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[No. 234.]

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5th Session, 8th Parliament, 29-30 Victoria, 1866.

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## BILL.

An Act to amend the Post Office Act.

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Received and read first time, Thursday, 26th  
July, 1866.

Second reading, Friday, 27th July, 1866.

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Hon. Mr. HOWLAND.

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Printed by G. E. DESBARATS.

## An Act to amend the Post Office Act.

**W**HEREAS the more effectually to prevent frauds upon the Post Office Revenue, it is expedient to amend the Post Office Act: Therefore, Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows:

Preamble.

1. If any person uses or attempts to use in prepayment of postage on any letter or mailable thing posted in this Province, any postage stamp which has been before used for a like purpose, such person shall be subject to a penalty of not less than *Ten* and not exceeding *Forty dollars* for every such offence, and the letter or other mailable thing on which such stamp has been so improperly used may be detained, or in the discretion of the Postmaster General forwarded to its destination charged with double the postage to which it would have been liable if posted unpaid.

Penalty for using stamps more than once.

2. Sub-section ten of section fifty-five of the Post Office Act is hereby repealed and the following substituted therefor:

Sect. 55 amended.

“To enclose a letter or letters or any writing intended to serve the purpose of a letter in a Parcel posted for the Parcel Post, or in a packet of Samples or Patterns posted to pass at the rate of postage applicable to Samples and Patterns, or to inclose a letter or any writing to serve the purpose of a letter, or to inclose any other thing in a Newspaper posted to pass as a Newspaper at the rate of postage applicable to Newspapers (except in the case of the accounts and receipts of Newspaper Publishers which are permitted to pass folded within the Newspapers sent by them to their subscribers) shall in each case be an offence punishable by a penalty of not less than *ten* and not exceeding *forty dollars* in each case.”

Inclosing letters &amp;c., in parcels, news, papers, &amp;c.

3. The Postmaster General may grant licenses, revocable at pleasure, to Agents, other than Postmasters, for the sale to the Public, of Postage Stamps and stamped envelopes, and may allow to such Agents a Commission of not exceeding *five* per cent. on the amount of their sales;—and it shall not be lawful for any person to exercise the business of selling Postage Stamps or Stamped envelopes to the Public unless duly licensed so to do by the Postmaster General and under such conditions as he may prescribe; and any person who

Licensed parties only to sell stamps.

shall violate this provision by selling Postage Stamps or Stamped envelopes to the Public without a license from the Postmaster general, shall on conviction before a Justice of the Peace, incur a penalty of not exceeding *forty dollars* for each offence.

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Recovery of penalties.

4. The penalties imposed by this Act shall be recoverable by the Postmaster General before any one Justice of the Peace in a summary manner, and if not paid may be levied by distress under warrant of such Justice, and the proceedings for the recovery of any such penalty shall be subject, as to evidence and proof of the offence, to the provisions contained in the sixty-second section of the Post Office Act.

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Street letter Boxes, &c.,

5. The Postmaster General may, when in his judgment the public convenience requires it, establish Street Letter Box or Pillar Boxes for the reception of letters and other mailable matter in the streets of any City or Town in this Province, and from the time that a letter is deposited in such Street Letter Box or Pillar Box it shall be deemed to be a Post letter within the meaning of the Post Office Act.

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Punishment of persons damaging such Boxes, &c.,

6. If any person wilfully or maliciously injures or destroys any Street Letter Box, Pillar Box or other receptacle established by authority of the Postmaster General for the deposit of letters or other mailable matter, such person shall on conviction be deemed guilty of a misdemeanour punishable by fine or imprisonment or both in the discretion of the Court before which the offender is convicted, and every person who aids, abets, counsels or procures the commission of this offence shall be guilty of a misdemeanour and be indictable and punishable as a principal offender.

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Extension of money order system to other Provinces of B. N. A.

7. The Governor in Council may, by regulations to be from time to time made, extend the money order system so as to include the granting of money orders on postmasters in the other provinces of British North America, and the payment of money orders drawn by such postmasters on postmasters in this province, on such terms and conditions as may be set forth in such regulations.

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Transmission of patterns, &c., by mail.

8. The Governor in Council may, by regulations to be from time to time made, provide for the transmission through the Mails of this province, of patterns and samples of merchandize and goods for sale, and of packages of seeds, cuttings, bulbs, roots and scions or grafts, on such terms and conditions as may be set forth in such regulations.

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Punishment of persons wilfully injuring the same.

9. Wilfully and maliciously to destroy, damage, detain or delay any packet or package of patterns and samples of merchandize and goods, or of seeds, cuttings, bulbs, roots and scions or grafts sent by mail under the next preceding section,

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shall be a misdemeanor, and punishable in like manner as other offences declared to be misdemeanors by the Post Office Act.

**10.** This Act shall be construed as one Act with the Post Office Act, so that all the provisions of that Act shall apply to the  
 5 regulations to be made by the Governor in Council under this Act, and to other things to be done under it, as being made or done under the said Act, and to all offences committed against this Act, and all penalties imposed by it, as being committed  
 10 against and imposed by the said Act; and all words and expressions in this Act shall have the meanings assigned to them in the said Act.

How this Act shall be construed.