

All sheriffs and other officers may destroy any tobacco planted contrary to this act.

II. And it is hereby further enacted, That all sheriffs, justices of the peace, mayors, bailiffs, constables, and every of them, upon information or complaint made unto them or any of them, by any the officers of the customs, or by any other person or persons whatsoever, That there is any tobacco set, sown, planted, or growing within their jurisdictions or precincts, contrary to this act, shall within ten days after such information or complaint cause to be burnt, plucked up, consumed, or utterly destroyed, all such tobacco so set, sown, planted or growing.

The penalty of any person resisting this act.

III. And it is hereby further enacted, That in case any person or persons shall resist or make forcible opposition against any person or persons in the due and through execution of this act, that every such person or persons, for every such offence, shall forfeit the sum of five pounds to be divided and recovered in manner aforesaid. (2) And in case any person or persons shall not pay the sums of money by them to be paid by virtue of this act, That in every such case, distress shall be made, and sale thereof, returning the overplus to the owners: and in case no distress be to be found, That then every such party shall be committed to the common gaol in the county where such offence shall be committed, there to remain for the space of two months without bail or mainprize.

Proviso for private gardens.

IV. Provided always, and it is hereby enacted, That this act, nor any thing therein contained, shall extend to the hindring of the planting of tobacco in any physick garden of either university, or in any other private garden for physick or chirurgery only, so as the quantity so planted exceed not one half of one pole in any one place or garden. 13 Car. 2. stat. 1. cap. 14. 5 Geo. I. c. 11. s. 19.

CAP. XXXV.

An act erecting and establishing a post-office.

A post-office erected and established. The well ordering of postage and letters of great concernment to trade.

WHEREAS for the maintenance of mutual correspondencies, and prevention of many inconveniencies happening by private posts, several publick post-offices have been heretofore erected for carrying and recarrying of letters by posts, to, and from all parts and places within *England*, *Scotland* and *Ireland*, and several parts beyond the seas; the well ordering whereof is matter of a general concernment, and of great advantage, as well for preservation of trade and commerce, as otherwise: to the end therefore, that the same may be managed so that speedy and safe dispatches may be had, which is most likely to be effected, by erecting one general post-office for that purpose;

A letter-office erected in London.

II. Be it therefore enacted by the King's most excellent majesty, and the lords and commons in this present parliament assembled, and by the authority of the same, That there be from henceforth one general letter office erected and established in some convenient place within the city of *London*, from whence all letters or packets whatsoever may be with speed and expedition sent unto

unto any part of the kingdoms of *England*, *Scotland* and *Ireland*, or any other of his Majesty's dominions, or unto any kingdom or country beyond the seas : at which said office all returns and answers may be likewise received ; (2) and that one master of the said general letter office shall be from time to time appointed by the King's majesty, his heirs and successors, to be made or constituted by letters patents, under the great seal of *England*, by the name and stile of his Majesty's post-master general ; (3) which said master of the said office, and his deputy and deputies, by him thereunto sufficiently authorized, and his and their servants and agents, and no other person or persons whatsoever, shall from time to time have the receiving, taking up, ordering, dispatching, sending post or with speed, and delivering of all letters and pacquets whatsoever, which shall from time to time be sent to and from all and every the parts and places of *England*, *Scotland* and *Ireland*, and other his Majesty's dominions, and to and from all and every the kingdoms and countries beyond the seas, where he shall settle or cause to be settled posts or running messengers for that purpose ; (4) except such letters as shall be sent by coaches, common known carriers of goods by carts, waggons or packhorses and shall be carried along with their carts, waggons and packhorses respectively ; (5) and except letters of merchants and masters which shall be sent by any masters of any ships, barques or other vessel or merchandize, or by any other person employed by them for the carriage of such letters aforesaid, according to the respective directions ; (6) and also except letters to be sent by any private friend or friends in their ways of journey or travel, or by any messenger or messengers sent on purpose, for or concerning the private affairs of any person or persons : (7) and also except messengers who carry and recarry commissions, or the return thereof, affidavits, writs, process or proceedings, or the returns thereof issuing out of any court.

A master of the office to be appointed by the King post-master general.

III. And be it further enacted by the authority aforesaid, That such post-master general for the time being, as shall from time to time be made and constituted by his Majesty, his heirs and successors, and the respective deputies, or substitutes of such post-master general, and no other person or persons whatsoever, shall prepare and provide horses and furniture to let to hire unto all through-posts, and persons riding in post by commission, or without, to and from all and every the parts and places of *England*, *Scotland* and *Ireland*, where any post-roads are, or shall be settled and established.

The post-master-general and no other, to provide horses for riding post.

IV. And be it further enacted by the authority aforesaid, That it shall and may be lawful to and for such post-master general to be constituted and appointed as aforesaid, and his deputy and deputies by him thereunto sufficiently authorized, to demand, have, receive and take for the portage and conveyance of all such letters which he shall so convey, carry or send post as aforesaid, and for the providing, and furnishing horses for through-posts or persons riding in post as aforesaid, according

Rates for carrying letters.

according to the several rates and sums of lawful *English* money hereafter mentioned, not to exceed the same (that is to say,) (2) for the port of every letter not exceeding one sheet, to or from any place not exceeding fourscore *English* miles distant from the place where such letter shall be received, two pence; (3) and for the like port of every letter not exceeding two sheets, four-pence; (4) and for the like port of every packet of letters, proportionably unto the said rates; (5) and for the like port of every packet of writs, deeds or other things, after the rate of eight pence for every ounce weight; (6) and for the port of every letter not exceeding one sheet, above the distance of fourscore *English* miles from the place where the same shall be received, three-pence; (7) and for the like port of a letter, not exceeding two sheets six-pence; and proportionably to the same rates, for the like port of all packets of letters, (8) and for the like port of every other packet of writs, deeds or other things, after the rate of twelve pence of *English* money for every ounce weight; (9) and for the port of every letter not exceeding one sheet, from *London* unto the town of *Berwick*, or from thence unto the city of *London*, three pence of *English* money, and for the like port of every letter not exceeding two sheets, six-pence; and proportionably unto the same rates, for every packet of letters, and for every other packet of greater bulk, one shilling and six pence for every ounce weight; (10) and for the port of such letters and packets as shall be conveyed or carried from the town of *Berwick* into any place or places within forty *English* miles distance from *Berwick*, or any other place where such letter shall be received, two pence; and for every letter not exceeding two sheets, four pence; and proportionably to the same rates for every packet of letters, and for every other packet or parcel, eight pence for every ounce weight; (11) and for every letter not exceeding one sheet, to be conveyed or carried a further distance than forty *English* miles, four pence; and for the like port of every packet of letters, eight pence; and proportionably unto the same rates for the like port of every packet of letters, and for the like port of every other packet, one shilling for every ounce weight; (12) and for the port of every letter not exceeding one sheet from *England*, unto the city of *Dublin* in *Ireland*, or from the city of *Dublin* in *Ireland* unto *England*, six pence of *English* money; and for the like port of every letter not exceeding two sheets, one shilling, and proportionably to the same rates for every packet of letters, and for the port of every other packet of any kind of greater bulk, two shillings for every ounce weight; (13) and for the port of such letters or packets as shall be conveyed or carried from the city of *Dublin*, unto any other place or places within the kingdom of *Ireland*, or from any other place unto the said city, or to, or from any other place within the said kingdom, according to the rates and sums of *English* money hereafter following, viz. For every letter not exceeding one sheet, to or from any place within forty *English* miles

miles distance from *Dublin*, or any other place where such letter shall be received, two pence; and for every letter not exceeding two sheets, four pence; and proportionably to the same rates for every packet of letters, and for every packet of greater bulk, eight pence for every ounce weight; (14) and for every letter not exceeding one sheet, to be carried or conveyed a further distance than forty *English* miles, four pence; and for the like port of every letter not exceeding two sheets, eight pence; and proportionably unto the same rates for the like port of every packet of letters, and for the like port of every packet of greater bulk, one shilling for every ounce weight; (15) and for all and every the letters, packets and parcels of goods that shall be carried or conveyed to or from any of his Majesty's said dominions, or to or from any other parts or places beyond the seas, according to the several and respective rates that now are, and have been taken for letters, packets, and parcels so conveyed, being rated either by the letter, or by the ounce weight, that is to say,

(16) <i>Morlaix, St. Maloes, Caen, Newhaven,</i> and places of like distance, port paid to <i>Roan</i> is for - - - - -	}	Single _____	vi
		Double _____	Xii
		Treble _____	Xviii
		Ounce _____	Xviii

(17) <i>Hamburgh, Colen, Frankfurt,</i> port paid to <i>Antwerp</i> is	}	Single _____	viii
		Double _____	xvi
		Treble _____	xxiv
		Ounce _____	xxiv

(18) <i>Venice, Geneva, Legorn, Rome, Naples, Messina,</i> and all other parts of <i>Italy</i> by way of <i>Venice, franc̄ pro Mantua</i> -	}	Single _____	o	ix
		Double _____	i	vi
		Treble _____	ii	iii
		Ounce _____	ii	viii

(19) <i>Marcellia, Smirna, Constantinople, Aleppo,</i> and all parts of <i>Turky</i> , port paid to <i>Marcellia</i> - - - - -	}	Single _____	i	o
		Double _____	ii	o
		3 qrs. of an ounce -	ii	ix
		Ounce _____	iii	ix

(20) And for letters brought from the said places to <i>England</i>	}	Single _____	o	viii
		Double _____	i	iv
		Treble _____	ii	o
		Ounce _____	ii	o

(21) And for the port of letters brought into *England* from

<i>Calais, Diepe, Bulloigne, Abbeville, Amience, Saint Omers, Montrell</i> - - - - -	}	Single _____	o	iv
		Double _____	o	viii
		Treble _____	i	o
		Ounce _____	i	o

(22) <i>Rouen</i> - - - - -	}	Single _____	o	vi
		Double _____	i	o
		Treble _____	i	vi
		Ounce _____	i	vi

(23) *Genova,*

(23) *Genova, Legorn, Rome,*
and other parts of *Italy*, by way
of *Lyons, franci pro Lyons* - }
Single _____ s _____ d
Double _____ i _____ o
3 qrs. of an ounce _____ ii _____ ix
Ounce _____ iii _____ ix

(24) And of letters sent outwards.
To Bourdeaux, Rochel, Nants,
Orleans, Byon, Tours, and places
of like distance, port paid to }
Paris - - - - - }
Single _____ s _____ d
Double _____ o _____ ix
Treble _____ i _____ vi
Ounce _____ ii _____ o

(25) And for letters brought
from the same places into *Eng-*
land - - - - - }
Single _____ s _____ d
Double _____ i _____ o
3 qrs. of an ounce _____ ii _____ o
Ounce _____ iii _____ o

(26) Also letters sent outwards.
To Norambergh, Bremen, Dants-
wick, Lubeck, Lipswick, and o-
ther places of like distance, post }
paid to *Hamburgh* - - - - - }
Single _____ s _____ d
Double _____ i _____ o
3 qrs. of an ounce _____ ii _____ o
Ounce _____ iii _____ o

(27) *Paris* - - - - - }
Single _____ s _____ d
Double _____ o _____ ix
Treble _____ i _____ vi
Ounce _____ ii _____ o

(28) *Dunkirk, Ostend, Lille,*
Ipre, Courtrey, Gbeandt, Bruxels,
Bridges, Antwerp, and all other
parts of *Flanders* - - - - - }
Single _____ s _____ d
Double _____ o _____ viii
Treble _____ i _____ iv
Ounce _____ ii _____ o

(29) *Stuis, Flushing, Middle-*
burg, Amsterdam, Rotterdam,
Delph, Hague, and from all o-
ther parts of *Holland and Zealand* }
Single _____ s _____ d
Double _____ o _____ viii
Treble _____ i _____ iv
Ounce _____ ii _____ o

Proviso for
merchants.

VI. Provided always, That all merchants accompts not exceeding one sheet of paper, and all bills of exchange, invoys, and bills of lading, etc; and shall hereby be understood to be allowed without rate in the price of the letters, (2) and likewise the covers of letters not exceeding one fourth part of a sheet of paper sent to *Marseilles, Venice or Legorn*, to be sent forward to *Turkey*, shall be understood to be allowed to pass without rate or payment for the same; (3) and according to the same rates and proportions for the port of letters, pacquets and parcels to and from any of the parts or places beyond the seas, where posts have not been heretofore settled, and may hereafter be settled by the said post-master general for the time being, his executors or assigns: (4) and it shall and may be lawful, to and for such post-master general, and his deputy and deputies, to ask, demand, take and receive of every person that he or they shall furnish and provide with horses, furniture and guide to ride post

in any of the post-roads as aforesaid, three pence of *English* money for each horses hire or postage for every *English* mile, and four pence for the guide for every stage. (5) And whereas upon the arrival of ships from parts beyond the seas into several ports within his Majesty's dominions, many letters directed to several merchants and others have been detained long, to the great damage of the merchants, in want of that speedy advice and intelligence, which they might have had if the same had been forthwith dispatched by the settled posts; and sometimes such letters have been delivered by the masters or passengers of such ships to ignorant and loose hands, that understand not the way and means of speedy conveyance and delivery of letters, whereby great prejudice hath accrued to the affairs of merchants and others, as well by the miscarriage of many letters so brought, as oftentimes by the opening of the same, to the discovery of the correspondencies and secrets of the merchant:

VII. Be it further enacted by the authority aforesaid, That all letters and packets that by any master of any ship, or vessel, or any of his company, or any passengers therein, shall or may be brought to any port-town within his Majesty's dominions, or any of the members thereof, other then such letters as are before excepted, or may be sent by common known carriers in manner aforesaid, or by a friend as aforesaid; shall by such master, passenger, or other person be forthwith delivered unto the deputy or deputies only for the said post-master general for the time being, by him appointed for the said port town, and by him or them to be sent post unto the said general post-office, to be delivered according to the several and respective directions for the same.

VIII. And be it further enacted by the aforesaid authority, That no person or persons whatsoever, or body politick or corporate other than such post-master general as shall from time to time be nominated and appointed by his Majesty, his heirs or successors, and constituted by letters patents under the great seal of *England* as aforesaid, and his deputy and deputies or assigns, shall presume to carry, recarry, and deliver letters for hire, other then as before excepted, or to set up or employ any foot-post, horse-post, coach-post, or packet-boat whatsoever, for the conveying, carrying and recarrying of any letters or packets by sea or land within his Majesty's dominions, or shall provide and maintain horses and furniture for the horsing of any through-posts, or persons riding in post with a guide and horn as usual for hire, (2) upon pain of forfeiting the sum of Penalties of five pounds of *English* money for every several offence against offending a- the tenor of this present act; (3) and also for the forfeiture of against this act. the sum of one hundred pounds of like *English* money for every week's time that any offender against this act, shall employ, maintain and continue any such foot-post, horse-post, coach-post or packet-boat as aforesaid: (4) which said several and respective forfeitures shall and may be sued for, and recovered by

by action or actions of debt, plaint or information in any of his Majesty's courts of record, wherein no essoin, privilege, protection or wager of law shall be admitted; (5) and the said several and respective forfeitures that shall happen from time to time to be recovered, shall be and remain, the one moiety thereof to his Majesty, and his heirs and successors; and the other moiety thereof to such person or persons who shall or will inform against the offender or offenders against this present act, and shall or will sue for the said forfeitures upon the same.

Proviso where any post-master doth not provide.

IX. Provided always, That if any post-master of any respective place, doth not, or cannot furnish any person or persons riding in post, with sufficient horses within the space of one half hour after demand. That then such person or persons are hereby understood to be left at liberty to provide themselves as conveniently as they can; and the persons who shall furnish such horses shall not therefore be liable unto any penalties and forfeitures contained in this act.

Proviso touching post-masters that do not sufficiently provide horses, &c.

X. Provided always, That if through default or neglect of the post-master general aforesaid, any person or persons riding in post shall fail, as aforesaid, of being furnished with a sufficient horse or horses, for his or their use, after demand as aforesaid; that in every such case, the said post-master general shall forfeit the sum of five pounds sterling, the one moiety to his Majesty, his heirs and successors, and the other moiety to him or them who shall sue for the same in any court of record, to be recovered by bill, plaint or other information, wherein no essoin, protection, or other wager in law shall be admitted.

Proviso.

XI. Provided always, and be it enacted, That nothing herein contained shall be understood to prohibit the carrying or recarrying of any letters or packets, to or from any town or place, to or from the next respective post-road, or stage appointed for that purpose; but that every person shall have free liberty to send and employ such persons as they shall think fit, for to carry the said letters or packets as aforesaid, without any penalty or forfeiture therefore, any thing contained in this act to the contrary notwithstanding.

Proviso against carrying any packet out of England in any foreign vessels.

XII. Provided always, That if the packet or mail, shall be carried out of *England*, into any part beyond the seas in any ship or vessel which is not of *English* built, and navigated with *English* seamen, That in every such case the said post-master general shall forfeit the sum of one hundred pounds sterling; the one moiety to his Majesty, his heirs and successors, and the other moiety to him or them, who shall sue for the same in any court of record, to be recovered by bill, plaint, or other information, wherein no essoin, protection, or other wager of law shall be allowed.

XIII. Provided also, and be it enacted by the authority aforesaid, That no person or persons shall be capable of having, using, or exercising the office of post-master general, or any other employment relating to the said office, unless he or they shall first take the oaths of allegiance and supremacy, before any

two justices of the peace of the respective counties wherein such person or persons are or shall be resident; which said justices are hereby authorized to administer the oaths accordingly.

Oaths of allegiance and supremacy.

XIV. Provided also, and be it enacted by the authority aforesaid, That a letter or packet post shall twice every week come by the way of *Truro* and *Penryn* to the town of *Marketiew*, alias *Marhaston*, in the county of *Cornwall*; and once a week to *Kendal* by the way of *Lancaster*; and to the town of *Penrith* in *Cumberland* by the way of *Newcastle* and *Carlisle*; and to the city of *Lincoln*, and the borough of *Grimsbury* in the county of *Lincoln*; any thing in this act contained to the contrary thereof in any wise notwithstanding.

Proviso, Truro, Penryn, Kendal, Lancaster, Penrith, Carlisle, Grimsby.

XV. Provided also, and be it enacted by the authority aforesaid, That such post-master general to be from time to time appointed by his Majesty, his heirs and successors as aforesaid, shall continue constant posts for carriage of letters to all places, though they lie out of the post-roads, as hath been used for the space of three years last past, at the rates herein before mentioned, under pain of forfeiture for every omission five pounds, to be recovered by action, suit or plaint, in any his Majesty's courts of record, the one moiety to the use of his Majesty, the other moiety to the use of the informer: (2) and for the better management of the said post-office, and that the people of these kingdoms may have their intercourse of commerce and trade the better maintained, and their letters and advices conveyed, carried and recarried with the greatest speed, security, and convenience that may be;

Post-master to continue constant posts. Penalty for every omission.

XVI. Be it further enacted, That the said post-master general so nominated, appointed and constituted as aforesaid, and his deputies, shall from time to time observe and follow such orders, rules, directions and instructions for and concerning the settlement of convenient posts and stages upon the several roads in *England*, *Scotland* and *Ireland*, and other his Majesty's dominions, and the providing and keeping of a sufficient number of horses at the said several stages, as well for the carrying, and conveying of the said letters and packets, as for the horsing of all through-posts and persons riding in post by warrant or otherwise as aforesaid, as his Majesty, his heirs and successors, shall from time to time in that behalf make and ordain; and that his Majesty, his heirs and successors, may grant the said office of post-master general, together with the powers and authorities thereunto belonging, and the several rates of portage above mentioned, and all profits, privileges, fees, perquisites and emoluments thereunto belonging, or to belong, either for life or term of years, not exceeding one and twenty years, to such person or persons, and under such covenants, conditions and yearly rents to his said Majesty, his heirs and successors, reserved, as his said Majesty, his heirs and successors shall from time to time think fit for the best advantage and benefit of the kingdom.

The post-master, &c. to observe such orders as his Majesty shall make.

His Majesty may grant the said office for life or years, not exceeding 21 years.

XVII. Pro-

No horses to
be seized with-
out consent of
the owners.

Proviso for the
rates of all in-
land letters.

Confirmed by
13 Car. 2. c. 7.
and repealed
by 9 An. c. 10.
f. 2.

XVII. Provided always, and be it enacted by the authority
aforesaid, That no person shall have power to take, use, or
seize any horses for the service mentioned in this act, without
the consent of the owners thereof; any usage or pretence, or
any thing in this act contained to the contrary thereof in any
wise notwithstanding.

XVIII. Provided always, and be it enacted by the authority
aforesaid, That all inland letters sent by any packet-post esta-
blished by this act as aforesaid, do and shall pay the rates and
prices beforementioned, at such stage where they are last de-
livered only, unless the party that delivers the letters desireth
to pay elsewhere; any thing in this act to the contrary not-
withstanding. Provided always, That all letters, and other
things, may be sent or conveyed to or from the two universities
in manner as heretofore hath been used; any thing to the con-
trary notwithstanding.

CAP. XXXVI.

The master of the rolls for the time being is impowered to make leases for
years in order to new build the old houses belonging to the rolls.
13 Car. 2. stat. 1. c. 14.

CAP. XXXVII.

An act for making the precinct of Covent-Garden parochial.

The END of the Seventh VOLUME.