

REGULATIONS

PRESCRIBED BY

THE POSTMASTER GENERAL,

TO EXHIBIT AND ENFORCE THE PROVISIONS

OF THE

ACT OF CONGRESS OF MARCH 3, 1845;

ENTITLED,

“An act to reduce the rates of postage, to limit the use and correct the abuse of the franking privilege, and for the prevention of frauds on the revenues of the Post Office Department,” hereto annexed, and which (by joint resolution, also of March 3) goes into full effect and operation on the 1st July, 1845.

I. POSTAGE.

521. On and after July 1, 1845, on a letter not exceeding half an ounce in weight, sent any distance not exceeding three hundred miles, five cents.

522. When sent any distance over three hundred miles, ten cents.

523. For every additional weight of half an ounce, or any fractional excess of less than half an ounce, there shall be charged an additional postage of five or ten cents, according to the distance. A balance is furnished to each office, for the purpose of enabling postmasters to ascertain the weight of letters and packets.

524. On letters *dropped* in the post office for delivery in the same place, two cents each.

525. On letters *advertised* as remaining on hand there shall be charged, when delivered out, besides the regular postage, the cost of advertising, which will be on each letter two cents; or four cents if advertised in two papers.

526. What is subject to letter postage is defined to be letters in manuscript, or paper of any kind conveyed in the mail, by or upon which information shall be asked for or communicated in writing, or by marks or signs.

[Regulations Nos. 118, 119, 120, 121, 122, and 123, in chapter 18, and regulation 141, chapter 20, are hereby rescinded.]

527. On all circulars, handbills, or advertisements, which are printed or lithographed on quarto post or single cap paper, or paper not larger than single cap, and which are folded and directed, but left unsealed, two cents on each sheet, for any distance. When sealed, these are to be rated as letters.

528. "Quarto post" is the size usually called letter paper, say about ten by eight inches to the page; "Single cap" is the size commonly called writing paper, say thirteen by eight inches to the page.

529. Where the circular is on a sheet larger than single cap, it is to be rated as a pamphlet. As the postage on these articles is chargeable on each copy, postmasters will carefully examine all packets, and rate the postage accordingly.

530. On all pamphlets, magazines, periodicals, and every other kind and description of printed or other matter, (except newspapers, and except, also, circulars, handbills, and advertisements, as aforesaid,) which shall be unconnected with any manuscript communication whatever, two and a half cents for every copy of no greater weight than one ounce, for any distance. For every additional ounce, one cent; any fractional excess exceeding half an ounce, to be charged as an ounce; but any excess less than half an ounce is not to be regarded.

531. A pamphlet is a small unbound printed book. A magazine is a pamphlet published periodically, in numbers, containing articles on science, literature, politics, news, &c. &c.

532. Newspapers go free for any distance not exceeding thirty miles from the place where printed, when sent by the editors or publishers thereof, if they do not exceed nineteen hundred superficial inches in extent. For any distance beyond thirty miles, within the State where published, one cent postage. For any distance exceeding one hundred miles out of the State where published, one and a half cent postage.

533. When a newspaper exceeds nineteen hundred superficial inches, it is to be rated with pamphlet postage.

534. A newspaper is defined to be any printed publication issued in numbers, and published at stated intervals of not more than a month, conveying intelligence of passing events. It generally consists of a sheet, but may be composed of two sheets, of paper. In such case it is chargeable with only single newspaper postage; provided the two sheets, in the aggregate, do not exceed nineteen hundred square inches. If it exceed that superficial extent, it is to be rated as a pamphlet.

535. An extra newspaper, or a supplement to a newspaper, when they are such *bona fide*, will be rated separately, with newspaper postage. When they are styled extra or supplementary newspapers, but are in fact mere advertisements or circulars, they will be charged as such, with two cents each sheet, if not more than single cap or quarto post; if on a sheet larger, then they will be charged as pamphlets.

536. When the article to be mailed is a circular, pamphlet, or newspaper, it should be so enveloped or folded that it can be distinctly seen at the office to be such, and also that it contain no writing, marks, or signs, to serve the purpose of written communications. If not done up so as to be open at the end, it is to be charged as a letter, by weight.

[Regulations Nos. 146, 147, 148, 149, 150, and 151, in chapter 22; and 159, 160, 161, and 162, in chapter 23; also, 164, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, and 178, in chapter 24, are hereby rescinded; and regulations Nos. 153 and 154, in chapter 23, are modified.]

537. A letter mailed on or before the 30th June, 1845, is to be charged

with the rates prescribed by the act of 1825, and postage is to be received and collected thereon agreeably to the rates charged, although the letter be not delivered till the 1st July, or after.

II. WHAT MAY GO FREE IN THE MAILS.

538. All letters and packets to and from (when the same are duly franked) the following persons, to wit:

The President of the United States;

The Ex-Presidents of the United States;

The Widows of the former Presidents, Madison and Harrison.

539. The Vice President of the United States, the members of Congress, the Delegates from Territories, the Secretary of the Senate, and Clerk of the House of Representatives, may transmit, free of postage, any *documents* printed by order of either House of Congress. This is without restriction as to the session; but the privilege expires with the official term. They may send and receive, free of postage, any letter, newspaper, or packet, not exceeding two ounces in weight, during the session of Congress, and for a period of thirty days before the commencement, and thirty days after the termination, of each session.

540. The Vice President and the members of Congress and Delegates of Territories may *frank written letters from themselves* during the whole year, as now authorized by act of March 2, 1833, viz: from sixty days before the commencement of the session of Congress to the meeting of the next Congress.

541. The Vice President and members of Congress and Delegates of Territories may *receive* letters, not exceeding two ounces in weight, free of postage, during the recess of Congress. This does not include the interval between the termination of one Congress and the commencement of the next.

542. The two last regulations do not include the Secretary of the Senate or Clerk of the House of Representatives. But these officers have the right to *send* written letters from themselves free of postage during their official terms.

543. The Governors of States may send, 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 Executive of other States, the Governor writing his name thereon, with the designation of his office and the kind of books or documents enclosed; the package to be addressed to the Governor of the State to which it is to be sent.

544. The three Assistant Postmasters General are authorized to send, free of postage, any letters, packages, or other matters, *relating exclusively to their official duties* or the business of the Post Office Department, to be duly franked by them as on "official business."

545. Deputy postmasters throughout the United States are also authorized to send all letters and packages which it may be their duty, or they may have occasion, to transmit to any person or place, which shall relate *exclusively* to the business of their respective offices, or to the business of the

Post Office Department. But, in every such case, the postmaster shall endorse thereon, over his own signature, the words "post office business."

546. Exchange newspapers, between publishers of newspapers, may be sent free.

547. Editors or publishers may send their newspapers free of postage to any distance not exceeding thirty miles from the place where printed, provided the paper does not exceed nineteen hundred superficial inches in extent.

548. No heads of departments, or bureaus, nor other officers of the General Government, nor adjutant or brigadier generals of States or Territories, nor any other persons whatsoever, except those above stated, are entitled, under the act of March 3, 1845, to the franking privilege.

[All regulations under chapter 43, except No. 288, and all regulations under chapter 44 and 45, also regulations No. 303, 304, 307, and 308, in chapter 46, and the regulations under chapter 47, are hereby rescinded.]

549. The authority heretofore given to postmasters to send money free of postage to publishers of newspapers in payment of subscriptions being withdrawn, the following regulation is substituted :

Money may be left with a postmaster, in no instance exceeding ten dollars, for the purpose of being paid to distant publishers, if said publishers shall so desire, for any newspaper or pamphlet, deliverable from his office. The postmaster may retain one per cent. and give his receipt for the balance. He is immediately to report the payment, with the names of the parties, to the postmaster through whom said amount is to be paid to the publisher, and to charge himself upon his "general account with the United States" with the amount received, deducting the one per cent. under the head of "moneys received for subscriptions;" stating the name of the payor, the name of the payee, office where payable, amount, and time when received, and shall make a full and faithful return to the General Post Office of all such cases at the end of each quarter. When presented, the postmaster at the office where payable, is to pay the amount in said receipt, deducting one per cent. which receipt, after being endorsed by the publisher, he will forward as his voucher of payment. He will enter said amount to his credit on his "general account with the United States," under the head of "moneys paid for subscriptions," giving the particulars above stated, and render to the General Post Office a full and faithful account of the same at the end of each month.

The "general account with the United States" is that which postmasters are directed to keep, on their own books, in the regulations Nos. 387, 388, &c. chapter 54.

III. PENALTIES FOR VIOLATING THE FRANKING PRIVILEGE.

550. Ten dollars penalty against any one convicted of franking any letter or letters other than those written by himself or by his order, on the business of his office.

551. Three hundred dollars penalty for every false endorsement made by an Assistant Postmaster General, on a franked letter or package, that it is on "official business."

552. Three hundred dollars penalty for like false endorsement that a letter or package is on "post office business," when made by a postmaster.

553. One half of these penalties go to the prosecutor, and the other half to the use of the United States; and are to be paid over to, and accounted for, by the Postmaster General. They may be sued for before the circuit and district courts of the United States, or of the District of Columbia, or of the Territories, and before the magistrates and courts of the States and Territories having competent jurisdiction by the laws of such States and Territories.

[Part of regulation No. 317, in chapter 49, is hereby rescinded.]

IV. ACCOUNTS TO BE KEPT BY CERTAIN OFFICERS OF GOVERNMENT.

554. Each officer of the Government who, under previous laws had the franking privilege, now abolished by the act of 3d March, 1845, is to keep an account of all postage charged to and payable by him upon letters, packages, or other matter received through the mail touching the duties of his office.

555. On being verified by said officer, said account is to be paid quarterly yearly out of the contingent fund of the Department, or bureau to which he belongs. This embraces the Secretaries of the State, Treasury, War, and Navy Departments; the Postmaster General and the Attorney General; the Comptrollers and Auditors of the Treasury; the Commissioners of the Land Office, of Pensions, of Indian Affairs, and of Patents; the Solicitor and Register of the Treasury; Treasurer of the United States; the Commanding General, Adjutant General, Inspector General, Quartermaster General, Paymaster General, Commissary General, and Surgeon General; Head of the Topographical Corps, Chief Engineer, Colonel of Ordnance, and Chiefs of the several bureaus in the Navy Department.

556. The three Assistant Postmasters General are to have remitted to them, by the postmaster of Washington, D. C. all postage charged upon letters, packages, or other matter received by them touching the business of the Department, or their particular branch of it.

557. The postmasters are authorized to charge the Department with all postage which they may have paid or had charged to them for letters, packages, or other matter received by them on the business of their offices, or of the Post Office Department, upon a verification, on oath, of their accounts for the same, and the transmission to the Department of the charged letters, as vouchers. For this duty, a proper blank is furnished, and the amount should be entered, as item No. 22, in the lower division of the Account Current.

558. The postage on "drop letters," and also moneys received for the advertising of letters, should be entered in the respective columns in the account of "Mails Received," and also in the "Account Current," Nos. 7 and 8.

559. A blank form is furnished, in which postmasters will enter free mail matter franked and received, under the respective heads of "Senate of the United States and its Secretary," "House of Representatives and its Clerk," "Assistant Postmasters General and Postmasters," "President and Vice President of the United States," "Ex-Presidents of the United States,"

widows of Presidents Madison and Harrison, and certain books and documents franked by Governors of States." In this account, the postage with which free letters and packets would have been chargeable, should be entered, carefully footed, and returned quarterly, with the other accounts of the office.

All franked letters, packets, and documents sent from an office must be marked free, and stamped or post-marked with the name of the office and State, to enable offices receiving such free matter to comply with the foregoing.

560. Each post office is to exhibit, quarterly, in its accounts of "mails sent," the whole number of letters of every description, subject to postage sent from said offices, and also the number of free letters sent, as at present.

561. The Postmaster General is authorized to increase the rate of commissions of postmasters, when they amount to less than twenty-five dollars per annum, to not exceeding fifty per cent. commission on letter postage.

V. WHAT MAY BE MAILED.

562. No packet which shall weigh more than three pounds: Bound books, of any size, are not included in the term "mailable matter," except books sent by Governors of States, as aforesaid.

563. Letters uncalled for, are to be advertised in the paper of the town, where the office advertising may be situated, having the largest circulation, provided it can be done at a cost not exceeding two cents on each letter.

Letters are not to be advertised in more than one paper, unless specially directed by the Postmaster General.

VI. CONTRACTS FOR CARRYING THE MAIL.

564. To be let to the lowest bidder who tenders sufficient guaranties for faithful performance, without other reference to the mode of transportation than is necessary to provide for the due celerity, certainty, and security of such transportation.

[Part of regulation 32 is changed and modified by the foregoing.]

565. The underbidder is not to be required to take the old contractors, stock.

566. Railroad routes, including those on which the service is partly on railroad and partly in steamboats, are to be arranged in three classes, according to the size of the mails, the speed with which they are conveyed, and the importance of the service.

567. The rates of compensation are not to exceed—

On first class, the rate of compensation now allowed by law ;

second class, \$100 per mile, per annum ;

third class, \$50 per mile, per annum.

568. If half the service is performed in the night, the rate of compensation may be increased 25 per cent.

569. And if the Postmaster General shall find it necessary to send more than two mails daily, he may pay such additional compensation as he may think just and reasonable, having reference to the service performed, and the foregoing maximum rates of allowance.

570. If he cannot conclude contracts for conveying the mails on the

railroads, at the above maximum rates, or at such portions of those rates as he shall deem a fair and reasonable compensation, he may separate the letter mail from the residue, and contract for its conveyance by horse express, or otherwise, at the greatest speed that can reasonably be obtained; and contract for the conveyance of the residue of the mail in wagons, or otherwise, at a slower rate of speed.

571. He may divide the mails on other routes, so as to give greater despatch to the letter mails, when the whole amount of it has become so great as to retard its progress, or endanger its security, or cause a considerable augmentation in the cost of transportation.

572. He may make contracts with a railroad company for conveying the mail, either with or without advertising for proposals.

573. He may also, with or without an advertisement for proposals make contracts for conveying the letter mails by express or otherwise, and also the residue of the mails by wagons or otherwise, at less speed, in default of concluding a contract for railroad conveyance.

574. The Postmaster General is authorized to contract for conveyance of the mail in the steamboats on the Western or other waters of the United States for any length of time or number of trips less than the time for which contracts are usually made, without previous advertisement, whenever, in his opinion, the public interest and convenience will be promoted thereby

575. In such case the price is not to be greater than the average rate paid under the last preceding or then existing contracts on such routes.

VII. PRIVATE EXPRESSES.

576. The establishment of private expresses for the conveyance of any letters, packets, or packages of letters, or other matter transmittable in the United States mail, (newspapers, pamphlets, magazines, and periodicals excepted,) from one city, town, or other place, to any other city, town, or place in the United States between and from and to which the United States mail is regularly transported under authority of the Post Office Department, is prohibited.

577. So is the causing to be conveyed, or the providing for the conveyance or transportation, by regular trips, or at stated periods or intervals, as aforesaid, any letters or other matter transmittable by mail as aforesaid, newspapers, pamphlets, magazines, and periodicals only excepted.

578. Every person offending against this provision, or aiding or assisting therein, or acting as such private express, shall forfeit and pay \$150 for each time any letter or letters, packet or packages, or other matter properly transmittable by mail, (except newspapers, &c.) shall, or may be by him, her, or them, or through his, her, or their means, or instrumentality in whole or in part conveyed.

579. A like fine of one hundred and fifty dollars is to be imposed on the owner or owners of any stage coach, railroad car, steamboat, or other vehicle or vessel, which shall, with the knowledge of any of the owners, in whole or in part, or which shall, with the knowledge or connivance of the driver, conductor, captain, or other person having charge of such stage coach, &c.

convey or transport, any person or persons acting or employed as a private express for the conveyance of letters, packets or packages of letters, or other mailable matter, and actually in possession of such mailable matter.

580. This is not to prohibit the conveyance of letters, packets, or packages, or other matter, by private hands, no compensation being tendered or received therefor in any way, or by special messenger employed only for the single particular occasion.

581. Stage coaches, railroad cars, steamboats, packet boats, and all other vehicles or vessels performing regular trips at stated periods, on a post route between two or more cities, towns, or places, from one to the other, of which the United States mail is regularly conveyed under the authority of the Post Office Department, are prohibited from transporting or conveying, otherwise than in the mail, any letters, packets or packages of letters, or other mailable matter whatsoever, except such as may have relation to some part of the cargo of such steamboat, packet-boat, or other vessel, or to some article at the same time conveyed by such stage, railroad car, or other vehicle, and excepting also newspapers, pamphlets, magazines, and periodicals.

582. The owners, managers, servants, or crew of all stage coaches, railroad cars, steamboats, packet-boats, and all other vehicles or vessels, are also prohibited from conveying as aforesaid.

583. For each offence the owners of the stage coach, railroad car, steamboat, or packet-boat, or other vehicle or vessel, shall forfeit and pay \$100; and the driver, captain, conductor, or person having charge of such coach, &c. not being at the time the owner thereof, in whole or in part, shall forfeit and pay \$50.

584. The person who transmits by private express, or any other means prohibited by the act of 3d March, 1845, any letter or letters, packets or packages, or other mailable matter, excepting newspapers, pamphlets, magazines, or periodicals; or who shall place or cause to be deposited at any appointed place, for the purpose of being transported by such unlawful means, any matter or thing properly transmittable by mail, (newspapers, &c. excepted,) or who shall deliver them for transmission to any agent or agents of such unlawful expresses, shall forfeit and pay for each offence, fifty dollars.

585. Steamboats can carry letters under the fifth and sixth sections of the act of 1825; provided the letters are delivered over to the postmaster of the place, or the authorized agent of the Department, such letters excepted as relate to the cargo. If the letters are not delivered as aforesaid, the owners and persons having charge of the boat shall be liable to the penalty specified in the foregoing section, No. 583.

586. The postmaster or other agent of the Department, to whom letters brought by steamboat are delivered, shall charge and collect upon them the same rates of postage as would have been charged had they been transmitted by mail.

587. Postmasters are specially enjoined promptly to report to the Department all violations of the law—by those carrying expresses—by those setting them up—by those sending letters or packages by them—by

those leaving letters &c. at any appointed place to be forwarded out of the mail—by those delivering them to any agent of an express—and by those in any other way aiding or assisting in such unlawful transmission.

588. They will also report all cases coming to their knowledge, where railroads or steamboats, or mail conveyances of any description, convey letters &c. out of the mail, or transport any persons carrying letters, &c. out of the mail, to the end that suits may be brought against the owners, directors, officers, captains, conductors, or hands, according to their knowledge of such illegal practices, or their connivance, or agency therein.

589. The report of the postmaster will consist of a statement of the offence, giving time and place, the name of the offender, and the names of the witnesses.

590. The prosecutions will be instituted in the district courts of the United States.

591. But any citizen is authorized to prosecute for the penalties in a *qui tam* suit, and in that case will be entitled to one half of the amount received in each instance. See instruction 553.

VIII. FURTHER INSTRUCTIONS AS TO THE DUTIES OF THE HIGHEST CLASS OF POSTMASTERS.

592. The office of *special agents* for particular districts being discontinued from the first day of July, 1845, special injunction is hereby given to all deputy postmasters appointable by the President, being those whose commissions exceed a thousand dollars per annum, and more particularly the postmasters at Distribution offices and State capitals, to take charge of all matters arising within their respective districts of country, relative to losses of money in the mail, the proper arrangement of mail service, and the faithful performance of it by contractors.

593. They will keep the Department fully advised, by reports promptly made, of whatever occurs under these heads, requiring its cognizance and action.

594. A loss of a money letter should be reported, not only to the Department at Washington, but also to the nearest distributing postmaster, or postmaster of the State capital, who should at once communicate with the Department on the subject, as to the best mode of tracing the loss and detecting the depredators.

595. Under this head, particular attention is called to chapter 35 of the Post Office Regulations published in 1843.

IX. IN CONCLUSION.

596. The standing regulations issued in 1843 still remain in full force except where inconsistent with the provisions of the act of 1845 and these instructions. And to them and the regulations here prescribed, the careful attention and energetic co-operation of all is earnestly invoked, to the end that the law may be fully understood and enforced, and the public accommodation and interests, committed to this Department, may be faithfully subserved and promoted.

C. JOHNSON, *Postmaster General.*

POST OFFICE DEPARTMENT, *April 21, 1845.*

AN ACT

To reduce the rates of postage, to limit the use and correct the abuse, of the franking privilege, and for the prevention of frauds on the revenues of the Post Office Department.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, from and after the first day of July next, members of Congress and delegates from Territories may receive letters, not exceeding two ounces in weight, free of postage, during the recess of Congress, any thing to the contrary in this act notwithstanding; and the same franking privilege which is granted by this act to the members of the two houses of Congress, is hereby extended to the Vice President of the United States; and in lieu of the rates of postage now established by law, there shall be charged the following rates, viz: For every single letter, in manuscript, or paper of any kind, by or upon which information shall be asked for or communicated in writing, or by marks and signs, conveyed in the mail for any distance under three hundred miles, five cents; and for any distance over three hundred miles, ten cents; and for a double letter there shall be charged double these rates; and for a treble letter, treble these rates; and for a quadruple letter, quadruple these rates; and every letter or parcel not exceeding half an ounce in weight, shall be deemed a single letter; and every additional weight of half an ounce, or additional weight less than half an ounce, shall be charged with an additional single postage. And all drop letters, or letters placed in any post office, not for transmission by mail, but for delivery only, shall be charged with postage at the rate of two cents each. And all letters which shall hereafter be advertised as remaining over in any post office shall, when delivered out, be charged with the costs of advertising the same, in addition to the regular postage, both to be accounted for as other postages now are.

Sec. 2. And be it further enacted, That all newspapers of no greater size or superficies than nineteen hundred square inches, may be transmitted through the mail by the editors or publishers thereof, to all subscribers or other persons within thirty miles of the city, town, or other place in which the paper is or may be printed, free of any charge for postage whatever; and all newspapers of and under the size aforesaid, which shall be conveyed in the mail any distance beyond thirty miles from the place at which the same may be printed, shall be subject to the rates of postage chargeable upon the same, under the thirtieth section of the act of Congress, approved the third March, one thousand eight hundred and twenty-five, entitled "An act to reduce into one the several acts for establishing and regulating the Post Office Department;" and upon all newspapers of greater size or superficial extent than nineteen hundred square inches, there shall be charged and collected the same rates of postage as are prescribed by this act to be charged on magazines and pamphlets.

Sec. 3. And be it further enacted, That all printed or lithographed circulars and handbills, or advertisements, printed or lithographed, on quarto post or single cap paper, or paper not larger than single cap, folded, directed, and unsealed, shall be charged with postage at the rate of two cents for each sheet, and no more, whatever be the distance the same may be sent; and all pamphlets, magazines, periodicals, and every other kind and description of printed or other matter, (except newspapers,) which shall be unconnected with any manuscript communication whatever, and which it is or may be lawful to transmit by the mail of the United States, shall be charged with postage at the rate of two and a half cents for each copy sent, of no greater weight than one ounce, and one cent additional shall be charged for each additional ounce of the weight of every such pamphlet, magazine, matter, or thing, which may be transmitted through the mail, whatever be the distance the same may be transported; and any fractional excess of not less than one-half of an ounce, in the weight of any such matter or thing, above one or more ounces, shall be charged for as if said excess amounted to a full ounce.

Sec. 4. *And be it further enacted,* That the Postmaster General be, and he is hereby, authorized, upon all mail routes over or upon which the amount of matter usually transported, or which may be offered or deposited in the post office or post offices for transportation, is or may become so great as to threaten materially to retard the progress or endanger the security of the letter mail, or to cause any considerable augmentation of the cost of transporting the whole mail at the present rate of speed, to provide for the separate and more secure conveyance of the letter mail, at a speed at least equal to that at which the mail is now transported over such route, taking care to allow in no case of any greater delay, in the transportation of the other matters and things to be transported in the mail on any such route, than may appear to be absolutely necessary, regard being had to the cost of expediting its transportation, and the means at his disposal or under his control for effecting the same.

Sec. 5. *And be it further enacted,* That the twenty-seventh section of the act of Congress entitled "An act to reduce into one the several acts for establishing and regulating the Post Office Department," approved and signed the third day of March, in the year one thousand eight hundred and twenty-five, and all other acts and parts of acts granting and conferring upon any person whatsoever the right or privilege to receive and transmit through the mail, free of postage, letters, packets, newspapers, periodicals, or other matters, be, and the same are hereby, utterly abrogated and repealed.

Sec. 6. *And be it further enacted,* That from and after the passage of this act, all officers of the Government of the United States, heretofore having the franking privilege, shall be authorized and required to keep an account of all postage charged to and payable by them, respectively, upon letters, packages, or other matters received through the mail, touching the duties or business of their respective offices; and said accounts for postage, upon being duly verified by said officers, respectively, shall be allowed and paid quarterly, out of the contingent fund of the bureau or department to which the officers aforesaid may respectively belong or be attached. And the Three Assistant Postmasters General shall be entitled to have remitted by the postmaster in Washington all postage charged upon letters, packages, or other matter, received by them, respectively, through the mail, touching the business of the Post Office Department, or the particular branch of that business committed to them, respectively; and each of the said Assistant Postmasters General shall be, and hereby is, authorized to transmit through the mail, free of postage, any letters, packages, or other matters relating exclusively to his official duties, or to the business of the Post Office Department; but he shall, in every such case, endorse on the back of the letter or package so to be sent free of postage, over his own signature, the words "official business." And for any such endorsement falsely made, the person so offending shall forfeit and pay three hundred dollars. And the several deputy postmasters throughout the United States shall be authorized to charge, and have allowed to them in the settlement of their accounts with the Post Office Department all postage which they may have paid or had charged to them, respectively, for letters, packages, or other matters received by them on the business of their respective offices or of the Post Office Department, upon a verification on oath of their accounts for the same, and the transmission of the charged letters as vouchers; and the said several deputy postmasters shall be, and hereby are, authorized to send through the mail, free of postage, all letters and packages which it may be their duty, or they may have occasion, to transmit to any person or place, and which shall relate exclusively to the business of their respective offices, or to the business of the Post Office Department; but in every such case the deputy postmaster sending any such letter or package shall endorse thereon, over his own signature, the words "Post Office business." And for any and every such endorsement falsely made, the person making the same shall forfeit and pay three hundred dollars. And when the commissions of any postmaster amount to less than twenty-five dollars per annum, it shall be lawful for the Postmaster General to increase the rate of his commissions, provided that they do not exceed fifty per cent. on letter postage accruing at such office, and the Postmaster General is hereby required to cause accounts to be kept of the postage that would be chargeable at the rates prescribed in this act upon all matter passing free through the mail according to the provisions of this act; and the sums thus chargeable shall be paid to the Post Office

Department from the contingent funds of the two Houses of Congress and of the other Departments of the Government for which such mail service may have been performed, and where there is no such fund that they be paid out of the Treasury of the United States.

Sec. 7. And be it further enacted, That the act of Congress entitled "An act authorizing the Governors of the several States to transmit by mail certain books and documents," approved June the thirtieth, one thousand eight hundred and thirty-four, shall remain and continue in full force, any thing hereinbefore to the contrary notwithstanding; and the members of Congress, the delegates from the Territories, the Secretary of the Senate, and the Clerk of the House of Representatives shall 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 of Congress, any thing in this law to the contrary notwithstanding.

Sec. 8. And be it further enacted, That each member of the Senate, each member of the House of Representatives, and each delegate from a Territory of the United States, the Secretary of the Senate, and the Clerk of the House of Representatives, may, during each session of Congress, and for a period of thirty days before the commencement and thirty days after the end of each and every session of Congress, send and receive through the mail, free of postage, any letter, newspaper, or packet, not exceeding two ounces in weight; and all postage charged upon any letters, packages, petitions, memorials, or other matters or things received during any session of Congress by any Senator, member or delegate of the House of Representatives, touching his official or legislative duties, by reason of any excess of weight above two ounces, of the matter or thing so received, shall be paid out of the contingent fund of the House of which the person receiving the same may be a member. And they shall have the right to frank written letters from themselves during the whole year, as now authorized by law.

Sec. 9. And be it further enacted, That it shall not be lawful for any person or persons to establish any private express or expresses, for the conveyance, nor in any manner to cause to be conveyed, or provide for the conveyance or transportation, by regular trips, or at stated periods or intervals, from one city, town, or other place, to any other city, town, or place in the United States, between, and from, and to which cities, towns, or other places, the United States mail is regularly transported, under the authority of the Post Office Department, of any letters, packets, or packages of letters, or other matter properly transmittable in the United States mail, except newspapers, pamphlets, magazines, and periodicals; and each and every person offending against this provision, or aiding or assisting therein, or acting as such private express, shall, for each time any letter or letters, packet or packages, or other matter properly transmittable by mail, except newspapers, pamphlets, magazines, and periodicals, shall or may be, by him, her, or them, or through his, her, or their means or instrumentality, in whole or in part, conveyed or transported contrary to the true intent, spirit, and meaning of this section, forfeit and pay the sum of one hundred and fifty dollars.

Sec. 10. And be it further enacted, That it shall not be lawful for any stage coach, railroad car, steamboat, packet boat, or vehicle or vessel, nor any of the owners, managers, servants, or crews of either, which regularly perform trips at stated periods on a post route, or between two or more cities, towns, or other places, from one to the other of which the United States mail is regularly conveyed under the authority of the Post Office Department, to transport or convey, otherwise than in the mail, any letter or letters, packet or packages of letters, or other mailable matter whatsoever, except such as may have relation to some part of the cargo of such steamboat, packet boat, or other vessel, or to some article at the same time conveyed by the same stage coach, railroad car, or other vehicle, and excepting also newspapers, pamphlets, magazines, and periodicals; and for every such offence the owner or owners of the stage coach, railroad car, steamboat, packet boat, or other vehicle or vessel, shall forfeit and pay the sum of one hundred dollars; and the driver, captain, conductor, or person having charge of any such stage coach, railroad car, steamboat, packet boat, or other vehicle, or vessel, at the time of the commission of any such offence, and who shall not at that time be the owner thereof, in whole nor in part, shall, in like manner, forfeit and pay, in every such case of offence, the sum of fifty dollars.

Sec. 11. *And be it further enacted,* That the owner or owners of every stage coach, railroad car, steamboat, or other vehicle or vessel, which shall, with the knowledge of any owner or owners, in whole or in part, or with the knowledge or connivance of the driver, conductor, captain, or other person having charge of any such stage coach, railroad car, steamboat, or other vessel or vehicle, convey or transport any person or persons acting or employed as a private express for the conveyance of letters, packets, or packages of letters, or other mailable matter, and actually in possession of such mailable matter, for the purpose of transportation, contrary to the spirit, true intent, and meaning of the preceding sections of this law, shall be subject to the like fines and penalties as are hereinbefore provided and directed in the case of persons acting as such private expresses, and of persons employing the same; but nothing in this act contained shall be construed to prohibit the conveyance or transmission of letters, packets, or packages, or other matter, to any part of the United States, by private hands, no compensation being tendered or received therefor in any way, or by a special messenger employed only for the single particular occasion.

Sec. 12. *And be it further enacted,* That all persons whatsoever, who shall, after the passage of this act, transmit by any private express, or other means by this act declared to be unlawful, any letter or letters, package or packages, or other mailable matter, excepting newspapers, pamphlets, magazines, and periodicals, or who shall place or cause to be deposited at any appointed place, for the purpose of being transported by such unlawful means, any matter or thing properly transmittable, by mail, excepting newspapers, pamphlets, magazines, and periodicals, or who shall deliver any such matter, excepting newspapers, pamphlets, magazines and periodicals, for transmission to any agent or agents of such unlawful expresses, shall, for each and every offence, forfeit and pay the sum of fifty dollars.

Sec. 13. *And be it further enacted,* That nothing in this act contained shall have the effect, or be construed, to prohibit the conveyance or transportation of letters by steamboats, as authorized by the sixth section of the act entitled "An act to reduce into one the several acts for establishing and regulating the Post Office Department, approved the third of March, one thousand eight hundred and twenty-five." *Provided,* That the requirements of said sixth section of said act be strictly complied with, by the delivery, within the time specified by said act of all letters so conveyed, not relating to the cargo, or some part thereof, to the postmaster or other authorized agent of the Post Office Department, at the port or place to which said letters may be directed, or intended to be delivered over from said boat; and the postmaster or other agent of the Post Office Department shall charge and collect, upon all letters or other mailable matter so delivered to him, except newspapers, pamphlets, magazines, and periodicals, the same rates of postage as would have been charged upon said letters had been transmitted by mail from the port or place at which they were placed on board the steamboat from which they were received; but it is hereby expressly provided, that all the pains and penalties provided by this act, for any violation of the provisions of the eleventh section of this act, shall attach in every case to any steamboat, or to the owners and persons having charge thereof, the captain or other person having charge of which shall not, as aforesaid, comply with the requirements of the sixth section of the said law of one thousand eight hundred and twenty-five. And no postmaster shall receive, to be conveyed by the mail, any packet which shall weigh more than three pounds.

Sec. 14. *And be it further enacted,* That the Postmaster General shall have power, and he is hereby authorized, to contract with the owners or commanders of any steamboat plying upon the Western or other waters of the United States, for the transportation of the mail for any length of time, or number of trips, less than the time for which contracts for transporting the mail of the United States are now usually made under existing laws, and without the previous advertisements now required before entering into such contracts, whenever in his opinion the public interest and convenience will be promoted thereby: *Provided,* That the price to be paid for such service shall in no case be greater than the average rate paid for such service under the last preceding or then existing regular contract for transporting the mail upon the route he may so for a less time contract for the transportation of the mail upon.

Sec. 15. *And be it further enacted,* That "mailable matter," and "matter properly transmittable by mail," shall be deemed and taken to mean, all letters and newspapers, and all magazines and pamphlets periodically published, or which may be published in regular series or in successive numbers under the same title, though at irregular intervals, and all other written or printed matter, whereof each copy or number shall not exceed eight ounces in weight, except bank notes sent in packages or bundles, without written letters accompanying them; but bound books, of any size, shall not be held to be included within the meaning of these terms. And any packet or packets, of whatever size or weight, being made up of any such mailable matter, shall subject all persons concerned in transporting the same to all the penalties of this law, equally as if it or they were not so made up into a packet or packages. But nothing in this act contained shall be so construed as to prohibit any person whatever from transporting, or causing to be transported, over any mail route, or any road or way parallel thereto, any books, magazines, or pamphlets, or newspapers, not marked, directed, or intended for immediate distribution to subscribers or others, but intended for sale as merchandise, and transported in the usual mode of transporting merchandise over the particular route used, and sent or consigned to some *bona fide* dealer or agent for the sale thereof; nor shall any thing herein be construed to interfere with the right of any traveller to have and take with him or her, for his or her own use, any book, pamphlet, magazine, or newspaper.

Sec. 16. *And be it further enacted,* That the term "newspaper," hereinbefore used, shall be, and the same is hereby defined to be, any printed publication issued in numbers, consisting of not more than two sheets, and published at short stated intervals of not more than one month, conveying intelligence of passing events, and *bona fide* extras and supplements of any such publication. And nothing herein contained shall be so construed as to prevent the free exchange of newspapers between the publishers thereof as provided for under the twenty-ninth section of the act entitled, "An act to reduce into one the several acts for establishing and regulating the Post Office Department, approved the third day of March, one thousand eight hundred and twenty-five."

Sec. 17. *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 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; and 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 prosecutions, 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. 18. *And be it further enacted,* That it shall be the duty of the Postmaster General in all future lettings of contracts for the transportation of the mail, to let the same, in every case, to the lowest bidder, tendering sufficient guaranties for faithful performance, without other reference to the mode of such transportation than may be necessary to provide for the due celerity, certainty, and security of such transportation; nor shall any new contractor hereafter be required to purchase out, or take at a valuation, the stock or vehicles of any previous contractor for the same route. And all advertisements made under the orders of the Postmaster General, in a newspaper or newspapers, of letters uncalled for in any post office, shall be inserted in the paper or papers, of the town or place where the office advertising may be situated, having the largest circulation, provided the editor or editors of such paper or papers shall agree to insert the same for a price not greater than that now fixed by law; and in case of question or dispute as to the amount of the circulation of any papers, the editors of which may desire this advertising, it shall be the duty of the postmaster to receive evidence and decide upon the fact.

Sec. 19. *And be it further enacted,* That to insure, as far as may be practicable, an equal and just rate of compensation, according to the service performed, among the several railroad companies in the United States, for the transportation of the mail, it shall be the

duty of the Postmaster General to arrange and divide the railroad routes, including those in which the service is partly by railroad and partly by steamboats, into three classes, according to the size of the mails, the speed with which they are conveyed, and the importance of the service; and it shall be lawful for him to contract for conveying the mail with any such railroad company, either with or without advertising for such contract: *Provided*, That, for the conveyance of the mail on any railroad of the first class, he shall not pay a higher rate of compensation than is now allowed by law; nor for carrying the mail on any railroad of the second class, a greater compensation than one hundred dollars per mile, per annum; nor for carrying the mail on any railroad of the third class, a greater compensation than fifty dollars per mile, per annum. And in case the Postmaster General shall not be able to conclude a contract for carrying the mail on any of such railroad routes, at a compensation not exceeding the aforesaid maximum rates, or for what he may deem a reasonable and fair compensation for the service to be performed, it shall be lawful for him to separate the letter mail from the residue of the mail, and to contract, either with or without advertising, for conveying the letter mail over such route, by horse express or otherwise, at the greatest speed that can reasonably be obtained; and also to contract for carrying over such route the residue of the mail, in wagons or otherwise, at a slower rate of speed: *Provided*, That if one-half of the service, on any railroad, is required to be performed in the night season, it shall be lawful for the Postmaster General to pay twenty-five per cent. in addition to the aforesaid maximum rates of allowance: *And provided further*, That if it shall be found necessary to convey over any railroad route more than two mails daily, it shall be lawful for the Postmaster General to pay such additional compensation as he may think just and reasonable, having reference to the service performed and the maximum rate of allowance established by this act.

Sec. 20. 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 any circuit or district court of the United States, or of the District of Columbia, or of the Territories of the United States.

Sec. 21. And be it further enacted, That for the purpose of guarding against the possibility of any embarrassment in the operations of the Post Office Department, consequent upon any deficiency of the revenues of said Department which may be occasioned by the reduction of the rates of postage by this act made, there be, and hereby is, appropriated the sum of seven hundred and fifty thousand dollars, to be paid out of any money in the Treasury not otherwise appropriated, and to be placed to the credit of the Post Office Department in the Treasury of the United States, to be applied, under the direction of the Postmaster General, to supplying any deficiency in the regular revenues from postage, in the same manner as the revenues of said department are now by law applied.

Sec. 22. And be it further enacted, That in case the amount of postages collected from the rates of postage prescribed by this act, with the annual appropriation from the Treasury of seven hundred and fifty thousand dollars herein granted, shall prove insufficient to defray the expense of the mail service throughout the United States to an extent equal to what is now enjoyed by the public, and also the expense of extending and enlarging the same in due proportion with the increase and expansion of the population, particularly in the new States and Territories, the deficiency that may so arise shall be paid out of any moneys in the Treasury not otherwise appropriated: *Provided*, That the amount of expenditure for the Post Office Department shall not in the entire aggregate, exclusive of salaries of officers, clerks, and messengers, of the General Post Office, and the contingent fund of the same, exceed the annual amount of four million five hundred thousand dollars.

Sec. 23. And be it further enacted, That nothing in this act contained shall be construed to repeal the laws heretofore enacted, granting the franking privilege to the President of the United States when in office, and to all ex-Presidents, and to the widows of the former Presidents Madison and Harrison.

Approved, March 3, 1845.

JOINT RESOLUTION

To fix the time when the act to reduce the rates of postage, to limit the use and correct the abuse of the franking privilege, and for the prevention of frauds on the revenues of the Post Office Department, passed at this session, shall go into effect.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the act "to reduce the rates of postage, to limit the use and correct the abuse of the franking privilege, and for the prevention of frauds on the revenues of the Post Office Department, passed at the present session, shall go into effect on and after the first day of July next, and not sooner, any thing in said act to the contrary notwithstanding.

Approved March 3, 1845.

THE POST OFFICE DEPARTMENT.

We lay before our readers the new regulations which have been adopted by the Post Master General, under the laws passed at the close of last session of Congress. They embrace a variety of new and interesting provisions, which ought to be thoroughly understood by the people themselves, as well as by all the postmasters. The attention of this last and important class of officers throughout the country is specially invited to them:

Regulations of the Post Office department for the enforcement of the acts of Congress of the 1st, 2d, and 3d of March, 1847.

1. All deputy post masters are authorized to send free, through the mails, all letters and packages not weighing over two ounces, which they may have occasion to write or send, relating to the business of their offices or of the post office department, endorsing thereon "post office department," and signing their names thereto.— All those whose compensation did not exceed 200 dollars for the year ending 30th of June, 1846, may also send free through the mails, letters written by themselves, and receive all written communications on their own private business, not weighing over one half ounce.

2. Members of Congress and delegates from territories may send and receive free, through the mails, from thirty days before the commencement of each Congress, until the meeting of the next Congress, letters and packages not exceeding two ounces in weight, and public documents not exceeding three pounds in weight. Public documents are those printed by the order of either House of Congress, and publications or books procured or purchased by Congress of either House, for the use of the members.

3. The same privilege allowed to members of Congress, is extended to the Secretary of the Senate and the Clerk of the House of Representatives during their official terms, which terminates with the election of their suc-



4. The privilege of the Vice President is enlarged so that he may receive free, public documents during his official term.

5. Persons entitled to the privilege of franking should endorse on all letters or packages weighing under two ounces, "free," and sign the same, designating the office they fill; and all public documents which exceed two ounces in weight should be designated by writing the words "public documents" on them, and signing them officially as above. The character of public documents issued from the public offices in the city of Washington and directed to persons authorized to receive them free, may be designated by a stamp specifying the office from which they issue, and the words "public documents" or such other evidences of their character as may be agreed upon between them and the post-master of the city of Washington.— Any document folded and sealed, not having such evidence of its character on the envelope, will be rated with postages which will be remitted by the delivering post master, upon satisfactory evidence that it is a public document, transmissible free through the mails to the person addressed.

6. All letters and packages from and to the heads of departments, or the other public officers who were entitled to the franking privilege prior to the passage of the act of the 3d of March, 1845, in relation to the business of their respective offices, will be delivered to the persons addressed, without any charge of postage, as an appropriation has been made by Congress for their payment. All letters and packages issuing from the departments should be marked on the envelope "official business," and signed by the heads of the departments, or, under their directions, by their chief clerks, and by the other officers who were entitled to the franking privilege prior to the act of 1845, designating their official capacity. But such officers have not the right to send or receive free their private letters or papers.

7. All newspapers transmitted through the mails will be hereafter rated with postage, except exchange papers between the publishers of newspapers, and those franked by persons enjoying the privilege, and contractors may take newspapers out of the mails for sale or distribution, among subscribers.

newspapers, or those not sent from the office of publication to subscribers, hand bills, or circular letters, printed or lithographed, not exceeding one sheet in size, will pay three cents, upon delivery at the office and before they are put in the mails, and all such will be charged by deputy postmasters as pre-paid matter in the way bills, and upon their accounts of mails sent, and stamped or marked "paid," with the name of the office from which it was sent.

9. Transient newspapers, handbills, or circulars, cannot be received free by deputy postmasters under their privilege. If such should be addressed to them, it is their duty to return them to the sender under a new cover, charged with letter postage. If deposited in a post office unsealed, addressed to deputy post masters or others, they will not in any case be forwarded by mail, without prepayment of the postage. If sealed they will be rated with letter postage, and forwarded in the mails.

10. Letters addressed to different persons cannot be enclosed in the same envelope or package under a penalty of ten dollars, unless addressed to foreign countries.

11. Letters, newspapers, and packages not exceeding one ounce in weight, addressed to any officer, musician, or private in the army of the United States in Mexico, or at any post or place on the frontier of the United States bordering on Mexico, will pass free in the mails. Each letter so addressed, should specify, after the name of the person, "belonging to the army." The law will continue in force during the war with Mexico, and for three months after its termination.

12. Extra commissions allowed deputy postmasters by the order of the 9th of July, 1845, are superseded by the act of 3d of March, 1847.

13. The commissions allowed by the 24th section of the act of the 3d of March, 1845, are repealed, and other rates allowed by the 1st section of the act of the 1st of March, 1847, in lieu of them, as follows :

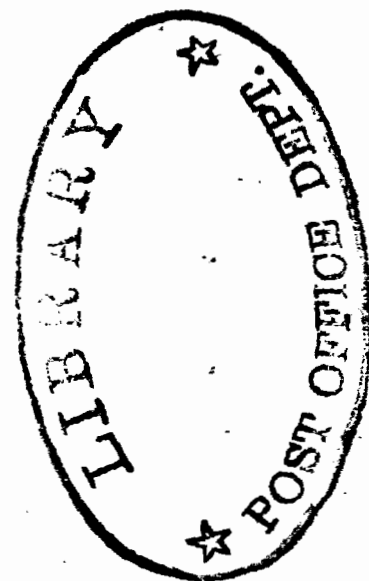
1. On the amount of letter postage, not exceeding 100 dollars in any one year, 40 per cent.

2. On any sum between \$100 and \$400 in any year, 33 1-2 per cent.

3. On any sum between \$400 and \$2,400 in the year, 30 per cent.

4. On any sum over \$2,400 in a year, 12 1-2 per cent.

5. On the amount of letters and packets received for distribution at offices designated by the post master general for that purpose, 7 per



cent.

The term letter postage includes all postages received, except those which arise from newspapers sent from the offices of the publishers to subscribers, and from pamphlets and magazines—so that all pre-paid postage upon transient

papers, handbills and circulars, printed or lithographed, will be treated as letter postage in the settlement of accounts with post masters.

6. On all sums arising from the postage on newspapers, magazines and pamphlets, 50 per cent.

7. As the accounts of postage have to be settled quarterly, and their commissions allowed for that time, the postmasters will credit themselves with 40 per cent. upon the first 25 dollars received in the quarter, and for any sum between twenty five dollars and one hundred dollars in the quarter, at the rate of 33 1-3 per cent; and upon any sum between one hundred and six hundred dollars received in the quarter, 30 per centum; and on any sum over six hundred dollars received in the quarter, at the rate of 12 1-2 per cent.

8. The commission accounts will be settled as heretofore, except that the annual compensation to which postmasters are limited, will be computed for the fiscal year, commencing on the 1st July, and ending the 30th of June, and in due proportion for any period less than a year.

9. No other allowances can be made to postmasters except box-rents to an amount not exceeding \$2,000 per annum, and the surplus of such receipts may be applied to the expenses of the office, under the direction of the post master general. The emolument of box-rent account must be accounted for regularly in the quarterly returns, and for the same quarter as other proceeds of the office.

10. Postmasters in their returns for the present quarter ending the 31st of March, 1847, will adjust their accounts according to the above allowances.—*Washington Union.*

C. JOHNSON, Post Master General.

March 12. 1847.