

nothing herein contained shall be construed to affect the same.

XIII.—This Act shall continue in force from the passing thereof up to the Twentieth day of May, which will be in the year One Thousand Eight Hundred and Sixty-Six, and no longer.

Continuance of Act.

CAP. II.

An Act to Regulate the Inland Posts of this Colony.

[Passed 7th April, 1865.]

WHEREAS it is expedient to make provision for the Inland Postal Communication of this Colony :

Preamble.

Be it therefore enacted by the Governor, Legislative Council and Assembly, in Legislative Session convened, as follows :—

I.—The Governor in Council shall have full power and authority (subject always to the provisions and regulations of this Act) to open and close Post Offices and Mail Routes, and appoint, suspend or remove the Post Master General, and all or any Post Masters, Officers, Deputies, Agents and Servants, connected therewith.

Post Office Department subject to the control of Governor in Council.

II.—The Post Master General shall give Bond in the sum of Two Thousand Five Hundred Dollars, with two sureties in the sum of Five Hundred Dollars each; and Deputy Post Masters shall give bond in such sum, and with such sureties, as may be directed by the Governor in Council.

Post Master General to give Bond, &c.,

III.—No person shall be capable of holding the office of Post Master, or of being an officer of the Post Office, unless such person shall have first made and

Oath of Office to be taken.

subscribed the oath and affidavit contained in Schedule A. annexed to this Act, before a Justice of the Peace, acting for the place where such person resides ; which oath such Justice shall administer accordingly : Provided always, that it shall not be necessary for any Post Master, or other Officer now in the Postal Department who hath already taken the oath of office prescribed by Law, to make and subscribe the oath and affidavit mentioned in this section.

Proviso.

Post Master General to contract for carrying Mails, &c.

IV.—It shall and may be lawful for the Post Master General, subject to the approval of the Governor in Council, in manner hereinafter provided, to enter into contracts, which shall be in writing, with any person or persons, for the carrying and delivery of the Mails or Mail Bags to and from such places as the Governor in Council may direct.

Governor to make orders to carry Act into effect.

V.—The Governor in Council may make such orders, in conformity with this Act, as may be necessary for carrying out the same, and promoting the objects thereof, and for extending Postal accommodation, and for the transmission of money through the Post Offices within, to or from this Colony ; and all such orders shall be as valid as if contained in this Act ; but no higher penalty than Five Hundred Dollars shall be imposed by any such Order in Council for the violation thereof.

Orders to be published.

VI.—Every such Order of the Governor in Council shall be published in the *Royal Gazette*, and every such order, within eight days after it is made, shall be laid before the Legislature if then in Session, or otherwise within fourteen days after it shall meet.

Governor may sanction arrangements with other Countries respecting Mails.

VII.—The Governor in Council shall also have power to make, authorize, sanction, or give effect to any arrangement which may require to be made with the Postal authorities of the United Kingdom, or of any British Possession, or of any Foreign Country, with

regard to the transmission of Mails, Letters, Papers or Packages, or the collection and payment of Postage.

VIII.—In conformity with the agreements made between the Local Governments of British North America, the Colonial Postage on Letters and Packets, not being Newspapers or Printed Pamphlets, Magazines or Books entitled to pass at the lower rates hereafter referred to, shall be at the rate of Five Cents Currency per half ounce for any distance within the Colony, and the increase of charge on Letters weighing over half an ounce shall be regulated according to the British Rule and Scale of Weights.

Rates of Postage

reduced to 5 Cts

XI.—All Letters sent from this Colony, and all Local Letters deposited in any Post Office in the Colony for delivery or transmission within it, shall be prepaid by Stamp after three months' notice from the passing of this Act, or otherwise such Letters shall be chargeable with Double Postage to the receiver.

Letters posted in Colony for delivery therein to be prepaid after 3 months' notice.

X.—All Colonial Postage received within this Colony shall be retained as belonging to it; and all Provincial or Colonial Postage received within any other of the British North American Colonies may be retained as belonging to such Province or Colony.

Appropriation of Postage.

XI.—The British Packet Postage, and other British Postage collected in this Colony, shall be accounted for and paid over to the proper authorities in the United Kingdom; but the Colonial Postage on the same Letters or Packets shall belong to the Colony collecting it; or if prepaid to the British Post Office, it shall be credited and belong to the Colony to which such Letters or Packets are addressed.

British Postage to be accounted for and paid over.

Colonial Postage appropriation.

XII.—The following matter shall be exempt from Local Postage, namely,—First, Letters and Mailable matter addressed to or sent from the Governor or the following Departments—that is to say,—the

Exemptions from Postage.

Colonial Secretary, the Attorney and Solicitor General, the Customs, the Surveyor General, the Board of Works, the Post Office. Second,—Letters addressed to or coming from the President or any Member of the Legislative Council, the Speaker or any Member of the House of Assembly, during a Session of the Legislature; Provided that the initials of the Chief Officer, Secretary or Clerk of the Departments, or of either branch of the Legislature, or of the writer, if a Member of the Legislature, as the case may be, shall form part of the address of such Letters or other Mailable matter.

Colonial Stamps

XIII.—Colonial Stamps for the pre-payment of Postage may be prepared, issued and sold, under the orders of the Governor in Council; and such Stamps prepared, issued and sold under the direction of the proper authorities in the British North American Colonies, shall be allowed in this Colony as evidence of pre-payment of Provincial Postage, in such Colonies respectively, on the Letters or Packets to which they are affixed.

Stamps evidence.

Exemptions.

XIV.—Newspapers circulated in this Colony, transmitted therefrom, or coming into the Colony, by Post, shall be free of Local Postage.

Postage on Books, Magazines, &c., to be prepaid.

XV.—Printed Books, Magazines, Reviews or Pamphlets, whether British, Colonial or Foreign, may be sent through the Post from this Colony to the United Kingdom, or from the United Kingdom to this Colony, the Postage in all cases being pre-paid, according to the British scale of Postage in such case made and provided.

Governor may make orders for the transmission of Books, &c.

XVI.—The Governor in Council may, from time to time, make such orders as may be requisite for the transmission, through Post, of Printed Books, Magazines, Reviews and Pamphlets, to and from other Bri-

tish Colonies and the United States or other Foreign country, in conformity, as far as may be, with the said scale of British Postage, or such other scale of Postage as the Governor in Council shall for that purpose adopt.

XVII.—Printed Books, Magazines, Periodical Publications and Pamphlets, may be transmitted by Post, within this Colony, at the rate of five cents for one quarter of a pound, and five cents for every additional quarter of a pound, up to three pounds, beyond which weight no Printed Book, Publication or Pamphlet, shall be transmitted by Post. Parcels not exceeding three pounds weight may be transmitted on payment of twenty cents per pound, and a further charge of five cents on every quarter pound weight above one pound, and all such parcels may be registered; but the Governor in Council may, by order, alter, modify and reduce the rates of Postage on such Printed Books, Periodical Publications, Pamphlets or Parcels.

Rates of Postage on Books, Magazines, &c.

Registry of Parcels, &c,

XVIII.—The Packet Postage for Letters to Great Britain shall be twelve cents the half ounce, ten cents of which shall belong to the English Post Office, and two cents to the Newfoundland Post Office. The Packet Postage to the United States and the Provinces shall be thirteen cents single rate, except the Packet Postage from St. John's to the United States, Halifax, and Prince Edward Island, Bermuda and the West Indies, which shall be ten cents single rate, eight cents of which shall belong to the English Post-Office, and two cents to the Newfoundland Post Office.

Postage to Great Britain.

To the United States and Provinces.

XIX.—All Moneys received on account of Packet Postage to and from the United Kingdom, shall be carried to a separate account by the Postmaster General, and the same shall be remitted by the Governor, when required by the Imperial authorities, to the Postmaster

Account and appropriation of Postage to and from the United Kingdom.

General in England; and all other Moneys received by the Postmaster General in this Colony shall be paid by him, at the end of every Quarter, to the Receiver General; and the Postmaster General shall also return, to the Office of the Financial Secretary, at the end of every Quarter, a Quarterly Account of the whole Revenue received by him.

Postmaster not bound to give change.

XX.—The Postmaster General or Postmasters shall not be bound to give change, but the exact amount of Postage on any Letter or Packet shall be tendered or paid to him or them, in current coin or in Colonial Postage Stamps.

Parliamentary Papers free of postage.

XXI.—All Papers ordered to be printed by either House of Parliament, or by Her Majesty's command, or by the Legislative Council or House of Assembly of this Colony, or by virtue of an Address of the Legislative Council or Assembly, and all Pamphlets not exceeding two ounces in weight, shall be transmitted by Post, within this Colony, free of Postage.

Conditions respecting printed papers.

XXII.—No Printed Paper, whether Newspaper, Book, Pamphlet or other Paper permitted by this Act to be sent by Post, shall be transmitted, either free or at a reduced rate of Postage, unless the following conditions shall be observed:—First, it shall be sent without a cover, or in a cover open at the side or ends. Second, there shall be no words or communication printed on the Paper after its publication, or upon the cover thereof, nor any writing or marks upon it, or upon the cover of it, except the name and address of the sender, and of the person to whom it is sent. Third, there shall be no paper or thing enclosed in, or with, any such Paper or Publication.

Postmaster to examine printed papers, &c.

XXIII.—The Postmaster or any of his Officers may examine any Printed Paper or Packet which shall be sent by the Post, either without or with a cover open

at the sides or ends, in order to discover whether it is contrary in any respect to the conditions hereby required to be observed ; and in any case, if the required conditions be not fulfilled, the whole of every such Paper shall be charged with Postage as a Letter ; and as to every such Printed Paper going out of the Colony, the Postmaster General may either detain the same, or forward it by Post, charged with Letter Postage.

XXIV.—In all cases where a question shall arise, whether a Printed Paper is entitled to the privileges of a Newspaper or other Publication, as regards its transmission by Post under this Act, the question shall be referred to the Postmaster General, whose decision, with the concurrence of the Governor in Council, shall be final.

Questions re-
garding Postage
—how decided.

XXV.—If any Newspaper or other Printed Paper, privileged to go by Post, and brought into this Colony, shall be directed to a person who shall have removed from the place to which it is directed, before the delivery thereof at that place, it may, provided it shall not have been opened, be re-directed and forwarded by Post to such person at any other place within this Colony, free of charge for such extra conveyance ; but if such Newspaper or other Printed Paper shall have been opened, it shall be charged with the rate of a single Letter from the place of direction to the place at which it shall be ultimately delivered.

Newspapers
may be re di-
rected and de-
livered without
additional
charge.

XXVI.—For encouraging Masters of Vessels, not being Post Office Packets, to undertake the conveyance of Letters between places beyond the British North American Colonies and this Colony, and for regulating the conveyance and delivery of such Letters, the Postmaster General may allow to the Masters two cents for each Letter they shall deliver to the Post Office

Masters of Ves-
sels delivering
Letters at Post
Office to be re-
munerated.

at the first Port they touch or arrive at in this Colony, or with which they shall communicate when inward-bound; and if from unforeseen circumstances the Master cannot, upon delivering his Letters at any Outport, receive the Money to which he is entitled, he shall be paid by means of an order on the Postmaster General at such other place as may be convenient. And every Master of a Vessel inward-bound shall, at the Port or place of arrival, sign a declaration in the presence of a person authorized to take the same at such Port or place, who shall also sign the same, and the declaration shall be in the form or to the effect following :—

Declaration of
Master of Ves-
sels.

“I, A. B., Commander of the ‘ ,’ arrived from , do, as required by the Post Office Laws, solemnly declare that I have, to the best of my knowledge and belief, delivered or caused to be delivered, at the Post Office, every Letter, Letter Bag, Package or Parcel of Letters that was on board the ‘ ’, except such Letters as are exempted by such Laws.”

Declaration to
be delivered be-
fore entry of
vessel.

XXVII.—No Officer of the Colonial Revenue shall permit such Vessel to enter or report until such declaration shall be made and produced; and no Vessel shall be permitted to break bulk or make entry in this Colony until all Letters on board the same shall be delivered at the Post Office, where Posts may be established, except such Letters as are exempted by this Act; and also except all such Letters as shall be brought by a Vessel liable to the performance of quarantine. All which last mentioned Letters shall be delivered by the person having possession thereof, to the persons appointed to superintend the quarantine, that all proper precautions may be by them taken before the delivery thereof; and when due care has been had therein, such Letters shall be by them despatched in

the usual manner by Post ; and the Officer of the Colonial Revenue, at every Port or Place in this Colony, shall search every Vessel for Letters which may be on board contrary to this Act, and may seize all such Letters and forward them to the nearest Post Office ; and the Officer who shall so seize and send them, shall be entitled to a moiety of the penalties which may be recovered for any such offense ; and the Postmaster General may appoint Agents to demand from the Masters of Vessels arriving in this Colony, all Letters on board the same, and not exempted by this Act ; and the master of any such Vessel shall forthwith deliver all Letters on board to such person on his demanding the same.

Postmasters may appoint Agents to demand Letters.

XXVIII.—The Postmaster General, with the approbation of the Governor in Council, may establish Way Offices over and above the regular Post Offices ; and every person employed at a Way Office shall be liable to all the penalties imposed by this Act on Postmasters and other Officers of the Post Office.

Way Offices to be established.

XXIX.—The Postmaster General, with the concurrence of the Governor in Council, may enter into an agreement with, and take security from, any person applying to him to extend the accommodations of the Post to any place, for indemnifying the Revenue against the expense which shall be incurred thereby beyond the amount of Postages received.

Postmaster General to take security from persons applying to extend Postal communication.

XXX.—The Governor in Council may enter into arrangements or conventional agreements with any of the North American Colonies, or with any Foreign Country, for the transmission of Colonial or Foreign Newspapers, or other printed Papers, within or through this Colony, upon such terms and conditions as shall be reasonable, and may carry out such arrangements or conventional agreements by Order in Council duly published as herein directed.

Governor may arrange for transmission of Colonial and Foreign Mails.

Postage marks
evidence.

XXXI.—The Postage marks, whether British, Foreign or Colonial, on any Letter brought into this Colony, shall, in all Courts of Justice, and elsewhere, be received as conclusive evidence of the amount of British, Foreign, or Colonial Postage, payable in respect of such Letter, in addition to any other Postage chargeable thereon; and all such Postage shall be recoverable in this Colony as Postage due to Her Majesty.

Officers exempt
from Juries.

XXXII.—No Postmaster General, nor any Officer of the Post Office throughout the Colony, nor any Courier, shall be compelled to serve on any Jury or Inquest, or as a Town or City Officer.

Misconduct of
Couriers and
others—how
punished.

XXXIII.—If any person employed to convey or deliver a Post Letter-bag, or a Post Letter, shall, while so employed, or whilst the same is in his custody or possession, lose a Post Letter-bag, or a Post Letter, or if any such person shall be guilty of an act of drunkenness, or of negligence or other misconduct, whereby the safety or proper delivery of a Post Letter-bag, or a Post Letter, shall be endangered or delayed, or shall collect, receive, convey or deliver a Letter otherwise than in the ordinary course of the Post, or shall give any false information of an attempt at robbery upon him, or shall loiter on the road or passage, or wilfully misspend his time so as to delay the progress or arrival of a Post Letter-bag or a Post Letter, or shall not use proper care and diligence safely to convey a Post Letter-bag or a Post Letter at the rate of speed appointed by and according to the regulations of the Post Office for the time being, he shall forfeit a sum not exceeding Fifty Dollars.

XXXIV.—No person in the employ of the Post Office, travelling with a Mail, shall pay for passing or re-passing a Ferry; but the Ferryman at every such

Ferry shall forthwith convey over such person traveling with a Mail, without payment for the same, on pain of forfeiting, for every such offense, Twenty Dollars.

Couriers to pass
Ferries free.

XXXV.—Whoever shall abet or procure the commission of an offense which is by this Act punishable on summary conviction, shall be liable to the same forfeiture or punishment to which a principal offender is by this Act made liable.

Abettors punishable as principals.

XXXVI.—Subject always to the provisions and regulations hereinbefore contained, the Postmaster General and his subordinates shall have the exclusive privilege of conveying, receiving, collecting, sending and delivering Letters within this Colony; and any person who shall, except in the cases hereinafter excepted, collect, send, convey or deliver, or undertake to convey or deliver, any letter within this Colony, or who shall receive or have in his or their possession any Letter for the purpose of conveying or delivering it otherwise than in conformity with this Act, shall, for every Letter so unlawfully conveyed, or undertaken to be conveyed, received, delivered, or found in his possession, incur a penalty of One Dollar; but such exclusive privilege shall not apply to Letters sent by private individuals to be Mailed in the first Way or Post Office.

Letters to be forwarded only by Mail.

Letters sent by a Messenger on a purpose concerning the private affairs of the sender or receiver;

Exceptions.

Letters sent and delivered by a friend to the party to whom directed;

Letters addressed to a place out of the Colony, and sent by sea and by a Private Vessel not being a Packet Boat;

Letters lawfully brought into the Colony and immediately posted at the nearest Post Office;

Letters of Merchants being the owners of Merchant Vessels, or of the cargo, or trading therein, sent by such Vessel, or by any person employed by such owners for the carriage of such Letters, according to their respective addresses, and delivered to the persons to whom they are respectively addressed, without pay or advantage for so doing ;

Letters concerning goods sent by common known carriers to be delivered with the goods to which such Letters relate, without reward or advantage for receiving or delivering them ;

Letters received by Private Ships and commonly known as Market Circulars ;

Proviso:

Provided that nothing herein contained shall authorize any person to collect any such excepted Letters, for the purpose of conveying or sending them as hereinbefore mentioned ; and that any Letters prepaid may be delivered by the Officer to the Courier, to be dropped along the route, at convenient places ; And Provided also, that nothing in this Act shall oblige any person to send any Pamphlet, Printed Book or Newspaper by Post.

Penalty for retaining Letter.

XXXVII.—If any person on board any inward bound Vessel shall knowingly retain any Letter hereby exempted, he shall forfeit, for every such Letter, Twenty Dollars to Her Majesty, for the use of the Colony.

Penalty for conveying Letter otherwise than by Post, &c.

XXXVIII.—Whoever shall convey a Letter otherwise than by Post (except as is herein provided for,) or shall perform any service incidental to the conveying of any such Letter from place to place, or shall send or cause to be sent any such Letter, or make a collection of exempted Letters for the purpose of conveying them, shall, for such offense, forfeit Twenty

Dollars; and whoever shall be in the practice of committing any of the several acts prohibited by this Section, for the space of one week, shall, for every week he shall continue in such practice, forfeit Four Hundred Dollars to Her Majesty, for the use of the Colony.

XXXIX.—It shall be lawful for any person, and it shall be the duty of the officer or person employed in the Post Office, or in the collection of the Revenue, to seize any Letters conveyed, received, collected, sent or delivered, in contravention of this Act, and to take them to the nearest Post Office, and to give such information as he may be able to give to the Postmaster for the effectual prosecution of the offender; and the Letter, moreover, shall be charged with Letter Postage.

Letters sent otherwise than by Mail, seizable.

XL.—As well the British, Provincial or Foreign, as the Colonial, Postage on any Letter or Packet, shall, if not prepaid, be payable to the Postmaster General, by the party to whom the same shall be addressed, or who may lawfully receive such Letter or Packet; and any refusal or neglect to pay such Postage, shall be held to be a refusal to receive such Letter or Packet, which shall be detained and dealt with accordingly; but if the same be delivered, the Postage on it shall be charged against and paid by the Postmaster delivering it, saving his right to recover it from the party by whom it was due, as money paid for such party; and if any such Letter or Packet be refused, or if the party to whom it is addressed cannot be found, then such Postage shall be recoverable by the Postmaster General from the sender of such Letter or Packet; and the Postage marked on any Letter or Packet shall be held to be the true Postage due thereon, and the party signing or addressing it shall be held to be the sender, until the contrary be shewn; and all Postage may

Postage, by whom and whom payable?

be recovered, with costs, by civil action in any Court having jurisdiction to the amount thereof.

Powers and
Duties of Post-
master General.

XLI.—Subject to the provisions of this Act, and to the orders made under it, and to the instructions he may receive from the Governor, the Postmaster General shall have power to open and close Post Offices and Mail routes, to suspend any Postmaster or other Officer or Servant of the Department, until the pleasure of the Governor be known, and to appoint a person to act in the mean time in the place of such Officer or Servant, to enter into and enforce all contracts relating to the conveyance of the Mails, the local accommodation of the Department, and other matters connected with the business thereof, and to make Rules and Orders for the conduct and management of the business and affairs of the Department, and for the guidance and government of the Officers and servants thereof, in the performance of their duties ; to sue for and recover all sums due for Postages or Penalties under this Act, or by any Postmaster, Officer or Servant of the Department, or his Sureties, and all such powers may be lawfully exercised by him, or by any Postmaster, Officer, Servant or Party whom he may depute to exercise the same, or whose act in that behalf he shall approve, confirm or adopt ; and every Officer, Servant or Party employed in the Post Office, shall, as regards the duties of the Office held by him, be deemed the Deputy of such Postmaster General ; and all suits, proceedings, contracts and official acts, to be brought, had, entered into and done by the Postmaster General, may be so in and by his name of office, and may be continued in force and completed by his successor in office, as effectually as by himself ; nor shall the appointment or authority of any Postmaster General, or of any Postmaster's Officer, or Servant of the Post Office, be liable to be traversed or called in question in any case, except only

by those who act for the Crown. The Postmaster General shall pay over, quarterly, to the Receiver General, all such sums of money as he may have received from the Postmasters or other persons, for Postages, Penalties, or, on any other account connected with this Act, and all such Rules, Orders and Regulations, as shall be made by virtue hereof; and shall, at the respective periods aforesaid, render an Account in such form as the Governor in Council may prescribe, and shall annually render to the Governor, for the information of the Legislature, a general Account Current, shewing the whole amount of Postage received within the year, or due to the Department from Deputy Postmasters, or others, at the beginning of the year, and every other item of Revenue or receipt; and also an Account, in detail, of the charges and expenditure incurred by the Department, within the year, of every kind or nature.

XLII.—If any Postmaster or other person authorised to receive the Postage of Letters and Packets, shall neglect or refuse to render his account, and to pay over to the Postmaster General the balance due by him, at the end of every Three Months, it shall be the duty of the Postmaster General to cause a suit to be commenced against the person so neglecting or refusing; and all suits which shall hereafter be commenced for the recovery of debts or balances due to the Post Office, whether they appear to be due by Bond, obligation or otherwise, made in the name of any preceding Postmaster General or otherwise, shall be instituted in the name of the Postmaster General.

Postmaster neglecting to account, &c, to be sued.

XLIII.—The Postmaster General, previous to entering into any contract as aforesaid, shall cause printed Notices for Tenders to be posted up in the most conspicuous places in the town or settlement nearest to the place where the service is to be per-

Postmaster General to enter into contracts after notice for Tenders.

formed ; and also insert a Notice in the *Royal Gazette*, and in any other local Newspaper, at least One Month before the day limited for rendering such Tenders ; and such Tenders shall be signed by the person or persons tendering, and by two responsible persons willing to become Sureties for the due performance of the Contract ; and such Tenders, when opened by the Postmaster General, shall be submitted by him to the Governor in Council, with such recommendation as he may be pleased to make upon any of them ; and the one approved of, with notification to that effect, shall be returned to the Postmaster General aforesaid, who shall enter into the Contract accordingly, with such penalty for the due performance thereof, as may have been specified in the notice to be given as aforesaid ; Provided always, that the lowest Tender, with sufficient security, shall be accepted, unless the same shall be considered unreasonable, or that the Governor in Council shall deem it to the advantage of the Public interest to accept any other.

Soldiers'
and Seamen's
Letters privile-
ged.

XLIV.—In every case in which any Seaman in Her Majesty's Navy, Sergeant, Corporal, Drummer, Trumpeter, Fifer or Private Soldier, in Her Majesty's Service, shall be entitled to receive or send Letters on the payment of a certain sum, and no more, in place of all British Postage thereon, the payment of such sum shall likewise free such Letter from all Colonial Postage thereon, and the Governor in Council may make orders for giving effect to this Section.

Property in Let-
ters, in whom
vested.

XLV.—From the time any Letter, Packet, Chattel, Money or Thing, shall be deposited in the Post Office, for the purpose of being sent by Post, it shall cease to be the property of the sender, and shall be the property of the party to whom it is addressed, or the legal representative of such party.

XLVI.—The Postmaster General shall not be liable for the loss of any Letter or Packet sent by Post, unless such loss shall have arisen from his own default.

Lost Letters—
Post Master General not liable, except for his own default.

XLVII.—If any person employed in connection with this Act, shall convey or deliver any Letter not exempted by this Act, for or to any person, without such Letter shall have first passed through the Post Office, and shall have been regularly stamped, such person shall be subject to a penalty not exceeding Twenty Dollars.

Penalty on Officer delivering Letter not having passed through Post Office.

XLVIII.—To forge, counterfeit, or imitate any Postage Stamps issued or used under the authority of this Act, or by or under the authority of the Government or proper authority of the United Kingdom, or of any British Possession, or of any Foreign Country, or knowingly to use any such forged, counterfeited or imitated Stamp, or to engrave, cut or sink, or make any plate, die or other thing, whereby to forge, counterfeit or imitate such Stamp, or any part or portion thereof, except by the permission, in writing, of the Postmaster General, or of some Officer or person who, under the orders to be made in that behalf, may lawfully grant such permission, or to have possession of any such plate, die, or other thing, without such permission, or to forge, counterfeit, use or affix to or upon any Letter or Packet, any Stamp, Signature, Initials, or other Mark or Sign, purporting that such Letter or Packet ought to pass free of Postage, or at a lower rate of Postage, or that the Postage thereon, or any part thereof, hath been prepaid, or ought to be paid by or charged to any person or department, shall be felony, punishable by imprisonment, with hard labor, for any period not exceeding ten years.

Offences enumerated and punishment prescribed.

XLIX.—The Postmaster General, subject always to the orders of the Governor in Council, may compromise and compound any suit or information which

Suits may be compounded.

shall be commenced by his authority, or under his control, against any person, for recovering a penalty incurred under this Act, on such terms and conditions as he shall, in his discretion, think proper, with full power to him or any of the Officers and persons acting under his orders, to accept the penalty incurred, or alleged to be increased, or any part thereof, without suit or information brought for the recovery thereof.

Recovery of Penalties.

L.—All pecuniary Penalties imposed by this Act, or by any order of the Governor in Council, shall be recoverable, with costs, by the Postmaster General, by civil action in any Court having jurisdiction to the amount, and shall belong to the Colony, saving always the power of the Governor in Council to allow any part or the whole of such penalty to the Officer or party by whose information or intervention the same shall have been recovered; but such penalties shall be sued for within one year after they are incurred, and not afterwards: Provided always that if the penalty exceed One Hundred Dollars, the offender may be indicted for a misdemeanor in contravening the provisions of this Act, or of the regulations made under it, instead of being sued for such penalty, and if convicted shall be punished by fine or imprisonment, or both, in the discretion of the Court.

Appropriation of Penalties.

Limitation of suit.

Proviso.

Registry of Letters.

LI.—The Postmaster General or Postmaster shall register all Letters posted in his Office, when thereto required by the party posting the same, upon such party paying such Officer such fee as shall be prescribed therefor by the Governor in Council, who is hereby authorized to make and prescribe such rules, orders, regulations and scale of fees, as he may deem expedient for the purposes of this Section.

Saving of contracts under former Acts.

LII.—Nothing in this Act shall affect any subsisting Agreement or Contract made or entered into

by virtue of any Act of the Legislature in reference to the said Postal Service of this Colony.

LIII.—The Postmaster General and other Officers shall respectively receive, subject at all times to the revision of the Legislature, the following annual Salaries in full of all fees and perquisites whatsoever, payable quarterly:

Salaries of Officers.

The Post Master General at St. John's,	\$1385 00
Chief Clerk and Accountant, St. John's,	600 00
Second Clerk, St. John's,	462 00
Third Clerk, St. John's,	277 00
Assistant, St. John's,	231 00
Second Assistant, St. John's,	93 00
Letter Carrier, St. John's,	277 00
Office Keeper, St. John's,	93 00
Postmaster, Harbor Grace,	231 00
Letter Carrier, Harbor Grace,	47 00
Postmaster, Carbonear,	208 00
Postmaster, Brigus,	163 00
Postmaster, Trinity,	116 00
Postmaster, Placentia,	70 00
Postmaster, Bonavista,	70 00
Postmaster Fogo,	70 00
Postmaster, Twillingate,	70 00
Postmaster, Bay Bulls,	70 00
Postmaster, Ferryland,	70 00
Postmaster, Trepassey,	70 00
Postmaster, Little Placentia,	70 00
Postmaster, Burin,	70 00
Postmaster, Harbor Britain,	70 00
Postmaster, Burgeo,	47 00
Postmaster, Greenspond	47 00
Postmaster, New Perlican,	47 00
Way Masters, each	19 00
Stationery and other incidental expenses,	140 00
For Printing,	140 00
For Fuel and Light,	70 00

Definition of terms.

LIV.—The following terms and expressions shall have the several interpretations hereinafter respectively set forth, unless they shall be repugnant to the subject or context—that is say, to “Postage” shall mean the duty chargeable on Letters transmitted within or from this Colony, and all duty chargeable thereon before such Letters came within the same; “Letters” shall include packets of Letters as well as single Letters; “British Mail” shall mean every conveyance by which Post Letters shall be carried or conveyed to or from the United Kingdom of Great Britain and Ireland, to or from this Colony, or to or from this Colony to or from the United States, any British Colony, or any Foreign Country, by a British Vessel. “Mails” shall include any Horse, Vehicle, Vessel or other Conveyance, and also a person employed in conveying or delivering Post Letters, and also every Vessel which is included in the term “Packet Boat;” and “Mail Bag” shall mean a Mail of Letters, or a Box, Parcel or any other Envelope in which Post Letters are conveyed, whether it do or do not contain Post Letters; “Postmaster General” and “Post Office” shall mean the Colonial Postmaster General and Post Office, unless otherwise expressed.

Schedule A.

Form of Affidavit to be sworn by every Officer of the Post Office.

Oath of Officers.

I, do solemnly depose and swear that I will not open or delay, or cause or suffer to be opened or delayed, contrary to my duty, any Letter or any thing sent by the Post, which shall come into my hands or custody, by reason of my employment relating to the Post Office, except by the consent of the person or persons to whom the same shall be directed, or except in such cases where the party or parties to

whom such Letter, or anything sent by Post, shall be directed, or who is or are chargeable with the payment of Postage thereof, shall refuse or neglect to pay the same, and except such Letter or thing sent by Post as shall be returned for want of true directions, or where the parties to whom the same shall be directed cannot be found; and that I will not, in any way, embezzle any such Letter or thing sent by Post, as aforesaid; and I make this solemn oath conscientiously intending to fulfil and obey the same, and by virtue of the Post Office Act of this Island.

Sworn before me at
this day of , A.D., 18 . }

CAP. III.

An Act to Regulate the Office and Duties of Coroners.

[Passed 7th April, 1865.]

WHEREAS the Office and Duties of Coroners have Preamble.
heretofore been and now are filled by persons appointed for that purpose by the Governor for the time being; and doubts have arisen as to how far such appointments, and the proceedings from time to time had thereunder, were and are valid in law. And whereas it is expedient that such doubts should be removed, and that provision should be made for the future appointment of Coroners:

Be it therefore enacted by the Governor, Legislative Council and Assembly, in Legislative Session convened, as follows: