



Western Australia.

ANNO QUINQUAGESIMO PRIMO

VICTORIÆ REGINÆ.

No. XV.

AN ACT for the Amendment of "The Postage Stamp Ordinance, 1854."

[Assented to, 20th August, 1887.]

WHEREAS at the Postal Congress holden at Lisbon in the year of our Lord 1885, a Resolution was unanimously passed to the effect that the various Postal Administrations should mutually assist each other in prosecuting frauds in respect of counterfeit Postage Stamps, which frauds should be punished according to the laws of the countries in which such Stamps were issued. Preamble.

And whereas, in pursuance of the said Resolution, the French and German Post Offices thereupon introduced into their respective Legislatures laws for the punishment of persons found engaged in the manufacture or issue of counterfeit Postage Stamps of other countries.

And whereas it is expedient that the United Kingdom and its Colonial Dependencies should take steps similar to those taken by the Republic of France and the Empire of Germany for carrying out the said Resolution.

And whereas "The Postage Stamp Ordinance, 1854," provides only for the punishment of forgery and fraud in respect of the Post Office of this Colony :

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Be it therefore enacted by His Excellency the Governor of Western Australia and its Dependencies, by and with the advice and consent of the Legislative Council thereof, as follows:—

Felony to forge
dies, &c.

1. 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 any competent person, authority, department, or Government in or of the United Kingdom or any of its Dependencies, India, or any Foreign Country or State, or which said die, plate, or other instrument shall on the face thereof appear or purport to have been provided, made, or used by or under such direction for the purpose of expressing or denoting any of the rates or duties which are or shall be directed to be charged under or by virtue of the authority contained in the said recited Ordinance; or if any person shall forge, 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, plates, or other instruments upon any paper or other substance, or material whatever; or if any person shall, without lawful excuse (the proof whereof shall be on the person accused), have in his possession 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 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 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 be 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 as aforesaid, or having thereon any forged, false, or counterfeit stamps or impressions, resembling or representing, either wholly or in part, or intended or liable to pass or to be mistaken for the stamps, marks, or impressions of any such die, plate, or other instrument which hath been or 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 evil intent 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 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 instrument as last aforesaid; or if any

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person shall knowingly, and without lawful excuse (the proof whereof shall be 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 kept in penal servitude for any term not less than seven years, or be imprisoned for a term not exceeding four years nor less than two years, with or without hard labor, as the Court shall award.

2. 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, or any paper or other substance or material, any name, date, or other matter or thing therein written, printed, or expressed, with intent to use such stamps or mark then impressed or being upon such letter, cover, paper or other substance or material, or that the same may be used for any fraudulent purpose, every person so offending in any of the several cases in this clause mentioned shall, upon summary conviction thereof before two or more Justices of the Peace, forfeit and pay any sum not exceeding Twenty Pounds.

Fixing on letters
stamp once before
used.

3. THAT this Act may be read and construed with "The Postage Stamp Ordinance, 1854."

Construction.

4. THAT this Act may be cited as "The Postage Stamp Ordinance, 1854, Amendment Act, 1887."

Short title

In the name and on behalf of the Queen I hereby assent to this Act.

F. NAPIER BROOME, Governor.