

Anno Nono GEORGII IV. REGIS. No. 6.

AN ACT to provide for the temporary Conveyance and Postage of Letters.

Recital.

Lieutenant Governor may erect post-offices;

and appoint post-masters;

and fix rates of postage;

and make rules, &c.

Rates not to exceed certain specified sums.

1. Letters in Hobart Town or Launceston for delivery in the same town.

WHEREAS by an Act made in the Parliament of Great Britain, in the Ninth year of the reign of her Majesty Queen Anne, intituled, "An Act for establishing a General Post-office for all her Majesty's Dominions, and for settling a weekly Sum out of the Revenues thereof for the Service of the War, and other her Majesty's Occasions;" certain provisions were made for the erection of one General Letter-office and Post-office for all her Majesty's dominions, and for the appointment of one master of such General Letter-office and Post-office, by the name and style of her Majesty's Post-Master General, with power and authority, amongst other things, to settle posts for the carrying and receiving of all letters to and from all parts and places of and in her Majesty's dominions, as in and by the said Act is more particularly expressed: And whereas no post hath as yet been settled or established by the Post-Master General within this Island; and it is expedient, until such post shall be so settled, to make provision for the temporary conveyance and postage of letters, in the manner hereinafter mentioned: Be it therefore Enacted, by his Excellency Colonel George Arthur, Lieutenant Governor of the Island of Van Diemen's Land and its Dependencies, with the advice of the Legislative Council, That from and after the passing of this Act, (and until His Majesty's Post-Master General shall, by virtue and in exercise of the powers and authorities in him in that behalf vested, erect and settle a post in this Island,) it shall and may be lawful for the Governor, Lieutenant Governor, or other person administering the government for the time being, to erect, settle, and establish, for the receiving, despatching, carrying, conveying, and delivering of letters and packets, from and in this Island and its Dependencies, one general post-office at Hobart Town, and such and so many post-offices, at other parts and places in the said Island and its Dependencies, and to constitute and appoint one principal post-master, and such and so many other post-masters, with such reasonable salaries and allowances respectively, and the same from time to time to remove and displace, and others to constitute and appoint in their stead, and to settle and fix such rates and sums of money, to be demanded and received by the said several post-masters, for the receiving, despatching, carrying, and delivering of letters and packets respectively, and the same rates and sums from time to time to increase, reduce, and vary, as to such Governor, Lieutenant Governor, or person administering the government shall seem expedient; and to make such rules and regulations for the establishing and managing of the said several post-offices, and the receiving, despatching, carrying, and delivering of such letters and packets, and the collecting and receiving of the said rates and sums, and from time to time to alter or vary any such rules and regulations, or to revoke the same, and make new or other rules and regulations in lieu thereof, as such Governor, Lieutenant Governor, or person administering the government shall deem fit and proper.

II. Provided always, and be it further Enacted, That such rates and sums to be so settled and fixed as aforesaid shall not in any case exceed the rates and sums hereinafter set forth; (that is to say,)

1. For and upon every letter or packet put or received into the general post-office at and intended for delivery in Hobart Town, or into the post-office at and intended for delivery in Launceston,

Not weighing more than Two ounces avoirdupois - - One Penny.

Weighing above Two ounces, and not more than Four ounces - Two Pence.

Weighing above Four ounces, and not more than Six ounces - Three Pence.

Weighing above Six ounces, and not more than Eight ounces - Four Pence.

2. For and upon every letter or packet put into any post-office, directed to a person at a distance from such post-office,—

2. Inland Postage.

				Single.	Double.	Triple.	Quadruple.
				Pence.	Pence.	Pence.	Pence.
Above	Miles.	1, and not exceeding	Miles.	10	20	30	40
-	10	- - - - -	20	3	5	6	8
-	20	- - - - -	30	4	6	8	10
-	30	- - - - -	40	5	8	10	13
-	40	- - - - -	50	6	9	12	15
-	50	- - - - -	60	7	11	14	18
-	60	- - - - -	70	8	12	16	20
-	70	- - - - -	80	9	14	18	23
-	80	- - - - -	90	10	15	20	25
-	90	- - - - -	100	11	17	22	28
-	100	- - - - -	110	12	18	24	30
-	110	- - - - -	120	13	20	26	33
-				14	21	28	35

and so on progressively in the same proportion.

3. For and upon every letter or packet to or from any place beyond sea, (in addition to its appropriate inland postage,)—

3. Sea postage.

Single - - Three Pence,

Double - - Four Pence,

Triple - - - Five Pence,

Quadruple - - Six Pence,

and so on progressively, in the same proportion.

III. Provided always, and be it further Enacted, That for the purposes of this Act, every letter or packet not weighing more than half an ounce avoirdupois, (whether containing enclosures or not) shall be deemed *single*; and every letter or packet weighing more than half an ounce, and not above three quarters of an ounce, *double*; and every letter or packet weighing more than three quarters of an ounce, and not above one ounce, *triple*; and every letter or packet weighing more than one ounce, and not above one ounce and a quarter, *quadruple*; and so on progressively (according to the weight of each letter and packet) in the same proportion: And provided also, That no letter or packet weighing more than Eight ounces avoirdupois shall in any case be carried or conveyed by or through any such post-office.

What letters to be deemed single, &c.

Letters, &c. not to exceed Eight ounces.

IV. Provided always, and be it further Enacted, That it shall be lawful for any post-master to receive or take charge of any packet of letters or paper parcel from any place beyond sea, although such packet or parcel shall exceed Eight ounces avoirdupois in weight; so that every such packet or parcel shall be so received or taken charge of by way of deposit only, or for the purpose of safe custody thereof, until such packet or parcel shall be called for by, and be delivered to, the party entitled to receive the same; and that there shall be paid to and received by such post-master, upon such delivery by him, for and upon every such packet and parcel, such rate or sum, or rates or sums, as shall be in that behalf settled and fixed from time to time by such Governor, Lieutenant Governor, or person administering the government as aforesaid, not exceeding, for and upon each such packet or parcel, (weighing not more than One pound avoirdupois) the sum of Sixpence, or (if exceeding that weight) the sum of One shilling.

Post-masters may receive, for safe custody, paper parcels, &c. from on board ship.

Postage thereon.

V. Provided always, and be it further Enacted, That nothing herein contained shall extend to authorize any charge for postage on newspapers printed and published within this Island according to law; but that all such newspapers (if put up in covers, open at both ends, and not containing within the same any letter, note or writing, either on such paper or otherwise) shall be received, conveyed and delivered at to and from every post-office free of all postage whatsoever: And provided also, That all letters (actually and *bond fide* on the public service) addressed to, or franked by, any of the public officers or persons who shall be in that behalf named, or exempted from postage in or by any of the regulations so to be made as aforesaid, and in the manner to be prescribed thereby; and all letters under the weight of half an ounce, to or from any part of the United Kingdom, sent by or addressed to

Exemptions from postage.

Colonial newspapers.

Letters on the public service.

And letters from or to the United Kingdom, to and from convicts.

to any person being here under sentence or order of transportation, and not holding a ticket of leave, (if concerning his or her private affairs, and sent under cover ~~to~~ or franked by the Principal Superintendent of Convicts,) shall also, in like manner, be severally received, conveyed and delivered at, to and from every post-office, free of all postage.

Soldiers' and Seamen's letters, subject to One penny only.

VI. And be it further Enacted, That no letter, under the weight of half an ounce, from any non-commissioned officer, seaman or private, employed in the navy, army, artillery or marines, shall (whilst so employed) be chargeable with a higher rate of postage than One penny, to be paid at the time of putting such letter into the post-office: Provided, That there be written upon the same, in the hand-writing of, and signed by, his commanding officer for the time being, his name, and the ship, corps, regiment or detachment to which such person belongs; nor shall any letter, directed to any such non-commissioned officer, seaman or private, (if concerning his private affairs only, and specifying the ship or other particulars before mentioned,) be chargeable with more than One penny postage, to be paid upon the delivery of such letter.

Deeds, &c. for registration chargeable with half postage only.

Penalty for abuse of this provision.

VII. And be it further Enacted, That all deeds or wills, and all memorials of deeds, wills and judgments *bonâ fide* intended for registration according to law, (if enclosed within a cover, marked on the outside thereof, "*Deeds, &c. for Registration*," and subscribed with the name of the party transmitting the same, and not containing within, or written on any part of the same, any paper, note or writing which shall not wholly relate to such deed, will or memorial,) shall be chargeable with only one half of the amount of postage chargeable for or upon any other packet of the same weight: Provided always, and be it further Enacted, That if any person shall wilfully or knowingly send to, or put or deliver into, or cause or procure to be sent to, or put or delivered into any post-office, or into the hands of any post-master or person employed in the receipt, carriage or delivery of letters under this Act, any letter or packet having a cover marked as aforesaid, (and which shall not contain in fact, solely and only, some deed or deeds, or will or wills, or memorial or memorials, then intended for registration as aforesaid, or which shall contain any paper, note or writing not wholly relating thereto,) he or she shall, for every such offence, forfeit and pay a penalty or sum of not less than Five pounds, nor more than Twenty pounds.

Post-masters to put up a list of all parcels and letters for delivery;

and (in Hobart Town or Launceston) deliver all letters, &c. within those towns.

Penalty.

Post-master's oath.

VIII. And be it further Enacted, That of all such packets and paper parcels so received or taken charge of by any post-master, by way of deposit, or for the purpose of safe custody only, as aforesaid, and also of all other letters and packets duly conveyed to or put into any post-office, or received by any post-master, directed to persons within the limits of the district or portion of this Island for which such post-master shall have been appointed, every such post-master shall, as soon as conveniently may be after any such receipt of any such packets or parcels or letters as aforesaid, cause a list in writing to be made out, and affixed on some conspicuous part of his post-office, so as that the same list shall be legible by any person on or from the outside of such post-office; and shall cause such list, or a list of such packets, parcels and letters as shall from time to time remain for delivery, to be so kept and affixed, fairly written and legible as aforesaid, for the space of not less than Thirty days thence next following; unless all the packets or parcels and letters therein mentioned, shall have been previously delivered to the persons entitled to receive the same respectively: Provided, That the post-masters at or for Hobart Town or Launceston respectively shall, without any extra charge or remuneration, cause to be duly and carefully delivered (within such reasonable time as may for that purpose be appointed by any of the said rules and regulations) all such letters and packets, not weighing more than eight ounces avoirdupois, as shall have been duly carried and conveyed to or put or received into his post-office, or delivered to or received by him as such post-master, directed to any person at any place within the limits of the same town; and every post-master who shall offend in any respect against any or either of the provisions in this section contained as aforesaid, shall forfeit and pay for every such offence a penalty or sum of not less than Five shillings, nor more than Fifty pounds.

IX. And be it further Enacted, That every person appointed to be a post-master shall, before the exercise by him of the duties of such his office, take and subscribe an Oath, for the due execution of such duties, before one of His Majesty's Justices

Justices of the Peace; which said Oath such Justice is hereby authorized and required to administer, in the words following; (that is to say)

" I, [Name] do swear, That I will not willingly or knowingly open,
 " detain or delay, or cause or suffer to be opened, detained or delayed any
 " letter, packet or parcel which shall come into my hands, power or cus-
 " tody, by reason of my employment as a post-master within this Island,
 " except by the consent of the person or persons to whom the same letter,
 " parcel or packet shall be directed, or by an express warrant in writing
 " for that purpose, under the hand of the Governor, Lieutenant Governor,
 " or person administering the government of this Island, for the time being;
 " or except in cases where the party or parties to whom such letter, parcel
 " or packet shall be directed, or who shall be chargeable with the payment
 " of the postage, shall refuse or neglect to pay the same; and except such
 " letters, parcels or packets as shall be returned for want of true direc-
 " tions, or where the party or parties to whom the same shall be directed
 " cannot be found: And I swear, That I will not in any way embezzle or
 " secrete any such letter, parcel or packet. " So help me GOD."

X. And be it further Enacted, That any post-master taking any such oath as aforesaid, under the provisions of this Act, who shall wilfully forswear and perjure himself in such oath, and shall be lawfully convicted thereof, shall suffer such punishment as by law may be inflicted on persons convicted of wilful and corrupt perjury. Perjury.

XI. And be it further Enacted, That if any post-master, or person employed by or under a post-master, or in the receiving, sorting, carrying, conveying or delivering of post letters, or otherwise, in the business of the post-office, shall offend against, or wilfully neglect or omit to comply with, or shall not observe and follow, all or any or either of the said rules and regulations so from time to time made as aforesaid, he or she shall, for every such offence, neglect or omission, forfeit and pay a penalty or sum of not less than Five shillings, nor more than Fifty pounds: Provided always, That nothing in this section contained shall extend to any person being here under sentence or order of transportation, but that every such person shall or may be punished for any such offence, neglect or omission, as aforesaid, in the same manner as such person might, or may, by law be punished for disobedience of orders or neglect of work. Post-masters, &c. to observe rules and regulations.
Penalty.
Proviso for convicts.

XII. And be it further Enacted, That no person whatsoever employed in carrying, conveying or delivering letters, under the provisions of this Act, shall, whilst *bond fide* engaged in such employment, be liable to or chargeable with the payment of any ferryage or ferry, punt or turnpike, tolls or dues, either in going with or returning after the delivery of letters; but shall be, and all such persons whilst so engaged and employed are hereby expressly exempted from any such payment. Carriers, &c. exempted from ferryage, &c.

XIII. And whereas, after the arrival of vessels in the ports or harbours of this Island from parts beyond the sea, letters directed to persons within this Island have been in some instances a long time detained on board thereof: Be it therefore Enacted, That all mails, mail-bags, letters and packets of letters, and paper parcels, which shall or may at the time of the arrival of any ship or vessel at any port or place within this Island, or any of its dependencies, be on board of such ship or vessel, directed to any person or persons at any place within this Island or its dependencies, shall, immediately upon the demand or at the request of any such post-master as aforesaid, or (in case of his sickness or inability to attend) of any person for that purpose appointed by or otherwise duly acting for him, be delivered up to such post-master or person; (excepting always letters and packets concerning any goods on board of such vessel, and to be delivered with such goods, and excepting also letters and packets containing commissions, affidavits, writs and other legal proceedings, or returns thereof; and all letters and packets sent by any private friend or friends, by way of introduction only, or in the way of his or their journey or travel, or concerning his or their private affairs:) And if any master, passenger or other person, on board of such vessel, shall wilfully or knowingly detain or have on board of such vessel, or keep in his or her possession, any such mail, mail-bag, letter, packet or parcel (except as aforesaid) after such demand or request made, by any such post-master or person acting as aforesaid, he or she shall forfeit and pay, for every such letter, packet or parcel so detained, had or kept, a penalty or sum of not less than One pound, nor more than Five pounds. All letters, &c. on board of ships, to be immediately delivered up.
Exceptions.
Penalty.

Allowance for such letters.

XIV. And in order to encourage the due and expeditious delivery of all such letters, parcels and packets: Be it further Enacted, That every master or other person on board of any such ship or vessel as aforesaid shall be entitled to receive, at any time after the expiration of Twenty-four hours next after the arrival of such vessel, from the post-master, or person acting as aforesaid, to whom he shall (upon such demand as aforesaid of the said post-master, or other person, or without such demand) deliver letters, parcels or packets, directed to persons within this Island, or any of its dependencies, (and such post-master, or person so acting as aforesaid, is hereby required to pay to such master or person) the sum of One penny for every such letter, parcel and packet, (excepting always letters, parcels and packets, *bond fide* written and addressed on the public service, or addressed to or for the Governor, Lieutenant Governor, or person administering the government, as aforesaid,) which he shall so deliver as aforesaid; every such master and person signing a certificate of the number of such letters, parcels and packets delivered, and mentioning therein by what vessel they came, and the time when he so delivered the same; and also giving a receipt for such money as he or they shall have received from such post-master or person as aforesaid in respect thereof; which receipt shall be, to such post-master or person, a sufficient acquittance or voucher for the amount of the sum or sums of money expressed therein; and the same sums shall be allowed to such post-master in account accordingly.

Vessels departing from this Island compelled to take mails.

XV. And whereas masters and other persons having the charge or command of vessels departing from this Island have, in some cases, refused to receive on board such vessels, and in other cases, having received on board, have refused to convey therein letters and packets from persons within this Island or its dependencies, directed to persons at places beyond the sea, whereby great damage and inconvenience have, in those cases, been sustained by merchants and other persons: Be it therefore Enacted, That if any master, or person having the charge or command of any vessel about to depart from this Island, shall (after being thereunto required by any such post-master or person duly acting for such post-master as aforesaid) refuse or wilfully neglect to receive on board such vessel any mail, mail-bag or packet of letters directed to, or to or for any person at, any port or place beyond the sea for which such vessel shall then be bound, or shall at any time refuse or neglect carefully to deposit any such mail, mail-bag or packet of letters, in some secure place on board of such vessel, or to convey the same upon and for her then intended voyage, such master, or person having such charge or command, shall for every such offence forfeit and pay a penalty or sum of not less than Fifty pounds, nor more than Two hundred pounds, to be recovered in a summary way, by or before two Justices, in the manner and form prescribed by the Act, intituled, "An Act to regulate summary Proceedings before Justices of the Peace:" And if any such master or person having such charge or command, after having received on board his ship or vessel any such mail, mail-bag, or packet, shall wilfully neglect duly to deliver the same, or either of them, on arrival at the port or place to or for which the same shall be directed as aforesaid to the post-master, consul, vice-consul, or other proper officer or person there appointed to receive or take charge of such mails, letters and packets, such master or person having such charge or command, shall for such last-mentioned offence forfeit and pay the penalty or sum of Five hundred pounds, to be recovered by action at law, at the suit of any person who shall sue for the same, and be applied, one moiety thereof to the use of His Majesty, and the other to the use of the party so suing.

Penalty for refusing to receive, or neglecting to deliver.

Remuneration to masters receiving.

XVI. Provided always, and be it further Enacted, That every such master or person in charge of any such vessel as last aforesaid, who shall duly receive on board thereof any such mail, mail-bag or packet, (for the purpose of conveying the same according to the direction thereof,) shall be entitled immediately to demand and receive from the post-master, or person from whom he shall so receive the same, (and such post-master or person is hereby required to pay to him) a sum of money for the carriage thereof, equal to or at and after the rate of One penny for every letter contained in every such mail, mail-bag or packet; (excepting always, in respect of mails, mail-bags and despatches from the Governor, Lieutenant Governor or person administering the government as aforesaid, or other letters or packets *bond fide* written and addressed on the public service;) such master or person giving to such post-master a receipt for the sum of money so paid by him; which said receipt shall be a sufficient voucher to such post-master for such payment, and the same shall be allowed to him in account accordingly.

XVII. And be it further Enacted, That if any person shall willingly or knowingly open, detain or delay, or cause, procure, permit or suffer to be opened, detained or delayed, any letter, parcel or packet, after the same shall have been delivered into any post-office, or into the hands of any person employed in the receiving, carrying or delivering of letters or packets, under this Act, and before delivery to or for the use of the person to whom such letter, parcel or packet shall be directed, (except by or under an express warrant in writing in that behalf, under the hand of the Governor, Lieutenant Governor, or person administering the Government as aforesaid, or except in cases where the party or parties to whom such letter or packet shall be directed, or who shall be chargeable with the payment of the postage thereof, shall refuse or neglect to pay such postage, and except such letters or packets as shall be returned for want of true directions, or where the party or parties to whom the same are directed cannot be found,) or shall embezzle any post letter or packet, such person shall, for every such offence, forfeit and pay a penalty or sum of not less than Five pounds, nor more than Fifty pounds; and every such person so offending shall be for ever incapable of having, exercising or enjoying any office, trust or employment in or relating to the post-office, or any branch thereof.

Persons opening, detaining or delaying letters.

Penalty.

XVIII. And be it further Enacted, That if any person shall steal and take from any carriage, or from the possession of any post-master, or any person employed to convey letters sent by the post from or in this Island, or from out of any post-office or house or place for the receipt or delivery of letters or packets, or bags or mails of letters, sent or to be sent by such post, any letter or packet, or bag or mail of letters, (sent or to be sent by such post,) or shall steal and take any letter or packet out of any such bag or mail, every person so offending (being thereof duly convicted) shall be adjudged guilty of felony.

Stealing letters, &c. from persons in the post-office, or from mails, &c.

Felony.

XIX. And be it further Enacted, That all offences against this Act, or against any or either of the said rules and regulations, in respect of which said offences any pecuniary fine or penalty is by this Act imposed, (and no other provision for recovery thereof is hereinbefore in that behalf made,) shall or may be heard or determined, and such fines and penalties be awarded and imposed in a summary way, by or before any Two Justices, upon information in that behalf exhibited; and that all such fines and penalties so awarded and imposed by any such Justices, shall go and be distributed (and all persons aggrieved by any summary judgment or conviction under this Act shall be entitled to appeal therefrom) in the manner provided respectively in and by the Act, intituled, "An Act to regulate summary Proceedings before Justices of the Peace."

Proceedings for penalties.

XX. And be it further Enacted, That the amount of all and singular the rates and fees received or payable for or in respect of postage under and by virtue of this Act, shall be from time to time paid over by the said several post-masters, to such person or persons, and at such time or times, and in such manner as shall by the Governor, Lieutenant Governor or person administering the government as aforesaid, be from time to time for that purpose appointed; and the same rates and fees or sums shall be and the same are hereby reserved to His Majesty, His heirs and successors, in the first place for the maintenance and support of the said several post-offices or establishments under this Act, and the surplus (if any) to and for the construction and repair of roads and bridges throughout this Island; and the same rates and fees or sums shall go to and be applied for those purposes accordingly.

Application of duties.

GEORGE ARTHUR.

Passed the Council, the 4th
day of October 1828.

John Montagu, Clerk of the Council.

Anno Nono GEORGII IV. REGIS. No. 7.

AN ACT to regulate the Printing and Publishing of Newspapers.

WHEREAS it is expedient to make provision for restraining the printing and publishing of blasphemous and seditious libels, and preventing the mischiefs which may arise from the printing and publishing of newspapers by persons unknown: