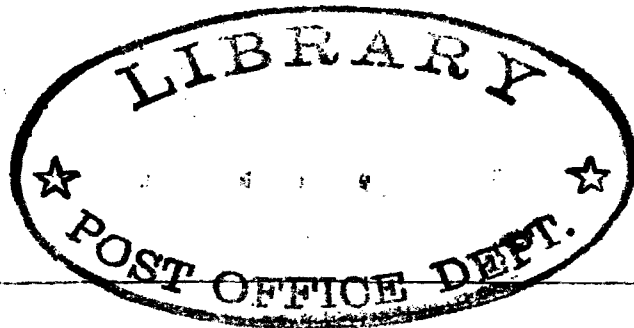


LAWS AND REGULATIONS

FOR THE GOVERNMENT

OF THE

POST OFFICE DEPARTMENT.



PRINTED BY ORDER OF THE

POSTMASTER GENERAL.

WASHINGTON, D. C.

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1843.



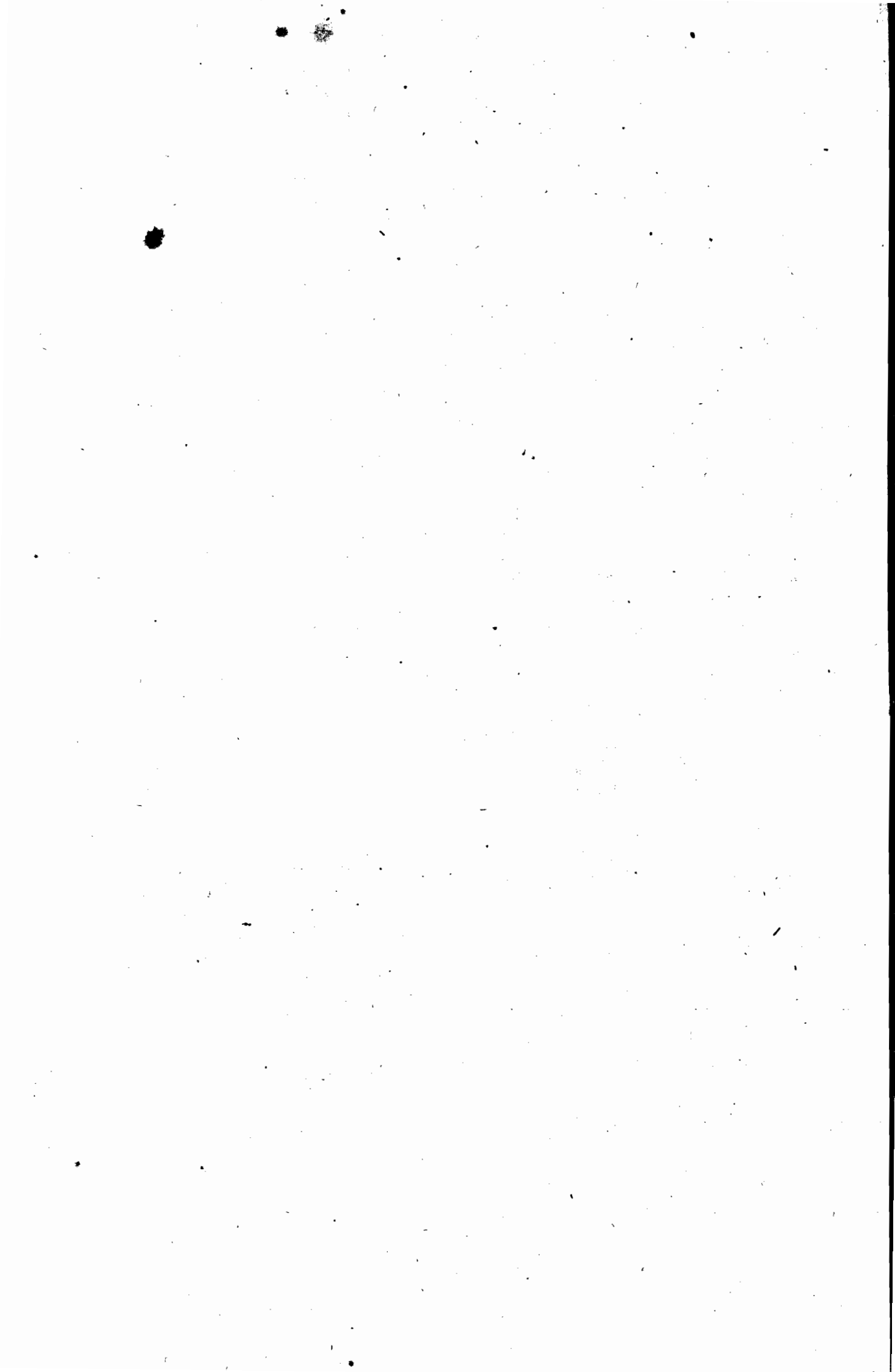
SECTION 1.—*Be it enacted by the Senate and House of Representatives of the United States of America,* That the Postmaster General be, and he is hereby authorized and required to cause to be collated and printed in pamphlet form, suitably for distribution, a complete edition, of not less than eighteen thousand copies, of the Laws relating to the Post Office Department, together with the Regulations established by said Department for the better conduct of its business; and also a new and complete list of all post offices in the United States; showing their respective distances from Washington, and from the capitals of the States in which the several offices are situated.

SECTION 2.—*And be it further enacted,* That for the purpose of carrying into effect the provisions of this act, the sum of nine thousand one hundred dollars is hereby appropriated out of any money in the Treasury not otherwise appropriated.—*Approved, August 29th, 1842.*

In obedience to this law, the following compilation of laws and regulations has been published. The regulations are such as have been adopted by this Department for many years with such alterations and additions thereto, as the change of the law and experience have suggested. They will be regarded and observed by all deputy postmasters and others connected with the service of this Department. Upon the diligence and fidelity of deputy postmasters and contractors in the discharge of their various duties, depend mainly the character and usefulness of the public service of the Post Office Department.

CHARLES A. WICKLIFFE,
Postmaster General.

August 24, 1843.



POST OFFICE LAWS.

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AN ACT

Concerning Public Contracts.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, from and after the passage of this act, no member of Congress shall, directly or indirectly, himself, or by any other person whatsoever in trust for him, or for his use or benefit, or on his account, undertake, execute, hold or enjoy, in the whole or in part, any contract or agreement, hereafter to be made or entered into with any officer of the United States, in their behalf, or with any person authorized to make contracts on the part of the United States; and if any member of Congress shall, directly or indirectly, himself, or by any other person whatsoever in trust for him, or for his use or benefit, or on his account, enter into, accept of, agree for, undertake or execute, any such contract or agreement, in the whole or in part, every member so offending shall, for every such offence, upon conviction thereof, before any court of the United States, or of the territories thereof, having cognizance of such offence, be adjudged guilty of a high misdemeanor, and shall be fined three thousand dollars; and every such contract or agreement as aforesaid shall, moreover, be absolutely void and of no effect: *Provided, nevertheless,* That in all cases where any sum or sums of money shall have been advanced on the part of the

Members
of Congress
not to con-
tract.

Penalty.

United States, in consideration of any such contract or agreement, the same shall be forthwith repaid; and in case of refusal or delay to repay the same, when demanded, by the proper officer of the department under whose authority such contract or agreement shall have been made or entered into, every person so refusing or delaying, together with his surety or sureties, shall be forthwith prosecuted at law for the recovery of any such sum or sums of money advanced as aforesaid.

Exception. SEC. 2. *And be it further enacted,* That nothing herein contained shall extend, or be construed to extend, to any contract or agreement, made, or entered into, or accepted by any incorporated company, where such contract or agreement shall be made for the general benefit of such incorporation or company; nor to the purchase or sale of bills of exchange, or other property, by any member of Congress, where the same shall be ready for delivery, and for which payment shall be made at the time of making or entering into the contract or agreement.

Condition to be inserted in public contracts. SEC. 3. *And be it further enacted,* That in every such contract or agreement, to be made, or entered into, or accepted, as aforesaid, there shall be inserted an express condition that no member of Congress shall be admitted to any share or part of such contract or agreement, or to any benefit to arise thereupon.

Penalty on any officer who shall contract with a member. SEC. 4. *And be it further enacted,* That if any officer of the United States, on behalf of the United States, shall directly or indirectly, make or enter into any contract, bargain or agreement, in writing or otherwise, other than such as are herein excepted, with any member of Congress, such officer so offending, on conviction thereof, before any court having jurisdiction thereof, shall be deemed and taken to be guilty of a high misdemeanor, and be fined in a sum of three thousand dollars.

Heads of Departments to report all contracts to Congress. SEC. 5. *And be it further enacted,* That from and after the passing of this act, it shall be the duty of the Secretary of the Treasury, Secretary of War, Secretary of the Navy, and the Postmaster General, annually, to lay before Congress a statement of all the contracts which have been made in their respective departments, during the year preceding such report, exhibiting in such statement the name of the contractor, the article or thing

contracted for, the place where the article was to be delivered, or the thing performed, the sum to be paid for its performance or delivery, the date and duration of the contract.

[APPROVED, *April 21, 1808.*

AN ACT

Authorizing the transmission of certain Documents free of postage.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the members of Congress, the delegates from Territories, the Secretary of the Senate, and the Clerk of the House of Representatives, be, and they are hereby, authorized to transmit, free of postage, to any post office within the United States or the Territories thereof, any documents which have been, or may be, printed by order of either House.

Certain documents may be franked by members of Congress, and others.

[APPROVED, *December 19, 1821.*

AN ACT

To discontinue certain Post Roads and to establish others.

SEC. 3. *And be it further enacted,* That all waters on which steam-boats regularly pass from port to port, shall be considered and established as post roads, subject to the provisions contained in the several acts regulating the post office establishment.

Certain waters declared post roads

[APPROVED, *March 3, 1823.*

AN ACT

To reduce into one the several Acts for establishing and regulating the Post Office Department.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be established, at the seat

of the Government of the United States, a General Post Office, under the direction of a Postmaster General.

Postmaster General's powers: The Postmaster General shall appoint two Assistants, and such clerks as may be necessary for the performance of the business of his office, and as are authorized by law; and shall procure, and cause to be kept, a seal for the said office, which shall be affixed to commissions of Postmasters, and used to authenticate all transcripts and copies which may be required from the Department. He shall establish post offices, and appoint Postmasters, at all such places as shall appear to him expedient, on the post roads that are, or may be established by law.

Seal:

Power of instruction. He shall give his Assistants, the Postmasters, and all other persons whom he shall employ, or who may be employed, in any of the departments of the General Post Office, instructions relative to their duty. He shall provide for the carriage of the mail on all post roads that are, or may be established by law, and as often as he, having regard to the productiveness thereof, and other circumstances, shall think proper. He may direct the route or road, where there are more than one, between places designated by law for a post road, which route shall be considered the post road. He shall obtain, from the Postmasters, their accounts and vouchers for their receipts and expenditures, once in three months, or oftener, with the balances thereon arising in favor of the General Post Office. He shall pay all expenses which may arise in conducting the post office, and in the conveyance of the mail, and all other necessary expenses arising on the collection of the revenue, and management of the General Post Office. He shall prosecute offences against the post office establishment. He shall, once in three months, render to the Secretary of the Treasury a quarterly account of all the receipts and expenditures in the said Department, to be adjusted and settled as other public accounts. He shall, also, superintend the business of the Department, in all the duties that are, or may be, assigned to it: *Provided*, That, in case of the death, resignation, or removal from office, of the Postmaster General, all his duties shall be performed by his senior Assistant, until a successor shall be appointed, and arrive at the General Post Office, to perform the business.

To convey mail.

How often.

To control accounts.

To defray expenses.

To prosecute.

When Senior Assistant acts as P. M. G.

SEC. 2. *And be it further enacted,* That the Postmaster General, and all other persons employed in the General Post Office, or in the care, custody, or conveyance of the mail, shall, previous to entering upon the duties assigned to them, or the execution of their trusts, and before they shall be entitled to receive any emolument therefor, respectively take and subscribe the following oath, or affirmation, before some magistrate, and cause a certificate thereof to be filed in the General Post Office: "I, A B, do swear or affirm, (as the case may be) that I will faithfully perform all the duties required of me, and abstain from every thing forbidden by the laws in relation to the establishment of the post office and post roads within the United States." Every person who shall be, in any manner employed in the care, custody conveyance, or management of the mail, shall be subject to all pains, penalties and forfeitures, for violating the injunctions, or neglecting the duties, required of him by the laws relating to the establishment of the post office and post roads, whether such person shall have taken the oath or affirmation, above prescribed, or not.

Oath.

SEC. 3. *And be it further enacted,* That it shall be the duty of the Postmaster General, upon the appointment of any Postmaster, to require, and take of such Postmaster, bond, with good and approved security, in such penalty as he may judge sufficient, conditioned for the faithful discharge of all the duties of such Postmaster, required by law, or which may be required by any instruction or general rule for the government of the Department: *Provided, however,* That, if default shall be made by the Postmaster aforesaid, at any time, and the Postmaster General shall fail to institute suit against such Postmaster, and said sureties, for two years from and after such default shall be made, then, and in that case, the said sureties shall not be held liable to the United States, nor shall suit be instituted against them.

Bond.

Suits within two years after default.

SEC. 4. *And be it further enacted,* That the Postmaster General shall cause a mail to be carried from the nearest post office, on any established post road, to the Court House of any county which is now, or may hereafter be, established in any of the States or Territories of the United States, and which is without a mail;

Mail to Court Houses.

Extended
post routes.

and the road on which such mail shall be transported, shall become a post road, and so continue, until the transportation thereon shall cease. It shall, also, be lawful for the Postmaster General to enter into contracts, for a term not exceeding four years, for extending the line of posts, and to authorize the persons so contracting, as a compensation for their expenses, to receive, during the continuance of such contracts, at rates not exceeding those for like distances, established by this act, all the postage which shall arise on letters, newspapers, magazines, pamphlets, and packets, conveyed by any such posts; and the roads, designated in such contracts, shall, during the continuance thereof, be deemed and considered as post roads, within the provision of this act; and a duplicate of every such contract shall, within sixty days after the execution thereof, be lodged in the office of the Comptroller of the Treasury of the United States.

Mails in
steam boats
or packets.

SEC. 5. *And be it further enacted,* That the Postmaster General be authorized to have the mail carried in any steam-boat, or other vessel, which shall be used as a packet, in any of the waters of the United States, on such terms and conditions as shall be considered expedient: *Provided,* That he does not pay more than three cents for each letter, and more than one-half cent for each newspaper conveyed in such mail.

Steam boat
letters to be
deposited.

SEC. 6. *And be it further enacted,* That it shall be the duty of every master or manager of any steam-boat, which shall pass from one port or place to another port or place in the United States, where a post office is established, to deliver, within three hours after his arrival, if in the day time, and within two hours after the next sunrise, if the arrival be in the night, all letters and packets addressed to, or destined for, such port or place, to the Postmaster there, for which he shall be entitled to receive, of such Postmaster, two cents for every letter or packet so delivered, unless the same shall be carried or conveyed under a contract with the Postmaster General; and, if any master or manager of a steam-boat shall fail so to deliver any letter or packet, which shall have been brought by him, or shall have been in his care, or within his power, he shall incur a penalty of thirty dollars for every such failure. And every person, employed on board any steam-boat, shall deliver

Penalty.

every letter, and packet of letters, entrusted to such person, to the master or manager of such steam-boat, and before the said vessel shall touch at any other port or place; and for every failure or neglect so to deliver, a penalty of ten dollars shall be incurred for each letter or packet.

SEC. 7. *And be it further enacted,* That no other than a free white person shall be employed in conveying the mail; and any contractor who shall employ, or permit any other than a free white person to convey the mail, shall, for every such offence, incur a penalty of twenty dollars.

Mail carriers to be free whites.

SEC. 8. *And be it further enacted,* That, whenever it shall be made to appear to the satisfaction of the Postmaster General, that any road established, or which may hereafter be established as a post road, is obstructed by fences, gates, bars, or other than those lawfully used on turnpike roads to collect their toll, and not kept in good repair, with proper bridges and ferries, where the same may be necessary, it shall be the duty of the Postmaster General to report the same to Congress with such information as can be obtained, to enable Congress to establish some other road instead of it, in the same main direction.

Obstruction of post routes by fences, &c.

SEC. 9. *And be it further enacted,* That, if any person shall, knowingly and wilfully, obstruct or retard the passage of the mail, or of any driver or carrier, or of any horse or carriage, carrying the same, he shall, upon conviction for every such offence, pay a fine not exceeding one hundred dollars; and if any ferryman shall, by wilful negligence, or refusal to transport the mail across any ferry, delay the same, he shall forfeit and pay, for every ten minutes that the same shall be so delayed, a sum not exceeding ten dollars.

Retarding the mail.

at ferries.

Penalty.

SEC. 10. *And be it further enacted,* That it shall be the duty of the Postmaster General to give public notice, in one newspaper published at the seat of government of the United States, and in one or more of the newspapers published in the State or States, or Territory, where the contract is to be performed, for at least twelve weeks before entering into any contract for carrying the mail, that such contract is intended to be made, and the day on which it is to be concluded, describing the places from and to which such mail is to be conveyed,

Making contracts.

the time at which it is to be made up, and the day and hour at which it is to be delivered. He shall, moreover, within ninety days after the making of any contract, lodge a duplicate thereof, together with the proposals which he shall have received respecting it, in the office of the Comptroller of the Treasury of the United States: *Provided*, That no contract shall be entered into for a longer term than four years.

Post Office
hours.

SEC. 11. *And be it further enacted*, That every Postmaster shall keep an office, in which one or more persons shall attend on every day on which a mail shall arrive, by land or water, as well as on other days, at such hours as the Postmaster General shall direct, for the purpose of performing the duties thereof; and it shall be the duty of the postmaster, at all reasonable hours, on every day of the week, to deliver, on demand, any letter, paper, or packet, to the person entitled to, or authorized to receive the same; and all letters brought to any post office half an hour before the time of making up the mail at such office, shall be forwarded therein, except at such post-offices where, in the opinion of the Postmaster General, it requires more time for making up the mail, and which he shall accordingly prescribe; but this shall, in no case, exceed one hour.

No fees, &c.
in G. Post
Office.

SEC. 12. *And be it further enacted*, That no fees or perquisites shall be received by any person employed in the General Post Office, on account of the duties to be performed by virtue of his appointment.

Rates of
postage.

SEC. 13. *And be it further enacted*, That the following rates of postage be charged upon all letters and packets, (excepting such as are excepted by law,) conveyed in the mail of the United States, viz: For every letter composed of a single sheet of paper, conveyed not exceeding thirty miles, six cents: Over thirty, and not exceeding eighty, ten cents: Over eighty, and not exceeding one hundred and fifty, twelve and a half cents: Over one hundred and fifty, and not exceeding four hundred, eighteen and three quarters of a cent: Over four hundred, twenty-five cents. And for every double letter, or letter composed of two pieces of paper, double those rates; and for every tripple letter, or letter composed of three pieces of paper, tripple those rates; and for every packet composed of four or more pieces of paper, or one or more other articles, and weighing one

ounce avoirdupois, quadruple those rates; and in that proportion for all greater weights: *Provided*, That no packet of letters, conveyed by the water mails, shall be charged with more than quadruple postage, unless the same shall contain more than four distinct letters. No postmaster shall receive, to be conveyed by the mail, any packet which shall weigh more than three pounds; and the postage marked on any letter or packet, and charged in the post bill which may accompany the same, shall be conclusive evidence in favor of the postmaster who delivers the same, of the lawful postage thereon, unless such letter or packet shall be opened in the presence of the postmaster or his clerk. Every four folio pages, or eight quarto pages, or sixteen octavo, or twenty-four duodecimo pages, or pages of less size than that of a pamphlet or magazine, whatever be the size of the paper of which it is formed, shall be considered a sheet, and the surplus pages of any pamphlet or magazine shall also be considered a sheet; and the Journals of the Legislatures of the several States, not being bound, shall be liable to the same postage as pamphlets. Any memorandum which shall be written on a newspaper, or other printed paper, pamphlet, or magazine, and transmitted by mail, shall be charged with letter postage: *Provided*, The publisher of a newspaper may send a printed or written notice to a subscriber, stating the amount due on his subscription; which notice shall be attached to the margin of the newspaper, and the postmaster who delivers the paper shall charge for such notice the same postage as for a newspaper.

Limit of packets to three pounds.

Pamphlets, Magazines, and Legislative Journals.

Memorandum on a newspaper.

SEC. 14. *And be it further enacted*, That the Postmaster General be, and he is hereby, authorized to allow to each postmaster, such commission on the postages by him collected, as shall be adequate to his services and expenses: *Provided*, That his commission shall not exceed the following several rates on the amount received in one quarter, viz:

Postmasters' commissions on letter postage.

On a sum not exceeding one hundred dollars, thirty per cent.

On any sum over and above the first hundred dollars, and not exceeding four hundred dollars, twenty-five per cent.

On any sum over and above the first four hundred,

and not exceeding two thousand four hundred dollars, twenty per cent.

On any sum over and above the first two thousand four hundred dollars, eight per cent.—

Except to the postmasters who may be employed in receiving and despatching foreign mails, whose compensation may be augmented, not exceeding twenty-five dollars in one quarter; and excepting to the postmasters at offices where the mail is regularly to arrive between the hours of nine o'clock at night and five o'clock in the morning, whose commission on the first hundred dollars, collected in one quarter, may be increased to a sum not exceeding fifty per cent. The Postmaster General may allow to the postmasters, respectively, a commission of fifty per cent. on the moneys arising from the postage of newspapers, magazines, and pamphlets; and to the postmasters whose compensation shall not exceed five hundred dollars in one quarter, two cents for every free letter, delivered out of the office, excepting such as are for the postmaster himself; and each postmaster, who shall be required to keep a register of the arrival and departure of the mails, shall be allowed ten cents for each monthly return which he makes thereof to the General Post Office. The Postmaster General may allow to the postmaster at New Orleans, at the rate of eight hundred dollars a year in addition to his ordinary commissions. The Postmaster General is hereby authorized to allow to the postmaster of the city of Washington, in addition to the allowance made by this act, for postage collected and for free letters received by him for delivery, a commission of five per cent. on the amount of mails distributed at his office: *Provided, nevertheless,* That the whole annual emolument of the said postmaster, including the extra compensation of eight hundred dollars which is hereby allowed him, shall be subject to the restrictions imposed by the forty-first section of this act.

Who rise at night.

On newspaper postage.

On free letters.

Mail Register.

Proviso.

Ship Letters.

SEC. 15. *And be it further enacted,* That every letter or packet, brought into the United States, or carried from one port therein to another, in any private ship or vessel, shall be charged with six cents, if delivered at the post office where the same shall arrive; and if destined to be conveyed, by post, to any place, with two cents added to the ordinary rates of postage.

SEC. 16. *And be it further enacted,* That if any postmaster, or other person, authorized by the Postmaster General to receive the postage of letters, shall fraudulently demand or receive any rate of postage, or gratuity, or reward, other than is provided by this act for the postage of letters or packets, on conviction thereof, he shall forfeit, for every such offence, one hundred dollars.

Illegal rates of postage, or rewards.

SEC. 17. *And be it further enacted,* That no ship or vessel, arriving at any port within the United States where a post office is established, shall be permitted to report, make entry, or break bulk, until the master or commander shall have delivered to the postmaster all letters directed to any person or persons within the United States, or the territories thereof, which, under his care, or within his power, shall be brought in such ship or vessel, except such as are directed to the owner or consignee of the ship or vessel. And it shall be the duty of the collector, or other officer of the port empowered to receive entries of ships or vessels, to require, from every master or commander of such ship or vessel, an oath or affirmation, purporting that he has delivered all such letters, except as aforesaid; and if any commander or master of any such ship or vessel shall break bulk before he shall have complied with the requirements of this act, every such offender shall, on conviction thereof, forfeit, for every such offence, a sum not exceeding one hundred dollars.

Masters of vessels to deposit letters.

SEC. 18. *And be it further enacted,* That the postmaster to whom such letters may be delivered, shall pay the master or commander, or other person delivering the same, except the commanders of foreign packets, two cents for each letter or packet; and shall obtain from the person delivering the same, a certificate, specifying the number of letters and packets, with the name of the ship or vessel, and the place from whence she last sailed; which certificate, together with a receipt for the money, shall be, with his quarterly accounts, transmitted to the Postmaster General, who shall credit him with the amount.

Two cents for each.

SEC. 19. *And be it further enacted,* That no stage or other vehicle, which regularly performs trips on a post road, or on a road parallel to it, shall convey letters; nor shall any packet boat or other vessel, which regularly plies on a water declared to be a post road, except such

No letters to be carried on post routes, either by land or water.

Penalty. as relate to some part of the cargo. For the violation of this provision, the owner of the carriage, or other vehicle, or vessel, shall incur the penalty of fifty dollars. And the person who has charge of such carriage, or other vehicle, or vessel, may be prosecuted under this section, and the property in his charge may be levied on and sold, in satisfaction of the penalty, and costs of suit: *Provided*, That it shall be lawful for any one to send letters by special messenger.

Way letters SEC. 20. *And be it further enacted*, That the deputy postmasters, and other agents of the Postmaster General, shall duly account, and answer to him, for all way letters which shall come to their hands; and for this purpose, the post riders, and other carriers of the mail, receiving any way letter or letters, (and it shall be their duty to receive them, if presented more than one mile from a post office,) shall deliver the same, together with the postage, if paid, at the first post office to which they shall afterwards arrive; where the postmaster shall duly enter the same, and specify the number, and rate or rates, in the post bill, adding to the rate of each way letter one cent, which shall be paid by the postmaster to the mail carrier from whom such way letters shall be received.

One cent for each.

Detaining, delaying, opening, or destroying, any letter, or packet, &c. SEC. 21. *And be it further enacted*, That if any person employed in any of the departments of the Post Office establishment, shall unlawfully detain, delay, or open, any letter, packet, bag, or mail of letters, with which he shall be entrusted, or which shall have come to his possession, and which are intended to be conveyed by post; or, if any such person shall secrete, embezzle, or destroy, any letter or packet entrusted to such person as aforesaid, and which shall not contain any security for, or assurance relating to money, as hereinafter described, every such offender, being thereof duly convicted, shall, for every such offence, be fined, not exceeding three hundred dollars, or imprisoned, not exceeding six months, or both, according to the circumstances and aggravations of the offence. And if any person, employed as aforesaid, shall secrete, embezzle, or destroy, any letter, packet, bag, or mail of letters, with which he or she shall be entrusted, or which shall have come to his or her possession, and are intended to be conveyed by post, containing any bank note or bank

Penalty.

post bill, bill of exchange, warrant of the Treasury of the United States, note of assignment of stock in the funds, letters of attorney for receiving annuities or dividends, or for selling stock in the funds, or receiving the interest thereof, or any letter of credit, or note for, or relating to, payment of moneys, or any bond, or warrant, draft, bill, or promissory note, covenant, contract, or agreement, whatsoever, for, or relating to, the payment of money, or the delivery of any article of value, or the performance of any act, matter, or thing, or any receipt, release, acquittance, or discharge of, or from, any debt, covenant, or demand, or any part thereof, or any copy of any record of any judgment, or decree, in any court of law, or chancery, or any execution which may have issued thereon, or any copy of any other record, or any other article of value, or any writing representing the same; or if any such person, employed as aforesaid, shall steal, or take, any of the same out of any letter, packet, bag, or mail of letters, that shall come to his or her possession, such person shall, on conviction for any such offence, be imprisoned not less than ten years, nor exceeding twenty-one years; and if any person who shall have taken charge of the mails of the United States, shall quit or desert the same before such person delivers it into the post office kept at the termination of the route, or some known mail carrier, or agent of the General Post Office, authorized to receive the same, every such person, so offending, shall forfeit and pay a sum not exceeding five hundred dollars for every such offence; and if any person concerned in carrying the mail of the United States, shall collect, receive, or carry any letter, or packet, or shall cause or procure the same to be done, contrary to this act, every such offender shall forfeit and pay, for every such offence, a sum not exceeding fifty dollars.

If containing money, &c.

Stealing, &c.

Penalty to those in Post Office employment.

Quitting, or deserting the mail.

Penalty.

Mail carriers' penalty for carrying letters.

SEC. 22. *And be it further enacted,* That if any person shall rob any carrier of the mail of the United States, or other person entrusted therewith, of such mail, or of part thereof, such offender or offenders shall, on conviction, be imprisoned not less than five years, nor exceeding ten years; and, if convicted a second time of a like offence, he or they shall suffer death; or, if, in effecting such robbery of the mail, the first time, the offender shall wound the person having custody thereof, or put his life

Robbing the mail.

Penalty.

in jeopardy, by the use of dangerous weapons, such offender or offenders shall suffer death. And if any person shall attempt to rob the mail of the United States, by assaulting the person having custody thereof, shooting at him or his horse or mule, or threatening him with dangerous weapons, and the robbery is not effected, every such offender, on conviction thereof, shall be punished by imprisonment, not less than two years, nor exceeding ten years. And, if any person shall steal the mail, or shall steal or take from, or out of, any mail, or from, or out of, any post office, any letter or packet; or, if any person shall take the mail, or any letter or packet therefrom, or from any post office, whether with or without the consent of the person having custody thereof, and shall open, embezzle, or destroy, any such mail, letter, or packet, the same containing any article of value, or evidence of any debt, due, demand, right or claim, or any release, receipt, acquittance, or discharge, or any other article, paper, or thing, mentioned and described in the twenty-first section of this act; or, if any person shall, by fraud or deception, obtain from any person having custody thereof, any mail, letter or packet, containing any article of value, or evidence thereof, or either of the writings referred to, or next abovementioned, such offender or offenders, on conviction thereof, shall be imprisoned, not less than two, nor exceeding ten years. And, if any person shall take any letter or packet, not containing any article of value, nor evidence thereof, out of a post office, or shall open any letter, or packet, which shall have been in a post office, or in custody of a mail carrier, before it shall have been delivered to the person to whom it is directed, with a design to obstruct the correspondence, to pry into another's business, or secrets; or shall secrete, embezzle, or destroy, any such mail, letter, or packet, such offender, upon conviction, shall pay, for every such offence, a sum not exceeding five hundred dollars, and be imprisoned, not exceeding twelve months.

SEC. 23. *And be it further enacted,* That, if any person shall rip, cut, tear, burn, or otherwise injure, any valise, portmanteau, or other bag, used, or designed to be used, by any person acting under the authority of the Postmaster General, or any person in whom his powers are vested, in a conveyance of any mail, letter, packet or newspaper, or pamphlet, or shall draw or break any sta-

Attempting to rob.

Stealing the mail, or from the mail, or embezzling, &c.

Penalty.

Opening, prying into, or destroying letters.

Penalty.

Cutting or destroying mail bags or portmanteaus.

ple, or loosen any part of any lock, chain, or strap, attached to, or belonging to any such valise, portmanteau, or bag, with an intent to rob, or steal any mail, letter, packet, newspaper, or pamphlet, or to render either of the same insecure, every such offender, upon conviction, shall, for every such offence, pay a sum not less than one hundred dollars, nor exceeding five hundred dollars, or be imprisoned, not less than one year, nor exceeding three years, at the discretion of the court before whom such conviction is had.

Loosening
any strap,
or lock, &c.

Penalty.

SEC. 24. *And be it further enacted,* That every person, who, from and after the passage of this act, shall procure, and advise, or assist, in the doing or perpetration of any of the acts or crimes by this act forbidden, shall be subject to the same penalties and punishments as the persons are subject to, who shall actually do or perpetrate any of the said acts or crimes, according to the provisions of this act.

Aiders and
abettors.

SEC. 25. *And be it further enacted,* That every person who shall be imprisoned, by a judgment of court, under and by virtue of the twenty-first, twenty-second, twenty-third, or twenty-fourth sections of this act, shall be kept at hard labor during the period of such imprisonment.

SEC. 26. *And be it further enacted,* That the postmasters shall, respectively, publish, at the expiration of every three months, or oftener, when the Postmaster General shall so direct, in one of the newspapers published at or nearest the place of his residence, for three successive weeks, a list of all the letters remaining in their respective offices, or instead thereof, shall make out a number of such lists, and cause them to be posted at such public places in their vicinity, as shall appear to them best adapted for the information of the parties concerned; and at the expiration of the next three months, shall send such of the said letters as then remain on hand, as dead letters, to the General Post Office, where the same shall be opened and inspected; and if any valuable papers, or matters of consequence, shall be found therein, it shall be the duty of the Postmaster General to return such letter to the writer thereof, or cause a descriptive list thereof to be inserted in one of the newspapers published at the place most convenient to the supposed residence of the owner, if within the United States; and

Advertis-
ing letters
on hand.

Dead let-
ters.

such letter, and the contents, shall be preserved, to be delivered to the person to whom the same shall be addressed, upon payment of the postage, and the expense of publication. And if such letter contain money, the Postmaster General may appropriate it to the use of the Department, keeping an account thereof, and the amount shall be paid by the Department to the rightful claimant so soon as he shall be found.

Free letters. **Officers entitled to frank.** **Free newspapers.** **Persons entitled to frank, not to frank for others. : Penalty.**

SEC. 27. *And be it further enacted,* That letters and packets to and from the following officers of the United States, shall be received and conveyed by post free of postage: Each postmaster, provided each of his letters or packets shall not exceed half an ounce in weight; each member of the Senate, and each member and delegate of the House of Representatives of the Congress of the United States; the Secretary of the Senate, and Clerk of the House of Representatives, provided each letter or packet (except documents printed by the order of either House of Congress,) shall not exceed two ounces in weight, and during their actual attendance in any session of Congress, and sixty days before and after such session, and in case of excess of weight, that excess alone shall be paid for; the President of the United States, Vice President; the Secretary of State, of the Treasury, of War, of the Navy; Attorney General; Postmaster General, and the Assistant Postmasters General; the Comptrollers of the Treasury, Auditors, Register, Treasurer, and Commissioner of the General Land Office; and such individual who shall have been, or may hereafter be, President of the United States; and each may receive newspapers by post, free of postage: *Provided,* That postmasters shall not receive, free of postage, more than one daily newspaper each, or what is equivalent thereto; nor shall members of the Senate, or of the House of Representatives, the Clerk of the House, or Secretary of the Senate, receive newspapers, free of postage, after their privilege of franking shall cease.

SEC. 28. *And be it further enacted,* That if any person shall frank any letter or letters, other than those written by himself, or by his order on the business of his office, he shall, on conviction thereof, pay a fine of ten dollars, and it shall be the especial duty of postmasters to prosecute for said offence: *Provided,* That the Secretary of the Treasury, Secretary of State, Secretary

of War, Secretary of the Navy, and Postmaster General, may frank letters or packets on official business, prepared in any other public office, in the absence of the principal thereof. And if any person, having the right to receive his letters free of postage, shall receive, enclosed to him, any letter or packet addressed to a person not having that right, it shall be his duty to return the same to the post office, marking thereon the place from whence it came, that it may be charged with postage. And if any person shall counterfeit the hand-writing or frank of any person, or cause the same to be done, in order to avoid the payment of postage, each person, so offending, shall pay, for every such offence, five hundred dollars.

Letters enclosed in free letters.

Counterfeiting franks.

SEC. 29. *And be it further enacted,* That every printer of newspapers may send one paper to each and every other printer of newspapers within the United States, free of postage, under such regulations as the Postmaster General shall provide.

Printers' exchange papers free.

SEC. 30. *And be it further enacted,* That all newspapers conveyed in the mail, shall be under cover, open at one end, and charged with a postage of one cent each, for any distance not more than one hundred miles, and one and a half cents for any greater distance: *Provided,* That the postage of a single newspaper from any one place to another, in the same State, shall not exceed one cent; and the Postmaster General shall require those who receive newspapers by post, to pay always the amount of one quarter's postage in advance: and should the publisher of any newspaper, after being three months previously notified that his paper is not taken out of the office to which it is sent for delivery, continue to forward such paper in the mail, the postmaster to whose office such paper is sent, may dispose of the same, for the postage, unless the publisher shall pay it. If any person employed in any department of the post office, shall improperly detain, delay, embezzle, or destroy, any newspaper, or shall permit any other person to do the like, or shall open, or permit any other to open, any mail, or packet, of newspapers, not directed to the office where he is employed, such offender shall, on conviction thereof, forfeit a sum not exceeding fifty dollars, for every such offence. And if any other person shall open any mail or packet of newspapers, or shall embezzle or destroy

Newspapers. Postage.

Paid in advance.

When sold for postage.

Detaining, embezzling, or destroying them.

Penalty.

the same, not being directed to such person, or not being authorized to receive or open the same, such offender shall, on conviction thereof, pay a sum not exceeding twenty dollars, for every such offence. And if any person shall take, or steal, any packet, bag, or mail of newspapers, from, or out of any post office, or from any person having custody thereof, such person shall, on conviction, be imprisoned, not exceeding three months, for every such offence, to be kept at hard labor during the period of such imprisonment. If any person shall enclose or conceal a letter, or other thing, or any memorandum in writing, in a newspaper, pamphlet, or magazine, or in any package of newspapers, pamphlets, or magazines, or make any writing or memorandum thereon, which he shall have delivered into any post office, or to any person for that purpose, in order that the same may be carried by post, free of letter postage, he shall forfeit the sum of five dollars for every such offence; and the letter, newspaper, package, memorandum, or other thing, shall not be delivered to the person to whom it is directed, until the amount of single letter postage is paid for each article of which the package is composed. No newspapers shall be received by the postmasters, to be conveyed by post, unless they are sufficiently dried, and enclosed in proper wrappers, on which, besides the direction, shall be noted the number of papers which are enclosed for subscribers, and the number for printers: *Provided*, That the number need not be endorsed, if the publisher shall agree to furnish the postmaster, at the close of each quarter, a certified statement of the number of papers sent in the mail, chargeable with postage. The Postmaster General, in any contract he may enter into for the conveyance of the mail, may authorize the person with whom such contract is to be made, to carry newspapers, magazines and pamphlets, other than those conveyed in the mail: *Provided*, That no preference shall be given to the publisher of one newspaper over that of another, in the same place. When the mode of conveyance, and the size of the mail will admit of it, such magazines and pamphlets as are published periodically, may be transported in the mail, to subscribers, at one and a half cents a sheet, for any distance not exceeding one hundred miles, and two and a half cents for any greater distance. And such magazines and pamphlets

Stealing them.

Enclosing in them letters, &c. or writing on them.

Penalty.

To be dried and numbered.

Privilege to mail carriers to carry newspapers

Proviso.

Periodical magazines and pamphlets.

Postage.

Not periodical.

as are not published periodically, if sent in the mail, shall be charged with a postage of four cents on each sheet, for any distance not exceeding one hundred miles, and six cents for any greater distance.

SEC. 31. *And be it further enacted,* That, if any postmaster, or other person authorized to receive the postage of letters and packets, shall neglect or refuse to render his accounts, and pay over to the Postmaster General the balance by him due, at the end of every three months, it shall be the duty of the Postmaster General to cause a suit to be commenced against the person or persons so neglecting or refusing: That all suits, which shall be hereafter commenced, for the recovery of debts or balances due to the General Post Office, whether they appear by bond or obligations, made in the name of the existing, or any preceding Postmaster General, or otherwise, shall be instituted in the name of the "Postmaster General of the United States." That certified statements, under the seal of the General Post Office, of the accounts of the several postmasters and contractors, after the same shall have been examined and adjusted at that office, shall be admitted as evidence in all suits brought by the Postmaster General for the recovery of balances or debts due from postmasters or contractors; and also certified copies of the quarterly accounts of postmasters; or, if lodged in the Treasury, copies, certified by the Register, under the seal of his office, shall be admitted as evidence.

Delinquent
postmasters

To be sued.

Accounts to
be certified
under seal.

SEC. 32. *And be it further enacted,* That, if any postmaster shall neglect to render his accounts for one month after the time, and in the form and manner prescribed by law, and by the Postmaster General's instructions, conformable therewith, he shall forfeit double the value of the postages which shall have arisen at the same office in any equal portion of time previous or subsequent thereto; or, in case no account shall have been rendered at the time of trial of such case, then such sum as the court and jury shall estimate, equivalent thereto, to be recovered by the Postmaster General, in an action of debt, on the bond against the postmaster and his securities, and for which the securities shall be liable.

Penalty for
defaults.

SEC. 33. *And be it further enacted,* That all pecuniary penalties and forfeitures, incurred under this act, shall be one half for the use of the person or persons informing and prosecuting for the same, and the other

Of fines.

half to the use of the United States, and shall be paid over to the Postmaster General, and accounted for by him as other moneys of the Department.

Mails beyond sea.

SEC. 34. *And be it further enacted,* That it shall be lawful for the Postmaster General to make provision where it may be necessary, for the receipt of all letters and packets intended to be conveyed by any ship or vessel beyond sea, or from any port in the United States to another port therein; and the letters so received shall be formed into a mail, sealed up, and directed to the postmaster of the port to which such ship or vessel shall be bound; and for every letter or packet so received, there shall be paid, at the time of its reception, a postage of one cent, which shall be for the use of the postmasters respectively receiving the same. And the Postmaster General may make arrangements with the postmasters in any foreign country, for the reciprocal receipt and delivery of letters and packets through the post office.

Postage.

Exemption from militia and jury duty.

SEC. 35. *And be it further enacted,* That the postmasters, postriders, and drivers of the mail stages, shall be exempt from militia duties, and serving on juries, or any fine or penalty for neglect thereof.

Letter carriers.

SEC. 36. *And be it further enacted,* That letter carriers shall be employed at such post offices as the Postmaster General shall direct, for the delivery of letters in the places, respectively, where such post offices are established; and, for the delivery of each such letter, the letter carrier may receive, of the person to whom the delivery is made, two cents: *Provided,* That no letter shall be delivered to such letter carrier for delivery, addressed to any person who shall have lodged at the post office a written request that the letter shall be detained in the office. And, for every letter lodged at any post office, not to be carried by post, but to be delivered at the place where it is so lodged, the postmaster shall receive one cent of the person to whom it shall be delivered.

Letter-box letters, one cent.

State courts' jurisdiction.

SEC. 37. *And be it further enacted,* That all causes of action arising under this act, may be sued, and all offenders against this act, may be prosecuted, before the justices of the peace, magistrates, or other judicial courts of the several States, and of the several Territories of the United States, they having competent jurisdiction, by the laws of such States or Territories, to the trial of claims and demands of as great value, and of the pros-

deutions, where the punishments are of as great extent ; and such justices, magistrates, or judiciary, shall take cognizance thereof, and proceed to judgment and execution, as in other cases.

SEC. 38. *And be it further enacted,* That, in all suits or causes arising under this act, the court shall proceed to trial, and render judgment the first term after such suit shall be commenced : *Provided, always,* That, whenever service of the process shall not have been made twenty days, at least, previous to the return day of such term, the defendant shall be entitled to one continuance, if the court, on the statement of such defendant, shall judge it expedient : *Provided also,* That, if the defendant in such suits shall make affidavit that he has a claim against the General Post Office, not allowed by the Postmaster General, although submitted to him conformably to the regulations of the Post Office, and shall specify such claim in the affidavit, and that he could not be prepared for the trial at such term, for want of evidence, the court, in such case, being satisfied in those respects, may grant a continuance until the next succeeding term ; and the Postmaster General shall be authorized to discharge from imprisonment any person confined in jail, on any judgment in a civil case, obtained in behalf of the Department : *Provided,* It be made to appear that the defendant has no property of any description : *And provided,* That such release shall not bar a subsequent execution against the property of the defendant.

Judgments
first term.

Provisos.

Postmaster
General
may dis-
charge from
prison.
Provisos.

SEC. 39. *And be it further enacted,* That it shall be the duty of the Postmaster General to report, annually, to Congress, every post road which shall not, after the second year from its establishment, have produced one-third of the expense of carrying the mail on the same.

Post roads
not produ-
cing one-
third.

SEC. 40. *And be it further enacted,* That the Adjutant General of the militia of each State and Territory shall have a right to receive, by mail, free of postage, from any Major General or Brigadier General thereof, and to transmit to said Generals, any letter or packet, relating solely to the militia of such State or Territory : *Provided, always,* That every such officer, before he delivers any such letter or package for transmission, shall, in his own proper hand writing, on the outside thereof, endorse the nature of the papers enclosed, and thereto subscribe his name and office, and shall previous-

Adjutant
General of
militia's
frank.

Proviso.

ly furnish the postmaster of the office where he shall deposit the same, with a specimen of his signature. And if any such officer shall frank any letter or package, in which shall be contained any thing relative to any subject other than of the militia of such State or Territory, every offender shall, on conviction of every such offence, forfeit and pay a fine of fifty dollars.

SEC. 41. *And be it further enacted,* That, whenever the annual emoluments of any postmaster, after deducting therefrom the necessary expenditures incident to his office, shall amount to more than two thousand dollars, the surplus shall be accounted for, and paid to the Postmaster General, and by him to be accounted for in the same manner as other moneys accruing from the Post Office establishment.

SEC. 42. *And be it further enacted,* That no postmaster, assistant postmaster, or clerk, employed in any post office, shall be a contractor, or concerned in a contract for carrying the mail: *Provided,* That this section shall not interfere with contracts heretofore made.

SEC. 43. *And be it further enacted,* That no additional allowance shall be made, by the Postmaster General, to the contractor or carrier of any mail, on any route, over or beyond the amount stipulated in the contract entered into for the transportation of the mail on such route, unless additional service shall be required; and then no additional compensation shall be allowed, to exceed the exact proportion of the original amount to the additional duties required; and the Postmaster General shall, in all such cases, within thirty days thereafter, transmit to the First Comptroller of the Treasury an account of such additional services, and the compensation to be allowed therefor.

SEC. 54. *And be it further enacted,* That any person or persons, who shall hereafter make any proposal in writing, to carry or transport the mail upon any route or routes, which may be advertised to be let, and such person or persons shall be determined by the Postmaster General to be entitled to the contract, by virtue of such proposition, and such person or persons shall fail or refuse to enter into an obligation, with good and sufficient security, to perform such contract within the time required by the Postmaster General, in such advertisement, such person or persons shall forfeit and pay so

Penalty.

Surplus of Postmasters' emoluments over \$2,000 per annum.

Postmasters, &c. not to be contractors.

Increase of pay of contractors restricted.

Proposers for contracts who do not comply.

much money as shall be the difference between the amount contained in such proposal, and the amount the Postmaster General shall have to pay for the same transportation of the mail on such route or routes; which sum may be recovered by the Postmaster General in an action on the case. Forfeit.

SEC. 45. *And be it further enacted*, That if any person shall buy, receive, or conceal, or aid in buying, receiving, or concealing, any article mentioned in the twenty-first section of this act, knowing the same to have been stolen or embezzled from the mail of the United States, or out of any post office, or from any person having the custody of the said mail, or the letters sent or to be sent therein; or if any person shall be accessory after the fact to any robbery of the carrier of the mail of the United States, or other person entrusted therewith, of such mail, or of part thereof, every person, so offending, shall, on conviction thereof, pay a fine not exceeding two thousand dollars, and be imprisoned and confined to hard labor for any time not exceeding ten years. And such person or persons, so offending, may be tried and convicted without the principal offender being first tried, provided such principal offender has fled from justice, or cannot be found to be put on his trial. Aiders and abettors of mail robbers.

SEC. 46. *And be it further enacted*, That all acts and parts of acts which have been passed for the establishment and regulation of the General Post Office, shall be, and the same are hereby, repealed: *Provided*, That the act, entitled "An Act concerning public contracts," approved on the twenty-first of April, one thousand eight hundred and eight, shall not be affected hereby, but shall remain in full force and virtue: *And provided, also*, that nothing herein contained shall be construed to affect, or extend to, any offence committed against the laws, now in force, intended by this act to be repealed; but the same shall be prosecuted, and determined, and punished, according to the said laws; nor to affect any existing contract, or debt, or demand, due to or from the Department; but all such offences, crimes, debts, duties, demands, and contracts, shall be held in force, and adjudged, determined, and executed, according to the present laws in force, as though this act had not passed; nor shall it affect any appointments to office made under the laws hereby repealed. Penalty.

[APPROVED, March 3, 1825.] Repeal of former acts.

Provisos.

AN ACT

To establish certain Post Roads, and to discontinue others.

SEC. 2. *And be it further enacted,* That all post routes which hereafter, within the term of three successive years, fail to yield one-fourth of the expense incident to its establishment, shall be discontinued by the Postmaster General, unless in cases where it may be necessary as a connection or continuance of a route or routes: *Provided, also,* That this section shall not be so construed as to deprive the seat of justice, in each county, of one mail going to and from said town.

Certain post routes to be discontinued.

[APPROVED, March 3, 1825.]

AN ACT

Amendatory of the Act regulating the Post Office Department.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Postmaster General be authorized to allow to the postmasters at the several distributing offices, a commission, not to exceed five per cent. on the amount of postage on letters and packets received for distribution. The allowance to commence on the third of March, eighteen hundred and twenty-five: *Provided,* That, if the number of mails received at, and despatched from, any such office, is not increased by the distributing system, then no allowance shall be made therefor, except where special provision is made.

Commission allowed to postmasters at distributing offices.

SEC. 2. *And be it further enacted,* That the Postmaster General be authorized to allow to each postmaster one cent for every letter received from any ship or vessel, and mailed by him, *Provided* his usual commission, together with the allowance aforesaid, shall not exceed the sum of two hundred dollars a year. And the letter carriers employed at post offices shall be authorized to receive for each newspaper delivered by them, an half cent, and no more.

Proviso.

Allowance for ship letters received and mailed.

SEC. 3. *And be it further enacted,* That no person, other than the Postmaster General, or his authorized agents, shall set up any foot or horse post, for the conveyance of letters and packets, upon any post-road, which is or may be established as such by law. And

Letter carriers.

every person who shall offend herein, shall incur a penalty of not exceeding fifty dollars, for each letter or packet so carried.

SEC. 4. *And be it further enacted,* That the Commissioners of the Navy Board, the Adjutant General, Commissary General, Inspectors General, Quartermaster General, Paymaster General, the Secretary of the Senate, Clerk of the House of Representatives, and Superintendent of the Patent Office, be authorized to frank, and to receive letters and packets by post, free of postage, and that no other persons or officers, excepting those enumerated herein, and in the act "to reduce into one the several acts establishing and regulating the Post Office Department," passed on the third of March, eighteen hundred and twenty-five, shall be authorized to frank or to receive letters through the mail free of postage.

Franking privilege given to certain officers.

SEC. 5. *And be it further enacted,* That one or more pieces of paper, mailed as a letter, and weighing one ounce, shall be charged with quadruple postage, and at the same rate, should the weight be greater; and quadruple postage shall be charged on all packets containing four pieces of paper. Every printed pamphlet or magazine which contains more than twenty-four pages on a royal sheet, or any sheet of less dimensions, shall be charged by the sheet, and small pamphlets printed on a half or quarter sheet of royal, or less size, shall be charged with half the amount of postage charged on a full sheet; and there shall be printed or written, on one of the outer pages of all pamphlets and magazines, to be sent by mail, the number of sheets they contain; and if such number shall not be truly stated, double postage shall be charged.

Rules for charging letter postage.

Rules for charging pamphlet postage.

SEC. 6. *And be it further enacted,* That no Postmaster or assistant Postmaster shall act as agent for lottery offices, or under any color of purchase, or otherwise, vend lottery tickets; nor shall any Postmaster receive free of postage, or frank, lottery schemes, circulars, or tickets. For a violation of this provision, the person offending shall suffer a penalty of fifty dollars.

No Postmaster or assistant Postmaster to act as agent for lottery offices.

[APPROVED, March 2, 1827.]

RESOLUTION

Authorizing the Speaker of the House of Representatives to frank letters and packages.

Speaker entitled to frank.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Speaker of the House of Representatives of the United States be, and is hereby, authorized to frank and to receive letters and packages by mail, free of postage. [APPROVED, April 3, 1828.]

AN ACT

To provide for the appointment of a Solicitor of the Treasury.

Part of Sec. 11. All letters to and from the Solicitor of the Treasury, relating to the duties and business of his office, shall be transmitted by mail free of postage. [APPROVED, May 29, 1830.]

RESOLUTION

In relation to the transmission of public Documents printed by order of either House of Congress.

Repealing clause of the act of March 3, 1835, limited;

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That nothing contained in the act to reduce into one the several acts establishing and regulating the Post Office Department, approved March third, one thousand eight hundred and twenty-five, shall be construed to repeal or limit the operation of the act authorizing the transmission of certain documents free of postage, approved December nineteenth, one thousand eight hundred and twenty-one.

[APPROVED, January 13, 1831.]

AN ACT

To provide for the appointment of a Commissioner of Indian Affairs, and for other purposes.

Part of Sec. 3. All letters and packages to and from the said Commissioner, touching the business of his office, shall be free of postage.

[APPROVED, July 9, 1832.]

AN ACT

Making appropriations for the Civil and Diplomatic expenses of Government for the year 1833.

SEC. 6. *And be it further enacted*, That so much of the twenty-seventh section of the act approved third of March, one thousand eight hundred and twenty-five, as restricts the franking privilege of members of Congress to the period of sixty days before and after each session, shall be, and the same is hereby repealed; and it shall be lawful for the said privilege to be exercised by each member of Congress from the period of sixty days before he takes his seat in Congress, until the meeting of the next Congress, and that said privilege shall be extended to all members of the present Congress until the next session.

Repealing clause.

Franking privilege extended.

[APPROVED, *March 2, 1833.*

AN ACT

Authorizing the Governors of the several States to transmit by mail certain Books and Documents.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That it shall be lawful for the Governors of the several States to transmit by mail, free of postage, all laws and reports, whether bound or unbound, and all records and documents of their respective States, which may be directed by the Legislature of the several States to be transmitted to the Executives of other States; and the Governor of the State transmitting the same shall, in addition to his frank, endorse the kind of book or document enclosed, and direct the same to the Governor of the State to which the same may be sent.

[APPROVED, *June 30, 1834.*

AN ACT

Making appropriations for the payment of the Revolutionary and other Pensioners of the United States, for the year 1836.

SEC. 2. *And be it further enacted*, That hereafter no bank notes of less denomination than ten dollars, and that from and after the third day of March, anno Domini eighteen hundred and thirty seven, no bank note of less denomination than twenty dollars shall be offered in payment in any case whatsoever in which money is to be paid by the United States or the Post

certain bank notes not to be offered in payment.

Office Department; nor shall any bank note, of any denomination, be so offered, unless the same shall be payable, and paid on demand, in gold or silver coin, at the place where issued, and which shall not be equivalent to specie at the place where offered, and convertible into gold or silver upon the spot, at the will of the holder, and without delay or loss to him: *Provided*, that nothing herein contained shall be construed to make any thing but gold or silver a legal tender by any individual, or by the United States.

[APPROVED, *April 14, 1836.*

AN ACT

To regulate the Deposites of the Public Money.

SEC. 5. *And be it further enacted*, That no bank shall be selected or continued as a place of deposits of the public money which shall not redeem its notes and bills on demand in specie; nor shall any bank be selected or continued as aforesaid, which shall, after the fourth day of July, in the year one thousand eight hundred and thirty six, issue or pay out any note or bill of less denomination than five dollars; nor shall the notes or bills of any bank be received in payment of any debt due to the United States, which shall, after the said fourth day of July in the year one thousand eight hundred and thirty six, issue any note or bill of a less denomination than five dollars.

[APPROVED, *June 23, 1836.*

AN ACT

To change the organization of the Post Office Department, and to provide more effectually for the settlement of the accounts thereof.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the revenues arising in the Post Office Department, and all debts due to the same, shall, when collected, be paid, under the direction of the Postmaster General, into the Treasury of the United States.

Revenues to be paid into the Treasury.

Postmaster General to submit estimates, &c.

SEC. 2. *And be it further enacted*, That the Postmaster General shall submit to Congress at the next and each succeeding annual session, specific esti-

mates of the sums of money expected to be required for the service of the Department in the subsequent year, commencing on the first day of July, under the following heads, viz: "Compensation of Postmasters," "Transportation of the Mails," "Ship, steam-boat, and way letters," "Wrapping paper," "Office furniture," "Advertising," "Mail bags," "Blanks," "Mail locks, keys, and stamps," "Mail depredations and special agents," "Clerks for offices," and "Miscellaneous." And the Postmaster General shall render an account to Congress, at each succeeding annual session, of the amounts actually expended for each of the purposes above specified.

SEC. 3. *And be it further enacted,* That the aggregate sum required "for the service of the Post Office Department," in each year, shall be appropriated by law out of the revenue of the Department, and that all payments of the receipts of the Post Office Department into the Treasury, shall be to the credit of the said appropriation.

Appropriation made from revenues of the Post Office Departm't.

SEC. 4. *And be it further enacted.* That the sums appropriated for the service aforesaid shall be paid by the Treasurer in the manner herein directed: *Provided,* That the compensation of Postmasters, the expenses of Post Offices, and such other expenses of the Department for which appropriations have been made, as may be incurred by Postmasters, may be deducted out of the proceeds of their offices, under the direction of the Postmaster General: *And provided, also,* That all charges against the Department by Postmasters, on account of such expenses, shall be submitted for examination and settlement, to the Auditor herein provided for; and that no such deduction shall be valid, unless the expenditure so deducted, be found to have been made in conformity to law: *And provided, also,* That the Postmaster General shall have power to transfer debts due on account of the Department, by Postmasters and others, in satisfaction of the legal demands for which appropriations have been made, of such contractors who may be creditors of the Department, as shall have given bonds, with security, to refund any moneys that may come into their hands over and above the amount.

To be paid by the Treasurer.

Proviso.

Proviso.

Proviso.

which may be found due to them on the settlement of their accounts.

Treasurer
to give re-
ceipts.

SEC. 5. *And be it further enacted,* That the Treasurer of the United States shall give receipts for all moneys received by him to the credit of the appropriation for the service of the Post Office Department; which receipts shall be endorsed upon warrants drawn by the Postmaster General, and without such warrant no acknowledgement for money received as aforesaid shall be valid.

Payments
to be made
on warrants.

SEC. 6. *And be it further enacted,* That the appropriations for the service of the Post Office Department, shall be disbursed by the Treasurer out of the moneys paid into the Treasury for the service of the Post Office Department, upon the warrants of the Postmaster General, registered and countersigned as herein provided, and expressing on their faces the appropriation to which they should be charged.

Accounts
rendered
quarterly to
the Auditor.

SEC. 7. *And be it further enacted,* That the Treasurer shall render his accounts of the moneys received and paid by him on account of the Post Office Department, quarterly, to the Auditor for the Post Office Department, hereinafter provided for, and shall transmit copies of the same, when adjusted by him, to the two Houses of Congress.

Auditor to
be appoint-
ed, and his
duties.

SEC. 8. *And be it further enacted,* That there shall be appointed by the President, with the consent of the Senate, an Auditor of the Treasury for the Post Office Department, whose duty it shall be to receive all accounts arising in the said Department, or relative thereto, to audit and settle the same, and certify their balances to the Postmaster General: *Provided,* That if either the Postmaster General, or any person whose account shall be settled, be dissatisfied therewith, he may, within twelve months, appeal to the First Comptroller of the Treasury, whose decision shall be final and conclusive. The said Auditor shall report to the Postmaster General, when required, the official forms of papers to be used by postmasters, and other officers or agents of the Department concerned in its receipts and payments, and the manner and form of keeping and stating its accounts. He shall keep and preserve all accounts, with

Proviso.

the vouchers, after settlement. He shall promptly report to the Postmaster General all delinquencies of postmasters in paying over the proceeds of their offices. He shall close the accounts of the Department quarterly, and transmit to the Secretary of the Treasury quarterly statements of its receipts and expenditures. He shall register, charge and countersign, all warrants upon the Treasury for receipts and payments issued by the Postmaster General, when warranted by law. He shall perform such other duties, in relation to the financial concerns of the Department, as shall be assigned to him by the Secretary of the Treasury, [or Postmaster General,] and shall make to them respectively, such reports as either of them may require respecting the same. The said Auditor may frank, and receive free of postage, letters and packets under the regulations provided by law for other officers of the Government. And all letters and packets to and from the Chief Engineer, which may relate to the business of his office, shall be free of postage.

SEC. 9. *And be it further enacted,* That it shall be the duty of the Postmaster General to decide on the official forms of all papers to be used by postmasters, and other officers or agents of the Post Office Department, concerned in its receipts and payments, and the manner and form of keeping and stating its accounts; to enforce the prompt rendition of the returns of postmasters, and of all certificates, acknowledgments, receipts, and other papers, by postmasters and contractors, relative to the accounts of the Department; to control, according to law, and subject to the settlement of the Auditor, the allowances to postmasters, the expenses of post offices, and all other expenses incident to the service of the Department; to regulate and direct the payment of the said allowances and expenses for which appropriations have been made; to superintend the disposition of the proceeds of post offices and other moneys of the Department; to prescribe the manner in which postmasters shall pay over their balances; to grant warrants for money to be paid into the Treasury, and out of the same, in pursuance of appropriations by law, to persons to whom the same shall be certified to be due by the said Auditor: *Provided,* That advances of ne-

Duties of
Postmaster
General.

Proviso.

cessary sums to defray expenses may be made by the Postmaster General to agents of the Department employed to investigate mail depredations, examine post routes and post offices, and perform other like services, to be charged by the Auditor for the Post Office Department, and be accounted for in the settlement of their accounts.

Other duties of the Auditor. SEC. 10. *And be it further enacted,* That the Auditor for the Post Office Department shall state and certify, quarterly, to the Postmaster General, accounts of the moneys paid pursuant to appropriations, in each year, by postmasters, out of the proceeds of their offices, towards the expenses of the Department, under each of the heads of the said expenses specified in the second section of this act; upon which the Postmaster General shall issue warrants to the Treasurer of the United States, as in case of the receipt and payment of the said moneys into and out of the Treasury, in order that the same may be carried to the credit and debit of the appropriation for the service of the Post Office Department, on the books of the Auditor for said Department.

Duplicates of contracts, &c. SEC. 11. *And be it further enacted,* That the Postmaster General shall, within sixty days after the making of any contract, cause a duplicate thereof to be lodged in the office of the Auditor of the Post Office Department. Upon the death, resignation, or removal of any postmaster, he shall cause his bond of office to be delivered to the said Auditor; and shall also cause to be promptly certified to him all establishments and discontinuances of post offices, and all appointments, deaths, resignations, and removals of postmasters, together with all orders and regulations which may originate a claim, or in any manner affect the accounts of the Department.

Accounts, how to be kept. SEC. 12. *And be it further enacted,* That the accounts of the Post Office Department shall be kept in such manner as to exhibit the amounts of its revenues, derived respectively from "letter postages," "newspapers and pamphlets," and "fines;" and the amount of its expenditures for each of the following objects, namely: "compensation of postmasters," "transportation of the mails," "ship, steamboat, and way-letters," "wrapping paper," "office furniture," "advertising," "mail bags," "blanks,

mail locks, keys, and stamps," "mail depredations and special agents," "clerks for offices," and "miscellaneous."

SEC. 13. *And be it further enacted,* That the bonds and contracts of postmasters, mail contractors, and other agents of the Post Office Department, shall hereafter be made to and with the United States of America; and all suits to be commenced for the recovery of debts or balances due by postmasters and others, or upon bonds or contracts made to or with the present or any former Postmaster General, or for any fines, penalties, or forfeitures, imposed by the laws respecting the Post Office Department, or by the Postmaster General, pursuant thereto, shall be instituted in the name of the United States of America; and the demands in such suits shall have all the privileges and priorities in adjudication and payment secured to other claims of the United States, by the existing laws: *Provided,* That actions and suits which may have been instituted in the name of the Postmaster General, previous to the passage of this act, shall not be affected by the provisions of this section.

Bonds and contracts with the U. States, and all suits in its name.

Proviso.

SEC. 14. *And be it further enacted,* That the Auditor of the Post Office Department shall superintend the collection of all debts due to the Department, and all penalties and forfeitures imposed on postmasters, for failing to make returns, or pay over the proceeds of their offices; he shall direct suits and legal proceedings, and take all such measures as may be authorized by law, to enforce the prompt payment of moneys due to the Department.

Auditor to superintend collection of debts.

SEC. 15. *And be it further enacted,* That copies of the quarterly returns of postmasters, and of any papers pertaining to the accounts in the office of the Auditor for the Post Office Department, certified by him, under his seal of office, shall be admitted as evidence in the courts of the United States; and in every case of delinquency of any postmaster or contractor, in which suit may be brought, the said Auditor shall forward to the Attorney of the United States certified copies of all papers in his office, tending to sustain the claim; and in every such case, a statement of the account, certified as aforesaid, shall be admitted as evidence, and the court trying the cause shall be thereupon authorized to give judgment and award execution, subject to the provisions of the thirty-eighth section of the act to reduce into one

Certified copies of quarterly returns &c. to be evidence, &c.

the several acts establishing and regulating the Post Office Department, approved March third, eighteen hundred and twenty-five. No claim for a credit shall be allowed upon the trial but such as shall have been presented to the said Auditor, and by him disallowed in whole or in part, unless it shall be proved to the satisfaction of the court that the defendant is at the time of the trial in possession of vouchers not before in his power to procure, and that he was prevented from exhibiting to the said Auditor a claim for such credit, by some unavoidable accident. In suits for balances due from postmasters, interest at the rate of six per centum per annum shall be recovered, from the time of the default until payment.

Duties of U.
States Attor-
neys.

SEC. 16. *And be it further enacted,* That the Attorneys of the United States, in the prosecution of suits for moneys due on account of the Post Office Department, shall obey the directions which may, from time to time, be given to them by the Auditor for the Post Office Department; and it shall be the duty of each of the said attorneys, immediately after the end of every term of any court in which any of the suits aforesaid shall have been pending, to forward to the said Auditor a statement of all the judgments, orders, and steps which have been made or taken in the same, during the said term, accompanied by a certificate of the clerk, showing the parties to, and amount of, each judgment, with such other information as may be required by the said Auditor. The said attorneys shall direct speedy and effectual process of execution upon the said judgments; and it shall be the duty of the marshals of the United States to whom the same shall be directed, to make to the said Auditor, at such times as he may direct, returns of the proceedings which have taken place upon the said process of execution.

Sums
wrongfully
paid to be
recovered
by suit.

SEC. 17. *And be it further enacted,* That in all cases where any sum or sums of money have been paid out of the funds of the Post Office Department to any individual or individuals, under pretence that service has been performed therefor when in fact such service has not been performed, or by way of additional allowance for increased service actually rendered, when the additional allowance exceeds the sum which, by the provisions of law, might rightfully have been allowed

therefor, and in all other cases where the moneys of the Department have been paid over to any person in consequence of fraudulent representations, or by the mistake, collusion or misconduct of any officer or clerk of the Department, it shall be the duty of the Postmaster General to cause suit to be brought in the name of the United States of America, to recover back the same, or the excess, as the case may be, with interest thereon.

SEC. 18. *And be it further enacted,* That the Auditor for the Post Office Department shall adjust and settle all balances due from postmasters on account of transactions prior to the first day of July, eighteen hundred and thirty-six. He shall, when necessary, institute suits for the same, and cause them to be effectually prosecuted to judgment and execution; and in cases in which proceedings at law for these or any other balances that are or may become due on account of the Post Office Department, have been or shall be fruitless, may direct the institution of suits in chancery, to set aside fraudulent conveyances or trusts, or attach debts due to the defendants, or obtain any other proper exercise of the powers of equity, to have satisfaction of the said judgments; and the courts of the United States, sitting in chancery, shall have jurisdiction to entertain such bills, and make such decrees and orders thereupon as may be consonant to the principles and usages of equity. The said Auditor shall report to the Postmaster General, to be by him submitted to Congress, at its next annual session, a statement of all the balances and debts due to the Post Office Department as aforesaid, by late postmasters, showing, in each case, the name and office of the principal debtor, the names of the sureties, if any, the amount of the debt, the time at which it accrued, the steps taken to collect the same, and whether they have been successful or not. The said statement shall also classify such of the said balances as may then remain due, into such as are considered collectible, and such as are not, with the whole amount of each class.

SEC. 19. *And be it further enacted,* That the Auditor for the Post Office Department, or any mayor of a city, justice of the peace, or judge of any court of record in the United States, by him especially designated, shall be authorized to administer oaths and affirmations, in relation to the examination and settlement of the accounts committed to his charge; and if any person shall

Auditor to
adjust bal-
ances due
from post-
masters, &c.

Auditor,
mayors, &c,
may admini-
ster oaths,
&c.

knowingly swear or affirm falsely, touching the expenditures of the Post Office Department, or in relation to any account of, or claim against, or in favor of, the said Department, he or she shall, upon conviction thereof, suffer as for wilful and corrupt perjury.

Third Assistant Postmaster General. Clerks, &c.

SEC. 20. *And be it further enacted,* That there shall be employed by the Postmaster General, a third Assistant Postmaster General, who may receive and send letters and packets free of postage; and in lieu of the clerks now employed in the Department, one chief clerk, three principal clerks, and thirty-three other clerks, one messenger, and three assistant messengers, and two watchmen.

Clerks to be employed in the office of Auditor.

SEC. 21. *And be it further enacted,* That there shall be employed by the Secretary of the Treasury, in the office of the Auditor for the Post Office Department, one chief clerk, four principal clerks, and thirty-eight other clerks, one messenger, and one assistant messenger; also, three clerks, one at a salary of fourteen hundred dollars per annum, one at a salary of twelve hundred dollars, and one at a salary of one thousand dollars, in the office of the Treasurer of the United States, in lieu of the same number of clerks now employed in the office of the Fifth Auditor of the Treasury, in adjusting the accounts of the Post Office Department.

And in that of the Treasurer of the U. States.

Reports to be made to Congress by the Postm'r General.

SEC. 22. *And be it further enacted,* That it shall be the duty of the Postmaster General to make to Congress, at each annual session thereof, the following several reports:

First, A report of all contracts made for the transportation of the mail within the preceding year, stating in each case of contract its date and duration, the name of the contractor, the route or routes embraced in the contract, with the length of each, with the times of arrival and departure at the ends of each route, the mode of transportation contracted for, and the price stipulated to be paid by the Department; also, a statement of all such land and water mails as may have been established or ordered by the Department within the year preceding, other than those let to contract at the annual lettings of mail contracts, specifying, in each case, the route or water-course on which the mail is established, the name of the person employed to transport it, the mode of transportation, the amount paid or to be paid, and the proposed duration of the order or contract.

Second, A report of all allowances made to contractors within the year preceding, beyond the sums originally stipulated in their respective contracts, and the reasons for the same; and of all orders made by the Department, whereby additional expense is, or will be incurred, beyond the original contract price on any land or water route, specifying, in each case, the route to which the order relates, the name of the contractor, the original service provided by the contract, the original price, the date of the order for additional service, the additional service required, and the additional allowance therefor; also, a report of all curtailments of expenses effected by the Department within the preceding year, specifying, in each case, the same particulars as required in cases of additional allowances.

Third, A report of all incidental expenses of the Department for the year ending on the thirtieth day of June preceding, arranged according to the several objects, as for "wrapping paper," "office furniture," "advertising," "mail bags," "blanks," "mail locks, keys, and stamps," "mail depreations, and special agents," "clerks for offices," "miscellaneous," showing the sum paid under each head of expenditure, and the names of the persons to whom paid, except only that the names of persons employed in detecting depreations on the mail, and other confidential agents, need not be disclosed in said report.

Fourth, A report of the finances of the Post Office Department for the year ending on the thirtieth day of June preceding, showing the whole amount of balances due to the Department at the beginning of the year, from postmasters and all others, the whole amount of postage that accrued within the year, the whole amount of the engagements and liabilities of the Department for mail transportation during the year, the amount actually paid during the year, for and on account of mail transportation, and otherwise, stating separately so much of the said amount as may have been paid on account of the transportation of the mail, and for other debts for the same object, in preceding years.

Fifth, A report of all fines imposed, and deductions from the pay of contractors made during the preceding year, for failures to deliver the mail, or for any other cause, stating the names of the delinquent contractors, the nature of the delinquency, the route on which it

occurred, the time when it occurred, the time when the fine was imposed, and whether the fine has been remitted, or order for deduction rescinded, and for what reason.

Advertisements for contracts, and regulations respecting them.

SEC. 23 *And be it further enacted,* That it shall be the duty of the Postmaster General, before advertising for proposals for the transportation of the mail, to form the best judgment practicable as to the mode, time, and frequency of transportation on each route, and to advertise accordingly. No consolidated or combination bid shall be received, and no additional compensation shall be made to any mail contractor, so as that the compensation for additional regular service shall exceed the exact proportion which the original compensation bears to the original services stipulated to be performed; and no extra allowance shall be made to any contractor, by the Postmaster General, for an increase of expedition in the transportation of the mail, unless thereby the employment of additional stock or carriers, by the contractor, shall be rendered necessary; and in such case, the additional compensation shall never bear a greater proportion to the additional stock or carriers rendered necessary, than the sum stipulated in the original contract bears to the stock and carriers necessarily employed in its execution; and when any extra service shall be ordered, the amount of the allowance therefor, in dollars and cents, shall be signified in the order for such service, and be forthwith entered upon the books of the Post Office Department, and no additional compensation shall be paid for any extra regular service rendered before the issuing of such order, and the making of such entry; and every order, entry, or memorandum whatever, on which any action of the Department is to be had, allowance made, or money paid, and every contract, paper or obligation drawn up in said office, by any officer thereof, shall have affixed to it its true date; and every paper relating to contracts or allowances filed in said office shall have the date of its filing endorsed thereon. And whenever it shall become necessary to change the terms of any existing contract in any other manner than that designated in this act, or to enter into a contract for the transportation of the mail at any other time than at the annual letting, the Postmaster General shall give notice in one newspaper published at Wash-

ington City, and in one newspaper published as near as may be to the route on which the services are to be performed, for at least four weeks before changing or making such contract, inviting proposals therefor; which proposals shall be received and opened, and such proceedings thereon had, in all things as at the annual lettings: *Provided, however,* That the Postmaster General may make temporary contracts until a regular letting can take place. Proviso.

SEC. 24. *And be it further enacted,* That proposals for mail contracts shall be delivered to the Department sealed, and shall be kept sealed until the biddings are closed, and shall then be opened and marked in the presence of the Postmaster General and of one of the Assistant Postmasters General, or in the presence of two of the Assistant Postmasters General. And the contracts in all cases shall be awarded to the lowest bidder, except when his bid is not more than five per centum below that of the last contractor, on the route bid for, who shall have faithfully performed his contract. *Provided,* Proposals for contracts.
however, That the Postmaster General shall not be bound to consider the bid of any person who shall have wilfully or negligently failed to execute or perform a prior contract. Proviso.

SEC. 25. *And be it further enacted,* That it shall be the duty of the Postmaster General to have recorded in a well bound book, a true and faithful abstract of offers made to him for carrying the mail, embracing as well those which are rejected, as those which are accepted. The said abstract shall contain the names of the party or parties offering, the terms on which he or they propose to carry the mail, the sum for which it is offered to contract, and the length of time the agreement is to continue. And it shall also be the duty of the Postmaster General to put on file and preserve the originals of the propositions of which abstracts are here directed to be made, and to report at each session of Congress a true copy from the said record of all offers made for carrying the mail as aforesaid. Offers for carrying the mail to be recorded.

SEC. 26. *And be it further enacted.* That if any person employed in the Post Office Department, or postmaster, shall become interested in any mail contract, or act as agent, with or without compensation, in any matter or thing relating to business in said Department, for Persons employed in Post Office not to be interested in contracts.

any contractor, or person offering to become a contractor, he shall be forthwith dismissed from office, and shall be liable to pay so much money as would have been realized from said contract, to be recovered in an action of debt in any court having jurisdiction thereof, in the name of the United States, for the use of the Post Office Department; and it shall be the duty of the Postmaster General to cause prosecution to be instituted.

Proposals
for transportation
of the mail
to be accom-
panied by a
guaranty,
&c.

SEC. 27. *And be it further enacted,* That every proposal for the transportation of the mail shall be accompanied by a written guaranty, signed by one or more responsible persons, to the effect that he or they undertake that the bidder or bidders will, if his or their bid be accepted, enter into an obligation, in such time as may be prescribed by the Postmaster General, with good and sufficient sureties, to perform the service proposed. No proposal shall be considered, unless accompanied by such guaranty. If, after the acceptance of a proposal, and notification thereof to the bidder or bidders, he or they shall fail to enter into an obligation within the time prescribed by the Postmaster General, with good and sufficient sureties for the performance of the service, then the Postmaster General shall proceed to contract with some other person or persons, for the performance of the said service, and shall forthwith cause the difference between the amount contained in the proposal so guaranteed, and the amount for which he may have contracted for the performance of said service, for the whole period of the proposal, to be charged up against the said bidder or bidders, and his or their guarantor or guarantors, and the same may be immediately recovered by the United States, for the use of the Post Office Department, in an action of debt against either or all of the said persons.

Contracts
not to be
made with
persons who
have entered
into combi-
nation.

SEC. 28. *And be it further enacted,* That no contract for the transportation of the mail shall knowingly be made by the Postmaster General, with any person who shall have entered into any combination, or proposed to enter into any combination, to prevent the making of any bid for a mail contract by any other person or persons; or who shall have made any agreement or shall have given or performed, or promised to give or perform, any consideration whatever, or to do or not to do any thing whatever, in order to induce any other person

or persons not to bid for a mail contract. And if any person so offending be a mail contractor, he may be forthwith dismissed from the service of the Department; *Provided*, That whenever the Postmaster General shall exercise the power conferred on him by this section, he shall transmit a copy or statement of the evidence on which he acts to Congress, at its next session. Proviso.

SEC. 29. *And be it further enacted*, That no person whose bid for the transportation of the mail may be accepted, shall receive any pay, until he shall have executed his contract according to law and the regulations of the Department; nor shall any payment be made for any additional regular service in the transportation of the mail, unless the same shall have been rendered in obedience to a prior legal order of the Postmaster General. No payment to be made until after execution of contract.

SEC. 30. *And be it further enacted*, That so much of the act concerning the Post Office Department, approved March third, eighteen hundred and twenty-five, as directs that duplicates or copies of contracts or orders made by the Postmaster General shall be lodged in the office of the Comptroller of the Treasury, be repealed. Part of act of March 3, 1835, repealed.

SEC. 31. *And be it further enacted*, That it shall be the duty of the Postmaster General to furnish to the postmasters at the termination of each route, a schedule, specifying the times of arrival and departure at their offices, respectively, of each mail, a copy of which the postmaster shall post up in some conspicuous place in his office; and the Postmaster General shall also furnish a notice in like manner, of any change or alteration in the arrivals and departures which may be ordered by him. And it shall be the duty of every postmaster promptly to report to the Department every delinquency, neglect, or malpractice of the contractors, their agents or carriers, that may come to his knowledge. And the Postmaster General shall cause to be kept, and returned to the Department, at short and regular intervals, by postmasters at the ends of routes, and such others as he may think proper, registers, showing the exact times of the arrivals and departures of the mails. Postmasters to be furnished with schedule of times of arrival and departure.

SEC. 32. *And be it further enacted*, That if any postmaster shall unlawfully detain in his office any letter, package, pamphlet, or newspaper, with intent to prevent the arrival and delivery of the same to the per- Penalty for detaining letters, &c. in a post office.

son or persons to whom such letter, package, pamphlet or newspaper may be addressed or directed in the usual course of the transportation of the mail along the route; or if any postmaster shall, with intent as aforesaid, give a preference to any letter, package, pamphlet, or newspaper, over another which may pass through his office, by forwarding the one and retaining the other, he shall, on conviction thereof, be fined in a sum not exceeding five hundred dollars, and imprisoned for a term not exceeding six months, and shall, moreover, be forever thereafter incapable of holding the office of postmaster in the United States.

Certain postmasters to be appointed by and with the consent of the Senate.

Sec. 33. *And be it further enacted,* That there shall be appointed by the President of the United States, by and with the advice and consent of the Senate, a Deputy Postmaster for each post office at which the commissions allowed to the postmaster amounted to one thousand dollars or upwards in the year ending the thirtieth day of June, one thousand eight hundred and thirty-five, or which may, in any subsequent year, terminating on the thirtieth day of June, amount to or exceed that sum, who shall hold his office for the term of four years, unless sooner removed by the President.

Postmasters and clerks to be exempt from military duty.

Sec. 34. *And be it further enacted,* That assistant postmasters and clerks regularly employed and engaged in post offices, shall be exempt from militia duty, and serving on juries, and from any fine or penalty for neglect thereof.

Advertisements of letters may be made in more than one paper.

Sec. 35. *And be it further enacted,* That advertisements of letters remaining in post offices may, under the direction of the Postmaster General, be made in more than one newspaper: *Provided,* That the whole cost of advertising shall not exceed four cents for each letter.

Postmasters not to receive or frank any package other than such as contain paper or money.

Sec. 36. *And be it further enacted,* That no postmaster shall receive free of postage, or frank any letter or packet composed of, or containing any thing other than paper or money; and for a violation of this provision, the offender shall be dismissed from office, and upon conviction in any court of competent jurisdiction, pay a fine of twenty-dollars. And no person shall hold the office of postmaster who shall not be an actual resident of the city or town wherein the office is situated, or the district of country usually supplied by said office.

Sec. 37. *And be it further enacted,* That when any Release of one or more of the sureties of a postmaster shall notify

to the Postmaster General their desire to be released from their suretyship, or when the Postmaster General shall deem it necessary, he shall require the said postmaster to execute a new bond, with security, which, when accepted by the Postmaster General, shall be as valid as the bond given upon the original appointment of said postmaster, and the sureties in the prior bond shall be released from responsibility for all acts or defaults of said postmaster, which may be done or committed subsequent to the acceptance of the new bond, the date of which shall be endorsed thereon: *Provided*, That payments made subsequent to the execution of the new bond by said postmaster shall be applied first to discharge any balance which may be due on the old bond, unless he shall, at the time of payment, expressly direct them to be applied to the credit of his new account.

sureties of a postmaster.

Proviso.

SEC 38. *And be it further enacted*, That if any person shall be accessory after the fact, to the offence of stealing or taking the mail of the United States, or of stealing or taking any letter or packet, or enclosure in any letters or packets sent or to be sent in the mail of the United States, from any Post Office in the United States, or from the mail of the United States, by any person or persons whatever, every person so offending as accessory, shall, on conviction thereof, pay a fine not exceeding one thousand dollars, and be imprisoned for a term not exceeding five years; and such accessory after the fact may be tried, convicted, and punished in the district in which his offence was committed, though the principal offence may have been committed in another district, and before the trial of the principal offender: *Provided*, such principal offender has fled from justice, or cannot be arrested to be put upon his trial.

Penalty for stealing or taking letters, &c. from the mail.

Proviso.

SEC. 39 *And be it further enacted*, That in case the Postmaster General shall deem it expedient to establish an express mail, in addition to the ordinary mail, on any of the post roads in the United States, for the purpose of conveying slips from newspapers in lieu of exchange newspapers, or letters, other than such as contain money, not exceeding half an ounce in weight, marked "express mail," and public despatches, he shall be authorized to charge all letters and packets carried by such express mail with triple the rates of postage to which letters and packets, not free, may be by law subject, when carried by the ordinary mails.

Express mail.

Duties of P. M. Genl. to devolve on Assis. P. M. G. SEC. 40. *And be it further enacted,* That in case of the death, resignation, or absence of the Postmaster General, all his powers and duties shall devolve, for the time being, on the First Assistant Postmaster General.

Letter carriers. SEC. 41. *And be it further enacted,* That the Postmaster General shall be authorized, whenever the same may be proper for the accommodation of the public in any city, to employ letter carriers for the delivery of letters received at the post office in said city; except such as the persons to whom they are addressed may have requested, in writing, addressed to the postmaster, to be retained in the post office; and for the receipt of letters at such places in the said city as the Postmaster General may direct, and for the deposit of the same in the post office; and for the delivery by a carrier of each letter received from the post office, the person to whom the same may be delivered shall pay not exceeding two cents; and for the delivery of each newspaper and pamphlet, one half cent; and for every letter received by a carrier to be deposited in the post office, there shall be paid to him, at the time of the receipt, not exceeding two cents; all of which receipts, by the carriers in any city, shall, if the Postmaster General so direct, be accounted for to the postmaster of said city, to constitute a fund for the compensation of the said carriers, and be paid to them in such proportions and manner as the Postmaster General may direct. Each of the said carriers shall give bond with sureties, to be approved by the Postmaster General, for the safe custody and delivery of letters, and for the due account and payment of all moneys received by him.

Carrying mails on canals.

SEC. 42. *And be it further enacted,* That the Postmaster General shall be authorized, in his discretion, to contract for carrying the mail on the navigable canals of the several States, in all cases where, in his opinion, the public interest and convenience shall require it; and for the time during which mails may be carried on such canals, or any parts thereof, the same are hereby declared to be post roads.

Salaries of Assistant Postmasters General and others. SEC. 43. *And be it further enacted,* That the following annual salaries shall be allowed to the Assistant Postmasters General, and to the clerks, messengers, and watchmen provided for the service of the Post Office Department, viz:

To the three Assistant Postmasters General, each, twenty-five hundred dollars;

To the chief clerk, two thousand dollars;

To the three principal clerks, each, one thousand six hundred dollars;

To ten clerks, each, one thousand four hundred dollars;

To fifteen clerks, each, one thousand two hundred dollars;

To eight clerks, each, one thousand dollars;

To the messenger, seven hundred and fifty dollars;

To the three assistant messengers, each, three hundred and fifty dollars;

To the two watchmen, each, three hundred dollars.

SEC. 44. *And be it further enacted*, That the following annual salaries shall be allowed to the Auditor of the Post Office Department, and to the clerks and messengers herein provided for the service of his office, viz:

Salaries of Auditor and others.

To the Auditor, three thousand dollars;

To the chief clerk, two thousand dollars;

To the four principal clerks, each, one thousand six hundred dollars;

To ten clerks, each, one thousand four hundred dollars;

To twenty clerks, each, one thousand two hundred dollars;

To eight clerks, each, one thousand dollars;

To the messenger, seven hundred and fifty dollars; and to the assistant messenger, three hundred and fifty dollars.

\$3,150,000

SEC. 45. *And be it further enacted*, That the sum of three millions one hundred and fifty thousand dollars be, and the same is hereby appropriated for the service of the Post Office Department, for the year commencing on the first day of July, one thousand eight hundred and thirty-six, out of any moneys in the Treasury, arising from the revenues of the said Department, to be accounted for in the manner pointed out in the second section of this act.

appropriated for the year 1836.

SEC. 46. *And be it further enacted*, That this act shall be in force and take effect from the passage thereof.

Act to go into immediate effect.

[APPROVED July 2, 1836.]

AN ACT

To extend the privilege of franking letters and packages to Dolly P. Madison.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all letters and packages, to and from Dolly P. Madison, relict of the late James Madison, shall be received and conveyed by post, free of postage, for and during her life.

[APPROVED, July 2, 1836.]

AN ACT

To promote the progress of useful arts, and to repeal all acts and parts of acts heretofore made for that purpose

The first section establishes the Patent Office, and provides that the Commissioner of Patents "shall be entitled to send and receive letters and packages by mail, relating to the business of the office, free of postage."

[APPROVED, July 4, 1836.]

RESOLUTION

To enable the Postmaster General more readily to change the commencement of the contract year in the Post Office Department.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Postmaster General be, and he is hereby authorized and empowered to let the contracts for the transportation of the mails in those sections of the United States where they expire on the 31st days of December, 1837, 1838, and 1839, respectively, for four years and six months, so as to cause them to terminate on the 30th day of June, 1842, 1843, and 1844, to the end that the contract may commence on the first day of July, instead of the first day of January.

[APPROVED, March 2, 1873.]

AN ACT

To continue the office of Commissioner of Pensions.

SEC. 3. *And be it further enacted,* That the said Commissioner shall receive an annual salary of three thousand dollars; and have the privilege of sending and receiving letters and packets by mail, free of postage.

[APPROVED, March 3, 1837.]

A RESOLUTION

Directing the postage on letters sent by the Express Mail, to be paid in advance.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Postmaster General be, and he is hereby directed to cause the postage on all letters sent by the Express mail of the United States, to be paid in advance at the time of depositing them for transportation by said mail.

[APPROVED, *October 12, 1837.*

AN ACT

To modify the last clause of the fifth section of the deposit act of the twenty-third of June, 1836.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the last clause of the fifth section of the act entitled "an act to regulate the deposits of the public money," approved on the 23d day of June, 1836, declaring that the notes or bills of no bank shall be received in payment of any debt due to the United States which shall, after the fourth day of July, in the year one thousand eight hundred and thirty-six, issue any note or bill of a less denomination than five dollars, shall be, and the same is hereby, so far modified, as that the interdiction as to the reception of the bills and notes shall not continue against any bank which has, since the said fourth day of July, in the year one thousand eight hundred and thirty-six, issued bills or notes of a less denomination than five dollars, or which shall issue any such bills or notes prior to the first day of October, in the year eighteen hundred and thirty-eight; but that, from and after the said last mentioned day, the bills or notes of no bank shall be received in payment of any debt due to the United States, which bank shall after that date, issue, re-issue, or pay out any bill or note of a less denomination than five dollars.

[APPROVED, *July 5, 1838.*

AN ACT

To increase the present Military Establishment of the United States, and for other purposes.

SEC. 21. *And be it further enacted,* That all letters and packages on public business, to and from the com-

manding General, the Colonel of Ordnance, the Surgeon General, and the Head of the Topographical Corps, shall be free of postage. [APPROVED, *July 5, 1838.*

AN ACT

To establish certain Post Routes, and to discontinue others.

SEC. 2. *And be it further enacted,* That each and every railroad within the limits of the United States, which now is, or hereafter may be made and completed, shall be a post route; and the Postmaster General shall cause the mail to be transported thereon, provided he can have it done upon reasonable terms, and not paying therefor, in any instance, more than twenty-five per centum over and above what similar transportation would cost in post coaches. [APPROVED, *July 7, 1838.*

AN ACT

Further to regulate the transportation of the Mail upon Railroads.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Postmaster General shall not, by virtue of the authority vested in him by the second section of the "Act to establish certain post routes, and to discontinue others," approved July 7th, 1838, allow more than three hundred dollars per mile, per annum, to any railroad company in the United States, for the conveyance of one or more daily mails upon their roads: *Provided,* That nothing in this act contained shall be construed so as in any way to remove or impair the limitations upon the power of the Postmaster General, imposed by that section. [APPROVED, *January 25, 1839.*

AN ACT

Making appropriations for the Civil and Diplomatic expenses of Government, for the year 1839

SEC. 3. *And be it further enacted,* That no officer in any branch of the public service, or any other person whose salaries, or whose pay or emoluments is or are fixed by law and regulations, shall receive any extra allowance or compensation, in any form whatever, for the disbursement of public money, or the performance of any other services, unless the said extra allowance or compensation be authorised by law.

[APPROVED, *March 3, 1839.*

AN ACT

To repeal the act entitled, "An act to provide for the collection, safekeeping, transfer, and disbursement of the Public Revenue," and to provide for the punishment of embezzlers of Public Money, and for other purposes.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the act entitled, "An act to provide for the collection, safekeeping, transfer, and disbursement of the public revenue," approved on the fourth day of July, A. D. one thousand eight hundred and forty, be, and the same is hereby, repealed: *Provided, always,* That for any offences which may have been committed against the provisions of the seventeenth section of the said act, the offenders may be prosecuted and punished according to those provisions; and that all bonds executed under the provisions of said act, and all civil rights and liabilities which have arisen or accrued under said act, and the remedies therefor, shall remain and continue as if said act had not been repealed; any thing herein contained to the contrary notwithstanding.

SEC. 2. *And be it further enacted,* That if any officer charged with the safekeeping, transfer, or disbursement of public moneys, or connected with the Post Office Department, shall convert to his own use, in any way whatever, or shall use, by way of investment in any kind of property or merchandise, or shall loan, with or without interest, any portion of the public moneys entrusted to him for safekeeping, transfer, disbursement, or for any other purpose, every such act shall be deemed and adjudged to be an embezzlement of so much of the said moneys as shall be thus taken, converted, invested, used, or loaned, which is hereby declared to be a felony; and the neglect or refusal to pay over, on demand, any public moneys in his hands, upon the presentation of a draft, order, or warrant drawn upon him, and signed by the Secretary of the Treasury, or to transfer or disburse any such moneys promptly, according to law, on the legal requirement of a superior officer, shall be *prima facie* evidence of such conversion to his own use of so much of the public moneys as may be in his hands. Any officer or

Act of 4th July, 1840, repealed.

Proviso; offences already committed against 17th section punishable. Bonds, &c., not affected by the repeal.

Felony for officers charged with safekeeping, transfer, or disbursement of public moneys, or connected with Post Office Department, to use public moneys.

Neglect or refusal to pay over, transfer, or disburse such moneys, *prima facie* evidence of such use.

Punishment for said offence, and for advising, or knowingly or willingly participating therein.

agent of the United States, and all persons advising, or knowingly and willingly participating in such embezzlement, upon being convicted thereof before any court of the United States of competent jurisdiction, shall, for every such offence, forfeit and pay to the United States a fine equal to the amount of the money embezzled, and shall suffer imprisonment for a term not less than six months nor more than five years.

[APPROVED, August 13, 1841.]

AN ACT

Authorizing the transmission of Letters and Packets to and from Mrs. Harrison, free of postage.

Franking privilege granted.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That all letters and packets carried by post to and from Mrs. Harrison, relict of the late William Henry Harrison, be conveyed free of postage during her natural life.

[APPROVED, September 9, 1841.]

AN ACT

Making appropriations for the Civil and Diplomatic expenses of Government for the year eighteen hundred and forty-two.

Printing, stationery, & binding, of the Executive Departments, to be furnished by contract.

SEC. 1. By part of section 15, of the act of May 18, 1842, it is *Provided,* That the job printing, stationery, and binding of each of the Executive Departments shall, until otherwise directed by law, be furnished by contract, proposals for which shall regularly be advertised in the public prints. The classes, character, and description of the printing being specified in each advertisement as far as that can be done, and it being made a condition in all cases, unless otherwise specifically stated in the advertisement, that the work shall be done in the city of Washington; and the contract shall in each case, so far as the proposals and acceptance shall enable the contract to be made, be given to the lowest bidder, whose bid shall be accompanied by proper testimonials of the ability of the bidder to fulfil his contract.

SEC. 2. By part of section 202, of the act of May 18, 1842, it is *Provided*, That in addition to returns now required to be rendered by postmasters, it shall be the duty of postmasters at New York, Boston, Philadelphia, Baltimore, and New Orleans, and the other several cities of the Union, each and every year hereafter, to render a quarter-yearly account to the Postmaster General, under oath, in such form as the latter shall prescribe, for the purpose of giving full effect to this proviso, of all emoluments or sums by them respectively received for boxes, or pigeon-holes, or other receptacles for letters or papers, and by them charged for to individuals; or for the delivery of letters or papers at or from any place in either of said cities, other than the actual post office of such city; and of all emoluments, receipts, and profits, that have come to their hands by reason of keeping branch post offices in either of said cities; and if, from such accounting, it shall appear that the net amount received by either of the postmasters at either of such cities, for such boxes, and pigeon-holes, and other receptacles for letters and papers, and for delivering letters or papers at or from any place in either of said cities, other than said post office, and by reason of keeping a branch post office in either of said cities, shall, in the aggregate, exceed the sum of three thousand dollars in any one year, such excess shall be paid to the Postmaster General, for the use and purposes of the Post Office Department; and no postmaster shall, hereafter, under any pretence whatsoever, have, or receive, or retain for himself, in the aggregate, more than five thousand dollars per year, including salary, commissions, boxes, and all other fees, perquisites, and emoluments, of any name or character whatsoever, and for any service whatsoever.

Proviso, requiring Postmasters to make returns of all emoluments received from boxes, &c.

If the net receipts exceed \$3,000 a year, the excess shall be paid to the Postmaster General, for the use of the Department.

No postmaster to receive more than \$5,000 a year, salary included.

[APPROVED, *May 18, 1842.*

AN ACT

Legalizing and making appropriations for such necessary objects as have been usually included in the general appropriation bills without authority of law, and to fix and provide for certain incidental expenses of the departments and offices of Government, and for other purposes.

Report of
clerks and
other per-
sons em-
ployed to be
annually
made to
Congress.

SEC. 11. *And be it further enacted,* That it shall be the duty of the Secretaries of State, of the Treasury, War, and Navy, of the Commissioners of the Navy, of the Postmaster General, of the Secretary of the Senate, and of the Clerk of the House of Representatives, to report to Congress, at the beginning of each year, the names of the clerks and other persons that have been employed, respectively, during the preceding year, or any part thereof, in their respective departments and offices, together with the time that each clerk or other person was actually employed, and the sums paid to each; and, also, whether they have been usefully employed; whether the services of any of them can be dispensed with without detriment to the public service; and whether the removal of any individuals, and the appointment of others in their stead, is required for the better despatch of business; and no greater allowance shall be made to any such clerk, or other person, than is or may be authorized by law, except to watchmen and messengers, for any labor or services required of them beyond the particular duties of their respective stations, rendered at such times as does not interfere with the performance of their regular duties.

No allow-
ance to be
made for ex-
tra services.

SEC. 12. *And be it further enacted,* That no allowance or compensation shall be made to any clerk, or other officer, by reason of the discharge of duties which belong to any other clerk or officer in the same or any other department; and no allowance or compensation shall be made for any extra services whatever which any clerk or officer may be required to perform.

Duty of chief
clerks to su-
pervise the
duties of
other clerks,
&c.

SEC. 13. *And be it further enacted,* That it shall be the duty of each chief or principal clerk in the respective departments, bureaus, and other offices, to supervise, under the direction of his immediately superior officer, the duties of the other clerks therein, and to see that their duties are faithfully executed, and that such duties are distributed with equality and uniformity, according to the nature of the case. And

such distribution shall be revised, from time to time, by the said chief or principal clerk, for the purpose of correcting any tendency to undue accumulation or reduction of duties, whether arising from individual negligence or incapacity, or from increase or diminution of particular kinds of business; and such chief or principal clerk shall report monthly to his superior officer any existing defect that he may be aware of in the arrangement or despatch of business; and such defect shall be amended by new arrangements of duties, dismissal of negligent or incompetent officers, or otherwise.

SEC. 14. *And be it further enacted,* That it shall be the duty of the several heads of departments, in communicating estimates of expenditures and appropriations to Congress, and to any of the committees thereof, to specify, as nearly as may be convenient, the sources from which such estimates are derived, and the calculations upon which they are founded; and, in so doing, to discriminate between such estimates as are conjectural in their character, and such as are framed upon actual information and application from disbursing officers; and, in communicating the several estimates, reference shall be given to the laws and treaties by which they are authorized, the dates thereof, and the volume, page, and section in which the necessary provisions are contained.

Manner in which estimates are to be communicated to Congress.

SEC. 15. *And be it further enacted,* That no extra clerk shall be employed in any department, bureau, or office, at the seat of Government, except during the session of Congress, or when indispensably necessary to enable such department, bureau, or office, to answer some call made by either House of Congress at one session, to be answered at another; and not then, except by order of the head of the department in which, or in some bureau or office of which, such extra clerk shall be employed; and no such extra clerk, for copying, shall receive more than three dollars per day, or for any other service more than four dollars per day, for the time actually and necessarily employed.

Employment of extra clerks.

Employment of messengers, laborers, &c.

SEC. 16. *And be it further enacted,* That no messenger, assistant messenger, laborer, or other person, shall be employed in any department, bureau, or office, at the seat of Government, or paid out of the contingent fund appropriated to such department, bureau, or office, unless such employment shall be authorized by law, or shall become necessary to carry into effect some object for which appropriations may be specifically made; and not exceeding one hundred dollars per annum shall be applied by each department (except the Department of State) for the purchase of newspapers for such department, and all the bureaus and offices connected therewith; and such papers shall be preserved as files for said department.

Purchase of newspapers.

Stationery and job printing to be furnished & performed by contract.

SEC. 17. *And be it further enacted,* That all stationery, of every name and nature, for the use of the two Houses of Congress, and all stationery and job printing, of every name and nature, for the use of the several departments of the Government, and for the bureaus and offices in those departments at Washington, including all stationery, blanks, wrapping paper, and twine, and mail bags, furnished the post offices and collectors' offices throughout the United States, shall hereafter be furnished and performed by contract, by the lowest bidder, as follows: the Secretary of the Senate, the Clerk of the House of Representatives, the head of each department, and such deputy postmasters in the Post Office establishment, and such collectors in the custom-house establishment, as the Postmaster General and the Secretary of the Treasury shall respectively designate for that purpose, shall respectively advertise, once a week, for at least four weeks, in one or more of the principal papers published in the places where such articles are to be furnished, or such printing done, for sealed proposals for furnishing such articles, or the whole of any particular class of articles, or for doing such printing, or the whole of any specified job thereof, to be done at such place, specifying in such advertisement the amount, quantity, and description of each kind of articles to be furnished, and, as near as may be, the nature, amount, and kind of printing to be done; and all such proposals shall be kept sealed until the day specified

in such advertisement for opening the same, when they shall be opened, by or under the direction of the officer making such advertisement, in the presence of at least two persons; and the person offering to furnish any class of such articles, or to perform any specified portion or job of said work, and giving satisfactory security for the performance thereof, under a forfeiture not exceeding twice the contract price in case of failure, shall receive a contract for doing the same, and in case the lowest bidder shall fail to enter into such contract and give such security within a reasonable time, to be fixed in such advertisement, then the contract shall be given to the next lowest bidder who shall enter into such contract and give such security. And in case of a failure to supply the articles or to perform the work, by the person entering into such contract, he and his sureties shall be liable for the forfeiture specified in such contract, as liquidated damages, to be sued for in the name of the United States, in any court having jurisdiction thereof.

SEC. 18. *And be it further enacted,* That all such bids or proposals shall be returned by the person authorized, as aforesaid, to receive the same, to the Executive Department from which such authority is derived, and shall be preserved in said Department, subject to such examination as Congress may at any time order and direct.

Bids and proposals to be preserved, &c.

SEC. 19. *And be it further enacted,* That no part of the contingent fund appropriated to any department, bureau, or office, shall be applied to the purchase of books, periodicals, pictures, or engravings, or other thing, except such books, periodicals, and maps, or other thing, as the head of such department shall deem necessary and proper to carry on the business of such department, and shall, by written order, direct to be procured for that purpose.

Relative to the purchase of books &c.

SEC. 20. *And be it further enacted,* That it shall be the duty of the Secretary of the Senate, at the commencement of every regular session of Congress, to report to the Senate, and of the Clerk of the House of Representatives to report to the House, and of the head of each department to report to Congress, a detailed statement of the manner in which the contingent fund

Detailed statement of the manner in which the contingent funds have been expended to be reported to Congress.

for each House, and of their respective departments, and for the bureau and offices therein, has been expended, giving the names of every person to whom any portion thereof has been paid; and if for anything furnished, the quantity and price; and if for any services rendered, the nature of such service, and the time employed, and the particular occasion or cause, in brief, that rendered such service necessary; and the amount of all former appropriations in such case on hand, either in the Treasury or in the hands of any disbursing officer or agent. And they shall require of the disbursing officers, acting under their direction or authority, the return of precise and analytical statements and receipts for all the moneys which have been, from time to time, during the next preceding year, expended by them; and the results of such returns, and the sums total shall be communicated annually to Congress, by the said officers, respectively.

[APPROVED, August 26, 1842.]

AN ACT

To re-organize the Navy Department of the United States.

Franking
privilege.

SEC. 7. *And be it further enacted, That the chief of each bureau hereby established shall be authorized to frank all communications from his bureau; and all communications to his bureau, on the business thereof, shall be free of postage.*

[APPROVED, August 31, 1842.]

AN ACT

To authorize the Chief Clerk in the office of the Secretary of State to frank public and official documents sent from that office.

Franking
privilege.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the right and privilege of franking all public and official documents that may be sent from the office of the Secretary of State be, and hereby is, granted to the chief clerk in that office.*

[APPROVED, February 15, 1843.]

AN ACT

Regulating the currency of foreign coins in the United States.

Part of SEC. 1. *Be it enacted*, That from and after the passage of this act, foreign gold and silver coins shall pass current as money within the United States, and be a legal tender for the payment of all debts and demands, at the several and respective rates following, and not otherwise, viz: The gold coins of Great Britain and Portugal, of their present standard, at the rate of one hundred cents for every twenty-seven grains of the actual weight thereof; the gold coins of France, Spain, and the dominions of Spain, of their present standard, at the rate of one hundred cents for every twenty-seven grains and two-fifths of a grain of the actual weight thereof; Spanish milled dollars, at the rate of one hundred cents for each, the actual weight whereof shall not be less than seventeen pennyweights and seven grains, and in proportion for the parts of a dollar; crowns of France, at the rate of one hundred and ten cents for each crown, the actual weight whereof shall not be less than eighteen pennyweights and seventeen grains, and in proportion for the parts of a crown.

[APPROVED, April 10, 1806.]

After the 10th of April, 1806, foreign gold & silver coins to be a legal tender for the payment of all debts and demands, at the rates specified, &c., &c.

Rates of foreign gold.

Rates of foreign silver coins.

AN ACT

Regulating the value of certain foreign silver coins within the United States.

SEC. 1. *Be it enacted, &c.*, That from and after the passage of this act, the following silver coins shall be of the legal value, and shall pass current as money within the United States, by tale, for the payment of all debts and demands, at the rate of one hundred cents to the dollar; that is to say, the dollar of Mexico, Peru, Chili, and Central America, of not less weight than four hundred and fifteen grains each, and those re-stamped in Brazil, of the like weight, of not less fineness than ten ounces, fifteen pennyweights of pure silver in the Troy pound of twelve ounces of standard silver, and the five franc pieces of France, when of not less fineness than ten ounces and sixteen pennyweights in twelve ounces Troy weight of stand-

Certain silver coin to pass by tale.

ard silver, and weighing not less than three hundred and eighty-four grains each, at the rate of ninety-three cents each. [APPROVED, June 25, 1834.]

AN ACT

Regulating the value of certain foreign gold coins within the United States.

Standard and weight of coins

§EC. 1. *Be it enacted, &c.*, That from and after the thirty-first day of July next, the following gold coins shall pass as current within the United States, and be receivable in all payments, by weight, for payment of all debts and demands, at the rates following, that is to say: The gold coins of Great Britain, Portugal and Brazil, of not less than twenty-two carats fine, at the rate of ninety-four cents and eight-tenths of a cent per pennyweight; the gold coins of France nine-tenths fine, at the rate of ninety-three cents and one-tenth of a cent per pennyweight; and the gold coins of Spain, Mexico, and Colombia, of the fineness of twenty carats three grains and seven-sixteenths of a grain, at the rates of eighty-nine cents and nine-tenths of a cent per pennyweight.

[APPROVED, June 28, 1834.]

AN ACT

Supplementary to the act entitled "An act establishing a Mint and regulating the coins of the United States."

Weight of silver coins.

§EC. 9. *And be it further enacted*, That of the silver coins, the dollar shall be of the weight of four hundred and twelve and one-half grains; the half-dollar of the weight of two hundred and six and one-fourth grains; the quarter-dollar of the weight of one hundred and one-eighth grains; the dime, or tenth part of a dollar, of the weight of forty-one and a quarter grains; and the half-dime, or twentieth part of a dollar, of the weight of twenty grains and five-eighths of a grain. And that dollars, half-dollars, quarter-dollars, dimes, and half-dimes, shall be legal tenders of payment, according to their nominal value, for any sums whatever.

Silver coins a legal tender.

SEC. 10. *And be it further enacted,* That of the gold coins, the weight of the eagle shall be two hundred and fifty-eight grains; that of the half-eagle, one hundred and twenty-nine grains; and of the quarter-eagle, sixty-four and one-half grains, and that for all sums whatever, the eagle shall be a legal tender of payment for ten dollars; the half half-eagle for five dollars; and quarter-eagle for two and a half dollars.

Weight of gold coins.

Gold coins to be a legal tender.

SEC. 11. *And be it further enacted,* That the silver coins heretofore issued at the mint of the United States, and the gold coins issued since the thirty-first day of July, one thousand eight hundred and thirty-four, shall continue to be legal tenders of payment for their nominal values, on the same terms as if they were of the coinage provided for by this act.

Gold and silver coins heretofore issued to be a legal tender.

SEC. 12. *And be it further enacted,* That of the copper coins, the weight of a cent shall be one hundred and sixty-eight grains, and the weight of the half-cent eighty-four grains. And the cent shall be considered of the value of one hundredth part of a dollar, and the half-cent of the value of two hundredth parts of a dollar.

Weight of copper coins,

[APPROVED, *January 18, 1837.*

AN ACT

To provide more effectually for the settlement of accounts between the United States and receivers of public money.*

SEC. 5. That where any revenue officer, or other person, hereafter becoming indebted to the United States, by bond or otherwise, shall become insolvent, or where the estate of any deceased debtor, in the hands of executors or administrators, shall be insufficient to pay all the debts due from the deceased, the debt due to the United States shall be first satisfied; and the priority hereby established shall be deemed to extend, as well as to cases in which a debtor, not having sufficient property to pay all of his debts, shall make a voluntary assignment thereof, or in which the estate and effects of an absconding, concealed, or absent debtor, shall be attached by process of law, as to cases in which an act of legal bankruptcy shall be committed.

Where Revenue officers or other persons become insolvent, or when the estate of any deceased debtor is insufficient, &c., the debt due the United States to be first satisfied.

[APPROVED, *March 3, 1797.*

* See Sec. 13, page 33, Act of 1836, as to the priority of payment to the United States.

NOTE.—The priority of payment claimed by the United States is derived from certain acts of Congress. These several acts are, the act of 31st July, 1789, ch. 5, sec. 21, the act of 4th August, 1790, ch. 35, sec. 45, the act of 1792, ch. 27, sec. 18, the act of 3d of March, 1797, ch. 74, sec. 5, and the act of 2d of March, 1799, ch. 128, sec. 65. All these acts, except that of 1797, confirmed the priority of the United States to custom-house bonds, and bonds taken under the collection act. It was the act of 1797 that went further, and gave a preference to the United States in all cases whatever, whoever might be the debtor, or however he might be indebted. The act of 2d July, 1836, “to change the organization of the Post Office Department,” &c., &c., sec. 13, provides that all suits to be commenced for debts or balances due the Department, “shall have all the privileges and priorities in adjudication and payment secured to other claims of the United States by the existing laws.” This act clothes the Post Office Department with all the power and privileges as regards priority of payment which exist under the collection act of 1799, and all preceding acts of Congress.

This priority is given by the 5th section of the act of the 3d of March, 1797, ch. 94. It is also given by the 65th section of the collection law, in the words following: “And in all cases of insolvency, or where any estate in the hands of the executors, administrators, or assigns, shall be insufficient to pay all the debts due from the deceased, the debt or debts due to the United States on such bond or bonds shall be first satisfied.” In the same section, the Legislature explain their meaning of “insolvency,” by declaring that it shall be deemed to extend, as well to cases in which a debtor, not having sufficient property to pay all his debts, shall make a voluntary assignment thereof for the benefit of his creditors, or in which the estate or effects of an absconding, concealed, or absent debtor shall have been attached by process of law, as to cases in which an act of legal bankruptcy shall have been committed. In giving a construction to these statutes, the Supreme Court of the United States has held that they only apply to two general classes of cases, viz: A living insolvent, having an assignee, and a dead insolvent, represented by executors and administrators.—(Conard vs. Nicholl, 4th Peters’ Rep., 308.) That the priority of payment, as against living debtors, only where the debtor had become actually and notoriously insolvent, manifested by some open act, as taking the oath of insolvent debtors, under the law of some of the States.—(See 3 Cr., 73; 1 Pet., 439.) It is not a mere inability of the debtor to pay all his debts, but that inability must be manifested in one of the three modes pointed out in the explanatory clause of the 65th section of the act of 1799. The preference of the United States does not extend to cases where the debtor has not made an assignment of the whole of his property. If the assignment leaves out a trivial part of his property for the purpose of evading the act giving the preference, it will be considered as a fraud upon the law, and the court treat it as a total divestment. The deed of assignment must embrace all of the property of the debtor, &c., &c.—(4th vol. Wheaton, 108.) A deed executed by a debtor of the United States, conveying all his property in the possession of the debtor, to trustees, for the payment of his debts, not including the debt of the United States, is an act of insolvency, both within the spirit and letter of the act of Congress giving priority in such cases to debts due the United States over all others; and the priority attaches at the instant that the deed is executed.—(United States et. al. vs. Cochran, et. al., Brocken C. C., Rep. 274.) The preference of the United States will not relate back to the act of insolvency so as to overreach intermediate bona fide securities given by the insolvent to creditors. It has been the uniform construction of the 5th section of the act of 1797, (1. Story’s Laws, 464,) and of the similar provision in the 65th section of the collection act of 1799, (1 Story’s Laws, 630,) that

whether in a case of insolvency, death, or assignment, the property of a debtor passes to the assignee, executor, or administrator, the priority of the United States, operating not to prevent the transmission of the property, but giving them a preference in payment out of the proceeds.—(Brent vs. The Bank of Washington, 10 Peters', 596.) When the priority of the United States has actually attached, there is, strictly speaking, no lien, either general or specific, on the property in the hands of the executors, administrators, assigns, or trustees, as the case may be; but only a claim on the funds in their hands. The priority established, can never attach while the debtor continues the owner and in the possession of the property, although he may be unable to pay his debts, and no evidence can be received of the insolvency of the debtor until he has been divested of his property in one of the modes stated in the collection act. And when he is thus divested of his property, the person who becomes invested with the title is thereby made a trustee for the United States, and is bound to pay their debt first out of the proceeds of the debtor's property.—(Beaston vs. The Farmers' Bank of Delaware, 12 Peters' 133.) The moment the transfer of property takes place under the statute, the person taking it, whether by voluntary assignment or by operation of law, becomes bound to the United States for the faithful performance of the trust.—(1 Peters' Rep. 439; 12 Peters', 131.)

When the insolvency or acts of bankruptcy required by the statutes have actually occurred, the priority immediately attaches; although sometime may elapse before a trustee be formally appointed. Every person indebted to the insolvent, or in the possession of his property, becomes, as to such debt or property, the trustee of the United States from the moment he has notice of their priority. Should he actually pay over the debt, or deliver the property to another creditor, with notice of the claim of the United States, he is responsible. An assignee is not liable under the acts of Congress until notice of the debt due to the United States. But the notice need not be given by the United States; nor is a judgment or suit against him necessary, in order to charge him with notice. The notice must be such as is required in ordinary cases of trustees, and enough to put a prudent man on inquiry.—(2 Wash. C. C. Rep., 196.) Assignees and trustees, administrators and executors, are personally liable if they omit to discharge such debt or debts, if funds actually come into their hands. If a debtor dies without sufficient property to pay his debts, the right to satisfaction out of his estate, in preference to other creditors, is undoubtedly in the United States.—(10 Peters', 612.)

The priority of the United States does not extend so as to take the property of a partner from partnership effects to pay a separate debt due by such partner to the United States, when the partnership effects are not sufficient to satisfy the creditors of the partnership.—(United States vs. Hack et. al., 8 Peters', 271.) If there be any deficiency in the proceeds of any particular estate to pay the mortgages thereon, the mortgagees cannot come in upon the funds and proceeds of the sales of other estates, except as general creditors.