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# BRITISH COLUMBIA.

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NO. 25.

## An Ordinance to assimilate the Law regulating the Postal Service.

[*2nd April*, 1867.]

WHEREAS, it is expedient to assimilate the Law regulating the Postal Service to all parts of the Colony of British Columbia; Preamble.

Be it enacted by the Governor of British Columbia, with the advice and consent of the Legislative Council thereof, as follows:

I. From and after the passing of this Ordinance "The Postal Ordinance, 1864," is hereby repealed. Provided however that such repeal shall not affect any rights acquired under such Ordinance, or any liabilities or penalties already incurred under such Ordinance, or any remedies or punishments prescribed by such Ordinance for enforcing the same, but such remedies and punishments may still for the purpose of such enforcement, but not further or otherwise, be held to be available and capable of imposition as if such Ordinance were still in force. Repeals Postal Ordinance, 1864.

II. It shall be lawful for the Governor to establish for the reception and transmission of Letters and other Mail matter, as many Post Offices throughout the Colony as he may from time to time deem necessary. Establishment of Post Offices.

III. It shall also be lawful for the Governor, from time to time to appoint a Postmaster General and such Postmasters in the Colony as he shall deem necessary, to hold office during his pleasure, and to prescribe and vary the mode and amount of their remuneration and securities, the nature and extent of their duties; and it shall be lawful for the Postmaster General, subject to the directions of the Governor, to regulate the weight and dimensions of letters, to define the various kinds of postal matter, to prohibit the sending of dangerous or improper articles by post; to prepare and distribute such Colonial Stamps for the pre-payment of postage, to order such pre-payments, and generally to make all such other regulations for the more effective management of the Post Office department throughout the Colony, as to such Postmaster General (subject as aforesaid) shall seem expedient for the Public service. Appointment of Postmasters. Regulation of Postal details.

IV. It shall be lawful for the Governor to direct the Postmaster General to advertize for tenders for the conveyance of Mails within the said Colony. Tenders for Mail service.

V. The Postmaster General, or such other person as may be authorized by the Governor in that behalf, may, with the approval of the Governor, enter into contracts for the conveyance of Mails in the Colony. Mail Contracts.

VI. In all proceedings and things whatsoever relating to the Post Office or Postal matters, the Postmaster General may sue and be sued in his own name. Postmaster General may sue and be sued.

VII. In

Property in Postal matters.

VII. In all proceedings whatsoever relating to Postal matters, in which it shall be necessary or usual to allege or prove property, every letter, paper, and matter being conveyed by, to, or from, or deposited in or with any Post Office, or Postmaster, or other person in the employ of the Post Office in the Colony, shall for the purposes of this Ordinance be deemed and laid as the property of the Postmaster General.

Loose Letters.

VIII. Every master or person in charge of any vessel arriving from parts beyond the seas shall be entitled to receive two cents for every letter not included in any Mail delivered to the Postmaster at any Port in the Colony, or to any person authorized by him to receive the same.

Rates of Postage on Letters.

IX. That every letter deposited in or passing through any Post Office in the Colony, and not exceeding half an ounce in weight, there shall be paid a postage according to the following scale, that is to say:

At or between Victoria or any Post Office in Vancouver Island and New Westminster, or any port in the Colony... 5 Cents.

Between Vancouver Island or New Westminster and Clinton or Savana's Ferry ..... 12½ Cents.

Beyond those distances ..... 25 Cents.

Between any two Post Offices above Yale, Hope, and Douglas ..... 12½ Cents.

And for every additional half an ounce, or fraction of half an ounce beyond the above weight, there shall be paid on each such letter an additional postage according to the foregoing rates.

Rates of Postage on Newspapers.

X. That for every single newspaper deposited in or passing through any Post Office in the Colony there shall be paid a postage of two cents.

Foreign Mail Contracts.

XI. The Postmaster General, with the approval of the Governor, may enter into contracts with Foreign countries, for the conveyance and transmission of Mails to and from British Columbia, from and to such countries.

Power to search for Letters unlawfully carried.

XII. It shall be lawful for the Postmaster or other officer of the Post Office department, duly authorized, at any place, to open, search and examine the letter bags, or parcels, packages, or persons of any Express Companies or parties suspected of conveying letters or other Mail matter liable to Postage under this Ordinance, without previous pre-payment thereof.

Franking Letters.

XIII. All letters on Public Service, marked over the address "On Her Majesty's Service," and bearing the name of the writer or department on the left hand corner, shall pass free.

Unclaimed Letters.

XIV. Every Postmaster shall on the last Monday of every month, cause a list of the then remaining unclaimed or undelivered letters, to be made out in writing and affixed to some conspicuous part of the Post Office, there to remain for the space of ninety days, after which period all such letters then remaining unclaimed or undelivered shall be transmitted by the Postmaster to the Postmaster General, who shall advertize the same for the space of one month in the *Government Gazette.* The Postmaster General shall have authority to open such letters, and to return them to the writers thereof, after the expiration of nine calendar months from the date of such advertisement.

Offences declared felony.

XV. Any person who shall steal, embezzle, secrete, or destroy any Post Letter Bag, or packet, or Post Letter, or any chattel, money, security, or thing whatsoever, in such bag, packet, or letter contained, or unlawfully open any Post Letter Bag or packet, or unlawfully take any letter or thing out of such bag or packet, or forge, or be engaged in or accessory to forging or attempting to forge any Postage Stamp or form issued or used, or to be issued or used under the authority of this Ordinance, shall be deemed guilty of a felony, and punishable by imprisonment for life by any Court having jurisdiction in that behalf.

XVI. Any

XVI. Any person or persons, corporation, firm, or partnership whatsoever, that shall knowingly and with intent to defraud the Revenue, convey, or be concerned in the conveyance of any letter or other Mail matter liable to postage, and on which the rate of postage by this Ordinance prescribed, shall not have been pre-paid, shall be liable upon conviction for each such offence, to a fine of not less than Twenty-five Dollars or exceeding Two Hundred and Fifty Dollars; every such penalty may be recovered upon conviction before any Justice of the Peace or other Magistrate in the Colony, in a summary manner, and in each such case the informer shall be entitled to receive half the penalty recovered, the remainder shall be paid to the use of Her Majesty, her heirs and successors, and be accounted for as part of the Revenue. Offences punishable by fine.

Every such penalty or fine, shall be recovered by warrant of distress of the goods and chattels of the offender.

And in case of default in payment of such fine, or of the insufficiency of such distress, the offender shall for every such offence be liable to an imprisonment not exceeding three calendar months, at the discretion of the Justice or Magistrate convicting.

XVII. The conveyance or attempt to convey any letter, paper or Mail matter liable to postage, without the previous payment to the Post Office department of the proper postage thereon, shall for every such letter or thing be deemed a separate offence, and be punishable accordingly. Separate offences.

XVIII. Any offence under this Ordinance, may be dealt with, indicted, tried, and punished in any place or district in the Colony, where the offence is committed, or in which the offender is apprehended or in custody, as if actually committed in such place or district. Offences punishabl in any part of the Colony.

XIX. All letters, papers and other Mail matter not hereinbefore made free of postage transmitted within the Colony, shall be pre-paid. All Letters to be prepaid.

XX. In the construction of this Ordinance the word "Governor" shall be held to mean the Governor of this Colony or other the Officer administering the Government of this Colony for the time being, and whenever in this Ordinance in describing or referring to any person or party, matter or thing, any word importing the masculine gender or singular number is used, the same shall be understood to include and be applicable to several persons and parties as well as one person or party, and females as well as males, and bodies corporate as well as individuals, and several matters and things as well as one matter or thing, unless it otherwise be provided or there be something in the subject or context repugnant to such construction. Interpretation clause.

XXI. This Ordinance may be cited for all purposes as "The Postal Ordinance, 1867." Short Title.

*Passed the Legislative Council the 13th day of March, A. D.* 1867.

CHARLES GOOD, *Clerk.* ARTHUR N. BIRCH, *Presiding Member.*

*Assented to, in Her Majesty's name, this 2nd day of April,* 1867.

FREDERICK SEYMOUR,
*Governor.*

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