

明治三十四年

書

英領海峽聯邦郵政法
法實施件

海峽聯邦ニ於テ郵便電信法制定ノ結果
帝心郵船日濠洲郵便物運送ニ及ボ
ス影響不調一件

外務省

外務省

三〇

3-2336

0156

辛酉年八月三日接覽

普通郵便

新聞

公信第六三號

濠洲聯合郵便條例案、議事に關し

新聞切符送付に件

今般濠洲聯邦政府、於て、聯邦内、於て郵便制度、軌
 一ノ圖ラシケル、濠洲聯合郵便條例案、九ノヲ起草シ
 先頃來開會、同聯邦議會、政府案トシテ提出候居
 候處、右ノ閣、本月十日開會、上院委員會、於て當
 井ノラントトテ選出議員、テ井ノ、シラセ、以(軍務勸派)
 ヲリ該條例中、政府、保護、浴シ郵便運送ニ從事セル
 濠洲會社所屬、船舶、白楮人、外凡テ、有色人種、
 使備ヲ禁止スト、一項ヲ挿入ヒントテ發議シタリトモ右挿
 入、コト、遂ニ九名、對シ十七名、多數ヲ以テ否決セル、
 コト、相成申候、右、昨年當州議會ヲ通過ヒシ砂糖
 工場抵當保證條例改正案、有色労働禁止、箇條
 ヲ包含スル、故テ以テ英國皇帝陛下ニ於テ御裁可ナカリ
 コト、鑒ニ自然、及省ヲ加ハルモノト被存候、向來前頭
 郵便條例案、閣ニ議事、換標、別紙添付、新聞切
 符、委曲御意悉相成候標、程度、以テ申渡候、
 具

明治三十四年七月十七日

在タウンスウ井ノル

領事 飯島龜太郎



外務大臣曾禰荒助

1341



在マニラ領事館
アガシ新用切符
三十四年七月十日
在マニラ領事館

IN THE FEDERAL GALLERIES.

THE SENATE.

Senator Glassey's proposal to insert a condition in the Post and Telegraph Bill that no subsidy be granted to any mail-carrying vessels, except such as are manned by white crews provoked a very lively discussion. In reply to all suggestions that he should withdraw his amendment, Senator Glassey declared himself as being as immovable as the rock of Cashel. When the irresistible force of Senator Symon's arguments met the immovable body represented by Senator Glassey, the problem in dynamics which has for so long baffled the most eminent mathematicians received a practical illustration.

"British ships," observed Senator Sir J. H. Symon, "are part of the soil of England. You might as well try to legislate as to the persons who may be employed in the factories of England." Senator Glassey smiled incredulously. "If this amendment is carried," continued the speaker, "the Postmaster-General will be unable to place a mail bag on board any vessel carrying a single sailor who is not pure white." Senator Glassey still smiled, but more feebly. "What is pure white?" demanded Senator Sir Josiah Symon, triumphantly. Senator Glassey still smiled, but the smile was very faint. He was obviously apprehensive that the hon. senator might presently convince him that pure white was in reality pure black.

Senator McGregor made a rousing speech from the point of view of those senators who desire that lascars should be replaced by white seamen, on all mail-carrying vessels. "The British sailor," he declared with ringing voice and outstretched hand, "comes of a race that has bred sailors for a thousand years. He has carried our flag to every port in the world. Yet it is said that he is not fit to fire up a furnace, or haul a rope, and that he must submit to the greater ability of the Indian lascar. Senators should be ashamed to so slander the race to which they belong." Senator McGregor spoke at first on a high plane, but he gradually declined, and finally descended to a vulgarity. "New Zealand," he said, "has not been coerced by Joe Chamberlain, and we need not fear coercion by him, or anyone else, if we pass this motion." Senator Sir J. H. Symon said that it was inadvisable that the Secretary of State should be referred to by such an expression as "Joe Chamberlain," and the use of such a term was not calculated to assist the debate.

A passion for definition seized upon several senators. Senator Sir J. H. Symon wanted to know the meaning of the term "white." Then Senator Playford expressed doubts as to the exact meaning of the word "crew." The amendment specified that subsidised mail steamers must carry "white" crews. But that, in his opinion, would not prevent them from carrying Chinese cooks or Eurasian stewards. Senator Playford intimated that, while he was prepared to swallow a Chinese cook, he

could not digest a lascar boatswain. He would support the amendment. Senator Glassey, however, could not go with Senator Playford. He explicitly stated that the term "crew" included every person who signed articles.

Senator Clemens, of Tasmania, can see as far through a brick wall as anyone. He gave a number of excellent reasons for opposing Senator Glassey's amendment, but electrified the committee at the close of his remarks by saying that he had a good mind to vote for it, all the same. He explained that he was swayed by the consideration that if the amendment were agreed to the Royal assent would be withheld, and the bill would be rejected, lock, stock, and barrel. Senator Clemens was one of the most determined opponents of the clause, which has been carried, interfering with the business of Tattersall's sweeps in Hobart. However, he resisted the temptation, and cast his vote against the amendment, which was rejected by 17 votes to 9.

An amendment designed to bring publications issued at intervals not exceeding one month within the definition of newspapers, for which special rates of postage are to be fixed, was moved by Senator Smith, and was strongly supported, many senators espousing the cause of the monthly trade journals. eloquently. Senator Keating put forward the view that trade journals were really newspapers, which supplied important news to the persons engaged in the particular trade discussed in those journals. For many senators the daily newspapers were simply trade journals dealing with the trade of politics. This argument seemed to carry great influence, for the committee decided by 16 votes to 9 that in future monthly publications are to be newspapers within the meaning of the act.

The proposed interference by the Government with privately-owned telephones was made the subject of a petition which was presented by Senator Sir F. T. Sargood, on behalf of the Pastoralists' Association of Victoria and Southern Riverina. The petitioners urged that in view of the great utility of telephones on stations in affording a means of giving warning of floods and fires to owners of adjoining properties, the Government should refrain from imposing any disabilities upon the installation of those telephones.

Senator Sir F. T. Sargood seems to assume that the Postal department will be managed by a malicious lunatic. This was the complaint of Senator O'Connor during the debate on the clause dealing with private telephones. Eventually the clause was amended by Senator Drake, in such a way as to provide that there should be no interference with private lines as long as they did not interfere with the public lines. The clause as amended was agreed to. It was further resolved that owners of telephones in private property should be allowed to erect the wires across roads, or public reserves on payment of a small prescribed fee. Progress was reported, and at 20 minutes to 11 the House adjourned until to-day.

マニラ領事館公信第百六十三号付寄

Copy

編者待言
事考、英領海軍
物支制限付
件 五号

Dated Sydney, 2^o 10^A 1901 12-35 p.m.
 Rec'd " " " 3-15 p.m.

Gaimundaijin
 Tokyo

English language in the immigration
 bill have been altered to any European.
 In the Lower House, Govt. plainly stated
 they do not intend to affect European
 countries. Postal bill has passed Lower
 House, excluding colored labour from
 all Govt. mail contracts.

Caiteki

電受第
一三三八
號
words
25

3-2336

0159

電信素

立しドニー

小村外務大臣

永滝領事

本月二日貴領電ヲ以テ報告セラレタル西法
案ハ何レ人種的區別ヲ立テラレルモノト認めルニ付
帝后政府之ニ對シ甚ク不満足ニ感スル者
聯邦議會ハ申入レテ成立ヲ妨止スルコトニ
尽力スベシ也本件ニ對シテハ要政府ノ注意
ヲ喚起セシメタルニ要スル也公使ノ電ヲ視テ
回信スルニ十月三日

編者附言

此は英領海峽植民地領事館に於て傳へられたる

外務省

3-2336

0161

Sent 4th 10th 1901. 3.15 p.m.

Osaka
Sydney

As we consider the two Bills mentioned
in your telegram of 7th 11th clearly make
racial discrimination, you will inform
the Governor-General that the Imperial Govt.
is highly dissatisfied with them and
use your best efforts to prevent their
passage.

I have also instructed 土 英 公 使
to call the attention of British Govt. to
the matter.

Kamura.

電
送
第
一
九
一
號

Word
42

電信書

と葉

井公使

小村外務大臣

濱河縣和議有提出せらるるの物と右限法
案并郵便法案を案し立にドニー領事より
左の電報アリ

English language in the immigration bill
have been altered to say European. In the
Lower House, Swift plainly stated they do
not intend to affect European countries
Postal bill has formed Lower House, excluding
colored laborer from all Post mail contracts.

外務省

右の兩法案は何しを以て人の種別を以て
するに認むるに付而して其の意を以て從て
政府の法を以て案すべし

東京電信局の取知を以て案すべし一件より

編者印
若領事館印
海軍省印

Copy

Dated Sydney 7 10 1901. 4-20 p.m.
 Recd " " " 9-55 p.m.

Konuma
 Tokyo

No.

In reference to my telegram of
 十月二日, the clause in postal bill has
 passed 上院. In Immigration bill
 another amendment carried clause 9,
 discriminating between European and
 other immigrants.

Have informed 芝英公使
 Etaki

電受第一二六〇號
words 23.

Copy

H-10-1901 3-40 p.m.

Hayashi
 London

No 95.

In reference to Immigration
 Restriction and Postal Bills presented
 to the Australian Federal Parliament,
 I Sydney 領事 telegraphs as follows:-
 (示領事十月二日來電文)

As we consider both these bills
 clearly make racial discrimination,
 you will, in accordance with previous
 instruction, call the attention of British
 Govt. to the matter.

Konuma

電送第八九九號
words 57.

電信事

とじドロー

不慮事

外務大臣

船長船員及乗客は悉く若し幸甚政府ノ
異議アルと相違ハ信守ノ推シ之ヲ裁可
セントス様様アルトキハ船員并航海者
ニ不時ハ迷惑ヲ被ルシカガトカガメ急リナリ注
意シ必要ノ條取并施リ形も尋ニ速ニ電
指スベシ

編者附

この電は英領海河船和船が市限に寄船一
つ出た

外務省

Copy

Sent - Oct. 9th 1901

5-20 p. m.

Eitaki

Sydney

In the event of there being any desposition on the part of Governor General, notwithstanding protest of Imperial Govt., to sanction Immigration and Postal Bills, you will take especial care that Japanese vessels and subjects are not put to sudden hardships and telegraph without delay the principal clauses and date of enforcement of the bills.

Komura

電送第九一八號

3-2336

0165

電信業

立英

村公使

少輔お務大臣

移氏の郵便西は業ニ関シテ本日七時重
 テ示新報事、電信ニ務セリ(或シモ
 同様ノ電信ノ差セリト云)の事は業ニシテ
 若し法律トアルに於テ我郵船布仕ノ殊ニ
 希ニ建或シテ業リ海河田航ノ廢止セカニ
 かん無境ノ隔ルキ付下ニ飽迄ニシテ業政
 府ノ好意ニ許シ海河田航ノ同以府ヨリ
 海河田航ノ業リ中止セカニ様々カア
 リシシ

編者附言
 本書の業河海河田航ノ業リ中止セカニ様々カアリ

外務省

Copy

Sent 10 10 1901 12-30 p.m.

Hayashi
London

No 98

In reference to the Immigration and Postal Bills, I received 十月七日 from Mr Sydney Smith a further telegram which he says he has also sent you. As these Bills, if they become law, will be an especially severe blow to 日本郵船会社, compelling it even to discontinue its Australian service, you will appeal by every means to the good-will of British Govt so that they may, before the Governor-General gives his sanction, prevail upon him to withhold it from those Bills.

Komura

電送第九一八號

Words 56

3-2336

0167

政府ノコレヲ否認セシメント事ヲ運動仕居候向未右ニ
聞ニ新聞切接ニ添付仕置候間漸次度以候
及具申候致具

明治三十四年九月九日

在タウンスワール

領事 飯島 豊太郎



外務大臣 曾根 謙助 殿

在タウンスワール日本領事館

3-2336

0169

在マニラ日本領事館

THE POSTAL BILL.
 When the House adjourned last night it was with fond hopes that the white Australia discussion was done with for the present; but while many proposals have rarely disposed at least in Parliament. Mr. Hughes moved his new clause in the Postal Bill, which ran as follows: "No contract or arrangement for the carriage of mails shall be entered into on behalf of the Commonwealth unless it contains a condition that only white labour shall be employed in such carriage; but this condition shall not apply to the coaling and loading of ships at places beyond the Commonwealth." No discussion was expected, but Mr. Knox (Victoria) led the way. He wanted to put himself right with his constituents, and declined to believe that this was a question of a white Australia. The measure was purely a commercial one. He emphatically entered his protest against the House prostrating itself to an ideal, however great it might be, when it was not considered from a broad commercial point of view. A vigorous protest was entered by Mr. Solomon against the somersault tactics adopted by Mr. Barton yesterday. He claimed that the Attorney-General had suggested getting over the difficulty by a side issue and by dealing with the matter in an underhand and sly manner, but the Prime Minister had fought the issue raised by the new clause tooth and nail. The subject had for months occupied the attention of the Government, but within an hour the Prime Minister had yielded to the influence brought to bear, and had reversed all his former policy. The hon. member for Marano had perhaps influenced him. This was too much for Mr. Page, who was beaming all over. "I am glad to hear it," said he, amidst hearty laughter. "Was it likely?" Mr. Solomon asked. "That Great Britain, who had control of these contracts, would consent to a bar being placed on the employment of her own Indian subjects?" After some further discussion the new clause was agreed to, and the matter was disposed of as far as the House of Representatives is concerned. It now remains to be seen what the decision of the Senate will be.

三十四年九月五日
 公信第八一號
 尾尾成
 干松用切授

大臣

十一月廿六日

通商局

公第五九號

三四七二

濠洲聯邦議會、於議事申、係ハ
郵便法案中、有色人種排斥ノ條項、

關スル件

濠洲及英國尙郵便知輸送ノ為、濠洲各州政府ハ
本國政府ト共同シ、彼所會社及オリエ、アト、バシ、ク、會
社等ト特約ヲ結ビ、一定ノ補助金ヲ下附致居ル處、右オリ
エ、汽船會社内ニ、印度人ヲ雇入レ居ル、殊ラ以テ、此
般未攻取手ノ聲、頗ル喧シク、偶ニ、郵便法案上院、
提出セラル、其第二讀會、於此、郵便物輸送ノ特
約アル如車内ニ、一切有色人種ヲ雇入シ禁テ止スヘキ
條項ヲ加ヘン、トノ動議クナモ、政府委員ハ、其
人種的區別シタクノ不可ナルヲ、認キ且ツ英國臣民シル

在外公館

印度人ヲ排斥セン、本國政府ノ政界ニ、反スルノミナラス、
本國政府、於テモ同額ノ保護金ヲ、特約スルヲ以テ、獨リ
濠洲政府ノ任意ニ決スヘキカ、ラ、アルト、論シ、遂ニ、十
七、對スル九ノ多數ヲ以テ、右動議ハ、敗レ、リ、カ、該
法案ノ下院ニ、移リ、其第二讀會ニ、ハ、ハ、中、隊、テ、白、指
濠洲、主義ノ貫徹ニ、熱中スル、勞働派、議員ハ、更ニ、
之カ、動議ヲ提出シ、檢事總長、カ、キ、民、ハ、之、對シ、
ル政府ノ意見ヲ、陳述スル、傍、一箇ノ意見ヲ、吐、露シ、
白指濠洲、主義ヲ、鼓吹セ、リ、一層、氣、焰、ヲ、高、メ、勞
働派、議員ハ、郵便物輸送、特約ノ、船、車、ニ、英國臣
民、ミ、レ、テ、白人タル者ニ、限リ、雇入ル、テ、ナ、サ、ト、主、張シ、
内閣總理、ハ、ルト、ン、氏、ハ、此、際、勞、働、派、ノ、意、氣、ヲ、挫、ク、
ト、キ、關、稅、其、他、ノ、法案、ハ、於、テ、握、手、ス、ル、難、キ、ヲ、慮、リ、

大臣
於此、
結、案、ヲ、
行、フ、

タルモノ、^{セリク}俄ニ態度ヲ変シ萬一本國政府ノ裁可ヲ
得ル能ハサルモ 聯邦政府ノ品夫ニアラストノ條件ヲ以テ
之ニ賛同シ其英國臣民ニシテ白人ナル語ヲ白人若シハ
白人勞働者トシテ修正スルノ穩當ナルヲ説キノ重ノ議
提出者モ亦之ニ満足シ終ニ大多數ヲ以テ別紙甲
號記載ノ條項ヲ可決スルニ至リ右ニ更ニ上院ノ
同意ヲ經サレハカラス然ルニ上院ニ於テハ先キ一タニ否決
セルモノナラバ直ニ同意スヘキヤ否ヤ疑問ニ屬スト雖モ政府ニ
於テ既ニ異議ナシトセハ上院議負中ニ之ヲ歡迎スルモノ
多カレハ被察ト

右ハ人々^{セリク}印度人ヲ除外スルニ在リシ以テ必スヤ本國政
府ニ於テ默過セサルヘク假令兩院ヲ通過スルモノナラバ裁
可ヲ得ルハ殆ント絶望事ナルカ如ク一般ヨリ認メテ
在外公館

ルニナラバ帝國臣民ノ之ニ關係スルモノ殆ント之レナク實利
上我ニ影響スル可ク多カラバ加ヘ引次キ移民制限法
案ノ議事申立テ以テ漫ニ抗議シ却テ同制限法
案ニ於テ反抗ヲ爲スルハ我ニ不利ナリ愚考政治
間斷ヲ見合キ各小國共ニ上院トノ交渉モ止日ニアルク
存小間今四内閣總理ニ對シ別紙之號寫ノ通り
陳示改置上院仍ホ上院ニ於テ贊否ノ結果ハ後報
可致ニ得共不取敢^{セリク}右及申報ニ致具

明治三十四年九月十八日

在テ

領事 永瀧 久



外務大臣曾 祐亮 和 殿

遼ラ奉天ニ在英帝國公使ニ及報告書

乙
印
Copy
H. I. JAPANESE MAJESTY'S CONSULATE,

SYDNEY, September 18th, 1901.

Sir,

I have the honor to address you upon the subject of the amendment of the Postal Bill agreed to, on the voices, on the 5th instant by the House of Representatives.

The amendment reads as follows:-

"No contract or arrangement for the carriage of
"mails shall be entered into, on behalf of the Com-
"monwealth, unless it contains the condition that
"only white labour shall be employed in such carri-
"age. This condition shall not apply to the coaling
"and loading of ships at places beyond the limits of
"the Commonwealth".

I am sure you will see that this amendment contains the same objectionable reproach to the Japanese nation, on the ground of color, against which protests have been made on former occasions, and in connection with different matters.

I have the honor to inform you, therefore, that it will be my duty to notify my Government officially of the amendment referred to, and I feel confident that they will learn of the action of the Australian Commonwealth Parliament in this matter with extreme regret.

I have the honor to be,

Sir,

Your most obedient servant,

(Signed) H. Mitaki.

Consul for Japan.

The Right Honorable,
Edmund Barton, P.O., etc.,
Prime Minister,
Commonwealth Parliament,
Melbourne.

3-2336

0173



Amendment on the Postal Bill,
agreed to, on the 5th, Sep., 1901,
in the House of Representatives.

"1. No contract or arrangement for the carriage
of mails shall be entered into, on behalf of the Com
monwealth, unless it contains the condition that only white
labour shall be employed in such carriage.

2. This condition shall not apply to the coaling
and loading of ships, at places beyond the limits of the
Commonwealth."

3-2336

0174

三南十月廿五日楊文

乙卯六月五物

乙卯三月四日五物

船中議定に於て議事の中初民制限は案及
郵便法案に於て船中議定に於て四書に件

商略

又去十八日公卯五九物信より及報告に船中
法案中有名人種排斥條項に及んば抗議
に付おぼしめし得る通り船中議定有るに付
去及日議定附片(後果)

明治三十四年九月五日

王レドロー

領事 永瀧久吉

外務大臣小村壽太郎殿

丙申六月五日 英領博河船中議定に於て初民制限は案及

外務省

2
77
3
Copy

Commonwealth of Australia,
Department of External Affairs,
Melbourne, 23rd September, 1907.

電
送
第
號

5/11

Sir,

Referring to your letter of 18th instant on the subject of a certain amendment in the Postal Bill which was agreed to on the 15th instant by the House of Representatives, I have the honour to inform you that the matter will receive that careful consideration which is due to all your representations.

I note that you propose to notify your Government officially of the amendment in question - a course to which this Government can raise no objection.

I have the honour to be

Sir

H. Pitaki Esq., your obedient servant
Consul for Japan (Signed) Edmund Barton
Sydney.

二十四年十一月十二日受接

普通商局

水部

郵政局長 手書

公第六九號

一四一九三

郵便電信條例案中郵便物搭

載ノ約定ヲシ得ヘキ船車ニ關ス

條項(第十五條A)上院通過ノ件

總務局

六九

客月十八日付公第五九號信ヲ以テ及報告置テ矣

郵便電信條例案中濠洲政府ハ白人勞働者

ニ使用ノ條件ヲ具スル船車ニ關スル郵便物運

搬ノ約定又ハ取極ヲナスヲ得ヌ尤モ其條件ハ船

船ノ聯邦領域外ニ於テ石炭及貨物積込ノ際

ニ適用スヘキ限リニアラストノ一條ヲ加フル下院ノ修

正案ハ去ル三日及四日ノ兩日間上院ニ於テ討

議ヲ盡シ或ハ取極(arrangement)ノ文字ヲ削除

スヘシトシ或ハ大夫ヲ除ク外凡テ白人勞働者ノ

使用スル船舶ニ限リ約定又ハ取極ヲナシ得ヘキ

トトスヘシト修正説出テリシカ 軌レモ二三案ノ

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明治三十四年十月十日

在シドニ

領事 永瀧 久



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正清ノ分）告得貴意ニ答ル

明治三十四年十月十日

在シドニ

領事 永瀧 久



外務大臣小村壽太郎殿

送ニ右法案議事要録（新内閣）別紙ニ通ルハ申事
添付スル

在外公館



十月四日院議 郵傳省法案 附録

POSTAL BILL.
The Senate resumed consideration in committee of the amendments made by the House of Representatives in the Postal Bill.
Senator CLEMONS (Tas.) continued the discussion on the proposal to accept the House of Representatives' amendments forbidding mail contracts with persons or companies employing colored labor. He marvelled at the extraordinary somersault of Senator O'Connor, who, three months ago declared that the amendment was impossible, and to-day advised the Chamber to accept it. He could see that the practical result would occur from the insertion of the clause, except the persecution of the black subjects of the British empire. His senators were in favor of excluding black labor from mailboats they will have logically to favor the preventing of black men from landing on the shores of the Commonwealth. He hoped when another question arose that senators now supporting the Government would not take shelter behind the mere educational test in the Aliens Restriction Bill, and so consent to the free entry of blacks into the Commonwealth. To be consistent, they must defy the ruling from Downing-street, and absolutely block the black man from landing in Australia.
Senator KEATING (Tas.) spoke strongly in favor of the amendment. It was absurd, he said, to imagine that the effect of the clause would be persecution. All steamers would continue to run, as senators would find, despite the new conditions, and the competition for the trade of Australia would remain just as keen as at present, and above all, white men would be responsible for it all.
Senator ZEAL (Vic.): It is simply persecuting the Imperial Government, because it wouldn't pay the whole of the mail subsidy.
Senator KEATING: He did not think so. It was a wholesome attempt to check summarily a growing evil, and thus show consideration for generations.
Senator DE LARGIE (W.A.) and O'KEEFE (Tas.) also spoke in support of the amendment.
Senator ZEAL said the Commonwealth only paid portion of the subsidy to all the steamers, and had no right to dictate to the Empire how the service should be conducted. He was ashamed of the labor senators, who were simply desirous of robbing their own black subjects of employment.
Senator HIGGS (Q.): We are ashamed of you. (Laughter.)
Senator ZEAL: He was positively ashamed of Senator McGregor, who was attempting to deprive the downtrodden and oppressed of the means of earning a living. He would rather retire from public life altogether than descend to an attempt to inflict such a grievous and gross injustice. (Hear, hear.)
Senator STYLES (Vic.) said he was going to vote for the amendment, not because of loyalty to the Government, but because he firmly believed that the House of Representatives had adopted the right attitude. The question was simply one of blood being thicker than water. The white men were of their own race, and the black men simply subjects. Why, then, should they go out of their way to facilitate the employment of the latter at the expense of the former. (Hear, hear.)
Senator HIGGS quoted extracts from newspaper accounts of the Quetta disaster, to show that the black seamen on board the vessel had behaved in a most cowardly manner.
Senator DAWSON (Q.) moved that the committee divide.
The motion on division was lost by two votes, the Government representatives voting with the majority.
Senator CLEMONS: A Government defeat. (Cheers from the Opposition benches, and cries of "gag.")

Senator SARGOOD (Vic.) thought the instance of cowardice drawn attention to, being an isolated case, proved nothing. Did they not have similar painful instances amongst their own soldiery? He ventured to say if the amendment was carried, and black labor prohibited on board mail steamers, their places would not be filled by Englishmen or Australians, to whom the work was too distasteful, but by foreigners. (Hear, hear.) He would certainly like to see British vessels manned solely by Englishmen, but the insertion of a clause such as the Government proposed would not bring this about. That could be more easily effected in a system of apprentices on board vessels, was encouraged, but now what was aimed at was the irrational clearing out of colored British subjects. The inevitable result would be the disorganisation of the existing mail services, an increase in the length of passage by six or seven days, and in consequence, great loss of interest on money remitted from one country to another.
Senator MACFARLANE (Tas.) thought the blot in the clause would be removed if the words "arrangement" were omitted.
Senator DRAKE hoped the amendment would be defeated. It was striking at the expressed desire of the House of Representatives, and of the majority of the Senate. The word "arrangement" was inserted to order that the Government might be able to take advantage of any contracts entered into by the British Government, and was not intended to apply to vessels leaving the Commonwealth with mails, and within the jurisdiction of the Commonwealth.
Senator NEILD characterized the proceedings as novel, brought about by the proposal of a novel clause by a novel Government. He really did not know now where they were being asked to follow, it was in one direction yesterday, and in another to-day.
On division, the motion to omit the words "or arrangement" was defeated by 15 votes to 13.
Senator DOBSON then moved an amendment to clause 15A so as to make it read "No contract or arrangement for the carriage of mails shall be entered into on behalf of the Commonwealth unless it contains a condition that except as regards the employment of stokers on vessels, only white labor vessels be employed in such cases."
Senator DRAKE explained that all through he had advocated the employment of blacks solely in the stokeholes, and the charge made against him of favoring the general employment of colored labor or vessels was unfounded.
Senator DRAKE thought that if the principle of the bill was to be accepted at all, it should be accepted in toto.
Senator WALKER (N.S.W.) asked if the Government intended that it would be possible under the clause for an Australasian citizen, either black or white, to be prevented from serving on mail steamers.
Senator O'CONNOR (emphatically): Yes.
On division, Senator Dobson's amendment was defeated by 16 votes to 13. Senators Neild, Walker, and Pulford voted with the minority.
Senator NEILD then moved to amend section 2 of clause 15A so as to make it read "This condition shall not apply to agreements limiting to single voyages, or to the coaling and loading of ships at places beyond the limits of the Commonwealth." He did so in order that the Government might be able to make contracts for single voyages, when it would be to the advantage of the Commonwealth.
Senator DRAKE said that the principle contained in the clause must be made to apply all round.
On division, the amendments was lost by 16 votes to 13.
Senator NEILD announced that now that all

the amendments had been disposed of, and as the Government was running its head into a cul de sac, he would vote for the House of Representatives' amendment, and so shift the responsibility on to the Government's shoulders.
On division, the motion that the original amendment be agreed to was carried by 16 votes to 12. The division list was as follows—
For the amendment—
Ayes, 16.
J. C. Neild (N.S.W.), J. Styles (Vic.), J. G. Drake (Q.), D. J. O'Keefe (Tas.), R. E. O'Connor (N.S.W.), J. G. Barrett (Vic.), M. S. Smith (W.A.), R. W. Best (Vic.), T. Playford (S.A.), G. F. Pearce (W.A.), T. Glassey (Q.), A. Dawson (Q.), D. M. Charleston (S.A.), H. De Largie (W.A.), G. McGregor (S.A.), W. G. Higgs (Q.).
Against the amendment—
Noes, 12.
Sir F. Sargood (Vic.), John Ferguson (Q.), H. Dobson (Tas.), J. F. Clemons (Tas.), E. Pulsford (N.S.W.), J. T. Walker (N.S.W.), Sir Josiah Symon (S.A.), J. Macfarlane (Tas.), Simon Fraser (Vic.), C. Cameron (Tas.), Sir Wm. Zeal (Vic.), Sir R. C. Baker (S.A.).
Fairs: For the amendment, J. C. Stewart (Q.), J. H. Keating (Tas.). Against, A. J. Gould (N.S.W.), Sir J. W. Downer (S.A.).
Immediately upon the announcement of the division, and at the initiative of one of the labor members, cheers were given for a "White Australia."
The new clause as inserted by the House of Representatives was then agreed to.
Progress was reported, and the Senate at 3.45 p.m. adjourned until Wednesday.

THE SENATE.

POST AND TELEGRAPH BILL.
 The Post and Telegraph Bill was received from the House of Representatives with amendments.
 Senator DRAKE moved that the clause fixing the date when the bill was to come into operation be postponed. He had thought that it would be ready by October, but now saw that it could not be made operative till December 1st.
 Senator M'GREGOR: After the Melbourne Convention the motion was agreed to.
 After clause 3, dealing with objectionable publications, the House of Representatives had inserted words defining in great detail what was meant by indecent or obscene matter.
 Senator DRAKE said he did not like the amendment himself.
 It was decided almost without discussion to disagree with the amending words.
 Clause 10, as it left the Senate provided that telegraph messengers should retire on reaching the age of 18. The House of Representatives inserted an amendment to make the age 17.
 Senator DRAKE moved that the amendment be agreed to.
 Senator FRASER (Vic.) said a civil servant was not one best fitted to battle with the world. He should start early.
 Senator DAWSON (Q.): What about Mr. Outtrim? (Laughter.)
 Senator SYMON (S.A.): He has enough to do to battle with the Minister. (Loud laughter.)
 It was decided by 18 votes to 10 to insist on the retention of the words 18 years.
 On the motion of Senator WALKER (N.S.W.) it was agreed to add the words providing that a telegraph messenger may, if eligible, be appointed to some other position in the public service.
 After clause 15, dealing with white labor on mail contracts, the House of Representatives had inserted the following new clause:—1. No contract or arrangement for carriage of mails shall be entered into on behalf of the Commonwealth unless it contains a condition that only white labor shall be employed in such carriages. 2. This condition shall not apply to coaling and loading of ships at places beyond the limits of the Commonwealth.
 Senator DRAKE moved that it be agreed with.
 Senator PULSFORD (N.S.W.) opposed the clause which he characterized as an extremely drastic one.
 Senator WALKER (N.S.W.) opposed the new clause and hoped the Government would not make a party question of it.
 Senator DOBSON (Tas.) thought the Prime Minister had given way very weakly over this matter. The doctrine of a white Australia was a good one. (Labor cheers.) But it did not apply in this instance. Some time or other a naval war would take place, and they must recognise that fact and remember that these colored subjects might be of splendid assistance. (Hear, hear.) Everyone knew that if Australia were allowed to shift for herself she would no more pass a clause like this than she would think of jumping into a fiery furnace. It was a fact that the work of stoking in hot climates or in the tropics was not fit for white men.
 Senator M'GREGOR (S.A.): It's a libel.
 Senator DOBSON (Tas.) said the Senate had a right to demand that the representatives of the Government should stand to their convictions, which were shown when the Government opposed Senator Cluskey's motion to abolish black labor. For that reason were they justified in voting against their deliberate judgment on a matter of this kind?
 Senator O'CONNOR said there was no intention on the part of the British Colonial Office to force the will of the Empire on any colony. They must, however, be guided by the law of

self-preservation. Even if the clause did an injustice to the colored races, it was necessary for the preservation of themselves in Australia that an injustice should be done. (Hear, hear, and dissent.) With regard to the Government's attitude it was always necessary to compromise somewhere, and the Government had taken the wise course of recognising the will of the majority in the other House. (Cheers and laughter.)
 Senator SYMON (S.A.) said the Senate would be gravely stultifying itself if, after a vote of nearly two to one against a similar amendment, it changed its policy and accepted the amendment. (Hear, hear.) The leader of the Government had, by his previous speech against Senator Cluskey's amendment, placed himself in an unfortunate position. He was entitled to their heartfelt sympathy. (Laughter.) He to their hearts and sought to lead the Senate in a different direction. The proposal now was to boycott certain people. It was an attempt to legislate against a class of people, or other nations, over whom they had no real power. They were not, under this bill, attempting to bring about a white Australia at all; they were seeking to compel other nations to adopt the policy of a white Australia. (Cheers.) If it would be a lamentable state of affairs if the men of a colored race were to be debarred from doing this work.
 Senator FRASER (Vic.) had been greatly disappointed that the Government had changed its front. It was to the credit of a Government sometimes to be in a minority. It was much to the discredit of any Government here or elsewhere to be always endeavoring to be in a majority. (Hear, hear.) This new clause was aimed at certain steamship companies doing business with Australia. (Hear, hear.)
 Senator FERGUSON (Q.) was more convinced than ever that the new clause should not be carried. He had passed through the Red Sea on boats on which white stokers were employed, and men were brought on to the deck from the stoke-hole in a fainting state.
 Senator CAMERON (Tas.) advised the House not to approach the matter in a spirit of petty provincial Australism. It had nothing to do with a white Australia. There was no necessity for the new clause, and he agreed with Senator Cameron that it had nothing to do with a white Australia. What it had to do with was with our relations to the Empire in carrying out our agreements. Would England endure being dictated to in the spirit of unseemly egotism and self-appreciation lately adopted by a certain party. The present was a favorable occasion for rising as a matter of ordinary common sense, and saying he was going a little too far, and should hurry a little more slowly. He was for a white Australia heart and soul, but objected to the abuse of the principle.
 Senator SMITH (W.A.) said some Senators would accept nothing but what had been hallowed by their grandfathers. White labor conditions had been imposed in shipping contracts, and the Australian Governments had inserted the condition in contracts.
 Senator NEILD (N.S.W.) said the British Empire was not going to be disrupted for the sake of the Australian mails. Probably half of her soldiers were colored people. He was in favor of a white Australia, but this question had no more to do with it than it had to do with our breed of fowls. (Laughter, and hear, hear.)
 Senator M'GREGOR (S.A.): Do you want a white Australia with a wooden leg?
 Senator NEILD: I would sooner have a white Australia with a wooden leg than a white Australia with a wooden head. (Loud laughter.)
 Shortly afterwards progress was reported. The House at 10.5 p.m. adjourned till 10.30 to-morrow.

十月三日 上院 於 郵傳部 議決 案 事 務 會 議 紀 要

postal articles. And I further declare that I will be true and faithful in the execution of the telegraph duties intrusted to me, and that I will hold strictly secret all telegraphic or other communications that may pass through my hands in the performance of my duties. I also further declare that I will not give any information directly or indirectly respecting any telegrams or despatches transmitted or intended to be transmitted by telegraph except to the persons to whom such telegrams or despatches may be addressed or to their recognised agents.

Section 47.

FORM B.

I, A.B., do solemnly declare that I will not intentionally read the contents or any part of the contents of any letter or packet which I may open in the discharge of my duty except so far as it may be necessary so to do for the purpose of ascertaining the name and address of the writer or sender of the same; and that I will not divulge to any person whomsoever except to the Postmaster-General upon demand by him any of the contents of any such letter or packet which may have come to my knowledge in the course of opening and examining the same for the purpose aforesaid.

Section 66.

FORM C.

I, A.B., the master or person in charge of *[state the name of the ship or vessel]* arrived from *[state the place]* do as required by law solemnly declare that I have to the best of my knowledge and belief delivered or caused to be delivered to the person duly authorised to receive delivery thereof every mail and postal article that were on board the *[state the name of the ship or vessel]* except such letters as are exempt by law from postage.

Section 37.

FORM D.

Declaration of the particulars relating to a missing letter or packet containing a valuable enclosure unregistered.

1. What is the exact address of the letter or packet?
2. Why was the letter or packet unregistered?
3. Describe precisely all the contents of the letter or packet.
4. By whom was the letter or packet addressed? (Name and address.)
5. Who placed the letter and enclosure in the cover and how was the cover fastened?
6. What was the value of the postage stamp affixed?
7. By whom was the letter or packet posted and through whose hands did it pass before it was posted?
8. (1) At what post office was the letter or packet posted?
(2) On what date? and
(3) At what time?
9. What is the name and address of the sender of the letter or packet?

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.
- 7.
8. (1)
(2)
(3)
- 9.

I, A.B., residing at _____ in the State of _____ do hereby declare that the answers to the above questions are correct in every particular.

Declared before me at _____ in the State of _____
this _____ day of _____

C.D., J.P.

Printed and Published for the GOVERNMENT of the COMMONWEALTH of AUSTRALIA by
ROBE S. BRAIN, Government Printer for the State of Victoria.

Postmaster-General or Deputy Postmaster-General may depute another officer to appear on his behalf.

Differences to be settled by arbitration.

Arbitration in accordance with State law.

Postmaster-General may settle cases.

148. The Postmaster-General or a Deputy Postmaster-General may depute any postal or telegraph officer to appear on his behalf either as prosecutor or defendant, and his authority in writing to that effect shall be good and sufficient in law.

148A. Any difference which arises between the Postmaster-General and an electric authority or its agents with respect to any requirements of the Postmaster-General, or as to the cost of any alterations of telegraph lines, shall be determined by arbitration.

149. Whenever any matter under this Act is to be settled by arbitration it shall be referred to arbitration in accordance with the law of the State in which the dispute arises.

150. Where any person admits to the Postmaster-General that he has committed a breach of this Act other than an indictable offence the Postmaster-General may with the consent in writing of such person determine the matter and may order such person to pay such pecuniary penalty as he may think proper and upon payment of such penalty such person shall not be liable to be further proceeded against in respect of the same matter.

PART IX.—NOTICE AND LIMITATION OF ACTIONS.

Notice and limitation of action. Qd. P. & T. Act 1891 s. 129.

151. (1) Any action against the Postmaster-General or any officer or servant of the Department for anything done or omitted to be done in pursuance of this Act or the regulations shall be commenced within six months after the act committed or omitted and not afterwards. And the action shall not be commenced until one month after notice thereof and of the cause thereof has been delivered to the defendant or left for him at his usual place of abode or business by the party intending to commence the action, and upon the back of the notice shall be indorsed the name and place of abode or business of the plaintiff and his solicitor or agent if the notice is served by a solicitor or agent.

Contractors and mailmen excepted.

(2) Contractors and their mailmen shall not be considered as officers or servants of the Department under this section.

Protection from actions. Qd. ib. s. 130.

152. An action or other proceeding shall not be maintainable against the King or the Postmaster-General or any officer of the Department by reason of any default delay error omission or loss whether negligent or otherwise in the transmission or delivery or otherwise in relation to—

(a) a postal article posted or received or omitted to be posted or received under this Act; or

(b) a telegram sent or received or omitted to be sent or received under this Act.

In case of money orders or postal notes. Qd. ib. s. 131.

153. An action or other proceeding shall not be maintainable against the King or the Postmaster-General or any officer of the Department

Department by reason of the payment of the amount of a money order or postal note being refused or delayed or on account of any accidental neglect omission or mistake or for any other cause, and no action or other proceeding shall be maintainable in respect of a money order or postal note after payment thereof by whomsoever presented if it was paid without fraud or wilful misbehaviour on the part of the person sought to be made liable.

SCHEDULES.

FIRST SCHEDULE.

Section 2.

Date.	State.	Title.
31 Vic. No. 4 ...	New South Wales	Postage Act 1867.
37 Vic. No. 1 ...	New South Wales	An Act to abolish the imposition of postage rates on newspapers.
56 Vic. No. 31 ...	New South Wales	Postage Acts Amendment Act 1893.
20 Vic. No. 41 ...	New South Wales	An Act to establish and regulate Electric Telegraphs.
54 Vic. No. 1128 ...	Victoria ...	Post Office Act 1890.
61 Vic. No. 1537 ...	Victoria ...	Post Office Act 1897.
55 Vic. No. 15 ...	Queensland ...	The Post and Telegraph Act 1891.
1857 No. 6 ...	South Australia...	An Act to regulate the construction and management of Electric Telegraphs.
39 & 40 Vic. No. 49	South Australia...	The Post Office Act 1876.
44 & 45 Vic. No. 207	South Australia...	The Telephone Act 1881.
49 & 50 Vic. No. 370	South Australia...	The Postal Notes Act 1886.
49 & 50 Vic. No. 374	South Australia ...	The Parcels Post Act 1886.
54 & 55 Vic. No. 535	South Australia...	Post Office Act 1891.
57 Vic. No. 5 ...	Western Australia	The Post and Telegraph Act 1893.
20 Vic. No. 22 ...	Tasmania ...	The Electric Telegraph Act 1857.
45 Vic. No. 13 ...	Tasmania ...	The Post Office Act 1881.
46 Vic. No. 5 ...	Tasmania ...	The Telephone Act 1882.
49 Vic. No. 30 ...	Tasmania ...	The Post Office Act Amendment Act 1885.
52 Vic. No. 42 ...	Tasmania ...	The Post Office Amendment Act 1888.
55 Vic. No. 19 ...	Tasmania ...	The Post Office Act Amendment Act 1891.
59 Vic. No. 18 ...	Tasmania ...	The Post Office Amendment Act 1895.

SECOND SCHEDULE.

Section 9.

FORM A.

I, A.B., do solemnly and sincerely 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 postal article which shall come into my hands power or custody by reason of my employment relating to the Department except by the consent of the person or persons to whom such postal article shall be directed, or by an express warrant in writing for that purpose under the hand of the Postmaster-General or unless otherwise in pursuance and under the authority of any of the provisions in that behalf contained in any Act law or duly authorized regulation of the Department passed and made for or in relation to the postage and conveyance of postal

Penalty for obstruction of Postmaster-General.

Qd. El. L. & P. Act 1896 s. 32.

141. If an electric authority or its agents obstructs the Postmaster-General or his agents in constructing maintaining altering examining repairing or removing a telegraph line, or in supervising or directing any alteration in a telegraph line made by an electric authority or its agents in pursuance of this Act such electric authority and its agents respectively shall for every act of obstruction be liable to a penalty not exceeding Ten pounds, and if the obstruction continues to a penalty not exceeding Ten pounds for every day during which it continues.

Restrictions when telegraph lines injuriously affected.

Qd. ib. s. 34.

142. (1) When any electric lines or works are used for the generation use or supply of electricity in such a manner as to injuriously affect any telegraph line of the Postmaster-General the Postmaster-General may by notice to be served upon the person owning or using or entitled to use such electric lines or works require that such supply be continued only in accordance with such conditions and restrictions for the protection of the telegraph lines of the Postmaster-General and the telegraphic communication through the same as he may by or in pursuance of such notice prescribe.

(2) In default of compliance with such conditions and restrictions the Postmaster-General or Deputy Postmaster-General may require that the supply of electricity through such electric lines or works shall be forthwith discontinued until such default ceases.

(3) Where such electric lines or works have been lawfully constructed prior to the erection of the telegraph line of the Postmaster-General injuriously affected thereby, the Postmaster-General shall pay to the person owning or using or entitled to use such electric lines or works the amount of any costs reasonably incurred or damages sustained by him by reason of compliance with such conditions and restrictions.

Penalty for unlawfully constructing or using works.

Qd. ib. s. 50.

143. (1) Any electric authority constructing or using any electric line or works or generating using or supplying electricity contrary to the provisions of this Act or the regulations shall be liable to a penalty not exceeding Fifty pounds and a further penalty of Five pounds for each day such offence is continued after any conviction.

(2) The electric authority so offending shall also be liable to pay in addition to any penalty all costs and expenses which may be incurred in taking proceedings against such electric authority and any costs or expenses that may be lawfully incurred in remedying the default of such electric authority.

No action of Postmaster-General to relieve electric authority.

144. Any action taken by the Postmaster-General or his agents for the protection of any telegraph line whether at the request of or by arrangement with any electric authority or otherwise shall not relieve such electric authority of any liability under this Act or the regulations or under any Act providing for the safety of persons or property.

Provisions as to notices.

Qd. ib. s. 60.

145. (1) A notice under this Act or the regulations or any order may be in writing.

(2) A notice appointment direction or document given issued or made for the purposes of this Act by the Postmaster-General or a Deputy Postmaster-General shall be sufficiently authenticated if it purports

purports to be signed by the Postmaster-General or Deputy Postmaster-General or by any duly authorized officer and when so authenticated shall be deemed to be given issued or made by the Postmaster-General or Deputy Postmaster-General.

(3) When a notice is given by an electric authority the notice shall be sufficiently authenticated if it purports to be signed by the chairman secretary or other principal officer of the electric authority.

(4) A notice required to be given under this Act to the Postmaster-General or a Deputy Postmaster-General may be given by leaving it at or by forwarding it by post to the Department in a registered letter addressed to the Postmaster-General or Deputy Postmaster-General as the case may be or by delivering it or forwarding it by post in a registered letter addressed to the officer in charge of the telegraph office nearest to the place in which the work telegraph line or other matter referred to in the notice is situated or by forwarding it by post in a registered letter addressed to him at his office or usual place of residence.

(5) A notice required to be given under this Act to an electric authority may be given by leaving it at or by forwarding it by post in a registered letter to its office or if there is more than one office to the principal office of the electric authority in a registered letter addressed to the electric authority or to its chairman secretary or other principal officer.

PART VIII.—LEGAL PROCEEDINGS.

146. Offences against this Act or the regulations not declared to be indictable offences are punishable upon summary conviction by a police, stipendiary, or special magistrate.

147. (1) In any information or complaint for an offence committed or attempted to be committed with respect to the Department or the revenue of the Department or in upon or with respect to any mail or postal article sent or being carried by post or any property moneys money orders postal notes goods chattels or effects under the management or control of the Postmaster-General or with respect to any act matter or thing which has been done or committed with any malicious injurious or fraudulent intent and in anywise relating to or concerning the Department or the revenue thereof or any such property moneys money orders goods chattels or effects as aforesaid under the management or control of the Postmaster-General it shall be sufficient to lay any such property in and to state or allege the same to belong to and to state or allege any such act matter or thing to have been done or committed with the intent to injure or defraud the Postmaster-General without mentioning his name.

(2) In all informations or complaints relating to or in anywise concerning the Department it shall be sufficient to name and describe the Postmaster-General as "the Postmaster-General" without any further or other name addition or description whatsoever.

148. The

Proceedings for penalties.

Form of information—Property to be laid in the Postmaster-General.
Qd. El. L. & P. Act 1896 s. 128.

and provision is not otherwise made by enactment agreement or otherwise with respect to such alteration or with respect to giving notice to the Postmaster-General thereof or to the expenses thereof or incidental thereto, the following provisions shall apply :-

(a) The electric authority or its agents shall give to the Deputy Postmaster-General of the State in which such work is to be done not less than seven nor more than fourteen days' previous notice of the time and place at which the work will be begun and of the nature of the alteration required.

(b) Before the expiration of seven days after the notice is given the Deputy Postmaster-General may give the electric authority or its agents a counter-notice either stating his intention himself to make or requiring the electric authority to make under his supervision and to the satisfaction of himself or his agents such alteration in the telegraph line as he deems necessary or expedient to be made in consequence of the proposed work.

(c) If the Deputy Postmaster-General by his counter-notice states that it is his intention himself to make such alteration he may make the same himself or by his agents and the electric authority or its agents shall pay to the Postmaster-General all reasonable expenses incurred by him of and incidental thereto and the amount of any loss or damage sustained by him in consequence thereof.

(d) If the Deputy Postmaster-General by his counter-notice requires the electric authority or its agents to make such alteration the electric authority or its agents shall at the expense of the electric authority make the same under the supervision and to the entire satisfaction of the Postmaster-General or his agents and the electric authority shall pay to the Postmaster-General all reasonable expenses incurred by him of and incidental to such supervision and also the amount of any loss or damage sustained by him in consequence of the alteration.

(e) If the Deputy Postmaster-General fails to give a counter-notice or if having undertaken himself to make the alteration he or his agents fail to make the alteration within a reasonable time the electric authority or its agents may make the alteration; but such alteration shall be made to the entire satisfaction of the Postmaster-General or his agents :

Penalty.

(f) If the electric authority or its agents fail to serve on the Deputy Postmaster-General the notice required by this section with respect to any work or begins to do the work specified in the notice before the expiration of seven days after

after the notice is given the electric authority or its agents shall be liable to pay a penalty not exceeding Ten pounds for every day during which the work is continued without the sanction in writing of the Deputy Postmaster-General and the Deputy Postmaster-General may at the expense of the electric authority remove such work :

(g) If the electric authority or its agents fail to comply with the reasonable requirements of the Postmaster-General or his agents under this section they shall be liable to a penalty not exceeding Ten pounds for every day during which such failure continues or if the telegraphic communication is interrupted or injuriously affected not exceeding Fifty pounds for every day on which such interruption or injurious affection continues.

(2) Nothing in this section shall subject the electric authority or its agents to a penalty for omitting to comply with any requirements of the Postmaster-General or his agents or for executing without previous notice any work if the court having cognisance of the case is satisfied that any such requirement was unreasonable or that the immediate execution of the work was required to avoid an accident or otherwise was a work of emergency and that notice of the execution of the work was forthwith served on the officer in charge of the telegraph office nearest to the place where the work was done stating the reason for executing the same without previous notice.

(3) Nothing in this section shall compel the Postmaster-General to alter the position of any telegraph line if the circumstances of the case render such alteration objectionable.

140. (1) If a telegraph line of the Postmaster-General is destroyed injured or injuriously affected by an electric authority or its agents such electric authority shall not only be liable to pay to the Postmaster-General such expenses if any as he may incur in making good the destruction injury or injurious affection but shall also if the telegraphic communication is carelessly or wilfully interrupted or injuriously affected be liable to a penalty not exceeding Twenty pounds for every day during which the interruption or injurious affection continues.

(2) If the electric authority liable to pay such daily penalty to the Postmaster-General is not authorized to execute such works as may be required for remedying the interruption or injurious affection, the interruption or injurious affection shall be deemed to continue either for the time during which it actually continues or for such less time as in the opinion of the court having cognisance of the case would have been sufficient to enable the Postmaster-General to remedy the interruption or injurious affection.

(3) The Postmaster-General may instead of taking proceedings for the recovery of such daily penalty proceed for the recovery of a penalty not exceeding Fifty pounds.

Penalty for injury to telegraph line and for interruption of telegraphic communication. Qd. El. L. & P. Act 1896 s. 31.

141. If

No person to impersonate a postal officer.

130. Any person who with fraudulent intent personates or represents himself as an officer of the Department shall be guilty of an indictable offence and be liable to a penalty not exceeding One hundred pounds or to imprisonment with or without hard labour for any term not exceeding two years.

5

Penalty on officer re-issuing postal notes.
Vic. P. O. Act 1890 s. 129.

131. If any postmaster or other officer of the post office re-issues a postal note originally issued under the authority of this Act which has been paid previous to such re-issue he shall be guilty of an indictable offence and shall be liable to be imprisoned with or without hard labour for any term not exceeding five years.

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Aiders and abettors.
Vic. P. O. Act 1881 s. 96.

132. Every person who aids abets counsels or procures the commission of any offence against this Act shall be liable to the same punishment as if he actually committed the offence.

Post offices may be entered and possession taken of letters &c. on behalf of Department.
Qd. P. & T. Act 1891 s. 125.

133. (1) Any person duly authorized in that behalf by the Postmaster-General or a Deputy Postmaster-General may enter into any post office or telegraph office and take possession of all property moneys money orders letters goods chattels or effects therein belonging to or appertaining to the Department and may for such purpose remain a reasonable time in the post office or telegraph office or in or upon the premises where the post office or telegraph office is situated.

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Penalty.

(2) Any person who wilfully obstructs hinders or delays any person so entering taking possession or remaining as aforesaid shall be liable to a penalty not exceeding Twenty-five pounds or to imprisonment for any term not exceeding six months.

Resisting officer.
Qd. ib. s. 126.

134. Any person who resists any person acting in execution of this Act shall be liable to a penalty not exceeding Twenty-five pounds or to be imprisoned for any term not exceeding six months.

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Penalty for posting placards on post office pillars &c.
Vic. P. O. Act 1890 s. 133.

135. If any person not duly authorized in that behalf (the proof of which authority shall be on such person) places any placard or other document writing or painting on or otherwise defaces any post office or telegraph office pillar or receiving box or telegraph pole he shall be liable to a penalty not exceeding Five pounds.

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PART VII.—PROTECTION OF TELEGRAPH LINES FROM INJURIOUS AFFECTION BY ELECTRIC LINES OR WORKS.

Electric authority not to injuriously affect telegraph lines.

136. An electric authority shall not except subject to the conditions hereinafter contained construct any electric line or do any other work for the generation use or supply of electricity whereby any telegraph line of the Postmaster-General is or may be injuriously affected.

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Definition of injurious affection.

137. Any telegraph line of the Postmaster-General shall be deemed to be injuriously affected by a work if telegraphic communication by means of such line is in any manner affected by the work or by any use made of the work.

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137A. In

137A. In the case of an electric tramway or electric lighting system the electric authority using such tramway or lighting system shall not be held responsible for its lines or works affecting the lines of the Postmaster-General on which an earthed return is used if such electric authority has adopted all known and reasonable precautions to avoid such injurious affection and has complied with the regulations.

Limit of responsibility in case of injurious affection of lines.

138. (1) Before any electric line is constructed or work is done by any electric authority within ten yards of any telegraph line of the Postmaster-General (other than repairs or the laying of consumers' connexions with mains where the direction of the electric line crosses a telegraph line of the Postmaster-General at right angles at the point of shortest distance and continues in the same direction for a distance of six feet on each side of such point, and where the connecting wires so crossing are not within three feet of any telegraph wire) the electric authority or its agents shall not less than seven nor more than twenty-eight clear days before commencing the work give written notice to the Deputy Postmaster-General of the State in which such line is to be constructed or work is to be done specifying the course nature and gauge of such electric line and the manner in which such electric line is intended to be constructed and used and the amount and nature of the currents intended to be transmitted thereby and the manner in which such work shall be carried out continued and used and the electric authority and its agents shall comply with such reasonable requirements either general or special as may from time to time be made by the Postmaster-General for the purpose of preventing any telegraph lines of the Postmaster-General from being injuriously affected by any such work.

Provision when any work done by electric authority.
Qd. El. L. & P. Act 1896 s. 29.

(3) In the event of any contravention of or wilful non-compliance with this section by the electric authority or its agents the electric authority shall be liable to a penalty not exceeding Ten pounds for every day during which such contravention or non-compliance continues or if the telegraphic communication is wilfully interrupted or injuriously affected not exceeding Fifty pounds for every day on which such interruption or injurious affection continues.

Penalty.

(4) Nothing in this section shall subject the electric authority or its agents to a penalty under this section if the court having cognisance of the case is satisfied that the immediate execution of the work was required to avoid an accident or otherwise was a work of emergency and that notice of the execution of the work was forthwith served on the officer in charge of the telegraph office nearest to the place where the work was done stating the reason for executing the same without previous notice.

139. (1) When any work proposed to be done by an electric authority involves or is likely to involve an alteration either temporarily or permanently in any telegraph line of the Postmaster-General and

Provision when work to be done involves alteration in telegraph line.
Qd. ib. s. 30.

(b) transmits by telegraph as a telegram any message or communication purporting to be a telegram which he knows to be forged,
 shall whether he had or had not an intent to defraud be guilty of an indictable offence and shall be liable to imprisonment with or without hard labour for any term not exceeding three years.

Sending false telegrams.
 W.A. P. & T. Act 1893 s. 105.

121. Any person who—

- (a) knowingly sends delivers or causes to be sent or delivered to any officer or servant of the Department for the purpose of being transmitted as a telegram, a message or writing which purports to be signed or sent by any other person without such person's authority ; or
- (b) wrongfully signs a telegram with the name of another person without such person's authority or with the name of some fictitious person ; or
- (c) wilfully and without the authority of the sender alters a telegram ; or
- (d) writes issues or delivers a document which purports to be a telegram received through a telegraph office and which was not so received,

shall be guilty of an indictable offence and be liable to a penalty not exceeding One hundred pounds, or to imprisonment with or without hard labour for any term not exceeding two years.

Sending fraudulent messages.
 Qd. P. & T. Act 1891 s. 117.

122. Any person who with fraudulent intent sends any letter telegram or other communication or message concerning any money order or any money due or receivable from or by any person in respect of a money order shall be guilty of an indictable offence and be liable to imprisonment with or without hard labour for any term not exceeding three years.

Penalty for violation of secrecy.
 Qd. ib. s. 118.

123. Any person employed in a telegraph office who divulges the contents or substance of a telegram otherwise than by delivering the telegram or giving a copy of it to the person to whom he is authorized to deliver such telegram or give such copy shall be guilty of a misdemeanour and on conviction thereof shall be liable for every such offence to a penalty not exceeding One hundred pounds or to imprisonment with or without hard labour for any term not exceeding two years.

Erection or maintenance of telegraph lines without authority.
 Qd. P. & T. Act 1891 s. 119.

124. (1) Except as provided in section seventy-eight any person who without the authority of the Postmaster-General (the proof of which authority shall be on the person charged) sets up maintains or uses in or on any Crown lands or in or on any public road street or highway any telegraph line or wilfully uses any telegraph line set up before or after the commencement of this Act and neglects to comply with any notice from the Postmaster-General or a Deputy Postmaster-General to pay such charges (if any) in respect of the line as may

from time to time be fixed by the Governor-General, shall be liable to a penalty not exceeding Five pounds for every day during which any such line is or continues to be so set up maintained or used contrary to the provisions of this Act.

(2) The Postmaster-General may authorize any person to take absolute possession of cut down or destroy the whole or any part of any such line.

125. Any person who having entered into an agreement with the Postmaster-General for the use by such person of a telegraph line without the authority of the Postmaster-General demands or makes any charge or receives any payment or valuable consideration from any other person for the use of the same shall be liable for each offence to a penalty not less than Two pounds and not exceeding Fifty pounds.

Making charges for use of telegraph line without authority.
 Qd. ib. s. 120.

126. Any person who unlawfully or maliciously—

- (a) cuts breaks throws down injures or removes any battery machinery wire cable insulator post or other matter or thing whatsoever being part of any apparatus used or employed in or about any telegraph or in the working thereof ; or
- (b) prevents or obstructs in any manner whatsoever the sending conveyance or delivery of any communication by telegraph ; or
- (c) interrupts or impedes the use of any line or the transmission of any message,

Injuries to telegraphs.
 Qd. ib. s. 121.
 N.S.W. Tel. Act. 1857 ss. 10, 11.

shall be guilty of an indictable offence and shall be liable to imprisonment with or without hard labour for any term not exceeding three years. Provided that if it appears to a Justice of the Peace, on the examination of a person charged with an offence against this section, that it is not expedient to the ends of justice that it should be prosecuted as an indictable offence, the case may be heard and determined in a summary way, and the offender shall be liable to a penalty not exceeding Twenty-five pounds or to imprisonment for any term not exceeding three months.

127. Any person who attempts to commit any of the offences in the last preceding section mentioned shall be liable to a penalty not exceeding Ten pounds or imprisonment for any term not exceeding two months.

Attempt to injure telegraphs.
 Qd. P. & T. Act 1891 s. 122.

128. Any person offending against the provisions of either of the two last preceding sections may with or without warrant be apprehended by any other person and delivered to a police officer or conveyed before a justice to be dealt with according to law.

Arrest of offenders.
 Qd. ib. s. 123.

129. Any person who negligently breaks or injures any post cables wire insulator or material belonging to or used in connexion with any telegraph shall be liable to a penalty not exceeding Five pounds and may be ordered to pay the damage done.

Negligently injuring telegraph post or wire.
 Qd. P. & T. Act 1891 s. 121.

130. Any

been so fraudulently taken stolen embezzled or secreted, shall be guilty of an indictable offence, and shall be liable to imprisonment with or without hard labour for any term not exceeding three years.

Penalty for opening or tampering with mails.

S.A. P. O. Act 1876 s. 82.

W.A. P. & T. Act 1893 s. 90.

111. Any postmaster master of a vessel or driver of a vehicle used for conveyance of mails or any guard or any other person in charge of a mail however conveyed who contrary to his duty opens or tampers with or suffers to be opened or tampered with any mail postal article or telegram shall be guilty of an indictable offence and liable to a penalty not exceeding One hundred pounds or imprisonment with or without hard labour for any term not exceeding two years.

Penalty on unauthorized persons opening mails.

S.A. ib. s. 83.

112. Any person not being a postmaster or not being duly authorized who with fraudulent intent opens or endeavours to open any mail postal article or telegram addressed to any other person shall be guilty of an indictable offence and be liable to a penalty not exceeding One hundred pounds or imprisonment with or without hard labour for any term not exceeding two years.

Exhibiting sign &c. as post office or Royal mail.

Qd. P. & T. Act 1891 s. 107.

113. Any person who without the authority of the Postmaster-General (the proof of which authority shall be on the person charged)—

(a) places or maintains or permits or causes to be placed or maintained or to remain in on or near any house wall door window box post pillar or other place belonging to him or under his control the words "post office" or any other word or mark which may imply or give reasonable cause to believe that the same is a post office or a place for the receipt of postal articles or that any box is a post letter-box; or

(b) places or permits or causes to be placed or suffers to remain on any vehicle or vessel the words "Royal Mail," or any word or mark which may imply or give reasonable cause to believe that the vehicle or vessel is used for the conveyance of mails,

shall be liable to a penalty not exceeding Twenty-five pounds.

Obstructing conveyance or delivery of mail.

Qd. P. & T. Act 1891 s. 109.

114. Any person who wilfully obstructs or retards the conveyance or delivery of a mail shall be liable to a penalty not exceeding Fifty pounds or to imprisonment with or without hard labour for any term not exceeding six months.

Obstructing officer in the execution of his duty &c.

Qd. ib. s. 110.

115. (1) Any person who—

(a) wilfully obstructs or incites any one to obstruct an officer of the department in the execution of his duty; or

(b) whilst in a post office or telegraph office or within any premises belonging to a post office or telegraph office or used

used therewith behaves in a disorderly manner or wilfully obstructs the course of business of the post office or telegraph office or of the department,

shall be liable to a penalty not exceeding Ten pounds.

(2) Any officer of a post office or telegraph office may require any person committing an offence under this section to leave the post office or telegraph office or such premises as aforesaid and if such person refuses or fails to comply with the request he shall be liable to a further penalty not exceeding Five pounds and may be removed by the officer; and all police officers are required on demand to remove or assist in removing such person.

116. Any person who wilfully tampers with injures or destroys any letter-box or newspaper-box or receptacle for the reception of postal articles or any card or notice the property of the Postmaster-General or obliterates any of the letters or figures thereon shall be liable to a penalty not exceeding Fifty pounds or to imprisonment with or without hard labour for any term not exceeding six months.

Injuring or destroying letter boxes &c. Qd. ib. s. 11.

117. If any person encloses or procures or causes to be enclosed in or with any postal article or puts or attempts to put or causes or procures to be put into any post office or any letter-box newspaper-box or receptacle for the reception of postal articles any fire any match any light or any filthy offensive or noxious material or matter or commits a nuisance in or against any post office or any letter-box newspaper-box or receptacle for the reception of postal articles he shall be liable on conviction to a penalty not exceeding Fifty pounds or to imprisonment with or without hard labour for any term not exceeding six months.

Penalty for placing offensive substances &c. in post office. Via. P.O. Act 1897 s. 16.

118. Any person who without the license of the Postmaster-General (the proof of which license shall be on the person charged)—

(a) deals in offers or exposes for sale any postage stamp; or
(b) places or permits or causes to be placed or suffers to remain on or near to his house or premises the words "licensed to sell postage stamps" or any word or mark which may imply or give reasonable cause to believe that he is duly licensed to sell postage stamps,

Selling stamps without a licence or pretending to be licensed. Qd. P. & T. Act 1891 s. 113.

shall be liable to a penalty not exceeding Five pounds.

119. Any person who unlawfully issues a money order or postal note with a fraudulent intent shall be guilty of an indictable offence and shall be liable to imprisonment with or without hard labour for any term not exceeding seven years.

Unlawfully issuing money orders or postal notes. Qd. P. & T. Act 1891 s. 114.

120. Any person who—

(a) forges a telegram or utters a telegram knowing the same to be forged; or

Forging or uttering telegrams. Qd. ib. s. 115.

(b) transmits

Penalty for falsely sending newspapers. Vic. P. O. Act 1890 s. 117.

102. If any person knowingly and fraudulently puts or causes or procures to be put into any post office any newspaper in or upon which or the cover whereof there is any communication character figure letter or number (other than a mark to indicate any report article or paragraph therein the printed title of such newspaper the printed names occupations and places of business of the printer publisher and vendor thereof the name occupation and address of the person to whom it is sent the name of the person who sends it and the words "newspaper only"), or in or with which anything but a supplement is enclosed or which anything accompanies or if any person wilfully places the words aforesaid on any newspaper or thing purporting to be a newspaper or on the cover thereof respectively knowing the same to be untrue, he shall be liable to a penalty not less than One pound nor exceeding Fifty pounds.

Sending explosives or noxious substance or indecent articles &c. Qd. P. & T. Act 1891 s. 98.

103. Any person who knowingly sends or attempts to send by post any postal article which—

- (a) encloses an explosive or a dangerous filthy noxious or deleterious substance or a sharp instrument not properly protected or a living noxious creature or any other thing likely to injure other postal articles in course of conveyance or to injure an officer of the department or other person; or
(b) encloses an indecent or obscene print painting photograph lithograph engraving book card or article; or
(c) has thereon or therein or on the envelope or cover thereof any words marks or designs of an indecent obscene blasphemous libellous or grossly offensive character;

shall be liable to a penalty not exceeding One hundred pounds or to imprisonment with or without hard labour for a term not exceeding two years.

Penalty on postmasters and others for breach of duty. N.S.W. P. Act 1897 s. 64.

104. Any postmaster or other officer employed in the Department or any master of a vessel or other person employed or authorized by or under any postmaster to receive sort carry or deliver any mail or any postal article sent by post or otherwise who shall offend against or wilfully neglect or omit to comply with any of the regulations to be made as in this Act mentioned or with any of the provisions of this Act (for breach or neglect of which no other punishment is hereby provided) shall be liable to a penalty not exceeding Twenty-five pounds.

Penalty for losing or not delivering letters &c. N.S.W. ib. s. 65.

105. Any person employed by or under the Department or in the conveyance of mails who negligently loses or who wilfully detains or delays or procures or suffers to be detained or delayed any mail or any postal article, shall be liable to a penalty not exceeding Twenty-five pounds.

106. Any

106. Any driver of a vehicle used for the conveyance of mails and any guard or other person in charge of a mail, whether conveyed by a vehicle or on horseback or on foot who—

- (a) loiters on the road; or
(b) wilfully mis-spends or loses time; or
(c) is under the influence of intoxicating liquor; or
(d) does not in all possible cases convey the mail at the speed fixed by the Postmaster-General for the conveyance thereof unless prevented by the weather or the bad state of the roads or an accident the proof whereof shall be on the person charged,

shall be liable to a penalty not exceeding Ten pounds.

107. Any person who wilfully retains secretes keeps or detains any mail or postal article

- (a) found by the person secreting keeping or detaining the same; or
(b) wrongfully delivered to the person keeping or detaining the same, shall be guilty of a misdemeanour and on conviction thereof shall be liable to a penalty not exceeding One hundred pounds or imprisonment with or without hard labour for any term not exceeding two years.

108. If any person by means of any false pretence or misstatement induces any postmaster or any officer or servant of the Department to deliver to such person any postal article sent by post and not addressed to such person he shall be guilty of a misdemeanour and on conviction thereof shall be liable to a penalty not exceeding One hundred pounds or to imprisonment for any term not exceeding two years.

109. Any person charged with the delivery of a postal article or telegram who wilfully delivers the same to any person other than the person to whom the same is addressed or his authorized agent in that behalf shall be liable to a penalty not exceeding Fifty pounds or to be imprisoned with or without hard labour for any term not exceeding six months.

110. Any person who—

- (a) fraudulently takes from the possession of a postmaster or other officer or servant of the Department or other person having the custody thereof for the Postmaster-General or from any post office or place appointed for the receipt or delivery of postal articles or telegrams; or
(b) steals or for any purpose embezzles fraudulently takes secretes or destroys a mail or postal article sent by post or a telegram or any part thereof respectively and any person who fraudulently receives any such mail postal article or telegram or any part thereof respectively which has been

Penalty on mail-coach driver or guards loitering. Qd. P. & T. Act 1891 s. 101.

Retaining or secreting letters, &c. Qd. P. & T. Act 1891 s. 102.

Penalty for improperly obtaining letters &c. Vic. P. O. Act 1890 s. 124.

Delivering to wrong person. W.A. P. & T. Act 1893 s. 93.

Stealing letters &c. Qd. P. & T. Act 1891 s. 105.

Unlawful possession of moulds for making postage-stamp or postal-note paper. W.A. P. & T. Act 1893 s. 76.

96. Any person who without lawful authority or excuse (the burden of proof whereof shall be on the person charged)—

- (a) makes or causes or procures to be made; or
(b) aids or assists in making; or
(c) knowingly has in his custody or possession—

(1) Any mould frame or other instrument having thereon any words letters figures marks lines or devices peculiar to and appearing in the substance of any paper provided or used for postage stamps or postal notes...

(2) Any paper in the substance of which appear any words letters figures marks lines or devices peculiar to and appearing in the substance of any paper provided by or under the direction aforesaid or used for postage stamps or postal notes or any part of such letters words figures marks lines or devices and intended to imitate the same; or

- (d) causes or assists in causing any such words letters figures marks lines or devices intended to imitate those so provided or used as aforesaid to appear in the substance of any paper whatsoever,

shall be guilty of an indictable offence and shall be liable to imprisonment with or without hard labour for a term not exceeding two years.

Illegal possession of postage-stamp or postal-note paper. W.A. ib. s. 77.

97. Any person who without lawful authority or excuse (the burden of proof whereof shall be on the person charged)—

- (a) sells purchases disposes of or receives; or
(b) knowingly has in his custody or possession,

any paper provided by or under the direction of any competent person authority department or Government in or of the Commonwealth or the United Kingdom or any British colony or possession or any foreign country for the purposes of being used for postage stamps or postal notes before the same has been lawfully issued for public use shall be guilty of an indictable offence and shall be liable to imprisonment with or without hard labour for any term not exceeding two years.

Illegally sending postal envelopes. Qd. P. & T. Act 1891 s. 93.

98. Any person who without lawful authority or excuse (the burden of proof whereof shall be on the person charged)—

- (a) makes any envelope wrapper card form or paper in imitation of one issued by or under the authority of the Postmaster-General of the Commonwealth or of any other part of His

His Majesty's dominions or of any foreign postal authority or having thereon any words letters, or marks which signify or imply or may reasonably lead the recipient to believe that a postal article bearing the same is sent on postal or telegraph service; or

- (b) makes on any envelope wrapper card form or paper for the purpose of being issued or sent by post or otherwise or otherwise issued any mark in imitation of or similar to or purporting to be any stamp or mark of any post office under the Postmaster-General of the Commonwealth or of any other part of His Majesty's dominions or under any foreign postal authority or any words letters or marks which signify or imply or may reasonably lead the recipient thereof to believe that a postal article bearing the same is sent on postal or telegraph service; or
(c) issues or sends by post or otherwise any envelope wrapper card form or paper so marked,

shall be liable to a penalty not exceeding Fifty pounds.

99. (1) Any person who with a fraudulent intent—

- (a) removes from a postal article sent by post or from a telegram any stamp affixed thereon; or
(b) removes from any stamp previously used any mark made thereon at a post office; or
(c) knowingly puts off or uses for postal or telegraphic purposes any obliterated or defaced postage stamp

shall be liable to a penalty not less than One pound nor exceeding Fifty pounds or to imprisonment with or without hard labour for any term not exceeding twelve months.

(2) Upon the trial of any person for the offence of using an obliterated or defaced postage stamp proof that the person charged is the writer of the address of the postal article on which the stamp is affixed shall be prima facie evidence that he is the person who affixed the stamp.

100. If any person knowingly and fraudulently puts or causes or procures to be put into any post office anything falsely purporting to be a postal article within any of the exemptions hereinbefore in this Act mentioned or any postal article falsely purporting to belong to a class in which a lower rate or no postage is chargeable he shall be liable to a penalty not less than One pound nor exceeding Fifty pounds.

101. If any person knowingly and fraudulently puts or causes or procures to be put into any post office any packet or parcel in or upon which or the cover whereof there is any letter communication or intelligence not allowed by law or wilfully subscribes on the outside of any packet or parcel a false statement of the contents thereof he shall be liable to a penalty not less than One pound nor exceeding Fifty pounds.

Fraudulently removing stamps. Qd. P. & T. Act 1891 s. 94. Vic. P. O. Act 1897 s. 13.

Evidence.

Penalty for falsely sending letters &c. as exempted. Vic. P. O. Act 1890 s. 115.

Penalty for falsely sending packets. Vic. P. O. Act 1890 s. 116.

102. If

Evidence.

(2) Every letter sent or conveyed or caused to be sent or conveyed or taken charge of to be conveyed otherwise than by post shall be deemed to have been sent or conveyed or caused to be sent or conveyed or taken charge of for hire or reward unless the contrary is shown by the defendant.

Exceptions.

N.S.W. P. Act 1867 s. 54.

(3) Nothing herein contained shall extend to any letter—

- (a) Exceeding sixteen ounces in weight;
(b) Exclusively concerning goods sent and to be delivered therewith;
(c) Sent by any person concerning his private affairs by any special messenger; or
(d) Bond fide sent or carried to or from the nearest post office.

Forging or fraudulently using or possessing dies or plates. W.A. P. & T. Act 1893 s. 74.

95. Any person who—

- (a) (1) Forges or counterfeits; or
(2) causes or procures to be forged or counterfeited any die plate or other instrument or any part of any die plate or other instrument which has been provided made or used by or under the direction of any competent person authority department or Government in or of the Commonwealth or the United Kingdom or any British possession or any foreign country for the purpose of making any postage stamp or expressing or denoting any rate or duty of postage or any poundage; or any die plate or other instrument or any part of any die plate or other instrument appearing on the face thereof or purporting to have been provided made or used by or under such directions as aforesaid for the purpose aforesaid.
(b) (1) Forges counterfeits or imitates; or
(2) causes or procures to be forged counterfeited or imitated the stamp mark or impression or any part of the stamp mark or impression of any such die plate or other instrument upon any paper or other substance or material whatever.
(c) Knowingly and without lawful excuse (the burden of proof whereof shall be on the person accused)—
(1) has in his possession; or
(2) sells purchases disposes of or receives any false forged or counterfeited die plate or other instrument or part of any such die plate or other instrument resembling or intended to resemble either wholly or in part any die plate or other instrument which has been so provided made or used as aforesaid.
(d) (1) Stamps

- (d) (1) Stamps or marks; or
(2) causes or procures to be stamped or marked any paper or other substance or material whatsoever with any such false forged or counterfeited die plate or other instrument or part of any such die plate or instrument as aforesaid.

(e) Knowingly and without lawful excuse (the burden of proof whereof shall be on the person accused)—

- (1) uses utters sells exposes to sale; or
(2) causes or procures to be used uttered sold or exposed to sale; or
(3) has in his possession any paper or other substance or material having thereon the impression or any part of the impression of any such false forged or counterfeited die plate or other instrument or part of any such die plate or other instrument as aforesaid; or

any paper or other substance or material having thereon any false forged or counterfeit stamp or impression resembling or representing either wholly or in part or intended or liable to pass or be mistaken for the stamp mark or impression of any such die plate or other instrument which has been so provided made or used as aforesaid.

(f) With evil intent—

- (1) privately or fraudulently uses; or
(2) causes or procures to be privately or fraudulently used any die plate or other instrument so provided made or used as aforesaid.

(g) With evil intent privately or fraudulently—

- (1) stamps or marks; or
(2) causes or procures to be stamped or marked any paper or other substance or material whatsoever with any such die plate or other instrument as last aforesaid.

(h) Knowingly and without lawful excuse (the burden of proof whereof shall be on the person accused) has in his possession any paper or other substance or material so privately or fraudulently stamped or marked as aforesaid

shall be guilty of an indictable offence and shall be liable to imprisonment with or without hard labour for a term not exceeding two years.

96. Any



- (c) Prescribing the maximum weight and dimensions of postal articles.
- (d) Providing for—
- (1) transmission and delivery of parcels ;
 - (2) the conditions under which parcels may be received transmitted delivered returned to the senders or otherwise disposed of ;
 - (3) the maximum weight rates or fees to be charged for the transmission delivery return insurance or registration of parcels ; and
 - (4) the manner in which such rates or fees are to be paid and the arrangements as to the collection of any Customs duties or any other duties or fees which may lawfully be payable in respect of any parcel.
- (e) Imposing fees to be paid upon postal articles registered under this Act or posted after the time appointed for closing the mails.
- (f) Providing for private boxes and private bags and prescribing the fees to be payable therefor.
- (g) Prescribing the form of and the mode of issuing licences for the sale of stamps and the commission to be allowed thereon.
- (h) Prescribing the mode of defacing or obliterating stamps on postal articles.
- (i) Prescribing the mode of dealing with postal articles supposed to contain dutiable articles.
- (j) Prescribing the mode of sale distribution or destruction of undelivered newspapers.
- (k) Prescribing the persons by or through whom and the places where and the times when and the manner and form in which money orders shall be issued, and the persons in favour of whom and the places where and the time when and the manner and form in which money orders shall be paid and the length of time after which they shall become void, and the mode of forwarding messages or advices of transmitting moneys and of managing credits accounts and other matters and things necessary to be forwarded transmitted or managed in reference to money orders whereby the public may be enabled promptly and safely to remit sums of money through the department.
- (l) Prescribing the conditions relating to the issue payment and cancellation of postal notes.
- (m) Prescribing the fees rates and dues to be received for—
- (1) any conversation on any telegraph line or on any telephone exchange or private telephone line ;
 - (2) rent or hire for the use of any such exchange or private telephone line ;
 - (3) and generally for the management working and maintenance of any or all such telegraph lines.
- (n) Prescribing

- (n) Prescribing the terms and conditions on which agreements may be made by the Postmaster-General or a Deputy Postmaster-General with any person for the construction and maintenance of a telegraph line for the exclusive use of such person or for granting the exclusive use of any existing telegraph line to any person and prescribing the scale and times and manner of payment in advance or otherwise of the rent and charges to be paid by such person as the consideration for the agreement.
- (o) Securing the telegraph lines and works of the Postmaster-General from interference or injurious affection by electric lines or works.
- (o1) Voting by post at elections under the law of the Commonwealth or that of a State but in the latter case only at the request of the Governor of the State and on such terms as the Governor-General prescribes.
- (o2) Providing for the payment by the receiver or by the Governor of any State instead of the sender of the rate payable on any postal article.
- (p) All other matters and things which may be necessary for carrying out this Act or for the efficient administration thereof.
- (q) For the purpose of providing for the payment of a rate of wages and fair working conditions in all contracts under this Act, such rates of wages and conditions to be those recognised in the locality in which the work is carried out.
- (r) Prescribing penalties not exceeding Fifty pounds for the breach of any regulation.

Such regulations shall when published in the *Gazette* have the force of law from a date to be specified in such regulations but not less than fourteen days from such publication.

The production of the *Gazette* containing a regulation shall be sufficient evidence of the due making of the regulation and that it is still in force.

All such regulations and alterations thereof shall be laid before both Houses of the Parliament within fourteen days after the making thereof if the Parliament be then sitting or if not within fourteen days after the next meeting of the Parliament.

PART VI.—PENALTIES.

94. (1) No letter shall be sent or carried for hire or reward otherwise than by post.
- Any person who for hire or reward—
- (a) sends or conveys or causes to be sent or conveyed any letter otherwise than by post ; or
 - (b) takes charge of a letter for such conveyance
- shall be liable for every offence to a penalty of not less than Five pounds nor more than Fifty pounds.
- (2) Every

Conveying of letter otherwise than by post.
W.A. P. & T. Act
1893 a. 73.

such fence shall at his own cost on the demand of the Postmaster-General in writing cause a gate or slip-rails at least ten feet wide to be put up in such fence at the point of intersection with the telegraph line to admit the passage at all times of any vehicle used in the repair of such telegraph line.

(2) Any person being employed in the repair of a telegraph line if such demand has not been complied with within fourteen days after such demand may remove cut down or otherwise break through such fence.

(3) Where previously to the erection of a telegraph line a fence has been erected which is subsequently crossed by a telegraph line the person causing the erection of such telegraph line may if authorized by the Postmaster-General in writing cause a gate or slip-rails at least ten feet wide to be put up in the manner aforesaid at the expense of the Postmaster-General and shall give to the owner of such fence seven days' notice in writing of his intention to do so.

(4) The owner within the meaning of this section shall include the person in occupation of the lands on which the fence is erected.

Laying lines under streets. Qd. P. & T. Act 1891 s. 76.

86. The Postmaster-General or any person authorized by him may after notice to the local or other authority having the care and management thereof place and maintain any lines or pipes tunnels or tubes for purposes of telegraphic or pneumatic communication or despatch under any street or public road and may alter or remove the same and for such purposes may break up any street or public road and alter the position thereunder of any pipe (not being a sewer or drain or a main) for the supply of water or gas or electricity.

Provision as to compensation. Qd. ib. s. 77. W.A. P. & T. Act 1892 s. 64.

87. (1) In the exercise of the powers conferred by this Act the Postmaster-General or the person so authorized as herein mentioned shall do as little damage as possible and the Postmaster-General shall make adequate compensation to all local authorities and persons interested for any damages sustained by them by reason of the exercise of such powers.

(2) The compensation if the amount cannot be otherwise agreed upon shall be settled by arbitration.

Postmaster-General may resume possession of private lines for default. Vic. P. O. Act 1897 s. 13.

88. If any person to whom before or after the commencement of this Act the use of any line of telegraphic communication has been granted—

(a) refuses or neglects to pay when due and on demand the rent or charges prescribed by the regulations; or

(b) commits in the opinion of the Postmaster-General a breach of any of the said regulations or of any of the terms or conditions upon which the use of such line is granted permitted or continued

the Postmaster-General may without prejudice to the remedies for such refusal or neglect prescribed in the next following section resume possession of the said line and prevent the further use thereof by such person and

such

such person shall not be entitled to any compensation for loss arising through the exercise by the Postmaster-General of the powers conferred by this section.

88A. (1) The Postmaster-General may after giving six months' notice resume any private telegraph or telephone line.

Resumption of private lines after notice.

(2) The compensation if the amount cannot be otherwise agreed upon shall be settled by arbitration.

89. If any person refuses or neglects to pay on demand the rent or charges due from him under the regulations for the use of any line of telegraphic communication the Postmaster-General may recover the same with costs in any court of competent jurisdiction.

Recovery of rents and charges. Vic. P. O. Act 1897 s. 14.

90. (1) All telegraph lines wholly or partly erected at the cost of the Department whether before or after the commencement of this Act on any lands vested in the railway authorities of the several States shall be maintained by the Postmaster-General and may at any time be repaired or removed by his order.

Certain lines &c. to belong to Postmaster-General. Vic. ib. s. 19.

(1A.) All telegraph lines erected or maintained by the Postmaster-General, whether before or after the commencement of this Act, are hereby vested in the Postmaster-General.

91. (1) Telegrams shall as far as practicable be transmitted in the order in which they are received but urgent telegrams that is to say telegrams for which the prescribed increased rate is paid and telegrams relating to the arrest of criminals the discovery or prevention of crime the administration of justice and when so required telegrams on the public service shall be transmitted before other telegrams.

Order of transmitting telegrams. Qd. P. & T. Act 1891 s. 81.

(2) Provided that regulations may be made prescribing the order of transmission of delayed telegrams that is to say telegrams upon which reduced rates are to be paid.

(3) Every officer wilfully offending against the provisions of this section shall be liable to a penalty not exceeding One hundred pounds or imprisonment not exceeding two years.

Penalty.

92. Any postmaster may refuse to receive or transmit a telegram containing blasphemous indecent obscene offensive or scandalous matter in its contents address or signature.

Blasphemous obscene and scandalous telegrams may be refused. Qd. ib. s. 82.

PART V.—REGULATIONS.

93. The Governor-General may make regulations for the following purposes or any of them:—

Regulations. Qd. ib. s. 83.

(a) Providing for the establishment and management of post offices and telegraph offices and the receipt despatch carriage and delivery of postal articles and telegrams and for the conduct and guidance of all postmasters and other officers and servants of the Department.

(b) Fixing the rates payable to masters of vessels for the carriage of mails in cases not provided for by contract.

(c) Prescribing

and performing all the incidental services of receiving collecting or delivering such telegrams or communications except as provided by this Act or the regulations :

Provided that the Government railway authorities of each State shall have authority to erect and maintain within the railway boundaries telegraph lines required for the working of the railways, but except by authority of the Postmaster-General no such telegraph line shall be used for the purpose of transmitting and delivering telegrams for the public. Where such authority is obtained the revenue derived from such telegrams shall be divided between the Department and the railway authorities in such proportions as may be mutually arranged.

Provided also that nothing in this section shall be taken to prevent any person from maintaining and using any telegraph line heretofore erected by him or from erecting maintaining and using any telegraph line—

(a) which is wholly within and upon land whereof he is the proprietor or occupier and solely for his own purposes if no part of such line is within twelve feet of any existing line of the Postmaster-General except for the purpose of connecting with or crossing such line; or

(b) which is used for telephonic communication and is wholly within a building whereof he is the occupier or proprietor, and solely for his own purposes.

79. The Postmaster-General may on such conditions as he deems fit authorize any person to erect and maintain telegraph lines within the Commonwealth, and to use the same for all purposes of and incidental to telegraphic communication.

Provided that such conditions and authority shall not be requisite in the case of any person erecting or maintaining telegraph lines erected upon private land or within a private building.

80. (1) The Postmaster-General or any person authorized in that behalf by the Postmaster-General may enter into a contract with any other person for the construction and maintenance of any telegraph line by such person for the Postmaster-General or for his own use.

(2) Every telegraph line constructed or to be constructed within the Commonwealth shall be subject to the provisions of this Act and the regulations.

80A. Where a private line has been constructed before or after the commencement of this Act by a person who is the owner of the land upon both sides of a road railway tramway public reserve Crown lands or creek nothing in this Act shall be deemed to prevent such person on payment of the prescribed fee from continuing or carrying such private line across any such road railway tramway public reserve Crown lands or creek at a height of at least eighteen feet from the surface of such road railway tramway public reserve Crown lands or creek or otherwise as approved by the Postmaster-General.

81. Any

Authority to persons to erect and maintain telegraph lines.

Postmaster-General may contract for construction of telegraph lines. Qd. P. & T. Act 1891 ss. 70, 71. Telegraph lines to be subject to this Act.

Provisions as to crossing roads &c. by private lines.

81. Any person acting under the authority of the Postmaster-General may for the purpose of this Act enter upon any land and survey and take levels thereof and dig fell remove and carry away from the land any earth stone gravel sand or other soil or timber or trees required to be used in constructing or maintaining a telegraph line or the works connected therewith.

82. (1) A person so authorized may cause to be set up or opened up or laid down and maintained a telegraph line or any works necessary for the purposes of this Act upon under or through any land or any shore of the sea road stream or water and may break excavate and remove any soil to the extent and depth required for placing or removing the works :

Provided that every wire or cord crossing a road or commonly used waggon track or water above the surface shall be at least twenty feet from the surface and that the free use of any land shore road or water shall not be obstructed more than is necessary for the purposes of this Act.

(2) Where subsequent to the erection upon any footpath road or highway of any telegraph line it becomes necessary to remove the same owing to any alteration of alignment or other action on the part of a municipal council or a local authority the cost of such removal shall be borne by the municipal council or local authority concerned.

83. A person so authorized may whenever it is necessary for continuing or completing a telegraph line cause a wire or cord to be supported by affixing or annexing the same to upon or against any part of a house building or other structure in a city town or village :

Provided that the wire or cord if aerial is eighteen feet at the least from the surface of the earth on which the house building or other structure is situate.

84. Such trees or underwood as obstruct or in the opinion of the Postmaster-General or other officer duly authorized by him are likely to interfere with the proper working of any telegraph line if growing upon Crown lands or upon any road street or high-way may after notice to the local or other authority having the care and management thereof be cut down or lopped as may be deemed necessary by the said

Postmaster-General or such officer after consultation with such authority, and if growing upon private lands within twenty feet of any such line then the proprietor or occupier of such private lands shall cut down or lop the same as and when required so to do by the said Postmaster-General or such officer, and upon default the said Postmaster-General or such officer may enter upon the said private lands and cause such trees and underwood to be cut or lopped as may be deemed necessary.

85. (1) Where subsequently to the erection of a telegraph line whether erected before or after the commencement of this Act a fence is erected crossing the line of direction of such telegraph line the owner of such

Lands may be entered and surveyed &c. Qd. P. & T. Act 1891 s. 72.

Works to be made on any land &c. Qd. ib. s. 73.

Wires &c. may be affixed to buildings. Qd. ib. s. 74.

Trees obstructing telegraph lines may be cut or lopped. S.A. P. O. Act 1891 s. 23.

Free access to be permitted for the repair of telegraph line. W.A. P. & T. Act 1893 s. 63.

shall before the clearance outwards of such vessel give to the postmaster or officer in charge of the post-office at the port from which such vessel is about to depart not less than twenty-four hours' notice in writing of the intended time of departure of such vessel, and every master of a vessel not carrying mails under a contract which is about to depart from a port within the Commonwealth to another port or place therein shall before the clearance of the vessel give to the postmaster at the port from which the vessel is about to depart not less than six hours' notice in writing of her intended hour of departure.

Provided that a shorter notice may be prescribed in any case or special class of cases; and every such notice shall commence and expire between the hours of nine o'clock in the forenoon and five o'clock in the afternoon.

And of postponed departure.

(2) Such master shall also give notice to such postmaster or officer of any postponement of such time of departure exceeding one hour, and in default thereof shall be liable to a penalty not exceeding Fifty pounds: And such postmaster or other officer of the post-office shall upon receiving such notice grant a certificate of the receipt of such notice to such master, and until such certificate has been given the vessel shall not be cleared.

Duty of master where ships not sailing pursuant to notice.

Qd. P. & T. Act 1891 s. 64.

70. When the master of a vessel has received a mail on board for carriage and the vessel does not depart on her voyage according to the time fixed for departure or within one hour thereof the master shall forthwith give notice to the postmaster of the delay and shall on demand return the mails and the gratuity or payment which has been paid for carriage to the postmaster or to some port officer or Customs officer of the port or some other person duly authorized in that behalf in writing under the hand of a postmaster.

Penalty.

Any person offending against the provisions of this section shall be liable to a penalty not exceeding One hundred pounds.

Masters to give notice of approach to a place appointed for the receipt and despatch of mails.

Qd. ib. s. 65.

71. The master of a vessel proceeding from a port or place within the Commonwealth to some other port or place within the Commonwealth, and having on board a mail for delivery in such last-mentioned port or place shall give notice of the near approach of the vessel thereto by ringing a bell or by some other concerted signal which may reasonably be expected to be distinctly heard or seen by the postmaster port officer of Customs or other person in such last-mentioned port or place duly authorized to receive or despatch a mail, and shall give such notice a sufficient time before the actual arrival of the vessel to enable him to be prepared to receive the mail from or despatch a mail in the vessel.

Any master who refuses or omits to give such notice shall be liable for every offence to a penalty not exceeding Fifty pounds.

PART

PART III.—MONEY ORDERS AND POSTAL NOTES.

72. (1) The Governor-General may make arrangements with the Postmaster-General in the United Kingdom, or with the proper authorities of any British possession or of a foreign country for the issue and payment by means of the Department of money orders and postal notes between the Commonwealth and the United Kingdom or such possession or country and for the accounting for and transmission of moneys required for that purpose.

Arrangements for money orders and postal notes. Qd. P. & T. Act 1891 s. 66.

(2) The Governor-General may also make arrangements for the issue and payment by means of the Department of money orders and postal notes within the Commonwealth and for the accounting for and transmission of moneys required for that purpose.

73. A money order shall not be granted for a larger sum than Twenty pounds, nor a postal note for a larger sum than Twenty shillings: The Postmaster-General may charge and receive in respect of money orders and postal notes issued under this Act the prescribed commission or poundage.

Amount and cost of money orders and postal notes. Qd. ib. s. 67.

74. After the expiration of six months from the last day of the month of issue, any postal note issued under the provisions of this Act shall be payable only at the General Post Office in the State in which it is made payable.

Currency of notes. S.A. P. Notes Act 1880 s. 5.

75. (1) The Postmaster-General may repay the amount of a money order to the person to whom it was granted or his executors or administrators whether the money order remains or is in his or their possession or not.

When amount of money order may be refunded. Qd. P. & T. Act 1891 s. 68.

(2) Upon the repayment all liability if any of the Postmaster-General or of any postmaster or officer of the Department in respect of the money order or the issue or repayment of the amount thereof shall as against all persons whomsoever cease and determine.

76. Every money order and postal note shall be deemed a valuable security within the meaning of any law relating to larceny, and an unissued postal note shall be deemed public moneys.

To be deemed valuable security and public moneys. Qd. ib. s. 69.

77. No stamp duty shall be charged upon any money order or postal note issued or paid under the provisions of this Act.

No stamp duty on money orders or postal notes.

PART IV.—TELEGRAPHS.

78. The Postmaster-General shall have the exclusive privilege of erecting and maintaining telegraph lines and of transmitting telegrams or other communications by telegraph within the Commonwealth and

Postmaster-General to have exclusive rights in respect of telegraphs. W.A. P. & T. Act 1893 s. 65.

Department or any other document or the butts thereof: Provided that such telegrams have not been written within the period of two years prior to the date of any such order and that such books and other documents have not been printed written or prepared within the period of one year prior to the date of any such order, and the King or the Postmaster-General or any officer of the post office shall not be accountable in any manner to any person for any telegrams books or documents so destroyed and no claim for damages shall arise to any person by reason of any such destruction.

(2) In this section "document" shall be deemed to include documents relating to the parcels post.

Appropriation of fees, &c.
Qd. P. & T. Act 1891 s. 132.

63. All moneys collected on account of the sale of postage stamps commission charges fees penalties and other dues levied collected or received under this Act or the regulations shall be paid to the Treasurer of the Commonwealth and placed to the credit of the Consolidated Revenue Fund: Provided that fines inflicted upon officers of the Department under section ninety-two may be disposed of in such manner as the Governor-General shall direct.

PART II.—CONVEYANCE OF MAILS BY SHIPS.

In all vessels conveying mails lockers to be provided.
N.S.W. P. O. Act 1867 s. 44.

64. In all vessels by which mails are conveyed under any contract entered into by the Postmaster-General under this Act, there shall be provided a suitable locker or other secure place in which such mails and all postal articles shall be locked up and carried apart from all other articles and things. And if such locker or place is not so provided or if such mails or any postal article are carried in any such vessel during the whole or any part of the voyage otherwise than in such locker or place the master of such vessel shall be liable to a penalty not exceeding Fifty pounds.

Delivery of ship mails on arrival of ship.
Qd. P. & T. Act 1891 s. 58.

65. (1) All mails and every loose postal article on board a vessel at the time of her arrival within a port within the Commonwealth directed to a person in the Commonwealth, except letters concerning goods on board the vessel and to be delivered with the goods or sent by way of introduction only or concerning the bearer's private affairs shall be forthwith delivered at the wharf nearest to the post office by the master to the postmaster or a port officer or Customs officer of the port, or to any person duly authorized by writing under the hand of a Postmaster.

Penalty.

(2) Any master who (except as aforesaid) knowingly or negligently detains keeps in his possession or neglects or refuses to deliver a mail or postal article after demand made as aforesaid shall be liable to a penalty not exceeding Fifty pounds.

Declaration by masters of inward-bound vessels.

66. The master of a vessel arriving at any port within the Commonwealth shall as soon as practicable after such arrival sign in the presence of the postmaster or other officer appointed to receive the same

same at such port or the town or place nearest thereto a declaration in the form set forth in Form C in the Second Schedule to this Act and thereupon such postmaster or officer shall grant a certificate under his hand of the making thereof and until such certificate has been delivered to the proper officer of Customs at such port he shall not permit such vessel to report. And any master who fails or refuses to make such declaration or who makes a false declaration shall be liable to a penalty not exceeding Fifty pounds.

N.S.W. P. Act 1867 s. 48, P. A. Am. Act 1893 s. 14. Second Schedule (C).

Provided that a Postmaster may in cases of vessels which are known or reasonably believed to have no mails on board authorize the proper officer of the Customs to permit any such vessels arriving at any port in the Commonwealth to report without requiring the declaration to be signed and the certificate to be delivered.

67. (1) The master of a vessel about to depart from a port within the Commonwealth to a port or place within or beyond the Commonwealth may be required by an officer of the Department or by a port officer or Customs officer or other person duly authorized by a postmaster to receive or take delivery at an approved wharf of any mail and he shall in such case give a receipt for such mail to the person tendering or delivering the same and shall carefully deposit the mail in some secure and dry place on board the vessel and convey the same upon her then intended voyage.

Mails to be taken in vessels outward bound and coastwise.
W.A. P. & T. Act 1893 s. 47.

(2) Any person in any respect offending against the provisions of this section shall be liable for every such offence to a penalty not exceeding Fifty pounds.

Penalty

68. (1) The master of a vessel about to depart from any port within the Commonwealth to any other port or place who receives on board thereof any mail for the purpose of conveying the same according to the direction thereof shall be entitled immediately to demand and receive from the person tendering or delivering the same for the carriage thereof payment at such rates as may be prescribed. But nothing herein contained shall entitle the master of any vessel under contract for the carriage of mails to receive any such payment.

Payments to master of vessel.
N.S.W. P. A. Am. Act 1893 s. 13.
W.A. ib. s. 48.
Qd. P. & T. Act 1891 s. 62.

(2) When mails are brought from one port to another and transhipped or forwarded by a second vessel belonging to the same owner payment shall not be made on account of the second conveyance.

(3) Payment shall not be made to the master of a ship arriving from any port or place for the conveyance of mails.

69. (1) The master of a vessel not carrying mails under a contract for the carriage thereof and being about to depart from any port within the Commonwealth to any port or place beyond the Commonwealth shall

Notice of departure of vessels.
N.S.W. P. Act 1867 s. 50, P. A. Am. Act 1893 s. 14.

Letters &c. for deceased persons how to be disposed of. S.A. P. O. Act 1876 s. 41.

54. Postal articles addressed to deceased persons may be delivered to the executors or administrators of such deceased person on production of the probate or letters of administration; but until such production the Postmaster-General or a Deputy Postmaster-General may cause such postal articles to be delivered as may be prescribed.

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Power in certain cases to refuse to register or deliver letters &c. Qd. P. & T. Act. 1891 s. 49.

55. (1) If the Postmaster-General has reasonable ground to suppose any person to be engaged either in the Commonwealth or elsewhere in receiving money or any valuable thing—

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(a) as consideration (1) for an assurance or agreement express or implied to pay or give or (2) for securing that some other person shall pay or give any money or valuable thing on an event or contingency of or relating to any horserace or other race or any fight game sport or exercise; or

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(b) for promoting or carrying out a scheme connected with any such assurance agreement or security or a lottery or scheme of chance or an unlawful game; or

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(bb) as contributions or subscriptions towards any lottery or scheme of chance;

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(c) under pretence of foretelling future events; or

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(d) in connexion with a fraudulent obscene indecent or immoral business or undertaking;

he may by order under his hand published in the Gazette direct that any postal article received at a post office addressed to such person either by his own or fictitious or assumed name or to any agent or representative of his or to an address without a name shall not be registered or transmitted or delivered to such person.

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(2) The order shall specify such name or address and shall upon publication be of full force and effect until cancelled by the Postmaster-General.

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Letters &c. in such cases how dealt with. Qd. il. s. 50.

56. (1) Any postal article addressed to the person named in such order by such name or to such address if received at a post office shall not be delivered to such person or at such address but shall be forthwith sent to the General Post Office, and shall if it was originally posted in the Commonwealth be opened and immediately returned to the sender, and if it was not originally posted in the Commonwealth shall be returned unopened to the proper authorities of the colony possession or country where it was originally posted.

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(2) Money orders shall not be issued in favour of or paid to any person with respect to whom any such order is made.

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Heavy letters packets and newspapers may be refused. N.S.W. P. O. Am. Act 1893 s. 9.

57. Any postmaster may refuse to receive or to transmit by post any postal article exceeding the weight or dimensions prescribed or of inconvenient form or containing or reasonably suspected to contain any article likely to injure any person or the contents of the mail bags.

58. (1) The

58. (1) The transmission of a postal article addressed to a person in the Commonwealth to the post office of the post town to which it is directed or if not so directed then to the post office of the post town nearest to the address named shall be sufficient transmission under this Act.

Delivery at post town or at named or last known residence sufficient. Qd. P. & T. Act 1891 s. 52.

(2) When delivery by letter carriers is provided delivery according to the address or at the last known place of residence of the person named in the address shall be sufficient delivery to such person unless he by written notice to the postmaster of the office to which such article is addressed has prohibited such delivery.

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59. When the despatch or delivery of letters from a post office would be delayed by the despatch or delivery at the same time of post-cards book packets newspapers or parcels the latter or any of them may subject to the regulations be detained in the post office until a later despatch or delivery.

Despatch and delivery of packets &c. may be delayed. Qd. ib. s. 53.

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60. In any action or other proceeding for the recovery of any postage or fee payable by authority of this Act in respect of a postal article—

Qd. ib. s. 54.

(a) The person from whom the postal article purports to have come shall be deemed the sender thereof and the onus of proving that such article did not come from or was not sent by him shall rest on the person proceeded against;

Who deemed to be the sender of a postal article.

(b) The post office stamp or mark denoting that the postal article has been refused or that the person to whom such article is addressed is dead or cannot be found, shall be prima facie evidence of the refusal thereof or that such person is dead or cannot be found;

Post office stamp evidence of refusal of letter &c.

(c) The post office stamp or mark thereon denoting the postage or fee shall be prima facie evidence of the liability of the postal article to the postage or fee and that the sum stamped or marked thereupon is payable in respect thereof.

Post-office stamp evidence of liability to postage.

61. In any action or other proceeding every mail or postal article in charge of or being carried by a postmaster postman mailman driver officer or servant of the Department or other person employed by or under the Postmaster-General shall until the contrary is proved be deemed to be in course of being sent by post.

Mail in charge of postmaster &c. deemed to be by post. Qd. ib. s. 55.

62. (1) The Postmaster-General may order the destruction in such manner as he thinks fit of any telegrams books of record telegraph tape letter-bills registered letter receipts money orders postal notes returns requisitions orders for delivery of letters or letters to the Department

Power to destroy books documents telegrams, &c. Vic. P. O. Act 1890 s. 44.

the General Post Office of that State, but every newspaper wheresoever it was originally posted shall be opened in the same place and manner as letters and packets originally posted in the Commonwealth.

How or by whom unclaimed or dead letters may be opened.
S.A. P. O. Act 1876 s. 36.
Second Schedule (B).

47. Every postal article opened under the provisions of this Act shall be opened in the presence of not less than two officers of the post office nominated for that purpose by the Postmaster-General and every such officer shall before he enters upon his duties in this respect make and subscribe before a justice of the peace a declaration in the Form B in the Second Schedule to this Act.

Opened postal articles not containing anything of value how dealt with.
S.A. ib. s. 37.

48. Every Deputy Postmaster-General shall cause every detained unclaimed refused and undelivered postal article whatsoever posted in any part of the Commonwealth which has been opened under the provisions of this Act to be forthwith returned to the writer or sender thereof if his name and address can be ascertained by examination of such article, and such writer or sender shall thereupon be liable to pay the original postage payable thereon if not prepaid; and if such writer or sender refuses to receive any such article the same may be forthwith destroyed, but he shall be liable to pay the postage thereon.

Opened letters and packets containing anything of value how dealt with.
Vict. P. O. Act 1890 s. 40.

49. (1) Every undelivered letter or packet which is opened under the provisions of this Act (if it contains any valuable or saleable enclosure) shall be safely kept and a list thereof together with a memorandum of such contents made and preserved; and the Postmaster-General shall (unless such contents have been posted or be in fraud or violation of this Act or of any Act relating to the Customs or of any regulation or order made under the authority of this Act or with intent to evade payment of the postage properly chargeable on the letter or packet containing them) cause notice of such letter or packet and of such contents to be sent to the person to whom the same is addressed if he be known or otherwise to the writer or sender thereof if he be known. And upon application by the first-mentioned person if known and if unknown by the last-mentioned person if known such letter or packet and its contents shall (unless as last aforesaid) be delivered to the person so making such demand.

(2) If neither of such persons can be found or makes such application within three months after the sending of such notice or if the said contents have been posted or are in fraud or violation of this Act or of any Act relating to the Customs or of any regulation or order made under the authority of this Act or with intent to evade payment of the postage properly chargeable on the letter or packet containing them such letter or packet shall be destroyed and its contents forfeited unless the Postmaster-General directs the said contents to be restored to the writer or sender of the said letter or packet. And if the contents aforesaid are not money or a security or order for money payable to bearer the

the same may be destroyed sold or converted into money in such manner as the Postmaster-General or Deputy Postmaster-General directs, and the proceeds thereof shall be paid into the consolidated revenue fund. And if the contents aforesaid are money, or a security, or order for money payable to bearer, the same shall form part of the consolidated revenue.

50. Every unclaimed or undelivered newspaper opened under the provisions of this Act may be forthwith sold destroyed or used for any public purpose unless before such sale destruction or use thereof the same is claimed and the postage (if any) due thereon is paid by the person to whom the same is addressed. But if any such newspaper has been posted or contains any enclosure in fraud or violation of this Act or of any Act relating to the Customs or of any regulation or order made under the authority of this Act or with intent to evade payment of the postage properly chargeable thereon the said newspaper shall be sold destroyed or used as aforesaid; and anything which is enclosed in or with or which accompanies such newspaper or the cover thereof shall be forfeited. And if such enclosure or accompaniment is not money or a security or order for money payable to bearer the same may be destroyed sold or converted into money in such manner as the Postmaster-General may direct and the proceeds thereof shall be paid into the consolidated revenue fund. And if such enclosure or accompaniment is money, or a security, or order for money payable to bearer, the same shall form part of the consolidated revenue.

Opened newspapers how dealt with.
N.S.W. P. Act 1867 s. 34.

51. The sender of any postal article which is opened under the provisions of this Act shall on demand pay the postage and fees (if any) remaining due thereon, and in case of refusal so to do shall be liable to a penalty not exceeding Forty shillings.

Sender of opened letters &c. to pay postage.
N.S.W. ib. s. 35.

52. Except in the cases in this Act expressly mentioned no letter packet or newspaper shall be destroyed or returned to the writer or sender thereof without either the consent in writing of the person to whom the same is addressed or the direction in writing of the Postmaster-General and no letter packet or newspaper shall be delivered to any person not named in the address thereof without such consent or direction.

No letters &c. to be returned except in certain cases.
N.S.W. ib. s. 26.

53. Whenever any person becomes or is adjudged bankrupt or insolvent by any court of competent jurisdiction within the Commonwealth the Postmaster-General if so directed by the order of the court shall until a date to be specified in such order cause any postal article addressed to such bankrupt or insolvent to be delivered to the official receiver or other person named in such order.

Letters of insolvents to be delivered to official assignee.
S.A. P. O. Act 1876 s. 40.

54. Postal

Every postal article containing or supposed to contain an enclosure upon which the duties of Customs are payable shall be dealt with in the prescribed manner.

Power to examine newspapers and packets. Qd. ib. s. 42.

40. (1) The Postmaster-General or his officers may examine any newspaper or packet sent by post without a cover or in a cover open at the ends or sides and bearing less than the letter rate of postage in order to discover whether it was posted in conformity with this Act or the regulations. 5

(2) The question whether any postal article is entitled to be sent as a newspaper or packet shall if disputed be referred to the Postmaster-General for determination, and his decision shall be final. 10

Blasphemous or obscene letters &c. may be destroyed. S.A. P. O. Act 1876 s. 46.

41. The Postmaster-General or any Deputy Postmaster-General may at any time cause any postal article having anything profane blasphemous indecent obscene offensive or libellous written or drawn on the outside thereof or any obscene enclosure in any postal article to be destroyed. 15

No action shall be brought against the Postmaster-General or any officer of the Department for anything done under the provisions of this section but any person aggrieved by anything done by the Postmaster-General or a Deputy Postmaster-General under this section may appeal to a Justice of the High Court or to a Judge of a Supreme Court of a State by summons or petition in a summary manner. 20

Indecent pictures &c. sent by post.

42. The Postmaster-General or any Deputy Postmaster-General may refuse to transmit or deliver any newspaper packet or parcel containing any article book picture or advertisement or any printed or written matter in the nature of an advertisement, which article book picture advertisement or matter is of an indecent or obscene nature, and may cause any such newspaper packet or parcel to be destroyed. 25

Unclaimed and undelivered articles returned from other countries how dealt with. S.A. P. O. Act 1876 s. 35.

43. The Postmaster-General may cause all unclaimed and undelivered postal articles originally posted within the Commonwealth which have been returned from the place to which they were forwarded to be treated as unclaimed articles and opened as hereinafter mentioned. 30

Unclaimed letters &c. to be kept certain periods and then sent to General Post Office

44. (1) Every postal article which remains undelivered at any post office to which it has been transmitted for delivery shall save as in this Act otherwise provided be kept thereat for delivery for such 35

such time as may be prescribed. And as soon as possible after the expiration of such time the postmaster at every such post office shall transmit to the General Post Office every postal article that has been kept for the prescribed time, and thereupon every such postal article so transmitted and any postal article which remains undelivered at the General Post Office beyond the prescribed time shall be dealt with as in this Act provided.

N.S.W. P. A. Am. Act 1893 s. 8. S.A. P. O. Act 1891 s. 14.

(2) Notwithstanding anything in this Act contained when any letter or packet bears an indorsement by the sender to the effect that if it remains undelivered for a certain specified time not less than seven days it may be returned to him the postmaster at the post office to which the same has been transmitted for delivery shall as soon as possible after the time so specified transmit it to such indorsed address, and if it be refused at such specified address it shall be deemed to be undelivered and unclaimed and dealt with accordingly. 15

Letters &c. may be returned to sender if request indorsed thereon.

45. (1) All telegrams and postal articles sent by post and addressed to any person at any inn hotel or at any lodging-house or at any house at which lodgers are received and delivered to the occupier or manager of such inn hotel or house shall be deemed to be under the control of the Postmaster-General until delivered to the person to whom the same are addressed, and if the same are not so delivered within one month after the receipt of the same by such occupier or manager and if instructions to the contrary are not received from the person to whom the same are addressed they shall be returned to a letter carrier or to the nearest post office and kept thereat for delivery for such time as may be prescribed and at the expiration of such time shall be transmitted to the General Post Office. All such telegrams and postal articles transmitted to the General Post Office under the provisions of this section shall there be dealt with as undelivered and unclaimed. 20

Telegrams letters &c. at hotels remaining undelivered for one month to be returned to post office. S.A. ib. s. 17.

(2) Every such occupier or manager wilfully omitting or failing to return any such telegram or postal article as aforesaid shall be liable to a penalty not exceeding Five pounds. 30

Penalty.

46. On the receipt at a General Post Office of any postal article hereinbefore required to be transmitted to such office such postal article if it was originally posted in the Commonwealth or if it has been posted or contains any enclosure or be reasonably suspected to have been posted or to contain any enclosure in fraud or violation of this Act or of any Act relating to the Customs or of any regulation or order made under the authority of this Act may be opened in the General Post Office in the manner hereinafter mentioned; and every letter and packet if it was originally posted elsewhere shall except as last aforesaid be returned to the proper authorities in the country in which it was so posted or if originally posted in another State be returned to the 40 the

How dead letters &c. disposed of at General Post Office. N.S.W. P. O. Act 1867 s. 30.

(2) Official correspondence from the Department relative to the Postal and Telegraphic Service and telegraphic messages upon which all fees payable under this Act have been paid may be transmitted free by post for delivery within the Commonwealth.

By money in certain cases.
N.S.W. P. Act 1867 s. 19.

31. Notwithstanding the last preceding section whenever it may happen that any postmaster shall not have any postage stamps of the requisite value for sale the postage and fees upon any postal article may be prepaid by money and shall be acknowledged by such postmaster on the face or cover of such article. 5

Prepayment of postage in bulk.
N.S.W. P. A. Am. Act 1893 s. 12.

32. The Postmaster-General may authorize any postmaster or other officer to accept money in prepayment of the postage on each letter packet or newspaper in cases where a large quantity of letters packets or newspapers are brought to the post by or on behalf of any person, and the postmaster or other officer shall mark on each letter packet or newspaper the full amount of postage prepaid thereon. 10

Postage stamps, where to be affixed.
N.S.W. P. Act 1867 s. 22.

33. The postage stamps upon all postal articles sent by post shall be impressed or affixed upon the face thereof and near the address written thereon and no postmaster shall be bound to take any notice of stamps which are impressed or affixed elsewhere. 15

Postage stamps may be perforated with letters.
Vict. P. O. Act 1890 s. 16.

34. Any person with the permission in writing of the Postmaster-General may perforate postage stamps with such letters figures or design as are prescribed in such writing and stamps so perforated shall not be considered to be defaced within the meaning of this Act and shall be received in payment of any postage fees or dues and telegraph fees, but no stamps so perforated shall be purchased or exchanged by any postmaster or servant of the department. 20

Erection of letter pillars &c.
Vict. P. O. Act 1890 s. 48.

35. The Postmaster-General may cause letter pillars or boxes for the reception of postal articles to be erected and maintained in any public road street or highway or other place. 25

Registration.
N.S.W. P. Act 1867 ss. 24, 25.
Vict. P. O. Act 1897 s. 9.

36. (1) Any person who sends any letter packet or newspaper by post shall be entitled to have the same registered at the post office at which it is posted upon payment of the prescribed fee for registration. And all articles required to be registered shall be put into the post office and also be delivered at or between such hours in the day and under such conditions as the Postmaster-General shall appoint. 30

Acknowledgment of the receipt of registered letters.

(2) Any person who sends a registered article by post may obtain an acknowledgment of its due receipt by the person to whom it is addressed by paying the prescribed fee in advance at the time of registration in addition to the registration fee. 35

(3) Where

(3) Where any postmaster or officer has reasonable cause to believe that any unregistered letter or packet contains any valuable enclosure other than money orders or bills of exchange acceptances or promissory notes payable to order cheques or postal notes or postage stamps not exceeding five shillings in value such postmaster or officer may register such letter or packet and charge it with double the prescribed fee for registration and the fee to be so paid shall be written on such letter or packet by the postmaster or officer of the post office who registers the same, and such fee shall be paid by the person to whom it is addressed before delivery unless such person before delivery opens the letter in the presence of some postmaster or officer of the post office and it is found not to contain any valuable enclosure in which case such fee shall not be charged. 5

Letters &c. with valuable enclosures must be registered.

37. Any person making a complaint that an unregistered letter or packet containing coin jewellery gems watches or any other valuable enclosure has not been duly delivered to the person to whom it was addressed may be required by the postmaster of the post office at which the complaint is made to make a declaration in the Form D in the Second Schedule to this Act and to pay the fee (if any) prescribed before any inquiry is instituted. 15

Declaration to be made where missing letter &c. contained valuable enclosure.
Qd. P. & T. Act 1891 s. 35.
Second Schedule (D).

38. Every postal article received in a post office—
(a) on which the postage stamps have been previously obliterated or defaced (unless the postage thereon has been prepaid by money); or
(b) which contains an enclosure contrary to the provisions of this Act or the regulations or of any other Act; or
(c) which is posted contrary in any other way to the provisions of this Act or the regulations; or
(d) on the outside of which any profane blasphemous indecent obscene offensive or libellous matter is written or drawn, shall be deemed to be posted in contravention of this Act. 25

Certain letters &c. to be deemed posted in contravention of this Act.
Qd. P. & T. Act 1891 s. 36.

39. Every postal article—
(a) which is without address or bears an illegible address; or
(b) which is posted or is reasonably suspected to be posted in contravention of this Act; or
(c) which the person to whom it is addressed refuses to receive; or
(d) upon which any postage is payable by the person to whom it is addressed and in respect of which such person refuses to pay the postage, shall be transmitted without delay by the postmaster receiving it to the General Post Office. 35

Letters &c. in contravention of this Act how dealt with.
Qd. ib. s. 37.

Every

and such statement is signed by the person transmitting the same, but the postage thereon at prepaid rates shall be paid by the said officer on delivery of such letters or packets.

Definition of newspaper and supplement.

26. (1) For the purposes of this Act a newspaper shall mean any publication known and recognised as a newspaper in the generally accepted sense of the word, and printed and published within the Commonwealth for sale, if—

- (a) it consists in substantial part of news and articles relating to current topics, or of religious technical or practical information; and
- (b) it is published in numbers at intervals of not more than one month; and
- (c) the full title and date of publication are printed at the top of the first page, and the whole or part of the title and the date of publication are printed at the top of every subsequent page.

(2) A publication printed on paper and issued as a supplement to a newspaper shall be deemed to be a supplement and to be part of the newspaper if—

- (a) it consists in substantial part of reading matter other than advertisements, or of engravings, prints, lithographs, or coloured supplements; and
- (b) its letterpress other than any title or short description or any engraving, print, lithograph, or coloured supplement, or the title and date of the newspaper thereon is printed within the Commonwealth from type set up within the Commonwealth, or from stereotypes or electrotypes made therefrom; and
- (c) it is enclosed in each posted copy of the newspaper with which it is issued; and
- (d) it has the title of the newspaper with which it is issued printed on the top of each page of letterpress; and
- (e) it is not of a size or form which makes it inconvenient for carriage or delivery by post.

Registration of newspapers. N.S.W. P. O. Am. Act 1893 s. 4. Vic. P. O. Act 1897 s. 7. Qd. P. & T. Act 1891 ss. 24, 25.

27. (1) The proprietor printer or publisher of any newspaper may at such time and in such form and with such particulars as may be prescribed upon payment of a fee of Five shillings register it at the General Post Office of any State and the Deputy Postmaster-General of such State may from time to time subject to appeal as hereinafter mentioned revise the register and may call upon the proprietor printer or publisher of any publication a posted copy of which

which contains indecent or obscene matter or which by reason of the proportion of advertisements to other matter therein or for any other reason is not within the description aforesaid to show cause why such publication should not be removed from the register and if sufficient cause be not shown he may remove it accordingly and any publication for the time being on the register shall for the purposes of this Act be deemed a registered newspaper.

Removal from register.

(2) No publication which after the expiration of one month from the commencement of this Act is tendered for transmission at any post office in the Commonwealth shall be sent by post as a newspaper unless the provisions of this section have been complied with.

(3) Any Deputy Postmaster-General may refuse to transmit or deliver any issue of a publication if such issue contains indecent or obscene matter.

(4) Any posted newspaper found to contain indecent or obscene matter may be destroyed by order of the Postmaster-General.

(5) No action shall be brought against the Postmaster-General or any officer of the department for anything done or purporting to be done under the provisions of this section but any person aggrieved by anything done or purporting to be done by the Postmaster-General or a Deputy Postmaster-General under this section may appeal to a Justice of the High Court or to a Judge of a Supreme Court of a State by summons or petition in a summary manner. The Justice or Judge may decide whether the action taken under this section was justified in law or in fact and may make such order as to restoration to the register or otherwise as to him may seem just and may award damages and costs or either in his discretion.

(6) All unregistered or irregularly posted newspapers and all newspapers having any matter which is not a supplement accompanying them shall be treated as packets.

Consequence of irregularity.

28. The Postmaster-General shall with the approval of the Governor-General cause postage stamps to be made and sold indicating such amounts of postage or fees as may in that behalf be directed by the Governor-General.

Postage stamps to be made and sold. Tas. P. O. Act 1881 s. 28.

29. Every postmaster shall procure and keep on hand for sale such quantities of postage stamps as the Postmaster-General shall authorize and direct and shall sell the same without premium to any person desirous of purchasing them.

Postmasters to keep sufficient supply of stamps. S.A. P. O. Act 1876 s. 27.

30. (1) Except in cases where prepayment of postage is allowed to be made in money prepayment of postage can be effected only by means of postage stamps valid in the Commonwealth for the correspondence of private individuals: Provided however that the reply-half of reply post-cards bearing postage stamps of the country in which these cards were issued are considered as duly prepaid if addressed to such country.

Prepayment of postage. S.A. ib. s. 42. P. U. Conv. Art. 11.

B

(2) Official

Railways to carry mails.

16. The principal railway official of every State or the owner controller or manager of any railway or tramway in any State shall carry mails on any train run upon the railways or tramways under his control if required by the Postmaster-General so to do and shall provide all usual facilities for the receipt carriage and delivery of all mails that he is required to carry.

Payment for carriage of mails by rail.

17. The Postmaster-General shall pay to the principal railway official of each State or to the owner controller or manager of any railway or tramway in any State as the case may be such annual sum for the receipt carriage and delivery of mails and for all facilities provided in connexion therewith as may be agreed upon and in default of agreement as may be settled by arbitration. Provided that no payment shall be made to any owner controller or manager of any private railway or tramway who in accordance with the law of a State has agreed to carry His Majesty's mails free of charge.

Contributions may be accepted.

18. The Governor-General may arrange with any State and the Postmaster-General may arrange or contract with any local governing body or person applying to him to establish or provide any additional facilities (postal or other) for the contribution by such State body or person towards the expense of establishing or providing such facilities or for indemnifying the Postmaster-General against any loss he may sustain thereby.

Letters &c. from places beyond the Commonwealth.
Qd. P. & T. Act 1891 s. 13.

20. Every postal article received by post from a place out of the Commonwealth shall be transmitted and delivered free of charge within the Commonwealth except where it is necessary to collect the postage under an arrangement made as in this Act provided and except where otherwise provided by this Act or by the Regulations, in which cases the postage and all other fees or dues if any upon the postal article shall be collected on or before delivery.

Postage on letters of sailors soldiers &c.
Qd. ib. s. 14.

21. (1) A postage of one penny shall be charged on letters not exceeding one half-ounce in weight forwarded by or addressed to seamen on actual service in the King's Navy or in the Marine Defence Force of the Commonwealth or any British possession or to a non-commissioned officer or man on actual service in the King's Regular Forces or in the Permanent Land Force of the Commonwealth or any British possession.

Provided that a letter forwarded by any such person shall not be transmitted or delivered at that charge unless it bears on its face the name of the writer and his class or description in his vessel regiment corps or detachment and the signature of the officer having command of the vessel regiment corps or detachment :

Provided

Provided also that a letter addressed to any such person shall not be transmitted or delivered at that charge unless it bears on its face the name of the vessel regiment corps or detachment to which the person to whom it is addressed belongs.

(2) This section shall not apply to letters forwarded by or addressed to a commissioned or warrant officer in the Land or Marine Forces or a midshipman in the Marine Forces.

22. (1) No additional charge shall be made on prepaid postal articles (other than parcels) re-addressed within the time and in manner prescribed and again forwarded by post within the Commonwealth if the postage originally paid would have been sufficient if the postal article had originally been addressed to its new destination, but if not an additional charge equal to the difference between the amount of postage already prepaid and that which would have been chargeable if the articles had been originally despatched to the new destination shall be made.

(2) Any re-addressed postal articles which appear to have been opened or tampered with shall be chargeable with postage as freshly posted unpaid articles.

23. Any letter post-card letter-card or packet posted for delivery in the Commonwealth on which the postage is not fully prepaid may be transmitted and delivered, but before delivery there shall be paid double the amount of the deficient postage and the sum to be so paid shall be written on such letter post-card letter-card or packet by an authorized officer.

Provided that postage on loose letters post-cards letter-cards and packets received from masters of vessels shall be collected on delivery at the rate chargeable to the places whence such articles are received.

24. All petitions and addresses to the Governor-General or to the Governor of any State shall be transmitted and delivered free of charge if such petitions or addresses do not exceed sixteen ounces in weight respectively and are without covers or in covers open at the ends or sides.

25. It shall not be necessary to prepay the postage upon letters or packets containing only returns of births baptisms marriages and deaths transmitted in compliance with the provisions of the law in that behalf by ministers of religion or other persons whose duty it is to transmit such returns to any officer appointed to receive the same if on the outside thereof it is stated that they contain such returns only

Redirection.
N.S.W. P. A. Am.
Act 1893 s. 21.
P. U. Conv. Reg. 25.

Letters &c.
insufficiently
prepaid.
N.S.W. ib. s. 11.

Petitions to the
Governor-General
&c.
N.S.W. P. Act 1867
s. 13.

Postage need not be
prepaid on letters
or packets
containing returns
of births &c.
transmitted by any
minister of religion
&c. to appointed
officer.
and
N.S.W. ib. s. 23.

Postmaster-General may delegate.

8. In relation to any particular matters State or District the Postmaster-General may by writing under his hand delegate any of his powers under this Act (except this power of delegation) so that the delegated power may be exercised by the delegate with respect to the matters specified or the State or District defined in the instrument of delegation, but every such delegation shall be revocable at the pleasure of the Postmaster-General.

Declarations to be taken by officers &c.

Second Schedule (A).

N.S.W. ib. s. 4.

Future telegraph messengers to retire on attaining age of seventeen.

9. Every officer shall before exercising the duties of his office take and subscribe before a justice of the peace a declaration in the form A set forth in the Second Schedule to this Act.

9A. Every person taken into the employment of the Department as a telegraph messenger after the commencement of this Act shall immediately on attaining the age of seventeen years cease to be so employed.

Every parcel sent by post if not a packet parcel or newspaper to be deemed a letter.

N.S.W. P. Act 1867 s. 6.

Packets may be defined.

N.S.W. ib. s. 7.

11. Every article whatsoever which is received at a post office for transmission or delivery shall if not a packet parcel or newspaper as defined by this Act or by the regulations be deemed a letter.

12. The Governor-General may by order published in the Gazette direct what articles may be sent by post as packets or parcels and upon what terms and conditions the same may be sent.

Officers of the department free from tolls.

W.A. P. & T. Act 1893 s. 8.

13. No duty or toll payable at or in respect of any pier wharf quay landing place bridge or ferry or at any turnpike gate or bar or at any other gate or bar on a public road shall be demanded or taken from or in respect of—

- (a) Any person employed to perform any duty of the Department when on duty.
- (b) Any person engaged in the conveyance of mails.
- (c) Any vehicle or horse conveying mails or postal articles.
- (d) Any telegraph messenger or line repairer when on duty.
- (e) Any vehicle or horse used or employed by such telegraph messenger or line repairer in the performance of his respective duties.
- (f) Any material or tools used or employed in the construction or repair of any telegraph line.

and any person who demands or takes any toll contrary hereto shall be liable to a penalty not exceeding Five pounds.

The Postmaster-General may pay to the person entitled by way of compensation for the use of any pier wharf quay landing place or ferry in the landing shipping or conveying any material or tools for the construction or repair of a telegraph line such sum as may be agreed upon, and in default of agreement as may be settled by arbitration.

14. The

14. The Governor-General may make arrangements with the Postmaster-General in the United Kingdom or with the proper authorities of any British possession or of a foreign country with respect to—

Arrangements may be made for British or foreign mails. Qd. P. & T. Act 1891 s. 9.

- (a) the transmission by land or sea or by both of mails or postal articles between the Commonwealth and the United Kingdom or the British possession or foreign country ;
- (b) the appointment determination and collection of postage and fees or other dues upon postal articles conveyed between the Commonwealth and the United Kingdom or any such possession or country ;
- (c) the division and mutual accounting for and payment of the moneys collected under any such arrangement ;
- (d) the purposes above mentioned in the case of postal articles transmitted through the Commonwealth for the United Kingdom or any such possession or country to or from any part of the world ;
- (e) the prepayment (in full or otherwise) of the postage payable on postal articles ;
- (f) the transmission to places out of the Commonwealth free of postage or upon such terms as to the amount of postage or fine to be collected and paid on delivery, and as to the application and payment thereof as may be agreed upon, of postal articles posted in the Commonwealth, or as to the collection application and payment of postage or fines on postal articles received from places out of the Commonwealth on which no postage or insufficient postage has been paid ;
- (g) the payment of compensation for the loss or injury of any registered postal articles.

15. The Postmaster-General or any person authorized in that behalf by the Governor-General may enter into contracts in writing on behalf of the Government of the Commonwealth for or in respect of the carriage of mails by land and sea or either or for any other purpose incidental to the carrying out of this Act and may stipulate for such terms and conditions as to him shall seem fit for securing the due regular and efficient performance of the contract.

Contracts. N.S.W. P. Act 1867 s. 43.

15A. (1) No contract or arrangement for the carriage of mails shall be entered into on behalf of the Commonwealth unless it contains a condition that only white labour shall be employed in such carriage.

White labour in mail contracts.

(2) This condition shall not apply to the coaling and loading of ships at places beyond the limits of the Commonwealth.

16. The

"Customs Act" means any Act or Acts relating to the Customs in force within the Commonwealth and all orders and regulations made under any such Act or Acts.

"Department" means the Department of the Postmaster-General. 5

"Electric authority" means any State Government railway authority local authority tramway authority or person generating using or supplying electricity.

"Electricity" includes electric current electrical energy or any like agency. 10

"Electric line" includes all means used for the purpose of conveying transmitting transforming or distributing electricity and any casing coating covering tube tunnel pipe pillar pole post frame bracket or insulator enclosing surrounding or supporting the same or any part thereof or any apparatus connected therewith. 15

"General Post Office" means the head office of the Department in each State.

"Mail" includes every package receptacle or covering in which postal articles in course of transmission by post are conveyed whether it does or does not contain postal articles and loose or individual postal articles in transit. 20

"Master of a vessel" means the person for the time being having the charge or command of a vessel but does not include the pilot. 25

"Money order" means a money order issued under this Act or by any postal authority for payment under this Act.

"Officer" means any officer in the service of the Department.

"Port" includes any harbor river lake or roadstead within defined limits. 30

"Postage" means the amount chargeable for the transmission of postal articles by post.

"Postage stamp" or "stamp" means any stamp made or authorized by the Postmaster-General for the purpose of the payment of postage or fees to be chargeable under this Act. 35

"Postal article" includes letters post-cards letter-cards newspapers packets or parcels and all other articles transmissible by post, and includes a telegram when transmitted by post. 40

"Postal note" means a postal note issued under this Act or by any postal authority for payment under this Act.

"Postmaster" means the officer in charge of a post office or post and telegraph office.

"Post

"Post office" means a house building room railway postal van or carriage place or structure where postal articles are by permission or under the authority of the Postmaster-General or a Deputy Postmaster-General received delivered sorted or made up or from which postal articles are by the authority aforesaid despatched including a pillar box or other receptacle provided for the reception of postal articles for transmission. 5

"Prescribed" means prescribed by this Act or the regulations.

"Regulations" means regulations under this Act.

"Telegraphic" includes telephonic.

"Telegraph" or "telegraph line" means a wire or cable used for telegraphic or telephonic communication including any casing coating tube tunnel or pipe enclosing the same and any posts masts or piers supporting the same and any apparatus connected therewith or any apparatus for transmitting messages or other communications by means of electricity. 10 15

"Telegraph office" means a house building room or other place or structure used or occupied by or under the authority of the Postmaster-General and under his control for the purposes of working a telegraph or for the receipt and delivery of telegrams. 20

"Telegram" means any message or communication sent to or delivered at a telegraph office or post office for transmission by telegraph for delivery or issued from a telegraph office or post office for delivery as a message or communication transmitted by telegraph. 25

"Vessel" includes every description of vessel employed on the high seas in harbors on rivers or on the coast or on any navigable water. 30

"Works" includes electric lines and also any buildings machinery engines meters lamps transformers fittings apparatus works matters or things of whatever description required to supply electricity or to carry into effect the objects of the electric authority. 35

4. The Department shall have control of the Postal and Telegraphic services of the Commonwealth. Department.

5. The Administration of this Act and the control of the Department are vested in the Postmaster-General. Postmaster-General.

6. There shall be a secretary to the Postmaster-General who under the Postmaster-General shall have the chief control of the Department throughout the Commonwealth. Secretary.

7. There shall in each State be a Deputy Postmaster-General who shall be the principal officer of the Department therein. Deputy Postmaster-General.

8. In

公簿六九號別冊

79

1901.

THE PARLIAMENT OF THE COMMONWEALTH.

HOUSE OF REPRESENTATIVES.

Read 1^o 25 July, 1901.

(As reported from Committee of the Whole, after second recommitment, 5th September, 1901.)

(Brought from the Senate.)

A BILL

FOR

An Act relating to the Postal and Telegraphic Services of the Commonwealth.

BE it enacted by the King's Most Excellent Majesty the Senate and the House of Representatives of the Commonwealth of Australia as follows :—

1. This Act may be cited as the *Post and Telegraph Act* 1901, and shall commence on the first day of October One thousand nine hundred and one. Short title and commencement.

2. The State Acts specified in the First Schedule to this Act shall cease to apply to the postal and telegraphic services of the Commonwealth. State Acts to cease to apply. First Schedule.

10 But the regulations in force in any State under any of the said State Acts shall as regards that State continue in force until revoked in whole or in part by the Governor-General, and rates and charges in force in any State under any of the said State Acts shall continue in force as regards that State and be applied in the same manner as if 15 the said State Acts were not affected by this Act.

PART I.—GENERAL.

3. In this Act unless the context otherwise indicates—
"Postmaster-General" means the Minister of State for the Commonwealth charged with the administration of this Act. Interpretation of terms. Qd. P. & T. Act 1891 s. 4. N.Z. P. O. Act 1900 s. 2.
20 "Construct" includes erect lay down and place. [C. 7]—370/7.9.1901.—F.4624. "Customs"

三十一年十二月廿一日接受

主務局

3-2336

0205

五十七日申月十日午時

公第九八号

前果

閣下より第九五号ノ電報ヲ以テ右等ノ法事ハ
色ニヨリ彼はノ間ニ差別ヲ設クル事ニ付兼テノ訓
令ニ基キ東ニ英也政府ノ交涉ヨリ以テ電報
有之ヲ百所七日也也政府ノお成工号ノ旨
スレ通テ照会致す

右ノ日申月十日午時

照会ニ付テ十日午時

七五号

外務省 使員青 抄 董

外務省 使員青 抄 董

外務省 使員青 抄 董

外務省

編者附言

3-2336

0206

大臣
 總務長官
 政務局長
 通商局長
 人事課長
 會計課長



電信課長

Via	North.	Dated.	By	日	月	年	M.
			<i>Hydrey</i>	<i>19</i>	<i>11</i>	<i>1901</i>	<i>11-50</i>
	East.		Rec'd.				M.
				<i>4</i>	<i>1901</i>	<i>4-25</i>	
<i>Gaimin Daijin</i>							
Tokyo							
No.	<i>Post and telegraph bill</i>						
	<i>has been sanctioned by Governor</i>						
	<i>General.</i>						
	<i>Etaki</i>						

電受第
 一
 三
 號

Words
 9

3-2336

0207

明治三十一年十一月二十日 相系



土印

明治三十一年十一月二十日

官報部送付済

10.26. 揚子江

廿一日官報掲載

(官報掲載案)

遼河縣知事ニ於テ 郵便、電信、新聞、
縣知事總督ニ於テ 准許セラルルニ
月十九日在ソドニ 永続的ニ
新設スル

外務省

五十年十月廿九日抄

第八十節

五十年四月九日抄

移民制限法案及郵便電信法案之施行
ト復ノ件

移民制限法案及郵便電信法案の院ヲ通過シ上院ニ於テ第一
讀存シ開クニ至ルハ九月廿七日抄存リ以テ
及報告且ツ聯邦首長ニ對シテ守テ與テ改メテ再
至聯邦首長ニ對シテ右法案ニ對シテ十月廿九日抄
スル聯邦議院議員ノ言論自由ニ對シテ注意スル事アリ
後其第十條第二項即チ歐洲人種及之カ系統ヲ有スル
人種ノ移入ニテ邊境法入國ヲナスル事ニ於テ該法案ノ條
船々長及船主カ法廷ニ於テ其情ヲ知ラサレシコトヲ証明セ
ルトキニ之ニ對シテ免脱ストノ規定ハ移入ニ對シテ人種的
ニ差別ヲ劃シタルモノニテ之ガ別紙ヲ豫寫ノ通リ四卷抄シ

外務省

又先取上院ニ於テ歐洲諸ノ條ヲ讀ム現ハ未リシハ
一層少敷ノ根據ヲ強ク必要アリ歐州ノ百萬トシテ
ヨリハ月者ニ英國外務次官補ニ交付セラルル覺書寫シ條
ハ九月二十日付テ首長ノ懸慮ヲ示スルハ然レテ
シ去ルナク其ハ然レテ首長ノ懸慮ヲ示スルハ然レテ
之條ヲ察スルニ帝心使ヲ提供セラルル覺書ノ懸慮ハ強
民大臣ヨリ聯邦政府ニ通シセラルルモノ、如何スルハ又歐洲諸
試験ノ規定ハ南河及海湖中段ニ採用實施シ未ク當テ
帝國政府ノ懸慮ヲ見サリシモノト存積ヲ異ニスルコトナリ
當ル其他ニ於ケン制限法ノ規定ヲ論テ今日ノ抗議ヲ
排除セシムルハ有之ハ其ノ段ニ辯解ヲ加ヘ置キテ、其右
等四卷ニ對シテ有一應ニ應ズルハ陳示被テ事ニ必要ナク
右等條間別紙ヲ豫寫ノ通リ申送呈テ、其細別

然に依りては、其の如く様段度、亦又去るるを、
 ノメルルに、ア、カ、新聞等、陸軍大臣、亦、政府、概、
 三、閣、府、政府、に、送、り、電、信、ナ、リ、ト、ハ、
 其、電、報、に、ア、ク、ト、リ、ア、物、カ、事、ト、
 多、ク、若、電、ノ、際、亦、ハ、信、化、ニ、出、テ、モ、
 揚、載、は、亦、右、に、概、し、郵、便、電、信、條、約、
 者、ノ、ミ、ラ、使、役、ス、ル、限、郵、便、物、格、
 得、ト、ト、終、止、條、項、ニ、直、ニ、日、本、郵、船、
 送、り、方、ル、モ、ト、解、釋、セ、ル、ル、カ、
 國、外、に、對、シ、本、日、電、報、ヲ、以、テ、
 補、助、シ、給、與、船、ノ、限、り、高、速、船、
 用、セ、ル、ル、キ、モ、ト、ア、ル、カ、
 為、ニ、度、ル、カ、
 外 務 省

編
 外務省
 大正十四年十月廿九日
 外務省
 省

領事 市 謝 久 吉

小務大臣村友吉殿
 不書に、英領海船船初知照付官施一件申上

大正十一年
新聞摘録

戊申
五月

Copy

Japan and Commonwealth.

Yesterday the Lieutenant-Governor
(Sir John Madden) received the following
cable message from the Secretary of State
for the Colonies:-

"The Japanese Ministry says that
if the immigration and the Post-office Bills
become law, their provisions will compel
the Japanese mail steamers to discontinue
service, and greatly affect the commerce
between Japan and Australia.

These representations will no doubt
receive the attention of your Government."

This message was sent on to Mr. Peacock,
who in turn forwarded it to the Prime
Minister (Mr. Barton).

原簿
電報第

號

三月廿六日接文

樺太之福

樺太受弁の事

樺太相行制限法案

相便法案三案の請願件

目下樺洲船和議會の議の上は相行制限法案並に相便法案三案は十月四日受弁九五号に去電、訓令ニ基キ同方者心政府に依り、議案に同ハ日附公券九の附信ヲ以テ報告し通シ有之ル然レ其後在レドモ領事より受弁同下ニ報告しテ以テ所考するに由リテ右法案は益々法律トあり施ラセラル、日の特ニ日本船船務社ト大お好シク興ク予樺洲航路の商標セキカカハルニモルベキ因リ樺太政府の好意、許し船和議會に於テ該案ヲ認可セラル様交海スルカ九の附電報

外務省

ヨリテ日領事有之ルニ付去月十日お好甲附ノ通電必政府ニ及照為ナリ

當時本領事於テお好ニ附電報電報ニ通シテ小龍領事ヨリ受取ル旨ウモルニ付洋細ノ事情當テラス又同ノ日九の附電報中ニ所謂在レドモ領事ト均シク本領事モ其送シテト稱ス電報ナルモノ果シテ右十月五日電報ナルヤ否ヤナリ不明ナラズ從テ法ニ依ルノ制定案極が村ニ日本船船務社ト大お好シキナル事ト申シ何レノ點ヲ根拠トセラルヤ否確ニ持料シテ為シ兼名ナリ申シ樺洲ノ各地諸新聞紙ト連シタル報告トヨリに解和改府の船隻トシテ有之ル人ヲ使申セ一切

船舶ニ總テ郵便物ヲ搭載スルコトヲ禁スル
ノ意アリトカモ他處者モ亦行ク事アリ
誤ラントスルモノアリ見テ亦漸然然カ重
報セシ所ニ其ハ然レバ禁トモ禁ヤラズ
取敢テ記述爲西政府ノ思慮ハ此ノ義
ニ有之也

然レ十月廿六日ニ至リ亦清國領事トシテ
兩ツノ直電報有之十月五日同領事來電
ニ依リテ本邦ハ一報及持案カ日本船舶ニ適用
セラル様誤解セシト非ヤト恐念セラル中越
ニ其ある事モ亦性大巨ク浮海總務局長
ニ十月十日附本使書翰ノ要トシテ通告スル
結果聯邦政府ヨリ亦議領事トシテ右形

外務省

便法案ニ同政府ノ船及約言船ニ對シテ
ニ此テ廣ク日本船舶ニ對シテ非ト通告
アリタルガ同領事ヨリ注意ニ來リタルカトモ
亦其ノ去國シテ同領事ヨリ其ノ詳細
ノ書信ニ接シタル上モ其ノ確カキ事トモ
ヤラハルニ因リテ其ノ付書ニ政府ハ何
事申入レガ其傳ニ改メテ(後果)
明治三十四年十月日

主事 村金權 使男青 林 董

外務大臣 小村 壽 存 在 取 扱

不承ニ其後海防船ヲ如ク制限モ其施行中ニシテ

編者附言

相傳陳"年月寫

三十四年十一月十三日發

管通商局

上海五洲藥房

3-2336

0214

有、老翁、之、以、之、足、能
渡、州、碑、邦、議、志、一
提、出、セ、ラ、レ、タ、ル、郵、使、書、
行、傳、例、法、案、別、冊
同、年、所、有、十、五、條、義
三、條、ス、ル、意、見、佛、道、宗、
王、家、長、中、一、概、取、扱
等、致、之、後、右、ハ、別、紙
調、査、ハ、通、才、一、項、及、チ
現、時、ハ、状、態、ニ、於、テ、別、紙、

影郷音ヲ受レテヤルモ
將來才二項ノ場合
於ニハ日深ニ支配ヲ
受ケサレテ得サレモト
はあり尤モ用リ所依
レハ本島ニ関シテハ英
本國ニ於テ議論ア
ル問題ノ由ニ有シ
素才二項ニ関シ
日政府ノ意又テ確
定シ、必要の有トハ

有在果之在右方二頃
堤名之於之曰朱・大
能之等ケサレラ得サレヨ
トニ相成ルルニ事邦
祀之依ルハ平渡州發
新便物・進送之太々
不都合ヲ付スルハキニ付
此点ニ関シテハ相違ハ
市ノ文置キ事ニ様
形分トシテ表出スル
一也。敬告

十日十日
春社長内留嘉吉

外務省
東京市長 杉村清 殿

日本郵政
子冊一送、送付
送付

文庫有
 東京
 郵便局長
 松村清成
 送
 附
 封
 上
 封
 紙
 封
 紙

明治三十一年十月十四日起算
 同 年 月 日 發 達

主任

逓信省逓信局長
 逓信局長

逓信省逓信局長
 日清郵便物取扱費之割付
 日清郵便物取扱費之割付

外務省

詳略及取添添研部務令之提出せしむ後而後
 通過に於て監督ノ裁可ヲ得たりト報有之也
 郵便電信條例法案中白人労働者ノ之ノ使役
 工ルニ限リ郵便物取扱ノ約定又ハ取極ヨ由スヲ
 得ベシト条次ニ關シ從來日本郵便會社ノ添添
 航路ニ係リ日清兩國ノ行送民ヲ郵便物取扱上
 工於手何等ノ影響ナク有之者省長局長ノ宛
 之ニ照會片ヲ送別紙ノ如ク附書ハ送付有之也

新立現行日本郵政會社便ニテ濠洲ヨリ日本ニ向テ
 搭乗スル郵便物ノ送達ニ濠洲政府ト會死トノ
 約定ニ依ルニ濠洲政府ヨリ日本政府ヲ托送スル
 モノハ悉ク之ノ共商會ニ濠洲郵政政府ヨリ付
 現在如ク九國信トク郵便物ノ交換ヲ致シ居ル
 其於中ニ其法令案中十四條事ヲ兼テ其
 百六十七條以下數條事ヲ照テ其十五條解釋上一條
 承知後發着ノ又傳書四國ヨリ何等取極付
 外務省
 現行政府ヨリ濠洲政府ニ送達スル郵便物ノ今如ク
 濠洲政府ヨリ日本政府ニ送達スル郵便物ノ今如ク
 致送スル郵便物ノ今如ク
 與長
 通信局長宛
 濠洲政府法令案一節善達スル旨以圖覽
 上ノ市返附者之發係セテ申送スル



三十四年十二月廿一日接受

藤通局

拜啓 濠州 研新 議云

又由 此 証 替、 裁 可、 得

三十四年十二月廿一日

3-2336

0221

タル趣ハ條約輕便條例
法彙中白人勞働者ニ
ヲ使没スルモノヲ除ク輕便
物通送ノ約定又ハ此種
ヲ為スルハ一ツトノ系項ニ
關シテハ曩ニ當省管私
局長ヨリ及出若此ノ次
モ者ニ其變更ニ我日本

新報會社濠沙航路
依り郵便物運送方ニ
關スル日濠政府間ノ現
在ノ關係ニ示知相成
去ル十四日附ヲ以テ御照會
ノ趣了取即チ日濠方面
間郵便物ノ直接交換

去る明治廿九年 中日本

新報云社ノ濠州元帥

開如以來 尚然遠征

ノ或換ノ液日如メテ再投

ノ一ニ無^ニ全^ニ終^ニ統^ニ一^ニ也

義ノ者ノ故ニ身ノ中ノ

アリニシテ^ニト^ニナル^ニ徳^ニカ^ニ果^ニメ

身十四條ニ^ニ示^ニ留^ニアリニシテ^ニト^ニ

ヲ指示スルモノヤセシ日濠洲
ノ關係ハ為メニ二砂ノ新
響ヲ被ルニ至ル一ウ或ハ
該條款ヲ根據トシ今
後濠洲政府ハ我政府
郵便物ノ托送方ヲ強絶
換言スレハ郵船会社濠洲

新便物ノ搭載ヲ停止

スルニ至ルヤモ難斗^ト者^ト

尚同會社ノ淳新ノ系以

府ノ海産ヲ更シルモノナル

ヨリテ法第百六十八條

規定ノ通送料ヲ濠^カ妙

政府ヨリ受ケ濠^カ妙^カ

新便物ヲ搭載スルカ如キハ

政府ヨリ受ケ濠州為

新皮物ヲ搭載スルカ如キハ

尚者ノ是認スル能ハサ

凡所ニ出望ル系 法馬家

3-2336

0227

尚者ノ是認スル能ハヤ

ハ所々世世其系結与濠

好ヨリ該如便之依リ本

新、新便物及是ノ其下

全然杜絶 セラレハニ至ル

一ク殊々有為操其如

積証書ホノ送付ハ不致

玉名ノ通高ヲ阻害ス
不致ト云フ本ニ延ラ有
積証書ホノ道付ハ不致

ふたつと云ふ事は延てあり

玉名ノ通高ヲ阻害ス

ルニ至ル一ウカト有テ就テハ

事十五條ノ「アレシジメニト」

新編 日本書紀 卷之四十四

ナル語カ果シテ事十四條

ノ「アレシジメニト」ヲ指示スル

ヤ各ハ極メラ至大ノ則



題十存水舟生節就

キ水確メノ上場云々依リ

テハ相尚、水受迄相成ル

標、初及以以水回差

考、一進水敵具

十二月廿日

連任者

西村与吉小松源次郎

外務省

通商局長杉村濤敏

長官の如く、陸軍

及び海軍の如く、陸軍

が、海軍の如く、

日本郵船株式會社
 郵便電信部
 局長 小村吉良

明治卅九年十二月廿三日 起草
 同日發遣

小村吉良

主任

電信業

在任トビニ永駐領事

小村吉良

郵便電信法第十五條A、アレンジメントの同第十五條

アレンジメントの意は、ルヤ君の意味、ストスレバ明治廿

九年郵便電信省トバリエバン郵便船間ノ交換

外務省

ニ依リ料會ニ然テ日本政府ニ支拂ヲトシテ開始セラル

タル日本郵船ノ郵便物搭載ニ果テ新法ノ下ニ附

絶セラルノ恐ナキヤ取極メ回電アレ

3-2336

0233

11/17

會計課長

人事課長

通商局長

政務局長

總務長官

大臣

電信課長

11/17

11/17

11/17

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11/17

11/17

Via North. Sent. 24 12 1897 M.
East.

Eitaki
Sydney.

No. Does the arrangement mentioned in Article XV a of the new Act Post & Telegraph Act mean the arrangements in Article XIV of the same act? If so is there not the fear that the shipment of mail matters in Japanese mail steamers which was opened on the understanding that all transit charges should be paid to the Japanese Govt. as per the notes exchanged between P. & T. and Post & Telegraph Office of Brisbane in 1872

電送第

號

Words.

69

要旨付了

廿九年 (which is therefore to be considered as an arrangement) will be declined under the new Act? Ascertain & Telegraph.

K. Mura

3-2336

0234

調書

一 濠州聯邦郵便電信法第十五條ハ今日、如ク日本郵船株式會社ニ於テ我政府ノ命令ノ下ニ航路ヲ持統スル間ハ濠州ヨリ日本ニ向ケ搭載スル郵便物ノ運送ハ濠州政府ト會社ト間ノ約定ニ依ルニアラスニテ濠州政府ヨリ日本政府ニ托送スルモノナルニ依リ同條ハ何等ノ影響ヲ及サザルモノト認ム

二 然レトモ他日日本郵船株式會社其他ノ日本汽船會社カ我政府ノ命令ニ依ラス又航海獎勵金ヲ受クルコトナクシテ濠州航海ヲ用ニシ濠州發郵便物ヲ搭載運送セシトスル場合ニ於テハ同條ノ支配ヲ受ケサルヲ得サレハシ

遞 信 省

備考(写)

一 濠洲聯邦郵便電信法第五條に今
日、如く日本郵船株式会社に於て我
政府、命令を下し航海ヲ持續スル
ヨリ日本へ向て搭載スル郵便物ノ運送ハ
濠洲政府ト會社トノ間ノ約定ニ依ルニ
スルニシテ濠洲政府ヨリ日本政府へ托送
スルモノタルニ依リ同條ノ何等ノ影
響ヲ及サザルモノト認ム

二 然レトモ他日本郵船株式會社其他、本
邦汽船會社カ我政府ノ命令ニ依ラズ又航海
貨物運送ノ受ケルナラズ濠洲航海ヲ開
致シ濠洲農產郵便物ヲ搭載運送セント
スル場合ニ於テ、同條ノ支配ヲ受ケサルヲ
得ルベシ

外務省

お供

伊東高直様

州御出陣下付

文書寫出後付

筆名花子

お具

吉原中 花子

伊東高直様

Brisbane, 13th Nov. 1896.

Sir,

I have the honour, by direction of the Postmaster General, to acknowledge receipt of your letter of 26th September last (no. V/241), and to congratulate your Department upon the establishment of monthly mail communication with Australia. A copy of the sorting list enclosed (as amended) is returned herewith, together with 6 copies of the printed sorting lists of this colony, and I am to request that all the divisions named in the latter—except Thursday Island—should be enclosed in the mail for Townsville, and for places in Queensland not named in the list, in the mail for Brisbane. I have also to inform you that instructions have been given to the Post Office at Townsville and Thursday Island, as well as Brisbane, to make up mails for Nagasaki and despatch them by the steamers of the Nippon Yusen Kabushiki Kaisha (Japanese Mail Steamship Co.); and List in this connection, I shall be glad to know how payments are to be made for mails sent hence; also whether it is desired that the mails for the Southern Colonies should be landed here and sent by railway to destination.

I am further to ask whether it is intended to establish an exchange of post parcels by this service, and if so on what conditions.

I have the honor to be,

Sir,

Your obedient Servant,

(Signed)

for Under Secretary &

Supt : Elec : Telegraphs.

The Director General,

Department of Communications,

Tokyo, Japan.

Tokyo, 16th April, 1897.

Sir,

I have the honour to acknowledge the receipt of your letter No. C8567 of the 13th September last, transmitting several copies of the sorting list for the making up of mails by the Nippon Yusen Kaisha's steamers together with the information that your Office will also make up closed mails by ^{the} Post Office at Nagasaki. The transit charges on correspondence from your Office should be paid in to this Administration in accordance with the stipulations of Article 4 of the Principal Convention.

As to the transportation of our mails for Southern Colonies by the railway, I beg to request that you will be good enough to furnish me with a copy of the railway time tables between Brisbane, Sydney, Melbourne and Adelaide.

In cases where the mails are forwarded by the railway—I presume— they are to be landed at Brisbane.

As regards the parcel post service between our two countries, I shall separately communicate with you after consideration of the conditions under which the service should operate.

I have the honour to be,

Sir,

Your obedient Servant,

K. Den,

Director General.

The Secretary,

Post & Telegraph Department,

Brisbane.

No. V/506.

Tokyo, 16th April 1897.

Sir,

The transit charges on correspondence from your Office should be paid in to this Administration in accordance with the stipulations of Article 4 of the Principal Convention.

I have the honour to be,

Sir,

Your obedient Servant,

K. Den.

Director General.

The Secretary,

Post and Telegraph Department,

Brisbane.

No. V/241.

Tokyo, 26th September 1896.

Sir,

I have the honour to inform you that this Department has arranged with the Nippon Yusen Kabushiki Kaisha (Japanese Mail Steamship Company) to establish a regular monthly services between Yokohama and Adelaide, from and after October, (however for a while the service will not extend beyond Melbourne) calling at Nagasaki, Hongkong, Thursday Island, Townsville, Brisbane, Sydney and Melbourne on both outward and homeward voyages, and we have instructed our Post Offices at Yokohama, Kobe, & Nagasaki to forward the mails in closed bags addressed to the Post Offices at Thursday Island, Townsville, Brisbane, Sydney, Melbourne and Adelaide.

I beg to enclose, herewith, a copy of the sorting list by which the correspondence, to be included in the above mentioned closed mails, will be sorted, and I shall be much obliged if you will inform me, of any point which you may deem inconvenient with respect to such sorting.

I may add that the steamers in question will be ready, at any time you may require it, to carry the mails to be despatched from your Post Office.

I have the honour to be,

Sir,

Your obedient Servant,

Br Suzuki,

Vice-Minister

Director General, a.i.

The Postmaster General,

Brisbane (Queens.)

Sydney (N. S. W.)

Melbourne (Victoria)

Adelaide (S. A.)

3-2336

0239

国立公文書館 アジア歴史資料センター

Japan Center for Asian Historical Records

<http://www.jacar.go.jp>

No. V/241.

Tokyo, 26th September 1896.

Sir,

I may add that the steamers in question will be ready,
at any time you may require it, to carry the mails to be
despatched from your Post Office.

I have the honour to be,

Sir,

Your obedient Servant,
Br. Suzuki
Vice-Minister
Director General, a.i.

The Postmaster General,
Brisbane (Queens.)
Sydney (N.P.W.)
Melbourne (Vice)
Adelaide (P.A.)

No. 8567.

Brisbane, 13th Nov. 1896.

Sir,

I have also to inform you that instructions have been
given to the Post Office at Townsville and Thursday Island,
as well as Brisbane, to make up mails for Nagasaki and Despatch
then by the steamers of the Nippon Yusen Kabushiki Kaisha
(Japanese Mail Steamship Co.) and List in this connection, I
shall be glad to know how payments are to be made for mails
sent hence;

I have the honour to be,

Sir,

Your obedient Servant,
Signed
for Under Secretary
Supt. Elec. Telegraphs.

The Director General,
Department of Communications,
Tokyo, Japan.

3-2336

0240

二十四年十一月廿五日接受

臺灣總督府

集

公信第一〇號

受第一六二八號

濠洲研郵便條例案十月十日
批准済ニ付

先般來濠洲研郵政府より同研郵議會へ提出候郵便條例案申郵便條例案ニ係事セル汽船會社所屬之船舶ニ白指人外凡有各色人種、便備ヲ禁止スル條項ヲ挿入セントスル議一旦上院ニテハ否決トナリタルニモ拘ハズ下院ニ於テハ遂ニ修正可決トナリタル概ハ本年九月九日附公信第一〇號ヲ以テ前任領事より申報候候次男ニ有テ候處其後該案上院ニ送付セシメ同院、再議ニ付タルニ當リ在野側カ、一變ニ送付同院ニ於テモ十二名ニ對スル十六名多數ヲ以テ下院、修正議決ヲ容ル、ト相

在島多摩井本領事館

多摩大領事館

政申候候、各汽船會社トモ僅カ、研郵總務若ク英國政府、否認ニ一掃、望ヲ置キタルニモ拘ハズ、同議答ニ此准モ難ク、本月十六日ヲ以テ相府ニ申候候條例、實施期日、未十二月一日ト修定セル限概ナルモ未外確タルト相府ニ申大會議案、實施ト相候候候、濠洲方面ニ於ケル各運輸業者トモ之カ為メ、野ナカラザル打撃ヲ蒙ル候ハ勿論、帝國、睦面ニ相拘リ可申義ニ付、以上帝國政府ニ於テモ十分其善後策ニ就キ、漸考慮ノ上、令引何カ之ニ對シ、報復的好手段ヲ講ジ置カレト希望ニ不堪候候、及具申候候具

明治三十四年十一月二十二日

在タウンスタール

領事館事務代理 村恒造



外務大臣小村壽太郎殿

在英中支少井小日本領事館

3-2336

0242

拜啓命、御清涼、御勤務、既國家之為、大慶至極、
御事ト存厚降テ生真、目下獨在勤、
弊忙ニ相暮ラシ候候、御安心、
甚カ以テ敬上、
信弟一、口御中、訂正ヲ要ス、
御手許迄差上置候間、御面倒、
ト御取替、
最早ヤ田結領事ニ備地、
存藤書、
尊皇ニ、
先ハ不取、
十月三十日

在名宮内省井上領事館

井上領事館
村垣造

大前文書課長殿
御侍史

三十四年十一月廿六日接覽

普通商標

抄

公信第一〇號

一〇二四二

濠洲郵政便條例案十月十九日
批准済

先般來濠洲郵政政府より同所評議會へ提出候
郵便條例中郵便運送に從事せし濠洲會社所屬の
船舶に白哲人種外凡そ有色人種を僱用禁止スト
條項ヲ挿入セントスル勅諭、一旦上院ニテ否決ナリタリモ
拘ハラズ下院ニ於テ遂ニ修正可決ナリタリト報ハ本年九月九
日附公信第一一號ヲ以テ前任領事より申報候
屆候次第有之候處其後議案、上院へ返還セシ同
院、再議ニ付セラレ、當り形勢頗る一變シ遂ニ同院ニ於テ
七十二名、對スル十六名、多數ヲ以テ下院、修正議決ヲ

在野中分并日本領事館

濠洲

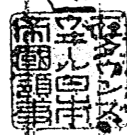
抄

答ルニ、相成申候款、各濠洲會社トモ僅ニ郵政總
督君より英國政府へ否認、一據、理ヲ置キタリト報ハ
同摺摺、批准モ難ク本月十九日ヲ以テ相濟ニ申候該
條例、實施期日ハ来十二月一日ト豫定セシ居候概ナルモ
未だ確タルト相分カリ不申大愈、該案ニ實施ト相成
候曉、濠洲方面ニ於テ各運輸業者トモ之カ爲メ助
ナカラザル打撃ヲ蒙ル候ハ勿論我帝國、時面ニ相拘
ル可申義、此以上ハ帝國政府ニ於テモ十分其善法策
ニ就キ御考慮、上令ヲ伺フ之ニ對シ報復的好手段
ヲ講セラルト肝要ト存候以取及具申候致具

明治三十四年十月二十二日

在野中分并

領事館事務代理村恒造



外務大臣小村壽太郎殿

在馬尼拉日本領事館

3-2336

0245

公第八六號

一三三二

郵便電信法案兩院通過及總督
於裁可件

郵便電信法案中、濠洲聯邦政府、於テハ白人労働者ノミ、使用スルモノ、限リ、郵便物運搬、為メ特別補助ノ約定及取極ヲナスヲ得ヘシト、一條ヲ加フルニ至リタル義、就テハ先般未逐次及報告置置處、右法案ハ愈先通初メ兩院ヲ通過ハル間、官ルボル滞在中、驛遞長官ドーキ氏、西會、上該條項、闕スル意見ヲ陳述シ、内閣ノ反者ヲ求メタル氏ハ之、對シ該條ハ、聯邦ノ經費支出上、制限ヲ置キタル止リ、敢テ人種別ヲナシタルモノ、第五條第七項在 外 公 館

アラスト辯シ且ツ己、兩院ヲ通過セル上ハ、總督ノ認可ヲ請フノ外、内閣ノ意見ヲ以テ之ヲ左右スル能ハサル者答フルニヨリ、更ニ内閣總理バルトン氏ヲ訪ヒタルニ、偶、不在ナリシヲ以テ、書記官長ニ西會シ、問答ヲ試ムルニ該案ハ己、認可ヲ得ル為メ、總督ノ許、提出セラレタルニ、此上バルトン氏、對シ抗議セラル、モ内閣負ハ如何トモスル能ハサルシト答ヘ、且ツ本案ニ付、英本國政府ヨリ何等ノ交渉之レアラカリシヤト、止官ノ問、對シテハ、秘密ニ付スルヲ要スルモノ、如ク單ニ聞ク所ナシトノコト、有之ル間、更ニ轉レテ、總督秘書官ヲ政廳内ニ訪ヒタルモ、總督、隨行地出不在中ニシテ、西會ノ機得ス、尚ホ聞リ、野、ヨシハ、總督、於テハ内閣ノ意見ヲ納レ、認可ヲ與フ、手續ナリト、有之、其間直ニ

總督、對シ去ル十五日付テ以テ別紙^{別紙}ニ通リ重ク
熟考ヲ未メ至處 昨朝新聞紙ノ報スル所ヨシト去
十六日 總督、於テ認可ヲシ来月一日ヨリ實施セラル、
由、付内閣書記官長ニ宛テ電報ヲ以テ其真否ヲ
確ルルニ事實ナル旨回電、據シテ其間不取敢電報
ヲ以テ及中通報ヲ次第ニ有之ル

本法案ハ豫テ及具申置テ通リ外航船ニ在リテ
彼阿人會社及オリエント氣^汽船會社^船ニ關スルニテ本邦
汽船ノ郵便物運搬ニ對シテハ何等干涉スル所ナキ
ニ當ル者、説明ニヨリ明カナル所ナルト雖モ人種的區
別ヲナスハ實ニ不道理ノ極ニ有之矣間出來得ル限リ
抗議也、其其効ナリ終ニ裁可ヲ經法律ノ効力
ヲ有スルニ至シハ甚ク遺憾ニ堪(サ)ル義ニ有之矣

在外公館

右及報告書 敬具

明治三十四年十一月十九日

在シドニー

領事 永瀧久吉



外務大臣 小村壽太郎 殿

追申 本文中總督宛批翰ニ對シ別紙乙號寫通
リ回答ニ接シ其得共單ニ領收通知書ヲ法案認
可ノ件ニ要シテハ何等ノ説明ニ接セズ其於段中
添テ奉ル

(十一月廿一日追記)

H. I. Japanese Majesty's Consulate.

Sydney, 15th, November,
1901.

別紙
甲
號

Your Excellency,

I have the honour to address Your Excellency again upon the subject of the Postal and Telegraphic Bill, which has now been passed by both Houses of the Commonwealth Parliament, with the clause therein (stipulating for "white labour only" in all Government mail contracts) referred to in my letter of the 5th October last.

I regret exceedingly that the communications it has been my duty to make to Your Excellency and the Right Honourable the Prime Minister upon this point - explaining the light in which such a stipulation must be viewed by my Government, and expressing the hope that the Commonwealth Parliament might see its way clear to avoid legislating in a manner which made distinctions affecting the Japanese on the grounds of race and colour, - have not been fortunate enough to be crowned with success.

I forwarded your letters of the 10th and 21st ultimo to the Japanese Minister for Foreign Affairs, and I understand that, with other communications upon the same subject, they have been sent to His Britannic Majesty's Government through the Japanese Minister in London.

I need not enlarge upon the very great importance of the principle involved in this matter, for I am sure that Your Excellency will recognise it at once. I can only say that the earnest desire of my Government is to remove all obstacles which may work to the detriment of the friendly and commercial relations which now subsist between Australia and Japan, and which have every prospect of further development to the mutual advantage of both nations in the future.

I have, etc.
(Signed) H. Itaki,
Consul for Japan.

His Excellency,
The Right Honourable the Earl of Hopetoun,
Governor-General,

Commonwealth of Australia.

Commonwealth of Australia.

Governor-General

Melbourne, 20th, November, 1901.

別紙
乙
號

Sir,

I have the honour, ~~to~~ by direction of His Excellency, The Governor-General, to acknowledge the receipt of your letter of the 15th instant, on the subject of the provisions of certain Federal Legislation, and to inform you that His Excellency has submitted the representations contained in your communication, under acknowledgment, for the careful consideration of his Responsible Advisers.

I have the honour to be,

Sir,

Your obedient Servant,

(Signed) E. W. Wallington

Private Secretary To His Excellency,

The Governor-General.

The Consul for Japan

in The Commonwealth of Australia,

S Y D N E Y .

明治三十四年十一月廿七日 53

明治三十四年十一月廿五日 起草
同日 日發遣

通名長村大

主任

送第九九號

在英 林公使 小村大臣

濱海新郵便電信法、影響を在ロドニ

領事ト向合、致末報先ノ件

外務省

濱海新郵便電信法(十月廿九日付) 郵部陸路ノ

奏のり 維新ル方電報アリ (二国ニ志ん十月十日付九八号)

電報ニ基キ閣下ニ在ニ英國政府ハ海軍會ノ

其後全法十五条Aノ適用ニ濱海政府ヲ補加金ヲ取ル

新法ニ係ル事ハ十月廿九日付永続領事ヲ電報ニ持

セリルニシテ其ノ詳細ノ事係列達セズルガハ確固アリ

事案ハ其ノ如キニ在リ英國政府(別ニ何等ノ

或入ナク其儘ニ致シ置キテ其ノ後ニ其ノ事案ニ對シテ

1

ヲ以テ中央紙ノ通テ爾後其存在ノ要ニ永流
欲事ヨリノ電信(一通ハレドニ十月五日付令欲事ヨリ閣下
ニ免テタル電信後故ニ格當ス)ニ任リ總テ露海政府ノ
露海上ノ契約ハ白人労働者 ^僕 ノ ^船 限ルコト通知シ
閣下ニ対シ前記ノ九一号電報ニ及テ上共ニ同欲事ハ元
初令改札次第ニ免然ルニ其後日欲事ヨリ詳細ノ心
算 ^後 給之ル事ニ露海政府ノ補助ヲ及テ露海政府ノ運送
船 ^{其目的} ニ限リ白人労働者ノ除外ニルコトハ實利上
外 務 省
秋ニ影響留ムル所多クナルモノ一露海政府(陸軍)
ニ運キタル者反閣下ノ提議ニ要リ露海政府(陸軍)
露海政府ニ運リタル電信トシテ新及改札ノ ^場 報 ^キ ル
所 ^ニ 月九日十月五日付電信ヲ以テ閣下ノ注意ヲ促シタ
ル次第ニテ白人労働者使用ノ次ハ日本郵政兼ニ
適用セシムルベキモノトシテル者 ^{申付} 露海政府ニ
露海政府然ルニ其中心接應正法案ヲ到看 ^也 ニ付
調査 ^{あり} 風 ^い 定 ^い 一ノ ^生 趣 ^じ 内 ^じ 生 ^じ

3-2336

0251

外務省

万国通商條約の履行に關し、郵便の交換に關し、

郵便物の交換に關し、郵便物の交換に關し、

郵便物の交換に關し、郵便物の交換に關し、

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郵便物の交換に關し、郵便物の交換に關し、

急

16. 11

文書録

明治三十一年十一月廿七日

52

明治三十一年十一月廿七日 日起草
同日發達

主任

通事局長 打田

送策 四九 號

在し下ニ永藏銀奉

小村大臣

新郵便電信法中日本郵政日添了郵便物

送裁ニ至スル郵便物送付ノ件

三十一年十一月廿八日

外務省

五ノ上ノ十日付電信ノ以テ所報告ニ其添了郵便物

郵便物送裁ノ約令ニ又ニ取極ヲ求テ得ヘシトノ第十五條

第一項ニ定メテ之ニ添了郵便物ノ補加令

添了郵便物ノ送用セシムルモノニシテ日本郵政ニ送用セシム

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△添了郵便物ノ送用セシムルモノニシテ日本郵政ニ送用セシム

プリズベール、タウンスビー、及サーズデー局と長崎局との
 間、閉塞郵便物の交換の爲に、送送料、運送料、運
 信者ニ支拂フイート等（ロンドン、アムステルダム、ベルリン、
 電報局、及び送金手札等）送金手札ニテ、クワイニエラント
 ニ送り、更ニ本邦ニ送金スルモノハ、由直信者ニ支拂フイ
 添封（保）開始セラシムルモノニテ、若シ日法十五條ノアレン
 ジメントニシテ十四條ノアレンジメントヲ指示スルモノトシレバ、今
 後、海政府ニ於テ郵便便ニ付、海政府（ノ郵便物
 此送ヲ辨認スルヤモ、雖、計、尚、日、令、元、海、船、ハ、海、政、府、ノ
 保護ノ下ニシテ、シテ、日、法、十五、條、規、定、ノ、運、送、料、ヲ、添
 封、政、府、ノ、支、拂、フ、郵、便、物、ノ、海、運、信、者、ノ、海、運、料、
 能、力、ハ、申、添、来、リ、英、邦、ニ、此、際、際、郵、政、局、者、ニ、シ、テ、
 果、シ、テ、別、紙、面、國、内、ノ、文、書、往、復、ヲ、以、テ、十、五、條、ノ、取、極、ト、シ、
 做、シ、テ、五、條、ニ、依、リ、モ、ト、シ、尺、解、ノ、海、運、料、ハ、現、今、日、本、郵、政、局、社
 日、法、十五、條、ノ、取、極、ト、シ、テ、少、額、信、者、ノ、海、運、料、ハ、英、邦、ノ、海、運、料、
 一、舊、電、信、ニ、テ、申、回、報、ノ、價、ニ、依、リ、次、第、ニ、優、待、シ、テ、

外務省

民制取防案二國之ハ所交渉ノ都合上貴友ニ於テ未
 分確ニ以テ書白者ノ意細ク申知ノ途ニ至ラハ次第ニ
 申上ル事メテ所相甚ハ上申回報在之交連ニ事
 車乘事ハ公使ノモ書送還者ハ所申知ラズ
 別紙書送此其年送此也

外務省

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