

Jamaica Post Office Act of 1860

ANNO REGNI VICESIMO TERTIO
VICTORIA REGINAE
(SESSION 3)
C A P. I.

An Act to Provide for the Management of the Post Office Department in this island.
[13th April 1860.]

WHEREAS it is expedient to provide for the management of the post office department, in this island: Be it enacted by the governor, legislative council, and assembly of this island, and it is hereby enacted by the authority of the same, as follows:

First – The post office in and throughout this island shall be managed by the postmaster, to be appointed under the authority of this act.

Second – The said postmaster shall be, and is hereby authorized from time to time to prepare, alter, or amend all rules, orders, and regulations (subject to the approval of the governor), for the general government, guidance, and conduct of the post office, and all and every the officers in such department, which rules, orders, and regulations, alterations, or amendments, shall be in force and effect, as soon as the same shall have been sanctioned by the governor, and a copy thereof respectively shall be laid before each branch of the legislature within [fourteen] days after the meeting of the session next ensuing after the making thereof; and, until such rules, orders, and regulations, alterations, or amendments shall be made and sanctioned by the governor, as aforesaid, the post office shall be regulated, and the officers thereof governed by the rules, orders, and regulations hitherto in practice in the post office department, under the management and control of the postmaster-general in England.

Third – If any dispute shall arise between any person and any officer of the post office, in respect of the management or business of the postal department, it shall be lawful for the governor to dispose of, or determine such dispute, in such manner as he may deem just.

Fourth – If, upon the consideration of the facts and circumstances out of which such dispute arose, the governor shall be of opinion that any penalty or forfeiture has been incurred by any such person, he may, in case he shall be of opinion that the penalty ought to be remitted, remit and forego the same accordingly; or, if he shall be of opinion that a mitigated penalty should be imposed and enforced, may mitigate any such penalty or forfeiture to such an amount as he may deem a sufficient satisfaction for the breach of law or regulation complained of.

Preamble.

The post office to be managed by the postmaster.

who shall prepare rules for its government subject to the approval of the governor, which rules shall be laid before each branch of the legislature.

Until each rules are made regulations now in practice shall continue.

Disputes to be settled by governor.

who may remit or forego penalties etc.

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Fifth – Previously or subsequently to the commencement of any prosecution for the recovery of any fine, penalty, or forfeiture incurred under any act of the legislature of this island, or any other act in force in this island relating to the post office, it shall be lawful for the governor, if he is satisfied that such fine, penalty, or forfeiture was incurred without any intention of fraud, or that it is inexpedient to proceed in the said prosecution, to mitigate, reduce, or forego altogether such fine, penalty, or forfeiture; and, if commenced, to stop all further proceedings, by directing her majesty's attorney general to enter a nolle prosequi, or otherwise, on such information or proceeding, if filed.

mitigate fines or forfeitures, and direct nolle prosequi to be entered.

Sixth – All commissions, deputations, and appointments, granted to any officer of the post office, in respect to any office which may be continued under this act, and all contracts for the post office service, in force at the time of the commencement of this act, shall continue in force and effect as if the same respectively had been afterwards granted or entered into under and by virtue of the authority of this act; and all bonds, which shall have been given by any such officers or contractors, and their respective sureties for good conduct, proper performance, or otherwise, shall remain in full force and effect, and shall enure, from the commencement of this act, to the use and benefit of the public of this island; but it shall be lawful for the postmaster, with the sanction of the governor, to require and take fresh security from any officer or contractor in such amount, and with such sureties, and to determine any contract, and to enter into any new contract, as he may think fit.

Commissions etc. of officers, contracts, and bonds continued in force.

Seventh – It shall be lawful for the governor, by his warrant, from time to time to appoint the hours of general attendance of the respective officers, and other persons in the service of the post office at their proper offices and places of employment.

Postmasters may take fresh security, determine contracts, and enter into new ones.

Eighth – No officer of the post office department shall, during the time of his acting as such officer, or of his being so employed as aforesaid, be compelled to serve in any corporate, or parochial, or other public office or employment, or to serve on any jury, or inquest, or in the militia, any law, custom, or usage to the contrary thereof notwithstanding; nor shall any officer of the general post office, in Kingston, be engaged in any trade or business.

Governor to appoint hours of general attendance.

No officer of post office to serve in any corporate or other office, etc. or engage in business in Kingston.

Ninth – The officers of the post office department, whose offices are mentioned in the schedule to this act annexed, shall be paid salaries not exceeding, the sums set opposite to the respective paid therein mentioned.

Officers in schedule to be paid salaries therein mentioned.

Tenth – The deputy post masters shall continue to receive and be allowed the salaries, or commissions in lieu of salaries, and allowances, now paid or allowed to them respectively, or such salaries, or allowances in lieu of salaries, as the legislature may hereafter fix.

Deputy postmasters to continue to receive present salaries.

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Eleventh – The person to be from time to time hereafter appointed by the governor, master of the post office in this island, shall be styled the postmaster for Jamaica; and the appointment to the office of postmaster, on the commencement of this act, and thereto, and of the several clerks and deputies, as vacancies occur thereafter, shall be made by the governor, who shall have power, from time to time, to remove for incompetency or neglect, or misconduct in office, any person employed in the post office service, and to make a new appointment in the room of any person who shall be removed, or shall die, resign, or otherwise vacate his office or appointment: And wheresoever, within this island, posts or post communications are now or may be here- after established, the governor, with the advice of the executive committee, by the postmaster, and the several clerks and deputies, and their respective servants and agents, shall have the exclusive privilege of conveying from one place to another, and of receiving, collecting, sending, despatching, and delivering all letters, papers, and parcels, except in the like cases as are respectively excepted in any net for the management of the post office in the united kingdom of Great-Britain and Ireland.

Twelfth – Any commission or appointment issued to any person at present employed in the post office, on his re-appointment to the same, or any other office under this act, shall he free from any stamp duty.

Thirteenth – The several rates of inland postage now payable and demandable shall continue to be payable, demandable, and enforceable in like manner as the same are now paid and enforced throughout this island; but it shall be lawful for the governor, with the advice of the executive committee, by warrant under his hand, to reduce any rate of inland postage to any other rate of inland postage he may, from time to time, think fit; which reduced rate shall be payable, and enforceable, in like manner as, and in lieu of the previous rate.

Fourteenth – Any printed copy of the Jamaica Gazette, by authority, purporting to be printed and published by any person having authority to print and publish the same, or if the publication of the said Gazette shall, from any cause cease, or not be made, then any printed copy of any public newspaper which is or shall be appointed for the publication of advertisements of a public nature, shall he admitted as evidence in all courts and places, of any governor's warrant, or any rule or regulation which shall be issued under this act, and contained in any such Gazette or newspaper, and of the due issuing thereof, and of the rules and regulations contained in any such warrant, having been duly made and established, and of the other contents of any such warrant, rule, or regulation, without any further or other proof.

Postmaster for Jamaica to be appointed by the governor. Vacancies to be filled by governor, who may remove for incompetence etc.

Governor etc to have exclusive privilege of carrying letters.etc

Commissions to persons now employed in post office exempted from stamp duty.

Present rates of inland postage to continue.

Governor may reduce same.

Copy of Jamaica Gazette etc. Evidence of warrant etc published therein.

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Fifteenth – The postage of all letters passing through the post offices in this island, and not intended to be sent out of the island may, at the option of the parties sending the same, be chargeable on the delivery thereof, as addressed, or be pre-paid in coin or by adhesive post office stamps, of the amount chargeable upon such , letters, respectively placed thereon; and, in all cases in which any such letters shall be posted, paying, thereon, or affixed thereto, any stamp or stamps, the value or amount of which shall be less than the rate of postage, to which such letters are liable, there shall be charged on such letters a postage of double the amount of the difference between the value of such stillly or stamps and the postage to which such letters are liable, as aforesaid.

Postage of letters etc may be prepaid with coin or stamps.

Sixteenth – The executive committee shall, from time to time, provide proper and sufficient post office adhesive stamps, and dies, or other implements for expressing and denoting such rates or duties of such value or amount as the governor, with their advice, may direct for the purposes herein mentioned; and it shall be lawful for the receiver-general to issue for the purposes of this act, to the postmaster such stamps, when the same shall have been provided.

Penalty for affixing insufficient stamps.

Executive committe to provide stamps, dies and adhesive stamps.

Seventeenth – The receiver-general and commissioner of stamps shall cause a separate account to be kept of the stamp duties arising under this act.

Receiver-general etc to keep account of stamp duties.

Eighteenth – The rates or duties which shall be expressed or denoted by any such stamps or dies as aforesaid, shall be denominated and deemed to be stamp duties, and shall be under the care and management of the receiver-general and commissioner of stamps for the time being; and all the powers, provisions, clauses, regulations, directions, fines, forfeitures, pains, and penalties contained in, or imposed by the several acts now or hereafter to be in force relating to stamp duties shall (so far as the same shall be applicable, and may be consistent with the provisions of this act), in all cases not hereby expressly provided for, be of full force and effect with respect to the stamps to be provided or issued under or by virtue of this act, and to the papers on which the same shall be impressed, or to which the same shall be affixed, and shall be observed, applied, enforced, and put in execution for the raising, levying, collecting, and securing of the rates or duties denoted thereby, and for preventing, detecting, and punishing all frauds, forgeries, and other offences relating thereto, as fully and effectually, to all intents and purposes, as if such powers, provisions, clauses, regulations, and directions, fines, forfeitures, pains, and penalties had been herein repeated, and specially enacted: Provided always, That the receiver-general and commissioner of stamps shall not make, or allow any allowance or discount on the payment to them of any of the said duties arising under this act, or on the purchase from them of any stamps denoting the said duties.

Rates of duties expressed by any such stamps or dies, deemed to be stamp duties.

and all powers etc. Contained in exisying acts to be of full force with respect to the stamps to be issued under the act.

Proviso.

Nineteenth – All letters, papers, and parcels respectively to or from the united kingdom of Great Britain and Ireland, or any of her majesty's colonies or dominions, which shall have been prepaid according to the respective rates now or hereafter to be established by her majesty's postmaster general, or other legislative or proper authority, shall pass through the post offices in this island free of any further or oilier postage, or charge thereon.

Letters etc to or from Great Britain, prepaid, to pass through post-offices free of further postage.

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Twentieth – All moneys received or collected for postage at the general post office in Kinston, and all moneys remitted by the deputy post-masters to the post-master, shall be paid by him, at the end of every week, into the hands of the receiver-general, who shall open and keep, in the books of public accounts, an account, to be entitled "JAMAICA POST OFFICE ACCOUNT", in which shall be duly entered all items of receipts and expenditure, and all charges. received or incurred on account of the management of the post office department of this island; and any surplus of revenue, after payment of all contingent charges shall be appropriated to the support of the government of this island.

Moneys to be paid weekly to the receiver-general, who must keep an account of same.

Passed the Assembly, this 12th day of April, 1860.
C. McLARTY MORALES, Speaker.

Passed the Legislative Council, this 13th day of April, 1860.
W. G. STEWART, Clerk to the Legislative Council.

I consent, this 13th day of April, 1860.
C. H. DARLING.
VERA COPIA EXTUR.