried, conveyed, delivered or sent, according to the Provisions contained in the said last-mentioned Acts, or one of them, or according to the Provisions contained in this present Act (as the Case may require), shall lie on the Person or Persons against whom such Action or Suit shall be brought for delivering or sending the same.

Application of the Rates.

XXXI. And be it further enacted, That the Monies to arise by the several Rates and Duties as aforesaid (except the Monies which shall be necessary to defray such Expences as shall be incurred in the Management and Collection of the same), shall be paid into the Receipt of the Exchequer at *Westminster*, and carried to and made Part of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*.

Limitation of Actions.

XXXII. And be it further enacted, That if any Action or Suit shall be commenced against any Person or Persons for any Thing done in pursuance of this Act, the same shall be commenced within Twelve Months after the Fact committed, and not afterwards; and the Defendant or Defendants in such Action or Suit shall and may plead the General Issue, and give this Act and the Special Matter in Evidence, and that the same was done in pursuance and by the Authority of this Act; and if it shall appear so to be done, or that such Action or Suit shall be commenced after the Time before limited for bringing the same, that then the Jury shall find for the Defendant or Defendants; and upon a Verdict for the Defendant, or if the Plaintiff or Plaintiffs shall be nonsuited, or discontinue his, her, or their Action or Suit after the Defendant or Defendants shall have appeared, or if upon Demurrer Judgement shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall and may recover Treble Costs, and have the like Remedy for the same as any Defendant or Defendants hath or have in any other Cases by Law.

Treble Costs.

Act not to extend to Letters, &c. to or from China.

XXXIII. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to any Letters or Packets to or from *China*, but that they may be sent and carried as heretofore has been used, any thing to the contrary herein contained in anyway notwithstanding.

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