


ANNO QUARTO & QUINTO

# GULIELMI IV. REGIS.

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## CAP. XLIV.

## An Act to regulate the Conveyance of printed Newspapers by Post between the United Kingdom, the *British* Colonies, and Foreign Parts.

[13th *August* 1834.]

WHEREAS by an Act passed in the Fourth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for preventing Frauds and Abuses in relation to the sending and receiving of Letters and Packets free from the Duty of Postage*, reciting that forasmuch as it had been usual for the Clerks in the Offices of His Majesty's Principal Secretaries of State, and also for certain Officers in the Office of His Majesty's Postmaster General, to frank printed Votes and Proceedings in Parliament, and printed Newspapers to be sent by the Post, it was therefore enacted, that it should and might be lawful for such Clerks and Officers as aforesaid, being thereunto licensed by His Majesty's Principal Secretaries of State or His Majesty's Postmaster General respectively, to continue to frank such printed Votes and Proceedings in Parliament and printed Newspapers in such Manner as they had theretofore been accustomed to frank the same: And whereas by an Act passed in the Forty-second Year of the Reign of His said late Majesty King *George* the Third, intituled *An Act to authorize the sending and receiving of Letters and Packets, Votes, Proceedings in Parliament, and printed Newspapers by the Post, free from the Duty of Postage, by the Members* 4 G. 3. c. 24. s. 6. 42 G. 3. c. 63. s. 11.



*of*

*of the Two Houses of Parliament of the United Kingdom, and by certain Public Officers therein named, and for reducing the Postage on such Votes, Proceedings, and Newspapers when sent by any other Persons*, it was amongst other Things enacted, that the several Persons who by virtue of any Act or Acts passed in the Parliament of *Great Britain* or in the Parliament of *Ireland*, and then in Force, were authorized in respect of their Offices to send Votes, Proceedings in Parliament, and printed Newspapers free from the Duty of Postage, should and might send the same within the United Kingdom in such and the like Manner as they had theretofore been accustomed to do: And whereas it is expedient that the Privilege of franking printed Votes and Proceedings in Parliament and printed Newspapers hitherto enjoyed by the Clerks in the Offices of His Majesty's Principal Secretaries of State, and certain Officers in the Office of His Majesty's Postmaster General, under or by virtue of the said herein-before in part recited Acts or otherwise, should be repealed and annulled, and that other Regulations should be made for the Conveyance of printed Newspapers by the Post: 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 from and after the First Day of *October* One thousand eight hundred and thirty-four so much and such Parts of the said in part recited Acts passed in the Fourth and Forty-second Years of the Reign of His late Majesty King *George* the Third, and of any other Acts as authorize and empower any Clerks in the Offices of His Majesty's Principal Secretaries of State, and any Officers in the Office of His Majesty's Postmaster General, to send or receive printed Votes and Proceedings in Parliament and printed Newspapers by the Post, free of the Duty of Postage, shall be and the same is and are hereby repealed; and the said Privilege of franking as heretofore enjoyed by the said Officers and Clerks shall be and the same is hereby wholly annulled.

So much of recited Acts as authorizes Clerks in the Offices of the Secretaries of State, and Officers in the Post Office, to frank printed Newspapers, &c. repealed.

II. And whereas by an Act passed in the Sixth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act to regulate the Conveyance of printed Votes and Proceedings in Parliament and printed Newspapers by Packet Boats between* Great Britain *and* Ireland *and the* British *Colonies, and also in the United Kingdom*, printed Newspapers were authorized to be sent by Packet Boats from *Great Britain* and *Ireland* to any of His Majesty's Colonies and Possessions beyond the Seas, at a Rate of One Penny Halfpenny each, and Newspapers printed within His Majesty's Colonies and Possessions beyond the Seas were authorized to be sent by Packet Boats to *Great Britain* and *Ireland*, at a Rate of Threepence each: And whereas it is expedient to authorize the Conveyance of printed Newspapers by Packet Boats between the United Kingdom and His Majesty's Colonies free of Postage; be it therefore further enacted, That from and after the First Day of *October* One thousand eight hundred and thirty-four so much of the said in part recited Act passed in the Sixth Year of the Reign of His late Majesty King *George* the Fourth as relates to the Postage and

So much of 6 G. 4. c. 68. as relates to Conveyance of Newspapers by Packet Boats to and from the Colonies repealed.

Conveyance of printed Newspapers by Packet Boats to and from His Majesty's Colonies and Possessions beyond the Seas shall be and the same is hereby repealed.

Newspapers to and from the Colonies.

III. And be it further enacted, That from and after the said First Day of *October* One thousand eight hundred and thirty-four it shall and may be lawful to and for His Majesty's Postmaster General for the Time being, and his Deputy and Deputies in *Great Britain* and *Ireland*, to receive at any General Post Office printed Newspapers liable to the Stamp Duty, and duly stamped for Conveyance by Packet Boat from the United Kingdom to any of His Majesty's Colonies and Possessions beyond the Seas, and to forward and convey the same accordingly free of Postage; and for His Majesty's Postmaster General and his Deputy and Deputies in His Majesty's Colonies and Possessions beyond the Seas to receive Newspapers printed and published within such Colonies or Possessions for Conveyance by Packet Boats to *Great Britain* or *Ireland*, and to deliver the same by the General Post within the United Kingdom free of the Duty of Postage.

Newspapers to and from Foreign Parts.

IV. And be it further enacted, That from and after the said First Day of *October* One thousand eight hundred and thirty-four it shall and may be lawful for His Majesty's Postmaster General for the Time being, and his Deputy and Deputies in *Great Britain* and *Ireland*, to receive at any General Post Office printed Newspapers liable to the Stamp Duty, and duly stamped for Conveyance by Packet Boats from *Great Britain* and *Ireland* to any Port out of the United Kingdom, other than His Majesty's Colonies and Possessions, and to forward the same accordingly free of the Duty of Postage, and that Newspapers printed in any Kingdom or State beyond the Seas, other than His Majesty's Colonies and Possessions, and brought into the United Kingdom by Packet Boats, shall and may (if printed in the Language of the Foreign Kingdom or State from which the same shall be forwarded, but not otherwise), be delivered by the General Post within the United Kingdom free of the Duty of Postage: Provided always, that before any Newspapers to or from any Foreign Port shall be permitted to be conveyed or delivered free of Postage, under the Provisions of this Clause, satisfactory Proof shall have been laid before the Postmaster General for the Time being that printed Newspapers sent from *Great Britain* or *Ireland*, addressed to any Person or Place in any Foreign Kingdom or State, are allowed to pass by the Post within any such Foreign Kingdom or State free of Postage, and also that Newspapers addressed to any Person or Place in *Great Britain* or *Ireland* from any such Foreign Kingdom or State are allowed to pass by the Post within such Foreign Kingdom or State free of Postage; and it is hereby further declared, that as to every Newspaper put into any General Post Office within *Great Britain* or *Ireland* for Conveyance by Packet Boat, addressed to any Person or Place in any Foreign Kingdom or State in which printed Newspapers from *Great Britain* or *Ireland* shall not be allowed to pass by the Post free of Postage, it shall be lawful for His Majesty's Postmaster General for the Time being (until such satisfactory Proof shall be laid

laid before him as aforesaid), and his Deputy and Deputies, for the Use of His Majesty, His Heirs and Successors, to demand, have, receive, and take for the Conveyance of every such printed Newspaper to any Foreign Port the Sum of Two-pence, to be paid when the same shall be put into the Post Office; and as to every Newspaper addressed to *Great Britain* or *Ireland*, and brought into the United Kingdom from any Foreign Kingdom or State in which such printed Newspapers shall not be allowed to pass by the Post free of Postage, it is hereby declared that it shall be lawful for His Majesty's Postmaster General for the Time being (until such Satisfactory Proof shall be laid before him as aforesaid), 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 every such Newspaper by the General Post the Sum of Two-pence on Delivery thereof by such Post to the Person to whom the same shall be addressed, over and above and in addition to any Postage charged thereon by any Foreign Post Office, provided every such Paper be printed and published in the Language of the Kingdom or State from which the same shall be forwarded.

Regulation as to Duty on Conveyance of Newspapers to any Foreign Port.

V. And whereas Circumstances may arise which may render it expedient again to impose and demand the said respective Rates of Two-pence by the said lastly herein-before mentioned Clause granted, after the same shall have ceased to be demanded by reason of such satisfactory Proof having been laid before the Postmaster General for the Time being as aforesaid; now be it further enacted, That it shall be lawful for His Majesty's Postmaster General for the Time being, by and with the Consent of the Lords Commissioners of His Majesty's Treasury, or any Three or more of them, at any Time after such satisfactory Proof shall have been laid before His Majesty's Postmaster General for the Time being as aforesaid, again to impose, demand, and receive the said respective Rates of Two-pence for the Conveyance of any such printed Newspaper to any Foreign Port, and on the Delivery of any such printed Newspaper from any Foreign Kingdom or State, whenever it shall be deemed expedient so to do.

Newspapers to be sent in Covers, open at the Sides, &c.

VI. And be it further enacted, That no Newspaper shall be sent by the Post under the Provisions of this present Act, unless every such Paper be sent without a Cover, or in a Cover open at the Sides, and that there be no Words or Communication printed on such Paper after the same shall have been published, nor any Writing or Marks upon such printed Paper or the Cover thereof, other than the Name and Address of the Person to whom it is sent, and so that there be no Paper or Thing enclosed or concealed in or with such printed Paper or the Cover thereof, nor any printed Words or Communication on the Cover thereof.

Newspapers to be posted within Seven Days after Publication.

VII. And be it further enacted, That every printed Newspaper to be sent out of the United Kingdom under the Provisions of this Act shall in all Cases be put into a Post Office or Receiving Office in *Great Britain* or *Ireland* within Seven Days next after the Day on which the same shall be published, the Day of Publication

tion to be ascertained by the Date of such Paper; and in case any such Paper shall be put into any Post Office at any Time after the Expiration of such Seven Days, it shall and may be lawful for His Majesty's Postmaster General or his Deputy or Deputies, at his or their Discretion, either to detain any such Paper or to forward the same by the Post, charged with the full Duty of Letter Postage according to the Rates now established by Law.

Newspapers addressed to Persons who have removed may be re-directed, and sent to them free of extra Charge.

VIII. And be it further enacted, That in case any Person to whom any printed Newspaper brought into the United Kingdom under the Provisions of this Act shall be directed shall have removed from or quitted the Place to which such Newspaper shall be addressed prior to the Delivery thereof at such Place, any such Newspaper, on arriving or Delivery at the Place of its Address, shall and may (provided the same shall not have been opened or used, but not otherwise) be re-directed, and forwarded by the Post to such Person at any other Place within the United Kingdom, free of any Charge for such extra Conveyance; but if any such Newspaper shall have been opened or used, the same shall, on re-direction, be charged and chargeable with the Rate of a Single Letter, from the Place at which such Newspaper shall be re-directed or re-posted to the Place at which it shall be ultimately delivered.

Postmaster General, with Consent of the Treasury, may contract with Editors, &c. of unstamped Publications for forwarding the same by Post, on Payment of a yearly Sum for each Publication.

IX. And whereas under and by virtue of the said in part recited Acts of the Fourth and Forty-second Years of the Reign of King *George* the Third, and the Privilege thereby conferred, certain unstamped Publications have from Time immemorial been sent by the General Post from *London* to Places within the United Kingdom, at certain small annual Charges, and much Injury and Inconvenience may arise to the Public by the Repeal of such Privilege in regard to the said Publications; be it therefore enacted, That it shall be lawful for His Majesty's Postmaster General for the Time being, and he is hereby authorized and empowered, with the Consent and Approbation of the Lords Commissioners of His Majesty's Treasury, or any Three or more of them, from Time to Time to contract, compound, and agree with the Editor, Proprietor, or Publisher of any such unstamped Publication, as hath hitherto been sent by the Post under the Privilege aforesaid, for forwarding the same by the General Post within the United Kingdom, on Payment to His Majesty's Post Office Revenue yearly of such a Sum of Money for each such Publication as may from Time to Time be agreed on, so as every such Publication be sent without a Cover, or in a Cover open at the Sides, and there be no Words or Communication printed on any such Publication after the same shall have been published, nor any Writing or Marks upon such Publication or the Cover thereof, other than the Name and Address of the Person to whom it is sent, and so that there be no Paper or Thing enclosed or concealed in or with any such Publication or the Cover thereof, nor any printed Words or Communication on the Cover thereof; and the forwarding of such Publications by the Post shall be subject to all such other Regulations as the Postmaster General may deem expedient.

Power to examine and search printed Papers sent in Covers open at the Sides.

X. And be it further enacted, That it shall be lawful for His Majesty's Postmaster General and his Deputy and Deputies, or any of the Officers employed under him or them respectively, to examine and search any printed Paper or Packet which under the Provisions of this present Act shall be sent by the Post without a Cover, or in a Cover open at the Sides as aforesaid, in order to discover whether any Words or Communication have or has been printed on such Paper after the same was published, or whether there is any Writing or Mark upon such printed Paper or the Cover thereof other than the Name and Address of the Person to whom it is sent, or whether there is any Paper or Thing enclosed or concealed in or with such printed Paper or the Cover thereof, or whether there are any printed Words or Communication on the Cover thereof, or whether the Papers brought into the United Kingdom from any Foreign Kingdom or State shall be printed and published in the Language of the Kingdom or State from which they shall have been forwarded; and also, in order to discover whether the Newspapers printed and posted in the United Kingdom shall be duly stamped, and in case any Words or Communication shall be found to have been printed on any such Paper after the same was published, or any Writing or Mark shall be found on any such printed Paper or the Cover thereof other than the Name and Address of the Person to whom it is sent, or any other Paper or Thing shall be found to be enclosed or concealed in or with such printed Paper or the Cover thereof as aforesaid, or any printed Words or Communication shall be found upon the Cover thereof, or in case any Newspaper brought into the United Kingdom from any Foreign Kingdom or State shall not be printed and published in the Language of the Kingdom or State from which the same shall have been forwarded, the whole of every such Packet addressed and delivered to any Person within the United Kingdom shall be charged with Treble the Duty of Letter Postage according to the Rates now established by Law; and as to every such Paper or Packet going out of the United Kingdom it shall be lawful for the Postmaster General or his Deputy or Deputies, at his or their Discretion, either to detain any such Paper or Packet or to forward the same by the Post, charged with the Duty of Letter Postage; and in case any Newspaper printed and posted in the United Kingdom and sent by the Post under the Provisions of this Act shall appear not to have been duly stamped, the same shall be stopped and sent to the Commissioners of Stamps either at *London or Dublin*, as the Case may be.

Papers to be delivered to Postmaster General at such Hours as he shall appoint.

XI. And be it further enacted, That all printed Papers to be conveyed by the Post under the Provisions of this Act shall be delivered to the Postmaster General, or his Deputy or Deputies, at such Hours in the Day and under all such Regulations as the Postmaster General for the Time being shall in his Discretion from Time to Time appoint.

Nothing herein to oblige Persons to send

XII. And be it further enacted, That nothing herein contained shall be construed to oblige any Person or Persons to send any printed Newspapers to or from Places beyond the Seas through

His Majesty's Post Office, but that it shall and may be lawful for all Persons to send such printed Newspapers to and from Places beyond the Seas in any Manner they may find practicable or convenient.

Newspapers through the Post Office.

XIII. And be it further enacted, That in all Cases in which any Dispute, Controversy, or Question shall arise whether any printed Paper sent or offered to be sent by the Post, under the Provisions of this Act or any other Act relating or referring to the Post Office, is to be considered and deemed a Newspaper within the Intent and Meaning of this Act or any other Act relating or referring to the Post Office, or whether any such printed Paper is entitled to the Exemptions and Privileges of a Newspaper so far as to authorize the Transmission of the same by the Post free of Postage, the Question shall be referred to the Judgment and Determination of the Postmaster General for the Time being, whose Decision, with the Concurrence of any Three or more of the Lords Commissioners of His Majesty's Treasury, shall be final and conclusive on all Persons whomsoever.

Postmaster General, with Concurrence of the Treasury, may determine any Dispute or Question as to what shall be deemed a Newspaper.

XIV. And be it further enacted, That the several Rates and Duties herein-before granted shall be paid from Time to Time into the Hands of the Receiver General for the Time being in *England* and *Ireland* of the Revenue of the Post Office, who shall pay the same (the necessary Charges for collecting, paying, and accounting for the same being first deducted) into the Receipt of His Majesty's Exchequer, on such Days and Times and in such Manner as the Rates and Duties of Postage by any Act or Acts in force at or immediately before the passing of this Act are directed to be paid; and the said Duties so to be paid into the said Receipt as aforesaid shall be carried to and made Part of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*.

Rates to be carried to and form Part of the Consolidated Fund.

XV. And be it further enacted, That no Action or Suit shall be commenced against any Person or Persons for any thing done in pursuance of this Act, unless within Three Calendar Months after the Right of Action shall have accrued, 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 of and by the Authority of this Act; and if it shall appear so to be done, or the Action or Suit shall be commenced after the Time before limited for bringing the same, then the Jury shall find for the Defendant or Defendants; 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, Judgment 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.

Actions to be commenced within Three Months after Right of Action accrues.

XVI. And

Act may be altered this Session.

XVI. And be it further enacted, That this Act may be altered, varied, or repealed by any Act or Acts to be passed in this present Session of Parliament.

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