



WESTERN AUSTRALIA.

ANNO DECIMO SEPTIMO

VICTORIÆ REGINÆ.

No. 12.

An Ordinance to provide for, and regulate the issue, and use of Postage Stamps.

WHEREAS by an Ordinance No. 6, passed in 1845, power ^{Preamble.} was given to the Governor to fix the rates and sums of money to be demanded for the receiving, dispatching, and delivering of letters, newspapers and packets, and to increase and reduce the same from time to time; and whereas it has been deemed advisable that letters, newspapers and packets, stamped as hereinafter provided for, should pass by the Post free of postage;—Be it therefore enacted, by His Excellency the Governor of Western Australia and its Dependencies, by and with the advice and consent

Stamped letters pass free.

of the Legislative Council thereof, that from and after the 1st day of August next, all letters, newspapers and packets, which shall be liable to postage under any law for the time being in force shall, if posted in any place within the said colony, and written or printed on stamped paper, or enclosed in stamped covers, or having a stamp or stamps affixed thereto, (the stamp or stamps in every such case being affixed on such letters, newspapers and packets, appearing on the outside, and of a value or amount equivalent to the amount of duty for postage payable by any law for the time being in force in respect of the same respectively,) and if the stamp or stamps shall not have been used before, pass by this Post free of postage.

Prepaid by stamps.

Unstamped letters retained.

II. THAT from and after the 1st day of August next, all letters, newspapers and packets, addressed and posted to places within or without the said colony, (not being part of a ship mail arriving from places beyond seas, between which places respectively and this colony, there shall not be any reciprocal arrangement for the free inland transmission of stamped letters), shall be prepaid by affixing upon the same the full amount of stamps to cover the postage due thereon, and any letter, newspaper or packet, not so fully prepaid by stamps as aforesaid, shall be retained in the Post Office and not be forwarded until the full amount of postage by stamps shall have been paid.

Dies, plates, &c.

III. THAT it shall be lawful for the Governor, from time to time, to provide proper and sufficient Dies, Plates, or other implements, for expressing and denoting rates of such value or amount as may be necessary or convenient for the purposes herein mentioned; and also to use, for the like purpose, any dies, plates, or other implements, which have been provided and made by the Government for the said purpose; and all stamps and impressions which have been made, or shall be made, or impressed, by, or from any such last-mentioned dies, plates, or other implements, shall be valid and available for the purposes of this Ordinance.

Felony to forge dies, &c.

IV. 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 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 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 intent to defraud Her Majesty, her heirs and 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, 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 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

Possession of paper fraudulently stamped; also abetting, and also felony.

Seven years' transportation; 4 years' imprisonment.

shall be liable, at the discretion of the Court, to be transported beyond the seas for life, or for any term not less than seven years, or to be imprisoned for a term not exceeding four years, nor less than two years, with or without hard labour, as the Court shall award.

Fixing on letter stamp once before used.

V. 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 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 practise, or be concerned in any other fraudulent act, contrivance, or device whatever, not specially provided against by this or some other Ordinance of the Governor and Legislative Council of this colony, or by some Act of the Imperial Parliament, with intent or design to defraud Her Majesty, her heirs and successors, of any of the rates or duties aforesaid; 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.

VI. THAT the sections marked A, D, and F of the Shortening Ordinance, No. 11, of 1853, be incorporated with this Ordinance.

Postmaster General or Colonial Treasurer to procure stamps.

VII. THAT the Postmaster-General, Colonial Treasurer, or other authorised person, shall, with the approval of the Governor, cause

stamps to be made, or procured, and sold, indicating such amounts of postage as may be directed in that behalf by the Governor, and that the lawful stamp or impression shall represent the figure of a Swan, on a black or other ground, in addition to any other Figure, Swan, mark, or words (if any) thereon impressed.

VIII. That this Act may be cited as "The Postage Stamp Ordinance, 1854."

CHARLES FITZGERALD,
GOVERNOR AND COMMANDER-IN-CHIEF.

*Passed the Legislative Council, }
the 22nd day of May, 1854. }*

A. O'GRADY LEFROY,
Clerk of the Council.