

Report by Crown solicitor on Law No 18 of 1868 – [attached to the Act].

This law differs from the preceding Post office Law of Jamaica in this, that whilst the former acts referred to and incorporated the English Post Office Laws, the present law does not introduce these laws referentially, but it sets out the clauses of the English acts as substantive parts of the present law, thus giving the clauses in detail which otherwise had to be searched for through several statutes.

The rates of postage are specified in the schedule.

The postage on letters and Newspapers are optional that is they may be sent with payment chargeable on delivery or they may be prepaid.

Parcels and Book Packets passing through the Island Post office are to be prepaid; and will not be forwarded unless prepaid to the extent of at least one rate of postage.

In the case of parcels and Book Packets an addition equal to the full ordinary rate of postage may be recovered as a fine in case of failure of payment for deficit.

The Governor in Privy Council may vary the rates of postage but not exceed the rates in the schedule, and the Governor in Privy Council may also direct that the postage in all cases shall be prepaid, and that an additional postage equal to one ordinary rate of postage may in that case be recovered by way of fine, where there shall be a failure or deficit in the prepayment.

The Governor is authorized to extend the money order system to her Majesty's Colonies and Dominions, and the United States of North America, in addition to the places under the former law.

Signed A Aikman  
Solicitor General

Correspondence Book C0137/435

From the Governor (Sir John Peter Grant) to the Duke of Buckingham and Chandos  
Kings House  
8<sup>th</sup> August 1868

My Lord Duke,

I have the honor to transmit to your Grace a duly authenticated copy of a law passed by the Governor of Jamaica with the advice and consent of the Legislative Council thereof, intitled No 18 of 1868 "A law to provide for the management of the Post office in the Island.

I enclose a Report by the Crown Solicitor on this law.

The former Post Office Law merely referred to the clauses of the English Post Office Acts which had been adopted in Jamaica – thus rendering a reference to the Imperial Statute necessary in order to ascertain the provisions in force here. The present law embodies the several clauses of the English Act as substantive parts of the law.

I have the honor to submit the law for Her Majesty's Gracious sanction.

I have the honor to be ....

Jamaica Post Office Law (18) of 1868

JAMAICA N° 18 of 1868  
A Law to Provide for the Management of  
the Post Office in this island.  
[25th May, 1868.]

Be it enacted by the governor of Jamaica, with the advice and consent of the legislative council thereof, as follows:

First – The post office in and throughout this island shall be under the management of the postmaster for Jamaica, already appointed, or hereafter to be appointed.

Post office under postmaster for Jamaica

Second – The postmaster for Jamaica, and the several district, postmasters, and the other officers and persons who are, or shall be employed in the service of the post office department, shall hold their offices and places during pleasure; and on the removal, death, or resignation of the postmaster for Jamaica, or of any of the said other officers or persons, the governor may from time to time appoint a successor, with the like powers, authorities, and duties.

Offices in the post office to be held during pleasure.

Third – All commissions, and appointments, granted to any of the officers of the post office, in force at the commencement of this law, shall continue in force as if the same had been granted under this law.

Commissions, and appointments existing at commencement of this law continued in force.

Fourth – All places now used for the receipt and delivery there of letters, newspapers, parcels, and book packets for transmission by the post, shall remain and be continued as such; and the governor may from time to time appoint other places for the like purposes, and appoint at any such place or places district postmasters, or other officers, whose appointment shall be in every respect as, and subject in like manner as other appointments of officers; and the governor may discontinue any place appointed, or to be appointed for the purposes aforesaid.

Places now used as post offices retained but governor may appoint others, and may discontinue any.

Fifth – No person hereafter appointed shall be capable of holding the office of postmaster for Jamaica, or of being an officer of the post-office, unless such person shall have first made and subscribed the following declaration before a justice of the peace, acting for the place where such person resides, which declaration such justice shall (on application to that effect), administer and take accordingly:

Future officers of the post office to take the declaration in this section.

I do solemnly and sincerely declare, that I will not wittingly or willingly open or delay, or cause or suffer to be opened or delayed, contrary to my duty, any letter, or anything sent by the post, which shall come into my hands or custody by reason of my employment relating to the post-office, except by the consent of the person or persons to whom the same shall be directed, or by an express warrant, in writing, under the hand of the governor, or under his authority for that purpose, or except in such cases where the party or parties to whom such letter, or anything sent by the post shall be directed, and who is or are chargeable with the payment of the postage thereof, shall refuse or neglect to pay the same, and except such letters, or anything sent by the post, as shall be returned for want of true directions, or when the party or parties to whom the same shall be directed cannot be found; and that I will not in any way embezzle any such letter, or anything sent by the post as aforesaid; and I make this solemn declaration conscientiously intending to fulfil and obey the same, and by virtue of the provisions of " The Post Office Law, 1868."

Declaration.

This declaration was made before me the \_\_\_\_ day of

Sixth – No officer of the post office shall be compelled to serve in any corporate, or public, or parochial office or employment, or on any jury or inquest, or in the militia, any law or custom to the contrary notwithstanding; nor shall any officer of the general post office in Kingston be engaged in any trade or business.

Officers of post office not liable to serve as jurors

Jamaica Post Office Law (18) of 1868

Seventh – The postmaster for Jamaica, by himself or by the other officers and servants of the post office, shall have the exclusive privilege of conveying from one place to another, between which postal communication is or may hereafter be established, and of receiving, collecting, sending, despatching, and delivering all letters, except in the following cases, that is to say:

Exclusive privilege of the post office.

1 Letters sent by a private friend in his way, journey, or travel, so as such letters be delivered by such friend to the party to whom they shall be directed:

Exceptions

2. Letters sent by a messenger on purpose, concerning the private affairs of the sender or receiver thereof:

3. Process, or proceedings, issuing out of a court of justice:

4. Letters sent out of the island by a private vessel (not being a packet-boat):

5. Letters of merchants, owners of vessels, of merchandize, or the cargo or loading therein sent by such vessels of merchandize, or, by any person employed by such owners for the carriage of such letters, according to their respective directions, and delivered to the respective persons to whom they shall be directed, without paying or receiving hire or reward, advantage or profit for the same, in anywise:

6. Letters concerning goods or merchandize sent by common known carriers to be delivered with the goods which such letters concern, without hire or reward, or other profit or advantage for receiving or delivering such letters:

But nothing herein contained shall authorise any person to make a collection of such excepted letters for the purpose of sending them in the manner hereby authorized:

The following persons are expressly forbidden to carry a letter, or to receive, or collect, or deliver a letter, although they shall not receive hire or reward for the same (that is to say):

Persons prohibited to carry letters.

1. Drivers of mail carts or carriages, mail-couriers, or persons in charge of mails:

2. Common known carriers, their servants or agents, except a letter concerning goods in their carts, waggons, or carriages, or on their pack animals:

3. Owners, masters, or commanders of ships, vessels, steamboats, or boats called, or being passage or packet-boats, or droghers, wherries, or ferry-boats sailing or passing coastwise from places within this island, or otherwise, between, to, or places or their servants or agents, except in respect of letters of merchants, owners of ships, or goods on board:

4. Passengers or other persons on board any such ships, vessels, steam-boats, or boats called, or being passage or packet-boats, or droghers, wherries, or ferry-boats, except messengers sent specially concerning the private affairs of the sender or receiver thereof.

Eighth – The several rates of inland postage specified in the schedule to this law annexed, shall be payable and demandable on all letters, newspapers, parcels, and book-packets passing through the post-offices in this island.

Rates of postage in schedule demandable.

Ninth – The postages on all letters, and newspapers, not intended to be sent out of the island, passing through the post offices of this island, or posted at, to be delivered from any post office, 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 postage stamps, equal to the amount chargeable on such letters, or newspapers, respectively placed thereon.

Prepayment of postage on letters and newspapers optional.

Tenth – The postages on all parcels and book-packets, not intended to be sent out of this island, passing through the post offices, or posted at, to be delivered from any post office, shall be prepaid by adhesive postage stamps, of a value equal to the amount of the postage chargeable thereon respectively: Provided, That no parcel or book-packet shall be forwarded by the post, unless the same shall be pre-paid as aforesaid, to the extent of at least one rate of postage.

Postage on parcels and book packets to be prepaid.

Jamaica Post Office Law (18) of 1868

Eleventh – Where any letter, newspaper, parcel, or book-packet shall not be duly prepaid, the postage, or deficient postage thereon, shall be paid by the person to whom the same shall be addressed before the delivery thereof to him; and that in the case of parcels and book-packets, with an addition to the ordinary rate of postage, of a sum equal to the full ordinary rate of postage on such parcel or book-packet; and in case of the refusal of the person to whom such letter, newspaper, or parcel, or book-packet, shall be addressed to receive the same, or if he cannot be found, the postage and additional postage, if any, and costs, shall be recovered from the sender, in like manner as the postage under this law.

Recovery of deficient postage.

Twelfth – It shall be lawful for the governor, with the advice and consent of the privy council, from time to time to vary or alter the rates set forth in the schedule to this law annexed, provided that the rates in the said schedule shall not be at any time exceeded; it shall also be lawful for the governor, with the advice and consent aforesaid, to direct that the postage of all letters and newspapers posted in this island, addressed to any place within this island, shall be prepaid at the time of the same being posted, either in coin or by adhesive postage stamps placed thereon, equal to the amount chargeable on such letters or newspapers respectively; and that where such letters or newspapers shall not be duly prepaid, the postage, or deficient postage thereon, shall be paid by the person to whom the same shall be addressed, before the delivery thereof to him, with an addition of a sum equal to the full ordinary rate of postage on such letters or newspapers; and in case of the refusal of the person to whom such letter or newspaper shall be addressed to receive the same, or if he cannot be found, that the postage and additional postage, and costs, if any, shall be recovered from the sender in like manner as the postage under this law.

Governor with advice of Privy Council may vary rates, and direct postage to be prepaid.

Thirteenth – No printed newspaper, parcel, or book-packet shall be sent by the post at rates other than letter-rates, unless the following conditions shall be observed:

Conditions on which newspapers, parcels and book-packets may be sent by post.

1. It shall be sent without a cover, or in a cover open at the sides or ends:
2. There shall be no words or communication written upon any part of such newspaper, parcel, or book-packet, or upon any part of the cover thereof, except the name and address of the person to whom sent; and, in the case of a parcel or book-packet, the name and address of the person sending the same:
3. There shall be no paper or communication of the nature of a letter enclosed in or with any such newspaper, parcel, or book-packet.

Provided, That it shall not be compulsory to send by post any newspapers, parcels, or book-packets.

Fourteenth – The postmaster for Jamaica, or the district postmasters, may examine any such newspaper, parcel, or book-packet, whether sent by the post without a cover or in a cover open at the sides or ends, in order to discover whether it is contrary in any respect to the conditions hereby required to be observed; and in case any one of the required conditions has not been fulfilled, the whole of every such newspaper, parcel, or book-packet, shall be charged at letter rates.

Officers to examine same, and if any condition disregarded, postage at letter rates.

Fifteenth – Letters transmitted by post, either to or from the governor, shall be exempt from inland postage; and the governor may from time to time authorise the transmission, free of inland postage, of the correspondence, on public any public department, or public officer.

Postage of governor, and of any public department authorized by the governor, free Registration of Letters

Sixteenth – Letters transmitted by the post may be registered upon payment of the rates in the schedule to this law annexed, in addition to the ordinary postage; but such registration shall not render the postmaster for Jamaica, or any officer of the post office, or the public revenue, in any manner liable for the loss of any such registered letter, or its contents; and all registered letters shall be delivered to the post office, and also be delivered by the post office at or between such hours in the day, and under such regulations in every respect, as the governor shall from time to time appoint.

Jamaica Post Office Law (18) of 1868

Seventeenth – The governor shall from time to time cause to be provided proper and sufficient postage stamps, for expressing and denoting the rates or duties of postage, and such stamps shall be kept in the custody of the receiver-general and commissioner of stamps.

Governor to provide postage stamps.

Eighteenth – The receiver-general, and commissioner of stamps, shall, from time to time, on the warrant of the governor, issue to the postmaster for Jamaica such stamps as shall have been provided for the purposes of this law.

To be issued to the postmaster for Jamaica,

Nineteenth – The receiver-general, and commissioner of stamps, shall cause a separate account to be kept of all stamps received and issued respectively for the purposes of this law, and of the stamp duties arising under the same.

Separate account thereof to be kept by receiver-general and commissioner of stamps.

Twentieth – The rates or duties which shall be expressed or denoted. By such stamps as aforesaid, shall be denominated and deemed to be stamp duties, and shall be under the control and management of the receiver-general, and commissioner of stamps for the time being and all the powers, provisions, clauses, regulations, directions; fines, forfeitures, and penalties contained in, or imposed by the law or laws for the time being, in force in relation to stamp duties, shall (so far as the same may be applicable, and may be consistent with the provisions of this law), in all cases not hereby expressly provided, be in full force and effect, with respect to the stamps to be provided under or by virtue of this law and to the paper 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 recovery of the rates or duties denoted thereby, and for preventing, 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 fires, forfeitures, pains, and penalties had been repeated and specially enacted with reference to the stamps and rates of duties under this law.

Duties denoted by postage stamps stamp duties, and subject to stamp duties law.

Twenty-first – All letters to or from the united kingdom of Great Britain and Ireland, or any of her majesty's colonies or Dominions, or any foreign country, which shall have been prepaid according to the respective rates now or hereafter to be established by her majesty, postmaster-general, or other legislative or proper authority, shall pass through the post offices in this island free of any further or other postage or charge thereon; and on letters to or from the united kingdom, or any of her majesty's colonies, or dominions, or any foreign country, whether wholly unpaid or insufficiently paid, there shall be charged such addition to the ordinary rate of postage as the governor may agree upon with the imperial post office authorities, or the governor, or other proper authority in any of such colonies, or dominions, or as may be sanctioned by her majesty's government in the case of any foreign country; but on any letters to or from any of her majesty's colonies, or dominions, or any foreign country, respecting which no special agreement shall have been made, there shall be chargeable the ship-letter postage, set forth in the schedule to this law, in addition to the ordinary inland rate of postage.

Postage on letters to or from the united kingdom, the colonies, and foreign countries.

Twenty-second – It shall be lawful for the postmaster for Jamaica, or the person in charge of the post, office at any outport, to pay to the master of any inward bound vessel for each letter, not from the united kingdom, which he shall deliver to such post office, the sum of two pence as a gratuity: Provided, That in case of letters from the united kingdom the gratuity paid shall be one penny; and it shall be lawful for the postmaster for Jamaica, or the person in charge of any post office as aforesaid, to pay to the master of any outward bound vessel a gratuity of two pence for each letter, addressed to any place not within the united kingdom (the gratuity upon letters to the united kingdom being payable on delivery there), which he shall undertake to deliver at any port or place at which the vessel shall touch in the course of her voyage.

Gratuity to masters of ships taking or delivering letters.

Jamaica Post Office Law (18) of 1868

Twenty-third – The following persons shall be entitled to have their letters free from sea-postage; (that is to say), the owners, charterers, or consignees of any inward bound vessel, and the owners, charterers, or consignees, or shippers of goods on board any such vessel; but the letters brought by any one vessel to any one such person shall not collectively exceed six ounces in weight; and the owner, charterer, or consignee shall be described as such on the address and superscription: In the case of owners, shippers, or consignees of goods, it shall also appear by the ship's manifest that they have goods on board the vessel; and the persons hereby exempted shall be entitled to have their letters, which come within the above conditions, before the master of the vessel delivers the other letters in his charge to the post office: provided, That if the master of the vessel shall deliver any such ship letter into the post office the same shall cease to be privileged, and shall be liable to the full rate of sea and inland postage.

Exemptions from sea postage.

Twenty-fourth – Every master or commander of a vessel, such vessel not being a post office packet, arriving in this island, shall cause all letters on board his vessel, not exempted under the preceding clause, to be collected and enclosed in some bag or other envelope, and to be sealed with his seal, and shall deliver the same to the postmaster at the port or place where the vessel shall report; and shall sign a declaration in the presence of such post. master, or other person authorized by the postmaster, who shall also sign the same; and such declaration shall be in the following form (that is to say):

Masters of vessels to deliver all letters at post office.

"I, A. B. master, or commander of the (state name of ship or vessel), arrived from (state 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 post office, every letter bag, package, or parcel of letters that were on board the (state vessel's name), except such letters as are exempted by law,"

Declaration.

And no officer of the customs shall permit any such vessel to report, until such declaration shall have been made and produced.

Twenty-fifth – Every master of a vessel who shall refuse, or wilfully neglect to make such declaration, shall forfeit the sum of twenty pounds; and every officer of the customs who shall permit such vessel to report, before the requisites of this law have been complied with, shall forfeit the sum of twenty pounds; and every master of a vessel who shall break bulk, or make entry before all letters on board, not exempted from postage, shall be sent to the post office, shall forfeit twenty pounds; and every master of a vessel, or any other person on board any ship liable to the performance of quarantine, who shall on demand neglect or refuse to deliver to the person or persons appointed to superintend the quarantine, all such letters in his possession, shall forfeit twenty pounds.

Penalty on refusing, etc to make or require declaration on making entry before delivery of letters.

Twenty-sixth – The person or persons appointed to superintend such quarantine is or are hereby authorized and required to receive and collect such letters; and due care and precaution having been exercised in respect to them, to deliver them to the post office for transmission in the usual manner.

Persons appointed to superintend quarantine to receive such letters.

Twenty-seventh – The governor may appoint any person to demand from the masters of vessels arriving at or of a port of the island, all letters on board the same, liable to postage, and the master of any such vessel shall forthwith deliver all such letters on board to such person, on his demanding the same.

Governor may appoint a person to demand letters from masters of vessels.

Twenty-eighth – Every person, being either the master of a vessel inward bound, or one of the officers, or one of the crew, or a passenger thereof, who shall knowingly have any letter, not exempted from postage, in his possession, after the master shall have sent the ship's letters to the post office, shall forfeit, for every letter, five pounds and whether the letter be in the baggage, or on the person of the offender, or otherwise in his custody, it shall be held to be in his possession; and every such person who shall detain any such letter, after demand made, either by the officer of customs, quarantine officer, or other person authorized to demand ship letters, shall forfeit, for every letter, ten pounds.

Penalty on masters, crew and passengers having letters.

Jamaica Post Office Law (18) of 1868

Twenty-ninth – Any officer of customs may search any vessel for letters which may be on board contrary to this law, and may seize all such letters, and forward them to the nearest post office; and the customs' officer, who shall so seize and send them, shall be entitled to a moiety of the penalties which may be recovered for any such offence.

Officers of customs to search any vessel for letters.

Thirtieth – Every master of a vessel arriving in this island, who shall not duly deliver, or cause to be delivered, a letter-bag entrusted to him for delivery, without the same having been wilfully opened, shall forfeit twenty pounds; and every person to whom letters, letters may have been entrusted by the master of a vessel to bring on shore, who shall break the seal, or in any manner wilfully open the same, shall forfeit twenty pounds.

Penalty on masters of vessels refusing to take letters, or not delivering on arrival, and on persons breaking the seal of a letter

Thirty-first – Every person who shall convey, otherwise than any letter required by this law to be conveyed by post, shall, for every letter, forfeit five pounds; and every person who shall be in the practice of so conveying letters required to be conveyed by post, shall, for every week during which the practice shall be continued, forfeit fifty pounds; and every person who shall perform, otherwise than by post, any services incidental to conveying letters from place to place, whether by receiving or by taking up, or by collecting, or by ordering, or by despatching, or carrying, or re-carrying, or by delivering a letter required to be conveyed by post, shall forfeit, for every letter, five pounds; and every person who shall be in the practice of so performing any such incidental services shall, for every week during which the practice shall be continued, forfeit fifty pounds; and every person who shall send, or cause to be sent a letter, required to be conveyed by post, otherwise than by the post, or shall either tender or deliver a letter so required to be conveyed, in order to be sent otherwise than by the post, shall forfeit, for every letter, five pounds; and every person who shall be in the practice of committing any of the acts last-mentioned, shall, for every week during which the practice shall be continued, forfeit fifty pounds; and every person who shall make a collection of excepted letters, for the purpose of conveying or sending them otherwise than by the post, shall forfeit for every letter five pounds; and every person who shall be in the practice of making a collection of excepted letters for that purpose, shall forfeit, for every week during which the practice shall be continued, fifty pounds: And it is hereby declared, that the term "post," shall herein include all post communications by land or by water (except by outward bound vessels, not being post-office packets): And the above penalties shall be incurred whether the letter shall be sent singly or with anything else, or such incidental service shall be performed in respect to a letter either sent or to be sent singly, or together with some letter or thing; and in any proceeding for the recovery of any such penalty, the onus shall lie upon the party proceeded against to prove that the act, in respect of which the penalty is alleged to have been incurred, was done in conformity to this law.

Penalty on persons conveying letters otherwise than by post

Thirty-second – Every person employed by or under the post office, who shall, contrary to his duty, open or procure, or suffer to be opened a post letter, or shall wilfully detain, or delay, or procure, or suffer to be detained or delayed a post letter, shall be guilty of a misdemeanor, and, being convicted thereof, shall suffer Such-punishment, by fine or imprisonment, or by fine and imprisonment, as to the court shall seem meet.

Person in employment of post office opening or wilfully detaining a post letter misdemeanor

Thirty-third – Every person employed by or under the post office, who shall steal, or for any purpose whatever embezzle, secrete, or destroy a post-letter, shall be guilty of felony, and shall, at the discretion of the court, be imprisoned, with or without hard labour, for any term not exceeding two years; and if any such post-letter, so stolen or embezzled, secreted or destroyed, shall contain any chattel or money whatsoever, or any valuable security, every such offender shall be imprisoned, with or without hard labour, for any term not exceeding four years.

Stealing or embezzling letters felony

Thirty-fourth – Every person who shall steal from or out of a post-letter, any chattel, or money, or valuable security, shall be guilty of felony, and shall be imprisoned, with or without hard labour, for any term not exceeding four years.

Stealing out of a letters felony

Jamaica Post Office Law (18) of 1868

Thirty-fifth – Every person who shall steal a post letter-bag, or a post letter from a post letter-bag, or shall steal a post letter from a post office, or from an officer of the post office, or from a mail, or shall stop a mail with intent to rob or search the same, shall be guilty of felony, and shall be imprisoned, with or without hard labour, for any term not exceeding four years.

Stealing post letter bag or letter from post letter bag felony.

Thirty-sixth – Every person who shall steal or unlawfully take away a post letter-bag, sent by a post office packet, or who shall steal or unlawfully take a letter out of such bag, or shall unlawfully open such bag, shall be guilty of felony, and shall be imprisoned, with or without hard labour, for any term not exceeding four years.

Stealing bag sent by post office packet or any letter therefrom felony

Thirty-seventh – Every person who shall receive any post letter or post letter-bag, or any chattel, or money, or valuable security, the stealing, taking, or embezzling whereof shall amount to a felony under this law, knowing the same to have been feloniously stolen, taken, embezzled, or secreted, and to have been sent, or to have been intended to have been sent by the post, shall be guilty of felony, and may be indicted and convicted, either as an accessory after the fact, or a substantive felony; and, in the latter case, whether the principal felon shall or shall not have been previously convicted, or shall or shall not be amenable to justice; and every such receiver, however convicted, shall be liable to imprisonment, with or without hard labour, for any term not exceeding four years

Receivers of such stolen letters etc guilty of felony.

Thirty-eighth – Every person who shall fraudulently retain, or shall wilfully secrete, keep, or detain, or, being required to deliver up by an officer of the post office, shall neglect or refuse to a post letter, which ought to have been delivered to any other person, or a post letter-bag or post letter, which shall have been missent, whether the same shall have been found by the person secreting, keeping, or detaining, or neglecting, or refusing to deliver up the same, or by any other person, shall be guilty of a misdemeanour, and, being convicted thereof, shall be liable to be punished, by fine or imprisonment, or by fine and imprisonment, in the discretion of the court.

Fraudulently retaining a letter which ought to have been delivered to another misdemeanour.

Thirty-ninth – Every person who shall solicit, or endeavour to procure any other person to commit a felony or misdemeanour, punishable under this law, shall be guilty of a misdemeanour, and, on conviction, be liable, at the discretion of the court, to imprisonment for any term not exceeding two years.

Soliciting, to commit felony or misdemeanour.

Fortieth – The offence of every offender against this law may be dealt with and indicted and tried and punished and be laid and charged to have been committed in any parish or place where the offence was committed, or where the offender shall be apprehended or be in custody; and where the offence shall be committed in or upon or in respect of a mail, or upon a person engaged in the conveyance and delivery of a post letter-bag or post letter, or in respect of a post letter-bag or post letter, or a chattel, or money, or valuable security sent by the post, such offence may be dealt with and indicted and tried and punished and laid and charged to have been committed as well in any parish or place in which the offender shall be apprehended or be in custody, as also in any parish or place through any part whereof the mail, or the person, or the post letter bag, or post letter, or the chattel, or the money, or the valuable security sent by the post in respect of which the offence shall have been committed, shall have passed in due course of conveyance or delivery by the post.

Venue in indictments.



Jamaica Post Office Law (18) of 1868

Forty-first – In any case where an offence shall be committed in respect of a post letter bag, or a post letter, or a chattel, money, or valuable security sent by the post, it shall be lawful to lay, in the indictment against the offender, the property of the post-letter bag, post-letter, chattel, money, or valuable security in the postmaster for Jamaica; and it shall not be necessary, in the indictment to allege, or to prove upon the trial or otherwise, that the post letter-bag, or any such post letter, or valuable security, was of any value; and in any indictment to be preferred against any person employed under the post office, it shall state that such offender was employed under the post office of Jamaica at the time of the committing of such offence, without stating further the nature or particulars of his employment.

Property may be laid in postmaster for Jamaica

Forty-second – Every person employed by or under the post office to convey or deliver a post letter-bag, or a post-letter, who shall whilst so employed, or whilst the same shall be in his custody, or possession, leave a post letter-bag, or a post-letter, or suffer any person, not being the guard or person employed for that purpose, to ride in or upon any carriage or cart used for the conveyance of a post letter-bag, or post letter, but not authorized to carry passengers, or upon any animal used for the conveyance of a post letter-bag, or post letter, or if any person, so employed as aforesaid, shall be guilty of any act of drunkenness, or of carelessness, negligence or other misconduct, whereby the safety of a post letter-bag, or a post letter shall be endangered, or who shall collect or receive, or convey, or deliver a letter otherwise than in the ordinary course of post, or who shall give any false information of an assault or attempt at robbery upon him, or who shall loiter on the road or passage, or wilfully misspend his time, so as to retard or delay the progress or arrival of a post letter-bag, or post letter, or who shall not use due and proper care and diligence safely to convey a post letter-bag, or post letter, at the rate of speed appointed by, and according to the regulations of the post office for the time being, being thereof convicted, shall forfeit five pounds.

Penalty on persons employed to convey or deliver a post letter bag or post letter guilty of carelessness, negligence, or misconduct.

Forty-third – Every person authorized by virtue of his office to frank official letters, who shall superscribe a letter as belonging to his office or department which does not concern the business thereof, shall, for every such offence, forfeit twenty pounds; and every clerk, or person employed in the office of any person so authorized to frank official letters as aforesaid, who shall superscribe a letter as belonging to such office or department, which does not concern the business thereof, shall, for every such offence, forfeit the sum of ten pounds; and every person who shall, with intent to evade any duty of postage, falsely superscribe a letter as being, the owner, or the charterer, or the consignee of a vessel conveying the same, or as the owner, or the shipper, or the consignee of goods shipped in such vessel, shall, for every such offence, forfeit ten pounds.

penalty on franking letters for other than official purposes.

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Forty-fourth – And whereas the letters of soldiers and seamen are permitted to pass through the post office, under certain conditions at a reduced rate of postage: Be it enacted, That every person having the command of a ship, or vessel, or regiment, or corps, or detachment, who is authorized to write his name, and the name of the ship, or of the vessel, or of the regiment, or corps, or detachment commanded by him, upon a single letter from a seaman, or soldier, privileged to send his letter at a reduced rate of postage, who shall wilfully write his name upon a letter that is not from and on the private concerns only of such seaman, or soldier so privileged, shall, for every such offence, forfeit five pounds; and every person, not having at the time the command of the ship, or vessel, or regiment, or corps, or detachment, to which a seaman or soldier so privileged belongs, who shall write his name upon a letter, in order that the same may be sent at a reduced rate of postage, shall, for every such offence, forfeit five pounds; and every person who shall procure a seaman or soldier to obtain the signature of his commanding officer upon a letter to be sent by the post, which shall not be on the private concerns of such seaman or soldier, and every such seaman or soldier who shall so obtain the signature of his commanding officer, in order to avoid the payment of the rates of postage, by law established, shall, for every such offence, forfeit five pounds; and every person who shall wilfully address a letter to such seaman or soldier, having the privilege aforesaid, which shall be intended for another person, or which shall be concerning the affairs of another person, with intent to evade the payment of the rate of postage by law established, shall, for every such offence, forfeit five pounds.

Penalty on the unauthorized transmission of soldiers or seamen's letters.

Forty-fifth – The governor may from time to time make, alter, or amend rules, orders, and regulations for the general government, guidance, and conduct of the post-office, and all and every the officers, clerks, agents, and servants in such department; and, until such rules, orders, and regulations shall be made, or in so far as any which may have been already made, may not extend or apply, the post office shall be regulated, and the officers, clerks, agents, and servants thereof shall be governed by the rules, orders, and regulations which are, or may be in practice in the post office department, under the management and control of the postmaster-general in England.

Governor to make and alter or amend rules etc.

Forty-sixth – The publication, in the "Jamaica Gazette by Authority", of any rule, regulation, warrant, or order made in pursuance or under the authority of this later, shall be sufficient evidence of such rule, regulation, warrant, or order.

Jamaica Gazette evidence of rules.

Forty-seventh – It shall be lawful for the governor, from time to time to make orders, rules, and regulations for authorising, sanctioning, or giving effect to any arrangements which require to be made with the government, or the postal authorities of the united kingdom, or of any of her majesty's colonies or dominions, or of any foreign country, with regard to the collecting and accounting for, or disposing of postage, the transmission of other matters connected with posts and postal business, the remuneration or indemnity to be paid or received under any such arrangements.

Governor may sanction arrangements with the government or postal authorities of the united kingdom, the colonies, or any foreign country.

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Forty-eighth – It shall be lawful for the governor from time to time to make orders and regulations:

Governor may make orders ;

1. With the sanction of the postmaster-general, or other the imperial postal authorities, in respect to the money-order system established with the united kingdom, and the payment of any orders drawn by postmasters in the united kingdom on postmasters in this island.
2. . For providing, when he deems it expedient, means for avoiding the risk of transmitting small sums of money through the post, and establishing a system of money-orders within this island, and fixing the terms on which such orders may be obtained.
3. For establishing the money-order system, so as to include the granting of money-orders on postmasters in her majesty's colonies or dominions, and in the United States of North America, and the payment of any orders drawn by such postmasters on postmasters in this island, on such terms and conditions as he may deem expedient.

Forty-ninth – All duties of postage continued or imposed by this law, or any previous act of this island, may be sued for and recovered with full costs of suit in a summary manner, before any two justices of the peace of the parish where the duties were demandable or payable, on the complaint of any postmaster.

Recovery of duties of postage

Fiftieth – All pecuniary penalties and forfeitures imposed by this law, and the act twenty-sixth Victoria, session one, chapter seven, or any act thereby continued in force, hereby declared to be recoverable, notwithstanding the expiration or repeal of the said last-mentioned act, may be recovered and enforced with full costs of suit, on the complaint of any postmaster, in a summary manner, before any two justices of the peace of the parish where the offence was committed, or the offender be apprehended, and, in default of payment, may be enforced by imprisonment not exceeding ninety days.

Recovery of Penalties

Fifty-first – The justices before whom any person shall be convicted of an offence under this law, subjecting him to a penalty thereunder, shall have power to mitigate the same when they see cause so to do: Provided, That all reasonable costs and charges in prosecuting for such offence shall always be allowed over and above the sum to which the penalty is mitigated.

Justices may mitigate penalties.

Fifty-second – All moneys received and collected for postage shall be paid by the postmaster for Jamaica to the credit of the general revenue of the island, at such times and in such manner as the governor shall direct.

Monies of postage to be paid by post- master for Jamaica to general revenue.

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Fifty-third – In this law the term "mail", shall include every conveyance by which post letters are carried, whether it be by a coach, or cart, or horse, or other conveyance; and also a person employed in conveying or delivering post letters; and also every Vessel which is included in the term "packet boat"; the term "post letter bag" shall mean a mail of letters, or a box, or a parcel, or any other envelope in which post letters are conveyed, whether it does or does not contain post letters; and the term "master of a vessel", shall include any person in charge of a vessel, whether commander, mate, or other person; and the expression "officer of the post office", shall include the postmaster for Jamaica, and any district postmaster, agent, officer, clerk, letter carrier, guard, post-boy, rider, or any other person employed in any business of the post office, whether appointed by the governor, or employed by the postmaster for Jamaica, or by any person under him, or on behalf of the post office; "persons employed by or under the post office," shall include every person employed in any business of the post office, according to the interpretation given to officers of the post office; according to the interpretation given to officers of the post office; the term "packet boat," shall include vessels employed under the general post office in the united kingdom, or by or under the post office of this island, for the transmission of post letters, and also ships or vessels (though not regularly employed as packet boats) for the conveyance of post letters under contract, and also a ship of war, or other vessel in the service of her majesty, in respect of letters conveyed by it; the term "postage," shall mean the duty chargeable for the transmission of post letters – the term "post letter," shall mean any letter, book, book, packet, or parcel transmitted by the post under the authority of the postmaster-general of the united kingdom, or of this law; and a letter shall be deemed a post-letter, from the time of its being delivered at the post office, to the time of its being delivered to the person to whom it is addressed; and a delivery to a letter carrier, or other person post, authorized to receive letters for the post, shall be deemed a delivery to the post office; and a delivery at the house or office of the person to whom the letter is addressed, or to him, or to his servant, or agent, or other person considered to be authorized to receive the letter, according to the usual manner of delivering that person's letters, shall be a delivery to the person addressed-; the term "post office" shall mean any house, building, room, or place where post-letters are received or delivered, or in which they are assorted, made up, or despatched; the term "ships," shall include vessels other than packet-boats; the term "ship-letter," shall mean a letter transmitted inwards or outwards overseas by a vessel not being a packet boat; the term "vessel," shall include any ship or other vessel other than packet-boat.

Interpretation clause.

Fifty-fourth – Notwithstanding the expiry or repeal of the twenty-sixth Victoria, session one, chapter seven, for the management Of the post office department in this island, any offence committed against, or penalty incurred under any provision of the said act, or any act thereby continued in force, may be prosecuted and punished, or proceeded for, as if the said act had not expired or been repealed; and all bonds to the crown, which shall have been given by the officers of the post office, and their respective sureties, for good conduct in their respective offices, or otherwise, shall remain in force; and all contracts entered into for the post office service, and all bonds, instruments, and other securities, for the due performance of the same, shall continue and remain in full force and effect; but it shall be lawful for the governor to require new or additional security from any officer or contractor, to such amount, and with such sureties, and to determine any contract, and to enter into any new contract, as he may think fit

Offences against and penalties under 26 Vic, secs 1, c7, may be punished and notwithstanding repeal.

Fifty-fifth – This law may be cited for all purposes as "The Post Office Law, 1868".

Short title.

Fifty-sixth – That this law shall come into operation upon the first day of July, 1868.

Commencement of this law.

Jamaica Post Office Law (18) of 1868

SCHEDULE OF POSTAGES

LETTERS.

	Not exceeding half an Ounce in Weight.	Above half an Ounce, and not exceeding one Ounce in Weight.	For each additional Ounce or fractional part of an Ounce in Weight.	
For a letter posted for town or office delivery	One penny	Two pence	Two pence	Letters posted at an office for delivery there from Pre-payment compulsory.
For a letter to be conveyed a distance not exceeding thirty miles	Two pence	Four pence	Four pence	Letters posted for office delivery, if not pre-paid, to be charged according to this rate.
For a letter to be conveyed a distance over thirty miles	Three pence	Six pence	Six pence	
For a letter to or from a seaman or soldier	One penny	(If exceeding half an ounce in weight, the ordinary rate of postage must be charged)		To be pre-paid and specially addressed.

BOOK PACKETS.

	Not exceeding four Ounces in Weight.	Above four Ounces, and not exceeding eight Ounces in Weight.	For each additional four Ounces or fractional part of four Ounces in Weight.	
For a book-packet	Two pence	Four pence	Two pence	No book-packet may exceed three lbs. in weight, nor exceed two feet in length, or one foot in width or depth.

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PARCELS.

	Not exceeding four Ounces in Weight.	Above four Ounces, and not exceeding eight Ounces in Weight.	
For a parcel	Three pence	Six pence	No Parcel may exceed eight Ounces in Weight, nor exceed two Feet in length, or one Foot in width or depth.

NEWSPAPERS AND PRICES CURRENT.

For each newspaper	One half penny	
For each price current	One half penny	

SHIP LETTERS

	Not exceeding half an Ounce in Weight.	Above half an Ounce, but not exceeding one Ounce in Weight.	For each additional half Ounce, or fractional part of an half Ounce in weight.	
For a ship letter	Four pence	Eight pence	Four pence	

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REGISTRATION.

By the prepayment of four pence any letter, newspaper, parcel, or book-packet may be registered for transmission by post within the island.

The ordinary rate of postage, together with the registration fee, must be paid at the time of posting. Any letter or thing marked, registered, or containing value, posted without having been duly registered, is liable to a registration fee of eight pence.

RE-DIRECTION.

Every re-directed letter, newspaper, parcel, or book-packet is liable to an additional postage at the ordinary rate, except such as are addressed to the military or navy, which must be delivered without additional charge for re-direction.