

Passed in Council this second day of April, in the year of our Lord one thousand eight hundred and fifty-one.

RICHARD D. CADIZ,
Clerk of Council.

The foregoing Ordinance was duly proclaimed by me in Port of Spain, this ninth day of April, in the year of our Lord one thousand eight hundred and fifty-one.

W. B. GOULD,
Marshal.

No. 6.—1851.

4th April.

AN ORDINANCE for establishing an Inland Post and Rates of Postage within the Colony.

HARRIS.

WHEREAS an Act was passed in the Session of Parliament held in the twelfth and thirteenth years of the Reign of Her present Majesty entitled "An Act for enabling Colonial Legislatures to establish Inland Posts;" And whereas it is expedient to establish an Inland Post and Rates of Postage within this Colony: Be it enacted by His Excellency the Governor with the advice and consent of the Council of Government, that it shall be lawful for his Excellency the Governor from time to time to establish post communication between the town of Port of Spain and such parts of the Colony as he may from time to time see fit: and when and so soon as such post communications shall have been established, the Governor and the officers appointed by him under this Ordinance and their respective agents and

The Governor and the officers appointed by him to have exclusive privilege of receiving and conveying all letters between places where Post communication may be established.

servants shall have the exclusive privilege of conveying from one place to another, between which such post communication may be established all letters except in the following cases, and shall also have the exclusive privilege of performing all the incidental services of receiving, collecting, sending, despatching, and delivering all letters from any one place to another between which such post communication may be established except in the following cases, that is to say :—

Exceptions.

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 :

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

Commissions or returns thereof, and affidavits and writs, process or proceedings or returns thereof issuing out of a Court of Justice :

Letters sent out of the Colony by a private vessel (not being a packet) :

Letters of merchants, owners of vessels, of merchandise, or the cargo or loading therein, sent by such vessels of merchandise, or by any person employed by such owner 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 :

Letters concerning goods or merchandise 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 authorised :

Special prohibitions.

And 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 :—

Common known carriers, their servants or agents, except a letter concerning goods in their carts, waggons or carriages :

Owners, masters or commanders of ships, vessels, steam boats or droghers sailing or passing coastwise or otherwise, between places within this Colony or their servants or agents except in respect of letters of merchants, owners of ship or goods on board :

Passengers or other persons on board any such ships, vessels, steam boats or droghers.

2. And be it enacted, That there shall be one General Post Office in the town of Port of Spain, where letters may be received from all places within the Colony and parts out of the Colony, and whence all letters may be despatched to all places within the Colony and to parts out of the Colony.

General Post Office Port of Spain.

3. And be it enacted, That all letters transmitted by post to this Colony or from any place to any other place within this Colony shall, be delivered to the person to whom the same may be addressed at the post office nearest to the residence of such person.

Delivery of letters.

4. And be it enacted, That the Governor may appoint sufficient officers, agents and servants for the better carrying this Ordinance into execution.

Governor to appoint officers, &c.

5. And be it enacted, That no officer of the post office shall be compelled to serve in any corporate or other public office or employment or on any jury or inquest, any law or Ordinance to the contrary thereof, notwithstanding.

Persons employed by Post Office exempted from certain offices.

6. And be it enacted, That the monies to arise by the several duties granted by this Ordinance shall be paid into the Colonial Treasury, and all charges, outgoings, and disbursements necessary for the receipt and management of the duties of postage and all other expenses attending the execution of this Ordinance shall be allowed and paid on the warrant of the Governor from the Colonial Treasury.

Monies to be paid into Treasury.

7. And be it enacted, That half yearly accounts of all monies received by, and of all monies paid from the Colonial Treasury, under this Ordinance shall be laid

Half yearly accounts to be laid before Council.

before the Council of Government on the first day of April and the first day of September in each year.

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Section 8 repealed by Ordinance 24 of 1860.

9. And be it enacted, That the postage payable on all letters arriving in this Colony from any place beyond the limits of this Colony shall be paid by the person to whom the same may be addressed on the delivery of the same to him.

Postage to be paid by person to whom the same may be addressed.

Rates of postage to be payable.

10. And be it enacted, that all letters arriving in this Colony from any place beyond the limits of this Colony, and delivered from any post office except the General Post Office in Port of Spain, and all letters posted at any post office in this Colony, except the General Post Office in Port of Spain, for transmission to any place beyond the limits of this Colony, and all letters transmitted by the post from any one place to any other place within the limits of this Colony, shall be charged by weight, according to the following scale, and the several numbers of rates of postage hereinafter set forth shall be charged, and shall be paid to Her Majesty for the use of the Colony on all such letters, that is to say, on every letter not exceeding half an ounce in weight, one rate of postage; on every letter exceeding half an ounce and not exceeding one ounce in weight, two rates of postage; on every letter exceeding one ounce and not exceeding two ounces in weight, four rates of postage; on every letter exceeding two ounces and not exceeding three ounces in weight, six rates of postage; and on every letter exceeding three ounces and not exceeding four ounces in weight, eight rates of postage; and for every ounce in weight above the weight of four ounces there shall be charged and taken two additional rates of postage, and every fraction of an ounce above the weight of four ounces shall be charged as one additional ounce; and on all such letters there shall be paid the following rates of postage; that is to say, on every letter not exceeding half an ounce in weight one uniform rate of one penny, and on every letter exceeding half an ounce in weight, progressive and additional rates of postage (each additional rate being estimated at one penny) according to the scale of

weight and number of rates hereinbefore fixed and declared.

11. Provided always, and be it enacted, That as regards all letters posted at any post office within this Colony, all such letters when posted shall have thereon or affixed thereto a stamp or stamps to the amount of the rates of postage payable on the same under this Ordinance, and in all cases in which any letter shall be posted at any post office within this colony, without having thereon or affixed thereto such stamp or stamps or having thereon or affixed thereto any stamp or stamps, the value or amount of which shall be less than the rate of postage to which such letter would be liable under this Ordinance, such letter shall not in any case be forwarded by the post, but shall if posted at any other office than the General Post Office be transmitted to such General Post Office and shall so far as may be practicable be returned to the sender thereof.

Unpaid letters posted in the colony to be returned.

12. And be it enacted, That the Governor shall from time to time provide proper and sufficient dies or other implements for expressing and denoting rates or duties of one penny and two pence, or rates or duties of any other value or amount as the Governor shall see fit for the purposes hereinmentioned; and stamps shall be made or impressed from such dies or other implements as the Governor shall from time to time by writing under his hand direct.

Governor to provide postage stamps.

13. And be it enacted, That it shall be lawful for the Governor to appoint such persons as he shall see fit, to retail the stamps denoting the duties of postage on letters.

Governor to appoint persons to retail stamps.

14. And be it enacted, That printed newspapers may be sent free of postage or liable to postage according to the rates and regulations hereinafter set forth, that is to say:

Regulations respecting newspapers.

Printed British or Foreign newspapers brought to this Colony by packet boats or private ships Free.

Printed British or Foreign newspapers or Island newspapers transmitted by post from any one place to any other place within this Colony One Penny each.

Island newspapers sent by post from this Colony Free.

Printed votes and proceedings of the Imperial Parliament, periodical publications, pamphlets, magazines, reviews, and other publications sent to this Colony by packet, if delivered at the General Post Office, in Port of Spain One Penny.

If delivered at any other post office, and if not exceeding one ounce ... One Penny.

If exceeding one ounce, for every ounce beyond that weight One Penny.

PATTERNS :

Packets or covers containing patterns or samples, being open at the sides, and not exceeding one ounce, and without any letter or writing in upon or within any such packet or cover, other than the name of the sender, his place of abode, the prices of the articles contained therein, and the name and address of the person to whom the packet or cover shall be sent One Penny.

Letters not open at the sides containing patterns or samples and not exceeding one ounce in weight Two Pence.

Sending newspapers by post not compulsory.

15. And be it enacted, That it shall not be compulsory to send newspapers by post.

Conditions to be observed on sending printed papers, &c., by post.

16. And be it enacted, That no printed paper, whether newspaper or votes and proceedings in Parliament, shall be sent by the post either free or at the aforesaid rates, unless the following conditions shall be observed :

1st. It shall be sent without a cover or in a cover open at the sides.

2nd. There shall be no words or communications written upon the paper or upon the cover thereof, except the name and address of the person to whom sent.

3rd. There shall be no paper or thing enclosed in or within any such paper.

17. And be it enacted, That the person having the chief charge of the Post Office in Port of Spain may examine any printed paper or any packet which shall be sent by the post without a cover or in a cover open at the side, 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 paper or packet shall be charged with treble the duty of postage to which it would have been liable as a letter.

Powers to search papers sent by post.

18. And be it enacted, That the letters of the under-mentioned persons transmitted by post either to or from them shall subject to the conditions hereinafter mentioned be exempt from postage; viz., the Governor, the Colonial Secretary, the Attorney General, the Registrar General, the Registrar of the Supreme Civil and Criminal Court and the Inspector and Sub-Inspectors or other Officers of Police: Provided always, that every letter shall be on the public business of the office or department from which the same shall be forwarded, or to which the same shall be addressed and shall be superscribed with the words "On Her Majesty's Service," and with the signature of the officer from whose office or department such letter shall be transmitted, or of the person transmitting such letter to such office or department.

Letters to Governor, &c., on public business to be exempt from postage.

19. And be it enacted, That no Inland postage shall be charged or payable under this Ordinance on any letter on his own private concerns sent or received by any private soldier or common seaman in this Island who shall be actually employed on Her Majesty's Service.

Letters of private soldiers and seamen to be exempt from postage.

20. And be it enacted, That if any person shall forge or counterfeit or cause or procure to be forged or counterfeited any die, plate or other instrument, or any part of any die, plate, or other instrument which hath been, or shall or may be provided, made or used by or under the direction of the Governor for the purpose of expressing or denoting any of the rates or duties which are directed to be charged under or by virtue of this Ordinance; or if any person shall forge,

Forging or fraudulently using dies of plates.

counterfeit or imitate, or cause or procure to be forged, counterfeited or imitated the stamp, mark or impression or any part of the stamp, mark or impression of any such die, plate or other instrument which shall or may be so provided, made or used as aforesaid upon any paper or other substance or material whatever, or if any person shall knowingly and without lawful excuse (the proof whereof shall be on the person accused) have in his possession any false, forged or counterfeit die, plate or other instrument or part of any such die, plate or other instrument resembling or intended to resemble either wholly or in part any die, plate or other instrument which hath been or shall or may be so provided, made or used as aforesaid; or if any person shall stamp or mark or cause or procure to be stamped or marked any paper or other substance or material whatsoever with any such false, forged or counterfeit die, plate or other instrument or part of any such die, plate or other instrument as aforesaid; or if any person shall use, utter, sell, or expose to sale or shall cause or procure to be used, uttered, sold or exposed to sale or shall knowingly and without lawful excuse (the proof whereof shall lie on the person accused) have in his possession any paper or other substance or material, having thereon the impression or any part of the impression of any such false, forged or counterfeit die, plate or other instrument or part of any such die, plate or other instrument, as aforesaid, or having thereon any false, forged or counterfeit stamp or impression resembling or representing either wholly or in part or intended or liable to pass or be mistaken for the stamp, mark or impression of any such die, plate or other instrument which shall or may be so provided, made or used as aforesaid, knowing such false, forged or counterfeit stamp, mark or impression to be false, forged or counterfeit; or if any person shall with intent to defraud Her Majesty, Her Heirs or Successors, privately or fraudulently use or cause or procure to be privately or fraudulently used any die, plate or other instrument so provided, made or used or hereafter to be provided, made or used as aforesaid, or shall with such intent privately or fraudulently stamp or mark or cause or procure to be stamped or marked any paper or other substance or material whatsoever with any such die, plate or other instru-

ment as last aforesaid ; or if any person shall knowingly and without lawful excuse (the proof whereof shall lie on the person accused) have in his possession any paper or other substance or material so privately or fraudulently stamped or marked as aforesaid, then and in every such case, every person so offending, and every person knowingly and wilfully aiding, abetting or assisting any person in committing any such offence, and being thereof lawfully convicted, shall be adjudged guilty of felony and shall be liable at the discretion of the Court to be imprisoned for any term not exceeding four years nor less than two years with or without hard labour during the whole or any part of such imprisonment as the Court shall award.

21. And be it enacted, That if any person shall fraudulently get off or remove or cause or procure to be gotten off or removed from any letter or cover, or any paper or other substance or material, the stamp or impression of any die, plate or other instrument so provided, made or used or hereafter to be provided, made or used as aforesaid with intent to use, join, fix or place such stamp or impression for with or upon any other letter, cover, paper or other substance or material ; or if any person shall fraudulently use, join, fix or place for with or upon any letter or cover or any paper or other substance or material, any such stamp or impression as aforesaid which shall have been gotten off or removed from any other letter, cover, paper or other substance or material ; or if any person shall fraudulently erase, cut, scrape, discharge or get out of or from or shall cause or procure to be so erased, cut, scraped, discharged or gotten out of or from any letter or cover of any paper or other substance or material, any name, date or other matter or thing thereon written, printed or expressed with intent to use any stamp or mark then impressed or being upon such letter or cover, paper or other substance or material, or that the same may be used for the purpose of defrauding Her Majesty, Her Heirs and Successors, of any of the rates or duties aforesaid ; or if any person shall make, do or practice or be concerned in any other fraudulent act, contrivance or device whatever, not specially provided for by this Ordinance with intent or design to defraud Her Majesty, Her Heirs and Successors,

For punishing evasion of duties.

of any of the rates or duties aforesaid; every person so offending in any of the several cases in this clause mentioned shall forfeit and pay to Her Majesty, Her Heirs and Successors, the sum of twenty pounds to be recovered with full costs of suit and all expenses attending the same.

Opening or
delaying a
post letter, a
misdemeanor.

22. And be it enacted, That every person employed in the execution of this Ordinance who shall contrary to his duty open or procure 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 before the Supreme Criminal Court shall suffer such punishment by fine or imprisonment, or by both as to the Court shall seem meet; Provided always that nothing herein contained shall extend to the opening or detaining or delaying of a post letter returned for want of a true direction, or of a post letter returned by reason that the person to whom the same shall be directed is dead or cannot be found, or shall have refused the same, or shall have refused or neglected to pay the postage thereof; or of a post letter returned by reason that the same at the time of posting the same had not thereon or affixed thereto a stamp or stamps to the value or amount of the proper postage thereon, nor to the opening or detaining or delaying of a post letter in obedience to an express warrant in writing under the hand of the Governor.

Embezzle-
ment of a post
letter a felony.

23. And be it enacted, That every person employed in the execution of this Ordinance who shall steal, or shall for any purpose whatever embezzle, secrete, or destroy a post letter shall be guilty of felony, and shall on conviction thereof before the Supreme Criminal Court be liable to be imprisoned for any time not exceeding two years; and if any such post letter so stolen or embezzled, secreted or destroyed, shall contain therein any chattel or money whatsoever, or any valuable security, every such offender shall be imprisoned for any term not exceeding four years.

Stealing
money out of a
letter, felony.

24. And be it enacted, That 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 hard labour for any term not exceeding four years.

25. And be it enacted, That any 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 shall stop any person having the custody of any post letter bag with intent to rob or search the same shall be guilty of felony, and shall be imprisoned for any term not exceeding four years.

Stealing post letter bag or post letter, felony.

26. And be it enacted with regard to receivers of any property sent by the post and stolen therefrom, That every person who shall receive any post letter or post letter bag, or any chattel or money or valuable security, the stealing or taking or embezzling or secreting whereof shall amount to a felony under this Ordinance, knowing the same to have been feloniously stolen, taken, embezzled or secreted, and to have been sent or to have been intended to be 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 howsoever convicted shall be liable to be imprisoned for any term not exceeding four years.

Receivers of property stolen from the post to be guilty of felony.

27. And be it enacted, That any person who shall fraudulently retain or shall wilfully secrete or 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 a post letter bag or post letter which shall have been sent, 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 misdemeanor, and being convicted thereof shall be liable to be imprisoned for any term not exceeding three years.

Fraudulently retaining after delivery thereof by mistake any letter, a misdemeanor.

28. And be it enacted, That every person employed in the execution of this Ordinance who shall steal or shall for any purpose embezzle, secrete or destroy, or shall wilfully detain or delay in course of conveyance or delivery thereof by the post, any printed votes or proceedings in Parliament, or any printed newspaper or any

Stealing any printed votes or other papers a misdemeanor.

other printed paper whatever sent by the post without covers or in covers open at the sides, shall be guilty of a misdemeanor, and being convicted thereof shall suffer such punishment by fine or imprisonment or by both as to the said Court shall seem meet.

Endeavouring to procure the commission of any felony a misdemeanor.

29. And be it enacted, That every person who shall solicit or endeavour to procure any other person to commit a felony or a misdemeanor punishable under this Ordinance shall be guilty of a misdemeanor, and being convicted thereof shall be liable to be imprisoned for any term not exceeding two years.

Property sent by the post to be laid in Her Majesty.

30. And be it enacted, That in every case where an offence shall be committed in respect of a post letter bag or a post letter, or any chattel, money, or valuable security sent by the post, it shall be lawful to lay in the indictment presented against the offender the property of the post letter bag or of the post letter, or any chattel or money or the valuable security sent by the post, in Her Majesty, 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 this Ordinance for any offence committed against this Ordinance it shall be lawful to state and allege that such offender was employed under the post office of this Colony at the time of the committing of such offence without stating further the nature or particulars of his employment.

Punishment.

31. And be it enacted, That where a person shall be convicted of an offence punishable under this Ordinance for which imprisonment may be awarded, the Court may sentence the offender to be imprisoned with or without hard labor in the Royal Goal, and may also direct that he shall be kept in solitary confinement for the whole or any portion of such imprisonment as to the Court shall seem meet.

In what way duties may be sued for.

32. And be it enacted, That all duties of postage granted by this Ordinance may be sued for and recovered with full costs of suit in a summary manner by any Justice of the Peace on the complaint of any post master.

33. And be it enacted, That within the meaning of this Ordinance, all words and expressions importing the singular number only shall include several persons or things as well as one person or thing, and all words and expressions importing the masculine gender only shall include females as well as males. ^{Interpretation clause.}

Passed in Council this fourth day of April, in the year of our Lord one thousand eight hundred and fifty-one.

RICHARD D. CADIZ,
Clerk of Council.

The foregoing Ordinance was duly proclaimed by me, in Port of Spain, this 11th day of April, in the year of our Lord one thousand eight hundred and fifty-one.

W. B. GOULD,
Marshal.

No. 7.—1851.

4th April.

AN ORDINANCE relating to Natural Savannahs.

HARRIS.

WHEREAS doubts have arisen, whether the Natural Savannahs within this Colony belong to her Majesty or are of public right: for the removal of such doubts, Be it enacted and declared by his Excellency the Governor by and with the advice and consent of the Council of Government, that all Natural Savannahs within this Colony of right belong to and are vested in Her Majesty, and may be granted or leased by Her Majesty, Her Heirs and Successors, in the same manner as any other lands of the Crown within this Colony.