

Jamaica Post Office Act of 1908

JAMAIC LAW 51 of 1908.
The Post Office Law 1908.
28TH AUGUST 1908.

WHEREAS it is expedient that the several laws now in force for the management, and regulation of the Post Office of the Island, should be amended and consolidated into one law:

Preamble.

Be it enacted by the Governor and Legislative Council of Jamaica, as follows:-

1 – 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 to be under Postmaster for Jamaica.

2 – 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.

3 – 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 already existing to continue in force

4 – 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. The Governor may from time to time appoint other places for the like purposes, and the Postmaster for Jamaica may appoint at any such places District Postmasters, or other officers, and the Governor may discontinue any place appointed, or to be pointed for the purposes aforesaid.

Places now used as Post offices to continue as such, but other places and Officers may be appointed.

5 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 Post Office to subscribe the Declaration in this section.

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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, by virtue of the provisions of The Post Office Law 1908.

Declaration.'

This declaration was made before me the day of

6 – 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 on Jury etc.

7 – 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 privileges of 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:
2. Letters sent by a messenger on purpose, concerning the private affairs of the sender or receiver thereof:
3. Process proceeding 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 any wise:
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:

Exceptions.

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But nothing herein contained shall authorize 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, 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 from carrying 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 or otherwise, between, to, or from places within this Island, or their servants and 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, steamboats, 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.

8 – The several rates of inland postage specified in schedule A to this Law annexed, shall be payable and demandable on all letters, newspapers, parcels, and book-packets passing through the Post Office in this Island.

Rates of postage specified in Schedule A.

9 – The Postages on all parcels 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 postage chargeable thereon respectively. Provided that no parcel shall be forwarded by the Post, unless the same shall be prepaid as aforesaid.

Postage on all parcels to be prepaid.

10 – And whereas arrangements have been and may be made for the reception by the officers of the Post Office, and transmission by mail coach or otherwise, of parcels in excess of the limit fixed by law as regulating the maximum weight of Post Parcels, it is hereby provided that the provisions of the last preceding section shall not apply to parcels so received and transmitted, but such parcels may from time to time be received and transmitted as aforesaid, in accordance with such Regulations as may from time to time be made by the Governor, and published in the "Jamaica Gazette."

Section 9 of this Law not to apply to parcels above maximum weight

11 – Sections 12 to 22 (both inclusive) of this Law shall be deemed to form part of Law 18 of 1877.

Sections 12 to 22 to form part of Law 18 of 1877.

12 – In this Law the expression "Foreign Parcel," means a Parcel either posted in Jamaica and addressed to a place out of Jamaica, or posted in a place out of Jamaica, and addressed to a place in Jamaica, or in transit through Jamaica to a place out of Jamaica.

Interpretation of Foreign parcel

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13 – Anything in the Customs Consolidation Law 1877, (Law 18 of 1877), to the contrary notwithstanding, it shall be lawful for any foreign parcels arriving by any Packet boat to be landed, and taken to the nearest Post Office without entry thereof, and without the customs duty thereon being first paid or secured.

Landing of foreign parcels without payment of duty.

14 – Every Mail and every Post Office, shall, in respect of any foreign parcel carried or being therein, be deemed to be a warehouse, or place in which foreign parcels may be kept and secured, without payment of duty on the first entry thereof.

Every Mail and Post Office deemed a warehouse for parcels carried or being therein.

15--Every foreign parcel shall either at the port of departure from, or of arrival in Jamaica, as the case may be, or at such other place as the Collector of Customs and the Postmaster for Jamaica shall direct, be produced by an officer of the Post Office, appointed for that purpose, to the proper officer of Customs, and, if the officer of Customs require it, shall be thereupon opened by the officer of the Post Office, who is hereby empowered and authorized to open the same for Customs examination, and to do on behalf of the Importer all other things in relation to any such parcel, and the goods contained therein, that are required by the laws relating to the Customs to be done by the Importer; and where there is a declaration of the contents of any such parcel, and of the value of such contents, accompanying or affixed to any such parcel, such declaration shall stand in the place of, and be treated as though it were, the invoice of such contents duly sworn to by the Importer under section 24 of the Customs Consolidation Law 1877, to all intents and purposes.

Foreign Parcels to be produced to Officer of Customs for examination.

Declaration of contents to stand in place of Invoice under section 24 of Law is of 1877.

Provided always that where the contents of any parcel do not agree with such declaration, and it shall appear nevertheless to the officer of the Post Office, and the officer of Customs examining the said parcel, that there was no intent to defraud in making such declaration, such officer may waive the forfeiture of such parcel and its contents. In cases however where it shall not appear as aforesaid that there was no intent to defraud, the parcel and its contents shall be treated as goods liable to forfeiture.

Proviso as to fraudulent declarations.

16 – The officer aforesaid of the Post Office shall deliver to the proper officer of Customs, such entries of the contents of all such parcels, or such other documents as the Collector of Customs shall prescribe.

Delivery of entries of contents to Customs Officer.

17 – If the addressee of a foreign parcel addressed to Jamaica refuses, or neglects after due notification, to pay any duty payable under the Customs Laws, in respect of the goods contained in such parcel, the officer of the Post

Foreign Parcel to be sent to King's Warehouse, if addressee refuses or neglects to pay duty thereon.

Office may retain the parcel, and at the expiration of fourteen days from the day on which such parcel arrived at the Post Office to which it was addressed, or such further period as the Postmaster for Jamaica shall from time to time direct, send the parcel to the King's Warehouse, or to such other place as the Collector of Customs shall appoint for that purpose.

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18 – Any foreign parcel sent by an officer of the Post Office to the King's Warehouse, or other place appointed as aforesaid, under the last preceding section, together with all goods contained therein, shall be treated as goods the importer of which has failed, within the time appointed by law, after the arrival of the ship importing the same, to make perfect entry or entry by bill of sight of such goods.

How Parcel to be treated if sent to King's warehouse.

19 – If any foreign parcel shall be delivered to, or received by the addressee without payment of the customs duty payable in respect thereof, the amount of such duty, as fixed between the officer of the Post Office and the officer of Customs at the time of the arrival of the parcel in Jamaica, shall be recovered from him by any officer of the Post Office as a postage.

Liability of addressee receiving Parcel without payment of duty.

20 – The duties payable on goods contained in any parcel to which this Law applies, shall, when paid by the addressee to the Officer of the Post Office, be paid over by the Postmaster for Jamaica to the Collector of Customs or other proper officer, at such times, and in such manner, as shall be from time to time agreed upon between the two departments.

Payments of duties by Post Office to Customs Department.

21 – If at any time, while a foreign parcel remains in the possession of an officer of the Post Office, it becomes offensive or injurious to such officer, or other person, or to other parcels, it may forthwith be dealt with or disposed of in such manner, as the Postmaster for Jamaica may in his discretion direct or authorize.

Offensive and injurious Parcels how to be dealt with.

22 – All officers of the Post Office shall, in relation to any of their dealings with foreign parcels under the provisions of this Law, be deemed to be officers of the Customs acting in the execution of or by reason of their office, within the meaning of sections 230 to 237 (both inclusive) of the Customs Consolidation. Law 1877.

Post office Officers deemed Customs Officers for certain purposes.

23 – It shall be lawful for the Governor, with the advice and consent of the Privy Council, to settle and from time to time to vary and alter the rates for all letters, parcels, books, book-packets, newspapers and prices current.

Governor with advice of Privy Council may vary rates.

24 – 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 under 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.

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3. If on examination of any newspaper, parcel or book-packet, there shall be found enclosed in or with the same any paper or communication of the nature of a letter, it shall be lawful for an officer of the Post Office to take out of such newspaper, parcel or book-packet, such paper or communication as aforesaid, and forward same by post to the addressee thereof, or, if it be not addressed, to the addressee of the newspaper, parcel or book-packet, in or with which the same was found enclosed; and the same postage shall be recovered from the same parties, and in like manner and to the same amount, as if such paper or communication had been posted as a letter without prepayment of the postage, by the person sending the newspaper, parcel or book-packet, from the place where such paper or communication shall have been found by the officer of the Post Office, and forwarded as aforesaid.

25 – 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 business of any public department, or public officer.

Postage of Governor and of any public department authorised by the Governor, free.

26 – Letters transmitted by the post may be registered upon payment of the rates in Schedule A 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 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.

Registration of letters.

27 – The Governor of Jamaica, and the Postmaster for Jamaica are not responsible for any loss or inconvenience which may arise from damage, non-delivery, late delivery, mis-sending, or mis-delivery of any postal matter, whether registered or not. No officer or servant of the Post Office is responsible for any loss or damage which may arise from non-delivery, late delivery, mis-sending, or mis-delivery of any postal matter, whether registered or not, unless that loss or damage is caused by such person negligently, maliciously or fraudulently.

Neither Governor nor Postmaster liable for non-delivery, etc. Of postal matter.

28 – 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 Commissioner of Stamps.

Governor to provide postage stamps, and custody thereof.

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29 – 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 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, and collecting and recovery 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 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 Laws.

30 – All letters to and from the United Kingdom of Great Britain and Ireland, or any of His 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 his Majesty's Postmaster-General, or other Legislative or proper authority, shall pass through the Post Office of this Island free of any further or other postage or charge thereon; and on letters to and from the United Kingdom, or any of His 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 His Majesty's Government in the case of any foreign country.

Postage on letters to or from United Kingdom, the Colonies and foreign countries.

31 – (1) Every master of a vessel outward bound, or passing coastwise or otherwise between places within the Colony, shall receive on board his vessel every mail bag, and all parcel post mails, and postal packets of any description, tendered to him by an officer of the Post Office for conveyance; and having received the same, shall deliver it or them to the addressee on arriving at the port or place of his destination without delay; and if he fails to comply with this section, he shall be guilty of an offence, and on being convicted thereof, he liable to a penalty not exceeding one hundred pounds.

Every master of vessel shall receive and carry mails, &c,

Penalty in default.

(2) In any proceedings under this section, a Resident Magistrate shall have the same power to issue a commission for taking the examination upon oath of the addressee, or any other witness residing / out of the Island, as is conferred on the Resident Magistrate in civil cases, by section 169 of the Resident Magistrate's Law 1904. On the commission being returned, the same shall and may be read and allowed in evidence, saving all just exceptions, on proof that the addressee or other witness is, at the time of the hearing of the complaint, dead, or still residing out of the Island.

Resident Magistrate may issue foreign Commission to take evidence abroad.

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- 32 – (1) Every master of a vessel inward bound shall collect all letters on board his vessel, not being letters excepted from the privilege of the Postmaster for Jamaica, and not being letters by this Law defined as shipowner's letters, and enclose them in some bag or other covering, sealed with his seal and addressed to the Postmaster for Jamaica; and, without delay, deliver such letters on demand to the proper officer of the Post Office, or an officer of Customs acting under the authority of the Postmaster for Jamaica, or, if no demand is made by either of such officers, then at the Post Office with which he can first communicate, or, if the vessel is subjected to the performance of the quarantine, to the person appointed to superintend the quarantine, who after taking the proper precautions, shall deliver them at the Post Office.
- Duties of masters of vessels inward bound as to delivery of mails.
- (2) The master of every such vessel shall, at the port where the vessel reports, sign in the presence of the proper officer of the Post Office, who shall also sign the same, a declaration of compliance with this Law, (which may be in the form contained in the Schedule B. to this Law), and shall not break bulk, or make entry in any port, until he has complied with this section.
- Master to sign Declaration according to form in Schedule B.
- (3) If any master of a vessel acts in contravention of, or fails to comply with this section, he shall be guilty of an offence; and if he has wilfully delayed the delivery of letters, as required by this section, be liable, on being convicted thereof, to a penalty not exceeding Forty Pounds, and, in any other case, to a penalty not exceeding Twenty Pounds.
- Penalties on master for non-compliance with provisions of this Section.
- (4) If any person appointed to superintend the quarantine, acts in contravention of, or fails to comply with this section, he shall be guilty of an offence; and on being convicted thereof, be liable to a penalty not exceeding Forty Pounds.
- Penalty on person superintending quarantine.
- 33 – (1) If any master of a vessel –
- Penalty on masters and others opening or taking out anything from Mail bag.
- (a) Opens a sealed mail bag with which he is entrusted for conveyance; or
- (b) Takes out of a mail bag with which he is entrusted for conveyance, any postal packet, or other thing, he shall be guilty of an offence; and on being convicted thereof, be liable to a penalty not exceeding One Hundred Pounds.
- (2) If any person to whom letters have been entrusted by the master of a vessel to bring on shore, breaks the seal, or in any manner wilfully opens the same, he shall be guilty of an offence; and on being convicted thereof, be liable to a penalty not exceeding One Hundred Pounds.

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- 34 – (1) An officer of Customs shall not allow any inward bound vessel to report., until the master has made the declaration required by this Law with respect to letters, and shall not permit any such vessel to break bulk, or make any entry, until the letters on board thereof have been delivered to an officer of the Post Office, or an officer of Customs acting under the authority of the Postmaster for Jamaica, or at a Post Office as required by this Law; and shall if he deems it necessary, search every such vessel for letters, which may be on board contrary to this Law, and may seize the same and forward them to the nearest Post Office.
- Customs Officer not to allow vessels to report and to break bulk until Declaration is made delivered to Post Office.
- (2) If any officer of Customs acts in contravention of, or fails to comply with this section, he shall, on being convicted thereof, be guilty of an offence, and liable to a penalty not exceeding Forty Pounds.
- Penalty on Officer of Customs failing to comply with this section.
- 35 – (1) The following letters (in this Law referred to as "ship-owners' letters"), that is to say, letters of the owners, charterers, or consignees of vessels inward bound, and of the owners, consignees, or shippers of goods on board such vessels, when not exceeding the weights, and when complying with the conditions hereinafter mentioned, shall –
- Ship-owners' letters
- (a) If required to be delivered at the port of the vessels arrival, be delivered to such owners, charterers, consignees, or shippers by the master, and shall be so delivered free of inland postage; and
- (b) If required to be delivered elsewhere in the Colony, shall he delivered on payment of inland postage only;
- Provided that-
- (i) The letters brought by any one vessel to any such person, shall not collectively exceed six ounces in weight;
- (ii) The owner, charterer, or consignee shall be described as such on the address and superscription; and
- (iii) In the case of owners, consignees, or shippers of goods, it shall also appear by the ship's manifest that they have goods on board the vessel.
- (2) If any shipowners' letters are found by an officer of Customs to be in excess of the weights herein before limited by this section, that officer shall seize so many of the letters as will reduce the remainder within the said weights, and shall forward those seized to the nearest Post Office. Provided always, that the Postmaster for Jamaica may authorize the officer of Customs to deliver such letters, on stamps representing the deficient postage being affixed and cancelled.
- 36 – The Postmaster for Jamaica may, (with the approval of the Governor in Privy Council), allow to masters of vessels in respect of letters, mail bags, parcel post packages, or postal packets of any kind, conveyed by them on behalf of the Post Office, such gratuities, under such regulations and restrictions, as may from time to time be prescribed by the Governor in Privy Council.
- Gratuities to be allowed to masters of vessels in respect of letters, etc. conveyed by them.

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37 – If any person, being either the master, or one of the officers or crew of a vessel inward bound, or a passenger thereof, knowingly has in his baggage, or in his possession or custody, any letter not excepted from the privilege of the Postmaster for Jamaica, after the master has sent any part of the letters on board his vessel to the Post Office, he shall for every such letter be liable on being convicted, to a penalty not exceeding Three Pounds, and if he detains any such letter after demand is made for the same, either by an officer of Customs, or by a person authorised by the Postmaster for Jamaica to demand the letters on board the vessel, he shall be guilty of an offence; and for every such letter be liable, on being convicted, to a penalty not exceeding Six Pounds.

Penalty on persons on board inward bound vessels having letters in their possession.

38 – Every person who shall convey, otherwise than by the post, 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 with this Law.

Penalty on persons conveying letters.

39 – 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 misdemeanour, and being convicted thereof, shall suffer such punishment by fine or imprisonment, or by fine and imprisonment, as to the Court shall seem meet.

Persons in employ of Post Office opening or detaining post letter, guilty of misdemeanour.

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- 40 – 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 post letter – felony.
- 41 – 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 letter -felony.
- 42 – 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 therefrom – felony.
- 43 – 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.
- 44 – 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 for 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.
- 45 – 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 deliver up a post-letter, which ought to have been delivered to any other person, or post-letter bag or post-letter, which shall have been mis-sent, whether the same shall have been found by the person secreting, keeping, or detaining, or neglecting, or refusing to deliver 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 etc, which ought to have been delivered to another, a misdemeanour.
- 46--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, a misdemeanour.

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47 – 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 a 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 the 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 indictment.

48 – 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 be sufficient to 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.

49 – 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, care 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 a post-letter, but not authorised to carry passengers, or upon any animal used for the conveyance of a post-letter-bag, or a 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 upon the road or passage, or wilfully mispend his time, so as to retard or delay the progress or arrival of a post-letter-bag, or a 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 who are guilty of carelessness, negligence or misconduct.

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50 – Every person authorised 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 authorised 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.

51--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 authorised 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 a 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 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 unauthorised transmission of soldiers' or seamen's letters.

52 – 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.

53 – The publication, in the Jamaica Gazette, of any rule, regulation, warrant, or order made in pursuance or under the authority of this Law, shall be sufficient evidence of such rule, regulation, warrant or order.

Jamaica Gazette' evidence of rules, &c.

Jamaica Post Office Act of 1908

- 54 – 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 His 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 mails, and other matters connected with posts and postal business, and the remuneration or indemnity to be paid or received under any such arrangements. Governor may sanction arrangements with the Government or postal authorities of other countries.
- 55 – 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. As to money order system with United Kingdom
 2. For providing, when it 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. As to money orders within the Island.
 3. For establishing the money order system, so as to include the granting of money orders on Post-masters in His Majesty's Colonies or Dominions, and in the United States of North America, and the payment of any orders drawn by such Postmaster on Postmasters in this Island, on such terms and conditions as he may deem expedient. As to money order system with the colonies and foreign countries.
- 56 – All duties of postage continued or imposed by this Law, or any previous law 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.
- 57 – All pecuniary penalties and forfeitures imposed by this Law, 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 with or without hard labour. Recovery of penalties.
- 58 – 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.
- 59 – All monies 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 received for postage to be paid by Postmaster to General Revenue.

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60 – In this Law the term "mail," shall include every conveyance by which post letters are carried, whether it be by a coach, ox 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;" 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 His 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, 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 authorised 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 authorised 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 the 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 "vessel," shall include any ship or other vessel other than a packet-boat.

Interpretation
clause.

61 – The Laws in the Schedule C hereto attached are hereby repealed.

Repeal of Laws in
Schedule C.

Jamaica Post Office Act of 1908

SCHEDULE A.
SCHEDULE OF POSTAGES

Schedule A.

Letters	Post Cards		Newspapers each.	Prices Current each.	Book Packets	Parcels	Registration Fee.
For each ounce or fractional part thereof	Single	Reply Paid					For each two ounces or fractional part thereof.
One penny	Half- penny	One penny	Half-penny	Half- penny	Half-penny	One penny	Two pence

SCHEDULE B

Schedule B.

Declaration of Master of Vessel.

I, A. B.Commander of the (state the name of the ship or vessel) arriving from (state the place), do, as required by law, solemnly and sincerely 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 was on board the (state the name of the ship) except such letters as are exempted by law.

(Signed)A. B.

Declared before me this day of

(Signed)

SCHEDULE C

Schedule C.

No. of Law.	Title.	Extent of repeal.
Law 18 of 1868	A Law to provide for the management of the Post Office in this Island.	Whole Law
Law 12 of 1886	The Post Office Amendment Law, 1886	Whole Law
Law 8 of 1906	A Law to amend the Post Office Law, 1868, (Law 18 of 1868)	Whole Law

Passed in Council this 3rd day of April 1908.

SYDNEY OLIVIER, President.