

Postal and Telegraphic Communications.

No. 13 of 1892.

An Ordinance to amend and consolidate the Law relating to
Postal and Telegraphic Communications.

WHEREAS it is expedient to amend and consolidate the law relating to postal and telegraphic communications and the rates of postage and telegrams: Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows:

Preamble.

1 This Ordinance may be cited for all purposes as "The Ceylon Postal and Telegraph Ordinance, 1892," and it shall come into operation on such date as the Governor shall, by Proclamation to be published in the *Government Gazette*, appoint.*

Short title.
Date of operation.

2 On and from the day on which this Ordinance comes into operation, the Ordinances mentioned in the first schedule hereto shall be severally repealed, except as to liabilities which shall have been incurred, acts which shall have been done, and all proceedings or matters which shall have taken place before this Ordinance comes into operation. Where any unrepealed Ordinance incorporates or refers to any provision of any Ordinance hereby repealed, such unrepealed Ordinance shall be deemed to incorporate or refer to the corresponding provision of this Ordinance.

Repeal.

3 The following words and expressions in this Ordinance shall have the meanings hereby assigned to them, unless there is something in the subject or context repugnant to such construction:

Interpretation clause.

The expression "Her Majesty" shall include Her Majesty's heirs and successors.

"Her Majesty."

The expression "Postmaster-General" shall mean the Postmaster-General and Director of Telegraphs of this island, or the person for the time being lawfully executing the duties of his office.

"Postmaster-General."

The word "assistant" shall mean any person appointed by the Governor as an assistant of the Postmaster-General.

"Assistant."

The word "postmaster" shall mean any person appointed as such by the Governor.

"Postmaster."

The expression "postal department" shall mean the postal and telegraph department of this island.

"Postal Department."

The word "newspaper" shall include every *boná fide* supplement to a newspaper published and issued with the newspaper itself, and any periodical publication in the nature of a newspaper.

"Newspaper."

* Proclaimed the 17th day of January, 1893.

Postal and Telegraphic Communications.

- "Postal order." The expression "postal order" means an order for the payment of money issued under section 76 of this Ordinance.
- "Post office rules." The expression "post office rules" means rules or regulations from time to time made in pursuance of this Ordinance.
- Postal packets." The expression "postal packet" in this Ordinance means a letter, post card, newspaper, book packet, pattern or sample packet, circular, legal and commercial document, packet of photographs, and every packet or article which is not for the time being prohibited by this Ordinance from being sent by post. Provided that if any question arises whether any postal packet is a letter, post card, newspaper, supplement, book packet, circular, or other description of postal packet, within the meaning of this Ordinance, the decision thereon of the Postmaster-General shall be final, save the Governor, with the advice of the Executive Council, may, on the application of any person interested, reverse or modify the decision and order accordingly.
- Decision as to packets.
- "Prescribed." The expression "prescribed" means prescribed by the post office rules for the time being in force.
- "Official letter." The expression "official letter" shall mean any postal packet on public business sent by any public department of the island or an authorized official thereof.
- "Unstamped." The expression "unstamped" shall include "insufficiently stamped."

Establishment.

- Appointment of officers. **4** For carrying on the service of the postal department it shall be lawful for the Governor to appoint such officers with such official styles or designations as the said Governor may deem expedient. All appointments in the postal department heretofore made shall be deemed to be made under the provisions of this Ordinance. All officers in the postal department shall hold their respective offices during the Governor's pleasure.
- Governor may establish post offices. **5** The Governor may establish post offices and telegraph offices at such places as he may deem expedient, and discontinue any post or telegraph office. He may also provide, in such manner as he may deem expedient, for the conveyance of postal packets. All post offices or telegraph offices heretofore established shall be deemed to be established under the provisions of this Ordinance.
- Postmaster-General to provide receiving boxes. **6** The Postmaster-General may provide, in such places as he may deem expedient, receiving boxes for the deposit of postal packets, and shall cause the postal packets deposited therein to be collected as often as public convenience may reasonably require.

Postal and Telegraphic Communications.

7 The Postmaster-General may prescribe a uniform dress to be worn by employés of the postal department.

Uniforms.

8 No person employed in the postal department shall be a contractor, or be interested in any contract for carrying the mails, or act as agent, with or without remuneration, for any contractor or person offering to become a contractor in any business in which the postal department is concerned. Any person acting contrary to any of the provisions of this section shall be liable to be forthwith dismissed, and further to pay to the Postmaster-General, on account of the Government, all such money as such person may have realized under or by means of such contract or agency. The Postmaster-General may sue for and recover such money.

No postal officer to be interested in postal contracts.

9 No Postmaster-General nor any person employed by or under the postal department shall be compelled to serve on any jury or any inquiry held under chapter XVII. of "The Criminal Procedure Code."

Officers of postal department exempted from serving as jurors.

Postal Packets.

10 Postal packets shall be divided into—

Classification of postal packets.

- (a) Letters.
- (b) Post cards.
- (c) Printed matter.
- (d) Miscellaneous packets.

Letters shall include all postal packets wholly or partly in writing, which are so sealed or fastened as to prevent any part of their contents being examined without breaking the seal or fastening.

Letters.

Post cards include reply post cards, and are—

Post cards.

- (i.) Such cards as are supplied by the Commissioner of Stamps.
- (ii.) Such cards (not exceeding in either size or weight those supplied by the Commissioner of Stamps) as may be tendered for transmission by post, bearing on one side nothing but an address and an adhesive stamp.
- (iii.) Reply post cards mean post cards of such a character that the person receiving the same through the post may without further payment again transmit the same or a part thereof through the post.

Printed matter shall include all documents in writing or print not in the nature of a personal communication, and must be posted open at both ends so as to admit of the removal and inspection of contents without breaking the seal or fastening, and without injury to the wrapper.

Printed matter.

Miscellaneous packets shall include all other postal packets.

Miscellaneous.

Postal and Telegraphic Communications.

Maximum weight of printed matter and miscellaneous packet.

11 Nothing shall be posted as printed matter or a miscellaneous packet which shall exceed five pounds in weight if to be forwarded by runner lines, or shall exceed fifty pounds in weight if to be forwarded by railway or coach lines or by sea, or which shall exceed two feet in length and one foot in breadth or depth.

Parcels exceeding five pounds in weight to be called for at post office.

12 No postal packet exceeding five pounds in weight shall be forwarded to the address of the addressee, but a notice shall be sent to the addressee that such packet must be called for at the post office by him or his duly authorized agent.

No dangerous substance to be sent by post.

13 No person shall knowingly post, send, tender, or deliver, in order to be sent by the post, any postal packet containing any explosive or other dangerous material or substance, or any offensive substance whatever, or any glass or glass bottle which may injure the contents of the mail, or any article which may injure the contents of the mail or any property of the postal department, or the person of any officer of the postal department; and any person contravening this prohibition shall be guilty of an offence, and liable to a fine not exceeding two hundred rupees.

Officers of the postal department authorized to detain postal packet containing substance above referred to.

14 No officer of the postal department shall, on any pretence whatever, forward or cause to be forwarded any postal packet of the nature referred to in the foregoing section; and should any such postal packet have been received into any post office, the Postmaster-General or any of his assistants, or the postmaster of any office where it has been received, is hereby empowered to detain it, and to otherwise deal with it in such manner as he shall deem expedient.

Payment of postage before delivery required.

15 Postal packets on which postage is payable shall not be delivered until the postage due thereon has been paid.

Authority to remove wrappers from printed articles.

16 By special authority to be obtained in each case from the Postmaster-General or his assistant, postmasters may, at the office of delivery, remove the wrappers and envelopes from postal packets posted as printed matter or as miscellaneous packets, and not charged with letter postage nor lawfully franked, for the purpose of ascertaining whether anything enclosed would render the packets liable to a higher rate of postage; and such postmasters may detain any such packets until they can communicate with the Postmaster-General or his assistant in respect thereof.

Opening of postal packets from foreign countries.

17 When postal packets from a foreign country are received at any post office, and the postmaster has reason to believe that such postal packets contain articles subject to duty, he shall immediately notify the receipt of such postal packets to the principal officer of customs of the district, together with the names of the persons to whom the same are addressed. Letters, printed matter, or miscellaneous packets when seized will be opened by the addressee or his agent in the presence of an officer of the customs or of the postmaster.

Postal and Telegraphic Communications.

18 No person having delivered into any post office any postal packet shall be entitled to recall the same on any pretence whatever.

No postal packet to be recalled.

19 The Postmaster-General shall from time to time publish a list of the names of the addressees of non-delivered postal packets.

Lists of non-delivered postal packets.

20 The Postmaster-General may prescribe by regulation the manner of enclosing matter not charged with letter postage nor lawfully franked, so that it may be conveniently examined by postmasters; and if not so enclosed, it shall be subject to letter postage.

Postmaster-General may prescribe mode of enclosing matters not charged as letters.

21 Senders of miscellaneous packets will receive notice of delivery to the addressee, if they tender with such packet an acknowledgment receipt to be issued for the purpose bearing a five-cent stamp. The name and full particulars of address of the sender must be written on the acknowledgment receipt when tendered.

Notice of delivery of miscellaneous packet.

22 The Postmaster-General may, upon evidence satisfactory to him that any person, firm, or corporation is engaged in conducting any unlawful lottery, gift, enterprise, or scheme for the distribution of money, or of any movable or immovable property by lot, chance, or drawing of any kind, or in conducting any scheme or device for obtaining money through the post office by means of false or fraudulent pretences, representations, or promises, forbid the payment by any postmaster to any such person, firm, or corporation of any money order or postal order drawn to the order or in favour of him or of them, and may provide by regulations for the return to the remitters of the sums named in such money orders and postal orders. And the Postmaster-General may also upon like evidence instruct postmasters at any post offices at which registered letters shall arrive directed to any such person, firm, or corporation, to return all such registered letters to the postmasters at the offices at which they were originally posted, with the word "fraudulent" plainly written or stamped upon the outside of the said letters; and all such letters so returned to such postmasters shall be by them returned to the writers thereof under such regulations as the Postmaster-General may prescribe. Provided that nothing in this section contained shall be so construed as to authorize any postmaster or other person to open any letter not addressed to himself.

When Postmaster-General may forbid the payment of money orders.

Return of registered letters when fraudulent.

Ship and Steamboat Postal Packets.

23 The master or other person in command of every British vessel bound from any port of this island shall receive on board and convey all postal packets which shall be delivered or caused to be delivered to him by the Postmaster-General or any of his deputies or assistants; and such master or other person shall, if required, give a receipt for the same; and every such master or other person acting contrary to the

Masters of ships to receive mails.

Postal and Telegraphic Communications.

provisions of this clause shall be guilty of an offence, and be liable on conviction thereof to a fine not exceeding two hundred rupees.

Master to land
postal packets at
first port.

24 On the arrival of any vessel off any port on the coast of Ceylon, the master or person in chief command thereof shall cause all postal packets on board which are addressed to or destined for such port, to be collected, and at the first port at which any such vessel shall touch or arrive, or with which it shall communicate otherwise than by signal, shall send the same on shore by his own boat, or by the pilot boat, or any other safe and convenient opportunity, in order that the same may be delivered at the first regular post office which can be communicated with, and such master or person shall, at the regular port or place at which the vessel shall report, sign a declaration in the presence of the person authorized in that behalf by the Postmaster-General at such port or place, who shall also sign the same; and the declaration shall be in form or to the effect following; that is to say:

And make
declaration.

I, *A. B.*, commander of the (*state the name of the ship or vessel*), arrived from (*state the place*), do, as required by law, declare that I have, to the best of my knowledge and belief, delivered or caused to be delivered to the post office every postal packet posted for Ceylon that was on board the (*state the name of the vessel*).

Penalty on false
declaration.

In case such declaration shall be false, the person making the same shall be guilty of an offence, and be liable on conviction to a fine not exceeding one hundred rupees.

Seizure of postal
packets
unlawfully on
board.

25 It shall be lawful for any officer of customs at any port or place in this island who, in the due execution of his duty as a revenue officer, shall discover on board any vessel in any port or place whatever any postal packets in respect of which any of the provisions of this Ordinance shall have been infringed, to seize and take all such packets and to forward the same to the Postmaster-General or his deputy at such port or place.

Rates payable to
master of vessel.

26 In the absence of any special contract in this behalf, the master or officer in command of the vessel shall be paid for the conveyance of postal packets by the postmaster at the office of receipt at the rates to be determined from time to time by the Governor, acting with the advice of the Executive Council, and to be published in the *Government Gazette*.

Letters from Soldiers or Seamen.

Postage on
soldier's and
seamen's letters.

27 Letters for or from non-commissioned officers, bandmasters, army schoolmasters (not being superintending schoolmasters or schoolmasters of the first class), private soldiers, or seamen belonging to Her Majesty's ships, whether serving on sea or land, or at home or abroad, shall be liable

Postal and Telegraphic Communications.

to a postage rate of five cents only : Provided that if such letters have to pass through a foreign country they shall be subject, in addition to the foreign postage, to the following conditions :

- (1) That any such letter shall not weigh more than half an ounce. If any such letter weigh more than half an ounce, the postage charged shall be at the same rate as that upon ordinary letters.
- (2) That the person claiming the privilege shall at the time be actually employed in the service of Her Majesty, and shall be entitled as of the rank or designation above specified.
- (3) That the name of the soldier or seaman, with his rank, class, or description, shall appear in the direction, and that the officer having the command shall sign his name, specifying the ship or regiment, corps or detachment, to which the soldier or seaman belongs ; the name of the ship or regiment being entered in full.
- (4) That the contents of any such letter shall entirely relate to the private concerns of the soldier or seaman.

28 Soldiers' or seamen's letters received in Ceylon from abroad, if addressed to the care of an agent or any other person, are liable to the ordinary rate of postage, the privilege of receiving letters at reduced rates being confined to such letters as are addressed directly to such soldiers or seamen.

Soldiers' and seamen's letters addressed to care of agent to pay ordinary postage.

Newspapers.

29 The Postmaster-General may in his discretion collect in advance the postage on newspapers and other periodicals sent from a known office of publication to regular subscribers; such postage to be paid in advance for not less than one quarter nor more than one year.

Postage on newspapers may be collected in advance.

30 The Postmaster-General may prescribe by regulation a declaration in form to be taken by the publisher or proprietor of any newspaper or other periodical, which may by law be sent to regular subscribers without payment of postage, at the office of posting, to the effect that neither he nor any other proprietor, nor any person in his or any other proprietor's employ, will, within his knowledge, send, cause, or permit to be sent through the post, without prepayment by postage stamps, any such newspaper or other periodical for which postage has not been collected in advance under the next preceding section ; and any publisher or proprietor of any newspaper or other periodical, or any clerk, agent, or person in the employ of such publisher or proprietor, who shall knowingly post or cause to be posted any such newspaper or periodical without prepayment of postage, shall be guilty of an offence, and liable to a fine not exceeding five hundred rupees.

Declaration by publisher.

Penalty for posting newspaper without prepayment of postage.

Postal and Telegraphic Communications.

Registered Postal Packets.

Registration of postal packets.

31 Any postal packet not exceeding five pounds in weight may be registered, provided it be presented for registration at the window of the post office, and the registration fee be prepaid in addition to the regular postage. Letters upon the official business of the postal department which require registration shall be registered free of charge. A receipt for such registered packet shall be handed to the sender.

Registered letters not expressly handed to clerk subject to double ordinary fee.

32 Any postal packet if marked *registered*, or evidently intended for registration, shall, if properly prepaid in stamps, and if found in the receiving box or in some part of the post office, and not expressly handed to the clerk, be liable to double the ordinary registration charge; and any registered postal packet if re-posted as an ordinary postal packet with the word "registered" un-erased, or erased in pencil only, shall be liable to double the ordinary registration fee.

When registration compulsory.

33 The registration of any postal packet posted at any Ceylon post office and addressed to any place in Ceylon containing coin or any currency note or any portion thereof, or any postage or other stamps, or a bank note or bank bill, jewels, ornaments, or other valuable articles, is compulsory.

Dead and Unclaimed and Re-directed Postal Packets.

Re-direction.

34 Prepaid and free postal packets shall be forwarded from one post office of delivery to another, at the request of the party addressed or in order to effect delivery, without any additional charge for postage.

Seized postal packets.

35 All postal packets which may be seized or detained for violation of law shall be returned to the owner or sender, or otherwise disposed of as the Postmaster-General may direct.

Dead postal packets.

36 All postal packets containing articles of value, which for any reason cannot be delivered to the person addressed or returned to the sender, shall be registered in the dead letter office of the postal department, and the contents thereof shall be disposed of, and a careful account shall be kept of the amount found or realized in each case, which shall be subject to reclamation by either the party addressed or the sender for four years from the registry thereof, upon due proof of title thereto; and, all other postal packets which cannot be delivered to the persons addressed or returned to the writer, shall be detained for one year and then be disposed of as the Postmaster-General may direct.

Rates and Payment of Postage on Postal Packets.

Rates on postal packets to be fixed by Proclamation.

37 The respective rates of postage and fees for registration chargeable on postal packets to be transmitted in or beyond this island shall be determined from time to time by Proclamation issued by the Governor, acting with the advice of the Executive Council, and published in the *Government Gazette*.

Postal and Telegraphic Communications.

38 The rates of postage and fees for registration now payable on such postal packets shall continue to be payable until altered in manner aforesaid.

Existing rates to continue until altered.

39 The respective rates of payment for deficiency of postage on postal packets posted in the island or abroad and deliverable in the island, which have not been sufficiently stamped or prepaid, shall be determined by Proclamation to be issued by the Governor, acting with the advice of the Executive Council. The rates now payable for such deficiency shall continue to be payable until altered in manner aforesaid.

Payments for deficiency of postage on postal packets.

40 The person to whom any postal packet, the full postage of which has not been prepaid, shall be tendered for delivery shall not be bound to pay the postage if he forthwith return the same unopened; but if he open the same, or do not forthwith return it unopened, he shall be bound to pay the postage due thereon.

Postage on unpaid or insufficiently prepaid postal packets refused by addressees.

Certificates of Posting of Unregistered Postal Packets.

41 Persons desirous of having a certificate of posting in respect of any postal packet for which a post office receipt is not given, may obtain such certificate under the following conditions:

Mode of obtaining certificate.

- (a) The certificate of posting must be presented ready written in ink together with the packet to be posted, and both the certificate and the packet must be presented at the post office window on any day except Sunday at least half an hour before the hour fixed for closing the mail for which it is intended.
- (b) The certificate must be an exact transcript of what is entered upon the address side of the packet to be posted, and must have a five-cent stamp affixed thereto.
- (c) The postmaster will compare the address of the postal packet with the certificate, and, if it be correct, will obliterate the postage stamps and impress the date stamp upon the certificate. The certificate will be returned to the person who presented it.

Postage and Telegraph Stamps.

42 The Governor shall cause postage and telegraph stamps to be provided denoting such values as he may direct, and shall give such orders and make such regulations relative thereto as he may deem expedient.

How to be provided.

43 The Commissioner of Stamps shall cause a separate account to be kept of the stamp duties arising under this Ordinance, and shall pay the sums of money arising from the said stamp duties into the Public Treasury in like manner as other sums of money received by him on account of stamp duties.

Separate accounts to be kept of the stamp duties under this Ordinance.

Postal and Telegraphic Communications.

Postage to be deemed stamp duties.

44 The rates or duties which shall be expressed or denoted by any postage or telegraph stamp shall be denominated and deemed stamp duties, and shall be under the care and management of the Commissioner of Stamps for the time being; and all the powers, provisions, clauses, regulations, directions, fines, forfeitures, pains, and penalties contained in or imposed by any Ordinance now in force or to be hereafter enacted shall (so far as the same may be applicable and may be consistent with the provisions of this Ordinance), in all cases not hereby expressly provided for, be of full force and effect with respect to the stamps to be provided under and by virtue of this Ordinance, and to the paper on which the same shall be impressed, or to which the same shall be affixed, and shall be observed, applied, enforced, and put in execution for the raising, levying, collecting, and securing of the rates or duties denoted thereby, and for preventing, detecting, and punishing all frauds, forgeries, or 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 herein repeated and specially enacted with reference to the said last-mentioned stamps and rates or duties respectively. Provided, however, that it shall not be necessary to cancel or initial any postage or telegraph stamps. Provided also that any person purchasing of the Commissioner of Stamps at one time postage stamps to the value of fifty rupees or upwards, shall be allowed a discount of five per cent. on the amount of such purchase; and that any person shall be allowed to sell postage stamps issued under the authority of this Ordinance.

Proviso.

When postal packets considered prepaid.

45 All postal packets having a proper postage stamp or proper postage stamps affixed thereto (such stamp or stamps in every case being affixed on the outside, and being equal in value to the rate or rates of postage to which such postal packets are liable under this Ordinance) shall, provided the stamp or stamps shall not have been used before, be considered as prepaid.

Franking Privilege.

Franking privilege to be determined by Governor and Executive Council.

46 Authority to frank postal packets may be conferred upon such officers of the public service, and limited in such manner, as the Governor, with the advice of the Executive Council, may at any time or from time to time appoint.

Until any new appointment shall be made under this section, the franking privilege shall continue as heretofore.

Offences and Penalties.

Opening or delaying letters.

47 Every person employed by or under the postal department who shall, contrary to his duty, open or procure or suffer to be opened a postal packet, or who shall wilfully detain or delay, or procure or suffer to be detained or delayed a postal packet, shall be guilty of an offence, and liable to a fine not exceeding two hundred rupees, or to rigorous or

Postal and Telegraphic Communications.

simple imprisonment for any period not exceeding twelve months, or to both. Provided always that nothing herein contained shall extend to the detaining or delaying or opening by the Postmaster-General or other authorized officer of any postal packet, the detention, delaying, or opening of which is expressly allowed by this Ordinance.

48 Any person revealing, disclosing, or in any way making known the contents of any postal packet opened and examined under the authority of this Ordinance, except so far as it may be necessary for the purpose of returning the same, or so far as may be authorized by the Postmaster-General in writing, shall be guilty of an offence, and on conviction thereof shall be liable to any fine not exceeding two hundred rupees, or to rigorous or simple imprisonment for any period not exceeding twelve months, or to both.

Revealing contents of letters so opened made penal.

49 Every person who shall fraudulently retain, or shall wilfully secrete, or keep, or detain, or, being required to deliver up by an officer of the postal department, shall neglect or refuse to deliver up any postal packet which ought to have been delivered to any other person, shall be guilty of an offence, and be liable on conviction thereof to any fine not exceeding one hundred rupees, or to rigorous or simple imprisonment for any period not exceeding six months, or to both.

Fraudulent or wilful detention of letters.

50 It shall not be lawful for any person whomsoever to detain a post office messenger whilst carrying the mails, nor on any pretence to open any bag, case, or parcel in transit from one post office to another; and any person so doing, whether he take any postal packet from such bag, case, or parcel or not, shall be guilty of an offence, and be liable on conviction thereof to any fine not exceeding fifty rupees.

Detention of post office messenger, &c.

51 Whoever, not being an employé of the postal department, wears any uniform prescribed by the Postmaster-General for employés of the postal department, or any uniform resembling any uniform so prescribed, with the intent that it may be believed that he is such an employé, shall be guilty of an offence, and liable to a fine not exceeding fifty rupees.

Unlawfully wearing uniform.

52 Any master or person in command of a British vessel arriving at any port or place in Ceylon, who shall fail to deliver to the postmaster, if any, of such port or place, within three hours of her arrival if in the daytime, and if at night within two hours after the next sunrise, all postal packets brought by such vessel and addressed to or destined for such port or place, shall be guilty of an offence, and liable to a fine not exceeding five hundred rupees.

Neglect or delay of master of vessel carrying postal packets to deliver the same.

53 No letter or letters shall be conveyed by any railway train, stage coach, conveyance, vehicle, or vessel regularly performing trips at stated periods, otherwise than as part of the mail, except such letter or letters relate to some part of the cargo of such vessel or to some article carried at the same time by such train, stage coach, conveyance, or vehicle,

Penalty on unlawful conveyance of postal packets.

Postal and Telegraphic Communications.

unless the person conveying such letter or letters be expressly authorized in writing by the Postmaster-General to convey the same ; and every person who shall knowingly take part or be concerned in the conveying of any letter or letters contrary to the provisions of this section shall be guilty of an offence, and liable to a fine not exceeding two hundred rupees.

Desertion of
mail.

54 Any person who shall have taken charge of the mail and shall voluntarily quit or desert the same before he has delivered it into the post office at the termination of the route, or to some other messenger or person employed in the postal department and authorized to receive the same, shall be guilty of an offence, and liable to a fine not exceeding two hundred and fifty rupees, or to rigorous or simple imprisonment for any term not exceeding twelve months, or to both.

Injuring or
destroying
postal packets.

55 Any person who shall wilfully injure, deface, or destroy any postal packet shall be guilty of an offence, and liable to a fine not exceeding five hundred rupees, or to rigorous or simple imprisonment for any term not exceeding twelve months, or to both.

Enclosing
written matter
in printed
articles.

56 Any person who shall enclose or conceal any letter in a postal packet not charged with letter rates, or make any writing or memorandum thereon other than the address, and deposit or cause the same to be deposited for conveyance by mail at a less rate than letter postage, shall be guilty of an offence, and liable to a fine not exceeding fifty rupees.

Acting as a
lottery agent.

57 Any person in the employment of the postal department who shall act as agent for any lottery office, or sell any lottery tickets, or knowingly forward any lottery scheme, circular, or ticket, free of postage, shall be guilty of an offence, and liable to a fine not exceeding fifty rupees.

Unlawful sale of
postage stamps
for more than
their value.

58 Postage stamps shall not be sold for any larger sum than the value indicated on their face, nor stamped envelopes for more than is charged therefor by the postal department ; and any person employed in the postal service who shall sell any postage stamps or stamped envelopes contrary to the provisions of this section, shall be guilty of an offence, and liable to a fine not exceeding fifty rupees.

Unlawful
removal of
postage stamps
from letters, &c.

59 Any person in the employment of the postal department who shall wilfully and unlawfully remove from any postal packet any postage stamp affixed thereto in payment of postage shall be guilty of an offence, and liable to a fine not exceeding fifty rupees, or to rigorous or simple imprisonment for a term not exceeding three months, or to both.

Penalty for
detaining mail
coach or cart, or
any act whereby
their safety and
that of mails and

60 It shall not be lawful for any person whomsoever to detain a mail coach or cart while carrying mails, or to do any act whereby such coach or cart carrying mails may be likely to be detained, or whereby the safety of such coach or cart carrying mails or of the mails or passengers carried thereby

Postal and Telegraphic Communications.

may be endangered ; and every person so doing shall be guilty of an offence, and be liable on conviction thereof to a fine not exceeding five hundred rupees.

passengers may be endangered.

61 Any person who shall post any post card having thereon, or any other postal packet having on the outside or cover thereof, any words, marks, or designs of an indecent, obscene, libellous, or grossly offensive character, shall be guilty of an offence, and liable to a fine not exceeding two hundred rupees.

Posting improper postal packets.

62 In every case where an offence shall be committed in respect of a mail bag or postal packet, or of any money, valuable security, or other article sent by post, the property of the mail bag or postal packet, money, valuable security, or other article shall be laid, when necessary to be laid at all, in Her Majesty, and it shall not be necessary in any information or complaint to allege or to prove upon the trial or otherwise that such mail bag, or any such postal packet or valuable security was of any value ; and in any information or complaint to be preferred against any person employed in the postal department for any offence committed against this Ordinance, it shall be sufficient to state and allege that such offender was employed in the postal department at the time of the committing of such offence, without stating further the nature or particulars of his employment.

Property to be laid in Her Majesty.

63 Whenever any person shall be guilty of an offence against this Ordinance, the punishment of which shall be a fine not exceeding two hundred rupees, it shall be lawful for the Postmaster-General to accept payment, on behalf of Her Majesty, from such offender of such a sum of money as may to the Postmaster-General seem fit, not exceeding the highest amount of fine to which such offender would have been liable on conviction, and no person having made such payment shall thereafter be triable for the same offence.

When offender may pay amount of fine into court.

64 Any letter-carrier employed to deliver a postal packet who shall not deliver the same shall be bound, within a reasonable time not exceeding twenty-four hours, to report the fact at the post office where he received such postal packet, and to return the same ; and if any such letter-carrier shall fail to make such report, or to return such postal packet, or shall wilfully make a false report, he shall be guilty of an offence, and be liable to rigorous or simple imprisonment for any term not exceeding three months, or to a fine not exceeding fifty rupees, or to both.

Letter-carrier to report non-delivery of postal packet.

65 Whoever abets or conceals any offence made punishable under this Ordinance shall be punished with the punishment provided for the offence which he so abets or conceals.

Penalty for abetting or concealing offences under this Ordinance.

66 It shall be lawful for the court before which an offender is convicted to direct any share, not exceeding one-half, of any fine imposed under this Ordinance, and actually recovered, to be awarded to the informer.

Informer's share of fine.

Postal and Telegraphic Communications.

Miscellaneous.

Governor and Executive Council may make rules regulating hours for posting postal packets, &c.

67 It shall be lawful for the Governor from time to time, with the advice of the Executive Council, to make such rules as shall appear expedient for the transmission of all official postal packets, and for the sale in the several post offices of postage stamps, and for establishing and regulating the business of transmitting moneys by money orders and postal orders, and for establishing and regulating a system of value-payable parcels and of insurance for valuable postal packets and the rates payable in respect thereof, and for establishing and regulating any other business which the Governor, with the advice of the Executive Council, may authorize the postal department to undertake, and the rates and charges recoverable thereon, and for regulating the hours during which the several post offices in this colony shall be kept open for any of the purposes of this Ordinance, and to direct that any or all of such post offices shall be open for the reception of postal packets out of such regular hours, upon payment for every such postal packet so posted out of the regular hours of such extra charge as to the said Governor, with the advice aforesaid, shall from time to time appear expedient. Provided that such rules shall not be inconsistent with the provisions of this Ordinance, and shall be published in the *Government Gazette*.

Postage duties debts to Her Majesty.

68 All duties of postage payable by virtue of this Ordinance shall be deemed and taken to be debts due to Her Majesty, and may be sued and recovered in such and the same manner and form as any other debt of the like amount due to Her Majesty; and it shall be lawful for the Postmaster-General or any of his deputies or assistants, or for any person authorized in that behalf by writing under the hand of the Postmaster-General or any of his deputies or assistants, to appear and represent Her Majesty in any suit or other proceeding which shall be instituted in any court of requests for the recovery of any debt which shall become due under the provisions of this Ordinance.

Government not responsible for loss or damage.

69 The Government shall not be responsible for any loss or damage which may occur in respect of any postal packet entrusted to the postal department for conveyance, whether such postal packet is registered or not, unless such postal packet shall have been duly insured with the Postmaster-General, and then only to the amount so insured; and no person employed by Government or the postal department shall be responsible for any such loss or damage unless that person shall cause such loss or damage negligently, maliciously, or fraudulently. Provided that it shall be lawful for the Governor, by warrant in the usual manner, to direct the payment out of the Public Treasury of the amount of any indemnity for which the colony may be liable under article six, clause four, of "The Postal Union Convention," and it shall be the duty of the Treasurer to pay the amount upon such warrant to the person entitled to the same.

Post office employé when responsible.

Postal and Telegraphic Communications.

70 In all cases in which the proper postage of any unstamped postal packet has not been paid by the sender thereof, and such postal packet has been refused by the addressee, or the addressee be dead or cannot be found, it shall be lawful for the Postmaster-General to charge double the postage due in respect of such unstamped postal packet to the sender thereof, and in every such case the sender of such unstamped postal packet shall pay such double postage.

Power to compel senders to pay postage of packets which addressee refuses to accept, or where addressee cannot be found.

71 Upon any trial or hearing of any action or proceeding for the recovery of any postage under this Ordinance, the production of any postal packet in respect of which such postage shall be sought to be recovered having thereupon a post office stamp denoting that such postal packet had been refused or rejected, or that the party to whom any such postal packet had been addressed was dead or could not be found, shall be *prima facie* evidence of the refusal or rejection of such postal packet, or that such person was dead or could not be found, according to the import and meaning of the said post office stamp thereon.

Post office stamps to be evidence of postal packets being refused or rejected.

72 In any suit or other proceeding for the recovery of any postage payable under or by virtue of this Ordinance, the person from whom any postal packet in respect of which any postage shall be sought to be recovered shall purport to have come, shall be deemed to be the sender thereof, and the onus shall lie upon the party proceeded against to prove that such postal packet did not come from and was not sent by him.

In suit for postage the apparent writer to be deemed the sender.

73 The official mark of any sum on any postal packet as due to the post office in respect of that packet shall be received as evidence of the liability of such packet to the sum so marked, and such sum shall be recoverable as postage due to Her Majesty in the manner prescribed by section 68.

Official mark of any sum on postal packet to be evidence of liability of packet to the sum so marked.

74 Whenever a postal packet is tendered at any post office after the hour fixed for the closing of any particular mail, but before the actual despatch of such mail, and the sender desires such postal packet to be forwarded by such mail, it shall be lawful for the postmaster in charge of such office, after stamping on such postal packet the words "Too late," to charge in addition to the ordinary rate of postage an extra rate, which rate shall be as follows in respect of the postal packets herein enumerated :

Extra rate to be charged on packets posted after closing of mail.

	Cents.
Inland letters, an additional rate of	... 5
India letters	... 5
Foreign 15

75 The Postmaster-General may, if the post office rules so provide, authorize any person holding office under the Crown in this colony to issue money orders or postal orders under the provisions of this Ordinance ; and a person so authorized shall be deemed, for the purpose of the issue and payment of such money or postal orders, to be an officer of the postal department.

Issue of postal orders by officers of the Crown.

Postal and Telegraphic Communications.

Postal Orders.

Postmaster-General to authorize the issuing of postal orders in form in schedule.

76 Subject to the post office rules as defined by this Ordinance, the Postmaster-General may, for the purpose of the transmission of small sums through the post office, authorize his officers or any of them to issue, in addition to money orders, postal orders substantially in the form set forth in schedule II. to this Ordinance, and such orders shall be paid in the manner and subject to the conditions prescribed by the said rules, and shall be deemed to be money orders within the meaning of the said rules, and shall, like other money orders, be exempt from stamp duty : Provided that—

Amount of, and commission on, postal orders.

(1) Any postal order shall be for the prescribed amount not exceeding ten rupees, and there shall be taken in respect thereof, for the use of our Sovereign Lady the Queen, the prescribed commission not exceeding ten cents ;

When to be issued.

(2) Any postal order shall not be issued until the amount of the order and the commission have been paid to the officer issuing the same ;

Time of payment subject to conditions.

(3) After the expiration of three months from the last day of the month in which any postal order is issued by the post office, the order shall be payable only on payment in the prescribed manner of a second commission equal to the amount of the original commission, with the addition (if more than three months have elapsed since the said expiration) of the amount of the original commission for every further period of three months which has so elapsed, and for every portion of any such period of three months over and above every complete period.

No interest allowed.

77 No interest shall be payable in respect of a postal order issued under this Ordinance.

A postal order to be deemed a "document" and "valuable security."

78 A postal order under this Ordinance shall be deemed to be a "document" and also a "valuable security," within the meaning of the Ceylon Penal Code.

Forgery of crossing of postal orders.

79 Any person who, with intent to defraud, obliterates, adds to, or alters any such lines or words on a postal order issued under this Ordinance, as would in the case of a cheque be a crossing of that cheque, or knowingly offers, utters, or disposes of any postal order with such fraudulent obliteration, addition, or alteration, shall be guilty of an offence, and be liable to the like punishment provided for forgery under the 454th section of the Ceylon Penal Code : Provided always that any banker or corporation acting as bankers in this colony who, in collecting in such capacity for any principal, shall have received payment, or been allowed by the Postmaster-General on account in respect of any postal order issued under this Ordinance, or of any document purporting to be such postal order, shall not incur liability to any one except such principal by reason of having received such payment or allowance, or having held or presented such

Postal and Telegraphic Communications.

postal order or document for payment ; but this section shall not relieve any principal for whom such postal order or document shall have been so held or presented of any liability in respect of his possession of the same or of the proceeds thereof.

80 An officer of the postal department who re-issues a postal order previously liquidated shall be deemed to have issued such order with intent to defraud, and shall be punished with simple or rigorous imprisonment for a term which may extend to two years, or with fine, or with both.

Penalty for postal officer re-issuing a paid postal order.

Savings Banks.

81 It shall be lawful for the Governor, by Proclamation to that effect to be published in the *Government Gazette*, to establish savings banks in connection with the General Post Office and all or any of the branches or stations thereof, and for that purpose to authorize and direct the Postmaster-General and such of his officers as the Governor may think fit, to receive deposits and to repay the same under such rules and regulations as shall be made under section 83 of this Ordinance. All savings banks heretofore established shall be deemed to be established under the provisions of this Ordinance. And it shall be lawful for the Governor, by like Proclamation, to discontinue any savings bank established under this or any repealed Ordinance.

Governor may establish and discontinue postal savings banks by Proclamation in *Government Gazette*.

82 The several sums which shall have been or shall from time to time be deposited in the said savings banks shall be invested at interest in securities of the Government of the United Kingdom of Great Britain and Ireland, or of the Government of India, or of this island, or of such other British colony as may be approved of by the Governor, acting with the advice of the Executive Council, and all sums so invested and the securities thereof may be called up, sold, or otherwise disposed of, from time to time, under such rules as shall be made under section 83 of this Ordinance.

Funds how to be laid out.

83 The Governor may, with the advice and consent of the Executive Council, from time to time make rules and regulations touching the limit of deposits, the rate of interest to be allowed thereon, the sale or disposal of securities or investments, the deposits of minors and trustees, and the mode of payment thereof, and for all matters relating to general management of such savings banks, and such rules and regulations from time to time to add to, amend, alter, and repeal. All such rules and regulations when made, added to, amended, altered, or repealed shall be published in the *Government Gazette*, and upon the publication of such rules as shall be made, added to, amended, or altered, they shall be as legal, valid, and effectual as if the same had been enacted herein. Provided always that such rules and regulations shall not be repugnant to or inconsistent with the provisions of this Ordinance.

Governor and Executive Council may make rules for general management.

Postal and Telegraphic Communications.

Deposit in name of married woman to be her separate property. Not to be in fraud of husband's creditors.

84 Any deposit made in the name of a married woman, or in the name of a woman who may marry after such deposit, shall be deemed to be the separate property of such woman, and the same shall be accounted for and paid to her as if she were an unmarried woman. Provided that nothing herein contained in reference to such deposits shall, as against creditors of the husband, give validity to any deposit of moneys of the husband made in fraud of such creditors, and any moneys so deposited may be followed as if this Ordinance had not passed.

Payments on death of depositors.

85 In case any depositor in the funds of any savings bank established under this Ordinance shall die leaving a sum of money in the said fund, it shall be lawful for the person or persons authorized to make payments by the rules and regulations hereinbefore provided for, and they are hereby authorized and permitted, in case he or they shall be satisfied that no will was made or left by such deceased depositor, and that no letters of administration are required by law to be taken out, to pay the same at any time after the decease of such depositor, according to the rules and regulations of the said savings bank; and in the event of there being no rules and regulations made in that behalf, then such person or persons aforesaid are hereby authorized and permitted to pay and divide the same to and amongst the person or persons who appear to be entitled to the effects of the deceased intestate according to law.

Payment to persons appearing to be next of kin declared valid.

86 Whenever any sum of money shall have been paid and divided to or amongst any person or persons who shall at the time of such payment appear to be entitled to the effects of any deceased intestate depositor according to the rules and regulations of any such savings bank, or according to law, the payment of any such sum or sums of money shall be valid and effectual with respect to any demand of any other person or persons as next of kin of such deceased intestate depositor, or as the lawful representative or representatives of such depositor, against the funds of such savings bank, or against the Government of this colony, or against the person or persons authorized to make such payments; but, nevertheless, such next of kin or representative shall have remedy for such money so paid as aforesaid against the person or persons who shall have received the same.

Remedy of person entitled against persons receiving the money.

Electric Telegraph.

Power to enter on lands, put up posts, &c., cut down trees, and do other acts necessary for the construction of the electric telegraph.

87 It shall be lawful for any officer in the employ of the Government in the postal department, and for the servants, workmen, and labourers employed by or under such officer, at all times, and with all necessary carriages and animals and other means, to enter upon all or any lands, and to put up thereon any posts which may be required for the support of any electric telegraph wire; and to fasten or attach to any tree growing on such land any bracket or other support for such wire; and to cut down any tree or branch which

Postal and Telegraphic Communications.

may in any way injure, impede, or interfere with any line of electric telegraph; and also severally to do and perform all other acts, matters, and things necessary for the purposes of establishing, constructing, repairing, or improving any electric telegraph, or in any way connected therewith, or for performing any act, matter, or thing under the provisions of this Ordinance.

88 Every person who shall sustain any loss or damage by reason of the exercise of the power conferred by the preceding section upon the parties therein specified shall be entitled to receive from the Government a reasonable compensation for the same. Provided that he shall make application in that behalf to the Postmaster-General within thirty days after the loss or damage was sustained.

Compensation for injury to property.

Proviso.

89 Any railway company, on being required so to do by the Governor, with the advice of the Executive Council, shall permit the Government to establish upon the land of such company adjoining the line of railway a line of electric telegraph, and shall give every reasonable facility for establishing, using, and repairing the same. And such company shall not be entitled to demand any compensation for or by reason thereof.

Government may establish telegraph on land of railway company without giving any compensation.

90 The Governor may, from time to time, with the advice of the Executive Council, frame and establish rules for the conduct of electric telegraphs established by Government, not inconsistent with this Ordinance; and thereby prescribe the regulations, charges, conditions, rates, and restrictions according to which all messages and signals shall be transmitted. And all such rules shall be published in the next *Government Gazette* after the same have been established.

Governor to establish rules for the conduct of Government telegraphs.

91 The Government shall not be responsible for any loss or damage which may occur in consequence of any person employed by the Government in the postal department failing to transmit, or to transmit with accuracy, any message entrusted to him for transmission; and no such person shall be responsible for any such loss or damage, unless he shall cause the same negligently, maliciously, or fraudulently.

Government not responsible for loss or damage.

SCHEDULE I.

Ordinance No. 2 of 1857.
Ordinance No. 2 of 1878.
Ordinance No. 2 of 1880.

Ordinance No. 5 of 1882.
Ordinance No. 40 of 1884.
Ordinance No. 21 of 1885.

Postal and Telegraphic Communications.

SCHEDULE II.

POSTAL ORDER

Rs.*

FOR

* RUPEE.

To the POSTMASTER in charge of the MONEY ORDER OFFICE at †

PAY to † _____ at any time
within Three Calendar Months from the last day of the Month of issue the sum of _____ on Account of the Postmaster-General.
POSTMASTER.

COMMISSION	
CENTS	

† The person to whom this Order is issued must, before parting with it, fill in the name of the person to whom the Amount is to be paid, and may fill in the name of the Money Order Office at which the Amount is to be paid. Except when the Order is paid through a Banker, the person so named must SIGN THE RECEIPT at the foot hereof, and must also fill in the name of the Money Order Office if that has not already been done.

1. If this Order be crossed " & Co." payment will only be made through a Banker, and if the name of the Banker is added payment will only be made through that Banker. 2. After this Order has once been paid, — to whomsoever it is paid, — the Postmaster-General will not be liable to any further claim. 3. If any erasure or alteration be made, or if this Order be cut, defaced, or mutilated, payment may be refused. 4. The Regulations under which this Order is issued allow the Postmaster to refuse or delay the payment of this Order, but he must at once report his reasons for so doing to the Postmaster-General.

5. After the expiration of three months from the last day of the month of issue this Order will be payable only on payment of a commission equal to the amount of the original payment, with the addition (if more than three months have elapsed since the said expiration) of the amount of the original payment for every further period of three months which has so elapsed, and for every portion of any such period of three months over and above every complete period.



RECEIVED the above-named sum.

Signature.

* Alter according to amount.

2nd November, 1892.