

action, suit or information, brought or commenced for the recovery thereof.

Pecuniary penalties recoverable in any Court possessing competent jurisdiction, etc.

Part or the whole of penalty may be given to the party by whose intervention the same may have been recovered.

Penalties to be sued for within one year after they are incurred.

If penalty exceed £5, party may be indicted for misdemeanor.

How punished.

XL. And be it enacted, That in all mere pecuniary penalties imposed by this Act, or by any regulation of the Lieutenant Governor in Council, to be made under this Act, shall be recoverable with costs by the Postmaster General) by civil action, in any Court having jurisdiction to the amount, and shall belong to the Crown—saving always the power of the Lieutenant Governor in Council to allow any part or the whole of such penalty to the officer or party by whose information or intervention the same shall have been recovered; but all such penalties shall be sued for within one year after they are incurred, and not afterwards: Provided always, that if the penalty exceed five pounds, the offender may be indicted for a misdemeanor in contravening the provisions of this Act, or of the regulations made under it (instead of being sued for such penalty); and, if convicted, shall be punishable by fine or imprisonment, or both, in the discretion of the Court.

Postage, etc., recoverable on the evidence of one credible witness.

Burden of proof.

XLI. And be it enacted, That in any action or proceeding for the recovery of postage, or of any penalty under this Act, the same may be recovered on the evidence of any one credible witness; and any Postmaster, or other Officer or Servant of the Post Office of this Island, shall be a competent witness, although he may be entitled to or entertain reasonable expectation of receiving some portion or the whole of the sum to be recovered; and the burden of showing that any thing proved to have been done by the defendant was done in conformity to or without contravention of this Act, shall be upon the defendant.