



ROYAL GAZETTE.

[SUPPLEMENT.]

FREDERICTON, NEW BRUNSWICK, SATURDAY, FEBRUARY 18, 1843.

PROVINCIAL LEGISLATURE.

[Extracts from the Journals.]

House of Assembly, Wednesday, 8th February, 1843.

POST OFFICE PATRONAGE.

(Copy.)

[No. 94.]

Downing Street, 27th August, 1842.

SIR,—I enclose herewith for your information and guidance the copy of instructions about to be issued by the Postmaster General to his Deputies in British North America, for the future regulation of the patronage of the Colonial Post Office Department.

I have, &c.

(Signed)

STANLEY.

Lieutenant Governor Sir Wm. M. G. Colebrooke, &c. &c. &c.

(Copy.)

General Post Office, August, 1842.

SIR,—I am directed by the Postmaster General to state, that after a careful perusal of the Reports of the Commissioners of Enquiry into the Post Offices of British North America, His Lordship has come to the conclusion that the period is now arrived at which it will be expedient to place in the hands of the officers administering the Government to Her Majesty's Provinces in that quarter under certain limitations, the patronage hitherto exercised by yourself as Deputy Postmaster General under His Lordship's authority in (Canada, Nova Scotia, New Brunswick, and Prince Edward's Island,) and that having communicated with the Lords of the Treasury on the subject, their Lordships have concurred in the arrangement.

It is accordingly to be understood for the future, that all first appointments, excepting the situations of Deputy Postmaster General, Accountant and Surveyor's Clerks, should it be found necessary to appoint them, the privilege of nominating to which will still be retained by the Postmaster General, will be vested in the Governor or Lieutenant Governor of the Province; but that the promotions will still be made by you, subject however, to the confirmation of the Postmaster General, to whom each case must be reported as it occurs.

With reference to the term "first appointments," it must be understood that under this head are classed the appointments of Clerks upon their first entrance into the service, all Postmasters and Way Office Keepers, as well as those of all Conductors, Guards, Messengers, Porters, Letter Carriers, Stampers, and Office Keepers; those of the Deputy Postmaster General, Accountant, and Surveyors, and their Clerks, if appointed hereafter, to which I have above alluded, being the only exceptions. Couriers, too, who are paid by fixed salaries, where the service is not put up to Public Competition, (as Mail contracts and Riding work contracts are in this Country,) are to be regarded in the same light.

The regulations to be observed with respect to promotion are founded upon the same principles as those in use in this Country, which are as follows:—

Each Department must be considered as a separate Establishment, whether it be the office of the Deputy Postmaster General, that of the Accountant, or of the Chief or other Post Office of the Province. A Clerk therefore in your own office should not be removed into the Accountant's office if a vacancy occurred there; but the vacancy in the office of the Accountant should remain at the disposal of the Governor, the appointment to be filled up being that of the junior, the other officers being promoted by you if properly qualified for the situation.

If those next in succession are not properly qualified, the Deputy Postmaster General for the time being, will be required to give in to the Governor or Lieutenant Governor, the names of the two or three other parties in other Departments who are properly qualified, when the vacancy will of necessity take place in that office from which the individual qualified has been promoted.

It must be also clearly understood, that the Deputy Postmaster

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General will not hereafter be entitled to promote a Postmaster from an inferior to a superior Postmastership.

When a vacancy occurs therefore in a Postmastership at any particular place, the Governor or Lieutenant Governor, as the case may be, will appoint a new Postmaster at that place where the particular vacancy has arisen; and should a person already acting as a Postmaster, whether in the same or another Province, be appointed to the vacant office, the vacancy occasioned by such a proceeding will be filled up by the Governor or Lieutenant Governor of the Province in which the vacancy occasioned by the recent appointment may exist.

As Clerks form a distinct class, if a vacancy arises amongst them, application must be made to the Governor for another Clerk as a successor, as the vacancy must not be filled up by the Deputy Postmaster General, from the Stampers or Letter Carriers.

Stampers and Letter Carriers will be considered as forming a separate class, the Deputy Postmaster General therefore may promote Letter Carriers to the situations of Stampers; in such cases the vacancy to be filled up by the Provincial Authorities will be the situations of Letter Carriers.

To protect the Department as far as possible against the appointment of incompetent persons, a certificate must be given by the head of the office at the expiration of three months, that the individual nominated is qualified to fill his situation; the term may however be extended to six months at the pleasure of the Deputy Postmaster General.

A bond must also be required upon the appointment of every person, whatever may be the situation, the amount of which, however, will be fixed by the Postmaster General in England, who will consult the Governor of the Province as to the sum which may be most consistent with the customs and feelings of the country.

To enable you to carry out these regulations, I herewith enclose copies of the forms used in this Department.

Form No. 1, to be filled up by the various Postmasters throughout (Canada, Nova Scotia, New Brunswick, and Prince Edward's Island,) upon the occurrence of a vacancy in the situations of the Clerks, Conductors, Messengers, Stampers, Letter Carriers, Foot Passengers, Couriers, Guards, &c. connected with their office, and which must be transmitted by them to you immediately the situation falls vacant.

Form No. 2, being a Report of the vacancies of Clerks, Letter Carriers, Runners, &c. as well in your own Department as throughout (Canada, Nova Scotia, New Brunswick, and Prince Edward's Island,) and which must be filled up by you weekly, and forwarded to the Governor or Lieutenant Governor.

Form No. 3, being a Report of the vacancies of all Postmaster-ships and Receiverships throughout (Canada, Nova Scotia, New Brunswick, and Prince Edward's Island,) to be dealt with in the same manner as the preceding form.

CRIMINAL LAWS.

Extract of a Despatch from Lord Stanley to Sir Wm. Colebrooke. [No. 96.]

Downing Street, 30th August, 1842.

I have had under my consideration five Acts passed by the Legislature of New Brunswick in the months of March and April last, and transmitted in your Despatch, No. 61, of the 14th of June last, entitled—

(No. 1421) "An Act to amend the Law relating to the punishment of offences:"

(No. 1422) "An Act to amend the Law relating to Burglary:"

(No. 1423) "An Act further to amend the Law relating to offences against the person:"

(No. 1424) "An Act to amend the Law relating to Robbery:"

and

(No. 1425) "An Act to amend the Laws relating to burning or destroying Buildings and Ships."

The last four of these Acts have been framed with the intention of assimilating the Law in New Brunswick, on the subjects of them,

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