

TASMANIA.



1869.

ANNO TRICESIMO-TERTIO

VICTORIÆ REGINÆ,

No. 5.



AN ACT to regulate the Conveyance and Postage of Letters and Packets.

[22 October, 1869.]

WHEREAS it is expedient to amend and consolidate the Law providing for the Conveyance and Postage of Letters and Packets : Be it therefore enacted by His Excellency the Governor of *Tasmania*, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows :—

PREAMBLE.

*Short Title.*

1 This Act may be cited as "The Post Office Act, 1869."

Short Title.

*Repeal.*

2 This Act shall come into operation on and after the First day of *January*, 1870, and the Acts named in the Schedule shall thereupon be repealed, except always as to all or any offences committed or matters or things done before that day, all which offences, matters, and things shall be dealt with as if this Act had not been passed ; and all Proclamations, Regulations, and Orders made under any Act hereby repealed, and which are in force when this Act comes into operation, shall be deemed to have been made under this Act.

Commencement of Act.  
Repeal.

*Post Office Act, 1869.**Post Offices and their Regulation.*

Governor may abolish and establish Post Offices.

**3** It shall be lawful for the Governor to abolish such existing Post Offices in this Colony, and to establish such new Post Offices therein, as to the Governor may from time to time seem desirable.

Rules and Regulations.

**4** The Governor in Council may from time to time make such Rules and Regulations as he sees fit for any of the following purposes :—

1. For the establishing, governance, and managing of Post Offices within this Colony :
2. For the receiving, despatching, conveying, carrying, and delivering of Letters and Packets :
3. For the making, custody, and sale of Postage Stamps :
4. For the receipt and payment of money in connection with the said Post Offices :
5. For the conduct of all Postmasters and other Officers of and belonging to the Postal Department :

And it shall also be lawful for the Governor in Council from time to time to amend, alter, or revoke such Rules or Regulations.

*Officers.*

Governor to appoint Postmaster-General, &c.

**5** It shall be lawful for the Governor from time to time to appoint a Postmaster-General, a Secretary, an Inspector or Inspectors of Stamps, and such and so many Postmasters and other Officers, Clerks, and Servants for the conducting and managing of the Post Offices within this Colony, and to cause to be paid to them respectively such reasonable Salaries and Allowances as to the Governor seems meet ; and it shall also be lawful for the Governor from time to time at pleasure to remove any such Postmaster-General, Secretary, Inspector of Stamps, Postmaster, Officer, Clerk, or Servant, and to appoint some other person in the place and stead of the person so removed as occasion may require.

Declaration to be made by Officers.

**6** The Postmaster-General and every other Postmaster, Clerk, Letter Carrier, or other person appointed under this Act, and employed in the receiving, despatching, conveying, carrying, sorting, or delivering of Letters or Packets, shall, previously to the exercise by him of the duties of his office, take and subscribe before a Justice of the Peace for the Colony a Declaration for the due performance and execution of such duties in the words following ; that is to say—

“ I *A. B.* [*Postmaster-General, or as the case may be*] do declare  
 “ that I will not willingly or knowingly open, detain, return, or delay,  
 “ or cause or suffer to be opened, detained, returned, or delayed, any  
 “ Letter or Packet which comes into my hands, power, or custody.  
 “ by reason of my employment relating to the Post Office, except in  
 “ cases authorised by “The Post Office Act, 1869,” or by any Rule  
 “ or Regulation made under or by virtue thereof ; and that I will not  
 “ divulge to any person whatsoever, except to the Postmaster-General  
 “ for the time being, any of the contents of any such Letter or Packet  
 “ as aforesaid.”

*Post Office Act, 1869.**Postage on Letters and Packets.*

**7** The Postage on all Letters and Packets received at any Post Office in this Colony for delivery within this Colony shall hereinafter excepted, be charged and payable on all such Letters and Packets by weight only according to the following scale :—

For any weight not exceeding Half an Ounce, One rate of Postage :—

And for every additional Half an Ounce or fraction of Half an Ounce in weight, One additional rate of Postage.

**8** Subject to the provisions hereinafter contained relating to certain Packets specially mentioned, the following shall be the rates of postage payable according to the scale aforesaid upon all Letters and Packets received at any Post Office :—

1. Upon all Letters and Packets received at any Post Office for delivery at such Post Office, or at any place within the limits of the City or Town in which such Post Office is situate, the postage shall be One Penny : Town Letters.
2. Upon all Letters and Packets received at any Post Office situate in the City of *Hobart Town* or Town of *Launceston* for delivery beyond the boundaries of such City or Town, and within a radius of Five miles from the principal Post Office for the time being of such City or Town, as the case may be, in which such Letters or Packets were posted, the postage shall be Two Pence : Suburban Letters.
3. Upon all Letters and Packets received at any Post Office situate beyond the boundaries of the said City or Town and within such radius as aforesaid, for delivery within the radius in which the Post Office where such Letters or Packets were posted is situate, the postage shall be Two Pence : Suburban Letters.
4. Upon all Letters and Packets, excepting those hereinbefore provided for, received at any Post Office in this Colony for delivery within the Colony beyond the boundaries of the City or Town in which such Post Office is situate, the postage shall be Four Pence : Inland Letters.
5. Upon all Letters and Packets received at any Post Office in this Colony for transmission to any of the *Australian Colonies* or *New Zealand* the postage shall be Sixpence. Colonial Ship Letters.

**9** No Letter from or to any non-commissioned officer, private soldier, seaman, or marine employed in the Army, Navy, or Marines shall be chargeable with a higher rate of postage than the sum of One Penny : Provided, that every such Letter does not exceed one half-ounce in weight, and that upon the outside of any such Letter from any such non-commissioned officer, private soldier, seaman, or marine there is written in the handwriting of and signed by the Commanding Officer for the time being of the corps, regiment, detachment, or ship to which such non-commissioned officer, private soldier, seaman, or marine belongs the name of such officer, and of such corps, regiment, detachment, or ship : Provided also, that any such Letter to any such non-commissioned officer, private soldier, seaman, or marine specifies upon the same the corps, regiment, detachment, or ship to which such non-commissioned officer, private soldier, seaman, or marine belongs.

Postage on Letters of soldiers and sailors.

*Post Office Act, 1869.*

Governor empowered to make arrangements for the transmission of Letters, &c. by Ship to and from this Colony and Parts beyond Sea.

**10** It shall be lawful for the Governor in Council from time to time to make or cause arrangements to be made with the constituted authorities in the *United Kingdom* or in any Colony, or in Foreign parts, for the transmission by Ship of Letters and Packets, and Newspapers, Books, Magazines, Reviews, and Pamphlets, (whether *British*, Colonial, or Foreign), to and from this Colony and any place beyond sea, whether direct or otherwise, and by any such arrangement to determine the amounts which shall be payable as the entire Postage for so transmitting such Letters, Packets, Newspapers, Books, Magazines, Reviews, and Pamphlets, and the mode in which and the place at which such Postage shall be paid, and in what manner the Funds derivable from such Postage shall be apportioned between this Colony and the *United Kingdom*, or any *British* Colony or Possession, or Foreign Country, as the case may be, and also in what manner such Funds shall be appropriated and applied.

Postage payable upon such Letters, &c. under any such arrangement to be proclaimed.

**11** Upon Proclamation by the Governor in the *Gazette* that by any such arrangement as aforesaid it had been determined that the amounts of Postage in such Proclamation mentioned should be payable and paid in this Colony as Postage on Letters, Packets, Newspapers, Books, Magazines, Reviews, and Pamphlets transmitted by Ship in pursuance of such arrangement, such amounts shall be payable and shall be paid in this Colony as the Postage for the time being on all such Letters, Packets, Newspapers, Books, Magazines, Reviews, and Pamphlets, anything herein contained to the contrary notwithstanding.

*Reduced Postage on certain Packets.*

Savings Bank Packets to pay postage of One Penny.

To be specially endorsed.

May be registered.

**12** Notwithstanding anything hereinbefore contained to the contrary, upon all Packets addressed to or forwarded from any Savings Bank not exceeding Four ounces in weight, and containing any Money, Deposit Book, or communication relating to the deposit or repayment of Money in such Savings Bank, the postage shall be One Penny for each such Packet: Provided that on the cover of each such Packet there is endorsed the words, "Savings Bank Packet only;" and such endorsement is signed by the Actuary or Manager of the Savings Bank from which such Packet is forwarded, or by the person forwarding such Packet to the Savings Bank, as the case may be; and any Packet duly endorsed in manner last aforesaid shall be registered for transmission through the Post Office without any further charge beyond the said sum of One Penny for the Postage thereof.

Manager of Bank to report any fraudulent endorsement.

**13** If the Manager or Actuary of any Savings Bank receives any Packet endorsed in manner hereinbefore provided, which contains any other articles or communication than such as are mentioned in the last preceding Section, such Manager or Actuary shall forthwith exhibit such Packet and its contents to the nearest Postmaster, and shall pay out of the Depositor's funds the ordinary rate of postage chargeable on such Packet; and in case any such Manager fails so to do, he shall forfeit and pay a penalty not exceeding Ten Pounds.

Postage on certain Packets.

**14** The sum of One Penny only for any weight not exceeding One ounce, and the additional sum of One Penny for each additional ounce or portion thereof, shall be paid as the rate of postage on Packets of the following descriptions; that is to say,—

Packets (in covers open at the ends or sides) containing notes, cheques, orders, or pass-books sent by or to any Bank or Banker—

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Packets (in covers open at the ends or sides) containing writs and proceedings of any Court of Justice, or deeds, or conveyances, or wills, or any memorial of any deed, conveyance, or will, or of any Judgment *bonâ fide* intended for registration according to Law, or affidavits or Letters of Attorney, or policies of assurance, or share scrip :

Packets (in covers open at the ends or sides) containing printed or plain books, magazines, reviews, pamphlets, almanacs, maps, plans, specifications, music, photographs, engravings, paintings, catalogues, prices current, placards, printed circulars, periodical publications, printed papers of every description, music paper, and writing paper :

Packets (in covers open at the end or sides) containing patterns or samples of merchandise, *bonâ fide* sent as such :

Packets containing seeds, or samples of merchandise, *bonâ fide* sent as such in bags or papers tied so as to be easily loosened and refastened :

Provided, that there is not in or upon any such Packet any letter or epistolary communication or intelligence, and that, on the outside thereof, in addition to the name and address of the person to whom the same is to be delivered, the sender thereof subscribes with his name and address a statement of the contents thereof (as the case may be) in such form as the following; that is to say,—“Banker’s Parcel,” or “Patterns of Merchandise,” or other proper and appropriate description within and in accordance with the terms of this Section.

No writing to be contained in such Packets, and form of endorsement thereon.

**15** If any person wilfully or knowingly sends to or puts into or causes to be sent to or to be put into any Post Office any Packet having a cover marked and subscribed as in the last preceding Section mentioned, which contains any other article than the articles thereby described to be contained therein, or which contains any Letter or epistolary communication or intelligence, every such person shall for any such offence forfeit and pay a penalty not exceeding Ten Pounds.

Penalty for such Packets containing writing or other than articles specified thereon.

**16** No Packet containing any book shall be transmitted by Post to any place in this Colony to which the mail is conveyed on horseback or on foot unless the Postmaster-General so directs ; and it shall be lawful for the Postmaster-General or any Postmaster under this Act to refuse to transmit by Post any Packet exceeding Sixteen ounces in weight, or of inconvenient form or dimensions, or containing or reasonably suspected to contain any article or thing likely to be injurious to the other contents of the mail-bags ; and it shall also be lawful for the Postmaster-General or any Postmaster under this Act to delay, until the next outgoing Mail or for any period not exceeding One week, the transmission or delivery of any Packet exceeding Eight ounces avoirdupois in weight, upon such occasions and under such circumstances as it appears to such Postmaster-General or Postmaster necessary or expedient so to do.

Power to refuse certain Packets.

Certain Packets may be detained.

*Newspapers.*

**17** All newspapers enclosed either separately or with others in an envelope open at both ends shall, save as aforesaid, be received, conveyed, and delivered by Post free of all Postage whatsoever : Provided, that no such newspaper or envelope contains any printing, writing, or thing whatsoever therein or thereon, other than the contents of such newspaper

Newspapers to be free of Postage.

*Post Office Act, 1869.*

as printed by the publisher thereof, excepting only the direction on the outside thereof; and if any person wilfully or knowingly sends to or puts into, or causes to be sent to or put into, any Post Office any newspaper or envelope which contains any printing, writing, or thing whatsoever therein or thereon other than the contents of such newspaper as printed by the publisher thereof, every such person shall for any such offence forfeit and pay a penalty not exceeding Ten Pounds.

Definition of Newspaper.

**18** Every pamphlet or paper containing any public news, intelligence, or occurrences, or any remarks or observations thereon, or upon any matter in Church or State, or containing only or principally advertisements, printed for sale and published periodically or in parts or numbers at intervals not exceeding Thirty-two days between the publication of any two such pamphlets, papers, parts, or numbers, shall, if such pamphlet, paper, part, or number do not exceed two sheets, (exclusive of any cover or blank leaf, or any other leaf upon which any advertisement or other notice is printed), or is published for sale at a sum not exceeding Sixpence, and is registered in accordance with any Act relating to the registration of newspapers, be deemed and taken to be, and shall alone be a Newspaper within the meaning of this Act.

Newspapers may be opened and examined.

**19** For the purpose of discovering whether any newspaper sent by the Post contains any article, letter, printing, writing, or thing contrary to the provisions of this Act, it shall be lawful for the Postmaster-General or any Officer of the Post Office authorised by him in that behalf to open, examine, and search any newspaper put into or sent by the Post; and in case any such newspaper is found to contain any article, letter, printing, writing, or thing whatsoever contrary to the provisions of this Act, it shall be lawful for the said Postmaster-General or such other Officer as aforesaid to detain such newspaper and the contents thereof; and the same may be destroyed by the Postmaster-General at such periods as he may think fit.

*Exemptions from Postage.*

Certain Letters and Packets exempt from Postage.

**20** No Postage shall be charged upon any of the following Letters or Packets :—

Petitions and Addresses forwarded to the Governor by Post, if such Petitions and Addresses are sent without covers, or in covers open at the sides :

Letters and Packets sent by or addressed to Members of Parliament during any Session of Parliament :

Demands and Receipts for *Rural Police Rate* or *Road Rate* by any Collector : Provided that there is endorsed thereon or upon the cover of the same the words "Rural Police Rate," or "Road Rate," as the case may be, together with the signature of the Collector :

Letters containing the amount of any Rural Police Rate, or any Road Rate : Provided that there is endorsed thereon, or upon the cover of the same, the words "Rural Police Rate," or "Road Rate," as the case may be, together with the signature of the sender :

Letters and Packets addressed to the Government Statistician when marked on their envelopes as containing Statistical information only, and the signature of the sender subscribed immediately underneath those words :

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Packets enclosing only Maps or Plans transmitted by or addressed to the Surveyor-General: or containing only Returns of Births, Deaths, Marriages, or Baptisms transmitted in compliance with Law by any person whose duty it is to transmit the same to any person whose duty it is to receive the same: or containing Depositions in cases of Felony or Misdemeanor addressed to or transmitted by the Attorney-General or other Officer appointed for the prosecution of offences: or containing printed Forms transmitted by or addressed to the Government Printer: Provided that the contents of all such Packets are stated on the outside thereof and such statement is subscribed with the name and address of the sender of the Packet:

All Letters or Packets received at any Post Office from beyond Sea for delivery within this Colony, provided they are received in a regular Mail and not subject to any Postage:

Letters and Packets which are *bonâ fide* on the public service only, and are franked by the Governor, or by any Member of the Parliament of this Colony, or by any Mayor or the Warden of a Rural Municipality, or by any one of such Officers of the Government of this Colony as are from time to time authorised by the Governor to frank official Letters and Packets: Provided that there is endorsed on any such Letter or Packet the words "On Public Service Only," and that the signature of the Governor, or Member, or Warden, or such Officer as aforesaid franking the same is subscribed to such words.

**21** If any Member of the Parliament of this Colony, or any Mayor or Warden, or any such Officer of the Government so authorised to frank as aforesaid, franks any Letter or Packet which is not *bonâ fide* on the public service only, he shall for every such offence incur a penalty not exceeding Ten Pounds. Penalty for illegally Franking.

*Postage Stamps.*

**22** The Postmaster-General shall, with the approval of the Governor, from time to time cause Stamps to be made and sold indicating such amounts of postage as may in that behalf be directed by the Governor. Postage Stamps to be made and sold.

**23** Whosoever fraudulently forges or imitates, or assists in forging or imitating, any Stamp made under the authority of this Act, or offers, utters, disposes of, or puts off any forgery or imitation of any such Stamp with intent to defraud, shall be guilty of Felony, and being convicted thereof shall be liable to be imprisoned for any term ~~not~~ exceeding Seven years. Punishment for forging or uttering Stamps.

**24** The postage upon all Letters, Packets, and Newspapers which are posted at any Post Office within this Colony shall be prepaid, and (save as by this Act is excepted) such prepayment shall be made by the affixing thereon of Stamps issued by the Postmaster-General, and (save as by this Act is excepted) no Letter or Packet shall be transmitted by any Postmaster unless the Stamp required by this Act is affixed thereon: Provided always, that every Postmaster shall procure and keep on hand such a supply of Stamps for sale, without premium, to any person desirous of purchasing the same, as the Postmaster-General from time to time in that behalf authorises and directs; and whenever it happens that any Postmaster has not any Stamps on hand for sale as aforesaid of the required value, then and in such case prepayment on The Postage on all Letters and Packets, save as excepted, to be prepaid by Stamps.  
Postmasters to keep a supply of Stamps.

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any Letters or Packets received by such Postmaster may be made in money, and such prepayment by money shall be acknowledged by such Postmaster upon the face of such Letters or Packets.

Delivery of unstamped or insufficiently stamped Letters or Packets.

**25** When any inland Letter or Packet is put into any Post Office without any Postage Stamps being affixed thereon, or without sufficient Postage Stamps being affixed thereon, it shall be lawful for any Postmaster to transmit the same, and such Letter or Packet shall be delivered to the person to whom the same is addressed, upon the same being first stamped with Stamps equal to double the Postage payable thereon; such Stamps to be provided by the person to whom the same is addressed, and to be affixed to such Letter or Packet and defaced by the Postmaster who shall deliver such Letter or Packet to such person.

How Postage Stamps to be affixed.

**26** The Stamps upon all Letters and Packets shall be affixed to or impressed upon the outside thereof, and above the address written thereon; and every Letter or Packet which is not stamped in manner herein directed shall be deemed to be unstamped.

Letters and Packets bearing Stamps with obliterating marks to be treated as unstamped.

Punishment for removing obliterating marks from Stamps.

**27** All Letters or Packets bearing any Stamp which has been previously used, and having any mark thereon which has been made at any Post Office by way of obliteration or defacement for the purpose of indicating that such Stamp had been once used, shall be treated as unstamped Letters or Packets, as the case may be; and if any person wilfully, knowingly, and fraudulently removes or attempts to remove from any Stamp which has been previously used any such mark which has been so made thereon by way of obliteration or defacement for such purpose as aforesaid, or wilfully, knowingly, and fraudulently puts off or uses, or attempts to put off or use, any such obliterated or defaced Stamp as aforesaid, with intent in any such case to defraud, every such person shall be guilty of a Misdemeanor, and being convicted thereof shall be liable to be imprisoned for any term not exceeding Three years.

*Registration of Letters.*

Registration of Letters.

**28** Every person who sends any Letter or Packet by post shall be entitled to have the same registered at the Post Office at which the same is posted upon payment of the sum of Sixpence as a fee for such registration; and any such registered Letter or Packet, when duly stamped, shall be received at such Post Office, and be delivered at the place to which the same is addressed at or between such hours in the day and subject to such rules and regulations as the Postmaster-General from time to time in that behalf directs and makes: Provided, that no such registration shall render any Postmaster liable for the loss of any such Letter or Packet so registered as aforesaid, or of the contents thereof: Provided also, that every such registration fee shall be prepaid by Stamps affixed to or impressed upon every such Letter or Packet so registered as aforesaid.

*Letters unclaimed, refused, unstamped, &c.*

A List of the unclaimed, undelivered, and refused Letters and Packets at

**29** Within Seven days after the receipt of any Mail the Postmaster by whom or into whose Post Office the same are received shall cause a list of all the then remaining unclaimed, undelivered, or refused Letters and Packets received in and by such Mail to be made out in

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writing, and affixed to, in, or on some conspicuous part of such Post Office, so that the same may be legible from the outside thereof; and such list or other like list or lists, containing a true account or statement of all Letters and Packets from time to time remaining unclaimed, undelivered, or refused, shall be so kept affixed, clearly written and legible as aforesaid, for the space of not less than One month next following the first receipt of such Letters and Packets respectively; and at the expiration of the said period of One month, or as soon as possible afterwards, such Letters or Packets as still remain unclaimed, undelivered, or refused shall be transmitted by such Postmaster to the General Post Office at *Hobart Town*, to be there dealt with as by this Act is in that behalf provided.

each Post Office, to be exhibited for Three months.

Such Letters and Packets then to be sent to the General Post Office.

**30** The Postmaster-General shall once in every month, or oftener if he so thinks fit, cause a list to be published in the *Gazette* of all unclaimed and undelivered Letters and Packets (Newspapers excepted) which have been received at the General Post Office at *Hobart Town* since the last preceding publication of the like kind; and upon the expiration of Three months from the date of any such publication such Letters and Packets mentioned therein as have not been claimed and delivered shall be opened in manner hereinafter provided.

Lists of all unclaimed and undelivered Letters and Packets received at General Post Office, to be published.

**31** All Letters and Packets refused by the parties to whom they are addressed shall be forwarded to the Postmaster-General by the first opportunity after such refusal, and shall forthwith after receipt at the General Post Office at *Hobart Town* be opened and dealt with in the manner hereinafter provided in case such Letters or Packets had been included in a list of unclaimed Letters for Three months.

Refused Letters and Packets may be opened and dealt with forthwith.

**32** When any Letter or Packet containing or reasonably suspected to contain any coin is put into any Post Office without being registered, the Postmaster receiving the same shall register such Letter or Packet before he transmits the same, and the fee payable for registration shall be paid by the person to whom the same is addressed; and if such person refuses to pay the same, such Letter or Packet shall not be delivered to such person, but shall be dealt with in all respects as a refused Letter or Packet is by this Act directed to be dealt with, and the amount of such registration fee shall and may be recovered in the same manner as postage may be recovered under this Act.

Letters, &c. containing coin to be registered before transmission.

**33** It shall be lawful for the Postmaster-General and for every Postmaster under this Act to detain any inland or foreign Letter, Packet, or Newspaper which is posted or reasonably suspected to be posted, or to contain any enclosure contrary to the provisions thereof, or of any rule or regulation made under or by virtue thereof, or of any Act relating to the Customs, or with intent to evade payment of the Postage properly chargeable on such Letter, Packet, or Newspaper, or which bears a profane, obscene, or libellous address or signature, or which, in case any postage upon the same respectively is payable, the person to whom it is addressed refuses to pay; and every such Postmaster shall forthwith forward all Letters, Packets, and Newspapers so detained for any such cause as aforesaid to the General Post Office at *Hobart Town*, and all such detained Letters, Packets, and Newspapers shall there be forthwith opened in the manner hereinafter provided for the purpose of ascertaining the writer or sender thereof, and may be dealt with as hereinafter provided.

Letters, &c. posted contrary to this Act, or bearing obscene, profane, or libellous addresses may be detained, opened, and disposed of.

*Post Office Act, 1869.*

How and by whom unclaimed, undelivered, refused, and detained Letters and Packets to be opened.

**34** All Letters and Packets which under the provisions of this Act are required to be opened shall be opened by the Postmaster-General in the presence of an Officer of the General Post Office at *Hobart Town* aforesaid to be specially nominated for that purpose by the Postmaster-General, or by an Officer of the said General Post Office for that purpose nominated by the Postmaster-General, in the presence of some other Officer of such General Post Office, for that purpose also nominated by the Postmaster-General, and any such Officer shall, before he enters upon his duties in this respect, make a Declaration before a Justice of the Peace (which Declaration such Justice is hereby empowered to take) that he will not intentionally read or examine the contents or any part of the contents of any Letter or Packet which he opens except in so far as may be necessary for the purpose of ascertaining the name and address of the writer or sender thereof, and that he will not divulge to any person whatsoever, except to the Postmaster-General for the time being, any of the contents of any such Letter or Packet which have come to his knowledge in the course of opening and examining such Letter or Packet for the purpose aforesaid; and if any such Officer acts in contravention of this provision of this Act, or of the obligation of the Declaration so to be made by him as aforesaid, he shall for such offence forfeit and pay a penalty not exceeding Fifty Pounds, to be recovered in a summary way before any two Justices of the Peace upon the complaint in that behalf of the Postmaster-General, or of any person deputed by him for that purpose, or by information of debt at the suit of Her Majesty the Queen in the Supreme Court.

Return of such Letters and Packets to writers or senders.

**35** The Postmaster-General shall cause any unclaimed, undelivered, refused, detained, or other Letter or Packet which has been so opened as aforesaid to be returned to the writer or sender thereof, upon the name and address of such writer or sender being ascertained by such reading and examination of such Letter or Packet as aforesaid; and if the original postage by law payable upon any such Letter or Packet, the writer or sender whereof is so ascertained, has not been paid, such writer or sender thereof shall thereupon be liable to pay the same; and if any such writer or sender refuses to receive any such Letter or Packet as last aforesaid, or to pay the original postage by law payable upon any such Letter or Packet upon demand thereof made by the Postmaster-General or on his behalf, it shall be lawful for the Postmaster-General forthwith to destroy the same or to enforce the payment of such postage as aforesaid thereon.

Postmaster-General may sell or destroy certain articles contained in Packets remaining unclaimed.

**36** It shall be lawful for the Postmaster-General and he is hereby empowered to cause to be destroyed or sold all pamphlets, magazines, reviews, and other periodical publications, and all printed votes and proceedings of Parliament or of any Colonial Legislature, and all prices current, catalogues of merchandise, and patterns or samples of merchandise which continue to be unclaimed, undelivered, or refused for the period of Three months from the date of the publication of the hereinbefore required list in which the Packet containing any such pamphlet, magazine, review, periodical publication, votes and proceedings, prices current, catalogues, patterns or samples has been so notified and published as aforesaid; and it shall also be lawful for the Postmaster-General to cause to be destroyed all newspapers which continue to be unclaimed for the period of One month from the receipt thereof at any Post Office under this Act, and also to cause to be destroyed all unclaimed, undelivered, refused, and detained Letters and Packets the writers or senders whereof it is impossible to

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ascertain, and which, in the case of Letters or Packets by this Act required to be published, have continued to be so unclaimed or undelivered for the period of Three months from the date of the publication of any list in which the same have been so notified and published all aforesaid; and the proceeds of all such sales as herein mentioned shall be paid into the Colonial Treasury and shall form part of the General Revenue.

**37** All Letters and Packets which are opened under the authority of this Act, and which are found to contain any money or other valuable article, shall be safely kept, and a list thereof together with a note of the contents thereof be made and preserved, and if the person to whom any such Letter or Packet is addressed, and the writer or sender thereof, is known, the Postmaster-General shall cause information respecting such Letter or Packet and the contents thereof to be given to such person to whom the same is addressed, and to such writer or sender thereof; and if both of such parties are not known, such information shall be given to such one of such parties as is known; and upon demand made by the person to whom any such Letter or Packet is addressed, if known, such Letter or Packet together with the contents thereof shall be delivered to such person; and if the person to whom any such Letter or Packet is addressed is not known, or if known does not make such demand as aforesaid within such time as appears to the Postmaster-General to be reasonable, upon demand made by the writer or sender thereof, if known, such Letter or Packet together with the contents thereof shall be delivered to such writer or sender thereof; and if in any case neither of such parties is known, or if in the event of both of such parties being known, or in the event of one only of such parties being known, neither of such parties nor such one party, as the case may be, makes such demand as aforesaid within such time as appears to the Postmaster-General to be reasonable, it shall be lawful for the Postmaster-General and he is hereby empowered to cause the contents of such Letter or Packet if other than money to be sold; and the proceeds of all such sales as last aforesaid, and all money which is found in any Letter or Packet, in any case where such parties or party as aforesaid is not known, or where no such demand is made as aforesaid, shall be paid into the Colonial Treasury and shall form part of the General Revenue: Provided always that, upon proof to the satisfaction of the Governor of the justice of the claim of any person to any such money or to the proceeds of any such sale, which has been so paid into the Colonial Treasury, such person shall be entitled to have the amount of such money or proceeds of such sale restored, subject in the case of any proceeds of any such sale to a deduction of the costs and expenses incident to such sale.

How Letters or Packets opened and found to contain money, &c. to be dealt with.

**38** Saving and excepting such Letters and Packets as are by virtue of the provisions of this Act opened for the purpose of ascertaining the writers or senders thereof, no Letter or Packet whatsoever shall, after the same has been once put into any Post Office, under any circumstances be returned to the writer or sender thereof, or be sent or delivered otherwise than according to the direction thereof, without the express consent of the person to whom the same is directed, or an express warrant or authority in writing under the hand of the Governor.

Letters and Packets not to be sent or delivered otherwise than directed except as provided.

**39** In any suit or other proceeding for the recovery of any postage payable under or by virtue of this Act, the person from whom any Letter or Packet in respect of which such postage is sought to be

Simplifying proceedings for recovery of Postage.

*Post Office Act, 1869.*

recovered purports to have come, shall be deemed the sender thereof; and the onus shall lie upon such person of proving that such Letter or Packet did not come from or was not sent by him.

Postage mark to be evidence of amount of postage payable.

**40** In any proceedings whatsoever for the recovery of any postage the Post Office mark upon the Letter or Packet in respect of which such postage is sought to be recovered shall be evidence of the liability of such Letter or Packet to the postage marked thereon.

*Ship Letters.*

Ship Letters, &c. inwards to be delivered on arrival and demand made.

**41** All bags, boxes, or packages containing Letters, Packets, or Newspapers forwarded by Post, and all loose Letters, Packets, and Newspapers which at the time of the arrival of any steam or other vessel within the limits of any Port, Harbour, or place within this Colony are on board thereof directed to persons within this Colony, shall, on the request of the Postmaster-General, or any Postmaster under this Act, or of the Harbour Master of such Port, Harbour, or place, or of any person duly authorised by and acting for such Postmaster-General, Postmaster, or Harbour Master as aforesaid, be delivered up to such Postmaster-General, Postmaster, Harbour Master, or person as aforesaid, save and excepting always Letters or Packets concerning goods on board any such vessel and to be delivered with such goods, and Letters or Packets containing any conveyance or other deed, commission, writ, or affidavit, and Letters or Packets sent by any private friend by way of introduction only or concerning his private affairs; and if any master of or person commanding any such steam or other vessel, or any passenger or other person on board of any such vessel, knowingly and wilfully detains on board of such vessel or keeps in his or her possession any such Bag, Box, Packet, Letter, or Newspaper as aforesaid (except as aforesaid) after any such request made as aforesaid, such Master, person commanding, passenger, or other person as aforesaid shall, for every Letter, Packet, or Newspaper so detained or kept as aforesaid, forfeit and pay a penalty not exceeding Twenty Pounds.

Exceptions.

Penalty for breach of this Section.

Penalty on masters of vessels departing for refusing to convey Mails.

**42** If the master of or person commanding any steam or other vessel proceeding or about to proceed from any Port, Harbour, or place within this Colony to any other Port, Harbour, or place whether within this Colony or not, on being thereto required by any Officer of the Post Office, or by the Harbour Master, refuses or neglects to receive any mail on board such vessel or to give a receipt for such mail, or to deposit such mail in some secure and dry place on board of such vessel, or to convey such mail upon the then intended voyage of such vessel, such master of or person commanding such vessel shall for any such offence forfeit and pay a penalty not exceeding One hundred Pounds: Provided always, that the Master of or person commanding any such steam or other vessel as aforesaid, who duly receives on board thereof any mail for the purpose of conveying the same upon the then intended voyage of such vessel, shall, upon such receipt of such mail be entitled to demand and receive from such Officer of the Post Office or Harbour Master as aforesaid the sum of One Penny for the carriage of each Letter or Packet contained in such mail (excepting always Newspapers and Despatches from the Governor), and the Master of or person commanding any such vessel shall give a receipt for any money so received by him, which receipt shall be a sufficient voucher for such payment, and the same shall be allowed in account at the Post Office accordingly.

Allowance to masters of vessels for conveyance of Ship Letters outwards.

*Post Office Act, 1869.*

**43** The Master of or person commanding any steam or other vessel which arrives at or is about to proceed from any Port, Harbour, or place within this Colony shall give timely notice to the Post Office authorities at such Port, Harbour, or place of such vessel's arrival or intended departure so as to enable them to be prepared to receive any mail from or dispatch any mail by such vessel; and if any Master of or person commanding any such vessel refuses, fails, or neglects to give such timely notice as aforesaid, he shall for any such offence forfeit and pay a penalty not exceeding Fifty Pounds.

Masters of vessels to give notice of arrival and departure.

**44** In all vessels by which mails are conveyed between any Ports, Harbours, or places within this Colony, or between any Port, Harbour, or place within this Colony and any Port, Harbour, or place in any other of Her Majesty's *Australasian* Colonies, there shall be provided a suitable locker or other secure place in which such mails and all Letters and Packets forwarded by Post shall be locked up and carried apart from all other articles and things on board of such vessels; and if such locker or other secure place is not so provided, or if any such mail or any such Letter or Packet is conveyed or carried in any such vessel during the whole or any part of the voyage between any such Ports, Harbours, or places, or Port, Harbour, or place as aforesaid otherwise than as aforesaid, the Master or person commanding such vessel shall for every such offence forfeit and pay a penalty not exceeding Twenty-five Pounds.

Lockers to be provided in vessels carrying Mails.

**45** If any Postmaster, Port Officer, or other person duly authorised to receive or dispatch any such mail as aforesaid neglects or fails to receive or deliver the same, or retards the delivery of any such Bag, Box, Package, Letter, Packet, or Newspaper, such Postmaster, Port Officer, or other person so offending shall for every such offence forfeit and pay a penalty not exceeding Fifty Pounds.

Penalty for retarding delivery of mails, &c.

*Contracts for Conveyance of Mails.*

**46** It shall be lawful for the Postmaster-General to enter into any contract or contracts in writing by the style of "the Postmaster-General," on behalf of Her Majesty the Queen, for or in respect of the carriage or conveyance of mails throughout this Colony, and it shall be lawful for the Postmaster-General for the time being to sue and be sued in the name of the Postmaster-General upon any such contract; and if any party to such contract during the continuance thereof refuses or neglects to perform the same, or in any manner is guilty of any breach thereof, or omits to comply with any stipulation or provision contained therein, every such party shall for every such offence forfeit and pay a penalty not exceeding Fifty Pounds, irrespective of any penalty recoverable for such default by virtue of any bond or instrument into which any such party or his sureties may have entered for the due performance of such contract; and no suit shall abate or be discontinued or be in any way affected by the death, resignation, or removal of the Postmaster-General during its pendency.

Contracts for conveyance of the mails within this Colony.

Penalty on Contractor for default.

**47** It shall be lawful for the Postmaster-General, under such instructions as are in that behalf issued by the Governor from time to time, to enter into any contract or contracts by the style of "The Postmaster-General," on behalf of Her Majesty the Queen, for or in respect of the carriage or conveyance of mails by sea, and therein to fix the amount to be paid for such carriage or conveyance either by periodical

Contracts for the conveyance of the mails by sea.

*Post Office Act, 1869.*

Penalty on Contractor for default.

payments of agreed sums, or by payments at any agreed rate for each and every Letter and Packet, and also therein to impose such terms and conditions as to such Postmaster-General seems fit with regard to the vessels to be employed, the times of starting, and otherwise for securing the due, regular, and efficient performance of such service; and it shall be lawful for the Postmaster-General for the time being to sue and be sued in manner aforesaid upon any such contract; and if any party to such contract during the continuance thereof refuses or neglects to perform the same, or in any manner is guilty of any breach thereof or omits to comply with any stipulation or provision contained therein, every such party shall for every such offence forfeit and pay a penalty not exceeding Fifty Pounds, irrespective of any penalty recoverable for such default by virtue of any bond or instrument into which any such party or his sureties may have entered for the due performance of such contract; and no suit shall abate or be discontinued or be in any way affected by the death, resignation, or removal of the Postmaster-General during its pendency.

*Letters to be carried for Hire by Post only.*

Penalty for carrying Letters otherwise than by Post.

**48** No Letter shall be carried for hire or reward otherwise than by Post; and if any person not being employed in the Post Office, or in the conveyance of Letters forwarded by Post, so carries or conveys any Letter, or if any Letter is sent to or taken charge of by any person, except as aforesaid, for the purpose of being so carried or conveyed, such person so sending to, taking charge of, carrying, or conveying any such Letter shall for every such Letter forfeit and pay a penalty of not less than One Pound and not exceeding Twenty Pounds; and in all proceedings under this Section every Letter carried or conveyed otherwise than by Post, or sent or taken charge of as aforesaid, shall be deemed to have been carried or conveyed for hire or reward, or to have been taken charge of, or to have been sent to be taken charge of for hire or reward, unless the contrary thereof is shown by the defendant.

Preceding Section not to apply to certain Letters.

**49** Nothing in the preceding Section contained shall extend to any Letter exceeding Eight ounces avoirdupois in weight, or to any Letter concerning goods sent with such goods and to be delivered therewith, or to any Letter containing any Writ or proceeding of any Court of Justice, or deed, conveyance, or any memorial thereof, or any will or affidavit or Letter of Attorney, or to any Letter sent by any person concerning his or her private affairs by any special messenger, or to any Letter *bonâ fide* sent or carried to or from any Post Office, or to or from any place distant Five miles or upwards from any Post Office or place appointed for the receipt or delivery of Letters forwarded by Post.

*Money Orders.*

Governor in Council may authorise issue of Money Orders.

**50** The Governor in Council may, subject to the provisions of this Act, authorise the issue of Money Orders for the transmission of small sums of Money through the Post Office from any one part of *Tasmania* to another.

Power to make arrangements for payment of Money Orders in *England* and elsewhere.

**51** The Governor in Council may make, or cause to be made, arrangements with the constituted authorities in *England*, or in any Colony, or in Foreign parts, for the transmission of money through the medium of the Post Office between *England*, any Colony or Foreign parts, and *Tasmania*, by order or otherwise, and for the delivery and

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payment of the same, for accounting for all moneys which shall be due and owing to any Country or Colony on account of such arrangements, and for the transmission of any balance thereon; and to make such rules and regulations, and to appoint such Agents, and to pay such Salaries thereto, and also to defray such discounts and exchanges as may be necessary, and to establish such rates of payment as seems fit in such behalf respectively.

**52** No Money Order shall be granted for a larger sum than Ten Pounds. No Money Order for more than £10.

**53** The Governor in Council may, from time to time, make such Regulations as he sees fit relating to Money Orders, and to the persons by or through whom, and the places where, and the times when, and the manner and form in which, and the restrictions as to number and amount under which Money Orders shall be issued, and to the persons in favour of whom, and the places where, and the times when, and the manner in which all Money Orders issued shall be payable; and to the length of time during which Money Orders shall be current, and after which they shall become void; and to the circumstances under which the Postmaster-General may refund the whole or part of the money paid for any Money Order, and under which he shall cease to be liable to pay the money payable under any Money Order; and to the manner of forwarding advices, of transmitting moneys, and of managing credits, accounts, and other matters and things necessary to be forwarded or managed in reference to Money Orders, and relating to every other matter or thing necessary to be regulated or done for perfecting a system whereby the public may be enabled promptly and safely to remit small sums of money through the Post Office; and all such regulations may, from time to time, be altered, repealed, remodelled, varied, or rescinded as may be found expedient; and all such Regulations shall be binding and conclusive upon the persons to whom such Money Orders shall be issued and the payees thereof, and all persons interested through, or claiming under them, and upon all other persons whomsoever; and shall have the same force and effect in all respects as if contained and enacted in and by this Act. Governor in Council may make, repeal, and alter Regulations relating to the issue, &c. of Money Orders.

**54** All Regulations made by the Governor in Council under the preceding Section shall be published in the *Gazette*; and in all civil or criminal proceedings whatsoever the production of the *Gazette* containing any such Regulations shall alone be sufficient *prima facie* evidence that such Regulations have been duly made; and the onus of proving the contrary shall in every case be on the person disputing the validity of such Regulations. Regulations to be published in *Gazette*, which shall be evidence of same.

**55** Every Officer of the Post Office issuing any Money Order in pursuance of the provisions of this Act shall demand and receive for the use of Her Majesty, in respect of every Money Order so issued by him, such rates of poundage as the Governor in Council from time to time orders; and the Order of the Governor in Council imposing the same shall be published in the *Gazette*: Provided that the rates of poundage demanded and received under any Act hereby repealed shall be deemed to have been ordered by the Governor in Council under the provisions of this Act. Rates of poundage, &c. to be fixed by the Governor in Council, and to be published in *Gazette*.

*Offences.*

**56** Any Postmaster or other Officer belonging to the Post Office, or person employed by or under any Postmaster in the receiving, Provides for persons employed in

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the Post Office  
stealing Letters,  
&c.

sorting, carrying, conveying, or delivering of posted Letters or Packets, or other person whomsoever employed under or in the carrying out of the provisions of this Act, who steals or for any purpose whatsoever embezzles, secretes, or destroys any posted Letter, Packet, or Newspaper shall be guilty of Felony, and on conviction thereof shall be liable to be imprisoned for any term not exceeding Eight years; and if any such Letter or Packet so stolen, or embezzled, secreted, or destroyed contains therein any chattel, money, or valuable security, such offender shall be liable to be imprisoned for any term not exceeding Twenty years.

Provides for  
persons stealing  
property out of  
letters.

**57** Any person who steals from or out of a posted Letter or Packet any chattel, money, or valuable security shall be guilty of Felony, and shall, on conviction thereof, be liable to be imprisoned for any term not exceeding Twenty years.

Provides for  
persons stealing  
bags of letters, &c.

**58** Any person who steals or unlawfully takes any bag, box, or package containing posted Letters, Packets, or Newspapers, or who steals or unlawfully takes any posted Letter or Packet containing any chattel, money, or valuable security from or out of any bag, box, or package containing posted Letters or Packets, or from or out of any Post Office, or from any person whomsoever employed under or in carrying out the provisions of this Act, or who steals or unlawfully takes any posted Letter, Packet, or Newspaper from a mail, or who robs or searches a mail, or stops a mail with intent to rob or search the same, shall be guilty of Felony, and shall, on conviction thereof, be liable to be imprisoned for any term not exceeding Twenty years.

Provides for  
stealing letters, &c.

**59** Any person who steals or unlawfully takes any posted Letter, Packet, or Newspaper from or out of any bag, box, or package containing posted Letters, Packets, or Newspapers, or from or out of any Post Office, or from any person whomsoever employed under or in carrying out the provisions of this Act, or who unlawfully opens any bag, box, or package containing posted Letters, Packets, or Newspapers shall be guilty of Felony, and shall, on conviction thereof, be liable to be imprisoned for any term not exceeding Eight years.

Provides for re-  
ceivers of stolen  
letters, &c.

**60** Any person who receives any posted Letter, Packet, or Newspaper, or any bag, box, or package containing posted Letters, Packets, or Newspapers, or any chattel, money, or valuable security, the stealing, embezzling, secreting, or taking whereof amounts to a felony under this Act, knowing the same to have been feloniously stolen, embezzled, secreted, or taken, and to have been sent or to have been intended to have been sent by Post shall be guilty of felony, and may be tried and convicted either as an accessory after the fact or for a substantive felony; and in the latter case, whether the principal felon has or has not been previously convicted, or is or is not amenable to justice; and every such receiver, howsoever convicted, shall be liable to be imprisoned for any term not exceeding Twenty years.

Fraudulently  
issuing Money  
Orders, felony.

**61** Any person who unlawfully issues any Money Order with a fraudulent intent shall be guilty of Felony, and upon conviction thereof shall be liable to be imprisoned for any term not exceeding Five years.

Money Orders  
"Valuable Secu-  
rities" in criminal  
proceedings.

**62** Every Money Order issued under the provisions of this Act shall, in all criminal proceedings, be deemed and taken to be a "Valuable Security."

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**63** In the case of every felony punishable under this Act, 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 this Act punishable; and every accessory after the fact to any felony punishable under this Act (except only a receiver) shall, on conviction, be liable to be imprisoned with or without hard labour for any term not exceeding Two years.

Provides for principals in the second degree and accessories.

**64** Any person who solicits or endeavours to procure any other person to commit a felony punishable by this Act shall be guilty of a Misdemeanor, and being thereof convicted shall be liable to be imprisoned, with or without hard labour, for any term not exceeding Two years, and to be kept in solitary confinement for such portion of such term of imprisonment, not exceeding in the whole Three months, as to the Court seems meet.

Provides for persons procuring the commission of a felony under this Act.

**65** If any Postmaster or other Officer belonging to the Post Office, or any person employed by or under any Postmaster in the receiving, sorting, carrying, conveying, or delivering of Letters or Packets forwarded by post, or any person whatsoever employed under or in the carrying out of the provisions of this Act, wilfully offends against or fails, refuses, neglects, or omits to comply with, or to observe or fulfil any of the provisions thereof, or any rule or regulation which is from time to time made thereunder, every such Postmaster, Officer, or person shall for any such offence forfeit and pay a penalty not exceeding Fifty Pounds.

Penalty on Postmaster, &c. offending against this Act.

**66** If the driver of any mail coach or other carriage or vehicle used for the conveyance of any mail, or the guard or any person in charge of any mail, whether conveyed by any such mail coach or other carriage or vehicle or on horseback or on foot, loiters on the road or wilfully misspends or loses time so as to retard the arrival of the mail at its proper destination, or does not convey such mail at the speed of such a number of miles per hour as is for that purpose fixed by the Postmaster-General, unless prevented from so doing by the state of the weather or the badness of the roads, or the occurrence of some accident or other excusable circumstance, then, and in every such case, such driver, guard, or person in charge as aforesaid so offending shall, on conviction thereof, forfeit and pay for any such offence a penalty not exceeding Five Pounds.

Penalties on mail-coach drivers, &c. in certain cases.

**67** If any person employed in the carrying, conveying, or delivering of any bag, box, or packet containing posted Letters or Packets, or of any Letter or Packet forwarded by Post, whilst the same is in his charge loses any such bag, box, package, letter, or packet, every such person shall, whether the same is afterwards recovered or not, for every such offence forfeit and pay a penalty not exceeding Twenty-five Pounds.

Penalty for losing mail-bag, &c.

**68** Every person who fraudulently retains, or wilfully secretes, keeps, or detains, or who, after demand made by an Officer of the Post Office, neglects or refuses to deliver up any Letter or Packet forwarded by Post which has been wrongfully delivered and which is in the possession, power, or custody of such person, or any Letter or Packet forwarded by Post, or any bag, box, or package containing posted Letters or Packets which has been lost in the course of conveyance or delivery thereof, and which comes to or is in the possession, power, or custody of such person,

Penalty for fraudulently retaining mail-bag or letter, &c. lost or misdelivered.

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whether such letter, packet, bag, box, or package has been found by such person so retaining, secreting, keeping, detaining, or neglecting or refusing to deliver up the same, or by any other person whatsoever, shall for every such offence forfeit and pay a penalty not exceeding Fifty Pounds.

Penalty for unlawfully opening, &c. Letters and Packets.

**69** If any person, except as by this Act is provided, knowingly opens, detains, or delays, or causes or suffers to be opened, detained, or delayed any Letter or Packet after the same has been delivered into any Post Office, or into the house of any person employed in the receiving, carrying, or delivering of Letters or Packets under this Act, without the express authority of the person to whom such Letter or Packet is directed, every such person shall for every such offence forfeit and pay a penalty not exceeding Fifty Pounds.

Penalty for posting obscene or profane Letters, &c.

**70** Any person who knowingly puts into any Post Office in *Tasmania* any Letter, Packet, or Newspaper bearing an obscene, profane, or libellous address or signature, shall, on conviction thereof, forfeit and pay any sum not exceeding Fifty Pounds.

Property in Letters, &c. stolen may be laid in the Postmaster-General.

**71** In every case where an offence is committed in respect of a posted Letter, Packet, or Newspaper, or a bag, box, or package containing posted Letters, Packets, or Newspapers, or any chattel, money, or valuable security forwarded by the Post, it shall be lawful to lay in the Information to be filed against the offender the property in such Letter, Packet, or Newspaper, or bag, box, or package, or chattel, money, or valuable security, to be in the Postmaster-General, and it shall not be necessary to allege in the Information, or to prove upon the trial or otherwise, that such Letter, Packet, or Newspaper, or bag, box, or package, or chattel, money, or valuable security was of any value; and in any Information to be filed against any person employed under or in the carrying out of the provisions of this Act for any offence committed against the Laws for the time being in force relating to the Post Office it shall be lawful to state and allege that such offender was employed under the Post Office of *Tasmania* at the time of the committing of such offence, without stating further the nature or particulars of his employment.

*Interpretation.*

Interpretation.

**72** In the construction and for the purposes of this Act, and of all criminal proceedings under the Laws relating to the Post Office from time to time in force, and of all proceedings under such Laws, the following terms and expressions shall have the several interpretations hereinafter set forth, unless there is something in the context repugnant to such construction:—

“Mail.”

The term “Mail shall extend to and include every bag, box, or package containing any posted Letter, Packet, or Newspaper, and every conveyance by which posted Letters, Packets, or Newspapers are carried, whether it be a coach or cart, or horse, or any other conveyance, and also a person employed in conveying posted Letters, Packets, or Newspapers.

“Posted Letter.”  
“Posted Packet.”  
“Posted Newspaper.”

The terms “Posted Letter,” “Posted Packet,” and “Posted Newspaper,” shall respectively mean any Letter, Packet, or Newspaper forwarded by the Post under the authority of the Postmaster-General; and a Letter, Packet, or Newspaper shall be deemed a posted Letter, Packet, or Newspaper from the time of

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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 authorised to receive Letters, Packets, or Newspapers 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, Packet, or Newspaper is addressed, or to him, or to his servant or agent, or other person considered to be authorised to receive the Letter, Packet, or Newspaper, according to the usual manner of delivering that person's Letters, Packets, or Newspapers, shall be a delivery to the person addressed.

The term " Post Office " shall mean any house, building, room, box, pillar, or place where Letters, Packets, or Newspapers forwarded by Post are received or delivered, or in which they are sorted, made up, or despatched. " Post Office."

*Miscellaneous.*

**73** The amount of all rates and sums of money received for postage, and all penalties and sums of money recovered under this Act, shall be paid into the Colonial Treasury and shall form part of the General Revenue. Appropriation.

**74** Any breach of this Act or of any or either of the provisions thereof, or of any or either of the Rules or Regulations so to be made as aforesaid under or by virtue thereof, in respect of which any pecuniary penalty is imposed, shall be deemed and taken to be an offence against this Act, and may be heard and determined, and all proceedings for the recovery of postage may be had, by and before any Two Justices of the Peace in the mode prescribed by *The Magistrates Summary Procedure Act* ; and every person aggrieved by any summary conviction under this Act may appeal therefrom in the mode prescribed by *The Appeals Regulation Act*. Proceedings for penalties. 19 Vict. No. 8. 19 Vict. No. 10.

**75** No action, suit, or proceeding shall be brought against any person for anything done in pursuance of this Act unless the same is commenced within Six months after the cause of action accrued or the act committed ; and the defendant in any such action, suit, or proceeding may plead the general issue, and give this Act and the special matter in evidence thereupon ; and if the matter complained of appears to have been done *bonâ fide* in the execution of this Act, or if it appears that such action, suit, or proceeding has been brought after the time limited for that purpose, then the jury shall find a verdict for the defendant ; and if the plaintiff becomes nonsuit or discontinues his action, suit, or proceeding after the defendant has appeared thereto, or has a verdict given against him, or if upon demurrer judgment is given against any such plaintiff, then the defendant shall be entitled to and shall recover full costs of suit as between attorney and client. Limitation of Actions.

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## SCHEDULE.

<i>Date and Number of Act.</i>	<i>Title of Act.</i>
17 Vict. No. 6.	<i>An Act to regulate the Conveyance and Postage of Letters.</i>
19 Vict. No. 4.	<i>An Act to amend The Post Office Act, 1853.</i>
19 Vict. No. 20.	<i>An Act to make further provision for Postal Communication by Ship.</i>
21 Vict. No. 38.	<i>An Act to amend the Laws relating to the Post Office.</i>
22 Vict. No. 28.	<i>An Act to decrease the Postage on Inland Letters and Packets.</i>
26 Vict. No. 1.	<i>An Act to enable the Public to remit small Sums of Money through the Post Office by means of Money Orders.</i>
26 Vict. No. 15.	<i>An Act to facilitate the Deposit of Moneys in Savings Banks by Transmission through the Post.</i>
28 Vict. No. 9.	<i>An Act to authorise the Franking of certain Letters and Packets.</i>
31 Vict. No. 28.	<i>An Act to further amend "The Post Office Act, 1853."</i>