

POST OFFICE DEPARTMENT.

T H E

POSTAL LAWS AND REGULATIONS,

PUBLISHED

BY AUTHORITY OF THE POSTMASTER GENERAL.

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POST OFFICE DEPARTMENT,

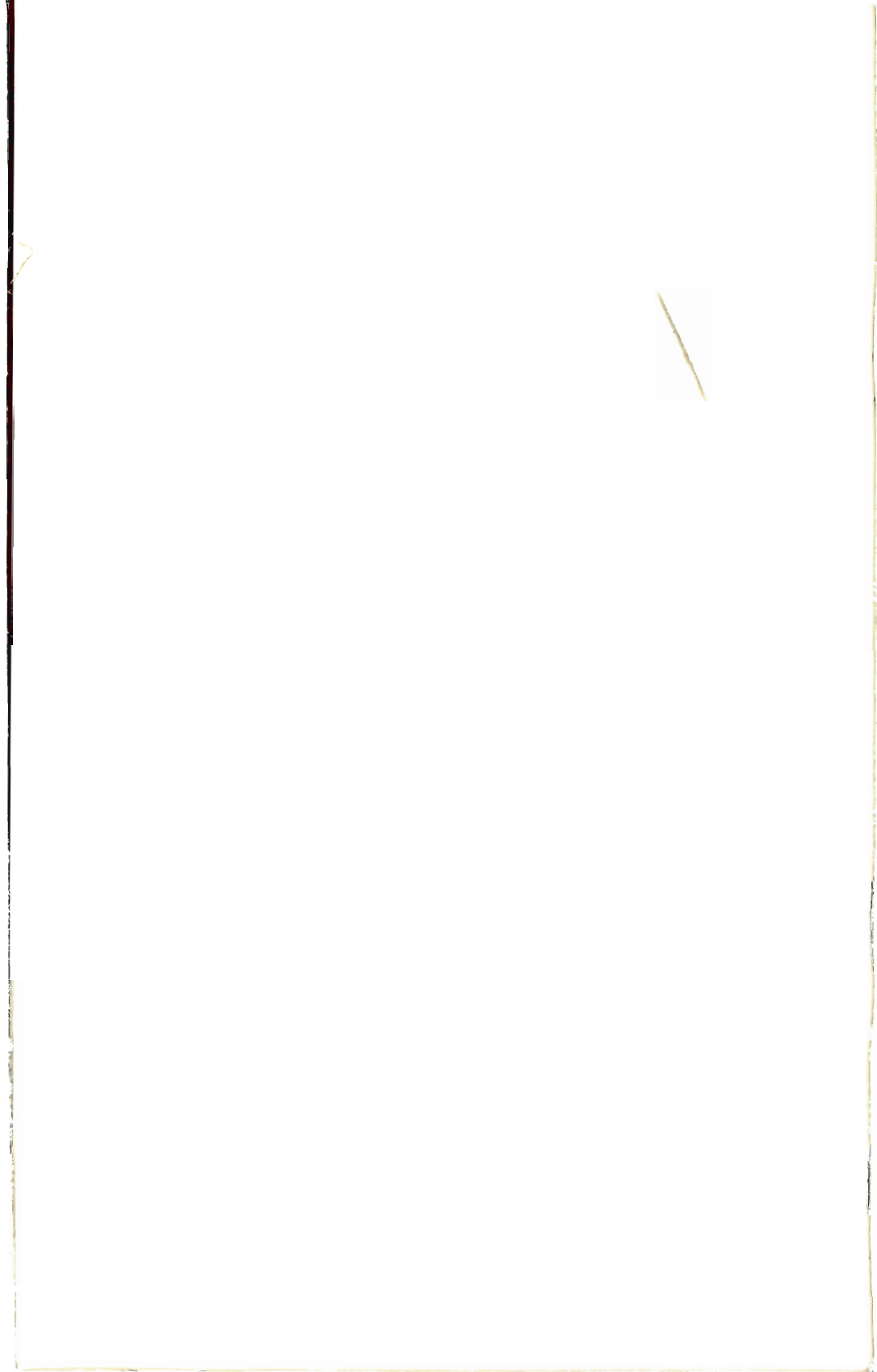
March 1, 1866.

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This compilation of the Postal Laws is the first that has been made since 1859. During the last six years there has been much legislation by Congress, that appears to have been intended to cover or supply provisions of laws previously enacted; but it has not been deemed safe to omit any laws or sections that have not been positively repealed or supplied by later enactments.

J. A. W.

WASHINGTON, D. C., *March 1, 1866.*

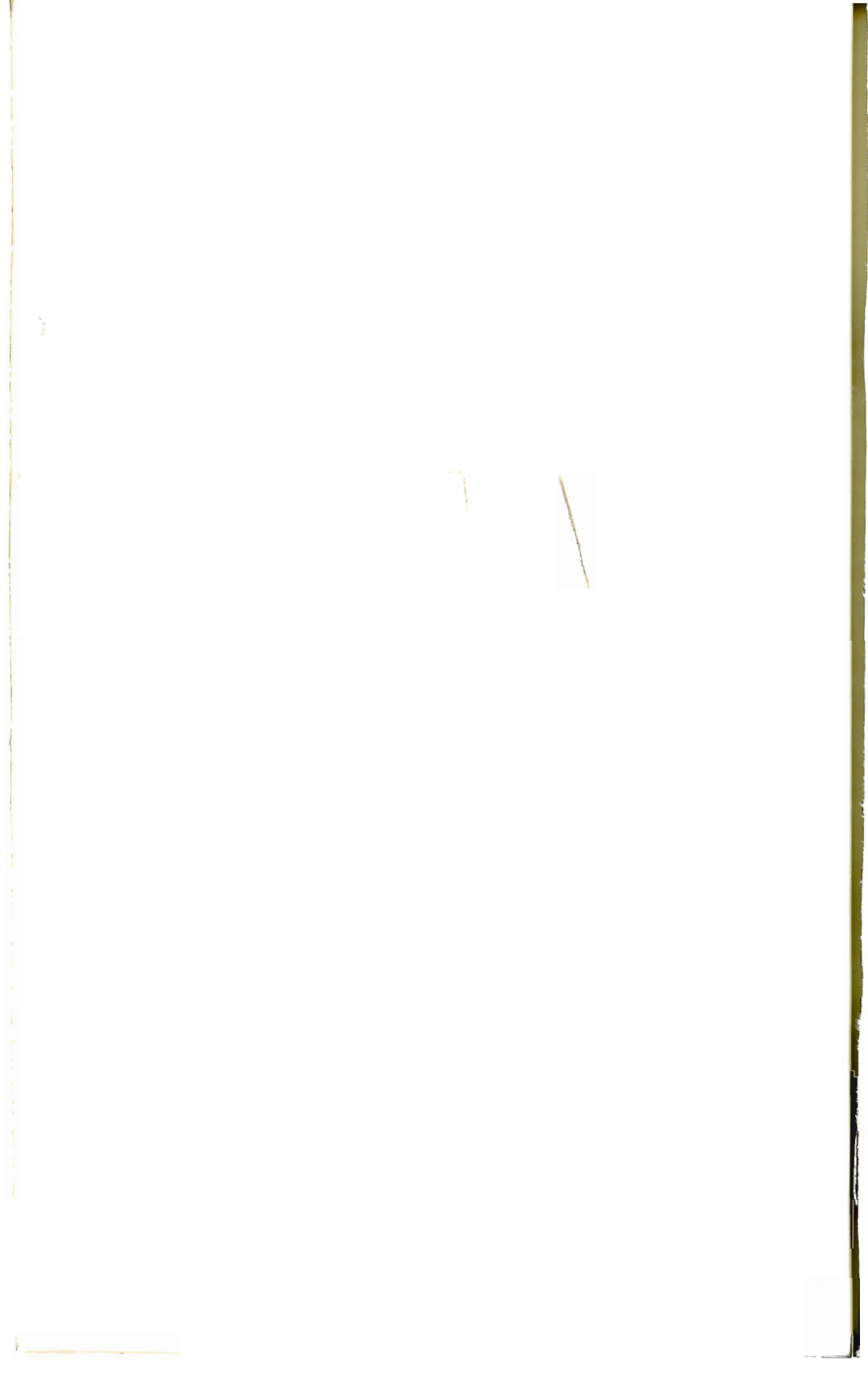


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THE POSTAL LAWS.



CHAPTER I.

ORGANIZATION.

SEC. 1. There shall be established at the seat of the government of the United States a General Post Office, under the direction of a Postmaster General. The Postmaster General shall appoint two Assistants^(a) 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^(b) at all such places as shall appear to him expedient, on the post roads that are or may be established by law. 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.^(d) 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.^(c) He shall prosecute offences against the Post Office establishment. He shall, once in three months, render^(d) 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.^(e)

^(a) A subsequent law authorizes the appointment of a Third Assistant Postmaster General. See below, § 3. It is also provided that Assistant Postmasters General be appointed by the President and confirmed by the Senate. See below, § 5.

^(b) Postmasters of offices yielding over \$1,000 are appointed by the President. See below, § 26a.

^(c) The head of a department has not a right to review the decision of his predecessor allowing a credit, except to correct some error of calculation; if he is of opinion that the allowance was wrongful, he must have a suit brought. *United States vs. Bank of Metropolis*, 15 Peters, 377. See also 3 Opin. 1 and 684. See also case of George Chorpennin, MS. records of Post Office Department, report to Postmaster General, where authorities are collated.

^(d) These duties are now devolved upon the Auditor. See below, § 11.

^(e) See next section for further duties of Postmaster General.

The courts may allow to a clerk in a department, by way of offset, an equitable claim for services rendered to the government under the orders of the head of a department, though there be no act of Congress providing for the case, and an auditor of the treasury could not allow the claim. *United States vs. Macdaniel*, 7 Peters, 1. In this case, Macdaniel, the defendant, a clerk in the Navy Department, had been, in accordance with a custom of fifteen years' standing, employed by the Secretary of the Navy to make certain disbursements for a compensation of one per cent. on the amount disbursed. No person was appointed by law to make these disbursements, and the task did not come within the line of Macdaniel's duties as clerk. The court ruled that the accounting officers of the treasury could not allow the claim, as it was not specifically allowed by law, but that the Secretary of the Treasury ought to have paid it, and that, as he did not do so, it was properly allowable by the court. An officer was subsequently designated by Congress to make the disbursements referred to.

The head of a department, advertising according to law for proposals for stationery, is the competent and only judge of the matters of fact involved in the acceptance or rejection of any of the proposals, and his opinion is not subject to revision by any other authority. 6 Opin. 226.

5 July, 1836, § 9.
5 Stat. 80.

Duties of Postmaster General.

SEC. 2. It shall be the duty of the Postmaster General to decide on the official forms of all papers (a) 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; (b) 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 necessary 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. (c)

Advances.

2 July, 1836, § 20.
5 Stat. 80.

Third Assistant Postmaster General.

SEC. 3. There shall be employed by the Postmaster General a Third Assistant Postmaster General. (d)

SEC. 4. 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.

3 March, 1853, § 5.
10 Stat. 255.

SEC. 5. Hereafter, as the office of Assistant Postmaster General, or either of them, shall be vacated, the appointment of his successor shall be made by the President of the United States, by and with the advice and consent of the Senate.

20 Feb., 1863, § 1.
12 Stat. 656.

Temporary vacancies, how filled.

SEC. 6. In case of the death, resignation, absence from the seat of government, or sickness of the head of any executive department of the government, or of any officer of either of the said departments whose appointment is not in the head thereof, whereby they cannot perform the duties of their respective offices, it shall be lawful for the President of the United States, in case he shall think it necessary, to authorize the head of any other executive department, or other officer in either of said departments whose appointment is vested in the President, at his discretion, to perform the duties of the said respective offices, until a successor be appointed or until such absence or inability by sickness shall cease: *Provided*, That no one vacancy shall be supplied in manner aforesaid for a longer term than six months.

Duration of such appointments.

Enumeration and salaries of clerks.

SEC. 7. The following salaries (e) shall be paid the Postmaster General, assistants, clerks, messengers, and watchmen provided for the service of the Post Office Department:

To the Postmaster General, eight thousand dollars; (f)

To three Assistant Postmasters General, three thousand dollars each; (g)

(a) All official instruments, documents and papers, issued or used by the officers of the United States government, are exempt from stamp duty. Act June 30, 1864, § 154, (13 Stat. 292.)

(b) It has been the practice of every Postmaster General to decide whether a contractor whose contract had been annulled, or whose service under it had been dispensed with, was entitled to one month's extra pay. *Statement of the case of Allen & Kitchen, by Comptroller Whitlesey.* This practice is warranted and fully sustained by § 9, act 2d July, 1836, (5 Stat. 81;) and the Postmaster General having decided against the claim in question, his decision is conclusive upon the Comptroller and all other accounting officers of the government. 5 Opin. 246-7. As to discontinuance or modification of contracts, see Regulations, ch. Contracts.

Where a clerical error committed by the clerk who drew a contractor's bond operates to the prejudice of the contractor it is the duty of the Postmaster General to correct the mistake. 5 Opin. 545.

(c) In the case of *United States vs. Roberts*, 9 Howard, 501, the Supreme Court insisted upon the strict and uniform compliance of subordinates with the instructions of the Postmaster General. Blank forms of orders and receipts furnished from the department must be used in all cases, and for any violation whatever of the instructions the postmaster is liable on his bond. The court held that where a postmaster relied upon a payment alleged to have been made by him to a mail-contractor, but had not observed the regulations of the department as to the mode of payment, the receipts to be taken, or the notices to be given to the department, and the contractor had not been charged with the alleged payment on the settlement of his accounts with the department, it could not be allowed as a credit to the postmaster in an action against him and his sureties on his official bond.

(d) See below, § 5.

(e) For salaries of letter-carriers see below, § 21L.

(f) See § 4 act March 3, 1853, (10 Stat. 211.)

(g) See § 3 act April 22, 1854, (10 Stat. 276.)

To the chief clerk of the Post Office Department, two thousand two hundred dollars ;(a)

To the chief clerk of each of the Assistant Postmasters General, two thousand dollars each ;(c)

To six clerks, including the topographer, of class four, one thousand eight hundred dollars each ;(a)

To the disbursing clerk, who shall be taken from the clerks of class four, enough to make in addition to his salary the sum of two thousand dollars ;(a)

To thirty-one clerks of class three, sixteen hundred dollars each ;(a, b, d)

To thirty-six clerks of class two, fourteen hundred dollars each ;(a, b, d)

To fourteen clerks of class one, twelve hundred dollars each ;(a, b, e)

To four messengers, eight hundred and forty dollars each ;(f, g, h, i)

To three watchmen, seven hundred and twenty dollars each ;(f, h, i)

To ten laborers, seven hundred and twenty dollars each ;(f, h, i)

To twenty-five additional clerks, not over an average of eight hundred dollars each.(l)

SEC. 8. Twenty per centum shall be added to the compensation of the females and of the messengers, watchmen, and laborers employed in the several departments, and under the Commissioner of Public Buildings and the Commissioner of Agriculture and at the Capitol ; to commence on the first day of June, eighteen hundred and sixty-four, and to terminate at the close of the fiscal year ending the thirtieth of June, eighteen hundred and sixty-six, but to be calculated only upon the amount of compensation accruing after the first day of June, eighteen hundred and sixty-four : *Provided, however,* That no salary be increased hereby so as to exceed the sum of ten hundred dollars. And the sums necessary to pay the additional compensation herein specified, for the present and the next fiscal years, are hereby appropriated.

25 June, 1864, § 3.
13 Stat. 160.

Twenty per ct. to be added to salaries of females, messengers, &c.

SEC. 9. For the purpose of assorting and distributing letters and other mail matter in railway post offices, the Postmaster General may, from time to time, appoint clerks, who shall be paid out of the appropriation for mail transportation : *Provided,* That the salary of each head clerk so appointed and employed shall not exceed fourteen hundred dollars per annum, and that the salary of other clerks shall not exceed twelve hundred dollars each per annum.

3 March, 1865, § 8.
13 Stat. 506.

Clerks in railway post offices.

SEC. 10. There shall be appointed by the President, with the consent of the Senate, an Auditor(m) 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 the vouchers, after settlement. He shall promptly report to the Postmaster General all delin-

2 July, 1836, § 8.
5 Stat. 80.

Appointment and duties of Auditor.

- (a) See act March 3, 1853, (10 Stat. 211.)
- (b) See act April 22, 1854, (10 Stat. 276.)
- (c) See act March 3, 1865, (13 Stat. 515.)
- (d) See act August 4, 1854, (10 Stat. 572.)
- (e) See act August 18, 1856, (11 Stat. 90.)
- (f) See joint resolution August 18, 1856, (11 Stat. 145.)
- (g) See act February 27, 1861, (12 Stat. 168.)
- (h) See act June 25, 1864, (13 Stat. 160.)
- (i) See § 8 below.
- (k) See act September 30, 1850, (9 Stat. 543.)
- (l) See act January 21, 1863, (12 Stat. 332.)

(m) The Auditor is, in many respects, the officer both of the Postmaster General and of the Secretary of the Treasury. This section is fully considered by Attorney General Caleb Cushing in 7 Opin. 439. No appeal lies from a decision of the Postmaster General to the Comptroller. *Ibid.* See also 5 Opin. 246, where Attorney General Crittenden says, when the Postmaster General does not decide on claims of mail contractors for one month's extra pay on discontinuance of their contracts, they are subject to adjudication and settlement by the Auditor. As to the power of accounting officers to finally settle and adjudicate accounts properly before them, and the right of appeal and jurisdiction of superior executive officers, see *Kendall vs. United States*, 12 Peters, 610; opinion of Hand Hall, Second Comptroller, in claim of *A. Coquillard*, pamphlet, 1851. Also opinion of R. W. Taylor, First Comptroller, in case of *Carmick and Ramsey*, November 9, 1864.

The Comptrollers and Auditors of the Treasury have no general authority to award damages as for tort, on contract broken; their jurisdiction is confined to matters of account arising *ex contractu*, or by operation of law. 6 Opin. 516.

quencies 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, 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.

1 July, 1864, § 1.
13 Stat. 336.

Auditor to report delinquencies to Postmaster General.

SEC. 11. It shall be the duty of the Auditor of the Treasury for the Post Office Department to obtain from postmasters their quarterly accounts, with the vouchers necessary to a correct adjustment thereof, and to report to the Postmaster General all failures of postmasters to render such returns within a proper period after the close of each quarter.

Enumeration and salaries of clerks.

SEC. 12. 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:

To the Auditor, three thousand dollars; (a)

To the chief clerk, two thousand dollars; (b)

To seven clerks of class four, eighteen hundred dollars each; (b, c, d)

To a disbursing clerk, who shall be selected from the clerks of class four, such addition as may amount in all to two thousand dollars per annum; (b)

To twenty-five clerks of class three, sixteen hundred dollars each; (b, e)

To sixty-four clerks of class two, fourteen hundred dollars each; (b, d, e, f, g)

To thirty clerks of class one, twelve hundred dollars each; (b, c, e, g)

To one messenger, eight hundred and forty dollars; (a, h, i)

To one assistant messenger, seven hundred dollars; (a, h, i)

To laborers, six hundred dollars each; (a, h, i)

26 Aug., 1842, § 13.
5 Stat. 525.

Duties of chief clerks.

SEC. 13. 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.

2 July, 1836, § 19.
5 Stat. 80.

Who may administer oaths.

False swearing to be perjury.

SEC. 14. 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 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.

26 Aug., 1842, § 15.
5 Stat. 526.

In what cases only extra clerks may be employed.

SEC. 15. 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

(a) See act July 2, 1836, §§ 8, 44, (5 Stat. 81, 89.)

(b) See act March 3, 1853, § 3, (10 Stat. 210.)

(c) See act August 4, 1854, § 6, (10 Stat. 572.)

(d) See act May 17, 1864, § 13, (13 Stat. 79.)

(e) See act April 22, 1854, § 1, (10 Stat. 276.)

(f) See act March 3, 1857, § 4, (11 Stat. 220.)

(g) See act June 23, 1860, § 1, (12 Stat. 95.)

(h) See act July 2, 1836, § 21, (5 Stat. 84,) and joint resolution August 18, 1856, (11 Stat. 145.)

(i) Twenty per centum is added to salaries of messengers, laborers, and female clerks, by act June 25, 1864, § 3, (13 Stat. 160.) See above, § 8.

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; (a) 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.

SEC. 16. 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.

26 Aug., 1842, § 16.
5 Stat. 526. ,
Messengers, &c.
Newspapers, &c.

SEC. 17. 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.

21 April, 1808, § 5.
2 Stat. 484.
Reports of contracts to be made.

SEC. 17. a It shall be the duty of the Postmaster General to make to Congress, at each annual session thereof, the following several reports :

2 July, 1836, § 22.
5 Stat. 80.

I. 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.

Report of contracts.

II. 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.

Allowances

III. A report of all incidental expenses of the department for the year ending on the thirtieth day of June preceding, arranged according to their 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 expenditures, 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.

Incidental expenses.

IV. 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.

Finances.

(a) See *Dickens vs. United States*, Dev. C. C., 42. *Boyd vs. United States*, Ibid. 47, 82. *McElderry vs United States*, Ibid. 81

- Fines, &c.** **V.** 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.
- 3 March, 1825, § 39.** **SEC. 18.** 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.
4 Stat. 113.
Report of unproductive roads.
- 3 March, 1825, § 8.** **SEC. 19.** 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, or 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.
4 Stat. 104.
Postmaster General to report obstructed roads.
- 2 July, 1836, § 2.** **SEC. 20.** The Postmaster General shall submit to Congress at the next and each succeeding annual session specific estimates 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, steamboat, and way letters," "wrapping paper," "office furniture," "advertising," "mail bags," "blanks," "mail locks, keys, and stamps," "mail deprecations 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.
5 Stat. 80.
Estimates to be made in report.
- Ibid, § 18.** **SEC. 21.** The 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 collectable and such as are not, with the whole amount of each class.
Auditor to report to Postmaster General.
- 3 March, 1845, § 1.** **SEC. 22.** The Postmaster General of the United States is hereby authorized, (a) under the restrictions and provisions of the existing laws, to contract for the transportation of the United States mail between any of the ports of the United States and a port or ports of any foreign power, whenever, in his opinion, the public interest will thereby be promoted; and it shall be his duty to report to the next ensuing Congress a copy of each of said contracts, with a statement of the amount of postage derived under the same, as far as the returns of the department will enable him to do; and such contracts may be made, if it shall appear to the Postmaster General to be required by the public interest, for any greater period than four years, and not exceeding ten years.
5 Stat. 748.
Reports of foreign mail contracts to be made.
- 15 June, 1860, § 1.** **SEC. 23.** It shall be the duty of the Postmaster General to furnish to Congress, in his annual report on the first Monday of December next, and of each and every year thereafter, a detailed statement of the expenditures made under the head of "miscellaneous payments."
12 Stat. 38.
Report of miscellaneous payments.
- 26 Aug., 1842, § 11.** **SEC. 24.** It shall be the duties 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 use-
5 Stat. 525.
Annual reports to be made to Congress respecting clerks in the departments.

fully 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, (a) 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.

SEC. 25. 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 for each house, and of their respective departments, and for the bureaus 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 each 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 may 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.

Ibid, § 20.
Annual reports to be made of disbursement of contingent funds.

Returns from disbursing officers.

SEC. 26. 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.

3 March, 1825, § 11.
4 Stat. 102.

Duties of deputy postmasters.

SEC. 26A. 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.

2 July, 1836, § 33.
5 Stat. 87.

Appointment of deputy postmasters.

SEC. 27. The Postmaster General shall have power to appoint and commission all postmasters whose salary or compensation for the preceding fiscal year shall, at the time of such appointment, have been ascertained to be less than one thousand dollars per year; and in all other cases the President shall appoint. The person appointed postmaster shall reside within the delivery of the office to which he shall be appointed. (b)

3 March, 1863, § 1.
12 Stat. 701.

What postmasters to be appointed by the Postmaster General.

SEC. 28. The annual compensation of postmasters shall be at a fixed salary, in lieu of commissions, to be divided into five classes, exclusive of the postmaster of the city of New York. Postmasters of the first class shall receive not more than four thousand dollars nor less than three thousand dollars; postmasters of the second class shall receive less than three thousand

1 July, 1864, § 1.
13 Stat. 335.

Salaries of postmasters. Classification.

(a) Neither an "assistant messenger" nor a "laborer" comes within this exception. *White vs. United States*, Dev. C. C., 47.

(b) A postmaster, until the action of the Postmaster General, does not vacate his office by remaining out of the neighborhood of his office. *United States vs. Pierce*, 2 McLean, 14. [This decision is under § 36, act July 2, 1836, (5 Stat. 80.) which provides that the postmaster shall be an actual resident of the city or town wherein the office is situated, or the district of country usually supplied by such office. The statute in the text seems to be equivalent.]

If he keeps the office by an assistant, he is still responsible to the department and to individuals. Ibid.

dollars and not less than two thousand dollars; postmasters of the third class shall receive less than two thousand dollars and not less than one thousand dollars; postmasters of the fourth class shall receive less than one thousand dollars and not less than one hundred dollars; postmasters of the fifth class shall receive less than one hundred dollars. The compensation of the postmaster of New York shall be six thousand dollars per annum, to take effect on the first day of July, eighteen hundred and sixty-four; and the compensation of postmasters of the several classes aforesaid shall be established by the Postmaster General under the rules hereinafter provided. Whenever the compensation of postmasters of the several offices (except the office of New York) for the two consecutive years next preceding the first day of July, eighteen hundred and sixty-four, shall have amounted to an average annual sum not less than three thousand dollars, such offices shall be assigned to the first class; whenever it shall have amounted to less than three thousand dollars, but not less than two thousand dollars, such offices shall be assigned to the second class; whenever it shall have amounted to less than two thousand dollars, but not less than one thousand dollars, such offices shall be assigned to the third class; whenever it shall have amounted to less than one thousand dollars, but not less than one hundred dollars, such offices shall be assigned to the fourth class; and whenever it shall have amounted to less than one hundred dollars, such offices shall be assigned to the fifth class. To offices of the first, second, and third classes, shall be severally assigned salaries, in even hundreds of dollars, as nearly as practicable in amount the same as, but not exceeding, the average compensation of the postmasters thereof for the two years next preceding; and to offices of the fourth class shall be assigned severally salaries, in even tens of dollars, as nearly as practicable in amount the same as; but not exceeding, such average compensation for the two years next preceding; and to offices of the fifth class shall be severally assigned salaries, in even dollars, as nearly as practicable in amount the same as, but not exceeding, such average compensation for the two years next preceding. Wherever returns showing the average of annual compensation of postmasters for the two years next preceding the first day of July, eighteen hundred and sixty-four, shall not have been received at the Post Office Department at the time of adjustment, the same may be estimated by the Postmaster General for the purpose of adjusting the salaries of postmasters herein provided for. And it shall be the duty of the Auditor of the Treasury for the Post Office Department to obtain from postmasters their quarterly accounts, with the vouchers necessary to a correct adjustment thereof, and to report to the Postmaster General all failures of postmasters to render such returns within a proper period after the close of each quarter.

How computed.

Ibid, § 2.

Adjustment of salaries.

SEC. 29. The Postmaster General shall review once in two years, and in special cases, upon satisfactory representation, as much oftener as he may deem expedient, and readjust, on the basis of the preceding section, the salary assigned by him to any office; but any change made in such salary shall not take effect until the first day of the quarter next following such order, and all orders made assigning or changing salaries shall be made in writing and recorded in his journal, and notified to the Auditor for the Post Office Department.

Ibid, § 3.

When salaries to commence.

SEC. 30. Salaries of the first, second, and third classes shall be adjusted to take effect on the first day of July, eighteen hundred and sixty-four; and of the fourth and fifth classes at the same time, or at the commencement of a quarter as early as practicable thereafter.

Ibid, § 4.

Salaries at new offices.

SEC. 31. At offices which have not been established for two years prior to the first day of July, eighteen hundred and sixty-four, the salary may be adjusted upon a satisfactory return by the postmaster of the receipts, expenditures, and business of his office: *Provided*, That fifty per centum of the gross revenue of such office shall be, in all cases, the largest amount allowed to such postmasters for their salaries, respectively, except in cases where it shall be a separating or distributing office, as provided for in the sixth section of this act.

Ibid, § 6.

Distributing and separating offices.

SEC. 32. The Postmaster General may designate certain convenient offices, at the intersection of mail routes, as distributing offices, and certain others as separating offices; and where any such office is of the third, fourth, or fifth class of post offices, he may make a reasonable allowance to such postmaster for the necessary cost, in whole or in part, of clerical services arising from such duties.

SEC. 33. The Postmaster General is authorized and directed, when in his judgment the public interest or convenience may require it, to establish one or more branch post offices, to facilitate the operation of the post office in any city or place which, in the opinion of the Postmaster General, may require such additional accommodations for the convenience of the inhabitants; and it shall be the duty of the Postmaster General to prescribe the rules and regulations for the branch post office which may be established by virtue of this act; and the Postmaster General is hereby authorized to charge one cent, in addition to the regular postage, for every letter deposited in any branch post office to be forwarded by mail from the principal office, and which shall be prepaid by stamp, and one cent for every letter delivered at such branch office, to be paid on delivery: *Provided*, That no letter shall be sent from the principal office to such branch office for delivery contrary to the request of the party to whom the same may be addressed: *And provided*, The expense of such branch service shall not exceed the receipts on account thereof.

16 April, 1862, § 1.
12 Stat., 379.
Branch offices may be established in cities.

SEC. 34. 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: (b) *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. (c)

3 March, 1825, § 3.
4 Stat. 103.
Postmasters' bonds.
Limitation of liability of surety.

SEC. 35. The time fixed for the limitation of suits against the sureties of postmasters by the third section of the act of Congress entitled "An 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 not be considered as running in any State or part thereof, the inhabitants whereof have been by proclamation of the President declared in a state of insurrection, during the time the insurrection shall continue.

11 July, 1862, § 1.
12 Stat. 530.
Limitation in suits against sureties of postmasters not to apply in States in rebellion.

(a) The bond must be to the United States. See below, § 347. The bond of a deputy postmaster takes effect and speaks from the time that it reaches the Postmaster General, and not from the day of its date, nor from the time when it is deposited in the post office to be forwarded. *Boody vs. United States*, 1 W. & M. 150. The bond does not constitute a binding contract until approved and accepted by the Postmaster General. *Postmaster General vs. Norvell*, Gilpin, D. C. R., 131. The reception and detention of an official bond by the Postmaster General for a considerable time without objection is a sufficient proof of its acceptance. *Ibid*. The return of a bond to the principal obligor by the Postmaster General for the purpose of obtaining additional security affords no proof that it was not accepted, nor does it amount either to a surrender or a cancelling of it.

(b) The sureties are liable for the non-compliance of the postmaster with subsequent as well as past laws or orders till his official term expires, if the orders are such as were justified by law. *Boody vs. United States*, 1 W. & M. 150.

(c) If a deputy postmaster be in default at the end of a quarter, and he omit to make an appropriation of subsequent payments made by him, it is the right of the government to apply such payments to extinguish previous balances; and if by such appropriations all balances occurring more than two years before the institution of the suit were paid, the act limiting the liability of sureties does not affect the case. *Jones vs. United States*, 7 How. 681; *Boody vs. United States*, 1 W. & M. 150. See also *Postmaster General vs. Furber*, 4 Mason, 333. In the case of *Roddy vs. United States*, the postmaster had defaulted for several quarters, and the United States claimed that the sureties were liable for each separate default that came within the two years, and were only released from their liability for those quarters which occurred before the two years anterior to the commencement of the suit. The sureties claimed that if the first default of the postmaster occurred anterior to two years before the commencement of the suit they were discharged from all liability, whatever. The case was on the docket for the December term of the Supreme Court, 1865, but was dismissed on account of a defect in the record. A new writ has been ordered.

The defalcation is to be counted from the time the law requires the moneys to be paid over, viz., at the end of every three months, and not from the time that the postmaster shall fail to pay the draft of the department, *Postmaster General vs. Fennell*, 1 McLean, 217; *United States vs. Sears*, Western Legal Observer, 80. The limitation does not apply to a default which occurred before the passing of the act. *Postmaster General vs. Rice*, Gilpin, 554.

Laches of the officers of the United States does not of itself discharge sureties on an official bond. *Dox vs. Postmaster General*, 1 Peters, 318.

Postmasters are held to a strict and uniform compliance with the regulations of the Postmaster General in all cases. See *United States vs. Roberts*, 9 Howard, 501; referred to above, note to sec. 2.

When a postmaster has made default in not paying the quarterly balance found to be due to the United States on a settlement of his accounts, and no suit is instituted for two years after such default, his sureties are discharged. *Roddy vs. United States*, 10 Pittsburgh Leg. J. 181. This case is now pending on appeal in the Supreme Court.

- 11 June, 1864, § 1. SEC. 36. Whenever, during the existence of the present rebellion, any
13 Stat. 123. action, civil or criminal, shall accrue against any person who, by reason of
Limitation a resistance to the execution of the laws of the United States, or the interrup-
gainst civil and tion of the ordinary course of judicial proceedings, cannot be served with
criminal proceed- process for the commencement of such action or the arrest of such person, or
ings not to run whenever, after such action, civil or criminal, shall have accrued, such per-
while service of son cannot, by reason of such resistance of the laws, or such interruption of
process, &c., ob- judicial proceedings, be arrested or served with process for the commence-
structed by resist- ment of the action, the time during which such person shall so be beyond
ance to the laws. the reach of legal process shall not be deemed or taken as any part of the
time limited by law for the commencement of such action.
- 2 July, 1836, § 37. SEC. 37. When any one or more of the sureties of a postmaster shall notify
5 Stat. 88. to the Postmaster General their desire to be released from their suretyship, or
Change of sure- when the Postmaster General shall deem it necessary, he shall require the
ties. said postmaster to execute a new bond, with security, which, when accepted
by the Postmaster General, (a) 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 indorsed 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. (b)
- 3 March, 1825, § 32. SEC. 38. If any postmaster shall neglect to render his accounts for one
4 Stat. 112. month after the time, and in the form and manner prescribed by law and by
Forfeiture for the Postmaster General's instructions conformable therewith, he shall forfeit
neglect to render double the value of the postages which shall have arisen at the same office
accounts. 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 post-
master and his securities, and for which the securities shall be hab. e.
- Ibid*, § 35. SEC. 39. Postmasters, postriders, and drivers of the mail stages, shall be
Who exempt exempt from militia duties and serving on juries, or any fine or penalty for
from militia ser- neglect thereof.
vice, &c.
- July, 1836, § 34. SEC. 40. Assistant postmasters and clerks regularly employed and engaged
5 Stat. 88. in post offices shall be exempt from militia duty and serving on juries, and
Same subject. from any fine or penalty for neglect thereof.
- 2 March, 1847, § 2. SEC. 41. The Postmaster General is hereby authorized to employ, when
9 Stat. 153. the service may require it, the Assistant Postmasters General as special agents,
Assistant Post- and to make them compensation and allowance therefor, not to exceed the
masters General amount expended by said agents as necessary travelling expenses while so
special agents. employed.
- 3 March, 1851, § 4. SEC. 42. The Postmaster General is hereby authorized to allow hereafter
9 Stat. 593. to special agents of the Post Office Department the annual salary of sixteen
Salary of special hundred dollars.
agents.
- 4 Aug., 1854, § 14. SEC. 43. Whenever it shall become necessary for the head of any depart-
10 Stat. 573. ment or office to employ special agents other than officers of the army or navy,
Bonds of special who may be charged with the disbursement of public moneys, they shall,
agents. prior to entering upon their duty as such, give bond in such form and with
such security as the head of the department or office employing such agent
may approve.
- 15 June, 1860, § 1. SEC. 44. Not more than sixteen hundred dollars per annum shall be al-
12 Stat. 38. lowed to any special agent of the Post Office Department as a compensation
Pay of special for his services.
agents.

(a) For the security of the sureties in the previous obligation, the date of the acceptance should be indorsed; yet the parties to the new bond are bound by an acceptance in fact, and such acceptance may be shown as any other fact is required to be. 4 Opin., 187. See *Bank of the United States vs. Dandridge*, 12 Wheaton, 64.
(b) See *Boody vs. United States*, 1 W. & M., 150.

SEC. 45. The compensation of the special mail agent of the Post Office Department for the Pacific coast shall be two thousand five hundred dollars per annum; such rate to take effect in virtue of this provision from the thirtieth day of June, eighteen hundred and sixty-one.

2 March, 1861, § 5.
12 Stat. 205.
Pay of special agent for Pacific coast.

SEC. 46. The special agent of the Post Office Department in the Pacific States and Territories shall receive as compensation five dollars per diem.

1 July, 1864, § 17.
13 Stat. 339.

SEC. 47. The seventeenth section of the act entitled "An act to establish salaries for postmasters, and for other purposes," approved July one, eighteen hundred and sixty-four, is hereby amended so as to restore, from the date of its passage, to the special agent of the Post Office Department in the Pacific States and Territories, his regular salary of two thousand five hundred dollars per annum, under the act of March two, eighteen hundred and sixty-one, with an allowance, in addition thereto, of a sum not exceeding five dollars per diem, to provide for his actual travelling and incidental expenses while actively employed in the service. And the Postmaster General is hereby authorized to appoint an additional special agent for the Pacific States and Territories, and two additional special agents to superintend postal matters connected with the railway mail service of the United States, who shall receive the same salary and per diem allowance, for travelling and incidental expenses, to be paid out of the appropriation for mail transportation.

3 March, 1865, § 5.
13 Stat. 505.
Pay of special agent in Pacific States.

Additional special agents.

SEC. 48. Hereafter special agents of the Post Office Department, other than those appointed for the Pacific States and Territories, or those appointed under the authority of the preceding section of this act to superintend postal matters connected with the railway service of the United States, shall be allowed for their necessary travelling and incidental expenses, while actively employed in the service, a sum not exceeding five dollars per diem.

Ibid, § 6.
Travelling expenses of special agents.

SEC. 49. It shall be the duty of the heads of the several departments to cause to be administered to each and every officer, clerk, or employé, now in their respective departments, or in any way connected therewith, or who shall hereafter in any way become connected therewith, the following oath, viz: "I do solemnly swear (or affirm, as the case may be) that I will support, protect, and defend the Constitution and government of the United States against all enemies, whether domestic or foreign, and that I will bear true faith, allegiance, and loyalty to the same, any ordinance, resolution, or law of any State convention or legislature to the contrary notwithstanding; and, further, that I do this with a full determination, pledge, and purpose, without any mental reservation or evasion whatsoever; and, further, that I will well and faithfully perform all the duties which may be required of me by law: so help me God." And that each and every such civil officer and employé in the departments aforesaid, or in any way connected therewith, in the service or employment of the United States, who shall refuse to take the oath or affirmation herein provided, shall be immediately dismissed and discharged from such service or employment.

6 August, 1861, § 1.
12 Stat. 326.
Oath of allegiance to be administered to clerks, &c.

Penalty.

SEC. 50. The oath or affirmation herein provided for in the first section of this act may be taken before any justice of the peace or notary public, or other person who is legally authorized to administer an oath in the State or district where the same may be administered; and any violation of such oath by any person or persons taking the same shall subject the offender to all the pains and penalties of wilful and corrupt perjury, who shall be liable to be indicted and prosecuted to conviction for any such offence before any court having competent jurisdiction thereof: *And provided further*, That such offender shall be forthwith discharged from such service or employment.

Ibid, § 2.
Before whom taken.
Violation to be deemed perjury.

SEC. 51. Hereafter every person elected or appointed to any office of honor or profit under the government of the United States, either in the civil, military or naval departments of the public service, excepting the President of the United States, shall, before entering upon the duties of such office, and before being entitled to any of the salary or other emoluments thereof, take and subscribe the following oath or affirmation: "I, A. B., do solemnly swear (or affirm) that I have never voluntarily borne arms against the United States since I have been a citizen thereof; that I have voluntarily given no aid, countenance, counsel, or encouragement to persons engaged in armed hostility thereto; that I have neither sought nor accepted nor attempted to exercise the functions of any office whatever, under any authority

2 July, 1862, § 1.
12 Stat. 502.
The test oath.

SEC. 56. No officer in any branch of the public service, or any other person whose salary, pay, or emoluments is or are fixed by law or regulations shall receive any additional pay, extra allowance or compensation, in any form whatever, for the disbursement of public money or for any other service or duty whatever, unless the same shall be authorized by law, and the appropriation therefor explicitly set forth, that it is for such additional pay, extra allowance or compensation. (a)

23 Aug., 1842, § 2.
5 Stat. 510.
Extra compensation.

SEC. 57. No clerk or other officer shall receive the salary of any secretary or head of bureau for acting or having acted in his place or office while such secretary or head of bureau receives such salary.

3 March, 1849, § 4.
9 Stat. 370.
Clerks not to receive salaries of superior officers.

SEC. 58. 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, (b) and no allowance or compensation shall be made for any extra services whatever which any clerk or other officer may be required to perform. (c)

26 Aug., 1842, § 12.
5 Stat. 525.
No allowances to be made for extra services.

SEC. 59. The proper accounting officers of the treasury or other pay officers of the United States shall in no case allow any pay to one individual the salaries of two different offices on account of having performed the duties thereof at the same time. (d) But this prohibition shall not extend to the superintendents of the executive buildings.

30 Sept. 1850, § 9.
1 Stat. 542.
Double salaries prohibited.

SEC. 60. No officer of the United States who is in attendance upon any court of the United States in the discharge of the duties of said office shall receive any pay or compensation for his attendance as a witness on behalf of the government at the same time that he receives compensation as such officer.

21 July, 1852, § 1.
10 Stat. 22.
Officers to receive no pay as government witnesses.

SEC. 61. Where the ministerial officers of the United States have or shall incur extraordinary expense in executing the laws thereof, the payment of which is not specifically provided for, the President of the United States is authorized to allow the payment thereof under the special taxation of the district or circuit court of the district in which the said services have been or shall be rendered, to be paid from the appropriation for defraying the expenses of the judiciary. (e)

31 Aug., 1852, § 11.
10 Stat. 99.
Ministerial officers to be allowed for extraordinary expenses in executing the laws.

SEC. 62. No person hereafter who holds or shall hold any office under the government of the United States, whose salary or annual compensation shall amount to the sum of two thousand five hundred dollars, shall receive compensation for discharging the duties of any other office.

Ibid, § 18.

28, relied on for the defendant, and that now before us, we can discern an obvious distinction. Without undertaking here to discuss the force of those decisions as authority upon this question, we may safely say that they were commended to the judgment of this court by the conviction that they were founded on services appertaining not to the regular official stations and duties of the claimants; services, too, actually performed and untinted by any hue or shade of contrivance or *mala fides*, and really beneficial in their character to those for whom they were performed." * "The principles established by this court in the decisions of *Gratiot vs. The United States*, 4 Howard, 80, and of *The United States vs. Buchanan*, 8 Howard, 83, we consider as furnishing the true rule as to allowances for extra services."

In the case of *United States vs. Macdaniel*, cited above, the defendant was a salaried clerk in the Navy Department, and had been ordered by the secretaries for fifteen years previous to make certain disbursements at a compensation of one per cent. commission. The court held that he was entitled to this commission, though the last secretary, under the impression of a different construction of the law, had brought suit against him for the amount of certain commissions received in this manner. In *The United States vs. Ripley*, cited above, the defendant, an officer of the army, claimed commissions on certain disbursements, and extra compensation for services performed out of the line of his duty. The court held that in the first instance he must show that the commissions were allowable under the regulations; and, in the second instance, that the extra services were performed at the order of the Secretary of War.

(a) See *White vs. United States*, Dev. C. C. 47; *Holman's Administrator vs. United States*, Ibid, 151; 4 Opin. 269, 342, 347, 401, 463; 5 Ibid, 74; 6 Ibid, 69, 70. This act does not forbid a person from holding two compatible offices at the same time. 5 Ibid, 765.

(b) The object of this section is merely to require that the order authorizing any officer to perform the duties of a higher grade shall have been given previously to the performance of such duties, but it need not be in writing. *Magruder vs. United States*, Devlin C. C. 47-8.

(c) The act of 26th April, 1818, § 9, which is supplied by the act in the text, provided that no higher or other allowance should be made to any clerk in the said departments and offices than was thereby authorized. 3 Stat. 477. And see 2 Opin. 582-3.

(d) This act expressly prohibits the allowance of double salaries in all cases. *United States vs. Smith*, 5 Am. L. R. 269.

(e) See 6 Opin. 220, 356.

CHAPTER II.

FINANCE.

2 July, 1836, § 2. SEC. 63. The Postmaster General shall submit to Congress at the next
5 Stat. 80. and each succeeding annual session specific estimates of the sums of money
submitted to Con- expected to be required for the service of the department in the subsequent
gress. 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,” “advertis-
ing,” “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.

Ibid, § 3. SEC. 64. 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
Appropriations the department; and all payments of the receipts of the Post Office Depart-
from the revenue ment into the treasury shall be to the credit of the said appropriation.
of the post office.

26 Aug., 1842, § 14. SEC. 65. It shall be the duty of the several heads of departments, in com-
5 Stat. 525. municating estimates of expenditures and appropriations to Congress, and
Estimates of ex- to any of the committees thereof, to specify as nearly as may be convenient
penditures. the sources from which such estimates are derived, and the calculations upon
Directions for which they are founded; and, in so doing, to discriminate between such
their preparation. estimates as are conjectural in their character and such as are framed upon
actual information and application from disbursing officers; and in communi-
cating 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.

7 January, 1846. SEC. 66. It shall be the duty of the Secretary of the Treasury to cause the
9 Stat. 108. estimates of appropriations, which he is by law required to submit to Con-
Estimates to be gress, to be printed, and copies of the same to be delivered to the Clerk
printed. of the House of Representatives in time for distribution at the commence-
ment of each session; and of the Clerk to distribute the said estimates in the
manner in which documents printed by Congress are directed to be distrib-
uted.

17 June, 1844, § 2. SEC. 67. Whenever, hereafter, in submitting to Congress the annual esti-
5 Stat. 693. mates from the several executive departments of the government, it shall be
New estimates, found that the usual items of such estimates vary materially in amount from
&c., to be accom- the appropriation ordinarily asked for the object named, and especially from
panied by expla- the appropriation granted for the same objects for the year next preceding, and
nations. wherever new items not theretofore usual shall be introduced into such esti-
mates for any year, the estimates shall be accompanied by minute and full
explanations from the head of the appropriate department of all such varia-
tions and new items, setting forth the reasons and grounds upon which the
amounts are required and the different items added; and whenever any such
estimate, whether annual or special, shall ask an appropriation for any new
specific expenditure, such as the construction of a fort, the erection of a
When to be ac- custom-house or other public building, or the construction of any other public
companied by work requiring a plan before the building or work can be properly completed,
plans.

every such estimate shall be accompanied by a full plan and detailed estimates of the cost of the whole work; and all subsequent estimates for every such work shall give the original estimated cost, the aggregate amount theretofore appropriated for the same, and the amount actually expended thereupon, as well as the amount asked for the current year for which such estimates shall be made; and whenever any such subsequent estimate shall ask for an appropriation for any such work beyond the original estimate of the cost, the full reasons for the excess and the extent of the anticipated excess shall be also stated.

How subsequent estimates to be made.

SEC. 68. The provisions contained in the second section of the act of June 3 March, 1855, § 8. seventeenth, one thousand eight hundred and forty-four, [chap. 105, 5 Stat. 10 Stat. 670.] are required to be carried into effect in all particulars, any act in conflict therewith being hereby repealed; and all estimates for the compensation of officers of the government authorized by law to be employed shall be based upon the express provisions of law, and not upon the authority of executive distribution thereof; and the act and section authorizing the same, with the volume and page where such authority may be found, shall be cited in each and all estimates respectively. (a)

Mode of preparing estimates for appropriation bills.

SEC. 68a. Hereafter the estimates for the various executive departments shall designate not only the amount required to be appropriated for the next fiscal year, but also the amount of the outstanding appropriation, if there be any, which will probably be required to be used for each particular item of expenditure.

2 June, 1858, § 2. 11 Stat. 308. Estimates of deficiencies, how made.

SEC. 69. The twenty-third section of the act of twenty-sixth August, one thousand eight hundred and forty-two, (5 Statutes at Large, 533,) entitled "An act legalizing and making appropriations for such necessary objects as have usually been included in the general appropriation bills without authority of law, and to fix and provide for certain incidental expenses of the departments and officers of the government, and for other purposes," is hereby repealed. (b)

23 June, 1860, § 2. 12 Stat. 103. Repealing the law authorizing transfers by heads of departments.

SEC. 70. 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.

2 July, 1836, § 1. 5 Stat. 80.

SEC. 71. All fines and penalties imposed for any violation of any law relating to the Post Office Department shall, when collected or recovered, be paid into the treasury to the credit of the United States for the use of the Post Office Department; excepting, however, such part thereof as may, by law, belong to the party informing or prosecuting for the same.

31 Aug., 1852, § 10. 10 Stat. 142. Disposition of fines and penalties.

SEC. 72. In all cases where the Postmaster General shall be satisfied that either money or property stolen from the United States mail shall have been exchanged for other money or property, and has been, upon the conviction of the thief, received at his department, he shall have authority, upon satisfactory evidence that the same justly belonged to any individual, firm, or corporation, to pay over and deliver such money or property to the owner thereof.

3 March, 1853, § 3. 10 Stat. 225. Proceeds of property stolen from the mails to be paid to the owner.

(a) The last four sections are the passages referred to in the annual circular of the Register of the Treasury requesting from the several bureaus their respective estimates.

(b) For the law on the repealed section, see the authorities cited in 1 Brightly, note a, page 44. Under the acts of March 3, 1795, May 3, 1820, and August 31, 1852, in general, a balance of appropriation remaining unexpended at the expiration of two years is carried to the "surplus fund," and can be withdrawn therefrom only by a new appropriation, except in the case of appropriations for objects to which a duration longer than two years is assigned by law, as to which, and especially expenditures in the War and Navy Departments, these specific appropriations remain in charge of the latter, until, on report therefrom of the object being consummated, the money is credited to the "surplus fund" at the Treasury Department. 7 Opin. 1. See also 5 Opin. 273. See also 7 Opin. 14.

In general, an appropriation, or a balance thereof, made in any year for any continuous contract or other service of the government, may be applied to the same service during the succeeding or any subsequent year, and does not lapse into the "surplus fund" until the particular object be consummated. Conversely, whenever, in any given year, the appropriation for a particular service proves deficient, a balance remaining of the appropriation for the same service in a previous year may be drawn upon to supply the deficit; or rather the balance of the preceding year commences the service of the new year, and is expended before any question arises of the new appropriation; and thus, at the end of each year, the true unexpended balance is only what remains unexpended of that single year's appropriation. 7 Opin. 1.

The provision in the first section of the act of March 3, 1809, (2 Stat. 535,) authorizing transfers of appropriations by the President, is confined to three executive departments, viz: Treasury, War, and Navy. 3 Opin. 444.

The provision in the first section of the act of April 6, 1838, (5 Stat. 233) authorizing transfers, applies by its terms solely to the appropriations made by that act.

3 March, 1865, § 5.
13 Stat. 516.

Disposition of money in unclaimed letters.

SEC. 73. Unclaimed money in dead letters for which no owner can be found, and also all money derived from sales of waste-paper or other public property in post offices, or the Post Office Department, shall be deposited in the treasury of the United States, under the direction of the Postmaster General, for the service of the Post Office Department.

2 July, 1836, § 4.
5 Stat. 80.

Payments, how made.

Settlement to be made by Auditor.

Payment of contractors by drafts on postmasters.

SEC. 74. 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 which may be found due to them on the settlement of their accounts. (a)

Ibid, § 5.

Treasurer's receipts.

SEC. 75. 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 indorsed upon warrants drawn by the Postmaster General, and without such warrant no acknowledgment for money received as aforesaid shall be valid.

Ibid, § 6.

Disbursements on warrants.

SEC. 76. 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.

Ibid, § 7.

Treasurer's accounts.

SEC. 77. 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.

6 Aug., 1846, § 6.
9 Stat. 60.

Receiving officers to keep public money in their custody.

Payments and transfers.

SEC. 78. The Treasurer of the United States, the Treasurer of the Mint of the United States, the treasurers, and those acting as such, of the various branch mints, all collectors of the customs, all surveyors of the customs acting also as collectors, all assistant treasurers, all receivers of public moneys at the several land offices, all postmasters, and all public officers of whatsoever character, are hereby required to keep safely, without loaning, using, depositing in banks, (b) or exchanging for other funds than as allowed by this act, all the public money collected by them, or otherwise at any time placed in their possession and custody, till the same is ordered by the proper department or officer of the government to be transferred or paid out; and when such orders for transfer or payment are received, faithfully and promptly to make the same as directed, and to do and perform all other duties as fiscal agents of the government which may be imposed by this or any other acts of Congress, or by any regulation of the Treasury Department, made in conformity to law; and also to do and perform all acts and duties required by law or by direction of any of the executive departments of the government, as agents for paying pensions or for making any other disbursements which either of the heads of those departments may be required by law to make, and which are of a character to be made by the depositaries hereby constituted, consistently with the other official duties imposed upon them.

Ibid, § 9.

Collecting officers to pay over as directed.

SEC. 79. All collectors and receivers of public money, of every character and description, within the District of Columbia, shall, as frequently as they may be directed by the Secretary of the Treasury or the Postmaster General so to do, pay over to the Treasurer of the United States, at the treasury, all public moneys collected by them or in their hands; and all such collectors and receivers of public moneys within the cities of Philadelphia and New

(a) It is under this power to "transfer debts" that the present system of "collection orders" and drafts upon postmasters in favor of contractors has been instituted.

(b) See below, § 144.

Orleans shall, upon the same direction, pay over to the treasurers of the mints in their respective cities, at the said mints, all public moneys collected by them or in their hands; and all such collectors and receivers of public moneys within the cities of New York, Boston, Charleston, and St. Louis, shall, upon the same direction, pay over to the assistant treasurers in their respective cities, at their offices respectively, all the public moneys collected by them or in their hands, to be safely kept by the said respective depositaries until otherwise disposed of according to law; and it shall be the duty of the said Secretary and Postmaster General respectively to direct such payments by the said collectors and receivers at all the said places, at least as often as once in each week, and as much more frequently, in all cases, as they in their discretion may think proper.

SEC. 80. It shall be lawful for the Secretary of the Treasury to transfer the moneys in the hands of any depositary hereby constituted to the treasury of the United States, to be there safely kept to the credit of the Treasurer of the United States, according to the provisions of this act; and also to transfer moneys in the hands of any one depositary constituted by this act to any other depositary constituted by the same, at his discretion, and as the safety of the public moneys and the convenience of the public service shall seem to him to require; which authority to transfer the moneys belonging to the Post Office Department is also hereby conferred upon the Postmaster General, so far as its exercise by him may be consistent with the provisions of existing laws; and every depositary constituted by this act shall keep his account of the money paid to or deposited with him belonging to the Post Office Department separate and distinct from the account kept by him of other public moneys so paid or deposited. And for the purpose of payments on the public account, it shall be lawful for the Treasurer of the United States to draw upon any of the said depositaries, as he may think most conducive to the public interest or to the convenience of the public creditors, or both. And each depositary so drawn upon shall make returns to the Treasury and Post Office Departments of all moneys received and paid by him, at such times and in such form as shall be directed by the Secretary of the Treasury or the Postmaster General.

6 Aug., 1846, § 10.
9 Stat. 61.

Secretary of the Treasury and Postmaster General to make transfers of public moneys.

Post office accounts to be kept separate.

Treasurer to draw upon depositaries.

SEC. 81. No exchange of funds shall be made by any disbursing officers or agents of the government, of any grade or denomination whatsoever, or connected with any branch of the public service, other than an exchange for gold and silver; and every such disbursing officer, when the means for his disbursements are furnished to him in gold and silver, shall make his payments in the money so furnished, or when those means are furnished to him in drafts, (a) shall cause those drafts to be presented at their place of payment, and properly paid according to the law, and shall make his payments in the money so received for the drafts furnished, unless, in either case he can exchange the means in his hands for gold and silver at par. And it shall be, and is hereby made, the duty of the head of the proper department immediately to suspend from duty any disbursing officer who shall violate the provisions of this section, and forthwith to report the name of the officer or agent to the President, with the fact of the violation, and all the circumstances accompanying the same, and within the knowledge of the said Secretary, to the end that such officer or agent may be promptly removed from office, or restored to his trust and the performance of his duties, as to the President may seem just and proper.

Ibid, § 20.

Exchange of funds.
How payments to be made on receipts of drafts.

Parties offending to be reported and removed.

SEC. 82. 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.

2 July, 1836, § 10.
5 Stat. 81.

Covering warrants to be issued quarterly on certificate of Auditor.

SEC. 83. 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: "com-

Ibid, § 12.

Mode of keeping accounts.

(a) See *United States vs. City Bank*, 6 McLean, 130.

pensation 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."

3 March, 1847, § 12.
9 Stat. 201.

Appropriation for free mail matter.

SEC. 84. [So much of the sixth section of the act to which this is supplementary as requires the Postmaster General to cause accounts of the postage that would be chargeable by the rates prescribed in said act upon all matter passing free through the mail, and that the same 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, be, and the same is hereby, repealed;](a) and in lieu of such payment, and in compensation for such mail services as may be performed for the several departments of the government, there shall be paid to the Post Office Department, from the treasury, for each year's service, the sum of two hundred thousand dollars, which is hereby appropriated for that purpose, out of any unappropriated money in the treasury.(b)

3 March, 1851, § 8.
9 Stat. 591.

Appropriation for free mail matter increased.

Former appropriations made subject to draft.

SEC. 85. There shall be paid to the Post Office Department, in further payment and compensation for the mail service performed for the two houses of Congress and the other departments and offices of the government in the transportation of free matter, the sum of five hundred thousand dollars per year, which shall be paid quarterly, out of any moneys in the treasury not otherwise appropriated. And the moneys appropriated to the Post Office Department by the twelfth section of the act "to establish certain post routes, and for other purposes," approved March third, eighteen hundred and forty-seven, [9 Stat., 201,] and remaining undrawn in the treasury, shall continue subject to the requisition of the Postmaster General for the service of the Post Office Department, notwithstanding the same may have so remained undrawn for more than two years after it became subject to such requisition.

17 July, 1862, § 1.
12 Stat. 593.

Accounts of receiving officers to be settled monthly.

Proceedings in case of default.

SEC. 86. From and after the passage of this act any officer or agent of the United States who shall receive public money which he is not authorized to retain as salary, pay, or emolument, shall render his accounts monthly instead of quarterly, as heretofore; and such accounts, with the vouchers necessary to the correct and prompt settlement thereof, shall be rendered direct to the proper accounting officer of the treasury, and be mailed or otherwise forwarded to its proper address within ten days after the expiration of each successive month; and in case of the non-receipt at the treasury of any accounts within reasonable and proper time thereafter, the officer whose accounts are in default shall be required to furnish satisfactory evidence of having complied with the provisions of this act, and, for any default on his part, the delinquent officer shall be deemed a defaulter, and be subject to all the penalties prescribed by the sixteenth section of the act of August sixth, eighteen hundred and forty-six, [9 Stat. 63,] "To provide for the better organization of the treasury, and for the collection, safe-keeping, transfer, and disbursement of the public revenue:" *Provided*, That the Secretary of the Treasury may, if, in his opinion, the circumstances of the case justify and require it, extend the time hereinbefore prescribed for the rendition of accounts. *And provided further*, That nothing herein contained shall be construed to restrain the heads of any of the departments from requiring such other returns or reports from the officer or agent subject to the control of such heads of departments as the public interests may require.

16 Sept., 1850, § 2.
9 Stat. 461.

Payment of balances to London post office.

SEC. 87. The Postmaster General is hereby authorized to pay out of any money in the treasury at the credit of the Post Office Department all such balances as have or may hereafter become due to the General Post Office of London, upon the adjustment of the quarterly accounts arising out of the postal convention concluded December fifteenth, eighteen hundred and forty-eight, between the United States and the United Kingdom of Great Britain and Ireland.

3 March, 1863, § 4.
12 Stat. 702.

Postmasters' accounts.

SEC. 88. Every postmaster shall keep a record in his office of all postage stamps and envelopes, and of all postal books, blanks, or property received from his predecessor in office or from the Post Office Department, or from any of its agents, and also of all payments in money for postages, and all payments for box-rents, and of all other receipts on account of any part of the

(a) That portion between brackets is obsolete.

(b) The carriage, &c., of free mail matter being a continuous service, these appropriations have been continued yearly. If not used they do not necessarily lapse into the surplus fund. See 7 Opin. 1, 14. See above note b to § 69.

postal service, and of any other transactions which shall be required by the Postmaster General; and these records shall be preserved and delivered over to his successor in office, and shall be at all times subject to examination of any special agent of the department.

SEC. 89. Whenever, by reason of the presence of a military or naval force near any post office, unusual business accrues thereat, the Postmaster General is hereby required to make a special order allowing proportionately reasonable compensation to the postmaster, and for clerical service, during the period of such extraordinary business.

3 March, 1863, § 5.
12 Stat. 702.
Additional compensation to postmasters for extra service.

SEC. 90. It shall be the duty of postmasters to render a quarter-yearly account to the Postmaster General, under oath, in such form as the latter shall prescribe, 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 whatever; and of all emoluments, receipts, and profits that have come to their hands by reason of keeping branch post offices; and no postmaster shall hereafter, under any pretence whatever, have or receive or retain for himself, in the aggregate, more than the amount of his salary. And the Postmaster General is further authorized to require, by a form to be prepared by him, a sworn statement to accompany or following the quarterly account of any or all postmasters, to the effect that such postmaster has in such account truly stated the entire amount of postages, box-rents, and all other charges and emoluments collected or received by him at his office during such quarter; and that he has not knowingly delivered, or permitted to be delivered, to any person any mail matter on which the postage had not been paid at the time of delivery; and that such quarterly account exhibits truly and faithfully the entire receipts of his office which have been collected thereat, and the entire sum which could have been by due diligence collected thereat, as he verily believes, and that the credits he claims are just and true, as he verily believes; and any false swearing therein shall render him liable to the pains and penalties of perjury.

Ibid, § 6.
Quarterly returns.
Form of statement.

SEC. 91. At the post office of New York, and offices of the first and second classes, the Postmaster General shall allow to the postmaster a just and reasonable sum for the necessary cost, in whole or in part, of rent, fuel, lights, and clerks, to be adjusted upon a satisfactory exhibit of the facts. And at offices of the third, fourth, and fifth classes, such expenses shall be paid by the postmaster, except as in the sixth section provided; (a) it being intended that such allowances shall be made in accordance with existing usages.

1 July, 1864, § 5.
13 Stat. 337.
Allowance for office rent, &c.

SEC. 92. All postages and box rents at post offices, and all other receipts and emoluments at a post office, shall be received and accounted for as a part of the postal revenues; and any part thereof which the postmaster ought to have collected, but has neglected to collect, shall be charged against him in his account, and he shall be liable therefor in the same manner as if the same had been collected; and he shall receive no fees or perquisites beyond his salary.

1 July, 1864, § 7.
13 Stat. 337.
Postages and box rents to be part of the postal revenues.

SEC. 93. In addition to the items of rent, fuel, light, and clerks, enumerated in the fifth section of the act approved July first, eighteen hundred and sixty-four, (b) the Postmaster General is hereby authorized to allow, at his discretion, out of the revenues of the office at New York, and of offices of the first, second, third, and fourth classes, a just and reasonable sum for the necessary cost, in whole or in part, as well of the foregoing items as of furniture, stationery, printing, and other items of expenditure required at offices of those classes, to be adjusted upon a satisfactory exhibit of the facts; and he is authorized to pay out of the proceeds of the money-order business the cost of stationery and such other incidental expenses as are necessary to the transaction of that business.

3 March, 1865, § 3.
13 Stat. 505.
Additional allowances for stationery, &c.

SEC. 94. The Postmaster General is hereby authorized to pay, out of the appropriation for miscellaneous expenses, the sum of ten thousand dollars, or so much thereof as may be required, for defraying the necessary expense of preparing and publishing a set of post-route maps, arranged by States and groups of States, and showing all the permanent mail routes, distances, and post offices thereon, in the United States, with other statistical information.

Ibid, § 7.
Post-route maps to be published.

(a) See above, § 32.

(b) See above, § 91.

CHAPTER III.

CONTRACTS.

21 April, 1808, § 1.
2 Stat. 484.

No member of Congress to be interested in public contracts.

Violation to be a misdemeanor.

SEC. 95. No member of Congress shall, directly or indirectly, (a) 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 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.

Ibid, § 2.

Exceptions.

SEC. 96. 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.

Ibid, § 3.

Stipulation required in such contract.

SEC. 97. 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. (b)

Ibid, § 4.

Penalty for making contracts with members.

SEC. 98. 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, (c) 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.

(a) A partnership of which a member of Congress is a party cannot enter into a contract with the government. But if he withdraw from it, the contract may be concluded with the other partners. 4 Opin. 47. A contract with one who is elected a member of Congress during its continuance, is not affected by such election. 5 Opin. 697.

(b) This section is merely *directory*, and an omission to insert such provision does not render the contract void. *Crown vs. United States*, Dev. C. C., 44-5.

(c) This forbids the employment of members of Congress as assistant counsel to district attorneys of the United States. 2 Opin. 38.

SEC. 99. 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; 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 contract, 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.

3 March, 1825, § 4.
4 Stat. 103.
Contracts to be made.

SEC. 100. 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, the time at which it is to be made up, and the day and hour at which it is to be delivered. * * * *Provided*, That no contract shall be entered into for a longer term than four years.

Ibid, § 10.
Mail contracts to be advertised

SEC. 101. 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.

Ibid, § 42.
Postmasters, &c., not to be contractors.

SEC. 102. 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 there no additional compensation shall be allowed to exceed the exact proportion of the original amount to the additional duties required. (a)

Ibid, § 43.
When additional allowance may be made.

SEC. 103. 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 [if] 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 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.

Ibid, § 44.
Forfeiture for non-execution of contract.

SEC. 104. 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.

2 July, 1836, § 11.
5 Stat. 82.
Duplicate of contract to be lodged with Auditor.

SEC. 105. 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, (b) and no additional compensation shall be made to any mail contractor, so as that the compensation for additional regular service

Ibid, § 23.
Advertisements for proposals.
No consolidated bid to be received.

(a) Claims of contractors for one month's extra pay on discontinuance of their contracts are to be decided by the Postmaster General, or, if he makes no decision, by the Auditor. 5 Opin. 246.

(b) See § 28, July 2, 1836, below, §§ 110 and 120.

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 indorsed 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 Washington city, (a) 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.

2 July, 1836, § 24. 5 Stat. 80. SEC. 106. 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 (b) 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, 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.

Ibid, § 25. SEC. 107. 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.

Ibid, § 26. SEC. 108. 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 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.

Ibid, § 27. SEC. 109. Every proposal for the transportation of the mail shall be accompanied by a written guarantee, 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 ac-

(a) Repealed. See below, § 127.

(b) See below, § 119.

complicated by such guarantee. 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 said service, then the Postmaster General shall proceed to contract with some other person or persons for the performance of the 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.

SEC. 110. 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, (a) 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 anything 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.

2 July, 1836, § 28.
5 Stat. 87.

No contract to be made with persons who have entered into combinations.

SEC. 111. 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.

Ibid, § 29.

No payment until performance of contract.

SEC. 112. 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.

Ibid, § 31.

Schedule of departures and arrivals to be furnished by postmasters.

SEC. 113. 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.

Ibid, § 39

Express mails.

SEC. 114. The Postmaster General is hereby authorized to make and enter into contracts with any railroad company for the transmission of the mail without advertising for bids on such railroads, as now required by law.

20 Feb., 1845, J. R.
5 Stat. 796.

SEC. 115. The Postmaster General of the United States is hereby authorized, under the restrictions and provisions of the existing laws, to contract for the transportation of the United States mail between any of the ports of the United States and a port or ports of any foreign power, whenever, in his opinion, the public interest will thereby be promoted; and it shall be his duty to report to the next ensuing Congress a copy of each of said contracts, with a statement of the amount of postage derived under the same, as far as the returns of the department will enable him to do. And such contracts may be made, if it shall appear to the Postmaster General to be required by the public

3 March, 1845, § 1.
5 Stat. 748.

Contracts for foreign mails may be made for ten years.

(a) See above, § 105, and below, § 120.

interests, for any greater period than four years, and not exceeding ten years. (a)

3 March, 1845, § 4.
5 Stat. 733.

Express mails.

SEC. 116. The Postmaster General 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.

3 Mar., 1845, § 8.
5 Stat. 750.

Mails on the Gulf and the Mississippi.

SEC. 117. The Postmaster General may, if he shall deem it to be for the public interest, make contracts, to continue not exceeding ten years, for the transportation of the mail from place to place in the United States in steamboats, by sea and on the Gulf of Mexico, and on the Mississippi river from the mouth thereof up to the city of New Orleans, on the condition specified in the last preceding section of this act. (b)

3 Mar., 1845, § 14.
5 Stat. 737.

Contracts with steamboats need not be advertised.

SEC. 118. 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.

Ibid, § 18.

Contracts to be awarded to the lowest bidder, without regard to mode of transportation.

SEC. 119. 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, (c) to the lowest bidder tendering sufficient guarantees 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.

2 March, 1849, § 1.
9 Stat. 353.

When disability of persons entering into combinations to cease.

SEC. 120. The disability to contract with the Post Office Department now imposed by law on any person or persons for entering into combinations against said department, in relation to contracts therewith, shall, in all cases existing or to exist, cease after the expiration of five years from the time incurred: *Provided*, That any person incurring said disability a second time shall never be released therefrom. (d)

31 Aug., 1852, § 4.
10 Stat. 111.
Mail service on Gulf of Mexico.

SEC. 121. The Postmaster General is hereby authorized, if he shall deem it proper, to advertise for and establish service upon the regular mail route between New Orleans and certain Gulf ports in Florida.

31 Aug., 1852, § 11.
10 Stat. 142.

Mails on the Mississippi river.

SEC. 122. It shall be the duty of the Postmaster General to issue proposals and contract for the transportation of a daily mail between Louisville and Cairo, St. Louis and Cairo, Cairo and Memphis, and Memphis and New Orleans, and to supply such intermediate points as he may order, from time on suitable and safe steamboats.

(a) § 4, act June 14, 1858, prohibits the making of contracts by sea for longer than two years. See below, § 126.

(b) See below, §§ 126 and 195A.

(c) See above, § 106.

(d) See above, §§ 105 and 110.

SEC. 123. Upon the application of either of the companies contracting to carry the mail in ocean steamers from New York to Havre, or from New York to Bremen, the Postmaster General is hereby authorized to discharge such company from said contract: *Provided*, That no further compensation shall be paid to either of said companies after such discharge from its contract.

3 Mar., 1853, § 4.
10 Stat. 240.
Contractors to Havre and Bremen may be discharged.

SEC. 124. The Postmaster General is authorized and directed to establish a mail on the Mississippi river, from Cairo to New Orleans, and from Keokuk, Iowa, to Galena, Illinois, and to contract for the same in one line, or in such divisions or sections, or both, as may be most compatible with the public service; and to facilitate the execution of this section, the Postmaster General may make immediate temporary arrangements for carrying said mail by the trip; and if he fails to obtain acceptable bids, after advertising for thirty days, he may make private contracts for carrying said mail; and the said mail shall be carried daily from Cairo to New Orleans; but the Postmaster General is authorized, at his discretion, to restrict the delivery of the mails at all other points than Cairo, Memphis, Napoleon, Vicksburg, Natchez, Baton Rouge, and New Orleans, to three mails a week each way: *Provided*, That nothing herein contained shall be so construed as to impair the rights of parties heretofore contracting for said service.

5 Aug., 1854, § 5.
10 Stat. 589.
Contracts for mails on the Mississippi.

SEC. 125. Each contractor engaged, or to be engaged, in carrying mails through any of the Territories west of the Mississippi, shall have the privilege of occupying stations at the rate of not more than one for every twenty miles of the route on which he carries a mail, and shall have a pre-emptive right therein when the same shall be brought into market, to the extent of six hundred and forty acres, to be taken contiguously, and to include his improvement; but no such pre-emptive right shall extend to any pass in a mountain or other defile.

3 March, 1855, § 1.
10 Stat. 684.
Contractors west of the Mississippi to have pre-emption right of lands for stations.

SEC. 126. It shall not be lawful for the Postmaster General to make any steamship or other new contract for carrying the mails on the sea for a longer period than two years, nor for any other compensation than the sea and inland postages on the mails so transported.

14 June, 1858, § 4.
11 Stat. 364.
Foreign mail contracts.

SEC. 127. So much of all acts and parts of acts as require or authorize the Postmaster General to publish notice of letting contracts to carry the mails in the respective States in newspapers published in the city of Washington, in the District of Columbia, is hereby repealed.

12 June, 1858, § 12.
11 Stat. 327.
Advertising in Washington.

SEC. 128. So much of the appropriation for inland mail service as is provided for transportation of mails from San Francisco to Puget Sound, via Astoria, in Oregon, shall be applied to the transportation of said mails by land to Olympia whenever by law such service shall be provided in lieu of ocean service.

15 June, 1860, § 5.
12 Stat. 39.
Mail service to Olympia, Oregon.

SEC. 129. The Postmaster General is authorized to make contracts, to continue not exceeding four years, for the transportation of allailable matter other than letters, and of such letters as may be so directed, by the Isthmus of Panama or the Nicaragua route, or both of them: *Provided*, That the expenditure for the service shall not exceed one hundred and sixty thousand dollars per annum. And in case more than one company is engaged in rendering this service, the Postmaster General shall determine the proportion which shall be paid to each.

25 Mar., 1864, § 3.
13 Stat. 36.
Mails by Panama and Nicaragua.

SEC. 130. The yearly advertisement for proposals to carry the mails of the United States shall be published hereafter, for a period of six weeks, in one or more, but not to exceed five, newspapers, printed in the State or Territory where the mail service is to be performed, one of which shall be printed at the seat of government of such State or Territory.

3 Mar., 1865, § 14.
13 Stat. 507.
Publication of advertisements.

CHAPTER IV.

MONEY-ORDER OFFICE.

17 May, 1864, § 1.
13 Stat. 76.

Money-order of-
fices to be estab-
lished.

Postal money or-
ders to be issued.
Notice to drawee.

Penalty for issn-
ing orders without
receiving money.

Ibid, § 2.

Forms to be pre-
pared. Applica-
tions to be filed.

Ibid, § 3.

Amounts regu-
lated. Fees.

Ibid, § 4.

When money
orders may be
changed.
Repayments.

SEC. 131. To promote public convenience, and to insure greater security in the transfer of money through the United States mails, the Postmaster General is hereby authorized to establish, under such rules and regulations as he may find expedient and necessary, a uniform money-order system at all post offices which he may deem suitable therefor, and which shall be designated and known as "money-order offices;" and it shall be the duty of the deputy postmaster at every money-order office to issue, in such manner and form as the Postmaster General may prescribe, an order for a sum of money payable by the deputy postmaster of any other money-order office which the person applying therefor may select; and the deputy postmaster who issues such order shall be required to send through the mails, without delay, to the deputy postmaster on whom it is drawn, due notice thereof; and he shall not deliver such order to the applicant therefor until the latter shall first have deposited with him the amount of money for which such order is drawn, together with the proper charge or fee therefor, as hereinafter provided; and it shall not be lawful for any deputy postmaster to issue a money order on any other deputy postmaster without having previously received the money therefor; and any person who shall violate this provision shall be deemed guilty of misdemeanor, and, on conviction thereof, shall be fined in any sum not less than fifty nor more than five hundred dollars.

SEC. 132. A money order shall not be valid or payable unless it be drawn on a printed or engraved form, which shall be furnished to the money-order offices by the Postmaster General; and it shall be the duty of the latter to supply such offices also with the blank forms of application for money orders, one of which the deputy postmaster shall hand to each applicant for a money order, who shall be required to enter or cause to be entered therein his own name and the name and address of the party to whom the order is to be paid, together with the amount thereof and the date of application; and all such applications, when filled up and delivered to the deputy postmaster, shall be preserved on file at his office for such length of time as the Postmaster General may prescribe.

SEC. 132A. No money order shall be issued for any sum less than one or more than thirty dollars; and all persons who receive money orders shall be required to pay therefor the following charges or fees, viz: for an order for one dollar, or for any larger sum, but not exceeding ten dollars, a fee of ten cents shall be charged and exacted by the postmaster giving such order; for an order of more than ten and not exceeding twenty dollars the charge shall be fifteen cents; and for every order exceeding twenty dollars a fee of twenty cents shall be charged.

SEC. 133. If the purchaser of a money order, from having made an error in stating the name of the office of payment, or the name of the payee, or for other reasons, be desirous that the said money order be modified or changed, it shall be the duty of the deputy postmaster from whom he received it to take back, at his request, the first order, and issue another in lieu thereof, for which a new fee shall be charged and exacted; and it shall also be the duty of a deputy postmaster to repay the amount of any money order to the person who obtained it, if the latter apply for such repayment

and return the money order; but the charge or fee paid therefor shall not in any case be refunded.

SEC. 134. If any money order be not presented to the deputy postmaster on whom it is drawn within ninety days after its date, it shall not be valid or payable; but the Postmaster General is authorized, on application of the payee of such money order, to cause a new order in lieu thereof to be issued in his favor, for which a second fee shall be exacted. And the Postmaster General is further authorized, whenever a money order shall have been lost, to cause a duplicate thereof to be issued, for which a second fee shall be paid, on application of the remitter or of the payee of such order, provided the party losing the original shall furnish a statement, under oath or affirmation, setting forth the loss or destruction thereof, and a certificate from the postmaster by whom it was payable that it had not been paid, and that it would not thereafter be paid.

17 May, 1864, § 5.
13 Stat. 76.
Presentation of orders. When duplicate to issue.

SEC. 135. The payee of a money order may, by his written indorsement thereon, direct it to be paid to any other person, and it shall be the duty of the deputy postmaster on whom it is ordered to pay the amount thereof to the person thus designated, provided the person to whom the money order is indorsed shall furnish such proof as the Postmaster General may require that the written indorsement is genuine, and that he is the person thereby empowered to receive payment of the order; but such second person shall not be at liberty to indorse the same order to a third party, and more than one indorsement shall render any order invalid, and not payable; and the holder thereof, in order to obtain the amount of the order, shall be required to apply in writing to the Postmaster General for a new order in lieu thereof, for which new order a second fee shall be charged: *Provided, however,* That in all cases, under this section, the original order shall be returned, and such proof shall be made of the genuineness of the indorsement thereon as the Postmaster General may require.

Ibid, § 6.
Indorsements regulated.

SEC. 136. Deputy postmasters at money-order offices may be allowed by the Postmaster General, as a compensation (a) for the issuing and paying of money orders, not exceeding one-third of the whole amount of fees on money orders issued, and, at the option of the Postmaster General, one-eighth of one per centum on the gross amount of orders paid at their offices: *Provided,* That all emoluments arising from such rates of compensation shall be subject to the provisions of the forty-first section of the act of third March, eighteen hundred and twenty-five, entitled "An act to reduce into one the several acts establishing the Post Office Department."

Ibid, § 7.
Compensation of postmasters for issuing and paying money orders.

SEC. 137. It shall be the duty of the Postmaster General to require all postmasters who may be authorized to issue and pay money orders to execute new official bonds, conditioned for the faithful performance of all duties and obligations imposed by this act, in addition to those required of them by existing laws as postmasters; and it shall be the duty of the Postmaster General to direct all payments or transfers to or from money-order offices. He may direct transfers of money-order funds from one postmaster to another, and he may require and direct transfers or payments to be made from the funds received for money orders to creditors of the Post Office Department, to be replaced by equivalent transfers from the funds of said department arising from postages; and he may require and direct transfers of payments to be made from the funds of the Post Office Department in the hands of any postmaster, arising from postages, to the money-order offices. And it shall be the further duty of the Postmaster General to require each postmaster to render to the Auditor of the Treasury for the Post Office Department, weekly, semi-weekly, or daily accounts of all money orders issued and paid, and of all fees received for issuing them, of all transfers or payments made from funds received for money orders, and of all moneys received to be applied to the payment of money orders, or on account of money-order offices.

Ibid, § 8.
Postmasters to give new bonds.
Payments and transfers.

SEC. 138. Out of the moneys paid into the treasury for the service of the Post Office Department, the Postmaster General shall have power to transfer to the deputy postmaster of any money-order office such sum as may be required, over and above the current revenue thereof, to pay money orders drawn on the latter; and such transfers shall be made by warrant on the

Ibid, § 9.
Transfers to pay money orders.

(a) See act July 1, 1864, 13 Stat. 335, establishing salaries for postmasters "in lieu of commissions." See also above, § 28.

treasury by the Postmaster General, and countersigned and registered by the Auditor of the Treasury for the Post Office Department.

17 May, 1864, § 10
13 Stat. 78.

Accounts to be
audited.

SEC. 139. It shall be the duty of the Auditor of the Treasury for the Post Office Department to receive all accounts arising in the money-order offices, or relative thereto, and to audit and settle the same, and to certify their balances to the Postmaster General as often as he may require. He shall keep and preserve all accounts arising in said offices, and shall report to the Postmaster General all delinquencies of postmasters in rendering their money-order accounts, or in paying over money-order funds. He shall keep the accounts of the money-order offices separately from the accounts for postages, and in such manner as to show the number and amount of money orders issued by each postmaster, and the number and amount of money orders paid, the amount of fees received, and all the expenses of the establishment. And it shall be the further duty of the Auditor to superintend the collection of all debts due to the United States, or to the Post Office Department, by present or late postmasters, or other persons who are, or may have been, employed in the money-order offices. He shall direct suits and legal proceedings, and take all such measures as may be authorized by law to enforce the payment of such debts, or for the recovery of any penalties arising under the provisions of this act.

Ibid, § 11.

Punishment for
embezzlement.

SEC. 140. All moneys received for the sale of money orders, including all fees received for selling the same, all moneys transferred from the funds of the Post Office Department to the money-order offices, all funds transferred or paid from the money-order offices to the use and service of the Post Office Department, and all transfers of funds from one postmaster to another for the use of the money-order offices, shall be deemed and taken to be moneys in the treasury of the United States. And if any postmaster, assistant, clerk, or other person employed in or connected with the business or operations of the money-order offices, 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, or shall deposit in any bank, (a) or shall exchange for other funds, any portion of such moneys, every such act shall be deemed and adjudged to be an embezzlement of so much of said moneys as shall be thus taken, converted, used, loaned, deposited, or exchanged, which is hereby declared to be a felony; and any failure to pay over or to produce the moneys intrusted to such person for the use of the money-order offices shall be held and taken to be *prima facie* evidence of such embezzlement. And any postmaster, assistant, clerk, or other person employed in or connected with the business of the money-order offices, and all other persons advising or participating in such act, on being convicted thereof before any court of the United States of competent jurisdiction, shall be sentenced to imprisonment for a term of not less than six months nor more than ten years, and to a fine equal to the amount of the money embezzled. And upon the trial of any indictment against any person for embezzling public money under the provisions of this act, it shall be *prima facie* evidence, for the purpose of showing a balance against such person, to produce a transcript from the money-order account books of the Auditor of the Treasury for the Post Office Department; and such transcript, when certified by said Auditor under his seal of office, shall be admitted as evidence in the courts of the United States.

Evidence.

Ibid, § 12.

Forgery of money orders to be
punished.

SEC. 141. If any person shall falsely make, forge, counterfeit, engrave, or print, or cause or procure to be falsely made, forged, counterfeited, engraved, or printed, or willingly aid or assist in falsely making, forging, counterfeiting, engraving, or printing, any order in imitation of or purporting to be a money order issued by one postmaster upon another postmaster; or shall falsely alter, or cause or procure to be altered, or willingly aid or assist in falsely altering, any money order issued as aforesaid; or shall pass, utter, or publish, or attempt to pass, utter, or publish as true, any false, forged, or counterfeited order, purporting to be a money order as aforesaid, knowing the same to be falsely forged or counterfeited; or shall pass, utter, or publish, or attempt to pass, utter, or publish as true, any falsely altered money order issued as aforesaid, knowing the same to be falsely altered, with an intent to defraud, every such person shall be deemed and adjudged guilty of felony, and, being thereof convicted, shall be sentenced to be imprisoned and

(a) See below, § 144.

kept at hard labor for a period of not less than three years nor more than ten years, and be fined in a sum not exceeding five thousand dollars.

SEC. 142. For the purpose of carrying on the business of the money-order offices, and keeping and settling their accounts, the Postmaster General may appoint, in his department, one superintendent of the money-order system, at an annual salary of twenty-five hundred dollars, and three clerks, to wit: one of class four, and two of class three. And the Secretary of the Treasury may, from time to time, appoint in the office of the Auditor of the Treasury for the Post Office Department the necessary clerks, in all not to exceed six, to wit: one of class four, and five of class two. And to provide for the compensation of the said superintendent and clerks for the fiscal year ending June thirtieth, eighteen hundred and sixty-five, the sum of seventeen thousand dollars, or so much thereof as may be necessary, is hereby appropriated, out of any money in the treasury not otherwise appropriated. And the Postmaster General is further authorized to cause such additional clerks to be employed in the money-order offices as he may find necessary for conducting the operations of the money-order system, whose compensation shall be paid out of the proceeds of the money-order business: *Provided, however,* That to meet any deficiency that may arise in the amount of such proceeds during the first year, the sum of one hundred thousand dollars, or so much thereof as may be necessary, is hereby appropriated, out of any money in the treasury not otherwise appropriated.

17 May, 1864, § 13.
13 Stat. 79.

Superintendent
and clerks.

SEC. 143. The balance which may remain unexpended of the appropriation of one hundred thousand dollars to meet any deficiencies in the proceeds of the money-order system during the present fiscal year, under the thirteenth section of the act approved May seventeen, eighteen hundred and sixty-four, may be used, as far as may be necessary, to supply deficiencies in the proceeds of the aforesaid system during the fiscal year commencing July first, eighteen hundred and sixty-five.

3 Mar., 1865, § 12.
13 Stat. 506.

Transfer of ap-
propriation for
1864 to deficiencies
of 1865.

SEC. 144. Nothing contained in the act entitled "An act to establish a postal money-order system," approved May seventeen, eighteen hundred and sixty-four, or in any other act, shall be so construed as to prevent deputy postmasters at money-order or other offices from depositing in the national banks designated by the Secretary of the Treasury as public depositories, to their own credit as deputy postmasters, money-orders or other funds in their charge, under the direction of the Postmaster General, nor to prevent their negotiating drafts, orders, or other evidences of debt through these banks, as they may be instructed and required by the Postmaster General.

Ibid, § 11.

Deposits in na-
tional banks, &c.

CHAPTER V.

POST ROADS AND ROUTES. (a)

- July, 1836, § 42.
5 Stat. 89.
Canals may be made post routes.
- SEC. 145. 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.
- 12 July, 1852.
10 Stat. 147.
Carriage of mail on plank roads.
- SEC. 146. The Postmaster General is hereby authorized, in his discretion, to contract for carrying the mail on all the plank roads which have been or shall be constructed in the United States, and in all cases when, in his opinion, the public interest and convenience require it; and for the time during which mails may be carried on such plank roads, or any part thereof, the same shall be, and they are hereby declared to be, post roads of the same United States.
- 3 March, 1825, § 2.
4 Stat. 100.
Post routes to be discontinued.
- SEC. 147. All post routes which hereafter, within the term of three successive years, fail to yield one-fourth of the expense incident to their 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. (b)
- 3 March, 1825, § 8.
4 Stat. 104.
Postmaster General to report post roads obstructed or out of repair.
- SEC. 148. Whenever it shall be made to appear to the satisfaction of the Postmaster General that any roads established, or which may hereafter be established as a post road, is obstructed by fences, gates, or 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.
- 3 March, 1851, § 7.
9 Stat. 590.
No post routes or post offices to be discontinued by reason of diminution of revenues.
- SEC. 149. No post office now in existence shall be discontinued, nor shall the mail service on any mail route in any of the States or Territories be discontinued or diminished in consequence of any diminution of the revenues that may result from this act. It shall be the duty of the Postmaster General to establish new post offices and place the mail service on any new mail routes established, or that may hereafter be established, in the same manner as though this act had not passed.
- 3 March, 1853, § 3.
10 Stat. 255.
Railroads to be post routes.
- SEC. 150. All railroads and parts of railroads which are now or hereafter may be in operation, are hereby declared to be, post roads, and the Postmaster General may contract for carrying the mails thereon according to existing laws. (c)
- (a) See below, Chap. X., particularly Sec. 207.
(b) This section is not a part of the organic law of 1825, dated on the same day, which is found on page 102, 4 Stat. It precedes that law in the authorized edition, and there may be a question as to whether it is repealed by the general repealing clause in Sec. 42 of the organic law.
(c) See below, § 153.

SEC. 151. Whenever, in the opinion of the Postmaster General, the postal service cannot be safely continued, or the post office revenues collected, or the postal laws maintained, on any post route, by reason of any cause whatsoever, the Postmaster General is hereby authorized to discontinue the postal service on such route, or any part thereof, and any post offices thereon, till the same can be safely restored, and shall report his action to Congress.

SEC. 152. The provisions of the third section of an act entitled "An act amendatory of an act regulating the Post Office Department," approved March second, eighteen hundred and twenty-seven, are hereby applied to all post routes which have been, or may hereafter be, established in any town or city by the Postmaster General, by virtue of the tenth section of an act entitled "An act to reduce and modify the rates of postage in the United States, and for other purposes," approved February twenty-seven, (a) eighteen hundred and fifty-one.

(a) This date is erroneous. It should have been March 3, 1851, (9 Stat. 591.) See below, § 204.

CHAPTER VI.

RAILROAD SERVICE.

- 7 July, 1838, § 2.
5 Stat. 283. SEC. 153. 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. (a)
- Railroads to be post routes.
- 25 Jan., 1839, § 1.
5 Stat. 314. SEC. 154. 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 seventh, eighteen hundred and thirty-eight, 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.
- Compensation to railroad companies limited.
- 20 February, 1845.
5 Stat. 796. SEC. 155. The Postmaster General is hereby authorized to make and enter into contracts with any railroad company for the transmission of the mail, without advertising for bids on such railroads, as now required by law.
- Contracts with railroads without advertising.
- 3 Mar., 1845, § 19.
5 Stat. 735. SEC. 156. 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 centum 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.
- Railroad routes to be classified.
- Rates of compensation limited.
- Duties of Postmaster General if unable to contract at such rates.
- Additional compensation for night service and double mails.

(a) See above, § 150.

CHAPTER VII.

SHIP AND STEAMBOAT MAILS.

SEC. 157. The Postmaster General is authorized to have the mail carried in any steamboat 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.

3 March, 1825, § 5.
4 Stat. 103.

Mails may be carried in steamboats.

SEC. 158. It shall be the duty of every master or manager of any steamboat 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 daytime, 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 steamboat 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 steamboat shall deliver every letter and packet of letters intrusted to such person to the master or manager of such steamboat, 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. (a)

Ibid, § 6.

Masters to deliver mails.

Compensation.

Penalty for neglect.

SEC. 159. 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.

Ibid, § 17.

Vessels not to be permitted to make entry until delivery of letters at the post office.

Masters to make oath.

Penalty for violation.

SEC. 160. 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.

Ibid, § 18.

Payment to masters.

(a) This section is not repealed by act of March 3, 1845. See below, § 200.

31 Aug., 1852, § 5.
10 Stat. 140.

No vessel to be permitted to make entry until delivery of letters.

Oath of master.

Custom-house officers may search for letters.

Distribution of penalties.

Packages to be forfeited.

14 June, 1858, § 2.
11 Stat. 362.

Great through mails between Portland and New Orleans.

17 April, 1862, § 5.
12 Stat. 382.

Mails on Pacific coast.

9 Feb., 1863, § 5.
12 Stat. 647.

Same subject.

SEC. 161. No collector or other officer of the customs shall permit any ship or vessel arriving within any port or collection district of the United States to make entry or break bulk until all letters on board the same shall be delivered into the post office at or nearest said port or place, nor until the captain or commander of such ship or vessel shall have signed and sworn to a declaration before such collector or officer of the customs, in the form and to the effect following, that is to say: "*I, A. B., commander of the [state the name of the ship or vessel,] arriving from [state the place,] and now lying in the port of [state the name of the port,] do, as required by law, solemnly swear (or affirm, as the case may be) that I have, to the best of my knowledge or belief, delivered, or caused to be delivered, into the post office at or nearest said port, every letter and every bag, parcel, or package of letters that were on board the [state the name of the ship or vessel,] during her last voyage; and that I have so delivered, or caused to be delivered, all such letters, bags, parcels, and packages as were in my possession or under my power or control.*" (a) And

the collector and every officer of the customs at every port, without special instructions, and every special agent of the Post Office Department, when instructed by the Postmaster General to make examinations and seizures, shall carefully search every vessel for letters which may be on board, or have been carried or transported contrary to law; and each and every of such officers and agents, and every marshal of the United States and his deputies, shall at all times have power to seize all letters, and packages and parcels containing letters, which shall have been sent or conveyed contrary to law on board any ship or vessel, or on or over any post route of the United States, and to convey such letters to the nearest post office; or may, if the Postmaster General and the Secretary of the Treasury shall so direct, detain the said letters, or any part thereof, until two months after the trial and final determination of all suits and proceedings which may at any time within six months after such seizure be brought against any person for sending, or carrying, or transporting any such letter contrary to any provisions of any act of Congress; and one half of any penalties that may be recovered for the illegal sending, carrying, or transportation of any such letters shall be paid to the officer so seizing, and the other half to the use of the Post Office Department; and every package or parcel so seized, in which any letter shall be concealed, shall be forfeited to the United States, and the same proceedings may be had to enforce such forfeiture as are authorized in respect to goods, wares, and merchandise forfeited by reason of any violation of the revenue laws of the United States; and all laws for the benefit and protection of officers of the customs seizing goods, wares, or merchandise for a violation of any revenue law of the United States shall apply to the officers and agents making seizures by virtue of this act.

SEC. 162. The Postmaster General is authorized to make such arrangements for the transmission of the great through mails between Portland and New Orleans as will insure the most speedy and certain connection, including in the route for one of the daily mails as many of the seaboard commercial cities as may be consistent with the greatest despatch. (b)

SEC. 163. The Postmaster General is hereby authorized to establish a coast mail, not less than semi-monthly, by steam vessels, between San Francisco and Crescent City, in the State of California, including service at the intermediate ports: *Provided*, That the sum to be paid for such service shall not exceed the sum of twenty thousand dollars per annum.

SEC. 164. The Postmaster General is hereby authorized to contract and provide for the transportation of the United States mails on the steamships running between San Francisco, California, and Victoria, Vancouver's Island, to be delivered at Crescent City and Trinidad, California, Astoria and Portland, in Oregon, as often as said steamships touch at said ports named, and at Port Angelos, Washington Territory, as often as said steamships approach or pass that point going to or returning from Victoria; and the mail service provided for by the fifth section of the act entitled "An act making appropriations for the service of the Post Office Department for the fiscal year ending the 30th of June, 1863," [12 Stat. 382,] shall cease on the termination of the year for which it was contracted: *Provided, nevertheless*, That the service herein provided for shall not exceed the sum of twenty-four thousand dollars per annum.

(a) See below, § 188.

(b) This is not by sea; but, even if it were, it provides for the transmission of particular mail, and would not embrace the mail from New York to New Orleans.

SEC. 165. The Postmaster General shall have authority to pay, or cause to be paid, a sum not exceeding two cents each for all letters conveyed in any vessel or steamboat not employed in carrying the mail from one port or place to any other port or place in the United States, or from any foreign port to any port within the United States, subject to such regulations as the Postmaster General may prescribe. But all such letters shall be deposited in the post office at the port of arrival for mailing or delivery; and if for delivery within the United States, shall be rated with double rates of postage, which shall cover the fee paid to the vessel. No fees shall be allowed for letters collected by a carrier on a mail route.

3 Mar., 1863, § 31.
12 Stat. 706.
Postage on ship letters.

SEC. 166. The Postmaster General may, if he shall deem it for the public interests, enter into contracts for any period not exceeding one year, for the transportation of the mails in steamships, by sea, between any of the ports in the United States; and the sea service already performed by his order on the Atlantic coast and Gulf of Mexico shall be paid for out of any moneys appropriated for the service of the Post Office Department. Also for such service already performed upon the Pacific coast a sum not exceeding fifteen hundred dollars, to be paid for out of any moneys appropriated for the service of the Post Office Department.

25 Mar., 1864, § 5.
13 Stat. 37.
Mails by sea between home ports.

CHAPTER VIII.

F O R E I G N M A I L S .

3 Mar., 1825, § 34. SEC. 167. 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.

4 Stat. 112.
Despatch of foreign mails.

Postal arrangements with foreign countries.

15 June, 1844. SEC. 168. The Postmaster General is hereby authorized to make such arrangements as may be deemed expedient, with the Post Office Department of the British government, for the transmission of the British mail in its unbroken state or condition between Boston and Canada.

5 Stat. 718.
Mail between Boston and Canada.

Ibid.
Mails to Europe by way of Bremen and Havre.

SEC. 169. The Postmaster General is hereby authorized to enter into such arrangement or arrangements with the proper authorities of France and Germany, and the owners or agents of vessels plying regularly between those countries and the United States, whereby a safe and, as near as possible, a regular direct mail communication, under official guarantee between the United States and the continent of Europe, viz., the ports of Bremen in Germany and Havre in France, and such other principal ports on said continent as the Postmaster General may deem most proper, shall be secured, so that the entire inland and foreign postage on letters and all other mail matter sent over sea from and to the United States, to and from any part of France, and of the states comprehended within the German Customs Union, and of those countries on the continent between which and France, and of the said German states, there exists a continued arrangement of the like kind, may be paid at the place where they are respectively mailed or received.

3 March, 1845, § 1. SEC. 170. The Postmaster General of the United States is hereby authorized, under the restrictions and provisions of the existing laws, to contract for the transportation of the United States mail between any of the ports of the United States and a port or ports of any foreign power, whenever, in his opinion, the public interest will thereby be promoted; and it shall be his duty to report to the next ensuing Congress a copy of each of said contracts, with a statement of the amount of postage derived under the same, as far as the returns of the department will enable him to do. And such contracts may be made, if it shall appear to the Postmaster General to be required by the public interest, for any greater period than four years, and not exceeding ten years.

5 Stat. 748.
Contracts for carrying foreign mails.

Ibid, § 2.
Terms of such contracts.

SEC. 171. All such contracts shall be made with citizens of the United States, and the mail to be transported in American vessels, by American citizens. Each contract entered into under the provisions of this act, besides the usual stipulations for the right of the Postmaster General to discontinue the same, shall contain the further stipulation that it may, at any time, be terminated by a joint resolution of the two houses of Congress.

SEC. 172. The Postmaster General or the Secretary of State is hereby authorized to empower the consuls of the United States to pay the foreign postage of such letters destined for the United States as may be detained at the ports of foreign countries for the non-payment of postage, which shall be by the consul marked as paid by him, and the amount thereof shall be collected in the United States, as other postage, on the delivery of the letters, and repaid to said consul, or credited on his account at the State Department.

3 March, 1845, § 6.
5 Stat. 749.
Consuls may be authorized to pay foreign postage.

SEC. 173. The Postmaster General shall, in all cases of offers to contract for carrying the mail between any of the ports of the United States and any foreign port or place, give the preference to such bidder for the contract as shall propose to carry the mail in a steamship or ships, and the said contractor stipulating to deliver said ship or ships to the United States or to their proper officer, upon demand made, for the purpose of being converted into a vessel or vessels of war, the United States being bound, on their part, to pay to said owner or owners the fair, full value of every such ship or vessel at the time of such delivery; said value to be ascertained by four appraisers, to be appointed, two by the President of the United States and two by the owner or owners; and in case of disagreement among said appraisers, the President of the United States to select and appoint an umpire, who shall fix the value.

Ibid, § 7.
Preference to be given to steamships.
Purchase of such steamships.

SEC. 174. The Postmaster General is hereby authorized to contract for transporting a mail from Charleston, South Carolina, to Chagres, touching at St. Augustine and Key West, and also at Havana, in the island of Cuba, if deemed expedient, and across the Isthmus of Panama, and from thence to Astoria, or the mouth of the Columbia river, touching at Monterey, St. Francisco, and such other places on the coast as the Postmaster General may direct; the mail to be conveyed from Charleston to Chagres, and from Panama to Astoria, in steamships, and to be transported each way once every two months, or oftener, as the public interest may require: *Provided*, That the expenditure for said service shall not exceed one hundred thousand dollars per annum.

3 March, 1847, § 6.
9 Stat. 200.
Mails to the Pacific across the Isthmus of Panama.

SEC. 175. Any contract made in pursuance of this act shall provide for the purchase by the United States of the steamships to be employed in conveying the mail, at its option, agreeably to the provisions of an act entitled "An act to provide for the transportation of the mail between the United States and foreign countries, and for other purposes," approved the third day of March, one thousand eight hundred and forty-five: *Provided*, That the departure and return of said mail may, at the discretion of the Postmaster General, be either from Charleston, New York, Savannah, Pensacola, or New Orleans, as may be deemed most consistent with the public interest.

Ibid, § 8.
Contracts to provide for purchase of steamships.

SEC. 176. To secure the regular transmission of the mail to and from foreign countries, the Postmaster General is hereby authorized and required to impose fines on contractors for any unreasonable or unnecessary delay in the departure of such mails, or in the performance of the trip: *Provided*, That the fine for any one default shall not exceed one-half of the contract price paid for the trip.

27 June, 1848, § 4.
9 Stat. 242.
Fines for delay, &c.

SEC. 177. All letters or other mailable matter conveyed to or from any port of the United States by any foreign packet or ship, except such unsealed letters relating to said ship or vessel, or any part of the cargo thereof, as may be directed to the owner or owners, consignee or consignees of said ship or other vessel, shall be so subject to postage charge as aforesaid, whether addressed to any person in the United States or elsewhere, provided it is done by the packet or other ship of a foreign country imposing postage on letters or mailable matter conveyed to or from such country by any packet or other ship of the United States; and such letters or other mailable matter carried in foreign packet ships or other vessels, except such unsealed letters relating to the ship or vessel or any part of the cargo thereof as may be directed to the owner or owners, consignee or consignees, as aforesaid, are hereby required to be delivered into the United States post office by the master or commanders of all such packets or other vessels when arriving, and to be taken from a United States post office when departing, and the postage paid thereon justly chargeable by this act; and for refusing or failing to do so, or for conveying said letters or any letters intended to be conveyed in any ship or vessel of such foreign country over or across the United States, or any

Ibid, § 2.
All mailable matter conveyed in foreign ships to be subject to postage, except, &c.
Master to deliver letters, &c., on arrival.

portion thereof, the party offending shall, on conviction, forfeit and pay not exceeding five thousand dollars for each offence.

27 June, 1848, § 3.
9 Stat. 241.

Penalty on contractors for refusing to convey steamships to the United States according to their contracts.

SEC. 178. In case the person or persons, or the directors of any incorporated company, who have entered into any contract, or who may hereafter enter into any contract, with the Postmaster General for conveying the mail of the United States to any foreign country in pursuance of the act entitled "An act to provide for the transportation of the mail between the United States and foreign countries and for other purposes," (a) approved the third day of March, eighteen hundred and forty-five, or of any other act, in which said contract there is a stipulation on the part of such contractor, giving to the United States the right to purchase, at an appraised value, the steamship, or ships, required by such contract to be employed in conveying the mail, shall decline to sell and deliver to the United States such ship or ships, or shall refuse to name and appoint appraisers to value the same agreeably to the provisions of said act, or, the same having been appraised and valued, shall refuse to convey and deliver said ship or ships to the United States on the payment, or tender of payment, by the United States, of the sum at which the said ship or ships may have been appraised and valued, such person or persons so offending shall forfeit a sum not exceeding one hundred thousand dollars, to be recovered in any proper action for the use of the treasury of the United States; and in case of refusal or inability to pay the same, shall be liable to be imprisoned not exceeding one year, at the discretion of the court rendering judgment for such penalty.

Ibid, § 5.

Contracts not assignable.

SEC. 179. It shall not be lawful for any contractor for transporting the mail to any foreign country to assign or transfer his contracts; and all such assignments or transfers shall be null and void: *Provided*, That assignments and transfers which have been made and accepted by the Postmaster General, or the Secretary of the Navy, before the passage of this act, shall not be affected by this section.

31 Aug., 1852, § 2.
10 Stat. 139.

Mails between Boston and Halifax.

SEC. 180. The Postmaster General is hereby authorized to enter into a contract for the transportation of the United States mail on board of the steam vessels which at present ply regularly between Boston, in the State of Massachusetts, and Halifax, in Nova Scotia, upon such terms as may appear to him reasonable: *Provided*, That the contracts authorized by this section shall be let to the lowest bidder, according to the provisions of the existing laws: *And provided further*, That the amount paid shall in no case exceed the amount of postage derived from the said mails.

3 March, 1851, § 2.
9 Stat. 645.

Contracts for transporting the mail through foreign countries.

SEC. 181. The Postmaster General is hereby authorized to enter into contracts or to make suitable arrangements for transporting through any foreign country the mails of the United States, running from and to any point in the said United States: *Provided*, That such contracts as shall be made under the authority conferred by this section shall not be for a longer period than four years, and that, in making them, the Postmaster General shall be bound to select the speediest, safest, and most economical route: *Provided further*, That such contract shall be subject to be revoked and annulled whenever any new road or canal shall be cut or opened, affording a speedier, more economical, and equally as safe means of communication between the point of departure and the point of destination of the mail to be transported; and that, in such case, a fair indemnity be awarded to the parties concerned: *And provided further*, That before making such contracts notice shall be given during sixty days, by advertisements in the usual manner, for inviting proposals for mail contracts.

31 Aug., 1852, § 6.
10 Stat. 141.

Foreign mails of adjoining countries may be transported through the United States.

SEC. 182. The Postmaster General may, from time to time, by and with the advice and consent of the President, make any arrangements which may be deemed just and expedient for allowing the mails of Canada, or of any other province, state, or country adjoining the United States, to be carried or transported at the expense of the province, state, or country to which such mails belong, over any part or portion of the territory of the United States, from one point in the province, state, or country to which such mails belong, to any other point in the same, upon obtaining the same privileges for the transportation of the mails of the United States through the province, state, or country to which such privileges shall be granted: *Provided*, That such privileges may at any time be annulled by the President of the United

(a) See above, § 173.

States, or by joint resolution of the two houses of Congress, from and after the expiration of one month next succeeding the day on which the notice of the act of the President or of the joint resolution of the two houses shall be given to the chief executive officer or head of the post office department of the province, state, or country whose privilege is to be thereby annulled.

SEC. 183. Every mail of any province, state, or country, having the privilege authorized to be granted in and by the next preceding section, shall, while in the territories of the United States, be deemed and taken to be a mail of the United States, so far as to make any violation thereof, or any deprivation thereon, or any act or offence in respect thereto, or any part thereof, which would be punishable under the existing laws of the United States, in case the same had been a mail or part of a mail of the United States, an offence of the same grade, and punishable in the same manner, and to the same extent, as though the said mails were those of the United States; and in any indictment for such act or offence, the said mails, or any part thereof, may be alleged to be, and on the trial of any such indictment they shall be, deemed and held to be mails or parts of mails of the United States.

31 Aug., 1852, § 7.
10 Stat. 141.
To be entitled to the same protection as domestic mails.

SEC. 184. It shall not be lawful for the Postmaster General to make any steamship or other new contract for carrying the mails on the sea for a longer period than two years, nor for any other compensation than the sea and inland postages on the mails so transported.

14 June, 1853, § 4.
11 Stat. 364.
Foreign mail contracts.

SEC. 185. No steamship or other vessel departing from the United States for a foreign port or ports shall be permitted to receive on board or convey any letters or letter packets originating in the United States which have not been regularly posted at, and received from, the post office at the port of departure; and it shall be the duty of the collector or other officer of the port empowered to grant clearances of vessels to require, as a condition of clearance, from the master or commander of such steamship or vessel, an oath or affirmation that he has not received on board his ship or vessel, and has not under his care or within his control, and will not receive and convey, any letters or letter packets addressed to a foreign country, except as hereinafter excepted, which have not been delivered to him from the post office at the port of departure: *Provided, however,* That the provisions of this section shall not apply to any letters or letter packets which relate to the cargo and are addressed to the owner or consignee of such steamship or other vessel, or to any letters or packets which are enclosed in a United States stamped envelope of a denomination sufficient in amount to cover the United States postage legally chargeable thereon if such letters or packets had been posted and transmitted by the regular mail.

3 Mar., 1865, § 10.
13 Stat. 506.
Letters not to be received by ships unless regularly posted.

Exceptions.

SEC. 185A. The Postmaster General is hereby authorized to cause the mails to be transported between the United States and any foreign port or ports, or between any port of the United States to any other port of the United States, touching at a foreign port, by steamship, allowing and paying therefor, if by an American vessel, the sea and United States inland postage, and if by a foreign vessel, the sea postage only on the mails so conveyed: *Provided,* That the preference shall always be given to an American over a foreign steamship when departing from the same port for the same destination within three days of each other.

15 June, 1860, § 4.
12 Stat. 39.
How foreign mails to be carried.
Payment for such service.

SEC. 186. The provisions of the fourth section of the act entitled "An act making appropriations for the service of the Post Office Department during the fiscal year ending the thirtieth of June, eighteen hundred and sixty-one," approved June fifteenth, eighteen hundred and sixty, (a) are hereby modified so as to authorize the Postmaster General to cause the mails to be transported between the United States and any foreign port or ports, or between ports of the United States, touching at a foreign port, by steamship, allowing and paying therefor, if by an American vessel, any sum not exceeding the sea and United States inland postage, and if by a foreign vessel, any sum not exceeding the sea postage on the mails so conveyed.

3 March, 1865, § 9.
13 Stat. 506.
Mail steamship service; how paid.

SEC. 187. All steamers and sailing vessels belonging to citizens of the United States, and bound from any port in the United States to any foreign port, or from any foreign port to any port in the United States, shall, before clearance, receive on board and securely convey all such mails as the Post

25 Mar., 1864, § 1.
13 Stat. 36.
American vessels to receive mails on board.

(a) See above, § 185A.

Office Department of the United States, or any minister, consul, or commercial agent of the United States abroad shall offer, and promptly deliver the same to the proper authorities on arriving at the port of destination, and shall receive for such service such reasonable compensation as may be allowed by law.

Compensation.

25 Mar., 1864, § 2.
13 Stat. 36.

Masters to make returns on oath.

SEC. 188. Upon the entry of every steamer or sailing vessel from any foreign port the master or commander thereof shall make return, on oath or affirmation, showing that he has promptly delivered at such foreign port or ports all mails placed on board of the steamer or vessel under his command before clearance from the United States. And in case the master or commander shall fail to make oath or affirmation as aforesaid, showing that he has delivered the mails placed on board his steamer or vessel in good faith, the said steamer or vessel shall not be entitled to the privileges of a steamer or vessel of the United States. (a)

28 May, 1864, § 1.
13 Stat. 93.

Mails to Brazil.

SEC. 189. The Postmaster General is hereby authorized to unite with the general post office department of the empire of Brazil, or such officer of the government of Brazil as shall be authorized to act for that government, in establishing direct mail communication between the two countries by means of a monthly line of first-class American sea-going steamships, to be of not less than two thousand tons burden each, and of sufficient number to perform twelve round trips or voyages per annum between a port of the United States, north of the Potomac river, and Rio de Janeiro, in Brazil, touching at St. Thomas, in the West Indies, at Bahia, Pernambuco, and such other Brazilian and intermediate port or ports as shall be considered necessary and expedient: *Provided*, That the expense of the service shall be divided between the two governments, and that the United States portion thereof shall not exceed the sum of one hundred and fifty thousand dollars for the performance of twelve round trips per annum, to be paid out of any money appropriated for the service of the Post Office Department.

Ibid, § 2.

Proposals for contract; advertisement thereof.

SEC. 189A. The Postmaster General is hereby authorized to invite proposals for said mail steamship service by public advertisement for the period of sixty days in one or more newspapers published in the cities of Washington, Baltimore, Philadelphia, New York, and Boston, respectively, and to contract with the lowest responsible bidder for the same for a term of ten years, to commence from the day the first steamship of the proposed line shall depart from the United States with the mails for Brazil: *Provided*, That proposals for monthly trips—that is to say, for twelve round voyages per annum, out and back—are received and accepted by him within the limit as aforesaid, from a party or parties of undoubted responsibility, possessing ample ability to furnish the steamships required for the service, and offer good and sufficient sureties for the faithful performance of such contract: *And provided further*, That such proposals shall be accepted by the government of Brazil, and that distinct and separate contracts with each government, containing similar provisions, shall be executed by such accepted bidder or bidders; each government to be responsible only for its proportion of the subsidy to be paid for the service.

Ibid, § 3.

Conditions of contract.

SEC. 190. Any contract which the Postmaster General may execute under the authority of this act shall go into effect on or before the first day of September, one thousand eight hundred and sixty-five; and shall, in addition to the usual stipulations of ocean mail steamship contracts, provide that the steamships offered for the service shall be constructed of the best materials and after the most approved model, with all the modern improvements adapted for sea-going steamships of the first class; and shall, before their approval and acceptance by the Postmaster General, be subject to inspection and survey by an experienced naval constructor, to be detailed for that purpose by the Secretary of the Navy, whose report shall be made to the Postmaster General; that the two governments shall be entitled to have transported, free of expense, on each and every steamer, a mail agent to take charge of and arrange the mail matter, to whom suitable accommodations for that purpose shall be assigned; that in case of failure from any cause to perform any of the regular monthly voyages stipulated for in the contract, a pro rata deduction shall be made from the compensation on account of such omitted voyage or voyages: that suitable fines and penalties may be imposed for delays and irregularities in the regular performance of the service according to contract; and that the Postmaster General shall have the power to

(a) See above, § 161.

determine the contract at any time, in case of its being underlet or assigned to any other party.

SEC. 191. The mail steamships employed in the service authorized by this act shall be exempt from all port charges and custom-house dues at the port of departure and arrival in the United States: *Provided*, That a similar immunity from port charges and custom-house dues is granted by the government of Brazil. 28 May, 1864, § 4.
13 Stat. 94. .
Steamships to be
exempted from
port charges.

SEC. 192. The Postmaster General is hereby authorized to invite proposals by public advertisement, for the period of sixty days, in one or more newspapers published in the cities of Washington, New York, Philadelphia, Boston, and San Francisco, respectively, for mail steamship service between the port of San Francisco, in the United States, and some port or ports in the Chinese empire, touching at Honolulu, in the Sandwich Islands, and one or more ports in Japan, by means of a monthly line of first-class American sea-going steamships, to be of not less than three thousand tons burden each, and of sufficient number to perform twelve round trips per annum between said ports, and to contract with the lowest responsible bidder for said service for a term of not more than ten years, to commence from the day the first steamship of the proposed line shall depart from the port of San Francisco with the mails for China: *Provided*, That no bid shall be considered which shall amount to more than five hundred thousand dollars for the twelve round trips per annum, nor unless the same is from a citizen or citizens of the United States, and accompanied by an offer of good and sufficient sureties (also citizens of the United States) for the faithful performance of such contract. 17 Feb., 1865, § 1.
13 Stat. 430. .
Mails to China.

SEC. 193. Any contract which the Postmaster General may execute under the authority of this act shall go into effect on or before the first day of January, one thousand eight hundred and sixty-seven, and shall, in addition to the usual stipulations of ocean mail steamship contracts, provide that the steamships accepted for the service shall be constructed of the best material and after approved models, with all the modern improvements adapted to sea-going steamships of the first class, and shall be subject to inspection and survey by an experienced naval constructor, to be detailed for that purpose by the Secretary of the Navy, whose report shall be made to the Postmaster General. The government of the United States shall be entitled to have transported free of expense, on each and every steamer, a mail agent, to take charge of and arrange the mail matter, to whom suitable accommodation for that purpose shall be assigned. In case of failure from any cause to perform any of the regular monthly voyages stipulated for in the contract, a pro rata deduction shall be made from the compensation on account of such omitted voyage or voyages. Suitable fines and penalties may be imposed for delays and irregularities in the performance of the service, and the Postmaster General shall have the power to determine the contract at any time in case of its being underlet or assigned to any other party. Ibid, § 2.
Conditions of
contracts. c.

CHAPTER IX.

PRIVATE EXPRESSES.

3 Mar., 1825, § 19.
4 Stat. 107. SEC. 194. 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 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. (a)

2 March, 1827, § 3.
4 Stat. 238. SEC. 195. 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 every person who shall offend herein shall incur a penalty of not exceeding fifty dollars for each letter or packet so carried.

3 March, 1845, § 4.
5 Stat. 749. SEC. 195A. It shall not be lawful for any person to carry or transport any letter, packet, newspaper, or printed circular or price current, (except newspapers in use, and not intended for circulation in the country to which such vessel may be bound,) on board the vessels that may hereafter transport the United States mail, as provided for in this act; and for every violation of this provision a penalty of five hundred dollars is hereby imposed, to be recovered by presentment, by information, or *qui tam* action—one-half for the use of the informer, and the other half for the use of the Post Office Department. (b)

3 Mar., 1845, § 9.
5 Stat. 735. SEC. 196. 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 transmittible in the United States mail, except newspapers, pamphlets, magazines, and periodicals; and each and every person offending against this provision, or aiding and assisting therein, or acting as such private express, shall, for each time any letter or letters, packet or packages, or other matter properly transmittible 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. (c)

(a) The transmission by a private express of letters, packages, &c., over a mail route is a violation of the acts of 1825 and 1827. It is a fraud upon the revenue for any common carrier to be the bearer of any letters except those of his employers, with or without recompense; and a messenger, regularly going between two points, carrying letters for a fee, is a common carrier. 4 Opin. 130.

(b) See below, § 197, note b.

(c) This section is made applicable to letter-carrier routes by § 2, act July 27, 1854, (10 Stat. 313.)

SEC. 197. It shall not be lawful for any stage coach, railroad car, steam-boat, packet boat, or other 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; (a) 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 or in part, shall, in like manner, forfeit and pay, in every such case of offence, the sum of fifty dollars. (b)

3 Mar., 1845. § 10.
5 Stat. 736.

No mailable matter to be carried on post routes, except in the mails.

SEC. 198. 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 section 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. (c)

Ibid, § 11.

Persons carrying letters, &c., not to be conveyed over mail routes.

Exceptions.

SEC. 199. 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 transmittible 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. (d)

Ibid, § 12.

Penalty for sending mailable matter by express, except newspapers.

SEC. 200. 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 they been transmitted by mail from the port or place at which they were placed on board the steamboat from which they were received:

Ibid, § 13.

Steamboats may convey letters.

Rates of postage to be charged.

(a) This section is made applicable to letter-carrier routes by § 2, act July 27, 1854, (10 Stat. 313.)
(b) See § 213, note.
(c) This section is made applicable to letter-carrier routes by § 2, act July 27, 1854, (10 Stat. 313.)
(d) This section is made applicable to letter-carrier routes by § 2, act July 27, 1854, (10 Stat. 313.)

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.

25 Mar., 1864, § 7. SEC. 201. The Postmaster General is hereby authorized and empowered
13 Stat. 37. to suspend the operation of so much of the eighth section of the act of the thirty-first of August, eighteen hundred and fifty-two, as authorizes the conveyance of letters otherwise than in the mails on any such mail routes as, in his opinion, the public interest may require. (a)

(a) See below, § 300.

CHAPTER X.

LETTER-CARRIERS AND BRANCH OFFICES.

SEC. 202. The Postmaster General shall be authorized, whenever the same 2 July, 1836, § 41.
may be proper for the accommodation of the public in any city, to employ 5 Stat. 89.
letter-carriers for the delivery of letters received at the post office in said city— Letter-carriers to
except such as the persons to whom they are addressed may have requested, be appointed.
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 to be paid to them in such propor-
tions 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. (a)

SEC. 203. The Postmaster General is authorized and directed, when in his 3 Mar., 1847, § 10.
judgment the public interest or convenience may require it, to establish one 9 Stat. 101.
or more branch post offices, to facilitate the operation of the post office in any
city or place which, in the opinion of the Postmaster General, may require Branch offices
such additional accommodation for the convenience of the inhabitants; and may be estab-
lished.
it shall be the duty of the Postmaster General to prescribe the rules and regu-
lations for the branch post offices which may be established by virtue of this
act; and no additional postage shall be charged for the receipt or delivery of
any letter or packet at such branch post office.

SEC. 204. It shall be in the power of the Postmaster General, at all post 3 Mar., 1851, § 10.
offices where the postmasters are appointed by the President of the United 9 Stat. 591.
States, to establish post routes within the cities or towns, to provide for con-
veying letters to the post office, by establishing suitable and convenient Post routes may
places of deposit, and by employing carriers to receive and deposit them in be established in
the post office; and at all such offices it shall be in his power to cause letters cities.
to be delivered by suitable carriers, to be appointed by him for that purpose, Offices of de-
for which not exceeding one or two cents shall be charged, to be paid by the posit.
person receiving or sending the same; and all sums so received shall be paid Postage.
into the Post Office Department: *Provided*, The amount of compensation Compensation of
allowed by the Postmaster General to carriers shall in no case exceed the carriers limited.
amount paid into the treasury by each town or city under the provisions of
this section.

SEC. 205. The Postmaster General is hereby authorized to appoint letter- 3 Mar., 1851, § 2.
carriers for the delivery of letters from any post office in California or Oregon, 9 Stat. 592.
and to allow the letter-carriers who may be appointed at any such post office Letter-carriers in
to demand and receive such sum for all letters, newspapers, or other mailable California and Ore-
matter delivered by them, as may be recommended by the postmaster for goa.

(a) This section is *modified* by subsequent legislation. See below, § 211; also Chap. XII.

whose office such letter-carrier may be appointed, not exceeding five cents for every letter, two cents for every newspaper, and two cents for every ounce of other mailable matter; and the Postmaster General is hereby authorized

Special agents. to empower the special agents of the Post Office Department in California and Oregon to appoint such letter-carriers in their districts respectively, and to fix the rates of their compensation within the limits aforesaid, subject to and until the final action of the Postmaster General thereon. And such appointments may be made, and rates of compensation modified, from time to time, as may be deemed expedient; and the rates of compensation may be fixed and graduated in respect to the distance of the place of delivery from the post office for which such carriers are appointed; but the rate of compensation of any such letter-carrier shall not be changed after his appointment, except by the order of the Postmaster General; and such letter-carriers shall be subject to the provisions of the forty-first section of the act entitled

Compensation. "An act to change the organization of the Post Office Department, and to provide more effectually for the settlement of the accounts thereof," approved July two, eighteen hundred and thirty-six, except in cases otherwise provided for in this act.

To be subject to act of 1836.

27 July, 1854, § 1. **SEC. 206.** The Postmaster General is hereby authorized to empower the special agents of the Post Office Department in the State of California, and in the Territories of Oregon and Washington, to appoint letter-carriers for the

Letter-carriers to be appointed. delivery of letters from any post office in the said State or Territories, and to allow any letter-carrier, so appointed, to demand and receive a sum for all letters, newspapers, or other mailable matter, not more than may be recommended by the postmaster for whose office such letter-carrier may be appointed: *Provided*, That not more than twenty-five cents shall be charged for any letter, newspaper, or ounce of other mailable matter. All such appointments may be determined, and rates of compensation modified within the limits aforesaid, whenever the same is found expedient in the opinion of the appointing agent: *And it is further provided*, That all such appointments and contracts shall be subject to the approval of the Postmaster General; and upon notice to any carrier of his rejection by the Postmaster General, his appointment and contract shall be determined; and that all the letter-carriers appointed in pursuance of this act shall be subject to the provisions of the forty first section of the act entitled "An act to change the organization of the Post Office Department, and to provide more effectually for the settlement of the accounts thereof," approved July second, eighteen hundred and thirty-six, except as herein otherwise provided: *Provided*, That no letter or letters, or other mailable matter, shall be delivered by any postmaster to said carriers, unless requested in writing by the person or persons to whom said letters or other mailable matter may be directed.

Compensation.

To be subject to act of 1836.

No letters to be delivered to them, except on request in writing.

Ibid, § 2.

Their routes to be post routes. **SEC. 207.** Each and every letter-carrier route which may be established under the provisions of this act shall be deemed a post route during its continuance; and the provisions contained in the ninth, tenth, eleventh, twelfth, and fifteenth sections of an act 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," approved March third, eighteen hundred and forty-five, and the fifth and eighth sections of an act entitled "An act to establish certain post roads, and for other purposes," approved August thirty-first, eighteen hundred and fifty-two, are hereby made applicable to said letter-carrier routes. (a)

3 Mar., 1863, § 12. **SEC. 208.** Whenever the Postmaster General shall have perfected the carrier system in any postal district so as in his judgment to justify him therein, he is authorized to make delivery within any prescribed postal district of mail matter by letter-carriers as frequently as the public convenience in such district shall require, and shall make all proper regulations for that purpose.

Delivery by letter-carriers.

Ibid, § 13.

Branch offices and receiving boxes. **SEC. 209.** The Postmaster General is authorized, when in his judgment the public interest or convenience may require it, to establish one or more branch post offices, and also pillar boxes or other receiving boxes, for the safe deposit of matter for the mails and for delivery; and in case of such establishment of a branch office, the person in charge thereof shall be appointed, and his salary fixed, as in the case of a letter-carrier, and the like bond required: *Provided*, That the post officer in charge of the branch office may also be a depository for the sale of stamps, to be delivered to him for

(a) See above, sections 161, 196, 197, 198, and 199; also below, sections 215 and 300.

that purpose by the postmaster of that postal district in sums not at any time to exceed one-half of the penalty of his bond.

SEC. 210. The postmaster of any office where letter-carriers are employed may contract with the publishers of any newspapers or periodicals, and with the publishers of any circulars, for the delivery by postal carriers, within his postal district, of any such publications not coming through the mails, at rates and upon terms to be agreed upon, such arrangement and terms being equally open to all like publishers; but such contract shall have no force or effect until approved by the Postmaster General. The Postmaster General may also provide by regulation for the delivery by such carriers of small packets other than letters or papers, and not exceeding the maximum weight of mailable packages; but such packages must be prepaid by postage stamps at the rate of two cents for each four ounces or fraction thereof.

3 Mar., 1863, § 15.
12 Stat. 704.
Delivery of printed matter.

SEC. 211. 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 their services they shall severally receive a salary, to be prescribed by the Postmaster General, not exceeding eight hundred dollars per year: *Provided*, That, on satisfactory evidence of their diligence, fidelity, and experience as carriers, the Postmaster General may increase their respective salaries from time to time to any sum not exceeding one thousand dollars; and each of the said carriers shall give bond, with sureties, to be approved by the Postmaster General, for the safe custody and delivery of all letters, packets, and moneys received by him.

July, 1864, § 14.
13 Stat. 339.
Salaries of letter-carriers.
When to be increased.
Bonds.

SEC. 212. All expenses for the letter-carriers, branch offices, and receiving boxes, or incident thereto, shall be entered and reported in a separate account from the ordinary postal expenses of such post office, and shall be shown in comparison with the proceeds of the postages on local mail matter at each office, in order that the Postmaster General may be guided in the expenditures for that branch of the postal service by income derived therefrom.

Ibid, § 15.
Payment of expenses.

CHAPTER XI.

MAILABLE MATTER.*

3 Mar., 1825, § 13.
4 Stat. 105.

Weight of mail
matter.

Memoranda on
newspapers.

Ibid, § 30.

How newspa-
pers to be put up.

Newspapers, &c.,
may be carried
out of the mail.

SEC. 213. 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. (a) Any memorandum (b) which shall be written on a newspaper or other printed paper, pamphlet, or magazine, and transmitted by mail, shall be charged with letter postage. (c)

SEC. 214. No newspapers shall be received by the postmasters, to be conveyed by the 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 indorsed, 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.

3 Mar., 1845, § 15.
5 Stat. 737.

What to be
deemed mailable
matter.

Not to be made
up in packets, ex-
cept books, &c.,
not intended for
distribution.

SEC. 215. "Mailable matter," and "matter properly transmittible 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, on 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 anything herein be construed to interfere with the right of any

* See Chapter XVI, Postage Stamps.

(a) The second section of the act 30 August, 1852, (10 Stat. 38,) makes books, bound or unbound, not weighing over four pounds, mailable matter.

(b) An initial letter on the envelope is not such memorandum. *Teal vs. Felton*, 12 Howard, 284. 1 Comstock, 537. And trover may be maintained in State courts for retaining such newspaper. *Ibid*.

(c) A paper folded in the form of a letter, not sealed, containing an order for merchandise, is "mailable matter," within the meaning of the 10th section of the act of March 3, 1845, (5 Stat. 736,) and the carriage of such a letter subjects the master of a steamboat running regularly on a mail route to a penalty. *United States vs. Bromley*, 12 Howard, 88.

traveller to have and take with him or her, for his or her own use, any book, pamphlet, magazine, or newspaper. (a)

SEC. 216. 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. (b)

3 Mar., 1845. § 16.
5 Stat. 737.

What to be deemed newspapers.

SEC. 217. It shall not be lawful to deposit in any post office, to be conveyed in the mail, two or more letters directed to different persons enclosed in the same envelope or packet; and every person so offending shall forfeit the sum of ten dollars, to be recovered by action *qui tam*, one half for the use of the informer, and the other half for the use of the Post Office Department: *Provided*, That this prohibition shall not apply to any letter or packet directed to any foreign country; and all newspapers conveyed in the mail shall be subject to postage, except those sent by way of exchange between the publishers of newspapers, and except those franked by persons enjoying the franking privilege: * * * and it shall be lawful for any contractor, or mail-carrier, to transport newspapers out of the mail for sale or distribution to subscribers.

3 Mar., 1847, § 13.
9 Stat. 201.

Letters to different persons not to be enclosed in one envelope.

Conveyance of newspapers out of the mail.

SEC. 218. Maps, engravings, lithographs, or photographic prints, on rollers or in paper covers; books, bound or unbound, phonographic paper, and letter envelopes, shall be deemed mailable matter, and charged with postage by the weight of the package, not in any case to exceed four pounds, at the rate of one cent an ounce, or fraction of an ounce, to any place in the United States under fifteen hundred miles, and at the rate of two cents an ounce, or fraction of an ounce, over fifteen hundred miles, to be prepaid by postage stamps.

27 Feb., 1861. § 12.
12 Stat. 169.

Maps, engravings, &c., to be mailable matter.

SEC. 219. Cards, blank or printed, blanks in packages weighing at least eight ounces, and seeds or cuttings in packages not exceeding eight ounces in weight, shall also be deemed mailable matter, and charged with postage at the rate of one cent an ounce, or fraction of an ounce, to any place in the United States under fifteen hundred miles, and at the rate of two cents an ounce, or fraction of an ounce, over fifteen hundred miles, to be prepaid by postage stamps.

Ibid, § 13.

Cards, blanks, seeds, and cuttings.

SEC. 220. No postmaster shall receive, to be conveyed by the mail, any packet or package which shall weigh more than four pounds, except books published or circulated by order of Congress.

3 Mar., 1863. § 16.
12 Stat. 704.

Weight of mailable matter.

SEC. 221. Mailable matter shall be divided into three classes, namely: first, letters; second, regular printed matter; third, miscellaneous matter.

Ibid, § 19.

Classification.

SEC. 222. The first class embraces all correspondence, wholly or partly in writing, except that mentioned in the third class. The second class embraces all mailable matter exclusively in print, and regularly issued at stated periods, without addition by writing, mark, or sign. The third class embraces all other matter which is or may hereafter be by law declared mailable; embracing all pamphlets, occasional publications, books, book manuscripts, and proof-sheets, whether corrected or not, maps, prints, engravings, blanks, flexible patterns, samples and sample cards, phonographic paper, letter envelopes, postal envelopes or wrappers, cards, paper, plain or ornamental, photographic representations of different types, seeds, cuttings, bulbs, roots, and scions.

Ibid, § 20.

Enumeration of classes.

(a) See below, § 220.

(b) According to the usage of the commercial world, a newspaper is defined to be a publication in numbers, consisting commonly of single sheets, and published at short and stated intervals, conveying intelligence of passing events. The stamp act (1 Geo. IV, c. 9) declared all periodical pamphlets or papers, published at intervals not exceeding two days, containing public news, intelligence, or occurrences, or any remarks thereon, and not containing more than two sheets, published for less than sixpence, to be newspapers. The only indispensable requisites of a newspaper in this country are that it be published for everybody's use, in numbers, conveying news, in sheets, in a cheap form. 4 Opin. 10.

22 Jan., 1864, § 1. SEC. 223. Articles of clothing being manufactured of wool, cotton, or
 13 Stat. 2. linen, and comprised in a package not exceeding two pounds in weight, addressed to any non-commissioned officer or private serving in the armies of the United States, may be transmitted in the mails of the United States at the rate of eight cents, to be in all cases prepaid, for every four ounces, or any fraction thereof, subject to such regulations as the Postmaster General may prescribe.

When clothing, &c., to be mailable matter.

3 Mar., 1865, § 16. SEC. 224. No obscene book, pamphlet, picture, print, or other publication
 13 Stat. 507. of a vulgar and indecent character shall be admitted into the mails of the United States. Any person or persons who shall deposit, or cause to be deposited, in any post office or branch post office of the United States, for mailing or for delivery, an obscene book, pamphlet, picture, print, or other publication, knowing the same to be of a vulgar and indecent character, shall be deemed guilty of a misdemeanor, and, being duly convicted thereof, shall, for every such offence, be fined not more than five hundred dollars, or imprisoned not more than one year, or both, according to the circumstances and aggravations of the offence.

Obscene publications not to be admitted in the mail.

CHAPTER XII.

RATES OF POSTAGE.*

SEC. 225. 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. Any memorandum^(a) which shall be written on a newspaper or other printed paper, pamphlet, or magazine, and transmitted by mail, shall be charged with letter postage.

3 Mar., 1825, § 13.
4 Stat. 105.
Evidence of law-
ful postage.

SEC. 226. 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.

Ibid, § 20.
Duty of carriers,
&c., to receive and
deliver letters.

SEC. 227. 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.

2 July, 1836, § 39.
5 Stat. 88.
Postage on let-
ters sent by ex-
press mail.

SEC. 228. The Postmaster General, under the direction of the President of the United States, is hereby authorized and empowered to charge upon, and collect from, all letters and other mailable matter carried to or from any port of the United States, in any foreign packet ship or other vessel, the same rate or rates of charge for American postage which the government to which such foreign packet or other vessel belongs imposes upon letters and other mailable matter conveyed to or from such foreign country in American packets or other vessels as the postage of such government, and at any time to revoke the same; and it shall be the duty of all custom-house officers and other United States agents designated or appointed for that purpose to enforce or carry into effect the foregoing provision, and to aid or assist in the collection of such postage; and to that end it shall be lawful for such officers and agents, on suspicion of fraud, to open and examine, in the presence of two or more respectable persons, being citizens of the United States, any package or packages supposed to contain mailable matter found on board such packets or other vessels or elsewhere, and to prevent, if necessary, such packets or other vessels from entering, breaking bulk, or making clearance, until such letters or other mailable matter are duly delivered into the United States post office.

27 June, 1848, § 1.
9 Stat. 241.
Reciprocal post-
age rates to be
charged on letters
carried in foreign
vessels.
Duties of custom-
house officers.

* See above, Chap. X.

(a) See below, §§ 244 and 253.

- 3 March, 1849, § 1.
9 Stat. 379. SEC. 229. The better to enable the postal treaty with Great Britain to go into full effect, with equal advantage to both countries, letters shall be mailed as composing one rate only where the letter does not exceed the weight of a half ounce avoirdupois; where it exceeds a half ounce but does not exceed an ounce, as composing two rates; where it exceeds an ounce but does not exceed two ounces, as composing four rates; where it exceeds two ounces but does not exceed three ounces, as composing six rates; where it exceeds three ounces but does not exceed four ounces, as composing eight rates; and in like progression for each additional ounce or fraction of an ounce, and each rate shall be subject to the full postage charged; and letters refused or which cannot be delivered may be immediately returned to the Dead Letter office, and newspapers not sent from the office of publication shall be charged with the same postage as other papers, to be prepaid.
- 3 March, 1851, § 2.
9 Stat. 589. SEC. 230. The Postmaster General, by and with the advice and consent of the President of the United States, shall be, and he hereby is, authorized to reduce or enlarge, from time to time, the rates of postage upon all letters and other mailable matter conveyed between the United States and any foreign country, for the purpose of making better postal arrangements with other governments, or counteracting any adverse measures affecting our postal intercourse with foreign countries.
- 2 January, 1857.
11 Stat. 153. SEC. 231. The provision in the act approved August thirty, eighteen hundred and fifty-two, entitled "An act to amend the act entitled 'An act to reduce and modify the rates of postage in the United States, and for other purposes,' passed March three, eighteen hundred and fifty-one," permitting transient printed matter to be sent through the mail of the United States without prepayment of postage, is hereby repealed; and the postage on all such transient matter shall be prepaid by stamps or otherwise, as the Postmaster General may direct. (a)
- 15 June, 1860, § 1.
12 Stat. 38. SEC. 232. Where packages of newspapers or periodicals are received at any post office, directed to one address, and the names of the club of subscribers to which they belong, with the postage for a quarter in advance, shall be handed to the postmaster, he shall deliver the same to their respective owners.
- Ibid, § 2. SEC. 233. From and after the thirtieth of June, eighteen hundred and sixty, the charge for delivery of letters by carriers shall be not exceeding one cent each. Delivery of letters by carriers at one cent each. the whole of which shall be paid to them for their services; and the Postmaster General may establish boxes for the delivery of letters at the outside stations in the suburbs of cities, provided it can be done without loss to the department or injury to the service; and any net revenue derived from the rent of said boxes may be applied by him towards the payment of the expense of collecting letters, or towards the increase of the carriers' fund, as he may deem just or equitable. (b)
- 27 Feb., 1861, § 9.
12 Stat. 168. SEC. 234. 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 five 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: *Provided*, That upon all letters or packets conveyed in whole or in part by steamers or steamships over any route upon which, or between ports or places between which, the mail is regularly conveyed in other vessels under contract with the Post Office Department, the same charge shall be levied, with the addition of two cents a letter or packet, as would have been levied if such letter or packet had been transmitted regularly through the mail.
- Ibid, § 11. SEC. 235. It shall be lawful for persons known as regular dealers in newspapers and periodicals to receive by mail such quantities of either as they may require, and to pay the postage thereon, as they may be received, at the same rates as regular subscribers to such publications: *Provided*, That the Postmaster General be authorized to establish a daily or semi-daily delivery of letters and newspapers by carriers, throughout a circuit of nine miles from the city hall in the city of New York, under the supervision of the postmaster of New York, whenever, in his judgment, the revenue from such service shall defray the expenses thereof.
- Newspaper dealers to receive by mail.
Carriers in New York.

(a) See below, § 250.

(b) See §§ 231 and 239.

SEC. 236. All letters written by soldiers in the service of the United States may be transmitted through the mails without prepayment of postage, under such regulations as the Post Office Department may prescribe, the postage thereon to be paid by the recipients.

22 July, 1861, § 11.
12 Stat. 270.
Postage on soldiers' letters need not be prepaid.

SEC. 237. All prepaid letters to soldiers in any regiment in the service of the United States, and directed to them at a point where they have been stationed, may be forwarded, whenever practicable, to any other point to which they may have been ordered, without further charge thereon.

24 July, 1861, § 1.
12 Stat. 272.
Prepaid letters to be forwarded to soldiers.

SEC. 238. The provisions of the act of July twenty-second, eighteen hundred and sixty-one, authorizing soldiers to send letters through the mails of the United States without prepayment of postage, is hereby extended to the sailors and marines in the actual service of the United States, under such regulations as the Post Office Department shall provide, the postage thereon to be paid by the recipients.

21 Jan., 1862, § 1.
12 Stat. 332.
Letters sent by sailors and marines need not be prepaid.

SEC. 239. The Postmaster General is hereby authorized to charge one cent in addition to the regular postage for every letter deposited in any branch post office, to be forwarded by mail from the principal office, and which shall be prepaid by stamp, and one cent for every letter delivered at such branch office, to be paid on delivery: *Provided*, That no letter shall be sent from the principal office to such branch office for delivery, contrary to the request of the party to whom the same may be addressed: *And provided*, The expense of such branch service shall not exceed the receipts on account thereof.

16 April, 1862, § 1.
12 Stat. 379.
Postage on letters in branch offices.

SEC. 240. No mail matter shall be delivered by the postmaster until the postage due thereon shall have been paid; and no box at any post office shall be assigned to the use of any person until the rent therefor has been paid for at least one quarter, for which the postmaster shall give a receipt, and keep a record thereof in his office, which record shall be delivered to his successor.

3 March, 1863, § 3.
12 Stat. 792.
Payment of postage and box rent.

SEC. 241. The maximum standard weight for the single rate of letter postage is one-half ounce avoirdupois.

Ibid, § 21.
Single postage weight.

SEC. 242. The rate of postage on all domestic letters transmitted in the mails of the United States, and not exceeding one-half ounce in weight, shall be uniform at three cents; and for each half ounce, or fraction thereof, of additional weight, there shall be charged an additional rate of three cents, to be in all cases prepaid by postage stamps plainly affixed to such letter.

Ibid, § 22.
Rates of domestic letters.

SEC. 243. The rate of postage on all letters not transmitted through the mails of the United States, but delivered through the post office or its carriers, commonly described as local or drop letters, and not exceeding one-half ounce in weight, shall be uniform at two cents, and an additional rate for each half ounce, or fraction thereof, of additional weight, to be in all cases prepaid by postage stamps affixed to the envelope of such letter; but no extra postage or carrier's fee shall hereafter be charged or collected upon letters delivered by carriers, nor upon letters collected by them for mailing or for delivery.

Ibid, § 23.
Drop letters.

SEC. 244. The domestic letter rate of postage is established for allailable matter which is wholly or partly in writing, or is so marked as to convey any other or further intelligence or information than is conveyed by the original print in case of printed matter, or which is sent in violation of law or regulations of the department touching the enclosure of matter which may be sent at less than letter rates, and for all matter introduced into the mails for which no different rate is provided by law: *Provided*, That book manuscripts and corrected proofs passing between authors and publishers may pass at the rate of printed matter: *And provided, further*, That publishers of newspapers and periodicals may print or write upon their publications sent to regular subscribers the address of subscribers and the date when the subscription expires, and may enclose therewith receipts for payment and bills for subscription thereto. (a)

Ibid § 24.
What to be charged as letter postage.
MSS. and proofs.
Address and subscription bills.

SEC. 245. On all matter not enumerated asailable matter, and to which no specific rates of postage are assigned, and which shall nevertheless be mailed, the rate, if the same shall be forwarded, is established at the rate of letter postage.

Ibid, § 25.
Matter not enumerated above to pay letter postage.

(a) See above, § 225, and below, § 253.

3 Mar., 1863. § 27. SEC. 246. The Postmaster General is authorized to provide by uniform regulation for transmitting unpaid and duly certified letters of soldiers, sailors, and marines in the service of the United States to destination.
12 Stat. 705.
Soldiers' letters.

Ibid. § 29. SEC. 247. The postage on returned dead letters not registered as valuable shall be three cents for the single rate; on returned dead letters registered as valuable, double rates shall be charged.
Rates on re- turned dead let- ters.

Ibid. § 30. SEC. 248. All letters directed to any person not found at the office ad- dressed may be forwarded to any other office where he may be found, with forwarding of letters. additional charge of postage therefor.

Ibid. § 33. SEC. 249. The maximum standard weight for the single rate of postage on matter classed as printed matter, and also on that classed as miscellaneous matter, is four ounces avoirdupois, subject to the exception in the next follow- ing section provided.
Single rate for printed matter.

Ibid. § 34. SEC. 250. The rate of postage on transient mailable matter of the second class, and also on all miscellaneous mailable matter of the third class, (ex- cept circulars and books,) shall be two cents for each four ounces, or fraction thereof, contained in any one package to one address; and such postage shall in all cases be fully prepaid by stamps, plainly affixed to the wrapper thereof. Double these rates shall be charged for books. Unsealed circulars, not ex- ceeding three in number, shall pass at the single rate of two cents, and in that proportion for a greater number, adding one rate for three circulars, or less number thereof, directed to one address. No extra postage shall be charged for a card printed or impressed upon an envelope or wrapper. These rates must in all cases be prepaid by stamps.
Transient mat- ter.

Ibid. § 35. SEC. 251. The rate of postage upon mailable matter of the second class, issued once a week or more frequently from a known office of publication, and sent to regular subscribers, shall be as follows: Upon newspapers and other periodical publications, each not exceeding the standard weight of four ounces, and passing through the mails or post offices of the United States between any points therein, the rate for each quarter of the year shall be: for publications issued once a week, five cents; issued twice a week, ten cents; issued three times a week, fifteen cents; issued six times a week, thirty cents; issued seven times a week, thirty-five cents; and in that proportion, adding one rate for each issue more frequent than once a week. For weight exceeding four ounces, and not exceeding eight ounces, an additional rate shall be charged; and on the same scale, an additional rate for each additional weight of four ounces or fraction thereof; and such postage must be prepaid for a term not less than one quarter nor more than one year at either the office of mailing or of delivery, at the option of the subscriber, of which payments a record shall be made and preserved in the post office where paid; and no such publication shall be delivered from the office until such payment is made; but the publishers of weekly newspapers may send to each actual subscriber within the county where their papers are printed and published one copy thereof free of postage.
Newspapers and periodicals.

Ibid. § 36. SEC. 252. The rate of postage upon mailable matter of the second class, issued less frequently than once a week from a known office of publication, and sent to regular subscribers, shall be as follows: Upon newspapers, maga- zines, and other periodical publications, each not exceeding the standard weight of four ounces, and passing through the mails or post offices of the United States between any points therein, the rate for each such paper or periodical shall be one cent, and an additional rate of one cent for each additional weight of four ounces or fraction thereof: *Provided*, That the Post- master General may provide by regulation for the transportation of small newspapers in packages at the same rate by the standard weight of the package when sent to one address; and the rates herein provided must be prepaid at either the office of mailing or of delivery, at the option of the sub- scriber, for a term not less than one quarter nor more than one year, except that newsdealers may pay the postage upon their packages as received at the same rates *pro rata* as yearly or semi-annual subscribers who pay postage quarterly in advance.
Periodicals is- sued less than weekly.

Ibid. § 37. SEC. 253. Publishers may enclose in their publications sent to regular subscribers the bills for subscription thereto without any additional charge for postage, and may write or print upon their publications, or upon the Subscription bills may be enclosed.

wrappers thereof, the name and address of the subscribers thereto, and the date when the subscription will expire; but any other enclosure or addition in writing or in print shall subject the same to letter postage, which shall be collected before delivery thereof. (a)

SEC. 254. The Postmaster General may from time to time provide by order 3 Mar., 1863. § 38.
13 Stat. 707.
Delivery by
route agents.

SEC. 255. The Postmaster General has authority to prescribe by regulation the manner of wrapping and securing for the mails all matter not charged with letter postage nor lawfully franked, so that the same may be conveniently examined by postmasters; and if not so wrapped and secured, the same shall be subject to letter postage. He may also provide by regulation for ascertaining by furnished lists, by affidavit or otherwise, whether publishers send or have sent their publications unpaid through the mails to other than their regular subscribers. Ibid. § 39.
Wrappers of
mail matter.
Fraudulent mailing of matter by publishers.

SEC. 256. Postmasters, at the office of delivery, are authorized, and it shall be their duty, to remove the wrappers and envelopes from printed and other matter not charged with letter postage nor lawfully franked, for the purpose of ascertaining whether there is upon, or connected with, any such printed matter or in such package any matter or thing which would authorize or require the charge of a higher rate of postage thereon. Ibid. § 40.
Postmasters may
remove wrappers.

SEC. 257. The Postmaster General may require an affidavit in form, to be prescribed by general regulation, to be taken by any publisher, or any clerk, agent, or servant of such publisher of any paper or periodical, which, by the terms of this act, may be sent to regular subscribers without prepayment of postage at the mailing office, to the effect that neither he nor any other proprietor, clerk, agent, or employé, within his knowledge, has sent, or caused or permitted to be sent, through the mails, without prepayment by postage stamps, any copies of such paper or periodical, (naming it,) except the same were sent to *bona fide* and regular subscribers thereto. And if it be ascertained that such papers or periodicals have been thus unlawfully sent, with the knowledge or consent of such proprietors, or of the agent or clerk in charge of that business; or if such affidavit, when required by the Postmaster General, or by a special agent of the Post Office Department, shall be refused, the person guilty of such offence, or refusing such oath, shall be liable to a fine of fifty dollars in each case, to be recovered by suit before any court of competent jurisdiction, one-half of which, when recovered, shall be paid to the informer. Ibid. § 41.
Affidavit of publishers.
Penalty for sending to other than subscribers.

SEC. 258. All publishers of periodicals, magazines, and newspapers which shall not exceed sixteen ounces in weight shall be allowed to interchange their publications reciprocally free of postage: *Provided*, That such interchange shall be confined to a single copy of each publication. Ibid. § 43.
Exchanges.
Limit of weight and numbers.

SEC. 259. All mailable matter which may be conveyed by mail westward beyond the western boundary of Kansas, and eastward from the eastern boundary of California, shall be subject to prepaid letter-postage rates: *Provided*, however, That this section shall not be held to extend to the transmission by mail of newspapers, [periodicals, magazines, and exchanges,] (b) from a known office of publication to bona fide subscribers, not exceeding one copy to each subscriber, nor to franked matter to and from the intermediate points between the boundaries above named, at the usual rates: *Provided, further*, That such franked matter shall be subject to such regulations as to its transmission and delivery as the Postmaster General shall prescribe. 25 Mar., 1864. § 4.
13 Stat. 36.
Postage between Kansas and California.

SEC. 260. The uniform rate of United States postage, without reference to distance, upon letters and other mailable matter addressed to or received from foreign countries, when forwarded from or received in the United States by steamships or other vessels regularly employed in the transportation of the mails, shall be as follows, viz: ten cents per single rate of half an ounce or under, on letters: two cents each on newspapers; and the established do- 1 July, 1864. § 8.
13 Stat. 337.
Rates of foreign postage.

(a) See above, §§ 225 and 244.

(b) So amended by act of 30 January, 1865. (13 Stat. 21.)

mestic rates on pamphlets, periodicals, and other articles of printed matter; which postage shall be prepaid on matter sent, and collected on matter received: *Provided, always*, That these rates shall not apply to letters or other mailable matter, addressed to or received from any foreign place or country, to and from which different rates of postage have been or shall be established by international postal convention or arrangement already concluded or hereafter to be made.

3 Mar., 1865, § 15.
13 Stat. 507.
Delivery of letters.

SEC. 261. Nothing contained in the act entitled "An act to amend the laws relating to the Post Office Department," approved March third, eighteen hundred and sixty-three, (a) shall be so construed as to repeal or modify the second section of the act entitled "An act making appropriations for the service of the Post Office Department during the fiscal year ending the thirtieth of June, eighteen hundred and sixty-one," (b) for the delivery of letters and other mail matter from post offices where the system of free delivery by carriers has not been established: *Provided, nevertheless, and it is hereby further enacted*, That the system of free delivery shall be established in every place containing a population of fifty thousand within the delivery of the office thereof, and at such other places as the Postmaster General, in his judgment, shall direct: *And provided further*, That the prepayment postage on drop letters in all places where free delivery is not established shall be one cent only.

(a) 12 Stat. 701.

(b) Approved 15 June, 1860. (12 Stat. 38.) See above, § 233.

CHAPTER XIII.

FRANKING PRIVILEGE AND FREE MAIL MATTER.

SEC. 262. 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 handwriting 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.

3 Mar., 1825, § 28.
4 Stat. 110.
Penalty for franking for others.
Exceptions.
Letters enclosed for others to be returned to the post office.
Penalty for counterfeiting frank.

SEC. 263. That [so much of the sixth section of the act to which this is supplementary as requires the Postmaster General to cause accounts of the postage that would be chargeable by the rates prescribed in said act upon all matter passing free through the mail, and that the same 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, be, and the same is hereby, repealed;](a) and that in lieu of such payment, and in compensation for such mail services as may be performed for the several departments of the government, there shall be paid to the Post Office Department, from the treasury, for each year's service the sum of two hundred thousand dollars, which is hereby appropriated for that purpose out of any unappropriated money in the treasury.(b)

3 Mar., 1847, § 12.
9 Stat. 201.
Appropriation for free mail matter.

SEC. 264. There shall be paid to the Post Office Department, in further payment and compensation for the mail service performed for the two houses of Congress and the other departments and offices of the government in the transportation of free matter, the sum of five hundred thousand dollars per year, which shall be paid quarterly out of any moneys in the treasury not otherwise appropriated.(b)

3 March, 1851, § 8.
9 Stat. 591.
Appropriation for free mail matter increased.

SEC. 264A. With a view to the cheap circulation of laws of Congress and the debates contributing to the true interpretation thereof, and to make free the communication between the representative and constituent bodies, it is enacted that, from and after the present session of Congress the Congressional Globe and Appendix, which contain the laws and the debates thereon, shall pass free through the mails so long as the same shall be published by order of Congress: *Provided*, That nothing herein shall be construed to authorize the circulation of the Daily Globe free of postage.

6 August, 1852.
10 Stat. 147.
Congressional Globe and Appendix to pass free through the mails.

SEC. 265. All books, maps, charts, or other publications entered for copyright, and which, under the act of August tenth, eighteen hundred and forty-six, are required to be deposited in the library of Congress and in the Smithsonian Institution, may be sent through the mails free of postage, under such regulations as the Postmaster General may prescribe.

3 Mar., 1855, § 5.
10 Stat. 685.
Copyright publications to Smithsonian Institution, &c.

(a) That portion between brackets [] is obsolete.
(b) The carriage, &c., of free mail matter being a "continuing service," these appropriations have been continued yearly. If not used they do not lapse into the "surplus fund." See 7 Opin. 1 and 14.

3 Mar., 1863, § 42.
12 Stat. 708.

Franking privilege conferred upon and limited to certain persons.

SEC. 265A. Authority to frank mail matter is conferred upon and limited to the following persons:

I. The President of the United States, by himself or his private secretary.

II. The Vice-President of the United States.

III. The chiefs of the several executive departments.

IV. Such principal officers, being heads of bureaus or chief clerks of each executive department, to be used only for official communications, as the Postmaster General shall by regulation prescribe.

V. Senators and representatives in the Congress of the United States, including delegates from Territories, the Secretary of the Senate and Clerk of the House of Representatives, to cover correspondence to and from them, and all printed matter issued by authority of Congress, and all speeches, proceedings, and debates in Congress, and all printed matter sent to them; their franking privilege to commence with the term for which they are elected, and to expire on the first Monday of December following such term of office.

VI. All official communications addressed to either of the executive departments of government by an officer responsible to that department: *Provided*, That in all such cases the envelope shall be marked "official," with the signature thereto of the officer writing the communication.

VII. Postmasters have also the franking privilege for their official communications to other postmasters: *Provided*, That in all such cases the envelope shall be marked "official," with the signature of the writer thereto; and for any and every such indorsement of "official" ~~illegally~~ made, the person making the same shall forfeit and pay three hundred dollars.

VIII. Petitions to either branch of Congress shall pass free in the mails.

IX. All communications addressed to any of the franking officers above described, and not excepted in the foregoing clauses, must be prepaid by postage stamps. The franking privilege hereinbefore granted shall be limited to packages weighing not exceeding four ounces, except petitions to Congress and congressional or executive documents, and such publications or books as have or may be published, procured, or purchased by order of either house of Congress, or a joint resolution of the two houses, which shall be considered as public documents, and entitled to be franked as such; and except also seeds, cuttings, roots, and scions, the weight of the packages of which may be fixed by regulation of the Postmaster General.^(a)

Limited to packages weighing not over four ounces.

16 Mar., 1864, § 1.
13 Stat. 30.

SEC. 266. The franking privilege of the President and the Vice President of the United States shall extend to and cover all mail matter sent from or directed to either of them.

1 June, 1864, § 1.
13 Stat. 95.

Official communications.

SEC. 277. All communications relating to the official business of the department to which they are addressed, of whatever origin, addressed to the chiefs of the several executive departments of the government, or to such principal officers of each executive department, being heads of bureaus or chief clerks, or one duly authorized by the Postmaster General to frank official matter, shall be received and conveyed by mail free of postage, without being indorsed "official business," or with the name of the writer.

^(a) Section 45 of this act provides as follows: "All acts and parts of acts inconsistent with the provisions of this act are hereby repealed." This takes away the franking privilege, except in the cases enumerated in the text.

CHAPTER XIV.

REGISTRATION OF LETTERS.

SEC. 278. For the greater security of valuable letters posted for transmission in the mails of the United States, the Postmaster General is authorized to establish a uniform plan for the registration of such letters on application of parties posting the same, and to require the prepayment of the postage, as well as a registration fee of five cents on every such letter or packet, to be accounted for by postmasters receiving the same in such manner as the Postmaster General shall direct: *Provided, however*, That such registration shall not be compulsory; and it shall not render the Post Office Department or its revenue liable for the loss of such letters or packets, or the contents thereof.

3 March, 1855, § 3.
10 Stat. 642.
Registration of
valuable letters.

SEC. 279. For the greater security of valuable letters posted for transmission in the mails of the United States, the Postmaster General is authorized to establish a uniform plan for the registration of such letters on application of parties posting the same, and to require the payment of the postage, as well as a registration fee not exceeding twenty (a) cents, on every such letter or packet, to be accounted for by postmasters receiving the same in such manner as the Postmaster General shall direct: *Provided, however*, That such registration shall not be compulsory, and it shall not render the Post Office Department or its revenue liable for the loss of such letters or packets, or the contents thereof; and provision shall be made by regulation for a return receipt to the writer, showing to whom and when such registered letter was delivered, which receipt shall be received in the courts as *prima facie* evidence of such delivery.

3 Mar., 1863, § 32.
12 Stat. 706.
Postages and
fees on registered
letters.
Department not
liable for the con-
tents.

(a) Under existing treaty stipulations, valuable letters for Germany, or any part of the German-Austrian Postal Union, by Bremen or Hamburg line *via* New York, or by the Prussian closed mail *via* New York and Boston, as also letters addressed to Great Britain and Canada, may be registered on the payment, besides postage, of a fee of twenty cents on each letter to Great Britain and Ireland, and five cents on each letter to either of the other places above mentioned.

CHAPTER XV.

DEAD, UNCLAIMED, AND REQUEST LETTERS.

- 3 Mar., 1845, § 18. SEC. 280. In case of question or dispute as to the amount of circulation of any papers, the editors of which may desire this advertising, [of unclaimed letters,] it shall be the duty of the postmaster to receive evidence and decide upon the fact.
5 Stat. 738.
Evidence of circulation of newspapers.
- 6 April, 1860, § 1. SEC. 281. When any person shall indorse on any letter his or her name and place of residence, as writer thereof, the same, after remaining uncalled for at the office to which it is directed thirty days, or the time the writer may direct, shall be returned by mail to said writer; and no such letters shall be advertised, nor shall the same be treated as dead letters until so returned to the post office of the writer, and there remain[ing] uncalled for one quarter.
12 Stat. 11.
Letters indorsed with writer's address not to be advertised.
- 27 Feb., 1861, § 6. SEC. 282. Letters which have been advertised under existing laws (vide section twenty-six, act of March three, eighteen hundred and twenty-five, and section five, act of March three, eighteen hundred and fifty-one) shall be returned to the Post Office Department as dead letters if unclaimed two months after the date of the advertisement: (a) *Provided*, [That] letters at seaports intended for persons on board of certain designated vessels expected to arrive, and letters specially marked to be retained a longer period, shall be excepted from the operation of this act: *And provided further*, That said letters shall be returned under regulations to be prescribed by the Postmaster General.
12 Stat. 168.
When unclaimed letters to be sent to Dead Letter office.
- 2 March, 1861, § 2. SEC. 283. The third section of the act making provision for the postal service in California, Oregon, and Washington, approved July twenty-seven, eighteen hundred and fifty-four, [10 Stat. 313,] is hereby repealed; and all dead letters which may accumulate in the post offices in said States and Territory, after thirtieth June next, shall be returned to the General Post Office Department at Washington, under such regulations as the Postmaster General may prescribe.
12 Stat. 205.
Dead letters from Pacific coast to be returned to Washington.
- 21 Jan., 1862, § 1. SEC. 284. The Postmaster General is authorized to return all dead letters, except those containing circulars and other worthless matter, to their writers whenever their names can be ascertained.
12 Stat. 332.
Dead letters to be returned.
- 3 March, 1863, § 7. SEC. 285. The Postmaster General is hereby authorized to regulate the periods during which undelivered letters shall remain in any post office, and the times such letters shall be returned to the Dead Letter office, and to make regulations for their return to the writers from the Dead Letter office, when he is satisfied they cannot be delivered to the parties addressed. He is authorized also to order the publication of the list of non-delivered letters at any post office, in his discretion, by writing, posted in a public place or places, or in any daily or weekly newspaper regularly published within the post office delivery having the largest circulation within such delivery; and where no daily paper is published within the post office delivery, such list may be published in any daily newspaper of an adjoining delivery having the largest circulation within the delivery of the post office publishing [the] list; but in no case shall compensation for such publication be allowed at a rate exceeding one cent for each letter so advertised; and no such publication shall be required except where the Postmaster General shall decide that the public
12 Stat. 702.
Postmaster General to make regulations as to returning and advertising unclaimed letters.
Advertising.

(a) The sections here referred to have been supplied by subsequent legislation. See below, §§ 283 and 293.

interest requires it: *Provided*, That letters addressed to parties foreign-born may be published in a journal of the language most used by the parties addressed, if such be published in the same or an adjoining delivery. (a)

SEC. 286. The Postmaster General may provide by regulation for the disposition, for the benefit of the department, of printed matter which remains in any post office, or in the department, not called for by the party addressed; but the postmaster shall notify the publisher of any newspaper or periodical of the fact when any subscriber shall refuse to take the same from the office, or shall neglect to call for the same for the period of one month, which notice may be sent free under regulation to be provided by the Postmaster General.

3 March, 1863, § 9.
12 Stat. 703.

Disposition of unclaimed printed matter.

SEC. 287. The action of the Post Office Department respecting foreign dead letters shall be subject to conventional stipulations with the respective foreign administrations.

Ibid, § 10.

Foreign dead letters.

SEC. 288. When any writer of a letter on which the postage is prepaid shall indorse in writing or in print upon the outside thereof his name and address, with a request that the same be returned to him if not called for or delivered within any number of days, (not to exceed thirty days,) any such letter shall not be advertised nor treated as a dead letter at the office addressed, but shall be returned as requested, charged with the proper postage at the prepaid rate, to be collected on the return delivery; and if not then delivered, shall be treated as a dead letter. (b) [And when any letter bearing a request for its return to the writer, in case of its non-delivery, shall have been so returned to the office at which it was originally mailed, then, and in that case, it shall be obligatory upon the person to whom such letter has been returned to receive the same, and to pay therefor the postage specified by this section; and in default of said writer to receive and pay for the letter so returned, he shall be subject to a penalty of ten dollars, to be recovered in any court of competent jurisdiction.]

Ibid, § 28.

Return of letters when requested by the writers.

Penalty in case of refusal to receive them.

SEC. 289. The postage on returned dead letters, not registered as valuable, shall be three cents for the single rate; on returned dead letters registered as valuable, double rates shall be charged.

Ibid, § 29.

Returned dead letters.

SEC. 290. All letters directed to any person not found at the office addressed may be forwarded to any other office where he may be found, with additional charge of postage therefor.

Ibid, § 30.

Forwarding of letters.

SEC. 291. Dead letters containing valuable enclosures shall be registered in the department; and when it appears that they can neither be delivered to their address nor to the writers, the contents thereof, so far as available, shall be used to promote the efficiency of the Dead Letter office, according to the provisions of the seventh section of the act approved February twenty-seventh, eighteen hundred and sixty-one, entitled "An act to establish certain post routes;" and the amount thereof shall be shown in the annual report, and shall be subject to reclamation by either the party addressed or by the sender for four years from registry thereof, careful account being kept of the same. All other letters deemed of value or of importance to the party addressed or to the writer, and which it appears cannot be returned to either destination, shall be disposed of as the Postmaster General shall direct. (c)

1 July, 1864, § 13.
13 Stat. 339.

Dead letters with valuable enclosures; how disposed of.

SEC. 292. All domestic letters, except letters lawfully franked and duly certified letters of soldiers and mariners in the service of the United States, which are deposited for mailing in any post office of the United States, on which the postage is unpaid, shall be sent by the postmaster to the Dead Letter office in Washington; and all letters deposited for mailing, paid only in part, shall be forwarded to destination, charged with the unpaid rate, to be collected on delivery.

3 March, 1863, § 1.
13 Stat. 504.

What letters to be sent to the Dead Letter office.

SEC. 293. The seventh section of the act entitled "An act to amend the laws relating to the Post Office Department," approved March third, eighteen hundred and sixty-three, is hereby amended so as to authorize the Postmaster General to allow for the publication, in newspapers, of the list of non-deliv-

Ibid, § 4.

Compensation for advertising unclaimed letters.

(a) See below, § 293.

(b) So amended by act 1 July, 1864, § 10, (13 Stat. 337.)

(c) See below, §§ 294 and 295.

cred letters at any post office, compensation at a rate not to exceed two cents for each letter so advertised.(a)

27 Feb., 1861, § 7.
12 Stat. 168.

SEC. 294. The unclaimed money from dead letters, now appropriated to the use of the department under section twenty-six, act of March three, eighteen hundred and twenty-five, may be exclusively applied in future to promote the efficiency of the Dead Letter office, by providing for a more careful examination of letters and the return of a larger number to the writers, (whether with or without valuable enclosures:) *Provided*, That said officer shall make a detailed report of his proceedings to Congress during the next session thereof.

3 March, 1865, § 5.
13 Stat. 516.

SEC. 295. Unclaimed money in dead letters for which no owner can be found, and also all money derived from sales of waste paper or other public property in post offices or the Post Office Department, shall be deposited in the treasury of the United States, under the direction of the Postmaster General, for the service of the Post Office Department; and any postmaster or clerk in a post office, or any other clerk, officer, or agent of the Post Office Department, having temporary custody of such money, and wilfully neglecting to deposit the same as herein provided, shall be deemed to be guilty of felony, and be subject to a fine not exceeding double the sum so retained by such clerk or other agents as aforesaid, or imprisonment not exceeding three years, or both, at the discretion of the court.(b)

(a) See above, § 285.

(b) By the act of 24 May, 1858, (11 Stat. 293,) the cost of arranging and disposing of waste paper was paid out of the proceeds of the sale thereof.

CHAPTER XVI.

POSTAGE STAMPS.

SEC. 296. If any person or persons shall forge or counterfeit, or shall utter 3 March, 1845, § 5-5 Stat. 749. or use knowingly any counterfeit stamp of the Post Office Department of the United States issued by authority of this act or by any other act of Congress, within the United States, or the post office stamp of any foreign government, he shall be adjudged guilty of felony, and, on conviction thereof in any court having jurisdiction of the same, shall undergo a confinement at hard labor for any length of time not less than two years nor more than ten, at the discretion of the court. (a)

SEC. 297. To facilitate the transportation of letters in the mail, the Postmaster General is authorized to prepare postage stamps, which, when attached to any letter or packet, shall be evidence of the payment of the postage chargeable on such letter, which said stamps the Postmaster General may deliver to any deputy postmaster who may apply for the same, the deputy postmaster paying or becoming accountable for the amount of the stamps so received by him, and if any of said stamps shall not be used, but be returned to the General Post Office, the amount so returned shall be credited to such deputy postmaster; and such deputy postmaster may sell or dispose of any stamps so received by him to any person who may wish to use the same; but it shall not be lawful for any deputy postmaster to prepare, use, or dispose of any postage stamps not authorized by and received from the Postmaster General; and any person who shall falsely and fraudulently make, utter, or forge any postage stamp with the intent to defraud the Post Office Department, shall be deemed guilty of felony, and on conviction shall be subject to the same punishment as is provided in the twenty-first section of the act approved the third day of March, eighteen hundred and twenty-five, entitled "An act to reduce into one the several acts establishing and regulating the Post Office Department." 3 Mar., 1847, § 11. 9 Stat. 201.

SEC. 298. It shall be the duty of the Postmaster General to provide and furnish to all deputy postmasters, and to all other persons applying and paying therefor, suitable postage stamps, of the denomination of three cents and of such other denominations as he may think expedient, to facilitate the prepayment of the postages provided for in this act; and any person who shall forge or counterfeit any postage stamp provided or furnished under the provisions of this or any former act, whether the same are impressed or printed on or attached to envelopes or not, or any die, plate, or engraving therefor, or shall make or print, or knowingly use or sell, or have in his possession with intent to use or sell, any such false, forged, or counterfeited die, plate, engraving, or postage stamp, or who shall make or print, or authorize or procure to be made or printed, any postage stamps of the kind provided and furnished by the Postmaster General as aforesaid, without the especial authority and direction of the Post Office Department, or who, after such postage stamps have been printed, shall, with intent to defraud the revenues of the Post Office Department, deliver any postage stamps to any person or persons other than such as shall be authorized to receive the same by an instrument of writing duly executed under the hand of the Postmaster Gen- 3 March, 1851, § 3. 9 Stat. 589.

(a) The issue of postage stamps is not authorized by this act, and the penalty can only attach to the counterfeiting or forging of stamps issued under subsequent acts of Congress.

eral and the seal of the Post Office Department, shall, on conviction thereof, be deemed guilty of felony, and be punished by a fine not exceeding five hundred dollars, or by imprisonment not exceeding five years, or by both such fine and imprisonment; and the expenses of procuring and providing all such postage stamps and letter envelopes as are provided for or authorized by this act shall be paid, after being adjusted by the Auditor of the Post Office Department, on the certificate of the Postmaster General, out of any money in the treasury arising from the revenues of the Post Office Department.

Expenses, how paid.

3 March, 1851, § 4.
9 Stat. 589.

Stamps used to be defaced.

Penalty for second use of stamp.

SEC. 299. It shall be the duty of every postmaster to cause to be defaced, in such manner as the Postmaster General shall direct, all postage stamps attached to letters deposited in his office for delivery or to be sent by mail; and if any postmaster, sending letters in the mail with postage stamps attached, shall omit to deface the same, it shall be the duty of the postmaster to whose office such letters shall be sent for delivery to deface the stamps and report the delinquent postmaster to the Postmaster General. And if any person shall use or attempt to use, in prepayment of postage, any postage stamp which shall have been before used for like purposes, such person shall be subject to a penalty of fifty dollars for every such offence, to be recovered in the name of the United States, in any court of competent jurisdiction.

31 Aug., 1852, § 8.
10 Stat. 141.

Stamped envelopes to be furnished.

Letters in stamped envelopes may be carried out of the mail.

SEC. 300. The Postmaster General is authorized to provide and furnish to all postmasters and other persons applying and paying therefor, suitable letter envelopes, with such water-marks or other guards against counterfeits as he may deem expedient, and with one or more suitable postage stamps, with such device and of such denominations and value as he may direct, printed or impressed thereon; which envelopes shall be sold at the cost of procuring and furnishing the same, as near as may be, with the addition of the value or denomination of the postage stamps so printed or impressed thereon or attached thereto, as aforesaid; and letters, when enclosed in such envelope, with postage stamps printed or impressed thereon, (the postage stamp or stamps in every such case being of the value, denomination, or amount required to prepay the postage which would be chargeable on such letters and envelopes if sent by mail to the place of their destination under the provisions of the laws then in force, and such stamps and envelopes not having been used before,) shall pass in the mails as prepaid letters; and all letters enclosed in such envelopes as shall be provided and furnished by the Postmaster General, as first in this section prescribed, and with postage stamps thereon as aforesaid, (and such postage stamps on such envelopes being equal in value and amount to the rates of postage to which such letters would be liable if sent by mail, and such postage stamps and envelopes not having been before used,) may be sent, conveyed, and delivered otherwise than by post or mail (a) notwithstanding any prohibition thereof under any existing law: *Provided*, That the said envelope shall be duly sealed, or otherwise firmly and securely closed, so that such letter cannot be taken therefrom without tearing or destroying such envelope, and the same duly directed and addressed, and the date of such letter, or the receipt or transmission thereof to be written or stamped, or otherwise appear on such envelope.

3 March, 1853, § 7.
10 Stat. 256.

Forging stamps on envelopes, dies, plates, &c.

SEC. 301. Any person who shall forge or counterfeit any postage stamp printed or impressed upon any letter envelope authorized by the eighth section of an act entitled "An act to establish certain post roads, and for other purposes," approved August thirty-first, eighteen hundred and fifty-two, or by any other act, or who shall counterfeit any die, plate, or engraving therefor, or who shall make or print, or knowingly use or sell, or have in his possession with intent to use or sell, any such false, forged, or counterfeited die, plate, engraving, or stamped envelope, or who shall make or knowingly use or sell, or have in his possession with intent to use or sell, any paper bearing the water-mark of such letter envelopes, or any fraudulent imitation thereof, or who shall make or print, or authorize or procure to be made or printed, any stamped or printed letter envelope of the kind provided by the Postmaster General under the authority aforesaid, without the especial direction of the Post Office Department, or who, after such letter envelopes have been prepared or printed, shall, with intent to defraud the revenues of the Post Office Department, deliver any such letter envelopes to any person or persons other than such as shall be authorized to receive the same by in

(a) The operation of this provision may be suspended by the Postmaster General. See above, § 201. This section is also made applicable to letter-carrier routes. See above, § 207.

strument of writing, duly executed under the hand of the Postmaster General and the seal of the Post Office Department, shall, on conviction thereof, be deemed guilty of felony, and be punished by a fine not exceeding five hundred dollars, or by imprisonment not exceeding five years, or by both such fine and imprisonment.

SEC. 302. It shall be the duty of every postmaster to cause to be defaced, in such manner as the Postmaster General may direct, all letter envelopes with postage stamps thereon, which may be deposited in his office for conveyance in the mail; and if any postmaster sending such envelopes in the mail shall omit to deface the same, it shall be the duty of the postmaster to whose office such envelopes shall be sent for delivery to deface them, and report the delinquent postmaster to the Postmaster General. And if any person shall use, or attempt to use, for the conveyance of any letter or other mailable matter or thing, over any post road of the United States, either by mail or otherwise, any such stamped letter envelope which has been before used for a like purpose, such person shall be liable to a penalty of fifty dollars, to be recovered, in the name of the United States, in any court having competent jurisdiction.

3 March, 1853, § 8.
10 Stat. 256.

Envelopes to be defaced when used.

Penalty for using a second time.

SEC. 303. It shall not be lawful for any postmaster or other person to sell any postage stamp or stamped envelope for any larger sum than that indicated upon the face of such postage stamp, or for a larger sum than that charged therefor by the Post Office Department; and any person who shall violate this provision shall be deemed guilty of a misdemeanor, and on conviction thereof shall be fined in any sum not less than ten nor more than five hundred dollars. This act to take effect, and be in force from and after the commencement of the next fiscal quarter after its passage.

3 March, 1855, § 2.
10 Stat. 642.

Penalty for selling stamps at advanced rates.

SEC. 304. The Postmaster General is hereby authorized to procure and furnish letter-sheets with postage stamps impressed thereon, (combining in one both a sheet and envelope,) and to adopt such other improvements as may be deemed advisable, from time to time, in connexion with postage stamps or stamped envelopes for letters or newspapers, subject to the provision that such stamps or envelopes shall be sold at the cost of procuring and furnishing the same as near as may be, and to all other provisions of the eighth section of an act of Congress entitled "An act to establish certain post roads, and for other purposes," approved August thirty-first, eighteen hundred and fifty-two.

27 Feb., 1861, § 2.
12 Stat. 167.

Stamped letter sheets.

SEC. 305. The post officer in charge of the [a] branch office may also be a depository for the sale of stamps, to be delivered to him for that purpose by the postmaster of that postal district, in sums not at any time to exceed one-half of the penalty of his bond.

3 Mar., 1863, § 18.
12 Stat. 703.

Sale of stamps at branch offices.

SEC. 306. In all cases where loyal postmasters have been robbed by confederate forces or rebel guerillas of post office stamps, stamped envelopes, or of money received and collected for, belonging to, and held for the government of the United States, and where such robbery has not been caused by the default or negligence of the postmaster, the Postmaster General is authorized to credit such postmaster, in the settlement of his accounts, with the amount of which he may have been so robbed. And in cases where no such credit has been allowed, and the postmaster has been required to and has accounted for and paid over to the Post Office Department the sum or sums of which he may have been so robbed as aforesaid, the Postmaster General is authorized to refund the same to such postmaster.

22 April, 1864, § 1.
13 Stat. 62.

Relief of postmasters robbed by guerillas, &c.

SEC. 307. The Postmaster General is authorized to sell, or cause to be sold to individuals, corporations, and business firms, postage stamps, in quantities of not less than one hundred dollars in value, at a discount not exceeding five per centum from the face value of such stamps, and to sell, or cause to be sold, stamped envelopes, in packages containing not less than five hundred envelopes, at a discount not exceeding five per centum from the current prices thereof when sold in less quantities.

1 July, 1864, § 9.
13 Stat. 337.

Sale of postage stamps at a discount.

SEC. 308. The provisions of the act entitled "An act for the relief of postmasters who have been robbed by confederate forces or rebel guerillas," approved April twenty-nine, eighteen hundred and sixty-four, are hereby extended to cases of loyal postmasters, where, by reason of the presence of armed forces, a post office is destroyed and the postmaster loses the fixtures and furniture or postage stamps and stamped envelopes; and also to cases where such losses are occasioned by armed forces other than those of the so-called Confederate States.

3 March, 1865, § 2.
13 Stat. 505.

Relief of postmasters robbed by armed forces.

CHAPTER XVII.

CRIMES AND OFFENCES.

3 March, 1825, § 22.
4 Stat. 108.

Robbing the
mail.

When punish-
able with death.

Attempts to rob.

Stealing letters.

SEC. 309. If any person shall rob^(a) any carrier^(b) of the mail of the United States, or other person intrusted therewith, of such mail, or of part thereof,^(c) 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 in jeopardy^(d) by the use of dangerous weapons,^(e) 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^(g) shall steal the mail, or shall steal or take from,^(h) or out of, any mail, or from, or out of, any post office,⁽ⁱ⁾ any letter or packet; or if any person shall take^(k) 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 above mentioned, 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, or 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

* See chapter XVI. for penalties in reference to postage stamps.

(a) The word "rob" is used in this section in its common law sense. *United States vs. Wilson*, Bald. 79.

(b) It is not necessary to a conviction that the carrier should have taken the oath prescribed by law. *Ibid.*

(c) To complete the offence it is not necessary that the whole mail should be taken. *Ibid.*

(d) Jeopardy, as used in this section, means a well-grounded apprehension of danger to life in case of refusal or resistance. *Ibid.*

(e) A sword or pistol in the hands of the robber when the robbery is effected is a dangerous weapon within the law, though the sword be not drawn and the pistol be not pointed. And it is not necessary to prove that the pistol was charged. It is presumed to be so until the contrary is proved. *United States vs. Wood*, 3 W. C. C. 440; *United States vs. Wilson*, Bald. 79; *United States vs. Hare*, 2 Wh. Cr. Cas. 283; *United States vs. Bernard*, *ibid.*, xlv; *United States vs. Aminihisor*, *ibid.* For form of indictment, see Whart. Prec. 1095.

(g) This section was not intended to apply to carriers of the mail; but if the accused be averred to have been the carrier of the mail, these words may be considered as descriptive of the person, and not as aggravating the offence. *United States vs. Burroughs*, 3 McLean, 409-10.

(h) This means a clandestine taking. It must be a taking with a criminal intent. *United States vs. Pearce*, 2 McLean, 14.

(i) It is not necessary that the letter stolen should have been taken from the post office building. *United States vs. Nott*, 1 McLean, 499. For form of indictment see Wharton's Precedents, 1099, &c.; see *United States vs. Tanner*, 6 McLean, 128.

(k) The stealing or taking a letter, &c., as expressed in this section means a clandestine taking, not a taking through mistake, or with an innocent intent. It must be a taking with a criminal intent. *United States vs. Pearce*, 2 McLean, 14.

business or secrets; (a) or shall secrete, embezzle, or destroy any such mail, letter, or packet, (b) 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. 310. 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, (c) he shall, upon conviction for every such offence, pay a fine not exceeding one hundred dollars; (d) 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.

3 March, 1825, § 9.
4 Stat. 104.

Penalty for obstructing the mails.

SEC. 311. 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 staple, 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.

Ibid, § 23.

Cutting or breaking mail bags with intent to steal.

SEC. 312. 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. (e)

Ibid, § 24.

Accessories.

SEC. 313. 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.

Ibid, § 25.

Convicts to be kept at hard labor.

SEC. 314. 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 handwriting 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.

Ibid, § 28.

Penalty for franking for others.

Letters enclosed for others to be returned to the post office.

Penalty for counterfeiting frank.

(a) If a letter written to a certain individual was intended for the person to whom it was directed, and also for another person, and such other person is authorized by the writer to take the letter out of the post office and read it, by so taking out the letter there is no violation of the post office law. *United States vs. Tanner*, 6 McLean, 128. It is an offence against this section to open a letter which has been in the post office before delivery to the person to whom it is directed, though the letter is not sealed, and was not at the time in the lawful custody of any person, and even though it was written by the defendant himself. Nor is it necessary that the name to which the letter was addressed should be the true name of the person for whom it was intended. *United States vs. Pond*, 2 Curt. C. C. 265.

(b) A count charging that the defendant did secrete and embezzle a certain letter is not defective. *United States vs. Sander*, 6 McLean, 598. Where a letter is delivered to an authorized agent, the letter cannot be charged with having been embezzled. Whether the alleged agency existed, the jury must determine from the evidence. *Ibid*.

(c) This is not to be so construed as to prevent the arrest of the driver of the carriage in which a mail is carried, when he is driving through a crowded city at such a rate as to endanger the safety of the inhabitants. *United States vs. Hart*, Pet. C. C. 390. 5 Opin. 554.

(d) For form of indictment see Whart. Prec. 1097.

(e) A person being indicted under this section, held, 1st, that it was necessary to aver in the indictment that the offence of robbing the mail was committed, 2d, that an averment that the defendant "did procure, advise and assist J. S. to secrete, embezzle and destroy a letter, &c.," amounted to an averment that the offence was committed by J. S.; 3d, that, being an indictment for a misdemeanor, it was sufficient, in this case, to describe the offence in the words of the statute. *United States vs. Mills*, 7 Peters, 138. This section does not extend to or embrace the offences denounced by the act of 2 March, 1827. 4 Opin. 311.

3 Mar., 1825, § 16. SEC. 315. If any postmaster, or other person authorized by the Postmaster
4 Stat. 106. 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.

Ibid., § 30. SEC. 316. 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 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, (a) 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.

Ibid., § 45. SEC. 317. 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 (b) 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 intrusted 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. (c)

Ibid., § 33. SEC. 318. 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.

2 July, 1836, § 26. SEC. 319. 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 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.

Ibid., § 32. SEC. 320. If any postmaster shall unlawfully detain in his office any letter, package, pamphlet, or newspaper, with intent to prevent the arrival and de-

(a) An initial letter written on the envelope of a newspaper is not a writing or memorandum forbidden by the 13th or 30th sections of the act of 3 March, 1825, (4 Stat. 105, 111,) and a postmaster is not justified thereby in detaining such newspaper from the person to whom it is addressed. *Teal vs. Felton*, 12 Howard, 284. *Trover* lies in a State court for the conversion to which such unlawful detention amounts. *Ibid.*

(b) To show that the article has been stolen, the conviction of the principal is sufficient if the article be identified. *United States vs. Keene*, 5 McLean, 509

(c) Although an individual charged as accessory may, under the statute, be charged and convicted, if the principal cannot be found, yet, when the principal has been tried and acquitted on the charges on which another is indicted as accessory, the latter will be discharged on motion. *United States vs. Crane*, 4 McL. 317.

livery of the same to the person 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.(a)

Detaining or giving preference to letters.

SEC. 321. 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 letter or packet 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.

2 July, 1836, § 38
5 Stat. 88.

Accessories after the fact to stealing from the mail, &c.

SEC. 322. All officers and other persons charged by this act, or any other act, with the safe-keeping, transfer, and disbursement of the public moneys, other than those connected with the Post Office Department, are hereby required to keep an accurate entry of each sum received, and of each payment or transfer; and if any one of the said officers,(b) or of those 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, or shall deposit in any bank, or shall exchange for other funds, except as allowed by this act, any portion of the public moneys intrusted to him for safe-keeping, disbursement, transfer, 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, loaned, deposited, or exchanged, which is hereby declared to be a felony; and any failure to pay over or to produce the public moneys intrusted to such person shall be held and taken to be *prima facie* evidence of such embezzlement;(c) and if any officer charged with the disbursements of public moneys shall accept or receive, or transmit to the Treasury Department to be allowed in his favor, any receipt or voucher from a creditor of the United States, without having paid to such creditor, in such funds as the said officer may have received for disbursement, or such other funds as he may be authorized by this act to take in exchange, the full amount specified in such receipt or voucher,(d) every such act shall be deemed to be a conversion by such officer to his own use of the amount specified in such receipt or voucher; and any officer or agent of the United States, and all persons advising or participating in such act, being convicted thereof before any court of the United States of competent jurisdiction, shall be sentenced to imprisonment for a term of not less than six months nor more than ten years, and to a fine equal to the amount of the money embezzled. And upon the trial of any indictment against any person for embezzling public money under the provisions of this act, it shall be sufficient evidence, for the purpose of showing a balance against such person, to produce a transcript from the books and proceedings of the treasury, as required in civil cases, under the provisions of the act entitled "An act to provide more effectually for the settlement of accounts between the United States and receivers of public money," approved March third, one thousand seven hundred and ninety-

6 Aug., 1846, § 16.
9 Stat. 63.

Accounts to be kept of receipts and disbursements.

What to be deemed embezzlement of public moneys.

Punishment.

Treasury transcripts to be evidence of balance.

(a) A mere omission by a postmaster seasonably to forward a letter is not a cause of action; some damage must be proved to have been suffered by the plaintiff. *Dunlop vs. Munroe*, 7 Cranch, 342.

(b) This act applies only to persons intrusted by some act of Congress with the legal possession of public moneys, not to clerks, workmen and other subordinates, who, having been intrusted with such possession, could be punished for felonious conversion. *United States vs. Hutchinson*, 7 Penn. L. J. 365. *Commonwealth vs. Hutchinson*, 2 Pars. 384. But a clerk in a post office, acting as cashier, is a public officer within the act. 5 Opin. 665. And consuls not duly accounting for fees collected for consular service are guilty of embezzlement under this law. 7 *Ibid*, 242.

(c) When the expenditures of a collector's office are greater than its receipts, to convict, the evidence must show, beyond a reasonable doubt, that he has used the money, or refused to pay it over, in violation of the law. *United States vs. Forsyth*, 6 McLean, 584.

(d) An officer of the navy, in command, who requires the purser to pay him more money than is due to him, and fails to account, is not guilty of embezzlement. 7 Opin. 82.

seven; and the provisions of this act shall be so construed as to apply to all persons charged with the safe-keeping, transfer, or disbursement of the public money, whether such persons be indicted as receivers or depositaries of the same; and the refusal of such person, whether in our out of office, to pay any draft, order, or warrant which may be drawn upon him by the proper officer of the Treasury Department for any public money in his hands belonging to the United States, no matter in what capacity the same may have been received or may be held, or to transfer or disburse any such money promptly, upon the legal requirement of any authorized officer of the United States, shall be deemed and taken, upon the trial of any indictment against such person for embezzlement, as *prima facie* evidence of such embezzlement.

1 March, 1847, § 2.
9 Stat. 148.

Moneys taken from mail robbers to be restored to the owners.

SEC. 323. All moneys taken from the mails of the United States by robbery, theft, or otherwise, which have come or may hereafter come into the possession or custody of any of the agents of the Post Office Department, or any other officers of the United States, or any other person or persons whatever, shall be paid to the order of the Postmaster General, to be kept by him as other moneys of the Post Office Department, to and for the use and benefit of the rightful owner, to be paid whenever satisfactory proof thereof shall be made; and upon the failure of any person in the employment of the United States to pay over such moneys when demanded, the person so refusing shall be subject to the penalties prescribed by law against defaulting officers.

3 Mar., 1847, § 11.
9 Stat. 201.

Punishment for counterfeiting postage stamps.

SEC. 324. It shall not be lawful for any deputy postmaster to prepare, use, or dispose of any postage stamps not authorized by and received from the Postmaster General; and any person who shall falsely and fraudulently make, utter, or forge any postage stamp with the intent to defraud the Post Office Department, shall be deemed guilty of felony, and on conviction shall be subject to the same punishment as is provided in the twenty-first section of the act approved the third day of March, eighteen hundred and twenty-five, entitled "An act to reduce into one the several acts establishing and regulating the Post Office Department."

3 Mar., 1845, § 17.
5 Stat. 738.

Distribution of penalties.

Jurisdiction of State courts.

SEC. 325. 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.

31 Aug., 1852, § 3.
10 Stat. 139.

Stealing or forging mail keys or locks.

SEC. 326. If any person shall steal, purloin, embezzle, or obtain by any false pretence, or shall aid or assist in stealing, purloining, embezzling, or obtaining by any false pretence, or shall knowingly and unlawfully make, forge, or counterfeit, or cause to be unlawfully made, forged, or counterfeited, or knowingly aid or assist in falsely and unlawfully making, forging, or counterfeiting any key suited to any lock which has been or shall be adopted for use by the Post Office Department of the United States, and which shall be in use on any of the mails or mail bags of the said Post Office Department, or shall have in his possession any such mail key or any such mail lock, with the intent unlawfully or improperly to use, sell, or otherwise dispose of the same, or to cause the same to be unlawfully or improperly used, sold, or otherwise disposed of, or who being employed in the manufacture of the locks or keys for the use of the said Post Office Department, whether as contractor or otherwise, shall deliver or cause to be delivered any finished or unfinished key or lock used or designed for use by the said Post Office Department, or the interior part of any such mail lock, to any person not duly authorized under the hand of the Postmaster General of the United States and the seal of the said Post Office Department to receive the same unless such person so receiving the same shall be the contractor for furnishing such locks and keys, or engaged in the manufacture thereof in the manner authorized by the contract, or the agent for such manufacturer,) such person so

offending shall be deemed guilty of felony, and, on conviction thereof, shall be imprisoned for a period not exceeding ten years.

SEC. 327. If any person shall steal, purloin, or embezzle any mail bags in use by or belonging to the Post Office Department of the United States, or any other property in use by or belonging to the said Post Office Department, or shall, for any lucre, gain, or convenience, appropriate any such property to his own, or any other than its proper use, or for any lucre or gain shall convey away any such property to the hindrance or detriment of the public service of the United States, the person so offending, his counsellors, aiders, and abettors, (knowing of and privy to any offence aforesaid,) shall, on conviction thereof, if the value of such property shall exceed twenty-five dollars, be deemed guilty of felony, and shall be imprisoned for a period not exceeding three years; or, if the value of such property shall be less than twenty-five dollars, shall be imprisoned not more than one year, or be fined not less than ten dollars, nor more than two hundred dollars, for every such offence.

31 Aug., 1852, § 4.
10 Stat. 140.
Stealing mail bags.

SEC. 328. All fines and penalties imposed for any violation of any law relating to the Post Office Department shall, when collected or recovered, be paid into the treasury, to the credit of the United States, for the use of the Post Office Department, excepting, however, such part thereof as may by law belong to the party informing or prosecuting for the same.

Ibid, § 10.
Fines, &c., to be paid into the treasury.

SEC. 329. In all cases where the Postmaster General shall be satisfied that either money or property, stolen from the United States mail, shall have been exchanged for other money or property, and has been, upon the conviction of the thief, received at his department, he shall have authority, upon satisfactory evidence that the same justly belonged to any individual, firm, or corporation, to pay over and deliver such money or property to the owner thereof.

3 March, 1853, § 3.
10 Stat. 225.
Proceeds of property stolen from the mail to be paid to the owner.

SEC. 330. Any person who shall forge or counterfeit any postage stamp printed or impressed upon any letter envelope authorized by the eighth section of an act entitled "An act to establish certain post roads, and for other purposes," approved August thirty-first, eighteen hundred and fifty-two, or by any other act, or who shall counterfeit any die, plate, or engraving therefor, or who shall make or print, or knowingly use or sell, or have in his possession with intent to use or sell, any such false, forged, or counterfeited die, plate, engraving, or stamped envelope, or who shall make or knowingly use or sell, or have in his possession with intent to use or sell, any paper bearing the water-mark of such letter envelopes, or any fraudulent imitation thereof, or who shall make or print, or authorize or procure to be made or printed, any stamped or printed letter envelope of the kind provided by the Postmaster General under the authority aforesaid, without the especial direction of the Post Office Department, or who, after such letter envelopes have been prepared or printed, shall, with intent to defraud the revenues of the Post Office Department, deliver any such letter envelopes to any person or persons other than such as shall be authorized to receive the same by instrument of writing, duly executed under the hand of the Postmaster General and the seal of the Post Office Department, shall, on conviction thereof, be deemed guilty of felony, and be punished by a fine not exceeding five hundred dollars, or by imprisonment not exceeding five years, or by both such fine and imprisonment.

3 March, 1853, § 7.
10 Stat. 256.
Forging stamps on envelopes.

SEC. 331. The penalty of fifty dollars, provided by section eighth of an act of Congress entitled "An act to establish certain post roads and for other purposes," approved March third, eighteen hundred and fifty-three, shall apply as well to the using of a stamp cut from a stamped letter or newspaper envelope as to the re-use of the envelope entire.

27 Feb., 1861, § 3.
12 Stat. 167.
Penalty for using cancelled stamp.

SEC. 332. The Postmaster General may require an affidavit in form, to be prescribed by general regulation, to be taken by any publisher, or any clerk, agent, or servant of such publisher of any paper or periodical, which, by the terms of this act, may be sent to regular subscribers without prepayment of postage at the mailing office, to the effect that neither he nor any other proprietor, clerk, agent, or employé, within his knowledge, has sent, or caused or permitted to be sent, through the mails, without prepayment by postage stamps, any copies of such paper or periodical, (naming it,) except the same were sent to bona fide and regular subscribers thereto. And if it be ascer-

3 Mar., 1863, § 41.
12 Stat. 708.
Affidavit of publishers.

Penalty for sending to other than subscribers

tained that such papers or periodicals have been thus unlawfully sent, with the knowledge or consent of such proprietors, or of the agent or clerk in charge of that business; or if such affidavit, when required by the Postmaster General, or by a special agent of the Post Office Department, shall be refused, the person guilty of such offence, or refusing such oath, shall be liable to a fine of fifty dollars in each case, to be recovered by suit before any court of competent jurisdiction, one-half of which, when recovered, shall be paid to the informer.

25 Mar., 1864, § 6.
13 Stat. 37.

Penalty for setting up pretended mail conveyance.

SEC. 333. If any person or persons shall paint, print, post, or in any other manner place upon, or attach to, any steamboat or other vessel, or any stage coach or other vehicle, which steamboat or other vessel, or stage coach or other vehicle is not actually used in carrying the mails of the United States, the words "United States mail," or any other words, letters or characters of like import; or if any person or persons shall give notice, either by publishing in any newspaper or otherwise, that any steamboat or other vessel, or any stage coach or other vehicle is used in carrying the mails of the United States, when the same is not actually so used, every person so offending or wilfully aiding or abetting therein shall, on conviction thereof in any court of competent jurisdiction, be fined in any sum not less than one hundred nor more than five hundred dollars for every such offence; one half for the use of the United States and the other half to the use of the person informing and prosecuting for the same.

17 May, 1864, § 1.
13 Stat. 76.

Penalty for issuing money orders unlawfully.

SEC. 334. It shall not be lawful for any deputy postmaster to issue a money order on any other deputy postmaster without having previously received the money therefor; and any person who shall violate this provision shall be deemed guilty of misdemeanor, and on conviction thereof shall be fined in any sum not less than fifty nor more than five hundred dollars.

Ibid, § 11.

Punishment for embezzlement of money order funds.

SEC. 335. If any postmaster, assistant, clerk, or other person employed in or connected with the business or operations of the money-order offices, 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, or shall deposit in any bank, or shall exchange for other funds, any portion of such moneys, every such act shall be deemed and adjudged to be an embezzlement of so much of said moneys as shall be thus taken, converted, used, loaned, deposited, or exchanged, which is hereby declared to be a felony; and any failure to pay over or to produce the moneys intrusted to such person for the use of the money-order offices shall be held and taken to be *prima facie* evidence of such embezzlement. And any postmaster, assistant, clerk, or other person employed in or connected with the business of the money-order offices, and all other persons advising or participating in such act, on being convicted thereof before any court of the United States of competent jurisdiction, shall be sentenced to imprisonment for a term of not less than six months nor more than ten years, and to a fine equal to the amount of the money embezzled. And upon the trial of any indictment against any person for embezzling public money under the provisions of this act, it shall be *prima facie* evidence for the purpose of showing a balance against such person to produce a transcript from the money-order account books of the Auditor of the Treasury for the Post Office Department; and such transcript, when certified by said Auditor under his seal of office, shall be admitted as evidence in the courts of the United States.

Ibid, § 12.

Forging of money orders.

SEC. 336. If any person shall falsely make, forge, counterfeit, engrave, or print, or cause or procure to be falsely made, forged, counterfeited, engraved, or printed, or willingly aid or assist in falsely making, forging, counterfeiting, engraving, or printing any order in imitation of or purporting to be a money order issued by one postmaster upon another postmaster; or shall falsely alter, or cause or procure to be altered, or willingly aid or assist in falsely altering; any money order issued as aforesaid; or shall pass, utter, or publish, or attempt to pass, utter, or publish, as true, any false, forged, or counterfeited order, purporting to be a money order as aforesaid, knowing the same to be falsely forged or counterfeited; or shall pass, utter, or publish, or attempt to pass, utter, or publish, as true, any falsely altered money order, issued as aforesaid, knowing the same to be falsely altered, with an intent to defraud, every such person shall be deemed and adjudged guilty of felony, and being thereof convicted, shall be sentenced to be imprisoned and kept at hard labor for a period of not less than three years, nor more than ten years, and be fined in a sum not exceeding five thousand dollars.

Penalty.

SEC. 337. No member of the Senate or House of Representatives shall after his election and during his continuance in office, nor shall any head of a department, head of a bureau, clerk, or any other officer of the government, receive or agree to receive any compensation whatsoever, directly or indirectly, for any services rendered or to be rendered, after the passage of this act, to any person, either by himself or another, in relation to any proceeding, contract, claim, controversy, charge, accusation, arrest, or other matter or thing in which the United States is a party, or directly or indirectly interested, before any department, court-martial, bureau, officer, or any civil military or naval commission whatever. And any person offending against any provision of this act shall, on conviction thereof, be deemed guilty of a misdemeanor, and be punished by a fine not exceeding ten thousand dollars, and by imprisonment for a term not exceeding two years, at the discretion of the court trying the same, and shall be forever thereafter incapable of holding any office of honor, trust, or profit under the government of the United States.

11 June, 1864, § 1.
13 Stat. 123.
Senators, heads of bureaus, &c., not to receive pay for services where the United States is a party.

Penalty

SEC. 338. If any person, not authorized by the Postmaster General, shall set up or profess to keep any office, or any place of business, bearing the sign, name, or title of post office, every such person shall forfeit and pay the sum of five hundred dollars for every such offence.

1 July, 1864, § 11.
13 Stat. 337.
Penalty for keeping pretended post offices.

SEC. 339. If any person employed in any of the departments of the post office establishment (a) shall unlawfully detain, (b) delay, or open any letter, packet, bag, or mail of letters with which he shall be intrusted, or which shall have come to his possession, and which are intended to be conveyed by post, (c) or to be carried or delivered by any mail carrier, mail messenger, letter-carrier, route agent, or other person employed in any of the departments of the post office establishment of the United States, or to be forwarded or delivered through or from any post office or branch post office established by authority of the Postmaster General of the United States, [or] if any such person shall secrete, embezzle, or destroy any letter or packet intrusted to such person as aforesaid, and which shall not contain (d) 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 less than three hundred dollars, or imprisoned not less than 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 intrusted, or which shall have come to his or her possession, and are intended to be conveyed by post, (e) or to be carried or delivered by any mail carrier, mail messenger, letter-carrier, route agent, or other person employed in any of the departments of the post office establishment of the United States, or to be forwarded or delivered through or from any post office or branch post office established by authority of the Postmaster General of the United States, such letter, packet, bag, or mail of letters, containing any note, bond, draft, check, revenue stamp, postage stamp, money order, certificate of stock, or other pecuniary obligation, or government security of any description whatever, issued, or that may hereafter be issued, by the United States, or by any officer

Ibid, § 12.
Penalty for detaining or opening letters.

Embezzling or destroying letters.

Letters containing remittances or valuable papers.

(a) No person can be convicted under this section (which supplies the 21st section of the act of 3 March, 1825,) who is not employed in the Post Office Department. *United States vs. Nott*, 1 McLean, 499. And such employment must be directly averred and proved. 1b d. But it is not necessary in the indictment to state the particular office held by the accused. *United States vs. Clark*, Crabbe, 584. A general averment that "the defendant was a person employed in the Post Office Department" is sufficient. *United States vs. Patterson*, 6 McLean, 466. For form of indictment: see Wharton's Prec. .088.

(b) This refers to a letter or packet detained before it reaches its place of destination. *United States vs. Pearce*, 2 McLean, 14. Section 32, act 2 July 1836, (5 Stat. 87,) makes special provision against detention of letters or packets, or forwarding one in preference to others. See above, § 320.

(c) See *United States vs. Oliner*, 4 Law Rep. 197

(d) In an indictment for stealing, &c., any letter not containing an article of value, it is not necessary to aver that it does not contain such article. *United States vs. Fisher*, 5 McLean, 23.

(e) A letter containing money, deposited in the mail, for the purpose of ascertaining whether its contents were stolen on a particular route, and actually sent on a post route, is a letter "intended to be conveyed by post" within the meaning of this clause. *United States vs. Cottingham*, 2 Blatch. 470. The description of the termini between which the letter was intended to be sent by post cannot be rejected as surplusage, but must be proved as laid. *United States vs. Foye*, 1 Curt. C. C. 364. An indictment, however, which charges the defendant with unlawfully abstracting a letter containing bank notes from the mail, is good, if it allege that the letter containing bank notes was put into the post office to be conveyed by post, and was being conveyed by post, and came into possession of the defendant as a driver of the mail stage. *United States vs. Martin*, 2 McLean, 256. See *United States vs. Golding*, 2 Cr. C. C. 212. To constitute the offence, it is not necessary that the letter stolen should have been taken out of the post office building. *United States vs. Nott*, 1 McLean, 499.

or fiscal agent thereof, any bank note, (a) or bank 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 for 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, (b) 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, (c) or any writing representing the same; or if any such person, employed as aforesaid, shall steal, or take, any of the same (d) out of any letter, packet, bag or mail of letters, that shall come to his or her possession, whether such letter or packet, bag, or mail of letters, shall have come or been placed in his or her possession to be forwarded or delivered in the regular course of his or her official duties, or shall have come or been placed in his or her possession in any other manner, and provided that such letter or packet, bag, or mail of letters shall not have been delivered to the person or persons to whom it is directed, such person shall, on conviction for any such offence, be imprisoned not less than ten years, nor exceeding twenty-one years; and the fact that any such letter or packet, bag, or mail of letters shall have been deposited in any post office or branch post office established by authority of the Postmaster General of the United States, or in any other authorized depository of mail letters, or in charge of any postmaster, assistant postmaster, clerk, carrier, agent, or messenger employed in the post office establishment of the United States, shall be taken and held as evidence that the same was "intended to be conveyed by post" within the meaning of this statute; and if any person who shall have taken charge of the mails of the United States shall voluntarily 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, (e) 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.

Stealing from letters.

Mail carriers deserting the mail.

Carrying letters out of the mail.

(a) It is not necessary in an indictment under this clause to allege the note to have been of an incorporated bank or of any value. *United States vs. Clark, Crabbe*, 584. CONTRA—*United States vs. Cummings*, 3 Pittsburgh Leg. J. 45. See *United States vs. Golding*, 2 Cr. C. C. 212. Nor to describe the note—(semble except by its amount) *United States vs. Patterson*, 6 McLean, 466. See also *United States vs. Nott*, 1 McLean, 499. Where the embezzlement is of a letter containing a bank note, it is not necessary to describe the note. In the form in Arch. 156, which was for embezzlement, as clerk, of a bill of exchange, a particular description of the bill other than its amount is omitted. For form of indictment see Whart. Prec. 1098.

(b) A treasury note is such promissory note. *United States vs. Hardyman*, 13 Peters, 176. The words of a note being "with interest at the rate of one M per centum," held that parol evidence showing that M meant mill was admissible, and, if proved, that it was a fatal variance to describe the note as bearing interest at the rate of one per centum. *Ibid.*

(c) Under this act in connexion with the act 3 March, 1845, § 16, (5 Stat. 733,) a postmaster is not liable to indictment, in the federal courts, for stealing a packet containing non-mailable matter. *United States vs. Burton*, 5 Pittsburgh Leg. J. 70.

(d) Taking the notes greatly aggravates the offence, and the taking must be charged and proved as a substantive part of the offence. Some evidence is necessary of the genuineness and value of bank notes charged to have been stolen out of a letter. *United States vs. Nott*, 1 McLean, 499. See also *United States vs. Patterson*, 6 McLean, 466. *United States vs. Fisher*, 5 *ibid.*, 23. But evidence that the prisoner uttered as genuine what purported on its face to be a bank note is competent proof that it was a bank note, though it is not otherwise shown that it was a bank note. *United States vs. Foye*, 1 Curt. C. C. 364. It is necessary in an indictment for larceny from a letter to lay the property in some other person than the prisoner. *Ibid.* For forms of indictment, see Whart. Prec. 1099.

(e) By the term packet in this clause is meant a packet containing letters. It does not prohibit the carrying of a packet containing executions and nothing else. *United States vs. Chaloner*, Ware, 214.

An information under the act of 3 March, 1845, § 10, (5 Stat. 733,) for carrying a letter out of the mail need not negative the fact that it was stamped; the act of 1852, which allows a stamped letter to be so carried, merely furnishes matter of defence. *United States vs. Tilden*, 21 Law Rep. 598.

A prosecution under that act must be by information, not by indictment. *Ibid.*
Neither the act 3 March, 1827, (4 Stat. 238,) nor that of 3 March, 1845, (5 Stat. 733,) prohibits the business of private letter carrying within the limits of a post town. *United States vs. Kochersperger*, 9 Am. L. R. 145. See *United States vs. Hall*, *ibid.*, 232.

The establishment of post routes within the limits of a city by the Postmaster General, under the act of 3 March, 1851, (9 Stat. 591,) does not render them post roads within the meaning of the act of 1827, nor make the business of private letter-carriers within the postal district of the city unlawful. *Ibid.* But see act 27 July, 1854, § 2, (10 Stat. 313,) by which sections 9, 10, 11, 12, 15, of act 3 March, 1845, (5 Stat. 733,) and sections 5 and 8 of act 31 August, 1852, (10 Stat. 140,) are made applicable to letter-carrier routes.

SEC. 340. If any person or persons shall wilfully and maliciously injure, tear down, or destroy any letter-box, pillar-box, or other receiving boxes established by authority of the Postmaster General of the United States for the safe deposit of matter for the mails and for delivery, or shall wilfully aid and assist in injuring, tearing down, or destroying any such box or boxes, every such offender, being thereof duly convicted, shall, for every such offence, be fined not less than one hundred, nor more than one thousand dollars, or be imprisoned not less than one year, nor more than three years, or both, according to the circumstances and aggravation of the offence. And if any clerk or other person employed in any of the departments of the post office establishment shall wilfully and unlawfully remove from any letter posted at or received in any post office or branch post office established by authority of the Postmaster General of the United States, any postage stamp or stamps affixed thereto in payment of postage, every such offender, being thereof duly convicted, shall, for every such offence, be fined not more than one hundred dollars, or imprisoned not more than six months, according to the circumstances and aggravations of the offence.

3 Mar., 1865, § 13.
13 Stat. 506.

Wilfully injuring letter-boxes.

Fraudulently removing postage stamps.

SEC. 341. No obscene book, pamphlet, picture, print, or other publication of a vulgar and indecent character, shall be admitted into the mails of the United States. Any person or persons who shall deposit or cause to be deposited in any post office or branch post office of the United States, for mailing or for delivery, an obscene book, pamphlet, picture, print, or other publication, knowing the same to be of a vulgar and indecent character, shall be deemed guilty of a misdemeanor, and, being duly convicted thereof, shall, for every such offence, be fined not more than five hundred dollars, or imprisoned not more than one year, or both, according to the circumstances and aggravations of the offence.

Ibid, § 16.

Obscene publications not to be admitted in the mails.

Penalty.

SEC. 342. Unclaimed money in dead letters for which no owner can be found, and also all money derived from sales of waste-paper or other public property in post offices or the Post Office Department, shall be deposited in the treasury of the United States, under the direction of the Postmaster General, for the service of the Post Office Department; and any postmaster or clerk in a post office, or any other clerk, officer, or agent of the Post Office Department, having temporary custody of such money, and wilfully neglecting to deposit the same as herein provided, shall be deemed to be guilty of felony, and be subject to a fine not exceeding double the sum so retained by such clerk or other agents as aforesaid, or imprisonment not exceeding three years, or both, at the discretion of the court.

3 March, 1865, § 5.
13 Stat. 516.

Appropriation of unclaimed money and proceeds of waste-paper.

Penalty for not paying over amounts received.

CHAPTER XVIII.

S U I T S .

3 March, 1797, § 3. SEC. 343. Where suit shall be instituted against any person or persons indebted to the United States as aforesaid, it shall be the duty of the court where the same may be pending to grant judgment at the return term upon motion, unless the defendant shall, in open court, (the United States attorney being present,) make oath or affirmation that he is equitably entitled to credits, which had been, previous to the commencement of the suit, submitted to the consideration of the accounting officers of the treasury and rejected; specifying each particular claim so rejected in the affidavit, and that he cannot then come safely to trial. Oath or affirmation to this effect having been made, subscribed, and filed, if the court be thereupon satisfied, a continuance until the next succeeding term may be granted; but not otherwise, unless as provided in the preceding section. (a)

Judgment to be rendered at return term, except in cases of offset.

When continuance to be granted.

Ibid, § 4. SEC. 343A. In suits between the United States and individuals, no claim for a credit shall be admitted upon trial but such as shall appear to have been presented to the accounting officers of the treasury for their examination, and by them disallowed, in whole or in part, unless it should be proved to the satisfaction of the court that the defendant is, at the time of trial, in possession of vouchers not before in his power to procure, and that he was prevented from exhibiting a claim for such credit at the treasury by absence from the United States, or some unavoidable accident. (b)

Claims for credits must have been presented to accounting officers, unless defendant has vouchers which he could not before procure.

3 Mar., 1825, § 31. SEC. 343B. 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.

Postmasters to pay balances every three months.

Ibid, § 32. SEC. 344. 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

Estimate and penalty for neglect to render accounts within time prescribed by law.

(a) See note to § 343A.

(b) Under the 3d and 4th sections of the act of March 3, 1797, (1 Stat. at Large, 514,) the defendant is entitled at his trial to the benefit of any credit in his favor, whether arising out of the particular transaction for which he was sued or out of distinct and independent transactions, which would constitute a legal or equitable set-off in whole or in part to the debt sued for by the United States. *United States vs. Wilkins*, 6 Wheaton, 135. The language of the court in this case is very broad, but it is to be observed that the amounts actually allowed in set-off were such as were claims against the War Department alone, with which department the contracts were made, and for the benefit of which department suit was brought. The decision of the court is, therefore, a precedent only as to similar cases. It is no authority where a defendant claims to offset against the claim of one department a debt due from another department. That part of the opinion which looks beyond the facts before the court is *obiter dictum*.

The case of *United States vs. Macdaniel*, 7 Peters, 1, is similar in this respect to the above. In *Buchanan vs. Alexander*, 4 Howard, 20, the court say: "The funds of the government are specifically appropriated to certain national objects, and if such appropriations may be defeated by State process, or otherwise, the functions of the government may be suspended."

Counsel specially retained for extra official services arising in the business of any of the departments are uniformly paid, not out of the judiciary fund, but from appropriate funds in charge of the particular department at the order of which the services were performed. 7 Opin. 301.

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.(a)

SEC. 345. All causes of action arising under this act may be sued, and all 3 Mar., 1825, § 37.
4 Stat. 113.
Jurisdiction of the courts.
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. 346. 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.

Ibid, § 38.
Judgment at the first term.
Continuances.
Discharge of insolvents from imprisonment.

SEC. 347. 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.

2 July, 1836, § 13.
5 Stat. 82.
Form of contracts.
How suits to be brought.

SEC. 348. 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.

Ibid, § 14.
Auditor to superintend collections, &c.

SEC. 349. Copies of the quarterly returns of postmasters, and of any papers pertaining to the accounts in the office of the Auditor of 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 the several acts establishing and regulating the Post Office Department, approved March third, eighteen hundred and twenty-five.(b)

Ibid, § 15.
Certified copies of papers to be evidence.
What credits to be allowed.

(a) Under the 32d section of the act of March 3, 1825, (4 Stat. 112,) as well as under the instruction of the Postmaster General, a postmaster who leaves his office in a current quarter is liable to a double charge if he fail to render his account for the space of one month after the expiration of the quarter. *United States vs. Roberts*, 9 Howard, 501.

(b) For the previous law relative to this subject, see § 2, act 3 March, 1797, (1 Stat. 512,) and copious authorities there cited.

Interest. 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.

Ibid, § 16.
Duties of district attorneys and marshals. SEC. 350. 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 of 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.

Ibid, § 17.
Moneys wrongfully paid may be recovered back. SEC. 351. 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.

Ibid, § 18.
Auditor to adjust balances. SEC. 352. The Auditor of 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 collectable, and such as are not, with the whole amount of each class.

3 Mar., 1845, § 17.
5 Stat. 738. SEC. 353. 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. 354. In all cases of fine, penalty, forfeiture, or disability, or alleged liability for any sum or sums of money, by way of damages or otherwise, under any provision of law relating to the Post Office Department, or the offices, operations, or business thereof, the Postmaster General shall be, and he is hereby, authorized to prescribe such general rules and mode of proceeding as shall to him appear expedient for the government of the Auditor of the Post Office Department, in ascertaining the facts in each case in which it shall be certified to him by such Auditor that the interests of the department probably require the exercise of the power conferred by this act; and upon the facts being ascertained as aforesaid, the said Auditor shall have power, with the written consent of the Postmaster General, to mitigate or remit such fine, penalty, or forfeiture, remove such disability, and to compromise, release, and discharge such claims for such sum or sums of money and damages, on such terms as the said Auditor shall deem just and expedient; and that in all cases where a judgment shall have been obtained for a debt or damages due the Post Office Department, and it shall satisfactorily appear, by the return of execution or otherwise, that such judgment, or so much thereof as remains unpaid, cannot be collected by due process of law, the said Auditor shall be, and he is hereby, authorized, with the written consent of the Postmaster General, to compromise such judgment, and accept, in satisfaction thereof, less than the amount of such judgment: *Provided*, (a) That the power conferred by this section shall not extend to any case of fine, penalty, forfeiture, disability, alleged liability, or claim which shall be incurred, accrue, or arise subsequent to the passage of this act, or to any judgment obtained after the passage thereof.

3 March, 1851, § 3.
9 Stat. 503.

Penalties, fines, &c., how to be remitted.

SEC. 355. In all cases where debts are due from postmasters, mail contractors, or other officers, agents, or employés of the Post Office Department, who are in default or delinquency, a warrant of attachment may issue against all property, real and personal, possessions, and rights legal, equitable, and contingent, belonging to such officer and his sureties, or either of them, in the following cases:

23 Feb., 1865, § 1.
13 Stat. 432.

Attachment to issue against property of debtors.

First. When any such officer, agent, or employé, and his sureties, or either of them, has, within the meaning of the act of July seventeen, eighteen hundred and sixty-two, chapter one hundred and ninety-five, and the proclamation of the President in pursuance thereof, dated the twenty-fifth day of July, eighteen hundred and sixty-two, participated in, aided, abetted, or countenanced any rebellion against the United States.

Rebels.

Second. When such officer, agent, or employé, and his sureties, or either of them, is a non-resident of the district where such officer was appointed, or has departed from such district for the purpose of residing permanently out of such district, or of defrauding the United States, or of avoiding the service of civil process.

Non-residents, &c.

Third. When such officer or his sureties, or either of them, has conveyed away or is about to convey away his property, or any part thereof, or has removed or is about to remove his property, or any part thereof, from the district wherein the same is situated, with intent to defraud the United States. And where such removal has taken place, certified copies of the warrant may be sent to the marshal of any other district into which such property may have been removed, under which certified copies it shall be lawful for such marshal to seize such property and convey it to some convenient point within the jurisdiction of the court from which the warrant originally issued. Alias warrants may issue upon due application, and the validity of the warrant first issued shall continue until the return day thereof.

Fraudulent conveyance.

Alias warrants.

SEC. 356. Application for such warrant may be made by any district attorney or assistant district attorney, or any other person authorized by the Postmaster General, before any judge, or, in his absence, before any clerk of any court of the United States having original jurisdiction of the cause of action. Such application shall be made upon an affidavit of the applicant, or some other credible person, stating the existence of either of the grounds of attachment enumerated in the first section of this act, and upon production of legal evidence of the debt. Upon such application, and upon due order of

Ibid, § 2.

How such process to be sued out.

(a) This proviso is repealed by act 18 August, 1856, § 10, (11 Stat. 95.)

any judge of the court, or in the absence of any judge without such order, the clerk shall issue a warrant for the attachment of all the property of any kind belonging to the party or parties specified in the affidavit, which warrant shall be executed with all possible dispatch by the marshal, who shall take the property attached, if personal, into his custody, and hold the same subject to all interlocutory or final orders of the court.

23 Feb. 1865. § 3.
13 Stat. 433.

Claimants may
traverse allega-
tions.

Ownership.

SEC. 357. The party or parties whose property is attached may, at any time within twenty days before the return day of the warrant, on giving to the district attorney notice of his intention, file a plea in abatement, traversing the allegations of the affidavit, or denying the ownership of the property attached in the defendants, or either of them, in which case the court may, upon application of either party, order an immediate trial by jury of the issues raised by the affidavit and plea. But the parties may, by consent, waive a trial by jury, in which case the court shall decide the issues raised by the affidavit and plea. Any party claiming ownership of the property attached and a specific return of the same shall be confined to the remedy afforded by this act, but his right to an action of trespass or other action for damages shall not be impaired thereby.

Ibid, § 4.
Proceeds of at-
tached property.

SEC. 358. When the property attached shall be sold on any interlocutory order of the court, or when it shall be producing any revenue, the money arising from such sale or revenue shall be invested in securities of the United States, under the order of the court, and all accretions shall be held subject to the order of the court.

Ibid, § 5.
Notice of attach-
ment.

SEC. 359. Immediately upon the execution of the warrant of attachment the marshal shall cause due publication of such attachment to be made, in the case of absconding debtors or adherents of the rebellion, for two months, and in case of non-residents for four months. Such publication shall be made in some newspaper or newspapers within the district where the property attached is situated, and the details of such publication shall be regulated in each case by the order under which the warrant is issued.

Ibid, § 6.
Responsibilities
of garnishees.

SEC. 360. After the first publication of such notice of attachment in all the newspapers required by this or any subsequent act, every person indebted to the defendants, or either of them, and having knowledge of such notice, whose property is liable to attachment, and every person having possession of any property belonging to such defendants or either of them and having knowledge as aforesaid, shall account and answer for the amount of such debt and for the value of such property; and any disposal or attempt to dispose of any such property to the injury of the United States shall be illegal and void. When the person or persons so indebted to or having possession of the property of such defendants, or either of them, shall be known to the district attorney or the marshal, it shall be the duty of such officer to see that personal notice of such attachment is served upon such persons, as in cases of garnishees; but the want of such notice shall not invalidate the attachment.

Ibid, § 7.
How attach-
ments may be dis-
solved.

SEC. 361. Upon application of the party whose property has been attached, the court or any judge thereof may discharge the warrant of attachment as to the property of the applicant: *Provided*, That such applicant shall enter into and execute to the United States a good and sufficient penal bond in double the amount of the value of the property attached, conditioned for the return of said property, or to answer any judgment which may be rendered by the court in the premises, which bond shall be approved by the court or any judge thereof.

Ibid, § 8.
Fees and costs
regulated.

SEC. 362. The fees, costs, and expenses of issuing and serving the warrants of attachment authorized by this act shall be regulated as far as possible by the existing laws of the United States and the rules of court made in pursuance thereof. In the case of preliminary trials as to the validity of the attachment or the right of property, clerks' and marshals' fees shall be the same as in ordinary cases, and the docket fee of the district attorney shall be ten dollars.

Ibid, § 9.
Other remedies
not to be impaired.

SEC. 363. This act shall not be construed so as to limit or abridge in any manner such rights of the United States as have accrued or been allowed in any district under the former practice of the United States courts, or the adoption of State laws by said courts.

SEC. 364. Whenever any property owned or held by the United States, or in which the United States have or claim an interest, shall, in any judicial proceeding under the laws of any State, district, or Territory, be seized, arrested, attached, or held for the security or satisfaction of any claim made against said property, it shall be lawful for the Secretary of the Treasury, in his discretion, to direct the Solicitor of the Treasury to cause a stipulation to be entered into by the proper district attorney for the discharge of such property from such seizure, arrest, attachment, or proceeding, to the effect that, upon such discharge, the person asserting the claim against such property shall become entitled to all the benefits of this act; and in all cases where such stipulation shall be entered into, as aforesaid, and the property shall, in consequence thereof, be discharged as aforesaid, and final judgment shall be given in the court of last resort to which the Secretary of the Treasury may deem proper to cause such proceedings to be carried, affirming the claim for the security or satisfaction of which such proceedings shall have been instituted and the right of the person asserting the same to enforce it against such property by means of such proceedings, notwithstanding the claims of the United States thereto, such final judgment shall be deemed, to all intents and purposes, a full and final determination of the rights of such person, and shall entitle such person, as against the United States, to such rights as he would have had in case possession of said property had not been changed; and if such claim be for the payment of money, and the same shall by such judgment be found to be due, the presentation of a duly authenticated copy of the record of such judgment and proceedings shall be sufficient evidence to the proper accounting officers for the allowance thereof; and the same shall thereupon be allowed and paid out of any moneys in the treasury not otherwise appropriated: *Provided*, That the amount so to be allowed and paid shall not exceed the value of the interest of the United States in the property in question: *And provided, further*, That nothing herein contained shall be considered as recognizing or conceding any right to enforce, by seizure, arrest, attachment, or any judicial process, any claim against any property of the United States, or against any property held, owned, or employed by the United States, or by any department thereof, for any public use, or as waiving any objection to any proceeding instituted to enforce any such claim.

11 June, 1864, § 1.
13 Stat. 122.
Proceedings when property claimed by the government is attached.

Dissolution of attachment.

Effect of judgment.

SEC. 364A. Judgments and decrees hereafter rendered in the circuit and district courts of the United States within any State shall cease to be liens on real estate or chattels real, in the same manner, and at like periods as judgments and decrees of the courts of such State now cease by law to be liens thereon. (a)

4 July, 1840, § 4.
5 Stat. 393.
Lien of judgments.

SEC. 364B. On all judgments in civil cases hereafter recovered in the circuit or district courts of the United States interest shall be allowed, and may be levied by the marshal under process of execution issued thereon, in all cases where, by the law of the State in which such circuit or district court shall be held, interest may be levied under process of execution on judgments recovered in the courts of such State, to be calculated from the date of the judgment, and at such rate per annum as is allowed by law on judgments recovered in the courts of such State. (b)

23 Aug., 1842, § 8.
5 Stat. 518.
Interest on judgments.

(a) A judgment is a lien on a reversionary estate in land, expectant on the termination of life estate. *Burton vs. Smith*, 13 Pet. 454. A general lien by judgment does not constitute, *per se*, a property or right in the land itself; it only conveys a right to levy on the same to the exclusion of other adverse interests subsequent to the judgment. *Conard vs. Atlantic Ins. Co.*, 1 *Ibid.*, 443. The lien of a judgment and execution in the federal courts arises under the State laws. *Clements vs. Berry*, 11 How. 441. But in those States where a judgment in the State courts creates a lien, a judgment in a court of the United States has that operation throughout the district to which its jurisdiction extends; and State legislation, modifying the lien of judgments, or restricting their operation, cannot affect the lien of judgments in courts of the United States. *Messingill vs. Downs*, 7 *Ibid.*, 760. *Lombard vs. Bayard*, 1 Wall. jr. 196. *In re McGill*, 6 Barr. 505.
(b) See *Brown vs. Van Braam*, 3 Dall. 344. *Story vs. Livingston*, 13 Pet. 359. *Amis vs. Smith*, 16 *Ibid.*, 303. *Mitchell vs. Harmony*, 13 Howard, 148-9. For copious notes of decisions on this section, see 5 Stat. 518.

CHAPTER XIX.

MISCELLANEOUS.

3 March, 1797, § 5. SEC. 365. Where any revenue officer, or other person, hereafter becoming
1 Stat. 515. indebted to the United States, by bond or otherwise, shall become insolvent,
Priority of pay- or where the estate of any deceased debtor, in the hands of executors or ad-
ments in case of ministrators, shall be insufficient to pay all the debts due from the deceased,
insolvency. the debt due to the United States shall be first satisfied; and the priority
hereby established 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, or in which the estate and effects of an abscond-
ing, concealed, or absent debtor shall be attached by process of law, as to
cases in which an act of legal bankruptcy shall be committed.(a)

25 Jan. 1838, § 1. SEC. 366. No money hereafter appropriated shall be paid to any person,
4 Stat. 246. for his compensation,(b) who is in arrears to the United States,(c) until such
person shall have accounted for, and paid into the treasury, all sums for
which he may be liable:(d) *Provided*, That nothing herein contained shall
Compensation be construed to extend to balances arising solely from the depreciation of
not to be paid to treasury notes received by such person, to be expended in the public service;
persons in arrears. but in all cases where the pay or salary of any person is withheld, in pursu-
ance of this act, it shall be the duty of the accounting officers, if demanded
by the party, his agent or attorney, to report forthwith to the agent of the
Treasury Department the balance due; and it shall be the duty of the said
agent, within sixty days thereafter, to order suit to be commenced against
such delinquent and his sureties.(e)

3 March, 1839, § 3. SEC. 367. No officer in any branch of the public service, or any other
5 Stat. 349. 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
No extra com- form whatever, for the disbursement of public money, or the performance of
pensation for dis- any other service, unless the said extra allowance or compensation be
bursements. authorized by law, nor shall any executive officer other than the heads of
departments apply more than thirty dollars annually out of the contingent
Allowance for fund under his control to pay for newspapers, pamphlets, periodicals, or other
newspapers, &c., books or prints not necessary for the business of his office.
limited.

(a) For notes as to the priority of the United States, see 1 Stat. 263.

(b) The word compensation, here used, is equivalent to the words "pay or salary," and does not include the "rations" nor "extra expenses," which are not pay proper. 2 Opin. 593. And therefore public debtors are entitled, notwithstanding this act, to receive the rations allowed them by law, or the amount in money for which they may be commuted. *Ibid*, 430.

(c) The phrase "who is in arrears to the United States," applies only to persons who, having previous transactions of a pecuniary nature with the government, are found, upon the settlement of those transactions, to be in arrears. The sureties of a defaulting or delinquent principal obligor in a custom-house bond are not liable to the detention of moneys due them. 3 Opin. 52. By act 20 May, 1826, this act is not to be construed to authorize the pension of any pensioner of the United States to be withheld. 5 Stat. 31. 3 Opin. 135. 4 *Ibid*, 70.

(d) The officers of the treasury are authorized to withhold the pay of officers of the government who are ascertained to be in default to the government, when the time for accounting has actually passed; but not otherwise. 4 Opin. 33. If there be due any sum over and above what is necessary to make good such deficiency, it ought not to be retained, but should be paid over. *Ibid*, 316.

It is to be observed that in none of the above cases has a judgment against a surety existed, where the retention of the salary has been requested; and, as a judgment is the highest form of debt known to the law, it would seem that a judgment debtor, though at first only a surety, should be considered "in arrears." In such a case, the debt having been liquidated, the money due could be collected on execution against any property of the defendant liable to execution. The debt of the United States ought to be offset against the salary due the officer.

(e) See note to § 343A.

SEC. 368. 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 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. (a) 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; (b) 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.

26 Aug., 1842, § 17.
5 Stat. 526.

Stationery and printing to be procured by contract.

Advertisements.

When proposals to be opened.

To whom contract to be awarded.

Liability in case of failure.

SEC. 368A. The same prices shall be paid for printing for the executive departments that are paid for printing for Congress, except for printing post-bills, which shall be printed on paper not less than sixteen by twenty-six inches, and for printing on parchment. There shall be paid for printing the post-bills at the rate of one dollar per thousand sheets, and at the rate of ten dollars per thousand for printing parchments; but nothing shall be allowed for altering post-bills when the alteration consists in the mere change of a postmaster's name. And nothing herein contained shall prevent the heads of executive departments from employing printers out of the city of Washington to execute such printing for any of said departments as may be required for use out of Washington, when the same can be executed elsewhere as cheap as at the rates herein specified, increased by the cost of transporting the printed matter to the State or States where such matter may be required for use in the public service.

26 Aug., 1852, § 11.
10 Stat. 34.

Printing for the executive departments.

SEC. 369. 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.

26 Aug., 1842, § 18.
5 Stat. 527.

Proposals to be filed.

SEC. 370. 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.

Ibid, § 19.

What books, &c., may be purchased out of the contingent fund.

(a) These provisions as to the job printing of the departments are, in substance, repealed by the act of August, 1852, § 11, (10 Stat. 32.)—see next section—and therefore the Postmaster General may lawfully contract for any convenient time with printers, out of the city of Washington, to execute such printing as may be required for use out of Washington. 7 Opin. 680.

(b) The head of a department advertising according to law for proposals for stationery is the competent and only judge of the matters of fact involved in the acceptance or rejection of any of the proposals, and his decision is not subject to revision by any other authority. 6 Opin. 226.

- 22 Feb., 1849, § 3. SEC. 371. All books, papers, documents, and records in the War, Navy, Treasury, and Post Office Departments, and the Attorney General's office, may be copied and certified under seal in the same manner as those in the State Department may now by law be, (a) and with the same force and effect.
9 Stat. 347.
Certified copies to be evidence.
- 23 June, 1860, § 5. SEC. 372. All the printing and binding, and all blank-books, ordered by the heads of the executive and judicial departments of the government, shall, on and after the fourth day of March, eighteen hundred and sixty-one, be done and executed under said Superintendent [of public printing] in accordance with the provisions of this act.
12 Stat. 118.
Printing and binding.
- 17 July, 1862, § 1. SEC. 373. The commanders of all American vessels sailing from ports in the United States to foreign ports, during the continuance of the present rebellion, and all persons prosecuting claims either as attorney or on his own account, before any of the departments or bureaus of the United States, shall be required to take the oath of allegiance, and to support the Constitution of the United States, (or affirm, as the case may be,) as required of persons in the civil service of the United States by the provisions of the act of Congress approved August sixth, eighteen hundred and sixty-one.
12 Stat. 610.
Oath to be taken by masters of vessels and persons prosecuting claims.
- Ibid., § 2. SEC. 374. The oath or affirmation herein provided for in the first section of this act may be taken before any justice of the peace, notary public, or other person who is legally authorized to administer an oath in the State or district where the same may be administered; and any violation of such oath by any person or persons taking the same shall subject the offender to all the pains and penalties of wilful and corrupt perjury, who shall be liable to be indicted and prosecuted to conviction for any such offence before any court having competent jurisdiction thereof.
By whom administered.
Penalty for violation.
- 11 June, 1864, § 1. SEC. 375. No member of the Senate or House of Representatives shall, after his election and during his continuance in office, nor shall any head of a department, head of a bureau, clerk, or any other officer of the government, receive or agree to receive any compensation whatsoever, directly or indirectly, for any services rendered, or to be rendered, after the passage of this act, to any person, either by himself or another, in relation to any proceeding, contract, claim, controversy, charge, accusation, arrest, or other matter or thing in which the United States is a party, or directly or indirectly interested, before any department, court-martial, bureau, officer, or any civil, military, or naval commission whatever. And any person offending against any provision of this act shall, on conviction thereof, be deemed guilty of a misdemeanor, and be punished by a fine not exceeding ten thousand dollars, and by imprisonment for a term not exceeding two years, at the discretion of the court trying the same, and shall be forever thereafter incapable of holding any office of honor, trust, or profit under the government of the United States.
13 Stat. 123.
Officers of the government not to act as counsel in certain cases.
- 30 June, 1864, § 154. SEC. 376. All official instruments, documents, and papers issued or used by the officers of the United States government shall be, and hereby are, exempt from stamp duty.
13 Stat. 292.

(a) See *United States vs. Cutter*, 2 Curtis C. C. 628.

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REGULATIONS
OF THE
POST OFFICE DEPARTMENT.

SPECIAL NOTICE

All instructions and regulations promulgated by the Postmaster General, conformably to law, for the guidance of persons employed by the department, are the law of the land, and entitled to the same respect and obedience as acts of Congress. Any disregard or disobedience of such regulations entails upon postmasters, contractors, and other employes of the Post Office Department the same liabilities and penalties as a violation of any specific law of Congress. The following regulations and instructions are made for the purpose of organizing the business of the department, and all official acts of the officers of the department must be done and performed in strict conformity thereto. Every deviation from these instructions and regulations will be followed by appropriate penalties or punishment.— (See note c to section 2, POSTAL LAWS.)

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REGULATIONS.

CHAPTER I.

APPOINTMENT OF POSTMASTERS.

SEC. 1. At all post offices where the salary of the postmaster exceeds one thousand dollars for the last fiscal year during which his salary may have been fixed, a postmaster is to be appointed by the President, by and with the advice and consent of the Senate, and can be removed by the President only. At all other offices the Postmaster General has the sole power of appointment and removal.

SEC. 2. Upon the appointment of a postmaster, he is furnished with a letter of appointment and a blank bond. Upon executing the bond, as required, taking the oath of office, enclosing such bond and oaths in a letter directed to the Appointment Office, depositing such letter in the post office, and receiving his commission from the department, and not before, he is authorized to take charge of the office.

SEC. 3. No person can be appointed postmaster who cannot legally execute an official bond, and take the required oath. Minors and married women are, by law, incapable of holding the office of postmaster.

SEC. 4. All postmasters, contractors, special agents, route agents, and other persons employed either in the General Post Office or elsewhere by the Postmaster General, and all persons intrusted with the care, custody, or conveyance of the mails, are obliged, before entering upon their duties, and before they can receive any compensation, to take the following oath: I, ———, being appointed ——— at ———, in the county of ———, and State of ———, do swear [or affirm] that I will faithfully perform all the duties required of me, and abstain from everything forbidden by the laws in relation to the establishment of the post office and post roads within the United States; and that I will honestly and truly account for and pay over any moneys belonging to the said United States which may come into my possession or control. And I do further solemnly swear [or affirm] that I have never voluntarily borne arms against the United States since I have been a citizen thereof; that I have voluntarily given no aid, countenance, counsel, or encouragement to persons engaged in armed hostility thereto; that I have neither sought, nor accepted, nor attempted to exercise the functions of any office whatever, under any authority, or pretended authority, in hostility to the United States; that I have not yielded a voluntary support to any pretended government, authority, power, or constitution within the United States, hostile or inimical thereto. And I do further swear [or affirm] that, to the best of my knowledge and ability, I will support and defend the Constitution of the United States against all enemies, foreign or domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter: So help me God.

SEC. 5. The person appointed postmaster will execute the bond and sign and take the oath forwarded to him by the department. The bond must be signed in the presence of suitable witnesses by himself and at least two sureties, the sufficiency of each of whom, for the pay-

ment of the sum inserted therein, must be shown by the certificate of the magistrate who administers the oath.

SEC. 6. The oath and bond are then to be placed in the mail, and transmitted to the Appointment Office, and when received a commission will be issued.

SEC. 7. In case of the death, removal from the State, insolvency, or any other disability of one or both of the sureties, the postmaster must report the fact to the department, in order that a new bond may be executed.

SEC. 8. It is forbidden that any person be employed as assistant or clerk in any post office, or as mail-carrier, who shall be, at the time when he subscribes the required oath of office, less than sixteen years old.

SEC. 9. No person can hold the office of postmaster who does not reside in the city or town wherein the post office is situated, or within the delivery of the office.

SEC. 10. The office of postmaster is one of much trust and responsibility, and the appointment proceeds from a confidence reposed in him personally by the appointing power. For this reason he cannot be permitted to transfer the charge of his office and the performance of its duties to another; thus creating a sinecure, and virtually substituting in his stead as postmaster a person unknown to the department.

SEC. 11. The duties of his office must be performed only by himself, personally, or by a sworn assistant or assistants, whom he may employ to aid him, when necessary; for the care and attention of every one of whom he will be responsible to the department.

CHAPTER II.

OFFICE BLANKS, RATING STAMPS, AND EXPENDITURES.

SEC. 12. Post office blanks will be furnished to postmasters, on their written requisitions, from the following agencies:

District No. 1, Agency at Washington city, D. C.—Postmasters in the District of Columbia, Virginia, North Carolina, South Carolina, Georgia, Alabama, and Florida will apply to the "First Assistant Postmaster General, Washington, D. C."

District No. 2, Agency at New York city.—Postmasters in Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, California, Oregon, and Washington, will apply to the "Blank Agent at New York, N. Y."

District No. 3, Agency at Buffalo, New York.—Postmasters in Mississippi, Louisiana, Arkansas, Missouri, Kentucky, Tennessee, Texas, New Mexico, Utah, Ohio, Indiana, Illinois, Michigan, Wisconsin, Iowa, Minnesota, Nebraska, Arizona, Nevada, Colorado, Montana, Idaho, and Kansas, will apply to the "Blank Agent at Buffalo, N. Y."

SEC. 13. When the postages collected at an office amount to \$100 a year, the name of the postmaster and of his office will be printed on the post-bills. When the postmaster's compensation exceeds \$12 50 a quarter, the postmaster is entitled to wrapping paper, sealing-wax, and twine, at the above agencies.

SEC. 14. Post offices, the gross receipts at which are over \$1,000 per annum, will be furnished with circular marking and rating stamps of class No. 1; less than \$1,000 and over \$500, with stamps of class No. 2; less than \$500 and over \$100, with stamps of class No. 3; and exchange post offices with stamps of class No. 4. Application for these stamps should be made to the Appointment Office.

SEC. 15. Postmasters at offices the gross receipts at which are less than \$75 per annum, if they use rating stamps, must obtain the same at their own expense.

SEC. 16. Letter balances, upon the like application, are furnished to offices which collect in postages \$75 a year

SEC. 17. Expenditures for clerk-hire, rent, fuel, and light, in the case of offices of the first and second classes, will be fixed by an order on the receipt of an estimate from the postmasters of such offices, and shall remain for one year, or until otherwise ordered; and other items of expense for furniture, stationery, &c., under this section, in the case of the same class of offices, must be made only under special authority from the Postmaster General, and applications must be made to him for such authority, accompanied with estimates, previous to incurring such expense.

SEC. 18. Offices of the first and second classes will hereafter be furnished with envelopes for official use by the department; and postmasters of those offices are prohibited from purchasing envelopes except in case of emergency, when they must confine purchases to immediate wants, and an explanation must accompany the vouchers therefor. Applications for envelopes must be made to the Third Assistant Postmaster General.

SEC. 19. The Postmaster General is authorized to make allowances in his discretion for the items of expense above mentioned, which may be incurred at post offices of the third and fourth classes.

CHAPTER III.

CHARGE OF POST OFFICES.

SEC. 20. On taking charge of a post office the postmaster will make in duplicate inventories of the public property belonging to it, as follows:

1. Of all laws, regulations, lists of post offices, circulars, orders, &c.;
2. Of all locks, keys, and mail bags;
3. Of all letters, packets, newspapers, pamphlets, and other mail matter, stating the amount of unpaid postages thereon; and
4. Of all desks, cases, and other furniture, or fixtures, books, maps, blanks, and stationery allowed or furnished by the department.

SEC. 21. He will deliver one of each of these duplicates, with his receipt thereon, to his predecessor. The other he will transmit—No. 1 to the Appointment Office, No. 2 to the Contract Office, Inspection Division, and Nos. 3 and 4 to the Auditor's Office.

SEC. 22. Precaution should be taken by the postmaster in all cases to appoint an assistant to prevent the office from being left without a duly qualified person to perform its duties in case of the necessary absence, the sickness, resignation, or death of the postmaster.

SEC. 23. The postmaster will see that the oaths of the clerks and letter-carriers attached to his office be forwarded for file to the Appointment Office before they enter upon their duties. The agents of the department will promptly report all instances of non-compliance with this regulation.

SEC. 24. A postmaster will suffer no person whatever, except his duly sworn assistants, clerks, and letter-carriers, to have access to the letters, newspapers, and packets in his office, or whatever constitutes a part of the mail, or to the mail locks or keys.

SEC. 25. Mails should not be opened or made up by the postmaster or his assistant within the reach of persons not authorized to handle them; the postmaster will, therefore, while discharging these duties, if a room be appropriated to the use of his office, exclude from it all persons except his assistants regularly employed and sworn.

SEC. 26. For the safe-keeping of letters and packets at post offices where the business is not so extensive as to require the appropriation of a room to that use, a cheap, plain desk, or case, is to be provided at the expense of the department, with a good lock and key. But neither this nor any other contingent expense will be allowed unless the net proceeds of the office amount to at least five dollars per quarter.

SEC. 27. The postmaster will keep his office open for the despatch of business every day except Sunday, during the usual hours of business in the place; and attend at such other hours as may be necessary to receive and despatch mails. When the mail arrives on Sunday he will keep his office open for one hour or more, if the public convenience require it, after the arrival and assortment thereof, unless it be during the time of public worship; in which case he will keep the office open for one hour or more, if necessary, after the religious services have ceased.

SEC. 28. A postmaster is responsible for the discharge, by himself, or his sworn assistant, of all the duties of the office until his successor shall have been appointed and qualified, even although the term for which he may have been appointed has expired.

SEC. 29. Whether the appointment be from the President or the Postmaster General, in the event of death the responsibility of the sureties will continue for the fidelity of the person left in charge of the office until a successor is appointed and qualified.

SEC. 30. It is lawful for the sureties, or any one of them, to perform the duties of postmaster until his successor is appointed. The person performing such duties must, before entering on the discharge thereof, take the required oaths. Justices of the peace, unless excluded by their own State laws, may serve as postmasters.

SEC. 31. All instructions, circulars, and orders received by a postmaster from any officer of the department are to be filed in the office and turned over to his successor. In like manner he will turn over to his successor, or, in the event of the discontinuance of the office, deliver to the nearest postmaster, as *public property*, all desks, cases, and other furniture and fixtures, and all books, maps, blanks, stationery, and other articles, which have either been furnished to him as postmaster, or have been charged and allowed at any time; and which may remain on hand when the vacancy or discontinuance occurs.

SEC. 32. Whenever mails are not received or delivered at any post office, the postmaster at the nearest office on the same route will report the fact to the department, and open the mails addressed to such office, deliver the letters and papers to the persons entitled to them, and account for the postages in the returns of his own office.

SEC. 33. When the Postmaster General shall change the name of an existing post office, the order will not take effect until the execution by the postmaster of a new bond, and the acceptance thereof by the department. The name designated by the Postmaster General will be used from and after the first day of the next succeeding quarter. But no postmaster can change the name of his office without the order of the department, and he is expected to be particular in seeing none other substituted. He must not remove the site of the office from the usual post road, or make any material change in such site without the consent of the department.

SEC. 34. Every postmaster, in addressing the department, should write the name of his office, county, and State, at the head of his letter, and *avoid writing upon more than one subject in the same letter*. He must then post-mark his letter with the name of his office and the State, as well as date of the mailing, and address it to the *proper bureau*.

SEC. 35. Whenever application is made for allowance for extra services on account of the presence of military or naval forces in the vicinity of a post office, (under section 5 of the law of March 3, 1863,) such application must show how much extra service was required by reason of the presence of such force, the magnitude of the force, how long present there, the increase of the business resulting therefrom, and any other facts which may be called for by the department.

CHAPTER IV.

MAILABLE MATTER.

SEC. 36. Mailable matter is divided into three classes, namely: first, letters; second, regular printed matter; third, miscellaneous matter.

SEC. 37. The first class embraces all correspondence, wholly or partly in writing, except that mentioned in the third class. The second class embraces all mailable matter exclusively in print, and regularly issued at stated periods, without addition by writing, mark, or sign. The third class embraces all other matter which is or may hereafter be by law declared mailable; embracing all pamphlets, occasional publications, books, book manuscripts, and proof-sheets, whether corrected or not, maps, prints, engravings, blanks, flexible patterns, samples, and sample cards, phonographic paper, letter envelopes, postal envelopes, or wrappers, cards, paper, plain or ornamental, photographic representations of different types, seeds, cuttings, bulbs, roots, and scions.

SEC. 38. Packages containing liquids, poisons, explosive chemicals, or other matter calculated to endanger the safety of the mails, must always be excluded therefrom.

SEC. 39. Violations of the law prohibiting the deposit in the mail of obscene books, pamphlets, prints, &c., must be promptly noticed by postmasters, and the United States district attorney notified by them, when the party violating the law is known with reasonable certainty, and the evidence, including the obscene matter, placed in his hands. When the guilty party is not known, the books or other obscene matter must be sent to the Third Assistant Postmaster General, in a *sealed* package marked "SPECIAL," and, at the same time, a letter must be written informing him that the package has been sent.

SEC. 40. It is a penal offence to deposit in any post office, to be conveyed in the mail, within the United States, any envelope or packet containing letters addressed to different persons. And when any postmaster is certain that any envelope or packet contains such letters, he will neither mail nor deliver it, but forward it to the Dead Letter Office at Washington.

SEC. 41. To *enclose* or conceal a letter, or *other thing*, (except bills and receipts for subscription,) *in*, or to write or print anything, after its publication, *upon*, any newspaper, pamphlet, magazine, or other printed matter, is illegal, and subjects such printed matter, and the entire package of which it is a part, *to letter postage*; and if done in order that the same may be carried by post free of postage, subjects the offender to a *fine of five dollars* for every such offence; and in such cases, if the person addressed refuse to pay such letter postage, the package should be returned to the postmaster from whose office it came, to prosecute the offender for the penalty.

SEC. 42. Printed slips or circulars stitched or pasted in with the body of periodicals or magazines with which they have no legitimate connection, are attempts to evade the law; and all such matter which does not form, and was not intended and originally printed to form, a regular part of the contents of any given number of a periodical or magazine and its cover, must be considered as *extraneous matter*, *subjecting the whole copy with which it is thus sought to be incorporated to letter postage*. All transient printed matter *should be distinctly post marked and rated at the mailing office*.

CHAPTER V.

UNLAWFUL CARRYING OF MAILABLE MATTER.

SEC. 43. Mail-carriers, contractors, or stage-drivers cannot lawfully carry out of the mail any letter or packet, unless the same has been prepaid by a *stamped envelope* of suitable denomination.

SEC. 44. No person can lawfully carry or transport any letter, packet, newspaper, printed circular or price-current, on board any packet in which the United States mail is regularly carried to or from foreign countries, with the exception of letters sealed and addressed and prepaid by stamped envelopes, of the proper denomination, and *newspapers* in use, and not intended for circulation in the country to which the vessel may be bound, or done up in packages as merchandise, and directed to some *bona fide* dealer.

SEC. 45. 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, on 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 letter, packet, or packets of letters, (except those sealed and addressed and prepaid by stamped envelopes, of suitable denominations,) 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, vessel, or vehicle, and excepting also newspapers, pamphlets, magazines, and periodicals. Letters prepaid by *stamps* cannot be lawfully carried out of the mails.

SEC. 46. The act of 1845 imposes a fine of \$150 for each offence upon the person who may *establish* an express for the transmission of mailable matter out of the mails, and upon each person *acting* as such express, or *aiding* and *assisting* therein. It imposes the same fine upon the owner of any stage-coach, railroad car, steamboat, or other vehicle or vessel making regular trips at stated periods, and carrying—with the knowledge or consent of such owner, or of the captain, conductor, or other person in charge of such vehicle or vessel—any person acting or employed as such express. It prohibits the conveyance of mailable matter otherwise than in the mails, by the owners, managers, conductors, crews, or servants of any vehicle or vessel making stated trips as aforesaid, under a penalty of \$100 to be paid by the owner, and \$50 to be paid by the captain, conductor, driver, or other person having charge of such vehicle or vessel, for each offence.

SEC. 47. Congress having, by the 5th section of the act of August, 1852, authorized the *seizure and detention* of all letters or packages containing letters, which shall have been sent or conveyed contrary to law on board any ship or vessel, or on or over any post route of the United States, it is the duty of postmasters and other agents of this department to cause this provision of the law to be enforced.

SEC. 48. Whenever a postmaster receives information, or has good reason to believe, that letters are illegally brought to or sent from any city, town, landing, station, or place near his office, whether by steamboat, railroad, or any other mode of conveyance, he will give immediate notice of such violation of law to the collector of the district, or to some other officer of the customs, if such letters are on board a ship or other vessel, or to a special agent of this department, or a marshal or deputy marshal of the United States, if the same have been sent or conveyed *either by sea or land*; and it will be the duty of such collector, custom-house officer, special agent, marshal, or deputy marshal to *search for* and *seize* all such letters and convey them to the nearest post office, or detain them until after the trial of any suit which may grow out of such seizure, as the Postmaster General and the Secretary of the Treasury may direct; and *one-half of any penalties that may be recovered for illegal sending, carrying, or transporting any such letters shall be paid to the officer so seizing.*

SEC. 49. In every case where a postmaster has reason to believe that the law in relation to the conveying mail matter out of the mails is violated near his office, and no officer authorized to seize letters illegally carried resides in the vicinity, he will apply to the Postmaster General for an appointment as special agent for the purpose, stating fully the facts which, in his judgment, render such appointment necessary.

SEC. 50. Contractors and mail-carriers may carry newspapers out of the mails, for sale or distribution among regular subscribers; but when such papers are placed in a post office for delivery, postage must be charged and collected. Contractors and other persons may also convey books, pamphlets, magazines, and newspapers, (not intended for immediate distribution,) done up in packages as merchandise, and addressed to some *bona fide* agent or dealer.

SEC. 51. No part of any penalty accrues to the prosecutor, except in cases where the act prescribing the penalty so provides.

CHAPTER VI.

DISTRIBUTING OFFICES, AND DISTRIBUTION OF MAILS.

SEC. 52. Distributing offices are established to insure certainty and regularity in the transmission of letters and packets between remote points; and to this end, besides the usual business of a post office, certain peculiar duties are performed therein. Offices of this character will be designated from time to time by the Postmaster General, and the allowance for extra service fixed as the exigencies of the service may require.

SEC. 53. All letters and packets received for distribution are to be distributed and remailed before the departure of the next mail, if practicable.

SEC. 54. A postmaster at a distributing office will not open and distribute a mail which is addressed to another office.

SEC. 55. If letters be sent by any postmaster to a distributing office, when they should have been mailed direct to the offices to which they are addressed, the postmaster at such distributing office will request the postmaster so sending to correct his practice; and if continued, will report him, for such violation of instructions, to the Appointment Office.

SEC. 56. The following is a list of the distributing offices on the 1st April, 1866:

Office.	State.	Office.	State.
Boston	Massachusetts.	St. Louis	Missouri.
Portland	Maine.	Louisville	Kentucky.
Hartford	Connecticut.	San Francisco	California.
New York	New York.	Sacramento	California.
Albany	New York.	Norfolk	Virginia.
Buffalo	New York.	Richmond	Virginia.
Philadelphia	Pennsylvania.	Kanawha C. H.	West Virginia.
Pittsburg	Pennsylvania.	Raleigh	North Carolina.
Baltimore	Maryland.	Montgomery	Alabama.
Washington	District of Columbia.	New Orleans	Louisiana.
Wheeling	Virginia.	Charleston	South Carolina.
Cincinnati	Ohio.	Savannah	Georgia.
Cleveland	Ohio.	Columbus	Georgia.
Detroit	Michigan.	Nashville	Tennessee.
Indianapolis	Indiana.	Memphis	Tennessee.
Cairo	Illinois.	Little Rock	Arkansas.
Chicago	Illinois.	Napoleon	Arkansas.
St. Joseph	Missouri.	Galveston	Texas.

SEC. 57. Postmasters at distributing and separating offices are required to keep in their offices records of packages of postage stamps and stamped envelopes passing through their offices respectively. (For form of such record, see sec. 184, chapter XVIII, Postage Stamps.)

CHAPTER VII.

DELIVERY AND RETURN OF LETTERS.

SEC. 58. The persons entitled to letters received by mail are those whose names are in the address.

SEC. 59. The delivery should be either to the person addressed, or according to his or her order. The order is in some cases implied, as where a person is in the habit of receiving his letters through his son, clerk, or servant, and of recognizing the delivery to him. Letters addressed to a firm may be delivered to any member of the firm, and, if addressed to several persons, may be handed to any one of them.

SEC. 60. Letters and packages addressed to fictitious persons or firms, or to no particular person or firm, not being deliverable according to the regulations, are to be returned at the end of each month to the Dead Letter Office.

SEC. 61. If a letter appear to be of value, it will be safest to require a written order for its delivery to the person calling, if he be not the person addressed.

SEC. 62. If there be two or more persons of the same name, and a letter intended for one is delivered to another, the postmaster will reseal the letter in the presence of the person who opened it, and request him to write upon it the words "*Opened by me through mistake,*" and sign his name; he will then replace the letter in the office.

SEC. 63. Postmasters cannot deliver letters from their respective offices which may be addressed to and deliverable from other offices, except in cases of letters addressed to a discontinued office nearest the office where such letters are held for delivery.

SEC. 64. To prevent fraud, the postmaster will never return any letter put into his office for transmission by mail to any person whatever.

SEC. 65. To enable him to know that the person applying for the return of a letter is the writer, he may require him, or his messenger, to exhibit to him the same superscription and seal that are upon the letter. And if the postmaster is satisfied that the handwriting and seal are the same, he will return the letter, taking a receipt, and preserving it with the paper containing the superscription, and the order if one were sent.

SEC. 66. A letter bearing the frank of an individual may be returned to him or his order.

CHAPTER VIII.

OPENING AND CLOSING MAILS.

SEC. 67. Seven minutes are allowed for opening and closing the mails at all offices where no particular time is specified; but on railroad and steamboat routes there is to be no more delay than is necessary to deliver and receive the mails.

SEC. 68. Upon the arrival of the mail at any post office, the packets addressed to that office, and none other, should be opened.

SEC. 69. Every postmaster will then look over the letters thus received, to see if the postages be properly paid on them, and correct the rates on the letters, where he finds mistakes, noting the amount corrected on his account of mails received, as *undercharged* or *overcharged*.

SEC. 70. If a postmaster finds any letters that are not for his delivery, and are mis-sent to his office, he will put them in the proper place to be forwarded, and writing on the letters the words "*mis-sent and forwarded,*" with the date. They should be forwarded by the first mail.

SEC. 71. A postmaster will not suffer any package to be opened which is not addressed to his office, nor any addressed to his office to be opened by persons not duly authorized; and in no case may a postmaster open a letter arriving at his office not addressed to himself.

SEC. 72. Upon making up the mail, it is the duty of every postmaster, when he knows that any letter has been illegally franked, or that the frank is forged, to erase the frank, and treat the letter as unpaid; and the postmaster at the office of delivery of any letter which he knows has been illegally franked, or on which the frank has been forged, is directed to charge such letter with the legal postage.

SEC. 73. In all such cases, the postmaster will immediately report to the department the name of the person whose frank has been so erased, and the reasons therefor, and all the facts in regard thereto. If, upon an exhibition of any letter franked and rated with postage, upon which postage has been charged and collected, it shall appear that the same was a letter rightfully and legally franked by the person who wrote it, or if written by another at the request of him who franks it, upon the business of the office of the person franking, the postage will be refunded, and the proper entries made.

SEC. 74. Every postmaster will enter the amount of unpaid letters, as it is charged in the bill, whether the charge be correct or erroneous. If erroneous, it falls either under the denomination of *undercharged* or *overcharged*, and by an entry of the sum, *undercharged* or *overcharged*, in the proper column, that error is balanced.

SEC. 75. When a postmaster opens the mail bag, he should be careful to leave no packets of letters or newspapers addressed to his office in it; and if his office be at a connecting point of the mails, from which other mails branch, he will carefully examine the packets in the bag, take out all such as are addressed to offices supplied by the branch mails, and give them their proper direction by the earliest conveyance. When this is neglected, it is expected that the *first* postmaster who discovers the neglect will return the mis-sent packets, and promptly report the fact to the department.

SEC. 76. The great mails are to be closed at all distributing offices not more than one hour before the time fixed for their departure; and all other mails at those offices, and all mails at all other offices, not more than half an hour before that time, unless the departure is between 9 o'clock p. m. and 5 a. m., in which case the mail is to be closed at 9 p. m.

CHAPTER IX.

RECEIVING AND DESPATCHING MAILS.

SEC. 77. A postmaster will always be in readiness, in person or by his assistants, to receive the mail when it arrives, and despatch it with all possible expedition.

SEC. 78. If no special order upon the subject has been made in regard to his office, he is allowed seven minutes only to change the mail.

SEC. 79. Way offices on railroads will be supplied by the exchanging of pouches as the cars pass, without waiting for time to change the mail, and postmasters at such offices should have the mails ready when the cars arrive.

SEC. 80. If the mail be carried in a stage, coach, or sulky, it will be the duty of the driver to deliver it as near the door of the post office as he can come with his vehicle, but not to leave his horses; and he should not be permitted to throw the mail on the ground.

SEC. 81. The postmaster will never detain a mail beyond the time fixed for its departure, except in pursuance of special instructions received from the department.

SEC. 82. When the mail is to remain but a few minutes at his office, his mail should be made up and ready to be put into the mail bag before the time when it usually arrives.

SEC. 83. He will stop all packets which he finds going in the wrong and put them in the right direction.

SEC. 84. In case of a failure of the mail he will forward all the packets by the next trip.

SEC. 85. It is inadmissible to send letters in a canvas bag without a lock, unless they are enclosed in a locked bag.

SEC. 86. Never deliver the mail bag to the carrier without being certain that it is locked.

SEC. 87. Letters should, in all cases, be sent by the most expeditious routes, unless otherwise ordered by the persons sending the same.

SEC. 88. Postmasters will wrap packages of letters in paper of proper strength, and tie them securely with twine. But when post offices are supplied in whole or in part by railway post offices, the postmasters will be governed by special instructions from the superintendent of the railway mail service.

SEC. 89. All mail matter not sent at letter rates of postage, embracing books, book manuscripts, proof-sheets, and other printed matter, and all other mail matter except seeds, must be so wrapped or enveloped with open sides or ends as to enable the postmaster to examine the package without destroying the wrapper, otherwise such package must be rated with letter postage. No communication, whether in writing or in print, can be sent with any seeds, roots, cuttings, or scions, maps, engravings, or other matter not printed, except upon the separate payment of postage upon such separate matter at the established rates.

CHAPTER X.

MAKING UP THE MAILS.

SEC. 90. Letters received to be sent by mail should be carefully marked with the name of the post office at which they are received, and the abbreviated name of the State or Territory, the day of the month on which they are forwarded in the mail, and the rate of postage chargeable on them; or if they be free, with the word *Free*. The name, date, and *Free*, may be either written or stamped.

SEC. 91. Letters must bear the postmark and the date on which the mail containing them is actually sent off, although they may have been made up on a previous day.

SEC. 92. Post-bills are used only for unpaid and registered letters. No entry need be made in the right-hand column of the post-bill if the letters received correspond with the statement of the mailing postmaster. Unpaid letters sent to a distributing office for distribution should not be post-billed. A post-bill is required only when mailing *direct for delivery*.

SEC. 93. Postmasters will carefully assort the letters deposited in their offices for mailing, and will mail them as follows, to wit: Every postmaster will mail *direct* to the place addressed, first, all letters for his own State or Territory. Second, all letters for post offices in other States and Territories which should not pass through a distributing office on their proper route to the office of delivery.

Letters not required by the foregoing provisions to be mailed direct shall be mailed to the distributing office through which they should *first* pass on the proper route to the place of their destination, *unless the mailing office be a distributing office*.

All letters received at a distributing office for distribution, or deposited therein for mailing, and which are addressed to any other distributing office, or to places within the State or Territory where such distributing office is situated, or which would not pass through a distributing office on the proper route to the office of delivery, *shall be mailed direct*; but if the letters should properly pass through one or more distributing offices, they shall be mailed to the *last* distributing office through which they are to pass on their route to the office of delivery.

SEC. 94. Each package containing letters mailed *direct* should be plainly directed on the outside with the name of the office to which it is to be sent, and of the county and State in which such office is situated.

SEC. 95. Packages containing letters sent to a distributing office should be plainly directed in the same manner, with the addition of the letters "D. P. O." after the name of the office.

SEC. 96. Every postmaster, special agent, or other officer of the department, will report to the Postmaster General each case which may come to his knowledge in which any postmaster shall have so mailed letters as to subject them to more distributions than are authorized by the foregoing instructions, as stated in section 92, above.

SEC. 97. The post-bill being completed, its contents are to be entered in the *account of mails sent*, stating the name of the office and State to which the mail is sent. Letters for distribution, and letters for delivery should be made up in separate packets.

SEC. 98. The mails for all the offices to which there are any letters addressed being in this manner complete, they are to be put into the bag or bags destined to receive them, which must be locked and delivered to the carrier.

SEC. 99. Only such letters as there is good reason to believe were written after the usual hour for closing the mail at the local post office, and such as could not, with due diligence, have been placed in the offices in due time to be despatched in the outgoing mail, may be received by the agent and mailed in the cars, excepting railway post offices, which are required to receive letters up to the last moment prior to the moving of the train.

CHAPTER XI.

ATTENTION TO THE MANNER OF CARRYING THE MAILS.

SEC. 100. Every postmaster will consider himself the agent of the department in regard to his affairs in his immediate vicinity, so far as to carefully observe and promptly report everything tending to affect its interests, efficiency, and utility, and especially to keep a vigilant eye upon the manner in which the mails are carried to and from his office.

SEC. 101. Every instance in which the mail is brought to a post office by a person under the age of sixteen years, or by a person who has not been duly sworn, must be reported to the department.

SEC. 102. If a mail-carrier, having the mail in charge, become intoxicated, the postmaster will instantly dismiss him, employ another at the expense of the contractor, and report the facts to the department.

SEC. 103. The postmaster will promptly report all irregularities of mail-carriers, from whatever cause.

SEC. 104. If the mail arrive without a lock, he will ascertain where the fault is, and report it to the department.

SEC. 105. He will also carefully observe how mails are carried by any steamers landing near his office, and will report every case in which he finds them exposed on deck, or not secured in some proper place under lock and key; and in all cases he will see that the mails, by whatever mode of conveyance they are sent from or received at his office, are properly protected from the weather.

SEC. 106. When the mail stops over night where there is a post office, it must be kept in the office.

CHAPTER XII.

REPORTS OF ARRIVALS AND DEPARTURES OF MAILS.

SEC. 107. The postmasters at the termini of each mail route are furnished with blank registers from the Contract Office, Inspection Division. Applications for such blanks must be made accordingly, and not to either of the blank agents of the department.

SEC. 108. Postmasters at the end of every mail route, and at such other offices as the Postmaster General may direct, are required to keep registers of the arrival and departure of all mails which are opened at their offices, respectively, setting forth the *exact time of each arrival and each departure*, and *giving the reasons for every delinquency*, if known to them, or if the same can be *ascertained on proper inquiry*.

SEC. 109. Postmasters at the ends of all routes on which mails are carried *six times a week or oftener* each way will return a register at the close of *each week*.

SEC. 110. Postmasters at the ends of routes on which mails are carried *less than six times a week* each way will forward a register to the department at the close of *each month*.

SEC. 111. Particular care must be exercised in making out the registers of arrivals and departures of the mails. The blanks at the head of each should be properly filled, giving the *name of the office, county, and State*; the *number of the route*, the *names of the places* where it terminates, and the *schedule days and hours of arrival and departure*. All registers should be *fully dated*, showing the day of the *week*, the *month*, and the *year*. When there is a failure to arrive or depart, write opposite to its date "FAILURE;" when the arrival is after the schedule hour, failing to connect with other routes, write "FAILED TO CONNECT;" and when the arrival is after the schedule time, causing complaint, write "COMPLAINT."

SEC. 112. The cause of failure must be noted upon the register; also whether the carrier makes every proper effort to arrive and depart according to the schedule.

SEC. 113. Whenever the mail is carried by any other person than the contractor or his authorized agent or carrier, the fact is to be noted on the register.

SEC. 114. In addition to the above, special reports are to be made when mails are received wet or in otherwise bad condition; also of *extraordinary failures, interruptions, or abandonment of routes*; and, *from time to time*, of all such information as may aid the department in enforcing the strictest performance of duty on the part of contractors, and securing for the community the greatest possible regularity, safety, and efficiency in the mail service. These special reports should state the number, or, if the number is not known, the termini of the route.

SEC. 115. The registers and special reports must be forwarded to the Contract Office, Inspection Division. *In no case are they to be sent with the quarterly returns*. A copy of each register sent to the department should be kept by the postmaster.

CHAPTER XIII.

FAILURES OF MAILS, AND FINES.

SEC. 116. Failures of mails to arrive at the ends of routes and other points within contract time cannot but be known in all cases to contractors or their agents. No notice, therefore, is necessary to be given to contractors of failures to arrive at any post office in contract time, as reported by postmasters to the department; but when the failure is caused by the neglect of a carrier employed by the contractor, the postmaster will notify the contractor of the failure, and require him to take measures to prevent its recurrence.

SEC. 117. Should a mail at any time fail to arrive at the end of a route, or at any intermediate post office, where the time of arrival is fixed within the time specified in the contract or schedule, it will be expected of every contractor immediately, by himself or agent, to send his excuse to the Contract Office, Inspection Division, setting forth, *particularly*, the cause of the failure; and if, after waiting a reasonable time, no specific and satisfactory excuse be received, the case will be reported to the Postmaster General for fine.

SEC. 118. A specific excuse is required for each delinquency of a contractor, and general allegations will not be admitted. If bad roads be alleged, a specific report must be made of what portion of the road was so bad as to obstruct the mails, and what was its peculiar condition; if high waters, it must be shown what water-courses were impassable; and so of all other excuses.

SEC. 119. In all cases there is to be a forfeiture of the pay and of not more than three times the pay of the trip when the trip is not run, and no sufficient excuse for the failure is furnished; a forfeiture of at least one-fourth part of it when the running or arrival is so far behind time as to lose the connection with a depending mail. These forfeitures may be increased into penalties of higher amount, according to the nature or frequency of the failures and the importance of the mail.

SEC. 120. Whenever it be satisfactorily shown that the contractors, their carriers, or agents, have, for the accommodation of passengers, left or put aside the mail, or any portion of it, or have failed to deliver a mail at a post office immediately upon arrival, they shall forfeit not exceeding a quarter's pay.

SEC. 121. Fines will be imposed, unless the delinquency be satisfactorily explained in due time, for each of the following causes: Failing to take from, or deliver at, a post office the mail or any part of it; for suffering it to be wet, injured, lost, or destroyed; for conveying it in a place or manner that exposes it to depredation, loss, or injury; for refusing, after demand, to convey a mail by any coach, railroad, car, or steamboat, which the contractor regularly runs, or is concerned in running, on the route, beyond the specified number of trips in the contract; for not arriving at the time fixed by the schedule; and for setting up or running an express to transmit commercial intelligence in advance of the mail, a penalty will be exacted equal to a quarter's pay.

C H A P T E R X I V .

SCHEDULE CHANGES.

SEC. 122. An application for schedule change cannot be granted—

1. Without the assent of the postmasters at the ends of the route, except in case of manifest necessity.
2. Unless agreed to by the contractor, except in cases where the propriety of the change is clearly shown.
3. If more running time is asked than is given in the contract schedules.
4. If it breaks connexion with any other route.
5. If it puts the mail on a wrong day for the newspapers circulated over the route.
6. If it prevents or lessens any other special accommodation to the public.
7. If it fails to show a good reason for the change.

CHAPTER XV.

FREE MAIL MATTER.

SEC. 123. The right to send and receive letters and packets through the mail free of postage is held either as a personal privilege or as an official trust for the maintenance of official correspondence. In both its forms the right varies in respect to different classes of officers and individuals, in the kind as well as weight of matter which may be so sent or received. An interchange between publishers of pamphlets, periodicals, magazines, and newspapers, of their respective publications, is allowed for the purpose of promoting the dissemination of that kind of information of which they are the vehicles.

SEC. 124. The following officers and persons enjoy the right as a personal privilege, subject, in the case of some of them, to the several restrictions stated and annexed :

1. Communications may be franked by the President, (by himself or secretary,) by the Vice-President, and by each member of the cabinet, without being certified to be "official."

2. Members of Congress and delegates from Territories, during their term of office, and until the first Monday of December after its expiration. Restricted to letters and packets not exceeding four ounces in weight and public documents. Public documents are those printed by the order of either house of Congress, and publications and books procured or purchased by Congress or either house for the use of the members.

3. The Secretary of the Senate and the Clerk of the House of Representatives during their official terms. Restricted as that of members of Congress and delegates.

4. The fourth class of franks can only cover official correspondence, and the words "official business" must be upon the envelope and signed by the official franking. For such official correspondence the franking privilege is allowed to the following officers: The First and Second Comptrollers of the Treasury; the Solicitor of the Treasury; the Auditors of the Treasury; the Treasurer of the United States; the Register of the Treasury; the Assistant Secretary of State; the Assistant Secretaries of the Treasury; the Assistant Secretary of the War Department; the Assistant Secretary of the Navy; the Commissioner of the General Land Office; the Commissioner of Customs; the Commissioner of Patents; the Commissioner of Indian Affairs; the Commissioner of Pensions; the Assistant Postmasters General; the Adjutant General of the army; the Quartermaster General; the Inspector General; the Commissary General of Subsistence; the Commissioner of Immigration; the Commissioner of Public Buildings; the Commissioner of the Freedmen's Bureau; the Solicitor and Naval Judge Advocate General; the Solicitor of the War Department; the Paymaster General; the Chief Engineer; the Surgeon General; the Colonel of Ordnance; the chiefs of bureaus of the Navy Department; the Superintendent and Assistant Superintendent of the Coast Survey; the Superintendent of the Census; the Commissioner of Agriculture; the Commissioner and Deputy Commissioner of the Internal Revenue; the Provost Marshal General; the chief clerks of the executive departments.

SEC. 125. If the name of the individual franking a letter be known as the handwriting of a person entitled to frank, the letter may be regarded as free, although the style of his office be omitted.

SEC. 126. No postmaster or other privileged person can authorize his assistant, clerk, or any other person to write his name for the purpose of franking any letter, public or private.

SEC. 127. The personal privilege of franking travels with the person possessing it, and can be exercised in but one place at the same time.

SEC. 128. No person entitled to the franking privilege can leave his frank behind him upon envelopes to cover his correspondence in his absence.

SEC. 129. If letters or papers be put into a post office bearing the frank of a privileged person who notoriously has not been in that vicinity for several days; or if letters or papers marked free be received at an office, directed to a privileged person, but notoriously intended to be received by some person not privileged, whether acting as the agent of the privileged person or not, it is the duty of the postmaster to treat them as unpaid.

SEC. 130. If any letter to or from a privileged person be put into or received at a post office, of greater weight than such person has a right by law to frank, the postmaster will charge the excess with letter postage.

SEC. 131. Postmasters are required to report all violations of the franking privilege.

SEC. 132. If any person shall counterfeit the handwriting or frank of a person entitled to the franking privilege, or cause the same to be done, in order to avoid the payment of postage, each person so offending is liable to a fine of \$500.

SEC. 133. Properly franked mail matter, or mail matter addressed to a person enjoying the franking privilege, is entitled to be carried free in the mail when "forwarded" to the person elsewhere, as well as in its transportation simply to the office to which originally addressed.

SEC. 134. Penalties attach whenever a person franks a letter from another, unless written on the business of his office by his order.

SEC. 135. 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.

SEC. 136. 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.

SEC. 137. In prosecuting for the penalties, postmasters will obtain the aid of the district attorney of the United States; and for that purpose report to him the circumstances and the names of the witnesses in each case; and they will cause the proceedings to be instituted in the district court of the United States, not only against those who abuse their frank, *but also against those who procure* it to be done.

SEC. 138. One-half of the penalties collected for the violations of the franking privilege go to the prosecutor, and the other half to the United States, and are to be paid over and accounted for to the Postmaster General. They may be sued for before the circuit and district courts of the United States.

SEC. 139. All communications on official business, of whatever origin, addressed to heads of the executive departments of government, or heads of bureaus therein, or to chief clerks of departments, shall be received and conveyed by mail free of postage, without being franked or indorsed "official business."

SEC. 140. All franking by postmasters, or to them, except upon their official communications to the department and to each other, is prohibited. In such cases the envelope should bear the certificate "official business," signed by the postmaster writing.

SEC. 141. The weight of packages of seeds, cuttings, roots, and scions, to be franked is limited to thirty-two ounces.

SEC. 142. The franking privilege, heretofore accorded to widows of Presidents, is, by the law of March 3, 1863, entirely abrogated.

SEC. 143. The Congressional Globe and Appendix are allowed to pass through the mails free; but the Daily Globe is subjected to newspaper postage.

SEC. 144. By a law of Congress passed in 1866 all letters and packets carried by post to and from Mrs. Mary Lincoln, widow of the late President Lincoln, are to be conveyed free of postage during her natural life.

SEC. 145. Copyright books, charts, &c., required to be delivered to the library of Congress or Smithsonian Institution, and which are entitled to pass free in the mail, should be superscribed "Copyright for Congress Library," or "Smithsonian Institution," as the case may be.

CHAPTER XVI.

SOLDIERS' AND SAILORS' LETTERS.

SEC. 146. Under the law of July 1, 1863, authorizing the transmission of unpaid letters of soldiers, sailors, and marines—

1. Letters written by commissioned officers in the military or naval service cannot be certified as soldiers' or naval letters.

2. Letters written by non-commissioned officers and privates in the military service, or in the naval service, (embracing the marine corps,) on which the postage is not prepaid by stamps, must be plainly marked on the outside, over the address, soldier's letter or naval letter, (as the case may be,) and this certificate signed with his official designation by a field or staff officer of the regiment to which the soldier belongs, or by the officer in command of his detachment, or of the post, or by a surgeon or chaplain at a hospital. In the navy or marine corps by the officer in command of the vessel, or by a chaplain or surgeon on board, or by the officer commanding a detachment of marines on shore.

3. If any military or naval letters not thus duly certified shall be deposited at any post office for mailing, they shall nevertheless be mailed, but rated up with postage, to be collected on delivery.

SEC. 147. All domestic letters prepaid one full rate, and soldiers' and sailors' letters duly certified, must be forwarded to their destination, charged with the amounts of postage due, at prepaid rates, to be collected on delivery.

CHAPTER XVII.

PAYMENT OF POSTAGE.

SEC. 148. Postage must be prepaid upon all mail matter, except—

1. Matter lawfully franked.
2. Foreign letters which are regulated by special convention.
3. Printed matter regularly issued and sent to regular subscribers.
4. Letters sent by soldiers, sailors, and marines, and duly certified as such.

SEC. 149. Postmasters will, as far as possible, report the postage accruing at their offices upon each of the three classes of mailable matter enumerated in section 19, act of March 3, 1863, (a) viz: first, letters; second, regular printed matter; third, miscellaneous matter.

SEC. 150. If any matter on which by law the postage is required to be prepaid at the mailing office shall reach its destination without such prepayment, the prepaid rates shall be charged and collected on delivery, and this regulation applies to all letters not duly franked or prepaid (except soldiers' and naval letters,) and all printed matter except that sent to regular subscribers, and to all miscellaneous mail matter.

SEC. 151. If postage is partly prepaid, the unpaid postage will be charged at the prepaid rates.

SEC. 152. Postmasters must never give credit for postage, nor deliver any letter, newspaper, pamphlet, magazine, or other package, unless the postage thereon be paid. Printed matter must be retained until it is paid for, either at transient or quarterly rates. Unmailable matter will never be delivered.

(a) See postal Laws, § 221.

SEC. 153. Quarterly payments may be made in advance on newspapers, magazines, and periodicals, either at the mailing office or the office of delivery. When made at such mailing office, at the commencement of a year or of a quarter, (as he may elect,) the publisher must prepare and hand to the postmaster, ready for signature, a receipt for each post office to which the papers are to be sent for delivery, stating the number of papers to be sent to such post office, and the amount of postage to be paid thereon; also, giving the names of each of the subscribers. Upon the payment of the postage the receipts must be signed by the postmaster at the mailing office, who will then direct such receipts to the postmasters at the offices of delivery, and they will be received there as evidence that the postage has been duly paid. The postmaster to whom such receipts have been sent will be thereby authorized to deliver the papers mentioned in such receipts to the subscribers therein named without further charge for postage.

SEC. 154. No newspaper or magazine, not prepaid at the mailing office, can be delivered until the postage has been paid for at least one quarter, unless the party addressed shall pay on each such paper or magazine the rate required on transient matter. If the quarterly postage shall be paid at any other time than the beginning of a quarter, that is to say, on the first day of January, April, July, and October, it must be paid to the end of the next following quarter. Thus, if the subscription commences from the 1st of August, payment must be made to the 31st of December. Not more than one year's postage can be collected in advance. If postmasters deliver any mail matter without first collecting the postage thereon, they must immediately charge themselves with the amount, and report it as paid in their quarterly account. Any failure to do this will be cause for removal.

SEC. 155. Section 35, act 3d March, 1863, (see Postal Laws, sec. 251,) applies to regular papers and periodicals issued *once a week or more frequently*, and from a *known* office of publication. Publications issued without disclosing the office of publication, or containing a fictitious statement thereof, will not be forwarded unless prepaid at the mailing office at the rates of transient matter. The provision of the former law authorizing free delivery of newspapers within the county of their publication is retained; but the subscriber must reside within the county of publication, and it is only a *weekly* newspaper that can be thus delivered without charge of postage.

SEC. 156. *Bona fide* subscribers to weekly newspapers can receive the same free of postage if they reside in the county in which the paper is printed and published, even if the office to which the paper is sent is without the county, provided it is the office at which they regularly receive their mail matter.

SEC. 157. Letters mailed in the cars can be prepaid only by using postage stamps or stamped envelopes, and, when not thus prepaid, it is the duty of postmasters to treat all such letters as unpaid, although marked "paid"—no route agent being permitted to receive prepayment in money.

SEC. 158. Letters stamped with one full rate should be despatched, charged with the additional postage due at the prepaid rate.

SEC. 159. Bills of lading and unsealed letters, relating exclusively to the whole or any part of the cargo of a vessel or steamboat, may be sent on such vessel or steamboat outside of the mail, unless they are placed in an envelope with other matter. In the latter case, the whole packet is subject to letter postage.

CHAPTER XVIII.

POSTAGE STAMPS AND STAMPED ENVELOPES.

SEC. 160. To facilitate the prepayment of postages upon letters and packages, postage stamps and stamped envelopes, of suitable denominations, are provided and furnished by the Postmaster General, pursuant to the acts of Congress on the subject.

SEC. 161. Stamps and stamped envelopes are furnished only to postmasters for sale. Postmasters who fail to supply themselves from the department must purchase temporary supplies from the nearest offices. They are not required to render to the department any account of such purchases.

SEC. 162. Requisitions for postage stamps and stamped envelopes are required to be drawn upon printed forms, furnished by the several blank agents; and postmasters are expected to fill properly each and every blank occurring in said printed forms. The requisitions, when thus completed, are to be forwarded to the Third Assistant Postmaster General.

SEC. 163. Postmasters are expected, in each case, to order such quantity as, upon a careful estimate, may be deemed a sufficient supply of the various kinds of stamps and envelopes for three months from the date of the order.

SEC. 164. Upon receiving supplies of postage stamps, postmasters are required to count them in the presence of a disinterested witness, to date and sign the receipt, and transmit the same to the Third Assistant Postmaster General. In case of any deficiency, the affidavit of the postmaster and that of the witness, stating the amount of such deficiency, will be necessary in order to obtain credit therefor.

SEC. 165. If any portion of a parcel of stamps or stamped envelopes be damaged, the postmaster will sign the receipt for the whole amount of the parcel, and having written across the face of the receipt the number and amount of stamps or envelopes unfit for use, he will return the same, together with the receipt, to the Third Assistant Postmaster General, who will give credit for the amount returned. But if the damage be total, the entire number should be returned, with the receipt not signed, in order that others may be sent in their place. The package must be *registered*, and the postmaster must also be able to prove the act of mailing by a disinterested witness. Postmasters *failing* to register such packages, will not receive credit for the amount alleged to have been returned, in case the same fail to reach the department.

SEC. 166. Every postmaster receiving stamps or stamped envelopes for sale, directly from the department, will, at the end of each quarter, charge himself in his quarterly account current with any amount of such articles he may have received from his predecessor, or which remained on hand at the close of the preceding quarter, adding thereto the amounts received from the department during the quarter just ended, and crediting himself with the amount of stamps and envelopes then remaining on hand. The balance of the account thus stated will represent the amount of stamps and stamped envelopes sold, which must be added on the debit side of his quarterly account current to the amount due on the regular return of postages for the quarter.

SEC. 167. Postmasters at offices of the first class are required to make weekly reports to the Third Assistant Postmaster General of the amounts of postage stamps and stamped envelopes received from the department, the amount sold, and that remaining on hand at the date of the report. Offices of the second and third classes will make such reports monthly. Blanks for this purpose will be supplied by the blank agents of the department.

SEC. 168. Upon surrendering a post office to his successor, the late postmaster, or his representative, will turn over to such successor all the stamps and stamped envelopes then on hand, taking duplicate receipts for the same, and transmitting one of them forthwith to the Auditor, that the account of the late postmaster may be credited accordingly. These stamps and envelopes must not be sent to the department, but are to be retained for sale by the postmaster, who will charge himself with the amount in the quarterly account current.

SEC. 169. If a post office be discontinued, the postmaster will deliver all the stamps and stamped envelopes to the postmaster to whom he is directed to deliver the other post office property, and will take duplicate receipts, one of which he will transmit to the Auditor, as above.

SEC. 170. The law makes no compensation to postmasters *for the sale of postage stamps or stamped envelopes*.

SEC. 171. The envelopes are to be sold *for cash* to postmasters and all other persons at the

prices stated in the receipt which is sent with them to each office. In making sale of them, postmasters are expected to evince a due spirit of accommodation, but they are not required to lose the fractions of a cent in selling small quantities; and if a postmaster cannot readily make change, the purchaser must tender the exact amount for the number he wants.

SEC. 172. The second section of the act of 3d March, 1855, provides that it shall not be lawful for any postmaster or other person to sell any postage stamp or stamped envelope for any larger sum than that indicated upon the face of such postage stamp, or for a larger sum than that charged therefor by the Post Office Department, and that any person who shall violate this provision shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be fined in any sum not less than ten nor more than five hundred dollars. Postage stamps will, therefore, be sold for no more than their face; and stamped envelopes for no more than postmasters are charged for them by the department.

SEC. 173. Postmasters receiving postage stamps or stamped envelopes from the department for sale will pay over the money by them received for stamps and stamped envelopes sold, at the same time and in the same manner as their special instructions require them to pay over the quarterly balances due for postage. Enclosing money to the department to pay for stamps or stamped envelopes is prohibited.

SEC. 174. A letter bearing a stamp cut or separated from a stamped envelope cannot be sent through the mail as a prepaid letter. Stamps so cut or separated from stamped envelopes lose their legal value.

SEC. 175. The law provides a penalty of fine and imprisonment against any person who shall remove from a letter which has been duly posted any postage stamp placed thereon as evidence of prepayment. Postmasters are required to report to the department all offences of this nature, with the evidence relied upon to prove the charge.

SEC. 176. Postage stamps affixed to letters, packets, or parcels of any description, and all stamped envelopes, must be immediately and effectually cancelled in the office in which they may be deposited for transmission or delivery. The cancellation should be effected by the use of black printing-ink, wherever that material can be obtained; and where it cannot, the operation should be performed by making several heavy crosses or parallel lines upon each stamp, with a pen dipped in good black writing-ink.

SEC. 177. If the cancelling has been omitted on the mailing of the letter, packet, or parcel, or if the cancellation be incomplete, the postmaster at the office of delivery will cancel the stamp in the manner directed, and forthwith report the delinquent postmaster to the Postmaster General as the law requires.

SEC. 178. The use of the office rating or post-marking stamp as a cancelling instrument is positively prohibited, inasmuch as the post-mark, when impressed on the postage stamp, is usually indistinct, and the cancellation effected thereby is imperfect. The postage stamp must, therefore, be effectually cancelled with a separate instrument.

SEC. 179. The law provides if any person shall use, or attempt to use, for the conveyance of any letter or other mailable matter or thing, over any post road of the United States, either by mail or otherwise, any stamp, or stamped letter envelope, which has been before used for a like purpose, such person shall be liable to a penalty of fifty dollars, to be recovered in the name of the United States, in any court having competent jurisdiction.

SEC. 180. When a letter bearing a cancelled stamp is posted by a person known to the postmaster, or whenever he shall ascertain the name of the person who has posted such letter with *fraudulent intent*, he will immediately present the case, by a written statement thereof, to the attorney for the United States in the district where his office is situated.

SEC. 181. Whenever a postmaster claims credit for postage stamps or stamped envelopes alleged to have been lost in the mails, burnt, or otherwise destroyed, *his own affidavit, stating the circumstances and amount of loss, together with all the other proof which in the particular case he can produce*, is required to be forwarded to the Third Assistant Postmaster General. Upon the receipt of such affidavit and additional testimony, *which should be sent with the least possible delay*, the claim will be submitted to the Postmaster General.

SEC. 182. Credit will not be allowed in cases where offices have been robbed of stamps or stamped envelopes.* In an opinion of a former Attorney General the following occurs: "If the stamps should be stolen or lost, and get into the hands of those who may use them, and thus deprive the government of so much revenue, the postmaster should be held for them. One who has the custody of public money or property, and is paid for taking care of it, cannot get rid of his responsibility by showing a theft or accidental loss. He is an insurer of its safety against all perils of that kind."

SEC. 183. For greater security in the transmission of postage stamps and stamped envelopes, and to facilitate the tracing of them when they fail to reach their destination in due course of mail, it is required that *in each distributing and separating office* a record shall be kept of all packages of stamps and boxes of stamped envelopes passing through to other offices, and of the pouches in which they were sent. The record is to be kept in the following form:

Date.	Regist'd No.	Name of post office.	State.	Packages of stamps.	Boxes of envelopes.	Pouch sent by—	Remarks.

NOTE.—This arrangement of keeping a special record of the stamps and stamped envelopes is not intended to supersede at distributing offices the present system of registration, but is additional thereto. The boxes and packages are to be registered and treated precisely as if they were registered letters.

SEC. 184. When a registered package of stamps or envelopes has been forwarded from a distributing office, and no "correct" return bill therefor has been received by due course of mail, the case must be immediately referred to a special agent, and the facts reported to the Third Assistant Postmaster General.

SEC. 185. The original registered number of each package of stamps or stamped envelopes, when such packages are rewrapped at a distributing post office, must invariably be placed on the outer wrapper.

SEC. 186. Route agents are required to note upon their mail bills the registered number and address of each package of stamps and box of stamped envelopes that may pass under their notice; and also to keep a record of the same, in which they will enter the name of the person to whom such package or box is delivered, and from whom they will be careful to take a receipt.

SEC. 187. Stamped envelopes bearing requests for the return of unclaimed letters, with the name, business card, and post office address of parties printed in full, will be furnished by the department, without additional charge for such printing. Postmasters are therefore authorized to receive orders for envelopes, of letter and official size, on which it is desired such requests shall be printed. No order is to be taken on credit, except at the postmaster's own risk, and in no case for less than one thousand envelopes, of any specified denomination, to bear the same address.

SEC. 188. Orders must be given in writing, and forwarded to the Third Assistant Postmaster General, accompanied with a printed card, showing the names of the parties and their post office address, so as to prevent mistakes. The address and request must not exceed four lines, which will be printed across the end of the envelope.

SEC. 189. The postage on stamped envelopes spoiled in directing may be refunded in stamps by a postmaster, if satisfied that they have never been sent by mail, and that the misdirection actually occurred at the place where the redemption is claimed. In no case is

* This regulation does not refer to claims arising under the acts of Congress for the relief of loyal postmasters who have been robbed by bodies of armed men. (See below, sections 190, 191, 192.)

an envelope to be redeemed at the post office to which it is directed. Postmasters will send such spoiled envelopes, with a special letter, to the Third Assistant Postmaster General.

SEC. 190. Postmasters seeking relief under the acts of April 26, 1864, and March 3, 1865, (a) for stamps or other property destroyed or stolen by armed forces, will make a statement under oath as to the value of each particular item so destroyed or stolen, (as the case may be,) with all the attending circumstances, and transmit the same promptly to the Third Assistant Postmaster General, accompanied by all other evidence that can be obtained.

SEC. 191. Where the claim is for money so destroyed or stolen, the postmaster must also be able to state positively that it was the property of and belonged to the United States, and that he had no claim to the same, or any portion thereof, by reason of commissions or salary due to him by the department, or from any cause, matter, or thing whatsoever.

SEC. 192. Incontestible evidence must be produced of the past and present loyalty of the claimant.

CHAPTER XIX.

RATES OF POSTAGE.

SEC. 193. The single letter rate of postage is three cents throughout the United States. An additional rate of three cents is required for each additional half ounce or fraction. It must be prepaid in all cases, except on letters sent by soldiers, sailors, and marines.

SEC. 194. At the post office where letters brought by vessels or steamboats not employed in carrying the mail from any domestic or foreign port are deposited, they will be charged with double rates of postage, to be collected at the office of delivery—that is to say, six cents for the single weight if mailed, and four cents the single weight if delivered at the office; but if such letter has been prepaid by United States stamps at such double rate of postage, no additional charge will be made. If only partly prepaid by stamps, the unpaid balance will be charged and collected on delivery.

SEC. 195. If such letter is addressed to any point in a foreign country, no fee will be allowed thereon by the postmaster to the carrier.

SEC. 196. Section 25 of the law of March 3, 1863, (b,) provides that, on all matter not enumerated as mailable matter, and to which no specific rates of postage are assigned, and which shall nevertheless be mailed, the rate, if the same shall be forwarded, is established at the rate of letter postage. Letter rates will therefore be charged on all matter in the mails not declared mailable matter.

SEC. 197. The mode of computing the rates upon inland letters—*i. e.*, letters from one office within the United States or Territories to another, and also upon letters between the United States and the British North American provinces—is to be as follows, to wit: Single rate if not exceeding half an ounce; double rate if exceeding half an ounce, but not exceeding an ounce; treble rate if exceeding an ounce, but not exceeding an ounce and a half; and so on, charging an additional rate for every additional half ounce or fraction of half an ounce.

SEC. 198. A single rate of three cents is uniformly established on domestic letters.

SEC. 199. The 10 or 15 cents (according to the distance) pays for the single letter from any post office in the United States to any post office in either of the British North American provinces, and *vice versa*; prepayment is optional in either country, but a prepayment of anything less than the full rate is not to be regarded.

SEC. 200. The sixpence (*6d.*) and shilling marks of prepayment in British North America will be recognized.

(a) See Postal Laws, §§ 306 and 308.

(b) See Postal Laws, § 245.

CHAPTER XX.

POSTAGE ON PRINTED AND MISCELLANEOUS MATTER.

SEC. 201. The following are the quarterly rates of postage, when paid quarterly or yearly in advance, on newspapers and periodicals issued once a week or more frequently, and sent to actual subscribers from a known office of publication :

	Weekly.	Semi-weekly.	Tri-weekly.	Six times a week.	Daily.
	Cents.	Cents.	Cents.	Cents.	Cents.
Weekly newspapers (one copy only) sent by the publisher to actual subscribers within the county where printed and published.	Free.				
Newspapers and periodicals each—					
Not exceeding 4 ounces in weight, sent to any part of the United States.....	5	10	15	30	35
Exceeding 4 ounces and not exceeding 8 ounces.....	10	20	30	60	70
Exceeding 8 ounces and not exceeding 12 ounces.....	15	30	45	90	1 05
Exceeding 12 ounces and not exceeding 16 ounces.....	20	40	60	1 20	1 40

SEC. 202.—The following are the quarterly rates of postage, when paid quarterly or yearly in advance, on newspapers and periodicals issued less frequently than once a week and sent to actual subscribers from a known office of publication :

	Semi-monthly.	Monthly.	Quarterly.
	Cents.	Cents.	Cents.
Newspapers, magazines, and other periodical publications, each—			
Not exceeding 4 ounces in weight, sent to any part of the United States....	6	3	1
Exceeding 4 ounces and not exceeding 8 ounces.....	12	6	2
Exceeding 8 ounces and not exceeding 12 ounces.....	18	9	3

Religious, temperance, educational, and agricultural newspapers of small size, issued less frequently than once a week, may be sent in packages to one address at the rate of one cent for each package not exceeding four ounces in weight, and an additional charge of one cent for each additional four ounces or fraction thereof, the postage to be paid quarterly or yearly in advance.

Newsdealers may pay the postage on their packages of newspapers and periodicals as received, at the same rates that actual subscribers thereto pay quarterly in advance.

Publications issued without disclosing the office of publication, or containing a fictitious statement thereof, must not be forwarded by postmasters unless prepaid at the mailing office at the rates of transient printed matter.

SEC. 203. Where packages of newspapers or periodicals are received at any post office directed to one address, and the names of the club to which they belong, with the postage for a quarter in advance, shall be handed to the postmaster, he shall deliver the same to their respective owners.

SEC. 204. The following are the rates of postage, to be prepaid by stamps, on transient and miscellaneous mailable matter, except unsealed circulars and books :

	Cents.
One package to one address, not exceeding 4 ounces in weight.....	2
One package to one address, over 4 and not exceeding 8 ounces.....	4
One package to one address, over 8 and not exceeding 12 ounces.....	6
One package to one address, over 12 and not exceeding 16 ounces.....	8

BOOKS.

	Cents.
Books, not exceeding 4 ounces in weight, to one address.....	4
Books, over 4 and not exceeding 8 ounces.....	8
Books, over 8 and not exceeding 12 ounces.....	12
Books, over 12 and not exceeding 16 ounces.....	16

UNSEALED CIRCULARS.

	Cents.
Unsealed circulars, not exceeding 3 in number, to one address.....	2
Unsealed circulars, over 3 and not exceeding 6.....	4
Unsealed circulars, over 6 and not exceeding 9.....	6
Unsealed circulars, over 9 and not exceeding 12.....	8

SEC. 205. A *pamphlet* is a printed but unbound publication, relating solely to some subject of local, ephemeral, or temporary interest or importance; or if upon a subject of general interest or importance, called forth, like a lecture or an address, by or for some local event, or as appropriate to some particular occasion. Hence, with the exception of those not containing more than sixteen octavo pages each, for which, under certain conditions, the act of August 30, 1852, has made special provision, no publication, although folded and unbound, can be permitted to pass in the mail as a "pamphlet" instead of a "book," unless its scope and subject are such as to bring it fairly within the distinctive definition above given.

SEC. 206. Publications borrowing the name, having the form and some of the characteristics of a newspaper, printed for gratuitous circulation, and depending on their advertisements for support, cannot be sent by mail gratuitously to persons not actual and *bona fide* subscribers upon the footing of newspapers "sent from the office of publication to actual and *bona fide* subscribers."

SEC. 207. Regular publications not issued as often as once a week must also have a known office of publication, and be regularly sent to subscribers, otherwise they must be prepaid at transient rates at the mailing office. Small newspapers not issued as often as once a week, devoted to the use of Sunday schools, to religion, to temperance, to education, or to agriculture, may be sent in packages to one address at the rate of one cent for a package not weighing over four ounces, and an additional charge of one cent for each additional four ounces, or fraction thereof. Thus, a package of such papers weighing only four ounces, published once a month and regularly sent to a subscriber, would be subject to charge, when paid quarterly in advance, of three cents per quarter. If published twice a month, or over four and not exceeding eight ounces, double these sums, and so on. Each copy of a magazine is rated in like manner. In cases of doubt whether such newspapers are entitled to be rated by the package, postmasters will apply to the department for instructions, enclosing a copy of the paper in question. If the postage for at least one quarter is not prepaid on such papers and magazines, the postage must be collected on delivery of each package or number at the rate of two cents for each four ounces, or fraction thereof.

SEC. 208. Separate accounts must be kept of postages on the several classes.

SEC. 209. Publishers may enclose in their publications sent to regular subscribers the bills for subscription thereto without any additional charge for postage, and may write or print upon their publications, or upon the wrappers thereof, the name and address of the subscribers thereto, and the date when the subscription will expire; but any other enclosure or addition in writing or in print shall subject the same to letter postage, which shall be collected before delivery thereof.

SEC. 210. The following is the form of oath prescribed to be taken by publishers as to the transmission of printed mail matter to other than *bona fide* subscribers:

State of ———, county of ——— :

The undersigned, ———, publisher of ———, in the city of ———, county of ———, State of ———, does swear (or affirm) that he, as publisher, has not sent, nor permitted to be sent by any clerk, agent, or employé, within his knowledge, any copies of the ——— without prepayment of postage by postage stamps, except the same were sent to *bona fide* and regular subscribers.

Sworn and subscribed to before me, a ———, this — day of ———.

SEC. 211. It is the duty of a postmaster to receive and deliver to subscribers newspapers, magazines, and periodicals which come in the mail, and to put the address on such publications sent to clubs, or to deliver them from a list of subscribers, provided such list is furnished and the postage on the whole packet paid for one quarter in advance.

SEC. 212. It is the duty of the postmaster at the mailing office, as well as at the office of delivery, carefully to examine all printed matter, in order to see that it is charged with the proper rate of postage, and to detect fraud.

SEC. 213. If postmasters cannot make this examination without destroying the wrapper, they will rate the package with letter postage, and collect the same on delivery.

SEC. 214. The privilege of publishers to send their publications free of postage is limited to one copy of each issue, and that can only be sent free when sent direct from one publisher to another. It can neither be sent to any other person, nor forwarded after one delivery to any other place, without payment of postage thereon.

SEC. 215. Postmasters and special agents will report all cases where papers or periodicals are sent without prepayment to other than regular subscribers.

SEC. 216. Postmasters will charge and collect postage, at the rate of three cents for each half ounce, on any newspaper or periodical so marked or written upon as to give any other information than that contained in the print. The same charge will be made where it is so enclosed that it cannot be examined without destroying the wrapper. The same rule applies to any printed matter which may be sent at less than letter postage.

SEC. 217. The Postmaster General will from time to time provide by order the rates and terms upon which route agents may receive and deliver at the mail car or steamer packages of newspapers and periodicals delivered to them for that purpose by the publishers, or any news agent in charge thereof, and not received from, nor designed for delivery at, any post office.

SEC. 218. Postmasters in cities and large towns will particularly observe the provisions of this regulation. Large additions to the postal revenue may be made by securing to the mail car the daily transportation of newspapers and periodicals now carried by expressmen. Ample power is conferred by law to secure that result.

SEC. 219. Route agents will receive and deliver such packages with care and promptitude whenever notified that arrangements have been made by the postmaster. Postmasters in cities from which such packages are sent will inquire and report to the department whether publishers and news agents will not transfer such packages to the care of the route agents, and at what rates, reporting the facts, with their recommendation, to the Postmaster General.

SEC. 220. Route agents will use every exertion in aid of this purpose.

SEC. 221. The rate of postage on all transient matter and upon all mailable matter, except letters and regular papers and periodicals, is fixed by the weight of the package, (excepting circulars.) This standard weight is fixed at four ounces, and passes at the rate of two cents, an extra rate of two cents being added for each additional four ounces or fraction thereof.

SEC. 222. Double this rate (four cents) is charged for books by the same standard of weight.

SEC. 223. Three circulars, or any less number, in one unsealed envelope to one address, pass at the same rate of two cents.

SEC. 224. Seeds, engravings, and the other miscellaneous matter mentioned as mailable matter of the third class are also charged at the same rate of two cents for each four ounces, or fraction thereof, sent to one address. These postage charges must in all cases be

prepaid by stamps. No extra charge is made, as heretofore, for any business card or address printed on the wrapper.

SEC. 225. Newspapers and periodicals regularly mailed to *bona fide* subscribers are not "transient printed matter," and may, therefore, be mailed by agents, as well as publishers, in the same manner, and with the same privileges, as if they were mailed to such subscribers directly from the office of publication, provided the agent makes and files in the mailing office a statement signed by him, showing the names of the papers or periodicals which he thus mails, the offices, respectively, to which they are directed, and the number of such subscribers to each, with the dates to which their respective subscriptions extend, at each office to which said papers or periodicals are directed.

SEC. 226. Publishers of newspapers may, without subjecting them to extra postage, fold within their regular issues a supplement. But in all such cases the added matter must be a genuine supplement or appendage to the newspaper in question, and of the same essential character, conveying intelligence of passing events of general interest. Publishers of newspapers cannot send specimen numbers of their papers to postmasters and others, without prepaying postage thereon. Prospectuses of newspapers, whether accompanying the same or sent separately, are to be charged as circulars, and postage required in advance.

SEC. 227. *Corrected proof sheets* are to be charged with pamphlet postage in case the corrections be those only of typographical errors; but if new matter be introduced by the corrections, or any notations made by which information is asked or conveyed, or instructions given in writing, the sheets are subject to letter postage.

SEC. 228. *Bona fide* subscribers to *weekly* newspapers can receive the same free of postage, if they reside in the county in which the paper is printed and published, even if the office to which the paper is sent is without the county, provided it is the office at which they regularly receive their mail matter.

SEC. 229. In the territory included between the western boundary of Kansas and the eastern boundary of California, letter postage must be charged upon all printed matter, except upon newspapers, periodicals, &c., sent from a known office of publication to *bona fide* subscribers. One copy only of each such newspaper, periodical, &c., can be received by a subscriber at rates charged on printed matter.

CHAPTER XXI.

SHIP AND STEAMBOAT LETTERS.

SEC. 230. The terms *ship letters and packets* embrace the letters and packets brought into the United States from foreign countries, or carried from one port in the United States to another, in any private ship or vessel, before such letters have been mailed.

SEC. 231. The masters of steamboats under contract with the department will deliver into the post offices, (or to the local agent of the department, if there be any,) at the places at which they arrive, all letters received by them, or by any person employed on their boats, at any point along the route.

SEC. 232. Masters or managers of all other steamboats are required by law, under a penalty of thirty dollars, to deliver all letters brought by them, or within their care or power, addressed to or destined for the places at which they arrive, to the postmasters at such places; *except letters relating to some part of the cargo*, and left unsealed. All letters not addressed to persons to whom the cargo, or any part of it, is consigned, are therefore to be delivered into the post office, to be charged with postage.

SEC. 233. Every master of a vessel from a foreign port is bound, immediately on his arrival at a port, and before he can report, make entry, or break bulk, under a penalty not to exceed \$100, to deliver into the post office all letters brought in his vessel, directed to any per

son in the United States, or the Territories thereof, which are under his care or within his power, except such letters as relate to the cargo or some part thereof.

SEC. 234. The above rates of postage are not to be increased on letters and packets carried in a private ship or vessel, from one port in the United States to another, though a *part* of the voyage be over a water declared to be a post road. Thus, the Mississippi river, from New Orleans to the mouth, is a post road; yet letters carried by ship between New Orleans and any other port in the United States are subject to the usual ship letter postage. But if the *whole* of the water between any two ports be a post road by law, then inland postage will be charged.

SEC. 235. It is the special duty of the postmaster at a port where vessels may enter to see that this law is strictly observed and enforced.

SEC. 236. Every such postmaster will obtain from the master of the ship or vessel a certificate specifying the number of letters, with the name of the ship or vessel, and place from which she last sailed; and upon each letter which has not been before mailed, and which shall be delivered into his office for mailing, he shall pay to the said master or owner two cents, and take his receipt therefor, except at the ports on Lake Erie, where one cent will be paid.

SEC. 237. If the letters be delivered into the post office by a passenger or sailor, and not in behalf of the master, nothing is to be paid for them; they are, nevertheless, to be charged with ship letter postage, and the number entered in the account of ship letters, with the name of the vessel in which they were brought.

SEC. 238. Masters of foreign packets are not to be paid anything for letters delivered into the office; such letters are, notwithstanding, to be charged with postage when delivered from the office or forwarded by mail.

SEC. 239. Upon letters and packets received from the masters, clerks, or other employes of steamboats on waters declared post roads, the persons addressed will be charged, when delivered to them, the same postage as if the letters and packets had been conveyed in the mail overland, although not conveyed under an arrangement with the department.

SEC. 240. If a letter be received as above, to be sent in the mail to another office, there will be charged the proper rate of postage for the distance between the place at which the letter was placed on board the boat and the office to which it is addressed. Letters brought by steamboats should be marked "*Steamboat*" at the time of receiving them.

SEC. 241. All letters placed on a mail steamboat, on which the mails are in charge of a route agent, should go into the hands of such agent; and on these letters the master of the vessel is not entitled to receive any compensation. None but prepaid letters, or those lawfully entitled to pass free, should be received on such steamboat, and these should be duly mailed. But should any chance to be unpaid, they should be deposited by the route agent in the post office at or nearest the point at which they are received, where the postmaster will treat them in all respects as other unpaid letters.

SEC. 242. In like manner, when practicable, all letters should be prepaid which are received by steamboats or other vessels not in the mail service, or carrying the mail with no route agent on board. When prepaid, the master of the vessel, if under contract to carry the mail, may receive one cent "way," and if not under contract with the department, two cents each from the postmaster in whose office he deposits them; and they should be delivered to their address without any charge beyond the amount prepaid. But if unpaid, they should be treated as ship letters, and are chargeable as such with a postage of six cents, if delivered at the office at which the vessel shall arrive, and with two cents in addition to the ordinary rate of postage if destined to be conveyed by post to another place. In the latter case, the master of the vessel is entitled to receive two cents a letter.

SEC. 243. Persons desirous to send their letters by steamboats can most readily accomplish their object by enclosing such letters in the stamped envelopes issued by the department, inasmuch as letters so enclosed may be conveyed out of the mail without a violation of law, and need not be delivered to the postmaster on the arrival of the vessel.

SEC. 244. The account of steamboat letters received, stating the sums paid for them and the postage chargeable thereon, is to be kept in the account of *Ship and Steamboat Letters Received*.

SEC. 245. No fees will be allowed to any vessel or to any person on board any vessel which carries the mail, nor to any mail-carrier on any mail route by land or water.

SEC. 246. Postmasters are authorized to pay for each letter addressed to the United States by any other sea-going vessel from a foreign port two cents, and for each letter addressed to the United States, brought by any other vessel on inland waters, or brought coastwise from one domestic port to another, one cent; but to entitle the carrier to such payment, the letters must be promptly delivered to the post office upon arrival.

SEC. 247. At the post office where deposited they will be charged with double rates of postage to be collected at the office of delivery, that is to say, six cents for the single weight if mailed and four cents the single weight if delivered at the office; but if such letter has been prepaid by United States stamps at such double rate of postage, no additional charge will be made. If only partly prepaid by stamps, the unpaid balance will be charged and collected on delivery.

SEC. 248. If such letter is addressed to any point in a foreign country, no fee will be allowed thereon by the postmaster to the carrier. Such letters should all be marked "*Ship*."

CHAPTER XXII.

EXCHANGE OFFICES UNDER THE POSTAL ARRANGEMENTS BETWEEN THE UNITED STATES AND NORTH AMERICAN BRITISH PROVINCES.

SEC. 249.

<i>On the side of the United States, at—</i>	<i>On the side of Canada, at—</i>
Sault St. Mary, Michigan.....	Sault St. Mary.
Detroit, Michigan.....	Port Sarnia.
Detroit, Michigan.....	Windsor.
Detroit, Michigan.....	Chatham.
Algonac, Michigan.....	Baby's Point.
Buffalo, New York.....	{ Toronto, } By through bags.
	{ Hamilton, }
	{ Queenston, }
	{ London, }
	{ Fort Erie. }
Buffalo, New York.....	{ Port Dover. }
	{ Port Simcoe. }
	{ Port Rowan. }
	{ Port Burwell. }
	{ Port Vienna. }
	{ Port Stanley. }
Black Rock, New York.....	Waterloo.
Suspension Bridge, New York.....	Suspension Bridge.
Suspension Bridge, New York.....	{ With route agents on the Great Western }
	{ railway. }
Plattsburg, New York.....	Montreal.
Mooers, New York.....	Henningford.
Troy, New York.....	Montreal, by through bag.
Lewiston, New York.....	Queenston.
Youngstown, New York.....	Niagara.
Rochester, New York.....	{ Cobourg. }
	{ Port Hope. }
	{ Kingston. }
Cape Vincent, New York.....	{ Kingston, by steamer in summer. }
Sackett's Harbor, New York.....	{ }
Oswego, New York.....	{ }
Morristown, New York.....	Brockville.
Ogdensburg, New York.....	Prescott.
Ogdensburg, New York.....	{ Ottawa. }
New York, New York.....	{ }

Fort Covington, New York.....	Dundee.	
White Hall, New York.....	} St. John's.	
Plattsburg, New York.....		
Rouse's Point, New York.....		
Burlington, Vermont.....		
Rutland, Vermont.....	} St. John's, } Montreal, } By through bag. Abercorn.	
Richford, Vermont.....		
St. Albans, Vermont.....	} St. Armand station, Canada, and also with the Canadian mail agent on the Montreal and Vermont Junction Railway.	
Derby Line, Vermont.....		
North Troy, Vermont.....	Stanstead.	
Swanton, Vermont.....	South Patton.	
Canaan, Vermont.....	Phillipsburg.	
Portland, Maine.....	} Montreal, } Sherbrooke, } By through bag.	
		Port Stanley.
Cleveland, Ohio.....	Toronto,	} By through bags.
Buffalo, New York.....	Kingston,	
New York, New York.....	Montreal,	
Albany, New York.....	Hamilton,	
Boston, Massachusetts.....	Sherbrooke.	
Boston, Massachusetts.....	} Quebec, by through bags.	
New York, New York.....		
Boston, Massachusetts.....		
Portland, Maine.....		
Island Pond, Vermont.....	} Montreal, } Sherbrooke, } and route agents.	
Portland, Maine.....	With Canada route agents on Atlantic and St. Lawrence Railroad.	
Route Agents on Portland and Canada line..	With Canada route agents, and with Montreal.	
Chicago, Illinois.....	Railway post office, Great Western railroad.	

SEC. 250. Under the postal arrangement between the United States and New Brunswick, Cape Breton, Nova Scotia, and Newfoundland, the following are the offices of exchange, viz :

On the side of the United States, at—

Fort Fairfield, Maine.....	
Robbinston, Maine.....	
Calais, Maine.....	
Houlton, Maine.....	
Portland, Maine.....	
Eastport, Maine.....	} St. John's, New Brunswick.
Boston, Massachusetts.....	

On the side of New Brunswick, &c., at—

Andover, New Brunswick.
St. Andrew's, New Brunswick.
St. Stephen's, New Brunswick.
Woodstock, New Brunswick.

SEC. 251. Under these arrangements with Canada and New Brunswick, the respective United States exchange offices are required to stamp "U. States" on all letters sent into any of the British North American provinces, as above; and to mark all *paid letters* received from the said provinces with the word "PAID," and the full amount of the United States and provincial postage paid thereon, both in *red ink*, and to mark all the *unpaid letters* from said provinces in *black ink*, with the full amount of the United States and provincial postages due thereon. They are also to post-bill in due form (blanks being specially prepared for the purpose) and to keep an account of these mails *separately* from their ordinary returns, which accounts they are to transmit monthly to the Auditor of the Post Office Department.

CHAPTER XXIII.

RECEIVING AND FORWARDING FOREIGN MAILS.

SEC. 252. For the mails *to and from Europe, and countries beyond*, the proper offices of despatch and receipt of mails are *New York, Boston, Philadelphia and San Francisco; Portland* is also a United States exchange office for mails conveyed by lines of mail steamers running direct between Portland and Liverpool. Baltimore also exchanges mails with Liverpool and London by the line of steamers plying direct between Baltimore and Liverpool.

SEC. 253. The United States exchange offices for *British mails* are New York, Boston, Philadelphia, Portland, Baltimore, and San Francisco; and the British exchange offices are London, Liverpool, and Southampton. The mails are conveyed by United States, British, or Canadian packets, as follows: between Liverpool and Boston, Liverpool and New York, Liverpool and Portland, Southampton and New York, and Baltimore and Liverpool. When the steamers arrive at New York, the mail for that office comprises all the correspondence for the United States, except the cities of Boston and Philadelphia; and in like manner when the steamers arrive at Boston, the mails for that office comprise all the correspondence for the United States, except the cities of New York and Philadelphia.

SEC. 254. Under the *United States and French postal arrangement*, the United States offices of exchange are New York, Boston, Philadelphia, Detroit, Portland, and Chicago, and the French offices of exchange are Havre, Paris, and the traveling office from Calais to Paris. The correspondence is conveyed as follows:

1. By packets and other steam vessels performing regular service between the ports of France and those of the United States;

2. By United States mail packets plying between the ports of the United States and those of Great Britain; and

3. By British packets and other steam vessels performing regular service between the ports of Great Britain and those of the United States.

SEC. 255. Under the *United States and Prussian closed mail arrangement*, the United States offices of exchange are New York and Boston, and the French office of exchange is Aix la Chapelle, (Aachen.) The mails are conveyed closed, *via* England, by United States and British mail packets:

SEC. 256. Under the *United States and Bremen postal arrangement*, New York is the United States office of exchange, and Bremen the exchange office on the part of that republic. The mails exchanged are conveyed by United States or Bremen mail steamers running direct between New York and Bremen.

SEC. 257. Under the *United States and Hamburg arrangement*, New York is the United States exchange office, and Hamburg the exchange office of that republic. The mails are exchanged by United States or Hamburg mail steamers running direct between New York and Hamburg.

SEC. 258. For the mails *to and from the West Indies, Mexico, foreign ports or points in the Gulf of Mexico, and places on the Atlantic and Pacific coasts of South America, New York, Philadelphia, Baltimore, Charleston, Savannah, New Orleans, and San Francisco*, are the principal offices of despatch and receipt.

CHAPTER XXIV.

POSTAGES TO FOREIGN COUNTRIES.

SEC. 259. Postmasters must bear in mind that the foreign mail rates are subject to constant change. The following schedule is correct up to March 1, 1866. Any changes that may occur will from time to time be announced in the "United States Mail," a monthly journal, published in New York :

Rates of postage between the United States and foreign countries. [See note below.]

Countries.	Postage on letters.		Postage on printed mat'r.	
	Not exceeding quarter ounce.	Not exceeding half ounce.	Newspapers.	Pamphlets per ounce.
	Cts.	Cts.	Cts.	Cts.
Acapulco		10	2	†
Aden, British mail, via Southampton		33	4	.....
Do. do. via Marseilles	39	45	8	.....
Do. French mail	30	60	.....	.....
Adrianople, French mail	*30	*60	.....	.....
Africa, (west coast,) British mail		33	4	.....
Alexandretta, Prussian closed mail		38	6	.....
Do. French mail	*30	*60	2	†
Do. open mail, via England, by American packet		21	2	.....
Do. do. do. by British packet		5	2	.....
Alexandria, Prussian closed mail (if prepaid, 36 cents)		*38	6	.....
Do. by Bremen or Hamburg mail		*30	.....	.....
Do. French mail	*30	*60	2	†
Do. open mail, via England, by American packet		21	4	.....
Do. do. do. by British packet		5	4	.....
Algeria, French mail	*15	*30	2	†
Altona, Prussian closed mail (if prepaid, 31 cents)		*33	6	.....
Do. by Bremen or Hamburg mail		*22	3	1
Do. French mail	*27	*54	.....	.....
Antivari, French mail	*30	*60	.....	.....
Arabia, British mail, via Southampton		33	6	.....
Do. do. via Marseilles	39	45	8	.....
Argentine Republic, via England		45	4	.....
Do. do. via France, in French mail from Bordeaux	30	60	.....	.....
Ascension, via England		45	4	.....
Aspinwall		10	2	†
Australia, British mail, via Southampton		33	6	.....
Do. do. via Marseilles	39	45	8	.....
Do. by private ship from New York or Boston		5	2	†
Do. French mail (<i>South Australia</i> company)	*30	*60	.....	†
Do. by Bremen or Hamburg mail, via Marseilles and Suez	50	102	.....	.....
Do. by Bremen and Hamburg mail, via Trieste		55	.....	.....
Austria and its States, Prussian closed mail		*30	6	.....
Do. do. do. do. when prepaid		28	.....	.....
Do. do. by Bremen or Hamburg mail		*15	3	1
Do. do. (except provinces in Italy) French mail	*21	*42	.....	.....
Azores island, British mail, via Portugal	29	37	8	.....

NOTE.—The asterisk (*) indicates that in cases where it is prefixed, unless the letter be registered, prepayment is optional; in all other cases prepayment is required.

† Pamphlets and periodicals two cents each, if not weighing over two ounces, and four cents an ounce or fraction of an ounce if they exceed two ounces, to be collected in all cases in the United States.

‡ Pamphlets, magazines, and other printed matter, two cents per four ounces or fraction thereof.

Rates of postage between the United States and foreign countries—Continued.

Countries.	Postage on letters.		Postage on printed mat'r.	
	Not exceeding quarter ounce.	Not exceeding half ounce.	Newspapers.	Pamphlets per ounce.
	Cts.	Cts.	Cts.	Cts.
Baden, Prussian closed mail, (if prepaid, 28 cents).....		*30	6	
Do. Bremen or Hamburg mail.....		*15	3	1
Do. French mail.....	*21	*42		
Bahamas, by direct steamer from New York.....		5	2	†
Bankok, Siam, via Southampton.....		45	6	
Do. do. via Marseilles.....	51	57	8	
Batavia, British mail, via Southampton.....		45	4	
Do. do. via Marseilles.....		53	8	
Do. French mail.....	30	60		
Bavaria, Prussian closed mail.....		*30	6	
Do. do. when prepaid.....		28		
Do. by Bremen or Hamburg mail.....		*15	3	1
Do. French mail.....	*21	*42		
Belgium, French mail.....	*21	*42		
Do. closed mail, via England.....		*27	5	5
Do. open mail, via London, by American packet.....		21	2	
Do. do. do. by British packet.....		5	2	
Belgrade do. do. by American packet.....		21	7	
Do. do. do. by British packet.....		5	7	
Do. by French mail.....	*21	*42		
Beyrout, Prussian closed mail, (if prepaid, 38 cents).....		*40	6	
Do. French mail.....	*30	*60	2	†
Bogota, New Granada.....		18	6	4
Bolivia.....		34	6	4
Borneo, British mail, via Southampton.....		45	8	
Do. do. via Marseilles.....		53	10	
Do. French mail.....	30	60		
Bourbon, British mail, via Southampton.....		33	6	
Do. do. via Marseilles.....		39	8	
Do. French mail.....	*30	*60		
Brazils, via England.....		45	4	
Do. via France, in French mail from Bordeaux.....	*33	*66		
Do. American packet (29th each month).....		10	2	†
Bremen, Prussian closed mail.....		*30	6	
Do. do. do. when prepaid.....		28		
Do. Bremen mail.....		*10	2	1
Do. Hamburg mail.....		*15	3	1
Do. French mail.....	*21	*42		
British North American Provinces, except Canada and New Brunswick, distance not over 3,000 miles.....		*10	2	†
British North American Provinces, except Canada and New Brunswick, distance exceeding 3,000 miles.....		*15	2	†
Brunswick, Prussian mail.....		*30	6	
Do. do. when prepaid.....		28		
Do. by Bremen or Hamburg mail.....		*15	3	1
Do. French mail.....	*21	*42		
Buenaventura.....		18	6	4
Buenos Ayres, via England.....		45	4	
Do. via France, by French mail from Bordeaux.....	30	60		
Caiffa, Prussian closed mail.....		38	6	
Canada.....		*10	2	
Canary islands, via England.....	33	45	6	
Candia, Prussian closed mail, (if prepaid, 38 cents).....		*40	6	
Do. open mail, via London, by American packet.....		21	4	
Do. do. do. by British packet.....		5	4	

Rates of postage between the United States and foreign countries—Continued.

Countries.	Postage on letters.		Postage on printed mat'r.	
	Not exceeding quarter ounce.	Not exceeding half ounce.	Newspapers.	Pamphlets per ounce.
	Cts.	Cts.	Cts.	Cts.
Canea, British mail by American packet.....		24	2	.....
Do. do. by British packet.....		5	2	.....
Do. Prussian closed mail, (if prepaid, 38 cents).....		*40	6	.....
Do. French mail.....	*30	*60		.....
Cape of Good Hope, British mail, via Southampton.....		45	8	.....
Do. do. do. Marseilles.....		53	8	.....
Cape de Verde islands, via England.....	29	37	4	.....
Do. do. in French mail, via Bordeaux and Lisbon.....	30	60		.....
Carthagena.....		18	6	.....
Central America, Pacific slope, via Panama.....		10	2	†
Ceylon, open mail, via London, by American packet.....		21	6	.....
Do. do. do. by British packet.....		5	6	.....
Do. French mail.....	30	60		.....
Do. British mail, via Southampton.....		33	6	.....
Do. do. via Marseilles.....	39	45	8	.....
Chili.....		34	6	4
China, British mail, via Southampton.....		45	6	.....
Do. do. via Marseilles.....		53	8	.....
Do. do. by Bremen or Hamburg mail, via Trieste.....		55		.....
Do. by Bremen or Hamburg mail, via Marseilles and Suez.....	40	72		.....
Do. French mail.....	30	60	2	†
Do. by mail to San Francisco, thence by private ship.....		3		.....
Constantinople, Prussian closed mail, (if prepaid, 38 cents).....		*40	6	.....
Do. French mail.....	*30	*60	2	†
Do. by Bremen or Hamburg mail.....		*32		.....
Do. open mail, via London, by American packet.....		21	2	.....
Do. do. do. by British packet.....		5	2	.....
Corfu—see Ionian islands.				
Corsica, British mail, by American packet.....		21	2	.....
Do. do. by British packet.....		5	2	.....
Do. French mail.....	*15	*30		.....
Costa Rica.....		10	2	†
Cuba.....		10	2	†
Curacoa, via England.....		45	4	.....
Cuxhaven, Prussian closed mail.....		*30	6	.....
Do. do. do. when prepaid.....		28		.....
Do. by Bremen or Hamburg mail.....		*15	3	1
Do. French mail.....	*21	*42	2	†
Dardanelles, Prussian closed mail, (if prepaid, 38 cents).....		*40	6	.....
Do. French mail.....	*30	*60	2	†
Denmark, Prussian closed mail, (if prepaid, 31 cents).....		*33	6	.....
Do. by Bremen or Hamburg mail.....		*20	3	1
Do. French mail.....	*27	*54		†
Durazzo, Prussian closed mail.....		38	6	.....
Do. French mail.....	*30	*60		.....
East Indies, open mail, via London, by American packet.....		21	6	.....
Do. do. do. by British packet.....		5	6	.....
Do. Prussian closed mail, via Trieste.....		68	13	.....
Do. (English possessions,) Prussian closed mail, via Trieste.....		36	10	.....
Do. by Bremen or Hamburg mail, via Marseilles and Suez.....	40	72		.....
Do. by Bremen or Hamburg mail, via Trieste.....		64		.....
Do. French mail.....	30	60		.....
Ecuador.....		34	6	4

Rates of postage between the United States and foreign countries—Continued.

Countries.	Postage on letters.		Postage on printed mat'r.	
	Not exceeding quarter ounce.	Not exceeding half ounce.	Newspapers.	Pamphlets per ounce.
Egypt, (except Alexandria, Cairo, and Suez,) British mail, via Southampton.....		33	6	.....
Egypt, (except Alexandria, Cairo, and Suez,) British mail, via Marseilles.....	33	45	8	.....
Egypt, (except Alexandria, Cairo, and Suez,) Prussian closed mail.....		36	6	.....
Egypt, Bremen or Hamburg mail.....		30		.....
Do. French mail.....	30	60	2	‡
[To places excepted above, 21 cents by United States packet or 5 cents by British packet per $\frac{1}{4}$ ounce; prepayment compulsory.]				
Falkland islands, via England.....		33	4	.....
France.....	*15	*30	2	‡
Frankfort, French mail.....	*21	*42		‡
Do. Prussian closed mail.....		*30	6	.....
Do. do. do. when prepaid.....		28		.....
Do. Bremen or Hamburg mail.....		*15	3	1
Galatz, Prussian closed mails, (if prepaid, 38 cents).....		*40		.....
Do. French mail.....	*30	*60	2	‡
Galatz, open mail, via London, by American packet.....		21	2	.....
Do. do. do. by British packet.....		5	2	.....
Gallipoli, Prussian closed mail, (if prepaid, 38 cents).....		*40		.....
Do. French mail.....	*30	*60	2	‡
Gambia, via England.....		33	4	.....
Gaudaloupe, via England.....		45	4	.....
Guatemala.....		10	2	‡
German States, Prussian closed mail, (if prepaid, 28 cents).....		*30	6	.....
Do. French mail.....	*21	*42		.....
Do. Bremen mail.....		*15	3	1
Do. (except Luxemburg,) by Hamburg mail.....		*15	3	1
Gibraltar, French mail.....	21	42		.....
Do. open mail, via London, by American packet.....		21	4	1
Do. do. do. by British packet.....		5	4	1
Great Britain and Ireland.....		*24	2	(†)
Greece, Prussian closed mail, (if prepaid, 40 cents).....		*42	6	.....
Do. French mail.....	*30	*60		.....
Do. by Bremen or Hamburg mail.....		*35	3	1
Do. open mail, via London, by American packet.....		21	4	.....
Do. do. do. by British packet.....		5	4	.....
Hamburg, by Hamburg mail, direct from New York.....		*10	2	1
Do. Bremen mail.....		*15	3	1
Do. Prussian closed mail.....		*30	6	.....
Do. do. do. when prepaid.....		28		.....
Do. French mail.....	*21	*42		.....
Hanover, Prussian closed mail.....		*30	6	.....
Do. do. do. when prepaid.....		28		.....
Do. by Bremen or Hamburg mail.....		*15	3	1
Do. French mail.....	*21	*42		.....
Havana—see Cuba.				
Haiti, via England.....		45	4	.....
Heligoland, Island of, by British mail, in American packet.....		21	2	.....
Do. do. do. in British packet.....		5	2	.....
Do. do. via England, by private ship.....		33	4	.....
Holland, French mail.....	*21	*42		.....
Do. open mail, via London, by American packet.....		21	2	.....
Do. do. do. by British packet.....		5	2	.....

Rates of postage between the United States and foreign countries—Continued.

Countries	Postage on letters.		Postage on printed mat'r.	
	Not exceeding quarter ounce.	Not exceeding half ounce.	Newspapers.	Pamphlets per ounce.
	Cts.	Cts.	Cts.	Cts.
Holstein, Prussian closed mail, (if prepaid, 31 cents)		*33	6	
Do. by Bremen or Hamburg mail		*25	3	1
Do. French mail	*27	*54		
Honduras		34	6	
Hong Kong, British mail, via Marseilles		53	8	
Do. do. via Southampton		45	6	
Do. by French mail	30	60	2	‡
Hong Kong, by Bremen or Hamburg mail		30		
Do. Prussian closed mail		36	10	
Indian Archipelago, French mail	30	60	6	
Do. do. British mail, via Marseilles	39	45	8	
Ineboli, French mail	*30	*60	2	‡
Ionian Islands, Prussian closed mail, (if prepaid, 36 cents)		*38	6	
Do. French mail	*30	*60		
Do. British mail, via England	35	49	4	
Italy—see Sardinian States, Lombardy, Modena, Parma, Tuscany, Roman States, and Two Sicilies.				
Janina, by French mail	*30	*60		
Java, British mail, via Southampton		45	6	
Do. do. via Marseilles		53	8	
Do. French mail	30	60		
Jaffa, Prussian closed mail		38		
Do. French mail	*30	*60		
Do. open British mail, by American packet		21	2	
Do. do. do. by British packet		5	2	
Japan, British mail, via Southampton		45	6	
Do. do. via Marseilles		53	8	
Do. French mail, via Yokohama	30	60		
Do. (to Yokohama,) by French mail	*30	*60	2	‡
Jerusalem, British mail		33	4	
Do. French mail	*30	*60		
Karikal, French mail	*30	*60		
Kerassund, French mail	*30	*60	2	‡
Labuan, British mail; via Southampton		45	6	
Do. do. via Marseilles		53	8	
Do. French mail		53		
Larnica, by French mail	*30	*60		
Lauenburg, Prussian closed mail, (if prepaid, 31 cents)		*33	6	
Do. by Bremen or Hamburg mail		*25	3	1
Do. French mail	*27	*54	2	‡
Latakia, Prussian closed mail		38	6	
Do. French mail	*30	*60	2	‡
Liberia, British mail		33	4	
Lombardy, Prussian closed mail, (if prepaid, 40 cents)		*42	6	
Do. by Bremen or Hamburg mail		*15	3	1
Do. French mail	*21	*42	2	‡
Lubec, Prussian closed mail		*30	6	
Do. do. do. when prepaid		28		
Do. by Bremen or Hamburg mail		*15	3	1
Do. French mail	*21	*42	2	‡
Lucca, British mail, by American packet		21	2	
Do. do. by British packet		5	2	
Do. French mail	*21	*42	2	‡
Luxemburg, Grand Duchy, Prussian closed mail		*30	6	

Rates of postage between the United States and foreign countries—Continued.

Countries.	Postage on letters.		Postage on printed mat'r.	
	Not exceeding quarter ounce.	Not exceeding half ounce.	Newspapers.	Pamphlets per ounce.
Luxemburg, Grand Duchy, Prussian closed mail, when prepaid		Cts. 28		
Do. do. French mail	*21	*42		
Do. do. Bremen mail		*15	3	1
Do. do. Hamburg mail		*22	3	1
Madeira, Island of, via England	29	37	4	
Mahe, French mail	*30	*60		
Majorca, British mail		33	6	
Majorca, French mail	21	42		
Malta, Island of, open mail, via London, by American packet		21	4	
Do. do. do. do. by British packet		5	4	
Do. do. French mail	*30	*60		
Martinique, via England		45	4	
Mauritius, British mail, via Southampton		33	6	
Do. do. via Marseilles	39	45	8	
Do. French mail	30	60		
Mexico, (except Yucatan, Matamoras, and Pacific coast)		34	6	
Do. to places excepted above		10	2	‡
Mecklenburg, (Strelitz and Schwerin,) Prussian closed mail		*30	6	
Do. do. do. when prepaid		28		
Do. do. by Bremen or Hamburg mail		*15	3	1
Do. do. French mail	*21	*42		
Messina, Prussian closed mail		38	6	
Do. by Bremen or Hamburg mail		22		
Do. French mail	*21	*42	2	‡
Minorca, by British mail		33	6	
Do. French mail	21	42		
Mitylene, Prussian closed mail		38		
Do. French mail	*30	*60	2	‡
Modena, Prussian closed mail, (if prepaid, 40 cents)		*42	6	
Do. French mail	*21	*42	2	‡
Do. by Bremen or Hamburg mail		*25	3	1
Moldavia, Prussian closed mail		28	6	
Do. by Bremen or Hamburg mail		*32		
Do. French mail	*30	*60		
Moluccas, British mail, via Southampton		45	8	
Do. do. via Marseilles		53	10	
Do. French mail		60		
Montevideo, via England		45	4	
Do. via France, by French mail from Bordeaux	30	60		
Naples, Kingdom of, Prussian closed mail		28	6	
Do. do. French mail	*21	*42	2	‡
Do. do. by Bremen and Hamburg mail		22		
Nassau, New Providence, by direct steamer from New York		5	2	‡
Natal, British mail, via Southampton		45	8	
Do. do. via Marseilles		53	8	
Netherlands, The, French mail	*21	*42	2	‡
Do. open mail, via London, by American packet		21	2	
Do. do. do. by British packet		5	2	
New Brunswick		*10	2	‡
Newfoundland		10	2	‡
New Granada, (except Aspinwall and Panama)		18	6	
New South Wales, British mail, via Southampton		33	6	
Do. do. via Marseilles	39	45	8	
Do. French mail	*30	*60		

Rates of postage between the United States and foreign countries—Continued.

Countries.	Postage on letters.		Postage on printed mat'r.	
	Not exceeding quarter ounce.	Not exceeding half ounce.	Newspapers.	Pamphlets per ounce.
	Cts.	Cts.	Cts.	Cts.
New South Wales, by mail to San Francisco		3		
New Zealand, British mail, via Southampton		33	6	
Do do. via Marseilles	39	45	8	
Do. French mail	*30	*60		
Nicaragua, Pacific slope, via Panama		10	2	‡
Do. Gulf coast of		34	6	
Nice, District of	*15	*30	2	‡
Norway, Prussian closed mail, (if prepaid, 38 cents)		*42	6	
Do. by Bremen or Hamburg mail		*38	3	1
Do. French mail	*33	*66		1
Nova Scotia—see British North American Provinces.				
Oldenburg, Prussian closed mail, (if prepaid, 28 cents)		*30	6	
Do. by Bremen or Hamburg mail		*13	3	1
Do. French mail	*21	*42		
Panama		10	2	‡
Paraguay, British mail, via England		45	4	
Parma, Prussian closed mail, (if prepaid, 40 cents)		*42	6	
Do. French mail	*21	*42	2	‡
Do. by Bremen or Hamburg mail		*25	3	1
Penang, British mail, via Marseilles		53	8	
Do. British mail, via Southampton		45	6	
Do. French mail	30	60		
Peru		22	6	4
Philippine Islands, British mail via Southampton		45	6	
Do. do. do. via Marseilles		53	8	
Do. do. French mail	30	60		
Placentia, Prussian closed mail		28	6	
Do. by Bremen or Hamburg mail		*25		
Do. French mail	27	54		
Poland, Prussian closed mail, (if prepaid, 35 cents)		*37	6	
Do. by Bremen or Hamburg mail		*29	3	1
Do. French mail	*30	*60		1
Pondicherry, French mail	*30	*60		
Porto Rico, British mail, via Havana		34		
Portugal, British mail, via England	33	45	8	
Do. by Bremen or Hamburg mail	30	42		
Do. by French mail, via Behobia	21	42		
Do. do. via Bordeaux and Lisbon	30	60		
Prevesa, Prussian closed mail		38		
Do. French mail	*30	*60		
Prince Edward's Island—see British North American Provinces.				
Prussia, Prussian closed mail		*30	6	
Do. do. do. when prepaid		28		
Do. by Bremen or Hamburg mail		*15	3	1
Do. French mail	*21	*42		1
Rhodes, Prussian closed mail, (if prepaid, 38 cents)		*40	6	
Do. French mail	*30	*60	2	‡
Roman or Papal States, Prussian closed mail		44	6	
Do. do. French mail	*27	*54	2	‡
Do. do. Bremen or Hamburg mail		*28		
Romagna, Prussian closed mail, (if prepaid, 40 cents)		*42		
Russia, Prussian closed mail, (if prepaid, 35 cents)		*37	6	
Do. by Bremen or Hamburg mail		*29		
Do. French mail	*30	*60	2	‡

Rates of postage between the United States and foreign countries—Continued.

Countries.	Postage on letters.		Postage on printed mat'r.	
	Not exceeding quarter ounce.	Not exceeding half ounce.	Newspapers.	Pamphlets per ounce.
Rustchuck, by French mail	Cts. *30	Cts. *60		
Salonica, Prussian closed mail, (if prepaid, 38 cents).....		*40	6	
Samsoun, Prussian closed mail, (if prepaid, 38 cents).....		*40	2	
Sandwich Islands, by mail to San Francisco.....		3	2	‡
Sardinian States, Prussian closed mail, (if prepaid, 40 cents) ..		*42	6	
Do. do. French mail.....	*21	*42		‡
Do. do. Bremen or Hamburg mail.....		*23	4	1
Savoy, District of.....	*15	*30	2	‡
Saxe-Altenburg, Prussian closed mail.....		*30	6	
Do. do. do. when prepaid.....		28		
Do. do. by Bremen or Hamburg mail.....		*15	3	1
Do. do. French mail.....	*21	*42		
Saxe-Coburg-Gotha, Meiningen and Weimar, Pruss. closed mail.....		*30	6	
Do. do. do. when prepaid.....		28		
Do. do. Bremen or Hamburg mail.....		*15	3	1
Do. do. do. French mail.....	*21	*42		
Saxony, Kingdom of, Prussian closed mail.....		*30	6	
Do. do. do. do. when prepaid.....		28		
Do. do. do. by Bremen or Hamburg mail.....		*15	3	1
Do. do. do. French mail.....	*21	*42		
Schleswig, by Bremen or Hamburg mail.....		*25	3	1
Do. French mail.....	*27	*54		
Do. Prussian closed mail, (if prepaid, 31 cents).....		*33	6	
Scio, by French mail.....	*30	*60		
Scutari, (Asia,) Prussian closed mail.....		28	6	
Do. French mail.....	30	60		
Do. do. open mail, via London, by American packet.....		21	2	
Do. do. do. do. by British packet.....		5	2	
Seres, by French mail.....	*30	*60		
Servia, by Prussian closed mail.....		28	6	
Do. (except Belgrade,) French mail, via Austria.....	21	42	2	‡
Siam, British mail, via Marseilles.....		53	8	
Do. do. via Southampton.....		45	6	
Sicilies, The Two, Prussian closed mail.....		47	6	
Do. do. French mail.....	*21	*42	2	
Do. do. open mail, via London, by American packet.....		21	2	
Do. do. do. do. by British packet.....		5	2	
Do. do. by Bremen or Hamburg mail.....		22		
Singapore, British mail, via Southampton.....		45	6	
Do. do. via Marseilles.....		53	8	
Do. French mail.....	30	60		
Sinope, open mail, via England, by American packet.....		21		
Do. do. do. by British packet.....		5		
Do. French mail.....	*30	*60	2	‡
Do. Prussian closed mail.....		30		
Sophia, by French mail.....	*30	*60		
Spain, British mail, by American packet.....		21	2	
Do. do. by British packet.....		5	2	
Do. French mail.....	21	42		
Do. by Bremen or Hamburg mail.....	30	42		
St. Thomas, by United States packet to Kingston, Jamaica.....		18	6	
Do. via Havana.....		34	6	
Sulina, French mail.....	*30	*60	2	‡
Sumatra, British mail, via Southampton.....		45	6	

Rates of postage between the United States and foreign countries—Continued.

Countries.	Postage on letters.		Postage on printed mat'r.	
	Not exceeding quarter ounce.	Not exceeding half ounce.	Newspapers.	Pamphlets per ounce.
	Cts.	Cts.	Cts.	Cts.
Sumatra, British mail, via Marseilles.....		53	8	.....
Do. French mail.....	30	60		.....
Sweden, Prussian closed mail, (if prepaid, 34 cents).....		*38	6	.....
Do. by Bremen or Hamburg mail.....		*33	3	1
Do. French mail.....	*33	*66		‡
St. Helena, via England.....		45	4	.....
Smyrna, Prussian closed mail, (if prepaid, 38 cents).....		*40	6	.....
Smyrna, French mail.....	*30	*60	2	1
Switzerland, Prussian closed mail, (if prepaid, 33 cents).....		*35	6	.....
Do. French mail.....	*21	*42	2	‡
Do. by Bremen mail.....		*19	4	1
Do. by Hamburg mail.....		*19	3	1
Syria, British mail, via Marseilles, by French packet.....	33	45	6	.....
Do. French mail.....	30	60	2	‡
Tangiers, French mail.....	*30	*60		.....
Tasmania—see Van Dieman's Land.				
Tchesme, Prussian closed mail, (if prepaid, 38 cents).....		*40	6	.....
Do. open mail, via London, by American packet.....		21	4	.....
Do. do. do. by British packet.....		5	4	.....
Tenedos, do. do. by American packet.....		21		.....
Do. do. do. by British packet.....		5		.....
Do. Prussian closed mail.....		38	6	.....
Do. French mail.....	*30	*60		.....
Trebizond, open mail, via London, by American packet.....		21		.....
Do. do. do. by British packet.....		5		.....
Do. Prussian closed mail, (if prepaid, 38 cents).....		*40	6	.....
Do. French mail.....	*30	*60	2	‡
Tulcha, French mail.....	*30	*60	2	‡
Do. Prussian closed mail, (if prepaid, 38 cents).....		*40	6	.....
Tunis, French mail.....	*30	*60	2	‡
Do. British mail, via Marseilles, by French packet.....	33	45	4	.....
Turkey, in Europe, and Turkish Islands in the Mediterranean, except as herein mentioned:				
Prussian closed mail.....		28	6	.....
By Bremen or Hamburg mail.....		*32		.....
Open mail, via London, by American packet.....		21	2	.....
Do. do. by British packet.....		5	2	.....
Turkey, in Europe, cities of, except as herein mentioned, by French mail, via Austria.....	*21	*42		.....
Turk's Island.....		10	2	‡
Tuscany, Prussian closed mail, (if prepaid, 40 cents).....		*42	6	.....
Do. French mail.....	*21	*42	2	‡
Do. by Bremen or Hamburg mail.....		*28	3	1
Uruguay, via France, by French mail from Bordeaux.....	30	60		.....
Do. British mail, via England.....		45	4	.....
Velona, Prussian closed mail.....		38		.....
Do. French mail.....	*30	*60		.....
Van Dieman's Land, British mail, via Southampton.....		33	6	.....
Do. do. via Marseilles.....	39	45	8	.....
Do. French mail.....	30	60		.....
Varna, Prussian closed mail, (if prepaid, 38 cents).....		*40	6	.....
Do. French mail.....	*30	*60	2	‡
Do. open mail, via London, by American packet.....		21	4	.....
Do. do. do. by British packet.....		5	4	.....

Rates of postage between the United States and foreign countries—Continued.

Countries.	Postage on letters.		Postage on printed mat'r.	
	Not exceeding quarter ounce.	Not exceeding half ounce.	Newspapers.	Pamphlets per ounce.
Venetian States, Prussian closed mail, (if prepaid, 28 cents) . . .	<i>Cts.</i>	<i>Cts.</i>	<i>Cts.</i>	<i>Cts.</i>
Do. French mail	*27	*30	6	†
Do. by Bremen or Hamburg mail		*15	3	1
Venezuela, British mail, via Southampton		45	4	
Victoria, (Port Philip,) British mail, via Southampton		33	6	
Do. do. do. via Marseilles	39	45	8	
Do. do. French mail	*30	*60		
Volo, Prussian closed mail		38	6	
Do. French mail	*30	*60	2	†
West Indies, British		10	2	†
Do. not British, (except Cuba)		34	6	
Wallachia, Prussian closed mail		28	6	
Do. by Bremen or Hamburg mail		30	3	1
Wurtemberg, Prussian closed mail		*30	6	
Do. do. when prepaid		28		
Do. by open mail, via London, in American packet		21	2	
Do. do. do. in British packet		5	2	
Do. French mail	*21	*42		
Do. Bremen or Hamburg mail		*15	3	1
Yanaon, French mail	*30	*60		

SEC. 260. Steamers of the Cunard line sail from Boston twice each month, touching at Halifax, and when letters are sent by that conveyance for Nova Scotia, Newfoundland, Cape Breton, and Prince Edward's island, the United States postage is five cents the single rate, to be prepaid. The inland rate is collected on delivery. On newspapers by this route, the postage is two cents each.

SEC. 261. Newspapers and periodicals published in the United States and sent to regular subscribers in the British North American Provinces, or published in those Provinces and sent to regular subscribers in the United States, are chargeable with the regular prepaid quarterly rates of the United States postage to and from the line; which postage must be collected at the office of mailing in the United States on matter sent, and at the office of delivery in the United States on matter received. In like manner, such matter, if transient, is chargeable with the regular domestic transient printed matter rates to and from the line, to be collected at the office of mailing or delivery in the United States, as the case may be. Editors, however, may exchange free of expense.

SEC. 262. Valuable letters for Germany, or any part of the German-Austrian Postal Union, by Bremen or Hamburg line, via New York, or by the Prussian closed mail, via New York and Boston, as also letters addressed to Great Britain and Canada, will be registered on the application of the person posting the same, in the same manner and on the same terms as those deliverable in the United States, provided that the full postage chargeable thereon to destination, together with a registration fee of twenty cents on each letter to Great Britain or Ireland, and five cents on each letter to the other places mentioned above, is prepaid at the mailing office. Such letters should be mailed and forwarded to the respective United States exchange offices in the same manner as domestic registered letters are mailed to those offices.

SEC. 263. All letters addressed to British colonies and foreign countries via England, or to

Belgium, are to be charged with single rate of postage, if not exceeding the weight of half an ounce; double rate, if exceeding half an ounce, but not exceeding an ounce; quadruple rate, if exceeding an ounce, but not exceeding two ounces; and so on, charging two rates for every ounce or fractional part of an ounce over the first ounce. As this rule differs from that followed in respect to domestic letters, great care is requisite to prevent mistakes. Letters in the mail to France are to be charged with single rate of postage, if not exceeding the weight of one-quarter ounce; double rate if exceeding a quarter, but not exceeding half an ounce; and so on, an additional rate being charged for each quarter ounce or fractional part of a quarter ounce. Letters addressed to Great Britain and Ireland, or to the German states, &c., when sent via Bremen or Hamburg, and the British North American Provinces, are rated in the same manner as domestic letters, one rate being charged for each half ounce or fractional part of half an ounce. Postmasters should be careful, where the postage is prepaid, to collect the proper amount. They should be particular to notice the *route indicated* on the envelopes of letters, and to collect postage accordingly. Letters mailed at some offices, marked "*via England*," or "*via Prussian closed mail*," for a German state, are frequently taken upon the prepayment of Bremen rates, and those marked "*via Bremen*," at Prussian closed rates, &c.

SEC. 264. In the case of letters to be forwarded in the British mail for transmission from England via "Marseilles," the French postage is rated at six cents the quarter ounce, except on letters for Java, China, Labuan, Borneo, Japan, the Moluccas and Philippine islands, which are rated at eight cents per half ounce, and except, also, on letters for Syria and Tunis, by French packet, when the single French rate is twelve cents per quarter ounce.

SEC. 265. The rates by "French mail" are in full to destination, except to the following places, viz: Aden, Batavia, Ceylon, China, cities of Turkey in Europe, except as herein mentioned, via Austria, countries to which correspondence can be sent via Suez, countries beyond seas, via France, other than those enumerated, East Indies, Gibraltar, Hong Kong, Java, Mauritius, Montenegro, Penang, Portugal, Isle of Re-Union, Servia, (except Belgrade,) Shanghai, Singapore, and Spain. The limit of prepayment to Spain, Portugal, and Gibraltar, is Behobia; to Servia, (except Belgrade,) Montenegro, and cities of Turkey in Europe, except as herein mentioned, "via Austria;" the frontier of Turkey and Austria; to Aden, East Indies, Ceylon, China, and other countries, via Suez, the seaports of the Indies, or of the sea of China to which the English packets ply; and to places beyond seas, other than those designated, the limit is the port of arrival in the country of destination.

SEC. 266. On pamphlets and magazines, to or from the west coast of South America, the United States postage is four cents; and to or from all other foreign countries, (except Great Britain, Belgium, and the German states, via Bremen or Hamburg mail,) two cents per four ounces or fraction thereof, to be collected in all cases in the United States.

SEC. 267. Newspapers and periodicals to foreign countries (particularly to the continent of Europe) must be sent in narrow bands, open at the sides or ends; otherwise they are chargeable with letter postage.

SEC. 268. To prevent mistakes at the exchange offices, it is desirable that the particular routes by which letters are to be forwarded from the United States to Europe should be distinctly written on the covers. Letters intended for transmission in the open mail to England should bear the direction "open mail via England;" if for transmission in the French mail, they should be directed "via France in French mail;" if for transmission by closed mail to Prussia, they should be directed "via Prussia closed mail;" if for transmission in the closed mail to Belgium, they should be directed "via Belgian closed mail;" and if for transmission by the New York and Bremen line to Bremen, or by the New York and Hamburg line to Hamburg, they should be directed "via Bremen," or "via Hamburg."

SEC. 269. It is important that letters addressed to Germany and other European countries, via France, where the single rate per quarter ounce is twenty-one cents, should be plainly marked to be sent via France; otherwise they may be missent in the open mail to Liverpool by the United States packet, the twenty-one cent rate per half ounce being also chargeable on letters thus forwarded.

SEC. 270. Uniform rates of United States postage, without regard to distance, upon all letters, &c., addressed to foreign countries with which postal treaties or arrangements have not been concluded, are levied and collected at the office of mailing or delivery, as follows:

Ten cents per single rate of half ounce on letters.

Two cents each on newspapers, and the established domestic rates on pamphlets, periodicals, and other kinds of printed matter.

These rates do not, of course, apply to the correspondence exchanged with foreign countries under existing international postal arrangements.

CHAPTER XXV.

AUDITOR OF THE TREASURY FOR THE POST OFFICE DEPARTMENT.

SEC. 271. To this office, which is not a bureau of the Post Office Department, but an office of the Treasury Department, established for the adjustment and preservation of the accounts of the former, are assigned the duties of examining the returns of postmasters, and of notifying them of errors found therein; of adjusting their accounts; of designating the post offices from which contractors shall make collections, and of furnishing them the blank orders and receipts necessary for that purpose; and, upon receipt of such collection orders, together with the acknowledgments of collections and of certificates from the inspection office of the performance of service, of adjusting their quarterly compensation and of transmitting to them the drafts issued in payment of the balances found due; of adjusting the accounts for all blanks furnished to post offices, for advertising, mail bags, mail locks and keys, stamps, special agents, and all other demands properly arising under the laws, contracts, regulations or orders of the department; of closing the accounts of the department quarterly, and of reporting the amounts paid by postmasters pursuant to appropriations made by law; and of registering, charging, and countersigning all warrants upon the treasury for receipts and payments when warranted by law, as well as all drafts issued in payment or collection of debts.

SEC. 272. To the Auditor are also assigned the duties of reporting all delinquencies on the part of postmasters in paying over the moneys in their hands; of directing suits and superintending all proceedings at law or in equity proper for enforcing the prompt collection of all balances due the department, including penalties imposed on postmasters for failing to make returns, or to pay over the proceeds of their offices.

SEC. 273. To this office should be transmitted all accounts, all letters and vouchers relating to accounts or items in the quarterly returns, and the receipts of postmasters for public property turned over to them by their predecessors; all acknowledgments of drafts issued in payment of balances; all receipts of contractors for, and their acknowledgments of, the collections from postmasters; all letters admitting or contesting balances due on the general accounts of postmasters or contractors; all receipts for drafts issued in collecting such balances; and all letters returning such drafts, or reporting the non-payment thereof; all returns of district attorneys and marshals of their proceedings in post office cases; all receipts for deposits of money collected in such cases; all letters making propositions of settlement; and all letters seeking directions, or giving information preparatory to trial, or relating to the service of executions or sale of property, &c., in any such cases.

CHAPTER XXVI.

PAYING OVER MONEY FOR THE SERVICE OF THE POST OFFICE DEPARTMENT.

SEC. 274. No moneys are to be paid directly into the department, neither are any paid out directly by it. The proceeds of postage, or moneys received for postage stamps or stamped envelopes sold, will, therefore, never be remitted by postmasters to the department, nor be paid to any of its officers or agents, without due authority from the Postmaster General. When money is sent to the department in violation of this regulation, it will be returned at the risk of the person so sending it.

SEC. 275. For the purpose of paying over the funds of the department, all the post offices, except special offices, are classed either as deposit offices, draft offices, or collection offices. Offices are transferred, from time to time, from one to another of these classes, to suit the convenience of the service, and when such changes are necessary, postmasters are duly notified.

SEC. 276. Deposit offices are such as are ordered to deposit, quarterly or oftener, their funds with some depositary.

SEC. 277. Draft offices are those which are ordered to retain their funds in hand to meet drafts drawn by the Postmaster General, and countersigned by the Auditor of the Post Office Department.

SEC. 278. Collection offices are those which are required to pay over their net proceeds quarterly to the mail contractor named in their special instructions, upon the production by him, from time to time, of the proper orders and receipts sent to him by the department. No receipts other than the printed forms furnished to contractors by the department will be recognized. All manuscript receipts are illegal. Upon the presentation of the order to the postmaster by the contractor, or his agent named in the order, the postmaster must pay over ALL MONEY in his hands due to the United States for that quarter FROM WHATEVER SOURCE DERIVED, (EXCEPT MONEY-ORDER FUNDS,) whether postage stamps, stamped envelopes, box rents, or other emoluments of the office. Money-order funds are excepted from this regulation, as they must be kept separate and accounted for separately.

SEC. 279. Certain postmasters are designated as depositaries of the funds of the offices in their vicinity, and the postmasters at such offices are ordered to deposit quarterly with them.

SEC. 280. A failure either to deposit according to instructions, or to pay a draft when presented, or to pay over to a contractor upon the production of the proper collection orders and receipts, will be followed by the removal of the delinquent postmaster from office, unless satisfactory explanation is made to the Postmaster General.

SEC. 281. Want of funds can never be an excuse for failing to pay or to deposit. The postmaster is not authorized to give credit for postages, which are regarded as cash in his hands. In like manner he is prohibited from using, loaning, investing, depositing in bank, or exchanging moneys received for postages, on pain of criminal prosecution.

SEC. 282. A postmaster cannot refuse to pay a draft or collection order because the contractor is indebted to him, nor because there is an unsettled private account between them, nor upon any other pretext; and such refusal is made by the law *prima facie* evidence of embezzlement, subjecting him to punishment.

SEC. 283. Every postmaster, under orders to place his funds with a depositary, will take duplicate certificates of each deposit, signed by the proper officer, one of which should be transmitted to the Third Assistant Postmaster General by the first mail thereafter, as the postmaster will not be entitled to a credit until the reception of the certificate at the department.

SEC. 284. The deposit should include the whole amount due, whether for postage at the office, for postage stamps and stamped envelopes, or for collections or deposits made with the postmaster on account of the department or otherwise.

SEC. 285. Postmasters at collection offices must be ready to pay over at the end of each quarter, and will transmit the contractor's receipt by the very first mail after payment is made. Such payments must include the whole amount of money on hand, (except money-order funds,) whether arising from the postages of the quarter, or any preceding quarters, from sales of postage stamps or stamped envelopes, or from moneys collected by or deposited with the postmaster. The receipts must never be put up with the quarterly returns, but should be sent under a separate envelope, addressed to the Auditor for the Post Office Department.

SEC. 286. Every postmaster of a "special office" will report to the Postmaster General, at the end of each quarter, the balance in his hands, over and above the sums due the contractor for supplying his office with the mail, in order that the department may make a proper disposition of such balance.

SEC. 287. Postmasters at "special offices," when under orders to pay their respective contractors, will not only pay promptly, but lose no time in transmitting to the Auditor for the Post Office Department the receipts taken for their quarterly payments.

SEC. 288. All payments to the department, whether upon drafts or otherwise, must be in specie, United States Treasury notes, or notes of the national banks; and postmasters, in receiving payment of postages or other dues to the department, should always bear in mind that they are bound to pay them over in the legal currency of the United States.

SEC. 289. No allowance can be made to a postmaster for deficiency in weight of coin, or for any counterfeit money received for postage. Neither can any compensation be made for collecting or paying over moneys to the department, not arising from postages at his office.

SEC. 290. The revenues of the Post Office Department, and all debts due to the same, are, when collected, payable, under the direction of the Postmaster General, into the treasury of the United States. Such payments are made by depositing with the Treasurer or assistant treasurers of the United States; with certain public officers and national banks designated by the Treasurer as public depositaries, and with certain postmasters designated by the Postmaster General as depositaries of post office funds.

SEC. 291. For every deposit made with any of the said officers, duplicate certificates (reciting that it is for the service of the Post Office Department) must be taken, and one of the said duplicates forthwith transmitted to the Third Assistant Postmaster General.

CHAPTER XXVII.

ACCOUNTS AND PAPERS TO BE RETURNED BY POSTMASTERS.

SEC. 292. The accounts, and papers connected therewith, to be returned by postmasters are classed as follows, and must be transmitted to the Auditor:

1. The quarterly account current, accompanied by transcripts of mails sent and received, and of registered letters and newspapers.
2. The emolument account, exhibiting the postmasters' receipts from box-rents, branch offices, &c.
3. The general account current, in which postmasters charge themselves with the postage balances due the United States, and all sums collected or received on deposit on account of the department.

SEC. 293. At the end of every quarter, which is on the last day of March, June, September, and December, every postmaster must make up his accounts and forward transcripts of them to the Auditor. The originals must be filed by the postmaster with his general account, and will, like it, be held subject to inspection.

SEC. 294. In case of death, resignation, or removal of a postmaster, or discontinuance of an office; or in case of the giving of a new official bond in consequence of a change in the name of an office, the expiration of the term for which the postmaster may have been appointed, or other reason, the accounts must be made up to the day (though it be not the end of the quarter) in which the office ceases to operate, or the new appointment, or the new bond, as the case may be, takes effect.

SEC. 295. Many postmasters have been in the habit of forwarding to the department, contrary to regulation, their *original accounts*, keeping no duplicate or copy. This violation of rule cannot be permitted nor overlooked. *Transcripts or copies only* must be sent, and the original accounts must be carefully preserved for inspection by any agent of the department who may require it.

SEC. 296. The quarterly account current and all other official papers must be signed by the postmaster himself, unless necessarily absent or sick, in which case it may be signed as follows:

A—— B——, *P. M.*,
By C—— D——, *Assistant P. M.*

The blank heading of the account current is to be filled up with the name of the office, its county, district or parish, and State.

SEC. 297. The accounts of all postmasters are examined and adjusted by the Auditor as they are received, and the errors, if there be any, are carefully corrected, and the postmasters at offices of the first and second classes are notified of the corrections made; and postmasters at all other offices are notified of errors which increase by as much as fifty cents the balance due to the United States. Postmasters, therefore, will understand that any alteration in the balances of their accounts is occasioned either by the correction of some numerical error, or by some deviation on their part from a strict conformity to the law and the instructions.

SEC. 298. 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, he shall forfeit double the value of postages which shall have arisen at his office.

SEC. 299. The postmaster, though he may have mailed his accounts, will not be considered as discharged from the penalty mentioned in the foregoing section, unless within one month after being notified that they have not been received at the department, he transmits duplicate transcripts from the original accounts retained in his possession.

NOTE.—Postmasters will bear in mind that unless the two preceding sections are strictly complied with, the penalty of their omission will be enforced.

SEC. 300. Postmasters are required to forward, with their quarterly accounts, a sworn statement that such quarterly accounts exhibit truly and faithfully the entire receipts collected at their respective offices, and the entire sum which could have been by due diligence collected thereat, and that the credits claimed are just and true, as they verily believe. The following is a form for such statement:

I, ——, postmaster of ——, do swear (or affirm, as the case may be) that the accounts which I have rendered to the Post Office Department for the quarter ended —— 18—, exhibit truly and faithfully the entire receipts of my office which have been collected thereat, and the entire sum which could have been, by due diligence, collected thereat during the period above stated, and that the credits claimed in the said accounts are just and true, as I verily believe; and furthermore, that during the said period I have not knowingly delivered or permitted to be delivered to any person any mail matter on which the postage had not been paid at the time of such delivery.

——, *Postmaster.*

Sworn and subscribed before the undersigned (a magistrate or justice of the peace) for the —— of ——, this —— day of ——, A. D. 18—.

SEC. 301. Each postmaster will carefully count the whole number of letters received for delivery during the last week of each quarter, and note the same on the account current,

in the space provided for that purpose. From such reports the whole number of letters during the quarter will be estimated.

SEC. 302. Every postmaster shall keep, in a book separate from his other accounts, a record—

1. Of all postage stamps and stamped envelopes received by him.
2. Of all postal-books, blanks, or other property turned over by his predecessor, or received from the Post Office Department, or from any of its agents during his term of office.
3. Of all payments of postages in money.
4. Of all box-rents. The entry of money received for box-rents should show the number of the box for which the payment was made.
5. Of all other rents, emoluments, and moneys received by him as postmaster, or as custodian of the building in which the post office is located.

SEC. 303. Every postmaster will keep the above accounts separately, and charge himself with all receipts thereon. He will make quarterly returns thereof to the Auditor, and turn over his records to his successor.

CHAPTER XXVIII.

THE QUARTERLY RETURN.

SEC. 304. The quarterly return is composed of the following accounts and papers :

1. A transcript of the *account of money received during the quarter on mails sent* from the office where it is impossible to procure stamps at the time the letters are mailed. The entries in this account must, of course, be made every post day, before the mail is sent from the office.
2. A transcript of the *account of unpaid postages on mails received* at the office for the quarter. At all large offices the entries in this account should be made daily, and it should be transcribed daily, so as to prevent any delay in making it out at the close of the quarter.
3. A transcript of the *account of regular newspapers and pamphlets received* at the office during the quarter, to which is to be added the amount of the *miscellaneous* account.
4. From the post offices where such accounts should be kept, a transcript of the *account of ship and steamboat letters received* in the quarter, and the moneys paid for them.
5. A transcript of the *account of letters sent by sea* from the offices at seaports.
6. *Accounts and receipts for contingent expenses.*
7. The *account of dead letters*, and a bill or bills of them.
8. *The account current.*
9. The transcripts of registered letters received and sent.

SEC. 305. Postmasters are *strictly required* to fill the blanks in the account current at the head of *each page* of their accounts of mails received and sent, and carefully to add each and every column of said accounts. They will then recapitulate the amount of each column on a blank page, so as to enable the Auditor to report quarterly the aggregate amount of such columns.

SEC. 306. The expense account and the emolument account, with the vouchers belonging to them, must also accompany the quarterly account of all postmasters whose duty it is to render such accounts.

SEC. 307. To insure a correct and expeditious settlement of the quarterly accounts of postmasters, it is indispensable that each return should arrive at the department in one perfect, unbroken bundle or packet. Each postmaster, therefore, should observe the following directions in packing up his returns for transmission in the mail.

SEC. 308. Put up each part of the return, if large, in a separate parcel, with strong paper, tying it with twine, and writing on each parcel its proper contents, and the name of the

office, county, and State. Then pack up all the parcels, constituting the entire quarterly return, in one compact bundle or packet, *and having post-marked it*, direct it plainly to the Auditor of the Treasury for the Post Office Department.

SEC. 309. No letter, receipt, paper, or other thing whatever, not strictly belonging to the quarterly return, as enumerated and described in this chapter, should be put up in it.

SEC. 310. *Newspaper account.*—Every postmaster will keep an account in which he will enter at the beginning of the quarter, or on first receiving any particular paper, all newspapers by name that are to come regularly to his office, except such weekly papers as are free, and in the proper column opposite each paper, the amount of postage thereon for the quarter. The postage is to be collected in advance. In the same account, and in the same manner, he will enter all periodicals regularly received, and which have not been prepaid at the mailing office. At the end of the quarter he will correct this account, first, by adding to it all the extras, supplements, and duplicates of said papers which have been received; and second, by deducting the amount he may have refunded for papers which failed to arrive.

An account, in the form prescribed by the department, must be kept by every postmaster of all printed matter received at his office other than that embraced in the above account, and on which the postage was payable at his office. This account will, therefore, include the amount of postage on each and every transient newspaper, unsealed circular, handbill, engraving, pamphlet, periodical, magazine, book, and every other description of printed matter received at his office, except newspapers for actual and *bona fide* subscribers, and periodicals published at intervals of not more than three months. It will also include the postage on any such matter deliverable at his office, which, through inattention of the postmaster, or otherwise, may not have been prepaid at the mailing office, and the postage on every description of printed matter mailed or received at his office to or from foreign countries.

SEC. 311. Where a postmaster collects from regular subscribers the postage on printed matter for more than a quarter in advance, he must account for the same quarterly.

CHAPTER XXIX.

THE QUARTERLY ACCOUNT CURRENT.

SEC. 312. The quarterly account current is numbered to consist of twenty-nine articles, and full instructions with reference to making out such accounts are given below:

In article 1, every postmaster will make himself debtor for the whole amount of postage on the unpaid letters, if any, which remained on hand at the close of the preceding quarter.

In article 2, every postmaster will make himself debtor for the whole amount of the postage on all unpaid letters. This amount he will find in the first column of mails received.

In article 3, every postmaster will debit himself with amount of postage *undercharged* on letters from other offices. (For instructions on this point, see note at bottom of sheets of mails received.)

In articles 4 and 5, every postmaster will debit himself with the number and amount of ship and steamboat letters received for delivery.

In article 6, every postmaster will debit himself with the amount of postage *paid in money* on letters sent from his office.

In article 7, every postmaster will debit himself with the amount of POSTAGE *paid in money* on registered letters sent from his office during the quarter.

In article 8, every postmaster will debit himself with the amount of postage *paid in money* on drop letters.

In article 9, every postmaster will debit himself with the whole amount he has paid during

the quarter for advertising letters in newspapers, and credited as contingent expenses. He will mark the cost of advertising on each letter advertised. Upon every letter delivered he will collect this cost, in addition to the postage, and upon those remaining, sent as dead letters to the department, he will also charge it.

In article 10, every postmaster will credit himself with amount of postage on unpaid letters which have been missent to, and forwarded from, his office, and the amount overcharged on letters received at his office. For instructions on this point, see note at bottom of sheets of mails received.

In article 11, every postmaster will credit himself with the amount of postage on unpaid dead letters, if any, remaining in his office at the end of the quarter, and on letters refused, or which could not be delivered, and sent to the department as dead. This credit will include the cost of advertising any letters returned, and its amount will be the aggregate amount of the bill then to be made out. This bill is to be prepared from the duplicates which the postmaster must keep of the bills sent during the quarter to the Dead Letter Office.

In article 11a, the postmaster will credit himself with the amount of unpaid postage on dead letters returned for delivery to the writers, which being unclaimed, are returned to the department.

In article 12, the amount of postage of unpaid letters, if any on hand at the close of the quarter, is now to be entered to his credit. This is a temporary credit, given because the postmaster is already charged with the amount in article 2 of this account. The exact sum of this temporary credit must be entered to his debit in the first article of his next quarterly account.

Having added together the sums of the first nine mentioned articles, and placed the amount at the foot of the column, and at the foot of the column in the same line opposite, he will then deduct the sum of the articles 10, 11, and 12 from this amount, and the balance will be the amount of the letter postage collected by him this quarter.

The balance which has been placed on the credit side of the account as article 13 is now to be entered to his debit as article 14.

In article 15, the postmaster will debit himself with the whole amount of unpaid postage on circulars, books, newspapers, periodicals, pamphlets, and other printed matter received at his office during the quarter; also, (15a,) the amount of postage, *paid in money*, on such matter sent from his office during the quarter.

In article 16, the postmaster will deduct, if entered in the account, the amount of postage on such newspapers as have continued during the quarter to come to the office after he has given the publishers one month's notice that they are not taken out. He will sell such newspapers, and, in article 17, he will charge himself with the amount received therefor.

In article 18, the postmaster will debit himself with the amount received for waste paper and twine sold during the quarter.

In article 19, the postmaster will enter the amount of fees received for registry of letters.

In article 20, the postmaster will charge himself with his emolument account, after deducting expenses, and be careful in all cases to forward with said account vouchers therefor duly numbered.

In article 21, the postmaster will charge himself with amount of postage stamps, stamped envelopes and wrappers received from the department or his predecessor in office, and on hand at the close of last quarter, to which he will add (article 22) the amount of postage stamps, stamped envelopes and wrappers received from the department during the present quarter. From this gross amount he will deduct (article 23) the amount of postage stamps, stamped envelopes and wrappers on hand at the close of the quarter, showing the amount (article 24) sold during the quarter.

In article 25, the postmaster will credit himself with the amount of his compensation *for the quarter*.

In article 26, the postmaster will set down the number of ship and steamboat letters which he has paid for this quarter, and enter the amount of such payment.

In article 27, it now remains for the postmaster to enter the amount of *contingent expenses*, which consist of advertising of letters, repairs of mail bags, and a desk or case for the safe-keeping of letters.

In article 28, postmasters at offices of first and second classes will credit themselves with the amount of ordinary expenses for conducting their offices, such as rent, light, fuel, clerk-hire, &c.; not to exceed one-fourth of the annual allowance made by the Postmaster General for each separate item named. (This account, it will be seen, is distinct from the contingent account, article 27.)

The postmaster will now strike the balance of the account, (article 29,) which should show how much he is indebted to the department for postages for the quarter.

SEC. 313. As the account current is intended to show the net proceeds of the office for the quarter, no balance due on a former quarter, nor any payment to, or collection for, the department is to be inserted in it. All vouchers for expenses charged in the account current, whether for emolument, contingent, or general expense account, must be transmitted with the said accounts; and if for advertising letters, must state the number of letters. Unreasonable delay not only implies neglect of the public business, but is calculated to bring suspicion upon the claims withheld; and the department, therefore, reserves to itself the right to reject all such claims made after the quarterly accounts have been adjusted.

SEC. 314. The law makes no compensation to postmasters for the sale of *postage stamps or stamped envelopes*; neither does it allow any discount to those who purchase.

SEC. 315. One cent only is allowed for advertising each letter when the gross receipts of the office amount to \$1,000 or more during the previous fiscal year, and the *printer's receipt must state the number of letters* and the amount paid for advertising.

SEC. 316. The whole amount paid for advertising must be charged on No. 9 of the account current.

SEC. 317. The cost of advertising must be marked upon each letter advertised, and be collected on delivery.

SEC. 318. The postages on dead letters returned to the department should include the amount paid for advertising the same, and be credited on No. 11 of the account current.

SEC. 319. Postmasters must send with their quarterly accounts current a *complete dead-letter bill for the whole quarter*, corresponding in amount with the credits claimed for dead letters in articles 11 and 11a.

SEC. 320. All postmasters whose compensation exceeds \$12 50 per quarter are entitled to wrapping paper, sealingwax, and twine from the Post Office Department, which may be procured on application to the First Assistant Postmaster General.

SEC. 321. Items relating to money-order business should not be entered on the account current.

SEC. 322. Items relating to previous quarters should not be entered in subsequent returns.

SEC. 323. A cheap plain desk or case, for the safe-keeping of letters and packets, is the only furniture allowed in the contingent expenses; but before purchasing, application should be made to the Auditor's office for directions, &c.

SEC. 324. No allowance will be made for any charge to the contingent or incidental expenses unless accompanied by the *proper voucher*—that is, a *bill receipted*.

SEC. 325. PARTICULAR ATTENTION IS DIRECTED TO INSTRUCTIONS ON THE BACK OF THE QUARTERLY ACCOUNT CURRENT.

SEC. 326. Rent, clerk hire, lights, fuel, and stationery are allowed only in the offices of the first and second classes, except by special order of the Postmaster General. (Act July 1, 1864; also act March 3, 1865.)

SEC. 327. The only items of contingent expenses are for advertising letters, repair of mail bags, and a desk or case for the use of the office. In offices of the 1st and 2d classes the postmasters are allowed to charge, among the contingent expenses, advertisements of the arrival and departure of mails, and will limit such charge to an advertisement of three weeks only—one each week.

SEC. 328. No fees shall be allowed for letters collected by a carrier on a mail route. (Act March 3, 1863, section 31.)

SEC. 329. Postmasters receiving postage stamps or envelopes from the department for sale will pay over the money by them received for stamps and envelopes sold, at the same time and in the same manner as their special instructions require them to pay over the quarterly balances due for postage. Enclosing money to the department to pay for stamps or envelopes is prohibited.

SEC. 330. No allowance can be made for fees paid for administering oaths affecting accounts.

CHAPTER XXX.

THE EMOLUMENT ACCOUNT.

SEC. 331. Every postmaster will at the end of each quarter, with his quarterly account, render an account under oath, to be called the *Emolument Account*, of all other profits or emoluments by him received during said quarter, stating the full amount of profits or emoluments, with the several sources from which they are derived, whether from box-rents, branch offices, or otherwise; which amount the postmaster will charge to himself for the same quarter.

SEC. 332. The following is the form of this account:

Quarter-yearly return of all receipts, profits, fees, and emoluments, other than those embraced in my regular salary, by me received as postmaster of _____, for the quarter ending _____, rendered in pursuance of the acts of Congress, approved March 3, 1841, and March 3, 1847:

No. of boxes.			

I, _____, postmaster of _____, do swear that the above and foregoing is a true and correct account of all receipts, profits, fees, and emoluments, other than those embraced in my regular salary, by me received as postmaster of _____, during the period above stated.

(Signed)

_____, *Postmaster.*

Sworn and subscribed before the undersigned, (a magistrate or justice of the peace,) for the _____ of _____, this _____ day of _____, A. D. 18—.

CHAPTER XXXI.

GENERAL ACCOUNT.

SEC. 333. Every postmaster will keep in his office a *general or ledger account with the United States for the service of the Post Office Department*, subject to the inspection of the Postmaster General, or of any general or special agent of the department; a copy of which must be furnished to the Auditor from time to time when required.

SEC. 334. In the general account every postmaster will credit the United States with the balances due on his quarterly returns as acknowledged, and when notified by the Auditor of any corrections made on examination thereof, he will make the corresponding corrections in the general account, or enter the proper credit therefor.

SEC. 335. The postmaster will likewise credit all sums collected by, or deposited with him, on account of the department, and will debit the account with all sums paid over for the general service of the department, whether by deposit, upon draft, or upon collection order. A draft office may be required to deposit, or to pay on a collection order, or a collection office to deposit or to pay on a draft.

SEC. 336. The duplicate quarterly accounts, the duplicate certificates of deposit, the duplicate collection orders and the drafts paid, and also all instructions, are to be filed as vouchers with this account, and be subject to inspection.

SEC. 337. The postmaster, upon being furnished with a statement of his general account as kept by the Auditor, will immediately compare it with his account as kept by himself, and at once acknowledge to the Auditor the balance appearing on such statement, or point out the particulars wherein the accounts disagree.

CHAPTER XXXII.

COLLECTION OF DEBTS.

SEC. 338. The collection of debts due to the Post Office Department, whether by postmasters, contractors, or other persons, is assigned by the act of July 2, 1836, (see Postal Laws, section 10,) to the Auditor of the Treasury for the Post Office Department.

SEC. 339. Where the convenience of the service requires it, contractors are furnished with printed blank orders upon postmasters on their routes for the entire amount due the United States at the end of the quarter. In such cases no form of order or receipt will be recognized except the printed blank furnished by the department. A payment made otherwise than strictly according to the regulations is null and void, (see Postal Laws, section 2, note *c.*)

SEC. 340. When such debts, if collected, would overpay the contractor for the route on or near which the debtor resides, or when, for other reasons, the Auditor finds it more convenient to employ a postmaster in the vicinity, the latter will consider himself as a special agent of the department for this purpose, and will obey such orders as he may receive from the Auditor in respect to such collection. If the debt is collected the postmaster will give notice to the Auditor by transmitting his receipt for its amount, and will credit the same to his general account with the United States, for the service of the Post Office Department.

SEC. 341. If the exertions of the postmaster to collect prove unavailing, he will communicate to the Auditor the causes of the failure, and also the pecuniary circumstances of the parties, if alive, or of their estates, and the names of their administrators, if dead.

SEC. 342. If due diligence be not used in making the collection, or, if being unsuccessful, any postmaster fail to return the draft or demand to the Auditor, or otherwise to give notice of such failure, or fail to give any information required in relation to the same, such neglect and want of fidelity will amount to a breach of the condition of his bond, for which the damages will be recoverable, and will moreover be considered just ground of removal from office.

SEC. 343. Special agents and postmasters are authorized to make the application for a warrant of attachment required by section two, act of February 23, 1865, (see Postal Laws,) whenever it shall become inconvenient or impossible for the United States district attorney or assistant attorney to do so.

CHAPTER XXXIII.

RENEWAL OF LOST DRAFTS OR WARRANTS.

SEC. 344. In all cases where application is made for the issue of a duplicate draft or warrant, upon the allegation that the original is lost, every such application must be addressed to the Auditor for the Post Office Department, and must be accompanied by a statement, on oath or affirmation, by the applicant, or the person who is the legal holder thereof, showing the time, place, and all the circumstances attending the loss or destruction of the draft or warrant, with its number, date, and amount; in whose favor it was issued; and if assigned, to whom made payable; together with any other particulars relating to it within the knowledge of the applicant.

SEC. 345. The applicant must also produce a letter or certificate from the officer or person on whom the draft or warrant may have been drawn, showing that it has not been paid; also that payment of the same will not thereafter be made to the owner, or any other person whatever.

SEC. 346. The duplicate, when issued, shall have the same tenor, force, and effect as the original, unless in case of assignment the assignee of the lost draft produce due authority from the drawee for the issue of the duplicate in his own favor.

SEC. 347. Where collection drafts sent to postmasters are lost, the postmasters to whom they are sent are required to make affidavit, either that they have never received the same, or that payment has been requested and refused, and that the reason assigned for such refusal has been indorsed on the drafts, and that the draft so indorsed has been forwarded by mail. The postmaster will be required to make further affidavit that neither the whole nor any part of such draft has been paid to him nor to any other person so far as he knows, or is able to ascertain. Forms for this affidavit will be furnished by the Auditor.

CHAPTER XXXIV.

REGISTRATION OF LETTERS.

SEC. 348. It is of the utmost importance that postmasters should exercise the greatest care and diligence in the custody and despatch of registered letters.

SEC. 349. All blanks required for use in the registration of letters can be obtained by addressing the blank agents of the department.

SEC. 350. The full postage upon all registered letters, whether foreign or domestic, must be prepaid by stamps.

SEC. 351. The only foreign countries to which letters can be sent registered are Canada, the United Kingdom of Great Britain and Ireland, and to the states of Germany included in the German-Austrian Postal Union.

SEC. 352. The registration fee upon all letters or packets, foreign or domestic, is as follows:

On domestic letters, *twenty cents*.

On letters addressed to the United Kingdom, *twenty cents*.

On letters addressed to Canada, *five cents*.

On letters addressed to Germany, or to any part of the German-Austrian Postal Union, (the same to be forwarded by "Bremen and Hamburg line," or by "Prussian closed mail,") *five cents*.

SEC. 353. Upon receiving a letter for registration the postmaster will take the blank form, on the right of which is printed the "registered letter receipt," in the centre the "return registered letter receipt," and on the left the marginal entry, entering in their appropriate places upon each division of the blank the registered number of the letter, the date of deposit, the name of his post office, the name and residence of the depositor, and the address of the letter. The "registered letter receipt" is then to be given to the depositor; the "return receipt" is to be forwarded with the registered letter to the postmaster at the office to which the letter was addressed; and the marginal entry is to be retained by the postmaster who fills it up.

SEC. 354. The postmaster will then fill up a "Registered Letter Bill," entering therein the same items which are entered in the "Return Receipt;" but being careful, when intending to forward the registered letter *through a Distributing Post Office*, to insert the name of *that* office instead of that of the office which the letter is intended *finally* to reach. Then he will fill up the "Return Bill" in the same manner, and enclose the letter, the "Registered Letter Bill" and the "Return Receipt" in a *sealed envelope*, marked "*Registered*," and addressed to the *postmaster* of the office to which he intends to forward it. He will then enclose it in a wrapper, marked with the name of the same office to which he has addressed the envelope in which he has placed the letter. The package should then be placed in the mail and sent forward; but should *never* be placed in a bundle of letters intended for *distribution*, as a *registered* letter is always intended to reach the postmaster of whatever office it is sent to, and consequently is not, strictly speaking, a *distribution* letter, although it may be sent to a Distributing Office.

SEC. 355. Postmasters at small offices will mail such of their registered letters as are intended for offices outside of their respective States, to the first *Distributing* Post Office on the route over which it is intended the letters shall pass—being careful to address the sealed envelope in which they enclose them, to the postmaster of that office, and also marking the name of *that* office on the wrapper, and being sure that the "Registered Letter Bill" is also filled up with the name of that office. In short, registered letters sent through a Distributing Post Office should be mailed and billed *exactly the same as though they were intended for delivery there*. It is only when registered letters are sent *direct* that the bill should be filled up with the name of the office of *final* destination.

SEC. 356. The "return bill" should be filled up exactly in the same manner, and bear the *same date*, as the "Registered Letter Bill," but should be sent in the *next mail* which leaves the office after the one in which the letter it refers to was sent. It should be enclosed in an envelope addressed to the postmaster of the *same* office to which the *letter* was sent, whether for delivery or for distribution.

SEC. 357. Blank "accounts of registered letters sent and received" will be furnished by the blank agents of the department upon proper application. Upon these blanks must be entered the dates of receiving (and sending) registered letter bills, the names of the offices to which the letters are sent (and from which they are received,) the registered numbers of the letters, the names of the persons to whom they are addressed, and the amounts of the registry fees paid on them. These sheets will be retained by postmasters, copies being forwarded to the department with the quarterly accounts.

SEC. 358. On receiving a registered letter for delivery, the postmaster should deliver it only to the person to whom it is addressed, or to some person whom he *knows* to be authorized to receive it, taking a receipt therefor, and also requiring the person to whom he delivers it to sign the "return receipt," which accompanies it. This "return receipt" he should then forward by first mail to the postmaster of the office at which the letter was *originally* mailed. When the "return bill" arrives, (which it should by next mail after the letter,) it should be marked "correct," and signed by the postmaster, and then forwarded by first mail to the postmaster of the office at which it is *dated*, whether that be a distributing office or the one at which the letter was originally mailed. If, however, a "return bill" arrives, and the letter which it calls for has *not* been received, the "return bill" must be marked "*not received*," signed by the postmaster, and returned in the same manner.

SEC. 359. When a registered letter arrives, addressed to a person who has removed, or who for any other cause wishes it forwarded to him at another office, it may be done at his *written request*. The order to forward should be noted on the account of registered letters received, opposite the name of the person making the request. The letter should then be sent forward as a *registered* letter, in the same manner as if originally mailed as one; but no additional *registry fee* is to be charged on it. The order to forward must be filed in the office of forwarding, as a voucher for the action had in the case.

CHAPTER XXXV.

DEAD AND UNCLAIMED LETTERS.

SEC. 360. Dead and unclaimed letters are divided into five classes, viz:

1. Letters which, having arrived at their destination, are not called for within the time specified by the Postmaster General. These are designated *unclaimed letters*.

2. Letters which cannot be forwarded to their destination by reason of illegible or unintelligible superscription, the omission of the whole or any part of the address, or which contain obscene matter. These are designated as *unmailable*.

3. Letters or packages upon which one full rate of postage has not been prepaid, and those covered by stamps previously used, or by stamps cut from stamped envelopes. This class is designated as *held for postage*, and includes packages of printed matter on which memoranda in writing have been made.

4. Packages which exceed four pounds in weight.

5. Letters which are refused at the post office to which they are addressed.

SEC. 361. At post offices where the salary of the postmaster amounts to five hundred dollars or more per annum, letters are to be advertised once a week in newspapers, provided it can be done at a rate not exceeding one cent for each letter advertised. This charge is in all cases to be collected on delivery of the letter.

SEC. 362. At post offices where the salary of the postmaster is less than five hundred dollars per annum, letters are to be advertised once a month, by the posting of manuscript lists, for which no compensation will be allowed by the department.

SEC. 363. All marks upon an undelivered letter should be carefully examined before the same is advertised, and upon every letter advertised the date of advertising must be written or stamped.

SEC. 364. The following classes of letters are not to be advertised:

1. Letters bearing requests to be returned to the writers if unclaimed, or to be retained a specified time.

2. Letters for persons who regularly call at or send to the post office.

3. Drop and box letters, and letters returned to the writers from the Dead Letter Office.

4. Letters directed to persons at hotels, and returned from thence to the post office.

5. Letters which the parties addressed refused to receive.

6. Letters addressed to persons known to be deceased, or to persons who have removed to places unknown.

7. Letters addressed to persons who have removed, but whose post office address is known.

8. Official letters from any department of the government.

9. Circulars, free packets containing documents, speeches, and other printed matter.

10. Letters at seaports, intended for persons on board of certain designated vessels expected to arrive.

SEC. 365. When a postmaster has *special* reason to believe any letter can be delivered to the person addressed by holding it more than one month, he may write or stamp upon such

letter the words, "*Specialty held for delivery,*" and hold it not exceeding three months from the date of its receipt at his office.

SEC. 366. Letters which a postmaster knows to have been missent to his office must be properly forwarded by him, and not retained for advertisement.

SEC. 367. Letters may be retained for delivery when a special request to that effect is made, but the period of such retention must not exceed three months.

SEC. 368. All *unclaimed advertised* letters must be returned to the Dead Letter Office **ONE MONTH** after the date of their advertisement. Letters for persons who call at or send regularly to the post office, drop and box letters, and those returned from the Dead Letter Office for delivery, and any others *not prepaid*, when the same remain unclaimed a corresponding length of time with the advertised letters, must be sent in the same return, also *all refused* letters; but *no* description of dead letters must, under *any* circumstances whatever, be sent in the same package with a "*Quarterly Return.*"

SEC. 369. All offices advertising *weekly* will return their unclaimed letters to the Dead Letter Office *weekly*.

SEC. 370. All offices advertising monthly will advertise on the first of each calendar month, and return their unclaimed letters at the beginning of the next calendar month.

SEC. 371. Each letter, domestic or foreign, sent to the Dead Letter Office, must be plainly marked, on the sealed side, with the name of the post office and State from which it is returned, and the date of such return. And on the face of each letter must be marked the reason for its non-delivery.

SEC. 372. If the seal of a dead letter be broken by accident, or by having been delivered to the wrong person, the fact must be noted upon it previous to forwarding the same to the Dead Letter Office.

SEC. 373. Registered letters unclaimed one month after advertisement, or due notification to the parties addressed, must be carefully enveloped, addressed to the Third Assistant Postmaster General, indorsed "*Dead Registered Letters,*" and forwarded under cover to the postmaster at Washington, D. C., duly registered.

SEC. 374. Unmailable letters and letters held for postage are to be returned to the Dead Letter Office once in each week, separate from the regular returns. The package must be plainly indorsed "*Unmailable Letters,*" or "*Held for Postage,*" as the case may be, and must enclose a list of the names of the persons to whom the letters are addressed.

SEC. 375. Before sending to the Dead Letter Office a package of letters which have been duly advertised and not delivered, the printed list accompanying must be so marked as to show those which have been delivered.

SEC. 376. Postmasters should be careful to preserve in their offices, for reference, duplicates of all lists of letters sent to the Dead Letter Office.

SEC. 377. Domestic letters, foreign letters, drop letters, and return letters, without regard to the reasons for their non-delivery, must be put into separate parcels or packages, with the contents marked on the outside. Unpaid letters should be put into a separate package from the paid.

SEC. 378. Whenever the number of letters, of any description, to be returned, materially exceeds one hundred, they must be put in two or more packages, each securely enveloped and tied; and particular care must then be taken to number consecutively the several packages of letters, beginning with No. 1, and to place the bill in the highest numbered package, marking the same "*Bill;*" and also to mark on the outside of each package the description of letters contained therein.

SEC. 379. Where the letters to be returned make ten or more packages, they must be sent in a locked pouch, with a label marked "*Weekly returns from ———,*" giving the name of the post office and the date of mailing. Where such letters make from three to ten packages, they must be sent in a locked pouch, as above, unless the several packages can be secured into one bundle, under a cloth or canvas cover, which must be stitched and sealed. Where such letters do not make more than two packages, they must be securely wrapped and tied into one bundle. It is important to guard against the separation of the several packages

belonging to the same return. Every return of letters must be marked with the name of the office and the date of mailing, and addressed to the Dead Letter Office, Washington, D. C.

SEC. 380. Every return of unclaimed and dead letters must contain a bill, made on an ordinary post bill, except where printed forms are specially provided for the purpose. The name of the post office, the State, and the date of return, must not be omitted, and must be always plainly written. Figures in the proper columns must show—

1. The number of unpaid domestic letters of each rate.
2. The number of unpaid foreign letters of each rate.
3. The number of "return letters."
4. The whole number of drop letters.
5. The rates of all unpaid letters.*
6. The number of prepaid advertised letters. (These are to be entered as of one-cent rate.)
7. The amounts due for unpaid postage and advertising.

SEC. 381. Dead-letter bills are to be made in duplicate, one of which must be retained by the postmaster—the sum of unpaid postage to be carried to No. 12 of the account current. The bill sent with the dead letters should be secured from injury by placing it under the first letter of the package.

SEC. 382. A separate entry for "*return letters*" must be made in the dead-letter bill.

SEC. 383. There must be affixed to each account current, at the end of the quarter, a proper dead-letter bill, showing the whole number of unpaid domestic and foreign letters and return letters, with their respective rates, and the number of other letters advertised in newspapers, sent to the Dead Letter Office during the quarter. This bill is to be prepared from the duplicates which postmasters must keep of the bills sent during the quarter to the Dead Letter Office, and *must be verified by the postmaster's affidavit.*

SEC. 384. When dead letters containing money, which have been forwarded from the Dead Letter Office for delivery, are not so delivered from any cause, and it thus becomes necessary to return the same to the department, such letters must be sealed up in an envelope or package, addressed to the "*Third Assistant Postmaster General, Dead Letter Office,*" enclosed with a proper registered bill, in a second wrapper, and addressed to the *Postmaster, Washington, D. C.,* the return bill following by the next mail.

SEC. 385. Letters containing articles of value other than money are not to be registered; but they must be enclosed in one sealed envelope or package, and addressed to the *Third Assistant Postmaster General, Dead Letter Office.* No other kind of letters must be sent in the same package.

SEC. 386. Valuable dead letters are never to be forwarded to another office, nor retained more than one month.

SEC. 387. Dead letters returned for delivery to the writers, according to the act approved June 21, 1862, without being recorded as valuable, are called "*Return Letters.*" These are to be placed in the proper boxes for delivery, and due care exercised to deliver them whenever possible. They may be forwarded when requisite, as other letters.

SEC. 388. The date of receipt must be written or stamped upon every "*return letter,*" and if refused, or, from any other cause, not delivered, and the postage is not collected within one month, such letters must be included in the next weekly or monthly return of dead letters thereafter, post-marked on the sealed side, and with the reason for non-delivery specified on each letter.

SEC. 389. All domestic letters upon which less than one full rate of postage is prepaid, must be treated as if wholly unpaid; and the stamps must not be cancelled.

SEC. 390. Domestic pamphlets, circulars, and newspapers are not to be returned to the Dead Letter Office; but books, and unpaid foreign pamphlets, newspapers, and other printed matter, when refused, or unclaimed the usual time, (5 to 8 weeks,) must be returned with the regular weekly or monthly returns.

*The "rate" of an unpaid letter is the amount due upon it, including one cent for advertising, when there is such a charge. Thus, three cents due, and one cent for advertising, constitutes a four-cent rate.

SEC. 391. In the absence of special instructions to any office, the undelivered printed matter shall, at the end of each quarter, be sold by the postmaster for the highest price attainable therefor; and the amount of proceeds thereof shall be entered in his quarterly account.

SEC. 392. When any newspaper or magazine regularly sent through the mails has been refused by a subscriber thereto, or not called for by him for one month, the postmaster will write a statement of the facts to the postmaster where such publication is mailed, to be by him communicated to the publisher.

SEC. 393. Obscene books or other matter deposited in a post office, when the party depositing the same is unknown to the postmaster, must be sent to the Third Assistant Postmaster General, in a sealed package, marked "Special," and at the same time a letter must be forwarded containing all particulars in reference to such package.

REQUEST LETTERS.

SEC. 394. A "request letter" is one on which there has been indorsed a request, either printed or written, that such letter, if uncalled for, be returned to the writer. Letters of this description should always be promptly returned at the expiration of the time mentioned; and they must in all cases be so returned within thirty days, whether the time named exceeds that, or whether the number of days are not specified in the request.

SEC. 395. Such letters will not be forwarded, however, if the original postage has not been prepaid; but postmasters are instructed to notify the writers of the detention of their letters for this reason.

SEC. 396. A business card printed on a letter is not to be regarded, unless it embraces a request for the return of the letter if uncalled for.

SEC. 397. The dates of receiving such letters must be carefully written or stamped upon them, and also the dates of remailing them to the writers; and when so remailed, the words "Returned to writer" should be plainly written or stamped across the face of each, and the whole original address erased.

SEC. 398. If, after their return to the writers, such letters are not delivered within one month, they must be sent to the Dead Letter Office with other unclaimed letters.

SEC. 399. A statement of the whole number of "request letters" sent back to the writers during each quarter must be sent by special letter to the Third Assistant Postmaster General. Such statement must never be included in the quarterly returns.

SEC. 400. Any unpaid letters dropped into the mail cars to be forwarded must be deposited by the route agents in the post office at or nearest to the point where they are received, and the postmaster will treat them as other unpaid letters deposited in his office. All such letters must be returned weekly to the Dead Letter Office.

CHAPTER XXXVI.

POST ROADS, MAIL CONTRACTS, AND BIDS.

SEC. 401. Post roads are:

1. Those roads of the country which are declared post roads by various acts of Congress.
2. The navigable canals of the several States for the time during which the mail may be carried thereon.
3. All railroads in the United States.
4. Those roads on which the Postmaster General causes the mail to be carried from the nearest post offices on legally declared post roads to court-houses not otherwise provided with the mail.
5. All roads to special offices.
6. Such as are established by the Postmaster General as post routes under the tenth section

of the act of March 3, 1851,* and in cities and towns where the postmasters are appointed by the President of the United States.

SEC. 402. The Union is divided into four contract sections. A letting for one of these sections occurs every year, and contracts are made at such lettings for four consecutive years, commencing on the first day of July. The sections and their current contract terms are:

1. Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, and New York; current term to end June 30, 1869.

2. New Jersey, Pennsylvania, Delaware, Maryland, and Ohio; current term to end June 30, 1868.

3. Virginia, West Virginia, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Arkansas, Louisiana, and Texas; current term to end June 30, 1867.

4. Michigan, Indiana, Illinois, Wisconsin, Iowa, Missouri, Kentucky, Tennessee, California, Minnesota, Oregon, New Mexico, Utah, Washington, Nebraska, and Kansas; current term to end June 30, 1870.

SEC. 403. Each contractor is required to execute, with his sureties, contracts in duplicate, both to be returned to the Contract Office. A copy will be furnished to the contractor by the Contract Office, if requested.

SEC. 404. The carriers on special routes, namely those on which the mail pay is limited to two-thirds of the amount of the salary of the postmasters at the offices supplied, are not required to execute a contract. Quarterly settlements are made with them by the postmasters they supply. Post offices of this class are not entitled to a supply by a public route also.

SEC. 405. During the continuance of a contract for supplying an office, the postmaster can only pay according to instructions, or in conformity with the contract, and he must forward to the Auditor the receipt of the contractor for each payment immediately upon the close of the quarter.

SEC. 406. When any contractor fails to commence the service stipulated in his contract, or abandons the same, it is the duty of the postmasters at the ends of the route to report the fact to the Contract Office, and to furnish the name of a person who will enter into contract at the lowest price for the residue of the term.

SEC. 407. After the expiration of a contract, and until the Postmaster General has decided upon a new contract, or upon the expediency of discontinuing the office, postmasters cannot make any payment unless expressly authorized to do so by the Postmaster General.

SEC. 408. Contractors are required, in all cases, to carry the entire mail, and are not permitted to leave bags of newspapers and pamphlets on their routes; they must give due attention to the preservation of mail bags, and must not allow them to be dragged about, or otherwise injured.

SEC. 409. No contract for the transportation of the mail will be made 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 to do or not to do, anything whatever in order to induce any other person or persons not to bid for a mail contract.

SEC. 410. The Postmaster General may order an increase of service on a route by allowing therefor a *pro rata* increase on the contract pay. He may change schedules of departures and arrivals in all cases, and particularly to make them conform to connexions with railroads, without increase of pay, provided the running time be not abridged. He may also order an increase of speed, allowing, within the restrictions of the law, a *pro rata* increase of pay for the additional stock or carriers, if any. The contractor may, however, in the case of increase of speed, relinquish the contract, by giving prompt notice to the department that he prefers doing so to carrying the order into effect. The Postmaster General may also discontinue or curtail the service, in whole or in part, in order to place on the route a greater degree of service, or whenever the public interests, in his judgment, shall require

* See Laws, sec. 204.

such discontinuance or curtailment for any other cause; he allowing as a full indemnity to contractor one month's extra pay on the amount of service dispensed with, and a *pro rata* compensation for the amount of service retained and continued.

SEC. 411. Payments will be made by collections from or drafts on postmasters, or otherwise, after the expiration of each quarter—say in May, August, November, and February.

SEC. 412. The distances stated in the advertisements for mail proposals are given according to the best information; but no increased pay will be allowed should they be greater than advertised, if the points to be supplied are correctly stated. Bidders must inform themselves on this point, and also in reference to the weight of the mail, the condition of roads, hills, streams, &c., and all toll-bridges, ferries, or obstructions of any kind by which expense may be incurred. No claim for additional pay, based on such ground, can be considered; nor for alleged mistakes or misapprehension as to the degree of service; nor for bridges destroyed, ferries discontinued, or other obstructions increasing distance, occurring during the contract term. Offices established during a contract term are to be visited without extra pay, if the distance be not increased.

SEC. 413. Bids received after the time named in an advertisement will not be considered in competition with a bid of reasonable amount received in time. Neither can bids be considered which are without the guarantee required by law and a certificate of the sufficiency of such guarantee.

SEC. 414. Bidders should first propose for service strictly according to the advertisement, and then, if they desire, separately for different service; and if the regular bid be the lowest offered for the advertised service, the other propositions may be considered.

SEC. 415. There should be but one route bid for in a proposal. Consolidated or combination bids ("proposing one sum for two or more routes") are forbidden by law, and cannot be considered.

SEC. 416. The route, the service, the yearly pay, the name and residence of the bidder, (that is, his usual post office address,) and those of each member of a firm where a company offers, should be distinctly stated.

SEC. 417. Bidders are requested to use, as far as practicable, the printed proposals furnished by the department, to write out in full the sum of their bids, and to retain copies of them.

SEC. 418. Altered bids should not be submitted; nor should bids once submitted be withdrawn. No withdrawal of a bidder or guarantor will be allowed unless the withdrawal is dated and received before the last day for receiving proposals.

SEC. 419. Each bid must be guaranteed by two responsible persons. The bid and guarantee should be signed plainly with the full name of each person.

SEC. 420. The department reserves the right to reject any bid which may be deemed extravagant, and also to disregard the bids of failing contractors and bidders.

SEC. 421. Transfers of contracts, or of interest in contracts, are forbidden by law, and consequently cannot be allowed. Bidders will therefore take notice that they will be expected to perform the service accepted to them through the whole term of the contract.

SEC. 422. Section eighteen of an act of Congress approved March 3, 1845, provides that contracts for the transportation of the mail shall be let, "in every case, to the lowest bidder tendering sufficient guarantees 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." Under this law, bids that propose to transport the mails with "*celerity, certainty, and security,*" *having been decided to be the only legal bids, are construed as providing for the entire mail, however large, and whatever may be the mode of conveyance necessary to insure its "celerity, certainty, and security," and have the preference over all others, and no others are considered.*

SEC. 423. A modification of a bid in any of its essential terms is tantamount to a new bid, and cannot be received, so as to interfere with regular competition, after the last hour set for receiving bids. Making a new bid, with guarantee and certificate, is the only way to modify a previous bid.

SEC. 424. Postmasters are to be careful not to certify the sufficiency of guarantors or sureties without knowing that they are persons of sufficient responsibility; *a disregard of this instruction by postmasters is a violation of their oath of office, subjecting them to immediate removal.* All bidders, guarantors, and sureties are distinctly notified that on a failure to enter into or perform the contracts for the service proposed for in the accepted bids, their legal liabilities will be enforced against them.

SEC. 425. Present contractors, and persons known at the department, must, equally with others, procure guarantors and certificates of their sufficiency substantially in the forms above prescribed. The certificate of sufficiency must be signed by a postmaster, or by a judge of a court of record. No other will be admitted. The certificate must also have affixed to it a five-cent revenue stamp, cancelled, as required by law.

CHAPTER XXXVII.

MAIL BAGS.

SEC. 426. All communications in reference to mail bags must be addressed to the Second Assistant Postmaster General.

SEC. 427. The term "mail bag" embraces mail pouches (for coach, railroad, and steamboat service) of five sizes, the largest being No. 1; horse mail bags (for horseback service only) of three sizes, the largest being No. 1; and canvas mail sacks (for printed matter alone, except when the same is sealed and enclosed in locked pouches) of three sizes, the largest being No. 1.

SEC. 428. When a mail bag is wanted, the application must describe the kind and size, and also state the number of the route on which it is to be used.

SEC. 429. Every mail route should be provided with mail bags and locks, in good order. Postmasters, especially those at the termini of routes, should see to this, and make proper application for such as may be needed. When a postmaster at the end of a route discovers a mail bag to be out of order, he will immediately have it repaired, and charge the amount in his account of contingent expenses. But if it be so unsound that the mail will not be secure in it until it gets to the end of the route, the postmaster who first discovers its condition will have it repaired, even though it should detain the mail. *No allowance will be made to postmasters or contractors for bags purchased by them.*

SEC. 430. Letters and newspapers, before being put into the mail bag, are to be placed in separate linen or light canvas bags, where such bags are used; and whenever these bags are worn out or lost, the postmasters at the ends of routes will make application for such bags as may be necessary for the transportation of the mail.

SEC. 431. All mail bags not in use should be immediately returned to the office from which they were sent; and if received from points unknown, or where not needed, they should be forwarded to the nearest mail bag depot. Postmasters who send extra bags should see that they are returned. This they can do by writing to the postmasters who retain them. If they are not returned, the facts should be reported to the department.

SEC. 432. A sufficient number of mail bags should be retained at distributing offices, and at offices where the parts of a large mail are separated for several routes, to send the mail matter for all such routes.

SEC. 433. Postmasters whose offices are mail bag depots may furnish mail bags in cases of great emergency, but they are required to make a report to the department, stating the kind of bag and the number of the route on which it was placed.

SEC. 434. Bags designed for newspaper mails, and without locks, have been illegally withdrawn from the service of the department, and applied to the uses of contractors or their drivers for private purposes, and many of them have been sold or otherwise disposed of.

Whenever this abuse is known to have been practised, postmasters should notify every person implicated in it that he is liable to prosecution.

SEC. 435. Postmasters should not permit mail bags or locks belonging to their offices to be withheld, thereby exhausting their supply of those articles. In every case they will give notice to postmasters who retain bags or locks due their offices to return the same forthwith, and will report to the department all who may disregard the notices so given.

SEC. 436. The following post offices are constituted depositories for mail bags and locks, viz: Portland and Bangor, Me.; Concord, N. H.; Montpelier and Rutland, Vt.; Boston, Mass.; Providence, R. I.; Hartford and New Haven, Conn.; New York, Albany, Rochester, and Buffalo, N. Y.; Trenton, N. J.; Philadelphia, Harrisburg, and Pittsburg, Pa.; Baltimore, Md.; Washington, D. C.; Richmond and Wheeling, Va.; Raleigh, N. C.; Charleston and Columbia, S. C.; Augusta and Savannah, Ga.; Tallahassee, Fla.; Mobile and Montgomery, Ala.; Jackson, Miss.; New Orleans, La.; Little Rock, Ark.; Knoxville, Nashville, and Memphis, Tenn.; Louisville, Ky.; Cincinnati and Cleveland, Ohio; Detroit, Mich.; Indianapolis, Ind.; Springfield and Chicago, Ill.; St. Louis, Jefferson City, and St. Joseph, Mo.; Milwaukee, Wis.; Keokuk and Dubuque, Iowa; St. Paul, Minn.; Galveston and Clarksville, Texas; San Francisco, Cal.; and Astoria, Oregon.

SEC. 437. Postmasters at the mail-bag depositories are required to render an account at the end of each month of the number, kinds, and sizes of mail bags and locks received; of those in use; of those furnished other offices; and of those remaining on hand out of use and ready for distribution. Blanks for this purpose are furnished on application to the Inspection Division.

CHAPTER XXXVIII.

MAIL LOCKS AND KEYS.

SEC. 438. Locks and keys are furnished upon application to the Second Assistant Postmaster General, "Contract Office, Inspection division." Applications should be signed by the postmaster only, except in case of sickness or unavoidable absence, when they may be signed by an assistant. The application must state *why* a new lock or key is required.

SEC. 439. Postmasters at the principal offices will be supplied with several locks, in order that they may be used when extra mail bags are forwarded.

SEC. 440. The mail key should be kept with great care. It should never be carried out of the office, but be secured therein under lock, and accessible only to the postmaster and his assistant.

SEC. 441. If a key is lost or broken, or in case the lock cannot be opened, the chain or strap of the mail bag ought not to be cut, but the fact should be communicated to the postmaster at the next office on the route, and the latter will take out the packets addressed to his office, and send them in a sealed package, out of the mail, until a new key be obtained.

SEC. 442. Every postmaster, in cases where the mail arrives at his office without a lock upon the bag, should procure a common padlock, if he has not a spare mail-lock, and lock up the mail therewith, the key of which is to be sealed up and delivered to the carrier, and addressed to the next postmaster on the route.

SEC. 443. Whenever a lock or a key shall be broken, or otherwise become unfit for use, it should not be repaired, but be sent to the Contract Office, Inspection division, with a statement of the reasons for such return thereof.

SEC. 444. When an application for a new key is made to supply the place of a broken key, all the parts of the broken key should be returned to the department.

SEC. 445. The law having made it felony to steal or to counterfeit any key suited to any lock which has been or shall be adopted for use upon the mails of the United States; or to

steal, embezzle, unlawfully use or dispose of any such lock, or any mail bags in use by or belonging to the United States, it becomes the duty of postmasters, and all other agents of the department, to see that the penalties of these provisions of law are enforced in every case of their violation.

CHAPTER XXXIX.

LETTER-CARRIERS.

SEC. 446. Special regulations will be adopted applicable to the several offices where the delivery system shall from time to time be introduced.

SEC. 447. Postmasters will exercise the greatest possible care in selecting and nominating letter-carriers. They must be men of good intelligence and good physical ability, of unquestionable integrity, and interest themselves in the service. The salary of each will be regulated by his experience, fidelity, and diligence, beginning at a low sum, with advancement from time to time according to merit. Postmasters in nominating carriers will state their age, previous occupation, and any other fact touching the question of their fitness. Only those candidates should be recommended who desire to continue permanently in the duties of the office. It is not intended to remove carriers except for cause of unfitness, and to reward their diligence by promotion in the postal service. Delivery districts for each carrier will be so arranged by postmasters as to give full employment to the carriers with the least loss of time in the delivery and collection of letters. The amount of local mail matter will be greatly increased by perfect regularity and promptitude in the movement of the carriers.

SEC. 448. Letter-carriers will be appointed and their salaries fixed by the Postmaster General. Where letter-carriers are already appointed, their duty is to deliver all letters concerning which there is no positive direction to the contrary.

SEC. 449. It is the special duty of postmasters to provide that all letters are regularly, frequently, and promptly delivered by the carriers, so that citizens may have no excuse for clinging to the old custom of calling at the post office. The purpose of the law, providing for a free delivery of letters at the houses of owners, is to promote the public convenience, and at the same time reduce the labor in post offices. Postmasters will especially discourage the use of private boxes, and steadily aim at reducing them to the lowest number possible. In order to facilitate the carrier's work, citizens should be induced to provide letter-boxes at their houses or places of business.

SEC. 450. Each postmaster, where the letter-carrier system is or shall be established, will keep an account and make quarterly report of the expenses incident thereto under the following heads:

1. Compensation of carriers.
2. Expense of branch offices.
3. Cost of receiving-boxes.
4. Expense of repairs.
5. Cost of local transportation.
6. Miscellaneous expenses.

He shall also exhibit monthly in his reports to the First Assistant Postmaster General and to the Auditor the income derived from local postage.

SEC. 451. The rate of postage on drop letters, where free delivery does not exist, will be one cent, always to be prepaid by stamps, which will be furnished to postmasters upon application to the department; but at free delivery offices, the prepaid rate for "drops" will be two cents, as heretofore.

SEC. 452. Postmasters at free delivery offices, who are duly authorized to contract with publishers for the delivery, by letter-carriers, of printed matter not coming through the mails,

will report, after advising with publishers and news agents, what will be a fair compensation to be paid by publishers for the delivery of their regular issues by postal carriers. They will, as soon as practicable, also report whether the local revenue may not be increased by establishing a package delivery in connexion with the local mail delivery. The greatest diligence must be used by postmasters to perfect the carrier system, and secure public attention and patronage to its facilities.

SEC. 453. No contract made with publishers by any postmaster, for delivery of printed matter within his postal district, can take effect, and no compensation thereunder can be paid, until such contract has been duly approved by the Postmaster General, and such approval forwarded to the postmaster charged with the authority to make such contract.

SEC. 454. Mail letters are collected and delivered without any charge. All local letters, however, are chargeable with two cents postage, to be prepaid by stamps in all cases. But no fee is to be paid to the carrier thereon.

SEC. 455. Drop letters at free delivery offices are chargeable with postage at two cents the single rate; at all other offices one cent the single rate. Carriers will collect the unpaid postage that may be due, but are strictly forbidden to charge any fee for delivery or collection of mail matter.

CHAPTER XL.

LOST LETTERS AND MAIL DEPREDACTIONS.

SEC. 456. Money and other valuables sent by mail are at the risk of the owner; but in case of loss the department will endeavor to discover the cause, and where there has been a theft, to punish the offender.

SEC. 457. In every case of loss by mail, the department should be immediately informed of all the circumstances. Care should be taken to state the name of the office in which the letter was posted, the day on which it was posted, and whether by the writer himself or by another person, the names of the writer and the person addressed, the amount and a description of the enclosure, the office to which addressed, whether mailed direct, or, if for distribution, to what office it was mailed; with any other particulars that may aid the department in making an investigation.

SEC. 458. All *necessary* expenses that may be incurred in prosecuting a case of mail depredations will be reimbursed by the department.

SEC. 459. In some cases it may be proper to offer a reward, not to exceed fifty dollars, for the apprehension of the criminal, payable on conviction.

SEC. 460. When a criminal is apprehended, the attorney of the United States for the district in which the offence was committed must be promptly informed of the facts, and his advice obtained.

SEC. 461. If the prosecution be had before a federal court, as it should be, (and it *must* be when State officers refuse to act,) the attorney of the United States will conduct it.

SEC. 462. Persons arrested for mail depredations should be taken before a district or a circuit judge, or a commissioner of the United States, for examination and commitment.

SEC. 463. Postmasters will spare no exertions to have justice done, and the guilty punished, by procuring testimony, and giving the prosecution every other aid in their power.

SEC. 464. Cases of mail robbery should be at once reported to the department, and information given, from time to time, of what further transpires respecting them.

SEC. 465. At all large offices at which daily mails from other large offices are received, care should be taken to note the fact, if the usual mail from any of those offices fail for any given day to arrive; and if subsequent mails arrive, leaving that for a preceding day still due, the mailing office should immediately be written to for information whether such mail as that

supposed to be missing was actually sent, and if the answer be in the affirmative, a report of the loss should immediately be made to the department.

SEC. 466. If a postmaster has reason to believe that a mail has been stolen in whole or in part, in the vicinity of his office, he should at once examine into the evidence; and if satisfied that such robbery or theft has actually occurred, take immediate and energetic measures for recovering the mail, and for apprehending and prosecuting the offender.

SEC. 467. The postmaster, or one of his assistants, before the office is swept or cleared, is to collect and examine the waste-paper which has accumulated therein, in order to guard against the possibility of loss of letters or other mail matter, which may have fallen on the floor, or have been intermingled with such waste-paper during the transaction of business. The observance of this rule is strictly enjoined upon all postmasters, and its violation will constitute a grave offence. Postmasters should be careful to use, in mailing letters or packets, all wrapping-paper fit to be used again; and the sale of any such paper is strictly forbidden.

CHAPTER XLI.

WAY LETTERS, ROUTE AGENTS, LOCAL AGENTS, AND MAIL MESSENGERS.

SEC. 468. Way letters are such letters as a mail-carrier receives on his way between two post offices. The carrier will deliver them to the first post office at which he arrives. The postmaster will rate them with postage, writing against the rate the word "Way."

SEC. 469. It is the duty of a mail-carrier to receive and convey a letter, (and the money or a stamp of suitable denomination for its postage when tendered,) if delivered to him more than a mile from a post office, and to hand it, with the money or stamp, into the first post office at which he arrives. A penalty of fifty dollars attaches on failure to do so.

SEC. 470. On railroad and steamboat routes, it is the duty of route agents—

1. To receive letters written after the mail has closed, and all way letters prepaid by stamps, and to direct them to the proper office for delivery or distribution.
2. To assort the mails for the several offices, being intrusted with the key to the iron lock for that purpose.
3. To attend to the delivery and reception of mail bags.
4. To report to the Contract Office all irregularities of service on the route, especially every instance in which they fail to receive or deliver a mail where one is due, with the causes of such failure.

SEC. 471. In connexion with railroad and steamboat routes, mail messengers are appointed to carry the mail to and from post offices, when such offices are more than eighty rods from the steamboat landing or railroad station. The following regulations apply to mail messenger service:

1. Mail messengers are not required to execute a contract, and are not appointed for a definite period.
2. They are not to be employed without express authority from the Contract Office.
3. Railroad and steamboat contractors are to have the service performed at all offices within a quarter of a mile of their depots, stations, or landings, as well as at the terminal offices of their routes.
4. Postmasters cannot draw pay for the performance of such duty.

SEC. 472. Route agents, mail messengers, and local agents, must take the usual oaths of office, and transmit them to the Contract Office, Inspection division.

CHAPTER XLII.

LETTER BOXES.

SEC. 473. The Post Office Department neither owns, erects, nor repairs letter boxes in post offices, except where the building is owned by the United States. Letter boxes are the property of those postmasters who choose to put them up.

SEC. 474. The salaries of postmasters are established upon the basis of ALL THE REVENUES of their post offices during the two years preceding the passage of the law—*i. e.*, 1863 and 1864. Box-rents are included in these revenues. Every postmaster receives in the form of salary as much compensation as he formerly received from commissions and box-rents.

SEC. 475. Any postmaster may put up boxes in his office. These boxes are his private property, but the revenues thereof must be paid over to the department. Under the system of salaries, the postmaster receives the benefit of those revenues as effectually as he could under the system of commissions and emoluments.

SEC. 476. Where the justice of the case demands, the Postmaster General has authority to readjust salaries oftener than once in two years; and under this provision of law all inaccuracies and inadequate or excessive allowances of salary can be readily corrected; so that where there is an extraordinary increase or decrease of box-rents within the two years, the salary may be readjusted so as to meet the requirements contemplated by the law.

SEC. 477. Box-rents in all post offices must be paid for at least one quarter in advance.

SEC. 478. Each postmaster must keep a list of all box-holders, with the number of the box assigned to each, and the time during which he has used it. This list will be examined by special agents, and be delivered to his successor in office. The postmaster must state in his quarterly returns the amount of box-rents accrued in each quarter, and whether he has collected them or not.

CHAPTER XLIII.

INSTRUCTIONS TO SPECIAL AGENTS.

SEC. 479. A special agent of the Post Office Department has a wide range of important and responsible duties, for the due performance of which a thorough knowledge of the laws and regulations of the department is indispensable. When they are not familiar with those in force, they should inform themselves as rapidly as possible, so that they may not only conform their official conduct thereto, but may be qualified to instruct postmasters, and all others in the employment of the department as to their several duties, and properly decide cases of doubt or question.

SEC. 480. It is the duty of each officer and employé of the department, in his own sphere of observation, to see that no unnecessary expense is either made, or suffered to remain, chargeable upon its revenues, without being brought to the special notice of the Postmaster General. The nature of the duties of special agents offers them an extended field of observation, and may enable them to point out cases where the transportation of the mail over particular routes may either be diminished or dispensed with altogether without material injury to the public interest.

SEC. 481. The investigation of reported mail depredations, or losses by mail, will necessarily occupy a good deal of time, and will require the constant exercise of the utmost vigilance and skill; but as in the performance of this duty it will frequently be necessary to pass

over long lines of mail transportation, and to visit numerous post offices, a special agent will at the same time be enabled to give more or less attention to the general condition of the postal service on his line of travel, and to such particular matters as are hereinafter enumerated.

SEC. 482. The commission of a special agent of this department will pass him free over all mail routes where conveyance of passengers is provided for by the contractors; but if, in the performance of pressing duties, a special agent should at any time find it necessary or clearly expedient to procure private conveyance, or to pay fare on a passenger route, he will charge the expense of such conveyance in his next monthly or quarterly account, and accompany it with proper explanations and vouchers. If in any case the contractor on any mail route (whether by railroad or otherwise) refuses him a free passage over the same after the exhibition of his commission, he will pay the fare demanded, taking a receipt therefor if possible, and will charge the same in his account. If no such voucher can be obtained, the charge must be verified by his certificate on honor as to the correctness of these charges, in which he will, when the fare has been paid to a railroad company, clearly describe such company by its proper corporate title, instead of giving merely the termini of the route passed over.

SEC. 483. Special agents are intrusted with keys to the several mail locks now in use, and are, by virtue of their commissions and these instructions, authorized to open and examine the mails whenever and wherever, in the pursuit of their investigations, they may find it necessary to do so. They are also empowered to enter and examine any post office when, in their judgment, the success of their investigations, the safety of the mails, or the general interests of the service demand such examination. They will carefully investigate every case of alleged mail depredation referred to them from this department, acknowledging to the Second Assistant Postmaster General the receipt of the papers in each by its number, and will return the papers to him after investigation, with a separate report in each case. They will also investigate and report upon such cases of mail depredation as may be made known to them by postmasters, or by parties interested, when such cases are within the ordinary geographical range of their duties; and when they are not, they will see that such cases are duly referred to the special agent who, from his locality, can most conveniently investigate them. In every case of successful investigation they will communicate the result to the person who originally reported the case—whether to themselves or to the department.

SEC. 484. It is not possible for the department to instruct special agents as to the particular means to be used in discovering the exact locality of an ascertained theft from the mail, or in ferreting out and arresting the perpetrator. These must be as various as the circumstances which surround each case, and must be left to the intelligence, vigilance, ingenuity, and acuteness of the agent charged with each investigation. There are, however, certain qualities and habits which are absolutely indispensable to a proper and successful discharge of this class of his official duties. Foremost among these are self-control, perseverance, caution, and *silence* on the subject of his employment and operations. A special agent of this department should, when travelling, attract as little notice as possible, and should conceal his official character whenever and wherever such concealment can be practised, and should, of course, refrain from announcing it on hotel books and other public registers. He should, as well after as before a successful investigation, prevent, as far as he can, publicity being given to the means by which his success was achieved; for by this publicity the same means may become inoperative and valueless in another case.

SEC. 485. When an arrest is made for an offence against the postal laws, the prisoner should be put in charge of the regular law officers of the United States government as early as possible. If his examination cannot conveniently be had before a judge or commissioner of the United States, he should be taken before the nearest justice of the peace or other State authority competent to examine and bind him over for trial. As justices of the peace have in many cases declined to issue warrants, or to enter upon such examination, from a doubt as to their jurisdiction, the special agent should be prepared to remove such doubt by referring them to the provisions on this subject contained in the 33d section of the act of Sep-

tember 24, 1789, and in the 37th section of the act of March 3, 1825. When, in the judgment of a special agent, it is absolutely necessary that he should employ counsel for the protection of the interests of the United States at such preliminary examination, such counsel should be engaged to prosecute the case for a stipulated fee, which should not exceed that usually paid for like services rendered in cases arising in the same vicinage under the State laws. A report of the result of such examination should be promptly made to the Second Assistant Postmaster General, and should especially show whether the proceedings were completed in one day, or were continued from day to day, and how long.

SEC. 486. A special agent who is without experience in the performance of his duties should, as soon as possible after his appointment, spend sufficient time in a well-regulated and considerable post office to acquaint himself fully with the routine duties of such office in respect to the reception, separation, and distribution of mails, the boxing and delivery of letters, and the making up, billing, and despatching of mails. He should also improve the first opportunity afforded him of conferring and advising with some more experienced agent of the department as to the best means of performing the duties required of him, especially those which relate to the tracing of depredations on the mails.

SEC. 487. Every special agent will, of course, be at all times ready to impart freely to other special agents any assistance in his power in the way of information, suggestion, or advice on this subject. Any novel and successful device for the detection of depredators upon the mails which may occur to one agent will thus be made available for the use of others, and for the benefit of the service.

SEC. 488. The efficiency and usefulness of a special agent in the performance of his duties in any branch of the service of the department must greatly depend on the extent of his general knowledge of the mail service of the country, and his minute and particular knowledge of that in the district or region of country to which his duties are principally confined. He should know accurately the connexion of routes and the grade of service required on each. To this end, if he has not them already in his possession, he should apply to the Contract Office for and obtain pamphlet copies of the last advertisement of mail lettings in the sections where he is principally employed, and should keep them with him for constant reference, noting upon them from time to time such changes as may come to his knowledge.

SEC. 489. In passing to and over railroad routes special agents will carefully observe what arrangements are made for the safety of the mails while being conveyed between the several post offices and the railroad stations or mail cars; and also while passing from one route to another, and how they are disposed of in the cars. On roads where there are route agents, they will see if suitable accommodations are provided for the safe and convenient assorting and bagging of the mails.

SEC. 490. When there are no such agents on the route, notice closely who is charged with the custody of the mails; whether they are placed under lock, beyond the reach of any but duly authorized persons, and, generally, whether proper provision is made for their safety in all respects. Especially see that all persons employed by the railroad companies in the transfer or custody of the mails are qualified by oath as carriers. It is known that several, and it is believed that many entire mails have been stolen while the contents of one mail car were being transferred to another. This has been done during the confusion of such transfer even where two roads were connected by a continuous track, and the danger of theft is greatly increased where there is a considerable portage between the two trains. Such transfer should, therefore, always be made with the utmost care and watchfulness, and, when occurring in the night, should not be attempted until abundant light shall have been furnished and properly distributed or stationed. Special agents are earnestly desired to give heed to this matter, and to see that ample and certain provision is made for such light beforehand. They will, if possible, effect arrangements for keeping all the letter mails under the view of a route agent or local agent during such transfer. Such arrangements are supposed now to exist in respect to all mails arriving in charge of a route agent, or where a local agent is stationed, but provision must be made for the safety of the mails under all ordinary circumstances, and they will make it their special duty to see whether route agents, who consider

themselves "off duty" at the ends of their respective routes, may not properly be required to superintend the transfer of all mails which arrive by railroad at their locality during their vacation.

SEC. 491. Many agents hold themselves responsible for the safe transfer of such mails only as arrive in their charge, and consider themselves exempt from all public duty during the whole interval of time (whether long or short) when they are not actually passing over their routes. In such cases, if it will impose on them no hardship, special agents are authorized to require their performance of this slight additional service, and will promptly report any refusal on their part. It is believed that in many cases the safety of the mails may thus be materially promoted, without exacting anything unreasonable from these agents. Where no such arrangement is practicable, it should be carefully seen that the messengers of the railroad company are every way reliable and competent.

SEC. 492. It should be seen that the mails on steamboats are locked up in a suitable apartment, under the exclusive control of the route agent, when one is on board, and otherwise under the control of some person designated for the purpose by the contractors, and duly qualified by oath. Such person should be made clearly to understand that he is in no case to allow the mails to pass from his charge into that of any unauthorized person. Prompt and special report must be made of every case in which mails are exposed on the deck of a steamer during her passage.

SEC. 493. At post offices terminating routes, examine the prescribed schedules and modes of conveyance; compare them with the actual arrivals, departures, and grades of service, and note any irregularities discovered. Observe whether any errors have been inadvertently embraced in schedules, or whether any other defective arrangements exist in the transportation service, causing delays or failures of connexion, and suggest promptly and intelligently the proper changes and remedies. Visit frequently, and without previous notice, the distributing offices, to ascertain whether letters are so mailed as to be subject to two or more distributions, *in violation of the regulations and of special instructions by circulars.*

SEC. 494. At each principal post office, observe whether the postmaster gives his personal attention to its business; and if not, whether such watchful supervision is exercised over it by anybody as to secure subordination, method, and personal accountability among the force employed in it. Without this there can be no security to the correspondence passing through a post office.

SEC. 495. Impress upon postmasters the importance and necessity of a thorough acquaintance with, and a strict adherence to the regulations of the department with regard to registered letters, and the exercise of special care in their forwarding, custody, and delivery.

SEC. 496. Admonish postmasters, when necessary, against suffering any persons not employed in their offices to have access to the mails when in process of opening, separating, distributing, or otherwise; and against allowing any person not duly qualified and authorized, to have access to the tables and cases where letters are deposited.

SEC. 497. These prohibitions include route agents, mail-carriers, letter-carriers, and all other persons who may have been sworn for the performance of other service to the department.

SEC. 498. Observe at all offices whether incapable or otherwise unreliable and unsafe persons are employed in them, whether as postmasters or in a subordinate capacity. In the former case, report the result of your observation to the Appointment Office; in the latter, bring the matter to the attention of the postmaster at the office where such objectionable person or persons are employed, and recommend such action as will be calculated to remedy the evil.

SEC. 499. Prevent as far as possible, by admonition and advice, the exposure of the mails at small road-side offices, by the opening and separating them in public rooms, and in the presence of the neighbors, and report every flagrant abuse of this sort which you cannot cure. Ascertain, by observation and inquiry at distributing offices, and by such other means as may occur to you, whether the registered packages of postage stamps are sent from any post offices, or by any route agents, in the unlocked bags or newspaper sacks, and report every case in which you find that either such packages or letter packages are so sent.

SEC. 500. Observe also whether postmasters and route agents, through whose hands such packages pass, keep (as they are required to do) a record of the registered numbers, addresses, and dates of receipt of such packages, when and to whom delivered, &c.

SEC. 501. Special agents will be particularly careful to investigate, without delay, all cases of lost or missing registered packages of stamps, or envelopes, referred to them by postmasters of distributing offices. Reports must be made in a separate letter to the Third Assistant Postmaster General.

SEC. 502. Notice at post offices the mode practised of cancelling postage stamps, and report every case in which the instructions of the department in that regard are violated.

SEC. 503. Examine, at all offices visited, the "complaint book," which all postmasters are required to keep, and in which they are required to enter all reports of missing letters, mailed to or from their offices, which may be made to them, with full particulars of each case. At any office where such a book is not kept, direct that it be procured and put in use.

SEC. 504. Route agents should be men of strict integrity, business capacity, and correct habits. If any fail to meet these requirements, report them, with the particulars of their several cases, to the Appointment Office.

SEC. 505. When the place of a regular route agent is filled by a substitute, ascertain whether the substitution has been made conformably with the regulations of the department; and if not, do not hesitate or fail to report the case without delay. It is not allowable for a route agent to leave his duties in charge of a substitute, except under the most urgent circumstances, without permission being first granted by the Postmaster General, on a written application through his Second Assistant, and such permission will be in writing for a specified time, the limitation of which must be strictly observed.

SEC. 506. When a sudden and urgent necessity arises for the temporary absence of a route agent from his duties, allowing no sufficient time for a reference of his application to the department, a postmaster at the end of his route may grant leave for such absence, but only on a written application, which he will refer to the department for approval by the first mail thereafter; and the leave thus granted must be limited to the shortest time in which such application can reach, and be returned from, the department by mail.

SEC. 507. As there are reasons for believing that this rule is sometimes violated by route agents without proper notice being taken of the matter by postmasters, make special inquiry respecting such violations at offices at and from which route agents arrive and depart.

SEC. 508. See that route agents, who are instructed to do so, keep a regular daily record of all the mail bags conveyed on their routes. Blank forms for this purpose have been furnished to many of them, with instructions for their use; and this system of accountability for mail bags extends to all important railroad routes. Special attention must be given to the working of this system, and to perfecting it, by instructions to, and influence with, the route agents, and by making such suggestions respecting it to the department as from observation and experience may be deemed important. Route agents are forbidden to admit into the mail cars in their charge any persons who are not agents of this department. This rule must be strictly enforced, and special agents will report, without exception, every instance that may come to their knowledge of its violation.

SEC. 509. Observe the condition of mail bags, and enforce, as far as possible, that regulation of the department which requires postmasters at the ends of routes to withdraw from the service all that are too much worn, or from any other cause are unsafe. Endeavor to enforce also the regulation which requires the return of canvas sacks sent out from the principal cities with newspapers and other printed matter, and correct any careless habits in regard to the security of mails in the several post offices.

SEC. 510. Ascertain as far as possible, and report violations of law by private expresses, or by other persons, in sending or carrying mailable matter over established routes out of the mail, and suggest any improvements in the service calculated to remedy or abate this evil.

SEC. 511. In respect to all the foregoing instructions special agents will, in every case where a flagrant abuse or imperfection in the service is discovered, make immediate report

thereof to the department, and in urgent and important cases use the telegraph if necessary; but when the cause of complaint is slight, and can be corrected by advice or admonition, no special report of the case need be made. Special agents are required to keep from day to day a brief but accurate journal, in which they will enter their observation or other knowledge of any neglect of duty, or violation of the regulations of the department, in any branch of the service—by postmasters, mail contractors, route agents, or any other persons—so that a transcript of this journal will exhibit all the reports required by these several articles of instruction, and all notices of irregularities or imperfections in the service, with suggestions for their improvement, which may have been observed or otherwise become known from day to day. These journals must also show the locality and manner of employment of each agent on the several days of each month, and must indicate the deprecation cases in the investigation of which he is engaged and the progress of his investigation. Each agent will forward to the department with his monthly account, or as soon after the beginning of each month as practicable, a transcript of so much of this journal as may not have been previously communicated in special reports. These transcripts should be addressed to the Second Assistant Postmaster General, to be filed subject to the inspection of the proper officers of the department; and when matters relating to several branches of the service are to be treated of at the same time, separate reports should be made, each to its proper bureau.

SEC. 512. When a special agent is assigned for duty to a particular district or section of country, he will not, except in a case of absolute necessity, or in the pursuit of some special investigation in the line of his duty, withdraw himself from his district to visit the seat of government, or otherwise, without instructions or leave from this department. When he has no special and urgent duties to perform under the particular instructions of the department, as can rarely happen, he should still avoid remaining unnecessarily long at his place of residence, but should keep moving over the several routes in his district, especially those which, from their importance, or otherwise, require the most strict surveillance. His salary and expense account may be forwarded for settlement at the end of each month or quarter, as he may elect, addressed to the Second Assistant Postmaster General.

SEC. 513. Special agents will endeavor to give security to the mails, to prevent unnecessary delays and detentions in their transportation, to elevate the character of the Post Office Department for faithfulness, efficiency, and punctuality in the several branches of its service, and thus to secure a more perfect accomplishment of the extended and beneficent objects for which it was established.

CHAPTER XLIV.

MONEY-ORDER OFFICE.

SEC. 514. The money-order system is intended to promote public convenience and to insure safety in the transfer through the mails of *small sums* of money. The mode by which safety is secured consists in leaving out of the order the name of the payee or party for whom the money is intended. In this respect a money order differs from an ordinary bank draft or check. An advice or notification, containing full particulars of the order, is transmitted by the issuing postmaster to the postmaster at the office of payment. The latter is thus furnished, before the order itself can be presented, with the necessary information to detect fraud, if any should be attempted. It is expected of postmasters that they will use a legitimate influence in recommending the money-order system, and, by courteous attention to the inquiries of applicants, exhibit its superiority as a safe method of transmitting small sums of money through the mails.

SEC. 515. Money-order offices are divided into two classes. Offices of the first class are

depositories, in which those of the second class deposit their surplus money-order funds.* Offices of the first class are printed in the list of money-order offices in *italics*.

SEC. 516. Any office in either class may draw upon any other office in the list of money-order offices for a sum, upon one order, from *one dollar to thirty dollars*. But when a larger sum than the latter is required, additional orders to make it up must be obtained.

SEC. 517. When money orders amounting in the aggregate to \$150 are presented in one day, by the same payee, at a second-class office, the postmaster will be permitted to delay the payment of such orders for five days.

SEC. 518. The money orders shall be made out upon printed forms supplied by the Post Office Department, and no order will be valid or payable unless given upon one of such forms.

SEC. 519. Any person applying for a money order will be required to state the particulars upon a form of application which will be furnished to him for that purpose by the postmaster.

SEC. 520. If the purchaser of a money order, from having made an error in stating the name of the office of payment, or for other reasons, desires to have the said money order changed, the issuing postmaster will repay the first order and issue another in lieu thereof, for which an additional fee shall be charged and exacted as for a new transaction.

SEC. 521. Parties procuring money orders should examine them carefully, to see that they are properly filled up and stamped. This caution will appear the more necessary when it is understood that any defect in this respect will throw difficulties in the way of payment.

SEC. 522. When a money order is presented for payment at the office upon which it is drawn, the postmaster or authorized clerk will use all proper means to assure himself that the applicant is the person named and intended in the advice; and upon payment of the order care must be taken to obtain the signature of the payee (or of the person authorized by him to receive payment) to the receipt on the face of the order.

SEC. 523. When for any reason the payee of a money order does not desire, or is unable, to present the same in person, he is legally empowered, by his written indorsement thereon, to direct payment to be made to any other person; and it is the duty of the postmaster upon whom the order is drawn to pay the amount thereof to the person thus designated; provided the postmaster is satisfied that such indorsement is genuine, and that the second party shall give correct information as to the name and address of the person who originally obtained the order. *More than one indorsement is prohibited by law, and will render an order invalid and not payable.*

SEC. 524. Any money-order office may repay an order issued by itself, *provided the order is less than ninety days old and does not bear more than one indorsement*; but the repayment must be made to the person who obtained the order, except in special cases. The fee or charge shall not in any case be refunded.

SEC. 525. The fees or charges for money orders will be as follows:

On orders not exceeding \$10	10 cents.
Over \$10 and not exceeding \$20.....	15 cents.
Over \$20 and up to \$30.....	20 cents.

Fractions of cents must not be introduced into any order.

SEC. 526. When a money order has been lost by either remitter or payee, a duplicate thereof will be issued by the department to the party losing the original, provided he shall furnish a statement, under oath or affirmation, setting forth the loss or destruction thereof, and a certificate from the postmaster by whom it was payable that the said order had not been paid, and would not thereafter be paid if presented; also a similar certificate from the issuing postmaster that the same had not been and would not be repaid. A second fee will be charged and exacted for the issue of duplicate orders.

SEC. 527. When a money order is applied for the postmaster will furnish the applicant with a printed form of application, in which the latter must enter himself, or cause to be entered

* The classification here noted does not, in any manner, refer to that enumerated in the act entitled "An act to establish salaries for postmasters, and for other purposes," approved July 1, 1864.

for him, all the particulars of amount, name, address, &c., required to be stated in the money-order and advice.

SEC. 528. From the items contained in such application the postmaster will fill up the money order required in conformity therewith, and also the corresponding form of advice. The order, when completed, is to be handed to the applicant upon payment of the sum expressed therein, and of the fee chargeable thereon, *which fee must invariably be paid in money, postage stamps not being receivable therefor.* By the mail immediately following the issue of a money order, the postmaster must transmit, in a sealed envelope, the corresponding advice to the postmaster at the office upon which it is drawn. The utmost accuracy must be observed in writing both the order and the advice. The application must be numbered to correspond with the order issued, and filed for future reference.

SEC. 529. If an error of any kind be made in filling up a money order, and it be discovered at the time of issuing or before the advice has been despatched, a new order must be made out, as no alterations or erasures are permitted.

SEC. 530. Postmasters will observe that the forms for money orders and advices are numbered consecutively from 1 to 500 or 1,000, or to higher numbers, according to the requirements of the issuing office. This is intended as a safeguard against the improper use of the blanks; and, therefore, when, through mistake, or from any other cause, any of them have been spoiled, the words "not issued" must be written or stamped across both the order and the advice. The cancelled order, with the corresponding advice, must be transmitted to the Money-order Office of the Post Office Department with the weekly account, and must be entered therein in its proper numerical order, with the words "not issued" written opposite; the particulars and amount of the order being left blank. A similar entry must be made against the corresponding number in the Register of Orders Issued. *No departure from this rule will be permitted, as the Postmaster General imperatively requires that every blank form of a money order sent to a postmaster shall be accounted for at the end of the week in which it is used or cancelled.*

SEC. 531. Upon the issue of a money order the postmaster will record all the particulars thereof in the "Register of Orders Issued," as directed by the headings; and if any subsequent action should be taken in reference thereto, (such, for instance, as repayment, the issue of a duplicate, &c.,) he will note the alteration opposite the entry in the register under the head of "Remarks."

SEC. 532. When the aggregate amount of orders issued by any money-order office, in one day, upon a second-class office, equals or exceeds \$150, the issuing postmaster will be required to send by the first mail a special notice of the fact, stating the amount drawn for, to the Money-order Office of the Post Office Department. Postmasters are required to pay strict attention to this rule, as a neglect of the duty it enjoins may result in delay of payment, and consequent inconvenience to the payee.

SEC. 533. The issue of money orders on credit is strictly prohibited under the severest penalties; and no moneys shall be received by a postmaster in payment for money orders issued except United States treasury notes or the notes of the national banks; nor can orders be paid in any other currency than that herein enumerated.

SEC. 534. Money orders can only be issued upon such offices as are enumerated in the list of money-order offices. The names of the offices which may from time to time be added thereto will be duly made known to the postmasters at other designated offices. In issuing orders the full designation of the office, *as given in the list*, must be written on the order and on the advice.

SEC. 535. When a postmaster receives notice of the opening of a new office, or of any change whatever relative to money-order offices, he will at once make the necessary correction in his list.

SEC. 536. Half cents must not be introduced into any money order or account.

SEC. 537. The given names of both remitter and payee must be entered in the advice in full when possible; and married women must be described by their own names, and not by those of their husbands. Thus, the appellation "Mrs. William Brown" is inadmissible, as it

does not accurately describe the payee, whose true name may be Mrs. *Mary Brown*. Both names and sums must be written so legibly as effectually to guard against errors.

SEC. 538. When a second or duplicate advice is required, in consequence of the original advice having been spoiled in issuing an order, or when the original advice is stated not to have reached its destination, or when it is necessary to re-advise for any reported discrepancy in number or amount, one of the spare advice forms headed "Second Advice" must be used.

SEC. 539. When orders are given for sums of one dollar, or for any amount in complete dollars, the spaces for "cents," in writing and in figures, must be filled up with a heavy dash in each case, so that the possibility of adding "cents" may be prevented.

SEC. 540. It is strictly required that the money order shall bear the stamp of the office of issue as well as of that of payment, and that the advice shall bear the stamp of the office of issue. To insure at all times a clear impression, a special stamp must be employed for this purpose, which should never be used for stamping letters. Should the stamp of the issuing postmaster be wanting upon a money order, the postmaster at the office upon which it is drawn must invariably decline payment. Orders from which the stamp of either office has been omitted will be rejected as vouchers by the department, and will be returned to the postmaster by whom they were paid, in order that the omission may be supplied.

SEC. 541. It is expected of postmasters that they will exercise their judgment with respect to the places upon which money orders may be desired, as the applicants, from lack of information, are liable to mistakes, which will be productive of inconvenience to the payee. Therefore, when occasion requires, postmasters will endeavor to ascertain which is the money-order office most conveniently situated for the purpose of the remitter, and to advise him that the order be drawn thereon.

SEC. 542. Postmasters who are intrusted with the duty of issuing money orders will invariably be held responsible for the acts of their subordinates in relation to such issues. It is desirable that the orders should in all cases be signed by the postmaster himself; but it may occasionally happen, by reason of his unavoidable absence, that it will be necessary for the assistant postmaster or designated clerk to sign the orders, in which case the postmaster's name must be written, and beneath it the name and designation of the writer, thus:

A B, *Postmaster.*

By C D, *Assistant Postmaster (or Clerk.)*

SEC. 543. A postmaster may repay an order issued at his own office, *provided the order is less than ninety days old and does not bear more than one indorsement*; but the repayment must be made to the person who obtained the order, except in special cases. *If the advice has gone forward to the post office upon which the order was drawn, the postmaster will, by the first mail, despatch a special advice notifying that office of the repayment.* If the advice has not gone forward, it is to be transmitted to the Money-order Office of the Post Office Department, enclosed with the corresponding repaid order, in the weekly account. *The fee must not in any case be refunded.*

SEC. 544. When the remitter of a money order desires to change the place of payment of the same, or when a mistake has been made in drawing an order, through error of the remitter, the issuing postmaster is authorized, with the above restrictions, to take back the first order, which he will repay, and issue another in lieu thereof, for which an additional fee must be charged and exacted as on a new transaction. If the advice has gone forward to the post office upon which the original order was drawn, he will, by the first mail, despatch a special advice, notifying that office of the repayment of said order. The *special* advice is not to be used instead of the proper accompanying advice of the new order, but is additional to it. Under no circumstances must a postmaster issue a new order in lieu of another until the original order shall have been returned to him.

SEC. 545. The word "repaid" (and the date) must be written or stamped on the face of every repaid order, and a corresponding entry made in the Register of Orders Issued, against the particulars of the order, and in the column headed "Remarks."

SEC. 546. Every order repaid must be signed by the remitter or person who procured it. But if he should be unable to make application for such repayment in person, it can be made to another party, in which case the remitter will fill up the indorsement upon the back with the name of the person to whom he wishes the payment made, and sign his own name thereto, substituting the word "remitter" for that of "payee," where the latter occurs. But a postmaster will exercise the greatest caution in repaying an order to a second person.

SEC. 547. When an order is repaid by *duplicate*, the fact must be noted in the Register of Orders Issued by writing opposite the entry of the original order, in the column of "Remarks," the words "Repaid by duplicate No. —," (adding the number and the date of repayment.) In taking credit for such repayment in the summary of the weekly statement, the postmaster will enter the number of the *original* order, and also that of the *duplicate*, thus: "By money order No. 1286 repaid, (by duplicate No. 120,) \$19 25."

SEC. 548. When a postmaster receives a special advice of the re-payment of a money order by the issuing postmaster, he will write the words "Repaid at —," (naming the place,) opposite the entry in the Register of Advices Received, and also upon the original advice, which, with the special one attached thereto, he will place on file.

SEC. 549. No money order must be paid until the corresponding letter of advice shall have been received.

SEC. 550. Upon the receipt of an advice, the postmaster will first examine the same to see that it is payable at his office, and is in all respects regular and stamped; he will thereupon enter the particulars in the Register of Advices Received. After being so entered, advices should be filed, alphabetically arranged under the names of the issuing offices, so that reference may readily be made to them whenever necessary. Every care should be taken to guard against the loss of these important documents; and with this view, and to prevent their disarrangement, they should be kept under lock and key.

SEC. 551. Should a second advice be received, correcting the *number or amount of the original*, the entry in the register should be altered accordingly, and the second advice, attached to the original, placed on file.

SEC. 552. When an order is presented for payment, the postmaster will first examine the document to see that it is properly signed, stamped, &c.; he will then compare the date, number, and amount with the record in the Register of Advices Received, and satisfy himself, by questioning the applicant, and by such other means as may appear necessary, that the applicant is the person entitled to payment; if the postmaster entertain any doubt on this point he should require the person who presents the order to prove his identity. Care should be taken that the signature of the payee be as full as the name given in the advice, and that it be in no way inconsistent therewith. If the payee be unable to write, he must sign the receipt by making his mark, to be witnessed in writing. The witness should sign his name with his address in the presence of the postmaster; and the latter will then certify the payment by adding his own initials. The witness should be known to the postmaster, but it is desirable (though not imperative) that he be not connected with the office. In no case should the postmaster act as witness himself. It is not necessary that the witness should be personally acquainted with the payee.

SEC. 553. No postmaster will be permitted to pay an order which is not drawn upon his office. This, however, does not preclude the repayment of an order at the office where it was drawn.

SEC. 554. When an order is presented for which no advice has been received, one of the printed letters of inquiry for missing advices must at once be despatched to the postmaster who issued the order. Under no circumstances whatever can an order be paid until the corresponding advice shall have been received.

SEC. 555. When an order is presented which does not agree with the advice, payment must be refused, unless the difference be evidently accidental and trifling, in which case the postmaster may, if he chooses, pay the order, but he will be held responsible if the payment should turn out incorrect. Every case of difference, however small, between an order and an advice, should be reported in forwarding the order at the end of the week.

SEC. 556. When money orders issued in favor of one person are presented on the same day at an office of the second class for a sum amounting in the aggregate to \$150, the postmaster will be at liberty to defer the payment for five days. This permission to delay such payment must not, however, be understood as authorizing the postmaster to do so when he has sufficient funds in hand, whether arising from the issue of money orders or from postages, the design being solely to afford him time to procure the requisite amount of funds to meet the orders. Should a postmaster who has sufficient funds of the department in his hands refuse to pay orders drawn upon him when duly presented, such refusal will be deemed cause for his immediate removal.

SEC. 557. After payment of a money order, the date of such payment must immediately be stamped upon the order and likewise entered opposite the record thereof in the Register of Advices Received, with the word "paid" written opposite the entry, in the column headed "Remarks."

SEC. 558. When an order is paid by *duplicate* the fact must be noted in the Register of Advices Received, by writing opposite the entry of the advice, in the column of "Remarks," the words "paid by duplicate No. —, (adding the number and the date of payment.) *The same should be written in red ink under the particulars of the original order in the weekly statement.*

SEC. 559. Postmasters are prohibited from paying a money order to a second person without the written indorsement to such second person by the payee on the back of the order. When orders are paid upon such authority the *utmost caution should be exercised*, and before paying them the postmaster must be satisfied that the signature to the indorsement is genuine, and that the person presenting the order is the one named in the indorsement. In cases of doubt, the person presenting the order should be required to prove his identity.

SEC. 560. Any order not correctly receipted, or not stamped with the date of payment, will be disallowed from the weekly account and returned for correction.

SEC. 561. Under no circumstances can payment of an order be demanded on the day of issue.

SEC. 562. After once paying a money order, by whomsoever presented, the office is not liable to any further claim.

SEC. 563. If the remitter of a money order loses it, he will make application through the issuing postmaster to the Money-order Office of the Post Office Department for a duplicate, furnishing at the same time a statement, under oath or affirmation, setting forth the loss or destruction thereof, and a certificate from the postmaster by whom it was payable that the said order had not been paid, and would not be paid if thereafter presented; also a similar certificate from the issuing postmaster that the same had not been and would not be repaid. Should the department be satisfied of the correctness of the statement of loss, a duplicate will be transmitted to the issuing postmaster, to be delivered to the remitter, upon payment by the latter of an additional fee.

SEC. 564. When a money order is lost by the payee, he will cause an application for a duplicate, together with the documents required by the preceding section, to be forwarded to the department by the paying postmaster; and the department will, if satisfied as aforesaid, cause a duplicate to be transmitted to that postmaster to be delivered to the payee, upon payment of an additional fee. Postmasters are reminded that the affidavit, in both cases, must bear a five-cent revenue stamp.

SEC. 565. When a postmaster signs a certificate that an order drawn upon his office has not been and will not be paid, he should at once note the same in the Register of Advices Received, by writing, in red ink, under the entry of the advice, the words "Duplicate applied for—original order not to be paid," and in the case of an order issued at his office, when he has certified that the original order has not been and will not be repaid, he will write under the entry of the said order, in the Register of Orders Issued, the words "Duplicate applied for—original order not to be repaid." *Neglect of this rule will involve postmasters in serious trouble, AS THEY WILL BE HELD STRICTLY ACCOUNTABLE SHOULD THE ORIGINAL ORDER BE AFTERWARDS PAID OR REPAID AT THEIR OFFICE.*

SEC. 566. If the original order be presented after a duplicate has been applied for, the postmaster will write across it the words "Cancelled—duplicate issued." If the person who presents it requires the postmaster to return it, he may do so; but if not, the order should be sent to the department.

SEC. 567. A duplicate order is not transferable, and can be drawn only on the issuing or the paying office of the original order.

SEC. 568. Under no circumstances whatever will a postmaster be allowed to issue a duplicate money order, which must in all cases be issued by the department.

SEC. 569. In all cases where postmasters are authorized to deliver duplicate money orders, the usual fees therefor must be charged and exacted.

SEC. 570. Any order which is not presented for payment until after the expiration of ninety days from the date thereof is declared "invalid and not payable" by the fifth section of the act establishing a postal money-order system; and the postmaster to whom such order is presented must refuse payment of the same. In order to obtain payment of such invalid order, the holder will be required to forward the same to the Money-order Office of the Post Office Department. If the department is satisfied that the order has not been paid, a duplicate will be transmitted to the postmaster upon whom the original was drawn, who will deliver the same to the payee upon payment by him of an additional fee.

SEC. 571. The Register of Advices Received should be carefully examined *each day*, with a view to ascertain whether any of the unpaid advices entered therein have become invalid by reason of being more than ninety days old; and should it be found that any of them have become invalid for the reason stated, the *several dates and numbers* thereof in the Register must be underscored in red ink, and the advices picked out at the close of the week and forwarded to the department; the envelope containing the same being indorsed "Advices of Invalid Orders." Under the corresponding entries thereof in the Register should then be written, "Invalid—advice forwarded to the department ———, 186 ." A strict compliance with this regulation is of the first importance.

SEC. 572. Section 6 of the act establishing a postal money-order system provides that "more than one indorsement upon an order shall render the same invalid and not payable." Hence, the postmaster to whom an order thus illegally indorsed shall be presented must refuse payment of the same; and the holder thereof, to obtain payment of the order, is required to return the original, with an application for a renewal, to the Money-order Office of the Post Office Department, and to furnish the statement, under oath or affirmation, of two responsible persons known to the postmaster (whose certificate shall be appended thereto) that the indorsement is genuine, and that the holder is the person named therein. Upon his compliance with these requirements a duplicate will be issued, as above.

SEC. 573. It is to be expected that occasionally at some offices the postmaster will be called upon to pay money orders to an amount exceeding that of the money-order funds in his hands, so that his reserve will be exhausted. *In such event* he will transfer from the postage to the money-order account a sum of money *equal to the amount of his reserve*. In case the postage funds are insufficient for such transfer, the postmaster must immediately notify the department, when he will be furnished with a draft for the amount required. Should the payments at any office continue to exceed the receipts thereat, the postmaster at such office will be furnished with a letter of credit, to be used only when absolutely required for the payment of money orders.

SEC. 574. In making a transfer of funds—which must in all cases consist of *complete dollars only*—if from the "postage" to the "money-order" account, postmasters will first take credit for the amount of said transfer in their general account with the Post Office Department; they will then debit themselves therewith in the Money-order Cash Book, and enter the transaction under its proper head in the weekly statement following such transfer. If from the "money order" to the "postage" account, the amount must be entered on the credit side of the Money-order Cash Book, and a corresponding entry made on the debit side of the general account. The transfer to be noted in the weekly statement, as before. A notification is in all cases to be forwarded to the Money-order Office of the Post Office Department

immediately following a transfer of funds from either account. A transfer *from the money order* to the postage account is only to be made when expressly directed by the department.

SEC. 575. When, upon adjusting the accounts of the week at an office of the second class, the postmaster finds that the cash on hand derived from money orders issued exceeds by \$30 the amount allowed such office as a reserve, the whole and exact amount, omitting cents, over and above such reserve must be deposited at the designated office of the first class where the postmaster at said second-class office shall have been instructed to deposit his money-order funds. But if the cash in hand at any time during the week exceeds by \$60 the reserve allowed, such excess must be deposited without delay: *Provided always*, That when a postmaster has advices in hand of orders less than ninety days old to be presented for payment, he shall be at liberty to keep back as much cash as, *with the reserve*, will suffice to pay such orders. In taking credit for the deposits above directed, each of them must be entered under its proper date, and not in one aggregate amount without date. The postmaster at the office receiving these deposits will execute duplicate certificates therefor, one of which he will transmit to the depositing postmaster, and the other to the Money-order Office of the Post Office Department.

SEC. 576: *In like manner*, whenever a postmaster at any office of the first class has on hand, at the close of the week, money-order funds, derived from issues or from deposits, to an amount exceeding by \$60 the reserve allowed his office, he will remit the whole of such excess, omitting cents, to the postmaster at New York, or to such other first-class office as may have been designated for the purpose; and whenever at any time during the week the excess in question amounts to \$100, it must at once be remitted as above directed, subject, however, to the exception noted in the preceding section. The postmaster receiving the remittance will furnish without delay a duplicate certificate to the postmaster and to the department.

SEC. 577. The dates of the issues of the several orders, and also of the deposits, as shown in the weekly accounts, will clearly show to the department when the moneys received for such issues and deposits should have been remitted; and postmasters will be held strictly accountable for any failure to remit or deposit promptly in obedience to these instructions.

SEC. 578. In all cases where advices of unpaid money orders, less than ninety days old, are in the hands of postmasters, they will be at liberty to withhold from the moneys they would have otherwise been required to deposit or to remit, such a sum as, *with their reserve fund*, will be sufficient to pay such orders; but in making up their weekly accounts they will accurately enumerate such advices in the space set apart for that purpose. Postmasters who fail to make this enumeration will be considered as having improperly withheld the money. In case no unpaid advices are on hand at the close of the week, the fact should be noted in the statement by writing the words "None on hand."

SEC. 579. It has been somewhat difficult to make some postmasters understand that they are not authorized to withhold more money than will suffice to pay the orders of which they may have advices; and to put the meaning of section 581 beyond the possibility of misapprehension an explanation is now offered in this form. Let it be supposed that the postmaster's reserve is fixed at \$100, and that he has advices in hand to the amount of \$175; in this case he will be at liberty to keep back \$75, which he otherwise would have been bound to deposit, which sum, with his reserve of \$100, will pay the \$175.

SEC. 580. Postmasters will take notice that the standing instructions which they have heretofore received from the Post Office Department with respect to the disposal of balances due from them to the United States do not apply to money-order funds in their hands, but only to postage funds.

SEC. 581. The money-order accounts must be kept separate and distinct from those of postage, and, together with all correspondence on money-order business, must be addressed to the "SUPERINTENDENT OF THE MONEY-ORDER OFFICE OF THE POST OFFICE DEPARTMENT." *It is desired that every envelope should be indorsed with a memorandum, stating the nature of its contents.*

SEC. 582. The books to be kept, and which, to insure uniformity, will be furnished to all the money-order post offices by the department, are:

1. A register of money orders issued, in which must be recorded daily the particulars of all orders issued.

2. A register of advices received, which will be used for the record of advices.

3. A cash book, showing the debit and credit transactions of each day.

The headings of the registers, together with the instructions contained in section 586, will so effectually direct postmasters that no mistakes need occur in keeping these books.

SEC. 583. In writing up the cash book the balance will first be brought forward. Then, on the Dr. side, must be entered the amount received upon a draft drawn by the postmaster under authority of the Postmaster General's credit, the amount received for premium upon the same, the amount received on deposit from other postmasters, the amount received for fees upon duplicate orders delivered, and the amount transferred from the postage to the money-order account, should either or any of these transactions have taken place; then the amount received from the issue of money orders, the amount of fees thereupon; and, lastly, the balance, should there be any. The Cr. side must embrace the amount transferred to the postage account, the amount remitted or deposited, the amount paid on account of incidental expenses, (such as clerk-hire, stationery, &c.,) and the amount repaid on money orders, should either or any of these transactions have taken place; then the amount paid for money orders drawn upon the office; and, lastly, the balance. The cash book must be written up and balanced every day.

Form of Cash Book.

DR. _____, P. M. at _____, in account with the Money-order Office, P. O. D., the _____ day of _____, 186- CR.

To balance brought forward.....	\$40	60	By amount paid for money orders drawn on this office.....	\$250	00
To amount transferred from postage account.....	100	00			
To amount received for money orders issued, No. — to No. —, inclusive.....	118	22			
To amount of fees upon same.....	.....	90	By balance.....	9	72
	259	72		259	72

SEC. 584. Postmasters should keep their money-order cash separate and distinct from all other cash whatsoever, and with this view a special drawer should be set apart for it. All receipts of cash on money-order account, whether for orders issued and fees, remittances from other postmasters, or postage money transferred, should be deposited therein; and all disbursements, whether in payment of orders, remittances made to other postmasters, or transfers to postage account, should be made therefrom. The usefulness of the cash book depends entirely upon the money-order cash being in this manner kept intact, and it is, therefore, important that this regulation be strictly observed.

SEC. 585. Postmasters must be particular to number their accounts consecutively, beginning with No. 1 at the commencement of each calendar year. They must also be careful to write the names of the remitters and payees of the money orders so plainly in the accounts that there will be no difficulty in deciphering them.

SEC. 586. On Saturday evening of each week postmasters will make up their weekly statement, being careful to state therein all the particulars required by the headings, and to compare the several items with those contained in the registers and cash book before forwarding the same, which must be done by the first mail after the accounts have been closed.

SEC. 587. If no business has been transacted during the week, the postmaster will be required to send forward the usual form, with a statement of the last balance, and the words "No business" written across the face of the blank.

SEC. 588. Postmasters will be careful to enter into their weekly returns neither more nor less than the transactions of one week, and the week must be understood to commence on

Monday and to end on Saturday. But at the expiration of each quarter of the year, viz: 31st March, 30th June, 30th September, and 31st December, should either of these days not fall on Saturday, a statement must be made up and forwarded of the business transacted from the preceding Saturday up to the close of each of the days above named. On the Saturday next succeeding each of these dates the statement will embrace only the business transacted since the first of the current month. The object of this regulation is to facilitate the quarterly settlement of the accounts of postmasters.

SEC. 589. The paid, repaid, and cancelled orders and the vouchers for incidental expenses must invariably accompany the returns, which will not be considered complete without them.

SEC. 590. Whenever it is found necessary, in order to prevent delay or embarrassment in the payment of money orders, the postmasters at certain offices will be allowed a credit to a designated amount with the postmaster at New York, or at some other first-class office designated for the purpose, which credit will be used in the following manner: When, at any office having such credit, the funds arising from the money-order business are insufficient to pay the orders presented, the postmaster will thereupon be permitted to draw a draft, payable to his own order, against the amount placed to his credit for such a sum, *and no more*, as may be necessary to meet the requirements of the case. It is therefore apparent that this credit must be drawn by instalments—for example, \$50, \$100, \$200, &c., as may be required—and not in one gross sum. The amounts so drawn from time to time must be entered by the postmaster to his debit in the Cash Book upon the day they are drawn, and also in the weekly account. Should the amount of orders paid at any one of these offices continue considerably to exceed the amount of orders issued, this credit will, of course, in time become exhausted; and it will then be the duty of the postmaster to make application to the Postmaster General, through the Money-order Office of the Post Office Department, for a renewal thereof.

SEC. 591. For the purpose of drawing against the credits, special drafts will be supplied to postmasters having such credits, who, in the margin provided for their own special use, will state the amount of the credit, and enter and deduct from it the amount drawn by the corresponding draft, by which means they will be constantly reminded of the condition of the fund. Each of these drafts bears a coupon, which the postmaster drawing the draft will fill up, date, and sign, and which the postmaster at the office drawn upon will transmit to the Money-order Office of the Post Office Department whenever the draft is paid. It is presumed that no difficulty will be experienced by a postmaster in immediately obtaining the amount of such draft from any national bank in his locality. For this purpose a form of indorsement is printed upon the back. In the negotiation of these drafts the postmaster is not at liberty to receive any funds except the currency issued under the authority of the United States, inasmuch as he is prohibited from paying out any other money for orders presented. If a premium be received for a draft, the postmaster must charge himself therewith.

SEC. 592. Postmasters are prohibited from drawing drafts in manuscript, or upon any other forms than those supplied by the department, and they must invariably sign the drafts *themselves*.

SEC. 593. The postmaster at every money-order office will make the deposits required by these instructions (see sections 578 and 579) by transmitting the amount to be deposited in a registered package addressed to the postmaster of the office named as his depository. Enclosed in this package he will also send a letter, giving in detail an accurate description of the money therein remitted. For the sake of convenience and security *the notes remitted should be of the highest denominations procurable*, and the postmaster must keep *an exact record* of the numbers, denominations, dates, and ciphers of all notes remitted by him in compliance with these instructions. Each postmaster must furthermore be ready to prove, beyond question, in every case, by a disinterested witness, that he actually enclosed the money in the package, and duly mailed the latter in the mode prescribed for registered letters; otherwise, should the money be lost, he will be held responsible therefor. These deposits may likewise be made by means of drafts drawn by one national bank upon

another, provided such drafts can be obtained without cost. Postmasters in the vicinity of armies, or of military posts, are at liberty to make deposits of surplus money-order funds by procuring from any disbursing officer of the United States a check on an assistant treasurer, or designated depository located in the same city or town as the post office where the deposit is to be made. This check must immediately be transmitted by mail to the postmaster at such office, to whom the same must be made payable. *No premium whatever is to be paid for such checks.* The utmost promptness in depositing money-order funds is imperatively required.

SEC. 594. The Postmaster General will allow a certain sum of money to be withheld by postmasters at money-order offices, so that they may always be ready to meet the orders drawn upon them. The amount of the reserve allowed an office will be determined by the extent and nature of the business transacted thereat, and will be changed from time to time, should circumstances warrant. When any post office is designated for the issue of money orders, the postmaster will be informed of the amount of reserve allowed. The reserves are intended as a provision for paying money orders presented at times when postmasters have little or no postage or money-order funds on hand. Postmasters will generally know in advance the demands that may be made upon them, as they are generally in possession of the advices before the corresponding orders can be presented; and if at any time the amount of the advices exceeds the amount of the reserve allowed, they will be permitted to withhold such an amount as, *with the reserve*, will enable them to pay the orders when presented. A comparison of the dates and amounts of deposit, and an inspection by an agent of the department of the Register of Advices Received, will always be sufficient to determine whether moneys have at any time been improperly withheld from deposit; and should such prove to be the case, the offender will be subject to the penalties of embezzlement, under the eleventh section of the act establishing a postal money-order system.

SEC. 595. By the terms of the section above named, postmasters are forbidden, under severe penalties, from converting to their own use, in any manner whatever, money-order funds; and they will be required at all times to satisfy a special agent of the department who may call upon them for that purpose that they actually have on hand the balance of such funds due by them as exhibited by their accounts.

SEC. 596. At all money-order post offices where the annual salary of the postmaster is fixed at a sum less than \$4,000, he is allowed, in addition to such salary, as a compensation for transacting the money-order business, one-third of the fees received for the issue of money orders, and one-eighth of one per cent. upon the gross amount of orders paid. But if the entire receipts from these rates of compensation for his money-order business should, when added to his annual salary, exceed the sum of \$4,000 per annum, or \$1,000 per quarter, the surplus of such receipts shall be accounted for to the department. At the close of each quarter postmasters will be duly notified of the amount allowed, and instructed as to the proper entry to be made thereof. Postmasters whose annual salary equals or exceeds \$4,000 receive no additional compensation for the transaction of the money-order business.

SEC. 597. Postmasters are not authorized to incur, *without special permission*, any expense whatever on account of the money-order business except for the necessary stationery purchased to be used exclusively in the transaction of that business. They will take credit for all authorized expenses incurred on money-order account in the Cash Book, and in the summary of the Weekly Statement, under the head of "incidental expenses," and will be careful to forward with the statement proper vouchers for the credits claimed therein.

SEC. 598. In case of the appointment of a new postmaster at a money-order office, it will become the duty of the late postmaster to render a statement of the business transacted up to the date on which he ceased to be responsible, even should it be for a fractional part of a week only. Upon giving up charge of the office he will deposit with his successor the balance of money-order funds remaining in his hands, taking duplicate receipts therefor, one of which he will transmit, enclosed with the account, to the Money-order Office of the Post Office Department. He will take credit for the amount thus deposited, in the summary of his final statement. The late postmaster will also turn over to his successor the money-order

blanks, and all circulars and instructions which have been sent to the office by the department, and he will obtain therefor, as in the preceding case, duplicate receipts, one of which he will transmit to the department. The receipt must distinctly state the number and description of the blanks, and must designate the *first* and the *last* number of the money-order and advice forms delivered, as, "From No. 183 to No. 500, inclusive." The late postmaster will, therefore, obtain from his successor two separate and distinct sets of receipts, one for the money-order *funds* only, and one for the money-order *blanks*.

SEC. 599. Upon taking charge of a money-order post office, the postmaster will obtain from his predecessor full information as to the condition of the accounts of the office, the amount of the money-order reserve, the place of deposit, &c., and he will debit himself in the Money-order Cash Book, and in his first weekly statement, with the amount of funds received from his predecessor.

SEC. 600. When a post office is designated as a money-order office, the postmaster will be furnished with the books required to be kept, and with the requisite blank forms for conducting the money-order business. Postmasters should be careful not to suffer their stock of these blanks to become exhausted, but to make a timely application for a new supply. The utmost economy in the use of blanks is always to be observed.

SEC. 601. The Registers and Cash Book being the property of the department, must be carefully preserved, and must be delivered up when called for, or on going out of office.

SEC. 602. All circulars and instructions sent to a postmaster must be kept on file in the office, convenient for reference.

SEC. 603. Should any blank order be omitted in the series supplied to an office, the postmaster will make a note opposite the blank number in the account in which, if supplied, the order would have appeared. He will also make a similar memorandum in his Register of Orders Issued. Money-order and Advice forms should be carefully examined immediately upon their receipt, and all irregularities reported. Postmasters should keep their stock of these forms in *their own custody*, under lock and key, in some place of security to which none of the persons employed in their office, or in their private business, have access; and they will be held responsible for any loss which the department may suffer arising from fraud committed through a disregard of this regulation.

SEC. 604. Postmasters at money-order offices are required to give bond to the government with two sureties. If either of the sureties should die or become insolvent, it is the duty of the postmaster at once to inform the department, and to provide a new surety.

SEC. 605. Negligence or delay in transmitting the weekly returns, or in remitting or depositing funds according to instructions, are serious obstacles to the successful working of the money-order system, and postmasters must be cautious in these respects. As intimated elsewhere, the withholding of money contrary to the regulations will subject the offender to serious penalties.

SEC. 606. The success of the money-order system will greatly depend upon the attention, promptitude, and accuracy of postmasters; and it is expected, therefore, that each postmaster will be careful to conform to the rules, as well as to see that the orders and advices which come to him from other offices are properly and correctly executed. Should they be otherwise, the facts must be reported to the department.

SEC. 607. Any postmaster or deputy postmaster at a money-order office who desires to deposit the public moneys in his custody in a national bank designated by the Secretary of the Treasury as a public depository, should make written application to the Postmaster General for permission to make such deposits. The application should state explicitly the locality and name of the bank, together with the names of its officers, and also the date of its designation as a depository of public moneys.

SEC. 608. It may be presumed that, in the operations of the money-order system, circumstances of an unusual character, not provided for in these instructions, may occasionally arise. Should a postmaster at any money-order office meet with any great and unexpected difficulty, he will at once communicate the facts of the case to the department; and when an

immediate decision is absolutely necessary, he may make use of the telegraph for that purpose. But the postmaster should not refer to the department petty obstacles or perplexities, which, though not provided for in these rules, it is his duty to decide upon according to his own best judgment.

SEC. 609. It may be anticipated also that circumstances will occur indicating the expediency of modifying or of adding to the provisions of the money-order system as herein described. As it is intended to make the system as efficient as possible, postmasters are requested to communicate to the Money-order Office of the department any fact coming to their knowledge which may tend to show the necessity for any modification of the present rules, or any change in the method of their application which practical experience would indicate to be an improvement.

SEC. 610. No money-order business is to be transacted on Sundays.

BOOKS AND FORMS.

The following is a list of the books, forms, and marking stamps required for the business of a money-order office:

Book of Instructions.

List of Money-order Offices.

Register of Money-orders Issued.

Register of Advices Received.

Cash Book.

Weekly Statement Sheets.

Blank Orders with corresponding Forms of Advice attached.

Second Advice—for use when duplicate or corrected advices are required.

Application for Money-order. (Form No. 1.)

Notice of Overdrafts upon second-class offices. (Form No. 4.)

Special Advice of Repayment. (Form No. 5.)

Applications for the Renewal of Lost and Invalid Orders. (Forms Nos. 7, 8, and 8a.)

Notification of Transfer of Funds. (Form No. 9.)

Notification of Want of Funds. (Form No. 10.)

Printed Letters in which to forward remittances. (Form No. 18.)

Printed Letters to Postmasters inquiring for missing Advice, &c. (Forms Nos. 21, 22, 23, and 24.)

Certificates of Deposit—for use at offices of the first class only.

Office Stamp—to be used on Money-orders and Advices.

“M. O. B.” Stamp—to be used on Envelopes containing Advices, &c.