

THE
POSTAL LAWS AND REGULATIONS

OF THE

UNITED STATES OF AMERICA,

COMPILED REVISED AND PUBLISHED IN ACCORDANCE WITH
THE ACT OF CONGRESS APPROVED MARCH 30, 1886.



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POST-OFFICE DEPARTMENT,
Washington, D. C., August 10, 1887.

The accompanying compilation of the acts of Congress and revision of the regulations affecting the Post-Office Department and the postal service of the United States shall take effect on and after the 15th day of September, 1887, from which date all former similar compilations and all regulations and rulings upon the same subjects as those in this volume will be superseded and are abrogated. Every postmaster, and every other postal officer and employé, is directed to return to the Post-Office Department (Division of Post-Office Supplies) all copies of any former edition of Postal Laws and Regulations in his possession, together with his acknowledgment of the receipt of this volume on the printed form transmitted with it, immediately after it shall come to his hands.

From the date above fixed references to the Postal Laws and Regulations in official documents and communications will be in accordance with the sections of this revision. All postal officials and employés are enjoined to familiarize themselves with these laws and regulations, because ignorance cannot be admitted in excuse of failure to observe them, and some important changes will be found to be made.

WILLIAM F. VILAS,
Postmaster-General.

(3)

MEMORANDUM.

In this volume the laws and regulations are printed generally in long primer type, the notes and forms in brevier. The citations from the acts of Congress are followed by references to the Revised Statutes or Statutes at Large, showing whence they come, and are literal and exact transcripts of the statute, so far as given, even to punctuation. Hence, all references in such acts to sections or chapters relate to the Revised Statutes or laws indicated. Otherwise, all references to sections without special indication are to sections of these Postal Laws and Regulations.

TABLE OF CONTENTS.

PART I.

TITLE I.—THE POST-OFFICE DEPARTMENT.

	Page.
CHAPTER 1. Official organization.....	9-44
2. General provisions applicable to the Post-Office Department...	45-75
3. The irrelative duties of the Postmaster-General.....	76-80

PART II.—THE POSTAL SERVICE.

TITLE II.—THE FISCAL SYSTEM OF THE POSTAL SERVICE.

4. The revenues	81-99
5. Expenditures	99-107
6. Postmasters' accounts and returns	107-116
7. The Auditor	116-122
8. Claims of postmasters for losses of stamped paper and money-order funds	122-124
9. Legal proceedings to collect debts and penalties	125-133
10. The renewal of lost warrants and drafts.....	133-134

TITLE III.—MAIL MATTER.

11. Domestic mail matter; its classification and rates of postage ..	135-161
12. Foreign mail matter; its classification and rates of postage....	161-173
13. Free matter	173-181
14. The Dead-Letter Office.....	181-186

TITLE IV.—POST-OFFICES AND POSTMASTERS.

15. The establishment and discontinuance of post-offices; the appointment and qualification of postmasters, and their sureties	187-195
16. The classification and compensation of postmasters, their allowances and supplies.....	195-206
17. The organization and general management of post-offices, their clerks and employés.....	207-219
18. The treatment of mail matter in post-offices	219-259
19. Free-delivery service.....	259-271
20. The special-delivery service.....	271-282
21. Miscellaneous duties and responsibilities of postmasters.....	282-285

TITLE V.—TRANSPORTATION OF THE MAILS.

	Page.
CHAPTER 22. The Government monopoly of mail transportation	287-293
23. Postroads, and general provisions for establishing mail carriage	293-295
24. Transportation by railroads	295-303
25. Mail-messenger service	303-305
26. Transportation on steamboat and star routes	305-324
27. Foreign mail service	324-327
28. Ship and steamboat letters	327-329
29. Inspection of service, and fines and deductions	329-333
30. Mail equipments	333-342

TITLE VI.—THE RAILWAY MAIL SERVICE.

31. Organization and general provisions	343-348
32. General instructions to railway postal clerks	348-359
33. Instructions to railway postal clerks in handling ordinary mail matter	359-370
34. General regulations relative to the Railway Mail Service	370-371

TITLE VII.—THE REGISTRY SYSTEM.

35. Registration of domestic mail matter	373-401
36. Registration of foreign mail matter	401-408
37. Through-registered matter	408-418
38. The handling of registered matter by railway postal clerks	419-421

TITLE VIII.—THE MONEY-ORDER SYSTEM.

39. Establishment and general provisions	423-428
40. Issue of domestic money orders	428-436
41. Payment of domestic money orders	436-448
42. The international money-order business	448-467
43. Money-order funds and accounts	467-476
44. Postal notes	477-485

TITLE IX.—POSTAL CRIMES.

45. Violations of the postal laws and prosecutions therefor	487-502
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PART I.

TITLE I.

THE POST-OFFICE DEPARTMENT.

CHAPTER ONE.

OFFICIAL ORGANIZATION.

Sec. 1. The Department and Postmaster-General.—There shall be at the seat of Government an Executive Department to be known as the Post-Office Department,* and a Postmaster General, who shall be the head thereof, and who shall be appointed by the President, by and with the advice and consent of the Senate, and who may be removed in the same manner; and the term of the Postmaster-General shall be for and during the term of the President by whom he is appointed, and for one month thereafter, unless sooner removed. (R. S., § 388.)

NOTE.—The salary of the Postmaster-General is \$8,000 per year. (Act of March 3, 1853, § 4, 10 Stat., 212.) The act of March 3, 1873, and section 160 of the Revised Statutes, based thereon, which raised the salary to \$10,000, were repealed by the act of January 20, 1874. (18 Stat., 4.)

Sec. 2. General Duties of the Postmaster-General.—It shall be the duty of the Postmaster-General:

First. To establish and discontinue post-offices.

Second. To instruct all persons in the postal service with reference to their duties.

Third. To decide on the forms of all official papers.

Fourth. To prescribe the manner of keeping and stating accounts.

Fifth. To enforce the prompt rendition of returns relative to accounts.

Sixth. To control, according to law, and subject to the settlement of

*The Constitution of the United States confers upon Congress the power "to establish post-offices and post-roads." (Const., art. 1, sec. 8.) Upon this grant, embracing the incidental powers necessary to carry it into effect, rests the legislation establishing the Post-Office Department, and providing for the entire postal system of the country. (*Ex parte Jackson*, 96 U. S., 727.)

the Sixth Auditor, all expenses incident to the service of the Department.

Seventh. To superintend the disposal of the moneys of the Department.

Eighth. To direct the manner in which balances shall be paid over; issue warrants to cover money into the Treasury; and to pay out the same.

Ninth. To superintend generally the business of the Department, and execute all laws relative to the postal service. (R. S., § 396.)

Sec. 3. Authority to Prescribe Regulations.—The head of each Department is authorized to prescribe regulations, not inconsistent with law, for the government of his Department, the conduct of its officers and clerks, the distribution and performance of its business, and the custody, use, and preservation of the records, papers, and property appertaining to it. (R. S., § 161.)

In addition, special authority to prescribe regulations for the government of various branches of the service will be found in other statutes, in the appropriate chapters.

These regulations, when not inconsistent with the statutes, have the force of law (*Landram v. U. S.*, 16 Ct. Claims, 74; *U. S. v. Eliason*, 16 Pet., 291), and they confer the power of the head of the Department, under the statutes, on the several departmental officers to the extent therein assigned and limited; and the order of an officer of the Department, when strictly within the scope of the duties assigned to him, is deemed the order of the head of the Department. (*Alvord v. U. S.*, 95 U. S., 356; *Parish v. U. S.*, 100 U. S., 504.)

In like manner, when the law devolves upon the President a duty, and such duty appertains to the functions of one of the Departments, the regulation or order of the head of the Department is deemed to be the act of the President in the execution of such duty. (*Wilson v. Jackson*, 13 Pet., 513; *U. S. v. Eliason*, 16 Pet., 302; *The Confiscation Cases*, 20 Wall., 109; *McElrath v. U. S.*, 102 U. S., 436.)

Sec. 4. Assistant Postmasters-General.—There shall be in the Post-Office Department three Assistant Postmasters-General, who shall be appointed by the President, by and with the advice and consent of the Senate, and who may be removed in the same manner, and who shall be entitled to a salary of four thousand dollars a year each. (R. S., § 389.)

Sec. 5. Assistant Attorney-General.—There shall be employed in the Post-Office Department one Assistant Attorney-General, who shall be appointed by the Postmaster-General, and shall be entitled to a salary of four thousand dollars a year. (R. S., § 390.)

Sec. 6. Other Officers.—The other officers of the Post-Office Department, as authorized by the latest appropriation (act of March 3, 1887, 24 Stats., 628), with their respective salaries, are the following:

Chief Clerk of the Post-Office Department, two thousand five hundred dollars.

Private Secretary and Stenographer to the Postmaster-General, one thousand eight hundred dollars.

Chief Post-Office Inspector, three thousand dollars. (See § 26.)

Appointment Clerk, one thousand eight hundred dollars.

Law Clerk, two thousand five hundred dollars.

Chief Clerk to the First Assistant Postmaster-General, two thousand dollars.

Chief of the Division of Appointments, two thousand dollars.

Chief of the Bond Division, two thousand dollars.

Chief of Salary and Allowance Division, two thousand two hundred dollars.

Superintendent of Division of Post-Office Supplies, two thousand dollars.

Superintendent of Free Delivery, three thousand dollars.

Chief Clerk to the Second Assistant Postmaster-General, two thousand dollars.

Chief of the Division of Inspection, two thousand dollars.

Superintendent of Railway Adjustment, two thousand dollars.

Chief Clerk to the Third Assistant Postmaster-General, two thousand dollars.

Chief of Division of Postage Stamps, two thousand two hundred and fifty dollars.

Chief of Finance Division, two thousand dollars.

Superintendent of the Money Order System, three thousand five hundred dollars.

Chief Clerk of the Money Order System, two thousand dollars.

Superintendent of Foreign Mails, three thousand dollars.

Chief Clerk in the Office of Foreign Mails, two thousand dollars.

Superintendent of the Dead Letter Office, two thousand two hundred and fifty dollars.

Disbursing Clerk and Superintendent of Building, two thousand one hundred dollars.

Topographer, two thousand five hundred dollars.

Chief Clerk of Office of Mail Depredations, two thousand dollars.

The Revised Statutes and other general acts make provision for some of these officers and fix their salaries. Practically the departmental appropriation act annually supersedes the permanent statutes and determines the officers within the appointment of the Postmaster-General as well as their salaries. The words "in full compensation" regularly employed in qualifying the appropriation are held to suspend for the fiscal year any statute authorizing a higher salary. (*U. S. v. Fisher*, 109 U. S., 143.) When no compensation is specially fixed the general statutes remain operative.

These statutes are as follows :

There shall be in the Post-Office Department: One Chief Clerk, at a salary of two thousand two hundred dollars a year.

One Superintendent of the Post-Office Building and Disbursing Clerk,* at a salary of two thousand three hundred dollars a year.

One Topographer, at a salary of two thousand five hundred dollars a year.

One Stenographer, at a salary of one thousand eight hundred dollars a year.

One messenger to the Postmaster-General, at a salary of nine hundred dollars a year.

One captain of the watch, at a salary of one thousand dollars a year.

One engineer, at a salary of one thousand six hundred dollars a year.

One assistant engineer, at a salary of one thousand dollars a year.

One carpenter, at a salary of one thousand two hundred and fifty-two dollars a year.

One assistant carpenter, at a salary of one thousand dollars a year.

One fireman and blacksmith, at a salary of nine hundred dollars a year.

Two firemen, at a salary of seven hundred and twenty dollars a year each.

Three female laborers, at a salary of four hundred and eighty dollars a year each.

In the Office of the Money-Order System: One Superintendent, at a salary of four thousand dollars a year.

One Chief Clerk, at a salary of two thousand dollars a year.

In the Office of Foreign Mails: One Superintendent, at a salary of four thousand dollars a year.

One Chief Clerk, at a salary of two thousand dollars a year.

In the Dead-Letter Office: One Chief of Division, at a salary of two thousand five hundred dollars a year.

In the Office of Mail Depredations: One Chief of Division, at a salary of two thousand five hundred dollars a year.

In the Office of the Blank Agency: One Superintendent, at a salary of one thousand eight hundred dollars a year.

One Assistant Superintendent, at a salary of one thousand six hundred dollars a year.

Four assistants, at a salary of one thousand two hundred dollars a year each.

* The provisions of R. S., § 176, are held not applicable to the Disbursing Clerk and Superintendent of the Post-Office Department Building.

In the office of each of the Assistant Postmasters-General: One Chief Clerk, at a salary of two thousand dollars a year. (R. S., § 393.)

The Postmaster-General may designate one of the present fourth-class clerks to act as Superintendent of Free Delivery in the Post-Office Department, at an annual salary of two thousand five hundred dollars: *Provided*, That the salary hereby fixed shall terminate at the end of the fiscal year ending June 30, 1874. (R. S. § 394.)

For the more efficient management of the free-delivery system, the Postmaster-General may designate a fourth-class clerk to act as Superintendent of Free Delivery at an annual salary of two thousand five hundred dollars; and for this purpose the sum of seven hundred dollars is hereby appropriated out of any money in the Treasury not otherwise appropriated. (Act of June 23, 1874, 18 Stats., 231.)

ORGANIZATION OF THE DEPARTMENT.

Sec. 7. The statutes direct the Postmaster-General, in terms, to perform the functions necessary to the postal service, leaving the organization of the Department and the assignment of the parts and duties of its several officers to be fixed by regulations and orders.

That the business of the Department may be properly transacted, and conveniently arranged and prepared for the final action of the Postmaster-General when necessary, it is distributed among its several officers as follows:

I. THE OFFICE OF THE POSTMASTER-GENERAL.

The Postmaster-General assigns to his office:

(1) The superintendence and government of the Department; its miscellaneous correspondence not specially connected with other offices; the appointment of Department clerks and employés, their payment and the granting of leaves of absence; the keeping of the journals and order books and the recording of all orders relating to the Department and the postal service made in the name and by the authority of the Postmaster-General; control of the advertising; the execution of all contracts, except for mail transportation, and the management of all departmental business not otherwise specially assigned.

(2) The general direction of the postal service in all its branches; control of its discipline and inspection; general government of its finances and disbursement of appropriations; the submission of cases to the President relating to appointments to be made by him; the appointment and removal of officers and clerks of the Railway Mail Service; the provision and supply of post-route maps; the consideration

of claims of postmasters for credit or reimbursement for losses by fire, burglary, or other unavoidable casualty; the publication and distribution of the Official Guide; the determination of questions and appeals, and the making of regulations.

(3) The performance of all special duties enjoined by law upon the Postmaster-General, including the fixing of rates, annually, for the transmission of Government telegrams; approval of estimates and plans made by the Supervising Architect of the Treasury Department for public buildings; and the consideration of complaints of the misuse of the mails in furtherance of schemes to defraud the public.

Immediately attached to the office of the Postmaster-General, to assist in these duties, are the Chief Clerk of the Department, the Appointment Clerk, the Superintendent of the Department Buildings and Disbursing Clerk, the Assistant Attorney-General, the Chief of Post-Office Inspectors, and the Topographer.

THE CHIEF CLERK OF THE POST-OFFICE DEPARTMENT has, under the direction of the Postmaster-General, the general superintendence of the clerical force of the Department; the assignment of clerks to offices and divisions; the consideration of applications for leaves of absence by clerks and departmental employés; general care of requisitions upon the Treasury for and the expenditure of the appropriations for departmental service, including requisitions upon the Public Printer for printing and binding; supervision of the preparation of estimates for the departmental and postal service; the miscellaneous business correspondence of the Postmaster-General's office; general care of the keeping of the journals and order books; supervision of the advertising; preparation of contracts for the publication of the Official Guide, compilation of the matter therefor, censorship of the advertisements therein, and supervision of its publication and distribution; the consideration of applications for post-route maps and supervision generally of their issue and sale; furnishing information for settlement of Government telegraph accounts; the charge of bringing to the Postmaster-General's attention such duties as are to be performed by him at stated times; and such other duties as may be, from time to time, required by the Postmaster-General.

THE APPOINTMENT CLERK is charged with the duty of keeping a roster of all Department officers, clerks, and employés, including those at the postal agencies, all inspectors, and the Superintendent and assistant superintendents of the Railway Mail Service, appointed by the Postmaster-General; all papers, applications, recommendations, and files relating thereto; the preparation of all orders for appointment, removal, or acceptance of resignations; and all communications by the

Postmaster-General to the officers of the Department and to the Civil-Service Commission relating thereto, and of bringing to the attention of the Postmaster-General notices of all vacancies. All papers relating to such appointments and promotions are to be filed in his office.

THE SUPERINTENDENT OF DEPARTMENTAL BUILDINGS AND DISPENSING CLERK is charged with the care of the Department and other buildings rented for use in connection with it, and of the furniture and public property within them and appertaining to their use, including repairs and purchase of new furniture; with the provision of supplies for fuel, light, and other necessaries; with the direction of the force of laborers and charwomen, and general assignment of the watchmen to their posts, and superintendence of that force, through the captain of the watch; with the preparation of the annual contracts for supplies to the Department buildings; with the making of the pay-rolls and the payment of salaries to all departmental officers, clerks, and employés; and with the making of all expenditures for rent of Department buildings, for contingent expenses, for the Topographer, for the publication of the Official Guide, and for postages on the Department's foreign correspondence; also with the sale of waste paper and unserviceable property; the keeping of accounts of expenditures, and such other duties as may, from time to time, be required of him by the Postmaster-General.

THE ASSISTANT ATTORNEY-GENERAL is charged with the duty of giving opinions to the Postmaster-General or the heads of the several offices of the Department upon questions of law arising upon the construction of the postal laws and regulations, or otherwise in the course of business in the postal service; with the consideration and submission (with advice) to the Postmaster-General of all claims of postmasters for losses by fire, burglary, or other unavoidable casualty; and of all certifications by the Sixth Auditor of cases of proposed compromise of liabilities to the United States, and of the remission of fines, penalties, and forfeitures under the statutes; the keeping and preparation of all correspondence with the Department of Justice relating to prosecutions and suits affecting or arising out of the postal service; and with the consideration of applications for pardon for crimes committed against the postal laws, which may be referred to this Department; with the preparation and submission (with advice) to the Postmaster-General of all appeals to him from the heads of the offices of the Department depending upon questions of law; with the hearing and preparation of cases relating to the misuse of the mails in furtherance of schemes to defraud the public; with the examining and, when necessary, drafting all contracts of the Department; with the negotiation and correspond-

ence for leases of buildings for use as post-offices, and the preparation of leases; and with such other like duties as may, from time to time, be required by the Postmaster-General.

THE LAW CLERK and the LEASE CLERK are assigned to the office of the Assistant Attorney-General for the performance of such functions as he may direct.

THE CHIEF OF POST-OFFICE INSPECTORS is charged with the supervision of the Division of Mail Depredations, the government and assignment to duty of all the inspectors employed in the postal service, and supervision of the business of that force; with the preparation and issue of cases for investigation, and with all matters relating to depredations upon the mails or losses therein; with the keeping of the records and preparing statistics of the inspective force; with the examination for allowance of accounts of inspectors and the keeping of the Department accounts of expenditure in this service; with the safe custody of money and property collected or received by inspectors, and the preparation of cases for submission to the Postmaster-General for orders for the restoration thereof to the proper parties or owners; and with the performance of such other duties as may, from time to time, be required of him by the Postmaster-General.

THE TOPOGRAPHER is charged with the superintendence of his office, and the draughtsmen, clerks, and employes assigned thereto; with the preparation and revision of the post-route maps, the superintendence of their printing, their issue, distribution, and sale according to orders and regulations; the preparation of specifications, advertisements, and contracts for their manufacture; the general care of the stones and property in the hands of the contractors, and other property of the Government relating to this business, and the performance of such other duties as may, from time to time, be required by the Postmaster-General.

II. THE OFFICE OF THE FIRST ASSISTANT POSTMASTER-GENERAL.

To this office is assigned the general care of post-offices and postmasters and their instruction; the duty of preparing all cases for the establishment, discontinuance, and change of name or site of post-offices, and for the appointment of all postmasters, together with the safe keeping of all papers and files, and the conduct of correspondence incident thereto; of notifying appointees, and directing their qualification, instruction, and taking possession of their offices; of recording their appointments, examining, approving, and keeping their bonds; preparing and issuing their commissions; of adjusting salaries of Presidential postmasters, and the consideration of allowances for clerk-hire, rent, fuel, light, furniture, and miscellaneous expenditures; of supplying

postmasters with blanks, canceling ink, marking and rating stamps and stamping-pads, twine, wrapping-paper, and facing slips, letter-balances and scales, and the supply of twine and facing slips to the Railway Mail Service; and supplying stationery, ink, and blanks for the Department; of the establishment of the Free Delivery Service in connection with post-offices; preparing cases for the appointment of letter-carriers; miscellaneous allowances for this service, and the general superintendence of the Free Delivery System; and of conducting the correspondence of the Department with postmasters and the public not assigned to other offices, and giving general information concerning the postal service, its laws, and regulations.

For the performance of these duties the clerical force of this office is organized in six divisions, to which duties are distributed respectively as follows:

The Division of Appointments, under the superintendence of a chief of division, has the custody of all papers and files, and prepares all cases for the establishment, discontinuance, change of name or site of post-offices, and appointment of postmasters; and prepares such correspondence relating thereto as may be required. It is the duty of each of the section clerks to properly indorse, file, and brief for consideration all papers relating to any office within the section of national territory assigned to him, and promptly to bring to the notice of the First Assistant or the Postmaster-General, through the division chief, any information of deaths, resignation, or other changes, or of other facts apparently requiring action, in relation to any such offices.

The Bond Division, under the superintendence of a chief of division, is required to record, in proper form and books, the appointment of all postmasters, and the establishment, discontinuance, and change of name and site of post-offices; to prepare and transmit letters of appointment and instruction with blank bonds and oaths for execution by newly appointed postmasters; to carefully examine the oaths and bonds when returned, and, if found correct, to submit the bonds to the First Assistant or the Postmaster-General for approval; after approval to record the names of the sureties; to file in proper order approved oaths and bonds; to prepare postmaster's commissions for signature and sealing, and, when complete, to transmit the same to the appointees; to keep correct statistics of all the transactions of this division, and to prepare and cause to be transmitted to the Sixth Auditor reports of transactions and changes, of the character mentioned, required by law and regulations to be made to him; and also to make a daily report to the Stamp Division of the Third Assistant's office of all changes in post-offices and postmasters.

The Division of Salaries and Allowances, under the superintendence of a chief of division, prepares the computations for annual adjustment of the salaries of Presidential postmasters, examines the quarterly returns of postmasters of the first and second classes before being finally passed by the Sixth Auditor, considers all applications, and prepares cases for allowances of clerk-hire, rent, fuel, light, furniture, miscellaneous and incidental expenditures at post-offices, keeps supervision and prepares orders for regulation of box-rents rates, and deposits for keys of lock-boxes in post-offices, and prepares the correspondence incident to the transaction of the duties of the division.

The Division of Post-Office Supplies, under the management of a superintendent of division, is charged with the duty of ordering and receiving from contractors, and of carefully inspecting on their receipt, and, under direction of the First Assistant or Postmaster-General, of purchasing in the open market, when the exigency of the service so requires, the articles, except blanks, required to be furnished to post-offices and for the use of the Department, including twine and facing slips for the Railway Mail Service; of preparing requisitions on the Public Printer for, and receiving and inspecting on receipt, all blanks required in the postal service and the Department; of carefully examining all requisitions of postmasters and departmental officers for supplies, and making proper allowances thereupon, and of issuing, packing, and transmitting the same; of keeping accurate books of account with the several contractors, postmasters, and others, and of all expenditures under appropriations; of preparing specifications and advertisements for contracts for supplies; and, when contracts have been ordered by the Postmaster-General, of preparing the same for execution.

The Free Delivery Division, under the management of the Superintendent of Free Delivery, is charged with the general supervision, under the direction of the First Assistant Postmaster-General, of the Free Delivery Service at the various post-offices where it is established, and the appointment and promotion of letter-carriers, upon the nomination and report of postmasters; with the consideration of allowances for carrier-delivery furniture, boxes, wagon service, other equipments, and incidental expenses of that service; with the consideration and preparation of regulations for the government of the service and the improvement of its methods; with the preparation of cases for submission to the Postmaster-General for the establishment of new service at offices or the extension of existing service; and with the conduct of correspondence relating to the business of this division; but no contract or undertaking whatever involving any outlay or any increase of

expenditure can be made in any manner, except upon express written order of the Postmaster-General or the First Assistant.

The Division of Correspondence, superintended by a clerk of the fourth class, prepares for signature by the First Assistant Postmaster-General letters to postmasters and other persons, in answer to inquiries relating to the service, the performance of official duties, the proper construction of postal laws and regulations, and other points of general information, correspondence in relation to which is not assigned to other offices.

No authority to make orders or contracts, or in any way to impose an obligation, pecuniary or otherwise, on the Department or the United States, is delegated to any officer or clerk in the office of the First Assistant Postmaster-General, except to that officer as herein provided.

The First Assistant Postmaster-General is authorized to direct the entry of orders in the journals for the appointment of postmasters of the fourth class, for the establishment, discontinuance, and change of name or site of fourth-class post-offices, for the appointment of letter-carriers, and for the adjustment of the salaries of Presidential postmasters; to approve, in the name of the Postmaster-General, pursuant to the statutes, the bonds of all postmasters; to grant leaves of absence to postmasters; to fix the allowances to postmasters, and regulate the issue of supplies to the Department, post-offices, and the Railway Mail Service; to fix the allowances for the Free Delivery Service, and to sign all correspondence on the part of the Department incident to the duties of his office, subject in all cases to the review or special direction of the Postmaster-General.

The chief clerk to the First Assistant Postmaster-General may sign all circulars and routine correspondence of the office.

III. THE OFFICE OF THE SECOND ASSISTANT POSTMASTER-GENERAL.

To this office is assigned generally the care of the transportation of the domestic mail, embracing the employment of railroads as mail-carriers; direction of weighing the mails and the adjustment of their compensation; the employment of special facilities on trunk lines, for which special appropriations are made and the making allowances therefor; the consideration of applications for and establishment of all steamboat, star route, and mail-messenger service or changes thereof; the determination of the frequency of trips, schedules of arrivals and departures, the modes of conveyance, the points of mail distribution and the course of mails between the different sections of the country; the preparation of advertisements and notices required of mail-lettings; the reception of proposals therefor; the preparation of orders of award thereon by

the Postmaster-General, and the execution of contracts accordingly; the preparation of advertisements for proposals to supply the necessary mail pouches and sacks, mail locks and keys, and mail catchers for the service; the receipt of proposals and preparation for execution of contracts therefor when awarded; the receipt and issue of such mail equipment for the use of the service; the receipt of monthly registers kept by postmasters of arrivals and departures in which are reported the performance of mail service; the inspection of such performance; the preparation of orders to be signed by the Postmaster-General imposing fines or deductions for failures or delinquencies therein; the consideration of claims for mail transportation; the reporting to the Sixth Auditor, weekly, of all contracts executed and orders made affecting the accounts for mail transportation; and, at the close of each quarter, by certificate of inspection, the fact of performance or non-performance of mail service, noting therein such fines or deductions as may have been imposed; the authorizing of payment of all employés of the Railway Mail Service by postmasters, and credit therefor in their accounts; the preparation of statistical exhibits and the preparation of the reports required to be made annually to Congress of mail contracts, new service, curtailments, &c., required by law (see section 97), and the correspondence incident to these various duties.

In the performance of these duties, the clerical force of this office is organized in four divisions, to which duties are distributed, respectively, as follows:

The Contract Division, under the immediate supervision of the chief clerk of the Second Assistant Postmaster-General, prepares all advertisements inviting proposals for star, steamboat, and mail-messenger service; indorses and records the proposals received; prepares orders for the award of contracts, and cases for the establishment of new service, change of existing service or of frequency of trips, or fixing schedules of departure and arrival, keeps the records and files pertaining to the same, and prepares orders for the journal of the Postmaster-General in which are entered all orders affecting the service and pay, and prepares the statistics and reports of mail service required by law, and prepares for signature all correspondence relating to the duties thus assigned.

The Division of Inspection, under superintendence of a chief of division, is charged with the examination of monthly and special reports of postmasters as to the performance of service by contractors; the preparation of cases and orders for deductions for non-performance of service, and for the imposition of fines for delinquencies of contractors and carriers, of authorization for the payment of railway postal clerks, of cer-

tifications to the Sixth Auditor of service, and the correspondence relative to the non-performance of contract requirements for carrying the mail.

The Railway Adjustment of Division, under the supervision of a superintendent of railway adjustment, prepares the cases for the authorization of new railway mail service, of changes in existing service, or of railway postal-car service for which payment is allowed by law, and fixing the rate of pay for the same; prepares orders and instructions for the weighing of the mails; receives and examines the returns and computes the basis of pay therefrom; prepares cases for the adjustment of allowances to railroads for carrying the mail and for postal cars, and to certain trunk lines for special facilities, and all correspondence pertaining to these several subjects.

The Mail Equipment Division, under the superintendence of a clerk of the fourth class as principal clerk, is charged with the preparation of advertisements inviting proposals for the furnishing of mail bags, mail locks and keys, label cases, mail-bag cord-fasteners, and mail-bag catchers; the receipt of proposals and the preparation of contracts on award therefor; the inspection of all such articles of equipment, except mail-bags and catchers, which are not delivered at the Department; the issuing of such articles upon approved requisitions for the use of the service; the keeping of records and accounts of receipts and issues, and of the number of each key issued; the examination of accounts relating to the purchase or repair of mail equipment, and the preparation of all correspondence incident to these duties.

IV. RAILWAY MAIL SERVICE.

This system is appurtenant to the Second Assistant Postmaster-General's Office, and the Superintendent makes his annual report to that officer.

The Office of the Superintendent has charge of the Railway Mail Service and the postal clerks in the employment thereof; prepares for the consideration of the Postmaster-General all regulations for the government of this service, cases for the appointment and removal of postal clerks, their promotion or reduction, and for all officials in this service; conducts the correspondence and makes the orders relating to the moving of the mails on railroad trains; has charge of the direction, distribution, and separation of mail matter in the principal post-offices and upon railway post-offices; makes appointment of weighers and conducts the weighing of mails at the quadriennial weighings or when specially ordered; prepares and issues the official daily bulletin, showing changes in the post-offices, postmasters, routes, and other matters affecting the

carrying and distribution of the mails from day to day, and generally has supervision over the discipline of the officials and postal clerks, and the performance of their duties.

The clerical force of this office consists entirely of postal clerks assigned to duty there. Nine division superintendents are appointed and stationed for the government of the Railway Mail Service in the several districts in which the country is divided, respectively, as follows:

- (1) At Boston, for the New England States;
- (2) At New York, for New York, New Jersey, Pennsylvania, Delaware, and the "Eastern Shore";
- (3) At Washington, for Maryland and Virginia (except the "Eastern Shore"), West Virginia, North Carolina, and the District of Columbia;
- (4) At Atlanta, for South Carolina, Georgia, Florida, Alabama, Mississippi, and Louisiana;
- (5) At Cincinnati, for Ohio, Indiana, Kentucky, and Tennessee;
- (6) At Chicago, for Wisconsin, the Michigan peninsula, Illinois, Iowa, Nebraska, Minnesota, Dakota, and Wyoming;
- (7) At Saint Louis, for Missouri, Kansas, Arkansas, Texas, Colorado, New Mexico, and Indian Territory;
- (8) At San Francisco, for California, Nevada, Oregon, Alaska, Arizona, Idaho, Utah, Montana, and Washington Territory;
- (9) At Cleveland, for the through line from New York via Buffalo, Suspension Bridge, Toledo, and Detroit, and lines of the Lake Shore and Michigan Southern Railroad, and Michigan, except the peninsula.

To each of the division offices are assigned postal clerks sufficient to enable the performance of the duties. The division superintendents regulate the duties of the mail service and discipline of the clerks under orders of the General Superintendent.

V. THE OFFICE OF THE THIRD ASSISTANT POSTMASTER-GENERAL.

To this office is assigned the general care of the collection of the revenues of the postal service and of its financial operations, involving the collection and deposit of postal revenue from all sources; the preparation of correspondence and instructions relating thereto; the receiving and recording of certificates of postal deposits; the keeping of accounts of postal receipts, and of payments from the Treasury and the several sub-treasuries and depositories; the transfer of postal moneys from one depository to another; the drawing of warrants for the payment of indebtedness of the Department, and for covering into the Treasury moneys derived from the service; the enforcement of the prompt rendition of returns and accounts by postmasters and others, and the general examination of such accounts and the preparation of orders by

the Postmaster-General for the correction of false returns and the adjustment of compensation. Also supervision of the collections and returns of newspaper and periodical postage, of the admission to the mails of newspapers and periodicals, the consideration of questions relating to classification of mail matter, and the rates of postage, and the conduct of correspondence relating thereto, and of receiving and authorizing credits for redeemed, damaged, and unsalable supplies returned by postmasters. Also the care of the manufacture of adhesive stamps, postal cards, stamped envelopes, and newspaper wrappers; of official and penalty envelopes, registered-package envelopes, and other supplies of the kind for the postal service and its officers; providing postmasters with supplies of the same, and supervising their use and sale thereof; keeping accounts of such supplies, the settlement of the bills of contractors furnishing them, and the control of the Government agencies for their inspection and issue. Also the supervision and management of the registry system in all its parts, both foreign and domestic, the collection and recording of statistics relating thereto, the preparation of instructions to postmasters and other officers, and of all correspondence relating to the subject. Also the supervision and direction of the Special Delivery System, the preparation of instructions to postmasters, the direction of investigation of complaints, and the preparation of all correspondence, and the receiving and recording of statistics relating thereto.

The chief clerk, under the direction of the Third Assistant Postmaster-General, has supervision of the performance of the work of the office by its clerks and employés, and especial care of the business of the Special Delivery System, and otherwise assists the Third Assistant Postmaster-General as directed by him.

The clerical force of this office is organized into four divisions, and its duties distributed to them as follows:

The Division of Finance, under the superintendence of a chief of division, receives and makes prompt deposit, or other proper disposition, of all moneys coming directly to the Department; attends to the collection of all checks, drafts, and bills of exchange covering amounts due to the Department, and sees to the immediate deposit of the amounts realized; prepares, upon proper reports from the Sixth Auditor, all drafts and warrants for the payment of such postal indebtedness as is not settled through the instrumentality of postmasters, after making all necessary calculations and a thorough examination of accounts, contracts, and other papers to see that the warrants and drafts thus drawn are in all respects correct; prepares all warrants for covering postal moneys into the Treasury; keeps proper records of all such

drafts and warrants, as well as accounts with the Treasury and the several sub-treasuries and designated depositories; keeps accounts of expenditures under the several heads of postal appropriations; attends to the prompt collection and deposit of the postal revenues, from whatever source derived, and prepares all necessary instructions and correspondence relating thereto; receives and records certificates of postal deposits; looks after the prompt rendition of returns relative to accounts; attends to the correction of irregularities and false returns of business by postmasters; makes up cases for special investigations concerning such false returns, and other delinquencies affecting the postal revenue; analyzes reports of post-office inspectors in all such matters, and prepares all papers that may be necessary in any of such cases for the special attention or action of the Postmaster-General. This division also attends to any other business that may be assigned to it by direction of either the Postmaster-General or the Third Assistant Postmaster-General.

The Division of Postage-Stamps, Stamped Envelopes, and Postal Cards, under the superintendence of a chief of division, receives all requisitions from postmasters for supplies of postage stamps, special delivery stamps, stamped envelopes, postal cards, and registered package and other official envelopes; examines such requisitions and regulates the amount and kind of supplies to be sent; prepares orders on the contractors for furnishing the various articles of supply; keeps accounts of all such supplies sent; enforces prompt return of receipts for same; causes investigation to be made in all cases involving the loss, miscarriage, or detention of supplies; examines, adjusts, and verifies prior to their payment all bills of the contractors for furnishing stamped paper and official envelopes; looks after the management of the Government agencies at the several places of manufacture, including the operations of the manufactories; sees that work under the several contracts for stamped paper and official envelopes is properly performed, and that the obligations of the contractors are faithfully adhered to; prepares instructions to postmasters as to the manner of obtaining and disposing of supplies; sees to the proper collection of newspaper and periodical postage and keeps record of the same; examines and adjusts returns of such postage, including a count and destruction of newspaper and periodical stamps attached to returned receipt books; receives, destroys, and reports proper credits for redeemed, damaged, and unsalable stamped paper returned by postmasters to the Department; and makes estimates in cases of postmasters' claims for losses incurred by fire, burglary, or other unavoidable casualty, under the act of Congress of

March 17, 1882. It also attends to any other work that may be regularly assigned to it.

The Division of Registration, under the superintendence of a principal clerk, prepares correspondence relating to the registry system; instructs postmasters and gives information relative thereto; corrects irregularities, keeps records of statistics of the registry business of all post-offices; makes provision for the establishment and control of all through exchanges of registered mails, and has a general oversight of things affecting the interests of the registry system.

The Division of Files, Records, and Mails, under the superintendence of a principal clerk, receives and opens all mails coming into the office, distributes them among the several divisions, under the direction of the chief clerk; copies and mails all letters and packages sent from the office, and keeps systematic files and indexes of correspondence.

Besides the divisions above named, the three Government agencies mentioned in section forty-one established at the places where postage stamps, stamped envelopes, and postal cards are made, the business of which is to superintend the manufacture and issue of the several kinds of stamped paper and official envelopes, and to see that the contracts for furnishing these supplies are in all respects faithfully carried out, though governed by general instructions given by the Postmaster-General, come within the jurisdiction of the office of the Third Assistant Postmaster-General, and are subject to its control and direction.

VI. THE OFFICE OF THE SUPERINTENDENT OF THE MONEY-ORDER SYSTEM.

To this office is assigned the general supervision and control of the Postal Money-Order System, including the domestic money-order business and the postal-note business, and the superintendence of the international money-order correspondence with foreign countries, as well as the preparation of postal conventions for the exchange of money orders therewith, and the conduct of correspondence relating to these subjects. The clerical force of the office is organized as follows:

The Examining Division receives in the first instance the money-order weekly statements of postmasters, and subjects the same to critical examination that it may be ascertained whether they are in proper form, and whether the postmaster has promptly deposited, in accordance with regulation, the surplus money-order funds received by him.

The Blank Division is charged with ordering from contractors supplies of blanks and blank books for the money-order business; of caring for the same, and of filling requisitions therefor from postmasters.

The Duplicate Division disposes of applications for the issue of dupli-

cate money orders and postal notes, and all such duplicates are prepared therein, and, after being signed by the Superintendent, are transmitted to postmasters.

The Division of Domestic Correspondence prepares replies to inquiries from postmasters and the public in cases involving construction of the postal laws and regulations relating to the money-order business, and relating also to disputes between postmasters and the public as to the payment of money orders on postal notes; and to it is assigned the preparation of the annual list of post-offices to be established as money-order and postal-notes offices.

The Division of Drafts, Credits, and Transfers prepares for transmittal to postmasters, upon their application, blank drafts to supply them with funds for the payment of money orders and letters of credit upon the postmaster at New York for the same purpose, and keeps a record thereof; it also records all transfers made for a similar purpose by the postmasters from their postal funds to their money-order funds.

The International Division conducts correspondence between postmasters and this office, and between this office and foreign post-office departments, relating to international money orders; it also issues duplicates of, and authorizes repayment of international money orders.

The Postal Note Agency acts as an intermediary between the Post-Office Department and the contractors for inspection and furnishing supplies of blank postal notes; has custody of the stock of distinctive postal note paper, receives from the contractors books of postal notes, and transmits the same to postmasters; and, in general, serves as the representative of the Postmaster-General at the place of business of the contractors.

The Chief Clerk of the Money-Order System reviews all correspondence and papers prepared in this office; distributes the duties of the clerks therein according to law; supervises, under the direction of his immediate superior, the duties of the other clerks therein, and performs such other duties as may be required by the Superintendent.

VII. OFFICE OF THE SUPERINTENDENT OF FOREIGN MAILS.

This office has the supervision of all details connected with the exchange of mails with foreign countries, except correspondence and special directions for the treatment of registered mail, including arrangements for the ocean transportation of all mails from the United States, and the preparation of postal treaties and conventions, except those relating to international money orders; the preparation of special instructions to postmasters at the United States exchange post-offices in regard thereto; preliminary consideration and preparation of cases

arising on questions touching foreign mail matter and for the remission of erroneous or excessive postage charges on matter for or from foreign countries; and the adjustment of the rates to be paid by foreign countries for transportation through the United States of their mails for other countries. Also the general correspondence with foreign countries, except that relating to the money-order and registry systems; the translation of letters and documents in foreign languages received by the Department; consideration of inquiries relating to our international postal service; the charges for United States customs duties made on articles received in the mails, whether from foreign postal officials or from private citizens at home or abroad; and application for the return to senders, or change of address, of articles contained in the mails exchanged with foreign countries; preparation of the blank forms for use in exchange of mails and their issue to postmasters on their requisition; preparation of monthly schedule of the sailings of mail steamers; the examination of the accounts of each vessel or line carrying mails from the United States, and preparation of recognitions by the Postmaster-General for payment of sums due for such service, and performance of such other duties as are from time to time required by the Postmaster-General.

VIII. THE DEAD LETTER OFFICE.

This office, under direction of the Superintendent thereof, is charged with the treatment of all unmailable and undelivered mail matter which is sent to it for disposition; the enforcement of the prompt sending of such matter according to regulations; the duty of noting and correcting errors of postmasters connected with the delivery or withholding of mail matter; the investigation by correspondence of complaints made with reference thereto; the verification and allowance of claims for credit by postmasters for postage-due stamps affixed to undelivered matter; the examination and forwarding or return of all letters which have failed of delivery; inspection and return to country of origin of undelivered foreign matter; recording and restoration to owners of letters and parcels which contain valuable inclosures; care and disposition of all money, negotiable paper, and other valuable articles found in undelivered matter, and correspondence, both foreign and domestic, relating to these subjects.

Its clerical force is distributed into six divisions, with duties assigned as follows:

The Opening Division, in charge of a principal clerk, receives all returns of unclaimed matter, keeps count of the same, verifies the returns from and keeps account of unpaid postage with free-delivery post-offi-

ces; records date and character of returns from other offices; notes and reports errors of treatment on the part of postmasters; assorts and delivers to the proper divisions all foreign and third and fourth class matter and such as requires special disposition; opens all unclaimed letters and distributes them to the appropriate divisions for final treatment according to the character of their contents. It also receives, records, and distributes all registered matter reaching the office.

The Unmailable and Property Division, under the supervision of a principal clerk, receives and verifies all returns of unmailable, hotel, and fictitious letters and parcels of third and fourth class matter; corrects and forwards misdirected and illegibly addressed letters; opens all such letters which cannot be otherwise treated; records the address, contents, and disposition of parcels of the third and fourth class and first class matter containing articles of merchandise; restores to owner such matter, as far as practicable; keeps, classifies, and prepares for sale such articles as are eventually unclaimed.

The Money Division, under the direction of a principal clerk, deals with all letters and parcels found to contain money and negotiable paper, properly records and returns them to postmasters for delivery to owner, the receipt for the same being preserved; files, subject to reclamation, such letters as cannot be delivered, after separating the money contents, an account of which is kept and the money delivered to the proper officer of the Department for deposit in the Treasury; receives and accounts likewise for money realized from the auction sale of undelivered articles.

The Minor Division, in charge of a principal clerk, is employed in recording and treating all letters which contain inclosures of minor value, not of a negotiable character, including letters which contain photographs and postage stamps, and the return of unmailable, hotel, and fictitious letters without inclosures.

The Returning Division, under the supervision of a principal clerk, receives from the Opening Division all ordinary letters without inclosures of value, counts and examines them, and returns such as can be returned to the writers, taking note of the number received, returned, transferred to other divisions, or destroyed.

The Foreign Division, directed by a principal clerk, receives, examines, and returns unopened to the respective countries all registered and ordinary mail-matter of foreign origin; keeps a record of all registered articles and parcels of obvious value; corrects and forwards misdirected foreign letters; verifies and keeps account of mail-matter of domestic origin returned as undeliverable by foreign countries, and makes such translations as may be necessary.

IX. THE SIXTH AUDITOR'S OFFICE.

To this office, which is a Bureau of the Treasury relating to and located in the Post-Office Department, is assigned the keeping and settlement of the accounts of the postal service. A more particular statement of its duties and of their distribution to different divisions is given in section two hundred and sixty-three.

Sec. 8. Duties of Chief Clerks.—Each chief clerk in the several Departments and Bureaus and other offices connected with the Departments shall supervise, under the direction of his immediate superior, the duties of the other clerks therein, and see that they are faithfully performed. (R. S., § 173.) Each chief clerk shall take care, from time to time, that the duties of the other clerks are distributed with equality and uniformity, according to the nature of the case. He shall revise such distribution from time to time, 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 he shall report monthly to his superior officer any existing defect that he may be aware of in the arrangement or dispatch of business. (R. S., § 174.)

Sec. 9. Consideration of their Reports.—Each head of a Department, chief of a Bureau, or other superior officer, shall, upon receiving each monthly report of his chief clerk, rendered pursuant to the preceding section, examine the facts stated therein, and take such measures, in the exercise of the powers conferred upon him by law, as may be necessary and proper to amend any existing defects in the arrangement or dispatch of business disclosed by such report. (R. S., § 175.)

Sec. 10. Employment Authorized.—Each head of a Department is authorized to employ in his Department such number of clerks of the several classes recognized by law, and such messengers, assistant messengers, copyists, watchmen, laborers, and other employés, and at such rates of compensation, respectively, as may be appropriated for by Congress from year to year. (R. S., § 169.)

That the executive officers of the Government are hereby prohibited from employing any clerk, agent, engineer, draughtsman, messenger, watchman, laborer, or other employé in any of the Executive Departments in the city of Washington, or elsewhere, beyond provision made by law. (Act of August 19, 1879, § 5, 19 Stats., 169.)

Sec. 11. Extra Clerks.—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 in answering some call made by either House of Congress at one session to be

answered at another; nor then, except by order of the head of the Department in which, or in some Bureau or office of which, such extra clerk shall be employed. And no extra clerk employed in either of the Departments shall receive compensation except for time actually and necessarily employed, nor any greater compensation than three dollars a day for copying, or four dollars a day for any other service. (R. S., § 171.)

Sec. 12. Restrictions on Employment.—That no civil officer, clerk, draughtsman, copyist, messenger, assistant messenger, mechanic, watchman, laborer, or other employé shall, after the first day of October next, be employed in any of the Executive Departments, or subordinate Bureaus or offices thereof at the seat of Government, except only at such rates and in such numbers, respectively, as may be specifically appropriated for by Congress for such clerical and other personal services for each fiscal year; and no civil officer, clerk, draughtsman, copyist, messenger, assistant messenger, mechanic, watchman, laborer, or other employé shall hereafter be employed at the seat of Government in any Executive Department or subordinate Bureau or office thereof, or be paid from any appropriation made for contingent expenses, or for any specific or general purpose, unless such employment is authorized and payment therefor specifically provided in the law granting the appropriation, and then only for services actually rendered in connection with and for the purposes of the appropriation from which payment is made, and at the rate of compensation usual and proper for such services, and after the first day of October next, section one hundred and seventy-two of the Revised Statutes, and all other laws and parts of laws inconsistent with the provisions of this act, and all laws and parts of laws authorizing the employment of officers, clerks, draughtsmen, copyists, messengers, assistant messengers, mechanics, watchmen, laborers, or other employés at a different rate of pay, or in excess of the numbers authorized by appropriations made by Congress be, and they are hereby repealed; and thereafter all details of civil officers, clerks, or other subordinate employés from places outside of the District of Columbia, for duty within the District of Columbia, except temporary details for duty connected with their respective offices, be, and are hereby, prohibited; and thereafter all moneys accruing from lapsed salaries, or from unused appropriations for salaries, shall be covered into the Treasury: *Provided*, That the sums herein specifically appropriated for clerical or other force heretofore paid for out of general or specific appropriations, may be used by the several heads of Departments to pay such force until the said several heads of Departments shall have adjusted the said force in accordance with the

provisions of this act; and such adjustment shall be effected before October 1, 1882. And in making such adjustment the employés herein provided for shall, as far as may be consistent with the interests of the service, be apportioned among the several States and Territories according to population: *Provided further*, That any person performing duty in any capacity as officer, clerk, or otherwise, in any Department at the date of the passage of this act, who has heretofore been paid from any appropriation made for contingent expenses or for any contingent or general purpose, and whose office or place is specifically provided for herein, under the direction of the head of that Department may be continued in such office, clerkship, or employment without a new appointment thereto, but shall be charged to the quotas of the several States and Territories from which they are respectively appointed, and nothing herein shall be construed to repeal or modify section one hundred and sixty-six of the Revised Statutes of the United States. (22 Stats., § 4, 255.)

Sec. 13. Voluntary Service Forbidden.—Hereafter no Department or officer of the United States shall accept voluntary service for the Government or employ personal service in excess of that authorized by law, except in cases of sudden emergency involving the loss of human life or the destruction of property. (Act of May 1, 1884, 23 Stats., 17.)

Sec. 14. Classification of Clerks.—The clerks in the Department shall be arranged in four classes, distinguished as the first, second, third, and fourth classes. (R. S., § 163.) From time to time * * * the Postmaster-General * * * shall, on the direction of the President, and for facilitating the execution of this act, respectively revise any then existing classification or arrangement of those in their respective Departments and offices, and shall, for the purposes of the examination herein provided for, include in one or more of such classes, so far as practicable, subordinate places, clerks, and officers in the public service pertaining to their respective Departments not before classified for examination. (Act of January 16, 1883, 22 Stats., 406.)

Under the latter act the clerical departmental service of the Post-Office Department is classified as follows :

Class A : Those having an annual compensation exceeding \$2,000.

Class B : Those having an annual compensation of \$2,000.

Fourth class : Those having an annual compensation of \$1,800.

Third class : Those having an annual compensation of \$1,600.

Second class : Those having an annual compensation of \$1,400.

First class : Those having an annual compensation of \$1,200.

Class C : Those having an annual compensation of \$1,000.

Class D : Those having an annual compensation of \$900.

Class E : Those having an annual compensation of \$720.

Messengers, assistant messengers, watchmen, laborers, charwomen, carpenters, engineers, firemen, stenographers specially provided for, conductors of elevators, map-mounters, assistant map-mounters, plumber, and awning-maker, are not within the classified service.

Sec. 15. Changes in Grading Authorized.—That whenever, in the judgment of the head of any Department, the duties assigned to a clerk of one class can be as well performed by a clerk of a lower class or by a female clerk, it shall be lawful for him to diminish the number of clerks of the higher grade and increase the number of the clerks of the lower grade within the limit of the total appropriation for such clerical service: *Provided*, That in making any reduction of force in any of the Executive Departments, the head of such Department shall retain those persons who may be equally qualified who have been honorably discharged from the military or naval service of the United States, and the widows and orphans of deceased soldiers and sailors. (Act of August 15, 1876, § 3, 19 Stats., 169.)

Sec. 16. Bond of Chief of Finance Division.—The chief of the Finance division “shall give bond in such amount as the Postmaster-General may determine for the faithful discharge of his duties.” (Act of March 3, 1887, 24 Stats., 628; Act of July 31, 1886, 24 Stats., 206.)

The amount of the bond so required is fixed at \$10,000.

Sec. 17. Salaries and Compensation.—The annual salaries of clerks and employés in the Departments, whose compensation is not otherwise prescribed, shall be as follows :

First. To clerks of the fourth class, one thousand eight hundred dollars.

Second. To clerks of the third class, one thousand six hundred dollars.

Third. To clerks of the second class, one thousand four hundred dollars.

Fourth. To clerks of the first class, one thousand two hundred dollars.

Fifth. To the women employed in duties of a clerical character, subordinate to those assigned to clerks of the first class, including copyists and counters, or temporary, employed to perform the duties of a clerk, nine hundred dollars.

Sixth. To messengers, eight hundred and forty dollars.

Seventh. To assistant messengers, seven hundred and twenty dollars.

Eighth. To laborers, seven hundred and twenty dollars.

Ninth. To watchmen, seven hundred and twenty dollars. (R. S., § 167.)

Except when a different compensation is expressly prescribed by law, any clerk temporarily employed to perform the same or similar duties

with those belonging to clerks of either class is entitled to the same salary as is allowed to clerks of that class. (R. S., § 168.)

Special salaries are from year to year prescribed by the acts of appropriation in some cases. When no such special provision is made this statute governs the compensation of those employés mentioned. (See section 6.)

Sec. 18. Distribution of Clerks.—Each head of a Department may from time to time alter the distribution among the various Bureaus and offices of his Department, of the clerks allowed by law, as he may find it necessary and proper to do. (R. S., § 166.)

Sec. 19. Appointment of Clerks.—That after the expiration of six months from the passage of this act, no officer or clerk shall be appointed, and no person shall be employed to enter or be promoted in either of the said classes now existing, or that may be arranged hereunder pursuant to said rules, until he has passed an examination, or is shown to be specially exempted from such examination in conformity herewith. But nothing herein contained shall be construed to take from those honorably discharged from the military or naval service any preference conferred by the seventeen hundred and fifty-fourth section of the Revised Statutes, nor to take from the President any authority not inconsistent with this act conferred by the seventeen hundred and fifty-third section of said statutes; nor shall any officer not in the executive branch of the Government, or any person merely employed as a laborer or workman, be required to be classified hereunder; nor, unless by the direction of the Senate, shall any person who has been nominated for confirmation by the Senate be required to be classified or to pass an examination. (Act of January 16, 1883, § 7, 22 Stats., 406.)

The above section is from the civil-service law. When a vacancy exists in the classified service, which it is desired to fill, notice is given to the Civil Service Commission requesting a certificate of eligibles. Four names are returned with the respective examination and application papers of the persons certified as eligible, and appointment is made by the Postmaster-General of the one selected by him from the persons so certified. Reference is made to the rules of the Commission for the details of practice in appointments.

Sec. 20. Soldiers and Sailors Preferred.—Persons honorably discharged from the military and naval service by reason of disability resulting from wounds or sickness incurred in the line of duty, shall be preferred for appointments to civil offices: *Provided*, they are found to possess the business capacity satisfactory for the proper discharge of the duties of such offices. (R. S., § 1754.)

Sec. 21. Appointment of Women.—Women may, in the discretion of the head of any Department, be appointed to any of the clerkships therein authorized by law, upon the same requisites and conditions, and with the same compensations, as are prescribed for men. (R. S., § 165.)

Sec. 22. Two of a Family.—That whenever there are already two or more members of a family in the public service in the grades covered by this act, no other member of such family shall be eligible to appointment to any of said grades. (Act of January 16, 1883, § 9, 22 Stats., 406.)

Sec. 23. Intemperance a Bar.—That no person habitually using intoxicating beverages to excess shall be appointed to, or retained in, any office, appointment, or employment to which the provisions of this act are applicable. (Act of January 16, 1883, § 8, 22 Stats., 406.)

Sec. 24. What Recommendations Considered.—That no recommendation of any person who shall apply for office or place under the provisions of this act, which may be given by any Senator or Member of the House of Representatives, except as to the character or residence of the applicant, shall be received or considered by any person concerned in making any examination or appointment under this act. (Act of January 16, § 10, 22 Stats., 406.)

Sec. 25. Acting Officers.—In case of the death, resignation, absence, or sickness of the head of any Department, the first or sole assistant thereof shall, unless otherwise directed by the President, as provided by section one hundred and seventy-nine, perform the duties of such head until a successor is appointed, or such absence or sickness shall cease. (R. S., § 177.)

In case of the death, resignation, absence, or sickness of the chief of any Bureau, or of any officer thereof, whose appointment is not vested in the head of the Department, the assistant or deputy of such chief or of such officer, or if there be none, then the chief clerk of such Bureau, shall, unless otherwise directed by the President, as provided by section one hundred and seventy-nine, perform the duties of such chief or of such officer until a successor is appointed or such absence or sickness shall cease. (R. S., § 178.)

In any of the cases mentioned in the two preceding sections, except the death, resignation, absence, or sickness of the Attorney-General, the President may, in his discretion, authorize and direct the head of any other Department or any other officer in either Department, whose appointment is vested in the President, by and with the advice and consent of the Senate, to perform the duties of the vacant office until a successor is appointed, or the sickness or absence of the incumbent shall cease. (R. S., § 179.)

A vacancy occasioned by death or resignation must not be temporarily filled under the three preceding sections for a longer period than ten days. (R. S., § 180.)

No temporary appointment, designation, or assignment of one officer

to perform the duties of another, in the cases covered by sections one hundred and seventy-seven and one hundred and seventy-eight, shall be made otherwise than as provided by those sections, except to fill a vacancy happening during a recess of the Senate. (R. S., § 181.)

No chief clerk, when acting as an Assistant Postmaster-General, is authorized to make appointments or direct the entry of orders for appointments, or to make or execute contracts.

EXECUTIVE REGULATION.

BY THE PRESIDENT OF THE UNITED STATES.

EXECUTIVE MANSION, June 14, 1887.

Pursuant to the authority conferred by section 179 of the Revised Statutes;

The Second Assistant Postmaster-General is authorized and directed to perform the duties of the Postmaster-General, whenever and so long as he and the First Assistant Postmaster-General shall both be absent or sick; and the Third Assistant Postmaster-General is authorized and directed to perform the duties of Postmaster-General whenever and so long as he and the First and Second Assistant Postmaster-General shall all be absent or sick.

GROVER CLEVELAND.

By the President :

T. F. BAYARD,
Secretary of State.

POST-OFFICE INSPECTORS.

Sec. 26. Their Authorization.—The Postmaster-General may employ two special agents for the Pacific coast, and such number of other special agents as the good of the service and the safety of the mail may require. (R. S., from § 4017.) And section 4017 of the Revised Statutes is hereby so amended as to insert in lieu of the words "special agents" and the word "agents," wherever they occur in said section, the words "post-office inspectors." (Act of June 11, 1880, 21 Stats., § 177.)

The Chief of Post-Office Inspectors is given that title in various acts of appropriation, and is now regarded as a departmental officer and provided for in the annual departmental appropriation act. (See act of March 3, 1879, § 1, 21 Stats., 356; act of June 11, 1880, 21 Stats., 177; act of March 1, 1881, 21 Stats., 374; act of May 4, 1882, 22 Stats., 53; act of March 3, 1883, 22 Stats., 454; act of July 5, 1884, 23 Stats., 156; act of March 3, 1885, 23 Stats., 385; act of July 31, 1886, 24 Stats., 205; act of March 3, 1887, 24 Stats., 628.)

Sec. 27. Department Officers may be.—The Postmaster-General may employ, when the service requires it, the Assistant Postmasters-General and superintendents in his Department as special agents, and he may allow them therefor not exceeding the amount expended by them as necessary traveling expenses while so employed. (R. S., § 4019.)

Sec. 28. Their Compensation.—Such agents shall be entitled to a salary at the rate of not more than one thousand six hundred dollars a year

each, and shall each be allowed for traveling and incidental expenses, while actually employed in the service, a sum not exceeding five dollars a day. (R. S., second sentence § 4017.) *Provided*, That hereafter the per diem pay of all special agents appointed under section 4017, Revised Statutes, shall only be allowed for their actual and necessary expenses, not exceeding five dollars per diem when they are actually engaged in traveling on the business of the Department, except such, not exceeding ten in number, as are appointed by the Postmaster-General to duty at such important points as he may designate, * * * who shall each receive a salary of two thousand five hundred dollars per annum and no more. (Act of June 17, 1878, 20 Stats., 140.) And post-office inspectors shall be allowed four dollars per day in lieu of the charges now permitted for personal expenses. (From appropriation act of July 5, 1884, 23 Stats., 156; repeated in act of March 3, 1885, 23 Stats., 385.) And hereafter the Superintendent of Railway Mail Service and the Chief of Post-Office Inspectors shall be paid their actual expenses while traveling on the business of the Department. (Act of March 1, 1881, 21 Stats., 374.)

Under these statutes it is prescribed that ten inspectors are to be appointed at important stations, from the force already in service, at an annual salary of \$2,500, who receive no per diem in addition. They must themselves bear all their personal expenses, but may be allowed such other expenditures, not personal, as they are required necessarily to make in the performance of assigned duty, of the kind allowed to other inspectors in addition to their per diem.

All inspectors under the Chief of Post-Office Inspectors are originally appointed for a probationary term of six months, with a salary at the rate of \$1,200 per year; and when appointed after such probation, with a salary at the rate of \$1,600 per year, and are allowed for personal expenses \$4 per day when they are actually engaged in traveling on the business of the Department. Personal expenses in the sense here intended include cost of food, lodging, sleeping-car fares, omnibus or hack fares, and other incidentals of a personal character. Expenditures for the inspector's conveyance where his commission is not operative, for transportation and maintenance of a prisoner while being taken to appear before a proper officer, for official telegrams, for advertising when required, and other such necessary items, will be limited to reasonable cost, and charges therefor must be accompanied by receipts or proper vouchers. Payment of salaries, per diem and expenditures, is made by warrant, upon monthly accounts to be submitted to the Chief of Post-Office Inspectors and allowed at the Department. Inspectors are not allowed remuneration by United States marshals for attendance at court

in cases for the violation of the postal laws, but may be reimbursed for their actual expenses only, if such court is held at places other than their headquarters.

Sec. 29. Their Payment.—The Sixth Auditor shall charge to the appropriation for mail transportation the salary and per diem of the assistant superintendents of the Postal Railway Service; and to the appropriation for the Free Delivery System the salary and per diem of the special agent detailed for that service; and the salary and per diem of the special agents employed in the Money-Order Service shall be paid out of the proceeds of that service. (R. S., part of § 4020.)

All inspectors, except those in the Railway Mail Service, are assigned to duty under government of the Chief of Post-Office Inspectors, and paid out of the annual appropriation for mail depredations and post-office inspectors; except that twelve are detailed to and paid out of the proceeds of the Money-Order Service, and three or more are paid out of the appropriation for the Free-Delivery Service.

Sec. 30. Their Appointment.—Applicants for appointment as inspectors will file their requests and recommendations with the appointment clerk, who will furnish to such of them as the Postmaster-General shall direct, after consideration of their recommendations, a blank application of the prescribed form, and letter of advice containing the regulations respecting appointment. The applicant will properly fill the blank with his own hand, procure the accompanying certificates to be signed by the proper persons, and return the same to the appointment clerk. From among the applications so executed and returned choice will be made, from time to time, of such applicants as may seem therefrom best qualified; and, according to the number of vacancies to be filled, a suitable number will be notified to appear for examination, which will be conducted by such examiners as the Postmaster-General may appoint therefor, or by himself. In making selection from those examined, discrimination will be based upon the qualities and attainments of the applicant, proper attention being given to aptitude for this particular service. Appointments will be made at first upon probation for a period not exceeding six months, and will cease without notice at the expiration of the prescribed period. Appointment during the pleasure of the Postmaster-General will be made of such probationers as shall have approved their fitness by their services and conduct. No inspector is appointed for, or for service in, any particular State or locality, but will be expected to perform service wherever required.

Sec. 31. Bond Required.—Whenever a special agent is required to collect or disburse any public money, he shall, before entering upon such duty, give bond in such sum and form, and with such securities as the Postmaster-General may approve. (R. S., § 4018.)

A bond of \$5,000, with sureties justifying to double that amount, and conditioned for the faithful discharge of duty as an inspector, and for properly accounting for and disposing of all moneys and property which may come to his hands by virtue of his office at any time while in the service of the United States, is required of each inspector before becoming entitled to pay.

Sec. 32. Their General Authority.—Inspectors are regarded as the special representatives of the Postmaster-General, and, as such, when acting within the scope of their duty and employment, all postmasters, employes, contractors, and others are subordinate to them. But no arbitrary power is thereby conferred upon them. They are not to interfere with any officer or employé who is in the proper discharge of his duty, further than to examine his methods, system, and accounts, or any complaints which may be made against him. Nor are they to interfere with the mails or the transportation thereof, except as expressly authorized by law, and as permitted by the regulations. They are intrusted with keys to the several mail locks in use, except locks to registered mail, and are, by virtue of their commissions, authorized to open and examine the mails whenever and wherever they may find it necessary to do so. They are also empowered to enter and examine any post-office when the safety of the mails requires it, or the general interests of the service demand such examination.

Sec. 33. Fidelity and Impartiality in Service.—Every inspector will be required to perform his duty conscientiously, zealously, and fearlessly, with an eye single to the ascertainment of the truth and the advancement of the discipline of the postal service and the interests of the Government. He must at the same time be carefully regardful of all aspects of the subject committed to his investigation, and of the rights of others; and must by his report represent simply, clearly, and without bias, the facts of the case, and the evidence obtained by him, so that an intelligent, correct, and safe opinion can be formed upon his report. And in the faithful, considerate, and unfaltering discharge of his duty, the inspector may rely upon the support of the Postmaster-General against any unjust influences whatever interfering with it or with him.

Sec. 34. Duty of General Observation of Service.—Every inspector is required to thoroughly inform himself in regard to all branches of the postal service and the duties of all persons engaged therein; and he is specially enjoined to promptly report any and every delinquency or failure of duty upon the part of any person engaged in the postal service, or in the execution of any contract with the Department, and any and every defect or disorder in the postal business of which he may have notice, whether in a case submitted to him or otherwise coming to

his attention. And any failure to so report any such information will be ground for his immediate dismissal.

Sec. 35. Confidential Communications.—Official communications marked "Confidential," from Post-Office inspectors, will be held as confidential. But no communication should be so marked unless it relates solely to the business of the Department and its interest, and is made in pursuance of confidential instructions. The contents of such communication cannot be divulged except by the permission of the Postmaster-General. Inspectors will strictly observe secrecy in respect to all confidential inquiries and investigations required of them.

Sec. 36. Organization of the Force.—Except those employed in the Railway Mail Service, and Department officers when so employed, inspectors are under the charge of the Chief of Post-Office Inspectors, whose headquarters are in the Department. For the purpose of advantageously conducting the business assigned to them, the country has been formed into divisions, and each division is placed in charge of an inspector, who will guide and direct the work of the inspectors assigned to such division. To him all communications must be addressed and sent; and through him all orders will be received, unless, to save time in special cases, they are communicated directly from the Department by the Postmaster-General or Chief of Inspectors, in which contingency the inspector in charge will be notified.

The headquarters of divisions at the present time are as follows:

For the division embracing the States of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, and Connecticut: Boston, Mass.

For the division embracing the State of New York: New York City.

For the division embracing the States of Pennsylvania and New Jersey: Philadelphia, Pa.

For the division embracing the States of Delaware, Maryland, Virginia, West Virginia, and North Carolina, and the District of Columbia: Washington, D. C.

For the division embracing the State of Ohio: Cincinnati, Ohio.

For the division embracing the States of Illinois, Indiana, Iowa, Michigan, Wisconsin, Minnesota, and the Territory of Dakota: Chicago, Ill.

For the division embracing the States of Missouri, Kansas, Arkansas, Kentucky, Louisiana, Mississippi, and Indian Territory: Saint Louis, Mo.

For the division embracing the States of Tennessee, Alabama, Florida, Georgia, and South Carolina: Atlanta, Ga.

For the division embracing the State of Texas: Austin, Tex.

For the division embracing the State of Nebraska and the Territories of Wyoming, Colorado, New Mexico, and Idaho: Denver, Col.

For the division embracing the States of California and Nevada and the Territories of Arizona and Utah: San Francisco, Cal.

For the division embracing the State of Oregon and the Territories of Washington, Montana, and Alaska; Portland, Oreg.

Sec. 37. Confidential Regulations.—Further special regulations for the

instruction and government of inspectors are prescribed in the book of instructions and amendments thereto, to which additions may from time to time be made, which are confidentially furnished to each inspector. Obedience and conformity to these regulations, and the strict preservation of their secrecy, are enjoined.

OTHER POSTAL AGENCIES.

Sec. 38. Foreign Postal Agencies.—The Postmaster-General may establish resident mail agencies at the ports of Panama and Aspinwall, in New Granada; Havana, in Cuba; at Saint Thomas, and at such other foreign ports at which United States mail steamers touch to land and receive mails, as may, in his judgment, promote the efficiency of the foreign mail service; and may pay the agents employed by him at such ports, out of the appropriation for transportation of the mail, a reasonable compensation for their services, and the necessary expenses for office rent, clerk-hire, office furniture, and other incidentals, to be allowed him at each of such agencies. (R. S., § 4021.)

No such agency is now maintained on the American continent, except at Panama, where the American Consul-General is appointed postal agent.

Sec. 39. In China and Japan.—The Postmaster General may establish, in connection with the mail-steamship service to Japan and China, a general postal agency at Shanghai, in China, or at Yokohama, in Japan, with such branch agencies at any other ports in China and Japan as he shall deem necessary for the prompt and efficient management of the postal service in those countries; and he may pay the postal agents employed thereat a reasonable compensation for their services, in addition to the necessary expenses for rent, furniture, clerk-hire, and incidental expenses. (R. S., § 4023.)

The Consul-General at Shanghai is the postal agent at Shanghai, in China; but no agency is maintained in Japan.

Sec. 40. Mail Agents on Ocean Steamers.—The Postmaster-General may appoint an agent in charge of the mails on board of each of the mail steamers on the routes between San Francisco, Japan, and China; between San Francisco and Honolulu, in the Hawaiian Islands; and between New York and Rio de Janeiro, who shall be allowed, out of the appropriation for transportation of the mail, a salary of two thousand dollars a year. (R. S., § 4022.)

No such agent is now employed; no necessity at the present time existing.

Sec. 41. Stamp, Postal-Card, and Stamped-Envelope Agents.—Subject to provisions therefor in the annual appropriation, there are appointed by the Postmaster-General the following agents:

1. A stamp agent, for the inspection and issue of adhesive postage stamps.

2. A postal-card agent, for the inspection and issue of postal cards.

3. A stamped-envelope agent, for the inspection and issue of stamped envelopes and newspaper wrappers; and also, when so required, of official envelopes, registered-package envelopes, and tags.

Each such agent is required to keep his office at the place where such supplies are respectively manufactured under the contracts from time to time made pursuant to law, and is entitled to a salary of \$2,500 a year. He is required to superintend the clerks employed at his agency, and faithfully to observe the special instructions given to regulate the performance of his duties.

Sec. 42. Postal Note Agency.—That in addition to the authority granted by section four thousand and forty-eight of said Revised Statutes to the Postmaster-General, to pay out of the proceeds of the money-order business the cost of stationery and such incidental expenses as are necessary for the transaction of that business, he is hereby authorized to pay out of the proceeds of said business the compensation of an agent and the necessary assistants to distribute postal notes to postmasters, and also the necessary incidental expenses of the agency; and such agent shall, before entering upon his duties, give bond for the faithful performance thereof in such sum and form and with such security as the Postmaster-General may approve. (Act of March 3, 1883, from § 2, 22 Stat., 527.)

Pursuant to this statute there is appointed by the Postmaster-General an agent for the inspection and distribution of postal notes, who is required to keep his office at the place of their manufacture, and is entitled to a salary of \$2,500 a year. He is required to superintend the clerks employed at such agency, and faithfully observe the special instructions given for the performance of his duties.

OATHS.

Sec. 43. Oath of Office.—That before entering upon their duties, and before they shall receive any salary, the Postmaster-General, and all persons employed in the postal service, shall respectively take and subscribe before some magistrate or other competent officer authorized to administer oaths by the laws of the United States, or of any State or Territory, the following oath or affirmation: "I, A. B., do solemnly swear [or affirm, as the case may be], 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 post-offices and post-roads within the United States; and that I will honestly and truly account for and pay over any money belonging to the said United States which may come

into my possession or control; and I also further swear [or affirm] that I will support the Constitution of the United States; So help me God." (Act of June 8, 1872, § 15, as amended by act of March 5, 1874, 18 Stat., 19. See R. S., § 391.)

That section seventeen hundred and fifty-six of the Revised Statutes be, and the same is hereby repealed; and hereafter the oath to be taken by any person elected or appointed to any office of honor or profit either in the civil, military, or naval service, except the President of the United States, shall be as prescribed in section seventeen hundred and fifty-seven of the Revised Statutes. But this repeal shall not affect the oaths prescribed by existing statutes in relation to the performance of duties in special or particular subordinate offices and employments. (Act of March 13, 1884, § 2, 23 Stat., 22.)

Whenever any person who is not rendered ineligible to office by the provisions of the fourteenth amendment to the Constitution is elected or appointed to any office of honor or trust under the Government of the United States, and is not able, on account of his participation in the late rebellion, to take the oath prescribed in the preceding section [Sec. 1756, R. S., now repealed] he shall before entering upon the duties of his office take and subscribe, in lieu of that oath, the following oath: "I, A. B., do solemnly swear [or affirm] that I will support and defend the Constitution of the United States against all enemies, foreign and 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." (R. S., § 1757.)

NOTE.—[Extract from opinion of Attorney-General of May 21, 1885.] "By the act of May 13, 1884, chap. 46, 23 Stat., 22, it is declared that thereafter the oath to be taken by any person elected or appointed to any office of honor or profit either in the civil, military, or naval service, except the President of the United States, shall be as prescribed in section 1757, Revised Statutes; and it is further declared that this 'shall not affect the oaths prescribed by existing statutes in relation to the performance of duties in special or particular subordinate offices and employments.' Thus, while postmasters, in common with all other officers of the United States, except the President, are now required to take the oath of office prescribed in section 1757, Revised Statutes, they are not exempted from taking the oath prescribed by the act of March 5, 1874, chap. 46, relative to the performance of duties in the postal service, but must take this also."

Sec. 44. Form as Combined.—Hereafter the oaths prescribed by the foregoing statutes will be combined in the following:

Form of oath of office.

_____, }
 _____, } ss:

I, [name of appointee] having been appointed [designate office or employment] do solemnly swear [or affirm] that I will support and defend the Constitution of the United States against all enemies, foreign and 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. I do further solemnly 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 post-offices and post-roads within the United States; and that I will honestly and truly account for and pay over any money belonging to the said United States which may come into my possession or control; and I also further swear [or affirm] that I will support the Constitution of the United States. So help me God.

Sworn to and subscribed before me, a _____, this _____ day of _____, A. D. 18____.

_____,
 _____.

NOTE.—A contractor for carrying the mail cannot draw pay from the Department for services rendered or work done prior to his taking the oath. (11 Opin. Attorney-General, 498.)

Sec. 45. Who may Administer Oath.—And this oath or affirmation may be taken before any officer, civil or military, holding a commission under the United States, and such officer is hereby authorized to administer and certify such oath or affirmation. (18 Stat., 19.)

The oath of office required by either of the two preceding sections (1756 and 1757, R. S.) may be taken before any officer who is authorized either by the laws of the United States, or by the local municipal law, to administer oaths in the State, Territory, or District where such oath may be administered. (R. S., § 1758.)

In all cases in which, under the laws of the United States, oaths or acknowledgments may now be taken or made before any justice of the peace of any State or Territory, or in the District of Columbia, they may hereafter be also taken or made by or before any notary public duly appointed in any State, District, or Territory, or any of the commissioners of the circuit courts, and, when certified under the hand and

official seal of such notary or commissioner, shall have the same force and effect as if taken or made by or before such justice of the peace. (R. S., § 1778.)

NOTE.—A post-office inspector may administer the oath of office. (Opinions Assistant Attorney-General, Post-Office Department, April 8, 1885.)

Sec. 46. Custody of Oath.—The oath of office taken by any person pursuant to the requirements of section seventeen hundred and fifty-six, or of seventeen hundred and fifty-seven, shall be delivered in by him to be preserved among the files of the House of Congress, Department, or court to which the office in respect to which the oath is made may appertain. (R. S., § 1759.)

Sec. 47. Omission of Oath not to affect Liability, &c.—Every person employed in the postal service shall be subject to all penalties and forfeitures for violation of the laws relating to such service whether he has taken the oath of office or not. (R. S., § 3832.)

Sec. 48. Oaths to Witnesses.—Any officer or clerk of any of the Departments lawfully detailed to investigate frauds or attempts to defraud on the Government, or any irregularity or misconduct of any officer or agent of the United States, shall have authority to administer an oath to any witness attending to testify or depose in the course of such investigation. (R. S., § 183.)

The several auditors are empowered to administer oaths to witnesses in any case in which they may deem it necessary for the due examination of the accounts with which they shall be charged. (R. S., § 297.)

Any mayor of a city, justice of the peace, or judge of any court of record in the United States, may administer oaths in relation to the examination and settlement of the accounts committed to the charge of the Sixth Auditor. (R. S., § 298.)

SEAL OF THE DEPARTMENT.

Sec. 49. How Kept and Used.—The Postmaster-General shall keep the seal heretofore adopted for his Department, which shall be affixed to all commissions of postmasters and others, and used to authenticate all transcripts and copies which may be required from his Department. (R. S., § 395.)

As to when the seal shall be affixed to commissions signed by the President, see section 444.

Sec. 50. Impression on Paper Sufficient.—In all cases where a seal is necessary by law to any commission, process, or other instrument provided by the laws of Congress, it shall be lawful to affix the proper seal by making an impression therewith directly on the paper to which such seal is necessary, which shall be as valid as if made on wax or other adhesive substance. (R. S., § 6.)

CHAPTER TWO.

GENERAL PROVISIONS APPLICABLE TO THE POST-OFFICE DEPARTMENT.

I. THE FINANCIAL MAINTENANCE AND AFFAIRS OF THE DEPARTMENT.

Sec. 51. General Explanation.—The Congress annually appropriates from the General Treasury, by the legislative, executive, and judicial appropriation act, specific sums for the payment of the salaries of the officers, clerks, and employes of the Post-Office Department; for rent of additional buildings leased for its use; for its contingent expenses and supplies; for expenses of publishing post-route maps; for publishing the Official Postal Guide; and for postage on its foreign correspondence. These moneys are drawn from the General Treasury by the requisition of the Postmaster-General on the Secretary of the Treasury, and are disbursed by the superintendent and disbursing clerk. His accounts for the expenditure of moneys appropriated for contingent expenses are settled by the Fifth Auditor and First Comptroller; and for the expenditure of other appropriations by the First Auditor and First Comptroller. All these transactions and accounts are to be wholly distinguished from the revenues, expenditures, and accounts of the postal service.

On the other hand, all moneys derived from sales of waste paper and unserviceable material and property of the Department, sales of which are made and moneys collected by the superintendent and disbursing clerk, accrue to the revenues of the postal service and are paid direct into the Treasury to its credit, and his accounts therefor are settled by the Sixth Auditor.

A general supervision of all these transactions is required to be kept for the Postmaster-General by the chief clerk of the Department.

All unexpended appropriations are covered into the Treasury after two years. See section 216.

Sec. 52. Bond of Superintendent and Disbursing Clerk.—Whenever it becomes necessary for the head of any Department or office to employ special agents, other than officers of the Army or Navy, who may be charged with the disbursement of public moneys, such agents shall, before entering upon duty, give bond in such form and with such security as the head of the Department or office employing them may approve. (R. S., § 3614.)

The superintendent and disbursing clerk is required to give bond in

the penal sum of \$40,000, for the safe keeping, proper disbursement of, and accounting for, all public moneys coming to his hands, and for the faithful discharge of the duties of his office, according to law.

See R. S., § 176, and section 6, *note*.

Sec. 53. Requisitions for Money.—No requisition on the Secretary of the Treasury shall be for more than one specified object of appropriation, and the amount thereof shall be written in full in the blank form of requisition. Every requisition presented to the Postmaster-General for his signature must be accompanied with a statement of the condition of the account under the specific items of appropriation against which the requisition is drawn, according to the form now in use; and the chief clerk will file and preserve all such statements in his office. Requisitions for salaries will be made semi-monthly at such time, and for such amount only, as may be necessary to meet the customary semi-monthly payments. Requisitions for all other objects must be made for no greater amount than will be required for disbursement during one month from the date of the requisition.

Sec. 54. Payments.—All salaries shall be paid in cash upon monthly pay-rolls, which will be first submitted to the chief clerk, who, after examination, will certify, before payment is made, that the names and salaries as therein stated are correct as shown by the records in the office of the appointment clerk, and that the amounts are severally due to the respective persons named.

Payments for all sums of \$10 and upwards (except salaries), shall be made by the check of the superintendent and disbursing clerk on the Treasurer of the United States, and the appropriation from which the payment is made shall be stated on the check.

Hereafter no payment shall be made as salaries to clerks of class one, two, three, or four in said (Post-Office) Department out of appropriations made for other purposes. (Act of March 3, 1875, 18 Stats., 367.)

Sec. 55. Disbursements for the Topographer's Office.—*Provided*, That the disbursements of the moneys appropriated for the preparation and publication of post-route maps be made by a regular bonded disbursing officer of the Post-Office Department, according to the laws, rules, and customs as recognized by the accounting officers of the Treasury Department. *And, provided also*, That the pay-rolls of the draughtsmen, clerks, messengers, and other employes of the topographer's office shall be regularly made out by the chief of the topographer's office, examined and checked by the appointment clerk of the Post-Office Department, and the payments thereof made by a bonded disbursing officer of the Post-Office Department. *Also, provided further*, That all expenditures made by the chief of the topographer's office for the

preparation and publication of post-route maps shall be accounted for by vouchers, accompanied by affidavit, and the moneys therefor shall be disbursed by a disbursing officer of the Post-Office Department; and all of the above disbursements shall be paid out of the appropriation for the preparation and publication of post-route maps. (Act of June 17, 1878, § 2, 20 Stats., 143.)

The payments above directed will be made by the superintendent and disbursing clerk in the same manner as directed for other funds.

Sec. 56. Deposits.—It shall be the duty of every disbursing officer having any public money intrusted to him for disbursement, to deposit the same with the Treasurer or some one of the assistant treasurers of the United States, and to draw for the same only as it may be required for payments to be made by him in pursuance of law (and draw for the same only in favor of the persons to whom payment is made); and all transfers from the Treasurer of the United States to a disbursing officer shall be by draft or warrant on the Treasury or an assistant treasurer of the United States. (R. S., § 3620.)

Sec. 57. Exchange of Funds Restricted.—No exchange of funds shall be made by any disbursing officer or agent of the Government, of any grade or denomination whatsoever, or connected with any branch of the public service, other than an exchange for gold, silver, United States notes, and national bank notes; and every such disbursing officer, when the means for his disbursements are furnished him in gold, silver, United States notes, or national bank notes, shall make his payments in the moneys so furnished; or when they are furnished to him in drafts, shall cause those drafts to be presented at their place of payment, and properly paid according to 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 the duty of the head of the proper Department immediately to suspend from duty any disbursing officer or agent who violates 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 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 the President may deem just and proper. (R. S., § 3651.)

(See section 183.)

Sec. 58. Verification of Cash on Hand.—On Monday forenoon of each week a committee of three, designated by the Postmaster-General, shall count the cash in the hands of the superintendent and disbursing

clerk, and verify the amount with the sum reported to his credit with the Treasurer, and thereupon certify the result of their examination in writing to the Postmaster-General.

Sec. 59. Settlement of Accounts.—Every officer or agent of the United States who receives public money which he is not authorized to retain as salary, pay, or emolument, shall render his accounts monthly. Such accounts, with the vouchers necessary to the correct and prompt settlement thereof, shall be sent by mail, or otherwise, to the Bureau to which they pertain, within ten days after the expiration of each successive month, and, after examination there, shall be passed to the proper accounting officer of the Treasury for settlement. Disbursing officers of the Navy shall, however, render their accounts and vouchers direct to the proper accounting officer of the Treasury. In case of the non-receipt at the Treasury, or proper Bureau, of any accounts within a 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 section. 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. Nothing herein contained shall, however, 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 interest may require. (R. S., § 3622.)

All officers, agents, or other persons, receiving public moneys, shall render distinct accounts of the application thereof, according to the appropriation under which the same may have been advanced to them. (R. S., § 3623.)

The superintendent and disbursing clerk shall prepare his accounts for submission to the Postmaster-General, to be by him transmitted to the proper officers of the Treasury Department, monthly, and in duplicate, and one copy will be filed and preserved by the chief clerk. The chief clerk will see to the presentment of such accounts, that they are promptly audited at the Treasury Department, and furnish a statement of their condition to the Postmaster-General.

Sec. 60. Expenditures and Purchases for Department Use.—No part of the contingent fund appropriated to any Department, Bureau, or office, shall be applied to the purchase of any articles except such as the head of the Department shall deem necessary and proper to carry on the business of the Department, Bureau, or office, and shall, by written order, direct to be procured. (R. S., § 3683.)

No moneys appropriated for contingent, incidental, or miscellaneous purposes shall be expended or paid for official or clerical compensation. (R. S., § 3682.)

That hereafter the expenditure of the contingent expenses of the Post-Office Department shall be expended as specially directed in the law, and according to the appropriations for the items specifically named, and that no moneys appropriated for the specific purposes named under the head of "for contingent expenses of the Post-Office Department" shall be diverted from one purpose to another; and that all moneys unexpended for one or more specific purposes shall be turned into the Treasury, and not expended, by the superintendent and disbursing officer, for any object or purpose whatsoever, other than the specific ones named in the appropriation for the "contingent expenses of the Post-Office Department." (Act of June 17, 1878, 20 Stats., 203.)

Contracts must be made in advance of the beginning of each fiscal year, after public advertisement for proposals, for the purchase of all articles for the supply of the Post-Office Department of every kind which can be so contracted for advantageously, including work and materials, in which the contractor shall engage to furnish the articles or perform the service contracted for at the agreed price in such quantities and at such times as they may be ordered by the Department. All orders upon the contractors for such supplies or services shall be made in pursuance of requisitions therefor, on the form now in use, approved by the chief clerk and allowed by the Postmaster-General.

Whenever the public exigency requires the procurement of any supplies or service not so contracted to be furnished, like requisition therefor must be made, specifying on its face that the public exigency requires immediate delivery of the articles or performance of the service.

No articles or services shall be ordered from a contractor, or otherwise procured, except upon allowance of such requisition; and the superintendent and disbursing clerk shall personally inspect and verify the delivery of such articles or performance of such services in accordance with the contract or the requisition; and accounts therefor shall be certified by him and approved by the chief clerk before allowance by the Postmaster-General.

FOR PROVISION FOR PROPER MEASUREMENT OF GAS CONSUMED, see Sec. 138.

Sec. 61. Issue and Sale of Post-Route Maps.—The annual appropriation act customarily provides for sales by the Department of post-route maps at their cost, and adds the receipts from such sales to the amount of the appropriation for their provision. Application for purchase of such maps, and payment of the price therefor, will be made to the superin-

tendent and disbursing clerk, who will give the purchaser an order on the topographer to deliver maps sold; and will make a monthly account of such sales and deposits of proceeds in the Treasury to the credit of the appropriation.

The topographer will make, at the end of each month, a statement in triplicate of all such orders received and filled by him, and furnish duplicates of the same to the superintendent and disbursing clerk, who will file and preserve one, and transmit one to the Treasurer with his monthly account of sales. The topographer must at the same time transmit the triplicate to the chief clerk, accompanied by the original orders of the superintendent and disbursing clerk.

Issues of post-route maps to the officers of the service, regularly entitled to the same will be made by the topographer on their request, and to other persons not purchasers only upon the order of the chief clerk. In no other manner will any post-route maps be issued or sold. Once in two months the topographer will make a written statement to the chief clerk showing the number of post-route maps of each kind on hand at the last statement, the number since published, the number issued and to whom, the number sold, and the number remaining on hand, accompanied by the orders for their issue.

DEPARTMENT PROPERTY AND SALES THEREOF.

Sec. 62. Inventory of Department Property.—The Postmaster-General shall make out and keep, in proper books, full and complete inventories and accounts of all property belonging to the United States in the buildings, rooms, offices, and grounds occupied by him and under his charge; and shall add thereto, from time to time, an account of such property as may be procured subsequently to the taking of the same, and also an account of the sale or disposal of any such property, and to report the same to Congress during the first week of each annual session. But this section shall not apply to the supplies of stationery and fuel. (R. S., § 397)

The superintendent and disbursing clerk will make and keep the inventories, accounts, and books required by this section.

NOTE.—Sec. 197, R. S., repeats this direction, but adds nothing whatever to the provisions contained in the above.

Sec. 63. Sales of Valueless Papers, &c.—That the Postmaster-General is hereby authorized to sell as waste-paper, or otherwise dispose of, the files of papers which have accumulated, or may hereafter accumulate, in the Post-Office Department that are not needed in the transaction of current business and have no permanent value or historical interest;

and the proceeds of said sales he shall pay into the Treasury, and make report thereof to Congress. (Act of March 3, 1831, 21 Stats., 412.)

Like accumulations in the office of the Sixth Auditor are to be sold by the Secretary of the Treasury. (See Act of August 5, 1882, 22 Stats., 228.)

Sec. 64. Sales, how made.—Proposals will be invited by advertisement in advance of the beginning of each fiscal year for the sale of all waste paper which the Department may have for sale during each ensuing fiscal year, and a contract will be made for sale and delivery thereof from time to time as may be most to the convenience of the Department, if the same can be advantageously effected; and the superintendent and disbursing clerk will see to the daily collection of the waste paper, and its disposition to the contractor from time to time, and will collect the receipts therefor.

All sales of other property and unserviceable material of the Post-Office Department will be made by that officer as may be specially directed by the Postmaster-General, and he will collect the moneys arising therefrom. He will promptly pay the proceeds into the Treasury and prepare his accounts of such sales for submission to the Postmaster-General, to be transmitted to the Sixth Auditor for settlement.

Sec. 65. Payment of Public Moneys to the Treasurer.—All collectors and receivers of public money of every description, within the District of Columbia, shall, as often 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. (R. S., § 3615, first sentence.)

The gross amount of all moneys received from whatever source for the use of the United States, except as otherwise provided in the next section [which relates to other Departments], shall be paid by the officer or agent receiving the same into the Treasury, at as early a day as practicable, without any abatement or deduction on account of salary, fees, costs, charges, expenses, or claim of any description whatever. But nothing herein shall affect any provision relating to the revenues of the Post-Office Department. (R. S., § 3617.)

Every person who shall have moneys of the United States in his hands or possession shall pay the same to the Treasurer, an assistant treasurer, or some public depository of the United States, and take his receipt for the same, in duplicate, and forward one of them forthwith to the Secretary of the Treasury. (R. S., § 3621.)

For penalty, and for mode of collection, in case of failure, see R. S., §§ 3619, 3624, 3634, 5490, 5492, and 5496.

Sec. 66. Premium on Sales of Public Securities, &c., to be Accounted for.—No officer of the United States shall, either directly or indirectly, sell

or dispose of to any person, for a premium, any Treasury note, draft, warrant, or other public security, not his private property, or sell or dispose of the avails or proceeds of such note, draft, warrant, or security, in his hands for disbursement, without making return of such premium, and accounting therefor by charging the same in his accounts to the credit of the United States; and any officer violating this section shall be forthwith dismissed from office. (R. S., § 3652.)

SPECIAL LIMITATIONS ON EXPENDITURES.

Sec. 67. Double Salaries Forbidden.—No person who holds an office, the salary or annual compensation attached to which amounts to the sum of two thousand five hundred dollars, shall receive compensation for discharging the duties of any other office, unless expressly authorized by law. (R. S., § 1763.)

An officer performing the duties of another office, during a vacancy, as authorized by sections one hundred and seventy-seven, one hundred and seventy-eight, and one hundred and seventy-nine (section 25), is not by reason thereof entitled to any other compensation than that attached to his proper office. (R. S., § 182.)

Sec. 68. No Compensation for Extra Service.—No money shall be paid to any clerk employed in either Department at an annual salary, as compensation for extra services, unless expressly authorized by law. (R. S., § 170.)

No allowance or compensation shall be made to any officer or clerk, by reason of the discharge of duties which belong to any other officer or clerk in the same or any other Department; and no allowance or compensation shall be made for any extra services whatever, which any officer or clerk may be required to perform, unless expressly authorized by law. (R. S., § 1764.)

No officer in any branch of the public service, or any other person whose salary, pay, or emoluments 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 is authorized by law, and the appropriation therefor explicitly states that it is for such additional pay, extra allowance or compensation. (R. S., § 1765.) That no civil officer of the Government shall hereafter receive any compensation or perquisites, directly or indirectly, from the Treasury or property of the United States beyond his salary or compensation allowed by law: *Provided*, That this shall not be construed to prevent the employment and payment by the Department of Justice of district attorneys as now allowed by law for the performance of services not covered by their salaries or fees. (Act of June 20, 1874, § 3, 18 Stats., 109.)

Sec. 69. Payment of Salaries not Authorized by Law Forbidden.—No money shall be paid from the Treasury to any person acting or assuming to act as an officer, civil, military, or naval, as salary, in any office when the office is not authorized by some previously existing law, unless such office is subsequently sanctioned by law. (R. S., § 1760.)

Sec. 70. No Salary for Unauthorized Officers.—No money shall be paid from the Treasury, as salary, to any person appointed during the recess of the Senate, to fill a vacancy in any existing office, if the vacancy existed while the Senate was in session and was by law required to be filled by and with the advice and consent of the Senate, until such appointee has been confirmed by the Senate. (R. S., § 1761.)

But see section 458.

Sec. 71. No Payments to Persons in Arrears.—No money shall be paid to any person for his compensation who is in arrears to the United States until he has accounted for and paid into the Treasury all sums for which he may be liable. In all cases where the pay or salary of any person is withheld in pursuance of this section, the accounting officers of the Treasury, if required to do so by the party, his agent or attorney, shall report forthwith to the Solicitor of the Treasury the balance due; and the Solicitor shall, within sixty days thereafter, order suit to be commenced against such delinquent and his sureties. (R. S., § 1766.)

Sec. 72. Advances Forbidden and Payments Limited.—No advance of public money shall be made in any case whatever. And in all cases of contracts for the performance of any service, or the delivery of articles of any description, for the use of the United States, payment shall not exceed the value of the service rendered, or of the articles delivered previously to such payment. It shall, however, be lawful, under the special direction of the President, to make such advances to the disbursing officers of the Government as may be necessary to the faithful and prompt discharge of their respective duties, and to the fulfillment of the public engagements. (R. S., § 3648, in part.)

This statute is mandatory and binding upon all who serve the Government for salary or fees, and also for all purchases of articles for delivery to the United States, carefully restricting payment made to amount of service rendered or articles purchased and duly delivered before such payment. Hereafter specific evidence of delivery of any and all articles purchased for the public use will be required for file with the voucher presented for credit. The rendition of a bill, with receipt, for moneys claimed as due for purchases made will not be deemed evidence of delivery in any case. (Treasury Department Circular, November 18, 1881.)

Sec. 73. Legal Service for Department.—No head of a Department shall employ attorneys or counsel at the expense of the United States; but

when in need of counsel or advice, shall call upon the Department of Justice, the officers of which shall attend to the same. (R. S., § 189.)

This provision is qualified annually by the appropriation for the inspection service, which allows expenditures for counsel employed to aid inspectors.

Sec. 74. Newspapers Limited.—The amount expended in any one year for newspapers, for any Department, except the Department of State, including all the Bureaus and offices connected therewith, shall not exceed one hundred dollars. And all newspapers purchased with the public money for the use of either of the Departments must be preserved as files for such Department. (R. S., § 192.)

No executive officer, other than the heads of Departments, shall apply more than thirty dollars, annually, out of the contingent fund under his control, to pay for newspapers, pamphlets, periodicals, or other books or prints not necessary for the business of his office. (R. S., § 1779.)

Sec. 75. Rent of Buildings in District of Columbia.—Hereafter no contract shall be made for the rent of any building, or part of any building, to be used for the purposes of the Government in the District of Columbia, until an appropriation therefor shall have been made in terms by Congress, and that this clause be regarded as notice to all contractors or lessors of any such building or any part of building. (Act of March 3, 1877, 19 Stats., 370.)

And where buildings are now rented for public use in the District of Columbia, the Executive Departments are authorized, whenever it shall be advantageous to the public interest, to rent others in their stead: *Provided*, That no increase in the number of buildings now in use, nor in the amounts paid for rents, shall result therefrom. (Act of June 15, 1880, 21 Stats., 228.)

And the Postmaster-General is hereby authorized to rent a suitable building on Capitol Hill for use as a branch of the Washington City post-office, at a rate not exceeding thirty dollars per month, until further action of Congress. (Act of June 30, 1886; 24 Stats., 91.) And the Postmaster-General is hereby authorized to rent a suitable building for use of the branch of the Washington City post-office, known as "Station C," at a rent not exceeding one thousand dollars per annum, until further action of Congress. (Act of March 3, 1887, 24 Stats., 569.)

OTHER PROVISIONS AFFECTING OFFICERS AND CLERKS.

Sec. 76. Hours of Labor.—From the 1st day of October until the 1st day of April in each year, all the Bureaus and offices in the State, War, Treasury, Navy, and Post-Office Departments, and in the General Land Office, shall be open for the transaction of the public business at least

eight hours in each day; and from the 1st day of April until the 1st day of October, in each year, at least ten hours in each day, except Sundays and days declared public holidays by law. (R. S., § 162.) That it shall be the duty of the heads of the several Executive Departments, and of the heads of the respective Bureaus therein, in the interests of the public service, to require of all clerks of class one and above, and of chiefs of divisions, such hours of labor as may be deemed necessary for the proper dispatch of the public business, not exceeding, however, the time for which said Departments are by law required to be open for business, any usage to the contrary notwithstanding. (Act of June 20, 1874, 18 Stats., 109.)

That hereafter it shall be the duty of the heads of the several Executive Departments, in the interest of the public service, to require of all clerks and other employés, of whatever grade or class, in their respective Departments, not less than seven hours of labor each day, except Sundays and days declared public holidays by law, or executive order: *Provided*, That the heads of the Departments may by special order, stating the reason, further extend or limit the hours of service of any clerk or employé in their Departments respectively, but in case of an extension it shall be without additional compensation, and all absence from the Departments on the part of said clerks or other employés, in excess of such leave of absence as may be granted by the heads thereof, which shall not exceed thirty days in any one year, except in case of sickness, shall be without pay. (Act of March 3, 1883, 22 Stats., 563.)

Eight hours shall constitute a day's work for all laborers, workmen, and mechanics who may be employed by or on behalf of the Government of the United States. (R. S., § 3738.)

Sec. 77. Regular Hours: Rules Governing Leaves.—The regular daily hours of labor in the Department will begin at nine o'clock in the forenoon and terminate at four o'clock afternoon; and during these hours all clerks and employés must be present for duty unless on leave, or by permission.

Leave of absence will be granted on proper occasion to any clerk or employé, whose conduct and services have been satisfactory, for such portion of thirty days as may remain after deducting all the days of his absence (excluding legal holidays and days when the Department is closed), whether for sickness or otherwise, since the 1st day of January in each year. Clerks and employés entering the service after the beginning of the calendar year will be allowed pro rata leave of absence only; and when any portion of the regular annual leave is not for any reason taken or granted in any year, it cannot be granted in a subse-

quent year; nor will leave be granted to be used in one year and charged to a subsequent year. Absence from the Department in excess of the number of days allowed as above, whether from sickness or otherwise, shall be without pay; subject to special order only. Leaves of absence are granted only through the chief clerk; but chiefs of divisions may, on proper occasion, give permission for absence for a portion of a day to a clerk or employé, who has not been absent since the beginning of the calendar year in excess of the time allowed under the foregoing. On the first day of each month each chief of division will report to the chief clerk of the Department all absences from his division during the preceding month. Chiefs of division will recommend the granting of leaves of absence in such order as to interfere as little as possible with the performance of the duties of their divisions; in no case permitting over twenty per centum of their force to be absent at one time.

Sec. 78. Political Assessments Forbidden.—That no Senator, or Representative, or Territorial Delegate of the Congress, or Senator, Representative, or Delegate elect, or any officer or employé of either of said Houses, and no executive, judicial, military, or naval officer of the United States, and no clerk or employé of any Department, branch or Bureau of the executive, judicial, or military or naval service of the United States, shall, directly or indirectly, solicit or receive, or be in any manner concerned in soliciting or receiving, any assessment, subscription, or contribution for any political purpose whatever, from any officer, clerk, or employé of the United States, or any Department, branch, or Bureau thereof, or from any person receiving any salary or compensation from moneys derived from the Treasury of the United States. (Act of January 16, 1883, § 11, 22 Stats., 406.)

That all executive officers or employés of the United States not appointed by the President, with the advice and consent of the Senate, are prohibited from requesting, giving to, or receiving from, any other officer or employé of the Government, any money or property or other thing of value for political purposes; and any such officer or employé who shall offend against the provisions of this section shall be at once discharged from the service of the United States; and he shall also be deemed guilty of a misdemeanor, and on conviction thereof shall be fined in a sum not exceeding five hundred dollars. (Act of August 10, 1879, § 6, 19 Stats., 169.)

Sec. 79. Solicitation, &c., in Public Offices Forbidden.—That no person shall, in any room or building occupied in the discharge of official duties by any officer or employé of the United States mentioned in this

act, or in any navy-yard, fort, or arsenal, solicit in any manner whatever, or receive, any contribution of money or any other thing of value, for any political purpose whatever. (Act of January 16, 1883, § 12, 22 Stats., 407.)

Sec. 80. Official Compulsion Forbidden.—No officer or employé of the United States mentioned in this act shall discharge, or promote, or degrade, or in any manner change the official rank or compensation of any other officer or employé, or promise or threaten so to do, for giving, withholding or neglecting to make any contribution of money or other valuable thing for any political purpose. (Act of January 16, 1883, § 13, 22 Stats., 407.)

Sec. 81. Political Contributions to Officials Forbidden.—That no officer, clerk, or other person in the service of the United States shall, directly or indirectly, give hand over to any other officer, clerk, or person in the service of the United States, or to any Senator or Member of the House of Representatives, or Territorial Delegate, any money or other valuable thing on account of or to be applied to the promotion of any political object whatever. (Act of January 16, 1883, § 14, 22 Stats., 407.)

NOTE.—The violation of any provision of the preceding four sections is a misdemeanor, punishable by fine or imprisonment, or both, by the act of January 16, 1883.

Sec. 82. Gifts to Superiors Forbidden.—No officer, clerk, or employé in the United States Government employ shall at any time solicit contributions from other officers, clerks, or employés in the Government service for a gift or present to those in a superior official position; nor shall any such officials or clerical superiors receive any gift or present offered or presented to them as a contribution from persons in Government employ receiving a less salary than themselves; nor shall any officer or clerk make any donation as a gift or present to any official superior. Every person who violates this section shall be summarily discharged from the Government employ. (R. S., § 1784.)

Sec. 83. Officials not to Act as Attorneys.—It shall not be lawful for any person appointed after the 1st day of June, 1872, as an officer, clerk, or employé in any of the Departments, to act as counsel, attorney, or agent for prosecuting any claim against the United States which was pending in either of said Departments while he was such officer, clerk, or employé, nor in any manner, nor by any means, to aid in the prosecution of any such claim, within two years next after he shall have ceased to be such officer, clerk, or employé. (R. S., § 190.)

NOTE.—See also R. S., § 5498, declaring any person in public service who aids or assists a claim against the United States punishable by fine or imprisonment, or both.

II. CONTRACTS.

Sec. 84. To be in Name of United States.—All bonds taken and contracts entered into by the Post-Office Department shall be made to and with the United States of America. (R. S., § 403.)

See section 91 for provision to be included in all contracts.

Sec. 85. By Whom May be Signed—*By the First Assistant.*—The bonds of all postmasters may, by the direction of the Postmaster-General, be approved and accepted, and the approval and acceptance signed by the First Assistant Postmaster-General in the name of the Postmaster General; and all contracts for stationery, wrapping-paper, letter-balances, scales, and street letter-boxes, for the use of the postal service may be signed in like manner by the First Assistant Postmaster-General in the place and stead of the Postmaster-General, and his signature shall be attested by the seal of the Post-Office Department. (Act of March 3, 1877, § 2, 19 Stats., 335.)

By the Second Assistant.—The Second Assistant Postmaster-General, on the order of the Postmaster-General, may sign with his name, in the place and stead of the Postmaster-General, and attest his signature by the seal of the Post-Office Department, all contracts made in the said Department, for mail transportation and for supplies of mail bags, mail catchers, mail locks, and keys, and all other articles necessary and incidental to mail transportation. (Act of March 3, 1877, § 3, 19 Stats., 335.)

By the Third Assistant.—The Third Assistant Postmaster-General, when directed by the Postmaster-General, may also sign, in his name, in the place and stead of the Postmaster-General, and attest his signature by the seal of the Post-Office Department, all contracts for supplies of postage stamps, stamped envelopes, newspaper wrappers, postal cards, registered-package envelopes, locks, seals, and official envelopes for the use of postmasters, and return of dead letters, that may be required for the postal service. (Act of March 3, 1877, § 4, 19 Stats., 335.)

See section 443 for regulation as to bonds; and section 25 for limitation on persons who act as Assistant Postmasters-General.

Sec. 86. Limited in Duration.—It shall not be lawful for any of the Executive Departments to make contracts for stationery or other supplies for a longer term than one year from the time the contract is made. (R. S., § 3735.) That the resolution approved January 31, 1868, entitled "A resolution limiting contracts for stationery and other supplies in the Executive Departments to one year," shall not be held or construed to apply to, or include, mail bags, mail locks and keys, postal cards,

postage stamps, newspaper wrappers, or stamped envelopes. (Joint resolution of March 24, 1874, 18 Stats., 286.)

NOTE.—The section from the Revised Statutes above was founded on the resolution mentioned in the latter joint resolution.

Sec. 87. Contracts not to Exceed Appropriations.—No Department of the Government shall expend, in any one fiscal year, any sum in excess of appropriations made by Congress for that fiscal year, or involve the Government in any contract for the future payment of money in excess of such appropriation. (R. S., § 3679.)

No contract or purchase on behalf of the United States shall be made, unless the same is authorized by law or is under an appropriation adequate to its fulfillment, except in the War and Navy Departments, for clothing, subsistence, forage, fuel, quarters, or transportation which, however, shall not exceed the necessities of the current year. (R. S., § 3732.)

Sec. 88. Advertisement for Same.—All purchases and contracts for supplies or services, in any of the Departments of the Government, except for personal services, shall be made by advertising a sufficient time previously for proposals respecting the same, when the public exigencies do not require the immediate delivery of the articles, or performance of the service. When immediate delivery or performance is required by the public exigency, the articles or service required may be procured by open purchase or contract, at the places and in the manner in which such articles are usually bought and sold, or such services engaged, between individuals. (R. S., § 3709.)

Whenever proposals for supplies have been solicited, the parties responding to such solicitation shall be duly notified of the time and place of opening the bids, and be permitted to be present either in person or by attorney, and a record of each bid shall then and there be made. (R. S., § 3710.)

Sec. 89. Fuel to be Inspected.—It shall not be lawful for any officer or person in the civil, military, or naval service of the United States in the District of Columbia to purchase anthracite or bituminous coal or wood for the public service except on condition that the same shall, before delivery, be inspected and weighed or measured by some competent person to be appointed by the head of the Department or chief of the branch of the service for which the purchase is made. The person so appointed shall, before entering upon the duty of inspector, weigher, and measurer, and to the satisfaction of the appointing officer, give bond, with not less than two sureties, in the penal sum of five thousand dollars, and with condition that each ton of coal weighed by him shall consist of two thousand two hundred and forty pounds, and that each

cord of wood to be so measured shall be of the standard measure of one hundred and twenty-eight cubic feet. The inspector, weigher, and measurer so appointed shall be entitled to receive from the venders of fuel weighed and measured by him twenty cents for each ton of coal weighed and nine cents for each cord of wood measured by him. Each load or parcel of wood or coal weighed and measured by him shall be accompanied by his certificate of the number of tons or pounds of coal and the number of cords or parts of cords of wood in each load or parcel. (R. S., § 3711.)

The proper accounting officer of the Treasury shall be furnished with a copy of the appointment of each inspector, weigher, and measurer appointed under the preceding section. (R. S., § 3712.)

It shall not be lawful for any accounting officer to pass or allow to the credit of any disbursing officer in the District of Columbia any money paid by him for the purchase of anthracite or bituminous coal or for wood, unless the voucher therefor is accompanied by a certificate of the proper inspector, weigher, and measurer that the quantity paid for has been determined by such officer. (R. S., § 3713.)

See section 72 for limitation of payments on contracts to actual performance.

Sec. 90. Contracts not Assignable.—No contract or order, or any interest therein, shall be transferred by the party to whom such contract or order is given to any other party, and any such transfer shall cause the annulment of the contract or order transferred, so far as the United States are concerned. All rights of action, however, for any breach of such contract by the contracting parties, are reserved to the United States. (R. S., § 3737.)

As to subletting of contracts for carrying the mail, see sections 818 to 823.

Sec. 91. Members of Congress, &c., not to be Interested.—No member of or Delegate to Congress shall directly or indirectly, himself, or by any other person in trust for him, or for his use or benefit, or on his account, undertake, execute, hold, or enjoy, in whole or in part, any contract or agreement made or entered into in behalf of the United States, by any officer or person authorized to make contracts on behalf of the United States. Every person who violates this section shall be deemed guilty of a misdemeanor, and shall be fined three thousand dollars. All contracts or agreements made in violation of this section shall be void; and whenever any sum of money is advanced on the part of the United States, in consideration of any such contract or agreement, it 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 of money so advanced. (R. S., § 3739.)

Nothing contained in the preceding section 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 is 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 [or Delegate to] Congress, where the same are ready for delivery, and payment therefor is made, at the time of making or entering into the contract or agreement. (R. S., § 3740.) In every such contract or agreement to be made or entered into, or accepted by or on behalf of the United States, there shall be inserted an express condition that no member of [or Delegate to] Congress shall be admitted to any share or part of such contract or agreement, or to any benefit to arise thereupon. (R. S., § 3741.) Every officer who, on behalf of the United States, directly or indirectly makes or enters into any contract, bargain, or agreement in writing or otherwise, other than such as are hereinbefore excepted, with any member of [or Delegate to] Congress, shall be deemed guilty of a misdemeanor, and shall be fined three thousand dollars. (R. S., § 3742.)

Sec. 92. Postal Employés not to be Interested.—No person employed in the Post-Office Department shall become interested in any contract for carrying the mail, or act as agent, with or without compensation, for any contractor or person offering to become a contractor, in any business before the Department; and any person so offending shall be immediately 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, for the use of the Post-Office Department. (R. S., § 412.)

Sec. 93. Persons Interested Forbidden to Act as Officer, &c.—No officer or agent of any banking or other commercial corporation, and no member of any mercantile or trading firm, or person directly or indirectly interested in the pecuniary profits or contracts of such corporation or firm, shall be employed or shall act as an officer or agent of the United States for the transaction of business with such corporation or firm; and every such officer, agent, or member, or person, so interested, who so acts, shall be imprisoned not more than two years, and fined not more than two thousand dollars nor less than five hundred dollars. (R. S., § 1783.)

III. ADVERTISEMENTS.

Sec. 94. How Authorized.—No advertisement, notice, or proposal for any Executive Department of the Government, or for any Bureau there-

of, or for any office therewith connected, shall be published in any newspaper whatever, except in pursuance of a written authority for such publication from the head of such Department; and no bill for any such advertising, or publication, shall be paid, unless there be presented, with such bill, a copy of such written authority. (R. S., § 3828.)

Sec. 95. In the District of Columbia.—And in no case of advertisements for contracts for the public service shall the same be published in any newspaper published and printed in the District of Columbia unless the supplies or labor covered by such advertisement are to be furnished or performed in said District of Columbia. (Act of July 31, 1876, 19 Stats., 105.) That all advertising required by existing laws to be done in the District of Columbia by any of the Departments of the Government shall be given to one daily and one weekly newspaper of each of the two principal political parties, and to one daily and one weekly neutral newspaper: *Provided*, That the rates of compensation for such service shall in no case exceed the regular commercial rate of the newspapers selected; nor shall any advertisement be paid for unless published in accordance with section thirty-eight hundred and twenty-eight of the Revised Statutes. [Sec. 94.] (Act of January 21, 1881, 21 Stats., 317.)

Sec. 96. Rates for, Generally.—Hereafter all advertisements, notices, proposals for contracts, and all other forms of advertising required by law for the Post-Office Department may be paid for at a price not to exceed the commercial rates charged to private individuals with the usual discounts, such rates to be ascertained from sworn statements to be furnished to the Postmaster-General by the proprietors of the newspapers proposing to so advertise. * * * But the Postmaster-General may secure lower terms at special rates, whenever the public interest requires it. (Act of May 17, 1878, 20 Stats., 62.)

NOTE.—The act of June 20, 1878, 20 Stats., 216, re-enacts this section, making it applicable to all the Executive Departments.

As to advertisement of mail-lettings see sections 776 and 777.

IV. ANNUAL REPORTS.

Sec. 97. By the Postmaster-General.—The Postmaster-General shall make the following annual reports to Congress:

First. A report of all contracts for carrying the mail made within the preceding year, giving in each case the name of the contractor; the date and duration of the contract; the routes embraced therein, with the length of each; the time of arrival and departure at the ends of each route; the mode of transportation; and the price to be paid, together with a copy of the recorded abstracts of all proposals for carry-

ing the mail, as provided by section three thousand nine hundred and forty-eight, title, "The Postal Service."

See section 791.

Second. A report of all land and water mails established or ordered within the preceding year, other than those let to contract at the annual letting, giving 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 price to be paid; and the duration of the order or contract.

Third. A report of all allowances made to contractors within the preceding year above the sums originally stipulated in their respective contracts, and the reasons for the same, and of all orders made whereby additional expense is incurred on any route beyond the original contract price, giving in each case the route; the name of the contractor; the original service provided for by the contract; the original price; the additional service required; and the additional allowance therefor.

Fourth. A report of all curtailments of expenses effected within the preceding year, giving in each case the same particulars as in the preceding report.

Fifth. A report of the finances of the Department for the preceding year, showing the amount of balance due the Department at the beginning of the year; the amount of postage which accrued within the year; the amount of engagements and liabilities; and the amount actually paid during the year for carrying the mail, showing how much of the amount was for carrying the mail in preceding years.

Sixth. A report of the fines imposed on and the deductions from the pay of contractors, made during the preceding year, stating the name of the contractor; the nature of the delinquency; the route on which it occurred; when the fine was imposed; and whether the fine or deduction has been remitted; and for what reason.

Seventh. A copy of each contract for carrying the mail between the United States and foreign countries, with a statement of the amount of postage derived under the same, so far as the returns of the Department will enable it to be done.

Eighth. A report showing all contracts which have been made by the Department, other than for carrying the mail, giving 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 amount paid therefor; and the date and duration of the contract.

Ninth. A report on the postal business and agencies in foreign countries.

Tenth. A report of the amount expended in the Department for the

preceding fiscal year, including detailed statements of expenditures made from the contingent fund. (See section 98.)

And the Postmaster-General shall cause all such reports to be printed at the Public Printing Office, either together or separately, and in such numbers as may be required by the exigencies of the service or by law. (R. S., § 413.)

The annual report of the Postmaster-General of offers received and contracts for conveying the mail shall not be printed, unless specially ordered by either house of Congress. (R. S., § 3797.)

Sec. 98. Of the Contingent Fund.—The head of each Department shall make an annual report to Congress, giving a detailed statement of the manner in which the contingent fund for his Department, 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 service 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 he shall require of the disbursing officers, acting under his direction and 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 shall communicate the results of such returns and the sums total, annually, to Congress. (R. S., § 193.) And hereafter a detailed statement of the expenditure for the preceding fiscal year of all sums appropriated for contingent expenses in any Department or Bureau of the Government shall be presented to Congress at the beginning of each regular session. (Act of June 20, 1874, 18 Stats., 96.)

Sec. 99. Of Employés, &c.—The head of each Department shall make an annual report to Congress of the names of the clerks and other persons that have been employed in his Department and the offices thereof; stating the time that each clerk or other person was actually employed, and the sums paid to each; also, whether they have been usefully employed; whether the services of any of them can be dispensed with without detriment to the public service, and whether the removal of any individuals, and the appointment of others in their stead, is required for the better dispatch of business. (R. S., § 194.)

For duty to report action on postmasters' claims for credit for postage stamps, stamped paper, postal cards, and money-order funds lost by fire, burglary, or other unavoidable casualty, or for money-order funds lost in transit, see section 273.

Sec. 100. When to be made.—Except where a different time is expressly

prescribed by law, the various annual reports required to be submitted to Congress by the heads of Departments shall be made at the commencement of each regular session, and shall embrace the transactions of the preceding year. (R. S., § 195.)

The head of each Department, except the Department of Justice, shall furnish to the Congressional Printer copies of the documents usually accompanying his annual report, on or before the first day of November in each year, and a copy of his annual report on or before the third Monday of November in each year. (R. S., § 196.)

Sec. 101. Of the Auditor.—That the annual reports of the Auditor of the Treasury for the Post-Office Department to the Postmaster-General shall show the financial condition of the Post-Office Department at the close of each fiscal year, and be made a part of the Postmaster-General's annual report to Congress for that fiscal year. (Act of July 12, 1876, § 4, 19 Stats., 80.)

Sec. 102. Report to the President.—Besides the foregoing reports to Congress, the Postmaster-General is required by long-established usage, recognized in the statutes, to report to the President annually an account of the transactions of the Department and of the operations and financial affairs of the postal service, with such recommendations as shall appear to him proper, in time for the President's consideration in preparing his annual message, and this report is to be printed in time for delivery to the Congress at the first meeting thereof. (See section 117.)

Sec. 103. Penalty for Failure to Make Reports.—Every officer who neglects or refuses to make any return or report which he is required to make at stated times by any act of Congress or regulation of the Department of the Treasury, other than his accounts, within the time prescribed by such act or regulation, shall be fined not more than one thousand dollars and not less than one hundred. (R. S., § 1780.)

V. ANNUAL ESTIMATES.

Sec. 104. For Department Service.—The Postmaster-General submits annually to Congress an estimate of the appropriations to be included in the act making provision for the legislative, executive, and judicial expenses of the Government, deemed necessary for the service and maintenance of the Department during the ensuing fiscal year, embracing the salaries and compensation of all Department officers, clerks, and employes, its supplies of all kinds, provision for rent, furniture, and repairs of Department buildings, for telegraphing and foreign correspondence and publication of the Official Postal Guide.

For estimates for postal service, see section 213.

Sec. 105. How and When to be Made.—All annual estimates for the public service shall be submitted to Congress through the Secretary of the Treasury, and shall be included in the Book of Estimates prepared under his direction. (R. S., § 3669.)

And hereafter all estimates of appropriations and estimates of deficiencies in appropriations intended for the consideration and seeking the action of any of the committees of Congress shall be transmitted to Congress through the Secretary of the Treasury, and in no other manner; and the said Secretary shall first cause the same to be properly classified, compiled, indexed, and printed, under the supervision of the Chief of the Division of Warrants, Estimates, and Appropriations of his Department. (Act of July 7, 1884, 23 Stats., 254.)

The Postmaster-General shall furnish a copy of his annual estimates to the Secretary of the Treasury prior to the 1st of November in each year, which shall be reported to Congress by the latter in his regular printed estimates. (R. S., § 414.)

The act of March 3, 1875 (§ 3, 18 Stats., 370), requires the heads of all Departments to furnish the annual estimates to the Secretary of the Treasury on or before the 1st day of October.

Sec. 106. Amounts to be Designated, &c.—The head of each Department, in submitting to Congress his estimates of expenditures required in his Department during the year then approaching, 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 for each particular item of expenditure. (R. S., § 3665.)

Sec. 107. What to Specify.—The heads of Departments, in communicating estimates of expenditures and appropriations to Congress, or to any of the committees thereof, shall specify, as nearly as may be convenient, the sources from which such estimates are derived, and the calculations upon which they are founded, and shall discriminate between such estimates as are conjectural in their character and such as are framed upon actual information and applications from disbursing officers. They shall also give references to any law or treaty by which the proposed expenditures are, respectively, authorized, specifying the date of each, and the volume and page of the Statutes at Large, or of the Revised Statutes, as the case may be, and the section of the act in which the authority is to be found. (R. S., § 3660.)

Sec. 108. For Printing and Binding.—The head of each of the Executive Departments, and every other public officer who is authorized to have printing and binding done at the Congressional Printing Office for the use of his Department or public office, shall include in his annual esti-

máte for appropriations for the next fiscal year such sum or sums as may to him seem necessary "for printing and binding, to be executed under the direction of the Congressional Printer." (R. S., § 3661.)

Sec. 109. For Salaries, &c.—All estimates for the compensation of officers authorized by law to be employed shall be founded upon the express provisions of law, and not upon the authority of executive distribution. (R. S., § 3662.)

Sec. 110. Explanations Required.—Whenever the head of a Department, being about to submit to Congress the annual estimates of expenditures required for the coming year, finds that the usual items of such estimates vary materially in amount from the appropriation ordinarily asked for the object named, and especially from the appropriation granted for the same objects for the preceding year, and whenever new items not theretofore usual are introduced into such estimates for any year, he shall accompany the estimates by minute and full explanations of all such variations and new items, showing the reasons and grounds upon which the amounts are required, and the different items added. (R. S., § 3664.)

VI. PRINTING AND BINDING.

Sec. 111. How Done.—All printing, binding, and blank books for the Senate or House of Representatives, and the executive and judicial departments, shall be done at the Government Printing Office, except in cases otherwise provided by law. (R. S., § 3786.)

No printing or binding which is not provided for by law shall be executed at the Government Printing Office. (R. S., § 3785.)

No printing or binding shall be done, or blank books furnished * * * for any of the Executive Departments, except on a written requisition by the head of such Department, or one of his assistants. (R. S., § 3789.)

Sec. 112. Account to be Kept.—Whenever Congress makes an (appropriation) for any Department or public office, to be expended "for printing and binding to be executed under the direction of the Congressional Printer," the Congressional Printer shall cause an account to be opened with such Department or public office, on which he shall charge for all printing and binding ordered by the head thereof, at prices established in pursuance of law; and it shall not be lawful for him to cause to be executed any printing or binding the value of which exceeds the amount appropriated for such purpose. (R. S., § 3802.)

Sec. 113. Limitation on Printing Report.—No officer in charge of any Bureau or office in any Department shall cause to be printed, at the

public expense, any report he may make to the President or to the head of the Department, except as provided for in this title. (R. S., § 3788.)

The title mentioned, 45 R. S., authorizes the annual report and accompanying documents to be printed.

Sec. 114. Matter Limited.—It shall not be lawful for the head of any Executive Department, or of any Bureau, branch, or office of the Government, to cause to be printed, nor shall the Public Printer print, any document or matter of any character whatever, except that which is authorized by law and necessary to administer the public business, nor shall any Bureau officer embrace in his annual or other report to be printed any matter not directly pertaining to the duties of his office as prescribed by law. (Act of July 7, 1884, 23 Stats., 227.)

Sec. 115. Number to be Printed.—Of the documents named in this section there shall be printed and bound, in addition to the usual number for Congress, the following numbers of copies, namely:

First. Of the documents accompanying the annual reports of the Executive Departments, one thousand copies for the use of the members of the Senate, and two thousand copies for the use of the members of the House of Representatives.

Second. Of the President's message, the annual reports of the Executive Departments, and the abridgment of accompanying documents, unless otherwise ordered by either House, ten thousand copies for the use of the members of the Senate, and twenty-five thousand copies for the use of the members of the House of Representatives. (R. S., § 3798.)

* * * *Provided*, That hereafter the Congressional Printer shall print, upon the order of the heads of the Executive Departments, respectively, only such limited numbers of the annual reports of such Departments and necessary accompanying reports of subordinates as may be deemed necessary for the use of Congress: *Provided, however*, That no expensive maps or illustrations shall be printed without the special order of Congress. (Act of June 23, 1874, 18 Stats., 204.)

Sec. 116. Form and Style of Binding.—The forms and style in which the printing or binding ordered by any of the Departments shall be executed, the materials and size of type to be used, shall be determined by the Congressional Printer, having proper regard to economy, workmanship, and the purposes for which the work is needed. (R. S., § 3790.)

And hereafter no binding shall be done for any Department of the Government, except in plain sheep or cloth, and no books shall be printed and bound except when the same shall be ordered by Congress or are authorized by law, except record and account books, which may

be bound in Russia leather, sheep fleshers, and skivers, when authorized by the head of a Department, and this restriction shall not apply to the Congressional Library. And when any Department shall require printing to be done the Public Printer shall furnish to such Department an estimate of the cost by the principal items for said printing so called for; and he shall place to the debit of such Department the cost of the same, on certification of the head of the Department * * * that said printing is necessary. * * * (Act of June 20, 1878, 20 Stats., 207.)

Sec. 117. When to be Printed.—The annual reports of the Executive Departments and the accompanying documents shall be delivered by the Printer to the proper officers of each House of Congress at the first meeting thereof; and the President's message, the reports of the Executive Departments, and the abridgment of accompanying documents, shall be so delivered on or before the third Wednesday in December next after the meeting of Congress, or as soon thereafter as may be practicable. (R. S., § 3810.)

Sec. 118. Extra Copies.—If any person desiring extra copies of any document printed at the Government Printing Office by authority of law shall, previous to its being put to press, notify the Congressional Printer of the number of copies wanted, and shall pay to him, in advance, the estimated cost thereof, and ten per centum thereon, the Congressional Printer may, under the direction of the Joint Committee on Public Printing, furnish the same. (R. S., § 3809.)

VII. CLAIMS AGAINST THE GOVERNMENT.

Sec. 119. Subpœna for Witnesses.—Any head of a Department or Bureau in which a claim against the United States is properly pending may apply to any judge or clerk of any court of the United States, in any State, District, or Territory, to issue a subpœna for a witness being within the jurisdiction of such court, to appear at a time and place in the subpœna stated, before any officer authorized to take depositions to be used in the courts of the United States, there to give full and true answers to such written interrogatories and cross-interrogatories as may be submitted with the application, or to be orally examined and cross-examined upon the subject of such claim. (R. S., § 184.)

Sec. 120. Witness' Fees.—Witnesses subpœnaed pursuant to the preceding section shall be allowed the same compensation as is allowed witnesses in the courts of the United States. (R. S., § 185.)

Sec. 121. Disobedience Punished.—If any witness, after being duly served with such subpœna, neglects or refuses to appear, or, appearing, refuses to testify, the judge of the district in which the subpœna issued

may proceed, upon proper process, to enforce obedience to the subpoena, or to punish the disobedience in like manner as any court of the United States may do in case of process of *subpoena ad testificandum* issued by said court. (R. S., § 186.)

Sec. 122. Legal Aid: how Provided.—Whenever any head of a Department or Bureau having made application, pursuant to section one hundred and eighty-four, for a subpoena to procure the attendance of a witness to be examined, is of opinion that the interests of the United States require the attendance of counsel at the examination, or require legal investigation of any claim pending in his Department or Bureau, he shall give notice thereof to the Attorney-General, and of all facts necessary to enable the Attorney-General to furnish proper professional service in attending such examination, or making such investigation, and it shall be the duty of the Attorney-General to provide for such service. (R. S., § 187.)

Sec. 123. The Court of Claims.—The Court of Claims shall have jurisdiction to hear and determine the following matters:

1. All claims founded upon any law of Congress, or upon any regulation of an Executive Department, or upon any contract, express or implied, with the Government of the United States, and all claims which may be referred to it by either house of Congress.

2. All set-offs, counter-claims, claims for damages, whether liquidated or unliquidated, or other demands whatsoever, on the part of the Government of the United States against any person making claim against the Government in said court. (R. S., § 1059.)

NOTE.—The third and fourth paragraphs of the above-quoted section are omitted, as not relating to this Department.

Sec. 124. Certification of Claims by Department.—Whenever any claim is made against any Executive Department, involving disputed facts or controverted questions of law, where the amount in controversy exceeds three thousand dollars, or where the decision will affect a class of cases, or furnish a precedent for the future action of any Executive Department in the adjustment of a class of cases, without regard to the amount involved in the particular case, or where any authority, right, privilege, or exemption is claimed or denied under the Constitution of the United States, the head of such Department may cause such claim, with all the vouchers, papers, proofs, and documents pertaining thereto, to be transmitted to the Court of Claims, and the same shall be there proceeded in as if originally commenced by the voluntary action of the claimant; and the Secretary of the Treasury may, upon the certificate of any Auditor or Comptroller of the Treasury, direct any account, matter, or claim, of the character, amount, or class described in this section,

to be transmitted, with all the vouchers, papers, documents, and proofs pertaining thereto, to the said court, for trial and adjudication: *Provided*, That no case shall be referred by any head of a Department unless it belongs to one of the several classes of cases which, by reason of the subject-matter and character, the said court might, under existing laws, take jurisdiction of on such voluntary action of the claimant. (R. S., § 1063.)

Sec. 125. Procedure Thereon.—All cases transmitted by the head of any Department, or upon the certificate of any Auditor or Comptroller, according to the provisions of the preceding section, shall be proceeded in as other cases pending in the Court of Claims, and shall, in all respects, be subject to the same rules and regulations. (R. S., § 1064.)

Sec. 126. Judgment: how Paid.—The amount of any final judgment or decree rendered in favor of the claimant, in any case transmitted to the Court of Claims under the two preceding sections, shall be paid out of any specific appropriation applicable to the case, if any such there be; and where no such appropriation exists, the judgment or decree shall be paid in the same manner as other judgments of the said court. (R. S., § 1065.)

Sec. 127. Certification and Trial of Controverted Claims.—That when a claim or matter is pending in any of the Executive Departments which may involve controverted questions of fact or law, the head of such Department may transmit the same, with the vouchers, papers, proofs, and documents pertaining thereto, to said court, and the same shall be there proceeded in under such rules as the court may adopt. When the facts and conclusions of law shall have been found, the court shall not enter judgment thereon, but shall report its findings and opinions to the Department by which it was transmitted for its guidance and action. (Act of March 3, 1883, § 2, 22 Stats., 485.)

That the Attorney-General, or his assistants, under his direction, shall appear for the defense and protection of the interests of the United States in all cases which may be transmitted to the Court of Claims under this act, with the same power to interpose counter-claims, offsets, defenses for fraud practiced or attempted to be practiced by claimants, and other defenses, in like manner as he is now required to defend the United States in said court. (Act of March 3, 1883, § 5, 22 Stats., 486.)

Sec. 128. Further Provisions.—That when any claim or matter may be pending in any of the Executive Departments which involves controverted questions of fact or law, the head of such Department, with the consent of the claimant, may transmit the same, with the vouchers papers, proofs, and documents pertaining thereto, to said Court of Claims, and the same shall be there proceeded in under such rules as

the court may adopt. When the facts and conclusions of law shall have been found, the court shall report its findings to the Department by which it was transmitted. (Act of March 3, 1887, § 12, 24 Stats., 507.)

Sec. 129. Judgment may be Entered.—That in every case which shall come before the Court of Claims, or is now pending therein, under the provisions of an act entitled “An act to afford assistance and relief to Congress and the Executive Departments in the investigation of claims and demands against the Government,” approved March 3, 1883, if it shall appear to the satisfaction of the court, upon the facts established, that it has jurisdiction to render judgment or decree thereon under existing laws or under the provisions of this act, it shall proceed to do so, giving to either party such further opportunity for hearing as in its judgment justice shall require, and report its proceedings therein to either House of Congress or to the Department by which the same was referred to said court. (Act of March 3, 1887, § 13, 24 Stats., 507.)

Sec. 130. Call on Department for Information.—The said court shall have power to call upon any of the Departments for any information or papers it may deem necessary, and shall have the use of all recorded and printed reports made by the committees of each house of Congress, when deemed necessary in the prosecution of its business. But the head of any Department may refuse and omit to comply with any call for information or papers when, in his opinion, such compliance would be injurious to the public interest. (R. S., § 1076.)

Sec. 131. Department to Report on Claims.—In all suits brought against the United States in the Court of Claims founded upon any contract, agreement, or transaction with any Department, or any Bureau, officer, or agent of a Department, or where the matter or thing on which the claim is based has been passed upon and decided by any Department, Bureau, or officer authorized to adjust it, the Attorney-General shall transmit to such Department, Bureau, or officer, a printed copy of the petition filed by the claimant, with a request that the Department, Bureau, or officer, shall furnish to the Attorney-General all facts, circumstances, and evidence touching the claim in the possession or knowledge of the Department, Bureau, or officer. Such Department, Bureau, or officer, shall, without delay, and within a reasonable time, furnish the Attorney-General with a full statement, in writing, of all such facts, information, and proofs. The statement shall contain a reference to or description of all such official documents or papers, if any, as may furnish proof of facts referred to in it, or may be necessary and proper for the defense of the United States against the claim, mentioning the Department, office, or place where the same is kept or may be procured. If the claim has been passed upon and decided by the De-

partment, Bureau, or officer, the statement shall succinctly state the reasons and principles upon which such decision was based. In all cases where such decision was founded upon any act of Congress, or upon any section or clause of such act, the same shall be cited specifically; and if any previous interpretation or construction has been given to such act, section, or clause by the Department, Bureau, or officer, the same shall be set forth succinctly in the statement, and a copy of the opinion filed, if any, shall be annexed to it. Where any decision in the case has been based upon any regulation of a Department, or where such regulation has, in the opinion of the Department, Bureau, or officer transmitting such statement, any bearing upon the claim in suit, the same shall be distinctly quoted at length in the statement. But where more than one case, or a class of cases, is pending, the defense to which rests upon the same facts, circumstances, and proofs, the Department, Bureau, or officer shall only be required to certify and transmit one statement of the same, and such statement shall be held to apply to all such cases, as if made out, certified, and transmitted in each case respectively. (R. S., § 188.)

VIII. MISCELLANEOUS.

Sec. 132. Orders, &c., to be Truly Dated.—Every order, entry, or memorandum whatever, on which any action is to be based, allowance made, or money paid, and every contract, paper, or obligation made by or with the Post-Office Department, shall have its true date affixed to it; and every paper relating to contracts or allowances filed in the Department shall have the date when it was filed indorsed upon it. (R. S., § 402.)

Sec. 133. Postmaster-General to cause Suits to recover Wrongful or Fraudulent Payments.—In all cases where money has been paid out of the funds of the Post-Office Department under the pretense that service has been performed therefor, when, in fact, such service has not been performed, or as additional allowance for increased service actually rendered, when the additional allowance exceeds the sum which, according to law, might rightfully have been allowed therefor, and in all other cases where money of the Department has been paid to any person in consequence of fraudulent representations, or by the mistake, collusion, or misconduct of any officer or other employé in the postal service, the Postmaster-General shall cause suit to be brought to recover such wrong or fraudulent payment or excess, with interest thereon. (R. S., § 4057.)

Where money has been paid to a mail contractor for services performed under orders of the Postmaster-General, expediting and increasing the service, and providing com-

pensation therefor in violation of Revised Statutes, sections 3960 and 3961 (see sections 813 and 815), it may be recovered in an action brought by the United States against the contractor. (*United States vs. Cosgrove*, 26 Fed. Rep., 908.)

Sec. 134. Department Register.—The head of each Department shall, as soon as practicable after the last day in September in each year in which a new Congress is to assemble, cause to be filed in the Department of the Interior a full and complete list of all officers, agents, clerks, and employés employed in his Department, or in any of the offices or Bureaus connected therewith. He shall include in such list all the statistics peculiar to his Department required to enable the Secretary of the Interior to prepare the Biennial Register. (R. S., § 198.)

Sec. 135. Procuring Office or Contract for Consideration Forbidden.—Every member of Congress or any officer or agent of the Government who, directly or indirectly, takes, receives, or agrees to receive, any money, property, or other valuable consideration whatever; from any person for procuring, or aiding to procure, any contract, office, or place from the Government or any Department thereof, or from any officer of the United States, for any person whatever, or for giving any such contract, office, or place to any person whomsoever, and every person who, directly or indirectly, offers or agrees to give, or gives, or bestows any money, property, or other valuable consideration whatever, for the procuring or aiding to procure any such contract, office, or place, and every member of Congress who, directly or indirectly, takes, receives, or agrees to receive any money, property, or other valuable consideration whatever after his election as such member, for his attention to, services, action, vote, or decision on any question, matter, cause, or proceeding which may then be pending, or may by law or under the Constitution be brought before him in his official capacity, or in his place as such member of Congress, shall be deemed guilty of a misdemeanor, and shall be imprisoned not more than two years and fined not more than ten thousand dollars. And any such contract or agreement may, at the option of the President, be declared absolutely null and void; and any member of Congress or officer convicted of a violation of this section, shall, moreover, be disqualified from holding any office of honor, profit, or trust under the Government of the United States. (R. S., § 1781.)

Sec. 136. Receiving Compensation therefor Forbidden.—No Senator, Representative, or Delegate, after his election and during his continuance in office, and no head of a Department, or other officer or clerk in the employ of the Government, shall receive or agree to receive any compensation whatever, directly or indirectly, for any services ren-

dered, or to be rendered, 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. Every person offending against this section shall be deemed guilty of a misdemeanor, and shall be imprisoned not more than two years and fined not more than ten thousand dollars, and shall, moreover, by conviction therefor, be rendered forever thereafter incapable of holding any office of honor, trust, or profit under the Government of the United States. (R. S., § 1782.)

Sec. 137. Departmental Telegraph.—That the lines of telegraph connecting the Capitol with the various Departments in Washington, constructed under and by virtue of the act of Congress approved March 3, 1873, entitled "An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1874, and for other purposes," be, and the same are hereby, placed under the supervision of the officer in charge of the public buildings and grounds; and that the said officer be authorized and empowered to make rules and regulations for the working of said lines. And the Secretary or head of each Executive Department, and the Congressional Printer, are hereby authorized to detail one person from their present force of employés to operate the instruments in said Departments and Printing Office, and each house of Congress may provide for the employment of an operator in their respective wings of the Capitol, at a compensation not exceeding one hundred dollars per month, during the sessions of Congress. (Act of February 4, 1874, 18 Stats., 14.) *Provided*, That said lines of telegraph shall be for the use only of Senators, Members of Congress, judges of the United States courts, and officers of Congress and of the Executive Departments, and solely on public business. (Act of March 7, 1874, 18 Stats., 20.)

Sec. 138. Measurement of Gas Used in Department Buildings.—That the Superintendent of Meters at the Capitol shall hereafter take the statement of the meters of the several Department buildings in the city of Washington and render to the proper accounting officers of the Treasury Department the consumption of gas each month in said buildings respectively. (Act of March 3, 1877, 19 Stats., 359.)

CHAPTER THREE.

IRRELATIVE DUTIES OF THE POSTMASTER-GENERAL.

MEMBER OF SMITHSONIAN INSTITUTION.

Sec. 139. Establishment and General Functions.—The President, the Vice-President, the Secretary of State, the Secretary of the Treasury, the Secretary of War, the Secretary of the Navy, the Postmaster-General, the Attorney-General, the Chief Justice, the Commissioner of [*the Patent Office*] [Patents], and the governor of the District of Columbia, and such other persons as they may elect honorary members, are hereby constituted an establishment, by the name of the “Smithsonian Institution,” for the increase and diffusion of knowledge among men; and by that name shall be known and have perpetual succession, with the powers, limitations, and restrictions hereinafter contained, and no other. (R. S., § 5579.)

The members and honorary members of the Institution may hold stated and special meetings for the supervision of the affairs of the Institution and the advice and instruction of the Board of Regents, to be called in the manner provided for in the by-laws of the Institution, at which the President, and in his absence the Vice-President, shall preside. (R. S., § 5585.)

Otherwise the business of the Institution is conducted by a Board of Regents and its officers. (See R. S., §§ 5580-5594.)

APPROVAL OF PLANS AND ESTIMATES FOR NEW BUILDINGS.

Sec. 140. Before any new buildings for the use of the United States are commenced the plans and full estimates therefor shall be prepared and approved by the Secretary of the Treasury, the Postmaster-General, and the Secretary of the Interior; and the cost of each building shall not exceed the amount of such estimate. (R. S., § 3734.)

ANNUAL FIXATION OF RATES FOR OFFICIAL TELEGRAMS.

Sec. 141. Priority of Official Telegrams at Fixed Rates.—Telegrams between the several Departments of the Government and their officers and agents, in their transmission over the lines of any telegraph company to which has been given the right of way, timber, or station lands from the public domain, shall have priority over all other business, at such rates as the Postmaster-General shall annually fix. And no part of any appropriation for the several Departments of the Government shall be paid to any company which neglects or refuses to transmit such telegrams in accordance with the provisions of this section. (R. S., § 5266.)

Sec. 142. Privileges Granted Companies in Return.—Any telegraph company now organized, or which may hereafter be organized, under the laws of any State, shall have the right to construct, maintain, and operate lines of telegraph through and over any portion of the public domain of the United States, over and along any of the military or post roads of the United States, which have been or may hereafter be declared such by law, and over, under, or across the navigable streams or waters of the United States; but such lines of telegraph shall be so constructed and maintained as not to obstruct the navigation of such streams and waters, or interfere with the ordinary travel on such military or post roads. (R. S., § 5263.)

Any telegraph company organized under the laws of any State shall have the right to take and use from the public lands through which its lines of telegraph may pass, the necessary stone, timber, and other materials for its posts, piers, stations, and other needful uses in the construction, maintenance, and operation of its lines of telegraph, and may pre-empt and use such portion of the unoccupied public lands subject to pre-emption through which their lines of telegraph may be located as may be necessary for their stations, not exceeding forty acres for each station; but such stations shall not be within fifteen miles of each other. (R. S., § 5264.)

Sec. 143. Companies to File Acceptance.—Before any telegraph company shall exercise any of the powers or privileges conferred by law, such company shall file their written acceptance with the Postmaster-General of the restrictions and obligations required by law. (R. S., § 5268.)

The chief clerk will file, with the date of filing indorsed, and preserve in the Postmaster-General's office all such acceptances.

Sec. 144. Transfers Forbidden.—The rights and privileges granted under the provisions of the act of July twenty-four, eighteen hundred and sixty-six, entitled, "An act to aid in the construction of telegraph lines, and to secure to the Government the use of the same for postal, military, and other purposes," or under this title, shall not be transferred by any company acting thereunder to any other corporation, association, or person. (R. S., § 5265.)

Sec. 145. Penalties for Refusal to Transmit Telegrams.—Whenever any telegraph company, after having filed its written acceptance with the Postmaster-General of the restrictions and obligations required by the act approved July twenty-four, eighteen hundred and sixty-six, entitled, "An act to aid in the construction of telegraph lines and to secure to the Government the use of the same for postal, military, and other purposes," or by this title, shall, by its agents or employes, refuse

or neglect to transmit any such telegraphic communication as are provided for by the aforesaid act, or by this title, or by the provisions of section two hundred and twenty-one, title, "The Department of War," authorizing the Secretary of War to provide for taking meteorological observations at the military stations and other points of the interior of the continent, and for giving notice on the northern lakes and sea-board of the approach and force of storms, such telegraph company shall be liable to a penalty of not less than one hundred dollars and not more than one thousand dollars for each such refusal or neglect. [To be recovered by an action or actions at law in any district court of the United States.] (R. S., § 5269.)

Sec. 146. Postmaster-General to Select Appraisers for United States.—The United States may, for postal, military, or other purposes, purchase all the telegraph lines, property, and effects of any or all companies acting under the provisions of the act of July twenty-four, eighteen hundred and sixty-six, entitled, "An act to aid in the construction of telegraph lines, and to secure to the Government the use of the same for postal, military, and other purposes," or under this title, at an appraised value, to be ascertained by five competent, disinterested persons, two of whom shall be selected by the Postmaster-General of the United States, two by the company interested, and one by the four so previously selected. (R. S., § 5267.)

Sec. 147. Companies Which Have Accepted.—The following-named companies have filed acceptances pursuant to section one hundred and forty-three, prior to June 30, 1887, and on the dates respectively as stated, viz:

- The American Submarine Telegraph Company of New York, N. Y. July 24, 1866.
- The National Telegraph Company of New York, N. Y. July 30, 1866.
- The Globe Insulated Lines Telegraph Company of New York, N. Y. July 31, 1866.
- International Telegraph Company of Portland, Me. October 6, 1866.
- The Atlantic and Pacific Telegraph Company of New York, N. Y. March 19, 1867.
- The Franco-American Land and Ocean Telegraph Company of New York, N. Y. April 6, 1867.
- The Globe Telegraph Company of New York. May 30, 1867.
- Mississippi Valley National Telegraph Company of St. Louis, Mo. June 4, 1867.
- Western Union Telegraph Company of New York. June 8, 1867.
- Northwestern Telegraph Company of Kenosha, Wis. July 30, 1867.
- Great Western Telegraph Company of New York. January 17, 1868.
- The Franklin Telegraph Company of Boston, Mass. April 4, 1868.
- The Insulated Lines Telegraph Company of Boston, Mass. April 13, 1868.
- Pacific and Atlantic Telegraph Company of Pittsburgh, Pa. July 22, 1868.
- The Atlantic and Pacific States Telegraph Company of Sacramento, Cal. Sept. 7, 1868.
- The Eastern Telegraph Company of Philadelphia, Pa. October 5, 1868.
- The Delaware River Telegraph Company, Philadelphia, Pa. October 23, 1868.
- Cape May and Shore Telegraph Company, New York City. April 2, 1869.

- Peninsula Telegraph Company, New York City. May 9, 1869.
 Ocean Telegraph Company of Boston, Mass. July 15, 1869.
 The American Cable Company of New York. April 15, 1870.
 Southern and Atlantic Telegraph Company of Philadelphia, Pa. July 22, 1870.
 International Ocean Telegraph Company, New York City. January 20, 1871.
 Missouri River Telegraph Company of Sioux City, Iowa. May 3, 1871.
 The Marine and Inland Telegraph Company of New Jersey. November 27, 1872.
 Atlantic and Pacific Telegraph Company of Missouri, New York City. May 8, 1877.
 New Jersey and New England Telegraph Company. November 21, 1878.
 The American Rapid Telegraph Company, 41 Wall street, New York. April 12, 1879.
 Central Union Telegraph Company, 145 Broadway, New York. May 9, 1879.
 New York Land and Ocean Telegraph Company. May 10, 1879.
 Deseret Telegraph Company, Salt Lake City, Utah. May 19, 1879.
 American Union Telegraph Company of New York, 145 Broadway, New York. July 1, 1879.
 The American Union Telegraph Company of Missouri, St. Louis, Mo. July 9, 1879.
 Wabash Railway Company, New York. July 11, 1879.
 The American Union Telegraph Company of New Jersey, Jersey City, N. J. July 17, 1879.
 The Baltimore and Ohio Railroad Company of Maryland, Baltimore, Md. July 18, 1879.
 The American Union Telegraph Company of Baltimore City, Md. July 31, 1879.
 The Deer Lodge Telegraph Company of Butte City, Mont. August 30, 1879.
 The American Union Telegraph Company of Pennsylvania, Philadelphia. Sept. 4, 1879.
 The American Union Telegraph Company of Indiana, La Fayette, Ind. Sept. 12, 1879.
 The Cheyenne and Black Hills Telegraph Company, Cheyenne, Wyoming. November 7, 1879.
 The American Union Telegraph Company of Ohio, Toledo, Ohio. Nov. 8, 1879.
 The American Union Telegraph Company of Louisiana, New Orleans, La. March 1, 1880.
 Baltimore and Ohio Telegraph Company of Ohio, Cincinnati, Ohio. Sept. 3, 1880.
 The Wabash, St. Louis and Pacific Railway Company of St. Louis, Mo. Sept. 13, 1880.
 Baltimore and Ohio Telegraph Company of Illinois, Chicago, Ill. Sept. 23, 1880.
 Frontier Telegraph Company of Texas, Lampasas, Tex. Oct. 25, 1880.
 Bankers and Merchants' Telegraph Company of New Jersey. April 21, 1881.
 Bankers and Merchants' Telegraph Company of New York, New York. June 8, 1881.
 Mutual Union Telegraph Company of Illinois, Chicago, Ill. Oct. 24, 1881.
 Mutual Union Telegraph Company of Missouri, Chicago, Ill. Nov. 14, 1881.
 New Jersey Mutual Telegraph Company, Newark, N. J. Nov. 17, 1881.
 Bankers and Merchants' Telegraph Company, New York. Dec. 8, 1881.
 The Baltimore and Ohio Telegraph Company, Pittsburgh, Pa. March 6, 1882.
 East Tennessee Telephone Company, New York. May 31, 1882.
 Southern Telegraph Company, New York. Aug. 4, 1882.
 Postal Telegraph Company, New York. Aug. 31, 1882.
 Bankers and Merchants' Telegraph Company of Baltimore City, New York. Dec. 14, 1882.
 Mutual Union Telegraph Company of New York. March 5, 1883.

The Baltimore and Ohio Telegraph Company in Pennsylvania, Pittsburgh, Pa. March 17, 1883.

The Baltimore and Ohio Telegraph Company of Indiana. July 17, 1883.

The Baltimore and Ohio Telegraph Company of the State of New York. July 17, 1883.

The Northern and Southern Telegraph Company, New York City. Sept. 28, 1883.

Baltimore and Ohio Telegraph Company of New Jersey. Nov. 7, 1883.

National Telegraph Company of New York. Jan. 31, 1884.

Philadelphia and Seaboard Telegraph Company of New Jersey. Feb. 23, 1884.

Providence and Pascoag Telegraph Company of Rhode Island. July 10, 1884.

Baltimore and Ohio Telegraph Company of Missouri. July 18, 1884.

Baltimore and Ohio Telegraph Company of Louisiana. July 25, 1884.

The New England Telegraph Company. July 26, 1884.

The Baltimore and Ohio Telegraph Company of Texas. Aug. 13, 1884.

The New England Telegraph Company of Massachusetts. Sept. 5, 1884.

The Chesapeake and Ohio Telegraph Lines, Richmond, Va. Sept. 29, 1884.

The Baltimore and Ohio Telegraph Company of Massachusetts. Dec. 15, 1884.

The Postal Telegraph and Cable Company. Jan. 29, 1885.

The Pacific Telegraph Company. July 27, 1885.

The Baltimore and Ohio Telegraph Company of Baltimore County, Maryland. Feb. 20, 1886.

Postal Telegraph-Cable Company. April 6, 1886.

The North American Telegraph Company. April 22, 1886.

The San Juan Telegraph Company, Ouray, Colorado. June 9, 1886.

Pacific Postal Telegraph-Cable Company, New York. July 20, 1886.

The Baltimore and Ohio Telegraph Company of Pennsylvania, Baltimore, Md. Sept. 11, 1886.

The Manhattan Railway Company, New York, N. Y. Oct. 6, 1886.

The Pacific Mutual Telegraph Company, Rosedale, Kans. Feb. 24, 1887.

Empire and Bay State Telegraph Co., New York. July 12, 1887.

PART II.

THE POSTAL SERVICE.

TITLE II.

THE FISCAL SYSTEM OF THE POSTAL SERVICE.

CHAPTER FOUR.

OF THE REVENUES.

Sec. 148. The Revenue System.—The revenues for the maintenance of the postal service are derived from:

- (1) Postages, box rents, and miscellaneous receipts by postmasters.
- (2) The net proceeds of the money-order business.
- (3) Transportation of mails for foreign countries.
- (4) Fines, penalties, and forfeitures imposed for violation of postal laws.
- (5) Dead letters.
- (6) Miscellaneous sources.
- (7) Appropriations by Congress, when necessary, from the General Treasury.

Revenues from all sources but the first named go direct into the General Treasury for the use of the Post-Office Department.

Mainly the revenues are collected by postmasters, and are applied in part to the expenditures of the service, under the law and special orders, by postmasters. All revenues not so expended are deposited by postmasters with their respective district depositaries, or with the Treasurer or some Assistant Treasurer of the United States, through whom the moneys are turned into the Treasury. No postmaster can otherwise turn over any moneys so as to receive credit therefor, except upon special written orders from the Postmaster-General. The De-

partment at Washington never receives or handles any portion of such revenues collected by postmasters. (See section 183.)

Sec. 149. Post-Office Receipts.—All postages, box rents, and other receipts at post-offices shall be accounted for as part of the postal revenues; and each postmaster shall be charged with and held accountable for any part of the same accruing at his office, which he has neglected to collect, the same as if he had collected it. (R. S., § 4051.)

Sec. 150. Money Order and Other Receipts.—Unclaimed money in dead letters, for which no owner can be found; all money taken from the mail by robbery, theft, or otherwise, which may come into the hands of any agent or employé of the United States, or any other person whatever; all fines and penalties imposed for any violation of the postal laws, except such part as may by law belong to the informer or party prosecuting for the same; and all money derived from the sale of waste paper or other public property of the Post-Office Department, shall be deposited in the Treasury, under the direction of the Postmaster-General, as part of the postal revenue. And the Postmaster-General shall cause to be placed to the credit of the Treasurer of the United States, for the service of the Post-Office Department, the net proceeds of the money-order business; and the receipts of the Post-Office Department derived from this source during each quarter shall be entered by the Sixth Auditor in the accounts of such Department, under the head of "revenue from money-order business." (R. S., § 4050.)

Receipts from transportation of the mails for foreign countries arise under the Postal Union Convention and other postal treaties, and the balances of account due the United States upon periodical adjustments are paid by remittances to the Department and deposited in the Treasury as "letter postages paid in money."

As to receipts from fines, penalties, and forfeitures, see section 303.

As to Department sales of waste paper, &c., see sections 63, 64.

Sec. 151. Return of Stolen Property to Owners.—Whenever the Postmaster-General is satisfied that money or property stolen from the mail, or the proceeds thereof, has been received at the Department, he may, upon satisfactory evidence as to the owner, deliver the same to him. (R. S., § 4053.)

PROVISION OF STAMPS AND STAMPED PAPER.

Sec. 152. Postage Stamps for Payment of Postage.—The Postmaster-General shall prepare postage stamps of suitable denominations, which, when attached to mail matter, shall be evidence of the payment of the postage thereon. (R. S., § 3914.)

As to contracts for their manufacture and the stamp agent, see sections 84 *et seq.*, 41.

Sec. 153. Postage Stamps: Kinds and Denominations.—Of postage stamps, three kinds, each consisting of various denominations, are provided, viz: Ordinary stamps, which are used to prepay postage on ordinary mail matter of the first, second, third, and fourth classes and registration fees; postage-due stamps, which are used for the collection of unpaid postage; newspaper and periodical stamps, which are used to pay postage on second-class matter which is entitled to pound rates.

Authoritative description of these stamps, when changes are made, is furnished through the Official Guide.

Sec. 154. Special Delivery Stamps, of the denomination of ten cents, are provided under the act of March 3, 1885 (see section 665); and, except that no commissions are allowed on their cancellation, they are supplied, sold, and accounted for as revenues in the same manner as other stamps; the amount allowed the postmaster for delivery being chargeable as expenditure.

Sec. 155. Stamped Envelopes.—The Postmaster-General shall provide suitable letter and newspaper envelopes, with such water-marks or other guards against counterfeits as he may deem expedient, and with postage stamps with such device and of such suitable denominations as he may direct, impressed thereon; and such envelopes shall be known as "stamped envelopes," and shall be sold, as nearly as may be, at the cost of procuring them, with the addition of the value of the postage stamps impressed thereon; but no stamped envelope furnished by the Government shall contain any lithographing or engraving, nor any printing except a printed request to return the letter to the writer. Letters and papers inclosed in such stamped envelopes shall, if the postage stamp is of a denomination sufficient to cover the postage properly chargeable thereon, pass in the mail as prepaid matter. (R. S., § 3915.) (See section 415.)

Sec. 156. Kinds of Stamped Envelopes.—Of stamped envelopes, two kinds, each consisting of various sizes, qualities of paper, and denominations, are provided, viz: Ordinary, which may be either plain or bear a blank request to return; and special request, which bear a printed request for the return of unclaimed letters, with the name and post-office address printed in full, and which are furnished by the Department without extra charge for such printing.

Sec. 157. Postal Cards.—To facilitate letter correspondence, and to provide for the transmission in the mails, at a reduced rate of postage, of messages, orders, notices, and other short communications, either printed or written in pencil or ink, the Postmaster-General is authorized and directed to furnish and issue to the public, with postage stamps impressed upon them, "postal cards," manufactured of good

stiff paper, of such quality, form, and size as he shall deem best adapted for general use; which cards shall be used as a means of postal intercourse, under rules and regulations to be prescribed by the Postmaster-General, and when so used shall be transmitted through the mails at a postage charge of one cent each, including the cost of their manufacture. (R. S., § 3916.)

For regulations governing their mailability see section 324.

Sec. 158. Postal Cards for Foreign Use.—And the Postmaster-General is hereby authorized to furnish and issue to the public postal cards with postage stamps impressed upon them, for circulation in the mails exchanged with foreign countries under the provisions of the Universal Postal Union Convention of June first, eighteen hundred and seventy-eight, at a postage charge of two cents each, including the cost of their manufacture. (Act of March 3, 1879, § 1, 20 Stats., 357.)

The ordinary postal card may, by affixing an additional one cent adhesive postage stamp, be used for such purpose.

Sec. 159. Letter-sheet Envelopes, and Double Postal Cards.—That the Postmaster-General is hereby authorized to take the necessary steps to introduce and furnish for public use a letter-sheet envelope, on which postage stamps of the denominations now in use on ordinary envelopes shall be placed. And the Postmaster-General is also authorized to introduce and furnish for public use a double postal card, on which shall be placed two one-cent stamps, and said card to be so arranged for the address that it may be forwarded and returned, said cards to be sold for two cents apiece; and also to introduce and furnish for public use a double-letter envelope, on which stamps of the denominations now in use may be placed, and with the arrangement for the address similar to the double postal card; said letter-sheet and double postal card and double envelope to be issued under such regulations as the Postmaster-General may prescribe. * * * *And provided,* that no money shall be paid for royalty or patent on any of the articles named. (Act of March 3, 1879, § 32, 20 Stats., 362.)

A letter-sheet envelope has been provided of one denomination with a two-cent stamp impressed thereon, but is furnished only to presidential offices for sale.

Sec. 160. Improvements in Stamps and Envelopes.—The Postmaster-General may, from time to time, adopt such improvements in postage stamps and stamped envelopes as he may deem advisable; and when any such improvement is adopted, it shall be subject to all the provisions herein respecting postage stamps or stamped envelopes. (R. S., § 3917.)

Sec. 161. Other Provisions Affecting Stamps, &c.—The words, "obligation or other security of the United States" shall be held to mean * * * stamps and other representatives of value, of whatever de-

nomination, which have been or may be issued under any act of Congress. (R. S., § 5413.) No portrait shall be placed upon any of the bonds, securities, notes, fractional or postal currency of the United States while the original of such portrait is living. (R. S., § 3576.)

And it is made a penal offense to design, engrave, print, or in any manner make, execute, or utter any business or professional card or advertisement on any security of the United States.

STAMP SUPPLIES TO POSTMASTERS.

Sec. 162. To be Furnished and Sold.—Postage stamps and stamped envelopes shall be furnished by the Postmaster-General to all postmasters, and shall be kept for sale at all post-offices; and each postmaster shall be held accountable for all such stamps and envelopes furnished to him. (R. S., § 3918.)

Sec. 163. Postmasters not Supplied until Commissioned nor when Delinquent.—No postmaster will be supplied with stamps or stamped paper until his commission shall have been duly issued; and no postmaster who has failed to render any quarterly returns to the Auditor will be supplied until all delinquent returns shall have been received.

Sec. 164. Postmasters must Keep Themselves Supplied.—Postmasters must, by timely requisitions in anticipation of their necessities, to be made at any time when so required, keep their offices supplied with adhesive stamps of every kind, with stamped envelopes, newspaper wrappers, and postal cards in sufficient quantity to meet the public demand upon them, generally calculating for at least three months in advance. A failure to do so is reprehensible; but, should it occur, temporary supplies may be purchased from some other post-office. Supplies so purchased they are not required to include in their quarterly returns, nor will the amount of them be reckoned in calculating the business of their offices. On the other hand, if a postmaster lends or transfers stamps or stamped paper to another, without the special order of the Department, he will continue responsible for them and be allowed no credit, nor will the borrower, in case of their loss by fire or otherwise, be allowed credit for them.

Sec. 165. Requisitions.—Requisitions for adhesive stamps of all kinds, for stamped envelopes, newspaper wrappers, and postal cards, must be made upon forms (No. 3201-2-3 and 3285), which will be furnished by the First Assistant Postmaster-General through the Division of Post-Office Supplies. Especial care must be taken to fill the blank form with the names of the post-office, county, and State, the date of the order, the number and amount of each of the several kinds wanted, and also the number and amount of each on hand, together with the average monthly

requirement. The requisition must be signed with ink by the postmaster himself; except that, if he be sick or absent, the assistant may sign the postmaster's name, adding his own as assistant, thus:

RICHARD ROE, *P. M.*,

By JOHN DOE, *Assistant P. M.*

Unless the blank be so properly filled out and signed the requisition will not be honored, but returned for correction, whereby delay will ensue. The requisition must be forwarded to the Third Assistant Postmaster-General (Stamp Division).

Sec. 166. First Requisitions for Newspaper Stamps.—When newspaper and periodical stamps are for the first time ordered, the requisition should be accompanied with a copy of the publication for the mailing of which the stamps are desired, to enable the Department to determine its admissibility to the mails at second-class rates. Unless such a requisition is so made for stamps, as soon as the first newspaper or periodical published to be mailed at the office is presented for mailing, the postmaster will be held for the difference in postage if the publication be adjudged inadmissible at second-class rates.

NOTE.—As to the duty of the postmaster respecting the entry of new publications as second-class matter, see sections 333-336.

Sec. 167. Requisitions for Special-Request Envelopes.—Requisitions for special-request envelopes must be made by postmasters immediately upon receiving orders from parties wanting them, at whatever time in the quarter it may be, and upon the blank form (No. 3202) furnished by the Department for the purpose.

When money, which has been paid to a post-office upon an order for special-request envelopes, is lost or embezzled, the envelopes will be furnished according to the order, and the postmaster held for the money if the loss be chargeable to the fault of himself, his clerks, or employés.

See Sausser's case, 9 Ct. Claims R., 338; Bank of Boston v. U. S., 10 Id., 519; Garfide v. U. S., 11 Id., 601; McCollum v. U. S., 17 Id., 102; Pierce v. U. S., 7 Id., 65; The Floyd Acceptances, 7 Wall., 666.

Sec. 168. Rules Governing the Supply of Special-Request Envelopes.—The following rules will be strictly adhered to in connection with the supply of special-request envelopes:

1. Neither superscriptions nor special devices of any kind will be printed.
2. The printing of cards and requests across the end has been discontinued. In future they will be printed on the upper left-hand corner only.
3. Business avocations or employments will be excluded from cards and requests.

4. Cards and requests must be limited to the following matter, or so much thereof as may be desired, to-wit: First, the name of the writer, whether individual, firm, company, or corporation. Second, the post-office address, including number and name of street, name of city or town, county, and State. The name of the post-office as given for printing must correspond in spelling with that given in the Official Guide. Third, a request to return if not delivered within a given or blank number of days.

5. Should it be desired to leave in blank the post-office address of the party to whom the envelopes are to be made returnable, it must be so stated.

6. When the name and post-office address only are desired, without a request to return, the order must so specify; in which case, by law, the letter will be returnable, if not delivered within thirty days. (See section 592.)

7. No variations will be made in the style of type, the color of ink, or the form of request adopted by the Department; neither will cards or requests be surrounded by borders of any kind.

8. If possible, a printed card should always accompany the order; if not, the matter desired to be printed must be plainly written, in order that mistakes may be avoided.

9. Cards or requests will not be printed on newspaper wrappers, or envelopes for covering circulars.

10. Requests making envelopes returnable to another post-office than that of the postmaster who makes requisition for them will not be printed, unless the party for whose use they are intended is accustomed to receive mail at both places, or some other sufficient reason is given with the postmaster's requisition or plainly written thereon.

Sec. 169. Postmasters to Count Supplies when Received.—Upon receiving any supplies of stamps or stamped paper 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 (Stamp Division). In case of any deficiency the affidavit of the postmaster and that of the witness, stating the amount of such deficiency, with all the facts in the case, will be necessary in order to obtain credit therefor; and in every such case the wrapper, label, and box, or wooden case in which the supplies were received should also be transmitted with such affidavit and a letter making the claim to the Third Assistant Postmaster-General, and a record kept by the postmaster of the number, date, address, and all other marks on the same. Receipts must be signed in the same manner as requisitions.

Sec. 170. Damaged Supplies, how Treated.—If any portion of a parcel

of stamps, received upon requisition, be found to 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, envelopes, wrappers, or cards unfit for use, he will return the same, together with the receipt, to the Third Assistant Postmaster-General (Stamp Division), 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 supplied in their place. The package must be registered, and the postmaster must be able to prove the act of mailing it 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 fails to reach the Department. When supplies are damaged by fire or other casualty after they are received, they will be returned to the Third Assistant Postmaster-General (Stamp Division), who will allow credit for the amount thus returned, upon satisfactory evidence that the stamps returned were those with which the postmaster returning them was charged.

Sec. 171. Mistakes in Printing Special-Request Envelopes.—Special-request envelopes which may be refused by the parties ordering them, on account of misprinting or other mistake, should be sent registered to the Third Assistant Postmaster-General (Stamp Division), with a letter of advice. If the mistake occurred through the fault of the Department, or of the manufacturer of the envelopes, credit for their full value will be given in the postmaster's account, and the requisition will be re-filled; if otherwise, credit for the postage value only of the envelopes will be given, and the postmaster should forward a new and correct requisition. The postmaster must not dispose of special-request envelopes to any other than the party for whose use they were ordered.

FOR RULES GOVERNING THE ENTRY OF SUPPLIES on account and returns, see sections 238, 240-243, 244, *et seq.*

DISPOSITION OF STAMPS, ETC.

Sec. 172. Postage Stamps Sold at Discount to Designated Agents.—Postage stamps and stamped envelopes may be sold at a discount to certain designated agents, who will agree to sell again without discount, under rules to be prescribed by the Postmaster-General; but the quantities of each sold to any one agent at any one time shall not exceed one hundred dollars in value, and the discount shall not exceed five per centum on the face value of the stamps, nor the same per centum on the current price of the envelopes when sold in less quantities. (R. S., § 3919.)

This system of selling has been some time since wholly discontinued. No such agents exist or will be appointed; no stamps or stamped paper will be sold at a discount, and no percentage on sales will be allowed under any circumstances.

In the larger cities agencies for the sale of stamps and other post-office service are provided through the postmaster.

Sec. 173. Stamped Envelopes, &c., to be Sold at Cost.—No stamped envelopes or newspaper wrappers shall be sold by the Post-Office Department at less (in addition to the legal postage) than the cost, including all salaries, clerk-hire, and other expenses connected therewith. (Act of July 12, 1876, § 14, 19 Stats., 82.)

Sec. 174. Irregular Sales and Misuse Forbidden.—Postage stamps shall not be sold for any larger sum than the value indicated on their face, nor stamped envelopes for more than is charged therefor by the Post-Office Department for like quantities. Any person connected with the postal service who shall violate this provision shall be punishable by a fine of not less than ten dollars nor more than five hundred. (R. S., § 3920.) And no postmaster of any class, or other person connected with the postal service, entrusted with the sale or custody of postage stamps, stamped envelopes, or postal cards, shall use or dispose of them in the payment of debts or in the purchase of merchandise or other salable articles, or pledge or hypothecate the same, or sell or dispose of them except for cash, or sell or dispose of postage stamps or postal cards for any larger or less sum than the values indicated on their faces, or sell or dispose of stamped envelopes for a larger or less sum than is charged therefor by the Post-Office Department for like quantities, or sell or dispose of postage stamps, stamped envelopes, or postal cards otherwise than as provided by law and the regulations of the Post-Office Department; and any postmaster, or other person connected with the postal service, who shall violate any of these provisions shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be fined in any sum not less than fifty nor more than five hundred dollars, or be imprisoned for a term not exceeding one year. (Act of June 17, 1873, 20 Stats., 141.)

Sec. 175. Price of Stamped and Letter-Sheet Envelopes.—The Postmaster-General fixes by order, from time to time, the prices at which letter-sheet envelopes, and the various sizes, qualities, and denominations of stamped envelopes and newspaper wrappers will be sold to the public, singly or in parcels of different numbers, depending upon the cost of production; and information of these prices is furnished to postmasters and the public by circulars from the Department. The prices so fixed, must, without change, govern their sale by postmasters and all persons intrusted with their sale or custody.

Postmasters should be accommodating, but are not required to lose the fractions of cents in selling; if the postmaster cannot readily make change the purchaser must tender the exact price of the quantity wanted.

Sec. 176. Exchange of Postage Stamps Prohibited.—The exchange of postage stamps or stamped envelopes for those of other denominations to accommodate private parties is strictly prohibited, except in redemption of stamped paper as provided in section one hundred and eighty-one.

Sec. 177. Postmasters not Required to Accept Mutilated Currency.—Postmasters are not required by law to redeem or accept in payment of post-office dues, money orders, stamps, or stamped envelopes, any currency which may be so mutilated as to be uncurrent; nor is it any part of their duty to receive and transmit to the Treasury for redemption, mutilated currency belonging to individuals, except as regular mail matter, forwarded in the usual manner, at the risk of the owner, postage prepaid. Such packages are entitled to registration without fee. (Section 1047.)

Sec. 178. What Money not Receivable.—Foreign gold and silver coins, not being a legal tender in the United States, should not be accepted by postmasters, nor should they accept any coins which have been mutilated (perforated or abraded), because the Treasury Department will not receive such coins. If counterfeit money be accepted the postmaster must bear the loss. Minor coins of the United States—five cent, three-cent, and one-cent pieces—are legal tender to the amount of twenty-five cents. (See section 187, *note*.)

Sec. 179. Newspaper and Periodical Stamps are never to be sold to any persons, nor loaned to other postmasters. Their only proper use is to be affixed and immediately canceled on the stub of each receipt given for second-class matter accepted for mailing, at the rate of one cent a pound or fraction thereof. The exact amount should be affixed by using stamps of different denominations, and the stamp must not be cut to alter its value. Ordinary stamps cannot be used for this purpose. Second-class matter, elsewhere defined, must be brought to the post-office and there weighed in bulk, and the true weight stated in the receipt and stub, which will be furnished by the Department in convenient book form. For convenience the postmaster may receive from the publisher of a daily newspaper the deposit of sufficient money in advance to pay more than a single mailing, but must affix the proper stamps to the stub representing each mailing, charging the deposit accordingly, and never exceeding it. Postmasters must return punctually at the end of every quarter, to the Third Assistant Postmaster-

General, by registered mail, in special envelopes provided for the purpose, the stubs of all receipts given for newspaper and periodical postage collected during the quarter, together with the statement required by section two hundred and fifty-six.

Before returning the stubs, the calculations and footings should be reviewed and made correct. The stubs should then be detached from the book, arranged in numerical order, fastened together at the upper left-hand corner, and the name of the post-office, county, and State written thereon. The postmaster will continue to use what is left of the stub book. The stamps attached to the stub book must never be removed, nor the books disposed of other than as herein directed. Postmasters should never neglect to attach to the stub book the full amount of stamps to cover all postage collected for this class of matter, as failure so to do will be evidence tending to show embezzlement.

Sec. 180. Postage-Due and Special-Delivery Stamps.—Postage-due stamps are to be used for matter of the first, third, and fourth classes and matter of the second class when mailed by others than publishers or news agents (see section 351) which has passed through the mails and arrived at destination with the postage partly or wholly unpaid. The manner of using these stamps is explained in sections 557-559.

Special-delivery stamps can be used only to obtain immediate delivery of letters as provided in chapter twenty.

Sec. 181. Redemption of Spoiled Stamped Paper.—When stamped envelopes or newspaper wrappers, belonging to private persons, shall have been spoiled by misdirection, they may be redeemed at the face value of the stamps thereon in adhesive stamps or postal cards, by any postmaster, if they be presented in substantially a whole condition, and he be satisfied that they have never been used, and that the misdirection occurred at the place at which his office is situated. Stamped envelopes which have become unserviceable to the owners through mistakes in printing or because the printed addresses thereon are no longer suitable to use, may be likewise redeemed on the same conditions.

In any case of doubt the postmaster should refer the question, with a careful statement of the facts, to the Third Assistant Postmaster-General.

Sec. 182. Disposition of Redeemed Stamped Paper.—Stamped paper redeemed under the preceding section must be sent to the Third Assistant Postmaster-General (Stamp Division), in a special letter, registered, stating the number and amount of each denomination; and the postmaster must have a disinterested witness to the mailing thereof. Unless the letter be registered, credit for its contents will not be allowed

if it fail to reach the Department. Such returns should not be made oftener than once a quarter nor until there be a sufficient accumulation.

CREDIT FOR LOSSES BY FIRE, BURGLARY, or other unavoidable casualty may be obtained in the manner provided in Chapter Eight.

DUTIES OF POSTMASTERS AS CUSTODIANS OF PUBLIC MONEYS.

Sec. 183. General Rules.—The Treasurer of the United States, all assistant treasurers, and those performing the duties of assistant treasurer, all collectors of the customs, all surveyors of the customs, acting also as collectors, all receivers of public moneys at the several land offices, all postmasters, and all public officers of whatsoever character, are required to keep safely, without loaning, using, depositing in banks, or exchanging for other funds than as specially allowed by law, 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 any law, or by any regulation of the Treasury Department made in conformity to law. (R. S., § 3639.)

Sec. 184. Money to be Safely Kept.—Postmasters shall keep safely, without loaning, using, depositing in an unauthorized bank, or exchanging for other funds, all the public money collected by them, or which may come into their possession, until it is ordered by the Postmaster-General to be transferred or paid out. (R. S., § 3846.)

For punishment for violation of the two preceding sections, see section 1465.

Sec. 185. Deposits in Banks.—Any postmaster, having public money belonging to the Government, at an office within a county where there are no designated depositories, treasurers of mints, or Treasurer or assistant treasurers of the United States, may deposit the same, at his own risk and in his official capacity, in any national bank in the town, city, or county where the said postmaster resides; but no authority or permission is or shall be given for the demand or receipt by the postmaster, or any other person, of interest, directly or indirectly, on any deposit made as herein described; and every postmaster who makes any such deposit shall report quarterly to the Postmaster-General the name of the bank where such deposits have been made, and also state the amount which may stand at the time to his credit. (R. S., § 3847.)

Sec. 186. Private Bank Cannot Receive Deposits.—Every banker, broker, or other person not an authorized depository of public moneys, who knowingly receives from any disbursing officer, or collector of internal

revenue, or other agent of the United States, any public money on deposit, or by way of loan or accommodation, with or without interest, or otherwise than in payment of a debt against the United States, or who uses, transfers, converts, appropriates, or applies any portion of the public money for any purpose not prescribed by law, and every president, cashier, teller, director, or other officer of any bank or banking association who violates any of the provisions of this section, is guilty of an act of embezzlement of the public money so deposited, loaned, transferred, used, converted, appropriated, or applied, and shall be punished as prescribed in section fifty-four hundred and eighty-eight. (R. S., § 5497.)

Sec. 187. Further Directions.—The preceding four sections relate only to the temporary custody of funds by postmasters, and are subject to the succeeding provisions in regard to deposits, and to the regulations for prompt remittance of money-order funds. Except as therein provided, no restriction beyond the exercise of ordinary care is laid upon the manner in which funds are kept, the same being at the postmaster's risk. All funds in postmasters' hands should be in current money immediately available to pay drafts of the Department, money orders, and authorized expenses, and to deposit.

NOTE.—A circular of the Secretary of the Treasury, of date July 1, 1885, reads: "Par. 25. Fractional silver coin and minor coin may be presented, in separate packages, in sums or multiples of \$20, assorted by denominations, to the Treasurer or any assistant treasurer, for exchange into lawful money."

Postmasters can have such coins redeemed by sending them in a registered package under the penalty envelope with a proper letter of advice.

REVENUE DEPOSITS BY POSTMASTERS.

Sec. 188. Deposits of Revenue.—The postmaster at Washington, and postmasters at cities where there is an assistant treasurer, shall deposit the postal revenues and all money accruing at their office, with such assistant treasurer, as often as once a week at least, and as much oftener as the Postmaster-General may direct. (R. S., § 3848.)

All other presidential postmasters must deposit at the end of every month with the depository directed by special instructions from the Third Assistant Postmaster-General. Fourth-class postmasters must deposit at the end of every quarter with the depository designated for their respective offices in the last January Official Guide, unless another be specially directed by the Department. Should the convenience of a postmaster greatly require a different depository than the one assigned he must apply for a change to the Third Assistant Postmaster-General.

No delay whatever will be excused in making deposits promptly at the prescribed period.

Deposits cannot be made with the Department direct of any of the revenues. If money be sent in violation of this regulation it may be returned at the risk of the postmaster sending it.

Sec. 189. Entire Balance to be Deposited.—Deposits must embrace the entire amount of postal funds due the Government at the prescribed period. Want of funds is no excuse for any failure, because the postmaster is not permitted to give credit on sales or for box rents, and is forbidden any use of postal funds, but must keep them constantly on hand. Short deposits will not be excused for the want of "change," because coins, silver and nickel, can be transmitted in registered letters; nor will it be accepted as an excuse that the postmaster does not know the exact amount of his indebtedness, nor that he is waiting on the Auditor for a statement of his account. He must in every case deposit a sum sufficient to cover the balance due, and, if there be any excess, it will be credited on his account for the next quarter; and he may make the claim in his letter of transmittal.

Postmasters who have suffered losses of stamps, stamped envelopes, newspaper wrappers, or postal cards by reason of fire, burglary, or other unavoidable casualty, and who have made regular claim for credit or reimbursement, will not be required to immediately deposit the value of the articles so lost. Any balance standing against a postmaster on account of such a loss may remain outstanding until his claim shall be determined. Whatever balance may then appear due, after deducting such credit as the Department may give, must be at once deposited.

On receipt of a statement from the Auditor disallowing items or correcting errors in his account and requiring a deposit of the balance shown by the statement, deposit must be promptly made as above required.

Sec. 190. Deposits by Retiring Postmasters.—When a postmaster goes out of office the full amount due by him to the Government, according to his own account, must be at once deposited. The postmaster must not wait to ascertain the exact balance on a final settlement of his account by the Auditor. (See sections 249 and 252.)

Sec. 191. Failure Cause for Removal and Punishment.—A failure either to deposit according to instructions, or to pay a draft when presented, will subject the delinquent postmaster to removal, unless satisfactory explanation is made to the Postmaster-General.

Such failure constitutes the crime of embezzlement, and is severely punishable. (See sections 1463 and 1464.)

Sec. 192. To Report Cause of Failure.—When a postmaster fails to deposit at the appointed period because he has no balance to deposit—that is, when his authorized expenditures equal or exceed his receipts—

or for any sufficient reason, he must within fifteen days report to the Third Assistant Postmaster-General the cause of failure, or he will be treated as delinquent.

Sec. 193. A Letter of Transmittal must accompany each deposit, giving the full name of the postmaster, the name of the post-office, county, and State, and the day, month, or quarter for which the deposit is made, and stating in detail the amount sent and an accurate description of the money remitted. When the remittance is made by an assistant, deputy, or clerk he should sign the letter of transmittal with the name of the postmaster, thus :

JOHN DOE, *P. M.*,
By RICHARD ROE, *Assistant P. M.*

Care should be taken to give all the names and amounts in clear and legible writing. Neglect to observe these requirements will cause annoyance to the depositaries, much delay, and correspondence; and the postmaster will fail to receive his receipts or certificates of deposits until corrections and explanations have been made.

If from previous neglect to deposit, or other cause, a postmaster should make a deposit covering more than one month if a presidential postmaster, or one quarter if a fourth-class postmaster, his letter of transmittal should state the amounts due on each period, so that separate certificates may be given by the depositary. So, when a postmaster makes deposits for another postmaster, he must particularly state the facts, because separate certificates are required for each as well as for each quarter.

Sec. 194. Credit by Certificate only.—Credit is to be taken by the depositing postmaster only upon his receipt of the certificate of deposit from the depositary. When any such certificate is received, the postmaster should carefully examine it to see that it is correct in every particular; and if so, the "original" must be stamped with his post-marking stamp and forwarded at once to the Third Assistant Postmaster-General, and the "duplicate" retained as a voucher. Credit will not be given postmasters unless the names are correctly written in the body of the certificate.

Errors in certificates must be corrected by the depositary; and if one be discovered by the depositing postmaster on receipt of his certificate, he should at once return it to his depositary for correction. When a certificate is returned by the Department to a postmaster because of an error found in it, he should immediately forward "original" and "duplicate" to his depositary for correction. In either case he should point out the errors in a letter of advice.

Sec. 195. Lost Certificates.—To guard against loss in transmission, the postmaster should, if his “duplicate” be called for, take a copy of it before forwarding to the Department. If any certificate issued by the Treasurer or an assistant treasurer of the United States be lost, application should be made to the Third Assistant Postmaster-General for a duplicate, in order that credit may be taken by the depositing postmaster.

Sec. 196. Deposits, how made.—Deposits are properly made in United States coin, Treasury notes or national bank notes. Neither postage stamps nor foreign coins or notes, nor mutilated coins or paper, nor bank checks, are depositable. Although not forbidden, yet if the postmaster remit by bank draft it will be at his own risk of loss, and subject to deduction of the expense of collection by the depository. To reduce bulk, notes of high denominations should be transmitted; and the remitter should keep an exact record of their series, numbers, denominations, and dates, and of the denominations and dates of pieces of coin. To every remittance the postmaster should have at least one disinterested witness (if practicable, not an employé in his office) that the money was actually inclosed in a properly addressed registered package, and that such package, with the money inclosed therein, was securely locked in the mail pouch and taken from the postmaster, or the post-office, by the contractor, railway postal clerk, mail carrier, or other person duly authorized to dispatch it to its destination.

It may be sent by registered letter, in an official penalty envelope, free of postage or registration fee, or by any safe and practicable means, but however sent, it is at the postmaster's own risk and cost. If mailed, it should be registered in every case. Postmasters are cautioned to securely wrap and seal every remittance, especially of coin.

If the remitter does not in due time receive an acknowledgment, and his certificate in duplicate, he should report the facts to the nearest post-office inspector, to the Chief of Post-Office Inspectors, and to the Third Assistant Postmaster-General.

Sec. 197. Duties of Depositories.—Postmasters at depository offices should promptly examine and compare with the letter of transmittal, in presence of a disinterested witness, every deposit received, and at once return a proper certificate or certificates in duplicate. If a remittance contain any apparently counterfeit notes, the depository should submit them to the nearest assistant treasurer of the United States or to the proper officer of a national bank for examination, who will, if found to be counterfeit, stamp or brand them in accordance with instructions from the Treasury Department; and they should then be returned with a certificate for the remainder of the remittance to the remitting post-

master. Separate certificates must be issued for the deposit for each quarter; and they must be properly filled up in a plain, legible hand, and the date and signature written by the postmaster or his assistant, according to section one hundred and ninety-three. Dating and money-order stamps must not be used for dating certificates. Certificates of deposit will be numbered consecutively for each depositing office without regard to a change of postmasters, through each fiscal year, beginning with No. 1 from the first day of July, and ending on the 30th of June following.

Sec. 198. Accounts and Reports by Depositories.—Every depository 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. (R. S., § 3642.)

Every depository will forward to the Sixth Auditor at the end of each week a transcript of deposits received during the week. Blanks for this purpose will be furnished by the First Assistant Postmaster-General, and these transcripts are in addition to the quarterly account and return.

Sec. 199. Deposits and Reports by Depositories.—Postmasters at depository offices must in their turn make prompt deposit of the postal funds deposited with them, as of their own surplus revenue. At the close of every quarter a statement must be rendered to the Third Assistant Postmaster-General (on Form 3049) by the postmaster at every depository post-office, showing the aggregate of deposits made with him during the quarter, the net revenue of his own office, and the disposition made of the whole. This statement is in addition to the transcript of deposits required by the preceding section to be sent to the Auditor.

Money-Order Funds are not within the provisions of this chapter. For directions on that subject see chapter forty-three.

Sec. 200. Deposits, how Brought into the Treasury.—All deposits on account of the postal service shall be brought into the Treasury by warrants of the Postmaster-General, countersigned by the Auditor; and no credit shall be allowed for any deposit until such warrant has been issued. (R. S., § 408.)

COLLECTION BY DRAFTS.

Sec. 201. Whenever it shall be deemed advisable by the Auditor, drafts will be issued for the collection of balances due by postmasters, late postmasters, and others; and immediately upon the receipt of such drafts by the postmaster in whose favor they are issued, it is his duty to notify the party or parties upon whom such drafts are drawn and demand prompt payment thereof, as instructed by the circulars accompanying the drafts.

Sec. 202. Duties of Drawee.—Upon the receipt of such notice and demand, it is the duty of the postmaster, or other person upon whom any such draft is drawn, to pay the amount thereof to the postmaster in whose favor it is issued, without delay and without risk or expense to the United States.

Sec. 203. Notification of Payment.—If the draft be collected by the postmaster, he shall immediately notify the Auditor by transmitting his receipt for the amount, as instructed by the circular accompanying the draft, and must, immediately on receipt of the draft for collection, charge himself upon his postal account with the amount of such draft.

Sec. 204. Notification of Non-payment.—If the postmaster, late postmaster, or other person upon whom the draft is drawn, fail to respond to the demand within the time named in the Auditor's circular of instructions, the postmaster holding the draft will notify the Auditor by letter of such failure, communicating the reply to his demand, if any be received, when further instructions will be sent by the Auditor.

Sec. 205. Report of Cause of Failure to Collect.—If the exertions of the postmaster to collect from the party or his sureties prove unavailing, he will communicate to the Auditor the cause of such failure, and also the residence and pecuniary circumstances of all the parties, if alive; or, if dead, the condition of their estates and the names and addresses of their administrators or executors.

Sec. 206. Responsibility for Uncollected Drafts.—If due diligence be not used in making the collection, or if, being unsuccessful, any postmaster fail to return the draft and proof of 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, and the draft will be permanently charged to the postal account of the postmaster holding it, and he and his sureties will be held responsible for the amount of the same.

Sec. 207. Postmasters may be Removed for Neglect to Collect.—The failure or refusal of a postmaster to comply strictly with instructions sent him in relation to the collection of drafts will be considered just ground for his removal from office.

Sec. 208. Suits upon Collection Drafts.—Upon the return of a collection draft upon a late postmaster or contractor unpaid, the Auditor will at once prepare and transmit to the Department of Justice certified copies of all the accounts and other papers necessary for the immediate institution of a suit against the principal and sureties, for the recovery of the balance due the United States.

NOTE.—Collection drafts are not issued for money-order funds.

REVENUES IN THE TREASURY.

Sec. 209. Postal Revenues to be Paid into Treasury.—The postal revenues and all debts due the Post-Office Department shall, when collected, be paid into the Treasury of the United States, under the direction of the Postmaster-General; and the Treasurer, assistant treasurer, or designated depository receiving such payment, shall give the depositor duplicate receipts therefor. (R. S., § 407.)

Sec. 210. Transfer of Postal Deposits.—The Postmaster-General may transfer money belonging to the postal service between the Treasurer, assistant treasurers, and designated depositories, at his discretion, and as the safety of the public money and the convenience of the service may require. (R. S., § 3641.)

NOTE.—TRANSFER FROM TREASURY TO MONEY-ORDER FUNDS.—Authority is conferred on the Postmaster-General to transfer, by warrant countersigned by the Auditor, out of the postal revenues to any money-order postmaster, such sum as may be necessary above his current revenues to pay money orders drawn on him, by section 1369.

CHAPTER FIVE.

OF EXPENDITURES.

Sec. 211. The System of Disbursements.—All expenditures for the maintenance of the postal service are made from the revenues derived as stated in section one hundred and forty-eight; but no disbursement or retention of any of these revenues is permissible until an appropriation thereof shall have been made by the Congress, nor in excess of the amounts appropriated for the respective purposes prescribed in the acts of appropriation. When appropriated, disbursement of the money is made by three methods:

1. By warrants of the Department drawn upon the Treasurer of the United States, countersigned by the Sixth Auditor.

2. By the retention by postmasters, out of their receipts, of their lawful salaries, and of allowances made to them by order of the Department for the maintenance and service of their offices.

3. By payments by certain postmasters, designated as disbursing officers, of such sums as they may be ordered by the Department to pay to its creditors and postal employés.

All disbursements are audited and the accounts thereof kept by the Sixth Auditor from the quarterly postal accounts of postmasters and from reports to him by the Department, and charged to the proper appropriation therefor.

Sec. 212. No Fees to Postal Employés.—No person employed in the postal service shall receive any fees or perquisites on account of the duties to be performed by virtue of his appointment. (R. S., § 3858.)

Sec. 213. Estimates for the Postal Service.—The Postmaster-General shall submit to Congress at each annual session an estimate of the amount that will be required for the ensuing fiscal year, under each of the following heads :

- First. Transportation of the mails.
- Second. Compensation of postmasters.
- Third. Compensation of clerks in post-offices.
- Fourth. Compensation of letter carriers.
- Fifth. Compensation of blank agents and assistants.
- Sixth. Mail depredations and special agents.
- Seventh. Postage stamps and envelopes.
- Eighth. Ship, steamboat, and way letters.
- Ninth. Dead letters.
- Tenth. Mail bags.
- Eleventh. Mail locks, keys, and stamps.
- Twelfth. Wrapping paper.
- Thirteenth. Office furniture.
- Fourteenth. Advertising.
- Fifteenth. Balances to foreign countries.
- Sixteenth. Rent, light, and fuel for post-offices.
- Seventeenth. Stationery.
- Eighteenth. Miscellaneous.

Such estimates shall show the sums paid under each head, and the names of the persons to whom payments are made out of the miscellaneous fund ; but the names of persons employed in detecting depredations on the mail, and of other confidential agents, need not be disclosed. (R. S., § 3668.)

Provided, That hereafter, in making his estimates for Railway Mail Service, the Postmaster-General shall separate the estimate for postal-car service from the general estimates ; and in case any increase or diminution of service by postal cars shall be made by him, the reasons therefor shall be given in his annual report next succeeding such increase or diminution. (Act of March 3, 1879, § 1, 20 Stats., 357.)

For the time and manner of submitting estimates and general rules governing them, see sections 105 to 110.

Sec. 214. Appropriations and Limitations.—The money required for the postal service in each year shall be appropriated by law out of the revenues of the service. (R. S., § 4054.)

All sums appropriated for the various branches of expenditure in

the public service shall be applied solely to the objects for which they are respectively made, and for no others. (R. S., § 3678.)

For limitation of expenditures to amount appropriated, see section 87.

Sec. 215. Limitation on Unexpended Balances.—All balances of appropriations contained in the annual appropriation bills and made specifically for the service of any fiscal year, and remaining unexpended at the expiration of such fiscal year, shall only be applied to the payment of expenses properly incurred during that year, or to the fulfillment of contracts properly made within that year; and balances not needed for such purposes shall be carried to the surplus fund. This section, however, shall not apply to appropriations known as permanent or indefinite appropriations. (R. S., § 3690.)

Sec. 216. Unexpended Balances Covered into the Treasury.—That from and after the first day of July, eighteen hundred and seventy-four, and of each year thereafter, the Secretary of the Treasury shall cause all unexpended balances of appropriations which shall have remained upon the books of the Treasury for two fiscal years to be carried to the surplus fund and covered into the Treasury: [* * * exceptions not affecting this Department or the postal service;] and the Secretary of the Treasury shall, at the beginning of each session, report to Congress, with his annual estimates, any balances of appropriations for specific objects affected by this section that may need to be reappropriated. (Act of June 20, 1874, § 5, 18 Stats., 110.)

That so much of section five of the act approved June twentieth, eighteen hundred and seventy-four, as directs the Secretary of the Treasury at the beginning of each session to report to Congress with his annual estimates any balances of appropriations for specific objects affected by said section that may need to be reappropriated, be, and hereby is, repealed. And it shall be the duty of the several accounting officers of the Treasury to continue to receive, examine, and consider the justice and validity of all claims under appropriations the balances of which have been exhausted or carried to the surplus fund under the provisions of said section that may be brought before them within a period of five years. And the Secretary of the Treasury shall report the amount due each claimant, at the commencement of each session, to the Speaker of the House of Representatives, who shall lay the same before Congress for consideration: *Provided*, That nothing in this act shall be construed to authorize the re-examination and payment of any claim or account which has been once examined and rejected, unless reopened in accordance with existing law. (Act of June 14, 1878, § 4, 20 Stats., 130.)

PAYMENTS FROM THE TREASURY.

Sec. 217. Warrants, how Drawn.—Payments of money out of the Treasury on account of the postal service shall be in pursuance of appropriations made by law, by warrants of the Postmaster-General, registered and countersigned by the Auditor for the Post-Office Department, and expressing on their face the appropriation to which they should be charged. (R. S., § 3674.)

Sec. 218. Third Assistant Postmaster-General may sign Warrants.—That the Postmaster-General may, by appointment under his hand and official seal, delegate to the Third Assistant Postmaster-General authority to sign in his stead all warrants, registered and countersigned by the Auditor of the Treasury for the Post-Office Department, for the payment of money from the public Treasury on account of the postal service. (Act of February 25, 1882, 22 Stats., 4.) That warrants signed by the said Third Assistant Postmaster-General shall be in all cases of the same validity as if they had been signed by the Postmaster-General himself. (Id., 2.)

Sec. 219. Payments for Debts only; Advances.—All payments on account of the postal service shall be made to persons to whom the same shall be certified to be due by the Sixth Auditor; but advances of necessary sums to defray expenses may be made by the Postmaster-General to agents employed to investigate mail depredations, examine post routes and offices, and on other like services, to be charged to them by the Auditor, and to be accounted for in the settlement of their accounts. (R. S., § 4055.)

See section 72.

Sec. 220. Treasury Drafts, how Employed.—All moneys paid into the Treasury of the United States shall be subject to the draft of the Treasurer. And for the purpose of payments on the public account the Treasurer is authorized to draw upon any of the depositaries, as he may think most conducive to the public interest and to the convenience of the public creditors. 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 forms as shall be directed by the Secretary of the Treasury or the Postmaster-General. (R. S., § 3644.)

DEDUCTIONS BY POSTMASTERS.

Sec. 221. What Postmasters may Retain.—The salary of a postmaster, and such other expenses of the postal service authorized by law as may be incurred by him, and for which appropriations have been made, may be

deducted out of the receipts of his office, under the direction of the Postmaster-General. (R. S., § 3861.) No postmaster shall, under any pretense whatever, have, receive, or retain for himself, in the aggregate, more than the amount of his salary and his commission on the money-order business as hereinafter provided. (R. S., § 3857.)

No commission on money-order business being now allowed the postmaster for himself at a Presidential office, nothing can be retained beyond his fixed salary, except for allowances by the Department.

Sec. 222. Vouchers for Deduction to be sent to the Auditor.—Vouchers for all deductions made by a postmaster out of the receipts of his office, on account of the expenses of the postal service, shall be submitted for examination and settlement to the Sixth Auditor, and no such deduction shall be valid unless found to be in conformity with law. (R. S., § 3862.)

Receipts for every deduction in the exact amount paid should be taken from every clerk or other person to whom the postmaster makes payment of any sum out of the allowances made to him; but when a substitute is temporarily employed, to be paid out of the salary of an absent clerk, the receipt of the latter may embrace the sum paid his substitute as part of his salary, without particular specification.

For penalty for taking and presenting a receipt for a greater sum than actually paid, see R. S., § 5438.

Sec. 223. Deduction of Balance due Postmasters.—Postmasters to whom balances are found to be due at the end of a quarter may deduct the amount from their receipts in any subsequent quarter. Where quarterly balances are usually due the postmaster, he may arrange with the Auditor for their payment by means of transfer drafts on other postmasters.

Sec. 224. Transfer of Debts to Contractors.—The Postmaster-General may transfer debts due to the Department from postmasters and others to such contractors as have given bonds, with security, to refund any money that may come into their hands over and above the amount found due them on the settlement of their accounts; but such transfers shall only be in satisfaction of legal demands for which appropriations have been made. (R. S., § 4056.)

The practice authorized by this section is no longer pursued, contractors being directly paid by warrants.

DISBURSEMENTS BY POSTMASTERS.

Sec. 225. Postmasters as Disbursing Agents.—The Postmaster-General is authorized to designate postmasters at Presidential post-offices as disbursing officers for the payment of the salaries of the officers and

employés of the postal service concerned in the transportation of mails, or in their distribution in transit, and for such other payments as they are now authorized to make from postal revenues. (Act of May 4, 1882, 22 Stats., 54.) And the Postmaster-General is authorized to designate postmasters at money-order post-offices as disbursing officers for the payment of the salaries of officers and employés of the postal service, and for such other payments as postmasters are now authorized to make from postal revenues. (Act of July 5, 1884, 23 Stats., 156.)

Sec. 226. Postmasters Designated Accordingly.—Pursuant to the foregoing statute all Presidential and money-order postmasters are designated as disbursing officers for the payment of the salaries of such officers and employés of the Railway Mail Service, and such other sums to others, as they may be specifically directed by the Department to pay.

Sec. 227. No Allowance for Expenses of Payment, &c.—No allowance will be made to any postmaster for expenses incurred in paying over, depositing, or collecting moneys due the Department.

Sec. 228. When Disbursements to be Made.—To enable the Sixth Auditor to close the accounts of the Department quarterly, and transmit to the Postmaster-General and the Secretary of the Treasury quarterly statements of its receipts and expenditures, postmasters are required to make all authorized payments on account of the free-delivery service, railway mail service, mail-messenger, and special-delivery service, and all expenditures allowed to their respective post-offices, for a quarter just expired, before transmitting their quarterly postal accounts and vouchers to the Auditor as required in section two hundred and forty-seven. The expenditures for one quarter are not to be included in the postal account of a subsequent quarter.

TO LETTER CARRIERS.

Sec. 229. Payment of Letter Carriers.—Letter carriers are paid by the postmasters at the offices at which they serve, out of the postal funds. The names of the carriers should appear in the pay roll (Form No. 1501) in alphabetical order, surnames first, and should correspond with their signatures. Their pay commences from the date of entering upon duty after taking the oath required by section forty-three. The payments may be made monthly. In no case must a payment be made in advance, or for services not already rendered at time of payment, as such payment is expressly forbidden by law. (Section 72.)

The amount paid for each month should be entered in the appropriate column. When the service paid for is less than a month, the entry should show from and to what date the payment is made. When substitutes are employed in place of a carrier absent without pay, the

substitute should be paid the salary of the absent carrier, but the latter should sign the pay roll, and a separate receipt be taken from the substitute and accompany the pay-roll, showing the names of the carrier and substitute and the time served by the latter. Substitutes serving in the place of carriers absent with pay should sign the substitute pay roll (Form No. 1501 $\frac{1}{2}$) on which the time and the name of the carrier in whose place they serve should appear.

In making payment to the widow or heirs of a deceased carrier, where there is no administration of his estate, the postmaster should certify to the signature of the payees and to his or their relationship to the deceased carrier, and to the fact that there is no administration. If there is to be administration of the carrier's estate, payment should be withheld until the appointment of an executor or administrator, and made to him after due appointment and qualification, and he should sign the pay roll.

TO RAILWAY POSTAL CLERKS.

Sec. 230. Method of Payment.—Railway postal clerks will be paid their salaries upon authorization and instructions received from the Second Assistant Postmaster-General, as follows:

1. When a clerk is appointed for a probationary period and assigned to duty on a line, the most convenient disbursing postmaster is instructed to pay him at a designated rate per annum from the day he begins service, but no payment will be made until the postmaster has been advised that the oath of the clerk has been received by the General Superintendent of the Railway Mail Service. No payment is to be made after the expiration of six months from the date named in the order, unless the postmaster is further notified to continue the payments after such expiration.

2. Upon the permanent appointment of the clerk, authority is given the most convenient disbursing postmaster to pay him, specifying the rate.

3. Upon the transfer of a clerk from one line to another, the most convenient disbursing postmaster will be authorized to pay his salary from the date he begins service on such new line.

4. The old paying office will be notified to discontinue payment on such transfer.

5. Upon the promotion or reduction of a clerk the postmaster will be notified of the increase or reduction, and the date when such change takes effect.

6. Notice will be given of deductions from the pay, whenever imposed, to the paying postmaster and the Auditor. But see section 234.

7. When the clerk has been granted leave of absence, with or without pay for the whole or part of the time, notice is given to the postmaster accordingly.

8. The postmaster must be prepared to pay such salaries monthly within three days after the expiration of the month. If the postmaster has not sufficient funds he will give timely notice to the Sixth Auditor, by whom he will be supplied.

Sec. 231.—Record of Arrivals and Departures as Affecting Pay.—Postmasters are required to examine the record of arrivals and departures of railway postal clerks daily, when such records are kept in their offices, and report to the division superintendent at once all failures to sign the same and all cases of advance signature. When such record is kept elsewhere the division superintendent causes the record to be examined and reports made to him. When the clerk fails to sign the record the postmaster will write the words *No Signature* in the line where the name should have been signed; and the words *Advance Signature* will also be noted according to the fact. The postmaster has no discretion in reporting failures, but must promptly forward at the end of the month the record, kept in his office, with due entry therein of every failure, whatever the circumstances, duly certified, to the division superintendent for inspection. The Department, not the postmaster, decides upon the merits of the case.

Sec. 232. Absences, how Affect Pay.—When a railway postal clerk has been absent from duty more than thirty consecutive days, on account of sickness or other cause, the division superintendent will report the same to the Second Assistant Postmaster-General.

Sec. 233. Preliminary Notices to Paying Postmasters.—The division superintendent will send a preliminary notice to the paying postmaster—

1. In case of the death, resignation, removal, suspension, or change of paying office of a railway postal clerk; or

2. When a clerk has been absent from duty more than thirty consecutive days on account of sickness or other cause; and will send

3. A copy of his report of failures in all cases where the record of arrivals and departures is kept elsewhere than in the paying post-office.

Sec. 234. Partial Suspension of Pay.—When the paying postmaster has received a preliminary notice from the division superintendent, or a copy of his report of failures, or when he has forwarded the record kept in his office with failures reported for the month therein, he will withhold from the pay of the clerk a sufficient sum to cover all stoppages, fines, and forfeitures of which he has been notified. For each failure to sign the record of arrivals and departures he will withhold not to exceed one day's pay; for each failure to perform service he will

withhold an amount equal to the pay of the clerk during the time he was absent from duty, until specific instructions are received from the Second Assistant Postmaster-General.

Sec. 235. Payment of Acting Clerks and Substitutes.—An acting clerk is one employed temporarily to fill a vacancy; and no payment is to be made to an acting clerk without specific authority from the Second Assistant Postmaster-General. The receipt taken from such clerk must be signed by himself, be taken on a separate blank (Form No. 1563), and forwarded direct to the Second Assistant Postmaster-General, with the authority for making the payment noted thereon, for the necessary credit. The names of acting clerks should never be put on the regular pay roll.

A substitute is a person employed by a regular clerk to perform his duty during a temporary absence. All sums paid to a substitute must be received for by his principal.

Sec. 236. Deduction of Pay to be Noted.—The cause of every deduction of pay, and the authority for making the same must be noted on the pay roll.

Sec. 237. Keys and Records to be Turned in before Final Settlement.—On the resignation, transfer, suspension, or removal of a postal clerk, final settlement with him will be deferred until the paying postmaster has received from the proper division superintendent a certificate that all mail keys, records, and other property of the Department have been turned over to him.

CHAPTER SIX.

POSTMASTERS' ACCOUNTS AND RETURNS.

Sec. 238. The System of Accounts.—The statutes require the Auditor to close the account of the Department quarterly and transmit to the Secretary of the Treasury quarterly statements of its receipts and expenditures (section 261); and also to certify quarterly to the Postmaster-General an account of the money paid by postmasters out of the receipts of their offices, pursuant to appropriations, on account of the expenses of the postal service. (Section 267.)

All postmasters' accounts and returns of receipts and expenditures must be kept and made accordingly. They are also required to keep in their offices and deliver to their successors a record of all postage stamps, envelopes, books, blanks, and property received from their respective predecessors, or from the Department or its agents, and of all

receipts of money on account of the postal service, and of such other transactions as the Postmaster-General may require. (Section 240.)

To maintain this system of accounts every postmaster is required:

1. To keep in his office a record in conformity to the requirements of sections two hundred and forty, two hundred and forty-one, or two hundred and forty-two.

2. To keep a postal account with the United States, the manner of keeping and rendering which is hereafter explained. The purpose is that every postmaster's account with the United States shall be closed by him and by the Auditor at the end of each quarter during his term of office, and be readily settled finally whenever necessary.

3. To render a quarterly return of the postal business at his post-office to the Auditor, showing the complete revenues and expenditures of the postal service for each quarter distinct from every other quarter, and also the exact balance due to or from the United States; and in the one account embracing not only receipts from the sale of stamps and stamped paper, but from all other sources of revenue, and all postal funds chargeable to him by transfer, deposit, or otherwise, in addition to any balance from a prior quarter, and also all expenditures, disbursements, and deposits lawfully made and credits due to the postmaster during such quarter.

Besides these accounts and records appertaining to the postal service generally, the postmaster is also required further—

1. If a money-order or a postal-note office, to keep separate account of, and separately report all money-order or postal-note business, independently of the postal account, as prescribed in chapter forty-three.

2. At a free-delivery office, to keep and report a separate account of the letter-carrier system, as prescribed in sections two hundred and fifty-four and two hundred and fifty-five.

3. At Presidential offices, to make the monthly reports prescribed in section two hundred and fifty-seven.

4. At all offices, to make the reports prescribed in section two hundred and fifty-six; and such other as may at any time be specially directed by the Department.

Sec. 239. Blanks and Books Furnished.—The proper books and blanks for the keeping and rendition of all the accounts, records, returns, and reports required will be furnished to the postmaster by the First Assistant Postmaster-General (Division of Post-Office Supplies); and postmasters are required to keep such books neatly and correctly according to their design, and subject to examination by inspectors at all times.

Sec. 240. Postmaster's Record.—Every postmaster shall keep a record, in such form as the Postmaster-General shall direct, of all postage stamps, envelopes, postal books, blanks, and property received from his predecessor, or from the Department, or any of its agents; of all receipts in money for postages and box rents, and of all other receipts on account of the postal service, and of any other transactions which may be required by the Postmaster-General; and these records shall be preserved and delivered to his successor, and shall be at all times subject to examination by any special agent of the Department. (R. S., § 3842.)

Sec. 241. Record and Account by Postmasters of Third and Fourth Classes.—Every postmaster of the third and fourth classes shall keep in a book provided for the purpose a record and postal account as follows:

1. An inventory of all desks, cases, fixtures, furniture, canceling, postmarking or rating stamps, ink pads, ink, books, maps, blanks, and Official Guides received from his predecessor or furnished by the Department, upon the form and according to the directions provided.

2. An account, monthly, of all postage stamps, stamped envelopes, newspaper wrappers, newspaper and periodical stamps, special-delivery stamps, postage-due stamps, and postal cards received by him. In this account receipts of stamps and stamped paper, and returns to the Department of damaged stamps and stamped paper, must be entered at the time, and the sales of stamps and stamped paper be entered daily; and the balance on hand and the account should be verified at the end of the quarter. From this stamp account items for the quarterly returns can be readily made up.

3. A monthly summary of all box rents, showing the rental rates and number rented at each rate, respectively, and the total amount of the rents therefor, as indicated by the forms and instructions. This summary should be made up from the list of boxes kept as required by sections four hundred and ninety-four, and two hundred and forty-two. At the end of the quarter the whole should be combined in the quarterly returns according to the instructions and forms provided therefor.

4. An account of all moneys received by him from the sale of waste paper and twine, or other sources of postal revenues.

5. An entry of the amount of every draft transmitted to him by the Department or the Auditor for collection, and of any such returned uncollected, and also of all transfers between money-order and postal accounts at the true date.

6. An entry of all corrections made by the Auditor in his accounts as rendered.

7. A statement of all expenditures made on account of allowances for the office, and as a disbursing postmaster, and for repairs of mail bags

and upon any other postal account, in the manner indicated by the forms and instructions.

8. Entry of any amount specifically allowed by the Department as a credit for losses of stamps or stamped paper by fire, burglary, or other casualty.

9. A daily account of the special-delivery system, showing number of special-delivery letters received, delivered, and forwarded, separately, in appropriate columns.

10. At fourth-class offices, a daily statement, made up by actual count, of the cancellations of stamps on matter actually sent out from his office, including postage-due stamps, and excluding special-delivery stamps.

Sec. 242. Record by Postmasters of First and Second Classes.—Every postmaster of the first and second classes shall keep in a suitable book, separately from his postal account, a record:

1. In the form of an inventory, of all desks, cases, fixtures, furniture, canceling, postmarking or rating stamps, ink pads, canceling ink, books, maps, blanks, Official Guides, and other property of the United States received from his predecessor or furnished from or on account of the Department.

2. An account of all postage stamps of every kind, special-delivery stamps, postal cards, and stamped paper, according to their respective kinds and denominations, received by him, and of all damaged articles of the kind returned to the Department, entered at the proper times, and a daily account of stamps sold. And this account and the stock on hand should be verified by count at least as often as once a week.

3. An account of all the boxes in his post-office, showing the number of all boxes and drawers therein, the number rented, the period when each was rented, with the name of renter and the number of the box, the quarterly rate of rental, and the amounts chargeable for rents, as well as amounts collected.

4. A particular account of all sales of waste paper, twine, or other Government property, giving quantity or amount, date, price, and name of purchaser.

Sec. 243. The Postal Account of Postmasters of the First and Second Classes.—Every postmaster of the first and second classes must keep in a suitable book a postal account, to be closed at the end of each quarter.

In this account he will charge himself with—

1. The balance, if any, due the United States at the close of the preceding quarter; but all balance remaining at the close of such preceding quarter ought to be deposited and the amount credited in the account for that quarter, except in special cases.

2. The amount of stamps and stamped paper of all kinds sold for the day, week, or month preceding the entry, as shown by the stamp account in his record.

3. The amount received from sales of waste paper and twine, or other property.

4. The amount of box rents received for the period since the last entry, as shown by record of box rents.

5. Such deposits as may from time to time be received from other postmasters, when the office is a depository office.

6. Drafts received from the Auditor to be collected; and when credit is taken at the close of the quarter for an uncollected draft then on hand it should be recharged on the debit side at the beginning of the next quarter.

7. Transfers from money-order funds to postal account.

8. Any moneys or debits on postal account from any other source.

9. Corrections of former accounts as per Auditor's statements, when the correction is in favor of the United States.

In this account he will credit himself with—

1. Any balance due to him at the close of the preceding quarter.

2. Corrections of former accounts as per Auditor's statement thereof in favor of the postmaster.

3. Moneys paid for ship and steamboat letters (per sections 836, 837).

4. Amounts paid clerks in post-office as per allowances.

5. Amounts paid for light and fuel, as per allowances.

6. Amounts paid for advertising, as per allowance.

7. Amounts paid for office furniture, as per specific allowance.

8. Amounts for miscellaneous expenses, as per specific allowance

9. Amounts paid for repairs on mail bags.

10. Amounts of transfer drafts paid, drawn upon the postmaster, to be paid from postal funds.

11. Amount paid railway postal clerks, where the postmaster is designated as disbursing agent to pay them.

12. Miscellaneous expenses of railroad transportation, which the postmaster may be specially authorized to pay.

13. Amounts paid for free-delivery service, which the postmaster may be authorized to pay for salaries of letter carriers or incidental expenses.

14. Transfers to money-order funds from postal account.

15. Amount of drafts returned uncollected.

16. Amount of drafts on hand at the end of the quarter uncollected.

17. Deposits of postal funds in designated depositories for which he has received certificates of deposits.

18. Amounts specifically allowed for credits for losses of postage

stamps or other stamped paper by fire, burglary, or other unavoidable casualty.

19. The salary of the postmaster.

20. Fees for delivery of special-delivery articles, to which he is entitled; or, at free-delivery offices, with expenditures made for special-delivery service.

In rendering the quarterly postal account, the debits and credits under each of the above items will be collated, and their sum stated in the corresponding item in the blank on which such account is made. (See form in Appendix.)

QUARTERLY RETURN OF ACCOUNTS.

Sec. 244. Quarterly Account of Receipts.—Every postmaster shall render to the Postmaster-General, under oath, and in such form as the latter shall prescribe, a quarterly account of all moneys received or charged by him or at his office for postage, rent of boxes or other receptacles for mail matter, or by reason of keeping a branch office, or for the delivery of mail matter in any manner whatever. (R. S., § 3843.)

Sec. 245. Quarterly Accounts to be Sworn to.—The Postmaster-General may require a sworn statement to accompany each quarterly account of a postmaster, to the effect that such account contains a true statement of the entire amount of postages, box rents, charges, and moneys collected or received at his office during the quarter; that he has not knowingly delivered, or permitted to be delivered, any mail matter on which the postage was not at the time paid; that such account exhibits truly and faithfully the entire receipts collected at his office, and which, by due diligence, could have been collected, and that the credits he claims are just and right. (R. S., § 3844.)

Sec. 246. Neglect to Render Accounts; Penalty.—Whenever any postmaster neglects to render his accounts for one month after the time, and in the form and manner prescribed by law and the regulations of the Postmaster-General, he and his sureties shall forfeit and pay double the amount of the gross receipts at such office during any previous or subsequent equal period of time; and if, at the time of trial, no account has been rendered, they shall be liable to a penalty of such sum as the court and jury shall estimate to be equivalent thereto, to be recovered in an action on the bond. (R. S., § 3845.)

Sec. 247. Quarterly Return of Postal Account; Directions for Rendering.—In rendering the quarterly return of the postal account postmasters will observe the following directions:

1. It is to be made out upon the blank furnished by the Department,

and written returns will not be audited. A supply of these blanks should be kept on hand sufficient for one year.

2. It must be made up and forwarded immediately after the close of the quarter. The quarters close, respectively, on the last day of March, June, September, and December.

3. The returns must be signed by the postmaster himself, or, in case he be necessarily absent or sick, by his assistant, thus:

JOHN DOE, *Postmaster*,
By RICHARD ROE, *Assistant Postmaster*.

The blank heading must be filled with the name of the post-office, its county and State, and the indorsement thereon must show the class and name of the office, the State, the quarter for which the account is rendered, and the name of the postmaster.

4. The oath at the foot of the account must be subscribed by the postmaster, or by the assistant when the latter renders the account, and must be sworn to before some officer authorized to administer oaths. (See section 272.) But no allowance can be made for fees paid for administering the same.

5. The account is made in duplicate, one copy of which the postmaster retains; and in offices of the third and fourth classes the retained duplicate should be made upon the form provided in the record account book.

6. All statements accompanying the account, and constituting part of the return, are to be made according to the fact.

7. Vouchers for all expenditures must accompany the account; and Presidential postmasters must transmit with their returns a detailed statement of the vouchers accompanying the same. One of the duplicates of each voucher the postmaster will retain and preserve in his office, subject to inspection.

8. Each return with its accompanying papers must be inclosed in one package in which should be included no letter, receipt, or other paper or thing not belonging to the return, and should be addressed to the "AUDITOR OF THE TREASURY FOR THE POST-OFFICE DEPARTMENT, WASHINGTON, D. C." The words "QUARTERLY RETURN" should be plainly written on the package. Presidential postmasters will be furnished by the First Assistant Postmaster-General (Division of Post-Office Supplies), on application, with printed labels, which they are required to paste upon the package containing their quarterly returns, to enable the receiving clerk to distinguish them, on arrival.

Sec. 248. Duty of Postmaster when Returns are Lost.—When a postmaster, having mailed his returns, is notified by the Auditor that it has

not been received, he must forthwith make out duplicate transcripts from the original accounts retained in his possession, and inclose with them the duplicate vouchers kept by him, of which he will make and retain in his office true copies.

Sec. 249. Accounts of Outgoing and Incoming Postmasters.—When a change of postmaster occurs, the outgoing postmaster will render an account and pay the employés of the office to and including the day upon which the office is delivered to his successor; and the successor will render an account and pay the employés for the remainder of the quarter.

No payments should be made by a postmaster for any expenses extending beyond the day on which he turns the post-office over to his successor.

Sec. 250. Accounts of Deceased Postmasters.—When a postmaster dies, the sureties having taken charge of the post-office, and designated one of their number or some other competent person to act as postmaster, as prescribed in section four hundred and forty-eight, he must render an account in the name of the late postmaster up to and including the day of the death of the late postmaster; and such acting postmaster must also render an account from that day, until a duly appointed successor takes possession of the office, in the name of the late postmaster, but should sign the returns as follows:

A—— B ——, *Acting P. M.*,
 For sureties of
 C—— D ——, *Deceased P. M.*

Sec. 251. No Change in Return on Giving New Bond.—The execution of a new bond does not in any way change the manner or time of rendering the quarterly return, as the sureties upon the former bond are held responsible thereon until the last day of the quarter in which the new bond is accepted.

(See section 449.)

Sec. 252. Correction of Errors in Account.—The accounts of all postmasters are examined and adjusted by the Auditor as they are received, and errors found therein are corrected; and all postmasters, each quarter, are notified of the corrections made. When no statement of corrections is received, it may be assumed that the account has been found apparently correct.

The quarterly settlement of accounts of postmasters of the fourth class is subject to the qualification that if the Postmaster-General shall be satisfied that any postmaster has made a false return of business for the purpose of increasing his compensation, he may withhold commissions previously credited in such returns, and in his discretion allow

any compensation deemed reasonable, charging to the postmaster the difference between the same and the credits taken as commissions in such false returns.

Sec. 253. Accounts to be Preserved Two Years.—The Postmaster-General may dispose of any quarterly returns of mails sent or received, reserving the accounts current and all accompanying vouchers, and use such portions of the proceeds as may be necessary to defray the cost of separating and disposing of them; but the accounts shall be preserved entire for at least two years. (R. S., § 4060.)

Sec. 254. Accounts at Carrier Post-offices.—All expenses of letter carriers, branch offices, and receiving boxes, or incident thereto, shall be kept and reported in a separate account, and shall be shown in comparison with the proceeds from postage on local mail matter at each office, and the Postmaster-General shall be guided in the expenditures for this branch of the service by the income derived therefrom. (R. S., § 3874.)

Sec. 255. Postmasters' Reports of Expenses.—Postmasters will report quarterly to the Auditor of the Treasury for the Post-Office Department, on blanks furnished by the Department, the several items of expense enumerated in section two hundred and fifty-four. The pay roll of letter carriers, and the account of incidental expenses of the system, must be promptly transmitted to the Auditor at the close of each quarter, accompanied by a voucher for each bill paid, together with an affidavit that the expenditures were necessary, and the prices paid reasonable.

(See section 229.)

Sec. 256. Quarterly Report of Postage Collected from Publishers, &c.—Postmasters will be required to render promptly to the Third Assistant Postmaster-General, at the close of each quarter, on blanks furnished for the purpose, a statement of postage collected from each publisher and news agent during the whole quarter. In rendering his first statement a new postmaster will state, separately, the amount collected by himself and that collected by his predecessor in the same quarter, giving the exact date, also, when the change of postmasters took effect. If a new paper has been established or there has been a temporary or permanent suspension of a newspaper or agency during the quarter, such fact, with the exact date when it occurred, must be noted on the back of the statement immediately under the words "Changes in publications."

Sec. 257. Monthly Report of Sale of Stamps.—Presidential postmasters are required to make monthly reports to the Third Assistant Postmaster-General of the amounts of each kind and denomination of postage stamps, postage-due stamps, special-delivery stamps, stamped en-

velopes, letter-sheet envelopes, newspaper wrappers, and postal cards received from the Department, the amount of each kind and denomination sold, and the amount of each kind and denomination remaining on hand at the close of the month. Blanks for such reports are supplied on application by the First Assistant Postmaster-General (Division of Post-Office Supplies).

Sec. 258. Change of Fourth Class to Presidential Offices.—The change of classification from an office of the fourth class to third class takes effect upon the assumption of the duties by a postmaster appointed and commissioned by the President; and until such postmaster takes charge the daily reports of cancellations must be kept and transcript of cancellations furnished, upon which the postmaster's compensation will be determined.

Sec. 259. Penalties for Making False Returns.—That in any case where the Postmaster-General shall be satisfied that a postmaster has made a false return of business, it shall be within his discretion to withhold commissions on such returns, and to allow any compensation that under the circumstances he may deem reasonable: *Provided*, That the form of affidavit to be made by postmasters upon their returns shall be such as may be prescribed by the Postmaster-General; and any postmaster who shall make a false return to the Auditor, for the purpose of fraudulently increasing his compensation under the provisions of this or any other act, shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be fined in a sum not less than fifty nor more than five hundred dollars, or imprisoned for a term not exceeding one year, or punished by both such fine and imprisonment in the discretion of the court. (Act of June 17, 1878, 20 Stats., 141.)

One who aids or abets a postmaster in violating this section shall be deemed guilty of a misdemeanor and liable to the same punishment. (*United States v. Snyder et al.*, 3 McCrary, 377.) One who conspires with a postmaster to commit any offense against or defraud the United States is also punishable when any act has been done to effect the object of the conspiracy. (Act of May 17, 1879, 21 Stats., 4.)

CHAPTER SEVEN.

OF THE AUDITOR.

Sec. 260. How Appointed and Title.—There shall be connected with the Department of the Treasury six auditors of accounts, who shall be appointed by the President, by and with the advice and consent of the

Senate, and shall be known as the First, Second, Third, Fourth, Fifth, and Sixth Auditors respectively. (R. S., § 276.)

In the later appropriation acts the Sixth Auditor is mentioned as "the Auditor of the Treasury for the Post-Office Department," and that designation is now usually employed in correspondence with the office.

Sec. 261. Duties of the Auditor.—The Sixth Auditor shall receive all accounts arising in the Post-Office Department, or relative thereto, with the vouchers necessary to a correct adjustment thereof, and shall audit and settle the same and certify the balances thereon to the Postmaster-General. He shall keep and preserve all accounts and vouchers after settlement. He shall close the account of the Department quarterly, and transmit to the Secretary of the Treasury quarterly statements of its receipts and expenditures. He shall report to the Postmaster-General, when required to do so, the manner and form of keeping and stating the accounts of the Department, and the official forms of papers to be used in connection with its receipts and expenditures. He shall report to the Postmaster-General all delinquencies of postmasters in rendering their accounts and returns, or in paying over money-order funds and other receipts at their offices. He shall register, charge, and countersign all warrants upon the Treasury for receipts or 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 may be assigned to him by the Secretary of the Treasury, and make to the Secretary or to the Postmaster-General such reports respecting the same as either of them may require. (R. S., § 277.)

The Auditor of the Treasury for the Post-Office Department has direct official relation to both the Treasury and the Post-Office Department. (7 Opins., 439.)

As to report of Auditor, see section 101.

Sec. 262. To Superintend the Collection of Debts.—The Sixth Auditor shall superintend the collection of all debts due the Post-Office Department, and all penalties and forfeitures imposed for any violation of the postal laws, and take all such other measures as may be authorized by law to enforce the payment of such debts and the recovery of such penalties and forfeitures. He shall also superintend the collection of all penalties and forfeitures arising under other statutes, where such penalties and forfeitures are the consequence of unlawful acts affecting the revenues or property of the Post-Office Department. (R. S., § 292.)

Sec. 263. Organization of his Office.—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, so far as they relate to the postal service, are assigned the duties of examining the returns of postmasters and notifying them of

errors found therein; of adjusting their accounts; and, upon receipt of certificates from the Second Assistant Postmaster-General of the performance of service, of adjusting the quarterly compensation of contractors for carrying the mail; of adjusting the accounts for advertising, mail bags, mail locks and keys, stamps, special agents, post-office inspectors, and all other demands properly arising under the laws, contracts, regulations, or orders of the Department, and payable from appropriations for the postal service; of closing the accounts of the Department quarterly, and 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 authorized by law, and all drafts issued in payment or collection of debts.

To the Sixth Auditor is also assigned the duty of adjusting and settling the money-order accounts of postmasters, and conducting the correspondence relative thereto; also the duty of reporting to the Postmaster-General all delinquencies of postmasters in paying over the moneys in their hands, or in rendering their quarterly returns according to law; of collecting from late postmasters balances due the United States upon their general postal and money-order accounts, and, in cases of failure, to collect such balances by drafts in favor of postmasters or other authorized agents of the Department; of preparing and transmitting to the Department of Justice certified copies of all accounts and papers necessary for the institution of legal proceedings against such late postmasters and their sureties. To the Auditor are transmitted all quarterly and final accounts; all vouchers and letters relating thereto; all receipts of postmasters for money and stamps turned over to them by their predecessors or other postmasters; all acknowledgments of drafts issued in payment of balances; all letters admitting or contesting balances due on the accounts of postmasters and mail contractors; all receipts for drafts issued in collecting such balances; all letters returning such drafts, or reporting the non-payment thereof, and all letters in relation to the settlement of the money-order accounts of postmasters.

There are in the office of the Sixth Auditor eleven divisions, through which the work in the office is performed. Their designation and duties are as follows:

The Examining Division receives and audits the quarterly postal accounts of all post-offices in the United States. It is divided into three subdivisions, viz, the opening room, the stamp room, and the examining corps proper.

The Postal Review Division receives the quarterly postal accounts from the examining division, re-examines and reviews them.

The Registering Division receives from the postal review division the quarterly postal accounts of all the post-offices in the United States, and registers them, exhibiting in the register, ending June 30 of each year, the total amount of receipts and expenditures for that fiscal year.

The Collecting Division has charge of the collection of balances due from late or present postmasters who have failed to make the proper deposits or corrections of their accounts; also of the payment of all balances due to late or present postmasters, and of the adjustment and final settlement of postal accounts.

The Book-keeping Division keeps the ledger accounts of the Department, embracing accounts with postmasters, contractors, and accounts of a general, special, and miscellaneous character.

The Pay Division adjusts and prepares for payment the accounts for the transportation of the mails whether carried by ocean steamers, railroads, steamboats, or other mail carriers; for mail depredations and post-office inspectors, special agents, and all accounts for supplies for the postal service, for advertising, for fees in suits on postal matters, for expenses of postage-stamp, stamped-envelope, and postal-card agencies, and miscellaneous items of appropriation.

The Review Division verifies and passes upon all accounts reported by the pay division, except those relating to the transportation of ocean mails.

The Foreign Division has charge of the adjustment of all money-order and postal accounts with foreign administrations, and keeps the record of the accounts with steamship companies for the ocean transportation of foreign mails.

The Inspecting Division inspects weekly statements of all money-order offices, compares the money orders, both domestic and international, and postal notes paid by postmasters, with the descriptive lists, checks the same in the statement, detecting and correcting errors, makes a complete addition of both debit and credit sides of the statement, and, in the case of international, compares the coupons with the corresponding entries, checking the same, if found correct, as in the case of an order paid. The domestic money orders and postal notes issued are not checked by this division, but the values and fees are added, and errors in addition by postmasters corrected by inspecting division clerks.

The Recording Division has charge of the adjustment of the money-order accounts of postmasters as rendered in their weekly statements, the correspondence pertaining thereto, and directs the collection and

payment of balances thereon. Remittances of money-order funds are registered and checked, and the records of the money-order business are assorted and filed.

The Checking Division assort, numbers, examines, compares, and checks the money-orders and postal notes paid, in order to note agreement with, or difference from, the weekly statement of the postmaster who issues same.

OF DEPARTMENT ACCOUNTS.

Sec. 264. Account of Revenues.—The accounts of the postal service shall be kept in such a manner as to exhibit separately the amount of revenue derived from the following sources, respectively

First. Letter postage.

Second. Book, newspaper, and pamphlet postage.

Third. Registered letters.

Fourth. Box rents and branch offices.

Fifth. Postage stamps and envelopes.

Sixth. Dead letters.

Seventh. Fines and penalties.

Eighth. Revenue from money-order business.

Ninth. Miscellaneous.

And they shall exhibit separately the amount of the expenditure made for each of the following objects, respectively :

First. Transportation of the mail.

Second. Compensation of postmasters.

Third. Compensation of letter carriers.

Fourth. Compensation of clerks for post-offices.

Fifth. Compensation of blank agents and assistants.

Sixth. Mail depredations and special agents.

Seventh. Postage stamps and envelopes.

Eighth. Ship, steamboat, and way letters.

Ninth. Dead letters.

Tenth. Mail bags.

Eleventh. Mail locks and keys.

Twelfth. Postmarking and canceling stamps.

Thirteenth. Wrapping paper.

Fourteenth. Twine.

Fifteenth. Letter balances.

Sixteenth. Office furniture.

Seventeenth. Advertising.

Eighteenth. Balances to foreign countries.

Nineteenth. Rent, light, and fuel for post-offices.

Twentieth. Stationery.

Twenty-first. Miscellaneous. (R. S., § 4049.)

Sec. 265. Account of Expenditures.—That hereafter the Sixth Auditor shall keep the accounts in his office so as to show the expenditures of the Post-Office Department under each item of appropriation provided by law. (Act of March 3, 1875, § 4, 18 Stats., 343.)

Sec. 266. Orders to be Certified to the Auditor.—All orders and regulations of the Postmaster-General which may originate a claim, or in any manner affect the accounts of the postal service, shall be certified to the Sixth Auditor. (R. S., § 405.)

Sec. 267. Quarterly Reports to Postmaster-General.—The Sixth Auditor shall state and certify quarterly to the Postmaster-General an account of the money paid by postmasters out of the receipts of their offices, and pursuant to appropriations, on account of the expenses of the postal service; designating the heads under which such payments were made. (R. S., § 294.)

Sec. 268. Credits for Payments by Postmasters.—Upon the certified quarterly statement by the Sixth Auditor of the payments by postmasters on account of the postal service, the Postmaster-General shall issue his warrant to the Treasurer to carry the amount to the credit of the postal revenues and to the debit of the proper appropriations upon the books of the Auditor. (R. S., § 406.)

Sec. 269. Accounts of the Money-Order Business.—The Sixth Auditor shall keep the accounts of the money-order business separately, and in such manner as to show the number and amount of money-orders issued at each office, the number and amount paid, the amount of fees received, and all the expenses of the money-order business. (R. S., § 293.)

MISCELLANEOUS PROVISIONS.

Sec. 270. Appeal to First Comptroller from Auditor's Settlement.—Whenever the Postmaster-General, or any person whose accounts have been settled by the Sixth Auditor, is dissatisfied with the settlement made by the Auditor, he may, within twelve months, appeal to the First Comptroller, whose decision shall be conclusive. (R. S., § 270.)

Sec. 271. Auditor may Administer Oaths.—The several Auditors are empowered to administer oaths to witnesses in any case in which they may deem it necessary for the due examination of the accounts with which they shall be charged. (R. S., § 297.)

Sec. 272. Oaths in Settlement with Auditor.—Any mayor of a city, justice of the peace, or judge of any court of record in the United States may administer oaths in relation to the examination and settlement of the accounts committed to the charge of the Sixth Auditor. (R. S., § 298.)

CHAPTER EIGHT.

OF CLAIMS OF POSTMASTERS FOR LOSSES OF STAMPED PAPER AND MONEY-ORDER FUNDS.

Sec. 273. Allowance Authorized.—That the Postmaster-General be, and he is hereby, authorized to investigate all claims of postmasters for the loss of money-order funds, postage stamps, stamped envelopes, newspaper wrappers, and postal cards belonging to the United States in the hands of such postmasters, resulting from burglary, fire, or other unavoidable casualty, and if he shall determine that such loss resulted from no fault or negligence on the part of such postmasters, to pay to such postmasters or credit them with the amount so ascertained to have been lost or destroyed, and also to credit postmasters with the amount of any remittance of money-order funds made by them, in compliance with the instructions of the Postmaster-General, which shall have been lost or stolen while in transit by mail from the office of the remitting postmaster to the office designated as his depository: *Provided*, That no claim exceeding the sum of two thousand dollars shall be paid or credited until after the facts shall have been ascertained by the Postmaster-General and reported to Congress, together with his recommendation thereon, and an appropriation made therefor: And provided further, That this act shall not embrace any claim for losses as aforesaid which accrued more than fifteen years prior to its passage; and all such claims must be presented to the Postmaster-General within six months after the taking effect of this act; and no claims for losses which may hereafter accrue shall be allowed unless presented within three months from the time the loss accrued. (Act of March 17, 1882, § 1, 22 Stats., 29.)

That it is hereby made the duty of the Postmaster-General to report his action herein to Congress annually, with his reasons therefor in each particular case. (*Id.*, § 2.)

Sec. 274. Claims and Proofs, how Presented.—A postmaster or late postmaster, in presenting claims for credit or reimbursement for losses resulting from burglary, fire, or other unavoidable casualty must make

an application to the Postmaster-General, plainly and legibly written, signed, and sworn to, and setting forth—

1. The name of the postmaster and of the post-office, county, and State at which the loss occurred, the cause and nature of the loss, the date thereof, and, if known, the hour.

2. When the loss is of stamped paper, the amount of ordinary postage stamps, postage-due stamps, special-delivery stamps, newspaper and periodical stamps, and postal cards, stated at their face value, and of stamped envelopes and newspaper wrappers, stated at the prices fixed therefor, which were in the postmaster's possession immediately before the casualty; the amount of such stamped paper lost or destroyed, stated at the same value and price; the amount of credit claimed therefor, and the amount of each of the kinds, separately stated, saved or actually in the postmaster's possession immediately after the occurrence of the loss.

3. If the loss include any money-order funds, a statement of the amount on hand immediately before the casualty, the amount actually lost or destroyed thereby, and the amount recovered or remaining in the possession of the postmaster thereafter.

4. A general statement of the fact and amount of loss, if any, of individual property by the same casualty.

5. If the loss resulted from fire, its origin or cause should be stated; also, whether the building belonged to the postmaster, whether it was insured and for what amount; whether it has been paid, and, if not, the reason.

6. If the loss resulted from burglary, state the manner of its perpetration, and whether any one has been arrested, prosecuted, or convicted of the offense.

7. If the loss occurred through other unavoidable casualty, such as storm, flood, explosion, a full statement of the facts and circumstances.

8. In all cases a statement of the manner in which the property lost or destroyed was kept, and the care or precaution taken to guard it from loss, and any other facts tending to show that the loss resulted from no fault or negligence of the claimant or those whom he had placed in charge of the office.

9. If the claim is for money-order funds lost in transit, a statement showing whether the remittance was made in due time as required by section one thousand three hundred and seventy-six; that in making the same all the requirements of section one thousand three hundred and ninety-four were fully complied with, as it is only when the remittance was made in strict compliance with such instructions that credit or reimbursement for its loss can be allowed. In support of this state-

ment the affidavit of the witness or witnesses to the inclosure and dispatch of the remittance must be furnished, fully detailing the transaction and showing that the remittance was made in full compliance with the requirements of such regulation.

10. If the loss or destruction for which claim is made consisted of or embraced money-order funds in the postmaster's hands, the statement should show that they were properly on hand, and were not surplus funds retained in violation of the requirements of section one thousand three hundred and seventy-six, and that they were kept separately from and not mixed with postal funds.

The sworn statement of the claimant should be accompanied by the affidavits of at least two disinterested witnesses having knowledge of the facts, who should fully state only such facts corroborating the claim as are within their personal knowledge.

The claim cannot be allowed unless presented within three months from the time the loss accrued. The loss must be reported and claim made so as to reach the Department within the time limited.

Sec. 275. No Credit or Reimbursement for Lost Postal Funds is allowable under the above-quoted act; and no claim therefor is to be made. The amount of such loss may, however, be stated in the application and shown in the proofs, care being taken to distinguish such loss from that of money-order funds or of stamped paper.

Sec. 276. Verification of Claim and Affidavits.—The oath or affirmation required to the claim may be taken before any officer authorized to administer oaths. If taken before a State officer having no official seal, the official character of such officer must be authenticated by the certificate of the clerk, ordinary, or prothonotary of a court of record, attested by the seal of the court.

Sec. 277. Blanks for Claims are furnished by the Assistant Attorney-General for the Post-Office Department upon report of the loss to the Department. Care should be taken in properly filling them out, as, if confused or unintelligible in statement of facts or amounts, a new statement under oath will be required. The affidavits of witnesses must be written out in each case according to the facts, no blanks being furnished for that purpose.

Sec. 278. Claim and Proofs, how Mailed.—The claim and accompanying proofs are to be inclosed in an envelope together and addressed to the Assistant Attorney-General for the Post-Office Department, with whom correspondence relating to the claim is conducted. Registration is unnecessary.

CHAPTER NINE.

OF LEGAL PROCEEDINGS TO COLLECT DEBTS AND PENALTIES.

Sec. 279. The Auditor's Duty.—The Sixth Auditor is required to superintend the collection of all debts due the Post-Office Department and all penalties and forfeitures imposed for any violation of the postal laws, or for unlawful acts affecting the revenues or property of the Post-Office Department. (Section 262.)

Sec. 280. Jurisdiction of State Courts.—All causes of action arising under the postal laws may be sued, and all offenders against the same may be prosecuted, before the justices of the peace, magistrates, or other judicial courts of the several States and Territories having competent jurisdiction by the laws thereof, to the trial of claims and demands of as great value, and of 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. (R. S., § 3833.)

JURISDICTION OF THE UNITED STATES COURTS AND PROCEEDINGS
THEREIN.

Sec. 281. Circuit and District Courts. Jurisdiction under Postal Laws.—The circuit courts [of the United States] shall have original jurisdiction as follows: * * * Fourth. * * * of all causes arising under the postal laws. The district courts [of the United States] shall have jurisdiction as follows: * * * Seventh. Of all causes of action arising under the postal laws of the United States. All suits arising under the postal laws shall be brought in the name of the United States. (R. S., §§ 563, 629, 919.)

Sec. 282. Attachments in Postal Suits.—In all cases where debts are due from defaulting or delinquent postmasters, contractors, or other officers, agents, or employés of the Post-Office Department, a warrant of attachment may issue against all real and personal property and legal and equitable rights belonging to such officer, agent, or employé, and his sureties, or either of them, in the following cases:

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

Second. When such officer, agent, or employé, and 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, the same, or any part thereof, from the district wherein it is situate, with intent to defraud the United States.

And when any such property has been removed, certified copies of the warrant may be sent to the marshal of the district into which the same has been removed, under which certified copies he may seize said property and convey it to some convenient point within the jurisdiction of the court from which the warrant originally issued. And alias warrants may be issued in such cases upon due application, and the validity of the warrant first issued shall continue until the return day thereof. (R. S., § 924.)

Sec. 283. **Application for Warrant; by Whom and how Made.**—Application for such warrant of attachment may be made by any district or assistant district attorney, or any other person authorized by the Postmaster-General, before the judge, or, in his absence, before the clerk of any court of the United States having original jurisdiction of the cause of action. And such application shall be made upon an affidavit of the applicant, or of some other credible person, stating the existence of either of the grounds of attachment enumerated in the preceding section, and upon production of legal evidence of the debt. (R. S., § 925.)

Sec. 284. **Issuing Warrant; Duty of Clerk and Marshal.**—Upon any such application and upon due order of any judge of the court, or, in his absence, without such order, the clerk shall issue a warrant for the attachment of all the property of any kind belonging to the person 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. (R. S., § 926.)

Sec. 285. **Ownership of Attached Property; Trial.**—At any time within twenty days before the return day of such warrant, the party whose property is attached may, on giving notice to the district attorney of his intention, file a plea in abatement, traversing the allegations of the affidavit, or denying the ownership of the property attached to be 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. And any party claiming ownership of the property attached and a specific return thereof, shall be confined to the remedy herein afforded, but his right to an action of trespass, or other action for damages, shall not be impaired hereby. (R. S., § 927.)

Sec. 286. Proceeds of Attached Property to be Invested.—When the property attached is sold on any interlocutory order of the court or is 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 orders of the same. (R. S., § 928.)

Sec. 287. Publication of Attachment.—Immediately upon the execution of any such warrant of attachment, the marshal shall cause due publication thereof to be made, in the case of absconding debtors for two months and of non-residents for four months. The publication shall be made in some newspaper published in the district where the property is situate, and the details thereof shall be regulated by the order under which the warrant is issued. (R. S., § 929.)

Sec. 288. Holders of Defendant's Property to Account for it.—After the first publication of such notice of attachment as required by law, every person indebted to, or having possession of any property belonging to, the said defendants, or either of them, and having knowledge of such notice, shall account and answer for the amount of such debt and 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. And when the person indebted to, or having possession of the property of, such defendants, or either of them, is known to the district attorney or marshal, such officer shall see that personal notice of the attachment is served upon such person, but the want of such notice shall not invalidate the attachment. (R. S., § 930.)

Sec. 289. Discharge of Attachment; Bond.—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 such applicant shall execute to the United States a good and sufficient penal bond, in double the value of the property attached, to be approved by a judge of the court, and with condition for the return of said property, or to answer any judgment which may be rendered by the court in the premises. (R. S., § 931.)

Sec. 290. Accrued Rights not to be Abridged.—Nothing contained in the preceding eight sections shall be construed 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, or the adoption of State laws by, the United States courts. (R. S., § 932.)

Sec. 291. Attachments Dissolved in Conformity with State Laws.—An attachment of property, upon process instituted in any court of the United States, to satisfy such judgment as may be recovered by the plaintiff therein, except in the cases mentioned in the preceding nine sections,

shall be dissolved when any contingency occurs by which, according to the laws of the State where said court is held, such attachment would be dissolved upon like process instituted in the courts of said State: *Provided*, That nothing herein contained shall interfere with any priority of the United States in the payment of debts. (R. S., § 933.)

Sec. 292. What Credits Allowed in Suits.—No claim for a credit shall be allowed upon the trial of any suit for delinquency against a postmaster, contractor, or other officer, agent, or employé of the Post-Office Department, unless the same has been presented to the Sixth Auditor and by him disallowed, in whole or in part, or unless it is 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 to the said Auditor a claim for such credit by some unavoidable accident. (R. S., § 952.)

Sec. 293. Suits of United States against Individuals; what Credits Allowed.—In suits brought by the United States against individuals, no claim for a credit shall be admitted upon trial, except such as appear to have been presented to the accounting officers of the Treasury, for their examination, and to have been by them disallowed, in whole or in part, unless it is 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 a claim for such credit at the Treasury by absence from the United States or by some unavoidable accident. (R. S., § 951.)

Sec 294. Judgment at Return Term, when.—In suits arising under the postal laws the court shall proceed to trial, and render judgment at the return term; but whenever service of process is not made at least twenty days before the return day of such term the defendant is entitled to one continuance, if, on his statement, the court deems it expedient; and if he makes affidavit that he has a claim against the Post-Office Department, which has been submitted to and disallowed by the Sixth Auditor, specifying such claim in his affidavit, and that he could not be prepared for trial at such term for want of evidence, the court, if satisfied thereof, may grant a continuance until the next term. (R. S., § 958.)

Sec. 295. Interest on Balances Due Post-Office Department.—In all suits for balances due to the Post-Office Department interest thereon shall be recovered, from the time of the default, at the rate of six per centum a year. (R. S., § 964.)

Sec. 296. Duties of United States Attorneys.—In the prosecution of any suit for money due the Post-Office Department, the United States attor-

ney conducting the same shall obey the directions which may be given him by the Department of Justice. (R. S., § 381.)

Sec. 297. Proceedings in Equity; when.—When proceedings at law for money due the Post-Office Department are fruitless, the Department of Justice may direct the institution of a suit in chancery, in any United States district or circuit court, to set aside fraudulent conveyances or trusts, or attach debts due the defendant, or obtain any other proper exercise of the powers of equity to have satisfaction of any judgment against such defendant. (R. S., § 382.)

Sec. 298. Copies of Post-Office Records and of Auditor's Statement of Accounts.—Copies of the quarterly returns of postmasters and of any papers pertaining to the accounts of the office of the Sixth Auditor and transcripts from the money-order account books of the Post-Office Department, when certified by the Sixth Auditor under the seal of his office, shall be admitted as evidence in the courts of the United States, in civil suits and criminal prosecutions; and in any civil suit, in case of delinquency of any postmaster or contractor, a statement of the account, certified as aforesaid, shall be admitted in evidence, and the court shall be authorized thereupon to give judgment and award execution, subject to the provisions of law as to proceedings in such civil suits. (R. S., § 889.)

(See *U. S. v. Hodge*, 13 How., 478; *Lawrence v. U. S.*, 2 McLean, 581.)

Sec. 299. Copies of Statements of Demands by Post-Office Department.—In all suits for the recovery of balances due from postmasters, a copy, duly certified under the seal of the Sixth Auditor, of the statement of any postmaster, special agent, or other person, employed by the Postmaster-General or the Auditor for that purpose, that he has mailed a letter to such delinquent postmaster at the post-office where the indebtedness accrued, or at his last usual place of abode; that a sufficient time has elapsed for said letter to have reached its destination in the ordinary course of the mail; and that payment of such balance has not been received, within the time designated in his instructions, shall be received as sufficient evidence in the courts of the United States, or other courts, that a demand has been made upon the delinquent postmaster; but when the account of a late postmaster has been once adjusted and settled, and a demand has been made for the balance appearing to be due, and afterward allowances are made or credits entered, it shall not be necessary to make a further demand for the new balance found to be due. (R. S., § 890.)

Sec. 300. Returns of Marshal to Auditor of the Treasury for the Post-Office Department.—Every marshal to whom any execution upon a judgment in any suit for moneys due on account of the Post-Office Depart-

ment has been directed, shall make returns to the Sixth Auditor at such times as he may direct of the proceedings which have taken place upon the said process of execution. (R. S., § 792.)

COLLECTION OF PENALTIES.

Sec. 301. Actions to Recover Penalties.—For certain violations of the postal laws, not declared crimes or misdemeanors, penalties are imposed by law, and are recoverable by an action. Of these actions the district courts of the United States have jurisdiction. The penalties are recoverable, one-half to the use of the person informing and prosecuting for the same, and the other half to be paid into the Treasury for the use of the Post-Office Department, unless a different disposal is expressly prescribed.

See Section 303.

Sec. 302. What Offenses Subject to Penalty.—The statutes imposing penalties for various offenses against the postal laws or affecting its revenues are given in their proper connection in this compilation. The following is designed to embrace a reference to such statutes:

Setting up or professing to keep an office bearing the sign, name, or title of post-office without authority from the Postmaster-General. (R. S., § 3829; section 436.)

Acting as agent for a lottery office, or vending lottery tickets, while postmaster. (R. S., § 3851; section 477.)

Delaying passage of mail at a ferry by ferryman's neglect or refusal to transport it. (R. S., § 3996; section 726.)

Using stamps in payment of postage, which have been previously used for like purposes. (R. S., § 3923; section 1469.)

Fraudulent attempt to evade the payment of postage. (Act of March 3, 1879, § 23; 20 Stats., 361; section 375.)

Establishing private express for the conveyance of letters or packets, or aiding or assisting therein. (R. S., § 3982, as amended by act of March 3, 1879, § 1, 20 Stats.; section 706.)

Carrying persons on stage coach, railway car, steamboat, vehicle, or vessel who are employed as private express for conveyance of letters and packets and in actual possession of the same. (R. S., § 3983; section 708.)

Sending letters by private express, or delivering them for transmission thereby. (R. S., § 3984; section 709.)

Carrying letters out of the mails, or collecting or receiving them for such purpose. (R. S., § 3981; section 710.)

Carrying letters or packets on board a mail vessel otherwise than in the mail. (R. S., § 3986; section 712.) As to penalty on carrier, (R. S., § 3985; section 711.)

Failure by master of vessel to deliver all letters at the nearest post-office on arrival within any post or collection district of the United States. (R. S., § 3988; section 714, and R. S., § 4016; section 714.)

Failure by master of steamboat passing between ports of the United States to deliver to postmaster letters and packets brought by him. (R. S., § 3977; section 836.)

Forfeiture of package seized on mail vessel with concealed letter. (R. S., § 3991; section 723.)

For postal employé's being interested in contract or acting as agent for contractor. (R. S., § 412; section 92.)

Postmaster for neglect to render accounts. (R. S., § 3845; section 246.)

Sec. 303. Disposal of Fines, Penalties, and Forfeitures: Moieties.—All penalties and forfeitures imposed for any violation of law affecting the Post-Office Department for its revenue or property shall be recoverable, one-half to the use of the person informing and prosecuting for the same, and the other half to be paid into the Treasury for the use of the Post-Office Department, unless a different disposal is expressly prescribed. All fines collected for violations of such laws shall be paid into the Treasury for the use of the Post-Office Department. (R. S., § 4059.)

Sec. 304. Informer; when Liable for Costs.—If any informer or plaintiff on a penal statute, to whom the penalty or any part thereof, if recovered, is directed to accrue, discontinues his suit or prosecution, or is nonsuited therein, or if upon trial judgment is rendered in favor of the defendant, the court shall award to the defendant his costs, unless such informer or plaintiff is an officer of the United States specially authorized to commence such prosecution, and the court, at the trial in open court, certifies upon the record that there was reasonable cause for commencing the same; in which case no costs shall be adjudged to the defendant. (R. S., § 975.)

Sec. 305. Informer; when Liable for Fees of Officers.—If any informer on a penal statute, to whom the penalty or any part thereof, if recovered, is directed to accrue, discontinues his suit or prosecution, or is nonsuited therein, or if upon trial judgment is rendered in favor of the defendant, such informer shall be alone liable to the clerk, marshal, and attorney for the fees of such prosecution, unless he is an officer of the United States whose duty it is to commence such prosecution, and the court certifies that there was reasonable cause for commencing the same; in which case the United States shall be responsible for such fees. (R. S., § 976.)

Sec. 306. Money Voluntarily Paid as Fines, without Suit.—When money has been voluntarily turned over to a postmaster, by a person who has rendered himself liable to fine or penalty for violation of postal laws, for which no suit has been brought, the postmaster will at once deposit the same on account of "fines, penalties and forfeitures" with his depository office, and send the certificate of deposit to the Third Assistant Postmaster-General.

Sec. 307. Papers Required in Suits for Delinquencies, &c.—In case of delinquency of any postmaster, contractor, or other officer, agent, or

employé of the Post-Office Department, in which suit is brought, the Sixth Auditor shall forward to the Department of Justice certified copies of all papers in his office tending to sustain the claim. (R. S., § 296.)

COMPROMISES, REMISSIONS, AND DISCHARGE OF DEBTORS.

Sec. 308. Compromise of Judgments.—Whenever a judgment is obtained for a debt or damages due the Post-Office Department, and it satisfactorily appears that such judgment, or so much thereof as remains unpaid, cannot be collected by due process of law, the Sixth Auditor may, with the written consent of the Postmaster-General, compromise such judgment, and accept in satisfaction less than the full amount thereof. (R. S., § 295.)

Sec. 309. Fines, Penalties, Forfeitures, &c.; how Remitted.—In all cases of fine, penalty, forfeiture, or disability, or alleged liability, for any sum of money by way of damages or otherwise, under any provision of law in relation to the officers, employés, operations, or business of the postal service, the Postmaster-General may prescribe such general rules and modes of proceedings as shall appear to be expedient, for the government of the Sixth Auditor, in ascertaining the fact in each case in which the Auditor shall certify to him that the interests of the Department probably require the exercise of his powers over fines, penalties, forfeitures, and liabilities; and upon the fact being ascertained, the Auditor may, with the written consent of the Postmaster-General, mitigate or remit such fine, penalty, or forfeiture, remove such disability, or compromise, release, or discharge such claim for such sum of money and damages, and on such terms as the Auditor shall deem just and expedient. (R. S., § 409.)

Sec. 310. Discharge of Imprisoned Judgment Debtors.—The Postmaster-General may discharge from imprisonment any person confined in jail on any judgment in a civil case, obtained in behalf of the Department, if it be made to appear that the defendant has no property of any description. (R. S., § 410.)

Sec. 311. Such Discharge no Bar to Execution.—The release provided for by the preceding section shall not bar a subsequent execution against the property of the defendant on the same judgment. (R. S., § 411.)

PRIORITY OF DEBTS DUE THE UNITED STATES.

Sec. 312. Priority Established.—Whenever any person indebted to the United States is insolvent, or whenever the estate of any deceased debtor, in the hands of the executors or administrators, is insufficient

to pay all the debts due from the deceased, the debts due to the United States shall be first satisfied; and the priority hereby established shall extend as well to cases in which a debtor, not having sufficient property to pay all his debts, makes a voluntary assignment thereof, or in which the estate and effects of an absconding, concealed, or absent debtor are attached by process of law, as to cases in which an act of bankruptcy is committed. (R. S., § 3466.)

Sec. 313. Liability of Executors and Administrators.—Every executor, administrator, or assignee, or other person, who pays any debt due by the person or estate from whom or for which he acts, before he satisfies and pays the debts due to the United States from such person or estate, shall become answerable in his own person and estate for the debts so due to the United States, or for so much thereof as may remain due and unpaid. (R. S., § 3467.)

PURCHASE ON EXECUTION.

Sec. 314. How to be Made.—At every sale, on execution, at the suit of the United States, of lands or tenements of a debtor, the United States may, by such agent as the Solicitor of the Treasury shall appoint, become the purchaser thereof; but in no case shall the agent bid in behalf of the United States a greater amount than that of the judgment for which such estate may be exposed to sale, and the costs. Whenever such purchase is made the marshal of the district in which the sale is held shall make all needful conveyances, assignments, or transfers to the United States. (R. S., § 3470.)

CHAPTER TEN.

OF THE RENEWAL OF LOST WARRANTS AND DRAFTS.

Sec. 315. Application Therefor.—Every application for the issue of a duplicate warrant, on the ground that the original is lost or destroyed, must be addressed to the Sixth Auditor, accompanied by an affidavit by the applicant showing the time, place, and all the circumstances attending the loss or destruction of the warrant; its number, date, and amount; in whose favor it was issued, and, if assigned, to whom and how, with any other material particulars within the knowledge of the applicant. The Auditor will thereupon furnish a blank bond of indemnity with instructions for its execution. Such bond must be returned to the Auditor duly executed, together with a letter or certificate from

the officer on whom the warrant was drawn, showing that the original has not been paid, and that payment of it will not thereafter be made to the owner or any other person whomsoever.

Sec. 316. The Duplicate Warrant, when issued, shall have the same tenor, force, and effect as the original; except that in case of an assigned warrant the duplicate may, on production of due authority in writing from the payee for its issue, be made payable to the assignee.

Sec. 317. Application for Duplicate of Lost Draft is made in the same manner as in case of a lost warrant, except that no bond of indemnity is required.

Sec. 318. Renewal of Lost Collection Drafts.—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, or that the draft 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.

TITLE III.
MAIL MATTER.

CHAPTER ELEVEN.

OF DOMESTIC MAIL MATTER; ITS CLASSIFICATION AND RATES
OF POSTAGE.

Sec. 319. Classification.—That mailable matter shall be divided into four classes:

First. Written matter.

Second. Periodical publications.

Third. Miscellaneous printed matter.

Fourth. Merchandise. (Act of March 3, 1879, § 7, 20 Stat., 358.)

Sec. 320. Prepayment of Postage.—Postage on all mail matter must be prepaid by stamps at the time of mailing, unless herein otherwise provided for. (R. S., § 3896.) But if any mail matter, on which by law the postage is required to be prepaid at the mailing office, shall by inadvertence reach its destination without any prepayment, double the prepaid rates shall be charged and collected on delivery. (R. S., § 3898.)

The rule of the statutes is prepayment on all mail matter not free, except soldiers', sailors', and marines' letters. (Sections 322 and 323.) But first-class matter will be dispatched if at least two cents in stamps, one full rate, be affixed or impressed, and the residue of the postage will be collected of the addressee before delivery. Drop letters may also be dispatched under section three hundred and twenty-six. No matter of any other class should be dispatched without such prepayment: but should any matter happen to be sent without prepayment, double the unpaid postage must be collected before delivery. (See section 558.)

FIRST-CLASS MATTER.

Sec. 321. Defined.—Mailable matter of the first class shall embrace letters, postal cards, and all matter wholly or partly in writing, except as hereinafter provided. (Act of March 3, 1879, § 8, 20 Stats., 358.)

The exception relates chiefly to third-class matter.

Sec. 322. First-Class Postage.—That on mailable matter of the first class, except postal cards and drop letters, postage shall be prepaid at the rate of three cents for each half ounce or fraction thereof; postal cards shall be transmitted through the mails at a postage charge of one cent each, including the cost of manufacture; and drop letters shall be mailed at the rate of two cents per half ounce or fraction thereof, including delivery at letter-carrier offices, and one cent for each half ounce or fraction thereof where free delivery by carrier is not established. The Postmaster-General may, however, provide, by regulation, for transmitting unpaid and duly certified letters of soldiers, sailors, and marines in the service of the United States to their destination, to be paid on delivery. (Act of March 3, 1879, § 9, 20 Stats., 358.)

And upon all matter of the first class, as defined by chapter one hundred and eighty of the laws of Congress approved March third, eighteen hundred and seventy-nine, entitled "An act making appropriations for the service of the Post-Office Department for the fiscal year ending June thirtieth, eighteen hundred and eighty, and for other purposes," and by that act declared subject to postage at the rate of three cents for each half ounce or fraction thereof, postage shall be charged, on and after the first day of October, A. D. eighteen hundred and eighty-three, at the rate of two cents for each half ounce or fraction thereof; and all acts, so far as they fix a different rate of postage than herein provided upon such first-class matter, are, to that extent, hereby repealed. (Act of March 3, 1883, 22 Stats., 455.)

That upon all matter of the first class, as defined by chapter one hundred and eighty of the laws of Congress approved March third, eighteen hundred and seventy-nine, entitled, "An act making appropriations for the service of the Post-Office Department for the fiscal year ending June thirtieth, eighteen hundred and eighty, and for other purposes," and by that act declared subject to postage at the rate of three cents for each half ounce or fraction thereof and reduced by the act of March third, eighteen hundred and eighty-three, to two cents for each half ounce or fraction thereof, postage shall be charged, on and after the first day of July, eighteen hundred and eighty-five, at the rate of two cents for each ounce or fraction thereof; and drop letters shall be mailed at the rate of two cents per ounce or fraction thereof, including delivery at letter-carrier offices, and one cent for each ounce or fraction thereof where free delivery by carrier is not established. (Act of March 3, 1885, 23 Stats., 386.)

Sec. 323. Soldiers', Sailors', and Marines' Letters.—Letters written by officers, commissioned or non-commissioned, and privates in the military, naval, or marine service of the United States, to be transmitted unpaid

must be plainly marked "Soldier's Letter," "Sailor's Letter," or Marine's Letter," as the case may be, and signed thereunder with his name and official designation by a field or staff officer, post or detachment commander to whose command the soldier belongs, or by a surgeon or chaplain at a hospital where he may be; and in the navy and marine service, by the officer in command of the vessel, or surgeon on board, or officer commanding a naval hospital or detachment on shore. Letters so certified will be forwarded charged with postage due at single rates only, to be collected on delivery.

Sec. 324. Postal Cards cannot be issued by private parties. Cards, other than those issued by the Department, containing any writing, are subject to letter postage; but if they contain only printed matter, so as to constitute a circular, but one cent is required on each.

No printing or writing other than the address is allowable upon the address side, nor may anything except an address label be pasted or attached to any postal card. The words "to be called for," or any proper description of the person or place addressed, may be written thereon as part of the address. Any other writing, mark, or seal placed on the address side, or the splitting of the card and writing on the inside, renders it unmailable, except at letter rates. A postal card once delivered cannot be remailed as such.

Postal cards are first-class matter, and may be forwarded on request, and they should be returned to the writer from the office of address when unclaimed; but no request for such return should be placed on the address side.

Postmasters must treat postal cards as sealed letters, and refrain from reading the messages written thereon, except in order to return the cards to the writer when unclaimed, and except that their contents may be read if they appear to be unmailable because they contain obscene matter or relate to lotteries. (See sections 379 and 380.)

Sec. 325. Addresses, how made.—And addresses upon postal cards and unsealed circulars may be either written, printed, or affixed thereto at the option of the sender. (Act of July 12, 1876, from § 15, 19 Stats., 82.)

Sec. 326. Drop Letters.— * * * But in large cities and adjacent districts of dense population, having two or more post-offices within a distance of three miles of each other, any letter mailed at one of such offices and addressed to a locality within the delivery of another of such offices, which shall have been inadvertently prepaid at the drop or local-letter rate of postage only, may be forwarded to its destination through the proper office, charged with the amount of the deficient postage, to be collected on delivery. (R. S., § 3937, second sentence.)

A "drop letter" is one addressed for delivery to a person within the

delivery of the office at which it is posted. Such a letter is first-class matter and should be returned to the writer, if unclaimed, the same as any other. It cannot be forwarded on request, unless one full rate, two cents, be paid thereon, except within the distance of three miles as above provided. (See, however, section 322, last part.)

SECOND-CLASS MATTER.

Sec. 327. General Definition.—Mailable matter of the second class shall embrace all newspapers and other periodical publications which are issued at stated intervals, and as frequently as four times a year, and are within the conditions named in sections twelve and fourteen. (Act of March 3, 1879, § 10, 20 Stats., 359.)

The sections referred to are 343 and 328.

Second-class matter above described is of two kinds :

1. That sent by publishers or news agents.
2. That sent by others than publishers or news agents. (Section 351.)

Sec. 328. Statutory Characteristics.—That the conditions upon which a publication shall be admitted to the second class are as follows:

First. It must regularly be issued at stated intervals, as frequently as four times a year, and bear a date of issue, and be numbered consecutively.

Second. It must be issued from a known office of publication.

Third. It must be formed of printed paper sheets, without board, cloth, leather, or other substantial binding, such as distinguish printed books for preservation from periodical publications.

Fourth. It must be originated and published for the dissemination of information of a public character, or devoted to literature, the sciences, arts, or some special industry, and having a legitimate list of subscribers; *Provided, however,* That nothing herein contained shall be so construed as to admit to the second-class rate regular publications designed primarily for advertising purposes, or for free circulation, or for circulation at nominal rates. (Act of March 3, 1879, § 14, 20 Stats., 359.)

Sec. 329. Regularity of Issue.—The regular periods of issue must be shown by the publication itself and be within the statute. Annuals and semi-annuals are third-class matter. And it is only matter mailed at or about the time of its regular publication which is entitled to second-class rates. Old copies of newspapers or periodicals published at prior times must pay the rate prescribed in section three hundred and fifty-one, except that back numbers may be sent to regular subscribers at the pound rate.

An admissible publication may change the periods of issue, as from monthly to weekly, weekly to daily, or *vice versa*, but on such change

should receive a new certificate of entry accordingly. Educational publications and those of colleges and schools, otherwise within the rule, do not lose their right by suspension of issue during vacation.

Sec. 330. A Known Office of Publication is a public office for the transaction of the business of the newspaper or periodical, where orders may be received for subscriptions and advertising during the usual business hours; and this office should be shown by the publication itself.

Sec. 331. Advertising Sheets Defined.—“Regular publications, designed primarily for advertising purposes,” within the intendment of section three hundred and twenty-eight, embrace at least such as the following:

First. Those owned and controlled by one or several individuals or business concerns, and conducted as an auxiliary and essentially for the advancement of the main business or calling of those who own or control them.

Second. Those which, having no genuine or paid-up subscriptions, insert advertisements free, on the condition that the advertiser will pay for any number of papers which are sent to persons whose names are given to the publisher.

Third. Those which do advertising only, and whose columns are filled with editorial puffs of firms or individuals who buy a certain number of copies for distribution.

Fourth. Pamphlets containing market quotations, and the business cards of various business houses opposite the pages containing such quotations.

The question whether a publication is primarily designed for advertising purposes is one of fact to be determined in each case from the evidence (16 Opins. Atty. Gen., 303). There are various facts from which inferences may be drawn, in aid of such decision. A publication may be largely engaged in advertising, and still not be published primarily for that purpose. It may not be self-sustaining apart from the revenue derived from advertising, and still be entitled to the pound rates. But the postmaster or the Department, in doubtful cases, will judge from the appearance and matter in the publication, the price of and amount derived from subscription, the number of subscribers in proportion to the issue, the amount of advertising space in proportion to the other, the quantity of advertising for one business house, the relation of the advertisers to the publishers, and the frequency of issue. If the advertisement is limited to the business or wares of one house, and forms the principal part of the reading matter, and the other matter appears to be put in merely to attract attention to the advertisements or secure the circulation, or if the circulation be principally gra-

tuitous and the list of subscribers so small as to appear only a nominal list, secured merely to bring the publication within the pound rates, or if the publication is by advertising agents, manufacturers, or dealers in particular lines of goods, mainly to advertise their own manufactures or wares or business, and is designed for and devoted to that work, it may reasonably be deemed to be designed primarily for advertising purposes. But where a publication advertises largely even for a particular patron or for a business conducted by its publishers, and yet furnishes a periodical which contains so large and interesting an amount of information of a public character, or is devoted to literature, the sciences, art, or some special industry to such an extent as to command a patronage from readers, and an extensive subscription list independently of its advertising attractions, the inference may be drawn that the primary or principal object of the publication is more comprehensive than that of advertising. It may in such a case be assumed that the object for which it is taken by its subscribers—the perusal of its general matter—shows the want which it is intended to supply, in other words, the object of its publication; and the purpose for which it is chiefly taken may be deemed the purpose for which it is designed.

Sec. 332. Subscription Price and List Requisite.—Postmasters must require satisfactory evidence that publications offered for mailing at pound rates have a legitimate list of subscribers, by each of whom, or for each of whom, with his consent, express or implied, payment of the subscription price has been made, or agreed to be made. Subscription price must be shown by the publication, and will be deemed *nominal*, within the meaning of section three hundred and twenty-eight, when:

1. The publication asserts or advertises that it is furnished to subscribers at no profit.

2. When it appears from the contents that subscriptions are not made because of the value of the publication as a news or literary journal, but because of its offers of merchandise, or other consideration substantially equal in value to the subscription price, as an inducement to subscription.

3. When the publication is issued for and distributed among the members of a society, association, or club, upon payment of regular dues, with no distinct and sufficient charge for the publication.

Sec. 333. Application for Admission to the Pound Rates.—When a new publication is offered for mailing at pound rates at any post-office, the postmaster will proceed as follows:

1. Require the publisher, or one of the publishers, to make and present to him, with two copies of the publication, sworn answers in writing to the following interrogatories:

1st. Magazine or newspaper? 2d. How often published? 3d. Where is the paper printed? 4th. Who are the proprietors of the paper or magazine? 5th. Are they in any way interested, pecuniarily, in any business or trade represented by the publication, either in the reading matter or in the advertisements; if so, what is the interest? 6th. Who are the editors of the publication, and how is their compensation determined? 7th. Have the editors any pecuniary interest in any business or trade represented by the publication, either in the reading matter or in the advertisements; if so, what is the interest? 8th. Is your publication regarded by the trade which it purports to represent as a general organ of the trade, or is it considered as representing the business interest of a special house in that trade, whose price current or advertisements appear therein? 9th. As a result of the publication of your paper or magazine, is the interest of any business house in the trade especially advanced, notwithstanding your design of making the publication a journal representing the trade? 10th. Can any house in good standing advertise in your publication at the regular published rates? 11th. Have any of the business houses which advertise in your publication any interest (either by past connection or special contract) therein respecting advertisements or subscriptions; and if so, what is that interest? 12th. What is the greatest number of copies furnished to any person or firm who advertise in your publication? 13th. On what terms are these papers furnished? 14th. What number of papers do you print of each issue? 15th. About what number of *bona fide* subscribers (that is, subscribers who pay their own money for the publication and receive it regularly) have you to the next issue of your paper? 16th. What is the subscription price of your publication per annum? 17th. How many pounds weight will cover the papers furnished to regular subscribers? 18th. What average number of sample copies with each issue do you desire to send through the mails at pound rates? 19th. How are the names of the persons to whom you wish to send sample copies obtained by you?

2. If satisfied by the affidavit, the publication itself, and further proofs offered, that the publication is admissible, he will issue a temporary permit, on a form to be furnished by the Department, admitting the publication at the pound rates pending the determination of the Department as to its admissibility.

3. If upon such evidence the admissibility appear to be doubtful, he shall require a deposit at third-class rates on the issue offered for mailing, and issue a permit admitting the publication conditionally, pending determination, the excess of the deposit over the pound rate to be re-

funded if the Department shall decide that the publisher is entitled to the pound rates.

4. If satisfied of non-admissibility, he will refuse to admit except at third-class rates, advising the publisher to appeal to the Department.

5. In all cases he will forward to the Third Assistant Postmaster-General, in the same envelope, the application, affidavit, and other proofs presented by the publisher with a copy of the publication, and a statement of any facts or reasons known to him for or against the admission sought, retaining one copy of the publication to be kept in his office for such comparison with future issues as may be necessary.

Sec. 334. Entry of Second-Class Publications.—The Third Assistant Postmaster-General finally decides upon the admissibility of publications to the pound rate in all cases. He will without delay examine all applications, and upon being satisfied that a publication is entitled to admission at such rate will authorize the postmaster at the proper office to issue a certificate of entry therefor. The postmaster will thereupon issue such certificate on form furnished by the Department, and the publisher is then privileged to print upon each copy of the publication so entered the words, "ENTERED AT THE POST-OFFICE AT ———, AS SECOND-CLASS MATTER." The printing of such words or their equivalent, without due entry having first been made, is unlawful. (See section 346.)

Postmasters should notify publishers of the requirements of this chapter, and that it is the desire of the Department that due entry be made of all second-class publications, both old and new, and that frequent examination and rigid scrutiny will be had of all publications not so formally entered.

Whenever it is made to appear by satisfactory evidence that a publication has been admitted to the pound rates upon false evidence, or that after admission it has so changed its character as to be no longer entitled thereto, the entry thereof will be revoked, and the postmaster at the proper office notified of the revocation.

Sec. 335. Department Record of Second-Class Publications.—The Third Assistant Postmaster-General will cause a record to be kept of second-class publications admitted to the pound rates, giving the date of entry, date when publication ceased or entry was revoked, and will require postmasters punctually to forward all reports and information necessary to keeping the same, and note all changes therein.

Sec. 336. Extra Editions, when genuine and not issued as mere advertising sheets, are entitled to the same rates as the regular edition.

Sec. 337. Supplements Admitted as Second-Class Matter.—That publishers of matter of the second class may, without subjecting it to extra postage, fold within their regular issues a supplement; but in all cases the added

matter must be germane to the publication which it supplements, that is to say, matter supplied in order to complete that to which it is added or supplemented, but omitted from the regular issue for want of space, time, or greater convenience, which supplement must in every case be issued with the publication. (Act of March 3, 1879, § 16, 20 Stats., 359.)

Sec. 338. Rules for Determining Character of Supplements.—In determining whether supplements, though folded for mailing with regular issues, are within the statutory definition, the following rules may be employed when applicable, namely :

1. A publication entirely distinct from and independent of the regular issue, but complete in itself, and in nowise connected with or germane to the regular issue, cannot be adopted as a supplement.

2. "Posters," "show bills," or special advertisements, designed to be posted up, cannot be adopted as supplements.

3. Advertisements, such as appear in the columns of the regular issue and are charged for at the same rate, but which in consequence of want of space or for greater convenience of arrangement are desired to be published in a separate sheet or enlarged edition, are proper supplemental matter.

4. It is not required that the supplement sheets be printed at the office of publication of the regular issue, but if printed there or elsewhere, they must be printed with the purpose of being used as supplements to such publications, and not for another distinct and separate use.

5. A supplement consisting entirely of literary matter is proper ; but matter printed elsewhere than at the office of publication, to be used as supplements to various newspapers for the purpose of securing circulation to some advertisement of private business therein, does not come within the statutory definition of a supplement, and cannot be adopted as such, even though it be printed therein that it is a supplement to the regular publication.

6. Publications of statutes, ordinances, proceedings of public or deliberative assemblies, boards, or conventions, advertisements of tax sales, or other notices or advertisements required by law to be published, whether gratuitously or for compensation, are proper supplemental matter.

7. Supplements must, as the law requires, be folded with the regular issues. If mailed separately, they must be prepaid as third-class matter.

8. Supplements must in all cases bear the name of the paper with

which they are folded, and if they contain advertisements, the number and date corresponding to the regular issue.

9. Maps, diagrams, or illustrations, which are referred to in the publication or form a necessary part thereof, are admissible without the word "supplement."

10. While bills or receipts for subscriptions to the publication, or orders for subscription, as authorized by law (section 356), may be inclosed with a regular issue, they ought not to be combined with a supplement. (See section 357.)

Sec. 339. Inclosures Containing Illegal Supplements; how Rated.—Newspapers containing sheets or additional matter not legally admissible as supplements, should be treated at the mailing office as third-class matter, and postage required accordingly. If the publisher desires to appeal to the Third Assistant Postmaster-General, he can do so by making a deposit for the issue mailed at third-class rates with the postmaster, of which the excess over second-class rates will be refunded, if the Department decides the matter to be admissible as supplements. Newspapers containing illegal supplements, arriving at any office of delivery without evidence of prepayment by stamps affixed, should be rated up, and postage collected on delivery at the third-class rate, as required by law. (See section 343.)

Sec. 340. Sample Copies, which may be sent by publishers from the office of publication at the pound rate, are defined to be copies sent to persons not subscribers for the purpose of inducing them to subscribe or advertise or become agents therefor. In determining their admissibility as sample copies, the following rules should be applied, namely:

1. They must be exactly like the regular edition sent to subscribers. When made up as a special edition different from the regular edition of the same date for subscribers, or containing advertisements in addition to those in the regular edition, they are not sample copies, but third-class matter.

2. The number of sample copies is not limited when sent in good faith as such; but they should be put up in single wrappers and each package addressed, and should be plainly marked, on the wrapper or exposed face of the package, "SAMPLE COPY."

3. An extra number of the issue cannot be sent as sample copies upon the order of, or to fulfill a contract by the publisher with, an advertiser or advertising agency, and extra numbers mailed pursuant to such order or contract must be prepaid at the four-ounce rate. (See section 351.)

4. After a publication has been admitted to the second-class rate, the continuous mailing by the publisher of sample copies in numbers exceeding the issue to regular subscribers, or of such copies continuously to the

same person, will be deemed evidence that the publication is primarily designed for advertising or free circulation, and the sample copies should be detained until the facts can be ascertained. The postmaster should promptly report the case to the Third Assistant Postmaster-General.

5. Sample copies are not entitled to free county circulation, and must be mailed separately from editions that are, and prepaid at pound rates.

6. They must not be inclosed in the same package with copies intended for subscribers. If so inclosed they must be returned to the publisher for separation.

7. They cannot be mailed by news agents at the pound rate.

Sec. 341. Foreign Publications.—That foreign newspapers and other periodicals of the same general character as those admitted to the second class in the United States may, under the direction of the Postmaster-General, on application of the publishers thereof or their agents, be transmitted through the mails at the same rates as if published in the United States. Nothing in this act shall be so construed as to allow the transmission through the mails of any publication which violates any copyright granted by the United States. (Act of March 3, 1879, § 15, 20 Stats., 359.)

Sec. 342. Regulations for Admission of Foreign Publications.—Agents of foreign publications may obtain admission thereof to the mails at the pound rate, at the office at which they desire to mail them within the United States, by making application to the postmaster and submitting therewith two copies of the newspaper or periodical and satisfactory evidence of such admissibility; and he will, if satisfied that the publication is entitled thereto, grant a temporary permit, and report the case with the evidence to the Third Assistant Postmaster-General. The evidence must show that the publication violates no copyright granted by the United States. Upon approval, the Department will authorize the postmaster to give a certificate of entry, as prescribed in section three hundred and thirty-four.

Sec. 343. Examination at Mailing Office.—That matter of the second class may be examined at the office of mailing, and if found to contain matter which is subject to a higher rate of postage, such matter shall be charged with postage at the rate to which the inclosed matter is subject: *Provided*, That nothing herein contained shall be so construed as to prohibit the insertion in periodicals of advertisements attached permanently to the same. (Id., § 12, 20 Stats., 359.)

Sec. 344. Examination of Second-class Publications.—Postmasters should often examine publications offered for mailing to ascertain that they

do not violate the rules prescribed by law for their admission at the pound rate, and specially note:

1. Whether the same are issued at stated intervals as frequently as four times a year, and bear a date of issue, and are numbered consecutively.

2. Whether they are issued from a known office of publication.

3. Whether they are formed of printed paper sheets, without board, cloth, leather, or other substantial binding.

4. Whether they are designed primarily for advertising purposes, or free circulation at nominal rates.

5. Whether they are mailed at the proper office, as prescribed in section three hundred and forty-eight.

6. Whether the name of the person, firm, or corporation publishing the same appears thereon.

7. Whether any other matter than legitimate supplements, as defined in section three hundred and thirty-seven, is inclosed therewith.

8. Whether any writing, print, mark, or sign, other than authorized by section three hundred and fifty-six, appears thereon or therein.

9. Whether any advertisements not permanently attached are inclosed therewith. (See section 343.)

10. When a postmaster has reason to believe that a publication has, after admission to the pound rate, so changed its character as not to be legally entitled thereto, he may require a sworn statement as to its list of subscribers to be furnished him, which, with any other facts or evidence within his knowledge, he will forward to the Third Assistant Postmaster-General.

Sec. 345. Record of Second-class Matter.—Postmasters must keep a record of all publications of the second class mailed at their post-offices, and send a duplicate thereof to the Third Assistant Postmaster-General, and report to him on the first day of each month any change made therein.

Sec. 346. Submitting False Evidence Punishable.—That any person who shall submit, or cause to be submitted, for transportation in the mails, any false evidence to the postmaster relative to the character of his publication, shall be deemed guilty of a misdemeanor, and, upon conviction thereof in any court of competent jurisdiction, shall for every such offense be punished by a fine of not less than one hundred nor more than five hundred dollars. (Act of March 3, 1879, § 13, 20 Stats., 359.)

Sec. 347. Postmasters to Report False Evidence.—When a postmaster has reason to believe that a publisher has submitted to him, or to any postmaster, or to the Department, any false statement or evidence as to

the character of his publication, to secure its admission to pound rates at any post-office, he will report the case and all the information or evidence in his possession to the Third Assistant Postmaster-General.

Sec. 348. Postage on Second-Class Matter.—That all publications of the second class, except as provided in section twenty-five of said act [of March 3, 1879, 20 Stats., 358], when sent by the publisher thereof, and from the office of publication, including sample copies, or when sent from a news agency to actual subscribers thereto, or to other news agents, shall, on and after July first, eighteen hundred and eighty-five, be entitled to transmission through the mails at one cent a pound or fraction thereof, such postage to be prepaid as now provided by law. (Act of March 3, 1885, 23 Stats., 387.)

NOTE.—The exception mentioned in the foregoing act is of matter entitled to free county delivery. Section 25 therein referred to is given in sections 352 and 421.

Sec. 340. Mode of Payment of Postage.—That on and after the first day of January, eighteen hundred and seventy-five, upon the receipt of such newspapers and periodical publications at the office of mailing, they shall be weighed in bulk, and postage paid thereon by a special adhesive stamp, to be devised and furnished by the Postmaster-General, which shall be affixed to such matter, or to the sack containing the same, or upon a memorandum of such mailing, or otherwise, as the Postmaster-General may, from time to time, provide by regulation. (Act of June 23, 1874, § 6, 18 Stats., 233.)

The manner of using the newspaper and periodical stamps, &c., is prescribed in section 179.

Sec. 350. Rights of News Agents.—News agents are persons, including newsboys, engaged in business as news dealers or sellers of second-class publications. A mere local or traveling agent for a publication is not a news agent.

In admitting second-class publications sent from a news agency, postmasters will observe the following:

1. The news agent must file with the postmaster at his office of mailing, a statement showing the names of the periodicals which he mails, the post-offices to which they are directed, the number of subscribers to each on his list, with the dates to which their regular subscriptions extend.

2. He must furnish the postmaster satisfactory evidence that the publications offered are entitled to the pound rate, and have been duly entered at the office of publication.

3. Satisfactory evidence must also be furnished that the persons to whom bulk packages are sent from a news agency are also news agents,

and the address upon bulk packages sent to or from a news agency to a news agent should show that the addressee is such agent.

4. A news agent cannot be permitted to take packages of newspapers and periodicals out of a post-office, write an address on each copy, and return them to the office for mailing or delivery without additional prepayment of postage at the pound rate, except in the case of publications entitled to pass free under section four hundred and twenty-one, to actual subscribers thereto, obtained by him, and the bulk packages of which, mailed to him, have been prepaid at the pound rate.

5. The postmaster is not authorized to open a news agent's packages and distribute any of the papers or periodicals therein through the post-office to subscribers free.

6. A publisher, who purchases for his subscribers a portion of an edition of another second-class publication, is deemed a news agent, and may receive and remail the same at the pound rate.

SECOND-CLASS MATTER NOT ENTITLED TO THE POUND RATE.

Sec. 351. Rate on Transient Newspapers, &c.—That the rate of postage on newspapers and periodical publications of the second class, when sent by others than the publisher or news agent, shall be one cent for each four ounces or fractional part thereof, and shall be fully prepaid by postage stamps affixed to said matter. (Act of June 9, 1884, 23 Stats., 40.)

NOTE.—Prior to this act transient newspapers were embraced in third-class matter. See section 359, which is modified by the above quoted act.

Sec. 352. Rate at Free-Delivery Offices.—*Provided*, That the rate of postage on newspapers, excepting weeklies and periodicals not exceeding two ounces in weight, when the same are deposited in a letter-carrier office for delivery by its carriers, shall be uniform at one cent each; periodicals weighing more than two ounces shall be subject, when delivered by such carriers, to a postage of two cents each, and these rates shall be prepaid by stamps affixed. (Act of March 3, 1879, § 25, 20 Stats., 361.)

Weekly newspapers mailed for delivery at a free-delivery office, although within the county of publication, must pay the pound rate.

Postmasters must be watchful to prevent admission to the mails of second-class matter addressed to free-delivery offices without prepayment of postage under this or the preceding section.

Sec. 353. Second-Class Matter at Free-Delivery Offices; how Separated.—Second-class matter for city delivery, where the carrier system is estab-

lished, should be separately made up at the office of publication, that for delivery by the carriers of a post-office being put in one package or bundle, each article of mail matter therein properly stamped, and that for delivery through the boxes of the post-office by itself. If the separation is not made at the office of publication, each paper or periodical not properly stamped must be placed in the boxes or at the general delivery for delivery therefrom.

GENERAL PROVISIONS.

Sec. 354. Newspapers to be Wrapped and Dried.—No newspapers shall be received to be conveyed by mail unless they are sufficiently dried and inclosed in proper wrappers. (R. S., § 3883.)

Sec. 355. Manner of Folding and Address.—Publications of the second class should be properly folded for assorting and delivery, and legibly addressed. Should a publisher persist in sending them not properly folded, after being notified so to do, the postmaster will be justified in not distributing them with the regular mail.

Sec. 356. Permissible Marks or Writing.—That mailable matter of the second class shall contain no writing, print, mark, or sign thereon or therein in addition to the original print, except as herein provided, to wit, the name and address of the person to whom the matter shall be sent, and index figures of subscription book, either written or printed, the printed title of the publication, the printed name and address of the publisher or sender of the same, and written or printed words or figures or both, indicating the date on which the subscription to such matter will end. (Act of March 3, 1879, § 22, 20 Stats., 360.) And any article or item in any newspaper or other publication may be marked for observation, except by written or printed words, without increase of postage. (Act of March 3, 1885, 23 Stats., 387.) *Provided, however,* That nothing herein contained shall be so construed as to prevent publishers of the second class and news agents from inclosing, in their publications, bills, receipts, and orders for subscriptions thereto; but such bills, receipts, and orders shall be in such form as to convey no other information than the name, location, and subscription price of the publication or publications to which they refer. (Act of March 3, 1879, § 23 in part, 20 Stats., 361.)

NOTE.—The section to which the above proviso is attached is section 375.

Sec. 357. Form of Bills Accompanying Second-Class Matter.—Bills or receipts printed or written in substantially the following form are admissible under the preceding section :

NEW YORK, ———, 188—.

Office of ———,
 The ——— Weekly,
 37 Park Row. P. O. box 4295.

————— to the ——— Weekly, Dr.

—————, subscription, in advance.

Received payment for the ——— Weekly from ——— to ———.

See section 338, paragraph 10.

A bill may include the names of more than one publication, and their terms of subscription, provided they are all published by the same individual or company, or sent by the same news agent, and may include any period of subscription or any number of shipments to a news agent.

Sec. 358. Detention of Matter and Collection of Proper Rate.—When a postmaster at the office of mailing has good reason to believe that a publisher or news agent has deposited matter for mailing at the second-class rate which should be charged with a higher rate, he must detain the suspected matter, notify the publisher or news agent at once of the detention, and report the fact forthwith to the Third Assistant Postmaster-General.

Money collected from publishers upon third-class matter illegally mailed as second class should be converted into ordinary stamps, which should be affixed to a sheet of paper, canceled, and at once mailed to the Third Assistant Postmaster-General, with report of the facts. The stamps so used will be accounted for as sold, and at fourth-class offices also as canceled.

When a publication known by a postmaster to be third-class matter arrives at his post-office, without evidence of having been prepaid by stamps affixed, he will rate up the package at the third-class rate, to be collected, and report the facts as above. If in doubt he may withhold delivery, and forward a copy with his report.

As to second-class matter entitled to be mailed free, see section 421.

As to regulations for wrapping and examination, see sections 376, 377.

THIRD-CLASS MATTER.

Sec. 359. Third-Class Matter Defined and Rate.—That mail matter of the third class shall embrace books, transient newspapers, and periodicals, circulars, and other matter wholly in print (not included in section twelve), [section 343], proof sheets, corrected proof sheets, and manuscript copy accompanying the same, and postage shall be paid at the rate of one cent for each two ounces or fractional part thereof, and shall fully

be prepaid by postage stamps affixed to said matter. Printed matter other than books received in the mails from foreign countries under the provisions of postal treaties or conventions shall be free of customs duty, and books which are admitted to the international mails exchanged under the provisions of the Universal Postal Union Convention may, when subject to customs duty, be delivered to addresses in the United States under such regulations for the collection of duties as may be agreed upon by the Secretary of the Treasury and the Postmaster-General. (Act of March 3, 1879, § 17, 20 Stats., 359.)

NOTE.—The act of June 9, 1884, quoted as section 351, took transient newspapers and periodicals out of this class, making them second class at a special rate, one cent for each four ounces or fraction thereof.

For regulation relating to collection of customs on mail matter see section 621.

Sec. 360. Circulars.—That the term “circular” is defined to be a printed letter, which, according to internal evidence, is being sent in identical terms to several persons. A circular shall not lose its character as such, when the date and the name of the addressee and of the sender shall be written therein, nor by the correction of mere typographical errors in writing. (Act of March 3, 1879, § 18, 20 Stats., 360.)

Respecting the address of a circular, see section 325.

Sec. 361. Rules as to Circulars.—The following additional rules will be observed in determining whether matter comes within the definition of a circular:

1. The date, if written, must be the date of the circular, and not the date on which something is acknowledged therein to have been received.
2. Price lists in circulars cannot be changed by writing, except to correct what was originally written by mistake.
3. A printed receipt with the name of the sender or receptor written therein is not a circular, but first-class matter.
4. A printed letter of inquiry, with the name of the person or subject inquired about, written therein by hand, type writer, or addressing machine, is not a circular.
5. A number may be used in a circular in place of an address, as in an assessment card.

Sec. 362. Bulk Packages for Separate Distribution.—When circulars, handbills, advertising sheets, or any other printed matter of the third class are sent by mail in bulk from one post-office to another, to be distributed through the boxes or general delivery of the post-office of address, or by letter carriers, the bulk package must not exceed four pounds in weight, and must be fully prepaid at the rate of one cent for each two ounces or fraction thereof, and the proper drop rate at the post-office of destination must be affixed in stamps by the sender to each

separate circular or package (see section 359) in addition to the rate already paid upon the bulk package. Third class matter must be prepaid by stamps affixed to each package to one address.

Sec. 363. Printed Matter.—That “printed matter” within the intentment of this act is defined to be the reproduction upon paper, by any process except that of handwriting, of any words, letters, characters, figures, or images, or of any combination thereof, not having the character of an actual and personal correspondence. (Act of March 3, 1879, § 19, 20 Stats. 360.)

Sec. 364. Further Points of Definition, Rules, &c.—1. Reproductions from originals, not in the nature of personal correspondence, made by the electric pen, papyrograph, metallograph, chirograph, copygraph, or similar mechanical processes, easy of recognition, “blue prints” reproduced only as copies of the original, photographs containing no writing other than the name of the sender (see section 367), canvassing or prospectus-books containing sample chapters of, or other printed matter relating to, the publication for which such books are used, copy books for use in schools, with printed copy lines and instructions in the art of writing, are within the definition of printed matter.

2. Matter prepared by the type writer and other like methods is inadmissible as third-class matter, and must be regarded as personal correspondence, unless so reproduced as to be circulars within the law.

3. Blank or printed cards and envelopes with printed address thereon may be inclosed as third-class matter; not so when the addresses are written.

4. Printed matter sent in the mails as a sample of the printing thereon is third-class matter; but samples of paper with printing thereon merely to invite attention to the quality or price of the paper is fourth-class matter.

Sec. 365. Corrections of Proof Sheets.—The corrections in proof sheets may embrace the alteration of the text or insertion of new matter, as well as the correction of typographical and other errors, and also any marginal instructions to the printer necessary to the correction of the matter, or its proper appearance in print. Part of an article may even be entirely rewritten by way of correction, but not the entire article; and such corrections must be upon the margin of or attached to the proof sheets. Manuscript of one article cannot be inclosed with proof or corrected proof sheets of another.

Sec. 366. A Package of Third-Class Matter may Contain any number of articles of that class, including binding, mounting, or covering, or portions thereof, loose or attached, of the book inclosed; the rollers on which maps are mounted; the markers for books; pens or pencils con-

nected with printed pocket or memorandum books; and any covering necessary for safe transmission; but the binding, rollers, pens, pencils, &c., cannot be sent separately from the printed matter to which they pertain at third-class rates.

Sec. 367. Permissible Additions.—Upon matter of the third class, or upon the wrapper inclosing the same, the sender may write his own name or address thereon, with the word “from” above and preceding the same, and in either case may make simple marks intended to designate a word or passage of the text to which it is desired to call attention. There may be placed upon the cover or blank leaves of any book or of any printed matter of the third class a simple manuscript dedication or inscription that does not partake of the nature of a personal correspondence. (Act of March 3, 1879, part of § 22, 20 Stats., 360. See sections 356 and 371.)

The words “please send out,” or “post up,” or other similar directions or requests not part of the address nor necessary to delivery, cannot be written or printed upon the wrapper of a package of third-class matter without subjecting it to first-class rates, as prescribed in section three hundred and seventy-five. The words “personal,” or “to be called for,” and return requests and other directions as to delivery, forwarding, or return, are deemed part of the address, and permissible.

FOURTH-CLASS MATTER.

Sec. 368. Defined.—That mailable matter of the fourth class shall embrace all matter not embraced in the first, second, or third class, which is not in its form or nature liable to destroy, deface, or otherwise damage the contents of the mail bag, or harm the person of any one engaged in the postal service, and is not above the weight provided by law, which is hereby declared to be not exceeding four pounds for each package thereof, except in case of single books weighing in excess of that amount, and except for books and documents published or circulated by order of Congress, or official matter emanating from any of the Departments of the Government or from the Smithsonian Institution, or which is not declared non-mailable under the provision of section thirty-eight hundred and ninety-three of the Revised Statutes as amended by the act of July twelfth, eighteen hundred and seventy-six, or matter appertaining to lotteries, gift concerts, or fraudulent schemes or devices. (Act of March 3, 1879, § 20, 20 Stats., 360.)

Section 3393 R. S. is section 380. As to lottery matter, &c., see section 379.

Sec. 369. Liquids, &c.; when Admissible.—Liquids, except as hereinafter provided, poisons, explosive or inflammable articles, live or dead

(and not stuffed) animals, insects, or reptiles (except as prescribed in the next section), fruits or vegetable matter liable to decomposition, comb honey, guano, or any article exhaling a bad odor, must not under any circumstances be admitted to the mails; but liquids, not ardent, vinous, spiritaous, or malt, and not liable to explosion or spontaneous combustion or ignition by shock or jar, and not inflammable (such as kerosene oil, naphtha, benzine, turpentine, and of like character), soft soap, pastes, or confections, ointments, salves, and articles of similar consistency, may be admitted to the mail for transmission within the United States and Territories, when inclosed in packages in conformity with the conditions prescribed in the next section. The provisions of these regulations do not apply to packages or parcels addressed to foreign countries, now prohibited from transmission by the acts of the Universal Postal Union, or any postal convention or arrangement with any foreign postal administration.

Sec. 370. Preparation for Mailing.—Articles of the fourth class not absolutely excluded from the mails, but which, from their form or nature, might, unless properly secured, destroy, deface, or otherwise damage the contents of the mail bag, or harm the person of any one engaged in the postal service, may be transmitted in the mails when they conform to the following conditions:

1. When not liquid or liquefiable, they must be placed in a bag, box, or removable envelope or wrapping, made of paper, cloth, or parchment.

2. Such bag, box, envelope, or wrapping must again be placed in a box or tube made of metal or some hard wood, with sliding clasp or screw-lid.

3. In cases of articles liable to break, the inside box, bag, envelope, or wrapping must be surrounded by sawdust, cotton, or other elastic substance.

4. Admissible liquids and oils (not exceeding 4 ounces liquid measure), pastes, salves, or articles easily liquefiable, must conform to the following conditions: When in glass bottles or vials, such bottles or vials must be strong enough to stand the shock of handling in the mails, and must be inclosed in a wooden or papier-maché block or tube not less than three-sixteenths of an inch thick in the thinnest part, strong enough to support the weight of mails piled in bags and resist rough handling; and there must be provided, between the bottle and its wooden case, a cushion of cork-crumbs, cotton, felt, asbestos, or some other absorbent, sufficient to protect the glass from shock in handling; the block or tube to be closed by a tightly fitting screw-lid of wood or metal, with a rubber or other pad so adjusted as to make the block or tube water-tight and to prevent the leakage of the contents in case of

breaking of the glass. When inclosed in a tin cylinder, metal case or tube, such cylinder, case, or tube should have a screw-lid with a rubber or cork cushion inside in order to make the same water-tight, and should be securely fastened in a wooden or papier-maché block (open only at one end) and not less in thickness and strength than above described. Manufacturers or dealers, intending to transmit articles or samples in considerable quantities, should submit a sample package, showing their mode of packing, to the postmaster at the mailing office, who will see that the conditions of this section are carefully observed.

5. In case of sharp-pointed instruments, the points must be capped or encased so that they may not by any means be liable to cut through their inclosure, and where they have blades, such blades must be bound with wire so that they shall remain firmly attached to each other, and within their handles or sockets. Needles must be inclosed in metal or wooden cases so that they cannot by any means prick through or pass out of their inclosures.

6. Seeds, or other articles not prohibited, which are liable, from their form or nature, to loss or damage, unless specially protected, may be put up in sealed envelopes, if such envelopes are made of material sufficiently transparent to show the contents clearly without opening.

7. Ink powders, pepper, snuff, or other powders not explosive, or any pulverized dry substances not poisonous, may be sent in the mails when inclosed in the manner prescribed herein for liquids, or when inclosed in metal, wooden, or papier-maché cases in such secure manner as to render the escape of any particles of dust from the package by ordinary handling impossible, and of such strength as to bear the weight and handling of the mails without breaking; the method of packing to be subject to the approval of the General Superintendent of the Railway Mail Service.

8. Queen bees and their attendant bees, and dried insects or reptiles, may be sent in the mails when properly put up so as not to injure the persons of those handling the mails, nor soil the mail bags or their contents.

9. Hard candies or confectionery, yeast cakes, soap in hard cakes when wrapped in strong paper boxes or heavy paper wrappers adequate to prevent all injury to other mail matter in the same mail bag, are admissible in the domestic mails.

10. Pistols or revolvers, in detached parts, may be sent in the mails; but the mailing postmaster will carefully examine such packages, and will receive them only when sure they are harmless.

11. No specific mode of packing is prescribed for samples of flour;

but they should be put up in such manner as to certainly avoid risk of the package breaking or cracking, or the flour being scattered in the mails, and if this be not done the sample should be excluded.

12. Articles of fourth-class matter must be so wrapped that their contents may be easily and thoroughly examined by postmasters, both with reference to the safety of the mails and postal employes, and to the exclusion of matter chargeable as of the first class.

Sec. 371. Permissible Additions.—Upon any package of matter of the fourth class the sender may write or print his own name and address, preceded by the word "from," and there may also be written or printed the number and names of the articles inclosed; and the sender thereof may write or print upon or attach to any such articles by tag or label a mark, number, name, or letter, for purpose of identification. (Act of March 3, 1879, § 22, 20 Stats., 360.)

Sec. 372. Regulations for Examination, &c.—Postmasters will carefully examine packages before mailing, to ascertain that no matter chargeable as of the first class is included, and that the requirements of the foregoing statute are complied with. It is permissible to send articles of merchandise in the mails, which contain printed matter giving descriptions, directions for use, or other information respecting the articles, as part of the original packages or labels done up for sale; but upon the face or surface of the package for mailing no other writing, printing, or marks than those authorized by the statute can be placed without subjecting the matter to first-class rates, as provided in section three hundred and seventy-five.

Postmasters at the offices of address are required to examine such packages and collect first-class rates whenever the statute has been violated, and will report to the Sixth Auditor all cases in which the penalty has been incurred, under section three hundred and seventy-five, giving the name of the sender, if known, addressee, office, and date of mailing, and a description of the package and of the matter inclosed or concealed therein, and a statement of the disposition made thereof. When not delivered to addressee on payment of first-class rates the package will be retained by the postmaster to be used as evidence, and he should be able to establish its identity. If the penalty is voluntarily paid, it will be disposed of as prescribed by section three hundred and six.

Sec. 373. Fourth-Class Postage.—That all matter of the fourth class shall be subject to examination and to a postage charge at the rate of one cent an ounce or fraction thereof, to be prepaid by stamps affixed. (Act of March 3, 1879, § 21, 20 Stats., 360.)

PROVISIONS APPLICABLE TO DIFFERENT CLASSES.

Sec. 374. Limit of Weight.—No package weighing more than four pounds shall be received for conveyance by mail, except books published or circulated by order of Congress. (R. S., § 3879.)

NOTE.—The limit of weight does not apply to matter in foreign mails regulated by postal conventions. (Opins. Att'y-Gen., June 30, 1887.) Section 368 is amendatory of this section by adding further exceptions.

Sec. 375. Penalty for Evasion of Payment of Postage, &c.—That matter of the second, third, or fourth class containing any writing or printing other than indicated in the preceding section [sections 356, 367 and 371] or made in the manner other than therein indicated, shall not be delivered except upon the payment of postage for matter of the first class, deducting therefrom any amount which may have been prepaid by stamps affixed to such matter; and any person who shall conceal or inclose any matter of a higher class in that of a lower class, and deposit, or cause the same to be deposited, for conveyance by mail, at a less rate than would be charged for both such higher and lower class matter, shall, for every such offense, be liable to a penalty of ten dollars. (Act of March 3, 1879, § 23, 20 Stats., 361.)

Sec. 376. Packages must Admit of Examination.—That the Postmaster-General may prescribe, by regulation, the manner of wrapping and securing for the mails all packages of matter not charged with first-class postage, so that the contents of such packages may be easily examined; and no package, the contents of which cannot be easily examined, shall pass in the mails or be delivered at a less rate than for matter of the first class. (Act of March 3, 1879, § 24, 20 Stats., 361.)

Sec. 377. Regulations as to Wrapping.—1. Newspapers and periodicals must be wrapped in such manner that the wrappers can be removed and replaced without destroying them or injuring their inclosures.

2. Third-class matter must be either placed under band, upon a roller, between boards, in a case open at one side or end, or in an uninclosed envelope, or closed so as not to conceal the nature of the packet or its contents, or it may be so tied with a string as to easily unfasten. Address cards and all printed matter in the form of an unfolded card may be mailed without band, envelope, fastening, or fold.

3. Fourth-class matter must be wrapped or inclosed, according to its nature, as prescribed in section three hundred and seventy, in such manner as to be easily examined.

4. Whenever any packet of matter other than first-class, offered for mailing to any address within the United States, is sealed or otherwise closed against inspection, or contains or bears writing not permissible

by section three hundred and seventy-one, it is subject to postage at letter, or first-class, rates, and will be treated as a letter; that is, if one full rate, two cents, has been paid, it will be rated up with the deficient postage at letter rates; if less than one full rate has been paid, it will be treated as prescribed in section five hundred and twenty-five.

UNMAILABLE MATTER.

Sec. 378. Definition and Classification.—Unmailable matter includes all matter which is by law, regulation, or treaty stipulation prohibited from being transmitted in the mails; or which, by reason of illegible, incorrect, or insufficient address, it is found impossible to forward to destination. For convenience it is divided into the following classes:

1. *Held for postage*: That matter which is insufficiently prepaid to entitle it to be forwarded in the mail. This includes all domestic matter of the first class which is not prepaid at least one full rate of postage, and all other domestic matter not fully prepaid; and all insufficiently prepaid matter addressed to foreign countries on which prepayment is necessary.

2. *Misdirected*: That matter which is without address or so incorrectly, insufficiently, or illegibly addressed that it cannot be forwarded to its destination.

3. *Destructive matter*: That which, from its harmful nature, is forbidden to be in the mails. (See section 368.)

4. *Coin and jewelry*: That matter, to wit, coins, jewelry, or precious articles, which is by treaty stipulation prohibited from being sent in the mails to certain foreign countries. (See section 401.)

5. *Obscene matter*: That matter which is by sections three hundred and eighty declared unmailable and prohibited from being sent in the mails.

6. *Lottery*: That matter which is by section three hundred and seventy-nine prohibited from being sent in the mails.

7. *Mutilated*: That matter which is recovered from wrecked or burned mail cars or vessels, or which has been so damaged by any other means that it cannot be forwarded to its destination. This includes all matter of value found loose in the mails, separated from the wrapper, label, or envelope containing the address, so that the destination cannot be known; and all matter recovered from depredations on the mails, which the Postmaster-General is required to restore to the owners when ownership is proved. (Section 151.)

8. *Excess of weight and size*: Those packages of domestic third and fourth class matter weighing more than four pounds each, except single books exceeding that weight, and of foreign matter which are in ex-

cess of the weight or size fixed by treaty stipulation as the maximum for such matter.

9. Such matter as is addressed to foreign countries contrary to regulations for transmission thereto.

10. Any publication which violates any copyright granted by the United States. (See section 341.)

Sec. 379. Letters and Circulars Concerning Lotteries, &c.—No letter or circular concerning [illegal] lotteries, so-called gift-concerts, or other similar enterprises, offering prizes, or concerning schemes devised and intended to deceive and defraud the public for the purpose of obtaining money under false pretenses, shall be carried in the mail. Any person who shall knowingly deposit or send anything to be conveyed by mail in violation of this section, shall be punishable by a fine of not more than five hundred dollars nor less than one hundred dollars, with costs of prosecution. (R. S., § 3894.)

That section thirty-eight hundred and ninety-four of the Revised Statutes be, and is hereby, amended by striking out the word "illegal" in the first line of said section. (Act of July 12, 1876, § 2, 19 Stats., 90.)

NOTE.—Letters and circulars known, and not merely suspected or supposed, to be concerning lotteries are non-mailable. Unsealed circulars may by inspection be known to concern lotteries or not, and when so known may properly be withheld from the mails as prohibited matter, and so may letters, if *known* to concern lotteries. When letters are addressed to lotteries, lottery associations, or persons described in the address as the agents of lotteries or similar schemes, postmasters cannot lawfully withdraw them from the mails as concerning lotteries, as it does not follow and cannot be assumed that such letters concern lotteries. Nor can postmasters refuse to forward registered letters or parcels addressed to such lotteries or agents, or sell money-orders payable to them or their order.

Newspapers containing advertisements of lottery schemes or drawings are not thereby rendered unmailable, as they are not circulars. (Opinion of Attorney-General, December 16, 1885.)

It was only lottery dealers who were in the mind of Congress as sending out letters concerning lotteries, and not the occasional and individual buyer of lottery tickets; and the person who mails a letter to a dealer ordering tickets does not thereby violate the statute. (*United States v. Mason*, 22 Fed. Rep., 707.) A lottery ticket is not a letter within the meaning of the statute, but a schedule printed on the back of all lottery tickets sent out for a particular drawing is a circular. (*United States v. Clark*, 22 Fed. Rep., 708.)

Sec. 380. Obscene Matter.—Every obscene, lewd, or lascivious book, pamphlet, picture, paper, writing, print, or other publication of an indecent character, and every article or thing designed or intended for the prevention of conception or procuring of abortion, and every article or thing intended or adapted for any indecent or immoral use, and every written or printed card, circular, book, pamphlet, advertisement, or notice of any kind giving information, directly or indirectly, where or

how, or of whom, or by what means, any of the hereinbefore-mentioned matters, articles or things may be obtained or made, and every letter upon the envelope of which, or postal card upon which, indecent, lewd, obscene, or lascivious delineations, epithets, terms, or language may be written or printed, are hereby declared to be non-mailable matter, and shall not be conveyed in the mails nor delivered from any post-office nor by any letter carrier; and any person who shall knowingly deposit, or cause to be deposited, for mailing or delivery, anything declared by this section to be non-mailable matter, and any person who shall knowingly take the same, or cause the same to be taken, from the mails, for the purpose of circulating or disposing of, or of aiding in the circulation or disposition of the same, shall be deemed guilty of a misdemeanor, and shall for each and every offense be fined not less than one hundred dollars nor more than five thousand dollars, or imprisoned at hard labor not less than one year nor more than ten years, or both, at the discretion of the court. (R. S., § 3893, as amended by act of July 12, 1876, 19 Stats., 90.)

NOTE.—The test whether matter is obscene within the statute, as determined by the courts, is that its tendency is to deprave and corrupt the morals of those whose minds are open to such influences, and into whose hands a publication of this kind may fall. The word "lewd," as used, means "having a tendency to excite lustful thoughts." "Passages are indecent, within the meaning of the act, when they tend to obscenity; that is to say, matter having the form of indecency, which is calculated to promote the general corruption of morals." That is within the law obscene which "would suggest impure and libidinous thoughts in the minds of the young and inexperienced."

Obscene and indecent matter contained in a sealed letter is within the purview of this statute. Such letter is unmailable, and the person mailing it is guilty of an offense indictable and punishable under this act. (*U. S. v. Morris*, 18 Fed. Rep., 900; *U. S. v. Gaylord*, 17 Fed. Rep., 438; *Id. v. Hanover*, *Id.*, 444; *Id. v. Britton*, *Id.*, 731.) An illustrated pamphlet on impotency, containing extracts from medical works, but indecent and obscene and intended for general circulation, is within this statute and is non-mailable. (*U. S. v. Chesman*, 14 Fed. Rep., 497.) The fact that it is mailed to a person under a fictitious name renders the offense none the less complete. (*Bates v. U. S.*, 11 Biss. C. Ct., 70.)

When a sealed letter has passed in the mails and been delivered to the party addressed, he should, if he deem its contents obscene, consult the United States district attorney for the district in which he resides.

Where the article sent is pills advertised to prevent conception it is no defense to show that they are worthless for the purpose, nor that the defendant deposited them in the post-office by the hand of another. (*Bates v. U. S.*, 11 Biss. C. Ct., 70.) Whether photographs or other pictures are obscene is upon the trial in court a question of fact for the jury to determine, upon exhibition of the pictures. (*People v. Muller*, 32 Hun. N.Y., 209.) But for the purpose of determining as to its mailability the postmaster must decide, or, if it appears doubtful, must submit the case to the Department for decision.

As to the punishment of a Government officer, agent, or employé, for aiding in sending obscene matter in the mail, &c., see section 382.

Sec. 381. Postmasters are Responsible for the Admission of Improper Matter, and will exercise great care to exclude whatever is manifestly unmailable. When articles of the fourth class are offered for mailing under the provisions of section three hundred and seventy they must be examined and excluded if the conditions of admission have not been complied with. In cases of doubt the matter should be referred to the General Superintendent of the Railway Mail Service. (See section 896.)

As to the treatment of unmailable matter generally and its disposition, see sections 528, 529, 530, 546, 608, and 609.

Sec. 382. Punishment of Officer or Employé for Mailing, &c.—Whoever, being an officer, agent, or employé of the Government of the United States, shall knowingly aid or abet any person engaged in any violation of any of the provisions of law prohibiting importing, advertising, dealing in, exhibiting, or sending or receiving by mail, obscene or indecent publications, or representations, or means for preventing conception or procuring abortion, or other articles of indecent or immoral use or tendency, shall be deemed guilty of a misdemeanor, and shall for every offense be punishable by a fine of not less than one hundred dollars and not more than five thousand, or by imprisonment at hard labor for not less than one year nor more than ten, or both. (R. S., § 1785.)

CHAPTER TWELVE.

FOREIGN MAIL MATTER; ITS CLASSIFICATION AND RATES OF POSTAGE.

POSTAL CONVENTIONS.

Sec. 383. Postal Conventions with Foreign Countries.—For the purpose of making better postal arrangements with foreign countries, or to counteract their adverse measures affecting our postal intercourse with them, the Postmaster-General, by and with the advice and consent of the President, may negotiate and conclude postal treaties or conventions, and may reduce or increase the rates of postage on mail matter conveyed between the United States and foreign countries. (R. S., § 398.)

NOTE.—In execution of the authority given by this section, the Postmaster-General is not limited by the statute fixing a limit of weight to matter in the domestic mails. (See Opinion of Attorney-General, June 30, 1887.)

Sec. 384. Publication of Postal Conventions.—The Postmaster-General shall transmit a copy of each postal convention concluded with foreign

governments to the Secretary of State, who shall furnish a copy of the same to the Congressional Printer for publication; and the printed proof sheets of all such conventions shall be revised at the Post-Office Department. (R. S., § 399.)

The Postmaster-General shall transmit a copy of every postal convention to the Secretary of State for the purpose of being printed, and the printed copy thereof shall be revised by the Post-Office Department instead of by the Secretary of State. (R. S., § 3804.)

Sec. 385. Copy to Public Printer.—The Secretary of State shall furnish the Congressional Printer with a correct copy of every act and joint resolution as soon as possible after its approval by the President of the United States, or after it shall have become a law in accordance with the Constitution without such approval; and also of every treaty between the United States and any foreign government after it shall have been duly ratified and proclaimed by the President, and of every postal convention made between the Postmaster-General, by and with the advice and consent of the President, on the part of the United States, and equivalent officers of foreign governments on the part of their respective countries. (R. S., § 3803.)

Sec. 386. Duty of Public Printer Thereon.—The Congressional Printer, on receiving from the Postmaster-General a copy of any postal convention between the Postmaster-General, on the part of the United States, and an equivalent officer of any foreign government, shall immediately cause an accurate printed copy thereof to be executed and sent in duplicate to the Postmaster-General. On the return of one of the revised duplicates, he shall at once have the marked corrections made, and cause to be printed, and sent to the Postmaster-General, any number of copies which he may order, not exceeding five hundred, and to be printed separately, and sent to the two houses of Congress, the usual number. (R. S., § 3806.)

EXISTING ARRANGEMENTS.

Sec. 387. General Explanation.—The foreign countries with which the United States exchange mails are divisible into three classes, namely:

1. Those with which the exchange of mails is governed by direct postal convention.
2. Those countries which have no direct convention with the United States, but with which mails are exchanged through the intermediary service of some foreign country with which the United States have treaty relations.
3. Those foreign countries with which neither a direct convention

exists nor special relations are established through an intermediary by treaty.

Sec. 338. Treaty Relations.—The countries with which mails are exchanged in pursuance of direct postal conventions may be arranged as follows:

1. *The Universal Postal Union countries, namely:*

ARGENTINE REPUBLIC, including eastern parts of Patagonia and Tierra del Fuego, and Staten Island.

AUSTRIA-HUNGARY, including the principality of Lichtenstein.

BELGIUM.

BOLIVIA.

BRAZIL.

BRITISH INDIA: Hindostan and British Burmah (Aracan, Pegu, and Tenasserim), and the Indian Postal establishments of Aden, Muscat, Persian Gulf, Guadur, and Mandalay.

BULGARIA.

CANADA.

CHILI, including western parts of Patagonia and Tierra del Fuego.

COLOMBIA, Republic of.

CONGO, Independent State of.

COSTA RICA.

DENMARK, including Iceland and the Faroe Islands.

DANISH COLONIES:

Greenland.

St. Croix.

St. Thomas.

St. John.

DOMINICAN REPUBLIC.

ECUADOR.

EGYPT, including Nubia and Soodan.

FRANCE, including Algeria, the principality of Monaco, and French post-office establishments at Tunis, Tangier (Morocco), and at Shanghai (China).

FRENCH COLONIES:

1. In Asia, French establishments in India (Chandernagore, Karikal, Mahé, Pondicherry, Yanaon), and in Cochin China (Saïgon, Mytho, Bien-Hoa, Poulo-Condor, Vinh-Long, Hatien, Tschandok),

FRENCH COLONIES—Continued.

and the offices at Cambodia, Annam and Tonquin as appurtenant to Cochin China.

2. In Africa: Senegal and dependencies (Gorée, St. Louis, Bakel, Dagana), Mayotte and Nossi-bé, Gaboon (including Grand Bassam and Assinie), Réunion (Bourbon), Ste. Marie and Tamatave, Madagascar, and Obock, east coast.

3. In America: French Guiana, Guadeloupe and dependencies (Desirade or Descada, Les Saintes, Marie Galante, and the north portion of St. Martin), Martinique, St. Bartholomew, St. Pierre, and Miquelon.

4. In Oceanica: New Caledonia, Tahiti, Marquesas Islands, Isle of Pines, Loyalty Islands, the Archipelagoes of Gambier, Toubouai, and Tuamotou (Low Islands).

GERMANY, including the island of Heligoland.

GREAT BRITAIN AND IRELAND, including Gibraltar, Malta, the dependencies of Malta (Gozzo, Comino, and Cominotto), and the island of Cyprus, and the British Postal Agency at Tangier, Morocco.

BRITISH COLONIES:

1. In Asia:

Ceylon.

Hong-Kong, and the post-offices maintained by Hong-Kong at Kiungchow, Canton, Swatow, Amoy, Foochow, Ningpo, Shanghai, and Hankow (China).

Labuan.

Straits Settlements (Singapore, Penang, and Malacca).

BRITISH COLONIES—Continued.

2. In Africa :

British colonies on the west coast of Africa (Gold Coast, Lagos, Senegambia, and Sierra Leone). Mauritius and dependencies (the Amirante Islands, the Seychelles, and Rodrigues).

3. In America :

Antigua, W. I.
Bahamas.
Barbadoes, W. I.
Bermudas.
British Guiana.
British Honduras.
Dominica, W. I.
Falkland Islands.
Grenada, W. I.
Jamaica.
Montserrat, W. I.
Nevis, W. I.
Newfoundland.
St. Christopher, W. I.
St. Lucia, W. I.
St. Vincent, W. I.
Tobago, W. I.
Trinidad, W. I.
Turk's Island.
Virgin Isles, W. I.

GREECE, including the Ionian Isles.

GUATEMALA.

HAYTI.

HAWAIIAN ISLANDS.

HONDURAS, Republic of, including Bay Islands.

ITALY, including the Republic of San Marino, the Italian offices of Tunis and Tripoli, in Barbary, Massouah, Egypt, and Assab, Abyssinia.

JAPAN, and Japanese post-offices at Shanghai (China), and Fusam-po, Genzanshin, and Jinsen (Corea).

LIBERIA.

LUXEMBURG.

MEXICO.

MONTENEGRO.

NETHERLANDS.

NETHERLANDS COLONIES*:

1. In Asia : Borneo, Sumatra, Java (Batavia), Billiton, Celebes (Macassar), Madura, the Archipelagoes of Banca and Rhio (Riouw), Bali Lombok, Sumbawa, Flores, the southwest portion of Timor, and the Moluccas.

2. In Oceanica : The northwest portion of New Guinea (Papua).

3. In America : Netherlands Guiana (Surinam), Curaçoa, Aruba, Bonaire, part of St. Martin, St. Eustatius, and Saba.

NICARAGUA.

NORWAY.

PARAGUAY.

PERSIA.

PERU.

PORTUGAL, including the islands of Madeira and the Azores.

PORTUGUESE COLONIES :

1. In Asia : Goa, Damao, Diu, Macao, and part of Timor.

2. In Africa : Cape Verde, Bissao, Cacheo, Islands of St. Thome and Prince's, Ajuda, Mozambique, and the province of Angola.

ROUMANIA (Moldavia and Wallachia).

RUSSIA, including the Grand Duchy of Finland.

SALVADOR.

SERVIA.

SIAM.

SPAIN, including the Balearic Isles, the Canary Islands, the Spanish possessions on the north coast of Africa (Ceuta, Peñon de la Gomer, Alhucemas, Melilla, and the Chaffarine Islands), the Republic of Andorra, and the postal establishments of Spain on the west coast of Morocco (Tangier, Tetuan, Larrache, Rabat, Mazagan, Casablanca, Saffi, and Magadore).

SPANISH COLONIES :

1. In Africa : Islands of Fernando Po, Annobon, and Corisco.

2. In America : Cuba and Porto Rico.

SPANISH COLONIES—Continued.

3. In Oceanica : The Archipelagoes of the Mariana (Ladrone), and the Caroline Islands.
4. In Asia : The Philippine Archipelago (Luzon, with Manilla, Mindanao, Palawan, Panay, Amar, &c.).

SWEDEN.

SWITZERLAND.

TURKEY (European and Asiatic).

URUGUAY.

VENEZUELA, United States of.

All of which are embraced within and subject to the Universal Postal Union Convention, concluded at Paris in 1878, as amended by the additional act concluded at Lisbon, in March, 1885.

2. *The Dominion of Canada* : under the Conventions of 1851, 1856, and 1873, as amended and revised by the Convention of 1875. The latter Convention practically controls, in most particulars, the direct relations between Canada and the United States, as a special arrangement within the Postal Union.

3. *The Republic of Mexico* : under the Postal Convention of 1887, which supersedes pre-existing direct conventions, and, except as therein provided, also the Universal Postal Union Convention, in the direct relations between the United States and Mexico.

4. *The Colony of New Zealand* : under the Convention of 1870, as amended by the Convention of 1877.

5. *The Colony of New South Wales* : under the Convention of 1874, as amended by the Convention of 1875.

6. *The Colony of Queensland* : under the Convention of 1876.

7. *The Colony of Victoria* : under the Convention of 1878.

8. *The Colony of Tasmania* : under the Convention of 1886.

Sec. 389. Countries Reached through Intermediary.—The Universal Postal Union Convention provides for the exchange of correspondence between any Postal Union country and any country not within the Postal Union, by use of the mails of any Postal Union country which has such relations with the country foreign to the Union as to enable such Union country to exchange mails with the country foreign to the Union. Those countries foreign to the Universal Postal Union, with which the United States now exchange mails through the intermediary service of a Postal Union country, are the following, namely :

1. All African countries not within the Postal Union.
2. The Island of Ascension.
3. China.
4. Madagascar (except Ste. Marie and Tamatave, which are Postal Union offices).
5. The Island of St. Helena.

Sec. 390. Rates to Foreign Countries of the Third Class.—The rate of United States postage on mail matter sent to or received from foreign countries with which different rates have not been established by postal convention or other arrangement, when forwarded by vessels regularly employed in transporting the mail, shall be ten cents for each half ounce or fraction thereof on letters, unless reduced by order of the Postmaster-General; two cents each on newspapers; and not exceeding two cents per each two ounces, or fraction thereof, on pamphlets, periodicals, books, and other printed matter, which postage shall be prepaid on matter sent and collected on matter received; and to avoid loss to the United States in the payment of balances, the Postmaster-General may collect the unpaid postage on letters from foreign countries in coin or its equivalent. (R. S., § 3912.)

Under this section rates of postage are fixed, so far as the service of the United States extends, on mails for the following countries, namely:

The Australian colonies of North Australia, South Australia, West Australia, and Alexanderland; the Fiji Islands, the Samoan Islands, and other islands of the Pacific not before enumerated.

Sec. 391. Retaliatory Postage on certain Foreign Matter.—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 all custom-house officers and other United States agents designated or appointed for that purpose shall enforce or carry into effect the foregoing provision, and 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. (R. S., 4015.)

For rule when letters are brought in on foreign vessels, see section 714.

Sec. 392. Consuls to pay Foreign Postage in certain Cases.—The Postmaster-General or the Secretary of State is hereby authorized to empower the consuls of the United States to pay the foreign postage on such letters destined for the United States as may be detained at the ports of foreign countries for the non-payment of postage, which postage 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. (R. S., 4014.)

MAILS WITH THE UNIVERSAL POSTAL UNION COUNTRIES.

Sec. 393. Classification of Mail Matter.—Mail matter within the Universal Postal Union is classified as follows :

1. Letters.
2. Postal cards, and postal cards with paid reply.
3. Commercial papers.
4. Printed matter of every kind.
5. Samples of merchandise.

Sec. 394. Postal Cards cannot exceed $5\frac{3}{8}$ inches in length and $3\frac{3}{8}$ inches in width. They must be mailed without cover. On the address side must be nothing but the address, except that the sender may place on that side his name and address by means of a stamp, a stamp facsimile of his signature, or by any other typographical process. Nothing must be joined or attached to the card.

Postal cards with paid reply are in two parts; one must bear the printed label "Postal card with paid reply," the other "Reply postal card," and be folded together, but not in any manner stuck or closed against inspection. On the address side of the reply part the sender may write his name and address; but return will be made only to an address in the country where it originated.

Postal cards issued by private persons are not admissible to international mails except when entirely in print and properly stamped at foreign rates of postage.

Domestic postal cards may be used by the addition of a one-cent stamp.

Sec. 395. Commercial Papers include all instruments or documents, written or drawn wholly or partly by hand, which have not the character of *an actual and personal correspondence*, such as papers of legal procedure, deeds of all kinds drawn up by public functionaries, way bills or bills of lading, invoices, the various documents of insurance companies, copies or extracts of deeds under private seal written on

stamped or unstamped paper, scores or sheets of manuscript music, manuscripts of works or of newspapers forwarded separately, &c.

They must be mailed under band, so as to be open to examination, or in an open envelope, and packets of such papers cannot exceed four pounds six ounces in weight, nor eighteen inches in length, breadth, or thickness.

Sec. 396. Printed Matter includes newspapers and periodical works, books stitched or bound, pamphlets, sheets of music, visiting cards, address cards, proofs of printing, with or without the manuscripts relating thereto, papers with raised points for the use of the blind, engravings, photographs, pictures, drawings, plans, geographical maps, catalogues, prospectuses, announcements, and notices of various kinds, whether printed, engraved, lithographed, or autographed, and, in general, all impressions or reproductions obtained upon paper, parchment, or cardboard by means of printing, engraving, lithographing, and autographing, or any other mechanical process easy to recognize, except the copying press.

Such matter, if made by the mechanical processes called chromography, polygraphy, hectography, papyrography, velocigraphy, &c., must, to be mailable, be presented for mailing at the post-office windows, and in the minimum number of twenty perfectly identical copies.

Packets of printed matter must not exceed four pounds six ounces in weight, nor eighteen inches in length, breadth, or thickness; except that *rolls* of printed matter are transmissible which may be placed within a cubic box of eighteen inches in dimensions, measuring in length and size respectively as follows:

- Of $\frac{1}{2}$ inch in diameter, 29 $\frac{3}{4}$ inches in length.
- Of 1 inch in diameter, 28 $\frac{1}{2}$ inches in length.
- Of 2 inches in diameter, 27 inches in length.
- Of 3 inches in diameter, 24 $\frac{1}{2}$ inches in length.
- Of 4 inches in diameter, 22 $\frac{1}{2}$ inches in length.
- Of 5 inches in diameter, 20 $\frac{1}{2}$ inches in length.
- Of 6 inches in diameter, 19 $\frac{3}{4}$ inches in length.

They must either be placed under band, upon a roller, between boards, in a case open at one side or at both ends, or in an unclosed envelope, or simply folded in such a manner as not to conceal the nature of the packet, or, lastly, tied by a string easy to unfasten, so that they may be readily and thoroughly examined by postmasters.

Address cards, and all printed matter presenting the form and consistency of an unfolded card, may be mailed without band, envelope, fastening, or band. Cards bearing the title "Postal Card" are not admitted at the rate for printed matter.

Sec. 397. Permissible Additions.—No packet of commercial papers or

printed matter must contain any letter or manuscript note having the character of an actual and personal correspondence. But it is permitted to affix the signature of the sender, or to designate his name, trade, or profession, rank, the place whence sent, and the date of dispatch; also a dedication or mark of respect by the author of printed matter mailed; passages of a text may be marked by figures or signs to call attention. Prices in quotation lists may be added or altered by hand, the prices current of exchange or markets, in catalogues, prospectuses, and notices of different kinds; on printed offers of, or orders for, books, the offers and orders may be indicated by crossing out or underscoring the printed text. Invoices or bills may be inclosed with printed matter when relating thereto; typographical errors in printed matter may be corrected; annotations may be made on proofs of printing or musical compositions, relating to the text or execution of the work.

Sec. 398. Samples of Merchandise must not exceed $8\frac{3}{4}$ ounces in weight, 8 inches in length, 4 inches in breadth, and 2 inches in thickness. They must be placed in boxes, bags, or removable envelopes, in such a manner as to admit of easy inspection; they must not be of merchantable value, nor bear any other writing than the name and business address of the sender, address of destination, merchant's mark or trade mark, serial numbers, prices, or marks indicating weight, size, and dimensions, as well as quantities to be disposed of.

Between the United States and the countries of France, Great Britain, Belgium, Switzerland, and the Argentine Republic respectively, samples of merchandise are only limited to a weight of 12 ounces, and a length of 12 inches, width of 8 inches, and thickness of 4 inches.

Between the United States and Germany, Argentine Republic, Austria-Hungary, Belgium, Chili, Venezuela, Denmark, Dutch Guiana, Egypt, Spain, France, French colonies, Greece, The Hawaiian Kingdom, Hayti, British India, Italy, Japan, Luxemburg, Norway, The Netherlands, Netherland colonies, Peru, Portugal, Roumania, Salvador, Servia, Siam, Sweden, Switzerland, and Turkey, samples of liquids, fatty substances, and powders, whether coloring or not (except such as are dangerous, inflammable, explosive, or exhale a bad odor), will be admitted to the mails provided they conform to the following conditions, viz: They must be placed in thick glass bottles hermetically sealed; the bottles must be placed in a wooden box containing sufficient spongy matter to absorb the contents if the bottles should break; the whole to be inclosed in an outside metal case bearing the address; the wooden box and outside case must be closed so that they may be easily opened for examination of the contents, and the whole packet not exceed the size and weight hereinbefore prescribed.

Sec. 399. The Rates and Payment of Postage.—The rates of postage for the conveyance of postal articles throughout the entire extent of all Postal Union countries, including delivery at the residence of the addressee, where free-delivery service exists, are as follows:

1. For letters, five cents for each half ounce or fraction thereof if prepaid, and double that rate for each half ounce or fraction thereof if not prepaid.

2. For postal cards, two cents each; and for postal cards with paid reply, two cents on each part.

3. For printed matter of every kind, commercial papers, and samples of merchandise the rate is one cent for each weight of two ounces or fraction thereof; but at least five cents must be paid on each packet of commercial papers, and at least two cents on each packet of samples of merchandise.

Letters will be forwarded without prepayment of any rate; other articles will only be forwarded if prepaid in part; and in all cases of insufficient prepayment, double the amount of the deficiency will be collected of the addressee.

Prepayment can be made only by affixing stamps valid in the country of origin; in the United States, the domestic stamps provided by the Department.

All mailable matter will be reforwarded without extra charge within the limits of the Union, and the deficient postage, if any, collected at the office of delivery. Matter erroneously or incompletely addressed and returned to the sender for correction will not be reforwarded except upon payment of postage therefor anew.

Compound packages.—Printed matter, commercial papers, and samples may be sent in one packet, if each article does not exceed the respective limitations in weight and size applicable to it, and the weight of the whole packet does not exceed four pounds six ounces; but the minimum postage will be five cents if the packet contains any commercial papers, and two cents if it contains only printed matter and samples.

Sec. 400. Recall or Change of Address.—The sender may cause an article to be withdrawn by the Department from the mails and returned, or may cause the address to be changed before delivery to the addressee, but at his cost of postage on the request if sent by mail, and of ordinary telegraph rates if the request be telegraphed.

In the United States the sender must apply therefor to the Superintendent of Foreign Mails through the office of mailing.

Sec. 401. Unmailable Matter.—Articles are unmailable in the international mails between the Postal Union countries in the following cases:

1. All articles, except letters, which are not prepaid, at least in part.
 2. Postal cards not conforming to section three hundred and ninety-four.
 3. Printed matter, commercial papers, and samples of merchandise, which contain any letter or manuscript note having the character of an actual and personal correspondence.
 4. Printed matter, commercial papers, and samples of merchandise which are not made up in packets in such manner as to admit of their being easily examined.
 5. Matter printed by special processes mentioned in section three hundred and ninety-six, when not presented as therein directed.
 6. Samples of merchandise which have a merchantable value, or which exceed the prescribed weight or size.
 7. Packets of commercial papers and prints of all kinds which exceed the prescribed weight or size.
 8. All articles of a nature likely to soil or injure the mails.
- Besides the foregoing, it is forbidden to the public to send by mail—
1. Letters or packets containing pieces of money.
 2. Any packets whatever containing articles liable to customs duty.
 3. Gold or silver bullion, precious stones, jewelry, or other precious articles to or through the mails of any country whose legislation prohibits their being placed in the mails or forwarded.

MAILS WITH CANADA.

Sec. 402. Classification and Rates of Postage.—Mail matter exchanged with Canada is divided into four classes, corresponding with the classification of domestic matter, but limited in character, as follows:

1. Letters and postal cards.
2. Newspapers and periodicals, from the office of publication as well as from private parties.
3. Magazines, pamphlets, books, maps, plans, engravings, drawings, photographs, lithographs, sheets of music, &c.
4. Patterns and samples of merchandise, including grains and seeds, but not exceeding the weight of eight ounces, and never closed against inspection, but always so wrapped or inclosed that they may be readily and thoroughly examined by postmasters. Samples of liquids, packed as required in section three hundred and seventy are also admissible.

Prepayment of postage is in all cases obligatory; to be paid in domestic stamps and at the domestic postage rates of the country of origin, except that the postage on each pattern or sample shall be ten cents.

MAILS WITH MEXICO.

Sec. 403. Classification and Rates of Postage.—Except as provided in the next section, articles of mail matter for Mexico are classified and admitted to the mails at the same rates of postage and in all respects according to domestic regulations of the United States, and mails from Mexico will be received and delivered as domestic mails, except as otherwise specially provided in these regulations.

Articles other than letters in their usual and ordinary form must never be closed against inspection, but must be so wrapped or inclosed that they may be readily and thoroughly examined by postmasters or customs officers.

Full prepayment of postage is required in both countries upon correspondence of all kinds, except letters, upon which prepayment of at least one full rate is compulsory. Such prepayment will be made in the domestic stamps of the country of origin.

Should any correspondence addressed to a Mexican office be tendered for mailing at a post-office in the United States, obviously with the intention to evade the higher rates of postage applicable in Mexico, it must be refused unless payment be made of such higher rates, it being designed to prevent persons whose correspondence belongs to the Mexican mails from availing themselves of the rates of postage of the United States. Postmasters on the Mexican border, and at offices near that country, are especially enjoined to carefully observe this provision.

Sec. 404. Unmailable Matter.—All articles which are not wrapped or inclosed as provided in the preceding section; all publications which violate the copyright laws of the country of destination; packets, except single volumes of printed books, which exceed four pounds six ounces in weight; liquids, poisons, explosive or inflammable substances, fatty substances, those which easily liquefy, live or dead animals, not dried, insects and reptiles, confections, pastes, fruits and vegetables and jelly liable to decomposition, substances which exhale a bad odor, lottery tickets or circulars, obscene or immoral articles, and other articles that are in any way liable to damage the mails or injure persons engaged in handling them, are unmailable.

Sec. 405. Return of Correspondence.—Fully prepaid letters which bear requests by senders for their return in case of their non-delivery by a certain date or within a specified time, must be reciprocally returned without charge directly to the dispatching exchange office, at the expiration of the period for their retention indicated in the requests.

Fully prepaid letters bearing on the covers the business card, names, addresses of the senders, or designation of places to which they may be

returned, as a post-office box, street and number, &c., without requests for their return in case of non-delivery within a specified time, must be returned without charge directly to the dispatching exchange office at the expiration of thirty days from the date of their receipt at the office of destination.

The sender of any article of mail matter may cause its return, or a change of its address, in the manner prescribed in section four hundred.

MAILS WITH THE COLONIES OF NEW ZEALAND, NEW SOUTH WALES,
QUEENSLAND, VICTORIA, AND TASMANIA.

Sec. 406. Classification of Mail Matter.—Mail matter exchanged with the colonies of New Zealand, New South Wales, Queensland, Victoria, and Tasmania, is classified as follows:

1. Letters.
2. Newspapers.
3. Other articles of printed matter, patterns, and samples of merchandise.

Postal cards are not admitted, except at letter rates.

All printed matter, except newspapers, patterns, and samples of merchandise, mailed to either of said colonies will be limited as to weight and size by the laws and regulations for domestic mail matter in the United States, and are subject to the same laws and regulations in respect to their liability to be rated with letter postage when containing written matter and in all other respects.

Sec. 407. Rates of Postage.—The single rate of letter postage between the United States and each of said colonies is twelve cents in the United States and sixpence in each of said colonies on each letter weighing half an ounce or less, and a like rate for each additional weight of one-half ounce or fraction thereof. At least one full single rate must be prepaid on all letters, and any letter prepaid less than one such rate is unmailable; but insufficiently paid letters, on which a single rate or more has been prepaid, will be dispatched charged with the deficient postage, to be collected and retained by the country of destination.

Newspapers will be charged two cents each, irrespective of weight, and must be prepaid in all cases.

All other articles of printed matter, patterns, and samples of merchandise will be charged at the rate of four cents for each weight of four ounces or fraction of four ounces, and must be prepaid in all cases.

Prepayment will be made by affixing domestic stamps of the country of origin.

MAILS WITH OTHER FOREIGN COUNTRIES.

Sec. 408. Rates Published in Official Guide.—The classification of mail matter for countries of the second class mentioned in section three hundred and eighty-nine, is the same as within the Universal Postal Union. For countries of the third class, the classification of matter is indicated in section three hundred and ninety. The rates of postage for all these countries, being dependent in the one case on the intermediary, and in the other case on orders of the Postmaster-General, cannot be defined by regulation and are subject to frequent change. The current governing rates on the various articles of mailable matter to such countries will be published to postmasters through the Official Guide, and must in all cases be fully prepaid or the articles refused mailing.

Special rates may be imposed in certain cases between countries of the Universal Postal Union. When so imposed, the rates will be published to postmasters in like manner.

Postmasters will carefully observe the table of special rates published in the Official Postal Guide, and exact prepayment of all such special rates.

Full payment of postage on all foreign mail matter secures cheaper postage in all cases when not compulsory, and should be encouraged by postmasters whenever advice or information may be afforded by them to senders of such matter.

CHAPTER THIRTEEN.

OF FREE MATTER.

OF MATTER TO BE FRANKED.

Sec. 409. Congressional Documents.—That from and after the passage of this act, Senators, Representatives, and Delegates in Congress, the Secretary of the Senate, and Clerk of the House of Representatives may send and receive through the mail, free, all public documents printed by order of Congress; and the name of each Senator, Representative, Delegate, Secretary of the Senate, and Clerk of the House shall be written thereon with the proper designation of the office he holds, and the provisions of this section shall apply to each of the persons named herein until the first Monday of December, following the expiration of their respective terms of office. (Act of March 3, 1879, part of §1; 20 Stats., 356.)

Sec. 410. Congressional Record.—That from and after the passage of

this act the Congressional Record, or any part thereof, or speeches or reports therein contained, shall, under the frank of a member of Congress, or Delegate, to be written by himself, be carried in the mail free of postage, under such regulations as the Postmaster-General may prescribe. (Act of March 3, 1875, part of § 5; 18 Stats., 343.)

Sec. 411. Seeds and Agricultural Reports.—That seeds transmitted by the Commissioner of Agriculture, or by any member of Congress or Delegate receiving seeds for distribution from said Department, together with agricultural reports emanating from that Department, and so transmitted, shall, under such regulations as the Postmaster-General shall prescribe, pass through the mails free of charge. And the provisions of this section shall apply to ex-members of Congress and ex-Delegates for the period of nine months after the expiration of their terms as members and Delegates. (Act of March 3, 1875, § 7; 18 Stats., 343).

Sec. 412. Special Grants of Franking Privilege.—All mail matter carried to the following-named persons, or sent by them under their respective written autograph signatures, will, in pursuance of the acts respectively referred to, be conveyed free of postage during their respective natural lives, namely:

Sarah Polk, widow of the late President James K. Polk, by an act of January 10, 1850; 9 Stats., 421.

Lucretia R. Garfield, by act of December 20, 1881 (22 Stats., 1).

Julia D. Grant, widow of the late President Ulysses S. Grant, by act of June 28, 1886 (24 Stats., —.)

No signature or mark is necessary to the free carriage of mail matter to either of the above-named persons. The address is sufficient.

Sec. 413. Regulations of Franking Privilege.—No matter can be transported under the franking privilege unless admissible to the mails under the provisions of chapter eleven. To entitle to free carriage the word "free" should be printed or written and signed with the name and official designation, if any, of the person entitled to frank it, on the address face of the package, except in case of matter addressed to the persons named in the preceding sections. In the case of the Congressional Record the name of the Senator, member, or Delegate must be written by himself; in other cases the name may be written by any one duly deputed by him for that purpose. A Senator, member, or Delegate who holds his certificate of election is entitled to the franking privilege from the commencement of his term.

All franked matter may be forwarded like any other, but such matter, when once delivered to the addressee, cannot be remailed unless properly franked again. A bulk package of franked articles may be sent

to one addressee, who, on receiving and opening the package, may place addresses on the franked articles and remail them for carriage and delivery to the respective addresses.

Sec. 414. Census Matter.—That the Superintendent [of Census], his chief clerk, supervisors, and enumerators are hereby authorized to transmit through the post-office any paper or document relating to the census, by writing thereon “Official Business, Census,” and subscribing the same, with the addition to his name of his official title. But this privilege shall extend to nothing but documents and papers relating to the census, which shall pass free. And any Superintendent, supervisor, enumerator, or clerk, who shall use or exercise this privilege for any other purpose other than the legitimate discharge of the duties of his office, shall be deemed guilty of a misdemeanor, and, upon conviction, shall forfeit for each offense a sum not exceeding one hundred dollars. (Act of March 3, 1879, § 16; 20 Stats., 477.)

That all mail matter of whatever class relative to the census and addressed to the Census Office, to the Superintendent, his chief clerk, supervisors, or enumerators, and indorsed, “Official Business, Department of the Interior, Census Office,” shall be transported free of postage; and if any person shall make use of any such indorsement to avoid the payment of postage on his private letter, package, or other matter in the mail, the person so offending shall be deemed guilty of a misdemeanor, and subject to a fine of three hundred dollars, to be prosecuted in any court of competent jurisdiction. (Act of April 20, 1880, § 1; 21 Stats., 75.)

OFFICIAL MATTER.

Sec. 415. Official or Penalty Envelopes.—That it shall be lawful to transmit through the mail, free of postage, any letters, packages, or other matters relating exclusively to the business of the Government of the United States: *Provided*, That every such letter or package to entitle it to pass free shall bear over the words “Official Business,” an indorsement showing also the name of the Department, and if from a Bureau or office, the names of the Department and Bureau or office, as the case may be, whence transmitted. And if any person shall make use of any such official envelope to avoid the payment of postage on his private letter, package, or other matter in the mail, the person so offending shall be deemed guilty of a misdemeanor and subject to a fine of three hundred dollars, to be prosecuted in any court of competent jurisdiction. (Act of March 3, 1877, § 5; 19 Stats., 335.)

That for the purpose of carrying this act into effect, it shall be the duty of each of the Executive Departments of the United States to

provide for itself and its subordinate offices the necessary envelopes, and in addition to the indorsement designating the Department in which they are to be used, the penalty for the unlawful use of these envelopes shall be stated thereon. (Act of March 3, 1877, § 6; 19 Stats., 336.)

The provisions of the fifth and sixth sections of the act entitled "An act establishing post-routes, and for other purposes," approved March third, eighteen hundred and seventy-seven, for the transmission of official mail matter, be, and they are hereby extended to all officers of the United States Government, not including members of Congress, the envelopes of such matter in all cases to bear appropriate indorsements containing the proper designation of the office from which or officer from whom the same is transmitted, with a statement of the penalty for their misuse. And the provisions of said fifth and sixth sections are hereby likewise extended and made applicable to all official mail matter of the Smithsonian Institution: *Provided*, That any Department or officer authorized to use the penalty envelopes may inclose them with return address to any person or persons from or through whom official information is desired, the same to be used only to cover such official information and indorsements relating thereto: *Provided further*, That any letter or packet to be registered by either of the Executive Departments, or Bureaus thereof, or by the Agricultural Department, or by the Public Printer, may be registered without the payment of any registry fee; and any part-paid letter or packet addressed to either of said Departments or Bureaus may be delivered free; but where there is good reason to believe the omission to prepay the full postage thereon was intentional, such letter or package shall be returned to the sender: *Provided further*, That this act shall not extend or apply to pension agents or other officers who receive a fixed allowance as compensation for their services, including expenses of postages. And section thirty-nine hundred and fifteen of the Revised Statutes of the United States, so far as the same relates to stamps and stamped envelopes for official purposes, is hereby repealed. (Act of July 5, 1884, § 3; 23 Stats., 158.)

And it shall be the duty of the respective Departments to inclose to Senators, Representatives, and Delegates in Congress, in all official communications requiring answers, or to be forwarded to others, penalty envelopes addressed as far as practicable, for forwarding or answering such official correspondence. (Act of March 3, 1883, part of § 2, 22 Stats., 563.)

Sec. 416. Regulations as to Use of Penalty Envelopes.—1. The name of the Department, and Bureau, office, or proper designation of the office or officer, from whence transmitted, and thereunder the words "Official Business" should be printed on the upper left-hand corner of the ad-

dress face of the envelope, and the penalty clause in the upper right-hand corner in the following or equivalent words :

This envelope is for use only by authorized persons on business of the Government. Its use to avoid payment of postage on private matter of any kind is punishable as a misdemeanor by a fine of \$300.

2. Persons, not officers, writing to the Departments or to officers of the United States concerning the business of the writers with the Government cannot use the penalty envelope to transmit their correspondence; hence officers authorized to use such envelopes should not furnish them for use to contractors with the Government. Collectors of internal revenue and their deputies have no authority to furnish them to taxpayers to be used in sending their reports or in applying for stamps.

3. Officers desiring official information from or through persons not officers can furnish the penalty envelopes to cover the same only with return address printed or written thereon. Where the information is to be forwarded periodically or on more than one occasion, the envelopes bearing printed return address may be furnished in quantities for the transmission of such information.

4. The right of an officer of the United States to use the penalty envelope ceases immediately upon his going out of office; and he is not authorized to use such envelopes in transmitting papers connected with the settlement of his accounts or other business pertaining to the office he has vacated, except as he may receive them with requests for official information, with return address thereon, from a Department or office of the Government.

(Opinion of the Attorney-General, May 2, 1885.)

5. Postmasters have no right to stop census matter or any mail matter in an official-penalty envelope upon the mere suspicion that the penalty envelope or census indorsement is being used to cover private matter; but if they have good reason to believe that any person is using official envelopes in violation of law, he should promptly report the case to the Department for investigation.

MAIL MATTER OF AGRICULTURAL COLLEGES, ETC.

Sec. 417. Reports of Agricultural Colleges, &c.—The act of Congress approved July 2, 1862, entitled "An act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts," requires that "An annual report shall be made regarding the progress of each college, recording any improvements and experiments made, with their cost and results, and such other matters, including State, industrial, and economical statistics, as may be supposed useful; one copy of which shall be transmitted

by mail free, by each, to all the other colleges which may be endowed under the provisions of this act, and also one copy to the Secretary of the Interior." (§ 5; 12 Stats., 505.)

Pursuant to the above provision, postmasters at offices where such colleges have been established and are in existence will receive from the officers thereof the report required by the statute addressed, one copy each, to such other colleges and to the Secretary of the Interior, and affix to each a penalty label or official envelope of the post-office, and forward the same free.

Sec. 418. Reports of Agricultural Experimental Stations, &c.—That in order to aid in acquiring and diffusing among the people of the United States useful and practical information on subjects connected with agriculture, and to promote scientific investigation and experiment respecting the principles and applications of agricultural science, there shall be established, under direction of the college or colleges or agricultural department of colleges in each State or Territory established, or which may hereafter be established, in accordance with the provisions of an act approved July second, eighteen hundred and sixty-two, entitled "An act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts," or any of the supplements to said act, a department to be known and designated as an "agricultural experiment station": *Provided*, That in any State or Territory in which two such colleges have been, or may be, so established the appropriation hereinafter made to such State or Territory shall be equally divided between such colleges, unless the legislature of such State or Territory shall otherwise direct. (Act of March 2, 1887, § 1; 24 Stats., 440.)

That in States having colleges entitled under this section to the benefits of this act and having also agricultural experiment stations established by law separate from said colleges, such States shall be authorized to apply such benefits to experiments at stations so established by such States; and in case any State shall have established under the provisions of said act of July second aforesaid, an agricultural department or experimental station, in connection with any university, college, or institution not distinctively an agricultural college or school, and such State shall have established or shall hereafter establish a separate agricultural college or school, which shall have connected therewith an experimental farm or station, the legislature of such State may apply in whole or in part the appropriation by this act made, to such separate agricultural college, or school, and no legislature shall by contract express or implied disable itself from so doing. (Act of March 2, 1887, § 8; 24 Stats., 441.)

That bulletins or reports of progress shall be published at said stations at least once in three months, one copy of which shall be sent to each newspaper in the States or Territories in which they are respectively located, and to such individuals actually engaged in farming as may request the same, and as far as the means of the station will permit. Such bulletins or reports and the annual reports of said stations shall be transmitted in the mails of the United States free of charge for postage, under such regulations as the Postmaster-General may from time to time prescribe. (Act of March 2, 1887, § 4, 24 Stats., 441.)

Sec. 419. Regulations for Free Transmission of Bulletins and Reports, under the preceding statute, are prescribed as follows :

1. Any claimant of the privilege must apply for authority to exercise it to the Postmaster-General, stating the date of the establishment of such station, its proper name or designation, its official organization and the names of its officers, the name of the university, college, school, or institution to which it is attached, if any, the legislation of the State or Territory providing for its establishment, and any other granting it the benefits of the provision made by Congress as aforesaid (accompanied by a copy of the act or acts), and whether any other such station in the same State or Territory is considered, or claims to be, also entitled to the privilege ; and also the place of its location and the name of the post-office where the bulletins and reports will be mailed. The application must be signed by the officer in charge of the station.

2. If such application be allowed after examination by the Department, the postmaster at the proper office will be instructed to admit such bulletins and reports to the mails in compliance with these regulations, and the officer in charge of the station will be notified thereof.

3. Only such bulletins or reports as shall have been issued after the station became entitled to the benefits of the act can be so transmitted free ; and they must be inclosed in unsealed envelopes, or so wrapped as to admit of easy and thorough examination. On the exterior of the envelope or wrapper must be written or printed the name of the station and the place of its location, the designation of the inclosed bulletin or report, and the word "FREE" over the autograph signature of the officer in charge of the station. No other person can frank them. If any other matter, printed or written, be added, the whole will be unmailable free.

4. The bulletins may be mailed to the stations, newspapers, or persons to whom they are by the foregoing act authorized to be sent, and the annual reports to any address within the United States.

COPYRIGHT BOOKS, ETC.

Sec. 420. Postmaster to Receive and Mail, when.—The statutes require that any citizen or resident who seeks a copyright as author, inventor, designer, or proprietor (or as his personal representative or assignee) of any book, map, chart, dramatic or musical composition, engraving, cut, print, or photograph or negative thereof, or of a painting, drawing, chromo, statue, statuary, and of models or designs intended to be perfected as works of the fine arts, shall deliver to the Librarian of Congress, or deposit in the mail addressed to him, at Washington, District of Columbia, before publication, a printed copy of the title of the book or other article, or a description of the painting, &c.; and, after publication, two copies of the copyright book or other article, or a description or photograph of the other articles mentioned. (R. S., §§ 4952, 4956, 4959.) “The postmaster to whom such copyright book, title, or other article is delivered shall, if requested, give a receipt therefor, and when so delivered he shall mail it to its destination.” (R. S., § 4960.) For this purpose he will affix a penalty label or use the penalty envelope of his office.

SECOND-CLASS MATTER WITHIN THE COUNTY.

Sec. 421. When Carried Free.—That publications of the second class, one copy to each actual subscriber residing in the county where the same are printed, in whole or in part, and published, shall go free through the mails; but the same shall not be delivered at letter-carrier offices, or distributed by carriers, unless postage is paid thereon at the rate prescribed in section thirteen of this act. (Act of March 3, 1879, part of § 25; 20 Stats., 361.)

See section 352 for the rate prescribed.

Sec. 422. Regulations Respecting Free County Publications—

1. *As to Mailing.*—The portion of a publication entitled to pass free in the county should be deposited in the post-office by itself, in a separate package, sack, or bundle. The portion chargeable with postage, that is, copies for other than subscribers in the county of publication, copies in excess of one to each subscriber resident in the county, and sample copies, should be separately mailed. If the office of mailing be a letter-carrier office, the part of the edition for local delivery must also be made up separately by the publisher.

Admissible supplements, wherever printed, may be folded with free county matter; but a publisher cannot send folded with his own paper to his subscribers within the county another second-class publication. He can only mail the same separately at the pound rates when acting as a news agent. (See section 350.)

2. *As to the Office of Mailing and Address.*—A publication of the second class, claiming two or more offices of publication not in the same county, is entitled to pass free in neither county; but the publisher may elect which office he will regard as his office of publication, and notify the postmaster thereof, who must notify the other post-office of such selection.

The copy addressed to a subscriber actually residing within the county of printing and publication is entitled to pass free, though his post-office address be not within the county but in an adjoining county; but copies to subscribers not residing in the county are not free, although addressed to post-offices within it.

FREE MATTER IN FOREIGN MAILS.

Sec. 423. *Official Correspondence Only.*—Under the Universal Postal Union Convention official correspondence relative to the postal service and exchanged between the postal administrations of the several countries is alone exempt from payment of postage and admitted free.

The same is the rule under the separate conventions with the colonies of New Zealand, New South Wales, Queensland, Victoria, and Tasmania.

In the mails for Mexico and for Canada official correspondence, which is admissible free by domestic law and regulations, will also be transported and delivered free.

CHAPTER FOURTEEN.

THE DEAD-LETTER OFFICE.

Sec. 424. *Establishment as Separate Office.*—The Dead-Letter Office, formerly a division of the office of the Third Assistant Postmaster-General, is now a separate office under the charge of a Superintendent. The general assignment of duties therein is given in section seven.

The object for which this office is maintained is—

1. To receive from the various post-offices all mail matter required to be forwarded thereto.
2. To assort the same, and to forward such of said matter as is properly deliverable to the person for whom it is intended.
3. To return to the senders all letters and mail matter of obvious value which cannot be delivered to the person to whom addressed.
4. To keep proper registry of all letters containing valuable inclosures which cannot be delivered to the party addressed nor to the writers.

5. To dispose of such undeliverable valuable matter according to the directions of the Postmaster-General.

6. To keep careful account of the amount realized in each case so that the same may be subject to reclamation as provided by law. (Section 427.)

7. To deliver to the Third Assistant Postmaster-General all moneys found in dead letters, which cannot, after due diligence, be delivered to the person addressed nor to the writer, and all moneys derived from the sale of other valuable inclosures, which have not been reclaimed and cannot be restored to addressees or senders, to be turned into the Treasury as part of the postal revenues.

8. To dispose of foreign dead letters in accordance with conventional stipulations governing the disposition of the same.

9. To destroy all matter which may come to the Dead-Letter Office, and cannot be restored to the owner, and which is without value and is liable to injure other matter with which it comes in contact, such as liquids, poisons, perishable articles; a suitable record being kept of the matter thus destroyed.

10. To destroy all obscene and lottery matter which has been sent in the mails in violation of law, and been intercepted and withdrawn therefrom and sent to this office.

THE AUTHORITY OF THE POSTMASTER-GENERAL to establish the office and appoint the Superintendent is given in the acts of appropriation for the Department.

HIS AUTHORITY TO PRESCRIBE and regulate the treatment of the matter disposed of in this office, is, so far as not given in this chapter, found in sections 597 and 604.

TREATMENT OF MATTER IN THE DEAD-LETTER OFFICE.

Sec. 425. Examination of Returns.—On receipt of returns at the Dead-Letter Office they will be treated as follows:

1. Returns of unmailable matter will be promptly and carefully examined, and the matter therein compared with the entries on the accompanying list.

2. Such misdirected letters as can be corrected and forwarded to destination, and such as cannot be so corrected and forwarded, but can be returned to the sender, will be so treated.

3. Returns of hotel, fictitious, and other matter not forming part of the regular returns of unclaimed matter will be treated in the same manner as unmailable matter.

4. Returns of unclaimed matter from free-delivery offices must be compared with the accompanying dead-letter bills. If errors are found the originals and duplicates will be corrected; if no errors are found both will be indorsed correct and returned to the postmaster. A record

will be kept showing the number of pieces and character of matter sent in each return, the amount of credit allowed for postage-due stamps affixed to the matter comprising the return, and properly claimed for matter forwarded to other offices under the requirements of section five hundred and sixty.

5. Returns from other than free-delivery post-offices must be carefully examined and compared with the bills accompanying the same, and such account kept of the character of the matter and number of pieces sent as may be necessary for statistical report.

6. The dead-letter bills from other than free-delivery offices with the advertised lists accompanying the return will be filed and preserved for reference for six months.

7. All errors of treatment of mail matter by postmasters must be noted and proper action be taken to admonish the officer in fault, or otherwise as the case may require.

Sec. 426. Opening Dead Letters.—Such letters as cannot be forwarded to the addressee or returned to the owner without opening them to obtain the necessary information, must be opened only by the persons designated, and under the directions as to place, time, and manner prescribed by the Superintendent. Every letter containing a valuable inclosure must be indorsed with the name of the person opening it, and a brief memorandum of the character of the inclosure. When a letter is found to contain money, a record of the address of the letter and the amount must be immediately made by the clerk who opens it, and the record must be delivered at the close of each day to the clerk in charge of the opening division, with such letters and other letters containing inclosures of value.

Sec. 427. Record of Valuable Dead Letters.—Dead letters containing valuable inclosures shall be registered in the Dead-Letter Office; and when they cannot be delivered to the party addressed nor to the writer, the contents thereof shall be disposed of, and a careful account shall be kept of the amount realized in each case, which shall be subject to reclamation by either the party addressed or the sender for four years from the registry thereof; and all other letters of value or of importance to the party addressed or to the writer, and which cannot be returned to either, shall be disposed of as the Postmaster-General may direct. (R. S., § 3933.)

Sec. 428. Money Letters.—All mail matter containing money shall be entered in the register kept for that purpose, as required by the preceding section, stating the name of the person and post-office addressed, the name of the writer, the amount and description of the same, and the disposition thereof when finally made. Such mail matter must be

received and accounted for by each employé through whose hands it passes until final disposition.

Letters containing money which cannot be delivered to the person addressed, or returned to the writer, shall be held subject to reclamation three months; at the end of which time the money shall be separated therefrom and the amount entered upon the letter and the register. The money thus separated shall be promptly delivered to the Third Assistant Postmaster-General, whose receipt therefor will be filed, and the moneys deposited by him in the Treasury to the credit of the postal revenues.

Sec. 429. Other Valuable Inclosures.—All letters or other matter found to contain negotiable paper, notes, drafts, money orders, postal notes, &c.; also wills, deeds, or other valuable or important papers—and all personal photographs or pictures must be duly recorded before return to the sender. Such as cannot be returned to the owner must be properly filed for reclamation.

Letters containing postage stamps of more than one letter-rate value shall also be recorded before return to the sender; and such as cannot be restored to the owner shall be held for reclamation, and if unclaimed after a reasonable time the postage stamps shall be removed, an account kept of the value of the same, and the stamps destroyed under proper supervision.

Sec. 430. Parcels of Third and Fourth Class Matter.—A record shall be kept of the address and contents of parcels of third and fourth class matter and letters containing articles of merchandise. Every effort must be made to restore such articles to the sender or addressee; those that cannot be restored shall be filed to await reclamation for a period of two years from the date of recording (except unaddressed, which shall be held not less than six months). All articles of this character that remain unclaimed at the expiration of the time above prescribed shall be prepared for sale, in such a manner as not to destroy their identity, and sold at public auction by such person and under conditions as the Postmaster-General may from time to time direct. An account must be kept of the proceeds of such sale, and the amount realized delivered to the Third Assistant Postmaster-General for deposit in the United States Treasury in the same manner as money separated from dead letters. Parcels reaching the Dead-Letter Office containing medicine, perishable articles, liquids, or articles of a like character which are liable to injure other matter with which they come in contact, shall be destroyed as soon as it is ascertained that they cannot be restored to the owner; but a suitable record shall be kept of the articles destroyed.

Sec. 431. Letters without Valuable Inclosures.—All letters without valuable inclosures shall be returned to the writers when the address of the same can be ascertained, and no record kept of them except the number so returned. Letters which do not disclose the address of the writers, so that they can be returned, must be delivered to the Superintendent and Disbursing Clerk daily, to be sold as waste paper.

Sec. 432. Printed Matter.—Printed matter, obviously without value, sent to the Dead-Letter Office, must be delivered also to the Superintendent and Disbursing Clerk for disposal as waste paper.

Magazines and other periodicals, illustrated papers, and picture cards, which are suitable for that purpose, and not properly classed as merchandise, will be distributed to the various hospitals, asylums, and other charitable and reformatory institutions in the District of Columbia, as the Postmaster-General may direct.

Sec. 433. Obscene and Lottery Matter to be Destroyed.—All matter reaching the Dead-Letter Office, which is declared non-mailable by section three hundred and eighty, or is forbidden to be sent in the mails by section three hundred and seventy-nine, will, under the direction of the Superintendent, be immediately destroyed, unless it can be ascertained therefrom by whom the same was deposited in the mails, in which case the matter will be held and the fact reported to the Chief of Post-Office Inspectors; or, unless, on submission to him, the Postmaster-General shall direct it to be preserved as evidence or otherwise disposed of.

Sec. 434. Foreign Dead Letters.—The action of the Post-Office Department respecting foreign dead letters shall be subject to conventional stipulations with the respective foreign administrations. (R. S., § 401.)

Sec. 435. Disposal of Same.—Under the provisions of the Postal Union Convention (Article 21, Regulations of Detail and Order), and also under the postal arrangements with countries not included in the Postal Union, undelivered matter originating in foreign countries is required to be returned to the country of origin at the expiration of the period for keeping it required by the laws of the country of destination. Such matter received at the Dead-Letter Office must be carefully examined for the purpose of correcting the address and forwarding to its proper destination all matter that seems to have been misdirected or to be deficient in address. All other matter shall be promptly returned to the country of origin as required by the Postal Convention, a record being kept of the addresses of all registered articles and valuable parcels and the number of pieces so returned.

TITLE IV.
POST-OFFICES AND POSTMASTERS.

CHAPTER FIFTEEN.

OF THE ESTABLISHMENT AND DISCONTINUANCE OF POST
OFFICES; THE APPOINTMENT AND QUALIFICATION OF POST-
MASTERS, AND OF THEIR SURETIES.

POST-OFFICES.

Sec. 436. Establishment of Post-Offices.—The Postmaster-General shall establish post-offices at all such places on post-roads established by law as he may deem expedient, and he shall promptly certify such establishment to the Sixth Auditor. And every person who, without authority from the Postmaster-General, sets up or professes to keep any office or place of business bearing the sign, name, or title of post-office, shall, for every such offense, be liable to a penalty of not more than five hundred dollars. (R. S., § 3829.)

NOTE.—The power to establish post-offices can lawfully be delegated by Congress to the Postmaster-General. (*Ware v. United States*, 4 Wall., 632.)

Sec. 437. Establishment of Branch Post-Offices.—The Postmaster-General, when the public convenience requires it, may establish within any post-office delivery one or more branch offices for the receipt and delivery of mail matter and the sale of stamps and envelopes; and he shall prescribe the rules and regulations for the government thereof. But no letter shall be sent for delivery to any branch office contrary to the request of the party to whom it is addressed. (R. S., § 3871.)

Such offices are regarded as part of the post-office with which they are connected, are subject to the postal laws and regulations, so far as the same are applicable, and are to be governed thereby, and by such orders as the postmaster may prescribe not inconsistent therewith.

Sec. 438. Change of Name and Site of Post-Offices.—Names of post-offices can be changed only by order of the Department.

The site or location of an office cannot be changed without permission of the Department, in applying for which the postmaster should state
(187)

whether it involves additional expense for transportation of the mail, and is approved by the patrons of his office, and specify the distance and direction of the proposed site from the one occupied.

NOTE.—A postmaster, being an officer subordinate to the Postmaster-General, is bound to obey his orders respecting the location of a post-office within a city, and courts will not enjoin him from so doing. The power to remove a post-office from one building to another in the same town is vested by law in the Postmaster-General, and can be exercised at discretion; and a lease for the term of four years does not deprive the Department of the power to remove during that time. (*Western Star Lodge v. Sohminke*, 4 McCreary, 366.) See note to section 466.

Sec. 439. Discontinuance of Post-Offices.—The Postmaster-General may discontinue any post-office where the safety and security of the postal service and revenues are endangered from any cause whatever, or where the efficiency of the service requires such discontinuance, and he shall promptly certify such discontinuance to the Sixth Auditor. (R. S., § 3864.) See section 485.

NOTE.—The power to discontinue is incident to the power to establish, and without express authority conferred by Congress the Postmaster-General would have authority to discontinue an office, unless there is some provision in the acts of Congress restraining its exercise. (*Ware v. United States*, 4 Wall., 632; *Ex parte Hennen*, 13 Pet., 261.)

APPOINTMENT AND QUALIFICATION OF POSTMASTERS.

Sec. 440. Appointment and Term of Office.—Postmasters of the first, second, and third classes shall be appointed and may be removed by the President, by and with the advice and consent of the Senate, and shall hold their offices for four years unless sooner removed or suspended according to law; and postmasters of the fourth class shall be appointed and may be removed by the Postmaster-General, by whom all appointments and removals shall be notified to the Auditor for the Post-Office Department. (Act of July 12, 1876, § 6; 19 Stats., 80.)

NOTE.—When a post-office of the first, second, or third class is assigned to the fourth-class, the effect of such assignment is to abolish the office as a Presidential office; and the term of the postmaster appointed by the President, by and with the advice and consent of the Senate, ceases; and the Postmaster-General is required to appoint a postmaster. (Opins. Att.-Gen., October 14, 1885.)

When the commission of a postmaster has been signed and sealed and placed in the hands of the Postmaster-General to be transmitted to the officer, so far as the Executive is concerned, it is a completed act. The officer has then been commissioned by the President pursuant to the Constitution; and the subsequent death of the President, by whom nothing remained to be done, can have no effect on that completed act. (*United States v. Le Baron*, 19 Howard, 79.)

Sec. 441. Who May Be Postmaster.—No person can be appointed postmaster who cannot execute a valid bond and take the prescribed oath of office. Minors and aliens are therefore ineligible, but an alien who

has duly declared intention to become a citizen of the United States is not. A married woman of full age may be appointed. When married women or widows are appointed, their commissions will run and their bonds must be given in their own full Christian names and not the names of their husbands.

The wife of a contractor for carrying the mails will not be appointed.

NOTE.—An Indian citizen of the Cherokee Nation cannot lawfully execute a valid bond to the United States nor take the oath of office, and hence is not eligible to the office of postmaster. (Opinion of Attorney-General, May 21, 1885.) A female over 18 years of age but under 21 years of age can lawfully be appointed as postmaster of an office in a State where females are declared by statute of full age at 18 years for all purposes.

Sec. 442. Bonds of Postmasters.—Every postmaster, before entering upon the duties of his office, shall give bond, with good and approved security, and in such penalty as the Postmaster-General shall deem sufficient, conditioned for the faithful discharge of all duties and trusts imposed on him either by law or the rules and regulations of the Department; and where an office is designated as a money-order office, the bond of the postmaster shall contain an additional condition for the faithful performance of all duties and obligations in connection with the money-order business. On the death, resignation, or removal of a postmaster his bond shall be delivered to the Sixth Auditor. The bond of any married woman who may be appointed postmaster shall be binding upon her and her sureties, and she shall be liable for misconduct in office as if she were sole. (R. S., § 3834.)

Sec. 443. Instructions as to Qualification.—Upon appointment, the appointee is notified by letter and furnished with a blank form of official oath and bond. He will avoid delay by correctly filling out each, properly taking the oath as prescribed in sections forty-three and forty-four, and executing the bond, which must be signed in the presence of attesting witnesses by himself and at least two sureties; such signatures must be Christian names in full, in the proper places, and all the names inserted properly in the body of the bond. The sufficiency of the sureties for the payment of the sum specified in the bond must be certified by the officer who administers the oath in which they justify their responsibility. The official character and signature of the officer administering the oaths to the postmaster and to the sureties must be authenticated by the certificate of the clerk of a court of record under seal of the court, unless the oaths be administered by an officer of the United States authorized thereto, or the clerk of a court of record, or a notary public with his official seal affixed. The official oath and bond will be transmitted to the First Assistant Postmaster-General.

The appointee cannot assume his duties until his commission is received; and it is not issued until his oath is filed in the Department and his bond approved by the Postmaster-General.

NOTE.—The official bond must be under seal. If without seal it is not a bond. (*United States v. Linn*, 15 Pet., 311; *State v. Thompson*, 49 Mo., 183.) But there may be a scroll written with a pen inclosing the letters L. S. (*Burton v. Le Roy*, 5 Saw. C. Ct., 510), or the word "seal" printed between brackets and adopted by the signer as his seal or scroll. (*Underwood v. Dollins*, 47 Mo., 259.)

Sec. 444. Postmasters' Commissions.—That hereafter the commissions of all postmasters appointed by the President, by and with the advice and consent of the Senate, shall be made out and recorded in the Post-Office Department, and shall be under the seal of said Department, and countersigned by the Postmaster-General, any laws to the contrary notwithstanding: *Provided*, That the said seal shall not be affixed to any such commission until after the same shall have been signed by the President of the United States. (Act of March 18, 1874; 18 Stats., 23.)

Sec. 445. Residence of Postmasters.—Every postmaster shall reside within the delivery of the office to which he is appointed. (R. S., § 3831.)

A postmaster, until the action of the Postmaster-General, does not vacate his office by remaining out of the neighborhood of the post-office. If he keeps the post-office by an assistant he is still responsible to the Department and to individuals. (2 McLean, 14.)

Sec. 446. Limitations Upon Holding Other Offices.—Whereas it has been brought to the notice of the President of the United States that many persons holding civil office by appointment from him, or otherwise, under the Constitution and laws of the United States, while holding such Federal positions, accept offices under the authority of the States and Territories in which they reside, or of municipal corporations, under the charters and ordinances of such corporations, thereby assuming the duties of the State, Territorial, or municipal office at the same time that they are charged with the duties of the civil office held under Federal authority; and

Whereas it is believed that, with few exceptions, the holding of two such offices by the same person is incompatible with a due and faithful discharge of the duties of either office; that it frequently gives rise to great inconvenience, and often results in detriment to the public service, and moreover is not in harmony with the genius of the Government:

In view of the premises, therefore, the President has deemed it proper thus and hereby to give public notice that, from and after the fourth day of March, A. D. 1873, except as herein specified, persons holding any Federal civil office by appointment under the Constitution and laws of the United States will be expected, while holding such office, not to accept or hold any office under any State or Territorial government, or under the charter or ordinances of any municipal corporation; and, further, that the acceptance or continued holding of any such State, Territorial, or municipal office, whether elective or by appointment, by any person holding civil office, as aforesaid, under the Government of the United States, other than judicial offices under the Constitution of the United States, will be deemed a vacation of the Federal office

held by such person, and will be taken to be, and will be, treated as a resignation by such Federal officer of his commission or appointment in the service of the United States.

The offices of justices of the peace, of notaries public, and of commissioners to take the acknowledgment of deeds, or bail, or to administer oaths, shall not be deemed within the purview of this order, and are excepted from its operation, and may be held by Federal officers. The appointment of deputy marshal of the United States may be conferred upon sheriffs or deputy sheriffs; and deputy postmasters, the emoluments of whose office do not exceed \$600 per annum, are also excepted from the operations of this order, and may accept and hold appointments under State, Territorial, or municipal authority, provided the same be found not to interfere with the discharge of their duties as postmaster. Heads of Departments and other officers of the Government who have the appointment of subordinate officers are required to take notice of this order, and to see to the enforcement of its provisions and terms within the sphere of their respective Departments or offices, and as relates to the several persons holding appointments under them respectively. (Executive Order, January 17, 1873.)

The foregoing explained :

Inquiries having been made from various quarters as to the application of the Executive order issued on the 17th of January, relating to the holding of State and municipal offices by persons holding civil offices under the Federal Government, the President directs the following reply to be made :

It has been asked whether the order prohibits a Federal officer from holding also the office of an alderman, or of a common councilman in a city, or of a town councilman of a town or village, or of appointment under city, town, or village governments. By some it has been suggested that there may be distinction made in case the office be held with or without salary or compensation.

The city or town officers of the description referred to, by whatever names they may be locally known, whether held by election or by appointment, and whether with or without salary or compensation, are of the class which the Executive order intends not to be held by persons holding Federal offices.

It has been asked whether the order prohibits Federal officers from holding positions on boards of education, school committees, public libraries, religious or eleemosynary institutions, incorporated or established or sustained by State or municipal authority.

Positions and service on such boards or committees and professorships in colleges are not regarded as "offices" within the contemplation of the Executive order, but as employments or service in which all good citizens may engage without incompatibility, and in many cases without necessary interference with any position which they may hold under the Federal Government. Officers of the Federal Government may, therefore, engage in such service, provided the attention required by such employment does not interfere with the regular and official discharge of the duties of their office under the Federal Government. The head of the Department under whom the Federal office is held will in all cases be the sole judge whether or not the employment does thus interfere.

The question has also been asked with regard to the officers of the State militia.

Congress having exercised the power conferred by the Constitution to provide for organizing the militia, which is liable to be called forth to be employed in the service of the United States, and is thus in some sense under the control of the General Government, and is, moreover, of the greatest value to the public, the Executive order of

17th January is not considered as prohibiting Federal officers from being officers of the militia in the States and Territories

It has been asked whether the order prohibits persons holding office under the Federal Government being members of local or municipal fire departments; also, whether it applies to mechanics employed by the day in the armories, arsenals, and navy-yards, &c., of the United States.

Unpaid service in local or municipal fire Departments is not regarded as an office within the intent of the Executive order, and may be performed by Federal officers, provided it does not interfere with the regular and efficient discharge of the duties of the Federal office, of which the head of the Department under which the office is held will in each case be the judge.

Employment by the day as mechanics or laborers in the armories, arsenals, navy-yards, &c., does not constitute an office of any kind, and those thus employed are not within the contemplation of the Executive order. Master-workmen and others who hold appointments from the Government or from any Department, whether for a fixed time or at the pleasure of the appointing power, are embraced within the operation of the order. (Executive Order, January 28, 1873.)

OF SURETIES; AND NEW BONDS.

Sec. 447. Limit of Time of Sureties' Liability.—Whenever the office of any postmaster becomes vacant, the Postmaster-General or the President shall supply such vacancy without delay, and the Postmaster-General shall promptly notify the Sixth Auditor of the change; and every postmaster and his sureties shall be responsible under their bond for the safe-keeping of the public property of the post-office, and the due performance of the duties thereof, until the expiration of the commission, or until a successor has been duly appointed and qualified, and has taken possession of the office; except that in cases where there is a delay of sixty days in supplying a vacancy, the sureties may terminate their responsibility by giving notice, in writing, to the Postmaster-General, such termination to take effect ten days after sufficient time shall have elapsed to receive a reply from the Postmaster-General; and the Postmaster-General may, when the exigencies of the service require, place such office in charge of a special agent until the vacancy can be regularly filled; and when such special agent shall have taken charge of such post-office, the liability of the sureties of the postmaster shall cease. (R. S., § 3836.)

Sec. 448. Action of Sureties upon Postmaster's Death.—Upon the death of a postmaster the sureties are entitled to take possession of the office and Government property therein, and may depute one of themselves or another person as acting postmaster to perform the duties of the office and safely keep the property for them until a successor is appointed and takes possession. Such acting postmaster must, before entering upon the discharge of his duties, take the oath of office as acting post-

master, which must be forwarded to the Department together with the deputization. He will then be recognized by the Department, and his requisitions will receive attention.

AS TO ACCOUNTS AND RETURNS to be rendered upon death of postmaster, see section 250.

NOTE.—When a surety performs the duty of a postmaster at a presidential office, by virtue of the above regulation, and with the sanction of the Postmaster-General, it is presumed that he acts by the authority of the President, that is, that the regulation is authorized by the President (13 Pet., 498; 16 Pet., 291; 7 Opin's. Atty. Gen., 453), and the surety is entitled to the salary for the time in which he performs the duties. (2 Lawrence's Decisions, 40.)

Sec. 449. Release of Sureties by Renewal of Bond.—Whenever any of the sureties of a postmaster notify the Postmaster-General of their desire to be released from their suretyship, or when the Postmaster-General deems a new bond necessary, he shall require the postmaster to execute such new bond, with security. When accepted by the Postmaster-General, the new bond shall be as valid as the bond given upon the original appointment of such postmaster, and the sureties in the prior bond shall be released from responsibility for all acts or defaults of the postmaster which may be done or committed subsequent to the last day of the quarter in which such new bond shall be executed and accepted. (R. S., § 3837.)

Applications of sureties for release should be addressed to the Postmaster-General.

NOTE.—For the security of the sureties bound in the previous obligation, the date of the acceptance should be indorsed on the bond; yet the sureties to the new bond are bound by the acceptance in fact of their bond by the Postmaster-General, and this acceptance may be shown as any other fact is required to be. (4 Opins. Attorney-General, 187; *Bank of U. S. v. Dandridge*, 12 Wheat., 64.) See note to section 443.

Sec. 450. Other Cases in which New Bond is Required.—A new bond will be required in the following cases:

1. Upon the death, removal from the State, insolvency, or any other disability of one or more of the sureties on the postmaster's bond.

And every postmaster is required to promptly report to the Department the occurrence of any such event, on pain of removal.

2. Whenever any postmaster of the fourth class shall have remained in office for five years from the date of the taking effect of his latest official bond.

The First Assistant Postmaster General will notify postmasters when renewal is required under this clause.

3. When the name of a post-office is changed.

4. When a single woman, who is postmaster, is reappointed upon her marriage.

5. Whenever any other emergency shall arise which is deemed sufficient to require it.

Sec. 451. Application of Payments after Giving New Bond.—Whenever any postmaster is required to execute a new bond all payments made by him after the execution of such new bond may, if the Postmaster-General or the Sixth Auditor deem it just, be applied first to discharge any balance which may be due from such postmaster under his old bond. (R. S., § 3835.)

That section thirty-eight hundred and thirty-five of the Revised Statutes is amended by adding the following:

Hereafter, when a deficiency shall be discovered in the accounts of any postmaster, who after the adjustment of his accounts fails, to make good such deficiency, it shall be the duty of the Sixth Auditor of the Treasury Department to notify the Postmaster-General of such failure, and upon receiving such notice the Postmaster-General shall forthwith deposit a notice in the post-office at Washington, District of Columbia, addressed to the sureties respectively upon the bond of said postmaster at the office where he or they may reside, if known; but a failure to give or mail such notice shall not discharge such surety or sureties upon such bond. (Act of February 4, 1879, 20 Stats., 281.)

Sec. 452. Release of Sureties by Lapse of Time.—If on the settlement of the account of any postmaster it shall appear that he is indebted to the United States, and suit therefor shall not be instituted within three years after the close of such account, the sureties on his bond shall not be liable for such indebtedness. (R. S., § 3838.)

NOTE.—This provision was adopted for the benefit of sureties and to excite the utmost degree of diligence of the Departments. (*Postmaster-General v. Fennell*, 1 McLean, 217; *U. S. v. Marks's Sureties*, 3 Wall., jr., 360.)

In an action against the sureties of a postmaster, on his official bond, it is no defense that the Government, through their agent, the Auditor of the Treasury for the Post-Office Department, had full notice of the defalcation and embezzlement of the postmaster, and yet neglectfully permitted him to remain in office, whereby he was enabled to commit all the default and embezzlement. (*Jones v. United States*, 18 Wall., 662.)

Sec. 453. Release of Sureties by Court of Claims.—That whenever any person shall present his petition to the Court of Claims, alleging that he is or has been indebted to the United States as an officer or agent thereof, or by virtue of any contract therewith, or that he is the guarantor, or surety, or personal representative of any officer, or agent, or contractor so indebted, or that he, or the person for whom he is such surety, guarantor, or personal representative has held any office or agency under the United States, or entered into any contract therewith,

under which it may be or has been claimed that an indebtedness to the United States has arisen and exists, and that he or the person he represents has applied to the proper Department of the Government requesting that the account of such office, agency, or indebtedness may be adjusted and settled, and that three years have elapsed from the date of such application and said account still remains unsettled and unadjusted, and that no suit upon the same has been brought by the United States, said court shall, due notice first being given to the head of said Department and to the Attorney-General of the United States, proceed to hear the parties and to ascertain the amount, if any, due the United States on said account. The Attorney-General shall represent the United States at the hearing of said cause. The court may postpone the same from time to time whenever justice shall require. The judgment of said court or of the Supreme Court of the United States, to which an appeal shall lie, as in other cases, as to the amount due, shall be binding and conclusive upon the parties. The payment of such amount so found due by the court shall discharge such obligation. An action shall accrue to the United States against such principal, or surety, or representative to recover the amount so found due, which may be brought at any time within three years after the final judgment of said court. Unless suit shall be brought within said time, such claim and the claim on the original indebtedness shall be forever barred. (Act of March 3, 1887, § 3, 24 Stats., 505.)

CHAPTER SIXTEEN.

OF THE CLASSIFICATION AND COMPENSATION OF POSTMASTERS, AND OF THEIR ALLOWANCES AND SUPPLIES.

Sec. 454. Classification.—That the postmasters shall be divided into four classes, as follows: The first class shall embrace all those whose annual salaries are three thousand dollars or more than three thousand dollars; the second class shall embrace all those whose annual salaries are less than three thousand dollars, but not less than two thousand dollars; the third class shall embrace all those whose annual salaries are less than two thousand dollars, but not less than one thousand dollars; the fourth class shall embrace all postmasters whose annual compensation, exclusive of their commissions on the money-order business of their offices, amounts to less than one thousand dollars. (Act of July 12, 1876, § 5, 19 Stats., 80.)

COMPENSATION OF POSTMASTERS.

Sec. 455. Orders Affecting Salaries.—That the Postmaster-General shall make all orders relative to the salaries of postmasters; and any change made in such salaries shall not take effect until the first day of the quarter next following the order; and the Auditor shall be notified of any and all changes of salaries. (Act of March 3, 1883, § 3, 22 Stats., 602.)

Sec. 456. Readjustments of Salaries.—That the salaries of postmasters of the first, second, and third classes shall be readjusted by the Postmaster-General, the first adjustment (under this act) to take effect simultaneously with the reduction of the rates of postage, and thereafter at the beginning of each fiscal year; and the salary of the postmaster at Washington City, District of Columbia, shall be five thousand dollars; and in no case shall the salary of any postmaster exceed the sum of six thousand dollars, except in the city of New York, where the salary of the postmaster shall remain as now fixed by law, at eight thousand dollars per annum. (Act of March 3, 1883, § 4, 22 Stats., 602.)

Sec. 457. Salaries of First, Second, and Third Classes.—That the respective compensation of postmasters of the first, second, and third classes shall be annual salaries, assigned in even hundreds of dollars, and payable in quarterly payments, to be ascertained and fixed by the Postmaster-General from their respective quarterly returns to the Auditor of the Treasury for the Post-Office Department, or copies or duplicates thereof, to be forwarded to the First Assistant Postmaster-General, for four quarters immediately preceding the adjustment, at the following rates, namely:

FIRST CLASS.

Gross receipts, forty thousand dollars, and not exceeding forty-five thousand dollars, salary, three thousand dollars.

Gross receipts, forty-five thousand dollars, and not exceeding sixty thousand dollars, salary, three thousand one hundred dollars.

Gross receipts, sixty thousand dollars, and not exceeding eighty thousand dollars, salary, three thousand two hundred dollars.

Gross receipts, eighty thousand dollars, and not exceeding one hundred and ten thousand dollars, salary, three thousand three hundred dollars.

Gross receipts, one hundred and ten thousand dollars, and not exceeding one hundred and fifty thousand dollars, salary, three thousand four hundred dollars.

Gross receipts, one hundred and fifty thousand dollars, and not ex-

ceeding two hundred thousand dollars, salary, three thousand five hundred dollars.

Gross receipts, two hundred thousand dollars, and not exceeding two hundred and sixty thousand dollars, salary, three thousand six hundred dollars.

Gross receipts two hundred and sixty thousand dollars, and not exceeding three hundred and thirty thousand dollars, salary, three thousand seven hundred dollars.

Gross receipts, three hundred and thirty thousand dollars, and not exceeding four hundred thousand dollars, salary, three thousand eight hundred dollars.

Gross receipts four hundred thousand dollars, and not exceeding four hundred and fifty thousand dollars, salary, three thousand nine hundred dollars.

Gross receipts, four hundred and fifty thousand dollars, and not exceeding five hundred thousand dollars, salary, four thousand dollars.

Gross receipts five hundred thousand dollars, and not exceeding six hundred thousand dollars, salary, five thousand dollars.

Gross receipts, six hundred thousand dollars and upwards, salary, six thousand dollars.

SECOND CLASS.

Gross receipts, eight thousand dollars, and not exceeding nine thousand dollars, salary, two thousand dollars.

Gross receipts, nine thousand dollars, and not exceeding ten thousand dollars, salary, two thousand one hundred dollars.

Gross receipts, ten thousand dollars, and not exceeding eleven thousand dollars, salary, two thousand two hundred dollars.

Gross receipts, eleven thousand dollars, and not exceeding thirteen thousand dollars, salary, two thousand three hundred dollars.

Gross receipts, thirteen thousand dollars and not exceeding sixteen thousand dollars, salary, two thousand four hundred dollars.

Gross receipts, sixteen thousand dollars, and not exceeding twenty thousand dollars, salary, two thousand five hundred dollars.

Gross receipts, twenty thousand dollars, and not exceeding twenty-four thousand dollars, salary, two thousand six hundred dollars.

Gross receipts, twenty-four thousand dollars, and not exceeding thirty thousand dollars, salary, two thousand seven hundred dollars.

Gross receipts, thirty thousand dollars, and not exceeding thirty-five thousand dollars, salary, two thousand eight hundred dollars.

Gross receipts, thirty-five thousand dollars, and not exceeding forty thousand dollars, salary, two thousand nine hundred dollars.

THIRD CLASS.

Gross receipts, one thousand nine hundred dollars, and not exceeding two thousand one hundred dollars, salary, one thousand dollars.

Gross receipts, two thousand one hundred dollars, and not exceeding two thousand four hundred dollars, salary, one thousand one hundred dollars.

Gross receipts, two thousand four hundred dollars, and not exceeding two thousand seven hundred dollars, salary, one thousand two hundred dollars.

Gross receipts two thousand seven hundred dollars, and not exceeding three thousand dollars, salary, one thousand three hundred dollars.

Gross receipts, three thousand dollars, and not exceeding three thousand five hundred dollars, salary, one thousand four hundred dollars.

Gross receipts, three thousand five hundred dollars, and not exceeding four thousand two hundred dollars, salary, one thousand five hundred dollars.

Gross receipts, four thousand two hundred dollars, and not exceeding five thousand dollars, salary, one thousand six hundred dollars.

Gross receipts, five thousand dollars, and not exceeding six thousand dollars, salary, one thousand seven hundred dollars.

Gross receipts, six thousand dollars, and not exceeding seven thousand dollars, salary, one thousand eight hundred dollars.

Gross receipts, seven thousand dollars, and not exceeding eight thousand dollars, salary, one thousand nine hundred dollars.

And in order to ascertain the amount of the postal receipts of each office, the Postmaster-General may require postmasters to furnish the Department with certified copies of their quarterly returns to the Auditor at such times and for such periods as he may deem necessary in each case. (Act of March 3, 1883, 22 Stats., § 1, 600.)

NOTE.—This readjustment is made annually during the fourth quarter of the fiscal year, to take effect with the beginning and endure throughout the ensuing fiscal year, upon the basis of the four quarterly returns preceding such adjustment covering the period of the preceding year ending March 31.

Sec. 458. Compensation of Postmasters pro tem.—Any person performing the duties of postmaster, by authority of the President, at any post-office where there is a vacancy for any cause, shall receive for the term for which the duty is performed the same compensation to which he would have been entitled if regularly appointed and confirmed as such postmaster; and all services heretofore rendered in like cases shall be paid for under this provision. (Act of March 3, 1879, § 31, 20 Stats., 362.)

NOTE.—He is entitled to the compensation while he performs the duties of the sus-

pended officer, and if such suspension is not confirmed by the Senate by appointment of a successor and the suspended officer resume the office, the latter is entitled to the salary from the time he actually resumes the office. (*Embry's Case*, 12 Ct. of Claims R., 455.) Inspectors placed in charge of a post-office, under section 447, are not entitled to other compensation than their salary and per diem as inspectors. (Section 28.)

Sec. 459. Compensation of Fourth-Class Postmasters.—That the compensation of postmasters of the fourth class shall be fixed upon the basis of the whole of the box rents collected at their offices and commissions upon the amount of canceled postage-due stamps (provided for in section two hundred and seventy of the revised laws and regulations, edition of eighteen hundred and seventy-nine [section 557]), and on postage stamps, official stamps, stamped envelopes, postal cards, and newspaper and periodical stamps canceled on matter actually mailed at their offices, and on amounts received from waste paper, dead newspapers, printed matter, and twine sold, at the following rates, namely: On the first fifty dollars or less per quarter, one hundred per centum; on the next one hundred dollars or less per quarter, sixty per centum; on the next two hundred dollars or less per quarter, fifty per centum; and on all the balance, forty per centum, the same to be ascertained and allowed by the Auditor of the Treasury for the Post-Office Department in the settlement of the accounts of such postmasters upon their sworn quarterly returns: *Provided*, That when the compensation of any postmaster of this class shall reach two hundred and fifty dollars for four consecutive quarters each, exclusive of commissions on money-order business, and when the returns to the Auditor for four consecutive quarters shall show him to be entitled to a compensation in excess of two hundred and fifty dollars per quarter, the Auditor shall report such fact to the Postmaster-General, who shall assign the office to its proper class, and fix the salary of the postmaster as provided by section one of this act: *Provided further*, That in no case shall there be allowed to any postmaster of this class a compensation greater than two hundred and fifty dollars in any one of the first three quarters of any fiscal year, exclusive of money-order commissions, and in the last quarter of each fiscal year there shall be allowed such further sum as he may be entitled to under the provisions of this act, not exceeding for the whole fiscal year the sum of one thousand dollars, exclusive of money-order commissions. (Act of March 3, 1883, § 2, 22 Stats., 602.)

AS TO PENALTY FOR FALSE RETURNS OF CANCELLATION, see sec. 259.

MONEY ALLOWANCES.

Sec. 460. To What Offices and For What Made.—The Postmaster-General may allow to the postmaster at New York City, and to the post-

masters at offices of the first and second classes, out of the surplus revenues of their respective offices, that is to say, the excess of box-rents and commissions over and above the salary assigned to the office, a reasonable sum for the necessary cost of rent, fuel, lights, furniture, stationery, printing, clerks, and necessary incidentals to be adjusted on a satisfactory exhibit of the facts, and no such allowance shall be made except upon the order of the Postmaster-General. (R. S., § 3860.)

NOTE.—The statute which fixed the commissions referred to in the foregoing sections for offices of the first three classes, the act of July 12, 1876 (§ 7, 14 Stats., 80), has been repealed, but as no later one has been passed relating to such offices, the rule remains as the basis of computation to determine the limitations of the above section. The commissions there provided were as follows:

1. The actual box rents, not exceeding \$1,350, when the boxes are supplied and owned by the postmaster; and two-thirds of the box rents, and not to exceed \$1,000, when the boxes are not supplied and owned by the postmaster.

2. Commissions added to the box rents, as above ascertained, as follows:

On the first \$100 per quarter, 60 per centum.

On all over \$100, and not over \$300 per quarter, 50 per centum.

On all over \$300 and not over \$700 per quarter, 40 per centum., and 30 per centum on all over \$700 per quarter to an aggregate not exceeding \$1,350; and

At offices where the total revenues exceed \$4,000 per annum, in addition to the above allowed amounts for box rents and commissions, a percentage on the gross revenues per annum as follows:

On all over \$4,000, and not over \$10,000, one per centum.

On all over \$10,000, and not over \$20,000, nine-tenths of one per centum.

On all over \$20,000, and not over \$40,000, eight-tenths of one per centum.

On all over \$40,000, and not over \$80,000, six-tenths of one per centum.

On all over \$80,000, and not over \$160,000, five-tenths of one per centum.

On all over \$160,000, and not over \$320,000, four-tenths of one per centum.

On all over \$320,000, and not over \$640,000, three-tenths of one per centum.

On all over \$640,000, and not over \$1,280,000, two-tenths of one per centum.

On all over \$1,280,000, one-tenth of one per centum.

Sec. 461. Allowance for Clerks at Separating Post-Offices.—That the Postmaster-General may designate offices at the intersection of mail routes as distributing or separating offices, and where any such office is of the third or fourth class, he may make a reasonable allowance to the postmaster for the necessary cost of clerical services arising from such duties. (Act of July 12, 1876, § 11, 19 Stats., 82.)

NOTE.—It is discretionary with the Postmaster-General to grant or withhold such allowance. The postmaster cannot claim it of right, nor set it up as a claim against the United States, when sued upon his bond. (*United States v. Davis, Deady*, 294.)

Sec. 462. Clerk Hire for Money-Order Service.—That from and after the first day of July, eighteen hundred and eighty-six, the allowances for clerk hire made to postmasters of first and second class post-offices, by the Postmaster-General, out of the annual appropriation for clerks in

post-offices, shall cover the cost of clerical service of all kinds in such post-offices, including the cost of clerical labor in the money-order business; and that all laws or parts of laws inconsistent or in conflict herewith are hereby repealed. (Act of June 29, 1886, § 1, 24 Stats., 87.)

That from and after the first day of July, eighteen hundred and eighty-six, the allowances for clerk hire in money-order business shall not be separately made, but shall be included in the general allowances for clerk hire, and shall be based upon, but not to exceed, the rates specified in the fourth section of the act of March third, eighteen hundred and eighty-three (see section 1244); and at all money-order exchange offices which are now or may hereafter be established, additional allowances for clerk hire may be made as provided in said section for international exchange offices; and postmasters at offices of the first and second classes shall not receive any compensation in addition to their salaries for the transaction of the money-order and postal-note business. (Act of June 29, 1886, § 2, 24 Stats., 87.)

Sec. 463. Allowances for Extraordinary Business.—Whenever unusual business accrues at any post-office, the Postmaster-General shall make a special order allowing reasonable compensation for clerical service, and a proportionate increase of salary to the postmaster during the time of such extraordinary business. (R. S., § 3863.)

NOTE.—The clause “and a proportionate increase of salary” has been repealed by implication by the act of March 3, 1883 (above quoted), providing for the adjustment of salaries and compensation.

Sec. 464. Clerks and Employés; their Appointment, Duties, Salaries, &c.—The number, grades, and compensation of clerks for post-offices, where allowance for clerk hire is made, are fixed by the Postmaster-General. They are employed and are under the direct supervision of the postmaster (except as provided in section four hundred and ninety-eight), who is held responsible for their acts. At post-offices embraced in the classified postal service under the civil service act (see section 497) the appointments are made under the civil service rules. The postmaster at each office of the first and second classes must, annually, on or before the first day of January, submit to the First Assistant Postmaster-General for approval the plan of the organization of his post-office, with a roster or list of all clerks and other persons employed therein, stating the duties and compensation of each. On the examination of this roster allowances will be made, fixing number and grade; and the same must not be changed until ordered by the Department. All removals and new employments must be reported to the First Assistant Postmaster-General as soon as made.

Every assistant postmaster, clerk, or employé must, before entering

upon his duties, take the oath of office upon the form furnished by the Department, and the postmaster must transmit the same to the First Assistant Postmaster-General (Bond Division). Written forms will not be accepted.

Sec. 465. Allowances; how Made, &c.—Expenditures for clerk hire, rent, fuel, and light will be fixed by order specifying the allowance for each, which shall so remain until otherwise ordered; and other allowances for furniture and miscellaneous and incidental expenses will be made only under special orders specifically for each expenditure. Such allowances will in no case exceed the surplus revenue, as limited by section four hundred and sixty. No postmaster can have credit on account of any allowance, except to the extent of the money actually disbursed by him accordingly, and for which he renders proper vouchers. (Sections 222, 247.) No allowance will be made at any third or fourth class office, other than at separating offices under section four hundred and sixty-one, except by the direct order of the Postmaster-General.

Sec. 466. Leasing of Post-Offices.—Buildings for post-offices of the first and second classes will be leased directly by the Department in the name of the United States for such term of years as may be agreed upon, usually five; and, when such a lease shall be made, the allowance for rent will be limited to the rental stipulated therein. No authority exists in the Department to bind the United States for a longer term than the period of the appropriation; but inasmuch as the appropriation is annually renewed in general terms, the authority is exercised conditionally.

NOTE.—Leases to the Government entered into under an appropriation for one fiscal year, though for a term of years, are binding on the lessee, the Government, only for the year covered by the appropriation act, but the extended term named in the lease in effect gives an option to the Government to continue it, holding, if sufficient appropriation be made, until the expiration of the designated term. (*McCullum v. United States*, 17 Ct. Claims, 92.) And by holding the premises even after the term has expired, the Government may, under the operation of State laws, be liable as a tenant from year to year. (Opinion Attorney-General, July 1, 1885.) When a lease for three years is made subject to the ratification of Congress, which, after appropriating two years, directs the Postmaster-General to deliver up possession unless the owner will accept a reduced rent for the third, and he makes no demand for possession, he will be deemed to have acquiesced in the proposed reduction. (*Bradley v. United States*, 13 Ct. Claims, 166.)

SUPPLIES TO POSTMASTERS.

Sec. 467. Uniform Canceling Ink.—That the Postmaster-General be, and he is hereby, authorized to adopt a uniform canceling ink or other appliance for canceling stamps, which experiments and tests have proved or may prove to be the most practicable and the best calculated to pro-

fect the revenues of the Department from the frauds practiced upon it, to be used in all the post-offices where stamps are canceled, and he is hereby authorized to distribute said canceling ink or other appliance in the same manner as other supplies are now distributed to the different post-offices in the United States; and to this end the Postmaster-General is hereby authorized to use any funds of said Department heretofore applicable: *Provided*, The same shall not increase the expenditures of said Department for the purposes named in this section. (Act of June 20, 1878, § 1, 20 Stats., 240.)

Under this statute and annual appropriation acts all postmasters will be supplied upon their requisitions, through the Division of Post-Office Supplies, with necessary canceling ink, marking and rating stamps, and stamping pads.

Sec. 468. Blanks.—The Postmaster-General may establish a blank agency for the Post-Office Department, to be located at Washington, District of Columbia. (R. S., § 400.)

Blanks of every kind necessary for the performance of the duties of postmasters, including record books and returns, are under this authority prepared by the Department and supplied to postmasters, through the Division of Post-Office Supplies, upon their requisitions, according to their necessities. A list of blanks, with their appropriate numbers, which should invariably be given in requisitions, is appended at the foot of this chapter.

Sec. 469. Other Supplies.—Facing-slips are furnished to all offices, as may be necessary. Wrapping paper and twine may be issued to postmasters at offices whose gross receipts exceed one hundred dollars per annum; but in smaller offices the necessity and the occasion therefor must be shown by the requisition.

Offices whose annual gross receipts are four hundred dollars or more are supplied with letter balances of four pounds, and offices required to weigh second-class matter, with the necessary scales.

Stationery is supplied to postmasters of the first and second classes.

All specific supplies are furnished only on requisition sent to the First Assistant Postmaster-General (Division of Post-Office Supplies).

Sec. 470. Care and Economy in Use of Supplies.—Postmasters will exercise care to avoid wastefulness in their offices in the use of supplies, as small waste in each office amounts to large aggregate. Stationery furnished should be applied only to official use. Wrapping paper and twine that have been used should, when fit, be used again.

Sec. 471. Postal Balances in Metric System.—The Postmaster-General shall furnish to the post-offices exchanging mails with foreign countries, and to such other offices as he may deem expedient, postal balances de-

nominated in grams of the metric system, fifteen grams of which shall be the equivalent, for postal purposes, of one-half ounce avoirdupois, and so on in progression. (R. S., § 3880.) (See section 617.)

Sec. 472. Facing Slips, Schemes, Labels, &c.—Postmasters can also obtain such facing slips, printed, wooden, or slide labels as may be needed for the use of their offices, as well as official schemes of distribution or information relating thereto, by applying to the division superintendent of Railway Mail Service in whose division their post-offices are located. (See section 552.)

Sec. 473. List of Blanks and Directions in Applying Therefor.—Postmasters are furnished with a blank requisition on which to make application for blanks. In filling it out care should be taken to give the name of the office, county, State, and postmaster, legibly written.

LIST OF BLANKS USED AT PRESIDENTIAL AND LETTER CARRIER OFFICES.

- (1091—K. D.) Receipt of Postmaster for Deposit.
- (1092—K. D.) Receipt of Box-renter for Refundment.
- (1500) Clerks' Pay-Rolls.
- (1501) Letter Carriers' Pay-Rolls.
- (1501½) Substitute Carriers' Pay-Rolls.
- (1502) Letter Carriers' Delivery Bill.
- (1503) Letter Carriers' Monthly Report.
- (1504) Letter Carriers' Quarterly Report.
- (1505) Requisition for Blanks.
- (1506) Requisition for Stamps from Retail Clerk.
- (1507) Notice of Box Rent Due.
- (1509) Books—Letter Carriers' Daily Reports.
- (1510) Report of Lost Letters.
- (1511) Detailed Statement of Stamps and Envelopes.
- (1512) Canada Mail Bills.
- (1513) Notice of a Package too large to be delivered by the Carrier.
- (1514) Books, Letters Returned by Carriers.
- (1515) Circular for tracing Lost Stamps.
- (1516) Circular to Postmaster concerning Lost Letter.
- (1517) Circular Reply of Postmaster to same.
- (1518) Circular Reply to Person inquiring for Lost Letter.
- (1519) Affidavit in reference to Lost Letter.
- (1520) Reply to request to forward Letters.
- (1521) Application to Third Assistant Postmaster-General for Dead Letter.
- (1522) List of Unmailable Letters—daily.
- (1522½) List of Unmailable Letters—weekly.
- (1523) Dead-Letter Bill—weekly.
- (1524) Notice to apply for Dead Letter.
- (1525) Notice to apply for Registered Letter.
- (1526) Voucher.
- (1527) Books Letter Carriers' Time of Arrival, &c.

- (1528) Notice to Publisher to discontinue sending Publication.
- (1529) Request to Return Mail Bags.
- (1530) Receipt for Mail Bags.
- (1531) Receipt for Letter returned to Writer.
- (1532) Account of Ship and Steamboat Letters Received.
- (1533) Substitute's Certificate.
- (1534) Card Notice for Re-addressed and Forwarded Matter.
- (1535) Ship-Letter Receipts.
- (1536) Circular for Tracing Lost Registered Packages.
- (1537) Box Accounts.
- (1538) Receipt for Box Rent.
- (1539) Requisitions for Postmarking Stamps, Letter Balances, &c
- (1540) Unclaimed Package Notice.
- (1541) Route Changes, for Letter Carrier Offices, in Tablets.
- (1542) Voucher for Letter-Carrier Offices.
- (1543) Card Notice—"Held for Postage."
- (1544) Books Postal Clerk Receipts for Registered Letters Delivered.
- (1545) Sheets Postal Account (Presidential.)
- (1546) Pay-Rolls for Railway Postal Clerks.
- (1547) Books Registered Letters Received and Delivered.
- (1548) Registered Return Receipt Cards. "Melon."
- (1549) Books Receipts for Registered Letters Despatched.
- (1550) Registered Letter Card Bills. "Grey."
- (1551) Signature Registered Letter Bills, in sheets.
- (1553) Books Registered Matter in Transit.
- (1554) Labels for Presidential Quarterly Returns.
- (1556) Card Receipts for Registered Packages. "Yellow."
- (1557) Abstracts of Payments, &c.
- (1559) Detailed Statement of Vouchers accompanying Quarterly Return.
- (1560) Letter Carrier's Receipt Books for Registered Letters Delivered.
- (1561) Dead-Letter Bills for Letter-Carrier Offices.
- (1563) Railway Postal Clerk Receipts for Service Performed.
- (1564) Route Books for Letter-Carrier Office.
- (1565) Weekly Transcripts of Deposits Received.
- (1566) Books, Certificates of Deposit.
- (1568) Notice to Publisher to change Address of Publication.
- (3044 a) For Transmittal of Deposits—monthly.
- (3201) Order to the Department for Postage Stamps.
- (3202) Order to the Department for Request Envelopes.
- (3203) Requisition for Newspaper Stamps.
- (3235) Quarterly Statement of Postage collected on Newspapers, &c.
- (3240) Report of Stamps Sold.
- (3282) Requisition for Free Post-Office Envelopes.
- (3285) Requisition for Unpaid Postage-Due Stamps.
- (3343) Requisition for Newspaper and Periodical Stub Books.
- (3354) Requisition for 2-cent Letter-sheet Envelopes.
- (3356) Report of 2-cent Letter-sheet Envelopes sold, etc.
- (3848) Quarterly Report of Registered Letters Transmitted.
- (3856) Registry Circular of Inquiry.
- (3950) Messengers' Pay Rolls—Special Delivery.

- (3951) Messengers' Delivery Books—Special Delivery.
- (3952) Postmasters' Report of Special Delivery—quarterly.
- (3953) Record of Mail Matter for Special Delivery—bound.
- (3953 a) Record of Mail Matter for Special Delivery—sheet form.
- (3954) Receipt for Special-Delivery Matter Delivered.

LIST OF BLANKS USED AT FOURTH-CLASS OFFICES.

- (1507) Notices of Box Rent Due.
- (1516) Circular to Postmaster concerning Lost Letter.
- (1517) Circular Reply of Postmaster to same.
- (1518) Circular Reply to Person inquiring for Lost Letter.
- (1519) Affidavit in reference to Lost Letter.
- (1520) Reply to request to forward Letters.
- (1521) Application to Superintendent Dead-Letter Office for Dead Letter.
- (1522½) List of Unmailable Letters.
- (1523) Dead-Letter Bill—monthly.
- (1525) Notice to apply for Registered Letter.
- (1526) Voucher.
- (1528) Notice to Publisher to discontinue sending Publication.
- (1536) Circular for Tracing Lost Registered Packages.
- (1538) Box Rent Receipts.
- (1539) Requisitions for Postmarking Stamps, Letter Balances, &c.
- (1543) Card Notice—"Held for Postage."
- (1567) Requisition for Blanks.
- (3044) For Transmittal of Deposits.
- (3201) Order to the Department for Postage Stamps.
- (3202) Order to the Department for Request Envelopes.
- (3203) Requisition for Newspaper Stamps.
- (3235) Quarterly Statement of Postage collected on Newspapers, &c.
- (3848) Quarterly Report of Registered Letters Transmitted.
- (3282) Requisition for Free Post-Office and Registered Package Envelopes.
- (3285) Requisition for Postage-Due Stamps.
- (3856) Registry Circular of Inquiry.
- (1558) Sheets Accounts-Current and Transcript Combined.
- (1547) Books Registered Letters Received and Delivered.
- (1548) Registered Return Receipt Cards. "Melon."
- (1549) Books Receipts for Registered Letters Dispatched.
- (1550) Registered Letter Card Bills. "Groy."
- (1553) Books Registered Matter in Transit.
- (1556) Card Receipts for Registered Packages. "Yellow."
- (3953a) Record of Mail Matter for Special Delivery. (Sheet form.)
- (3954) Receipt for Special-Delivery Matter Delivered.

CHAPTER SEVENTEEN.

THE ORGANIZATION AND GENERAL MANAGEMENT OF POST-OFFICES; THEIR CLERKS AND EMPLOYÉS.

Sec. 474. Postmasters to Keep an Office.—Every postmaster shall keep an office in which one or more persons shall be on duty during such hours of each day as the Postmaster-General may direct, for the purpose of receiving, delivering, making up, and forwarding all mail matter received thereat. (R. S., § 3839.)

Sec. 475. No Post-Office to be Located in Bar-room.—No post-office shall be located in bar-room, or in any room directly connected therewith; nor must any mail be opened or any mail matter be delivered in any room in which liquor is sold at retail, except such liquors are sold by a druggist for medicinal purposes only and not to be drunk on the premises. (See section 478.)

Sec. 476. Other Business at Fourth-Class Post-Offices.—Postmasters at post-offices of the fourth class will be permitted to transact other business in the same room in which the post-office is located; but such other business must be kept separate and distinct from that of the post-office.

Sec. 477. Postmasters not to Act as Lottery Agents.—No postmaster shall act as agent for any lottery office, or under any color of purchase, or otherwise, vend lottery tickets; nor shall he receive or send any lottery scheme, circular, or ticket free of postage. For any violation of this section the offender shall be liable to a penalty of fifty dollars. (R. S., § 3851.)

For other provisions affecting postmasters in respect to lotteries, see section 379.

Sec. 478. Loungers or Disorderly Persons not Permitted in Post-Office.—A postmaster must not allow his post-office to become the resort for loungers or disorderly persons, or the scene of dispute or controversy; and whenever necessary he should invoke the aid of the civil authorities to expel violators of this rule.

He is also required to keep his post-office, at all times, in such a clean and orderly condition that it may be visited by women and children and others without impropriety or embarrassment.

He is not authorized to exclude the public from the lobby of his office during the distribution of the mail, but may enforce the observance of good order, and may prohibit smoking there. When the local authorities refuse to preserve order in a post-office at the request of the postmaster, he should close the office.

Sec. 479. Advertisements, &c., in Post-Offices.—Postmasters are strictly forbidden to place or permit to be placed upon the walls, or otherwise

for public exhibition, within the post-office, or lobby thereto, or on any portion of the post-office premises, business cards, circulars, placards, handbills, or advertisements of private business; and, also, pictures, cartoons, placards, handbills, or other documents or advertisements of a political character, or relating to any election, or designed to influence elections in favor of any candidate; except that they may allow, for the convenience of the public, bulletin boards to be placed in their offices, or may set apart some convenient place, where notices of public assemblies, political meetings, caucuses and conventions, judicial sales, and other like announcements, whether printed or written, may be displayed; but the privilege of using them must be afforded without discrimination of party or sect. They are also forbidden to use their official signatures as an advertisement of wares sold by them, or to stamp their own or any other person's advertisement upon mail matter passing through their hands.

Sec. 480. Personal Conduct of Officials.—

EXECUTIVE MANSION,
WASHINGTON, *July 14, 1886.*

To the heads of Departments in the service of the General Government:

I deem this a proper time to especially warn all subordinates in the several Departments, and all office holders under the General Government, against the use of their official positions in attempts to control political movements in their localities.

Office holders are the agents of the people—not their masters. Not only is their time and labor due to the Government, but they should scrupulously avoid, in their political action as well as in the discharge of their official duty, offending by a display of obtrusive partisanship their neighbors who have relations with them as public officials.

They should also constantly remember that their party friends from whom they have received preferment have not invested them with the power of arbitrarily managing their political affairs. They have no right as office holders to dictate the political action of their party associates, or to throttle freedom of action within party lines by methods and practices which pervert every useful and justifiable purpose of party organization.

The influence of Federal office holders should not be felt in the manipulation of political primary meetings and nominating conventions. The use by these officials of their positions to compass their selection as delegates to political conventions is indecent and unfair; and proper regard for the proprieties and requirements of official place will also prevent their assuming the active conduct of political campaigns.

Individual interest and activity in political affairs are by no means

condemned. Office holders are neither disfranchised nor forbidden the exercise of political privileges; but their privileges are not enlarged, nor is their duty to the party increased to pernicious activity by office holding.

A just discrimination in this regard between the things a citizen may properly do and the purpose for which a public office should not be used is easy in the light of a correct appreciation of the relation between the people and those intrusted with official place, and a consideration of the necessity under our form of government of political action free from official coercion.

You are requested to communicate the substance of these views to those for whose guidance they are intended.

GROVER CLEVELAND.

The foregoing regulation has peculiar application to postmasters, and its spirit should guide their conduct in all official intercourse with the public. They are servants of the people in that branch of governmental service which ministers most to their immediate personal convenience and interests and comes in closest contact with all. Enjoyment of its privileges compels persons of both sexes, of all ages, of various conditions, of different nationalities, of every opinion, to visit the post-office with frequency. They transact business generally small in external details, but of deep interest or value to them, and, in the aggregate, of vast magnitude and great importance to the country. All, of every degree, condition, and private opinion, are entitled of right to a kindly service by their Government, with attention, civility, and accommodating assistance on the part of its agents, and especially without offense to their sensibilities. The postmaster must therefore be patient, courteous and helpful in transacting his business, compel his clerks to similar conduct or dismiss them, and so govern himself and them that every proper visitor may leave gratified by good treatment. Advantage of the enforced opportunity should never be taken to subject visitors to the public office either to proselyting attempts to convert them or to other wounds of feeling by expressions in opposition to their opinions, political, religious, or otherwise.

The regulation forbids, further, that the postmaster should install himself as the manipulator of the political affairs of his own party. He is not thereby abridged of his privileges as a citizen, but restrained from encroachment on those of his fellow citizens. Such a line of conduct as is interdicted would expose him to the imputation of a conscious failure to earn his salary by his service, or of scheming to maintain or advance himself by other means than excellence in performance of

duty; tends to excite disaffection even in his own party, and brings reproach on the public service.

No official will find his just independence restrained by the course of manly moderation and tolerant courtesy which the regulation enjoins, nor, if he reads it in the spirit of obedience, have difficulty in determining his conduct accordingly.

Sec. 481. Business Hours at Post-Offices.—Every postmaster must keep his post-office open for the dispatch of business every day, except Sundays and holidays, during the usual hours in which the principal business houses in the place are kept open, and attend at such other hours as may be necessary to receive and dispatch mails. When the mail arrives on Sunday he will keep his post-office open for one hour or more after the arrival and assortment thereof, if the public convenience require it, for the delivery of the same only. If it be received during the time of public worship, the opening of the post-office will be delayed until services have closed. He need not open his office during the day of Sunday, if no mails arrive after the closing of the office on Saturday and before six o'clock Sunday afternoon. While open, stamps may be sold to any one applying for them; but money-orders must not be issued nor paid, nor letters registered on that day. Delivery on Sunday must not be restricted to box holders, but made to all who call while the office is open. The office on week days should not be closed during meal hours.

The windows in connection with the carriers' department must be opened for the delivery of mail matter during office hours on Sundays, holidays, and in the evening after the last carrier delivery.

As to DUTIES IN RESPECT TO SPECIAL DELIVERY LETTERS, see section 688.

Sec. 482. Delivery; when to be Kept Open.—The delivery of the post-office should be closed during the opening and distribution of a mail only when the clerical force is insufficient to distribute the mail and allow delivery at the same time; and, when closed, should be opened so soon as the mail is distributed.

Sec. 483. Holidays.—Postmasters may observe as holidays January 1st, July 4th, December 25th, and such other days as the President of the United States, or the governors in their respective States, may designate as fast or thanksgiving days or proclaim specially as holidays. On May 30th, post-offices may be closed between the hours of 10 o'clock a. m. and 5 o'clock p. m., if the postmaster thinks best. On other occasions their offices can be closed only after permission obtained therefor from the Department, to be applied for through the First Assistant Postmaster-General. Upon holidays post-offices must be open sufficiently to meet fairly the public convenience.

Sec. 484. *The Public Property—Sales of Waste Paper and Twine*—Upon taking charge of the post-office every postmaster will make in duplicate inventories of the public property belonging to it, each of the four classes of property to be inventoried separately, as follows:

1. Of all postage stamps, special-delivery stamps, stamped envelopes, letter-sheet envelopes, newspaper wrappers, and postal cards, and newspaper and periodical stamps, and postage-due stamps.

2. Of all Postal Guides, books of Postal Laws and Regulations, circulars, orders, blanks, rating stamps, postmarking stamps, ink pads and supply of ink, and letter balances or scales, and stationery.

3. Of all desks, cases, safes, and other furniture or fixtures, books, and maps allowed or furnished by the Department.

4. Of all locks, keys, and mail bags.

And he will receipt to his predecessor according to these inventories, and will transmit one of the duplicates of class 1 to the Sixth Auditor, of classes 2 and 3 to the First Assistant Postmaster-General, and of class 4 to the Second Assistant Postmaster-General, retaining one of each. He will not receive from his predecessor, on taking charge, any money belonging to the Department, except money-order funds, unless specially instructed to do so. (See section 190.)

Sale of Waste Paper and Twine.—Waste paper embraces dead and unclaimed domestic printed matter (section 598), used registered-package envelopes (section 1145), applications for money orders and money-order advices (section 1293), used facing slips (section 552), and any other useless paper. Postmasters must exercise care to realize the most from this waste, and, when practicable, sell the same and all remnants of twine unfit for use, before the expiration of each quarter, accounting for the proceeds as postal funds. The sale should be made in the neighborhood of the office, if possible; and such matter cannot be transported free in the mails to a purchaser, nor mail bags be used to carry it away. The use of mail bags as receptacles for waste paper and office sweepings is prohibited.

As to key-deposit funds, see section 495.

Sec. 485. *Public Documents and Property to be Turned over to Successor.*—All books of regulations, Guides, instructions, circulars, and orders received by a postmaster from any officer of the Department are to be filed and preserved in the post-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 post-office, deliver to the postmaster designated by the First Assistant Postmaster-General to receive them, as public property, all safes, desks, cases, and other furniture and fixtures, and all books, office records (such as duplicate pay rolls, records of arrivals

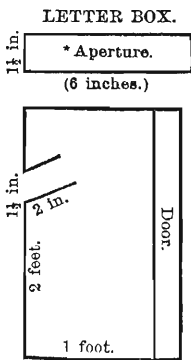
and departures of mails, and of employés of the Railway Mail Service), all maps, blanks, stationery, all stamps and stamped paper, and other articles which have either been furnished to him as postmaster or have been charged for and allowed at any time, and which may remain on hand when the vacancy or discontinuance occurs. Such property and supplies are not to be returned to the Department.

Sec. 486. Care of the Public Property.—Postmasters are required to exercise due care in preserving and in the use of the public property committed to their charge. Postal funds in their hands are always at their own risk. In cases of loss or destruction of stamped paper, money-order funds, or other property by fire, burglary, or other unavoidable casualty, they will not receive credit for the loss if it appears that the loss resulted from their fault or negligence in not exercising such reasonable precaution and care as the circumstances required. When any post-marking, canceling, or rating stamps or pads become unfit for use, and cannot be repaired by the postmaster, he should return them to the Department, and make entry thereof on his record.

EQUIPMENT OF POST-OFFICES.

Sec. 487. Receiving Box for Mail at Third and Fourth Class Post-Offices.—

A letter box must be provided at third and fourth class post-offices, and constructed in the window or wall; the aperture for the posting of letters must be horizontal, as shown by the diagram in the margin, and measure six inches by an inch and a half, and be easily accessible at all hours to the public. The words "Letter Box" must be painted above the aperture. The box must be at least two feet in depth from the lower edge of the aperture, and not less than one foot wide and one foot from back to front; and directly underneath the aperture, on the inside, should be a ledge about two inches in width, inclining upwards, as shown in the diagram, to prevent the contents of the box from being seen or taken out at the aperture. The box should be shut by means of a door forming the entire back or side of the box, the door always be securely locked, and the key kept in a safe place.



Sec. 488. Place for Mail Matter Awaiting Delivery and for Stamps, &c.—At fourth-class post-offices a drawer should be provided to hold letters not registered, awaiting delivery, where not kept in letter-boxes, a separate drawer to hold official papers (including instructions), which should never be placed with the letters, and a drawer in which to keep postage stamps, and a box or till with a secure lock in which to place postal

moneys, which must at all times be kept separate from the postmaster's private funds.

As to the other supplies of an office, see sections 467-473.

LETTER BOXES.

Sec. 489. How Provided.—Boxes in post-offices are provided by the following methods:

1. In Government buildings by the Treasury Department.
2. At other first and second class post-offices, the lessor, by agreement in his lease, sometimes provides them.
3. Individuals may provide lock boxes or drawers for their own use, under the next section.
4. In all other cases the necessary boxes must be furnished and kept in repair by the postmaster.

Sec. 490. Lock Boxes, &c., for Box Holders at their Expense.—Postmasters may allow box holders who desire to do so to provide lock boxes or drawers for their own use, at their own expense, which lock boxes or drawers, upon their erection in any post-office, shall become the property of the United States, and be subject to the direction and control of the Post-Office Department, and shall pay a rental at least equal to that of other boxes in the same office, or, if there be no other boxes in such office, of boxes in other offices of the same class, which rental shall be accounted for as other box rents. (R. S., § 4052.) (See section 149.)

Sec. 491. Rent of Boxes to be Prepaid.—No box at any post-office shall be assigned to the use of any person until the rent thereof has been paid for at least one-quarter in advance, for which the postmaster shall give a receipt. (R. S., § 3901.)

The postmaster has no right to assign any person a box free of rent. He must not rent a box for a longer term than three months; and where the application is made during a quarter, he should rent the box for the remainder of that quarter, charging the pro rata amount for the time remaining. This rule is necessary to the quarterly settlement of his accounts required by law. When persons holding boxes refuse to pay their box rent, their mail should be put in the general delivery. Strict compliance with this regulation is required; and the postmaster's own interest will be subserved by adhering to it, as he is chargeable with all uncollected box rents (section 149); and the collecting of rents for a longer period in advance than herein authorized will work confusion in his accounts and delay their settlement.

Sec. 492. Use of Boxes.—A person renting a box may have the mail addressed to members of his family, including visitors, and that addressed to his care or to the number of his box for persons who wish

him temporarily to take charge of it, placed in such box. Boarders at a hotel or boarding house are not considered as members of the family. The employés of a firm or corporation may, by consent of their employers, have their mail put in the company's box; but if the box will not contain all the mail, the box holder must be notified that he may rent another box. Mail matter addressed to students in a college or seminary, or the inmates of any public institution, may, when such is the rule or usage of the institution, be put in the box rented by it and may be delivered to its messenger. It may be so deposited in the box and delivered at the request of the student or his parent or guardian, or of such inmate, in the absence of a rule or usage of the college or institution. With these exceptions the use of a box is restricted to one family, firm, or corporation. If a person rent boxes at two or more post-offices, his matter must be delivered by the office to which it is addressed.

A postmaster has no right to use the boxes nor the general delivery of his office for the distribution of bills or circulars relating to his own private business. But he may place official notices to the box-holders in their boxes without inclosing them in a penalty envelope. Postmasters are required to hand out mail to the renters of lock-boxes or other persons entitled to receive it when requested. There must be no discrimination in delivering mail matter only to box holders and not at the general delivery.

Sec. 493. Names of Box Holders not to be Disclosed.—Postmasters are strictly prohibited from disclosing to any person not of his office, except inspectors, the names of the persons owning or renting boxes in their post-offices.

Sec. 494. Record of Box Holders and Receipts.—Each postmaster must keep in his office, for examination of inspectors, and deliver to his successor, a list of box holders, with the number of the box assigned to each, the time during which he has used it, and for which rent is prepaid. The record of receipts which he is required to keep (see sections 240, 241, and 242,) must show the amount of moneys received for box rents, the number of the box, the period, and renter, as to each payment, respectively. If no such record be turned over to him, the incoming postmaster will require claimants of boxes to produce receipts or other satisfactory evidence of prepayment of rent, and allow the use of the boxes for the residue of the prepaid term.

Sec. 495. Key Deposits.—At post-offices in public buildings under the control of the Treasury Department and in buildings leased by the Government, postmasters are required to exact in advance a deposit of fifty cents for each key delivered to the renter of a lock-box or drawer, as se-

curity against its loss, such deposit to be refunded when the key is returned.

The following instructions will be carefully observed by postmasters in respect to key deposits :

1. In Government buildings in which the lock boxes and drawers are furnished by the Treasury Department, the postmaster will, when collected, deliver such deposit to the custodian of the building, who is charged with keeping such boxes and drawers and keys in repair, and who will return the amount upon surrender of the key.

2. At offices in buildings leased by the Government, with box outfits covered by the lease, the postmasters are required to hold such key deposits as a trust fund, subject to return or application upon forfeiture as herein directed. The object and condition of the deposit should be explained to the box renter.

3. An account must be kept of such deposits, to be known as the "Key-deposit Redemption Fund," each deposit to be entered therein, with the name of the depositor, date of deposit, and the number of the key.

4. When a key is surrendered within thirty days after the box to which it belongs is vacated, the deposit therefor, in the postmaster's hands, should be at once refunded and receipt taken therefor, and proper entry made in the account of that fund.

5. When a key is lost by the renter, or while he is responsible therefor, or through his fault is broken so as to be rendered useless, or is withheld for over thirty days after the box to which it belongs has been vacated, the deposit therefor becomes forfeited and will be transferred to another fund called the "Key-deposit Forfeiture Fund," and entry thereof made in the account.

6. The "forfeiture fund" is to be expended (1) for the purchase of new keys to replace those lost, broken, or withheld; (2) for necessary repairs to locks; and (3) for keeping the lock boxes in serviceable condition. Vouchers in duplicate should be taken of such expenditures.

7. Every postmaster having in his hands any key-deposit funds must render account thereof to the First Assistant Postmaster-General on June 30 and December 31 of each year (on Form 1090), and a final account on retiring from office. Vouchers for all moneys refunded or disbursed must accompany the account. If the postmaster die, his sureties will transfer the funds and render final account.

8. Upon retirement from office the postmaster will turn over all key-deposit funds, whether forfeited or not, and the records thereof, to his successor in office. Should he fail or refuse to do so, the successor will at once inform the Department of the fact. Box holders who provide

their own boxes, as authorized by section four hundred and ninety, are not required to make deposits for keys furnished by themselves, but must for keys furnished therefor by the postmaster.

Postmasters who provide their own boxes may require a key deposit at their option, not to exceed fifty cents per key. If they omit the requirement, they must inform the First Assistant Postmaster-General.

ASSISTANTS, MAILING CLERKS, ETC.

Sec. 496. Assistant Postmasters.—Each postmaster shall employ an assistant, so that the office may not be left without a person duly sworn and qualified to perform its duties in case of his necessary absence, sickness, resignation, or death. The wife, son, daughter, or surety of the postmaster may, if competent, be such assistant. All members of his family who are competent and are liable, in his absence, to be called upon to receive or deliver mail, should take the oath of a postal employé. (See section 43.) An ex-postmaster should not be permitted to have access to or handle mail matter in the office unless he takes the oath anew. An unnaturalized person may be such assistant, provided he has in proper form declared his intentions. No contractor or subcontractor for carrying the mails, mail messenger, or assistant mail messenger can be clerk in a post-office. (See section 773.)

Sec. 497. Classification of Clerks and Employés in Post-Offices.—Within said sixty days it shall be the duty of the Postmaster-General to separately arrange in classes the several clerks and persons employed, or in the public service, at each post-office, or under any postmaster of the United States, where the whole number of said clerks and persons shall together amount to as many as fifty. And thereafter, from time to time, on the direction of the President, it shall be the duty of the Postmaster-General to arrange in like classes the clerks and persons so employed in the postal service in connection with any other post-office; and every such arrangement and classification upon being made shall be reported to the President. (Act of January 16, 1883, § 6 in part, 22 Stats., 406.)

NOTE.—Under the foregoing provision from the Civil Service law, post-offices where such classification and arrangement have been made by order of the Postmaster-General, are within the "Classified Postal Service"; and all employment and appointment of clerks or carriers are made upon selection from those found eligible after a competitive examination by an examining board appointed by the Civil Service Commission. For the manner of application for examination, procedure thereon and mode of appointment, reference is made to the Civil Service Rules. The provisions of the Civil Service law (see sections 19 to 24 and 78 to 81) apply to clerks and employés in the Classified Postal Service.

Sec. 498. Superintendent of Mails.—At such post-offices of the first and second classes as he shall deem necessary, the Postmaster-General will appoint a clerk to be known as the “superintendent of mails,” whose duties shall be—

1. To have entire charge of the distribution and dispatch of all mails at such post-offices, and to prepare and correct from time to time all necessary schemes or lists for distribution, subject to the approval of the division superintendent of Railway Mail Service.

2. To see that each distributing clerk is required promptly to examine such orders relating to or changing official schemes, or giving directions as to the making up and dispatch of mails from the office, as may from time to time be received.

3. To conduct the case examinations prescribed in the next section, and make report thereof to the postmaster and division superintendent.

4. To keep a record of all errors and irregularities checked by or against each clerk under his charge, and make report thereof to the postmaster and division superintendent monthly, or oftener if required.

5. To examine all slips in which errors are noted, which have been returned to the post-office, compare the same with the schemes and orders, make a record thereof and return them to the respective clerks by whom the distribution was made, or, in case checks were erroneously made, to the division superintendent, in order that proper credit may be given.

Sec. 499. Case Examinations.—Postmasters at first and second class offices will require their distributing clerks to be examined from time to time on schemes of such States as are to be distributed at their post-offices. Such examinations, conducted by the superintendent of mails, will consist in the distribution from memory, into a case for that purpose, of cards representing post-offices, towns, or counties of any State for which distribution is made. After such distribution, the cards will be examined by the superintendent, tested by the schemes, and record kept of the number of errors noted. Clerks should also be sharply questioned frequently as to the proper routes on which mails are dispatched from their offices, and as to the orders given them for making up the mail. Incompetent distributing clerks will be removed when the record of case examinations or of errors made in distribution shows their incompetency.

Sec. 500. Order Books; when to be Kept.—Postmasters at first and second class post-offices will keep an order book in which all orders relating to the making up and dispatch of mails at their offices, and all official changes in schemes which are received from division superintendents, are to be inserted or recorded, and require distributing clerks

to examine the same daily; and may require each clerk to sign his initials at the foot of each order to indicate that he has examined it.

MISCELLANEOUS PROVISIONS.

Sec. 501. Official Guides and Department Circulars.—The United States Official Postal Guide, of which a copy is sent to each postmaster, is to be carefully preserved, and all orders and instructions attentively perused and their requirements complied with. Printed circulars received by postmasters from any office of the Department must receive the same attention and obedience as if they were manuscript letters or direct special communications.

Sec. 502. Instructions on Doubtful Matters.—Whenever a postmaster is in doubt as to a provision of law or regulation affecting a matter upon which he is to act, he should, before taking action, ask instructions from the proper office of the Department. But care must be taken to first thoroughly examine the Postal Laws and Regulations and the Guide, and not to ask for instructions or information which may be found therein.

Sec. 503. Correspondence with Department.—The postmaster in his correspondence with the Department should carefully observe the following directions:

1. Write the name of the post-office, county, and State at the head of the letter, if a letter head giving the same be not used.
2. Write only upon one subject in the same letter.
3. Sign and date every letter or indorsement sent to the Department.
4. Promptly answer all communications from the Department requiring reply.
5. All letters of inquiry, applications, or complaints which, having been addressed to the Department and referred to a postmaster for explanation or information, must, without fail, be returned in the same inclosure with the report or answer made respecting the same, which may be indorsed upon or appended thereto when convenient, duly signed and dated as above required.

Sec. 504. Commissions of Post-Office Inspectors to be Demanded.—To avoid impostures postmasters should always insist upon the exhibition of commissions of persons representing themselves to be post-office inspectors unless such persons are personally known to them to be such officers. Every post-office inspector carries a commission signed by the Postmaster-General.

Sec. 505. Political Assessments Forbidden.—Postmasters will carefully observe the provisions of law forbidding political assessments.

The postmaster and his employés are forbidden, under severe penal-

ties, from soliciting or receiving, directly or indirectly, or being concerned in soliciting or receiving any assessments, subscriptions, or contributions for political purposes from any officer, clerk, or employé in the service of the United States; and it is forbidden to any person to solicit or receive money or other thing of value for political purposes in any post-office or other room or building occupied by any officer of the United States for the discharge of official duties; and postmasters will be held responsible for its prevention. Postmasters and their assistants or employés are forbidden to discharge, promote, or degrade, or change the rank or compensation of any officer or employé, or to threaten so to do, for giving or refusing to give any contribution of money or other valuable thing for any political purpose. It is also forbidden to any officer, clerk, or employé of the United States to give or hand over such contribution to any other officer, clerk, or person in the service of the United States. (Sections 78 to 81.)

CHAPTER EIGHTEEN.

OF THE TREATMENT OF MAIL MATTER IN POST-OFFICES.

GENERAL PROVISIONS.

Sec. 506. **Privacy of First-Class Mail Matter.**—The statutes defining crimes against the Post-Office establishment admonish every person in the postal service of the absolute sanctity of a seal. Under no circumstances will any person in the postal service, except those employed for that purpose in the Dead-Letter Office, break or permit to be broken the seal of any letter or packet, while it is in custody of the postal service. Neither postmasters, inspectors, employés of the Department, nor officers of the law, without legal warrant therefor, have authority to open a sealed letter while in the mails, under any pretext; that it may contain improper or criminal matter, or furnish evidence for the conviction of offenders, is no excuse. (See sections 1447 and 1448.)

NOTE.—The inviolability of the seal is very clearly declared in a decision of the Supreme Court of the United States, in *ex parte Jackson*, 96 U. S., 733, thus: "A distinction is to be made between different kinds of mail matter—between what is intended to be kept free from inspection, such as letters and sealed packages subject to letter postage, and what is open to inspection, such as newspapers, magazines, pamphlets, and other printed matter, purposely left in condition to be examined. Letters and sealed packages of this kind in the mail are as fully guarded from examination and inspection, except as to their outward form and weight, as if they were retained by the parties forwarding them in their own domiciles. The constitutional guaranty of the right of the people to be secure in their papers against unreasonable searches

and seizures extends to their papers thus closed against inspection, wherever they may be. Whilst in the mail they can only be opened and examined under like warrant, issued upon similar oath or affirmation, particularly describing the thing to be seized, as is required when papers are subjected to search in one's own household. No law of Congress can place in the hands of officials connected with the postal service any authority to invade the secrecy of letters and such sealed packages in the mail; and all regulations adopted as to mail matter of this kind must be in subordination to the great principles embodied in the fourth amendment of the Constitution."

Sec. 507. Postmasters not to give Information Respecting Mail Matter.—Postmasters and all others in the service are forbidden to furnish information concerning mail matter received or delivered, except to the persons to whom it is addressed or to their authorized agents or post-office inspectors. A disregard of this regulation will render the offender liable to removal. Postmasters may, however, when the same can be done without interference with the regular business of the post-office, furnish to officers of the law, to aid them in discovering a fugitive from justice, information concerning the postmarks and addresses of letters, but must not delay or refuse their delivery to the persons addressed.

Sec. 508. Penalty for Unlawfully Detaining Mail Matter.—Any postmaster who shall unlawfully detain in his office any letter or other mail matter, the posting of which is not prohibited by law, with intent to prevent the arrival and delivery of the same to the person to whom it is addressed, shall be punishable by a fine of not more than five hundred dollars, and by imprisonment for not more than six months, and he shall be forever thereafter incapable of holding the office of postmaster. (R. S., § 3890.) (See section 1447.)

Sec. 509. Time of Closing the Mails.—All letters brought to any post-office half an hour before the time for the departure of the mail shall be forwarded therein; but at offices where, in the opinion of the Postmaster-General, more time for making up the mail is required, he may prescribe accordingly, not exceeding one hour. (R. S., § 3840.)

Mails at first-class post-offices are to be closed not more than one hour and at all other offices not more than half an hour before the schedule time of departure of trains, unless such departure is between the hours of 9 P. M. and 5 A. M., when they can be closed at 9 P. M.

This regulation does not apply to the post-office at New York City, and any office may be exempted therefrom by special order. At fourth-class offices the mails should not be closed until it becomes necessary, allowing a reasonable time for delivery at the train or to the carrier on star routes.

Sec. 510. Opening and Closing at Intermediate Offices on Star Routes.—Seven minutes are allowed for opening and closing the mails at all intermediate offices on star routes, where no time is specified. Should this time

be too short at any post-office, the postmaster should apply to the Second Assistant Postmaster-General for an enlargement. On railroad and steamboat routes there is to be no more delay than is necessary to receive and deliver the mails.

Sec. 511. Who to Have Access to Mails.—Postmasters will permit no person, except his duly sworn assistant, clerks, letter carriers, and post-office inspectors to have access to any mail matter in his office, or to the mail locks or keys. This prohibition extends especially to mail contractors and their drivers. Mails should not be made up or handled within reach of persons not authorized to handle them; and such persons should be excluded from the room appropriated to the use of a post-office while the mails are being opened or made up.

Sec. 512. Postmasters Cannot Remit Overcharges on Mail Matter.—A postmaster has no authority to remit penalties or overcharges on mail matter. In cases where the observance of this rule would seem to work injustice, he will advise the party aggrieved to appeal to the Third Assistant Postmaster-General, keeping, if possible, such memorandum of the facts that he may make report thereon if required. Pending appeal the mail matter involved should remain in the post-office awaiting instructions of the Department. (See section 561.)

Sec. 513. Postmasters must Collect and Examine Waste Paper.—The postmaster, or one of his assistants, before the post-office is swept or cleared, should 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. (See section 484.)

Sec. 514. Signal Service Weather Reports.—Signal Service weather reports are to be treated in all respects like letter mail, whether sent by officers of the Service under penalty envelopes, or sent by private persons and prepaid by stamps. Postmasters and railway postal clerks will use the utmost care to forward them promptly. Postmasters receiving them for posting should immediately post them up in a conspicuous place.

Sec. 515. No Mail Matter to be Solicited.—Every postmaster at a fourth-class office is forbidden, on pain of removal, to solicit from any person residing or doing business within the delivery of any other post-office, or from any agent of such person, the deposit for mailing at his office of any mail matter, or to enter into any agreement, or to have any understanding, with any person whatever, whereby, either for or without consideration, matter to be sent through the mails is procured to be mailed at the office of such postmaster.

AT MAILING OFFICES—CANCELING AND POSTMARKING.

Sec. 516. Stamps to be Defaced.—Postage stamps affixed to all mail matter or the stamped envelopes in which the same is inclosed, shall, when deposited for mailing or delivery, be defaced by the postmaster at the mailing office, in such manner as the Postmaster-General may direct; and if any mail matter shall be forwarded without the stamps or envelopes being so defaced, the postmaster at the office of delivery shall deface them, and report the delinquent postmaster to the Postmaster-General. (R. S., § 3921.)

Sec. 517. How to be Canceled.—Postmasters are required—

1. To cancel stamps immediately and effectually by the use of black ink, a standard of which has been adopted and a suitable supply of which will be sent to any post-office that may need it. The use of other kinds of ink for the canceling of stamps is not permitted, except in cases where postmasters may be temporarily out of the standard kind, in which case they may use a good quality of black printing ink until a supply can be obtained from the Department. Such temporary supply must be procured by the postmaster at his own expense, which will not be reimbursed by the Department. (See section 467.)

2. In applying the ink to the face of the stamps the defacement must be thorough and complete, so as to prevent the cleaning and re-use of the canceled stamps.

3. The use of the office rating or postmarking stamp as a canceling instrument is prohibited, except for the cancellation of stamps at the delivery office which were not stamped at the mailing office.

Sec. 518. Mail Matter Other than Second Class to be Postmarked.—All mail matter, except that of the second class, deposited in any post-office for mailing, must bear a postmark giving name of post-office, name or abbreviation of the State, or name of railway post-office, and, on first-class matter, the date of the deposit. All classes of correspondence addressed to foreign countries must be impressed at the mailing office with a stamp indicating the office of origin and date of posting. No offices are exempt from the requirements of this section.

The Department furnishes metal postmarking stamps. The use of rubber stamps is not authorized, as the ink furnished by the Department cannot be used with them.

Sec. 519. Impressions to be Taken of the Postmarking Stamp.—The figures of the stamp must be carefully adjusted at the beginning of each day; and then a clear impression must be made in a book specially provided for the purpose, so as to afford evidence of the discharge of this duty. Special care must be taken not to omit the Sunday impression of the

stamp. If the stamp is fitted with letters and figures indicating the hour at which any letter arrives or is dispatched, care must be taken to change them punctually at the appointed periods. If this duty is neglected the postmaster is liable to be charged with a delay which has not occurred at his post-office. An impression must be made in the book provided of every change made throughout the day, and each impression should be taken immediately after change is made either in the date or hour. This book or record must be kept two years, after which period it may be sold as waste paper.

Sec. 520. How to Secure Legible Stamping.—The impression of every official stamp should be perfect; so made that each letter and figure of the stamp may be distinct. To effect this, the stamp must be kept perfectly clean, which may be done by brushing it with a brush slightly wetted and dipped in powdered potash or soda. The type, after use, must be cleaned before being replaced in the box. The stamp should be held firmly in the hand and struck upon the letter with a light, sharp blow, care being taken not to let the stamp fall upon the impression made at another post-office, or upon any portion of the address. The postmarking ink furnished to postmasters must be used in postmarking. (See section 467).

Sec. 521. Matter with Canceled or Improper Stamps.—When matter bearing previously-used stamps is deposited for mailing (except in authorized cases for forwarding as prescribed in section five hundred and sixty-two) and the postmasters can identify the person so attempting to use them without violating the seal of the matter, he should bring the case to the notice of the Chief Post-Office Inspector. If the person mailing it cannot be identified the matter should be treated as "held for postage." (See section 525.) Mail matter bearing stamps other than postage stamps, or stamps cut from stamped envelopes, newspaper wrappers, or from postal cards, should be treated as "held for postage." Mutilated stamps, fractional parts of postage stamps, postage-due stamps, special-delivery stamps, or newspaper and periodical stamps (except as to second-class matter as authorized in section 379) cannot be recognized or counted in prepayment of postage. When stamps are so affixed that one overlies another, concealing part of its surface, the stamp thus covered will not be taken into account in prepayment.

Sec. 522. Matter in Bad Order.—Mail matter of the first class deposited in or received at any post-office unsealed or in a mutilated or otherwise bad condition, must be stamped or marked with the words "RECEIVED UNSEALED" or "RECEIVED IN BAD ORDER," as the case may be, and be resealed before being forwarded or delivered.

AT MAILING OFFICES—UNMAILABLE MATTER.

Sec. 523. Unpaid Letters.—All domestic letters deposited in any post-office for mailing, on which the postage is wholly unpaid or paid less than one full rate as required by law, except letters lawfully free, and duly certified letters of soldiers, sailors, and marines in the service of the United States, shall be sent by the postmaster to the Dead-Letter Office in Washington. (R. S., first part of § 3937.) (See section 326.)

Sec. 524. Weight of Matter.—When matter is received for mailing, its weight should be ascertained and postage thereon rated up. The weight at time of mailing determines the postage, as mail matter, from various causes, frequently diminishes in weight during transit. If it be insufficiently paid first-class matter and one full rate shall have been paid, the postmaster will stamp the amount of postage due on it and dispatch the same. For treatment of other deficient matter, see next section.

Sec. 525. Treatment of Unpaid Matter Deposited for Mailing.—When a letter wholly unpaid or prepaid at less than one full rate (two cents), or any second or third class matter of obvious value, such as magazines, pictorials, music, pictures, photographs, books, or pamphlets likely to be of use or value to the addressee, or any parcel of fourth-class matter, not fully prepaid but otherwise mailable, shall be deposited in any post-office, it will be treated as herein directed, namely:

1. It must be postmarked with date of receipt, rated up, and amount of deficient postage noted thereon.

2. If it bear the card or address of the sender, or he be known to, or conveniently ascertainable by, the postmaster, the letter or package will at once be returned to him for proper postage, if he be within the delivery of the office.

3. If the sender thereupon pays the postage the stamps will be affixed, if not done by him, and the matter dispatched.

4. If the sender be not known or conveniently ascertainable, the matter on receipt will be indorsed "HELD FOR POSTAGE," the addressee notified by next mail, by an official postal card (Form 1543) or otherwise, of the detention and amount of postage required, and requested to remit the same.

5. It should then be held awaiting reply, not longer than two weeks. If within that time the required postage is received from the addressee the required amount of stamps will be affixed to the matter so as to cover a portion of the words, "HELD FOR POSTAGE," and the matter dispatched.

6. If the sender shall pay the postage, after dispatch of notice to ad-

dressee, the matter will be indorsed, "POSTAGE SUBSEQUENTLY PAID BY WRITER," stamps affixed, and the matter dispatched.

7. If no reply remitting the proper postage shall have been received from the addressee at the expiration of two weeks from the date of mailing of the notice, and prepayment shall not have been made, the matter will be marked "UNCLAIMED" and sent to the Dead-Letter Office, in the manner directed by section six hundred and seven.

As to the treatment of FOREIGN MAIL MATTER UNPAID, see sections 617 and 619.
As to matter WITHOUT VALUE, see section 598.

Sec. 526. Misdirected Matter—Addresses not to be Changed.—Postmasters and others in the postal service must not change the address upon mail matter in the mails or post-offices, except as may be necessary to forward it from one office to another, or upon proper authorization to correct an address. (See section 562.)

Misdirected matter (see section 529) should be returned to the sender, if he be known, with the words stamped or written thereon, "RETURNED FOR BETTER DIRECTION." (See section 546.) And the sender should be informed of the proper post-office address to be given, if it be known at the mailing office; if not, the sender should be advised to apply to the division superintendent.

Sec. 527. Postmasters Responsible for Admission of Matter.—Postmasters are required to exclude from the mails all unmailable matter; but they are specially warned that they have no right to detain first-class matter upon the mere suspicion that it contains anything forbidden to be sent in the mails.

When matter manifestly obscene, or circulars concerning lotteries, are deposited for mailing, the postmaster should withdraw them, and send them with a full statement of the facts within his knowledge to the Dead-Letter Office. He will make like disposition and statement when he believes any article, publication, print, or writing to be mailed contrary to the statutes contained in sections three hundred and seventy-nine and three hundred and eighty, and await instructions.

Great care must be exercised respecting the admission of articles of the fourth class. When offered for mailing under the provisions of sections three hundred and sixty-nine and three hundred and seventy, postmasters will carefully examine them, and not admit them unless the conditions of admission have been fully complied with. In case of doubt the matter should be referred to the General Superintendent of Railway Mail Service. (See section 896.)

Sec. 528. Disposition of Destructive Unmailable Matter.—Postmasters receiving any article of destructive mail matter from any railway post-office or finding it deposited in their own post-offices, must not send the

same to the Dead-Letter Office, but will notify the person mailing such package, whether he live within the delivery of the post-office or not, that some other means than the mail must be provided for its transportation. If the sender is not known, then the postmaster should notify the party addressed of the detention of the package, that it cannot be transmitted in the mails, and that he must provide some other means for its being forwarded at his own expense, outside the mails. Then, if such packages are not taken from his office by or for either the sender or addressee within thirty days, the postmaster should report the facts to the Superintendent of the Dead-Letter Office, and await instructions from him.

Sec. 529. What Matter to be Sent to the Dead-Letter Office.—The following unmailable matter will be sent from the office where it is deposited for mailing to the Dead-Letter Office, namely :

1. "*Held for postage*" matter which cannot be returned to sender and has not been prepaid by addressee, as required by section five hundred and twenty-five.

2. *Misdirected matter* which cannot be dispatched to the addressee nor returned to sender, as directed in section five hundred and twenty-six.

3. *Excess of weight and size of matter*, or those packages of domestic matter which exceed the weight limited by law.

4. *Obscene matter* declared non-mailable by section three hundred and eighty.

5. *Lottery circulars* forbidden to be sent in the mails by section three hundred and seventy-nine.

6. *Mutilated or damaged matter*, or that which when deposited in the post-office is, or before dispatch may become, so damaged that it cannot be forwarded to destination, and cannot be returned to the sender.

As to FOREIGN MATTER, see sections 434 and 619.

Sec. 530. How to be Sent to Dead-Letter Office.—Unmailable matter will be sent to the Dead-Letter Office from the office where offered for mailing, in connection with other unmailable and dead matter, at the periods prescribed in section six hundred and five.

AT MAILING OFFICES—WITHDRAWAL OF MAIL MATTER.

Sec. 531. Before Dispatch.—After mailable matter has been deposited in the post-office it cannot be withdrawn except by the writer thereof or sender, or, in case of a minor child, the parent or guardian duly authorized to control the correspondence of the writer. The utmost care must be taken to ascertain that the person desiring to withdraw the matter is the person entitled to do so. If necessary the postmaster should require the applicant to exhibit a written address in the same

hand as that upon the letter and such description of the letter or article mailed, or other evidence, as will identify the same and satisfy the postmaster that the applicant is entitled to withdraw it.

The postmaster acts at his peril in permitting such withdrawal, and would be liable, however honest his intentions, were he to deliver it to an impostor or one not entitled to it. He should in no case delay a mail or retard the business of his office in order to search for a letter desired to be withdrawn.

Sec. 532. Letters with Stamps Canceled not to be Withdrawn.—After canceling the stamps upon a letter the postmaster must not return it to the person mailing it for him to take it to a railway post-office. If received too late to put in the locked pouch, the postmaster or his assistant or sworn clerk may, after cancellation and postmarking, take it to the postal car. The railway postal clerk may receive it from such postmaster, assistant, or clerk, but is forbidden to receive such canceled letter from any other person out of the pouch. (See section 979.)

Sec. 533. Withdrawal by Sender after Dispatch.—After a letter has passed from the mailing post-office the delivery of the same may be prevented, and its return to the writer secured, by an application by the writer to the postmaster at the office of mailing, stating reasons therefor, identifying the letter, and supporting such application with sufficient proof in writing. Upon such application and evidence, and upon a deposit being made by the writer of a sum sufficient to cover all expenses incurred, the postmaster shall telegraph a request for the return of such letter to his office, if it has been forwarded, to the postmaster at the office of address, carefully describing the same, so as to identify it and prevent the return of any other matter. On receipt of such request the postmaster at the office of address shall return such letter to the mailing postmaster in a penalty envelope, who will deliver it to the writer upon payment of all expenses and of letter rate of postage on the matter returned, on the envelope of which postage-due stamps of the proper value must be placed and canceled, and upon the prepayment also of a registered parcel, addressed to the First Assistant Postmaster-General, Division of Correspondence, in which the postmaster shall inclose and transmit the application of the writer and all proofs submitted by him, together with the writer's receipt for it, and the envelope of the returned letter. The following form may be used in making application for withdrawal of mail matter after dispatch:

— — — —, 188—.

Postmaster, — — — —,

Please recall and deliver to myself or bearer a letter deposited in — — — — on or about — — — —, 188—, addressed to — — — —, and described as follows: — — — —, and in the same handwriting as this application, and which was written by

me or by my authority, and which I do not desire delivered to the addressee for the following reasons: _____.

It is hereby agreed that if the letter is returned to me, I will protect you from any and all claims made against you for such return, and will fully indemnify you for any loss you may sustain by reason of such action, and I herewith deposit \$— to cover all expenses incurred, and will deliver you the envelope of the letter returned.

[Name.] _____.

[Address.] _____.

[Receipt.] Received _____, 188—, of the postmaster, the above described piece of mail matter for account of the sender.

[Name.] _____.

Witness [Name.] _____, [Address.] _____.

AT MAILING OFFICES—DISTRIBUTION AND DISPATCH OF MAILS.

Sec. 534. General Directions.—At offices where a superintendent of mails is not employed, postmasters will be governed in the distribution and dispatch of mails—except foreign mails outward from exchange offices, which are under the control of the Superintendent of Foreign Mails—by the orders received from the General Superintendent of Railway Mail Service, or from the division superintendent acting under him in whose jurisdiction the post-office may be. In the absence of other instructions, every postmaster whose post-office is situated upon a railroad, will mail all matter direct to the cars, unless it be addressed to post-offices directly connected with his own by star or steamboat routes. Postmasters at other post-offices will mail to the nearest post-office upon a railroad all matter which cannot be sent direct to its destination by star or steamboat route.

Sec. 535. Distribution of Mails by Schemes.—Postmasters will carefully distribute and make up mails by the official schemes which may be furnished them, and will conform to any changes that may be made in the same by the superintendent of the division, and will make up and exchange only such pouches as he may order. But the division superintendent may except any post-office from this requirement.

No change in distribution or dispatch must be made without first obtaining authority from the proper division superintendent of Railway Mail Service, except in cases of emergency; and in all such cases an immediate report, giving the reasons for such change, must be made to the division superintendent.

Sec. 536. Distribution of Mail by States, &c.—A distribution or separation should be made only of such mail for States or portions of States as can be advanced thereby. All mail for States of which no distribution is made must be made up “by States,” and facing slips used in accordance with section five hundred and forty-three; that is, letter and circular mail for each State must be made up in packages, and

newspaper mail in canvas sacks, by itself, and the name of the State marked on the slip covering the package or tag attached to the sack.

All other mail, not local, sent to or by way of railroad or steamboat lines, should be made up by States, if sufficient to do so; and if not, then it may be put all in one package, addressed with the name of the railway (or steamboat) office in whose pouch it is dispatched, adding "State of ——," to indicate that it contains other than local mail.

Sec. 537. Local Mail for Railroad and Steamboat Lines.—Mail to be dispatched to local post-offices on railroad or steamboat lines should be made up in packages addressed to the proper railway or steamboat offices, and containing only the local mail supplied by that line, as given in the official schemes. Post-offices on railroad lines in making up local mail for such lines, will make for each line two packages, one for the train going each way, and address the packages thus: "—— R. P. O. EAST" (WEST, NORTH, or SOUTH, as the case may be).

Sec. 538. Letters for Delivery and Distribution in Separate Packages.—Letter and circular mail for delivery and mail for distribution at a post-office must always be made up in separate packages.

Sec. 539. Direct Packages.—Making a direct package is placing all letters for one post-office in a package by themselves, all faced one way, with a plainly-addressed letter on the outside, and a facing slip, bearing the postmark of the office and the name or number of the person making up the package, on the back of the same, faced out. This applies as well to offices using printed slips as to those that do not.

Sec. 540. Direct Packages for Horse Routes.—In making up mail to be dispatched by a horse or stage route, a direct package should be tied out for each post-office, including the last one, on such route, so as to facilitate the handling at intermediate offices. Mail to be dispatched from an office on such route on and beyond the last post-office thereon should, as far as possible, be made up "by States," or, if not sufficient to do so, then in one package, marking the name of the last post-office on the slip covering the same, and adding the abbreviation, "Dis.," to indicate that the package is for distribution.

Sec. 541. No Mail to be Put in Pouch Loose or Under Straps.—Letter and circular mail must always be properly "faced up" and tied in packages, and never placed in the pouch loose.

After pouches are closed and dispatched from a post-office, letters must not be placed under the strap or attached to the outside of the pouch. If this is done at the station, the postmaster should inform the mail-messenger and have the practice discontinued. (See section 545.)

Sec. 542. No Through Pouches by Mail Trains.—Postmasters will make

no through pouches to be dispatched by mail trains unless specially instructed to do so.

Sec. 543. Facing Slips to be Used.—Facing slips, bearing postmark with date and time of close or dispatch, and name of person making up the same, must be placed upon each package of letters or circulars, and in each pouch or canvas sack of newspapers, or on the label holder, if any, attached thereto. For form of facing slip, see section 994.

Sec. 544. No Hooks on Mail Bags.—The use of hooks in handling mail bags is forbidden.

Sec. 545. Delivery of Mail Matter on Mail Cars by Postmasters.—Postmasters are required to dispatch mail to railway post-offices in the lock pouches provided for that purpose, except in the case of a few late letters or postal cards, which they may deliver in person or by a sworn assistant after the postmark of the mailing office has been impressed thereon and the stamps canceled. Such postmarked and canceled letters and postal cards must not be received by the postal clerk from a mail-messenger nor from the public, as after the mail is once deposited in a post-office it cannot again come into the hands of the public until its final delivery. (See sections 532 and 979.)

AT OFFICES IN TRANSIT.

Sec. 546. Missent or Unmailable Matter Inadvertently Sent and Misdirected Matter.—Misdirected, destructive, or manifestly obscene matter, which should not have been, but through inadvertence may have been, dispatched from the post-office of mailing, should be detained and withdrawn from the mails by any postmaster into whose hands the same may come in transit. But other matter which should have been detained at the office of mailing as "held for postage," "excess of weight or size," "coin," or "lottery" (see section 379), must not be stopped in transit.

Misdirected matter of the first class, if it bear the card or request of the sender, should be withdrawn and returned to him with the words written or stamped thereon, "RETURNED FOR BETTER DIRECTION." (See section 526.)

Missent matter, or that which is plainly addressed, but sent in the wrong direction, should, when discovered, be placed in the first mail going in the proper direction.

Sec. 547. Mail Stopping Over Night.—When the mail stops over night where there is a post-office, it must be kept in the post-office, except at points where transfer clerks are on duty during the night in charge of such mail, or where otherwise ordered by the Department.

For time allowed in opening mail, see section 510.

Sec. 548. Postage-due Matter not to be Stopped, &c.—Postage-due matter must not be stopped or rated up at intermediate offices in transit. The duties in respect to it omitted by the mailing postmaster are to be performed by the postmaster at the office of address.

Sec. 549. Uncanceled Stamps not to be Canceled.—Matter dispatched from a post-office, on which the stamps were not properly canceled, is not to be stopped in transit nor the stamps thereon canceled at any office but that of destination. The statute makes it the duty of the postmaster at the office of delivery to deface them and report the delinquent postmaster. (See section 516.)

AT RECEIVING OFFICES—OPENING OF MAILS.

Sec. 550. Opening Pouches.—Upon the arrival of the mail at any post-office, the mail sacks and pouches addressed to that office, and none other, should be opened, first being examined to ascertain if they were properly locked, and are not cut or torn so that mail matter could have been lost or abstracted therefrom. Upon being emptied the pouch or sack should be carefully examined to see that no mail matter is left therein. Printed wooden labels for sacks of newspaper mail and printed slide labels for pouches must be taken off when the sacks or pouches are opened, and returned by first mail to the post-office or line from which they were received, the wooden labels to be classed with newspaper mail, and the slide labels as letter mail. Under no circumstances are any such labels to be defaced or destroyed.

As to procedure when lock or key is defective and pouch cannot be opened, see sections 838 and 839.

As to registered matter, see chapter thirty-five.

Sec. 551. Errors in Distribution or Making up; Receipt or Dispatch of Mail, how Noted and Reported.—On opening and ascertaining the mail the postmaster or clerk will examine it for errors in distribution and making up, which will be noted and reported to the division superintendent as follows:

1. All errors found in the distribution of any package of letters or in any sack of newspapers must be noted on the reverse side of the slip covering or inside of the same, giving the name of post-office, county, or State, if included in the superscription, adding thereto the name of the person noting the error, and postmarking with date.
2. If any package or sack arrive without slips, the division superintendent must be promptly notified of the fact, and the mailing office, if known, and the label must be sent to him with report.
3. Any irregularities in the receipt or dispatch or forwarding of any mail will also be promptly reported.
4. Any mail received at his post-office which has not been properly

distributed or made up by railway postal clerks, should be promptly reported, and the slips covering or received with the same should be sent with the report.

Sec. 552. Disposition of Slips Received.—All slips received upon packages of letter or circular mail, or in sacks of newspaper mail, upon which errors have been noted, must be preserved and sent to the division superintendent daily from first and second class offices, weekly from all others. All other slips may be treated as waste paper. A supply of facing slips can be obtained from the division superintendent at any time, or from the Department. (See sections 469 and 472.)

Sec. 553. Back Stamping.—Every postmaster, upon receipt of the mail, will immediately place the postmark of his office upon the back of every letter therein received, showing the date and hour of the day when the letter was received. The value and importance of this practice are so great that failure to observe this rule, if continuous or repeated after notice, will be ground for removal from office.

AT RECEIVING OFFICES—DEFICIENT POSTAGE.

Sec. 554. Postmasters to Search for and Rate up.—Postmasters at the office of delivery may remove the wrappers and envelopes from mail matter not charged with letter postage, when it can be done without destroying them, for the purpose of ascertaining whether there is upon or connected with any such matter anything which would authorize or require the charge of a higher rate of postage thereon. (R. S., § 3882.)

On opening the mail the postmaster will look over the letters and packages to ascertain whether the postage thereon has been sufficiently prepaid, and will rate up the amount found to be due on all matter, not free, dispatched inadvertently without any prepayment, at double its proper rate (sections 320, 553); and on all first-class matter prepaid at one full rate, but not fully prepaid, and on all other partially but insufficiently prepaid matter, at full rates, according to its class and weight, and note in writing or stamp the amount due on each letter or parcel.

Sec. 555. Official Matter Deliverable at Washington.—Any part-paid letter or packet addressed to either of said Departments or Bureaus [the Executive Departments or Bureaus thereof, the Agricultural Department and Public Printer] may be delivered free; but where there is good reason to believe the omission to prepay the full postage thereon was intentional, such letter or packet shall be returned to the sender. (Act of July 5, 1884, § 3, 23 Stats., 158; fully quoted in section 415.)

NOTE.—This exemption from the payment of deficient postage on matter addressed to the Executive Departments or Bureaus thereof before delivery applies only at the Washington City post-office.

Sec. 556. Mail to the Postmaster Himself.—When insufficiently prepaid matter addressed to a postmaster reaches its destination, he may refuse to pay the additional necessary postage and take the matter out of the office, which must then be treated as “refused” matter; but if he takes the matter he must pay the deficient postage.

Sec. 557. Postage Due must be Collected and Stamps Affixed.—No mail matter shall be delivered until the postage due thereon has been paid. (R. S., § 3900). That all mail matter of the first class upon which one full rate of postage has been prepaid shall be forwarded to its destination, charged with the unpaid rate, to be collected on delivery; but postmasters, before delivering the same, or any article of mail matter upon which prepayment in full has not been made, shall affix, or cause to be affixed, and canceled, as ordinary stamps are canceled, one or more stamps equivalent in value to the amount of postage due on such article of mail matter, which stamp shall be of such special design and denomination as the Postmaster-General may prescribe, and which shall in no case be sold by any postmaster nor received by him in prepayment of postage. That, in lieu of the commission now allowed to postmasters at offices of the fourth class upon the amount of unpaid letter postage collected, such postmaster shall receive a commission upon the amount of such special stamps so canceled, the same as now allowed upon postage stamps, stamped envelopes, postal cards, and newspaper and periodical stamps canceled as postages on matter actually mailed at their offices: *Provided*, That the Postmaster-General may, in his discretion, prescribe instead such regulation therefor at the offices where free delivery is established as, in his judgment, the good of the service may require. (Act of March 3, 1879, § 26, 20 Stats., 361.)

That any postmaster or other person engaged in the postal service who shall collect, and fail to account for, the postage due upon any article of mail matter which he may deliver, without having previously affixed and canceled such special stamps, as hereinbefore provided, or who shall fail to affix such stamp, shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be punished by a fine of fifty dollars. (Act of March 3, 1879, § 27, 20 Stats., 362.)

NOTE.—The requirement of the statute is that postage-due stamps shall be affixed on all matter of whatever character on which postage is due, including ship letters, foreign letters, advertised letters, all over-weight matter, and all matter rated below its proper class, notwithstanding the mailing postmaster has failed to charge it.

Sec. 558. Collection of Double Postage.—Double rate should, under the statute (section 320), be charged only on matter reaching its destination with no evidence of any prepayment whatever. A drop letter deposited in an office without prepayment of postage is not subject to

double rates. When it is apparent from the envelope or wrapper that a stamp has been on it and has been wholly or partially lost off, the postmaster may assume the matter to have been prepaid. But the evidence that the stamp has been affixed must be from the blank in the impression of the canceling stamp. In such case, first-class matter will be presumed to have been prepaid one full rate only, as that would entitle it to be forwarded. Letters on which postage-due stamps, but no other, are affixed, arriving at the office of destination, must be charged double rate on delivery, as the postage upon mailing cannot be paid in postage-due stamps. The mailing postmaster should in such cases be reported to the Third Assistant Postmaster-General, who will charge his account with such stamps.

Sec. 559. Time of Affixing Postage-due Stamps.—At all other than free-delivery post-offices postmasters will affix the postage-due stamps when, and not until, the delivery of the matter has been requested; and hence not to matter forwarded by request of the addressees, returned to writer, or sent to the Dead-Letter Office. But at free-delivery post-offices they will be affixed on all deficient matter as soon as received; unless an order is on file for the letter to be forwarded, in which case, if practicable, it will be forwarded without affixing such stamps.

When matter arrives at a post-office with postage due thereon, and the postmaster has no postage-due stamps on hand, he will collect the amount due, and so soon as he shall obtain postage-due stamps affix the amount in such stamps to a sheet of paper, cancel, and forward the same to the Third Assistant Postmaster-General with statement of the facts.

If the postage stamps upon a registered letter or parcel do not cover the proper postage and registration fee, the receiving postmaster must proceed according to section one thousand one hundred and fourteen.

Sec. 560. Credit for Postage Stamps Affixed to Undelivered Matter.—When at free-delivery offices postage-due stamps have been affixed to refused, unclaimed, or other undelivered matter, credit must be claimed therefor, when sent to the Dead-Letter Office, on the dead-letter bill for "postage-due stamps canceled on undelivered mail matter." When returned to writer, or forwarded to another post-office within the United States, a numbered postage-due bill, stating amount due and name of person from whom it is to be collected, must be attached to and sent with the letter. The postmaster receiving the same must detach the bill and return it by next mail with amount of uncanceled postage-due stamps inclosed to the postmaster issuing the bill, who, in case of failure to get a return of bill and stamps within a reasonable time, may obtain proper credit and expose the delinquent postmaster by making a

duplicate bill, from the stub of the original, attaching it to and incorporating it with his regular dead-letter bill, indorsing in the blank space at the end, "DUPLICATE, ORIGINAL NOT RETURNED," or "ORIGINAL RETURNED WITHOUT STAMPS."

When a postmaster at an office other than a free-delivery office, receives matter from a free-delivery office to which postage-due stamps have been affixed, and which proves undeliverable, he should send the same to the Dead-Letter Office with special claim for credit for postage-due stamps refunded by him, attached thereto.

In forwarding to foreign countries mail matter on which postage-due stamps have been canceled, the original bill, indorsed "FOREIGN LETTER FORWARDED," should be attached to and sent with the dead-letter bill. (See section 607.)

Sec. 561. *First-class Rate on Matter Closed Against Inspection Cannot be Remitted*, as the statute forbids its delivery at less rate than for matter of the first class. (See section 376.) If the addressee feels aggrieved at such charge, he may deposit the deficient postage and require the package to be sent unopened to the Third Assistant Postmaster-General for his decision whether it be so wrapped as to require it to be rated as first-class matter; and the postmaster shall promptly transmit it accordingly, under penalty envelope, with proper letter of advice. The postmaster must give the claimant a receipt for his deposit; the receipt to be returned to him on delivery of the article, if his decision be confirmed.

FORWARDING MAIL MATTER.

Sec. 562. *Prepaid Matter to be Forwarded*.—Prepaid letters shall be forwarded from one post-office to another, at the request of the party addressed, without additional charge for postage. (R. S., § 3940.)

1. The matter to be forwarded at request of addressee without additional charge for postage, includes letters prepaid at one full rate (two cents), parcels prepaid at first-class rates, postal cards, official matter, and free county publications (within the county of publication).

2. Other mail matter, whenever forwarded, must be charged with additional postage at the same rate as if originally mailed at the forwarding office, with the rate noted thereon thus: "POSTAGE DUE FOR FORWARDING, ——— CENTS," unless the addressee or some one for him prepay the postage required for forwarding; in which case the necessary stamps will be affixed and canceled. At the office of destination, the matter will be treated as deficient matter unless the postage for forwarding has been prepaid.

3. Requests to forward given by any other person than the addressee, or his lawful agent, or the person in whose care the matter is addressed,

will be disregarded; the husband of an addressee will be presumed her agent when she has not directed her mail to be withheld from his control.

4. A general request to forward matter should be observed until revoked.

5. The direction may be changed and matter reforwarded upon request as many times as may be necessary to reach the addressee.

6. Matter entitled thereto should be promptly forwarded in the next mail. (As to special-delivery matter, see section 694.)

7. Penalty envelopes must not be used to forward letters; but if there be insufficient space to write correction of address, a piece of paper should be attached for the purpose.

As to forwarding registered matter, see sections 1111 and 1113.

Sec. 563. Erroneously Addressed or Delivered Matter, &c.; when to be Forwarded.—When any article of mail matter has been erroneously delivered, it may, on being returned to the post-office, be forwarded upon due request, as if it had not passed from the post-office. Any matter proper to be forwarded free, addressed to the care of another, and returned by him redirected, may be forwarded in like manner. Matter which has been opened inadvertently upon misdelivery may be forwarded. As postal cars, mail apartments in cars and steamboats, are designated as post-offices, a deposit in such car or apartment, at the post-office originally addressed, of unopened letters properly readdressed for forwarding, is permissible; and the deposit in a letter box established by the Department, is equivalent to a deposit in the post-office.

The postmaster will correct and forward to its known destination any matter of the first and second classes which comes to his office through obvious mistake of the sender in addressing it, but should not guess at the destination, nor forward it on trial. If sure that it can be delivered from the office to which he sends it, he will postmark it and indorse: "DEFICIENCY IN ADDRESS SUPPLIED BY" (name of forwarding office).

Sec. 564. Letters under Cover to Postmasters.—Postmasters will forward all first-class matter on which one full rate of postage is prepaid which may reach them under cover from any other post-office with or without request to mail the same. Before forwarding, they should cancel the stamps and indorse in writing or stamp on such matter the following: "RECEIVED AT _____, UNDER COVER FROM THE POST-OFFICE AT _____."

DELIVERY OF ORDINARY MAIL MATTER.

Sec. 565. Must be from Post-Offices.—Mail matter must be delivered from post-offices. Railway postal clerks will not, in any case, deliver matter

to the persons addressed. It must be sent to and delivered at the office of address. The exceptions to this rule are the following:

1. Matter addressed to a discontinued office may be delivered from the nearest office thereto.

2. When a letter from a foreign country arrives, not in a closed mail, directed to a post-office other than that at the port of arrival, and the person addressed so specially desires, the postmaster at the port of arrival may deliver him the letter upon being satisfied of his identity.

3. Any ambassador or other diplomatic representative of a foreign government may, on his request, personally receive his mail matter from any post-office through which it may be passing, the postmaster being sure of his identity.

4. A postmaster at whose office mail matter in transit is lying, delayed by floods or other casualties which have made the mail route impassable, may deliver matter to the parties addressed, upon their personal or written application, and sure identification.

5. Railway postal clerks may deliver to any post-office inspector, who may enter their postal cars, any mail matter addressed to such inspector, when sure of his identity by seeing his commission.

Sec. 566. General Directions for Delivery.—The following general directions are given for the delivery of mail matter:

1. The delivery in each case should be to the person addressed, or according to his order. Such order may be implied in some cases, as where the addressee is in the habit of sending for or receiving his mail through his clerk, servant, agent, or some member of his family, and recognizing or acquiescing in such delivery.

2. When a person requests delivery to him of the mail of another, claiming that the addressee has verbally given him authority to receive it, the postmaster, if he doubts the authority, may require it to be in writing, signed and filed in his office.

3. When in doubt as to the identity of the addressee the postmaster may require proof, and should exercise great care, especially where the matter appears to be of value, to make proper delivery, as he is in peril of liability for damages to the proper party if he misdelivers.

4. Where two or more persons of the same name receive mail at the same office the postmaster should advise them to adopt some address or means by which their mail may be distinguished. He will deliver according to his best judgment; and will not return it to the mailing office for better description of the addressee, until, after inquiry, he is unable to determine to whom it should be delivered.

5. Mail matter addressed to a person in care of another should be delivered to the addressee, if he so direct, rather than to the person to

whose care it is addressed. In the absence of such direction, it should be delivered to the first of the two persons who may call for it.

6. Mail matter addressed to several persons may be delivered to any one of them.

7. Mail matter addressed to a public official, or to an officer of a corporation, by his official title, should be delivered to the person actually holding the office designated in the address, the presumption being that the matter was intended for the officer as such, rather than the individual named. This regulation also applies to the delivery of letters addressed to persons as "agent" or "agents," when the agency is of some public matter or of the business of some corporation, but not when the agency is merely of an individual or firm.

8. Neither husband nor wife can control the delivery of correspondence addressed to the other. When so instructed, a postmaster must refuse to deliver letters to the husband which are addressed to the wife, or those to the wife which are addressed to the husband. In the absence of instructions to the contrary, the wife's letters should be placed in the husband's box, and delivered to him with his own letters unless known to live separately.

9. A person engaged in a legitimate business may adopt a business name, and when duly identified, may receive his mail, registered or ordinary, by that name, as well as by his proper name.

For SPECIAL RULES GOVERNING DELIVERY OF REGISTERED MATTER, see sections 1116 to 1128.

Sec. 567. Official Letters to Pensioners.—A letter from the Pension Office, in Washington, D. C., may be delivered to the person in whose care it may be addressed, as well as to the pensioner or a member of his family; but a letter addressed to a pensioner from the office of an agent for paying pensions must be delivered to the pensioner or some member of his family, even though addressed in the care of a third person; because such address is prohibited. A pensioner's order, verbal or written, instructing the postmaster to deliver letters to him from a pension agent, or from the Pension Office, to an attorney, claim agent, or broker, must be disregarded. If a communication from the Commissioner of Pensions, or a pension agent, addressed to a pensioner, reaches a post-office after the pensioner has died, leaving no surviving widow or children under sixteen years of age, the postmaster should return the communication to the office from which it came, or to the Commissioner of Pensions, Washington, D. C., with a statement of the fact. If there be a surviving widow, the letter should be delivered to her. If no widow, then to the guardian, if any, of the children surviving under sixteen years of age.

Sec. 568. Mail Matter Addressed to Minors.—Where minor children reside with their parents, the father, or if he be dead, the mother generally is entitled to direct the disposition of mail matter addressed to such minors, and unless the minors be under guardianship, may authorize another to receive mail matter addressed to them, although they be not residing with the parent, and the postmaster should deliver accordingly, requiring directions in writing if he deem it necessary. In the absence of directions from a parent or guardian, or one authorized to control his correspondence, mail matter addressed to a minor may be delivered to him; and, especially if living independently, he is entitled to control his correspondence. Mail matter addressed to a deceased minor, who up to the time of decease resided with parents or guardian, may be delivered to the parent or guardian; but if the minor left a husband or widow, delivery may be made to him or her.

Sec. 569. Mail Matter Addressed to Deceased Persons.—Mail matter addressed to a deceased person must be delivered to his legal representative; if there be none, delivery may be made to a surviving husband or widow, unless there be other claimants, in which event the postmaster should report the facts of the case to the First Assistant Postmaster-General, and await instructions. If there be no legal representative, surviving husband, or widow, and others claim such mail matter, it should be sent to the Dead-Letter Office with the return of unclaimed matter, with a statement of the facts. (See section 607.)

Sec. 570. Partnerships and Corporations.—

1. Mail matter addressed to a firm may be delivered to any member of it.

2. The postmaster is not required to decide disputes between members of an existing firm as to delivery of its matter. If it has previously been through box or general delivery, he will continue to place the mail therein; if through carrier, he will instruct the carrier to hand the mail matter to any of the members of the firm.

3. If the firm be dissolved and contention arise, the postmaster's action will be governed by section five hundred and seventy-one.

4. Mail matter addressed to a corporation should be delivered to the agent or officer conducting its correspondence, or to such person as is authorized by the corporation to receive it.

5. Caution should be exercised to resist all attempts to secure the mail of an established house, firm, or corporation through the adoption by others of a similar name. Where disputes arise between individuals, firms, or corporations as to the use of a name or designation, the postmaster should deliver any matter addressed to a street, number, or building according to such address. When not so addressed, he will deliver

matter to the firm or corporation which first adopted the name of the address at that place. When in doubt as to the firm or corporation for which any mail matter is intended, and claim therefor is disputed, the postmaster may withhold delivery and report the facts and any statements made by either claimant to the First Assistant Postmaster-General for advice.

Sec. 571. Postmaster to Require Appointment of Receiver.—When a firm or company dissolves partnership, and contention arises as to whom the mail matter addressed to the former business firm or company, or its officials, shall be delivered, a postmaster, being forbidden by one party to deliver to another, should require the appointment of a receiver, retaining all mail matter until said receiver is appointed; and if no such receiver is appointed, or no agreement between the contending parties is reached, before the expiration of thirty days from the date when delivery ceased, the letters in dispute, and all that may arrive thereafter (until an agreement is made or receiver appointed), shall be sent to the Dead-Letter Office marked **IN DISPUTE**.

Sec. 572. Delivery to Assignee or Receiver.—Upon the dissolution of a corporation its mail matter should be delivered to the receiver or legal representative charged with the duty of winding up its affairs. When the business of a firm, corporation, or individual has passed into the hands of an assignee or receiver, the mail matter addressed to such firm, corporation, or individual should be delivered to the assignee or receiver in the following cases:

1. When the instrument of assignment authorizes the assignee to receive it and a copy thereof is filed with the postmaster; or
2. When the order of the court by which such receiver was appointed directs him to receive it; or
3. When the members of the firm, officers of the corporation, or person to whom the mail is addressed consent that he shall receive it; or
4. When the firm or corporation has not resumed business under the same name, so as to have correspondence in regard to business or property which did not pass to the assignee or receiver; or
5. When the receiver has been appointed to take charge of, continue, or wind up the business of an existing corporation.

The mail matter should be delivered to the firm or person instead of the assignee or receiver—

1. When the person making the assignment has not consented or agreed that the assignee shall receive mail matter addressed to him, the assignor, and arriving after the assignment, or when it reasonably appears that the matter does not relate to the business assigned.
2. When the firm whose business has been placed in the receiver's

hands is engaged in conducting a new or other business under the former name, or has subsequently acquired or has other property that does not pass into the receiver's hands. In such cases it will be presumed that the mail matter relates to the new or other business.

3. When the order of the court by which the receiver is appointed directs that the mail matter shall be delivered to the person, firm, or some officer of the corporation, instead of the receiver.

Sec. 573. Delivery according to Agreement of Parties.—When parties interested in mail matter enter into an agreement as to its delivery, and instruct the postmaster as to whom he shall deliver it, he will deliver accordingly until his instructions are changed by mutual consent of the parties, or until the judgment or order otherwise of a court of competent jurisdiction. He may require the instructions to be in writing.

This rule governs the case of the sale of a business. The postmaster is not required to construe the contract or determine rights, but only to comply with such plain directions as may be given by the seller, in their absence delivering to the addressee. The authority to the vendee is not revocable by the seller if there be a right to the mail in the vendee.

574. To Fictitious Addresses.—Letters and packages addressed to fictitious persons and firms, to initials, or to no particular person or firm, unless directed to be delivered at a designated place, as a post-office box, street, and number, or to the care of a certain person or firm, within the delivery of the post-office, are undeliverable, and must be sent to the Dead-Letter Office, as prescribed by section six hundred and two, unless the envelope contain the card of the sender, or a request to return, in which case the letters or packages should be returned accordingly.

Whenever a postmaster has reason to believe that a street or number, designated place, box, or address in care of another is being used by any one for conducting, under a fictitious address, correspondence forbidden circulation in the mails, he should promptly report the fact and the reason for his belief to the First Assistant Postmaster-General, and await his instructions, giving notice at the same time at the place where such letters and packages have been received that, pending instructions from the Department, the claimant of such matter must call at the general delivery to receive it, where it is the duty of the postmaster to have it placed, and to deliver it to the person calling for it, upon establishing his identity.

Sec. 575. To Agent of Club.—Any number of citizens may employ an agent, and give him a written order on the postmaster for their mail; and when such order is presented to the postmaster, it is his duty to deliver the mail of such parties, and also mail addressed to a person

in care of any such parties, to the named agent. When the mail is so delivered the responsibility of the postmaster ceases.

Sec. 576. To Mail Carriers, to be Carried out of Mails.—Mail matter of patrons of an office may, at their request, be delivered to the mail carrier, to be carried out of the mail and handed to them on his route before he passes another post-office.

Sec. 577. Injunctions of Courts to be Obeyed.—Where mail matter is claimed by different parties, and suit is instituted between them to determine their rights to it, and injunction is granted restraining either or all parties from receiving or the postmaster from making delivery to either or any party, he will obey the injunction and abide the decree of the court as to the disposal of the matter.

Sec. 578. Letters "Opened through Mistake."—Where a letter intended for one person is delivered to another of the same name and returned by him, 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 post-office. If the person who opens the letter is unable to sign his name, the postmaster will make the indorsement and have the person sign by "mark," in presence of a witness.

Sec. 579. Of Second-Class Matter.—A publisher may send a package of second-class matter to one address, and the addressee may call at the post-office, write addresses on single copies, and the postmaster may then deliver them; but the packages cannot be taken away from the post-office and returned again for delivery of the single copies or transmission in the mails, unless postage is prepaid anew. It is not the duty of the postmaster to open a package of papers intended for a club and write the several names of the subscribers thereon; but he may do so.

The liability of persons who take newspapers and periodicals coming to their address, out of a post-office, for the amount of the subscription thereto, is not determined by any postal law or regulation. The postmaster's duty is to deliver the matter on request, or, if unclaimed or refused, to dispose of it as required in sections five hundred and ninety-eight and five hundred and ninety-nine.

Sec. 580. Of Valuable Letters from Dead-Letter Office, &c.—When dead letters containing money or other valuable matter are sent from the Dead-Letter Office to a postmaster for delivery to the owners, he will make diligent effort to deliver them to the proper party. They are inclosed to him open to enable him to identify the owner or claimant. He and his clerks must maintain the strictest secrecy as to their contents; and under no circumstances can the postmaster, or any one through

whose hands such letters pass, be allowed to make any exchange for other funds of the money or matter therein contained.

If such letters containing money cannot be delivered, after holding them thirty days from date of receipt, the postmaster will indorse the reason for non-delivery on the circular which accompanies each, and return them to the Dead-Letter Office duly entered on one list, giving the Department letter, number, and book. This list must be sent in duplicate, and when verified one copy will be returned to the post-office. The package should be indorsed "DEAD REGISTERED MATTER FROM ——— [here add name of post-office], and be addressed "Dead-Letter Office, Washington, D. C."

Registered dead letters received containing money must be registered when returned to the Dead-Letter Office. Letters containing articles of value, not money, are not to be so registered on return unless they were received registered. No other kind of letters must be sent in the same package. The postmaster neglecting to register packages containing returned dead letters requiring registration will be held responsible for the contents if lost.

Dead letters containing money or other inclosures, sent from the Dead-Letter Office to a post-office for delivery, must never be forwarded to another post-office, but must be returned to the Dead-Letter Office with all information obtainable as to the whereabouts of the writer or owner; nor must they be retained longer than one month, unless the Superintendent of the Dead-Letter Office specially so direct.

Dead letters without valuable inclosures, when returned from the Dead-Letter Office direct to writers, not under cover to postmasters, may be forwarded to another post-office, when necessary, for delivery.

Sec. 581. Unmailable Matter; when to be Delivered.—If any matter excluded from the mails by the preceding section [section 368] of this act except that declared non-mailable by section thirty-eight hundred and ninety-three of the Revised Statutes as amended [380], shall, by inadvertence, reach the office of destination, the same shall be delivered in accordance with its address: *Provided*, That the party addressed shall furnish the name and address of the sender to the postmaster at the office of delivery, who shall immediately report the facts to the Postmaster-General. If the person addressed refuse to give the required information, the postmaster shall hold the package subject to the order of the Postmaster-General. All matter declared non-mailable by section thirty-eight hundred and ninety-three of the Revised Statutes as amended, which shall reach the office of delivery, shall be held by the postmaster at said office subject to the order of the Postmaster-General. (Act of March 3, 1879, § 21, 20 Stats., 360.)

The matter so required to be delivered is the following :

1. Matter in its form and nature liable to destroy, deface, or otherwise damage the contents of the mail bag, or harm the person of any one engaged in the postal service.

2. Matter in excess of lawful weight, postage being paid for its full weight.

But the postmaster should report the facts, date and office of mailing, in both cases, to the First Assistant Postmaster-General.

The matter declared non-mailable by Revised Statutes, sections 3893, as amended, and 3894, and not deliverable, is :

1. Every obscene, lewd, or lascivious book, pamphlet, picture, paper, writing, print, or other publication of an indecent character.

2. Every article or thing designed or intended for the prevention of conception or procuring an abortion.

3. Every article or thing intended or adapted for any indecent or immoral use.

4. Every written or printed card, circular, book, pamphlet, advertisement, or notice of any kind giving information, directly or indirectly, where, or how, or of whom, or by what means, any of the hereinbefore mentioned matters, articles, or things may be obtained or made.

5. Every letter upon the envelope of which or postal card upon which indecent, lewd, obscene, or lascivious delineations, epithets, terms, or language may be written or printed. (See section 380.)

6. Matter appertaining to lotteries, gift concerts, or fraudulent schemes or devices.

The regulation for the disposal of undeliverable unmailable matter is given in sections 433, 523, 529, 530, 546, and 609.

FOR INSTRUCTIONS AS TO DELIVERY BY CARRIERS, see sections 647-661.

ADVERTISEMENT OF NON-DELIVERED LETTERS, ETC.

Sec. 582. How to be Advertised.—The Postmaster-General may direct the publication of the list of non-delivered letters at any post-office by a written list posted in some public place, or, when he shall deem it for the public interest, he may direct the publication of such list in the daily or weekly newspaper regularly published within the post-office delivery which has the largest circulation within such delivery; and where no daily paper is published within the post-office delivery, such list may be published in the daily newspaper of any adjoining delivery having the largest circulation within the delivery of the post-office publishing the list; and in case of dispute as to the circulation of competing newspapers, the postmaster shall receive evidence and decide upon the fact. Such list shall be published as frequently as the Post-

master-General may deem proper, but not oftener than once a week. (R. S., § 3930.)

A postmaster is not liable to suit by the publisher of a newspaper for refusing to give to him the publication of the list of letters uncalled for, even though he acted maliciously. A public duty is not enforceable by a private action, except when it has been specifically given by statute. (*Foster v. McKibben*, 14 Pa. St. R., 168; also *Strong v. Campbell*, 11 Barb., 135.)

In *United States ex rel. v. Smallwood*, Judge Durriel held that under the acts of 1845 and 1863 (containing substantially these provisions) the publication was in the discretion of the Postmaster-General, but when the discretion is once exercised and publication ordered, it must be through the columns of the paper having the largest circulation within the delivery of the post-office. (2 Am. Law Times Reports, 109.)

Sec. 583. Advertising Foreign Letters.—The list of non-delivered letters addressed to foreign-born persons may be published in a newspaper printed in the language most used by them, which shall be selected in the manner prescribed in the preceding section. (R. S., § 3931.)

Sec. 584. Pay for Advertising.—The compensation for publishing the list of non-delivered letters shall in no case exceed one cent for each letter so published. (R. S., § 3934.)

No expense must be incurred for such advertising, unless first specially authorized by the Department.

Sec. 585. Gratuitous Advertisements.—If the publisher of any newspaper offer to publish such advertised list gratuitously, the postmaster must furnish a copy for the purpose on the days when lists are given out for advertising; and if more than one publisher offer, a copy must be furnished to each simultaneously.

Sec. 586. Posting List of Advertised Letters.—Every postmaster shall post, in a conspicuous place in his office, a copy of each list of non-delivered letters immediately after its publication. (R. S., § 3933.)

Sec. 587. Manner of Posting Lists.—The posting of the advertisement must be by placing one or more printed or manuscript lists of the names of the persons to whom such matter is addressed, the names to be arranged alphabetically, and, when in considerable number, the names of ladies and gentlemen to be in separate lists. Third and fourth class matter should be in a separate list from the letters, with appropriate headings. Care should be taken that the names as given in the lists correspond precisely with the addresses.

Sec. 588. When to Advertise.—At post-offices of the fourth class matter should be advertised monthly and as near the first day of the month as practicable; at all other post-offices, weekly, and when practicable on the first day of the week.

Sec. 589. What to be Advertised.—All unclaimed matter of the first class, including letters and other matter returned from the Dead-Letter

Office direct to the sender, and valuable matter of the third and fourth class, in hand at the time of advertising, should be included in the advertisement, except registered matter, refused matter, fictitious matter, card and request matter, matter addressed to persons who call regularly at the post-office or which the postmaster has special reason to believe will be called for, matter indorsed "To be held until called for," "*Poste restante*," or similar directions, and matter which the addressee has requested to be retained. Such matter held on request should be marked, "Specially held for delivery."

Sec. 590. Charge on Advertised Letters.—All letters published as non-delivered shall be charged with one cent in addition to the regular postage, to be accounted for as part of the postal revenue. (R. S., §3935.)

Sec. 591. Advertised Matter to be so Marked.—Every letter or parcel advertised must have plainly written or stamped upon the address side the word "ADVERTISED," together with the date of advertising.

RETURN OF UNCLAIMED MATTER.

Sec. 592. Request Matter.—When the writer of any letter on which the postage is prepaid shall indorse upon the outside thereof his name and address, such letter shall not be advertised, but after remaining uncalled for at the office to which it is directed thirty days, or the time the writer may direct, shall be returned to him without additional charge for postage, and if not then delivered shall be treated as a dead letter. (R. S., § 3939.)

Sec. 593. The Time for Return of Request Matter.—The sender has the right by a subsequent written direction to the postmaster at the office of destination to lengthen or shorten the time originally named on the envelope, after which the letter, if not delivered, shall be returned to him, but it must remain for delivery at least three days; and postmasters must obey such written authority, and return as directed, without additional charge for postage. When the addressee has given general direction to hold his letters until called for, and they are not called for within the time limited in the return request, they should be returned to the sender in accordance with the request.

Sec. 594. Card and Official Matter.—Whenever any unclaimed matter of the first class bears the name and address of the sender, as post-office box, number and street, &c., without a request that the same be returned if not delivered, such matter is called "Card matter," and must not be advertised, but must be returned to sender at the expiration of thirty days from the date of its arrival at the post-office of destination. All such matter originating in Canada or Mexico will be treated as herein directed.

All official matter sent under penalty envelopes or labels, or the frank of Senators or Members of Congress, will be treated as card matter, and, if unclaimed, returned to the office of mailing, if known.

A request upon a drop letter for its return to the writer at some other post-office, if unclaimed, cannot be respected unless it has been prepaid with one full rate (two cents) of postage.

Unclaimed letters bearing the card of a hotel, a school, college, or other public institution, which has evidently been printed upon the envelopes to serve as a mere advertisement, should not be returned to the place designated in the cards, unless there is also a request therefor, indicating the writer to whom they should be returned.

A letter which has been opened inadvertently, or upon a wrong delivery, may be returned to the writer without additional charge, when it contains a card or return request. The postmaster must not open letters to ascertain the writer.

Unclaimed card and request letters, prepaid one full rate, but not wholly prepaid, are to be returned to mailing office for delivery to the writer, who will be required to pay the amount originally due. If payment be refused the matter will be indorsed REFUSED, and treated as such. (See section 602.)

Sec. 595. Postal Cards.—When the message upon an unclaimed postal card is wholly or partly written, and the name and address of the writer is disclosed, the same shall be returned to writer after thirty days from date of its receipt, with the words "RETURNED TO WRITER," stamped thereon, and his name and address written underneath across the face of the card. If the message be wholly printed, it will be treated as printed matter. (See section 593.)

Sec. 596. Return of Other than First Class and Request Matter.—All matter, other than first class, may be returned, but is subject to an additional charge for postage for returning the same. When the sender of matter which would be subject to return postage shall, by indorsement upon the wrapper or otherwise, request its return, postmasters should comply with such request within the time fixed by the sender—if no time is fixed, then at the end of thirty days—first charging such matter, however, with the necessary return postage, and indorse the same "RETURN POSTAGE DUE — CENTS;" and the postmaster at the office to which such matter is returned must affix thereto postage-due stamps sufficient to cover the return postage, and collect the same from the sender before delivering such returned matter. If the sender should refuse to pay return postage, the matter must be disposed of as "REFUSED." If the matter be unclaimed, it will be treated as other unclaimed matter. If postage stamps or money sufficient to pay the return

postage be furnished by the sender, the postmaster at the returning office must affix to the matter returned the necessary stamps and cancel them, the same as if the matter had been originally mailed at his office.

UNCLAIMED SECOND-CLASS AND PRINTED MATTER.

Sec. 597. Disposal of, Authorized.—The Postmaster-General may provide, by regulations for disposing of printed and mailable matter which may remain in any post-office, or in the Department, not called for by the party addressed; but if the publisher of any refused or uncalled-for newspaper or other periodical shall pay the postage due thereon, such newspaper or other periodical shall be excepted from the operation of such regulations. (R. S., § 4061.)

Sec. 598. Regulation as to Disposal.—Domestic printed matter obviously without value, including printed postal cards, must not be sent to the Dead-Letter Office when unclaimed, except that upon which postage is due, but must be disposed of as waste paper, and the proceeds taken up and accounted for as other postal revenue. (See section 484.)

REFUSED SECOND-CLASS MATTER.

Sec. 599. Publisher to be Notified.—Postmasters shall notify the publisher of any newspaper, or other periodical, when any subscriber shall refuse to take the same from the office, or neglect to call for it for the period of one month. (R. S., § 3885.)

Sec. 600. Notice; when and how Given.—Notice will be given when a newspaper or periodical is uncalled for, or refused, or when the subscriber changes his address without notifying the publisher or ordering his matter forwarded, upon the blank form furnished for that purpose, which can be procured by application to the First Assistant Postmaster-General, Division of Post-Office Supplies. If the first notification be disregarded, a second may be sent, calling attention also to the fact of previous notice. The notice is to be given to publishers in Canada and Mexico as well as this country.

Sec. 601. Disposal of Refused Second-Class Matter.—After notification has been given, as required in the previous section, the postmaster will hold the refused matter for thirty days, after which the same and all copies subsequently arriving should be placed with the waste paper.

AT RECEIVING OFFICES—MATTER TO BE SENT TO THE DEAD-LETTER OFFICE.

Sec. 602. Dead Matter.—Dead matter, or such as is to be sent to the Dead-Letter Office from the office of address, may, for convenience, be classified as follows:

1. *Unclaimed.*—That which is not called for and cannot be delivered nor returned as provided in sections five hundred and ninety-two and

the three following, other than second-class matter, to be treated as waste paper, as directed in section five hundred and ninety-eight.

2. *Refused*.—That which for any reason the parties addressed decline to receive, other than second-class matter and printed matter, treated as waste paper, as directed in section six hundred and one.

3. *Fictitious*.—That which is addressed to fictitious or assumed names or to initials, or in any manner so that the person or persons for whom it is intended cannot be identified.

4. *Illegible*.—That which having reached the office of destination is so illegibly or imperfectly addressed that it cannot be ascertained for whom it was intended.

5. *Hotel*.—That which has been delivered at a hotel or public institution, or to a consul, agent, or other public officer, or individual who is in the habit of receiving mail for transient persons, and which has been returned to the post-office from such hotel, &c., as unclaimed.

6. *Obscene*.—That which has reached the office of delivery, but of which delivery is forbidden by section five hundred and eighty-one.

7. *Lottery*.—Circulars concerning lotteries, gift-concerts, or similar enterprises offering prizes, which are unmailable by section three hundred and seventy-nine.

Sec. 603. Reason for Non-Delivery to be Shown on Matter.—Upon every undelivered article of mail matter must appear the reason for non-delivery, such as UNKNOWN, REFUSED, REMOVED, FIRM DISSOLVED, DECEASED, IN DISPUTE, &c., as such indication is often of value to the writer. When no other reason can be ascertained, the matter will be indorsed UNCLAIMED, care being taken in indorsing or stamping not to deface or to obscure the original address or postmark.

Sec. 604. Authority of Postmaster-General as to Dead Matter.—The Postmaster-General may regulate the period during which undelivered letters shall remain in any post-office, and when they shall be returned to the Dead-Letter Office; and he may make regulations for their return from the Dead-Letter Office to the writers, when they cannot be delivered to the parties addressed. (R. S., § 3936.)

MANNER, ETC., OF MAKING RETURN TO THE DEAD-LETTER OFFICE.

Sec. 605. Time of Return of Unclaimed Matter.—Advertised matter will be held at fourth-class offices for one month and at all other offices for two weeks after date of advertisement, and then, if undelivered, will be sent to the Dead-Letter Office in regular periodical returns, to be made as follows, viz:

At fourth-class post-offices, once a month.

At other post-offices, once a week.

Sec. 306. Notice, when no Dead Matter to be Sent.—When it happens that there is no matter of any kind to be sent to the Dead-Letter Office at the proper time for making the return of such matter, a statement (Form 1523) properly headed and dated, and the words **NO MATTER TO SEND** noted thereon, should be sent to the Dead-Letter Office.

Sec. 307. Returns of Unclaimed Matter; how Made up and Transmitted.—In making up returns to be sent to the Dead-Letter Office the following directions will be observed, namely:

1. Every piece of mail-matter should be postmarked by stamp or hand with the name of the post-office and the date of sending to the Dead-Letter Office.

2. Each class of matter should be arranged separately and duly entered on the dead-letter bill (Form 1523) under its proper heading.

3. The bill and the copy of the advertised list must be sent with every return, not tied outside or inclosed in a separate envelope.

4. The advertised list so sent should give the name of the post-office, State, and date of advertising.

5. All matter delivered or otherwise disposed of since advertising should be indicated by a mark drawn through the name on the list.

6. A manuscript list of each piece of third-class matter of obvious value, and of all fourth-class matter, whether advertised or not, should be sent with such matter. For convenience this list may be made on a blank (Form 1522) for unmailable, changing the word **UNMAILABLE** to **UNCLAIMED**.

7. The whole return should be wrapped and securely tied in one parcel and plainly addressed, **DEAD-LETTER OFFICE, WASHINGTON, D. C.** It should also be indorsed, "**RETURN OF UNCLAIMED MATTER FROM**" (here add name of post-office). A penalty envelope may be used for the address label, but must be fastened securely to the parcel. If there be third or fourth class matter to accompany the return in too great quantity to tie the whole in one parcel, a pouch must be used so that all the matter will be received together.

8. Hotel and fictitious matter must be entered on a list (Form 1522½) and sent separately from other unclaimed matter.

9. Post-offices of the fourth class will use dead-letter bills (Form 1523) printed on white paper. Free-delivery offices will use the special form printed for them on blue paper and will register their returns. All other offices will use forms provided for them printed on yellow paper.

Sec. 308. Returns of Unmailable Matter; when Made.—Unmailable matter must not be held over to be advertised. Post-offices of the first class must make daily, and all other post-offices weekly, returns to the Dead-Letter Office of all unmailable matter deposited therein for mail-

ing (see section 530), or received through the mails, for which other treatment is not specially provided, on hand at the time of return.

Sec. 609. Returns of Unmailable Matter; how Made up and Transmitted.—

1. Each return of unmailable matter must be accompanied by a list made on the proper form (No. 1522) for such matter, stating as nearly as possible the full name and address of each article sent.

2. First-class matter should be entered on a list separate from third and fourth class matter.

3. Should be further separated into the classes named in section three hundred and seventy-eight, and the "Held for postage" matter subdivided into "Drop" and "Mail" letters.

4. Each class and subdivision must be arranged and entered on the list alphabetically, and every piece and its entry must be numbered to correspond. Where third and fourth class matter is without address, the pieces should be numbered and a description of each article given. But postal cards and miscellaneous printed matter of no obvious value need be entered only by a memorandum giving the number of the pieces,

5. Every piece of matter so sent must have plainly written or stamped upon it the specific reason of its being sent, as unmailable, stating whether "held for postage," "coin," "jewelry," "excess of weight or size," "misdirected," &c., and must also bear the name of the post-office, and the date on which it was sent to the Dead-Letter Office, care being taken in indorsing or stamping not to deface the original postmark or address.

6. Postmasters receiving matter postmarked and indorsed "DEFICIENCY IN ADDRESS SUPPLIED," &c., and forwarded in accordance with section five hundred and sixty-three, which cannot be delivered, must, after the expiration of seven days from receipt, send the same to the Dead-Letter Office as unmailable.

7. The returns of unmailable matter must be securely fastened in one package, with the list inclosed, addressed "DEAD-LETTER OFFICE, WASHINGTON, D. C.," and plainly indorsed, "RETURN OF UNMAILABLE MATTER FROM" (here add the name of the post-office). All matter should be included in the same return, unless the quantity of third and fourth class matter be too large to be conveniently made into one package, in which case the first-class matter should be sent in one parcel and the third and fourth in another, each with its proper list.

8. Duplicates of all lists and statements must be retained by postmasters for reference in making searches for missing matter.

9. Unmailable matter and the returns thereof must not be sent with returns of ordinary unclaimed matter.

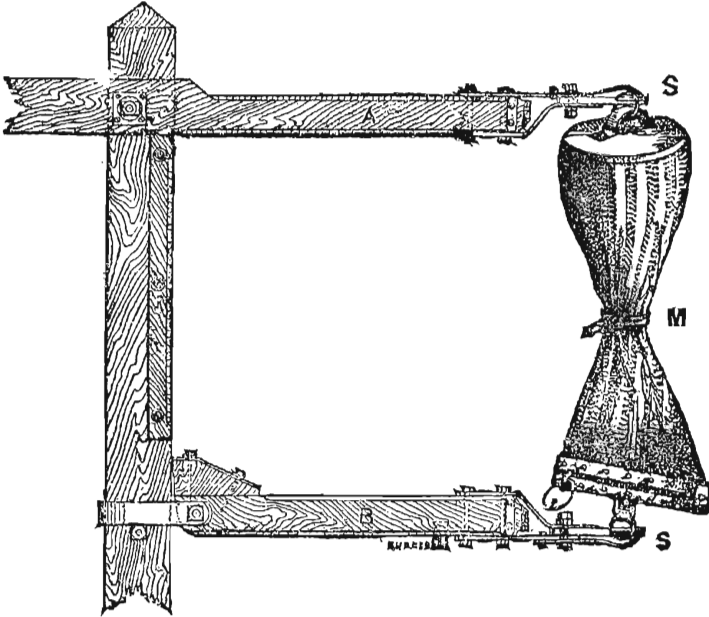
FOR RETURN OF LETTERS RECEIVED FROM DEAD-LETTER OFFICE, see section 580.

SPECIAL RULES FOR HANDLING MAILS AT CATCHER POST-OFFICES.

Sec. 610. **Cranes and Catcher Pouches.**—For the purpose of exchanging mails between post-offices at certain way and flag stations and railway offices without stopping or slackening the speed of the train, the “mail catcher” is used. A “crane” is erected at each such station, on which the pouch to be exchanged is hung; and canvas pouches with rings attached to each end and a strap with buckle attached to the center are supplied, to be used only for such exchanges. (See sections 893 and 1017.)

Sec. 611. **How to Prepare Pouches and Hang them on the Crane.**—

1. The pouch or mail bag should be prepared in the following manner: If only a small mail is to be sent, let it remain in the bottom of the pouch, but if a large mail is to be sent divide it, put part in the top,



but most of it in the bottom. Buckle the strap around the center of pouch M. In case the strap is gone, tie the middle of the pouch, as seen in the diagram. It is worse than useless to hang up a bag crammed full like a bag of grain.

2. Hang the bottom of the pouch on the upper iron S of the crane A, turn all directly to the track, then lift lower arm B and place the iron S in the ring of the pouch, slip the socket down the stem until

there is sufficient strain on the pouch to hold it from blowing down. If a strong wind is blowing, tie the pouch to the two irons S, by the rings, with one strand of ordinary post-office twine. Hang the pouch lock end down.

3. When the service occurs in the night, or between sunset and sunrise, hang a light on or near the crane.

Sec. 612. Catcher Pouches to be Used for no other Purpose.—These canvas pouches are manufactured expressly and only for such exchanges, and must be used for no other purpose. A prompt and regular exchange of the same pouches must be always kept up, and postal clerks are instructed to report to their division superintendent every case where a postmaster fails to return to the railway post-office the pouch last given him.

Sec. 613. Only Fifty Pounds of Mail Allowed in Catcher Pouches.—The catchers are designed to take on the trains for distribution and despatch only letter mail, but paper and other mail may be inclosed to a maximum weight of fifty pounds. If more than this weight is to be sent, as at post-offices where papers are published, the paper mail should be sacked and sent by local train to the nearest station at which the train stops, thence placed in the mail cars.

Sec. 614. Special Instructions to Postmasters Served by Catchers.—Postmasters at post-offices at which mail trains do not stop, and which are supplied by "catcher service," will comply with the following instructions :

1. None but "catcher" pouches are to be used.
2. After the mail is placed in the pouch and locked, see that the pouch is securely strapped or tied around the middle. (See section 610.)
3. The pouch must be securely suspended on the crane, with the lock downward, not exceeding ten minutes before the schedule time of arrival of the train.
4. If from any cause the pouch should not be caught by the train and a pouch is put off, return the extra pouch to the next mail train by securing it to the pouch in which the mail is sent, and strapping or tying the two pouches together at the middle as one pouch.
5. "Catcher" pouches must not under any circumstances be sent out upon any stage or horseback routes, or used for any other purpose than to exchange mails where trains do not stop.
6. "Catcher" pouches are not to be allowed to accumulate at post-offices, but must be returned to the mail trains at once.
7. If the crane at a station should get out of position or repair so as to interfere with the exchange of mails, the fact must be reported at once to the division superintendent, so that the attention of the railroad company can be called to the matter.

MATTER ADDRESSED TO POST-OFFICES IN FOREIGN COUNTRIES.

Sec. 615. When Mailed at Other than Exchange Offices.—When mail matter addressed to foreign countries is mailed at post-offices not designated as exchange offices, it is the duty of the postmaster:

1. To examine the same, to ascertain that it belongs to one of the classes of matter admissible to the foreign mails, viz: Letters, postal cards, postal cards with paid reply, printed matter, patterns or samples of merchandise, and commercial papers (see sections 392-408), and that it is not prohibited matter. (See section 401.)

2. To ascertain that it is so wrapped or inclosed as to conform to the conditions prescribed in chapter twelve, and is within the size, weight, and dimensions permissible in foreign mails, as prescribed therein.

3. To ascertain that sufficient postage has been prepaid upon it to authorize its dispatch in foreign mails (see sections 398, 402, 403, 407, 408); if not, it should, if possible, be returned to the sender.

4. Being satisfied of its mailability, to dispatch it to the proper exchange office as designated in the next sections; unless a special request be indorsed by the sender that it be sent to a particular office, which should be followed.

Sec. 616. Exchange Offices.—Mails are exchanged with foreign countries through certain post-offices in each country, authorized thereto, and designated as EXCHANGE POST-OFFICES. The following are the United States exchange post-offices, with the names of the countries with which each exchanges mails, namely:

NEW YORK, with NORTH, SOUTH, and CENTRAL AMERICA, the WEST INDIES, EUROPE, AFRICA, BRITISH INDIA, STRAITS SETTLEMENTS, SIAM, and the DUTCH EAST INDIES.

BOSTON, with GREAT BRITAIN, FRANCE, GERMANY, and BELGIUM.

PHILADELPHIA, with GREAT BRITAIN, FRANCE, GERMANY, BELGIUM, and CUBA.

BALTIMORE, with GERMANY, BRAZIL, THE ARGENTINE REPUBLIC, PARAGUAY and URUGUAY, THE ISLAND of ST. THOMAS, and BARBADOES.

WASHINGTON, with CUBA.

NEWPORT NEWS, VA., with BRAZIL, THE ARGENTINE REPUBLIC, PARAGUAY, URUGUAY, the ISLAND of ST. THOMAS, and BARBADOES.

TAMPA, FLA., with CUBA.

JACKSONVILLE, FLA., with CUBA.

KEY WEST, FLA., with CUBA, and occasionally the BAHAMA ISLANDS.

NEW ORLEANS, with CUBA, NICARAGUA, COSTA RICA, GUATEMALA, BRITISH HONDURAS, REPUBLIC of HONDURAS, the BAY ISLANDS, and occasionally with the UNITED STATES of COLOMBIA.

CHICAGO, ILL., with GREAT BRITAIN, GERMANY, DENMARK, SWEDEN, and NORWAY.

ST. LOUIS, MO., with GREAT BRITAIN, FRANCE, GERMANY, SWEDEN, and MEXICO.

SAN FRANCISCO, CAL., with the HAWAIIAN KINGDOM, NEW ZEALAND, AUSTRALIA,

TASMANIA, the FIJI and SAMOAN ISLANDS, NEW CALEDONIA, JAPAN, SHANGHAI, HONG-KONG, and dependent CHINESE ports, and the EAST INDIES, except BRITISH INDIA, STRAITS SETTLEMENTS, SIAM, and the DUTCH SETTLEMENTS.

Mails for Mexico are dispatched by sea from New York, New Orleans, and San Francisco, and the principal mails are dispatched overland from New York, Saint Louis, Laredo, and El Paso, Texas. Other United States post-offices along the Mexican border are authorized to make local exchanges with the Mexican post-offices opposite them.

Mails for Canada are dispatched principally from Boston, New York, Suspension Bridge, Chicago, San Francisco, and by the following railway post-offices, namely: Albany and Rochester, Boundary Line and Saint Paul, Detroit and Chicago, Detroit and Peru, Fort Gratiot and Chicago, Fort Gratiot and Detroit, Neche and Barnesville, New York and Chicago, Norwood and Rome, Ogdensburg and Utica, Port Huron and Detroit, Port Townsend and Tacoma, Richfield and Springfield, Rouse's Point and Albany, Saint Alban's and Boston, Saint Alban's and North Bennington, and Vanceboro' and Bangor. Other United States post-offices are authorized to make local exchanges of mails with the Canadian post-office opposite them.

Sec. 617. Treatment in Exchange Offices.—Only exchange post-offices make up mail for foreign countries. When mail matter is received at an exchange office for dispatch to a foreign country, the duty of the postmaster is—

1. To examine each article and see whether it conforms to the conditions prescribed for such articles in the mails for the country to which it is addressed.
2. If it fail to conform to the conditions, to return to the sender direct, when mailed at the exchange office and the sender be known; if received from another post-office the postmark of which is legible, to return it thereto with reason for return marked on the cover.
3. To separate such articles as conform to the prescribed conditions and are fully prepaid from those which are wholly or partly unpaid; to stamp "T" and mark the short-paid articles with the number of rates of postage to which each is liable and the amount of deficient postage.
4. To then tie up the paid letters and postal cards in one package, the unpaid and short-paid letters in another; affix to each a printed label bearing the words "PAID LETTERS" or "SHORT-PAID LETTERS," as the case may be.
5. To weigh the letters and postal cards and note the weights, and then place the packages in a canvas sack, and attach thereto a printed white linen label bearing the words "FROM _____, LETTER MAIL, FOR _____" (giving the name of the foreign exchange office).

6. To separate articles other than letters, which are fully prepaid from those but partly prepaid, stamp each article of the latter "T," and mark with the deficient postage; to tie printed matter, commercial papers, and samples of merchandise, as far as practicable, in bundles, the fully prepaid articles labeled "PAID" separate from the partly prepaid, which are labeled "SHORT-PAID;" to weigh each package and note the weight; then place them in a canvas sack, to which is attached a buff linen label bearing the words "FROM _____, PRINTED MATTER, &c., FOR _____."

7. To then make out a "letter bill" on the blank form furnished for such use, addressed to the foreign exchange office to which the mail is dispatched, showing the dispatching office, the receiving exchange office, the steamer or other vessel which conveys it, the exact time of its departure, the number of sacks of mail matter, a description of each registered article in the mail, and a list of the "closed mails" which have been received from foreign offices and forwarded to their destination by the same dispatch. The letter bill is to be placed around the package of registered articles, or in the small sack provided for registered articles. The letter bills for each foreign exchange office are required to be numbered in an annual series, beginning with No. 1 for the first mail dispatched in the year.

8. To close the sacks by means of twine tied tightly in a hard knot about the necks of the sacks, the ends of the twine being passed through two holes in a small tin seal cup exclusively used for this purpose, when they are tied again and the knot covered with sealing-wax, on which is impressed the seal of this Department.

9. To make out also in duplicate a "way bill" of the mails, showing the number of sacks of letters and of other articles and of the empty sacks dispatched by each steamer or vessel, where the mails were made up, the destination of each, and the exact time of departure. The exchange office which receives the mails from the steamer enters upon the way bill the exact time of their receipt, and returns one copy to the dispatching office.

10. To make out in triplicate, upon the blank form furnished therefor, a "Statement of weights" of the mails conveyed by each steamer or vessel, which is to give the net weights of the letters and other articles, as ascertained before placing them in the sacks, stated in grams of the French metric system, metric balances being furnished for the purpose (see section 471); to transmit one copy of such statement to the Sixth Auditor, one to the Superintendent of Foreign Mails, and retain one in the dispatching office.

AS TO REGISTERED MATTER FOR FOREIGN COUNTRIES, see section 1151 *et seq.*

MAILS RECEIVED FROM FOREIGN COUNTRIES.

Sec. 618. Treatment at Exchange Offices.—When mails are received at an exchange post-office, the duty of the postmaster is—

1. To count the sacks, and if found to agree with the way bills thereof, to enter the exact time of receipt, and sign the same as a receipt of the mails, noting any errors on the way bill before signing.

2. To then cause the sacks or packages to be opened and examined by two officials to ascertain whether they correspond with the entries in the accompanying letter bills.

3. If errors or omissions are detected, to immediately make corrections in the letter bill, care being taken to strike out erroneous entries in such manner that the original entry may be read; to then enter the errors and corrections in a blank form designated a "bulletin of verification" which is then signed by the two officials who opened the mail; to impress the postmark of the post-office thereon and send the bulletin registered by first opportunity to the dispatching exchange office, which, after examination, returns it with any observations deemed necessary.

4. To separate from the sealed packages such as are supposed to contain articles liable to custom duties, which are disposed of as prescribed in section six hundred and twenty-one.

5. To distribute all fully prepaid matter not detained for customs duties and forward the same to destination by the most direct route.

6. To rate up the unpaid and short-paid articles, stamp thereon "DUE ——— CENTS," or "U. S. CHARGE TO COLLECT ——— CENTS," and forward to destination with as little delay as possible.

As to registered matter see chapter thirty-six.

Sec. 619. Receipt at Office of Destination and Delivery.—On receipt of foreign letters fully prepaid the postmaster at the office of address delivers, forwards, advertises as unclaimed, as in the case of domestic matter, and sends to the Dead-Letter Office when dead, as directed in sections six hundred and five and following. Upon unpaid or short-paid matter postage-due stamps are to be affixed and postage due collected, as in other cases. (See sections 557 to 559.)

But when received from Canada request and card matter will, under a recent arrangement with that country, be returned to the senders like domestic matter, as prescribed in sections five hundred and ninety-two to five hundred and ninety-four.

Dead Foreign Printed Matter, when unclaimed, the usual time, must be sent to the Dead-Letter Office as part of the regular return, but no

entry thereof need be made on the bill, except of that on which postage may be due. (See section 607.)

Sec. 620. Foreign Closed Mails.—Mails made up in one foreign country addressed to another and sent to the United States to be forwarded on to destinations, are not to be opened. The United States exchange office which receives them will first examine them, and if they are found unsealed, or the seals damaged, sacks or covers torn or damaged, the imperfections must be corrected as far as practicable, so that the same may leave the United States in good condition. The facts in respect to condition must then be reported to the foreign dispatching exchange office in the bulletin of verification. Such mails must then be entered on the letter bill in the proper place therefor, and forwarded intact by first opportunity to destination.

Sec. 621. Treatment of Foreign Matter Supposed to be Liable to Customs Duties.—When the postmaster at the exchange office has reason to believe that letters or packages received in foreign mails contain articles liable to customs duties, it is his duty—

1. *As to letters or packages sealed or closed against inspection*, to immediately notify the customs officer of the district in which his office is embraced, or the officer designated by the Secretary of the Treasury to examine mails arriving at his office from foreign countries, of the receipt of such letters or packages and of the addresses thereon.

2. If the address be to a person within the delivery of his office, to notify him, by mail, at the time of arrival, that such matter has been received, is believed to be liable to customs duties, and that he must appear at the post-office at a time designated, not exceeding twenty-four hours from date of notice, and receive and open the letter or package in the presence of an officer of the customs.

3. Upon the appearance of the addressee and customs officer, to deliver the matter to the former, subjecting him to no longer delay than is necessary to secure the presence of the officer.

4. In no case to deliver to the officer or permit him to seize any such sealed letter or package while the same is in his custody as postmaster.

5. If such sealed or inclosed matter be addressed beyond the delivery of his office, to mark or stamp upon the same "SUPPOSED LIABLE TO CUSTOMS DUTIES," and forward the same, without longer detention than twenty-four hours, to the office of destination.

6. To extend to customs officers designated therefor all necessary facilities in examining incoming foreign mail matter, in order to protect the customs revenue.

7. *As to unsealed packages*, which are found on examination by the customs officer to contain dutiable matter, to deliver the same to the

proper officer of the customs, and immediately notify the addressee by mail of such delivery.

8. To return to the dispatching exchange office all such unsealed packages of samples of merchandise, including grains and seeds, received in mails from Canada, which are found to exceed eight ounces in weight, and are declared by the customs officer to be dutiable.

9. *As to dutiable books* received from Postal Union countries, addressed to other than the exchange office, to forward them promptly by mail to the office of destination charged with the amount of duties levied thereon respectively.

(See section 359; also, as to duty on printed matter, 22 Stats., 510, 518.)

Sec. 622. Dutiable Matter at Office of Destination.—Upon the receipt of sealed matter at the office of destination from an exchange office, marked "SUPPOSED LIABLE TO CUSTOMS DUTIES," the postmaster will at once notify the nearest customs officer of the receipt thereof and the addresses thereon. He will also notify the addressee to appear at a time designated and open the package in the presence of the customs officer; and upon their appearance together will deliver the matter to the addressee in the officer's presence. When books are so received with an amount of customs duties charged and marked thereon, the postmaster will collect the same upon delivery, and promptly remit the amount in penalty envelope, under free registration, to the collector of customs of the port or district in which the exchange office of receipt is situated.

If the books or other unsealed matter remain unclaimed for thirty days from receipt, or the addressee refuse to pay the customs duties and any postage charges thereon, the postmaster will return the matter to such collector of customs in the manner above prescribed. Moneys collected as customs are not to be credited or charged in postal account.

Letters and sealed packages supposed to contain articles liable to customs duty, which remain unclaimed for thirty days, or on which the addressees refuse to pay the customs duties and any postage charges, will be treated as other unclaimed and refused matter.

CHAPTER NINETEEN.

FREE-DELIVERY SERVICE.

Sec. 623. Letter-Carrier Post-Offices.—That letter carriers shall be employed for the free delivery of mail matter, as frequently as the public business may require, at every incorporated city, village, or borough

containing a population of fifty thousand within its corporate limits, and may be so employed at every place containing a population of not less than ten thousand within its corporate limits, according to the last general census, taken by authority of State or United States law, or at any post-office which produced a gross revenue for the preceding fiscal year of not less than ten thousand dollars: *Provided*, This act shall not affect the existence of the free delivery in places where it is now established: *And provided further*, That in offices where the free delivery shall be established under the provisions of this act such free delivery shall not be abolished by reason of decrease below ten thousand in population or ten thousand dollars in gross postal revenue, except in the discretion of the Postmaster-General. (Act of January 3, 1887, § 1, 24 Stats., 355.)

Sec. 624. Applications for Service and Additional Carriers.—Application for the establishment of the carrier system must be made to the Postmaster-General, through the Superintendent of Free Delivery, and must state the name of the post-office, the population of the city, village, or borough, according to the last general census, taken by authority of State or United States law, the gross revenue of the post-office for the preceding fiscal year, the condition of the sidewalks, whether the names of the streets and numbers of the houses are posted up, and the city properly lighted. The application may be made by the postmaster, by petition of citizens, or by the municipal authorities. Application for additional carriers must be made by the postmaster to the Superintendent of Free Delivery.

Sec. 625. Districting of Cities.—Cities must be so districted as to secure the full, equal, and most advantageous employment of the carriers, and the earliest practicable delivery and collection of the mails. The outside boundary of the carrier delivery and the number of delivery and collection trips will be fixed at the time of establishing the service, and must not be changed except by authority of the Department.

Sec. 626. Prompt and Frequent Deliveries Required.—The number of daily delivery and collection trips by carriers must not be reduced without the authorization of the Department. Letters must be frequently and promptly delivered by the carriers, so that citizens may have no inducement to call at the post-office; and the local addresses of those receiving mail through the general delivery should be secured, and their mail delivered by carriers to the greatest practicable extent. When a carrier cannot take his entire mail out on one trip he must give preference to matter of the first class. Citizens supplied by carriers should be requested to provide receiving boxes at their houses and places of business.

Sec. 627. Limited Sale of Stamps by Carriers.—Postmasters may permit

carriers to sell postage stamps or stamped envelopes in limited quantities; but their deliveries or collections must not be delayed in making change.

Sec. 628. Postmasters to Supervise Carrier Service.—Postmasters will supervise their carrier service, and are specially enjoined—

1. To see that superintendents, carriers, and clerks connected with this service are fully informed as to their responsibilities and duties.

2. In cities where postal stations are established, to require the mails from the post-office to the stations and return to be conveyed with the greatest practicable dispatch, and by the most expeditious routes.

3. To frequently visit the stations and see that the regulations are there observed and proper order and discipline maintained.

4. To issue all necessary orders and instructions necessary to carry out the regulations and promote the efficiency of the service.

5. To reprimand the carriers for irregularities or report them for removal to the Superintendent of Free Delivery, as the nature of the offense may require. (See section 642.)

PRIVATE CARRIERS FORBIDDEN, see section 707.

MAILING OR RECEIVING BOXES.

Sec. 629. Establishment of Street-Mailing Boxes.—The Postmaster-General may establish, in places where letter carriers are employed, and in other places where, in his judgment, the public convenience requires it, receiving boxes for the deposit of mail matter, and shall cause the matter deposited therein to be collected as often as public convenience may require. (R. S., § 3868.)

Provided further, That no boxes for the collection of mail matter by carriers shall be placed inside of any building except a public building or railroad station. (Act of February 21, 1879, § 4, 20 Stats., 317; and act of August 2, 1882, 22 Stats., 185.)

Provided, That no boxes for the collection of mail matter by carriers shall be placed inside of any building except a public building, or a building which is freely open to the public during business hours, or a railroad station. (Act of March 3, 1887, 24 Stats., 569.)

Sec. 630. Regulations respecting Mailing Boxes.—

1. A list of them, giving number and location, must be kept in the post-office.

2. They must be kept in repair and in neat condition.

3. Application for repainting and repair, when necessary, should state the lowest terms per box and number of boxes, and be addressed to the Superintendent of Free Delivery.

4. Carriers must inform the postmaster of the condition of the boxes

and their locks, chains, and keys, and promptly report any injuries thereto.

5. When a box opens with difficulty, the key should be tested on a good lock to ascertain whether the defect is in the key or lock.

6. Defective locks and keys should be promptly returned to the Second Assistant Postmaster-General, with an application for new ones to replace them.

7. Report of the loss of a key, giving number, name of carrier, and full statement of the facts attending the loss, should be made to the Superintendent of Free Delivery, and application should be made at the same time to the Second Assistant Postmaster-General for another key.

8. Carriers are held to strict accountability for the keys intrusted to them, and for loss thereof are liable to removal.

9. Broken street letter boxes and worn-out carrier satchels should, as far as practicable, be utilized by using the good parts of some to repair others, the remaining portions to be sold and the proceeds debited in the quarterly postal account; report to be also made to the Superintendent of Free Delivery.

10. Postmasters must arrange with the police authorities of their several cities for the arrest of all unauthorized persons found tampering with or collecting from the street mailing boxes; also, of all persons wearing the carriers' uniform (including the carriers) found tampering with or collecting from the boxes at other than the usual and regular collection rounds, of the hours of which the police authorities must be kept informed.

As to punishment for malicious injury to letter boxes or matter therein, see sections 1440 and 1441.

CARRIERS, THEIR APPOINTMENT, PROMOTION, LEAVES, ETC.

Sec. 631. Classification and Salaries of Carriers.--That there may be in all cities which contain a population of seventy-five thousand or more three classes of letter carriers, as follows: Carriers of the first class, whose salaries shall be one thousand dollars per annum; of the second class, whose salaries shall be eight hundred dollars per annum; and of the third class, whose salaries shall be six hundred dollars per annum. (Act of January 3, 1887, § 2, 24 Stats., 355.)

That in places containing a population of less than seventy-five thousand there may be two classes of letter carriers, as follows: Carriers of the second class, whose salaries shall be eight hundred and fifty dollars per annum, and of the third class, whose salaries shall be six hundred dollars per annum. (Id., § 3.)

Sec. 632. Number to be Limited.—It shall be the duty of the Postmaster-General to carefully inquire into the number of carriers employed in the several cities where the free delivery of mail matter is established, and to reduce the number of carriers and the number of deliveries of the mails by such carriers for each day to the reasonable requirements of the public service. (Act of March 3, 1877, 19 Stats., 384.)

Sec. 633. Appointments and Promotions.—Appointments of letter carriers in cities having two or more classes shall be made to the class having the minimum rate of pay, and promotions from the lower grades in said cities shall be made to the next higher grade at the expiration of one year's service, on certificate of the postmaster to the efficiency and faithfulness of the candidate during the preceding year. (Act of August 2, 1882, 22 Stats., 185.)

Sec. 634. Application for Appointment, &c.—Letter carriers are appointed by the Postmaster-General on the nomination and recommendation of the postmaster. The following regulations will be observed as to character, qualifications, application, &c.:

1. Only citizens of the United States will be appointed.
2. Carriers must be intelligent, able to read and write, physically fitted for the service, and temperate. No person habitually using intoxicating liquors to excess can be appointed.
3. Persons nominated must be at least eighteen years of age, and not over thirty-five years of age, but this limitation does not apply to persons honorably discharged from the military or naval service of the country who are otherwise duly qualified.
4. At post-offices within the Classified Postal Service (see section 497) carriers can be appointed only after they have satisfactorily passed a competitive examination under the Civil Service rules, and otherwise complied with their requirements.
5. The application for appointment at offices not within the Classified Postal Service should be written and signed by the applicant himself, giving his name in full, his age, previous residence for the last five years, and his occupation during that time.
6. Postmasters at such offices, before recommending the applicant, must inquire into his habits and antecedents. The physical fitness of the applicant must be certified by a reputable physician.
7. Applications for appointment at post-offices in the Classified Postal Service must be made upon a blank form prescribed by the Civil Service Commission, and furnished upon request by the examining board therefor, and when properly filled out must be returned to them. It is needless to seek the aid of a member of Congress or other influential person to secure an application paper or an examination. Notice in

writing of the next examination, specifying the place, day, and hour, will then be given. (See Civil Service Rules, 3d ed., Regulation 9.)

8. Postmasters will not recommend carriers who have been removed from the service, without calling attention to the fact and stating fully the reasons.

Sec. 635. Bonds and Oaths.—Every letter carrier shall give bonds with sureties, to be approved by the Postmaster-General, for the safe custody and delivery of all mail matter, and the faithful account and payment of all money received by him. (R. S., § 3870.) He must also take the oath prescribed in section forty-four. Blank bonds and oaths for carriers and substitutes will be furnished by the Department, with notice of their appointment, to the postmaster, who will take care that they are correctly and promptly executed and returned. He will also require carriers and substitutes to furnish new bonds whenever, from any cause, the sureties have become insufficient, and will forward all bonds and oaths to the Superintendent of Free Delivery. And every carrier must promptly inform the postmaster, on pain of dismissal, of the occurrence of any event or change of condition affecting unfavorably the responsibility of his sureties.

Sec. 636. Substitute Carriers.—That the Postmaster-General be, and he hereby is, authorized to appoint one or more substitute letter carriers, whose compensation shall be one dollar per annum and the pro rata compensation of the carriers whose routes they may be required to serve. (Act of August 2, 1882, 22 Stats., 185.)

That all letter carriers at free-delivery offices shall be entitled to leave of absence, not to exceed fifteen days in each year, without loss of pay; and the Postmaster-General is hereby authorized to employ, when necessary, during the time such leave of absence is granted, such number of substitute letter carriers as may be deemed advisable, who shall be paid for services rendered at the rate of six hundred dollars per annum. (Act of June 27, 1884, 23 Stat., 60.)

Sec. 637. Vacancies.—Vacancies occurring by death, illness, or other unavoidable causes, may be filled temporarily by postmasters, when the exigencies of the service demand it; but a full statement of the facts must be immediately forwarded to the Superintendent of Free Delivery. Carriers so employed must in every instance take the oath before entering on duty, and give the bond prescribed, at the same time or as soon thereafter as practicable. Postmasters must advise the Superintendent of Free Delivery of any vacancy occurring in the force of carriers, whether in the regular or substitute class, and whether they desire to fill the vacancy or not. Nominations to fill vacancies in any grade should be promptly made, to guard as far as possible against the em-

ployment of temporary carriers, which tends to cause irregular delivery and confusion in the settlement of carriers' pay-rolls.

Sec. 638. Promotions.—Promotions from the lower grade in a city to the next higher may be made at the expiration of one year's service, on the certificate of the postmaster to the efficiency and faithfulness of the candidate during the preceding year. (See section 633.)

Sec. 639. Leaves of Absence.—That all letter carriers at free-delivery offices shall be entitled to leave of absence, not to exceed fifteen days in each year, without loss of pay. (Act of June 27, 1884, 23 Stats., 60.)

The words "each year" in the preceding paragraph mean each fiscal year (July 1 to June 30, inclusive), and carriers in the service on the first day of July are entitled to receive their fifteen days' vacation at any time during the year when the postmaster can best spare them. Carriers entering the service after the first day of July are entitled to a pro rata leave of absence during the fiscal year, equal to one and a quarter days for each month of service.

Postmasters may grant leave of absence without pay to carriers (in excess of the fifteen days to which they are entitled without loss of pay) in cases of illness, disability received in the service, or other urgent necessity, to continue only during the urgency of the case, provided it shall in no instance exceed thirty days. For a longer time, application, setting forth all the circumstances, must be made to the Superintendent of Free Delivery.

Sec. 640. Absence Without Leave.—A carrier absenting himself without leave will forfeit his pay during the time of such absence, and will be reprimanded by the postmaster, or reported to the Superintendent of Free Delivery for removal, as the circumstances may require.

Sec. 641. Behavior of Carriers.—Carriers are enjoined, while on duty—

1. To be civil, prompt, and obliging to all with whom they have intercourse.

2. To attend quietly and diligently to duty, and, under no circumstances, to loiter on their routes.

3. To refrain from stopping to converse, loud talking, controversy, profane language, singing, whistling, and smoking in the office or on their routes.

4. To refrain from drinking intoxicating liquors; and any carrier intoxicated on duty will at once be suspended, his route supplied by a substitute, the case reported for removal, and his successor nominated. No carrier will be retained in the service who is addicted to intemperance.

They are also forbidden to solicit, in person or through others, contributions of money, gifts, or presents; to issue addresses, complimentary

cards, prints, publications, or any substitute therefor, intended or calculated to induce the public to make them gifts or presents; to sell tickets on their routes to theaters, concerts, balls, fairs, picnics, excursions, or places of amusement or entertainments of any kind; to borrow money on their routes, or to contract debts which they have no reasonable prospect of being able to pay.

Sec. 642. Reprimand, Suspension, and Removal.—The due performance of their duty by carriers, and the observance of law, regulations, and orders prescribed for their conduct, will be enforced by reprimand for slight offenses; by suspension with loss of pay for more serious ones, not, however, to exceed thirty days; and by suspension and recommendations for removal for grave offenses, or persistent disregard of the rules herein prescribed or of the orders of the postmaster not inconsistent herewith. In all other cases of recommendation for removal, carriers should not be suspended, but postmasters should await the action of the Department.

CARRIERS' UNIFORMS.

Sec. 643. Carrier's Uniform, and Penalty for Wearing it Unlawfully.—The Postmaster-General may prescribe a uniform dress to be worn by letter carriers, and any person not connected with the letter-carrier branch of the postal service who shall wear the uniform which may be prescribed shall, for every such offense, be punishable by a fine of not more than one hundred dollars, or by imprisonment for not more than six months, or both. (R. S., § 3867.)

The uniform dress prescribed is to be invariably worn while on duty, viz:

FOR WINTER WEAR.

First. A single-breasted sack coat of "cadet gray," or, technically, "blue-mixed cadet cloth," terminating two-thirds the distance from the top of the hip bone to the knee, with a pocket at each side, and one on left breast—all outside—with flaps two and three-fourths to three inches wide, with length to suit, say six and a half to seven inches; coat to be bound entirely around with good plain black alpaca binding one inch wide, to be put over half edges, with five brass buttons, with the design of the seal of this Department (post rider, with mail bag across the saddle, with the letters P. O. D. beneath), down the front, to button up to the neck, and one-half inch black braid round the sleeves two and a half inches from the bottom.

Second. Pants of same material and color, with fine black broadcloth stripe one inch wide down the outside seam.

Third. A single-breasted vest of the same material and color, with seven oval brass buttons (vest size), with the letters P. O. upon the face.

Fourth. Cap of the same material and color (Navy pattern), bound round with a fine black-cloth band one and one-half inches wide, with small size buttons at the sides, of the same material and design as those on the vest, and glazed cover for wet

weather. A helmet of the same material and color, and of uniform pattern, may be worn, provided both cap and helmet are not used in the same place.

Fifth. A reversible cape (detached from the coat) reaching to the cuff of the coat-sleeve when the arm is extended, of the same material and color on one side, and gutta-percha cloth on the other side, with five buttons, the same as on the coat, down the front, and bound entirely round with plain black alpaca binding one inch wide, put half over edges; or an overcoat of the same material and color, trimmed to correspond with the coat, with five brass buttons, of the same size and design as the coat button, down the front. It shall not be obligatory on the carriers to wear either, but whenever additional covering is needed, the postmaster of each city will decide, in accordance with the wishes of a majority of the carriers, which they shall wear, as both must not be worn in the same city.

FOR SUMMER WEAR.

First. Coat, single-breasted, skeleton sack, of gray flannel, terminating two-thirds the distance from the top of the hip bone to the knee; with lapels (medium roll) made to button over the breast; three pockets outside, without flaps, one on each side, and one on left breast. Coat to be bound entirely round with plain black alpaca binding one inch wide, put half over edges, and three buttons of present regulation style down front.

Second. Pants, same material and color, with stripe of black alpaca binding one inch wide down the outside seam.

Third. Vest, same material and color, bound same as coat, with collar cut to roll same height as coat, and five regulation buttons down front. This may be omitted in summer.

Fourth. Panama hat or helmet.

Sec. 644. Carriers to be Numbered.—Carriers must be designated by number, and nickel-plated figures nine-sixteenths of an inch in length, surmounted by a metallic wreath, to be worn on the hat, cap, or helmet, the material, design, and pattern to be uniform at all offices, must be regarded as a part of the carriers' uniform, and worn accordingly, both winter and summer.

Sec. 645. Carriers to Provide their Uniforms.—Letter carriers and substitutes must procure uniforms at their own expense; but the postmaster is expected to advise and assist them in obtaining well-fitting suits of the best material and at the best terms practicable in conformity with the specifications in section six hundred and forty-three.

Sec. 646. Inspection of Uniforms, &c.—Postmasters at free-delivery offices will cause a careful inspection of carriers' uniforms to be made as often as twice a year, before ordering new ones, and will not require a new suit or any article of it to be procured when that in use may be found to be in reasonably good condition or capable of repair for longer service. When proper he may require new uniforms or parts thereof to be procured by any carrier, and that carriers shall appear at all times as neat and tidy as their service will permit.

GENERAL DUTIES OF CARRIERS.

Sec. 647. Duties Generally.—Carriers shall be employed in the delivery and collection of mail matter, and during the intervals between their trips may be employed in the post-office in such manner as the postmaster may direct, but not as clerks.

The delivery and collection by them must be frequently tested at irregular intervals, to determine their efficiency.

Sec. 648. Delivery of Matter.—The mails must be assorted and the carriers started on their first daily trip as early as practicable. They must proceed to their routes with expedition and by the most direct way. A schedule of the order of delivery of each route should be made in a legible hand by names of streets and numbers of houses, and the mail delivered according to such schedule. Mail matter directed to box-numbers must be delivered through the boxes. Mail matter addressed to street and number must be delivered by carriers, unless otherwise directed. Mail matter addressed neither to a box-holder nor to a street and number, must be delivered by carrier if its address is known or can be ascertained from the city directory; otherwise, at the general delivery.

Sec. 649. Care in Delivery of Mail.—Carriers will exercise great care in the delivery of mail to the persons for whom it is intended, or to some one known to them to be authorized to receive it. They will, in case of doubt, make respectful inquiry with the view to ascertain the owner. Failing in this they will return the mail to the office, to be disposed of as the postmaster may direct.

Sec. 650. To Collect Postage Due.—Carriers are required to collect and promptly return to the postmaster all postage due on any matter entrusted to them for delivery as indicated by the postage-due stamps thereon. Under no circumstances will they deliver such mail matter until the postage due is paid.

AS TO PENALTY FOR FAILING TO ACCOUNT FOR AND PAY SUCH POSTAGE DUE, see section 557.

Sec. 651. Directory to be Used to Ascertain Addresses.—Where a directory is published, it must be used when necessary to ascertain the address of persons to whom letters are directed, and it should also be used in the case of transient newspapers and other matter of the third and fourth classes, where the error in or omission of street address is evidently the result of ignorance or inadvertence; but when circulars, printed postal cards, or other matter, except letters, shall arrive at any post-office in large quantities, apparently all sent by the same person or firm, and from which the street addresses have been purposely omitted, the directory need not be used to supply such omission, and all of such

circulars, &c., which cannot readily be delivered through boxes or by carriers, shall be sent to the general delivery to await call.

Sec. 652. Rules Respecting Delivery.—Carriers are forbidden—

1. To deliver mail matter in the street, even to the owner, unless he be personally known, and the delivery can be made without unreasonable delay.

2. To deliver mail matter in boxes or other receptacles at premises not occupied in whole or in part by the addressees, except by the special order of the postmaster.

3. To throw mail matter into windows or halls, unless specially instructed to do so; but they must ring the bell and wait a reasonable time for an answer, and deliver to some one of the household in the habit of receiving it.

4. To enter any house while on their trips, except in the discharge of their official duties.

5. To stop for their meals while on their trips.

6. To deliver any mailable matter which has not passed through the post-office or station with which they are connected.

7. To exhibit any mail matter intrusted to them (except on the order of the postmaster or some one authorized to act for him) to persons other than those addressed.

8. To deviate from their respective routes.

9. To carry letters for delivery in their pockets.

10. To engage in any business not connected with this service during their hours of business.

11. To throw away or improperly dispose of mail matter, however trifling or unimportant it may appear to them.

12. To remove stamps from mail matter of any class whatever, intrusted to them for delivery or collected by them for mailing.

Sec. 653. Mounted Carriers; their Duties.—Mounted carriers are permitted to make arrangements with the patrons on their routes to respond to their call and receive their mail at the sidewalk, but if the patrons insist on having it delivered at their doors the carriers are required to dismount and so deliver it.

FOR RULES AS TO DELIVERY OF REGISTERED MATTER by Carriers, see sections 1119, 1120, and 1124.

Sec. 654. To Return Undelivered Mail, Satchels, and Keys to the Office at Night.—After the last daily delivery the carriers must return their satchels, keys, and all mail matter they cannot deliver to the post-office or station with which they are connected. Postmasters may permit carriers to take keys and satchels home with them at night in cases where it is necessary to expedite an early morning collection.

Sec. 655. Improperly Addressed Mail Matter Not to be Delivered.—Letters and packages addressed to fictitious persons or firms, to initials, or to no particular person or firm, should not be delivered by carriers unless directed to a designated place, street, and number, or to the care of a certain person or firm, or other certain place of delivery. (See section 574.)

Sec. 656. Packages too Large for Delivery; how Disposed of.—Packages too large for delivery by carriers, when unregistered, will be retained by the postmaster in the post-office, and addressees notified, by a printed notice by mail, to call at the post-office for them. The exact dimensions or weight of a package too large or heavy for delivery by carriers are not fixed, but it is left to the discretion of the postmaster to determine, by the mail of the carrier, the distance of his route, &c., whether a package is too large or too heavy for delivery.

Sec. 657. Delivery at Houses where Vicious Dogs are Kept.—Carriers are not required to run the risk of being bitten by vicious dogs in delivering mail matter. Persons keeping such dogs must call at the post-office for their mail, or, if they wish it delivered at their houses, must render it safe for the carrier to approach their premises.

Sec. 658. Transient or "To-be-Called-for" Letters; how Treated.—Letters having as a part of their address the words "Transient," "To be called for," or other words indicating that they are intended for transient persons, must be sent to the general delivery, to be delivered on application after proper identification. Letters so directed must not be delivered by letter carriers, unless on an order from the party addressed. Other letters without street and number, or box number, shall be considered as transient, and sent to the general delivery, unless addressed to some person, or to the care of some person, whose address is known to the distributing clerks or to the carriers. While trial search by directory or otherwise is being made, the letter must be subject to inquiry and delivery through the general delivery, and should not be delayed by the carrier taking it from the post-office.

Sec. 659. Collection of Mail Matter from Receiving Boxes.—Letter carriers collecting mail matter from receiving boxes are required to give the preference to first-class matter when they are not able to carry to the post-office all the contents of the boxes upon their routes. Papers found upon the outside of boxes should be taken to the post-office for mailing, if after emptying the box the carriers are able to do so and the papers are properly wrapped, addressed, and postage prepaid.

Sec. 660. To Receive Letters for Mailing.—Carriers are required, while on their rounds, to receive all letters prepaid by postage stamps that may be handed to them for mailing, but are forbidden to delay their deliveries by waiting for such letters, or to receive money to pay post-

age on letters handed them for mailing. They should also receive other small articles ofailable matter properly prepaid, but are not required to receive packages cumbersome on account of size, shape, or weight, especially when it would interfere with their regular box collections or delivery.

For DUTY OF CARRIERS AS TO SPECIAL-DELIVERY LETTERS, received for mailing, see section 680.

Sec. 661. Not to Return Deposited Letters.—Carriers are forbidden, under any circumstances, to return to any person whatever letters deposited in the street mailing boxes, but must take them to the post-office, where the person desiring the return of a letter claimed by him may make application for it to the postmaster. (See section 531 *et seq.*)

Sec. 662. No Fee or Extra Postage to be Charged.—No extra postage or carriers' fee shall be charged or collected upon any mail matter collected or delivered by carriers. (R. S., § 3873.)

As to EXEMPTION OF LETTER CARRIERS from militia duty, see section 697.

MISCELLANEOUS.

Sec. 663. Postmasters to Report Operations.—Postmasters must forward a report of the operations of the carrier system, as early after the close of each month as practicable, to the Superintendent of Free Delivery. The blanks furnished for this purpose must be used.

Sec. 664. Supplies for Letter-Carrier Post-Offices.—Street mailing boxes, carriers' satchels, blank bonds, oaths, and nomination blanks for carriers and substitutes, collection time cards, and carriers' furniture, when not otherwise provided, will be furnished on application to the First Assistant Postmaster-General (Division of Free Delivery); blank books and forms, on application to the First Assistant Postmaster-General, Division of Post-Office Supplies; locks and keys for street mailing boxes, on application to the Second Assistant Postmaster-General.

As to PAYMENT OF LETTER CARRIERS, AND ACCOUNTS AT LETTER-CARRIER OFFICES, see sections 229, 254, 255.

CHAPTER TWENTY.

THE SPECIAL-DELIVERY SERVICE.

Sec. 665. First Act of Authorization.—A special stamp of the face valuation of ten cents may be provided and issued, whenever deemed advisable or expedient, in such form and bearing such device as may meet the approval of the Postmaster-General, which, when attached to a letter

in addition to the lawful postage thereon, the delivery of which is to be at a free-delivery office, or at any city, town, or village containing a population of four thousand or over, according to the Federal census, shall be regarded as entitling such letter to immediate delivery within the carrier limit of any free-delivery office which may be designated by the Postmaster-General as a special-delivery office, or within one mile of the post-office at any other office coming within the provisions of this section which may in like manner be designated as a special-delivery office. (Act of March 3, 1885, § 3, 23 Stats., 387.)

That such specially stamped letters shall be delivered from seven o'clock ante meridian up to twelve o'clock midnight at offices designated by the Postmaster-General under section three of this act. (Id., § 4.)

That to provide for the immediate delivery of letters bearing the special stamp, the postmaster at any office which may come within the provisions of this act may, with the approval of the Postmaster-General, employ such person or persons as may actually be required for such service, who, upon the delivery of such letter, will procure a receipt from the party addressed, or some one authorized to receive it, in a book to be furnished for the purpose, which shall, when not in use, be kept in the post-office, and at all times subject to examination by an inspector of the Department. (Id., § 5.)

That to provide for the payment of such persons as may be employed for this service, the postmaster at any office designated by section three of this act shall keep a record of the number of letters received at such office bearing such special stamp, which number shall correspond with the number entered in the receipt books heretofore specified; and at the end of each month he may pay to such person or persons employed a sum not exceeding eighty per centum of the face value of all such stamps received and recorded during that month: *Provided*, That in no case shall the compensation so paid to any one person exceed thirty dollars per month: *And provided further*, That nothing in this act shall in any way interfere with the prompt delivery of letters as now provided by law or regulation of the Post-Office Department. (Id., § 6.)

Sec. 666. Act Extending to All Mail Matter at All Offices.—That every article of mailable matter upon which the special stamp provided for by section three of the act of Congress approved March third, eighteen hundred and eighty-five, entitled “An act making appropriations for the service of the Post-Office Department for the fiscal year ending June thirtieth, eighteen hundred and eighty-six, and for other purposes,” shall be duly affixed, shall be entitled to immediate delivery, according to said act, within the carrier-delivery limit of any free-delivery office, and within one mile of any other post-office which the Postmaster-Gen-

eral shall at any time designate as a special-delivery post-office. The postmaster shall be responsible for such immediate delivery of every such article, and shall cause delivery to be made of all such articles received at his office bearing such stamp and entitled to delivery thereat, and may employ any persons, including clerks and assistants, at third and fourth class offices, as messengers, on such terms as he shall fix as compensation for such delivery; and to defray the expense thereof, such postmaster shall be entitled, upon the adjustment of his quarterly account, to eighty per centum of the face value of all such special-delivery stamps received at his office and recorded, according to said act and regulations of the Post-Office Department, during the quarter; and such allowance shall be in full of all the expenses of such delivery: *Provided*, That the Postmaster-General may, in his discretion, direct any free-delivery office to be excepted from the foregoing provisions, and require the delivery to be made entirely by special messengers, according to the provisions of the act to which this is amendatory: *And provided further*, That he may contract for the immediate delivery of all articles from any post-office, at any price less than eight cents per piece, when he shall deem it expedient. (Act of August 4, 1886, § 1, 24 Stats., 220.)

That the Postmaster-General shall prescribe suitable regulations, not inconsistent with the law, for the performance of the immediate-delivery service, the keeping of the records and rendering of accounts thereof, and all matters connected therewith, and may prescribe the hours within which such immediate delivery shall be made at any post-office. (Id., § 2.)

That any postmaster, or any assistant postmaster, clerk, or employé of a postmaster, who shall make any false return or record of the receipt or delivery of any article of mailable matter as being stamped with a special-delivery stamp, or shall make any false return of the number of articles specially delivered from his office, for the purpose of increasing his compensation under the provisions of this act, shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be fined not less than one hundred dollars nor more than five hundred dollars, or imprisoned for a term of not less than thirty days nor more than one year, or both such fine and imprisonment, at the discretion of the court; and whenever, upon evidence deemed satisfactory to him, the Postmaster-General shall determine that any such false return has been made, he may, by order, fix absolutely the compensation of the postmaster for such special delivery during any quarter or quarters which he shall deem affected by such false return, and the Auditor shall adjust the postmaster's account accordingly. (Id., § 3.)

That any person employed to make immediate delivery of letters or

other mail matter under the provisions of this act, or the act of which the same is amendatory, shall be deemed an employé of the postal service, whether he may have been sworn or not, or temporarily or permanently employed, and as such employé shall be liable to any penalties or punishments provided by law for the improper detention, delay, sequestration, rifling, embezzlement, purloining, or destruction of any letter or other article of mail matter, or the contents thereof, intrusted to him for delivery or placed in his custody. (Id., § 4.)

Sec. 667. All Post-Offices Designated as Special-Delivery Offices.—Every post-office in the United States and Territories and the District of Columbia now established, and which shall be established while the acts providing for special-delivery service remain, is designated as a special-delivery office, and will be governed by said acts and the orders and regulations thereunder.

SPECIAL-DELIVERY STAMPS.

Sec. 668. Description of the Special-Delivery Stamps.—The following is a description of the special-delivery stamp now in use:

A line engraving on steel, oblong in form; dimensions, $\frac{1}{8}$ by $1\frac{7}{16}$ inches; color, dark blue. Design: On the left an arched panel bearing the figure of a mail-messenger boy running, and surmounted by the words "United States;" on the right an oblong tablet, ornamented with a wreath of oak and laurel surrounding the words "Secures immediate delivery at any post-office." Across the top of the tablet is the legend "Special Postal Delivery," and at the bottom the words "Ten cents," separated by a small shield bearing the numeral "10."

The issue of these stamps prior to 1886 bears the words "Secures immediate delivery at a special-delivery office," and this issue now entitles the letter or package bearing it to immediate delivery at any post-office.

Sec. 669. How Supplied.—Suitable supplies of the special-delivery stamps will be sent to any post-office in the country which may make requisition for them, and when received they are to be taken up by the postmaster in his postal account and accounted for quarterly in the same manner as postage stamps are accounted for. All offices should be supplied with these stamps. Requisitions must be made upon the office of the Third Assistant Postmaster-General (Stamp Division). The usual form of stamp requisition, which now contains an item covering special-delivery stamps, should be used for this purpose.

Sec. 670. How Sold and Used.—Special-delivery stamps are to be sold by postmasters in any required amount, and to any person who may apply for them, but they can be used only for the purpose of securing the im-

mediate delivery of matter. Under no circumstances are they to be used in the payment of postages of any description or of the registry fee, nor can any other stamps than the special-delivery stamp be employed to secure special delivery.

The special-delivery stamp must be in addition to the lawful postage, and any article of first-class matter not prepaid with at least one full rate of postage, and any parcel of any other class of matter, the postage on which has not been fully prepaid, in accordance with the law and the regulations, must be treated as held for postage, even though bearing a special-delivery stamp.

Sec. 671. How Canceled.—The special-delivery stamps must be effectually canceled at the office of mailing in the same way as ordinary postage stamps are canceled.

REGULATIONS FOR FREE-DELIVERY OFFICES.

Sec. 672. Employment of Special-Delivery Messengers at Free-Delivery Offices.—At free-delivery offices, where no contract shall have been made by the Postmaster-General, as authorized in section six hundred and sixty, for the immediate delivery of articles, the postmasters will from time to time employ as many messenger boys, at their respective offices, as in their judgment will be necessary to secure the prompt delivery of special-delivery letters and packages, observing that, aside from drop letters, their services will be necessary only for a brief time after the arrival of any mail, which in many offices will be but for a portion of the day, and that a proper force must be ready for all mails arriving between 7 A. M. and 11 P. M., and for all drop letters requiring special delivery. The number of messengers necessary, and arrangements for their attendance and service, may vary at different offices to such an extent that minute instructions cannot be laid down; but it must be by experience and careful observation only that they can correctly adjust the force and methods at their offices. It will probably be best to arrange the messengers in tours of duty, assigning appropriate hours to each, so that a suitable force may be on hand to secure immediate delivery at all times within the prescribed hours of the day.

Each messenger, before he enters into service, must take the oath prescribed by law (section 44), on the blank furnished. None but reputable, active, and intelligent boys should be employed, and they should in no case be under thirteen years of age. Substitute letter carriers, when not on duty in place of regular carriers, may be employed as messengers in the special delivery, and receive the same compensation as other messengers; provided that such employment will not interfere with the work of the free-delivery or the special-delivery service.

Sec. 673. Messengers need not be Uniformed.—Messengers need not be uniformed, except in such special cases as may be ordered, but should all be decently and comfortably clad. Substitute letter carriers, when employed as messengers for special delivery, may wear their carrier uniforms.

Sec. 674. Behavior of Messengers.—A special place will be provided in the post-office for the accommodation of the messengers, and, if practicable, it should be so arranged as to prevent their access to other parts of the office, and to mail matter other than that in which they are immediately concerned. Orderly conduct of the messengers while on their trips should be strictly enforced. The necessity of good behavior in the streets when making deliveries or returning should be enjoined, and postmasters should give strict attention to their conduct generally; and no one should be retained who is not diligent, faithful, courteous, and well-behaved.

Sec. 675. Postmasters to Require Efficient Service.—Postmasters should take pains to secure the greatest service from each messenger fairly to be required; to employ no more than shall be actually necessary; and to prevent any combinations or arrangements between the messengers with a view to securing division of the total permissible compensation of the month. They should, by distribution of work and allotment of hours of duty, equalize as far as practicable the compensation of the messengers. To this end, a messenger should not always be assigned to duty during the same periods of each day; but alternations should be made daily, or less frequently, whereby a messenger employed during the busy hours of one day may be assigned to the duller hours of another day. So, too, changes should be made in assignments to night duty, it being the aim to distribute the burdens as well as the compensations impartially among the messengers, so far as the same can be done without detriment to the service. No car fare or other incidental expenses can in any case be allowed to any messenger.

Sec. 676. Delivery Books; how Kept.—Each messenger will be provided with a delivery book (a supply of which will be furnished by the Department) in which will be entered the number and address of each letter, and the date and hour of its receipt by the messenger, and any balance of postage due, stamps for which must be affixed to the letter, and the messenger will collect the amount of such postage due before delivery. Blank spaces will also be provided for the signature of the person to whom the letter is delivered. The books will be retained in the post-office when not in use by the messengers, and after the use has been discontinued for any reason they must be carefully preserved in the post-office, subject to call by the Department. The

messengers should be required to promptly return the book to the office after every tour.

Sec. 677. Payment of Messengers to be made at end of Each Calendar Month.—Compensation of messengers employed can be made only after the end of each calendar month. When the month has expired, the postmaster will compare the total amount of special-delivery stamps on all letters specially delivered from his office as herein directed during such month; and eighty per centum thereof may be applied, if necessary, to the payment of the messengers who made such deliveries. This is the utmost limit of the appropriation for messengers' compensation.

Messengers should be employed with the understanding that they shall receive the full eight cents per letter actually delivered, not exceeding thirty dollars during any one month. But where the business may be reasonably expected, or shall prove, sufficient at any office to warrant it, the postmaster may employ his messengers at a less rate per letter, or by the hour (at not exceeding twelve and one-half cents per hour, calculating eight hours' service per day), or by the month, being certain not exceed the total permissible allowance.

Sec. 678. Payments to Special-Delivery Messengers; how Received For, &c.—In settling with the messengers at the close of each month, postmasters will take receipts from each one, on a regular pay roll, showing the name of the messenger, the number of letters delivered by him as ascertained by the messenger's book and postmaster's record, and the amount paid; and the aggregate of the pay roll must not exceed eighty per cent. of the total value of the special-delivery stamps on letters actually delivered during the month. The pay roll will be in duplicate, one copy to be retained by the postmaster, and one to be sent to the Auditor with the quarterly postal account. (See section 228.)

Sec. 679. Special-Delivery Letters may be Delivered by Carriers; when.—If a letter for special delivery can be expeditiously delivered by a carrier in his regular trip, it may be turned over to such carrier for such purpose—a delivery book to be provided for him and a receipt to be taken by him the same as in case of delivery by messenger. Such carrier will not be entitled to any compensation for such delivery.

Sec. 680. Duty of Letter Carriers Receiving Special Delivery Letters, &c., for Mailing.—Letter carriers, whether assigned to delivery or collection duty and special delivery messengers shall receive all prepaid letters, bearing also special-delivery stamp, which may be handed them on their trips; shall keep such letters separate from other mail matter, and hand them over to the proper officer immediately upon their arrival at the post office. In no case is a letter carrier to turn over directly to a mes-

senger a local letter for special delivery, even though he may be satisfied that such letter will be more speedily delivered. He must turn over to the main office or station where he is employed all special-delivery letters which he may collect.

Sec. 681. Reports of Special-Delivery Business at Free-Delivery Offices to be Made Quarterly.—Reports of the special-delivery business transacted at free-delivery offices will be made quarterly to the Third Assistant Postmaster-General.

Sec. 682. Propositions to Perform Special-Delivery Service to be Reported to Department.—Postmasters at free-delivery offices will forward to the Department any propositions which they receive from corporations or other reliable parties for performing the immediate delivery of mail matter at their respective offices, with a statement of all the facts in each case, and such recommendations as they may see proper to make in the matter.

REGULATIONS FOR OTHER THAN FREE-DELIVERY OFFICES.

Sec. 683. Means of Special Delivery; how Provided at Third and Fourth Class Post-Offices.—Such immediate delivery may, at third and fourth class offices, be made by the postmaster himself, by any assistant or clerk, or by any other competent person whom he may employ as messenger. The postmaster must provide the means and pay the expenses of such delivery, and will be allowed, by whatever suitable person the delivery be made, the full compensation of eighty per centum of the face value of all special-delivery stamps on matter properly delivered from his office and recorded. At second-class offices no compensation can be allowed for delivery made by any salaried clerk or assistant; otherwise the same direction applies.

Sec. 684. Accounts of Special-Delivery Service and Fees.—In rendering his quarterly postal account, the postmaster, at an office other than free delivery, will take credit for the amount of fees to which he is entitled on all letters or parcels specially delivered during the quarter at the rate of eight cents for each letter or parcel specially delivered. The form of the account provides a special item of credit for such fees. (See sections 241, 243.)

REGULATIONS APPLICABLE TO ALL POST-OFFICES.

Sec. 685. Mailing and Dispatch of Special-Delivery Matter.—No effort will be spared by postmasters or other postal officers to expedite the mailing of matter bearing special-delivery stamps. In putting up and dispatching special-delivery matter, postmasters will be governed by the following rules :

First-Class Matter.—1. When dispatched in direct or express pouch

from one post-office to another post-office, or from a railway post-office to a post-office, a separate package should be made when there are five or more letters. When there are less than five letters, they should be placed together on the outside of the letter package, so as to be readily discovered by the person opening the pouch.

2. When dispatched from the post-office to a railway post-office, or from one railway post-office to another, a separate package should be made when there are five or more of these letters addressed to the same post-office; when there are less than five letters, they should be placed upon the outside of a direct package, or immediately under the label slip of a route or State package.

Second, Third, and Fourth Class Matter.—Postmasters and railway postal clerks will in all cases treat matter of the second, third, and fourth classes, bearing special-delivery stamps, the same as first-class matter; that is, it must be placed in pouches and not in sacks. Where possible, it should be tied up in a bundle in such a manner as to disclose its nature immediately on the pouch being opened.

Postmasters and railway postal clerks will report to their division superintendents all failures to comply with the above rules.

Sec. 686. Duty of Postmasters on Arrival of Special-Delivery Matter.—The service contemplated by the law requires that all special-delivery matter shall reach the addressee with the greatest possible expedition after it arrives at the post-office. Postmasters should, therefore, open all mails at once on their arrival, as is required by the regulations, and immediately separate the matter bearing special-delivery stamps, and stamp with the receiving stamp of the office, or write on the envelope or wrapper the name of the office and the date and hour when the matter arrives. Next, the matter must be numbered, and entered according to number in a record as provided in section six hundred and ninety-three, after which it must be delivered without loss of time. Like diligent attention must be given to drop or local matter bearing special-delivery stamps from the time it is deposited in the post-office.

Sec. 687. Postmasters Responsible for Immediate Delivery of all Mailable Matter Bearing Special-Delivery Stamps.—Every postmaster will be held responsible for the immediate delivery, according to the laws and regulations, of every article of mailable matter which may be received addressed to his office, properly stamped with a special-delivery stamp.

Sec. 688. Hours within which Delivery is to be Made.—The hours within which special delivery shall be made at free-delivery post-offices are from 7 A. M. to 11 P. M., unless in special cases otherwise ordered by the Postmaster-General. At other post-offices, the hours are at least from 7 A. M. to 7 P. M., and to the arrival of the last mail, provided this be

not later than 9 o'clock P. M. Special orders may be made for later delivery in particular cases. This requirement does not extend to the transaction of any other postal business after the usual office hours.

Postmasters are not required to make delivery of special-delivery matter on Sunday, nor to keep their offices open in any different manner on that day than provided by regulation. Postmasters will be at liberty, however, to deliver special-delivery letters and parcels arriving on Sundays. (See section 481.)

When an article of special-delivery matter arrives on Saturday night too late for delivery, or on Sunday morning, the postmaster should put a notice thereof in the letter-box of the addressee, or in the general delivery, if he have no box, and deliver the matter on call. If not delivered on Sunday, prompt delivery should be made on Monday morning.

Sec. 689. To Whom Special-Delivery Letters, &c., are to be Delivered.—Special-delivery matter must be delivered to the addressee, or to any one specially authorized to receive his mail matter. In his absence and that of any one having such special authority, such matter may be delivered to any responsible member of the addressee's family, or any partner or clerk of his, or responsible person employed in his office; and to the officer or agent of any firm, incorporated company, or public institution to which addressed. If the mail matter be addressed to a person who is a guest at a hotel and the guest be not in, delivery may be made to the landlord.

If incorrectly addressed to street or number it should be promptly delivered, if the correct address is known or can be ascertained. Matter addressed to a party at his place of business should be delivered at his residence if delivery at place of business be impossible, and *vice versa*.

Sec. 690. Within What Limits Special Deliveries to be Made.—At free-delivery offices delivery of special-delivery letters must be made within the carrier limits of the office; but at all other offices they are required to be delivered only within a radius of one mile from the post-office.

If a letter bearing special-delivery stamp is directed to an address beyond the carrier limits in the one case, or beyond one mile from the post-office in the other, such letter need not be specially delivered, unless the delivery can be made to the person addressed within the limits.

Sec. 691. Receipts to be Taken.—For every special-delivery article delivered the postmaster must take a receipt from the party receiving it; and all receipts for matter delivered during any quarter must be sent as vouchers to the Auditor at the end of such quarter, with the postmaster's postal account for that quarter. A supply of the printed form

of receipt to be used will be furnished by the Department, for which postmasters should make requisition as they may be needed.

Sec. 692. Registered Special-Delivery Matter.—In case of registered letters received for special delivery the usual registered receipts in addition to the special delivery receipts must be taken, and all other requirements of the registry system must be observed.

Sec. 693. Record of Special-Delivery Articles; how Kept.—A record must be kept in the post-office, for which an appropriate book or blank will be furnished by the Department, in which will be entered, in consecutive numbers, according to the receipt of the articles, each and every letter, postal card, parcel, or other article of mailable matter bearing a special-delivery stamp; and this record will show in columns under appropriate headings the number, the postmark, the full address of the article, the date and precise time of its receipt at the office, the name of the person who delivers it, and also the precise time when it was delivered, if delivered, and the name of the person signing the receipt therefor; and, under the head of "REMARKS," the reason for its non-delivery, or for any delay in its delivery, if either occurred, and a statement of what subsequent action was taken with regard to such article, in each such case. The time of delivery and name of receptor will be transcribed from the delivery receipt immediately on its return to the post-office in all cases. If an article is also registered, that fact should be noted, and a proper entry also made in the regular record of registered matter. This record book or blank will be carefully preserved in the post-office.

Sec. 694. Special-Delivery Matter; when and how to be Forwarded.—After a special-delivery article has been taken out for delivery, and has been returned with the information that the person addressed has removed to the delivery of another office, and the article is then forwarded, it is not to be regarded as entitled to special delivery at the office of second address. Every special-delivery article forwarded as above, after an attempt to deliver it has been made, will, so far as it concerns the compensation of the forwarding postmaster, be regarded as delivered. Such article should be indorsed by the forwarding postmaster, "Forwarded, delivery fee paid by office of first address." But where request to forward by a general or special authorization has been given by the addressee in advance of the arrival of the matter, so that no attempt to deliver is necessary, the article should be forwarded without such indorsement, and the postmaster, at the office of final destination, will, in such case, make special delivery of the matter as he would of other special-delivery matter arriving at his office.

Matter other than first class, when forwarded from one office to

another, is not exempt from the postage due for forwarding by bearing a special-delivery stamp. (See section 562.)

Sec. 695. Undelivered Special-Delivery Matter; how Disposed of.—In disposing of undelivered matter intended for special delivery, postmasters will be guided by the regulations applying to the return of other undelivered matter. (See sections 592 to 596.)

Sec. 696. General Instructions.—Postmasters are urgently enjoined to give the most diligent attention to the system of immediate delivery. Its success will depend upon the care of postmasters to secure in every case the desired delivery. No failure in any instance where delivery is possible can be considered excusable. The certainty that a letter bearing the delivery stamp will be urgently transmitted through the mails, for which proper special steps are taken, and immediately delivered, will commend the service to the public, and is demanded by the Department. Every complaint of a failure in such delivery will be promptly investigated, and the responsibility fixed with proper consequences. Postmasters will report to the Department every instance which may be brought to their attention where the laws and regulations in respect to special delivery have been violated.

CHAPTER TWENTY-ONE.

MISCELLANEOUS DUTIES AND RESPONSIBILITIES OF POSTMASTERS.

Sec. 697. Exemptions and Liabilities.— * * All postmasters and persons employed in the transportation of the mail; all ferrymen employed at any ferry on post-roads * * shall be exempted from militia duty. (R. S., § 1629.)

No law of the United States exempts postmasters from jury duty, from obedience to the subpoenas of courts, nor from liability to pay highway taxes in labor, nor any other duty prescribed by the laws of the State or municipality in which they reside, not in conflict with the postal or other laws of the United States.

Postmasters, like other officers, may be liable to individuals who suffer injury in consequence of their misconduct or neglect in the performance of official duties; and the party injured may recover damages in a civil action.

For unlawful refusal to deliver letters, papers, or parcels to a person entitled to them, the postmaster is liable for a conversion. (12 How., U. S., 284; 1 N. Y. 537.) He is liable for the loss of a package through the carelessness of himself or his *unsworn* clerks or servants (11 Me., 495; 1 Brev., 181; 23 Vt., 663.); but to maintain an action against a postmaster in such case the plaintiff must prove that he was damaged by the neglect. (7 Cranch 242.) A postmaster is not liable for the loss of letters sent in the mails by a private party, and lost through the negligence

of his sworn clerk or assistant (110 Mass., 474), unless he was himself guilty of negligence in appointing or keeping in employment such clerk or assistant, or in superintending the performance of the duties of the post-office. (6 Barb., 632; 1 Johns, 396; 8 Watts, 452; 2 Bay., 551; 13 Ohio, 542.) But he is liable for the acts of one whom he permits to have the care and custody of the mail, without having been sworn according to law. (11 Me., 495.) A post-office clerk received a letter containing money in gold coin, with orders to register it. It was addressed to a country with which there was no registry system, but both the sender and clerk supposed it could be registered. The clerk on discovering that it could not be sent as a registered package, sent it, by direction of the postmaster, as an ordinary unregistered letter. The letter was lost and the postmaster and clerk were both held liable. (*Fitzgerald v. Burrill*, 106 Mass., 446.)

Sec. 698. In Respect to Infectious Diseases, Epidemics, &c.—1. A postmaster should refuse to receive into his office mail matter brought to it by persons who are inmates of, or messengers from houses containing cases of contagious diseases, such as small-pox, yellow fever, &c., when ordered to do so by a board of health, or other local authority having jurisdiction of matters affecting the public health. If there be no such organization or official, the postmaster should be governed by the advice of one or more reputable physicians.

2. Mail matter arriving at an office addressed to the inmates of such houses may be sent to them by the hands of some responsible person known to the postmaster.

3. When a board of health serve upon a postmaster a certified copy of a declaration or order duly made that mail matter from any other post-office is liable to communicate a contagious disease prevailing at the time, he should refuse to receive such mail matter from any carrier or messenger, but will deliver to the carrier or messenger a copy of such order or declaration, and will report the facts at once to the First Assistant Postmaster-General. If there be no board of health, the same action may be taken by the postmaster upon the declaration of a regular county or city medical society, or, if there be none, upon the advice of a physician reputable in his profession. The mail so returned shall be held until the prohibition is removed, and shall, after being properly fumigated under the directions of the medical authorities, be dispatched to its destination.

4. If a case of small-pox, yellow fever, or other contagious disease occurs in the family of a postmaster occupying a building in which the post-office is kept, the postmaster should notify his sureties to take possession of the office, and conduct it temporarily elsewhere until the danger of contagion is passed.

5. When the books, blanks, or supplies of a post-office become infected with small-pox or other dangerous contagious disease, permission to burn them will be given, upon application to the First Assist-

ant Postmaster-General. The postage stamps must be carefully counted in the presence of two disinterested witnesses, and a statement of the amount and classification of the same, and of the other property, and of the destruction thereof, sworn to by the witnesses, must be sent to the Third Assistant Postmaster General.

Sec. 699. To Report Lost Mail Matter.—Postmasters must report without delay to the Chief Post-Office Inspector, and nearest inspector in charge, every complaint which is made to them or comes to their knowledge, of the loss in the mails of letters or articles of value, whether registered or not, stating in the report all known facts and circumstances connected with the loss, the name of the post-office where the letter was mailed, date of mailing, by whose hand mailed, names of writer and person addressed, amount and description of inclosure, to what post-office addressed, and, if registered, the registry number, and any other particulars that may aid in making a thorough investigation.

Sec. 700. Reports of Robberies of Post-Offices.—When a post-office has been robbed the postmaster will immediately report all the facts to the Chief Post-Office Inspector and to the nearest post-office inspector in charge, as indicated in section thirty-six. The report must state as fully as possible all the circumstances connected with the robbery, the date, extent of loss, whether of stamps, stamped envelopes, postal cards, newspaper wrappers, letters stolen or rifled, postal or money-order funds or other Government property, and the amount of each class of property. If the loss includes the mail key, the number should be given; and if registered or ordinary mail matter, it should be stated whether the same was rifled in the office or carried away. As to registered matter lost or rifled, the report should specify the post-office where mailed, date of mailing, number of letter and registered package envelope, by whom written, to whom addressed, and contents, if known. For the value of registered or ordinary mail matter lost by robbery of post-offices, the postmaster may be held responsible to the losers, if upon investigation it appears that due care was not taken for the protection of the property. Any facts discovered after the report is made, and material to the investigation, should also be reported to the same officers.

Sec. 701. To Report Robbery of Mail.—If a postmaster has reason to believe that a mail has been robbed or stolen, in whole or in part, in the vicinity of his post-office, and that the person committing it can be arrested by speedy action, he will at once report all the facts and evidence to the nearest United States marshal or deputy marshal, as well as to the Chief Post-Office Inspector and nearest inspector in charge.

Sec. 702. Report of Arrest of Criminals.—When a criminal is apprehended by other than a United States marshal or deputy marshal, the

United States attorney for the district in which the offense was committed must be promptly informed of the facts, and his advice, and if may be, his personal attention, be obtained.

Sec. 703. Examination of Persons Arrested.—Persons arrested for mail depredations or other violations of the postal laws should be taken before a United States court commissioner or district or circuit judge, for examination or commitment.

Sec. 704. Moneys Recovered from Mail Robbers; how Disposed of.—All moneys recovered from mail robbers, or other offenders against the postal laws, will be forwarded at once, through the Chief Post-Office Inspector, to the Postmaster-General, who will, upon satisfactory evidence, return the same to the owner. (See section 151.)

TITLE V.
TRANSPORTATION OF THE MAILS.

CHAPTER TWENTY-TWO.

THE GOVERNMENT MONOPOLY OF MAIL TRANSPORTATION.

Sec. 705. The Government Monopoly.—The General Government assumes, under its constitutional powers, the performance of all the functions appropriate to postal communication, and tolerates no competition materially interfering therewith; not only because the proper revenues for the support of the service might thereby be impaired, but because such exclusive assumption assures to all the people the best postal advantages. All postal officers, of every grade and at every place, are enjoined to promptly report to the Postmaster-General any violation, or evidence pointing to a violation, of any of the statutes for the protection of the monopoly, which may be discovered by them.

NOTE.—See 9 Opin. of Att'y-Gen., 161. It will be observed that the Congress has not yet, by statute, extended the monopoly of transportation to second, third, or fourth class matter, although admitted to the mails.

Sec. 706. Private Expresses Forbidden.—No person shall establish any private express for the conveyance of letters or packets, or in any manner cause or provide for the conveyance of the same by regular trips or at stated periods, over any post route which is or may be established by law, or from any city, town, or place to any other city, town, or place between which the mail is regularly carried; and every person so offending, or aiding or assisting therein, shall for each offense be liable to a penalty of one hundred and fifty dollars. (R. S., § 3982.)

Provided. That nothing contained in section thirty-nine hundred and eighty-two of the Revised Statutes shall be construed as prohibiting any person from receiving and delivering to the nearest post office or postal car mail matter properly stamped. (Act of March 3, 1879; 20 Stats., 356.)

NOTE.—The term packet, as used in this and the following sections of the law, is restricted to mailable matter of the first class. (Opin. Ass't Att'y-Gen. P. O. Dept.—Spence.)

A person who intends to make the carrying of letters periodically for hire his regu-

lar business, or part of his business, in opposition to the public carriers, is legally incapable of receiving authority to take letters out of the post-office for that purpose, however such authority may be attempted to be conferred. (9 Opins. Att'y-Gen, 161.)

Letter carriers' routes in cities are "post routes," and the establishing of a private express for the transmission of letters within a city where letter-carrier routes have been established is unlawful under the above statute. (*Blackham v. Gresham*, 16 Fed. Rep., 609; *United States v. Eason*, 18 Fed. Rep., 590.)

Sec. 707. Private Carriers Forbidden at Carrier Post-Offices.—Postmasters at letter-carrier post-offices will under no circumstances deliver first-class mail matter to a private carrier, no matter what credentials he may present, whether it be a joint order from all of his employers, or a separate order from each one, a permanent standing order, or an order renewed every day. (See 9 Opins. Att'y-Gen., 161.)

Sec. 708. Carrying Person Acting as Express Forbidden.—The owner of every stage coach, railway car, steamboat, or other vehicle or vessel, which shall, with the knowledge of any owner, in whole or in part, or with the knowledge or connivance of the driver, conductor, master, or other person having charge of the same, convey any person acting or employed as a private express for the conveyance of letters or packets, and actually in possession of the same for the purpose of conveying them, contrary to the spirit, true intent, and meaning of this title, shall, for every such offense, be liable to a penalty of one hundred and fifty dollars. (R. S., § 3983.)

Sec. 709. Penalty for Sending Letters by Private Express.—No person shall transmit by private express or other unlawful means, or deliver to any agent of such unlawful express, or deposit, or cause to be deposited, at any appointed place, for the purpose of being transmitted, any letter or packet; and for every such offense the party offending shall be liable to a penalty of fifty dollars. (R. S., § 3984.)

Sec. 710. Penalty for Carrying Letters out of the Mails.—Any person concerned in carrying the mail, who shall collect, receive, or carry any letter or packet, or cause or procure the same to be done, contrary to law, shall, for every such offense, be punishable by a fine of not more than fifty dollars. (R. S., § 3981.)

Sec. 711. Carrying Letters out of Mail; Penalty on Owner of Vehicle.—No stage coach, railway car, steamboat, or other vehicle or vessel which regularly performs trips at stated periods on any post route, or from any city, town, or place to any other city, town, or place between which the mail is regularly carried, shall carry, otherwise than in the mail, any letters or packets, except such as relate to some part of the cargo of such steamboat or other vessel, or to some article carried at the same time by the same stage coach, railway car, or other vehicle, ex-

cept as provided in section three thousand nine hundred and ninety-three (section 716); and for every such offense the owner of the stage coach, railway car, steamboat, or other vehicle or vessel shall be liable to a penalty of one hundred dollars; and the driver, conductor, master, or other person having charge thereof, and not at the time owner of the whole or any part thereof, shall for every such offense be liable to a penalty of fifty dollars. (R. S., § 3985.)

NOTE.—It is not a violation of this section for an express company to carry with a money letter or package an unstamped letter of advice concerning such money. (*U. S. v. U. S. Express Co.*, 5 Biss. R., 91.)

Sec. 712. Penalty for Carrying Letters on Board a Mail Vessel.—No person shall carry any letter or packet on board any vessel which carries the mail otherwise than in such mail, except as provided in section three thousand nine hundred and ninety-three [sec. 716]; and for every such offense the party offending shall be liable to a penalty of fifty dollars. (R. S., § 3986.)

Sec. 713. Mail Vessel to Take Letters from a Post-Office.—No vessel departing from the United States for any foreign port shall receive on board or convey any letter or packet originating in the United States which has not been regularly received from the post-office at the port of departure, and which does not relate to the cargo of such vessel, except as provided in section three thousand nine hundred and ninety-three [sec. 716]; and every collector, or other officer of the port empowered to grant clearances, shall require from the master of such vessel, as a condition of clearance, an oath that he has not received on board, has not under his care or control, and will not receive or convey any letter or packet contrary to the provisions of this section. (R. S., § 3987.)

Sec. 714. Vessels to Deliver all Letters at Post-Office.—No vessel arriving within any port or collection district of the United States shall be allowed to make entry or break bulk until all letters on board are delivered at the nearest post-office, and the master thereof has signed and sworn to the following declaration before the collector or other proper customs officer:—

“I, A B, master of the ———, arriving from ———, and now lying in the port of ———, do solemnly swear (or affirm) that I have, to the best of my knowledge and belief, delivered, at the post-office at ———, every letter and every bag, packet, or parcel of letters which were on board the said vessel during her last voyage, or which were in my possession or under my power or control.”

And any master who shall break bulk before he has delivered such letters shall be liable to a penalty of not more than one hundred dollars,

recoverable, one-half to the officer making the seizure, and the other to the use of the United States. (R. S., § 3988.)

Further penalty on Foreign Vessels.—All letters or other mailable matter conveyed to or from any part of the United States by any foreign vessel, except such sealed letters, relating to such vessel, or any part of the cargo thereof, as may be directed to the owners or consignees of the vessel, shall be subject to postage-charge, whether addressed to any person in the United States or elsewhere, provided they are conveyed 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 vessel of the United States; and such letters or other mailable matter carried in foreign vessels, except such sealed letters, relating to the vessel, or any part of the cargo thereof, as may be directed to the owners or consignees, shall be delivered into the United States post-office by the master of such vessel when arriving, and be taken from a United States post-office when departing, and the postage paid thereon, justly chargeable by this title [XLVI.] and for refusing or failing to do so, or for conveying such letters or any letters intended to be conveyed in any vessel of such foreign country over or across the United States, or any portion thereof, the party offending shall be punishable by a fine of not more than one thousand dollars for each offense. (R. S., § 4016.)

EXCEPTIONS.

Sec. 715. Letters Conveyed Without Compensation.—Nothing herein contained shall be construed to prohibit the conveyance or transmission of letters or packets by private hands without compensation, or by special messenger employed for the particular occasion only. (R. S., § 3992.)

Sec. 716. Letters in Stamped Envelopes.—All letters inclosed in stamped envelopes, if the postage stamp is of a denomination sufficient to cover the postage that would be chargeable thereon if the same were sent by mail, may be sent, conveyed, and delivered otherwise than by mail, provided such envelope shall be duly directed and properly sealed, so that the letter cannot be taken therefrom without defacing the envelope, and the date of the letter or of the transmission or receipt thereof shall be written or stamped upon the envelope. But the Postmaster-General may suspend the operation of this section upon any mail route where the public interest may require such suspension. (R. S., § 3993.)

Sec. 717. Newspapers may be Carried Out of the Mail.—Contractors or mail carriers may convey out of the mail newspapers for sale or distribution to subscribers. (R. S., § 3888.)

NOTE.—Postage on such when placed in post-office must be paid.

Sec. 718. Mail Carriers to Receive Mail for Delivery at Next Post-Office.—Every route agent, postal clerk, or other carrier of the mail shall receive any mail matter presented to him, if properly prepaid by stamps, and deliver the same for mailing at the next post-office at which he arrives; but no fees shall be allowed him therefor. (R. S., § 3980.)

NOTE.—When any properly prepaid mail matter is presented to a railway postal clerk he complies with the provisions of this section by depositing it in his mail car, as all postal cars and mail apartments in cars and steamboats have been designated by the Postmaster-General as post-offices for the distribution of mail in transit. See section 903.

DETECTION OF VIOLATIONS.

Sec. 719. Postmasters to Report Violations.—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 post-office, whether by steamboat, railroad, private carrier for hire, or any other mode of conveyance, or in any way in violation of law, he will give immediate notice of such violation of law to the Postmaster-General, with all the facts concerning it in his possession.

Sec. 720. Special Agents to Search Vessels for Letters.—Any special agent of the Post-Office Department, when instructed by the Postmaster-General to make examinations and seizures, and the collector or other customs officer of any port, without special instructions, shall carefully search all vessels for letters which may be on board or which have been conveyed contrary to law. (R. S., § 3989.)

Sec. 721. Special Authority for Search.—The Postmaster-General may, by a letter of authorization under his hand, to be filed among the records of his Department, empower any special agent or other officer of the Post-Office establishment to make searches for mailable matter transported in violation of law; and the agent or officer so authorized may open and search any car or vehicle passing, or having lately before passed, from any place at which there is a post-office of the United States to any other such place, or any box, package, or packet, being, or having lately before been, in such car or vehicle, or any store or house, other than a dwelling house, used or occupied by any common carrier or transportation company, in which such box, package, or packet may be contained, whenever such agent or officer has reason to believe that mailable matter, transported contrary to law, may therein be found. (R. S., § 4026.)

Sec. 722. Seizing and Detaining Letters.—Any special agent of the Post-Office Department, collector, or other customs officer, or United States marshal or his deputy, may at all times seize all letters and bags, packets, or parcels containing letters which are being carried contrary to law on board any vessel or on any post route, and convey the same to the near-

est post-office, or may, by the direction of the Postmaster-General or Secretary of the Treasury, detain them until two months after the 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 such letters. (R. S., § 3990.)

Sec. 723. Forfeiture of Seizures to the United States.—Every package or parcel seized by any special agent of the Post-Office Department, collector, or other customs officer, or United States marshal or his deputies, in which any letter is unlawfully concealed, shall be forfeited to the United States, and the same proceedings may be had to enforce the forfeiture as are authorized in respect to goods, wares, and merchandise forfeited for violation of the revenue laws; and all laws for the benefit and protection of customs officers making seizures for violating revenue laws shall apply to officers making seizures for violating the postal laws. (R. S., § 3991.)

Sec. 724. Letters Seized may be Returned to Senders.—All letters, packets, or other matter which may be seized or detained for violation of law shall be returned to the owner or sender of the same, or otherwise disposed of as the Postmaster-General may direct. (R. S., § 3895.)

OBSTRUCTIONS FORBIDDEN.

Sec. 725. Penalty for Obstructing the Mail.—Any person who shall knowingly and willfully obstruct or retard the passage of the mail, or any carriage, horse, driver, or carrier carrying the same, shall, for every such offense, be punishable by a fine of not more than one hundred dollars. (R. S., § 3995.)

The temporary detention of the mail, caused by the arrest of its carrier upon an indictment for felony, does not come within the provisions of this section, but a mail carrier on his route cannot be detained by civil process. (*U. S. v. Kirby*, 7 Wall., 482.)

A city may prohibit by ordinance the passage of trains through its limits at a rate of speed not exceeding six miles per hour, and not conflict with this section. (*United States v. Hart*, 1 Pet. C. C., 390.)

The act of Congress prohibiting the stoppage of the mail is not to be so construed as to prevent the arrest of the driver of a vehicle in which the mail is carried, when he is driving through a crowded city at such a rate as to endanger the lives of the inhabitants. (*United States v. Hart*, 1 Pet. C. C., 390.)

One having a lien against horses for their keep cannot enforce the same in such a manner as to stop the United States mail in a vehicle drawn by such horses (*United States v. Barney*, 3 Hughes C. Ct., 545), but it is not an offense, under this section, to detain the horse in the stable until the keep is paid. (*U. S. v. McCracken*, 3 Hughes, 544.)

One who, believing himself entitled to transportation on a railway car, resists the conductor's attempts to detach the mail car therefrom and send it on with the mail, is guilty of obstructing the passage of the mail. (*U. S. v. Kane*, 19 Fed. Rep., 42.)

It is a criminal offense to obstruct a mail train, although those guilty are willing to permit the passage of the mail car alone. (*U. S. v. Clark*, 13 Philadelphia, 476.)

Sec. 726. Delaying Mail at a Ferry; Penalty.—Any ferryman who shall delay the passage of the mail by willful neglect or refusal to transport the same across any ferry shall, for every ten minutes such mail may be so delayed, be liable to a penalty of ten dollars. (R. S., § 3996.)

CHAPTER TWENTY-THREE.

OF POST ROADS; AND GENERAL PROVISIONS FOR ESTABLISHING MAIL CARRIAGE.

Sec. 727. What are Post Roads.—The following are established post roads:

All the waters of the United States, during the time the mail is carried thereon.

All railroads or parts of railroads which are now or hereafter may be in operation.

All canals, during the time the mail is carried thereon.

All plank roads, during the time the mail is carried thereon.

The road on which the mail is carried to supply any court house which may be without a mail, and the road on which the mail is carried under contract made by the Postmaster-General for extending the line of posts to supply mails to post-offices not on any established route, during the time such mail is carried thereon.

All letter-carrier routes established in any city or town for the collection and delivery of mail matters. (R. S., § 3964.)

That all public roads and highways while kept up and maintained as such are hereby declared to be post routes. (Act of March 1, 1884, 23 Stats., 3.)

NOTE.—As required by the act of June 20, 1874 (18 Stats., § 3, 113), all statutes relating to post roads passed prior to December 1, 1873, were printed in the volume of "Revised Statutes relating to District of Columbia, Post Roads, and Public Treaties." The several acts specially establishing post roads since that date are to be found in 18 Stats., 7, 256, 486; 19 Stats., 12, 319, 336; 20 Stats., 15, 427; 21 Stats., 12, 92, 353; 22 Stats., 14, 350, 572; 23 Stats., 15, 427.

"The policy of extending the lines of post roads on all railroads and navigable waters was to require, under a penalty, all boats and railroad cars to deposit in post offices all letters which they may carry, so that the postage may be charged. It gives to the Government no rights on those lines of communication, except where the mail may be carried under a contract, which, if obstructed, subjects the offender to prosecution. It gives the Government no other interest in or control over the road. The railroad may be changed at the will of the proprietors, and the mail will

not be carried in the cars, except by contract, for which a compensation is paid." (*Penn v. Wheeling, &c., Bridge Co.*, 18 How., 441.)

The term "post road" ordinarily signifies a highway by land or water, made by statute an avenue over which mails may be lawfully transmitted. The term "post route" ordinarily signifies a post road or definite portion thereof, over which the mails are usually transported by contract. (*Railway Mail Service Cases*, 13 Ct. Claims R., 199; *United States v. Kochersperger*, 9 Am. Law Reg., 145.)

Sec. 728. Selecting Post Roads.—When there is more than one road between places designated by law for a post road, the Postmaster-General may direct which shall be considered the post road. (R. S., § 3972.)

Sec. 729. When Terminus of Post Roads may be Changed.—The Postmaster-General may change the terminus of post roads connecting with or intersecting railways when the service can be thereby improved. (R. S., § 3973.)

Sec. 730. All Court Houses to be Supplied with Mail.—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 in the United States, which is without a mail. (R. S., § 3966.)

Sec. 731. Service may be Established on Post Roads.—The Postmaster-General shall provide for carrying the mail on all post roads established by law, as often as he, having due regard to productiveness and other circumstances, may think proper. (R. S., § 3965.)

Sec. 732. Authority to Establish Post Roads.—The Postmaster-General may, when he deems it advisable, contract for the transportation of the mails to and from any post-office; but where such service is performed over a route not established by law, he shall report the same to Congress at its meeting next thereafter, and such service shall cease at the end of the next session of Congress, unless such route is established a post route by Congress. (R. S., § 3975.)

Sec. 733. Extending Mail Facilities to Special Post-Offices.—The Postmaster-General may enter into contracts for extending the line of posts to supply mails to post-offices not on any established route, and, as a compensation for carrying the mail under such contracts, may allow not exceeding two-thirds of the salary paid to the postmaster at such special offices. (R. S., § 3971.)

Sec. 734. Carrying the Mail on Canals.—The Postmaster-General may contract for carrying the mail on the navigable canals of the several States, when, in his opinion, the public interest or convenience requires it. (R. S., § 3967.)

Sec. 735. Carrying the Mail on Plank Roads.—The Postmaster-General may contract for carrying the mail on any plank road in the United States, when the public interest or convenience requires it. (R. S., § 3968.)

Sec. 736. Carrying the Mail on Waters of the United States.—The Postmaster-General may cause the mail to be carried in any steamboat or other vessel used as a packet on any of the waters of the United States. (R. S., § 3969.)

Sec. 737. Inland and Foreign Steamboat Mail Service.—The Postmaster-General is authorized to contract for inland and foreign steamboat mail service, when it can be combined in one route, where the foreign office or offices are not more than two hundred miles distant from the domestic office, on the same terms and conditions as inland steamboat service, and pay for the same out of the appropriation for inland steamboat service. (Act of March 3, 1885, 23 Stats., 336.)

NOTE.—This clause gives a continuing authority amending the general law. (Opin. of Att'y-Gen., May 27, 1886.)

Sec. 738. Preference Given to Letters over other Mail Matter.—When the amount of mail matter to be carried on any mail route is so great as to seriously retard the progress or endanger the security of the letter mail, or materially increase the cost of carriage at the ordinary rate of speed, the Postmaster-General may provide for the separate carriage of the letter mail, at the usual rate of speed; but the other mail matter shall not be delayed any more than is absolutely necessary, having due regard to the cost of expedition and the means at his disposal for effecting the same. (R. S., § 3994.)

Sec. 739. Discontinuing Service on Post Roads.—Whenever, in the opinion of the Postmaster-General, the postal service cannot be safely continued, the revenues collected, or the laws maintained on any post road, he may discontinue the service on such road or any part thereof until the same can be safely restored. (R. S., § 3974.)

CHAPTER TWENTY-FOUR.

OF TRANSPORTATION BY RAILROADS.

Sec. 740. Postmaster-General to Decide what Trains shall Carry the Mail.—The Postmaster-General shall, in all cases, decide upon what trains and in what manner the mails shall be conveyed. (Act of March 3, 1879, § 3, 20 Stats., 358.)

Sec. 741. May Contract for Without Advertising.—The Postmaster-General may enter into contracts for carrying the mail, with railway companies, without advertising for bids therefor. (R. S., § 3942.)

NOTE.—The Post-Office regulations establishing contract sections relate to the whole mail service. They do not compel the Postmaster-General to make time contracts with railway companies, nor prevent him from accepting services which may be determined at will by either party. (*R. R. Co. v. The United States*, 21 Ct. Claims R., 155.)

Sec. 742. Railway Company must Carry Mails on any Train.—Every railway company carrying the mail shall carry on any train which may run over its road, and without extra charge therefor, all mailable matter directed to be carried thereon, with the person in charge of the same. (R. S., § 4000.)

Sec. 743. To Carry Supplies and Special Agents, &c., Free of Charge.—Railroad companies are required to convey, without specific charge therefor, all mail bags, post-office blanks, stationery supplies, and all duly accredited special agents and post-office inspectors, on the exhibition of their credentials.

Sec. 744. When Railroad Companies must Deliver Mails into Post-Offices.—Every railroad company is required to take the mails from and deliver them into all terminal post-offices whatever, except in cities where other provision is made by the Department, and also into all intermediate post-offices which are located not more than eighty rods from the nearest station or railroad office at which such company has an agent, the distance to be measured by the shortest road. The length of the route will be computed and paid for from terminal office to terminal office, except in those cities where the Department causes the mail to be carried between the railroad and post-office, and in such it will be computed from the place where the mail is taken from and delivered to the company.

The Department will provide for the carriage of mails to and from other intermediate post-offices only. At all points where mail trains do not make regular stops, the speed of trains carrying the mails must be slackened to admit the exchange of mails with safety.

The persons employed by railway companies to convey the mails between post-offices and stopping places, when required by this regulation, are agents of the companies, not employés of the postal service, and need not be sworn as such, but must be above the age of sixteen years and of suitable intelligence and character; and postmasters will promptly report to the proper Division Superintendent of the Railway Mail Service, or the General Superintendent thereof, any violation of this requirement.

NOTE.—A well-established practice, such as railroads receiving and delivering mail-matter at all offices within eighty rods of the road without extra charge, must be deemed to have been considered by Congress and the Department when fixing the full rate of compensation for railroad mail transportation, and the pay for such service is included in the general compensation fixed for the routes. Where a railroad company performs such mail-messenger service without objection it is precluded from demanding further compensation than the rates allowed for the transportation of the mails. (*Railroad Company v. The United States*, 21 Ct. Claims, 155.)

Sec. 745. Mails not to be Carried beyond Termini without Authority.—In case railroads are extended or trains run beyond the termini of the route on which the transportation of mails is duly authorized, the mails must not be carried beyond such termini of the route until the additional service is ordered by the Second Assistant Postmaster-General.

Sec. 746. Conditions of Railway Service and Rates of Pay for Same.—The Postmaster-General is authorized and directed to readjust the compensation hereafter to be paid for the transportation of mails on railroad routes upon the conditions and at the rates hereinafter mentioned:

First. That the mails shall be conveyed with due frequency and speed; and that sufficient and suitable room, fixtures, and furniture, in a car or apartment properly lighted and warmed, shall be provided for route agents to accompany and distribute the mails.

Second. That the pay per mile per annum shall not exceed the following rates, namely: On routes carrying their whole length an average weight of mails per day of two hundred pounds, fifty dollars; five hundred pounds, seventy-five dollars; one thousand pounds, one hundred dollars; one thousand five hundred pounds, one hundred and twenty-five dollars; two thousand pounds, one hundred and fifty dollars; three thousand five hundred pounds, one hundred and seventy-five dollars; five thousand pounds, two hundred dollars, and twenty-five dollars additional for every additional two thousand pounds, the average weight to be ascertained, in every case, by the actual weighing of the mails for such a number of successive working days, not less than thirty, at such times, after June thirtieth, eighteen hundred and seventy-three, and not less frequently than once in every four years, and the result to be stated and verified in such form and manner as the Postmaster-General may direct. (R. S., § 4002.)

Sec. 747. Compensation of Railroads Reduced Ten Per Centum.—That the Postmaster-General be, and he is hereby, authorized and directed to readjust the compensation to be paid from and after the first day of July, eighteen hundred and seventy-six, for transportation of mails on railroad routes by reducing the compensation to all railroad companies for the transportation of mails ten per centum per annum from the rates fixed and allowed by the first section of an act, entitled "An act making appropriations for the service of the Post-Office Department for the fiscal year ending June thirtieth, eighteen hundred and seventy-four, and for other purposes," approved March third, eighteen hundred and seventy-three [section 746], for the transportation of mails on the basis of the average weight. (Act of July 12, 1876, § 1, 19 Stats., 79.)

NOTE.—This act does not affect the compensation for railway postal cars, provided

for in the act of March 3, 1873 (Opin. Att'y-Gen. Taft, October 7, 1876), and was not intended to affect existing contracts. (Opin. Att'y-Gen. Taft, December 21, 1876.)

The above statutes apply only to contracts made after their passage, or to such as did not require the performance for a specific period. (*Railway Co. v. U. S.*, 104 U. S., 687. See also 21 Ct. Claims R., 155.)

Sec. 748. Compensation of Railroads Reduced Five Per Centum More.—That the Postmaster-General be, and he is hereby, authorized and directed to readjust the compensation to be paid from and after the first day of July, eighteen hundred and seventy-eight, for transportation of mails on railroad routes by reducing the compensation to all railroad companies for the transportation of mails five per centum per annum from the rates for the transportation of mails, on the basis of the average weight fixed and allowed by the [preceding section] first section of an act entitled, "An act making appropriations for the service of the Post-Office Department for the fiscal year ending June thirtieth, eighteen hundred and seventy-seven, and for other purposes," approved July twelfth, eighteen hundred and seventy-six. (Act of June 17, 1878, § 1, 20 Stats., 142.)

Sec. 749. Congress may Fix Compensation to be Paid Land-Grant Railroads.—All railway companies to which the United States have furnished aid by grant of lands, right of way, or otherwise, shall carry the mail at such prices as Congress may by law provide; and, until such price is fixed by law, the Postmaster-General may fix the rate of compensation. (R. S., § 4001.)

For rights and obligations of land-grant roads under this section, see 13 Opins. Att'y-Gen., 445, 536; 14 Opin., 428, 663.

The land-grant railroad companies, so called, are under perpetual contract with the United States to transport the mail at such prices as Congress may by law direct, and in the absence of such direction, then such as the Postmaster-General may determine. (*Railroad Co. v. The United States*, 21 Ct. Claims R., 155.)

A land-grant railroad company, carrying the mails under an express contract authorized by law when it was made, is entitled to the contract rate specified therein for the contract term, notwithstanding the reductions of the acts of June 12, 1876, and June 17, 1878. (*R. E. Co. v. The United States*, 104 U. S., 687.) But a land-grant railroad company carrying the mails without express contract was subject to the reduction ordered by said acts. (*R. E. Co. v. The United States*, 21 Ct. Claims, 155.)

Subsidized railroads are bound to transport the mails at fair and reasonable rates, not in excess of those charged to private parties for the same kind of service. (*R. E. Co. v. The United States*, 21 Ct. Claims R., 155.)

Sec. 750. Compensation to be Paid Land-Grant Railroads.—That railroad companies whose railroad was constructed in whole or in part by a land grant made by Congress on the condition that the mails should be transported over their road at such price as Congress should by law direct shall receive only eighty per centum of the compensation authorized by this act. (Act of July 12, 1876, § 13, 19 Stats., 82.) (See section 749.)

Sec. 751. Mails to be Carried on Fastest Trains.—And if any railroad company shall fail or refuse to transport the mails, when required by the Post-Office Department, upon the fastest train or trains run upon said road, said company shall have its pay reduced fifty per centum of the amount provided by law. (Act of March 3, 1885, 23 Stats., 386; and see 23 Stats., 156.)

Sec. 752. Mails; how and when to be Weighed.—The Postmaster-General * * * is hereby directed to have the mails weighed as often as now provided by law by the employés of the Post-Office Department, and have the weights stated and verified to him by said employés, under such instructions as he may consider just to the Post-Office Department and the railroad companies. (Act of March 3, 1875, § 1, 18 Stats., 341.)

Sec. 753. Railroad Companies to Give Notice of their Readiness for Weighing.—The transportation of mails is authorized on railroad routes with the understanding that the rate of compensation shall be determined upon returns showing the amount and character of the service, to be made within twelve months from the date of its commencement, or earlier if the Department so elect, and no payment will be made except upon the basis of such returns. The mails should not be weighed until the service is fairly established on the route, and when the company is satisfied that this is accomplished, the fact should be reported to the Second Assistant Postmaster-General, who directs the weighing of mails.

Sec. 754. To Provide Post-Office Cars.—In case any railroad company now furnishing railway post-office cars shall refuse to provide such cars, such company shall not be entitled to any increase of compensation under the provisions of the next section. (R. S., § 4003.)

And hereafter when any railroad company fail or refuse to provide railway post-office cars when required by the Post-Office Department, or shall fail or refuse to provide suitable safety heaters and safety lamps therefor, with such number of saws and axes to each car for use in case of accident as may be required by the Post-Office Department, said company shall have its pay reduced ten per centum on the rates fixed in section four thousand and two of the Revised Statutes, as amended by act of June twelfth, eighteen hundred and seventy-six, entitled "An act making appropriations for the service of the Post-Office Department for the fiscal year ending June thirtieth, eighteen hundred and seventy-seven, and for other purposes," and as further amended by the act of June seventeenth, eighteen hundred and seventy-eight, entitled "An act making appropriations for the service of the Post-Office Department for the fiscal year ending June thirtieth, eighteen hundred and seventy-nine, and for other purposes." (Act of March 1, 1881, 21 Stats., 375.)

Sec. 755. Dimensions of, and Additional Pay for, Post-Office Cars.—Additional pay may be allowed for every line comprising a daily trip each way of railway post-office cars, at a rate not exceeding twenty-five dollars per mile per annum for cars forty feet in length; and thirty dollars per mile per annum for forty-five-foot cars; and forty dollars per mile per annum for fifty-foot cars; and fifty dollars per mile per annum for fifty-five to sixty-foot cars. (R. S., § 4004.)

NOTE.—This statute does not authorize a pro rata compensation to be paid for cars which are less than forty feet in length.

Sec. 756. Cars to be Furnished as Required.—That all cars or parts of cars used for the railway mail service shall be of such style, length, and character, and furnished in such manner, as shall be required by the Postmaster-General, and shall be constructed, fitted up, maintained, heated, and lighted by and at the expense of the railroad companies. (Act of March 3, 1879, § 4, 20 Stats., 358.) (See section 754.)

Sec. 757. Special Facilities.—The annual appropriation for the postal service usually provides for necessary facilities on trunk lines; and the Postmaster-General makes special contracts deemed necessary to expedite the transportation of the mails on such lines accordingly.

NOTE.—Where the Postmaster-General contracts for additional postal-car facilities to be paid for out of an appropriation therefor or out of appropriations “hereafter passed for a similar purpose,” and subsequent appropriations are made and the company continues to perform the service, it is entitled to the compensation agreed upon. The provisions of the Revised Statutes (section 87), forbidding the Executive Departments to contract debts in excess of appropriations, must yield to special provisions relating to a particular Department. Such contract may be made for a term of four years; and if it make the liability of the Government conditional upon future appropriations, and they be subsequently made, it is valid. (*N. Y. Central R. R. v. United States*, 21 Ct. Claims, 463.)

Sec. 758. Specific Requirements of the Service.—The rates of compensation are computed upon the average weight of mails per day carried the whole length of the route; but the rates fixed by law require not only a certain weight of mails, but also that the mails shall be carried with due frequency and speed, and that suitable room, fixtures, and furniture shall be provided in a car or apartment of car, properly lighted and warmed with safety lamps and safety heaters, for railway postal clerks to accompany and distribute the mails, as accessories to the weight of mails, and that post-office inspectors and special agents be also carried without specific charge therefor. The specific requirements of the service, with regard to these items, will be made known through the General Superintendent of the Railway Mail Service. The requirements as to due frequency and speed, and the size of the mail car or apartment are at all times to be determined by the Department.

Sec. 759. Financial Agent; Correspondence with Department.—As soon as service is commenced on a route, the railway company should apply to the Sixth Auditor for instructions respecting the designation of a financial agent to receive and receipt for payment for the service. All communications relative to or affecting the pay for such service should be addressed to the Second Assistant Postmaster-General (Railway Adjustment Division).

Sec. 760. Railroad Companies Requested to Report Receipts and Expenses.—That the Postmaster-General shall request all railroad companies transporting the mails to furnish, under seal, such data relating to the operating, receipts and expenditures of such roads as may, in his judgment, be deemed necessary to enable him to ascertain the cost of mail transportation and the proper compensation to be paid for the same; and he shall, in his annual report to Congress, make such recommendations, founded on the information obtained under this section, as shall, in his opinion, be just and equitable. (Act of March 3, 1879, § 6, 20 Stats., 358.)

Sec. 761. When Mail may be Carried on Railway Routes by Horse Express.—If the Postmaster-General is unable to contract for carrying the mail on any railway route at a compensation not exceeding the maximum rates herein provided, or for what he may deem a reasonable and fair compensation, he may separate the letter mail from the other mail, and contract, either with or without advertising, for carrying such letter mail by horse express or otherwise, at the greatest speed that can reasonably be obtained, and for carrying the other mail in wagons, or otherwise, at a slower rate of speed. (R. S., § 3999.)

As to FINES and DEDUCTIONS, see chapter twenty-nine.

MAIL TRANSPORTATION ON THE PACIFIC RAILROADS.

Sec. 762. Rates of Pay Therefor and how Applied.—That the grants aforesaid are made upon the condition that said company shall * * * transport mails * * * upon said railroad for the Government, whenever required to do so by any Department thereof, and that the Government shall at all times have the preference in the use of the same for all the purposes aforesaid (at fair and reasonable rates of compensation, not to exceed the amounts paid by private parties for the same kind of service), and all compensation for services rendered for the Government shall be applied to the payment of said bonds and interest until the whole amount is fully paid. (Act of July 1, 1862, to aid in construction of a railroad and telegraph line from the Missouri River to the Pacific Ocean, § 6, 12 Stats., 493.)

And that only one-half of the compensation for services rendered for the Government by said companies shall be required to be applied to the payment of the bonds issued by the Government in aid of the construction of said roads. (Act of July 1, 1864, amendatory of last mentioned act, § 5, 13 Stats., 358.)

That the whole amount of compensation which may, from time to time, be due to said several railroad companies respectively for services rendered for the Government shall be retained by the United States, one half thereof to be presently applied to the liquidation of the interest paid and to be paid by the United States upon the bonds so issued by it as aforesaid, to each of said corporations severally, and the other half thereof to be turned into the sinking fund hereinafter provided. (Act of May 1, 1878, § 2, 20 Stats., 58.)

NOTE.—The Supreme Court decided, in *U. S. v. Cent. Pac. R. R. Co.*, 118 U. S., 235, that the three acts above mentioned are in *pari materia* and to be construed together; and, so construed, the act of 1878 restores the provisions of the act of 1862 respecting retention of compensation for services performed by the railroad for the United States which had been changed by the act of 1864; and requires the Treasury to withhold all payments for services performed on the roads by the aid of Government grants.

Sec. 763. Payments to be Withheld.—The Secretary of the Treasury is directed to withhold all payments to any railroad company and its assigns on account of freights or transportation over their respective roads of any kind, to the amount of payments made by the United States for interest upon bonds of the United States issued to any such company, and which shall not have been reimbursed, together with the five per centum of net earnings due and unapplied, as provided by law. (R. S., § 5260.)

Sec. 764. Account thereof; how Stated.—That for the proper adjustment of the accounts of the Union Pacific, Central Pacific, Kansas Pacific, Western Pacific, and Sioux City and Pacific Railroad Companies, respectively, for services which have been or may be hereafter performed for the Government for the * * * transportation of the mails, the Secretary of the Treasury is hereby authorized to make such entries upon the books of the Department as will carry to the credit of said companies the amounts so earned or to be earned by them during each fiscal year and withheld under the provisions of section fifty-two hundred and sixty of the Revised Statutes and of the act of Congress approved May seventh, eighteen hundred and seventy-eight: *Provided*, That this shall not authorize the expenditure of any money from the Treasury, nor change the method now provided by law for the auditing of such claims against the Government: *Provided further*, That this paragraph shall not be so construed as to be a disposition of any moneys due or to become due to or from said companies respectively, or to, in any way, af-

fect their rights or duties or the rights of the United States, under existing laws, it being only intended hereby to enable the proper accounting officers to state on the books of the Treasury the accounts between the Government and said companies respectively. (Act of March 3, 1879, 20 Stats., 420.)

CHAPTER TWENTY-FIVE.

OF MAIL-MESSENGER SERVICE.

Sec. 765. Authorized.—That the Postmaster-General be, and he is hereby, authorized to employ such mail-messenger service as may be necessary for the carriage of the mails in connection with railroad and steamboat service, transfer service between depots, over bridges or ferries, between post-offices, post-offices and branch offices or stations, in cases where by the laws and regulations of the Post-Office Department, railroad companies, steamboat companies, and the masters of vessels are not required to deliver into and take from the post-offices the mails carried on their lines or vessels. (Act of March 3, 1887, 24 Stats., 492.)

Sec. 766. Mail-Messenger Service; how Employed.—A mail messenger cannot be employed without express authority from the Second Assistant Postmaster-General; and in no case can a postmaster be allowed compensation for mail messenger service performed by himself, nor can he be interested or concerned in the contract for such service. (See section 773.) Whenever such service is necessary to any office the postmaster will be authorized, by special instructions in each case, to advertise for ten days for sealed proposals to perform the service according to specifications prepared by the Department. He will give notice or advertise as directed, and secure the utmost possible publicity by calling thereto the attention of all persons likely to compete for the service. When the proposals have been received he will forward all of them, unopened and in one envelope, to the Second Assistant Postmaster-General, together with a report of his action, embracing a copy of the notice given, a statement of the manner of giving it, whether any of the persons making proposals are dissolute, dishonest, or irresponsible, and his opinion as to what is a reasonable compensation for the service to be required. The proposals will be opened by the Second Assistant Postmaster-General, and the lowest bidder, if honest and capable, and his proposal be deemed reasonable and advantageous, will be designated by an order as mail-messenger. No further written contract is required; nor will the mail-messenger be designated for a defi-

nite period, unless the specifications expressly so provide; but he will be expected to serve at the compensation proposed, until his employment is terminated by due notice or order. He must give twenty days' notice of intention to relinquish service.

Before entering upon their employment mail messengers and their assistants must take the oath given in section forty-four, which will be immediately transmitted by the postmaster to the Second Assistant Postmaster-General (Division of Inspection.)

If a messenger die, resign, or abandon the service the postmaster must report the fact to the Second Assistant Postmaster-General at once, and may recommend another at the same rate of pay; but the Department will readvertise if deemed advisable.

Sec. 767. Duties of Mail-Messengers.—Mail-messengers are required to receive the mail from and deliver it into the post-offices, mail cars, and on board steamboats according to the schedules of arrivals and departures for mail messenger service prescribed by their postmasters; to keep the mail pouches and sacks, while in their custody, guarded from exposure to wet, theft, or other injury; to handle them carefully; not to throw them from vehicles or drag them so as to injure the pouches or sacks or their contents, and to observe all regulations or special instructions from the Department or the postmaster affecting their service.

Sec. 768. Duties of Postmasters in Respect to Mail-Messenger Service.—Postmasters will instruct mail-messengers in regard to the performance of their duties, will prescribe schedules of arrivals and departures for their service, allowing reasonable running time, requiring due receipt and delivery in case of delayed incoming or outgoing trains or boats, as the emergency may require, and will keep an accurate record of all failures to perform trips, and other delinquencies or irregularities, and resulting delays or injuries therefrom.

Whenever mail-messenger service at any post-office becomes unnecessary or ceases from any cause, the postmaster will immediately inform the Second Assistant Postmaster-General, who will thereupon order discontinuance of the same. When the cost of this service can, in the judgment of the postmaster, be reduced by a readvertisement, he will so notify the Second Assistant Postmaster-General.

Sec. 769. Reports of Mail-Messenger Service.—Immediately after the expiration of each quarter, the postmaster will make a report (on Form 2242) of the mail-messenger service employed at his post-office for such quarter, and transmit the same to the Second Assistant Postmaster-General (Division of Inspection). The report must be properly filled up, giving legibly the name of the post-office, number of route, name of mail-messenger, number of trips a week required, annual pay, dis-

tance, name of railway or steamboat line between which and the post-office the route is established, and the dates inclusive on and between which the service is performed, and a statement of all failures to make trips, all failures by the fault of the messenger to make connections, and all other irregularities or delinquencies for which a fine or deduction should be imposed, and specifying the resulting delay or damage, if any, and the dates thereof.

Sec. 770. Employment of Temporary Mail-Messenger Service.—If temporary service becomes necessary, in any emergency, after mail-messenger service has been authorized on any route, postmasters will employ it, but at no higher rate of compensation than that received by the messenger in whose place the temporary service may be employed, and will immediately report to the Second Assistant Postmaster-General the facts and reason for such employment, and solicit, if necessary, authority for payment thereof by the postmaster immediately. Where such service becomes necessary prior to the establishment of mail-messenger service, the postmaster will apply to the Second Assistant Postmaster-General for authority to employ the same.

Sec. 771. Payment for Mail-Messenger Service.—All mail-messengers are paid by warrant on the Treasury direct from the Department. No payments on this account will be made by any postmaster, unless he receives special instructions from the Department.

CHAPTER TWENTY-SIX.

TRANSPORTATION ON STEAMBOAT AND STAR-ROUTES.

Sec. 772. Term of Contracts.—No contract for carrying the mails shall be made for a longer term than four years, and no contract for carrying the mails on the sea shall be made for a longer term than two years. (R. S., § 3956.) (See sections 84 and 804.)

Sec. 773. Who may not be Interested in Mail Contracts.—No postmaster, assistant postmaster, or clerk employed in any post-office shall be a contractor or concerned in any contract for carrying the mail. (R. S., § 3850.)

Postmasters are also liable to dismissal from office for acting as agents of contractors or bidders, with or without compensation, in any business, matter, or thing relating to the mail service. They are the agents of the Department, and cannot act in both capacities.

Sec. 774. Division of the United States into Contract Sections.—The United States is divided into four contract sections. A general letting for one of these sections occurs every year, and contracts are made

at such general 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, New York, New Jersey, Pennsylvania, Delaware, Maryland, District of Columbia, Virginia, and West Virginia; current term, July 1, 1885, to June 30, 1889.

2. North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Tennessee, and Kentucky; current term, July 1, 1884, to June 30, 1888.

3. Illinois, Indiana, Michigan, Ohio, Wisconsin, Minnesota, Iowa, and Missouri; current term, July 1, 1887, to June 30, 1891.

4. Arkansas, Louisiana, Texas, Indian Territory, Kansas, Nebraska, Dakota, Montana, Wyoming, Colorado, New Mexico, Arizona, Utah, Idaho, Washington, Oregon, Nevada, and California; current term, July 1, 1886, to June 30, 1890.

Sec. 775. Miscellaneous Mail Lettings Defined.—The lettings for service upon new mail routes, established pursuant to law in any contract division of the United States during a contract term, and upon routes where the contractor has failed or abandoned his contract, are denominated miscellaneous mail lettings. Such lettings are made under advertisement to cover the mail service on such routes until the expiration of the contract term, when the service, if continued, is embraced in the general mail letting.

ADVERTISEMENT OF MAIL LETTINGS.

Sec. 776. Notice of Mail Lettings; how Given.—That before making any contract for inland mail transportation, other than by railroads and steamboats, except for temporary service, as provided for in [sections 796, 797, 798] an act approved August eleventh, eighteen hundred and seventy-six, amendatory of subsections two hundred and forty-six and two hundred and fifty-one of section twelve of an act approved June twenty-third, eighteen hundred and seventy-four, the Postmaster-General shall cause to be published, in not exceeding ten newspapers published in the State or Territory in which such service is to be let, one of which shall be published at the seat of Government of such State or Territory, once a week, for six consecutive weeks preceding the time of letting, a notice in displayed type, not to exceed six inches of space in one column of a newspaper, of the following purport:

Mail lettings—Notice to contractors.

POST-OFFICE DEPARTMENT,
Washington, D. C., — —, 18—.

Proposals will be received at the Contract Office of this Department until — a. m., of — —, — —, 18—, for carrying the mails of the United States, upon the routes, and according to the schedule of arrival and departure, specified by the Department, in the State (or Territory) of — —, from — —, 18—, to — —, 18—. Lists of routes, with schedules

of arrivals and departures, instructions to bidders, with forms for contracts and bonds, and all other necessary information, will be furnished upon application to the Second Assistant Postmaster-General.

_____,
Postmaster-General.

and no other advertisement of miscellaneous lettings shall be required: *Provided*, That said contracts for mail letting shall not take place in less than sixty days after the first publication. (Act of May 17, 1878, § 1, 20 Stats., 61.)

And the Postmaster-General shall direct, by special order in each case, the newspapers in which mail lettings, or other proposals relative to the business of this Department, shall be advertised, and no publisher shall be paid for such advertisements without having been requested by the Postmaster-General to publish the same. (R. S., § 3941 in part.)

And hereafter the Postmaster-General shall cause advertisements of all general mail lettings of each State and Territory to be conspicuously posted in each post-office in the State and Territory embraced in said advertisements for at least sixty days before the time of such general letting; and no other advertisement of such letting shall be required; but this provision shall not apply to any other than general mail lettings. (Act of March 1, 1881, 21 Stats., 374.)

And whenever it shall become necessary to employ temporary service on any mail route, it shall be the duty of the Postmaster-General to advertise for bids, or proposals, for such service, by posting notices in the post-offices at the termini of such route and upon a bulletin board in a public place in the Post-Office Department building at Washington, in the District of Columbia, for at least ten days prior to such letting. (Act of March 1, 1881, 21 Stats., 374.)

AS TO RATES FOR ADVERTISING, see section 96.

Sec. 777. Advertisement of Routes Omitted in General Letting.—Whenever by reason of any error, omission, or other cause any route which should properly be advertised for the regular letting is omitted, it shall be the duty of the Postmaster-General to advertise the same as soon as the error or omission shall be discovered, and the proposals for such route shall be opened as soon as possible after the other proposals in the same contract section; and the contract made under such supplementary advertisement shall run, as nearly as possible, from the beginning to the end of the regular contract term, and during the time necessarily lost by reason of such error, omission, or other cause, the Postmaster-General shall provide for the carrying of the mail on such route at as low rate as possible, without advertising. (R. S., § 3957.)

Sec. 778. Notice of Intention to Change Terms of Contract.—Whenever it becomes necessary to change the terms of an existing contract for carrying the mail otherwise than as provided in the preceding section, notice thereof shall be given and proceedings had thereon the same as at the letting of original contracts. (R. S., § 3958.)

NOTE.—The “preceding section” to the one above quoted is evidently not the one intended to be referred to. In the act of June 8, 1872, 17 Stats., 315, the section from which R. S., § 3958, was taken, reads “otherwise than as provided in sections two hundred and sixty-one and two hundred and sixty-two.” Those sections reappeared in the revision as 3960 and 3961, and are here given as sections 813 and 815.

OF PROPOSALS AND BIDDERS.

Sec. 779. Proposals Accompanied by Bonds Approved by Postmasters.—That every proposal for carrying the mail shall be accompanied by the bond of the bidder, with sureties approved by a postmaster, and in cases where the amount of the bond exceeds five thousand dollars, by a postmaster of the first, second, or third class, in a sum to be designated by the Postmaster-General in the advertisement of each route; to which bond a condition shall be annexed that if the said bidder shall, within such time after his bid is accepted as the Postmaster-General shall prescribe, enter into a contract with the United States of America, with good and sufficient sureties, to be approved by the Postmaster-General to perform the service proposed in his said bid, and, further, that he shall perform the said service according to his contract, then the said obligation to be void, otherwise to be in full force and obligation in law; and in case of failure of any bidder to enter into such contract to perform the service, or, having executed a contract, in case of failure to perform the service, according to his contract, he and his sureties shall be liable for the amount of said bond as liquidated damages, to be recovered in an action of debt on the said bond. No proposal shall be considered unless it shall be accompanied by such bond, and there shall have been affixed to said proposal the oath of the bidder, taken before an officer qualified to administer oaths, that he has the ability, pecuniarily, to fulfill his obligations, and that the bid is made in good faith, and with the intention to enter into contract and perform the service in case his bid is accepted. (R. S., § 3945, as amended by act of June 23, 1874, § 12, 18 Stats., 235.)

The approval of the sureties must be by a postmaster. An assistant, or clerk, or person acting for the sureties as postmaster is not authorized to sign such approvals, either in his own name or in the name of the postmaster.

The sum required on each route is given in the schedule furnished to applicants as stated in the notice. (See section 776.)

Sec. 780. Sureties on Bidders' Bonds must Qualify.—That before the bond of a bidder, provided for in the aforesaid section, is approved, there shall be indorsed thereon the oaths of the sureties therein, taken before an officer qualified to administer oaths, that they are owners of real estate worth in the aggregate a sum double the amount of the said bond, over and above all debts due and owing by them, and all judgments, mortgages, and executions against them, after allowing all exemptions of every character whatever. Accompanying said bond and as a part thereof, there shall be a series of interrogatories, in print or writing, to be prescribed by the Postmaster-General, and answered by the sureties under oath, showing the amount of real estate owned by them, a brief description thereof, and its probable value; where it is situated; in what county and State the record evidence of their title exists. And if any surety shall knowingly and willfully swear falsely to any statement made under the provisions of this section he shall be deemed guilty of perjury, and, on conviction thereof, be punished as is provided by law for commission of the crime of perjury. (R. S., § 3946, as amended by act of August 11, 1876, 19 Stats., 129.)

The statement of the situation of the property should show the State and county in which it lies; and also separately specify the county and State in which record evidence of title exists. Bidders will carefully observe this requirement, as their bids cannot be considered unless this provision of law is strictly complied with. Nothing in regard to the description of the property, its situation, or the place of record evidence of title, should be left to be supplied by inference or intention, nor be susceptible of doubtful meaning.

Sec. 781. Penalty for Illegally Approving Bonds.—That any postmaster who shall affix his signature to the approval of any bond of a bidder, or to the certificate of sufficiency of sureties in any contract before the said bond or contract is signed by the bidder or contractor and his sureties, or shall knowingly, or without the exercise of due diligence, approve any bond of the bidder with insufficient sureties, or shall knowingly make any false or fraudulent certificate, shall be forthwith dismissed from office, and be thereafter disqualified from holding the office of postmaster, and shall also be deemed guilty of a misdemeanor, and, on conviction thereof, be punished by a fine not exceeding five thousand dollars, or by imprisonment not exceeding one year, or both. (R. S., § 3947, as amended by act of June 23, 1874, § 12, 18 Stats., 235.)

Sec. 782. Duties of Postmasters in Approving Sureties.—In considering approval of the sureties upon a bidder's bond, the postmaster is enjoined—

1. Not to sign the approval until the bidder and his sureties have

signed the bond, and the sureties have duly signed and sworn to the oath accompanying the bond.

2. Not to accept sureties until due diligence has been exercised and their sufficiency is known or ascertained.

3. Not to accept married women, minors, or persons under guardianship, or other disabilities, as sureties; nor any persons mentioned in section seven hundred and seventy-three.

4. To see that the bonds are properly filled out, and that in the oath the description of the real estate fully complies with the requirements of section seven hundred and eighty.

5. Not to divulge to any person the amount of any proposal certified by him.

6. To bear in mind that the statute imposes upon him an important duty; and commands his dismissal from office for infidelity or negligence in its performance.

Sec. 783. Bids to be Accompanied by a Certified Check or Draft.—That hereafter all bidders upon every mail route for the transportation of the mails upon the same, where the annual compensation for the service on such route at the time exceeds the sum of five thousand dollars, shall accompany their bids with a certified check or draft, payable to the order of the Postmaster-General, upon some solvent national bank, which check or draft shall not be less than five per centum on the amount of the annual pay on said route at the time such bid is made, and, in case of new or modified service, not less than five per centum of the amount of the bond of the bidder required to accompany his bid, if the amount of the said bond exceeds five thousand dollars. In case any bidder, on being awarded any such contract, shall fail to execute the same, with good and sufficient sureties, according to the terms on which such bid was made and accepted, and enter upon the performance of the service to the satisfaction of the Postmaster-General, such bidder shall, in addition to his liability on his bond accompanying his bid, forfeit the amount so deposited to the United States, and the same shall forthwith be paid into the Treasury for the use of the Post-Office Department; but if such contract shall be duly executed and the service entered upon as aforesaid, such draft or check so deposited, and the checks or drafts deposited by all other bidders, on the same route, shall be returned to the respective bidders making such deposits. No proposals for the transportation of the mails where the amount of the bond required to accompany the same shall exceed five thousand dollars shall be considered, unless accompanied with the check or draft herein required, together with the bond required by a preceding section: *Provided*, That nothing in this act shall be construed or intended to affect any penalties or forfeitures

which have heretofore accrued under the provisions of the sections hereby amended. (R. S., § 3953, as amended by act of June 23, 1874, § 12, 18 Stats., 236.)

NOTE.—A certified check drawn by a bidder, payable to the order of the person who at the time is Postmaster-General, but omitting any reference to his official position, does not meet the requirements of the above section.

But where such check is drawn payable to the bidder or a third party, and by him indorsed payable to the order of the Postmaster-General, this is a sufficient compliance with the provisions of the section. A single check will not suffice for several persons bidding for distinct routes, nor is a deposit of bank notes or other currency in lieu of a certified check admissible. A check in form thus: "Pay to John A. J. Crowell, Postmaster-General, or order, nine hundred dollars, provided the bid of A. B. is accepted on route No. —, and he fails to enter into contract for the same; and in case bid is not accepted nor contract is made, check to be returned to drawer," is not acceptable under this statute. (14 Opins. Att'y-Gen'l., 631.) As the amount of the deposit is forfeited as soon as the failure to execute the contract is made, checks or drafts payable at a future day do not comply with the requirements of the statute, and no proposal accompanied by such checks or drafts can be considered. The checks or drafts must be directly payable to the order of the Postmaster-General without qualification or condition.

Sec. 784. Time of Returning Drafts to Unsuccessful Bidders.—The checks or drafts required to be deposited by the preceding section will be retained until after the contract has been duly executed and the service commenced by the accepted bidder. Checks and drafts of unsuccessful bidders will be mailed to them at the post-office address stated in their proposals.

Sec. 785. How Proposals must be Prepared.—Proposals must be in the forms prescribed by the Department; and on star routes must propose to transport the mails with "celerity, certainty, and security."

Bids altered in the route, the service, the yearly pay, the name of the bidder, or any material part of the bond, by erasures or interlineations, should not be submitted, and will not be considered.

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. A bidder desiring to change his bid should withdraw it and submit a new one.

For mode and time of withdrawal, see section 792.

Sec. 786. Bidders must Inform Themselves as to Service Required.—The distances stated in the advertisements are given according to the best information; but no increased pay will be allowed should the distance be greater than advertised, if the points to be supplied are correctly stated. Bidders must also inform themselves of and consider the weight of the mail, the likelihood of its increase, the fact that foreign

as well as domestic mails, and also post-office supplies, may be carried; the condition of roads, hills, streams, &c., also whether there be toll bridges, ferries, or obstructions of any kind increasing the cost of service. No claim for extra pay can be allowed for alleged mistakes or misapprehension as to the degree of service, nor for increased distance by reason of destruction of bridges, discontinuance of ferries, or other obstructions, occurring during the contract term. Post-offices established during the contract term are to be visited without extra pay if the distance be not increased, and at pro rata pay for any increase.

Sec. 787. Special Instructions to Bidders.—Bidders should propose for service strictly according to the advertisement, notwithstanding changes made in the existing service subsequent to the advertisement.

There should be but one route bid for in a proposal. Consolidated or combination bids (“proposing one sum for two or more routes”) can not be considered.

The route, the service, the yearly pay, the name and residence of the bidder (that is, his usual post-office address), and the name of each member of a firm where a company offers, should be distinctly stated.

Bidders are requested to carefully examine their bids to see that they are in accordance with the requirements of the advertisement, and to retain copies of them.

Sec. 788. Bidders must be Competent to Contract.—No bidder will be accepted who is under twenty-one years of age, or who is a married woman, or who is disqualified in any manner from entering into a valid, binding contract.

Sec. 789. Bidders may not Assign or Transfer their Bids.—Bids or interests in bids cannot be transferred or assigned to other parties. The bidder will therefore take notice that he will be required to enter into contract to perform the service awarded to him, and will be liable for failure, even though the contract of an assignee be tendered in lieu of his own.

Sec. 790. Combinations to Prevent Bids; Penalty.—No contract for carrying the mail shall be made with any person who has entered, or proposed to enter, into any combination to prevent the making of any bid for carrying the mail, or who has made any agreement, or given or performed, or promised to give or perform, any consideration whatever to induce any other person not to bid for any such contract; and if any person so offending is a contractor for carrying the mail, his contract may be annulled; and for the first offense the person so offending shall be disqualified to contract for carrying the mail for five years, and for the second offense shall be forever disqualified. (R. S., § 3950.)

See section 794.

RECEPTION OF PROPOSALS AND AWARD OF CONTRACTS.

Sec. 791. All Proposals to be Recorded and Filed.—The Postmaster-General shall have recorded, in a book to be kept for that purpose, a true and faithful abstract of all proposals made to him for carrying the mail, giving the name of the party offering, the terms of the offer, the sum to be paid, and the time the contract is to continue; and he shall put on file and preserve the originals of all such proposals. (R. S., § 3943.)

Sec. 792. Proposals for Carrying the Mail; how Delivered and Opened.—Proposals for carrying the mail shall be delivered sealed, and so kept until the bidding is closed, and shall then be opened and marked in the presence of the Postmaster-General and one of the Assistant Postmasters-General, or of two of the Assistant Postmasters-General, or of any other two officers of the Department, to be designated by the Postmaster-General; and any bidder may withdraw his bid at any time before twenty-four hours previous to the time fixed for the opening of proposals, by serving upon the Postmaster-General, or the Second Assistant Postmaster-General, notice in writing of such withdrawal. (R. S., § 3944.)

No withdrawal will be allowed unless received twenty-four hours previous to the time fixed for opening the proposals.

Sec. 793. Bids not to be Considered, but Rejected.—Bids, under a general or miscellaneous advertisement, received at the Post-Office Department after the time fixed in such advertisement for the receipt of bids, will not be considered. If sent by mail or express, ample time should be allowed for their transit, as they cannot be deemed to be received at the Department until actually delivered at the Contract Office. Neither can bids be considered which are without the bond, oath, and certified check required by sections seven hundred and seventy-nine, seven hundred and eighty, and seven hundred and eighty-three.

The Postmaster-General reserves the right to reject all bids on any route whenever in his judgment the interests of the service require it.

Sec. 794. Contracts Awarded.—All contracts for carrying the mail shall be in the name of the United States, and shall be awarded to the lowest bidder tendering sufficient guarantees for faithful performance, without other reference to the mode of transportation than may be necessary to provide for the due celerity, certainty, and security thereof; but the Postmaster-General shall not be bound to consider the bid of any person who has willfully or negligently failed to perform a former contract. (R. S., § 3949.)

Sec. 795. Bidders not Released from Bonds until Service is Commenced.—No bidder for carrying the mails shall be released from his obligation

under his bid or proposal, notwithstanding an award made to a lower bidder, until a contract for the designated service shall have been duly executed by such lower bidder and his sureties, and accepted, and the service entered upon by the contractor to the satisfaction of the Postmaster-General. (R. S., § 3952.)

Sec. 796. Bidder Failing, Contract with Other Persons Authorized.—That after any regular bidder whose bid has been accepted shall fail to enter into contract for the transportation of the mails according to his proposals, or having entered into contract, shall fail to commence the performance of the service stipulated in his or their contract, as therein provided, the Postmaster-General shall proceed to contract with the next lowest bidder or bidders in the order of their bids, for the same service, who will enter into a contract for the performance thereof, unless the Postmaster-General shall consider such bid or bids too high, and in case each of said bids shall be considered too high, then the Postmaster-General shall be authorized to enter into contract, at a price less than that named in said bids, with any person, whether a bidder or not, who will enter into contract to perform the service in accordance with the terms and provisions prescribed for the execution of other contracts for similar service; and in case no satisfactory contract can be thus obtained, he shall readvertise such route. (R. S., § 3951, as amended by act of August 11, 1876, 19 Stats., 129.)

Sec. 797. Contractor Failing, Contracts with Other Persons Authorized.—And if any bidder whose bid has been accepted, and who has entered into a contract to perform the service according to his proposal, and in pursuance of his contract has entered upon the performance of the service, to the satisfaction of the Postmaster-General, shall subsequently fail or refuse to perform the service according to his contract, the Postmaster-General shall proceed to contract with the next lowest bidder for such service, under the advertisement thereof (unless the Postmaster-General shall consider such bid too high), who will enter into contract and give bond, with sureties to be approved by the Postmaster-General, for the faithful performance thereof, in the same penalty and with the same terms and conditions thereto annexed as were stated and contained in the bond which accompanied his bid; and in case said next lowest bidder shall decline to enter into contract for the performance of such service, then the Postmaster-General may award the service to, and enter into contract with, any person, whether a bidder on said route or not, who will enter into contract to perform the service and execute a bond of like tenor and effect as that required of bidders, in a penalty to be prescribed, and with sureties to be approved by the Postmaster-General, for the performance of the service contracted to

be performed at a price not exceeding that named in the bid of the said next lowest bidder; and if no contract can be secured at the price named in said next lowest bid, then the Postmaster-General shall proceed to secure a contract, at a price not considered too high, with any person who will execute such contract in accordance with the law applicable thereto, giving, in all cases, the preference to the regular bidders on the list whose bids do not exceed the price at which others will contract therefor; and if no satisfactory contract can be thus secured the route shall be readvertised. (Id.) (See sections 799 and 780.)

Sec. 798. Temporary Contracts Authorized at Last Contract Price.—Whenever an accepted bidder shall fail to enter into contract, or a contractor on any mail route shall fail or refuse to perform the service on said route according to his contract, or when a new route shall be established or new service required, or when, from any other cause, there shall not be a contractor legally bound or required to perform such service, the Postmaster-General may make a temporary contract for carrying the mail on such route, without advertisement, for such period as may be necessary, not in any case exceeding six months, until the service shall have commenced under a contract made according to law: *Provided, however,* That the Postmaster-General shall not employ temporary service on any route at a higher price than that paid to the contractor who shall have performed the service during the last preceding contract term. “And in all cases of regular contracts hereafter made, the contract may, in the discretion of the Postmaster-General, be continued in force beyond its express terms for a period not exceeding six months, until a new contract with the same or other contractors shall be made by the Postmaster-General.” (Id.)

See note to next section.

Sec. 799. Temporary Service; when Authorized.—That in cases where special service has already been placed on new routes, the Postmaster-General may, in his discretion, extend such service until the time when service can be obtained by advertisement, not exceeding in any case one year. And whenever an accepted bidder shall fail to enter into contract, or a contractor on any mail route shall fail or refuse to perform the service on said route according to his contract, or when a new route shall be established or new service required, or when, from any other cause, there shall not be a contractor legally bound or required to perform such service, the Postmaster-General may make a temporary contract for carrying the mail on such route, without advertisement, for such period as may be necessary, not, in any case, exceeding one year, until the service shall have commenced under a contract made accord-

ing to law, and any provision of statute in conflict with this provision is hereby repealed. (Act of June 12, 1879, 21 Stats., 11.)

NOTE.—This section extends the limit of duration of temporary service, fixed in the preceding section at six months, to one year. See next section for additional provisions, and note thereto.

Sec. 800. Service; how Supplied on Failure of Contractor to Enter upon or Continue same.—Whenever a contractor for postal service fails to commence proper service under the contract, or, having commenced service, fails to continue in the proper performance thereof, the Postmaster-General may employ temporary service on the route, at a rate of pay per annum not to exceed the amount of the bond required to accompany proposals for service on such route, as specified in the advertisement of the route, or at not exceeding pro rata of such bond in cases where service shall have been ordered to be increased, reduced, curtailed, or changed subsequent to the execution of contract; the cost of such temporary service to be charged to the contractor, and to continue until the contractor commences or resumes the proper performance of service or until the route can be relet, as now provided by law, and service commenced under the new award of contract. All acts or parts of acts inconsistent with the provisions of this act being hereby repealed. (Act of August 3, 1883, § 2, 22 Stats., 216.)

NOTE.—This section appears to put as a limitation on the cost of new temporary service, though employed under either of the three preceding sections, that it shall not exceed the amount of the bond required in the advertisement; and also that it shall continue only until the contractor performs; but it does not apply to new service, and except as to such new service it is merely cumulative of remedy.

Sec. 801. When Postmasters may Employ Temporary Service.—When any contractor fails to begin the performance of mail service under his contract, or having begun service fails to continue the same, it is the duty of the postmaster at the head of the route [*i. e.*, the post-office first named in the advertisement and contract] to employ temporary service at the lowest rate possible, but in no case at a higher rate per annum than the amount of the bond specified in the advertisement of the route, if the route has not been changed by increase or decrease in length or in number of trips. If the route has been so changed, pay for temporary service must not exceed pro rata of the bond prescribed for the advertised service, according to the preceding section. Such service can be continued only until the contractor, in person or by agent, appears and takes charge of the route. Postmasters should immediately report to the Second Assistant Postmaster-General any action taken in employing temporary service, and are forbidden to pay for such service unless expressly directed to do so by him.

Sec. 802. Gratuitous Service in Carrying the Mail; when Permissible.—Upon application to the Second Assistant Postmaster-General, permission will be given to postmasters to send and receive mail by sworn carriers to and from their "supply offices" on other days than those on which regular trips are provided for, when such extra service can be obtained without expense to the Department. Until such permission is given, and the postmaster at the "supply office" notified thereof, he must refuse to receive matter thus brought to his office upon which stamps have been canceled, or to deliver matter for another office to any but the regular carrier.

Sec. 803. Penalty for Making Straw Bids.—Any person or persons bidding for the transportation of the mails upon any route which may be advertised to be let, and receiving an award of the contract for such service, who shall wrongfully refuse or fail to enter into contract with the Postmaster-General in due form to perform the service described in his or their bid or proposal, or having entered into such contract shall wrongfully refuse or fail to perform such service, shall, for any such failure or refusal, be deemed guilty of a misdemeanor, and be punished by a fine of not more than five thousand dollars, and by imprisonment for not more than twelve months. And the failure or refusal of any such person or persons to enter into such contract in due form, or having entered into such contract, the failure or refusal to perform such service, shall be *prima facie* evidence in all actions or prosecutions arising under this section that such failure or refusal was wrongful. (R. S., § 3954, as amended by act of August 11, 1876, 19 Stats., 130.)

STEAMBOAT SERVICE.

Sec. 804. Contracts for Water Routes.—When from any cause it may become necessary to make a new contract for carrying the mails upon any water route between ports of the United States, upon which mail service has previously been performed, the Postmaster-General may contract with the owner or master of any steamship, steamboat, or other vessel plying upon the waters or between ports of the United States, for carrying the mail upon said route for any length of time not exceeding four years and without advertising for proposals therefor whenever the public interest and convenience will thereby be promoted; but the price paid for such service shall in no case be greater than the average price paid under the last preceding or then existing regular contract upon the same route. And the Postmaster-General may contract with the owners or masters of steamships, steamboats, or other vessels plying upon the waters or between ports of the United States for carrying the mails upon such routes where no mail service has previously been

performed, without advertising for proposals therefor; but no contract for such new service shall be for a longer time than one year. No contract for carrying the mails between the United States and any foreign port shall be for a longer time than two years, unless otherwise directed by Congress. So much of sections thirty-nine hundred and forty-three, thirty-nine hundred and fifty-six (sec. 772), and thirty-nine hundred and seventy of the Revised Statutes as is in conflict with the preceding sections is hereby repealed. (Act of May 17, 1878, § 5, 20 Stats., 62.)

FOR AUTHORITY TO CONTRACT FOR LIMITED SEA ROUTE AS DOMESTIC SERVICE, see section 737.

Sec. 805. Mail Apartments to be Furnished on Mail Steamboats.—On routes where steamboat service is in operation the contractor will be required to furnish steamboats which are safe, suitable, and satisfactory to the Postmaster-General.

As a postal clerk may be placed on each boat to take entire charge of the mails and all mail matter, the contractor may be required to fit up, on each boat employed in the service, a room suitable for an office, with a sleeping apartment attached, for the exclusive use of the postal clerk, and to furnish first-class board to such clerk without charge.

EXECUTION OF CONTRACTS AND REQUIREMENTS OF PERFORMANCE.

Sec. 806. Time of Executing Contracts.—Contracts are to be executed in duplicate and both filed in the Department by or before the day specified in the advertisement for proposals; otherwise the accepted bidder will be considered as having failed, and the Postmaster-General may proceed to contract for the service with other parties according to law.

A copy will be furnished the contractor if requested.

Sec. 807. Requirements of Contractors.—All contractors are required—

1. To carry the entire mail whatever its weight or bulk and whatever may be the mode of conveyance necessary to transport it; and no additional pay can be allowed for any increase in the size or weight of the mail during the contract term.

2. Not to leave bags of newspapers and pamphlets on their routes, except at the proper offices of destination or distribution thereof.

3. To give due attention to the preservation of mail bags, and not to allow them to be dragged about or otherwise injured.

4. To carry all post-office blanks or other supplies, all mail bags, locks, and keys, without extra charge.

5. To carry free of charge, when the mode of conveyance admits of it, all post-office inspectors or other special agents of the Department, on production of their credentials; and any sums exacted for transportation of such officers will be deducted from their contract pay.

6. To observe all other requirements, whether of the laws, regulations, or orders of the Department, or inserted in their contracts, respecting the performance of their duties.

Sec. 808. For what Causes Contracts may be Annulled.—The Postmaster-General may annul a contract for the following delinquencies on the part of the contractor :

1. For repeated failure to run agreeably to contract.
2. For assigning the contract.
3. For violation of the postal laws or disobeying the instructions of the Department.
4. For refusing to discharge a carrier when required by the Department.
5. For transporting persons or packages conveying mail matter out of the mail, except as authorized by law.
6. When the contract has been sublet for less than the contract price, as authorized in section eight hundred and twenty-three.
7. For failure to furnish a new surety when required under the next section.
8. For any other cause specified in the contract or any statute.

Sec. 809. New Sureties on Contracts may be Required or Accepted.—The Postmaster-General, whenever he may deem it consistent with the public interest, may accept or require new surety upon any contract existing or hereafter made for carrying the mails, in substitution for and release of any existing surety. (R. S., § 3955, as amended by act of March 3, 1879, § 30, 20 Stats., 362.)

Sec. 810. Payment on Contracts.—No person whose bid for carrying the mail is accepted shall receive any pay until he has executed his contract according to law and the regulations of the Department. (R. S., § 3950.)

That where any person, corporation, or partnership shall have contracts for the performance of mail service upon more than one route, and any failure to perform the service according to contract on any one or more of such routes shall occur, no payment shall be made for service on any one of the routes under contract with such person, corporation, or partnership until such failure has been removed and all penalties therefor fully satisfied. (Act of May 4, 1882, 22 Stats., 54.)

Payments will be made by warrant on the Treasury direct from the Department, after the expiration of each quarter, and as soon as accounts can be settled, if required evidence of service has been received.

A contractor for carrying the mail cannot draw pay from the Department for services rendered or work done prior to his taking the oath. (11 Opin. Attorney-General, 498.)

Sec. 811. After Contracts Expire Postmasters may not Pay for Service.—After the expiration of a contract, and until the Postmaster-General has decided upon a new contract, or upon the expediency of discontinuing the post-office, postmasters cannot make any contract or payment for service, special or temporary, unless expressly authorized to do so by the Postmaster-General.

Sec. 812. Changes of Schedule Time of Arrival and Departure.—The Postmaster-General may change schedules of departures and arrivals in all cases, without increase of pay, provided the running time be not abridged. But an application for schedule change will not 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 and his sureties, except in cases where the propriety of the change is clearly shown.
3. If more running time be asked than is given in the contract schedules, or more than pro rata time on routes which have been curtailed.
4. If it break connection with any other route.
5. If it put the mail on a wrong day for the newspapers circulated over the route.
6. If it prevent or lessen any other accommodation to the public.
7. Without the approval of all postmasters, when it is asked that an intermediate office be made a schedule point.
8. If it fail to show a good reason for the change.

Sec. 813. Increase of Compensation for Increased Service.—Compensation for additional service in carrying the mail shall not be in excess of the exact proportion which the original compensation bears to the original service, and when any such additional service is ordered the sum to be allowed therefor shall be expressed in the order, and entered upon the books of the Department; and no compensation shall be paid for any additional regular service rendered before the issuing of such order. (R. S., § 3960.)

Sec. 814. Extension of Mail Service on Routes.—That the Postmaster-General is hereby authorized, in cases where the mail service would be thereby improved, to extend service on a mail route under contract, at not exceeding pro rata additional pay, for any distance not exceeding twenty-five miles beyond either terminal point named in said contract: *Provided*, That no service shall be extended beyond the original terminal points more than once during the term for which the contract shall have been made. (Act of August 3, 1832, § 1, 22 Stats., 216.)

Sec. 815. Increase of Compensation for Increased Celerity.—No extra allowance shall be made for any increase of expedition in carrying the mail unless thereby the employment of additional stock and carriers is made

necessary, and in such case the additional compensation shall bear no greater proportion to the additional stock and carriers necessarily employed than the compensation in the original contract bears to the stock and carriers necessarily employed in its execution. (R. S., § 3961.)

Provided, That the Postmaster-General shall not hereafter have the power to expedite the service under any contract either now existing or hereafter given to a rate of pay exceeding fifty per centum upon the contract as originally let. (Act of April 7, 1880, § 2 in part, 21 Stats., 72.)

Sec. 816. Increased Celerity; how Provided.—Whenever it shall become necessary to increase the speed upon which the mail is carried on any post route, the contractor shall have the option of continuing service upon the expedited running time, with the consent of his sureties, without additional compensation; but if after offer he does not promptly so agree to so continue the service, it shall be readvertised for the reduced running time required.

Sec. 817. Decreased Compensation for Decreased Service.—The Postmaster-General may discontinue or curtail the service on any route, in whole or in part, in order to place on the route superior service, or whenever the public interests, in his judgment, shall require such discontinuance or curtailment for any other cause; he allowing, as full indemnity to the contractor, one month's extra pay on the amount of services dispensed with, and a *pro rata* compensation for the amount of services retained and continued.

NOTE.—The one month's extra pay provided to be paid by this section is the full measure of the contractor's damages for the Postmaster-General's refusal to let the contract be carried into effect. (*Garfield's Case*, 11 Ct. Claims, 322; 93 U. S., 242.)

SUBLETTING OF CONTRACTS.

Sec. 818. Contracts cannot be Assigned or Transferred.—No contractor for transporting the mail within or between the United States and any foreign country shall assign or transfer his contract, and all such assignments or transfers shall be null and void. (R. S., § 3963.)

Sec. 819. Contracts not Sublet without Consent of Postmaster-General.—Hereafter no subletting or transfer of any mail contracts shall be permitted without the consent in writing of the Postmaster-General; and whenever it shall come to the knowledge of the Postmaster-General that any contractor has sublet or transferred his contract, except with the consent of the Postmaster-General as aforesaid, the same shall be considered as violated and the service may be again advertised as herein provided for; and the contractor and his securities shall be liable on their bond to the United States for any damage resulting to the United States in the premises. (Act of May 17, 1878, § 2, 20 Stats., 62.)

See 16 Opins. Atty.-Gen., 61.

Sec. 820. Subcontracts Permissible with Consent of Postmaster-General.—Hereafter, when any person or persons being under contract with the Government of the United States for carrying the mails, shall lawfully sublet any such contract, or lawfully employ any other person or persons to perform the service by such contractor agreed to be performed, or any part thereof, he or they shall file in the office of the Second Assistant Postmaster-General a copy of his or their contract; and thereupon it shall be the duty of the Second Assistant Postmaster-General to notify the Auditor of the Treasury for the Post-Office Department of the fact of the filing in his office of such contract. Said notice shall embrace the name or names of the original contractor or contractors, the number of the route or routes, the name or names of the subcontractor or subcontractors, and the amount agreed to be paid to the subcontractor or subcontractors. And upon the receipt of said notice by the Auditor of the Treasury for the Post-Office Department, it shall be his duty to retain, out of the amount due the original contractor or contractors, the amount stated in said notice as agreed to be paid to the subcontractor or subcontractors, and shall pay said amount, upon the certificate of the Second Assistant Postmaster-General, to the subcontractor or subcontractors, under the same rules and regulations now governing the payments made to original contractors: *Provided*, That upon satisfactory evidence that the original contractor or contractors have paid off and discharged the amount due under his or their contract to the subcontractor or subcontractors, it shall be the duty of the Second Assistant Postmaster-General to certify such fact to the Auditor of the Treasury for the Post-Office Department; and thereupon said Auditor shall settle with the original contractor or contractors, under the same rules as are now provided by law for such settlements. (Act of May 17, 1878, § 3, 20 Stats., 62.)

Sec. 821. Regulations under which Subcontracts may be Made.—Contractors must in all cases secure the permission of the Postmaster-General before making a subcontract on any route. The application to sublet must be made separately for each route, specifying the number and terminal points thereof.

A subcontract must embrace but one route, must be executed for service upon the whole route, and for a period not less than one year, or for the balance of the contract term when less than one year, and it must be filed by the contractor in the office of the Second Assistant Postmaster-General within thirty days after the time when service is to begin under it. It must be executed in the form prescribed by the Postmaster-General, and must specify the rate to be paid per annum under it in case the service shall be changed; must stipulate that the sub-

contractor shall assume liability for fines and deductions, and that he shall receive pro rata of the one month's extra pay allowed the contractor for curtailment, reduction, or discontinuance of service.

None of the stipulations of the subcontract (Form No. 2075) are to be eliminated therefrom, and no collateral stipulations of any character whatever are to be added thereto.

The execution of a subcontract on any route without permission, or, if after permission, in violation of these instructions, renders the original contract liable to annulment.

Neither the permission to sublet, nor the recognition of the subcontract made in pursuance thereof, shall be construed as releasing the contractor from any of the obligations of his contract with the United States.

The subcontractor must be a resident of a locality upon or contiguous to the route. The evidence of payment of a subcontractor by a contractor, provided in the next preceding section, must be the receipt of the subcontractor, attested by a postmaster at a terminus of the route sublet, on a form prescribed by the Second Assistant Postmaster-General.

Should it become necessary to file a copy of a subcontract, such copy must be certified to be a true copy of the original by a postmaster at one of the termini of the route therein sublet.

No subcontract can be recognized unless made with the original contractor.

Contractors who desire credits for payments to subcontractors of record, are required to file notice of their intention to make such payments in the office of the Second Assistant Postmaster-General (Division of Inspection) within ten days after the expiration of the quarter to which such payment or proposed payment relates, and to file in such office within thirty days after the expiration of the quarter the prescribed receipt showing the payment.

Sec. 322. Lien of the Employé of a Mail Contractor.—*And provided further,* That, if any person shall hereafter perform any service for any contractor or subcontractor in carrying the mail, he shall, upon filing in the Department his contract for such service, and satisfactory evidence of its performance, thereafter have a lien on any money due such contractor or subcontractor for such service to the amount of the same; and if such contractor or subcontractor shall fail to pay the party or parties who have performed service as aforesaid the amount due for such service within two months after the expiration of the quarter in which such service shall have been performed, the Postmaster-General may cause the amount due to be paid said party or parties and

charged to the contractor, provided that such payment shall not in any case exceed the rate of pay per annum of the contractor or subcontractor. (Act of May 4, 1882, 22 Stats., 54.)

Sec. 823. Postmaster-General may Annul Sublet Contracts.—That whenever any contractor or subcontractor shall sublet his contract for the transportation of the mail on any route for a less sum than that for which he contracted to perform the service, the Postmaster-General may, whenever he shall deem it for the good of the service, declare the original contract at an end, and enter into a contract with the last subcontractor, without advertising, to perform the service on the terms at which the last subcontractor agreed with the original contractor or former subcontractor to perform the same: *Provided*, That such last subcontractor shall enter into a good and sufficient bond, and that the original contractor shall not be released from his contract until a good and sufficient bond has been made by such last subcontractor and accepted by the Post-Office Department: *Provided further*, That when a contract hereafter made is declared void on account of its having been sublet, the contractor shall not be entitled to one month's extra pay as provided by law. (Act of May 4, 1882, 22 Stats., 53.)

Sec. 824. Copies of Mail Contracts for the Auditor.—The Postmaster-General shall deliver to the Sixth Auditor, within sixty days after the making of any contract for carrying the mail, a duplicate copy thereof. (R. S., § 404.)

CHAPTER TWENTY-SEVEN.

FOREIGN MAIL SERVICE.

Sec. 825. Transportation of Domestic Mails through Foreign Countries.—The Postmaster-General, after advertising for proposals, may enter into contracts or make suitable arrangements for transporting the mail through any foreign country, between any two points in the United States, and such transportation shall be by the speediest, safest, and most economical route; and all contracts therefor may be revoked whenever any new road or canal shall be opened affording a speedier, more economical, and equally safe transportation between the same points; but in case of the revocation of any such contract, a fair indemnity shall be awarded to the contractor. (R. S., § 4006.)

Sec. 826. Contracts for Carrying Foreign Mails.—The Postmaster-General may, after advertising for proposals, enter into contracts for the transportation of the mail between the United States and any foreign

country whenever the public interests will thereby be promoted. (R. S., § 4007.) No contract for carrying the mails between the United States and any foreign port shall be for a longer time than two years, unless otherwise directed by Congress. (Act of May 17, 1878, § 5, 20 Stats., 62.)

Sec. 827. How Foreign Mails may be Carried.—The mail between the United States and any foreign port, or between ports of the United States touching at a foreign port, shall be transported in steamships; but the Postmaster-General may have such transportation performed by sailing vessels when the service can be facilitated thereby. (R. S., § 4008.)

Sec. 828. Limit of Compensation for Carrying Foreign Mails.—For transporting the mail between the United States and any foreign port, or between ports of the United States touching at a foreign port, the Postmaster-General may allow as compensation, if by a United States steamship, any sum not exceeding the sea and United States inland postage; and if by a foreign steamship or by a sailing vessel, any sum not exceeding the sea postage, on the mail so transported. (R. S., § 4009.)

Sec. 829. Foreign Mail Contractors may be Fined.—The Postmaster-General may impose fines on contractors for transporting the mail between the United States and any foreign country, for any unreasonable or unnecessary delay in the departure of such mail, or the performance of the trip; but the fine for any one default shall not exceed one-half the contract price for the trip. (R. S., § 4010.)

Sec. 830. Foreign Mail Contracts may be Terminated by Congress.—Every contract for transporting the mail between the United States and any foreign country shall contain, besides the usual stipulation for the right of the Postmaster-General to discontinue the same, the further stipulation that it may be terminated by Congress. (R. S., § 4011.)

Sec. 831. Transportation of Foreign Mails through the United States.—The Postmaster-General may, 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 any other country adjoining the United States, to be transported over the territory of the United States from one point in such country to any other point in the same, at the expense of the country to which the mail belongs, upon obtaining a like privilege for the transportation of the United States mail through the country to which the privilege is granted; but such privilege may at any time be annulled by the President or Congress from and after one month succeeding the day on which notice of the act of the President or Congress is given to the chief executive or head of the Post-Office Department of the country whose privilege is to be annulled. (R. S., § 4012.)

Sec. 832. Foreign Mails in Transit to be Treated as Domestic.—Every foreign mail shall, while being transported across the territory of the United States under the provisions of the preceding section, be deemed and taken to be a mail of the United States, so far as to make any violation thereof, or depredation thereon, or offense in respect thereto, or any part thereof, an offense of the same grade, and punishable in the same manner and to the same extent as though the mail was a mail of the United States; and in any indictment for any such offense the mail, or any part thereof, may be alleged to be, and on the trial of any such indictment it shall be deemed and held to be, a mail or part of a mail of the United States. (R. S., § 4013.)

FOR AUTHORITY OF POSTMASTER-GENERAL TO MAKE POSTAL CONVENTIONS WITH FOREIGN COUNTRIES and provisions respecting their publication, see sections 383-387.

FOR STATUTE FORBIDDING ANY VESSEL DEPARTING for any port to convey any mail not received from a post-office, see section 713.

FOR STATUTE REQUIRING ANY VESSEL ARRIVING TO PROMPTLY DELIVER LETTERS IN POST-OFFICE, see section 714.

SPECIAL ARRANGEMENTS WITH POSTAL UNION COUNTRIES.

Sec. 833. Rights of Transportation.—Any Postal Union country may send by the postal transportation service of other Postal Union countries, both closed mails and admissible correspondence in open mails according to the requirements of trade and the convenience of the postal service, either by sea or land.

FOR LIST OF POSTAL UNION COUNTRIES and CLASSIFICATION OF MAIL MATTER AND RATES OF POSTAGE, see chapter twelve.

Sec. 834. Transportation Charges.—Each Postal Union country whose transportation is so employed is entitled to be paid by the transmitting country the following transit charges, viz :

1. For territorial conveyance, two francs ($38\frac{6}{10}$ cents) per kilogram (two pounds and three ounces) of letters or postal cards, and twenty-five centimes (five cents) per kilogram of other matter.

2. For sea conveyance fifteen francs (two dollars and $89\frac{1}{2}$ cents) per kilogram of letters and post cards, and one franc ($19\frac{3}{10}$ cents) per kilogram of other articles.

Subject, however, to the condition that wherever the rate of sea transit was in 1873 five francs per kilogram of letters and post cards and fifty centimes per kilogram of other articles, such rates continue.

3. But every sea conveyance not exceeding three hundred nautical miles is gratuitous, if the administration furnishing it is already entitled, on account of mails or correspondence receiving the benefit of such conveyance, to the compensation for territorial transit above pro-

vided ; otherwise for such sea conveyance it receives the rate of territorial transit therefor.

4. When the sea conveyance is effected by two or more administrations the entire cost is limited to the rate provided in the second paragraph, to be shared between the administrations pro rata for the distances traversed, unless different arrangements are made between the parties interested.

5. The foregoing rates do not apply to conveyance by countries foreign to the Postal Union, nor to the expedited service of the East India Mail, transportation of closed mails by the United States between the Atlantic and Pacific Ocean, or railroad transportation between Colon and Panama ; all of which are regulated by mutual agreement between the countries concerned.

6. No charge is made for conveyance of correspondence of the postal administrations of the different countries with each other, for the return of postal reply cards to the country of origin, for articles forwarded or missent, undeliverable articles, return receipts, post-office money-orders, advices of the issue of orders, or any other document relative to the postal service.

Sec. 835. Settlement of Transportation Charges is made upon the basis of statistics taken during a period of twenty-eight days in each three years.

For detailed provisions, see Postal Union Convention.

CHAPTER TWENTY-EIGHT.

SHIP AND STEAMBOAT LETTERS.

Sec. 836. Letters on Inland Steamboats.—The master of any steamboat passing between ports or places in the United States, and arriving at any such port or place where there is a post-office, shall deliver to the postmaster, within three hours after his arrival, if in the day time, and if at night, within two hours after the next sunrise, all letters and packets brought by him, or within his power or control and not relating to the cargo, addressed to or destined for such port or place, for which he shall receive from the postmaster two cents for each letter or packet so delivered, unless the same is carried under a contract for carrying the mail ; and for every failure to so deliver such letters and packets, the master or owner of the steamboat shall be liable to a penalty of one hundred and fifty dollars. (R. S., § 3977.)

Sec. 837. Payment for Ship Letters.—The Postmaster-General may pay

to the master or owner of any vessel not regularly employed in carrying the mail two cents for each letter carried by such vessel between ports or places in the United States, or from any foreign port to any port in the United States; but all such letters shall be deposited in the post-office at the port of arrival. (R. S., § 3978.)

Sec. 838. Double Postage on Ship Letters.—All letters conveyed by vessels not regularly employed in carrying the mail shall, if for delivery within the United States, be rated with double postage to cover the fee paid to the vessel. (R. S., § 3913.)

Sec. 839. Definition of Ship Letters.—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 not regularly employed in carrying the mail, and in the latter case over a route where the mail is not regularly carried, before such letters have been mailed.

Sec. 840. Manner of Collecting Ship Fees.—The 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 seaport 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. It is the special duty of the postmaster at a port where vessels may enter to see that this section is strictly observed and enforced. 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 post-office for mailing or delivery, he shall pay to the said master or owner two cents, and take his receipt therefor.

Sec. 841. Rating up Postage on Ship Letters.—At the post-office where deposited such letters will be charged with double rates of postage, to be collected at the office of delivery; that is to say, four cents for the single weight if mailed, and four cents the single weight if delivered at the post-office; but if such letter has been prepaid by United States stamps at such double rate of postage, no additional charge will be made, and all United States postage stamps affixed thereto will be recognized to the extent of their value as part payment.

Sec. 842. No Fee on Foreign-Addressed Letters.—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, however, should all be marked "SHIP."

Sec. 843. No Fees to Passengers or Sailors.—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 double postage, and the number entered in the account of ship letters, with the name of the vessel in which they were brought. They will then be forwarded as other ship letters, the postage to be collected at the post-office of delivery.

Sec. 844. Letters on Mail Steamboats; how Disposed of.—All letters placed on a mail steamboat, on which the mails are in charge of a postal clerk, should go into the hands of such clerk; and on these letters the master of the vessel is not entitled to receive any compensation. None but letters on which at least one full rate of postage has been paid 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 clerk in the post-office at the terminal point of his route, where the postmaster will treat them in all respects as other unpaid letters.

Sec. 845. Account of Ship and Steamboat Letters to be kept.—Letters brought by steamboats should be marked "Steamboat" at the time of receiving them; and postmasters will keep an account of both ship and steamboat letters received, stating the sums paid for them and the postage chargeable thereon.

Sec. 846. No Fees to Mail Vessels.—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. 847. Printed Ship Matter; how to be Treated.—Printed matter delivered to a postmaster by the master of a vessel arriving from a foreign port, and not regularly engaged in carrying the mail, which is wholly unpaid, shall be forwarded by such postmaster to its post-office of destination charged with double third-class rates of domestic postage, to be collected on delivery. No fee, however, shall be paid for such matter.

CHAPTER TWENTY-NINE.

INSPECTION OF SERVICE AND OF FINES AND DEDUCTIONS.

Sec. 848. Deductions for Contractors' Failures; Fines for Delinquencies.—The Postmaster-General may make deductions from the pay of contractors for failures to perform service according to contract, and impose fines upon them for other delinquencies. He may deduct the

price of the trip in all cases where the trip is not performed; and not exceeding three times the price if the failure be occasioned by the fault of the contractor or carrier. (R. S., § 3962.)

NOTE.—Railroad companies are subject to fines and deductions under the above section. The act of March 3, 1879 (20 Stats., §§ 5, 33, 358, 363), prescribing the deductions to be made from railroad companies for failures, &c., and its repeal by the act of June 11, 1880 (21 Stats., 178), do not operate to repeal section 3962 of the Revised Statutes, nor render it inapplicable to railroad companies carrying the mail, (*R. R. Co. v. The United States*, 21 Court of Claims R., 172.)

Sec. 849. Causes for which Fines will be Imposed.—Fines will be imposed, unless satisfactory excuse be made in due time, for each of the following delinquencies on the part of the contractor, viz:

1. Failing to take from or deliver at a post-office the mail or any part of it.

2. Suffering the mail or any part of it to be wet, injured, lost, or destroyed.

3. Conveying it in a place or manner that exposes it to depredation, loss, or injury.

4. 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 specific number of trips in the contract.

5. Failure to arrive at the time fixed by the schedule, or to deliver the mail into the post-office immediately upon arrival.

6. Leaving or putting aside a mail, or any part of it, for the accommodation of passengers, freight, or express matter.

7. For other delinquencies or violations of the terms of the contract, or the lawful requirements or regulations of the Department.

The fine will in each case be such sum as the Postmaster-General may impose, in view of the gravity of the delinquency, and will be deducted from the contractor's pay for service on the route whereon the delinquency occurred, or on any routes under contract with him. (See section 810.)

Sec. 850. Causes for which Deductions must be Made.—In all cases there will be a deduction of the price of a trip when the trip is not run; of not more than three times the pay of the trip if the failure be occasioned by the fault of the contractor or carrier; of at least one-fourth of it when the arrival is so far behind time as to lose the connection with a depending mail.

Deductions, within the limit fixed by law (section 848), will be made, in amount, according to the nature or frequency of the failures and the importance of the mail.

Sec. 851. Delivery of Mails to Way Post-Offices on Star Routes.—When the mail is carried in a vehicle drawn by horses, the driver will not be required to leave his team in order to deliver the mail to way post-offices, except where the carrier remains over night, in which case he must deposit the mail in the post-office. (Sec. 547.) In no case should the mail be thrown upon the ground. Postmasters and carriers of the mail must report to the Second Assistant Postmaster-General (Division of Inspection) any violations of this section by either.

Sec. 852. Register of Arrivals and Departures of the Mail.—The Postmaster-General shall furnish to the postmasters at the termination of each route a schedule of the time of arrival and departure of the mail at their offices, respectively, to be posted in a conspicuous place in the office; and he shall also give them notice of any change in the arrival and departure that may be ordered; and he shall cause to be kept and returned to the Department, at short and regular intervals, registers, showing the exact times of the arrivals and departures of the mail. (R. S., § 3841.)

Sec. 853. Postmasters to Report Delinquent Mail Carriers.—Every postmaster shall promptly report to the Postmaster-General every delinquency, neglect, or malpractice of the contractors, their agents or carriers, which may come to their knowledge. (R. S., § 3849.)

Sec. 854. Postmasters' Report of Arrivals and Departure of the Mails.—Postmasters at the end of every mail route, and at such other post-offices as the Postmaster-General may direct, will be furnished with blank forms from the office of the Second Assistant Postmaster-General (Division of Inspection) upon which they will report the exact times of the arrivals and departures of all the mails which are opened at their post-offices, as required in section eight hundred and fifty-two. Care must be taken in filling the blank forms furnished, giving name of post-office, county, and State, number of route, names of the places where it terminates, schedule days, and hours of arrival and departure, name of contractor, name of carrier, and mode of carrying the mail. The report should be fully dated, giving the day of the week, the month, and the year. When there is a failure to arrive or depart, the postmaster should write opposite to its date on the face of the report the word **FAILURE**; when the arrival is so far behind the schedule time as to fail to connect with a depending mail or mails, the words **FAILED TO CONNECT**; and when the arrival is after the schedule time, causing complaint, although not missing connection, the word **COMPLAINT**. The cause of each failure must be noted upon the back of the report; also whether the carrier makes every proper effort to arrive and depart according to the schedule.

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 report.

Sec. 855. Special Reports; when Required.—In addition to the above regular report, postmasters, whether at terminal or intermediate post-offices, will make special reports when mails are received wet or in otherwise bad condition; also of any extraordinary failures, interruptions, or abandonment of routes; and from time to time of all information that 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. The special reports should state the number, or, if the number is not known, the termini of the route.

Sec. 856. Certain Delinquencies and Irregularities to be Specially Reported.—Every postmaster will specially report to the Second Assistant Postmaster-General—

1. Every instance in which the mail is brought to his post-office by a person under sixteen years of age, or by a person who has not duly taken the oath prescribed in section forty-four.

2. Every instance when a mail carrier in charge of the mails becomes intoxicated. The postmaster will in such case dismiss the carrier and employ another at the expense of the contractor.

3. Every instance in which the carrier stops over night at the place of his post-office without depositing the mail therein.

4. Every instance when the mail arrives without a lock, and by whose fault, if the same can be ascertained.

5. Every case where mails are carried by steamers or vessels landing near his post-office, and are left exposed on deck, or are not secured in some proper place under lock and key.

6. All cases in which mails that are sent from or received at his office are not properly protected from the weather; and he will call the carrier's attention to such delinquencies and see that they are corrected.

The special reports required by this and the preceding section must be made whenever the delinquencies required to be reported occur, or necessity requires.

Sec. 857. When Postmasters must Notify Contractors of Failures.—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 on contract time, as reported by the 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, if his address be known, and require him to take measures to prevent its recurrence.

Sec. 858. Reports; how Sent and Preserved.—The regular reports above required must be sent by the first mail after the close of each month to the Second Assistant Postmaster-General (Division of Inspection), and a duplicate retained by the postmaster and carefully preserved to be turned over to his successor. In case of failure to receive the report at the Department, a duplicate will be called for and must be promptly sent. Neglect to send reports or duplicates when called for will be ground for removal; as delays in payment of contractors and obstruction to the service are caused thereby.

Sec. 859. Contractors to Make Specific Excuses for each Delinquency.—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, the contractor must immediately, by himself or agent, send his excuse, if he have any, to the Second Assistant Postmaster-General (Division of Inspection), setting forth particularly the cause of the failure. A specific excuse is required for each delinquency of a contractor, and mere 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 its peculiar condition was; if high waters, it must be shown what water-courses were impassable; and so of all other excuses. If part of the trip only was performed, the report must show what part, and give the distance traveled, and the reason, fully detailed, for failure to make the other part.

CHAPTER THIRTY.

OF MAIL EQUIPMENTS.

MAIL BAGS.

Sec. 860. Term "Mail Bags" Includes—

Mail Pouches (used for every mode of conveyance excepting horse back), of five different sizes, the largest being No. 1.

Horse Mail Bags (for horseback service only), of three different sizes, the largest being No. 1.

Mail-Catcher Pouches (of one size only), designed exclusively for exchange of mails on railways by catchers and cranes.

Jute-Canvas Mail Sacks (not locked, but tied with cord), designed for printed and third and fourth class matter not registered.

Through Registered Mail Pouches, of sizes No. 1 and 2, used, where authorized, for exchanges of direct pouches of only registered matter.

Inner Registered Mail Sacks, of sizes No. 1, 2, 3, and 4, used, where authorized, for direct bagging of only registered matter.

Foreign Mail Sacks (of blue striped cotton canvas) of sizes Nos. 0, 1, 2, and 3, used only for despatching mails to foreign countries.

Foreign Registered Mail Sacks (made of blue striped cotton canvas), of sizes No. 0, 1, 2, and 3, used only for despatching registered matter to foreign countries.

Coin Mail Sacks, one size, for sending money-order funds in coin.

Sec. 861. *How Provided.*—Mail bags are manufactured for the Department, under contracts, securing uniformity of pattern, quality, and size. They are furnished by the Department for the needs of the postal service; and are not to be purchased by postmasters or mail contractors; and no allowance will be made for such purchases by them unless made under special instructions from the Department.

Sec. 862. *Every Mail Route must be Supplied with Mail Bags.*—Every mail route must always be duly provided with suitable mail bags and locks, in good and safe condition. Postmasters, especially those at the ends of routes, must see to this, and promptly make application for such as are needed. It is their duty to look constantly to the condition of mail bags in use, permitting none to be used which are too much worn or otherwise unsafe, and to report any damage discovered to have been done to them, whether through accident, negligence, or design, while in the custody of carriers.

A separate mail bag for letters, or for any registered matter, is not to be provided or used for any intermediate post-office on a "star route," it being the duty of the postmaster at every intermediate post-office, chiefly on account of the regulations relating to registered matter in transit, to receive and dispatch letters and all registered matter in one locked pouch, which is to be used and opened at every intermediate post-office throughout the route; no separation of registered matter in transit being allowed, except in cases in which a separate through pouch, under the brass lock, for ordinary and registered mail matter, destined for the terminal office and points beyond, may be authorized by special instructions from the Third Assistant Postmaster-General. This rule, however, does not apply to the use of tied canvas sacks for printed and third and fourth class matter, not registered, which, on account of its bulk, it may in some cases be necessary and convenient to separate for intermediate post-offices on a "star route."

Sec. 863. *Applications for Mail Bags.*—Applications for mail bags must be made to the Second Assistant Postmaster-General (Division of Mail

Equipments), and must state why they are needed, the number, size, and capacity of each, the number of the mail route (or its terminal points), and the mode of conveyance thereon. Bags received with mail matter must not be withheld from return; but timely application must be made before those in use become too much worn for safety, and the old ones must be sent to the nearest depository on receipt of new ones.

Sec. 864. Legitimate Use of Mail Bags Restricted.—The legitimate use of mail bags is restricted to the transmission of mailable matter while under the care, custody, and control of the Post-Office Department, through its postmasters and other authorized agents. Their application to any other uses than those of this Department is illegal and strictly forbidden. The stealing, purloining, converting from proper use, or conveying away, to the detriment of the service, of any mail bags, is an offense by law, punishable with fine and imprisonment. (See section 1455.)

The use of mail bags as receptacles for waste paper or office sweepings is prohibited.

The experimental use in the postal service of alleged improvements in mail bags or other mail equipments, patented or not, is forbidden, unless specially authorized by an order from the Postmaster-General.

Sec. 865. Canvas Sacks may be Taken by Publishers.—Whenever, in any post-office in the large towns and cities, there is an extreme necessity of extending to publishers the privilege of taking canvas sacks to their printing offices to be there filled with printed matter for the mails, the postmaster must keep an exact account with each publisher of the number of sacks taken from and returned to his post office on every occasion. Besides the account kept in the post-office for that purpose, pass-books should be used between the several printing offices and the post-office. No sacks should be delivered for any publisher, except on presentation of his pass-book, in which he is to be debited with the number of sacks intrusted to him and credited with the number returned; and for the due return of all sacks so intrusted to him each publisher shall be held responsible.

Sec. 866. Sacks Containing Public Documents.—Postmasters, especially those at the places of residence of members of Congress (to whose post-offices canvas sacks containing public documents are sent from Washington, D. C.), must see that all such sacks are emptied and sent back to the post-office in the latter place.

In like manner mail sacks containing post-office supplies sent from the Department must be emptied and returned.

In the transmission of empty mail bags of any kind, they should always have inside a slip showing plainly whence they were transmitted,

and be duly labeled for their destination. Empty mail bags in transit, duly labeled, should never be diverted from their destination as labeled.

Sec. 867. Canadian Mail Bags.—All mail bags received from Canada must be promptly returned empty, pursuant to arrangements made with that country, and all postmasters and other officers and employés are prohibited from any use of such bags.

Sec. 868. Equal Exchange or Reciprocal Return of Locked Pouches.—All exchanges of locked pouches between post-offices should be as nearly equalized in frequency and quantities as circumstances will admit, and all extra pouches received with mail matter are required to be promptly returned whence they were received, whether there is mail matter to send back in them or not.

Sec. 869. Waste or Abuse of Mail Bags to be Prevented.—It is the duty of postmasters and other agents of this Department to prevent, whenever in their power, any waste or abuse of mail bags; to reclaim them from improper hands; and to give information of every instance of theft or illegal use of mail bags coming to their knowledge.

Sec. 870. Fastening Strap Never to be Cut.—The fastening strap of a mail bag should never be cut; but if ever done, the strap must not afterwards be spliced, but a new one put on instead of the strap cut. When the staple is cut asunder, the bag should have a new one applied before being used again.

Sec. 871. What Mutilation of a Mail Bag may be Allowed.—When a mail bag has a damaged or defective lock upon it, which cannot be opened with the proper key in good order, such lock should be removed without further damage, where there are a bag and lock in good condition to substitute for them, by filing or cutting asunder that staple of the bag to which the lock is fastened. No other mutilation of a mail bag is admissible under any circumstances whatever, except by railway postal clerks, as authorized in section nine hundred and fifty-three. When the staple is cut, the mail bag must not be used again until a new staple shall have been applied to it.

The cutting, mutilation, or tying into hard knots, of the regulation lacing cord on canvas mail sacks, or the willful detachment of the fasteners therefrom, are positively forbidden.

All cord fasteners which may accidentally become detached, or which may have been removed from worn out sacks, should be promptly sent from time to time to the Second Assistant Postmaster-General (Mail Equipment Division).

Sec. 872. Register of Outgoing and Incoming Mails to be Kept.—In all post-offices where many lock pouches are sent and received daily, such a register of the outgoing and incoming mails should be kept as will show

the places to which separate locked pouches are sent and from which they are received, as well as the number sent to and received from each daily. Postmasters will give particular attention to keeping such registers, and will be guided by the same in correcting all disparities in their exchanges of locked pouches.

Sec. 873. Repairs of Mail Bags by Postmasters, &c.—When a mail bag in use becomes so damaged as to require slight repairs, and the postmaster at the end of the route where it first arrives in that condition has not a good bag to substitute for it, he must immediately have it repaired at a reasonable cost, charging the amount paid therefor in his account of contingent expenses, and sending to the Auditor with his quarterly returns a bill and receipt rendered by the mender of the bag as a proper voucher for the allowance of the moneys so paid and charged by him. In having repairs of mail bags done, the postmaster should direct the person performing the work to specify in his bill, whenever practicable, the number of each size of every kind of mail bags repaired, and the nature and price of repairs done to each.

Sec. 874. Mail Bag in Transit becoming Unsound.—In case a mail bag in transit becomes too unsound to convey the mail with safety to the end of the route, the postmaster first discovering its bad condition must have it repaired immediately, even if he has no suitable mail bag to substitute for it, and must therefore detain the mail until the needful repairs can be done. Postmasters whose post-offices are not mail-bag depositories should not have surplus mail bags repaired, but such bags only as are in demand for immediate use.

Sec. 875. Names of Depositories for Mail Bags and Locks.—The following post-offices are depositories for mail bags and locks, where mail bags and locks, new and old, are collected and distributed, under special instructions from the Second Assistant Postmaster-General: *Portland and Bangor, Maine; Concord, New Hampshire; Rutland, Vermont; Boston, Massachusetts; Providence, Rhode Island; Hartford and New Haven, Connecticut; New York, Albany, and Buffalo, New York; Trenton, New Jersey; Philadelphia, Harrisburg, and Pittsburgh, Pennsylvania; Baltimore, Maryland; Washington, District of Columbia; Richmond, Virginia; Wheeling, West Virginia; Raleigh, North Carolina; Charleston and Columbia, South Carolina; Atlanta and Savannah, Georgia; Tallahassee, Florida; Mobile and Montgomery, Alabama; Jackson, Mississippi; New Orleans, Louisiana; Little Rock, Arkansas; Nashville and Memphis, Tennessee; Louisville, Kentucky; Cincinnati and Cleveland, Ohio; Detroit, Michigan; Indianapolis, Indiana; Springfield and Chicago, Illinois; Saint Louis, Missouri; Milwaukee, Wisconsin; Des Moines and Dubuque, Iowa; Saint Paul, Minnesota; Galveston, Texas; San Francisco, Cali-*

*for*nia; *Portland, Oregon*; *Salt Lake City, Utah Territory*; *Lawrence, Kansas*; *Omaha, Nebraska*; and *Denver, Colorado*.

Sec. 876. Accounts of Depository Post-Offices to be Rendered.—It is the duty of every postmaster whose post-office is a depository for mail bags and locks to render to the office of the Second Assistant Postmaster-General (Division of Mail Equipments) an account at the end of every month showing the number of each kind of mail locks and of each size of the several kinds of mail bags on hand at the beginning of and received during the month, of those furnished to other post-offices, of those in actual use in his post-office, and of those remaining on hand not in use, but ready for distribution. Blanks for this purpose will be furnished, from time to time, on application to the Second Assistant Postmaster-General (Division of Mail Equipments).

Sec. 877. Surplus Stock to be Kept Apart from the Current Stock.—Each postmaster at a depository for mail bags and locks must be careful to keep apart from the mail bags and locks required for current use of his post-office all surplus articles of that kind, and to consider them as deposited for distribution in such manner as may be directed by the Department. For all mail bags and locks so distributed he will obtain receipts, which are to be transmitted immediately to the Department. He may withdraw mail bags and locks from the surplus stock on deposit to supply wants of his own post-office, and requisitions of the Railway Mail Service, but not to supply other post-offices, without special instructions, except in emergencies admitting of no delay. For mail bags so withdrawn from deposit, his certificate in the former case, and receipts in the latter, must be transmitted to the Department, where, when received, they will be entered to his credit.

Sec. 878. Damaged Mail Bags at Mail-Bag Depositories.—Postmasters whose post-offices are mail bag depositories are not authorized to have repairs done to mail bags collected in their post-offices, but are required to send all damaged mail bags to the established repair shops, under such special instructions as may from time to time be received from the Second Assistant Postmaster-General.

Sec. 879. Surplus Mail Bags not to Accumulate.—Surplus mail bags must not be allowed to accumulate and fall into disuse in any post-office not a depository for mail bags. All such, whether in good condition or not, if not returned whence received, must be forwarded to the nearest mail-bag depository.

MAIL LOCKS AND KEYS.

Sec. 880. Mail Locks and Keys, by whom Furnished.—Mail locks and keys are furnished from the office of the Second Assistant Postmaster-

General (Division of Mail Equipments). Applications for mail locks or keys must always assign the reasons therefor.

Sec. 881. Care of Mail Keys—Penalty for Loss.—The careful use of mail locks and the safe keeping of mail keys are essential to the integrity of the postal service. The mail key must never be exposed to public observation nor placed where it may be lost or stolen, nor suffered to pass, even for a moment, into the hands of any person not authorized by the Department to use mail keys. The safe keeping of the mail-key is one of the expressed conditions of the official bond of every postmaster. The loss of a mail key, as it may afford peculiar facilities for stealing from the mails, is an act of carelessness likely to be more pernicious to the service than almost any other a postmaster or agent of the Department can commit. It is therefore deemed sufficient cause for removing the postmaster or agent so offending, enforcing the penalty of the official bond of the former, and even in certain cases for discontinuing the post-office.

To afford adequate means for the safe keeping of mail keys, and leave no possible excuse for their being lost or even mislaid by postmasters, safety-chains have been provided by the Department to be used in the following manner :

1. Every mail key must be kept attached to the safety-chain, from which it must never be removed until the key, from defect, damage, or other cause, is to be returned to the Department.

2. Every post-office must use a table upon which the mails received are to be emptied, and to which all locked mail bags are to be brought for opening.

3. One end of the safety-chain must always be kept screwed fast to the inside of the drawer of such table, and both the chain and the key are to be kept therein when not in actual use.

4. Such table (with a drawer) must be provided in every post-office of the third or fourth class, without expense to the *Department*, and in every case of refusal or failure on the part of a postmaster to so provide and use such table the post-office *will be discontinued*, rather than suffer the mail key to be exposed to risk of being lost or mislaid by a disregard of this requisite precaution for its safety.

Sec. 882. Mail Keys to have a Specific Number.—The mail keys bear, each of them, a different number stamped upon them. Every postmaster or employé to whom such keys are intrusted will be charged therewith and held to a strict account therefor. On the receipt of any such mail key by a postmaster, he should make a record, to be kept in his post-office, of the date of its receipt and of the number stamped upon it. Whenever such or any other mail key shall afterwards be referred

to in any communication to the Department, its number must invariably be specified. Every casualty whatever concerning a mail key must be promptly reported to the Second Assistant Postmaster-General (Mail Equipment Division).

Sec. 883. Exchange of Mail Keys by Railway Mail Employés.—In all cases of an exchange of routes between employés of the Railway Mail Service, there must also be an exchange of mail keys between them, so that every mail key shall always be retained in the particular office for which it was originally furnished by the Department, and never be taken away for use elsewhere.

Sec. 884. Receipts to be Always Taken for Mail Keys.—No mail key shall be transferred or exchanged except to a successor in office, nor be furnished nor loaned without special instructions from the Department. No such key, not obtained directly from the Department or from a predecessor in office, shall be kept or detained, but promptly returned to the Department, with a full report of facts in relation to it. If a mail key be received from a discontinued post-office, or elsewhere, it must be sent without delay to the Department by the postmaster receiving it, stating when and from whom it was received by him. Whenever a retiring postmaster turns over a mail key, he must obtain and transmit to the Second Assistant Postmaster-General a receipt for the same, specifying the number stamped upon it, in order that he may receive due credit on the books of the Department, and he and his sureties be released from all further responsibility therefor.

Sec. 885. Repairing Mail Locks and Keys Forbidden.—No attempt shall be made to have a mail key or a mail lock repaired; nor to pry into the internal mechanism of any mail lock. No damaged or defective mail key shall be kept in post-offices, but each one, as soon as it becomes damaged or defective, must be promptly returned to the Department with an explanatory letter. With every application for a new mail key in lieu of one broken, the broken parts must be inclosed, and the number of the broken key stated.

All mail keys returned to the Department should be inclosed in a sealed letter or package addressed to the Second Assistant Postmaster-General (Mail Equipment Division), and be duly registered in every case.

No oil, grease, nor other foreign matter must be introduced into any mail locks, and under no circumstances will the breaking of a lock be excusable.

Sec. 886. Defective Keys to be Reported to the Department.—When a mail key is perceived to be much worn and becoming defective, timely notice should be given of the fact, always stating the number of the key, so

that a new one may be furnished before the old one becomes entirely useless; the latter to be returned to the Department. Whenever extra keys are furnished they should be kept in reserve for an emergency, and be locked up in a safe place in the post-office, accessible to the postmaster and his assistant only.

If a mail key be found astray, it must be returned to the Second Assistant Postmaster-General (Mail Equipment Division), in an explanatory letter duly registered, without attempting to ascertain the loser, or to advise him of its recovery.

Sec. 887. Brass Locks not to be Sent to Iron-Lock Post-offices.—In those post-offices where the use of the brass locks and keys is allowed for through mails, it will be deemed very reprehensible if sufficient care be not always taken to prevent such locks being used, instead of iron locks, on bags dispatched to post-offices where their use is not allowed, and where, of course, there is no key to open them. If, however, a bag secured with a brass lock be received at a post-office where there is no brass key allowed, the lock should not be broken or tampered with, nor the bag be mutilated; but it should either be returned unopened to the post-office whence it came, or be sent to some nearer post-office using the brass key, with the request to substitute an iron lock for the brass one. But in either case, the postmaster at whose post-office the irregularity occurred must be advised of it, and, if there be a repetition of it, be reported to the Second Assistant Postmaster-General (Mail Equipment Division).

Sec. 888. Proper Course when Defective Key will not Open Mail Lock.—If the only mail key in a post-office be broken or so defective as not to open all the locks, the bags should be passed, unopened, to the nearest post-office, with a request to the postmaster to take out the ordinary letters, &c., for the post-office where the lock could not be opened, and send them back by the mail carrier outside the bag, in a sealed package, until another key be received from the Department.

The registered matter for the office passed should not be so returned, but should be withheld until the first return mail, and then be sent back in a locked bag. A note stating the facts should be made upon the transit registry record of the postmaster who makes the return.

Sec. 889. Proper Course when Defective Lock cannot be Opened.—When a postmaster cannot open a lock securing a bag, because of a defect in the lock, and not of his key, he will then cut that staple of the bag to which the lock is attached, provided he has another bag and lock to substitute for them; but if he has no other bag and lock, he will pass the bag, unopened, to the next post-office, as in the case indicated in the preceding section; and he will make a note upon his transit registry

record stating that the bag was passed unopened to the next office, the reason why, and the date.

(See regulations relating to registered matter in transit.)

Sec. 890. Economy in the Use of Mail Locks.—The mail locks must be used with care and economy. Care must also be taken to equalize the exchange of locked pouches, and thereby secure to every post-office a return of the same number of locks sent from it. If at any post-office (not a depository) locks from unknown sources should accumulate in excess of its current wants, all such surplus locks must be forwarded with an explanatory letter to the Department.

Sec. 891. Unlawful Use of Mail Locks to be Reported to the Department.—It is the duty of postmasters and agents of the Department to reclaim and transmit to the office of the Second Assistant Postmaster-General (Division of Mail Equipment), all mail locks and keys found to be in improper hands, or applied to any other than their lawful use, and to see that the law (sections 1457, 1458) is enforced in every case of its violation known to them, by exerting due diligence always in collecting and reporting to the Department the facts and proofs to sustain a prosecution against the offender.

Sec. 892. How to Address Communications on Mail Equipments.—All communications and mail locks and keys required by this chapter to be sent to the Department must be addressed to the Second Assistant Postmaster-General (Mail Equipment Division). Such communications must invariably give the name of the post-office, county, and State from which they are sent, and must not embrace any other subject.

MAIL CATCHERS.

Sec. 893. How Provided and Kept in Repair.—Mail catchers, attached to postal cars for taking up mails without stopping the trains, are furnished on application to the office of the Second Assistant Postmaster-General (Mail Equipment Division). Such applications are to be made by division superintendents (through the General Superintendent) of Railway Mail Service, always explaining the reasons therefor; and if any mail catchers applied for are to be introduced or used for the first time on a railway post-office line, that fact should invariably be stated and the title of such railway post-office be specifically mentioned in the application.

The mail-bag cranes used on the railroads in connection with the mail catchers are constructed, erected, and should always be kept in good order, by the railroad companies, at their own expense.

TITLE VI.
THE RAILWAY MAIL SERVICE.

CHAPTER THIRTY-ONE.

ORGANIZATION AND GENERAL PROVISIONS.

Sec. 894. General Superintendent of Railway Mail Service; Appointment of.—The Postmaster-General may appoint one agent only to superintend the Postal Railway Service, who shall be paid, out of the appropriation for the transportation of the mail on railways, a salary at the rate of three thousand five hundred dollars a year and his actual expenses while traveling on the business of the Department. (Act of June 17, 1878, 20 Stats., 140, as amended by act of March 3, 1879, § 1, 20 Stats., 356.)

NOTE.—The last clause, allowing actual expenses while traveling on the business of the Department, was re-enacted in act of March 1, 1881, 21 Stats., 374.

Sec. 895. Duties of General Superintendent.—This officer is charged with the supervision of the distribution and dispatch of mails on all railroads and inland steamboat mail lines, the management of the railway postal-car service, and the general direction of the mail service on railroads and inland steamboats, after the service has been contracted for or recognized under the law, by the Postmaster-General, the direction of the distribution and dispatch of mails from all post-offices, and the instruction of postmasters in relation thereto, and the government of all railway postal clerks under the regulations.

Sec. 896. His Duties as to Mailability of Doubtful Matter.—He is further charged with the duty of determining, subject to the laws and regulations, and to appeal to the Postmaster-General, what matter should be absolutely excluded from the mails, and what precautions should be observed to properly secure matter admitted to the mails which, unless so secured, would be liable to destroy, deface, or otherwise damage the contents of the mail bags or harm the person of any one engaged in the postal service. Postmasters are therefore directed to submit questions of this character to the General Superintendent with a full statement of the facts necessary to a proper decision. Division superintendents

will inform the General Superintendent if, in their judgment, any matter is admitted to the mails which should be excluded therefrom. They will also give a statement of any injury to the mails which may come to their knowledge, caused by the admission of such matter, and a statement of the reasons which lead them to apprehend any injury to the mails from the continued admission of such matter. Inquiries regarding doubtful matter should in all cases be accompanied with a sample of the same.

Sec. 897. Superintendents of Division of Railway Mail Service.—The Postmaster-General is authorized to appoint “nine assistant superintendents of Railway Mail Service, who may be detailed to act as superintendents of division of Railway Mail Service, who shall each receive a salary of two thousand five hundred dollars per annum and no more.” (Act of June 17, 1878, 20 Stats., 140.)

Nine divisions have been accordingly established, each under charge of a division superintendent, as follows:

FIRST DIVISION.—Comprising the New England States.—*Office of Superintendent, Boston, Mass.*

SECOND DIVISION.—Comprising New York, New Jersey, Pennsylvania, Delaware, and the Eastern Shore of Maryland.—*Office of Superintendent, New York, N. Y.*

THIRD DIVISION.—Comprising Maryland (excluding the Eastern Shore), North Carolina, Virginia, West Virginia, and the District of Columbia.—*Office of Superintendent, Washington, D. C.*

FOURTH DIVISION.—Comprising South Carolina, Georgia, Florida, Alabama, Mississippi, and Louisiana.—*Office of Superintendent, Atlanta, Ga.*

FIFTH DIVISION.—Comprising Ohio, Indiana, Kentucky, and Tennessee.—*Office of Superintendent, Cincinnati, Ohio.*

SIXTH DIVISION.—Comprising Wisconsin, Illinois, Iowa, Nebraska, Minnesota, Upper Peninsula of Michigan, and the Territories of Dakota and Wyoming.—*Office of Superintendent, Chicago, Ill.*

SEVENTH DIVISION.—Comprising Missouri, Kansas, Arkansas, Texas, Colorado, the Indian Territory, and New Mexico.—*Office of Superintendent, Saint Louis, Mo.*

EIGHTH DIVISION.—Comprising California, Nevada, Oregon, and the Territories of Alaska, Arizona, Idaho, Montana, Utah, and Washington.—*Office of Superintendent, San Francisco, Cal.*

NINTH DIVISION.—Comprising the through mails from New York City to Chicago, via Buffalo, Suspension Bridge, Toledo, and Detroit, the lines of the Lake Shore and Michigan Southern Railroad, and the Lower Peninsula of Michigan.—*Office of Superintendent, Cleveland, Ohio.*

Sec. 898. Classification of Employés of the Railway Mail Service.—That persons in the Railway Mail Service, known as railway post-office clerks, route agents, local agents, and mail-route messengers, shall, on and after the passage of this act, be designated as railway postal clerks, and divided into five classes, whose salaries shall not exceed the following rates per annum: First-class, not exceeding eight hundred dol-

lars; second class, not exceeding nine hundred dollars; third class, not exceeding one thousand dollars; fourth class, not exceeding one thousand two hundred dollars; and fifth class, not exceeding one thousand four hundred dollars: *Provided*, That the Postmaster-General, in fixing the salaries of clerks in the different classes, may fix different salaries for clerks of the same class, according to the amount of work done and the responsibility incurred by each, but shall not, in any case, allow a higher salary to any clerk of any class than the maximum fixed by this act for the class to which such clerk belongs. (Act of July 31, 1882, 22 Stats., 180.)

NOTE.—The statutes formerly authorized the appointment of as many "route agents" as might be necessary for the prompt and safe transportation of the mail, who were to be paid out of the appropriation for transportation of the mail, at the rate of not less than nine hundred dollars nor more than one thousand two hundred dollars a year each. (R. S., § 4024). "Local agents" were also designated and charged with the duty of superintending the transfer and delivery of all mails at the points where they are stationed. "Mail-route messengers" were employed, under authority of R. S. § 4025, on short lines of railroad and on parts of railroad in process of construction, their duties being similar to but lighter than those of route agents, and their salaries ranging from \$300 to \$700 per annum in proportion to the labors they performed.

Sec. 899. Appointment of Railway Postal Clerks.—All original appointments to the position of railway postal clerk are made by the Postmaster-General, upon the recommendation of the General Superintendent, as clerks of class one, and for a probationary period of six months from the date of appointment. No reappointment at or before the expiration of the probationary period will be made, unless the appointee shall have shown himself proficient in his duties, fully competent to perform the same, and shall pass a satisfactory examination upon the duties of his position. Applications should be sent to the General Superintendent.

Sec. 900. Promotions.—All promotions are made upon the recommendation of the General Superintendent, based upon the report of the division superintendent, as to good conduct, faithful service, and efficiency; and such report must be accompanied by the clerk's full record, including case examinations and errors in distribution.

Sec. 901. Recommendations for Promotion.—When a vacancy occurs through the death, resignation, or transfer of a clerk of a higher grade than class one, the division superintendent will send to the General Superintendent a statement of the service record and efficiency of all clerks in his division of the next lower grade, who are, in his opinion, qualified for performing duty in the grade in which the vacancy exists, and indicate which clerk he deems most worthy of promotion.

Sec. 902. Assignment of Chief Clerks.—The General Superintendent may

assign to duty, when necessary, as chief clerks of Railway Mail Service, such postal clerks as in his judgment are best qualified to discharge the duties required of them; and such chief clerks will be required to make examination of the men under their charge; to see that they perform all the duties required of them promptly and thoroughly; that the schemes furnished are kept corrected, and that all orders issued by the General Superintendent and division superintendent are promptly executed. All irregularities, insubordination, inefficiency, and lax morality occurring on routes under their charge must be reported to their division superintendents at once.

Sec. 903. Railway Post-Offices.—All railway postal cars and mail apartments in cars and steamboats are designated as “railway post-offices,” for the distribution of mail matter in transit.

Sec. 904. Uniform for Railway Postal Clerks.—Postal clerks, route agents, and mail-route messengers shall not be required to wear uniform other than a cap or badge. (Act of March 3, 1879, § 1, 20 Stats., 357.)

The uniform cap required by this section of the law to be worn by employes is regulation navy, three inches deep, $1\frac{3}{4}$ inch front, with black corded silk band; cloth to be full indigo dark navy blue; lining of cap to be silesia, and oil-glazed cover; the cap to bear upon its front the letters “R. M. S.” in silver, surrounded by a gold wreath.

All clerks (including those detailed to transfer duty) must wear the uniform cap when on duty; that is, from the time they record their departure until they record their arrival, and between the time they go to the post-office to receive mail and the time they deliver it at the terminus.

NOTE.—From June 15 to September 15 of each year, in lieu of the cap, a straw hat with rim not to exceed $3\frac{1}{2}$ inches and crown not exceeding 4 inches may be worn. The straw hat must have upon its front the letters “R. M. S.” in silver, surrounded by a gold wreath.

Sec. 905. Organization of Working Crews.—On lines where but one clerk to a car is appointed to perform the duties, and who runs an average of one hundred miles or more per day, he will be of class three, at \$1,000 per annum. If the average daily distance run is less than one hundred and not less than ninety miles, the clerk will be of class two, at \$900 per annum; if the average daily distance run is less than ninety and more than eighty miles, the clerk will be of class two, and the salary will be at the rate of \$10 per annum for each mile of the daily average of miles run. If the average distance run daily is eighty miles or less, the clerk will be of class one, and the salary will be \$10 per annum for each mile of the daily average of miles run.

On lines that have been known as full railway post-office lines, or

that may hereafter be established in like manner, where two clerks are needed, there may be one of class five, at \$1,300 per annum, and one of class four, at \$1,150 per annum.

On lines where three clerks are needed there shall be one of class five, at \$1,300 per annum; one of class four, at \$1,150 per annum; and one of class three, at \$1,000 per annum.

On lines where four clerks are needed there shall be one of class five, at \$1,300 per annum; one of class four, at \$1,150 per annum; one of class three, at \$1,000 per annum; and one of class two, at \$900 per annum.

On lines where more than four clerks are needed such additional clerks shall be of class two or one, except where two distributing cars are run on the same train, when there may be one clerk of class five, at \$1,300 per annum; three of class four, at \$1,150 per annum; one of class three, at \$1,000 per annum; and all additional clerks of class two or one.

The clerk of the highest class in any crew will be designated the "clerk in charge."

Sec. 906. "Helpers."—When it becomes necessary to furnish assistance on any line, the clerk assigned to such duty will be designated a "helper," whether he runs over the entire line or only a portion of it; but such helper shall not be of a higher class nor receive a higher salary than the clerk to whom he is assigned as a helper; and in no case shall the salary of such helper exceed that of a clerk of class two.

Sec. 907. Clerks on Steamboat Lines.—Clerks on steamboat lines will be of class one, at a salary not exceeding \$720 per annum; the salary to be determined by the amount of work to be performed and the importance of the line.

Sec. 908. Transfer Service.—The General Superintendent may, when necessary, detail clerks not above class four, at \$1,150 per annum, at certain important junctions, whose duty it shall be to look after the handling and transfer of mails at railroad depots, and to perform such other work pertaining to the Railway Mail Service as may be required; and when more than one clerk is needed for such duty at the same depot, the additional clerks shall be of classes below class four, but in no case shall more than one clerk of the same class, above class one, be so detailed at the same depot.

Sec. 909. Providing for Emergencies.—To meet emergencies, division superintendents may make any assignment of clerks in their respective divisions which may be for the benefit of the service, but not for a longer period than ten consecutive days at once; and such assignments must be at once reported to the General Superintendent.

Sec. 910. Chief Clerks and Assistants.—Clerks who may be detailed to duty at certain important points in charge of one or more lines will be designated “chief clerks,” and such details may be made from clerks of class five, at a salary of \$1,400 per annum. No clerk will be detailed to assist a chief clerk except in special necessary cases.

Sec. 911. Detail of Clerks.—Division superintendents may detail clerks from one route to another, but clerks so detailed must be assigned to duty in accordance with these regulations. Clerks may also be detailed for clerical duty pertaining to the Railway Mail Service. All details (except in cases of emergency) must be reported to the General Superintendent for his approval before going into effect.

Sec. 912. Reassignments.—When reassignments of clerks to duty are necessary they will be made in accordance with the regulations and orders from the Department governing the organization of working crews. (See section 905.)

Sec. 913. Salaries to be Regulated by Duties Assigned.—In no event will a clerk be allowed the salary of a higher class than is by these regulations assigned to the duties actually performed by him, except when ordered to perform duties of a lower grade in case of emergency.

Sec. 914. Inability of Clerks to Fill Positions to which Assigned.—Whenever a clerk is unable to perform the duties of the position to which he is assigned, the division superintendent will at once report the facts to the General Superintendent, with a recommendation for reduction or retirement.

CHAPTER THIRTY-TWO.

GENERAL INSTRUCTIONS TO RAILWAY POSTAL CLERKS.

Sec. 915. Clerks to Carry Instructions.—Each railway postal clerk, when on duty, must carry with him a copy of the instructions to postal clerks, copies of current orders affecting his line, schemes of distribution, the January Postal Guide for the current year, the latest Monthly Guide, and copies of such schedules of mail trains as may be necessary. Ignorance of instructions will not be considered an excuse for violation or disregard of them, either of which is a sufficient cause for removal. In cases of doubt as to the meaning of any regulation, the division superintendent or chief clerk should be consulted.

Sec. 916. Clerks to Report Errors Discovered in the Postal Guide.—Every clerk must report at once to his division superintendent any errors he may detect in the Postal Guide, that they may be reported to the Department for correction.

Sec. 917. Change of Schedules to be Reported.—Clerks must notify their division superintendent of all changes of schedules or running of trains upon their respective lines.

Sec. 918. Clerks to Notify Division Superintendent of Changes Needed in Railway Post-Offices.—Clerks should notify their division superintendent of any changes needed in their cars, but must not make requests or suggestions to the railway companies as to what changes they think should be made.

Sec. 919. The Clerk in Charge and his Duties.—Where there is more than one clerk assigned to duty in a car, the one of the highest class will be designated the clerk in charge, who will have control of and be accountable for all property belonging in or pertaining to the car. It will be his duty to require each clerk of his crew to comply with all instructions, regulations, and orders relating to the service; to have all necessary reports made; to see that all distribution in the car is correct, and that all mails are properly made up and put upon the proper route to their destination.

Sec. 920. Clerks to Obey Clerk in Charge.—The other clerks will implicitly obey the orders of the clerk in charge; and no one on duty will consider his labors ended until the whole mail has been properly distributed, pouched, and transmitted.

Sec. 921. Clerks must Examine Order Books.—Clerks must, immediately before departure and after arrival, examine all order books or orders left for their guidance, and get all communications addressed to them.

Sec. 922. Address of Clerks.—Clerks must keep their division superintendent and chief clerk advised of their full address. Address must also be noted on record of arrival and departure.

Sec. 923. Residence.—If clerks for their own convenience take up their residence off the line of the road on which they are performing service, they will not be relieved from responsibility for failure to sign or for failure to take a run. And where a clerk resides so remote from a telegraph or telephone office that he cannot be reached for extra service in cases of emergency, he will be required to change his residence.

Sec. 924. Period of Duty.—Clerks must remain on duty the whole length of their allotted runs.

Sec. 925. Clerks paid for Daily Service.—The Government pays each clerk for daily service, whether he is on duty or not, and therefore has a right to demand service of him at any time.

Sec. 926. Clerks on Duty not to Traffic.—The carrying of freight in postal cars or traffic in merchandise by clerks while on duty is strictly prohibited. They must confine themselves to the duties imposed upon them by the Department.

Sec. 927. Must not Impart Information to Unauthorized Persons.—No information must be imparted concerning letters or other mail matter passing through the hands of clerks in the process of distribution, except to those who may be officially authorized to receive such information and at their request.

Sec. 928. Courtesy Enjoined.—Clerks must observe, in their official intercourse with the public and with one another, the strictest courtesy; and must endeavor, by active and intelligent effort, to promote the interest of the service. Discussion and loud talking when at work should be avoided.

Sec. 929. Use of Intoxicating Liquors Prohibited.—The use of intoxicating liquors by clerks when on duty or while wearing their uniforms is absolutely prohibited, and the frequent and excessive use of the same while off duty will render them liable to dismissal from the service.

Sec. 930. Clerks Expected to Pay Their Debts.—Clerks are expected to pay all their just and honest debts, and a persistent and willful failure to do so will be deemed evidence of untrustworthiness sufficient for removal.

Sec. 931. Clerks Must Assist Post-Office Inspectors.—In all cases Post-Office inspectors, presenting proper credentials, must be given such official assistance as they may require, and in no case must the fact of a Post-Office inspector being on the train or having ridden thereon be communicated by a postal clerk to any person whatever at any time, either during or after the run. Neither should entry of the fact be made on the trip report or the record of arrivals and departures. No excuse will be taken for any violation of this section.

Sec. 932. Accidents to be Reported.—When an accident occurs to a mail train, the clerk in charge will at once make a full report of the same to his division superintendent. This is in addition to notation on trip report. In case any of the clerks are killed or seriously injured, or the mails are burned or injured, the clerk in charge will make a brief telegraphic report to the General Superintendent and also to his division superintendent; but in no case will this relieve such clerk from making a full report in writing to his division superintendent.

Sec. 933. Rules of Railway Companies Observed.—The rules and regulations of the railway companies, not in conflict with these regulations, must be respected and obeyed.

CARE OF OFFICES AND MAILS.

Sec. 934. Vigilance Required in Guarding Mails.—All clerks must use extraordinary vigilance in guarding the mails under their charge, which

must not be left for a moment exposed, day or night, and especially in making transfers where there is considerable portage between trains. Should they become aware that the mails are exposed at any time or place, they are required to note the same upon their trip report for the information of the division superintendent.

Sec. 935. Clerks must Accompany Mails to and from Post-Offices.—It is the duty of the clerk who takes the registers to accompany the mails to and from the initial and terminal post-offices of his run. When accompanying the mail on other than regulation wagons, he should always sit in such a position as to be able to instantly discover the loss of a pouch or sack.

Sec. 936. Clerks not to Leave the Cars.—Clerks must not leave their cars during a run except for meals, to examine letter boxes at stations, or for purposes of urgent necessity in the interest of the service, and then only for brief periods; and in all cases they should see that the car doors are locked unless another clerk be left on duty therein.

Sec. 937. Clerks must Examine their Cars at the end of Runs.—Clerks will thoroughly examine their cars before leaving them, to see that no mail is left therein, and no mail locks. All surplus pouches, sacks, and locks must be sent to the principal terminal post-office of the line.

Sec. 938. Care of Cars.—Clerks must not deface or injure the postal cars or other property of the railroad company furnished for the use of the service. The doors of stoves and heaters should be kept closed and fastened when trains are in motion.

Sec. 939. Waste Paper and Twine to be Examined.—Waste paper and twine must be preserved and turned in at the terminal post-office, but be carefully examined before being sent from the car, and the label of the sack containing the same shall bear the words "waste paper," the postmark, with date, and full name of clerk in charge. The use of both large and small twine must be curtailed to the lowest possible point to properly perform the service.

Sec. 940. Turning over Property of Department.—On the resignation, suspension, or removal of a clerk he shall turn over to his division superintendent the mail keys, photographic commissions, Railway Mail-Service certificates, railroad passes issued to him on account of his position in the service, and all other property and records belonging to the Department in his possession (including the records of registered matter received and forwarded). A refusal to deliver all or any of the above articles of property, on demand, is an indictable offense under the statutes of the United States.

Sec. 941. Transfer of Property.—When a clerk is transferred to another line in the same division, the person to whom the post-office property

in his possession is delivered will send to the division superintendent an itemized duplicate receipt for such property.

Sec. 942. Public Property not to be used for Private Purposes.—The use of any property of the Department for personal purposes is strictly prohibited.

Sec. 943. Sale of Postage Stamps by Clerks.—Clerks are required to keep constantly on hand a supply of postage stamps of the denomination of two cents, for the accommodation of the public at the car. It is a penal offense for a clerk to demand for a postage stamp a sum exceeding that expressed on its face. (See section 174.)

Sec. 944. Mutilation of Property Prohibited.—Any mutilation of property furnished for the use of the postal service is strictly prohibited. (See section 953.)

CARE OF MAIL BAGS, MAIL LOCKS, AND MAIL KEYS.

Sec. 945. Securing Mail Locks and Mail Key.—Clerks when on duty must always wear the mail key securely attached to their clothing by the safety chain. Stray mail keys found must be immediately forwarded to the division superintendent and by him to the Department.

Sec. 946. Tenure of Mail Keys.—Every clerk will hold his mail key so long as he shall continue to be connected with the same railway post-office, unless he shall be furnished with another mail key in lieu of it. When a vacancy occurs in a railway post-office, the key of the late incumbent should be transferred to the new railway postal clerk appointed for the same railway post-office. In all exchanges between railway post-office clerks from one railway post-office to another, not temporary and for a brief period, there should be a corresponding exchange of mail keys and receipts in duplicate.

Sec. 947. Receipts to be Always Taken for Mail-Keys.—No mail-key must be transferred or exchanged except to a successor in office, nor be furnished nor loaned without special instructions from the division superintendent. No such key, not obtained directly from the division superintendent or from a predecessor in office, must be kept or detained, but promptly returned to the division superintendent with a full report of facts in relation to it. If a mail key be received from a discontinued post-office, or elsewhere, it must be sent without delay to the division superintendent by the clerk receiving it, stating when and from whom it was received by him.

Sec. 948. Repairing Mail Locks and Keys Forbidden.—No attempt must be made to have a mail key or a mail lock repaired; nor to pry into the internal mechanism of any mail lock. No damaged or defective mail key must be kept by a clerk, but each one, as soon as it becomes dam-

aged or defective, must be promptly returned to the division superintendent with an explanatory letter. With every application for a new mail key in lieu of one broken, the broken parts must be inclosed, and the number of the broken key stated.

Sec. 949. Defective Keys to be Reported to the Superintendent.—When a mail key is perceived to be much worn and becoming defective, timely notice should be given of the fact, always stating the number of the key, so that a new one may be furnished before the old one becomes entirely useless; the latter to be returned to the division superintendent.

Sec. 950. Care of Mail Keys—Penalty for Loss.—The careful use of mail locks and the safe keeping of mail keys are essential to the integrity of the postal service. The mail key must never be exposed to public observation nor placed where it may be lost or stolen. It must not be suffered to pass, even for a moment, into the hands of any person not a sworn officer of the Post-Office Department. The loss of a mail key, as it may afford peculiar facilities for stealing from the mails, is an act of carelessness likely to be more pernicious to the service than almost any other a clerk can commit. It is therefore deemed sufficient cause for removing the clerk so offending.

Sec. 951. Legitimate Use of Mail Bags Restricted to What.—The legitimate use of mail bags is restricted to the transmission of mailable matter while under the care, custody, and control of the Post-Office Department, through its postmasters and other authorized agents. Their application to any other uses than those of this Department is illegal and strictly forbidden. The stealing, purloining, converting from proper use, or conveying away to the detriment of the service, of any mail bags, is an offense by law, punishable with fine and imprisonment.

Sec. 952. Mail Bag in Transit becoming Unsound.—In case a mail bag in transit becomes too unsound to convey the mail with safety to the end of the route, the clerk first discovering its bad condition must transfer the mail to another bag and turn in the unsound bag to the terminal post-office.

Sec. 953. What Mutilation of a Mail Bag may be Allowed.—When a mail bag has a damaged or defective lock upon it, which cannot be opened with the proper key in good order, such lock should be removed without further damage, where there are a bag and lock in good condition to substitute for them, by filing or cutting asunder that staple of the bag to which the lock is fastened, if practicable; otherwise in the least injurious manner. No other mutilation of a mail bag is admissible under such or any other circumstances. When the staple is cut, the mail bag must not be used again until a new staple shall have been

applied to it. The fastening-strap of a mail bag must not be cut if the bag can be opened by cutting the staple (see section 871), and must never be spliced nor repaired in any way, but must be replaced, when necessary, with a new one.

Sec. 954. Hooks Forbidden.—The use of hooks in handling mail-bags is forbidden to railway postal clerks.

ACCESS TO POSTAL CARS AND PERMITS TO RIDE THEREIN.

Sec. 955. Who may have Access to Postal Cars.—The postal car is for the exclusive accommodation of the mails and the persons specially appointed to take charge of the same. It is strictly private, not to be entered by any person except Post-Office inspectors, and persons who may be authorized by the General Superintendent and division superintendents of the Railway Mail Service. The conductor of the train will have access to the car in the performance of his duties, and, in case of necessity, other railway employés may pass through, but none of them shall be allowed to remain therein, except on trains made up exclusively of postal cars.

Sec. 956. Permits to Ride in Postal Cars.—Permits, signed by the General Superintendent will be required (except for Post-Office inspectors) as authority for riding in postal cars. Without such permit no person except Post-Office inspectors (who will be required by the clerk in charge to show their commissions) will be allowed to ride in postal cars. This applies to all clerks in the service passing over lines to which they are not assigned.

Sec. 957. Annual Permits not to be Taken up.—Permits will be taken up by the clerk in charge, who will affix his postmark, with date, also his full name, on the reverse side, and forward to his superintendent with his trip report, noting on the same the points between which the person rode in his car. If it is an annual permit it should not be taken up, but its number and the full name of the holder should be noted on the trip report, and also the points between which the holder rode in the car.

Sec. 958. Permits not good for Transportation.—A permit is not to be considered as furnishing transportation to the person holding it, but simply as authority to ride in the car. The clerk in charge must notify the train conductor, so that he may take up ticket or pass, or collect fare.

RECORD OF ARRIVALS AND DEPARTURES.

Sec. 959. Clerks' Record of Arrivals and Departures.—A record of arrivals and departures will be kept at each terminal post-office, or at some other place at each terminus of a run, to be designated by the superin-

tendent, in which each clerk is required to sign in his own handwriting his full name and the day and hour of the schedule arrival and departure of the train, and of his own arrival at and departure from the post-office or other place where the record is kept. Failure to do so will be regarded as a failure to perform service without excuse, and the clerk will forfeit one day's pay for each failure to so sign, but such forfeiture shall not exceed one day's pay for any number of failures to sign on any one trip. But clerks may be relieved from the forfeitures herein imposed upon application, showing good reason therefor, addressed to the division superintendent, who will forward the same to the General Superintendent with his recommendation.

A substitute will sign his own name and that of the clerk for whom he is working, thus :

JOHN SMITH, *Clerk*,
By WILLIAM JONES, *Substitute*.

Sec. 960. **No Discretion to be used in Reporting Failures.**—No discretion is allowed a postmaster or other person in charge of a record of arrivals and departures, in reporting any failures on account of any peculiar circumstances attending the case. The failure must be reported promptly, and will be submitted to the Department for decision, together with any statement the clerk may desire to make.

Sec. 961. **Posting Record Book.**—The person in charge of the record of arrivals and departures must fill up the blank spaces at the head of each page before the page is signed upon.

Sec. 962. **Partial Duty to be Noted on Record.**—In case a clerk does not perform duty over the whole length of the route, the portion over which he performed duty must be noted on the record and on trip report.

OFFICIAL CORRESPONDENCE.

Sec. 963. **Replies to Official Communications.**—Each clerk is required to date and sign with his official signature and promptly dispatch replies to all official inquiries and other communications. The name of his line is a part of the clerk's official signature. The signature should be made thus :

WM. H. SMITH,
R. P. Clerk, N. Y. & Chi. R. P. O.

Sec. 964. **Form of Official Telegrams.**—Clerks should make official telegrams as brief as possible. The following form is given as an illustration:

FOXTOWN, N. Y., *April 1, 1883.*

JACKSON, *Supt., New York:*

Prairieville and Sumac train four collided with freight train ten miles west of Troyburgh, eight this morning. Smith killed; Adams wounded; postal car demolished; mail badly damaged.

SHEFFIELD, *Clerk.*

No unnecessary words should be used, nor any words omitted that are necessary to make the meaning clear. The division superintendent should be addressed in telegrams by his surname only, with the "Supt." added and the name of the place where he is. The clerk should always sign with his surname only, adding the word "Clerk." If there be two or more clerks on a line having the same surname, each will sign his full name to telegrams. Telegrams should never be sent except in cases of urgent necessity.

Sec. 965. States in Addresses to be Written in Full.—All clerks in directing official mail matter will write the names of the county and State without abbreviation.

CASE EXAMINATIONS.

Sec. 966. Examinations.—Case examinations of clerks will be made, from time to time, upon the official schemes of distribution furnished them, the connection of trains as shown in the "schedule" of mail trains, and such other instructions and orders as relate to the service.

They will also be examined as to their knowledge of the "Instructions" at each case examination. The questions asked will be such as will require an answer giving the substance of each section of the instructions, and the result of the examination will be reported to the Department.

After surrendering the case to the examiner clerks will not be allowed to make any changes with a view to rectifying errors.

On the completion of each examination the clerk examined will be given (on blank R. M. S., 5003) a statement of the result of his examination, and following the words, "action taken," will be written the State on which he will next be examined, and the nature of such examination.

Sec. 967. Voluntary Examinations.—Clerks may volunteer for examination at any time, and division superintendents will afford them every facility for this purpose not incompatible with the proper discharge of their duties.

Sec. 968. Probationary Appointees to be Examined Monthly.—All probationary appointees will be examined monthly during their probationary term. These examinations will require a knowledge of the instructions, the schemes of distribution which may be furnished, and the railway connections at the various junctions as given in the sched-

ule of mail trains. The result of each examination will be reported to the Department, and on the result of these examinations and the efficiency of the probationers in their work will depend their permanent appointment in the service.

NIGHT DUTY.

Sec. 969. Clerks on Night Lines.—When there is any mail to be distributed or work to be done on night lines every clerk must be awake and do his full share. When the distribution is entirely finished and all of the work done, there is no objection to a part of the crew going to sleep, but at least one clerk must always be wide awake and on duty. This precaution is absolutely necessary for the proper protection of the registered and other mail against accident, fire, or robbery, as well as for the personal safety of the clerks on duty. These provisions apply also to long lines where it is necessary for a part of the clerks to sleep during the day. As far as practicable the doors of mail cars should be kept locked, especially at night.

LEAVES OF ABSENCE, ETC.

Sec. 970. No Clerk to be Absent without Leave.—No clerk is allowed to absent himself from his line, or to exchange runs with a clerk on the same or any other line, without the written permission of the division superintendent. Any clerk to whom a leave of absence is granted will be required to furnish a suitable and competent substitute, at his own expense, unless he can make a satisfactory arrangement with the other clerks on his line to perform his duties during his absence; such arrangement to be evidenced by a memorandum in writing, signed by all the parties concerned, and to be filed with the division superintendent. But no clerk or transfer clerk shall be absent for more than sixty days in the aggregate in any one calendar year, nor more than thirty consecutive days, without special authority from the Department. In case of absence on account of sickness a physician's certificate will be required.

Sec. 971. Paying back Runs.—When trips are made by one clerk for another, the clerk for whom such trips are made will be required to repay the same either in money or by running an equal number of trips, the method of payment to rest with the clerk making the trips, except in cases of sickness. Such repayment must be made as soon as possible after return to duty. New appointees are responsible for their runs from the date they commence to draw pay.

Sec. 972. Substitutes for Clerks Absent.—No person who has been discharged from the service for causes affecting his character and standing

as a clerk or a citizen can be employed as a substitute or in any other capacity, nor can he be permitted to enter or ride in a postal car.

Sec. 973. In case of Disability Railway Postal Clerk will send Certificate.—In case a clerk shall be disabled while in the actual discharge of his duties as such, by a railroad or other accident, he shall send to his division superintendent a certificate of his attending physician or surgeon, sworn to before an officer authorized to administer oaths, who has an official seal, setting forth the nature, extent, and cause of his disability and the probable duration of the same. The division superintendent will forward the certificate with his recommendation to the General Superintendent of the Railway Mail Service, who will make his recommendation thereon, and submit the case to the Postmaster-General, who may, in his discretion, grant such disabled clerk leave of absence with pay for periods of not exceeding sixty days each, and not exceeding one year in all. A sworn certificate from the attending physician must accompany every application for additional leave.

When it becomes necessary for the Department to employ an acting clerk by reason of the absence of an injured clerk, the acting clerk shall be of class one, at an annual salary of not exceeding eight hundred dollars per annum.

Sec. 974. Sending of Resignations.—Resignations must be sent to the Department through the division superintendent, and as long prior to the date on which they are intended to take effect as possible.

Sec. 975. No Information to be Given Concerning Vacancies.—Information regarding vacancies or probable vacancies in the service must not be imparted by clerks, nor must they take any part in procuring appointments.

MISCELLANEOUS.

Sec. 976. Subpœnaed by United States Court.—When railway postal clerks are subpœnaed by the Government to attend a United States court they are entitled (R. S., § 850) to their actual expenses, but are not entitled to per diem or mileage. Their actual expenses should all be stated in items. They will receive the regular salary of their grade during the time they are attending court. Where clerks reside at the place at which the court is held they are not entitled to expenses. When clerks are subpœnaed, as above stated, it is the duty of the remaining clerks on the line to keep up the run of the clerk or clerks so absent without expense to the Department or the clerk subpœnaed. If the remaining clerks on the line are unable to keep up the run and perform the service, the Department will employ an acting clerk or clerks to keep up the run during the absence of the clerk or clerks so subpœnaed.

Sec. 977. Clerks not Exempt from Jury Duty or Arrest.—Railway postal clerks are exempt from militia duty but are not exempt from road duty. They are exempt from jury duty in some of the States by statute; in others not. They are exempt from arrest on civil process while on duty, but are never exempt from arrest on criminal process. (Section 697.)

CHAPTER THIRTY-THREE.

INSTRUCTIONS TO RAILWAY POSTAL CLERKS IN HANDLING ORDINARY MAIL MATTER.

Sec. 978. Receiving Mail at the Cars.—Clerks will receive from the public and dispatch the following described mail matter, but are strictly prohibited from receiving from the public for mailing any matter on which stamps have been canceled :

First-class matter—(letters and postal cards) on which one full rate has been paid ; also soldiers' and sailors' letters unpaid, when duly certified.

Free matter—when inclosed in penalty envelopes or franked by persons authorized to do so by act of Congress.

Letters and postal cards readdressed for forwarding ; the destination of these can be changed as many times as may be necessary to reach the person addressed.

Second-class matter—(newspapers and periodicals from publishers and news agents) when accompanied by a certificate from the postmaster that the postage has been paid.

Third-class matter—newspaper and periodical publications, when sent by other than publishers and news agents, and prepaid in full at the rate of one cent for each four ounces ; all other matter of the third class, at the rate of one cent for each two ounces.

Fourth-class matter (all mailable matter not included in the three preceding classes) which has been fully prepaid by postage stamps, at the rate of one cent per ounce.

NOTE.—None but first-class matter, and second-class matter from one office to another in the county in which it is published, can be forwarded to a new destination without a second payment of postage.

Third and fourth class matter is by law unmailable when not fully prepaid. If clerks know that such matter mailed in their cars is insufficiently prepaid, they should treat it in the same way as other unmailable matter.

Sec. 979. Receiving Mail Outside of Pouches.—Postmasters are required

to dispatch their mail to railway post-offices in pouches, duly locked, except in the case of a few late letters on which they have canceled stamps, which they may deliver in person or by a sworn assistant; but such (canceled) letters cannot be received by the clerk from the mail messenger nor from the public. (See section 532.)

Sec. 980. Receiving and Delivering Second-Class Mail at Cars.—The Postmaster-General may provide by order the terms upon which route agents may receive from publishers or any news agents in charge thereof, and deliver the same as directed, if presented and called for at the mail car or steamer, packages of newspapers and other periodicals not received from nor intended for delivery at any post-office (R. S., § 3889). Clerks are prohibited from receiving newspapers and periodicals from publishers and news agents, unless the same are accompanied by a certificate from the postmaster that the postage has been paid. They will deliver them according to the instructions on the packages.

Sec. 981. Second Class and other Matter Outside of Mail Bags.—Mail matter must under no consideration be carried outside of the regular mail bags, except second-class matter designed and marked for outside delivery, as provided in section nine hundred and eighty, or matter the form of which prevents it from being carried in the mail bag.

Second-Class Matter to be Promptly Dispatched.—Newspapers and periodicals sent to regular subscribers must be promptly dispatched to destination. To the addressee such matter is of at least equal importance with letter mail, and it should be treated with equal care by postal clerks. If it is necessary to withdraw second-class matter from its wrapper in order to ascertain its destination, it may be done, but will not be allowed for any other purpose. Second-class nixes will be treated as prescribed by the regulations and orders. If postal clerks find any second-class matter improperly directed; that is to say, addressed to the wrong post-office or State, they should report the fact on the trip report so that the division superintendent may notify the publisher, but should not change the address or course of the package.

Sec. 982. Reading Mail Matter in Transit Forbidden.—Clerks must not remove newspapers or periodicals in the mail from their wrappers, packages, or bundles for the purpose of reading them.

Sec. 983. Begging Newspapers Forbidden.—Clerks are forbidden to request proprietors of newspapers to send copies of their papers to them free.

Sec. 984. Pouches to be Examined.—When emptying and before using a pouch or sack great care must be taken that no mail is left therein; and to be certain of this the pouch must be held so that the whole interior can be seen, and it must then be examined.

CANCELLATION AND POSTMARKING.

Sec. 985. Cancellation of Postage Stamps.—Postage stamps affixed to letters, packets, or parcels of any description, and all stamped envelopes, newspaper wrappers, and postal cards, must be immediately and effectually canceled by the use of black ink. The use of the postmarking stamp as a canceling instrument is strictly forbidden.

Sec. 986. Postmarking.—All mail matter except of the second class deposited in a car for mailing must be postmarked. As to manner of postmarking see section five hundred and eighteen. Postmasters are required by the section referred to to legibly postmark all mail matter of the first-class deposited in their offices. Postal clerks will report the continued violation of this regulation on the part of any postmaster to their division superintendent, who will report the same to the General Superintendent.

MAKING UP AND DISTRIBUTION OF MAILS.

Sec. 987. Mail to be Made up by States.—All mail for States of which no distribution is made must be made up "by States," and facing slips used, in accordance with section five hundred and thirty-six; that is, letter and circular mail for each State must be made up in packages, and newspaper mail in canvas sacks, and the name of the State marked on the slip covering the package and in the sack and on the tag attached to the sack.

Sec. 988. Separate Mail for Delivery and Mail for Distribution.—Mail for delivery and mail for distribution at a post-office must always be made up in separate packages, except when the division superintendent orders it combined in one package, in which case the slip covering the package should bear the name of the post-office and State, followed by the letters "D. & D."

Sec. 989. Direct Packages.—Making a direct package by railway postal clerks is placing all letters for one post-office in a package by themselves all faced one way, with a plainly addressed letter on the outside, with a facing slip covering the back of the back letter. The slip must be postmarked and bear the name of the clerk making the package and the direction moving. When necessary to include circular mail in a direct package, a letter must be put on the outside of the package.

Sec. 990. Direct Packages for Washington, D. C.—All railway post-offices and all post-offices sending more than one long and one short letter by the same dispatch for Washington, D. C., will make separate direct packages of the long and short letters and place addressed slips thereon.

Sec. 991. Letters must not be Placed in Pouch Loose.—Letter and circular mail must always be properly "faced up," slipped, and tied in packages, and never placed in the pouch loose.

Sec. 992. **Official Matter to be Pouched with Letter Mail.**—All official matter emanating from any of the Departments of the Government must be treated in every respect as first-class matter, unless the wrapper or envelope distinctly states that the inclosures are printed matter.

Sec. 993. **Signal Service Weather Reports to be Treated as Letter Mail.**—All Signal Service weather reports, whether inclosed in penalty envelopes or prepaid by ordinary stamps, must be treated in all respects like letter mail.

Sec. 994. **Facing Slips to be Used.**—Facing slips must be securely tied upon all packages of letters and circulars, and also placed in each pouch and sack, &c., with the address or destination of the package, pouch, or sack, the postmark of the line, with date, direction moving, and the full name of the clerk making up the same, as indicated in the diagram. Slips must not be used a second time. Clerks will note on their trip reports every instance of a violation of this rule by postmasters, inclosing in the report one of the slips as evidence. Facing slips must be of uniform size, $5 \times 3\frac{3}{8}$ inches. Facing slips must be prepared before going on duty. Placing the address upon direct slips is optional, except upon packages for Washington, D. C.

Diagram of slip for R. P. O. package, pouch, or sack.

N. Y. AND WASH. R. P. O., VA., FROM BOST., SPRING. AND N. Y. R. P. O.	
JOHN SMITH. * W ^{EST} .	[Postmark.]

* Or train number.

Diagram of slip for direct package, pouch, or sack.

CINCINNATI, OHIO, FROM NASH. AND ST. LOUIS R. P. O.	
SAM'L JONES. * N ^{ORTH} .	[Postmark:]

* Or train number.

Sec. 995. Checking Errors.—Failure to properly note errors is deemed sufficient cause for dismissal. All errors found in the distribution of a package of letters or in a pouch or sack of newspapers must be noted on the reverse side of the slip, giving the name of the post-office and State, and the county, when included in the superscription, the full name of the clerk noting the errors, and postmark with date, and direction moving, next to postmark, as follows :

<i>LETTERS.</i>	<i>PAPERS.</i>
1 Omaha, Nebr.	1 N. Y., N. Y.
2 South Bend, Ind.	1 Phila., Pa.
1 St. Louis, Mo.	1 Balto., Md.
Wm. Brown.	2 Wash., D. C.
* S. [Postmark].	1 Richmond, Va.
	C. J. Smith.
	* N. [Postmark].

* Or train number.

Sec. 996. Disposition of Slips Received.—All slips received upon packages of letter or circular mail or in pouches or in sacks of newspaper mail, on which errors have been noted, must be preserved and sent to the division superintendent, inclosed with the trip report. Correct newspaper slips will be placed with the waste. Letter and circular slips upon which no errors have been noted after being counted, will be thrown into the waste sack.

Sec. 997. Absence of Slips.—If no slips are received on the packages or in pouches or sacks, and errors are found, a slip must be made on which the errors will be noted. A report should also be made to the division superintendent, stating, if possible, the line or post-office from which the mail was received. The label received on the pouch or sack should be sent with the report.

Sec. 998. Distribution of Mails by Schemes.—Clerks will carefully distribute and make up mails by the official schemes which may be furnished them, and will conform to any changes that may be made in the same by their division superintendent, and will make up and exchange only such pouches as may be ordered by him.

Sec. 999. Open and Distribute One Pouch at a Time.—Clerks will complete the distribution of the contents of one pouch or sack before opening

another, so that any errors in distribution or missent mail may be correctly noted and reported.

Sec. 1000. Return of Pouches, Sacks, and Printed Labels.—All pouches and sacks labeled to any railway post-office must be returned as soon as possible to the railway post-office or post-office whence they were dispatched. The only exception to this rule allowed is in railway post-offices when such pouches or sacks are needed for immediate use. Labels on sacks of newspaper mail and slide labels on pouches must be taken off when the sacks or pouches are opened, and returned by first mail to the post-office or railway post-office from which they were received, the wooden labels to be classed with newspaper mail and the slide labels with letter mail.

Sec. 1001. Printed Labels must not be Defaced.—Under no circumstances are any printed labels or slides to be defaced, mutilated, or destroyed. Clerks receiving any defaced or mutilated printed labels must forward them to their division superintendent with a special report, giving any information they may be able to obtain, showing by whom the mutilation or defacement was done. Any addition or erasure is a defacement. If printed labels are needed, send list to division superintendent.

Sec. 1002. Trip Reports to be Sent.—Trip reports, together with all slips upon which errors have been noted, must be properly filled out and promptly sent to the division superintendent at end of each trip. Be particular to give all the information called for by the trip report.

Sec. 1003. Unmailable Matter and Articles found Loose in Mail.—Any clerk in whose car shall be deposited for mailing domestic matter wholly unpaid, or letters on which less than one full rate of postage is paid, or bearing stamps that have been previously used, or stamps cut from stamped envelopes or wrappers, or packages of third or fourth class matter not fully prepaid, shall detain and send the same to his division superintendent.

He will also intercept and withdraw from the mail all liquids not admissible to the mails under sections three hundred and sixty-nine and three hundred and seventy, gunpowder, and other explosives, live or dead animals (except queen bees and their attendant bees and dried insects), poisons, and any articles liable to injure the mails or the persons of those handling them, that may come to his notice, all matter on which the addresses have become detached or erased, all articles found loose in any pouch or sack, or any article which by the rulings of the Department has been declared unmailable, and send the same under cover to his division superintendent, with a special statement giving the name of the post-office or other source from which such matter was received. If any matter which should have been detained by the post-

master as "held for postage," "excess of weight or size," "coin," or "lottery," shall have, through inadvertence, been dispatched from the post-office of mailing, it should not be stopped in transit. All destructive matter withdrawn from the mail should be deposited in the terminal post-office and a special report made to the division superintendent.

Sec. 1004. Unmailable Matter to be Postmarked.—Unmailable matter sent to the division superintendent must be postmarked on the back.

Sec. 1005. Nixes.—Under this general term is embraced all mail matter not addressed to a post-office, or addressed to a post-office without the name of the State being given, or otherwise so incorrectly, illegibly, or insufficiently addressed that it cannot be transmitted. Whenever such matter dispatched from a post-office or mailed upon the cars may come into the hands of postal clerks for distribution, it should be withdrawn from the mail and sent to the division superintendent. The following are the only exceptions to this rule: Mail addressed to military or naval posts and stations of the Signal and Life-Saving Service which are not post-offices, should be sent to the proper post-office if known. Mail addressed to discontinued post-offices or to offices whose names have been changed, and to watering places and summer resorts which are not post-offices, should be sent to the nearest post-office known. Mail addressed from the Department to new post-offices, marked on the envelope "new office," will be sent to destination in the best manner practicable, in the absence of definite instructions. Nixes sent from a post-office by inadvertence which reach a line from which they can be delivered should be delivered. Nixes mailed upon a line addressed to a local to that line should be delivered to the post-office which has been designated to receive mail so addressed. When clerks know that matter addressed to a post-office without the name of the State being given is intended for the principal city of that name, being for instance, addressed to a well-known citizen, firm, newspaper, corporation, or institution of such principal city, or to a street and number which can only be found therein, it should be sent to that city. Mail of foreign origin addressed to persons in the United States is to be treated in the same manner as domestic mail.

Sec. 1006. Nixes to be Postmarked and Slipped.—All nixes sent to the division superintendent must be postmarked on the back and be accompanied by slip addressed to the division superintendent, bearing the full name of the clerk sending the same, the postmark of his line with date, and the word "nixes" in the upper left-hand corner.

Sec. 1007. Mailable Matter Turned in as Nixes to be Checked as Errors.—Any such mail matter, the address on which is found in the latest January or monthly Postal Guide or in the general orders will be noted

as errors on the slip accompanying the same and charged against the clerk. All matter supposed to be nixes must be verified with the latest January and monthly Postal Guide and general orders.

Sec. 1008. Treatment of Books in Canadian Mails, Supposed Dutiable.—Clerks on railway post-offices exchanging mail with Canada must carefully examine Canadian mails coming into their hands for distribution, and turn into the nearest exchange post-office where there is a custom-house officer all books found in such mails known or supposed to be liable to customs duty, in order that such action may be taken by the postmaster and the customs officer as the case may require. (See section 621.)

Sec. 1009. Locals Addressed via a Post-Office.—When mail matter addressed to a place which is not a post-office contains upon it a direction to send via a post-office, the matter should be sent to the post-office indicated.

Sec. 1010. Address not to be Changed.—Clerks must not change the address upon any mail matter, and no indorsement upon a letter or addition to the address, in pencil or ink, will be permitted.

Sec. 1011. Report of Letters under Strap of Pouches.—Clerks must make a separate report of each instance of letters or postal cards received under the strap or attached to the outside of pouches, giving name of post-office, with county and State.

Sec. 1012. Mail in Transit not to be Delivered.—Clerks must not make delivery at the postal car of mail in transit to any person whatever—except to a Post-Office inspector, as provided in section five hundred and sixty-five—although it be known to them that the applicant is the person named in the address: The act of delivery is devolved by law and regulation of the Post-Office Department on the postmaster at the post-office to which the mail is addressed.

Sec. 1013. Exchange of Pouches.—Exchange of letter mails must always be made in locked pouches (except in the case of exchanges with Canada and Mexico, when sealed canvas sacks must be used), and, whether there is any letter mail or not, a pouch, duly locked, must be furnished whenever one is due. Any failure to receive any regular exchange must be reported to the division superintendent on the trip report.

Sec. 1014. Mail Must not be Delivered at Places not Post-Offices.—Under no circumstances should mail be delivered at any place not a regularly established post-office.

Sec. 1015. Irregularities to be Reported.—Every serious irregularity in the transmission of mails should be specially reported, and in the reports, where letters are concerned, the exact postmark, including the hour, should be stated, and in the case of newspapers, whether

received in a pouch or a sack, and if in a sack, whether it contained all second-class, all third-class, or mixed matter; and if all one publication, give the name and date of it. In addition to the above the date, place, exact time of receipt, and train by which received should be given. In all cases the tag and slip of the missent pouch must be sent with the report to the division superintendent.

Sec. 1016. Missent Matter to be so Stamped.—Each letter or paper missent to a line must be plainly stamped on the face MISSENT, and the postmark of the line also stamped plainly thereon. This is necessary in order that the responsibility for delays to mail matter may be definitely located. This also applies to registered mail.

Sec. 1017. Delivery of Mails at Catch Stations.—At catch stations, where cranes are erected for the exchange of mails without slacking the speed of trains, the pouch must never be kicked off, but must be thrown off by hand to a distance of at least ten feet from the track, so as to prevent it from being drawn under the train. Under no circumstances should mail be thrown on a station platform from a train in motion, except by special instruction of the division superintendent. The utmost care should be taken in deliveries to avoid injury to person or property. If clerks have registered boxes for catch stations, they should not throw them off, but carry them on to the first station where the train stops, to be returned by the next mail train, or in charge of railroad employes if no mail train stops at the catch station. Use none but catcher pouches at catch stations except in case of absolute necessity.

Division superintendents will issue special instructions regarding the delivery of mails at stations where trains do not stop. Accidents frequently occur by reason of the clerks failing to throw the mail a proper distance from the cars, and also by throwing mails upon the platform, from which they rebound under the cars.

Sec. 1018. Counting Mail.—In counting mail worked, clerks will count each letter slip as a package of letters, and each label on sacks as a sack of newspaper mail. Packages and sacks merely opened for the purpose of consolidating or verifying the contents of the same should not be counted. The count should only include matter actually distributed.

DUTIES OF TRANSFER CLERKS.

Sec. 1019. Transfer Clerks under Supervision of Division Superintendents.—Division Superintendents may, with approval of the General Superintendent, detail clerks at certain important junctions to look after the handling of mails at railroad depots, and to perform such other duties pertaining to the Railway Mail Service as may be required.

They will be entirely under the supervision of their division superintendent, and will look to him only for all instructions.

Sec. 1020. Transfer.—Transfer clerks are required to superintend and assist, as far as possible, in the transfer of all mails at the points where they are stationed; to inform themselves thoroughly in relation to the routes over which mails should pass that are transferred at that point, in order that they may be able, in cases where mails are missent or incorrectly put off, to dispatch them by the proper trains; to keep themselves correctly informed of the hours of arrival and departure of all trains upon which mails are carried, and to notify their division superintendent, in writing, of any change of schedule whereby railroad connections may be made or missed, to the end that the quickest possible dispatch of mails may be secured.

Sec. 1021. Record of Errors by Transfer Clerks.—Division Superintendents will keep a record of all errors in forwarding mail made by transfer clerks in the same manner as that of errors made by other clerks. At the end of every month they will send to each transfer clerk a statement such as is sent to other clerks, showing the errors made in forwarding the mail from the point at which he is stationed.

Sec. 1022. Vigilance in Guarding Mails.—Transfer clerks are expected to use extraordinary vigilance in guarding the mails under their charge, which must not be left for a moment exposed, day or night, and especially in making transfers where there is a considerable portage between trains; they should accompany the mails upon the wagon in all cases possible, where there is no authorized clerk in charge of the same, and sit in such position at all times as to be able to instantly detect the loss of a pouch or sack.

Sec. 1023. Supervision of Messenger Service.—Transfer clerks will carefully observe the manner of performance of messenger service, and will report to their division superintendent every irregularity therein which comes to their knowledge. And in the receipt of mails they will verify by actual inspection whether or not each wagon is empty before the driver and wagon are allowed to depart.

Sec. 1024. Daily and Hourly Reports.—Transfer clerks must keep a daily record of the arrival and departure of mails, mail trains, and mail-wagons at their stations, and make a daily report to their division superintendent of all failures of railroads to make their regular mail connections, and of all irregularities in the transmission of the mails and in the service by mail wagon. A daily report regarding each of these features should be made whether there is a failure or not. The hourly report of service performed must also be made and promptly sent to the division superintendent daily.

Sec. 1025. Examinations of Transfer Clerks.—Examinations will be made of transfer clerks from time to time concerning their knowledge of the current titles and numbers of trains arriving at and departing from their stations, the mails to be transferred, and the correct terminal titles of routes with which they ought to be conversant. Case examinations will be made from time to time upon the official schemes of distribution furnished them, the connection of trains as shown in the "schedule" of mail trains, and such other instructions and orders as relate to the service; also as to their knowledge of the "Instructions." The questions will be such as to require answers giving the substance of each section of the instructions. On the completion of each examination the clerk examined will be given (on blank R. M. S., 5003) a statement of the result of his examination, and following the words "action taken" will be written the State on which he will next be examined, and the nature of such examination.

Sec. 1026. Arrivals and Departures must be Recorded.—A record of arrivals and departures must be kept at each station where a transfer clerk is assigned, in which each transfer clerk and assistant will sign his exact time of going on duty and leaving duty at station each day. At the end of each month this record will be sent to the division superintendent for inspection, who will return it after inspection to the transfer station for permanent file.

Sec. 1027. Handling Registered Matter.—In special cases transfer clerks may be required to receipt for, transfer, and deliver registered packages; in which case the registers must be entered in a book of record, which will be furnished for that purpose, and a receipt obtained from the postmaster or postal clerk to whom the packages are delivered. Transfer clerks are positively prohibited from transferring registered matter except as above instructed.

Sec. 1028. Care of Government and Railroad Property.—Great care must be exercised by transfer clerks to keep clean and in good order the rooms which may be assigned for their use by railroad companies, and to permit no waste of gas or water therein. The books and all Government and railroad property in this room or used by them must be maintained in good order. Pouches and sacks must not be allowed to lie about, and no mail must be allowed to lie over or be detained.

Sec. 1029. Transfer Clerks Governed by General Instructions to Postal Clerks.—In addition to these special instructions for transfer clerks, they will also be governed by the general instructions to postal clerks, when applicable.

CHAPTER THIRTY-FOUR.

GENERAL REGULATIONS RELATIVE TO THE RAILWAY MAIL SERVICE.

Sec. 1030. Carriage of Mail Matter by Railroad Employés.—Conductors on railroad trains, or other persons, whether connected with the Railway Mail Service or not, are subject to fine for carrying letters (sections 710, 711) unless they are inclosed in United States stamped envelopes of proper denomination, properly sealed and addressed (section 716), except such letters or packets relate to some article carried by the same railway car, or to the business of the railroad on which they are carried.

Sec. 1031. Arrival of Mail at Late Hour of Night.—Whenever the mail on any railroad route arrives at a late hour of the night, the railroad company must retain custody thereof by placing the same in a secure and safe room or apartment of the depot or station until the following morning, when it must be delivered at the post-office, or to the mail messenger employed by the Department, at as early an hour as the necessities of the office may require.

Sec. 1032. Departure of Mail at Late Hour of Night.—When a mail departs from a post-office in the night time later than nine o'clock, the division superintendent may authorize the mail messenger or carrier to take the mail to the depot and place it under the personal charge of the railroad agent; but before such authorization is given, the consent of the railroad company to assume responsibility for the keeping of the mail and its proper exchange when the train arrives must first be obtained. Division superintendents will report at once to the General Superintendent all arrangements made for the exchange of mails in this manner.

Sec. 1033. Changes of Service.—Before service is placed upon a new railroad the Second Assistant Postmaster-General will refer the case to the General Superintendent of the Railway Mail Service (on blank No. 2529) for report as to the necessity of service being placed on such line. The General Superintendent will refer the same to the proper division superintendent, who will make his report and recommendation. At the same time he will make a separate report respecting the necessity for the appointment of railway postal clerks, giving the number required. In case of the extension of a line the same rule will be followed and the same reports required. Superintendents should pass over the lines and learn from personal observation as to the necessity for the service before making report.

When reports are received and service authorized on a line, notice will be printed in the Bulletin, under head of "Railroad Service Changes"; and as soon as such notice appears division superintendents

may authorize the dispatch of closed pouches to such post-offices as can be best supplied by the railroad; but this is not intended to grant authority to establish mail-messenger service, nor to make changes therein at stations where the service is performed by the Department until authority is granted for such change. Division superintendents must not extend the runs of clerks over extensions or railroads or place them upon a new line until authority for so doing appears in the Bulletin, under head of "R. P. O. Service Changes."

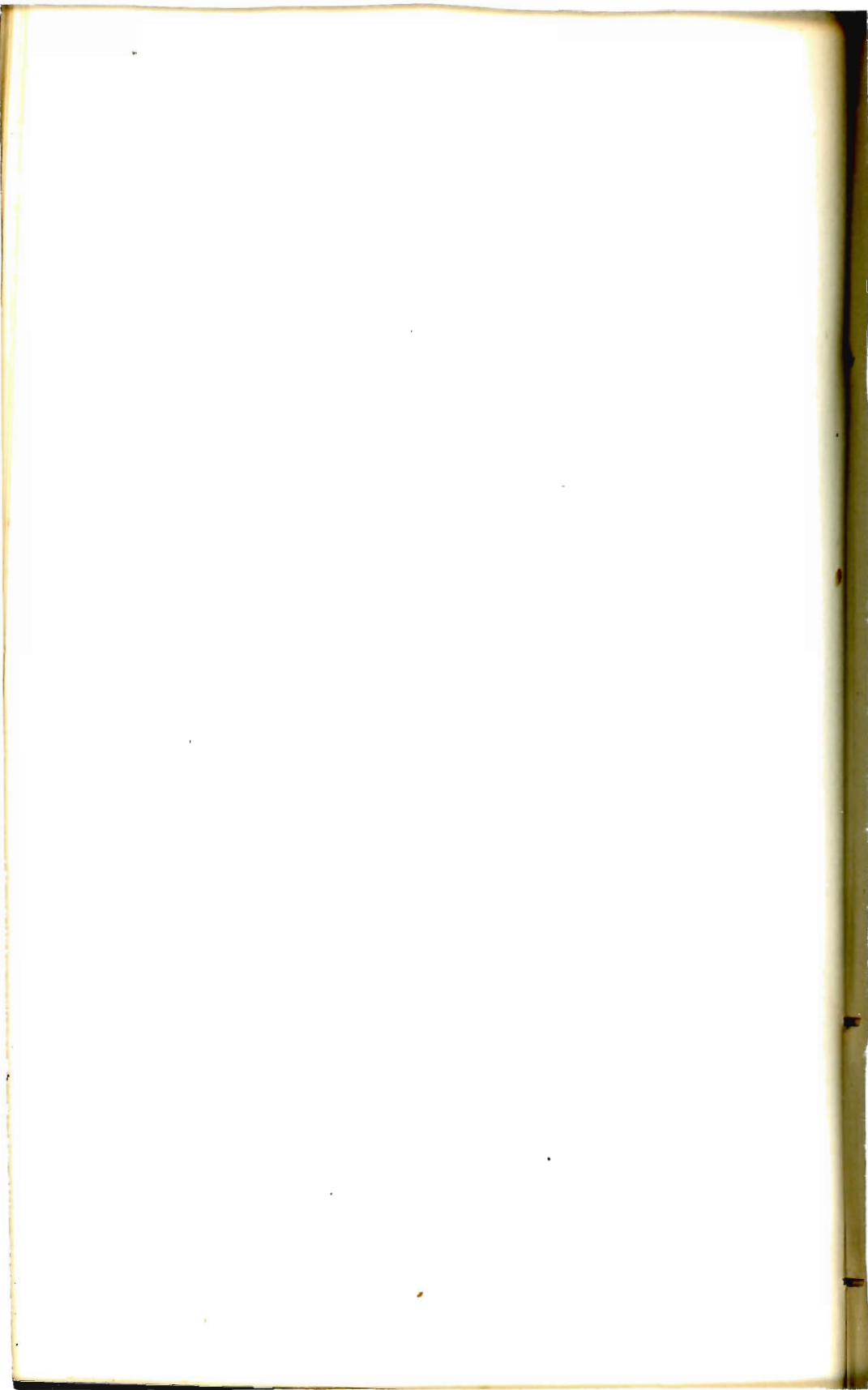
Sec. 1034. Delivery of Mail by Mail Messengers.—It is the duty of mail messengers to deliver the mail on board the trains and into the post-offices.

Sec. 1035. Letter Boxes at Railroad Depots.—When it appears that the public convenience will be subserved, the General Superintendent may authorize railroad companies to place letter boxes in their depots for the receipt of mail matter other than that for local delivery; and railway postal clerks will be required to visit such boxes and take mail therefrom at the last moment practicable before the departure of their respective trains.

Sec. 1036. Mail for Foreign Countries Specially Addressed.—When mail addressed to foreign countries is specially addressed to go by way of a particular route, railway postal clerks will forward the same, as far as practicable, in accordance with such superscription.

Sec. 1037. Treatment of Extra-National Correspondence Received from Canada.—Division superintendents must require railway postal clerks who receive, in mails from Canadian offices made up for their distribution, correspondence addressed to foreign countries other than Canada, to return the same, by the first opportunity, directly to the Canadian offices from which they received it, under labels marked "MISSENT.—SHOULD GO IN CANADIAN MAILS MADE UP FOR NEW YORK OR SAN FRANCISCO POST-OFFICE."

Sec. 1038. Investigation of Losses.—Division superintendents are not to investigate cases of loss of mail matter. If, in investigating the causes of a delay or other irregularity in his division, the division superintendent finds that the loss of mail matter is involved in the case, he should at once discontinue investigation and forward the papers, together with all the information obtained by him, to the General Superintendent to be referred to the Chief Post-Office Inspector. If, in his judgment, immediate action should be taken, he may show the papers to the inspector stationed in the same city in which his office is, and if necessary give him a copy of the papers. When losses are reported to a division superintendent he should immediately refer the same to the General Superintendent, and, if in his judgment necessary, notify the local Post-Office inspector as above indicated.



TITLE VII.
THE REGISTRY SYSTEM.

CHAPTER THIRTY-FIVE.

REGISTRATION OF DOMESTIC MAIL MATTER.

Sec. 1039. Registry System Authorized.—For the greater security of valuable mail matter, the Postmaster-General may establish a uniform system of registration. But the Post-Office Department or its revenue shall not be liable for the loss of any mail matter on account of its having been registered. (R. S., § 3926.)

Sec. 1040. Means Employed to Attain Safety.—The special security given to registered matter is obtained by the use of a distinctive cover for the matter, its retention in special custody, and a system of records and receipts showing every transfer of it after it has been received for mailing, whereby it may be traced throughout its journey from its receipt for mailing until delivery to the addressee.

Sec. 1041. Postmasters' Duty to Encourage Registration.—Postmasters are obliged to register matter properly prepared and offered for registration, and should advise the public to register valuable mail matter, so as to enable the Post-Office Department to keep it under strict supervision.

Sec. 1042. Office of Department in Charge of Registry System.—All correspondence or other business, as well foreign as domestic, relating wholly to matters of registration, should be conducted through the office of the Third Assistant Postmaster-General. All papers coming into the possession of any other branch of the postal service or other office of the Department, in connection with such business, must be referred, either entire or by copies or appropriate extracts, to the office directly in charge of the Registry System.

Sec. 1043. What Mail Matter can be Registered.—All classes of mailable matter may be registered. Matter addressed to fictitious names, to initials, to box numbers simply, or with other vague and indefinite addresses, must not be registered.

(See, as to matter addressed to fraudulent lotteries, sections 1130, 1131, and 1132.)

Sec. 1044. Hours of Business.—Post-offices will be kept open for registry business during ordinary business hours. Offices of the first class and their stations or branch offices must be kept open for the receipt and delivery of registered matter until six o'clock p. m.

NOTE.—As to Sundays and holidays, see sections 481 and 483.

Sec. 1045. Limit of Fee.—No Fee on Official Matter.—Mail matter shall be registered only on the application of the party posting the same, and the fee therefor shall not exceed twenty cents in addition to the regular postage, to be in all cases prepaid; and all such fees shall be accounted for in such manner as the Postmaster-General shall direct. But letters upon the official business of the Post-Office Department, which require registering, shall be registered free of charge and pass through the mails free of charge. (R. S., §3927.) That any letter or packet to be registered by either of the Executive Departments or Bureaus thereof, or by the Agricultural Department, or by the Public Printer, may be registered without the payment of any registry fee. (Act of July 5, 1884, 23 Stats., 158.)

NOTE.—The above statute applies only to matter registered by the officers therein named at the seat of government. Officers elsewhere, other than postal officers, must pay the fee when official matter is registered.

Sec. 1046. Registration Fee.—The fee on registered matter, domestic or foreign, is fixed at ten cents for each letter or parcel in addition to the postage, both to be fully prepaid with ordinary postage stamps affixed to the article registered. Two or more letters or parcels addressed to, or intended for, the same person cannot be tied or otherwise fastened together and registered as one.

Sec. 1047. Registry of Letters Containing Currency for Redemption.—Under such regulations as the Postmaster-General may prescribe, all postmasters are authorized to register in the manner prescribed by law, but without payment of any registration fee, all letters containing fractional or other currency of the United States, which shall be by them sent by mail to the Treasurer of the United States for redemption; and the postmaster at the city of Washington, in the District of Columbia, shall register, in like manner, without charge, all letters containing new currency returned for currency redeemed, which shall be received by him from the Treasurer, in sealed packages, marked with the word "register" over the official signature of the said Treasurer. (R. S., §3932.)

Sec. 1048. Special Instructions for Registering Currency.—Whenever letters containing currency for redemption are offered for registration, postmasters will be governed by the following instructions:

1. They must require the contents of every such letter to be exhibited

to them, and be furnished a list, giving an accurate and detailed description of the money to be remitted. In case of fractional currency, the number and denomination of pieces will be sufficient; but of currency of the denomination of one dollar and upward, the letter, number of series, and date of each note, as well as the denomination, must be given.

2. The list must be carefully examined and compared with the money to be remitted, and when found to be correct will be filed in the office, to be subject at all times to the inspection of proper agents of the Post-Office Department.

3. The money must be inclosed and the letter sealed in the presence of the postmaster, who will then give the usual registry receipt therefor.

4. The letter must then be disposed of in the manner provided for other registered letters; but for the sake of further security, the postmaster must be ready to prove beyond question in every case, by a disinterested witness, that such letter was duly mailed in the mode prescribed for registered letters; otherwise, should the letter or package be lost, he may be held responsible therefor.

Sec. 1049. Registering Remittances of Postal or Money-Order Funds.—In remitting postal or money-order funds, if the same be registered, postmasters should be guided by the following directions:

1. If in bulk small enough to be inclosed in a registered-package envelope, the money should first be inclosed in a strong envelope (such as the Department provides expressly for that purpose), which must be securely sealed, addressed to the proper official, and placed in the registered-package envelope.

2. If in coin, in bags, or in currency, in envelopes too large for inclosure in the registered-package envelope, the bag or envelope should be re-wrapped with strong paper, and this additional wrapper thoroughly sealed with mucilage. A split registered-package envelope should then be pasted thereon in such manner as to expose address and record of transit. Failure to observe these regulations will be deemed negligence. (See section 273.)

Sec. 1050. Registration Records to be Kept.—The following registry records must be kept by every postmaster:

1. Registration book, showing all matter that is registered.
2. Delivery book, showing all matter received for delivery.
3. Transit book, giving a full description of all registered packages and through pouches addressed to some other post-office.

No excuse will be accepted for failure to keep these records. Supplies of them may be obtained upon application to the First Assistant Postmaster-General (Division of Post-Office Supplies).

Sec. 1051. Blanks, &c., to be Used.—The following blanks and envelopes are also to be used by every postmaster for registration business:

1. Registry Bill, Registry Return Receipt, Registered Package Receipt, Registry Notice, Circular of Inquiry, Registry Quarterly Report, Requisition for Registered-Package Envelopes, Registry Deficiency Report, Registry Tracer. They may be obtained on requisition from the First Assistant Postmaster-General (Division of Supplies). (See section 473.)

2. Registered-package envelopes and registered-package tag envelopes. Supplies of these may be had by applying to the Third Assistant Postmaster-General.

3. At free-delivery offices a book, called Carrier's Delivery Book, is used for the delivery of registered matter by letter carriers.

Postmasters must not allow their supply of registered-package and tag envelopes or any of the blanks or books required in the registry business to become exhausted, but should keep themselves supplied by timely requisitions.

All fourth-class postmasters will write in ink the name of their respective post-offices on each registered-package envelope received by them on their requisitions, such writing to be completed without delay on receipt of fresh supplies. The name of post-office and the State in which located should be written on the back of each registered-package envelope immediately above the space provided for the postmark of mailing office. The writing of the name of post-office on each envelope in advance of the date of mailing will in nowise relieve fourth-class postmasters from legibly postmarking registered package envelopes on the date when actually mailed.

Sec. 1052. Use of Other than Standard Registration Forms at Large Post-Offices.—Postmasters at several of the more important post-offices are permitted the use of special registration forms in connection with a system of checks and balances prescribed at such offices.* Such forms must never be used or changed without special authority from the Third Assistant Postmaster-General.

PREPARATION AND DISPATCH OF REGISTERED MATTER.

Sec. 1053. Matter, how to be Presented for Registration.—Postmasters, before receiving matter for registration, must require the sender to have it fully, legibly and correctly addressed, the name and address of the sender indorsed upon it, and, if letters, all the contents placed in a firmly sealed envelope, and to have affixed the necessary stamps to pay postage and fee. Postmasters and their employés are forbidden to address the matter, place its contents in the envelope, seal it, or affix the

stamps. Third and fourth-class matter for registration must also be marked "THIRD-CLASS" or "FOURTH-CLASS," as the case may be, and be so wrapped as to safely bear transportation, and easily admit of examination, which the postmaster should make before registering.

(See sections 359 to 373.)

Sec. 1054. Receiving Mail Matter for Registration.—When a letter or parcel is presented for registration the postmaster will first examine it to see that the sender has complied with requirements of the preceding section, and if such be the case, he will enter on the registration book the name and address of the sender, name of addressee, and destination of letter or parcel, registered number and date of mailing, filling out alike stub of the book and registry receipt. He will number the letter or parcel to correspond with number on stub and registry receipt, sign the receipt, separate it from the stub, and give it to the sender.

NOTE.—Postmasters will erase the word Letter or Parcel on receipt and stub, so that it will read according to the character of article registered.

Sec. 1055. Number Registered Matter and Registered-Package Envelopes.—The registration book must be commenced each quarter with No. 1, and continued consecutively through the quarter, and the letters or parcels registered correspondingly numbered. Registered-package envelopes are also to be numbered consecutively, commencing each quarter with No. 1.

Sec. 1056. When matter becomes Registered.—After a receipt has been given therefor, and the matter has been numbered as prescribed in the preceding sections, the letter or parcel becomes registered, and must be guarded with the utmost care.

Sec. 1057. Letter Carriers not to Accept Matter for Registration.—Letter carriers are forbidden to receive letters or parcels to be afterwards registered at the post-office.

Sec. 1058. Cancellation of Stamps, Registry Mark, and Postmark.—All stamps on registered matter must be effectually canceled, and the letter or parcel marked plainly REGISTERED, and plainly postmarked.

Sec. 1059. Registered Matter to be Kept Secure.—All registered matter must be kept separate from ordinary matter, and so as to be secure from accident or theft. No unauthorized person should be permitted to have access to the place where registered matter is kept. The postmaster will be held accountable for all registered matter coming into his post-office.

Sec. 1060. The Registry-Return Receipt.—A registry-return receipt must be filled out for and accompany every domestic letter or parcel addressed to any post-office in the United States or Territories. On the face of

such receipt must be written the name of the sender, street and number, or post-office box, name of post-office, county, and State. The space for stamp of post-office is reserved for post-office of delivery. On the other side must be entered date of mailing, registry number, mailing post-office and State, and address of the registered letter or parcel.

Sec. 1061. The Registry Bill.—A registry bill must be prepared to accompany the registered letter or parcel, and must, on its face, be filled out with the name of the mailing post-office, county, and State (the place for stamp is reserved for post-office of destination); on the other side, in the heading, the date of mailing, mailing post-office, post-office of destination, county and State, number of registered-package envelope in which it is to be inclosed, and in proper columns in body of bill the registry number of letter or parcel, class, whether first, third, or fourth, name of addressee, and signed and postmarked with date of actual mailing. This bill must be inclosed with the letter in the registered-package envelope, and on its arrival at destination, if contents of envelope agree with it, is to be properly signed and returned by first mail to the mailing postmaster. All domestic registered letters or parcels for the same post-office are to be entered on one bill and inclosed in one registered-package envelope when practicable. When this cannot be done, a separate registry bill must be made out for the contents of each registered-package envelope. Special bills in sheet form may be used by large post-offices when necessary. No blanks must be left between entries on the bill, and a diagonal line should be drawn with the pen from the last item across the bill to the place for signature. Postmasters receiving bills with such blank spaces should fill them in by waved lines made with the pen. (See section 1104.)

Sec. 1062. Registered-Package Envelope.—In all cases where it is possible, registered matter must be inclosed in registered-package envelopes, which are to be used for no other purpose than to cover registered mail matter in its transmission from the receiving post-office to post-office of delivery. They must securely inclose the registered matter they convey, be plainly addressed, without abbreviation, to post-office of destination, county, and State, be distinctly numbered, and legibly postmarked with the postmark of the mailing post-office and date of mailing. Special care must be used in postmarking and sealing them. Penalty envelopes must never be used as substitutes for registered-package envelopes. Registered-package envelopes should never be sent out of the country. (See sec. 1156.)

Sec. 1063. Preparing Matter for Dispatch.—The registered letter or parcel with registry bill and registry-return receipt must be placed together in a registered-package envelope, addressed to the same post-

office as the letter or parcel. The number of the registered-package envelope must then, and not before, be entered on the stubs of the registration book describing such letters and parcels as are inclosed in the envelope. In cases where registered matter is also for special delivery, the words "FOR SPECIAL DELIVERY" must be written by the mailing postmaster conspicuously across the registered-package envelope. The registered-package envelope must then be firmly sealed.

Sec. 1064. Responsibility for Losses Growing out of Failure to Seal Envelope.—If a registered-package envelope be dispatched from a post-office unsealed or unaddressed, and a depredation be committed on such unsealed package, which cannot be traced directly to the person committing it, the mailing postmaster may be held responsible for the loss because of his neglect of duty. Postmasters and postal clerks should report every instance of this irregularity.

Sec. 1065. Matter too Large to go in Registered-Package Envelopes.—When a registered letter or parcel of first-class matter is too bulky to be securely inclosed and sealed in a registered-package envelope, such matter, together with the registry bill and registry-return receipt, must be wrapped with strong paper, and the wrapper thus made must be provided with broad flaps and thoroughly sealed in every part with mucilage. A registered-package envelope must be split open and securely gummed or sealed on the wrapper, made up as above directed, so as to expose both faces of the envelope for address and for record of transit. The same course is to be pursued for parcels of third and fourth class matter too large for inclosure in registered-package envelopes where the postmaster has suffered his supply of registered-package tag envelopes to become exhausted.

Sec. 1066. Registered-Package Tag Envelope.—Where registered parcels of third and fourth class matter are too large for inclosure in registered-package envelopes, postmasters should use registered-package tag envelopes, in which must be placed the registry-return receipt and registry bill. Each parcel should have a separate tag. The tag envelope should be attached to the registered parcel, invariably on the address side, by passing a stout twine around the tag, and then through the eyelet holes, when it should be knotted loosely, and then tied firmly about the parcel, or at the cross fastenings of the parcel. Samples showing the manner of tying are furnished by the Department, one of which should be posted up in every post-office. Postmasters should promptly report to the Third Assistant Postmaster-General all cases where tags are not tied according to the samples furnished.

Registered-package tag envelopes should be addressed, indorsed, and

preserved on file, the same as registered-package envelopes, and should be numbered in the series with them. The tags should never be used on sealed matter or on parcels which can be inclosed in registered-package envelopes.

Postal officers will refasten any tag envelopes torn off or damaged in transit by tying firmly across the tag and reattaching to parcel.

Sec. 1067. Registered-Package Receipt.—After a registered package has been made up for dispatch, a registered-package receipt (except in cases where billed in registered pouches or hand-to-hand receipts on books can be taken) must be filled out in the manner described in the following section, and sent in the same pouch with the registered package, but tied on top of the bundle of letters which is first to be handled by the official receiving the same. The pouch must be locked, and the lock tried to ascertain if it has been securely fastened. Registered matter and registered-package receipts must never be inclosed in a newspaper or tie sack.

Sec. 1068. Making out Registered-Package Receipts.—Postmasters and postal clerks, in making out and returning registered-package receipts, will be governed by the following directions:

1. The sending official will fill the blanks provided for the return address, and then, on the reverse side of the card, will enter, in the column arranged for the purpose, a description of the packages dispatched, writing the letter "R" for ordinary registered packages, and the letter "S" for packages of stamps, stamped envelopes, or postal cards. The numbers of packages, the name and date of postmark of the mailing office, and the office of address must also be written in, and the receipt must be postmarked at the lower left-hand corner with date of its dispatch.

2. The page of the postmaster's or postal clerk's record may also be entered in the space provided therefor.

3. Transit packages as well as packages of local origin are to be entered on the same receipt.

4. No blanks should be left between the entries where there are two or more items on a receipt; and after the last entry a diagonal line should be drawn with the pen from the left of the card to the lower right-hand corner.

5. If blank lines or spaces should, in violation of these rules, be left on the receipt by the dispatching official, the receiver should fill them with wavy lines made with the pen before returning it. Every such case should be promptly reported to the Third Assistant Postmaster-General.

Sec. 1069. Manner of Signing Receipts by Subordinates.—When a subordinate in a post-office receipts for registered matter, he should not sign in his own name, but as follows: “———, P. M., by ——, Ass’t P. M., or Clerk.” When the postmaster signs his own name it must be written. When signed by a subordinate the postmaster’s name may be written or stamped, but the signature of the assistant postmaster or clerk must be in writing.

Sec. 1070. Prompt Return of Receipts and Bills.—Where registered-package receipts or registered bills are not promptly signed and returned, the delinquent office will be exposed to suspicion. Repeated failures to make prompt return will be deemed ground for removal.

Sec. 1071. Hand-to-Hand Receipts where Practicable.—At every office on railway postal-car lines, where it is uniformly practicable, registered packages may be delivered by the postmaster direct to the postal clerk, and his receipt obtained at once for them. In such cases the packages—both local and transit—shall be recorded and the receipt taken on the transit book.

Unless hand-to-hand receipts can invariably be obtained, and the exchange of receipts between postmaster and postal clerk is reciprocal, the signature of the postal clerk should be obtained on the registered-package card receipt and not upon the transit book.

Sec. 1072. Registered Matter on Night Trains.—From post-offices on railroads where there is local railway mail service performed by day, registered matter must not be dispatched at night, except where hand-to-hand receipts can be given by postal clerks.

Sec. 1073. When Registered Matter may be Sent by Express Trains.—Where post-offices are located on, or supplied from, lines of railway on which there is no postal-car service, registered packages may be sent to and from such offices in direct iron-lock pouches, registered-package receipts to accompany the packages and to be promptly signed and returned. Where it is possible the deposit of registered packages in the mail pouch and the removal therefrom should be witnessed on the transit book by two postal employés. Registered packages must never be sent over railways by express mails for the purpose of making better dispatch, where it is possible to send at any other time by mail trains carrying postal clerks.

Sec. 1074. Registered Matter not to be Tied with Ordinary Mail Matter.—Postmasters must not wrap or tie registered packages with ordinary mail matter, but should place them separately in the mail pouch, so that their presence can be observed at once by the person opening the pouch.

Sec. 1075. Registered Packages for Dispatch in Catcher Pouches.—Post-

masters at offices using catcher pouches will so place registered packages for dispatch therein that when the pouch is strapped in the middle and hung for catching, bottom upward, the registered packages will rest at the mouth of the pouch, thus avoiding the direct contact of the postal-car mail catcher at the middle of the pouch.

Sec. 1076. Mail Carriers not to Handle Matter.—Under no circumstances may a registered package be intrusted to a mail carrier or a mail messenger outside of the locked pouch, nor should an iron-lock pouch or a brass-lock pouch containing registered matter be intrusted to any but a mail carrier, mail messenger, or a sworn officer or employé of the postal service.

Sec. 1077. Certifying to Proper Dispatch of Matter.—The postmaster, his deputy, or a duly qualified clerk must be prepared at any time to make affidavit that any particular registered package was either given to an employé of the Railway Mail Service or left the post-office in a pouch properly locked and labeled, and was sent by the proper route. In all cases where practicable two persons should be present at the mailing of a registered package, and be prepared to testify as above in case it should be required.

Sec. 1078. Matter from Distant Post-Offices.—Postmasters at post-offices located on star routes at any distance from a railway or steamboat line should never send registered matter in through pouches to the postal clerk, even though ordinary mail be so sent. Such matter must be sent in the regular way pouch, to be examined, recorded, and receipted for at intermediate offices, and delivered or pouched to the postal clerk by the postmaster at the post-office connecting with the railway or steamboat line.

Sec. 1079. Matter not to be Sent Direct over Railway Mail Routes.—In no case must a postmaster dispatch a registered package in an iron-lock through pouch labeled to a post-office over a route upon which there is railway mail service. Registered matter on such routes must be held for the railway post-office, and pouched or delivered to the postal clerk in charge.

Sec. 1080. Packages must be Sent by the Most Secure Route.—Postmasters on star routes must dispatch registered packages by the most secure route, and endeavor, especially when they have to be sent long distances, to have them reach a railway post-office or registered pouch office as soon as possible, even though such registered packages traverse a longer distance by railway post-office to destination than that taken by ordinary mail matter over star routes.

For list of inner-sack and through-registered pouch offices see the latest Official Postal Guide.

Sec. 1081. Postmasters must Observe the Registry Schemes.—When registry schemes and schedules of routes and times for the dispatch of registered matter are furnished to postmasters by the General Superintendent or division superintendent of Railway Mail Service, they will comply with such schemes and schedules until otherwise specially directed. When postmasters observe changes which, in their opinion, should be included in the standing schemes, they will submit the same for approval to the division superintendent.

Sec. 1082. Packages to be Dispatched over Star Route in the Way Pouch.—Registered packages from post-offices on star routes must never be placed in iron-lock through pouches labeled so as to pass intermediate offices without opening. All registered packages on a star route must be placed in a way pouch and be treated as required by section one thousand and eighty-four at each way post-office on the route of transmission.

Registered packages passing between authorized brass-lock exchange offices are specially excepted from such requirements.

TREATMENT OF REGISTERED PACKAGES RECEIVED.

Sec. 1083. Receiving Packages in Pouches.—Every postmaster or postal clerk opening a pouch and finding registered packages therein, will sign the registered-package receipt, erasing the word "postmaster" or "postal clerk," so that his official title will be properly stated, and will write, in words, within the rectangle after his signature, the total number of packages described in the receipt and received by him. If any of the packages are in bad order, he must note the fact on the receipt as well as on the package, postmark the card on the address side, and return as addressed without postage or cover of an envelope by the next mail. Before signing a registered-package receipt the postmaster or postal clerk should correct any errors there may be in it, and also note upon it any irregularities he may observe in connection with the package. If no receipt accompanies the registered package, the receiving postmaster or postal clerk should himself fill up, sign, and return one without delay.

Sec. 1084. Packages in Transit.—If a postmaster, upon opening a way pouch, finds inclosed registered packages addressed to offices beyond his own, he must sign and return the accompanying package receipt and indorse the package as directed in the preceding section. He will then fill up a new package receipt, inserting the name of his own post-office and describing all the transit and other registered packages to be dispatched. The packages, after being properly recorded, must then be deposited in the pouch, with the receipt, which must be tied on top of the bundle of letters destined for the next office on the route.

Sec. 1085. Transit and other Packages on Star Routes.—From the packages and package receipts the postmaster must make the proper entry in the transit book. He may also record in such book all registered packages to be dispatched from his own office.

Sec. 1086. Continuous Examination, Record, and System of Receipts.—The process of examination, indorsement, record, filling out package receipts anew and depositing in pouch, must be repeated by every postmaster opening the pouch until it reaches its destination.

Sec. 1087. Transit Book.—Postmasters at all offices where pouches containing mail matter for other offices are opened, must enter immediately after arrival on their transit books a full statement (as per heading of columns) of every registered package, through-registered pouch, or inner-registered sack passing through their offices, showing particulars of arrival and disposal of each package, pouch, or sack. They may also record in such book all registered packages or registered pouches originating at their own offices for dispatch by star route, or for hand-to-hand delivery to postal clerks. They must at all times be prepared to make prompt reply to any inquiry concerning such registered packages or pouches. This transit book must be carefully preserved in good order and be at all times open to the inspection of Post-Office inspectors. At large offices other arrangements as to the transit book may be specially authorized.

Sec. 1088. Matter in Pouches with Defective Locks.—Whenever a postmaster is compelled to pass a way pouch unopened to the next office on the route, as directed in sections eight hundred and eighty-eight and eight hundred and eighty-nine, he should make a note upon his transit book, stating the fact, the cause, and the date, and advise the postmaster to whom the pouch is forwarded. When the pouch that has been so passed is received and opened, the receiving postmaster will retain the registered matter for the office or offices passed and enter it upon his transit book. If the pouch has been passed to him for the reasons stated in section eight hundred and eighty-eight, he shall retain such matter until he is advised that a new key has been received at the office passed. If the pouch was passed for the reasons stated in section eight hundred and eighty-nine, he will return the registered matter for the office passed in the first locked pouch sent to that office.

Sec. 1089. Indorsing Packages.—When a postmaster or railway postal clerk signs a receipt for a registered package, he will carefully examine the package and indorse thereon, in the spaces provided therefor, the date of its receipt, the name of his post-office or railway post-office, and his signature. In the spaces provided therefor he will enter a statement of the facts whenever a package is in bad condition.

The absence of remark in the space marked "CONDITION" will be deemed a certification that the article was in good condition. Whenever registered packages are in bad condition the facts should be stated by the indorsing official on the registered-package receipt and other records.

Sec. 1090. Checking Return of Receipts and Bills.—On the return of a registered-package receipt and registry bill, the postmaster will at once note the date of their return on the stub of the registration book, and file them for future reference.

Sec. 1091. Failure to Return Registered-Package Receipt.—In case a registered-package receipt is not promptly returned by the postmaster or postal clerk to whom it was sent with the package, the postmaster who sent it must fill out and send a duplicate, noting date of such duplicate on registration book. Failure to return either original or duplicate receipt in due season must be reported to the Third Assistant Postmaster-General. Delay in returning registered-package receipts will be treated as a serious delinquency.

Sec. 1092. Failure to Return Registry Bill.—In case the registry bill fails to come back to the mailing post-office in reasonable time, which should not extend beyond the arrival of the second return mail, a circular of inquiry for registered matter, giving particulars of the package and its contents, must be sent to the post-office to which the registered package was addressed, and the date of mailing such circular must be entered in the proper place on stub of registration book. Failure to return registry bills in due time is a grave neglect of duty, and must be reported by every postal officer who observes it.

Sec. 1093. Circular of Inquiry Returned Indorsed "Not Received."—If the circular of inquiry is returned stating that the registered package has not reached its destination, a full report of the case must be made to the Chief Post-Office Inspector, Washington, D. C., for investigation, and also to the inspector in charge of the division in which the post-office is situated. (See section 36.)

Sec. 1094. Misdirected Packages; how Treated.—Misdirected registered packages, unaddressed packages, or packages addressed to a place not a post-office, not including cases covered by section one thousand and ninety-six, must be returned to the mailing office for better direction. The postmaster detecting the error must indorse the package "RETURNED FOR BETTER DIRECTION," place it under cover of a regularly numbered registered-package envelope, duly postmarked, and send it addressed to the mailing post-office, making due note of the fact on his transit book. Registered packages in transit or addressed to another post-office must not be opened. In cases where, from absence or illegibility of postmarks, or from any other cause,

it is impossible for the postmaster receiving such package to ascertain the office of mailing, he must send the package, with a letter of advice, registered, to the Third Assistant Postmaster-General, making the proper entry on the transit book.

Sec. 1095. Missent Packages.—Where a registered package is missent to a post-office, the address on the same being plain or its true destination manifest, the postmaster must make proper entry of the same on his transit book, and dispatch the package to its address by the nearest route.

Sec. 1096. Misdirected Postage-Stamp Packages, &c.—Postmasters on receiving or handling in transit a registered package of stamps, envelopes, or postal cards bearing an incorrect or imperfect address, should hold the package and at once notify the Third Assistant Postmaster-General, giving the registered number, date of postmark, and full address of the package, and await instructions in regard to its disposal. When the package is forwarded under instructions thus received, the proper entry of it should be made on the transit book.

Sec. 1097. Packages Found in Bad Order or Damaged in Transit.—In case a registered package becomes damaged, it must be placed in a new registered-package envelope at the post-office where the injury occurs or is discovered; or, when damaged in the hands of a railway postal clerk, at the post-office at the terminus of his route. The original registered-package envelope must not be removed; but, before inclosed in the new one, it must be indorsed with a statement of its exact condition, and signed by the postmaster or railway postal clerk from whom received. The new registered-package envelope must bear the address, registry number, and name of the post-office of origin, and also the postmark of the post-office at which the package is re-enveloped. The fact of reinclosure must be noted on the transit book. Railway postal clerks finding in their offices registered packages in bad order or damaged must deliver them to the postmaster at the terminal post-office for treatment as prescribed in this section. (See section 1099.) Where such damaged package, being too large for inclosure in a registered-package envelope, has been put up as prescribed in section one thousand and sixty-six, it must be rewrapped and sealed in the same manner as was originally done, readdressed, and otherwise treated as above prescribed.

Sec. 1098. Damaged Packages having Tag Envelopes Attached.—Where registered parcels of third or fourth class matter, too large for inclosure in registered-package envelopes, are so badly damaged in transit as to endanger the contents, such parcels must be rewrapped and treated as prescribed in the preceding section, except that the tag envelopes should be detached before rewapping, and the facts of the damage and of the

placing under cover indorsed on the tag, after which it should again be attached to the parcel.

Sec. 1099. Postage-Stamp Packages Damaged in Transit.—Registered packages of postage stamps, stamped envelopes, or postal cards, damaged in transit, must be securely rewrapped and sealed by the postmaster discovering the damage, or at the terminal post-office to which such matter is delivered by railway postal clerks. After indorsing the package, as provided in section one thousand and ninety-six, the postmaster will attach to it a label, "REGISTERED POSTAGE-STAMP PACKAGE," "POSTAL-CARD PACKAGE," or "STAMPED-ENVELOPE PACKAGE," as the case may be; will mark the original address and registry number on the wrapper, indorsed as follows: "PLACED UNDER COVER AT ——— POST-OFFICE, ———, 18—." He will then enter the package upon the transit book, send it to its destination, noting the fact of its being damaged and placed under cover, and make a full report of the facts to the Third Assistant Postmaster-General.

Sec. 1100. Postmasters to Receive Matter from Railway Postal Clerks.—Postmasters at terminal offices of routes on which there is railway mail service must at all times be prepared to receive and properly receipt for registered matter brought to their offices by railway postal clerks. No delay of trains or unseasonable hours of arrival will authorize a deviation from this regulation.

MATTER RECEIVED FOR DELIVERY.

Sec. 1101. Receiving Matter at a Post-Office for Delivery.—On the opening of a pouch, if a registered package addressed to the postmaster is found in the pouch, the registered-package receipt must first be signed and returned, as required in section one thousand and eighty-three. The registered package will then be opened by cutting the end with the point of a knife, so as not to detach the end of the envelope. The initials of the opener will be marked on the registered-package envelope, and the addresses, &c., of the registered letters or parcels contained therein compared with the entries on the registry bill. If these are found to correspond, the postmaster will examine the letters or parcels as to their condition, postmark them on the back, enter them at once on the delivery book in the order in which they appear on the registry bill, giving date of arrival, the number and postmark of the registered package, and the number and addresses of the registered letters or parcels, and attach the return receipts to the letters or parcels by bands or thread. The registry bill is then to be signed, postmarked in the proper place on the date when leaving the office, and remailed without cover by next mail. Postmasters receiving registered stamp packages, postal-card

packages, or envelope packages, addressed to their post-offices, must enter such packages on the delivery book and sign for them in delivery column.

Sec. 1102. Matter found among Ordinary Mail Matter.—Matter which has once been registered can never lose its character as such until it has been delivered to the rightful owner. When a postmaster discovers any registered letter or parcel among ordinary mail matter, he must enter it upon his delivery book, and treat it as a registered piece. If the registered letter or parcel is addressed to his own post-office, he will deliver it to the person for whom it was intended, and if addressed to another post-office he will re-register and inclose it in a registered-package envelope and forward it, and in each case immediately report all the facts to the Third Assistant Postmaster-General. Where an official envelope has been wrongfully used in place of a registered-package envelope, the postmaster will send the envelope, with a report of the case, to the Third Assistant Postmaster-General.

Sec. 1103. Envelope with Return Receipt or Registry Bill.—If a registered-package envelope arrive at an office with only a registry bill and return receipt inclosed, the postmaster will ascertain if the letter or parcel to which bill and receipt refer has been received in the ordinary mail, in which case he will, if practicable, obtain the receipt of the addressee for it on the delivery book and the return receipt—the bill and receipt after signature being returned to the sending office. The case should also be reported to the Third Assistant Postmaster-General. In case the missing letter or parcel has not been received, the matter must be reported to the Chief Post-Office Inspector without delay.

Sec. 1104. Omissions on Registry Bill and Return Receipt to be Supplied.—If the sending postmaster has failed to properly fill up his registry bill or registry-return receipt, the receiving postmaster must supply the omission. Before returning the registry bill he will note any irregularity thereon under his signature.

Sec. 1105. Failure to Send Registry Bill or Registry-Return Receipt.—If, on opening a registered package, no bill is found, the receiving postmaster must fill out a bill and indorse it **NO BILL RECEIVED**, sign it, address it properly, postmark it, and send it without cover to the mailing post-office. If no registry-return receipt accompanies a registered letter or parcel, the postmaster opening the package must fill one out, attach it to the letter or parcel, and mail it to the sender when signed. A report of every such case must be made to the Third Assistant Postmaster-General.

Sec. 1106. Treatment of Letters Arriving in Bad Order.—If on opening a registered package a registered letter is found in bad order, the post

master will indorse the letter, "RECEIVED IN BAD ORDER," and sign his name. He will then inclose it in an ordinary official envelope, seal the envelope, and address it to the person to whom the registered letter is addressed, indorsing on the envelope "HAVE THIS EXAMINED ON DELIVERY," and make proper entry thereof on the delivery book. On delivery of this letter the addressee should be requested to open it in presence of the postmaster, delivery clerk, or letter carrier, and if there should be any of its contents missing, the original envelope of the letter should be obtained from the addressee, with his indorsement thereon as to the deficiency; and this envelope, with the registered-package envelope, should be sent with a full report of the facts to the Chief Post Office Inspector for investigation.

Sec. 1107. Letters Found Unsealed.—If a registered letter arrive unsealed, the postmaster will indorse it "RECEIVED UNSEALED," and sign his name, then place it in an official envelope, and deliver it as directed in the preceding section, obtaining from the addressee the original envelope of the letter, with the indorsement of the addressee thereon, stating whether the contents are correct or incorrect. If the contents are found correct, a report must be made of the case to the Third Assistant Postmaster-General, accompanied with the envelope. If incorrect, the case should be reported and the envelope of the letter and the registered-package envelope sent to the Chief Post-Office Inspector.

Sec. 1108. Matter Found Without Cover in Registered-Package Envelopes.—If a registered-package envelope is found to contain money or other registered matter, without other envelope, the receiving postmaster will note all particulars on the registered-package envelope, and have the same signed by two witnesses, if practicable. If the enclosure be a postal or money-order remittance, the postmaster will receipt for the same. If the contents are for a private address, they will be carefully sealed in an official envelope, addressed according to the return receipt, and delivered as prescribed in section one thousand one hundred and seventeen, and a full report of the case made to the Third Assistant Postmaster-General. When the postmaster is in doubt as to the ownership of the matter he will await instructions from the Department.

Sec. 1109. Registered-Package Envelopes Empty when Opened.—If on opening a registered-package envelope neither registry bill, return receipt, nor registered pieces are found, the receiving postmaster will at once make note of the facts on the registered-package envelope. The sending post-office will be ascertained from the postmark on this envelope, the postmaster at which office will be advised of the facts, and a full report of the case will be made to the Chief Post-Office Inspector, and also to the Third Assistant Postmaster-General.

Sec. 1110. Entries; how made in Delivery Book.—Entry of registered letters and parcels must be made upon the delivery book in the same order as upon the accompanying registry bills, and immediately after the registered-package envelopes containing them are cut open.

Sec. 1111. Missent Letters or Parcels Received.—If on opening a registered package addressed to his post-office a postmaster finds a registered letter or parcel inclosed addressed to another post-office, he will indorse the bill "MISSENT," sign and remail it, file the registered-package envelope, and enter the letter or parcel on his delivery book, making a note in delivery column "MISSENT AND FORWARDED," re-register it, and forward it to its proper destination.

Sec. 1112. Misdirected Letters or Parcels; how Treated.—If on opening a registered package addressed to his office a postmaster should find inclosed an unaddressed or misdirected letter or parcel, or one addressed to a place not a post-office, he must make entry of such letter or parcel on his delivery book, make the note "RETURNED FOR PROPER DIRECTION," in the delivery column, giving the date, re-register and return it to the mailing office. If the postmark on the letter or parcel be illegible, or the name of the mailing office cannot be otherwise ascertained, the matter should be registered and sent, with a letter of advice, to the Dead-Letter Office, and the proper entry thereof made in delivery book.

Sec. 1113. Forwarding Matter.—All registered matter may be forwarded upon the written request of the party addressed without additional charge for registry fee. Matter prepaid at first-class rates should be forwarded without additional charge for postage; but all other registered matter when forwarded is subject to an additional charge for postage at the same rate as if originally mailed at the office so forwarding the same, and the postmaster forwarding such matter shall indorse thereon "POSTAGE DUE FOR FORWARDING — CENTS"; and it shall be the duty of the postmaster at the office of final delivery to affix thereto postage-due stamps sufficient to cover the deficient postage, and in all cases collect the same before delivery. If the party addressed should refuse to pay such additional postage, the matter must be disposed of as REFUSED. (See section 1134.) In all cases where registered matter is forwarded, the postmaster must make an entry of it on his delivery book, and in the delivery column thereof make a memorandum showing when and where forwarded. He must alter the address of the registered letter or parcel as to destination only, and indorse it "FORWARDED." It must then be entered in registration book as if mailed at his post-office, numbered anew, and forwarded in a registered-package envelope, with a registry bill, and the original return receipt. The order for for-

warding or returning must be filed as a voucher. No order for forwarding should be recognized unless signed by the addressee of the matter, or by some person specially authorized in writing by the addressee to control such matter. In cases of emergency, however, telegraphic orders may be recognized, where the postmaster is satisfied that no fraud is intended.

If postage stamps or money sufficient to pay the postage for forwarding should be furnished by the party addressed, the postmaster at the forwarding office must affix to the matter forwarded the necessary stamps, and cancel them, the same as if the letter or parcel had been originally mailed at his office.

All registered first-class matter and matter in penalty envelopes may be reforwarded as often as the addressee may order.

Sec. 1114. Registry Fee not Prepaid is not to be Collected at Office of Delivery.—If any registered matter on which a fee is chargeable shall, by inadvertence or neglect of the mailing postmaster, or from any cause, be dispatched without full prepayment of postage and registry fee, the postmaster at the office of destination shall collect from the party addressed, when the matter is delivered, the amount of postage that may be due. The amount due as deficiency in the registry fee will be collected by the Department from the delinquent postmaster as a penalty for his neglect, upon receipt of report from the postmaster at the office of destination. Such reports should be made weekly to the Third Assistant Postmaster-General, and should state the number of the letter or parcel, the date of mailing, the post-office of origin, and the amount of the deficiency in each case.

The following rules will render the postmaster's duty plain in such cases :

1. If the letter or parcel should arrive at destination bearing no stamps whatever, the postmaster will rate up the postage at double rates, and collect the same from the party addressed before delivering the matter. The case will be reported by the postmaster in his weekly report to the Third Assistant Postmaster-General, who will require payment of the registry fee by the sending postmaster.

2. If the letter or parcel should arrive at destination partially prepaid, the postmaster will rate up the deficiency in postage (not at double rates, however) and collect the same from the party addressed. The deficiency in fee will be collected by the Third Assistant Postmaster General, as in the preceding case, upon report of the facts by the postmaster in his weekly report.

3. In ascertaining the amount of deficiency on a registered letter or parcel arriving at destination partially prepaid, the postmaster must

regard the stamps which he finds attached to the matter as having been intended by the sender, first, to pay the postage, and then, if there be any surplus, to go to the payment of the registry fee. The following illustrations will render the application of this rule easy: If the matter on which the deficiency exists be a single-rate letter bearing five cents in stamps, two cents must be credited to postage and three cents to registry fee, leaving a deficiency of seven cents in the fee to be collected by the Department from the sending postmaster when report of the case is received. If the letter be a double-rate letter, four cents must be credited to postage and one cent to registry fee, leaving a deficiency of nine cents in fee. If the letter require three rates, the whole five cents must be credited to postage, leaving a deficiency of one cent in postage to be collected by the postmaster from the party addressed, and ten cents deficiency in fee, to be collected by the Department from the sending postmaster.

4. In collecting deficient postage in any case from the party addressed, the postmaster must make use of postage-due stamps, requiring payment of the deficiency in money.

5. If the addressee should refuse to receive registered matter under these provisions, it must be held as required by section eleven hundred and thirty-four, stamped "REFUSED," and when returned to the mailing post-office a report, showing the entire amount of deficiency involved, should be made to the Third Assistant Postmaster-General (Division of Registration).

Sec. 1115. Registry Notices to be Sent.—Immediately on receipt of a registered letter or parcel at a post-office (not a free-delivery office), the postmaster must notify the addressee of its arrival, using for that purpose a "REGISTRY NOTICE," which notice must be delivered to the addressee in the same manner as ordinary mail matter. If the registered letter or parcel be not delivered within three days, a second notice must be sent, the notice and letter to be marked "SECOND NOTICE."

Sec. 1116. Delivery at Letter-Carrier Offices.—At free-delivery offices registration notices for all registered pieces not clearly for carriers' routes should be promptly and invariably deposited, without cover of envelopes, in boxes or in the general delivery. The clerk assorting and depositing notices should postmark the day of the month, and in post-offices where stamps have been provided therefor, the hour, when distribution is made. This requirement should be additional to other methods for ascertaining the correct delivery for such registered pieces. At such offices, when the postmaster finds it necessary to send registration notices to guests at hotels, or whenever for any special reason it is desirable to send registration notices by carriers to business places

or residences, the registration notices must be prepared by a registry clerk, and after being postmarked or dated, sent from the office under cover of sealed penalty envelopes.

Sec. 1117. Delivery of Letter or Parcel.—On application for a registered letter or parcel, the applicant proving to be the proper person to receive it, the postmaster will require signature to be given on the delivery book; also on the return-registry receipt which accompanies the registered letter or parcel, and will then deliver the letter or parcel.

Sec. 1118. Receipt to be Taken upon Delivery of Matter.—A receipt shall be taken upon the delivery of any registered mail matter, showing to whom and when the same was delivered, which shall be returned to the sender, and be received in the courts as prima facie evidence of such delivery. (R. S., § 3928.)

Sec. 1119. Delivery of Matter by Carriers.—Postmasters at free-delivery post-offices must, unless requested to the contrary by addressees, deliver through the carriers all registered letters and parcels addressed to street and number, or to parties whose street address is given in the city directory. If the addressee is a box-holder all of his registered mail should be held for desk delivery, unless he has specially requested such matter to be delivered by carrier. Carriers are required to deliver all registered letters and parcels where the persons addressed usually receive their mail by carriers. Registered matter of the third and fourth classes must have preference over unregistered matter of such classes in delivery. Weight or bulk of registered matter will not excuse a carrier for not making delivery.

Carriers should receipt for registered letters and parcels on the delivery book or otherwise when specially directed by the Department.

NOTE.—Desk deliveries of registered matter should be encouraged by postmasters where satisfactory to business patrons of the registry system, especially where the number of registered pieces to be delivered is considerable, or where such pieces are known to be of considerable value.

Sec. 1120. Name of Carrier delivering Matter must Appear.—Carriers' delivery books must show the name of the carrier who delivers each registered letter or parcel. Carriers must enter in such books with ink the numbers of the letters or parcels, the names of addressees, and when in care of another, the street and number, except in the cases of well known persons, corporations, or firms. For convenience in signing by agents and others than addressees, carriers should devote two lines to each entry in their delivery books. In delivering registered matter carriers must take receipts on both delivery book and registry-return receipts. Wherever it is possible signatures should be in ink or indelible pencil.

Sec. 1121. Care in Delivery—Identification of Addressee.—Registered letters or parcels must in no case be delivered to any person but the addressee, or on his written order. Identification should be required when the applicant is unknown, and written orders should be verified and placed on file. These orders may be for the delivery of a specific letter or parcel, or for all registered matter addressed to the person giving the order. All general orders should be complied with by the postmaster until countermanded in writing.

Sec. 1122. Registered Special-Delivery Letters.—At free-delivery offices registered letters for special delivery should be intrusted only to adult employés of a post-office, or, if this be not practicable, only to messengers of undoubted discretion and good judgment. There is, of course, no objection to the postmaster himself making the delivery where he can do so.

Sec. 1123. Responsibility for Wrong Delivery.—Postmasters are, as a general rule, responsible to the persons to whom registered matter is addressed for a wrong delivery thereof, and therefore, for their own protection, must exercise the greatest care to ascertain the proper persons to receive it.

Sec. 1124. Deposit and Examination of Carriers' Books, &c.—At free-delivery offices carriers should invariably deposit their delivery books and registry-return receipts in the post-office after their last delivery trip, which books and receipts should be examined and checked by the proper post-office employé.

Carriers should make as frequent trials to deliver registered pieces during each day as their arrangement of trips will permit. At each trial they should enter on the face of the letters or parcels the reasons for non-delivery, their initials, and the number of the district. Whenever on any day the efforts to deliver have proved unsuccessful, the carrier will return the undelivered registered matter to the proper post-office employé, who will receipt for the same on the carrier's delivery book and in his presence. All letters and parcels as often as returned by carriers will be re-entered on the Post Office delivery book, and as often as taken from post-office for further trial will be receipted for by carriers, who will make proper re-entries in their delivery books. Carriers are not permitted to transfer the delivery of registered letters among themselves, but such transfers, when necessary, must be made by passing receipts through the proper post-office employé.

Sec. 1125. Proper Signature Required.—When registered matter is delivered to a person other than the addressee, the names of both addressee and recipient must be signed by the latter on both the delivery book and the registry-return receipt. In signing the return receipt in

any such case, the character of the connection or relationship between the recipient and the addressee should be stated: *e. g.*, "Clerk," "Agent," "Messenger," &c.

Sec. 1126. Registry-Return Receipt to be Remailed to the Sender.—As soon as any registered matter has been delivered and the registry-return receipt therefor has been properly signed, the receipt must be postmarked with date of delivery (which is also the mailing postmark) and sent by next mail, without cover of an envelope, to the address of the sender.

Sec. 1127. Delivery of Matter when the Addressee is Dead.—If it be made to appear to the postmaster at the office of destination that the person to whom a registered letter or parcel is addressed is dead, the same may be delivered to the legal representative of the deceased, that is, to his executor, administrator, or other person appointed by the court to take charge of the effects of the deceased, on satisfactory proof of the official character of such representative. If there be no such legal representative, and the letter or parcel be of domestic origin and contain a return request, the postmaster will return the same to the sender, as prescribed in section one thousand one hundred and thirty-four. If the letter or parcel be of domestic origin and bear no return request, and be claimed by relatives of the deceased, the postmaster will notify the mailing office that the addressee is reported to be dead, giving in the notice the number of the letter or parcel, date and office of mailing, name of sender and address, and stating that the matter is held subject to the sender's direction as to delivery. The postmaster of the mailing office shall thereupon immediately notify the sender by mail of the facts reported from office of destination, and the sender may in writing direct the disposal to be made of the letter or parcel. Such direction, with the signature of the sender identified by the mailing postmaster, shall be forwarded upon sender's paying postage thereon to the postmaster at whose office the registered matter remains, and the same shall be delivered or returned in accordance therewith. If no such direction be received after notice has been given, or if the matter be of foreign origin, and there be no executor or administrator to whom the same may be delivered, and it be claimed by relatives of the addressee, the postmaster will immediately report all the facts to the Third Assistant Postmaster-General, and await instructions from the Department.

Sec. 1128. Disposal of Matter Addressed to a Person who is Insane.—Registered matter addressed to a person who has been judicially declared by competent authority to be insane, may be delivered to the person appointed by the proper tribunal to have charge of his estate.

If there be no such person, the matter should be retained, and the same action taken as that required by the preceding section.

NOTE.—Reference is here made to sections 566 and following of these regulations, concerning the delivery of ordinary mail matter, which will govern in all cases where there can be no question as to their applicability to registered matter.

Sec. 1129. Mail Matter not Subject to Attachment or Garnishment.—A registered letter or parcel, or any mail matter, is not subject to attachment, garnishment, trustee process, or levy upon execution, while in the hands of a postmaster or postal employé, after deposit in a post-office and before delivery to the person addressed. It is deemed, while in possession of the officials of the postal service, to be in the custody of the law. Postmasters, railway postal clerks, and letter carriers will therefore refuse to give up registered or other mail matter in their possession, upon the demand of sheriffs or constables presenting legal process and seeking to levy on such mail matter in postal custody. They will make answer to any garnishee or similar process served upon them for reaching such mail matter, setting forth their official character, and that the mail matter came to their hands, according to the facts, by virtue of their official authority, and was delivered or transmitted in accordance with their duty in respect thereto.

RETURN OR RECALL OF REGISTERED MATTER.

Sec. 1130. Order for Return, Marked Fraudulent.—The Postmaster-General may, upon evidence satisfactory to him that any person is engaged in conducting any fraudulent lottery, gift enterprise, or scheme for the distribution of money or of any real or personal property, by lot, chance, or drawing of any kind, or in conducting any other scheme or device for obtaining money through the mails by means of false or fraudulent pretenses, representations, or promises, instruct postmasters at any post-offices at which registered letters arrive directed to any such person to return all such registered letters to the postmasters at the offices at which they were originally mailed, with the word "fraudulent" plainly written or stamped upon the outside of such letters; and all such letters so returned to such postmasters shall be by them returned to the writers thereof, under such regulations as the Postmaster-General may prescribe. But nothing contained in this title shall be so construed as to authorize any postmaster or other person to open any letter not addressed to himself. (R. S., § 3929.)

Sec. 1131. Matter not to be Treated as "Fraudulent" without express Order.—Registered matter is not to be marked "Fraudulent" and returned to sender by any postmaster, unless he has express order directed to the postmaster at his office, from the Postmaster-General, instruct-

ing him to make such disposal of the letters to such address. An order directed to the postmaster at one post-office to return registered letters as fraudulent does not authorize the postmaster at another office to take similar action upon letters arriving at his office addressed to the same persons or concerns. The order is not general to all postmasters, but special to particular postmasters.

Sec. 1132. Fraudulent Matter to be Returned without Charge of Postage or Fee.—Registered matter fully prepaid at first-class rates, the return of which has been ordered under section one thousand one hundred and thirty, shall be returned without additional charge for postage or registry fee.

Sec. 1133. Recall of Matter.—After a registered letter or other registered matter has been transmitted from the mailing post-office, it cannot be recalled by the sender, except by special permission of the Department, or as provided in sections five hundred and thirty-three. The following directions must be observed in recalling registered matter:

1. Applications for such recall must state all the facts in detail, and be at once sent by the mailing postmaster to the office of the Third Assistant Postmaster-General.

2. In extreme cases, or where immediate action is necessary, the postmaster may also, at the expense of the sender, telegraph a request to the postmaster at the office of destination to hold the registered article in question until the decision of the Department shall be obtained, which request must in all cases be complied with. Where an application to withhold delivery is thus made direct to the delivering postmaster, he must immediately notify the Third Assistant Postmaster-General of it, and await instructions.

3. In the case of third or fourth class matter specially returned, the sender must be required by the postmaster at the mailing office to pay the return postage.

4. Before dispatch a registered letter can be reclaimed by the sender in the manner prescribed in section five hundred and thirty-one. The sender will return the registration receipt indorsed with his name, which the postmaster will paste opposite the entry in the registration book, indorsing the entry, "RETURNED TO WRITER BY ME (*giving date*), ———, P. M." The registered letter, before return, must be indorsed, "WITHDRAWN BY WRITER FROM ——— P. O. (*date*), ———, P. M."

Sec. 1134. Return of Undelivered Matter to Mailing Office.—The following rules will govern the return of undelivered registered matter:

1. If any domestic registered matter cannot be delivered within thirty

days after its arrival at the office of destination, or within such time, not less than three days and not exceeding ninety days, as may be stated in a request upon its face, or in case its delivery is prohibited by the Postmaster-General in accordance with section one thousand one hundred and thirty, the postmaster must indorse on such matter the cause of non-delivery and return the same, without advertising it in any case, to the post-office whence it was mailed.

2. It must be marked "RETURNED TO WRITER," renumbered, and entered in registration book as if mailed at his post-office, placed in a registered-package envelope with a registry bill and the original registry return receipt, and a note of such return, with date thereof, made in receipt column of delivery book.

3. The address of letter or parcel must be changed only as to destination, and "R. W." marked on registry bill, indicating return to writer. On arrival at the original mailing post-office it must be treated as if it were an original registered letter or parcel received for delivery.

4. Registered matter prepaid at first-class rates, and matter the delivery of which has been prohibited by the Postmaster-General, shall be returned without additional charge for postage or registry fee. All other registered matter, except fraudulent matter, when returned, is subject to an additional charge of postage for returning the same, but should not be charged with an additional registry fee.

5. Postmasters before returning matter subject to return postage, must charge the same with the necessary postage and indorse thereon "RETURN POSTAGE DUE ——— CENTS," and the postmaster at the office to which such matter is returned shall affix thereto postage-due stamps sufficient to cover the return postage, and collect the amount on delivery. Should the sender in any case refuse to pay the return postage, the matter must be disposed of as refused.

6. If postage stamps or money sufficient to pay the return postage should be furnished by the sender, the postmaster at the returning office shall affix to the matter returned the necessary stamps and cancel them the same as if the matter had been originally mailed at his office.

7. After a registered letter or parcel has been returned to the mailing office in compliance with the law regulating the limit of time which it should be held for delivery before its return to the sender, the addressee of such letter is debarred thereby from any further claim upon it. Such letter or parcel cannot be remailed to the addressee without a new prepayment of postage and registry fee.

Sec. 1135. *Refused Letters or Parcels.*—In case of addressee simply refusing to receive a registered letter or parcel, it must be retained the

proper length of time before return, as prescribed in the preceding section.

Sec. 1136. Original Record to show Return of a Letter or Parcel.—Note must be made on the original record of every registered letter or parcel returned to a mailing post-office, stating its return and date.

Sec. 1137. When Sender of Returned Matter is not Found.—In case a domestic returned registered letter or parcel cannot be delivered to the sender, it must be retained thirty days and be then forwarded (properly registered) to the Dead-Letter Office.

Sec. 1138. Sending Letters or Parcels to the Dead-Letter Office.—When registered letters or parcels are sent to the Dead-Letter Office they must be postmarked with the date of sending, indorsed with reason for sending, be accompanied with duplicate lists showing the sending post-office and the number and address of each letter and parcel, and placed under cover of an official envelope addressed to the Superintendent of the Dead-Letter Office, Washington, D. C., indorsed "INCLOSING REGISTERED MATTER." The packet must be registered as a free registered letter, and placed with registry bill and registry-return receipt under cover of a registered-package envelope addressed to the postmaster, Washington, D. C.

Postmasters must remember that undelivered domestic registered letters are never to be sent to the Dead-Letter Office until after their return to the sending office, and their failure of restoration to the sender. (See sec. 1137.)

As to return of undelivered foreign registered letters, see sec. 1162.

Sec. 1139. No Postage on Registry Bills and Registry-Return Receipts.—The registered-package receipts, registry bills, and registry-return receipts, after signature, require no postage thereon; they are to be simply postmarked and mailed without delay.

MISCELLANEOUS PROVISIONS.

Sec. 1140. Response to Inquiries.—Inquiries or tracers regarding registered packages, letters, or parcels, and all inquiries as to registered business, must receive immediate attention from postmasters, and be answered without delay.

Sec. 1141. Tracers for Stamp, Envelope, or Postal-Card Packages.—When a registered package of stamps, envelopes, or postal cards has been dispatched and no acknowledgment therefor is received by due course of mail, or bill returns marked NOT RECEIVED or IN BAD ORDER, a coupon tracer will be sent to ascertain whether the package reached its destination in safety, or at what point and through whose fault it disappeared or was tampered with. If through this means it should be as-

certained that the package reached its destination in good order, the tracer may be retained when it returns; but if it appear that the package was received in bad condition or was lost or stolen in transit, the tracer must be forwarded to the Third Assistant Postmaster-General. Should the tracer not be returned in due season, a duplicate must be sent to the post-office whence last coupon was returned, or special inquiry sent until package is accounted for or loss ascertained, when the tracer with full report of loss must be sent to the Third Assistant Postmaster-General.

Sec. 1142. Report of Missing Matter; how Made.—Every case of missing registered packages, letters, or parcels must be reported without delay to the Chief Post-Office Inspector, Washington, D. C., giving full particulars, as also all cases of alleged abstraction of contents of registered letters or parcels; and also to the Post-Office inspector in charge of the division, as stated in section one thousand and ninety-three. Concealment of a depredation upon or loss of registered matter, or any attempt to settle for the same without report, will be treated as a serious delinquency.

Sec. 1143. Registry Records are Public Property.—The registry records of a post-office, including registry bills and registered-package receipts for matter dispatched, also carriers' delivery books, are the property of the Government, and must be preserved among the permanent files of the office, and turned over by the retiring postmaster to his successor. Under no circumstances are they to be retained by the outgoing postmaster as private vouchers, nor are they to be damaged, destroyed, or disposed of without special directions from the Department.

See section 484.

Sec. 1144. Registry Records of Discontinued Post-Offices.—All books, blanks, and other papers relating to registry business received by a postmaster from any discontinued neighboring post-office must be regarded by him as a part of the records of his office, and must be kept subject to any call or examination that may be made by the Department or its authorized officials.

Sec 1145. Disposition of Used Registered-Package Envelopes.—Registered-package envelopes, wrappers with registered-package envelopes pasted thereon—with the seals and cord fastenings to be preserved as nearly as possible intact—(see section 1165), and registered-package tag envelopes, all which have been emptied of their contents, together with new registered-package envelopes spoiled by misdirection or in any way rendered unfit for use (cutting and resealing is not permissible), must be retained on file one year, and then sold as directed in section four hundred and eighty-four.

Sec. 1146. Quarterly Reports to Third Assistant Postmaster-General.—At the expiration of each quarter postmasters must send to the Third Assistant Postmaster-General a report showing separately the number of domestic and foreign letters registered at their post-offices, together with the number of parcels of third and fourth class matter, domestic and foreign, registered during the quarter.

Sec. 1147. No Entry of Fees in Quarterly Postal Account.—The postage and registry fee on a registered letter or parcel are required by law to be prepaid and affixed to the letter or parcel in stamps and the stamps canceled, and no special entry of such items should be made on the quarterly postal account rendered by postmasters to the Auditor of the Treasury for the Post-Office Department. Money received for stamps sold for this purpose should be included with the general sales.

Sec. 1148. Postmasters take Special Interest in Success of Registry System.—In order to make the registry system as efficient as possible, it is necessary that it should receive not only the attention but the hearty co-operation of every postmaster. Special attention should be paid to secure legibility of addresses and postmarks on registered-package envelopes, and all entries upon registry blanks and records should be neatly and distinctly written. Postmasters are particularly enjoined to report promptly to the Third Assistant Postmaster-General any neglect or violation of the registry regulations which may come to their knowledge.

Sec. 1149. Postmasters not to Reprimand one another.—Postmasters are positively forbidden to reprimand one another for neglect or violation of these regulations. It is the province of the Department to instruct postmasters as to their duties, and to take cognizance of their neglect or refusal to obey instructions.

Sec. 1150. When Postmasters are in Doubt as to their Duty under any of the regulations of the registry system they must submit the matter in doubt to the Third Assistant Postmaster-General. Ignorance of the law or regulations cannot be accepted as an excuse for their violation or for neglect of any duty therein prescribed.

CHAPTER THIRTY-SIX.

REGISTRATION OF FOREIGN MAIL MATTER.

DISPATCH OF MATTER FROM OTHER THAN EXCHANGE OFFICES.

Sec. 1151. Dispatches to Foreign Countries.—In making up registered matter for dispatch to foreign countries, the following directions must be observed:

1. Registered letters or parcels addressed to foreign countries are governed in their transmission within the United States by the same rules and regulations as govern domestic registered matter, except that no return receipt is to be made out and sent by the mailing postmaster.

2. If in any case, however, a return receipt be desired by the sender, a request for it must be indorsed by him upon the matter, which request will be attended to by the postmaster at the exchange office. (See section 1169.)

3. The registered-package envelope used in forwarding such letters or parcels must be addressed to the proper exchange post-office in the United States designated to dispatch registered correspondence to foreign countries. (See section 616.) New York is the principal post-office for the exchange of trans-Atlantic mails, and San Francisco for trans-Pacific mails. Directions, however, given by senders on registered correspondence to foreign countries respecting route of transmission, should be observed if practicable.

4. A registry bill must be inclosed in the registered-package envelope, the same as for domestic matter.

Sec. 1152. Dispatch by International Registered Pouches.—When matter for Canada or any other country with which international registered pouch exchanges are established can be sent by means of such exchanges, the postmaster at the mailing office must bill it, and must address the registered-package envelope covering it, to the postmaster at the proper international registered-pouch office, as indicated in the list of exchanges published from time to time in the United States Official Postal Guide. These lists, together with the schemes of territory connected with each exchange, must be carefully consulted by all postmasters.

Sec. 1153. Restrictions on Registration.—The following limitations must be observed by postmasters in registering matter to Postal Union countries:

1. Articles of correspondence addressed under initials, and those which bear an address written in pencil, are not admitted to registration.

2. No article may be registered which is unregistrable in the domestic mails.

3. Matter that is unmailable as ordinary matter, in either the domestic or foreign mails, must not be registered.

4. With the above exceptions, all articles admissible to the Postal Union mails may be registered.

Sec. 1154. Registration Fee.—The registration fee to all foreign countries where registration is permissible is ten cents on each letter or

parcel. This fee, together with the full amount of postage, must be prepaid by ordinary postage stamps attached to the letter or parcel. Registered matter not fully prepaid is not mailable under the Postal Union Convention.

NOTE.—For rates of postage to all foreign countries postmasters should examine the latest foreign postage table in the United States Postal Guide.

Sec. 1155. Postmasters Should Consult Postal Guide.—All classes of mail matter, subject to the exceptions mentioned in section one thousand one hundred and fifty-three, may be registered to countries and colonies in the Postal Union, but to certain countries and colonies not in the Postal Union the registration of letters only is permissible. To some parts of the world matter cannot be registered; postmasters are therefore specially enjoined to consult the foreign postal table in the latest issue of the United States Official Postal Guide to ascertain whether or not the matter presented is entitled to registration. If no registration fee is given in the columns headed "Registration fee on letters" and "Registration fee on other articles," no registration exists; if the fee be given in the letter column alone, it indicates that only the registration of letters is permitted. Postmasters must therefore be governed accordingly when matter addressed to such countries is presented for registration.

Sec. 1156. Registered-Package Envelopes Addressed to Foreign Post Offices.—If a registered-package envelope is received in transit addressed to a foreign post-office, instead of to the proper exchange post-office in the United States, as directed in section one thousand one hundred and fifty-one, it should be forwarded to such United States exchange office, where it will be opened and its contents properly dispatched.

Sec. 1157. Sender may Demand a Return Receipt.—The sender of a registered letter or parcel addressed to any country in the Universal Postal Union may, by writing upon the face of the letter or parcel, "RETURN RECEIPT DEMANDED," have a return receipt sent back to him from the foreign post-office of delivery. Postmasters should inform the senders of foreign registered matter of this privilege.

Sec. 1158. Registered-Package Envelopes Containing Foreign Matter to be Marked "Foreign."—In order to facilitate the dispatch of foreign registered matter, postmasters will mark the registered-package envelopes in which it is sent with the word "Foreign," beside the address.

RECEIPT OF MATTER AT OTHER THAN EXCHANGE OFFICES.

Sec. 1159. Treatment of Matter for Delivery.—Postmasters receiving from exchange post-offices registered packages containing letters or parcels originating in foreign countries, will treat such packages and

their contents the same as domestic registered matter received for delivery.

Sec. 1160. Return Receipts.—When a return receipt accompanies a letter or parcel from a foreign country, it must be signed by the recipient of the matter when delivery is made, and postmarked and returned, under cover of a penalty envelope, to the postmaster at the United States exchange post-office from which the matter was received. If no return receipt accompany the matter, it may be assumed that none is required. In such a case the postmaster delivering the letter or parcel will simply require the addressee to receipt for it upon the delivery book.

Sec. 1161. Return Receipts for Undelivered Letters or Parcels.—In the case of non-delivery of a foreign letter or parcel, the return receipt accompanying it must be indorsed with the cause of non-delivery, postmarked, and sent to the United States exchange office whence it came. The return receipt must never be sent to the Dead-Letter Office, but only the letter or parcel.

Sec. 1162. Undelivered Foreign Matter.—Should a foreign letter or parcel remain undelivered at the expiration of thirty days from the time of its receipt (unless it is specially directed to be held for delivery) it must, even though bearing the name and address of the sender, or a return request, be sent to the Dead Letter Office, in the manner prescribed by section eleven hundred and thirty-eight.

Sec. 1163. Return of Undelivered Matter to Canada.—Letters and parcels originating in Canada, on which the names and addresses of the senders appear, whether printed or written, are excepted from the preceding regulation. Such letters and parcels, in case of non-delivery, should be re-registered to the senders and sent back to the exchange office from which they were received, in accordance with any return requests that may appear upon them, or, if they bear no return requests, then at the end of thirty days.

See also section 1127 as to disposal of matter when addressee is dead.

Sec. 1164. Matter Specially held for Delivery.—When a postmaster has good reason to believe that a registered letter or parcel remaining uncalled for can be delivered to the person addressed, he may indorse it "SPECIALLY HELD FOR DELIVERY," and retain it not longer than three months before sending it to the Dead-Letter Office. Registered letters indorsed "POSTE RESTANTE," or "TO BE CALLED FOR," and those addressed to a sailor or a passenger on a vessel to arrive, must also be held not longer than three months.

Sec. 1165. Matter Liable to Customs Duties.—The regulations respecting ordinary mail matter subject to customs duties (see section 621) govern

registered matter also, except that the receipt of the addressee must first be obtained by the postmaster before any opening of the registered letter or parcel by the addressee is permitted. If he refuse to sign a receipt for such matter, it must be marked "REFUSED," held the proper length of time, and then sent to the Dead-Letter Office.

Sec. 1166. Forwarding Matter.—Registered letters or parcels received from one country in the Postal Union may be forwarded from the post-office to which they are addressed to any other country in the Postal Union, or to any other post-office in the United States, without additional charge for postage and registry fee. Domestic letters or parcels, upon being forwarded to a foreign country, are chargeable with additional postage sufficient, with that already paid, to equal the amount required had they been addressed to the foreign country in the first instance. Such additional postage must be prepaid with ordinary postage stamps affixed to the letter or parcel before forwarding. No additional registry fee is required.

Sec. 1167. Do not Write to Foreign Officials.—Postmasters at other than exchange offices must not correspond with foreign postal officials on registry business. On all matters requiring correspondence with such officials postmasters must communicate promptly with the Third Assistant Postmaster-General. (See section 1042.)

Sec. 1168. Return of Matter.—Registered letters or parcels between countries of the Postal Union, except Great Britain and the British colonies, Canada, British India, Venezuela, Hayti, Japan, Nicaragua, and Bolivia, may be returned to the senders upon request, as provided in section four hundred.

RULES FOR EXCHANGE POST-OFFICES.

Sec. 1169. Preparation of Return Receipts.—When demanded in accordance with section one thousand one hundred and fifty-seven the return receipt must be made out by the exchange post-office which dispatches the registered matter to the foreign country, on a form specially provided for the purpose.

Sec. 1170. Registered Matter to be Postmarked at Exchange Post-Offices.—All registered letters to or from foreign countries must be postmarked at exchange post-offices with the date of dispatch or receipt. This applies to all foreign registered letters and parcels passing through the United States. The postmark of the exchange post-offices of ingress and egress must be put on such letters and parcels, except where they are sent in sealed bags, as through matter, under article 4 of the Postal Union Convention.

Sec. 1171. Label for Foreign Matter.—Under paragraph 4 of Article

VI of the Regulations of the Convention of the Postal Union, an adhesive label is adopted for designating in a special manner all registered articles addressed to foreign countries, except Canada, made of transparent paper, having printed upon it the capital letter R, in roman text, the words "United States of America," and the name of the exchange office dispatching the matter, to which must be added the serial registration number. The post-offices authorized to exchange matter with Postal Union countries are furnished with and required to use these labels.

Sec. 1172. Manner of Dispatching from Exchange Post-Offices.—Registered matter for dispatch to countries of the Postal Union must be made up as follows:

1. All registered articles must be entered in the form for that purpose (called Table No. 1), in the letter bill provided according to the Postal Union Convention, furnished by the First Assistant Postmaster-General (Division of Post-Office Supplies), with the following details: The name of the office of origin, the name of the addressee, and the place of destination, or simply the name of the office of origin and the number given to the article at that office.

2. When the number of registered articles usually sent to another exchange office requires it, a special and separate list may be used to replace the Table No. 1 of the letter bill.

3. Return receipts relating to registered articles entered either in Table No. 1 of the letter bill or in the special list referred to in the preceding paragraph, must be indicated by the letters A. R. placed opposite the articles in question in the table or list.

4. All registered articles, return receipts relating thereto, and, if there be one, the special list before referred to, must be placed together in a separate packet, which must be suitably inclosed and sealed so as to preserve its contents, which packet, with the letter bill around it, should be placed in the center of the mail.

5. The presence in the mail of a packet of registered articles the description of which is given upon the special list above mentioned, must be announced by the application at the head of the letter bill either of a special entry or of the registration label.

6. In exceptional cases, or where matter is authorized to be transmitted in international registered pouches, special instructions will be given by the Department.

NOTE.—Matter to other than Postal Union countries should be treated in a similar manner unless special directions to the contrary are given.

Sec. 1173. Insufficiently Prepaid Matter for Dispatch.—Registered letters or parcels received at an exchange office for dispatch to Postal Union

countries without sufficient prepayment of postage or registry fee, must be detained at the exchange office until the deficiency shall have been supplied by the postmaster at the mailing post-office. The postmaster at the exchange office must make an immediate demand upon the mailing postmaster for the deficiency in stamps, which when received must be attached to the letter or parcel, and the same dispatched. A report of all such cases must be made to the Third Assistant Postmaster-General.

Sec. 1174. Matter from other Countries Insufficiently Prepaid.—Registered letters or parcels to which postage stamps obviously insufficient to pay postage and registry fee are attached, or which bear no postage stamps at all, received in the mails from Postal Union countries, are to be rated up by the postmaster at the exchange office with the amount of the deficiency, which will be collected by the delivering postmaster in the way that deficiencies of domestic postage are collected. In rating up such deficiencies, double the deficient postage must be charged, but only the single registry fee, which will be either ten or five cents according to whether a return receipt for the letter or parcel does or does not accompany it.

Sec. 1175. Matter Received from Abroad.—Postmasters at exchange offices will, on receipt of registered matter from foreign countries, after carefully comparing the articles received with the accompanying bill, make entry on the special record furnished by the Department of the date when the articles are received, of the office, country of origin, date of postmark, name and post-office of address, original number and United States exchange office number, which latter should be of a series commencing each quarter with No. 1. Where registered pieces thus received are addressed to interior post-offices, they should be sent to destination under domestic registration, and under the exchange office numbers; and the date of dispatch, the number of registered-package envelopes in which dispatched, and the date when the registry bill is returned, should be entered on the special record above mentioned.

Sec. 1176. Record and Dispatch of Return Receipts.—When a return receipt accompanies a registered letter or parcel from a foreign country, the postmaster at the exchange office of receipt should enter in the appropriate column of the special record referred to in the foregoing section the letters A. R. (indicating accompanying return receipt), and when the receipt is sent back from the delivering office he should check the return on the record, inclose the receipt in an envelope, and dispatch it registered to the foreign office of origin. If two or more return receipts are to be sent back to the same office, they may be inclosed in the same envelope and registered as one piece. All envelopes in which

receipts are returned to foreign offices must bear the following inscription: "RETURN RECEIPT RETURNED. POST-OFFICE OF ———, COUNTRY ———." (See Article X of Regulations of Postal Union Convention.)

If interior postmasters do not send back such receipts within ninety days to the exchange office, the facts must be reported to the Third Assistant Postmaster-General.

CHAPTER THIRTY-SEVEN.

THROUGH REGISTERED MATTER.

Sec. 1177. Object of this Branch of the Registry System.—For the purpose of preventing, as far as practicable and economical, the separate handling and recording of individual pieces of registered matter in transit, where the number of packages usually dispatched between any two given points will justify it, and for the greater security of such matter, three special methods of transmission have been provided:

1. The Registered-Pouch Service, for the exchange of registered mail in through pouches, under rotary locks, between terminal post-offices on postal-clerk lines.

2. The Inner-Sack Service, for the exchange of registered mail in through sacks under rotary locks, but inclosed over a part of the route of transmission in ordinary mail bags, between post-offices on the routes over which there is postal-clerk service, one or both of the offices in every exchange being non-terminal; also between offices on postal-clerk routes, the service between the offices being partly railway and partly star service.

3. The Brass-Lock Pouch Service, for the exchange of registered mail in through pouches fastened with brass locks, between offices where the service is entirely over star routes.

These exchanges are established only upon special orders by the Department.

REGISTERED-POUCH SERVICE.

Sec. 1178. Mode of Carrying on Registered-Pouch Service.—When a post-office is designated by the Third Assistant Postmaster-General as a "registered-pouch office" the postmaster is at once provided with the necessary pouches, locks, keys, pouch bills, and labels, and with instructions as to the office or offices with which he is to exchange and the time and frequency of dispatch, and he must never begin such exchange until he has received these instructions.

(For list of offices conducting exchanges see Postal Guides.)

Sec. 1179. Exchanges directed to be Made Invariably.—Postmasters will make the directed dispatches of registered pouches whether there is any registered matter to be sent in them or not. In case there is no registered matter to be dispatched, a pouch bill, marked "NO PACKAGES SENT," properly filled up, signed, and postmarked, must be placed in the pouch and the pouch locked and regularly dispatched.

Sec. 1180. Registered-Pouch Office Supplies; how Used and Kept.—The registered pouches, locks, labels, and pouch bills, having been made expressly for the registry system, must not be used for any other purpose, and must be securely kept, the locks and keys in the safe, if the postmaster has one, or if not, then in the most secure place, and the pouches, labels, and bills in that part of the post-office set apart for the transaction of the business of the registry system; and under no circumstances must any other pouches or locks be used in transmitting registered matter to post-offices with which registered pouches are exchanged. If for any reason a postmaster has no printed pouch labels, he may use written ones until a supply of the regular kind can be obtained.

Sec. 1181. Additional Supplies.—Timely notice of the need of additional registered pouches and locks must be given to the Second Assistant Postmaster-General, by whom they are furnished. Requisition for registered pouch bills, carbon sheets for such bills, and labels must be made upon the First Assistant Postmaster-General (Division of Post-Office Supplies).

Sec. 1182. Matter Dispatched in Registered Pouches.—In the registered pouches dispatched to every registered-pouch office must be placed all the registered matter addressed to that office, and to offices on routes beyond it, as shown by the registered-pouch schemes to be furnished by the General Superintendent of the Railway Mail Service. No through registered matter between exchange offices must be sent otherwise than in the registered pouches; but packages too large to be inclosed in the pouch may be dispatched by the hands of the proper railway postal clerks.

Sec. 1183. Preparation of Matter for Pouches.—Before dispatching a registered pouch there must be entered on the registered-pouch bill the number of the bill, commencing each quarter with No. 1, the date of dispatch, the name of the post-office to which the pouch is to be sent, the serial letter and number and the rotary number of the lock to be used in fastening the pouch, which two numbers are to be considered the number of the pouch; and both numbers should be mentioned in all receipts given or taken for the pouch. At those post-offices where it is usual to dispatch two or more registered pouches to

the same post-office by the same mail, the entry of the total number of packages sent in each pouch must be given in the pouch bill for such pouch, the last pouch, however, showing also the total number of packages and pouches in the entire dispatch. (See section 1188.)

Sec. 1184. *Manifold Writing of Pouch Bills.*—The entries on pouch bills will be made by writing with a hard lead-pencil, after placing carbon paper between the bill and the record sheet of the bill book, which process of manifold writing will, with ordinary care, make a perfect copy. The bill number, the lock numbers, the total number of packages inclosed in the pouch, the name and the postmark of dispatching office, must be entered on the coupon receipt, as well as in the body of the bill. The bill must be signed by two dispatching clerks, and, with coupon receipt appended, will then be detached on the perforated line at the back of the book, and placed in the pouch with the registered packages.

Sec. 1185. *Inspection before Closing.*—Before closing a registered pouch for dispatch, the dispatching clerks must assure themselves beyond any doubt that all the packages of which entry is made upon the pouch bill are inclosed, and that the serial letter and number and the rotary number of the lock used in fastening the pouch are correctly stated.

Sec. 1186. *Labeling, Locking, and Delivering of Pouches.*—The registered pouch must be properly labeled before any packages are placed therein, and the packages, tied together in bundles in order of entry on bill, should be compared with the bill and with the label of the pouch, the lock number proved correct, and the bill and packages then placed in the pouch, which must be securely locked.

To insure the proper locking of pouches, the person intrusted with this duty should, after locking, shake and endeavor to turn the shackle of the lock in such a manner that he may be able to certify on oath, if required, that the lock was securely fastened when it left his custody. No rotary lock is to be used that is broken or wanting in any of its parts, or is imperfect in the operation of its rotary numbers, or is difficult to unlock. On delivery of the pouch or pouches to the railway postal clerk whose duty it is to receive them, receipt therefor must be taken on the proper record of the office.

Sec. 1187. *Locks must not be Injured.*—All persons charged with the duty of dispatching or transferring registered pouches are cautioned against violently handling them, or using or disposing of them in such a manner as to expose the rotary locks on them to damage or loss. To injure such locks designedly, or to tamper with them in any way, is a serious offense.

Sec. 1188. *Notices of Discrepancies and Delays.*—Whenever a dispatch of

through registered matter under rotary lock to one office, in registered pouches, consists of more than one pouch, the following-directions will govern :

1. The postmaster at the sending office must, by a formal letter of advice to be sent in the ordinary mail, give information to the receiving postmaster of the total number of such pouches, and the time of their dispatch. This advice may be sent in the same mail with the registered matter, or it may be sent in the immediately preceding mail. In cases where but a single pouch is dispatched to the same office, the letter of advice need not be sent, but in every other case it must be sent without fail. Supplies of a printed form of this letter of advice (Form No. 3891) may be obtained by requisition made upon the First Assistant Postmaster-General (Division of Supplies).

2. In every case where, on the receipt of such letter of advice, a discrepancy is found to exist between the number of pouches reported to have been sent and the number actually received, the receiving postmaster must immediately telegraph notice of the discrepancy to the sending postmaster, who, if the discrepancy be owing to clerical or other remediable error, will make the necessary explanation, by letter, to the receiving office; but if the discrepancy be such as to indicate loss or miscarriage of the matter, the sending postmaster must immediately telegraph the facts to the Chief Post-Office Inspector, so that no time may be lost in investigating the case. At the same time the postmaster must report the facts by letter to the Third Assistant Postmaster-General, and to the General Superintendent of the Railway Mail Service. If the matter should afterwards arrive at its destination, or if discovery should be made otherwise than through the investigation begun by the Chief Post-Office Inspector, information of the facts, by letter, must be given promptly to that officer, as well as to the two other officers named, by the receiving postmaster, or by the sending postmaster, if he should first ascertain the whereabouts of the missing matter, or the cause of its miscarriage or delay. At places where there are no telegraph lines postmasters will make use of the mails, and promptly give by letter the information above required to be sent by telegraph.

3. The course prescribed in the preceding paragraph must also be pursued whenever an entire dispatch of through-registered matter under rotary lock, whether in one pouch or more than one pouch, fails to arrive at the office of destination when due, unless the postmaster at such office shall have positive information showing that the matter has been unavoidably detained or delayed, or unless he shall have good reason to believe that the missing dispatch will arrive within a reasonable time. If after waiting a reasonable time the matter still fails to arrive, the

course laid down in the preceding paragraph must be followed. Keeping in view this requirement, the postmaster at the receiving office must always insist, whenever a dispatch of through-registered matter fails to arrive on time, upon having from the postal clerk in whose custody it should be, the report required by section one thousand one hundred and ninety-nine; and every failure to make such report when the pouch is not delivered must be promptly reported to the office of the Third Assistant Postmaster-General.

Sec. 1189. Return Extra Pouches, &c., Promptly.—In order that each registered-pouch office may preserve its proper complement of registered pouches and locks, extra numbers of them, when received, must be returned by next dispatch, inside of the regular pouch, duly entered on the pouch bill. Postmasters at exchange offices must not allow undue accumulation of registered locks or pouches at their offices.

Sec. 1190. Pouch in Bad Order.—On the arrival of a registered pouch at the office of destination, the receiving clerk, before receipting to the postal clerk, must assure himself of the good condition of both pouch and lock. If either appears to have been tampered with, or is in bad order, the receipt for the pouch must be withheld until its contents have been carefully examined, as directed in the following section, and found not only to correspond with the entries on the pouch-bill, but to be in good order and condition. Proper facilities should be allowed the postal clerk to be present at such examination; and if the contents are not in good order, the receipt given him must state the fact.

Sec. 1191. Checking and Receipting for Contents of Registered Pouch.—A registered pouch must be opened by two clerks, who must verify with the bill the serial letter and number and the rotary number of the lock, and, after emptying the pouch, inspect its interior to see that nothing remains. The contents of pouch must then be checked with the entries on the pouch bill, noting any discrepancies or damage, both on the bill and on the coupon receipt. Both bill and coupon should then be post-marked and signed by two receiving clerks, and the coupon detached and returned in envelope to dispatching postmaster by the first registered mail. When thus returned the dispatching postmaster will post-mark on the coupon the date of return, and will attach the coupon with mucilage over the counterpart of the coupon, on that record page in the manifold book which shows the same date, lock, and bill numbers as indicated in the returned coupon.

Sec. 1192. Treatment of Pouch Bills at Receiving Offices.—All registered-pouch bills will be retained at receiving offices, where such bills can at once be used for checking and indicating the separation of registered matter, after which they will be carefully filed and preserved for refer-

ence. Where several registry clerks are employed in any post-office, it is desirable that individual responsibility at the different stages of working the registered mails should be fixed as far as is practicable; and it is directed that the appropriate blank spaces in the bill, under the head of "TRACING AT RECEIVING OFFICE," be filled, and that all entries showing the distribution of registered-pouch matter, within receiving offices, be checked or signed with initials of the receiving clerks who enter the separated matter on other books of the registry system. Registered packages which are to pass to postal clerks by hand-to-hand receipts, known as "hand" pieces, together with registered packages to be dispatched in mail bags other than registered pouches, known as "bag" pieces, will form the only class of registered-pouch matter which it will be necessary to enter on the transit book.

Sec. 1193. Discrepancy between Lock Numbers and Numbers on Bills.—Every discrepancy between the serial or rotary numbers of the lock, and the numbers appearing upon the pouch bill of a registered pouch should, upon discovery, be reported to the office of the Third Assistant Postmaster-General (Division of Registration), as well as to the dispatching postmaster—the lock in every such case, if not damaged, to be withheld from use unless it shall clearly appear that the discrepancy was owing to a clerical error. If, however, a damage to the lock shall appear in connection with the discrepancy, the lock must accompany the report to the Third Assistant Postmaster-General—the same to be registered.

Sec. 1194. Safety of Registered Keys and Locks.—When a registered pouch is opened at the post-office of destination the lock must be at once placed in the safe of the registry branch of the post-office, where it must be kept until needed for use again. The keys used in opening registered locks must be attached to the safe by a chain, and must not be detached therefrom or be handled by any one save the postmaster or the clerk in charge thereof, or a Post-Office inspector, when, in the course of investigation, he may specially require it. In any case where the registry key of a post-office is so demanded by an inspector, the postmaster, unless satisfied of the entire propriety of the demand, must report the facts at once to the Chief Post-Office Inspector and to the Third Assistant Postmaster-General.

Sec. 1195. Registered Pouches that have Missed Connection.—Transit registered pouches which by reason of having missed a connection, or otherwise, have been brought into an intermediate exchange office, must be treated as follows:

1. The pouches should not be opened while thus delayed, except as below provided for. Great care should be exercised by the postal officer

who is the temporary custodian of them, to guard and keep them secure from depredation, to enter in his transit book the lock numbers and the hour of arrival and departure, and, in passing receipts for the pouches, to note whether the numbers of the locks on leaving are identical with the numbers of the same locks when entering such office, so as to prove that the lock has not been tampered with while thus delayed in transit.

2. Such pouches should be dispatched to destination by first mail, unless they should be found to be in a damaged condition, when they must be treated as required by sections one thousand one hundred and ninety and one thousand one hundred and ninety-one.

3. After the opening and examination provided for in sections one thousand one hundred and ninety and one thousand one hundred and ninety-one, the matter must be repouched, and the pouch bill must be indorsed "POUCH DELIVERED TO THIS POST-OFFICE BECAUSE OF ——. CONTENTS, ———," (correct or incorrect as the case may be, the disagreement being stated), and signed by two clerks.

4. The registered packages called for on the pouch bill must be entered on the transit book, and the pouch, with its bill and original contents therein, must be fastened by the same lock (unless the pouch or lock is damaged, in which event it will be replaced by a good one, such action being noted on the bill), and be dispatched by the next mail to the post-office for which it was intended. The pouch bill should also be indorsed with the new number of the lock on which the pouch is redispached.

5. In case the original pouch be damaged a new pouch must be substituted.

6. All damaged pouches and locks getting into an office under such circumstances must be promptly sent to the Department with a report of the facts; if any packages shall be missing, report should also be made to the Chief Post-Office Inspector, and under any circumstances the miscarriage or misconnection of the pouch should be reported to the Third Assistant Postmaster-General.

Sec. 1196. Discrepancy between Bill and Pouch.—If the contents of a registered pouch do not agree with the pouch bill, the fact must be immediately noted thereon, as well as on the coupon, and a report sent by mail to the Third Assistant Postmaster-General. In addition, in cases where there are entries on the bill for which no corresponding registered packages are found, the discrepancy must be telegraphed to the dispatching post-office, in order that the error may be rectified or immediate action taken concerning the loss. (See also section 1188.) Where there are packages in the pouch for which there are no entries on the pouch bill, the particulars must be stated on the coupon to be returned to the mailing office, or in a letter to accompany such coupon.

The packages, if missent, should be promptly re-registered to their proper destinations.

Sec. 1197. Damaged Registry Locks and Keys.—Damaged registry locks and keys must be securely enveloped, and sent registered to the Mail Equipment Division, Office of Second Assistant Postmaster-General, Washington, D. C. Damaged pouches should be labeled "DAMAGED POUCH, FROM POST-OFFICE AT ———, RETURNED TO SECOND ASSISTANT POSTMASTER-GENERAL;" and should be sent unlocked in the registered pouch for Washington, D. C. If the sending post-office does not exchange registered pouches with Washington, the damaged pouch must be sent in the registered-pouch for the post-office nearest that point with which such pouches are exchanged, and will be forwarded in same manner from that post-office.

Sec. 1198. Special Attention to Rotary Locks.—Postmasters authorized to open and dispatch registered pouches, and all postal employes who handle them in transit, should make the condition of every rotary lock attached thereto an object of special attention, in order that any damage which it has sustained may be detected, and the lock set aside for immediate return to the Second Assistant Postmaster-General, or to the Third Assistant Postmaster-General when the damage exists in connection with a discrepancy between the lock and the pouch bill, as hereinafore directed.

Damaged registry locks must under no circumstances be used after the damage has been discovered; nor must damaged registry pouches be used where the damage is such as to give any opportunity for depreciation.

Examination should also be made to see whether the locks on pouches are carefully fastened, in making which examination the lock should be shaken or tried to see whether the shackle can be removed from the shackle post.

Sec. 1199. Pouch or Blank must be Delivered.—Railway postal clerks must ascertain what registered pouches are to be daily transmitted over their routes, and must in no case leave their terminal post-offices without demanding the regular pouches, or that the blank used stating the reason for absence of pouch be given them. Either the pouch must be delivered or the blanks stating reason for failure. If they are not sent, the postal clerk must note on his registry book the reason why. This course must also be pursued with regard to such registered pouches as they should regularly receive from connecting railway post-offices. By such means the post-office at which the pouch is due will be informed of the cause of the delay by the railway postal clerk

whose duty it is to bring it in. This information must in every such case be reported to the postmaster by the postal clerk.

Sec. 1200. Pouches Taken to Terminal Post-Offices.—Railway postal clerks must, in every case where possible, deliver the registered pouches direct to the connecting railway post-office. But if connection with other railway post-offices is not made, the pouches must be taken into the terminal post-offices and receipt obtained for them.

Sec. 1201. Disposition of Pouches in Bad Order in Transit.—When a registered pouch is delivered to a railway postal clerk he must, before receipting for it, assure himself that the registered lock and pouch are in good order. If either is not, his receipt must show that fact, and the pouch must be taken by him into the terminal post-office of his route, if such post-office exchanges registered pouches. If the terminal post-office of his route is not a registered-pouch office, or if there is no registered-pouch office on his route, the pouch must be forwarded until it reaches such an office, care being taken that none of its contents are lost. Postal clerks must keep a record of the facts in all such cases for future reference.

INNER-SACK SERVICE.

Sec. 1202. Regulations Governing Inner-Sack Exchanges.—In conducting inner-sack exchanges postal officers will be guided by all the foregoing regulations relating to registered-pouch exchanges, whenever they are not manifestly inapplicable.

Sec. 1203. Kinds of Sacks and Locks to be Used.—No sacks but the regular inner sacks should be used for inclosing registered matter between inner-sack exchange offices, and only the regular rotary locks which are used for registered pouches.

Sec. 1204. Offices Between Which Inner-Sack Exchanges May be Established.—When the registered matter in transit is sufficient to justify it, inner-sack exchanges may be established between post-offices on the lines of postal-clerk mail service, one or both of which are non-terminal, also between post-offices supplied by postal-clerk mail service and post-offices supplied by star service. In exceptional cases these exchanges may be established between offices each of which is a terminal for postal clerks on different lines of Railway Mail Service covering the proposed route of transmission, and where it is also impossible to effect the meeting and exchange of direct receipts between postal clerks required for a registered-pouch exchange. In applications or recommendations for such exceptional cases, all the facts must be reported to the Third Assistant Postmaster-General.

Sec. 1205. When Inner Sacks must be Bagged with Other Mail.—Where

an inner sack cannot be delivered direct and a hand-to-hand receipt obtained, postal officers must invariably bag the inner sack with the mail dispatched in ordinary locked bags. They will place within the outer mail bag a registered package card receipt, describing the inner sack according to label and giving the fixed and rotary numbers of the lock. In signing registered-package receipts each inner sack will be counted in the total as one piece.

Sec. 1206. Cases where Inner Sacks may be Pouched with Other Packages.—Inner sacks may be pouched with other registered packages when in transit, and should be entered on all bills and transit records by the descriptions shown on labels, and by the fixed and rotary numbers on locks.

BRASS-LOCK REGISTRY SERVICE.

Sec. 1207. Brass Lock Pouches to be Dispatched only as Directed.—Postmasters will dispatch registered mail in brass-lock pouches only to such offices and at such times as may be directed by the Third Assistant Postmaster-General.

Sec. 1208. Care to be taken of Brass Keys.—Postmasters are enjoined to take especial care of the brass keys, which should as far as possible remain in the custody of one person in the post-office, and such record should be kept that it may be shown beyond question what individual postal employé in each post-office used or had in his possession the key on any given day concerning which inquiry may be made.

Sec. 1209. Brass-Lock Keys to be kept in Safe.—When not in actual use the brass-lock keys should be placed in a safe, if there be one in the post-office, and the keys used in opening the brass locks should be attached to the inside of the safe by a chain.

Sec. 1210. Locks and Keys not to be Irregularly Handled.—The brass locks and keys should never be exhibited to nor handled by any one other than the special custodian of the same, and should never be used for any purpose except as specially authorized.

Sec. 1211. Locks and Keys not to be Carelessly Used.—Loss of the brass locks or the keys, or carelessness in the use of the same, so far as relates to the security of registered matter, will be considered a subject for special investigation by the Department.

Sec. 1212. Ordinary Through Mails to be Sent in Brass-Lock Pouches.—Brass lock pouches must also be used for the interchange of ordinary through mail, provided it does not interfere with the proper transaction of the registry business.

Sec. 1213. All Registered Matter in One Brass-Lock Pouch.—If more than one brass-lock pouch be required for both the registered and the ordi-

nary letter mail by any one dispatch, postmasters will, as far as practicable, avoid a division of the registered portion of the mail, and place the same in one pouch, or as few pouches as will contain it.

Sec. 1214. Separate Receipts Where Two or More Pouches Are Sent.—Where two or more brass-lock pouches are used in any one dispatch, separate registered-package receipts should accompany each pouch; and in such cases a note should be made at the foot of each registered-package receipt specifying the number of pouches sent, as follows: “——— BRASS-LOCK POUCHES SENT BY THIS DISPATCH.”

Sec. 1215. No Accumulation of Brass-Lock Pouches Permitted.—If more than the usual number of brass-lock pouches are received at one time from any post-office the extra locks and pouches must be returned to the sending post-office by the next mail, duly billed and recorded, in order that each post-office may have its proper complement of locks and pouches.

Sec. 1216. Brass-Lock Pouches Not to Pass Brass-Lock Offices.—It is not intended that brass-lock pouches shall be exchanged with, or pass by, any other than the first brass-lock post-office on the route, for which they should be properly labeled and registered-package receipts prepared for such office direct.

Sec. 1217. Miscarriage of Brass-Lock Pouches.—If, by any extraordinary circumstance, a brass-lock pouch should be brought into a brass-lock office for which it is not intended, it must at once be opened, the registered packages contained therein checked and indorsed, and the accompanying registered-package receipt must also be indorsed: “POUCH DELIVERED TO THIS OFFICE BECAUSE OF —— ———. CONTENTS ——” (correct or incorrect, as the case may be, the disagreement being stated.) Signed —— ———, P. M., ———. The packages called for must be entered on the transit book, with full particulars, and the pouch with its original contents dispatched by the next mail to the post-office for which it was intended. If such a pouch, properly labeled, is left by mistake at an iron-lock office, it should be forwarded unopened by first mail to destination.

Sec. 1218. Witnessing Mailing and Receipt of Brass-Lock Pouches.—Where practicable, two persons should be present at the mailing and receipt of registered packages in brass-lock pouches.

Sec. 1219. Report of All Irregularities.—All discrepancies and irregularities must be recorded, and a report of them sent by mail to the Third Assistant Postmaster-General.

CHAPTER THIRTY-EIGHT.

THE HANDLING OF REGISTERED MATTER BY RAILWAY POSTAL CLERKS.

Sec. 1220. Packages Between Post-Offices and Postal Cars to be Pouched.—Postal clerks must place their registered packages under cover of a leather pouch (as far as the size of the packages will permit) in conveying them to and from the terminal office and the postal car, and must keep the pouch in their personal charge, and accompany the wagon on which it is conveyed to the train. Registered pouches must also be delivered direct to the terminal post-office, where it is the office of destination; otherwise, direct to the connecting railway postal clerk whenever that is practicable. (See section 1232.)

Sec. 1221. Railway Postal Clerk's Registry Books.—Railway postal clerks will be furnished by their division superintendents with registry books provided by the Department, for the purpose of keeping a record of all registered matter passing through their hands. Postal clerks will in no case allow their registry books to go out of their possession until they leave the service.

Sec. 1222. Record of Matter to be Kept.—An entry of the number, postmark, date, and address of every registered package, as well as of the lock numbers and labels of every registered pouch and inner sack passing through their hands, must be made in the registry book from the package, pouch, or sack itself, and not from any accompanying memoranda, by every railway postal clerk; and where it is possible, receipt for the packages must be taken direct at the time of their delivery in the proper column of the book. (See section 1071.)

Sec. 1223. Receiving Registered Matter at Terminal Post-Offices.—Before leaving the terminal post-office the proper railway postal clerk must receive and receipt for all registered pouches, inner sacks, and registered packages tendered him by the postmaster or proper clerk, and become personally responsible for their care until their delivery into the hands of the proper postmaster or other authorized agent of the Department, or their disposal as required by the regulations of the registry system. Before receipting for a registered package, a registered pouch, or an inner sack the postal clerk must be absolutely sure that it is in good condition, and that an accurate description of it is entered upon the receipt. To this end he must examine closely the package, pouch, or sack, and in either of the two latter cases the lock numbers and label. The lock should also be tried, as required by section

eleven hundred and ninety-eight. To receipt for registered packages, registered pouches, or inner sacks, without making the close examination above required, will be regarded as a serious delinquency. Receipting for registered packages, pouches, or sacks by totals, where two or more are transferred, is positively forbidden.

Sec. 1224. Receipts for Registered Matter.—Railway postal clerks must in all cases obtain a receipt for registered matter from the persons to whom it is delivered. In the delivery of registered-package envelopes they should be arranged in the same order in which they are entered on the registry book. Registered matter must not be left at terminal offices under any circumstances without a receipt for the same being first obtained. Receipts for registered matter must always be signed with pen or pencil; stamped signatures are forbidden.

Sec. 1225. Postmarking and Returning Registered-Package Receipts.—To protect themselves against fraud in the matter of receipts given to postmasters and others for registered matter, railway postal clerks may affix the imprint of their postmarking stamps on each receipt as many times as there may be packages, and return the package receipts by next mail to the sending postmaster or employé of the Railway Mail Service. (See section 1068.) If a registered package should be received by a postal clerk without an accompanying registered-package receipt, he shall fill out a receipt for it and send it to the postmaster from whom he received the package, and report the fact to his division superintendent.

Sec. 1226. Registered Matter not to be Delivered to Employés of Railroad Companies.—Railway postal clerks must not deliver registered matter to messengers employed by a railroad company, nor to any mail carrier, unless specially instructed. It must be placed in the pouch together with the receipt to be signed and returned.

Sec. 1227. Illegible Postmark on Packages.—The first recipient of a registered package bearing an illegible postmark should write on the package the name of the office or railway postal car from which it was received.

Sec. 1228. Comparison of Package with Accompanying Receipt.—When a registered package is delivered to a railway postal clerk he must carefully examine it and compare it with the receipt, and indorse the condition of the package upon it. He will then note the condition of the package upon the receipt, and date, sign, and return it. (See sections 1083 and 1089.)

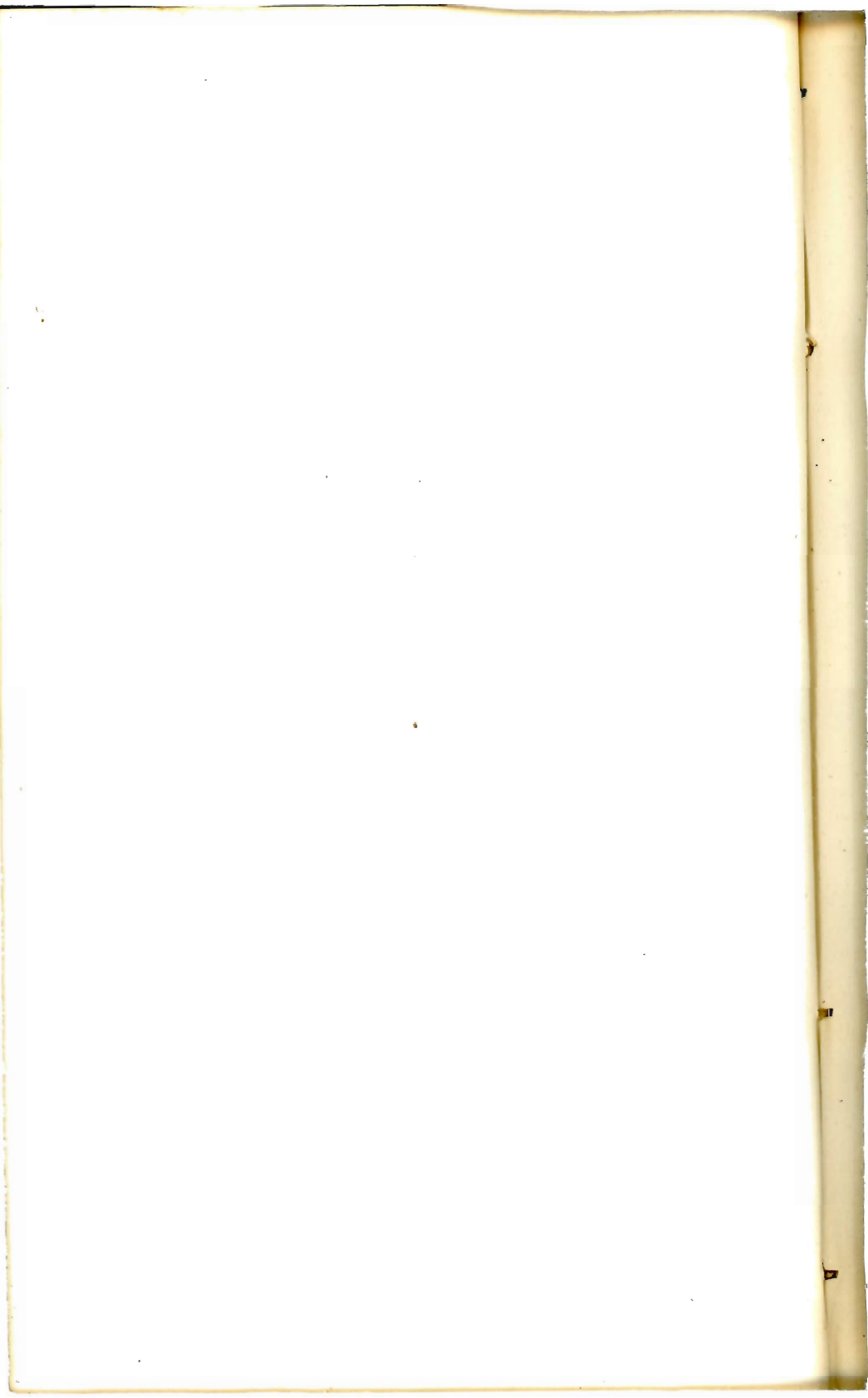
Sec. 1229. Failure to Properly Fill out Package Receipts.—Registered-package receipts must be properly filled out by the sending postmaster or railway postal clerk. Failure to properly perform this duty should be reported to the division superintendent. (See section 1068.)

Sec. 1230. The Pouching of Matter by Railway Postal Clerks.—When registered matter cannot be delivered direct to a postmaster or postal clerk on a connecting car, and it has to be placed in a pouch for delivery to a post-office, the postal clerk will properly fill up a registered-package receipt to accompany it, and place such receipt in the package of letters to be distributed at the post-office. Registered matter in such cases must be placed in a pouch, which must be securely locked and labeled to the connecting post-office. It must never be pouched to distant post-offices direct, so as to pass intermediate post-offices without examination and record. As to the manner of making out package receipts see section one thousand and sixty-eight.

Sec. 1231. Check Return of Registered-Package Receipts.—On the return of a registered-package receipt, properly indorsed and signed, the railway postal clerk must check the date of return on his registry book, and retain the receipt for future reference. Should the receipt be not returned within a reasonable time, he will prepare a duplicate and send it to the postmaster for signature. If neither the original nor the duplicate receipt is returned within a proper time, a report of the case, with all the particulars, must be promptly made to the division superintendent.

Sec. 1232. Matter for Delivery to a Connecting Postal Car.—When a railway postal clerk arrives at the terminus of his route, he must deliver to a connecting railway postal clerk all registered matter deliverable on the route of such clerk, when practicable. If he fails to meet such railway postal clerk, he must deliver the matter, including registered pouches and inner sacks, into the terminal post-office, with the registered matter deliverable at such office.

Sec. 1233. Regulations Concerning Registered Pouches and Inner Sacks.—Railway postal clerks will be governed by all regulations concerning registered pouches and inner sacks, except where such regulations are clearly inapplicable to their duties.



TITLE VIII.
THE MONEY-ORDER SYSTEM.

CHAPTER THIRTY-NINE.

ESTABLISHMENT AND GENERAL PROVISIONS.

Sec. 1234. Establishment of the Money-Order System.—To promote public convenience, and to insure greater security in the transfer of money through the mail, the Postmaster-General may establish and maintain, under such rules and regulations as he may deem expedient, a uniform Money-Order System, at all suitable post-offices, which shall be designated as “money-order offices.” (R. S., § 4027.)

NOTE.—Congress designed to give money orders, in some respects, the character of ordinary negotiable instruments, to the end that they might be received with full credit, and their usefulness, in a business point of view, be thus promoted.

The statute does not contemplate that the remitter of the money order shall be at liberty to revoke it and demand back his money against the will of the payee after it comes into the possession of the latter; since, to enable the former to obtain a repayment of the funds deposited, he must produce the money order.

The payee of the money order, upon complying with the requirements of the law and of the regulations of the Post-Office Department, is entitled to payment of the money on demand, and the remitter of the money order cannot, previous to its being paid, by any notice that he may give to the post-office at which it is payable, forbid the payment thereof to the payee. (14 Opin. Att’y-Gen., 119.)

Sec. 1235. Branch Offices.—The postmaster of every city where branch post-offices or stations are established and in operation, subject to his supervision, is authorized, under the direction of the Postmaster-General, to issue, or to cause to be issued, by any of his assistants or clerks in charge of branch post-offices or stations, postal money-orders, payable at his own or at any other money-order office, or at any branch post-office or station of his own, or of any other money-order office, as the remitters thereof may direct; and the postmaster and his sureties shall, in every case, be held accountable upon his official bond for all moneys received by him or his designated assistants or clerks in charge of stations, from the issue of money orders, and for all moneys which may come into his or their hands, or be placed in his or their custody by reason of the transaction by them of money-order business. (R. S., § 4029.)

Sec. 1236. Issue of Money Orders by Clerk.—In case of the sickness or unavoidable absence from his office of the postmaster of any money-order post-office, he may, with the approval of the Postmaster-General, authorize the chief clerk, or some other clerk employed therein, to act in his place, and to discharge all the duties required by law of such postmaster; and the official bond given by the principal of the office shall be held to cover and apply to the acts of the person appointed to act in his place in such cases; and such acting officer shall, for the time being, be subject to all the liabilities and penalties prescribed by law for the official misconduct in like cases of the postmaster for whom he shall act. (R. S., § 4031.)

Sec. 1237. Clerk to be Designated to Sign Money Orders; When.—Every postmaster of a money-order office, upon taking possession of his office, should apply to the Postmaster-General for permission to put a designated clerk in his place to discharge his duties in case of his sickness or unavoidable absence. A blank form for the purpose will be furnished on application to the Superintendent of the Money-Order System.

Sec. 1238. Signature by Clerks for Postmasters and by Acting Postmasters.—When practicable, money orders and other official papers should be signed by the postmaster himself; but when, by reason of his unavoidable absence or sickness, it may be necessary for the assistant postmaster or designated clerk to sign the money orders, the postmaster's name must be written, and beneath it the name and designation of the writer, thus:

“JOHN DOE, *Postmaster*,
“By RICHARD ROE, *Assistant Postmaster (or Clerk)*.”

When, in case of the death, the absconding, or the arrest of a postmaster, a person may be placed by the sureties in charge of the post-office as “acting postmaster,” the person thus placed in charge should sign money orders and other official papers as “acting postmaster.”

Sec. 1239. Classification of Money-Order Post-Offices.—Money-order post-offices are of two classes; those of the first class are depositories, in which those of the second class deposit their surplus money-order funds. This classification is distinct from that established by law for the adjustment of salaries. The names of money-order post-offices of the first class are printed in the published lists of money-order offices in full-face type preceded by an asterisk.

Sec. 1240. New Bonds Required at Money-Order Offices.—Postmasters whose post-offices are designated as money-order post-offices are required, before commencing the money-order business, to give a new bond to the Government, with at least two sureties, which is conditioned for the faithful performance of the duties and obligations imposed upon

them by the laws relating to the postal as well as to the money-order business.

See section 442.

Sec. 1241. Books, Circulars, and Blanks Furnished.—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 necessary blank forms for conducting the money-order business. Postmasters should not allow their stock of blanks to become exhausted, but make timely application for a new supply. Economy in the use of blanks is to be observed. The registers and the cash book, being the property of the Department, must be carefully preserved by the postmaster and delivered up when called for, or upon his going out of office.

Sec. 1242. Duty of a Retiring Postmaster.—Upon the appointment of a postmaster at a money-order post-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 for a fractional part of a week only. Upon giving up charge of the post-office, he will turn over to his successor the balance of money-order funds in his hands, taking duplicate receipts therefor, one of which he will transmit to the Superintendent of the Money-Order System, together with his final statement, in the "summary" of which he will take credit for the amount thus turned over. The late postmaster will also deliver to his successor the money-order books, blanks, and all circulars and instructions which have been received from the Department, and also all advices on hand of money orders drawn upon him, whether paid or unpaid, and he will take therefor duplicate receipts, one of which he will transmit to said Superintendent; the receipt must distinctly state the number and description of the blanks, and designate the first and last number of the money-order and advice forms delivered, as, "From No. 183 to No. 500, inclusive."

The set of receipts for money-order funds must be separate and distinct from those for money-order blanks.

Sec. 1243. Duty of Incoming Postmaster.—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 post-office, the place of deposit, etc., 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. If the latter had been furnished with a credit on the postmaster at New York, the new postmaster will apply at once to the Superintendent of the Money-Order System for a transfer to himself of the unexpended balance of such credit, or, if there be no balance, for a renewal thereof in his favor.

Sec. 1244. Compensation and Clerical Service.—That postmasters at money-order post-offices whose annual salary is not less than three thousand dollars may be allowed by the Postmaster-General to employ such number of clerks in the transaction of their money-order business, and at such rates of compensation, respectively, as he may deem expedient; and at all other money-order post-offices the compensation for the clerical labor employed in the money-order business, including the issue and payment of postal notes, shall be three and one-half cents for each domestic or international money-order issued, paid, or repaid, and one cent for each postal note issued, and three-quarters of one cent for each postal note paid thereat, and in case any office is designated to receive on deposit surplus money-order funds from other post-offices, three and one-half cents for each certificate issued in acknowledgment of the receipt of such funds; but the total allowance made by the Postmaster-General for money-order clerks at any first-class office shall be based, as nearly as possible, upon the number of transactions, at the same rate for each transaction as is above fixed for the compensation of clerical labor at other post-offices, and the compensation of the postmasters and the clerks provided for in this section shall be paid out of the fees received for the issue of money-orders and postal notes: *Provided*, That in addition to an allowance for clerical service at the rates above mentioned, the Postmaster-General may allow to the postmaster at New York, New York, to the postmaster at San Francisco, California, to the postmaster at Portland, Oregon, and to the postmaster at each international exchange office, such amount in each case, out of the proceeds of the money-order business, as he may deem expedient to enable these postmasters to obtain the clerical labor necessary for the performance of such special duties as are imposed upon them by the operations of the Money-Order System, and are not required of other postmasters: *And provided further*, That credit shall not be allowed to a postmaster at a first-class office on account of any expenditure in payment of clerical service in the money-order business of his office except upon a voucher duly receipted by the person by whom such service shall have been performed: *And provided further*, That the salaries of postmasters, as fixed by law, shall be deemed and taken to be full compensation for the responsibility and risk incurred, and for the personal services rendered by them as custodians of the money-order and other funds of the Post-Office Department. (Act of March 3, 1883, § 4, 22 Stats., 528.)

As to the allowance of clerks to transact the money-order business, see section 462.

Sec. 1245. Payment for Stationery and Incidentals out of Money-Order Proceeds.—The Postmaster-General may pay out of the proceeds of the money-order business the cost of stationery and such incidental ex-

penses as are necessary for the transaction of that business. (R. S., § 4048.)

Sec. 1246. Special Permission required for all Expenditures.—Postmasters are not authorized to incur, without special permission from the Department, any expense whatever on account of the money-order business, except for necessary stationery to be used exclusively in that business; but they will bear in mind that all blank-books and blanks, as well as money-order dating stamps, required in the transaction of the money-order business are not to be purchased by them, but will be furnished by the Department, upon application therefor to the Superintendent of the Money-Order System. 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. Such vouchers must specifically state that the said expense was incurred on money-order account. Upon application to the Third Assistant Postmaster-General, postmasters at money-order post-offices will be supplied by the Department with a sufficient number of envelopes of the size required in the transaction of the money-order business.

Sec. 1247. Postmasters to Recommend the Money-Order System to the Public.—Postmasters will recommend to patronage the Money-Order System, and, by courteous attention to the inquiries of applicants, exhibit its utility as a safe method of transmitting small sums of money through the mails.

Sec. 1248. Postmasters not to act as Agents in Competitive Business.—Postmasters at money-order offices must not accept from any express company, banking institution, or other corporation or firm, any agency for the issue and payment of money-orders, drafts, bills of exchange, or similar instruments for the transmission of money, whether such company or corporation transact business within the United States only or between the United States and foreign countries, and must not permit any employé of the post-office to transact the business of such agency.

Sec. 1249. Postmasters must Conform Strictly to Regulations.—The success of the Money-Order System depends upon the attention, promptitude, and accuracy of postmasters; and therefore every postmaster must carefully study the regulations and strictly conform to them, and must report to the Superintendent of the Money-Order System all cases of repeated failure in the receipt by him of advices from any one post-office. Negligence in sending advices cannot be tolerated. It causes delay in payment, and thereby often inflicts great hardship upon the payee, and tends to derange and discredit the Money-Order System.

Sec. 1250. Letters on Money-Order Business to be Sent Separately.—All letters addressed by postmasters to the Department or to the Superintendent of the Money-Order System should be sent separately, and are never to be inclosed in envelopes with the weekly statements.

Sec. 1251. Books to be Kept.—The books to be kept, and which, to insure uniformity, will be furnished to money-order post-offices by the Department, upon application to the Superintendent of the Money-Order System, 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.

They should contain a complete record of the money-order business of the post-offices to which they are furnished, and must be fully written up before the close of each day.

The headings of the registers, together with the instructions contained in chapter forty-three, will so effectually direct postmasters that no mistakes need occur in keeping these books.

Sec. 1252. No Money-Order Business on Sunday.—Postmasters will not transact any money-order business on Sunday. (See section 481.)

CHAPTER FORTY.

ISSUE OF DOMESTIC MONEY ORDERS.

Sec. 1253. Blank Forms of Application to be Supplied.—The Postmaster-General shall supply money-order offices with blank forms of application for money orders, which each applicant shall fill up with his name, the name and address of the party to whom the order is to be paid, the amount and the date of application; and all such applications shall be preserved by the postmaster receiving them for such time as the Postmaster-General may prescribe. (R. S., § 4033.)

Sec. 1254. Postmasters not to Fill up Applications.—When a money order is applied for, the postmaster will furnish the applicant with a printed form of application (Form No. 6001), in which the latter must enter, himself, all the particulars of amount, name, address, &c., required to be stated in the money order and advice. Postmasters and money-order clerks are strictly prohibited from filling up the application.

Sec. 1255. Printed Forms to be Furnished for Money Orders.—The Post-

master-General shall furnish money-order offices with printed or engraved forms for money orders, and no order shall be valid unless it be drawn upon such form. (R. S., § 4034.)

Sec. 1256. Money-Order Advices.—The postmaster issuing a money order shall send a notice thereof by mail, without delay, to the postmaster on whom it is drawn. (R. S., § 4035.)

Sec. 1257. No Money Order to be Issued on Credit.—Any postmaster who issues a money order without having previously received the money therefor shall be deemed guilty of a misdemeanor, and shall be fined not less than fifty nor more than five hundred dollars. (R. S., § 4030.)

Postmasters are not permitted to receive in payment of money orders issued by them, or to pay out for money orders drawn upon them, any money that is not a legal tender by the laws of the United States, except national bank notes. Checks, drafts, or promissory notes are in no case to be received for money orders.

Postmasters are required to accept and may pay out the silver, nickel, and copper coins of the United States in amounts for which they are legal tender. (See sections 177, 178, and 187.)

Sec. 1258. Fees upon Money Orders—No Order for More than One Hundred Dollars.—A money order shall not be issued for more than one hundred dollars, and the fees for money orders shall be as follows, to wit:

For orders not exceeding five dollars, five cents.

For orders exceeding five dollars and not exceeding ten dollars, eight cents.

For orders exceeding ten dollars and not exceeding fifteen dollars, ten cents.

For orders exceeding fifteen dollars and not exceeding thirty dollars, fifteen cents.

For orders exceeding thirty dollars and not exceeding forty dollars, twenty cents.

For orders exceeding forty dollars and not exceeding fifty dollars, twenty-five cents.

For orders exceeding fifty dollars and not exceeding sixty dollars, thirty cents.

For orders exceeding sixty dollars and not exceeding seventy dollars, thirty-five cents.

For orders exceeding seventy dollars and not exceeding eighty dollars, forty cents.

For orders exceeding eighty dollars and not exceeding one hundred dollars, forty-five cents.

(Act of March 3, 1883, 22 Stats., p. 527, as amended by act of June 29, 1886, 24 Stat., 86, which provides, "That the fee for each domestic

money order not exceeding in amount five dollars shall be reduced from eight cents to five cents.")

Sec. 1259. Fractional parts of a Cent not to be Included.—A single money order may include any amount from one cent to one hundred dollars, but must not contain a fractional part of a cent.

Sec. 1260. Only Three One-Hundred-Dollar Orders to One Person for same Payee.—When a larger sum than one hundred dollars is required, additional money orders to make it up must be obtained. But postmasters are instructed to refuse to issue in one day, to the same remitter and in favor of the same payee, more than three money orders payable at the same post-office. The plain evasion of this rule by the substitution of a different remitter for every three of a large number of money orders issued in one day, in favor of the same payee, should not be permitted.

Sec. 1261. Issuing Money Orders and Transmitting Advices.—From the items contained in the application the postmaster will make out the money order required in conformity therewith, and also the corresponding form of advice. The money 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 first mail dispatched to the post-office of payment after the issue of a money order, the postmaster must transmit, in a sealed envelope, the corresponding advice to the postmaster at the post-office upon which it is drawn. In transmitting advices he must use only such envelopes as bear the printed letters M. O. B. or the words *Money Order Business*. Delay and mistakes in sending advices cause difficulty in payment and tend to discredit the system. Their repetition will lead to the removal of the negligent postmaster.

Accuracy must be observed in writing both the money order and the advice, neither of which should be "post-dated," but must bear the stamp of the actual date of issue. The application must be numbered to correspond with the money order issued, and filed for future reference.

Sec. 1262. Stamping Money Orders and Advices.—To insure a clear impression a special stamp must be employed for stamping money orders and advices, which is not to contain the postmaster's name, but only the name of the post-office and State or Territory, with the date of impression and the letters M. O. B., and is never to be used in stamping letters.

Sec. 1263. Persons procuring Money Orders must carefully Examine Them.—Parties procuring money orders should examine them to see that they

are properly filled up and stamped, as any defect in these respects will result in difficulties and delay in payment.

Sec. 1264. Signature of Postmaster.—The signature of the postmaster or designated clerk who issues a money order must invariably be written with black ink, and not stamped thereon.

Sec. 1265. When Errors are made New Orders must be made out.—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 dispatched, a new money order must be made out, as no alterations or erasures are permitted.

Sec. 1266. How to Use Blank Money Orders and Advices.—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 post-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 money order and the advice. The spoiled money order, with the corresponding advice, must be transmitted to the Superintendent of the Money-Order System with the weekly statement, and must be entered therein in its proper numerical order, with the words NOT ISSUED written opposite, the particulars and amount of the money order being left blank. A similar entry must be made against the corresponding number in the register of money orders issued. No departure from this rule will be permitted, as it is imperatively required 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 canceled as spoiled and not issued.

Sec. 1267. Omitted and Defective Blanks to be Reported.—Money-order and advice forms should be carefully examined by the postmaster immediately upon their receipt, and all irregularities reported. Should a blank money order be omitted in the book supplied to a post-office, the postmaster will make a note thereof opposite the proper number in the weekly statement in which the money order would have appeared if supplied, and a similar memorandum in his register of money orders issued. Should any of these blanks be defective or mutilated, the postmaster will cut out and return them to the Superintendent of the Money-Order System, and treat the blank or blanks as "Not issued." Should any of the blank money orders be duplicated, he will cut out the extra one and return it to the Department.

Sec. 1268. Postmasters Responsible for Loss of Money-Order Forms.—Postmasters must keep their stock of blank money-order forms and advices in their own custody, under lock and key, in some place of security

to which unauthorized persons cannot have access, and they will be held responsible for any loss which the Department may suffer arising from fraud made possible through a disregard of this regulation.

Sec. 1269. How Postmasters should make out Advices.—The given names of both remitter and payee must be entered in the advice in full when possible; a married woman must be described by her own name, and not by that of her husband, if the former name is known to the remitter. Thus, the appellation “Mrs. *William Brown*” is defective, as it does not accurately describe the payee, whose true name may be Mrs. *Mary Brown*. Both names and sums must be written legibly. When an applicant is unable to state the initials of the given name or names of an individual to whom he desires to send a money order, the postmaster must refuse to issue the money order. A money order should always be made payable to one person or to one firm only, and not to either of two or more designated persons or firms.

Sec. 1270. When Second Advices should be Issued.—When a second or duplicate advice is required, in consequence of the original advice having been spoiled in issuing a money order, or when the original advice is stated not to have reached its destination, or when it is necessary to readvise for any reported discrepancy in number, name, or amount, one of the spare advice forms headed “Second advice” must be used. Whenever the issuing postmaster receives a “Letter of inquiry” from the postmaster at the post-office of payment, in “case of discrepancy between the advice and the statement of the payee,” the former will carefully examine the original “application,” and if it agrees with the statement of the payee, he will fill up a “second advice” from the application. If, however, the application agrees with the first advice, he will, when practicable, ascertain from the remitter what correction, if any, is required in the application, and fill up the “second advice” accordingly. The paying postmaster also, when the name given in the advice differs from that of the person claiming to be the payee, should advise the holder to write to the remitter requesting the latter to make such amendment as may be necessary in the application, so as to enable the issuing postmaster to furnish a correct advice. But in case the remitter cannot readily be found, the postmaster will simply fill up from the application a “second advice,” and write thereon the words *Remitter not found*.

Sec. 1271. Amount of Money Order to be in Writing.—When money orders are issued for sums less than one dollar, or for any amount in complete dollars, the spaces for “dollars” or “cents,” as the case may be, both at the head and in the body of the money order, must be filled up with a heavy dash, so as in all cases effectually to prevent any subsequent

alteration. The amount in the body of the money order must invariably be expressed in letters and not in figures.

Sec. 1272. Upon what Post Offices Money Orders may be Drawn.—Money orders must be drawn upon such post-offices only as are enumerated in the separate published list of money-order post-offices furnished to every postmaster by the Department. The name of the post-office drawn upon must not be abbreviated, but must be written in full upon both the advices and money orders.

Sec. 1273. Notice of Money-Order Post-Offices Discontinued and Orders Concerning same.—On receipt by postmasters of each number of the Postal Guide they must carefully observe all circulars therein from the Superintendent of the Money-Order System and orders concerning the same, and note in their list of money-order offices all changes mentioned.

Sec. 1274. Postmasters to Instruct Applicants upon what Post-Office to Draw.—Postmasters should exercise their judgment with respect to the selection of the post-office upon which a money order may be drawn. As the applicant is liable to mistakes as to locality which may cause inconvenience to the payee, the postmaster will, if need be, endeavor to ascertain which money-order post-office is most convenient for the purpose of the remitter, and advise him accordingly.

Sec. 1275. Money Orders to be Recorded when Issued.—Upon the issue of a money order the postmaster will record all the particulars thereof in the "register of money orders issued," as directed by the headings; and any subsequent action taken in reference thereto (such, for instance, as repayment, the issue of a duplicate, &c.) will be noted opposite the entry in the register under the head of "Remarks."

Sec. 1276. Report \$300 Drawn upon other than First-Class Post-Offices.—When the aggregate amount of money-orders issued by any money-order post-office in one day upon a money-order post-office of other than the first class equals or exceeds three hundred dollars, 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 Superintendent of the Money-Order System. (See Form No. 6037.) Strict attention to this rule is required, as neglect of it may result in delay of payment and inconvenience to the payee.

Sec. 1277. Advices to be Checked.—Advices must be carefully checked before dispatch to verify the address.

REISSUE OF MONEY ORDERS.

Sec. 1278. Reissue of Money Orders—New Fee Required.—After a money order has been issued, if the purchaser desires to have it modified or changed the postmaster who issued the order shall take it back and

issue another in lieu of it, for which a new fee shall be exacted. (R. S., § 4038.)

Sec. 1279. Rules for Reissuing Money Orders.—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 a money order through his error, the issuing postmaster is authorized to take back the first money order, which he will repay, and issue another in lieu thereof, for which a second fee must be exacted, in accordance with the preceding section. If the advice has gone forward to the post-office upon which the original money order was drawn, he will, by the first mail, dispatch a special notice, informing the postmaster at that post-office of the repayment of such money order. The special advice is not to be used instead of the proper accompanying advice of the new money order, but is additional to it. A postmaster must not issue a new money order in lieu of another until the original money order shall have been returned to him. Should the mistake be made by the postmaster he will be held responsible therefor, and must charge himself with the fee for issuing the new money order. If the original advice has not been mailed to the paying post-office, the money order should be treated by the postmaster as "spoiled" or "not issued," in accordance with section one thousand two hundred and sixty-six.

DUPLICATE MONEY-ORDERS.

Sec. 1230. Issue of Duplicate Money-Orders.—Whenever a money-order has been lost, the Postmaster-General, upon the application of the remitter or payee of such order, may cause a duplicate thereof to be issued, without charge, providing the party losing the original shall furnish a certificate from the postmaster by whom it was payable that it has not been, and will not thereafter be, paid; and a similar certificate from the postmaster by whom it was issued that it has not been, and will not thereafter be, repaid. (R. S., § 4040.)

Sec. 1231. Duplicate Money-Orders Issued only by the Superintendent.—In case a money order is lost in transmission, or otherwise, a duplicate will be issued by the Superintendent of the Money-Order System, on receipt of an application therefor from either the remitter, the payee, or the indorsee of the original. Such application should be made on Form No. 6002, and should be forwarded to the Department by the issuing or the paying postmaster. The duplicate can be made payable only to the payee, or, in case of indorsement, to the indorsee of the original, unless the written consent of the payee or indorsee to the repayment of the money order, by duplicate, to the remitter, shall have been obtained by the latter and duly filed in the Department. Such written consent

must bear a certificate as to its genuineness from the postmaster at the place where the payee resides. It is the duty of the issuing and of the paying postmaster to aid the remitter, as far as they may be able, in obtaining the consent required by this section. If the payee is dead, the remitter must obtain the written consent of his legal representative, who should be required to exhibit to the postmaster, who certifies to such consent, the proper documentary evidence of his authority to act in that capacity. If the owner of the money order (whether the payee or indorsee) or his legal representative cannot, after the lapse of a reasonable time, be found, the remitter should forward to the Department satisfactory evidence of that fact if he desires repayment. A blank bond of indemnity, in a penal sum of double the amount of the lost money order, will then be sent him, to be executed by himself and two sureties, and returned to the Department; the condition of such bond being that if, after the issue and payment of a duplicate money order to the remitter, any other person establishes a valid adverse claim to the original money order, the amount so paid by duplicate shall be refunded to the Post-Office Department. Upon full compliance with the above requirements, the remitter thus situated will receive a duplicate of the lost money order.

Sec. 1282. Duty of Postmaster Applying for Duplicate Money Order.—When a postmaster has been informed by the remitter, payee, or indorsee of a money order that the same has been lost or destroyed, he will cause the said remitter, payee, or indorsee to sign a statement, setting forth the loss or destruction thereof, and containing a request for the issue of a duplicate. If the applicant is the indorsee of the original, his application must be accompanied by a certificate to that effect from the payee, the genuineness of which must be attested by the postmaster at the latter's place of residence. The postmaster before whom the application is made will complete the application by enumerating the particulars of the lost money order, and by stating to whom the duplicate is to be made payable, whether to the payee or to the indorsee, and also the full address of such person. He will thereupon execute the proper certificate relative to the payment or repayment of the original money order, and dispatch the form to the issuing or to the paying postmaster, as the case may be, for his certificate. The latter should be requested to forward the paper, when completed, to the Superintendent of the Money-Order System.

Sec. 1283. Second Advice Furnished when Needed to get Duplicate.—In case both the money order and advice are lost, the issuing postmaster will, upon receiving notice of the loss of the latter from the paying postmaster, forward to him a "second advice," embracing all the particu-

lars of the missing advice, so that application may be made through the paying postmaster, and he may be enabled to give his certificate in the manner above described.

Sec. 1284. Original Money Order may be Paid before Duplicate is Issued.—Should the original money order alleged to be lost come into the possession of the remitter, payee, or indorsee thereof, and should the postmaster to whom the money order is presented notify the Department of the fact before a duplicate is issued, special permission will be given him to pay or repay, as the case may be, such original money order. But if sufficient time has elapsed for the issue of a duplicate, the postmaster to whom the money order is presented will write across it the words, CANCELED—DUPLICATE APPLIED FOR. If the person who presents it requires the postmaster to return it to him, he may do so; but if not, the money order should be sent to the Department.

Sec. 1285. Duty of Postmaster Certifying Non-Payment of Money Order.—When a postmaster signs a certificate that a money order drawn upon his post-office has not been and will not be paid, he should at once note the same by writing, in red ink, across the face of the advice, and under the entry thereof in the register of advices received, the words DUPLICATE APPLIED FOR—ORIGINAL MONEY ORDER NOT TO BE PAID; and in the case of a money order issued at his post-office, when he has certified that the original money order has not been and will not be repaid, he will write under the entry of the said money order, in the register of money orders issued, the words DUPLICATE APPLIED FOR—ORIGINAL MONEY ORDER NOT TO BE REPAID. Neglect of this rule may involve a postmaster in trouble, as he will be held accountable should the original money order be afterward paid or repaid at his post-office.

Sec. 1286. Postmasters Cannot Issue Duplicates.—Duplicate money orders will be issued only by the Department. A postmaster is not allowed to issue them.

Sec. 1287. Upon what Post-Offices Duplicates may be Drawn.—A duplicate money order must only be drawn upon the issuing or the paying post-office of the original money order, and becomes invalid if it bear more than one indorsement or be not presented for payment within one year after its date.

CHAPTER FORTY-ONE.

PAYMENT OF DOMESTIC MONEY ORDERS.

Sec. 1288. Money Orders Valid for One Year only from Date.—No money order shall be valid and payable unless presented to the postmaster on

whom it is drawn within one year after its date; but the Postmaster-General, on the application of the remitter or payee of any such order, may cause a new order to be issued in lieu thereof. (R. S., § 4036.)

Any money-order office may repay an order issued by itself, if the order be less than one year old, and bear not more than one indorsement; but repayment must be made to the person who obtained the order, except in special cases. The fee or charge will not in any case be refunded.

Sec. 1289. Only One Indorsement Allowed on Money Orders.—The payee of a money order may, by his written indorsement thereon, direct it to [be] paid to any other person, and the postmaster on whom it is drawn shall pay the same to the person thus designated, provided he shall furnish such proof as the Postmaster-General may prescribe that the indorsement is genuine, and that he is the person empowered to receive payment; but more than one indorsement shall render an order invalid and not payable, and the holder, to obtain payment, must apply in writing to the Postmaster-General for a new order in lieu thereof, returning the original order, and making such proof of the genuineness of the indorsements as the Postmaster-General may require. (R. S., § 4037.)

Sec. 1290. Postmasters must have Payees Identified.—When a money order is presented for payment at the post-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, or is the indorsee or attorney of the latter. The fact that the person presenting the order for payment is the indorsee empowered to receive payment may be established by the name of such person appearing on the back of the money order over the genuine signature of the payee named in the letter of advice, and the statement by the holder of the name of the sender. Upon payment of the money 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 money order. The signature to the receipt upon the face of the money order must be that of the person who presents and receives payment of the same.

Sec. 1291. Payment of Money Orders when Remitters are Payees.—As money orders are frequently presented, especially at some of the large city offices, by payees who are entire strangers at the place of payment, and who are also the remitters of the same orders, having purchased them for protection against the risks incident to travel, it is recommended to postmasters issuing orders in which remitters and payees are identical, that they obtain the signatures of the remitters on the advices of the orders. A general observance of this precaution will, by enabling the paying postmaster to compare signatures, oftentimes afford

him aid in identifying payees who are in the situation described. Postmasters, however, are not thereby relieved of responsibility for improper payment in cases of this kind. For the purpose above indicated, the signature of the remitter of a money order in his own favor may be given on the margin of the corresponding advice, in this wise: SIGNATURE OF REMITTER, WHO IS ALSO THE PAYEE—JOHN SMITH.

Sec. 1292. Money Order must not be Paid until Advice is Received.—No money order must be paid until the corresponding letter of advice has been received.

Sec. 1293. Advices Examined and Filed as Received.—As soon as practicable after the close of each day's business, all advices received during the day must be arranged and filed in alphabetical order according to the name of the issuing post-office, so that, whenever needed, they may be referred to without difficulty. They must be retained on file for a term of four years, at the expiration of which time they are to be disposed of as "waste paper" of the post-office. The postmaster is required to examine each advice when received, to see that it is properly stamped and in all respects regular, and at the same time, if found to be drawn upon his post-office, to enter the particulars thereof in the register of advices received. To avoid errors and to facilitate payment, the "paid" and "unpaid" advices should be kept in separate packages.

The few large offices that have been specially authorized to dispense with registers must carefully preserve all advices on file, and must not dispose of them at the expiration of four years.

Sec. 1294. Measures to be Taken to Effect Payment of Unclaimed Money Orders.—Every care should be taken to guard against the loss of money-order advices received from other post-offices; and with this view, and to prevent their disarrangement, they should be kept under lock and key. At the close of each month postmasters must carefully examine the unpaid advices on hand, and in every case where it is ascertained from such examination that the corresponding order remained unpaid at the end of the previous month, the postmaster will fill up and address to the payee of the order a letter (Form No. 6075) informing him that there is an advice of an unpaid money order in his favor on file in the post-office, sent to him by —— (the remitter) from —— (the issuing post-office), and requesting him to present the original order for payment, if he have it, or, if he has not received it, to obtain it, if practicable, from the remitter; and in the event of its loss, whether in transit by mail or otherwise, to suggest to the remitter that he make application, through the post master at the office of issue, for a duplicate order. Postmasters will keep a careful record in the register of advices received of every notice (Form No. 6075) sent to the payee of an unpaid money

order, by which information is revealed to the payee concerning the particulars of the order; and if it should happen that the payee should thereafter make application for a duplicate order upon his own account, the postmaster will decline to receive his application, and will request him to cause application to be made by the remitter through the issuing office.

If, after sending such notice to the payee of an unpaid money order for two successive months, the order still remains unpaid at the end of the third month, the postmaster will fill up and address to the issuing postmaster a circular (Form 6989) advising him of the fact of non-payment of the order, and requesting him to communicate, if possible, with the remitter, so that the latter may either present the order for repayment, if it is still in his possession, or forward it to the payee; but if the order has already been sent by mail to the payee, the remitter should be advised, if he can ascertain the address of the payee, to urge him to present the order for payment. In case the remitter ascertains that the order has been lost in transit by mail, he should make application for a duplicate in favor of the payee; but in case he desires that the duplicate be made payable to himself, the requirements mentioned in section one thousand two hundred and eighty-one must be observed.

Except as above provided for, postmasters and their clerks are forbidden to reveal to any person the information communicated to them by the advices in their possession of money orders drawn upon their respective post-offices.

Sec. 1295. Missent Advices to be Rемаiled.—In the event of the receipt of an advice of a money order, which is not drawn upon his post-office, the postmaster to whose office it is missent must, without delay, transmit it to its proper destination, first noting upon it the fact of its having been missent.

Sec. 1296. Second Advice to be Entered when Received.—Should a second advice be received, correcting the number, name, or amount of the original, the entry in the register should be altered accordingly, the second advice attached to the original, and placed on file.

Sec. 1297. Precautions to be Taken before Paying Money Orders.—When a money order is presented for payment, the postmaster will first examine it to see that it is properly signed, stamped, and drawn; he will then compare the date, number, and amount with the advice or with the record thereof in the register of advices received, and satisfy himself that the applicant is the person entitled to payment. Every person who applies for payment of a money order should be required by the postmaster to prove his identity, unless the applicant is known to be the rightful owner of the money order. **Special caution**

should be exercised in the payment of money orders issued in favor of women or of soldiers and sailors, and of persons unable to speak English. If a money order be paid to the wrong person through lack of necessary precaution on the part of the postmaster, he will be held accountable for such payment. Whoever identifies the payee of a money order should be required, before payment is made, to write his name and residence on the back of the corresponding advice, under a statement that he knows the applicant for payment to be the person he represents himself to be. 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 post-office. In no case should the postmaster act as witness himself. It is not absolutely necessary that the witness should be personally acquainted with the payee. When the payee of a money order is a society or corporation the officer or person who has authority to receive payment of moneys due such payee must sign the receipt on the money order in his official capacity; and the paying postmaster may require satisfactory proof that the applicant for payment is duly authorized to sign and to receive payment of the money order.

Sec. 1298. Payment of Money Orders not Properly Issued to be Refused.—Should the stamp of the issuing postmaster and the written date both be wanting upon a money order, the postmaster at the post-office upon which it is drawn must decline payment; but a money order lacking the stamp of the issuing post-office may be paid provided the money order is not defective in any other respect. Money orders from which the stamp of either post-office has been omitted will be rejected as vouchers by the Department, and will be returned to the postmaster at fault to have the omission supplied.

So, also, payment may be made notwithstanding the absence of the written date, provided the stamped date is not wanting and the order is free from other defects.

Sec. 1299. Inquiry for Missing Advice.—When a money order is presented for which no advice has been received, one of the printed letters of inquiry for missing advices (Form No. 6006) must at once be dispatched to the postmaster who issued the order. Under no circumstances must an order be paid until the corresponding advice shall have been received.

Sec. 1300. Duty of Postmaster when Money Order does not Agree with Advice.—When a money order is presented which does not agree with the advice, payment must be refused until a second advice can be obtained unless the difference be evidently accidental and trifling, in which case the postmaster may, if he chooses, pay the money order; but he will be held responsible if the payment should prove to be incorrect. Every case of difference, however small, between a money order and an advice, should be reported in transmitting the money order at the end of the week. In case the amount stated in the advice is less than that in the money order, payment of the lesser amount may be made to the payee at once, provided he requests it. The postmaster must then write across the face of the money order this memorandum: PAID \$—, AMOUNT OF ADVICE, IN COMPLIANCE WITH PAYEE'S REQUEST; and must send to the issuing postmaster for a second advice. If the second advice agrees in amount with the first, no further action need be taken in the matter. Should the amount of the second advice agree with that of the money order, the postmaster will transmit to the Superintendent of the Money-Order System, in an envelope marked "Special," the paid money order, together with both advices and a full statement of the case, that he may cause the balance due on the money order to be paid to the payee.

If the amount named in the original advice is larger than that in the money order, and a second advice also names a larger amount, no more should be paid than the amount mentioned in the order, which may be paid, if the payee request it, before the receipt of a second advice, and the case should be reported to the Superintendent of the Money-Order System. If the payee declines to receive the lesser amount, he should be advised to return the order to the remitter for repayment and the issue of a new money order in lieu thereof, the fee for which should be paid by the issuing postmaster. In no event can a money order be made a valid voucher for a larger amount than that expressed on its face.

Sec. 1301. Postmasters Paying Money Orders must Provide against Delays.—It is the special duty of the postmaster to provide as far as possible against delay in the payment of money orders on presentation, by making immediate application for funds (using Form No. 6033) whenever the amount of advices received indicates the need of assistance to enable him to pay the corresponding money orders. He is authorized to defer payment only long enough to procure the requisite funds from the Department. Should a postmaster who has sufficient funds, whether arising from the issue of money orders or from postages, in his hands, refuse to pay when duly presented money orders drawn upon his office, such refusal will be deemed cause for immediate removal.

Sec. 1302. Paid Money Orders to be Stamped and Recorded.—After payment of a money order, the date of payment must immediately be stamped upon the money order and upon the advice, and also 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. 1303. Payment by Duplicate to be Noted.—When a money 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 date of payment), which should be written in red ink under the particulars of the original order in the weekly statement.

Sec. 1304. Payment upon Power of Attorney or to Legal Representative.—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 money order, unless the payee has, by a duly executed power of attorney, designated and appointed some person to collect moneys due or to become due him, in which case the attorney should be required, before payment is made to him, to file at the post-office of payment a certified copy of such power of attorney, or unless the payee has given a written order addressed to the paying postmaster, which is to be filed with the latter, authorizing a second person to receive payment of and to receipt for any specific money order, or for all money orders, payable by such postmaster to payee. When a person or firm makes an assignment, and the assignor intends that money orders payable to his order are to be paid to the assignee, he should execute a power of attorney or give such an order separate from the instrument of assignment, to be filed in the post-office. Money orders paid upon a power of attorney, or upon a written order from the payee, should bear upon their face, written or stamped in red ink, the words POWER OF ATTORNEY ON FILE or WRITTEN ORDER ON FILE, as the case may be. When orders are paid upon an indorsement, 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. The person presenting the order should be required, if unknown to the postmaster, to prove his identity.

The name of the indorsee or attorney to whom a money order is paid should be entered in the column of "Remarks" in the "register of advices received."

In case of the death of the payee the money order is to be paid to his "legal representative," whether executor or administrator, who should

be required to satisfy the paying postmaster of his authority to act in such capacity, and to sign the receipt to the money order as executor or administrator, as the case may be. A money order payable to a firm, bank, or company which has ceased to exist, must be paid to the legal representative thereof.

Sec. 1305. Money Orders must be Correctly Receipted and Stamped.—Any money order not correctly receipted or not stamped with the date of payment will be disallowed from the weekly account and returned for correction.

Sec. 1306. Payment of Money Order on Day of Issue.—The Department does not undertake to secure payment of a money order on the day of its issue, but the postmaster at the post-office drawn upon may, if he has received the corresponding advice, make payment on that day.

Sec. 1307. Department not Responsible after Payment of Money Order.—After having once paid a money order, by whomsoever presented, provided the required information has been given by the party who presented it, the Department will not hold itself liable to any further claim, but in case of improper payment of a money order will endeavor to recover the amount for the owner.

Sec. 1308. How Amounts of Money Orders more than a Year Old may be Paid.—Any money order which is not presented for payment until after the expiration of one year from the date thereof is declared "invalid and not payable" (section 1288), and the postmaster to whom such money order is presented must refuse payment of the same. In order to obtain payment of such invalid money order, the holder will be required to send the same, through the issuing or the paying postmaster, to the Superintendent of the Money-Order System of the Post-Office Department. (See Form No. 6003.) If the Department is satisfied that the money order has not been paid, a duplicate will be issued payable to the remitter, payee, or indorsee, as may be requested in the application, and the same will be sent to the postmaster for delivery or payment, as the case may be.

Sec. 1309. Payment of Amounts of Money Orders Illegally Indorsed.—It is provided by law (section 1289), that more than one indorsement upon a money order shall render the same invalid and not payable. Hence, the postmaster to whom a money order, whether "original" or "duplicate," thus illegally indorsed is presented, must refuse payment of the same; and the holder thereof, if he is the second or any subsequent indorsee, to obtain payment of the money order, is required to forward the same, with an application for renewal, to the Superintendent of the Money-Order System, 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 to him is genuine, and that the holder is the person named therein. (See Form No. 6003.) Upon his compliance with these requirements a duplicate of the illegally indorsed money order will be issued as above.

If a money order which has been indorsed twice, or oftener, is presented for payment by the first indorsee with the second, or subsequent, indorsements stricken out, it may be paid to him if regular in all other respects; or if presented by the remitter, or payee, at the issuing, or the paying office, with all indorsements stricken off, it may be repaid to the remitter or paid to the payee, as the case may be. In all cases of lost or invalid money orders, the owner of the money order (whether remitter, payee, or indorsee) may make application, through either the issuing or the paying postmaster, for a duplicate; and it is the duty of the postmaster to whom such application shall be made to fill up and dispatch the proper forms therefor. The duplicate will be issued agreeably to the request contained in the postmaster's letter—*i. e.*, to the remitter, payee, or indorsee—and made payable at the issuing or the paying post-office, as may be desired, and forwarded to the address specified by the applicant.

REPAYMENT OF MONEY ORDERS AT THE ISSUING OFFICE.

Sec. 1310. Repayment of Money Order to Applicant.—The postmaster issuing a money order shall repay the amount of it upon application of the person who obtained it, and the return of the order; but the fee paid for it shall not be returned. (R. S., § 4039.)

Sec. 1311. Rules for Repaying Money Orders.—A postmaster may repay a money order issued at his own post-office, provided the money order is presented to him for that purpose, and is less than one year old, and does not bear more than one indorsement; but the repayment must be made to the person who obtained the money order, except in special cases. (See section 1313.) If the advice has gone forward to the post-office upon which the money order was drawn, the postmaster will, by the first mail, dispatch a special advice (Form No. 6036) notifying that post-office of the repayment. If the advice has not gone forward, it is to be transmitted to the Superintendent of the Money-Order System, inclosed with the corresponding repaid money order in the weekly account. The fee must not in any case be refunded out of money-order funds, but if the repayment was occasioned by a mistake of the issuing postmaster, he must either return the fee from his private funds or pay the fee for a new order if one is desired.

Sec. 1312. Repaid Money Orders to be so Stamped.—The word **REPAID** (and the date) must be written or stamped on the face of every repaid

money order, and a corresponding entry made in the register of money orders issued, against the particulars of the money order and in the column headed "Remarks."

Sec. 1313. Repaid Money Orders to be Signed ; by Whom.—Every money 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 postmasters will exercise the greatest caution in repaying a money order to a second person. It may occasionally happen that a money order is presented for payment at the post-office of issue by the payee. The issuing postmaster is at liberty to pay the money order in such case, and treat it as "repaid," provided he is satisfied as to the identity of the payee, and that the latter has good reasons for presenting the order at his post-office. Across the face of the order should be written these words, viz: **REPAID TO THE PAYEE**, and a "special advice of repayment" should be forwarded to the post-office on which the money order was drawn.

A money order may also be paid at the office drawn upon to the remitter, and in such case should be marked across its face, **PAID TO REMITTER**.

Sec. 1314. Repayment by Duplicate.—When a money order is repaid by duplicate, the fact must be noted in the register of money orders issued, by writing opposite the entry of the original money order, in the column of "Remarks," the words **REPAID BY DUPLICATE No.**—(adding the number and the date of repayment). Special notice must also be sent to the post-office on which the original money order was drawn. In taking credit for such repayment in the summary of the weekly statement, the postmaster will enter the number of the original money order, and also that of the duplicate, thus, "By money order No. 1286 (repaid by duplicate 120), \$19.25."

Sec. 1315. Special Notice of Repayment ; how Entered.—When a postmaster receives a special notice of the repayment of a money order by the issuing postmaster, he will write the words **REPAID AT**—(naming the place and date) opposite the entry in the register of advices received, and also upon the original advice, which, after having attached the special notice thereto, he will place on file.

MISCELLANEOUS PROVISIONS.

Sec. 1316. Postmasters to pay Money Orders on their Post-Offices Only.—No postmaster will be permitted to pay a money order which is not

drawn upon his post-office. This, however, does not preclude the repayment of a money order at the post-office where it was drawn. The postmaster at the post-office drawn upon may also pay a money-order to the remitter thereof, but such payment should be made with great caution, as prescribed in section one thousand three hundred and thirteen.

Sec. 1317. Notice to be sent to Payee of Duplicate.—The postmaster who receives from the Department a duplicate payable by him must forthwith send notice to the payee of such duplicate to call for payment. In paying a duplicate order the postmaster is required to exercise the same precautions as in paying an original order.

Sec. 1318. Postmaster-General may Stop Payment of Money Orders; when.—The Postmaster-General may, upon evidence satisfactory to him that any person is engaged in conducting any fraudulent lottery, gift enterprise, or scheme for the distribution of money, or of any real or personal property, by lot, chance, or drawing of any kind, or in conducting any other scheme or device for obtaining money through the mails by means of false or fraudulent pretenses, representations, or promises, forbid the payment, by any postmaster, to any such person of any postal money-order drawn to his order or in his favor, and may provide by regulations for the return, to the remitter, of the sums named in such money orders. But this shall not authorize any person to open any letter not addressed to himself. (R. S., § 4041.) (See section 1397.)

NOTE.—1. Payment of a money order may be withheld by the paying postmaster, upon the receipt of a written request from the issuing postmaster or the remitter, for a sufficient time to enable the remitter to furnish the paying postmaster with proof that the money order was procured by him through false representations, or other fraudulent action of the payee, who is furthermore alleged by him to be engaged in conducting a scheme or device for obtaining money through the mails by means of false or fraudulent pretenses, representations, or promises. The case, together with the proof furnished, must be referred to the Department, in order that the Postmaster-General may, under the authority given him by the preceding section, if the evidence is satisfactory to him, forbid the payment of the money order, and direct the return of the amount thereof to the remitter upon application of the latter for a duplicate.

2. In cases in which payment of a money order to the payee is not forbidden by the Postmaster-General under the conditions above mentioned, the payee is entitled to payment, "notwithstanding the protest of the remitter of the money order; and the remitter of a money-order cannot forbid the payment of it by any notice to the post-office at which it is made payable before it has been paid." (14 Opins. Atty. Gen., 119.)

The possession of a money order by the remitter, payee, or indorsee thereof is *prima facie* evidence of ownership.

Sec. 1319. Payment by Issue of Money-Order.—When a postmaster receives by mail a letter containing a money order drawn upon him, purporting to be receipted on the face by the payee thereof, or to be made paya-

ble to such postmaster by the indorsement of the payee, with a request to transmit to the payee by mail, in money or by draft, the amount of the money order, the postmaster should decline to comply with the request, and should notify the payee that he will, if the latter consents, send to him a new money order, drawn upon any money-order post-office which the payee may designate, for an amount equal to the money-order received, less the fee for the new money order. Across the face of the advice of this new order should be written a history of the transaction after this form: "IN LIEU OF ORDER NO. ———, ISSUED AT ——— ON ———. REMITTER: ——— of ———." If the payee declines, in a case of this kind, to give his consent to the issue of a new money order, the postmaster will send back to him the receipted or indorsed money order.

Sec. 1320. Payment of Order Defectively Issued.—When a money order is presented for payment in which the only defect is that the name of the State in which the paying post-office is situated is erroneously given, the postmaster is at liberty to pay such money order at his own risk, provided there is no other obstacle to payment, and that he has on hand the corresponding advice of the same number and date, which advice gives correctly the name of his post-office and of his State. After having paid a money order of this description the postmaster will write across the face thereof the following statement: **THE CORRESPONDING ADVICE OF THIS MONEY ORDER IS CORRECTLY DRAWN ON THIS POST-OFFICE**, which statement he will duly sign and date.

Sec. 1321. Auditor to Prepare Statement of Unpaid Money Orders.—That the Auditor of the Treasury for the Post-Office Department shall, as soon as practicable after the close of the present fiscal year, transmit to the Postmaster-General a statement of the aggregate amount of all money orders which at the beginning of said year shall have remained unpaid for a period of seven years or more after the date of their issue; and as soon as practicable after the close of each fiscal year thereafter, he shall transmit in like manner a statement of the aggregate amount of all money orders and postal notes, which at the commencement of such year shall have remained unpaid for less than eight and not less than seven years after the date of their issue; and the Postmaster-General shall cause the aggregate amount of such unpaid orders and postal notes as reported annually by the Auditor to be deposited in the Treasury, to the credit of the Treasurer of the United States, for the service of the Post-Office Department. But nothing contained in this act shall be so construed as to prevent the payment, out of current money-order funds, by duplicate issued under the authority of the Postmaster-General, of any lost or invalid money order or of any invalid

postal note more than seven years old, upon the presentation of satisfactory proof to the Postmaster-General of the ownership of such money order or upon the production of such invalid postal-note in accordance with the provisions of section one of this act; and the total amount of such lost or invalid money orders and invalid postal notes more than seven years old paid during each year by duplicate shall be deducted from the aggregate amount of unpaid money orders and postal notes to be deposited at the close thereof in the Treasury as hereinbefore provided. (Act of March 3, 1883, § 5, 22 Stats., 528.)

That all laws or parts of laws inconsistent with the provisions of this act shall be void in so far as they may apply to cases which may arise under this act: *Provided*, That the provisions of this act shall be put into operation by the Postmaster-General within six months after the date of its approval by the President. (Act of March 3, 1883, § 6, 22 Stats., 529.)

CHAPTER FORTY-TWO.

THE INTERNATIONAL MONEY-ORDER BUSINESS.

Sec. 1322. Foreign Money-Order Arrangements.—The Postmaster-General may conclude arrangements with the post departments of foreign governments, with which postal conventions have been, or may be, concluded, for the exchange, by means of postal orders, of small sums of money, not exceeding fifty dollars in amount, at such rates of exchange, and compensation to postmasters, and under such rules and regulations as he may deem expedient; and the expenses of establishing and conducting such system of exchange may be paid out of the proceeds of the money-order business. (R. S., § 4028.)

Pursuant to this authority such arrangements have been made that any postmaster may be authorized to issue international money orders payable in, and may pay orders properly issued by, the following countries, viz:

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| <ol style="list-style-type: none"> 1. CANADA. 2. GREAT BRITAIN (and through Great Britain, British India, Ceylon, Egypt, Constantinople (Turkey), Hong Kong (China), Bermuda, Falkland Islands, Straits Settlements (Singapore, Penang, and Malacca), Western Australia, Gambia, Mauritius, Natal, St. Helena, Trinidad, Malta, and Gibraltar. | <ol style="list-style-type: none"> 3. GERMANY (and through Germany Denmark, Iceland, and the Grand Duchy of Luxemburg). 4. SWITZERLAND (and through Switzerland Austria and Hungary). 5. ITALY. 6. FRANCE and ALGERIA (and through France), Alexandria (Egypt), and Constantinople, Beyrouth, Salonica, and Smyrna (Turkey). |
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| <ul style="list-style-type: none"> 7. SWEDEN. 8. NEW ZEALAND. 9. NEW SOUTH WALES. 10. VICTORIA. 11. BELGIUM. 12. PORTUGAL and the AZORES and
MADEIRA ISLANDS. 13. JAMAICA. 14. TASMANIA. | <ul style="list-style-type: none"> 15. WINDWARD ISLANDS. 16. JAPAN. 17. CAPE COLONY. 18. HAWAII. 19. QUEENSLAND. 20. LEEWARD ISLANDS. 21. NORWAY. 22. NETHERLANDS. |
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Sec. 1323. Indirect Exchange Through Germany.—In pursuance of an agreement made with the German Postal Department, postmasters at international money-order offices in the United States are authorized to issue money orders payable, through that Postal Department, in Denmark, and the Grand Duchy of Luxemburg. Money orders payable in either of those countries are to be issued in German money, on the same form now used for German orders, and in the same manner, and the fees exacted from the remitters are the same as are now paid for German orders.

The remitter should be notified in every instance that the following deductions will be made by the German Postal Department from the amounts of money orders received from the United States payable in the above-named countries, to wit:

1. *Denmark and Iceland.*—From each money order payable in Denmark or in Iceland five pfennigs are deducted for every twenty marks or fraction thereof; but the deduction on a single money order will not be less than twenty pfennigs.

2. *Luxemburg.*—From each money order payable in Luxemburg ten pfennigs are deducted for sums not exceeding one hundred marks; fifteen pfennigs for sums over one hundred and not exceeding two hundred marks; twenty pfennigs for sums over two hundred marks. The amount of each order, after the proper deduction has been made as above specified, will be transmitted to the payee by the German Postal Department.

Sec. 1324. Indirect Exchange through Switzerland.—Under a similar arrangement with the Post Department of Switzerland, orders may be drawn upon that country for payment in the Austro-Hungarian monarchy. The values of such orders must be expressed in Swiss money (francs and centimes), and the orders are to be treated in all respects as Swiss orders. The Swiss exchange office at Basle forwards to the beneficiary in Austria or Hungary the amount of each such order after deducting the proper commission or fee for this service, namely, twenty-five centimes for every twenty-five francs or fraction thereof; but the deduction on a single order will not be less than fifty centimes.

Orders issued in Switzerland for payment in Austro-Hungary are drawn in Swiss money, and upon their arrival in the country of destination the amounts expressed are converted into the money of the latter country.

Sec. 1325. Indirect Exchange with British Colonies.—Postmasters at international offices may also draw British orders for sums in sterling money, payable to residents of any of the British colonies or dependencies named in the list in section one thousand three hundred and twenty-two, under the head of Great Britain, not in direct exchange with the United States, as well as upon points in Egypt. From the amounts of such orders, however, the British Post-Office Department will deduct for its services as intermediary in conducting the exchange additional fees according to the following schedule:

For sums not exceeding £2 sterling.....	3d. sterling.
For sums exceeding £2, but not exceeding £5.....	6d. “
For sums exceeding £5, but not exceeding £7.....	9d. “
For sums exceeding £7, but not exceeding £10.....	1s. “

Every remitter of such an order should be advised at the time of its issue that this second fee will be deducted in London from the value of the remittance. Orders may be drawn upon “The postmaster at the British post-office, Constantinople,” and are not subject to any second charge by the London office.

Sec. 1326. Indirect Exchange with French Post-Offices in the Levant.—In like manner orders may be drawn in French money upon “The French post-offices” in Alexandria (Egypt) and Constantinople, Beyrouth, Salonica and Smyrna (Turkey). Such French orders are not subject to any charge except the fee payable by the remitter in this country, which is the same as that for all other international orders.

Orders may be drawn upon either the British or the French post-office in Constantinople, and no second charge is made in either case. Upon this point a postmaster should consult the remitter, who may have reason for desiring an order drawn in one of these ways in preference to the other.

Sec. 1327. Denominations of Foreign Moneys.—The denominations of the moneys of the countries named in the foregoing list, with the signs employed to express them, and their relative values in the currency of the United States, as fixed by authority of the various postal treaties concluded with the Governments of those countries, are shown in the following table:

Great Britain	Pounds, shillings, and pence..	£ s. d.	£1 = \$4.87.
New Zealand .....	" " "	.....	s 1 = \$0.24.
New South Wales...	" " "	.....	d 1 = \$0.02.
Victoria .....	" " "	.....
Queensland .....	" " "	.....
Tasmania .....	" " "	.....
Cape Colony .....	" " "	.....
Jamaica .....	" " "	.....
Windward Islands..	" " "	.....
Leeward Islands ..	" " "	.....
France	Francs and centimes	Frs. cent ..	Fr. 1 = 19½ cents.
Switzerland .....	" " .....	.....
Belgium .....	" " .....	.....
Italy	Lire and centesimi	L. cent	L. 1 = 19½ cents..
The Netherlands ..	Florins and cents	Fl. cents ..	Fl. 1 = 41 cents.
Portugal	Milreis and reis .....	.....	Milreis 1 = \$1.10.
Germany	Marks and pfennigs	M. pfg	M. 1 = 24½ cents.
Sweden	Kronor and öre	} Kr. öre	{ Kr. 1 = 27 cents.
Norway	" "		
Canada	Dollars and cents	\$. c	{ Kr. 3.73 = \$1.00.
Hawaii .....	" " .....	.....
Japan .....	.....	.....

The money of Great Britain, New Zealand, New South Wales, Victoria, Queensland, Tasmania, Cape Colony, Jamaica, the Windward Islands and the Leeward Islands is identical in denomination and in value. Therefore, the table for the conversion of United States money into that of Great Britain answers equally well for the conversion of United States money into that of the other countries named above.

The monetary unit of France, Switzerland, Belgium, and Italy has the same value in the currency of the United States. Therefore, the table for the conversion of United States money into that of France answers equally well for the conversion of United States money into that of the three other countries.

The currencies of Canada and Hawaii are the same in denomination and value as that of the United States.

The denominations of the money of Norway are the same as those of Sweden, and the same conversion table may be used in the transaction of money-order business with these two countries.

Orders drawn on Japan are converted into Japanese currency at Tokio.

Sec. 1328. Fees.—The fees to be collected from the intending remitters of orders payable abroad are:

For sums not exceeding \$10	10 cents.
Over \$10 and not exceeding \$20	20 cents.
Over \$20 and not exceeding \$30	30 cents.
Over \$30 and not exceeding \$40	40 cents.
Over \$40 and not exceeding \$50	50 cents.

Sec. 1329. Maximum Amount of a Single Order.—The maximum amount for which orders may lawfully be drawn is:

For orders payable in:

GREAT BRITAIN, NEW ZEALAND, NEW SOUTH WALES, VICTORIA, QUEENSLAND, TASMANIA, CAPE COLONY, JAMAICA, WIND- WARD ISLANDS, LEEWARD ISLANDS	\$50.	£10. s 5. d 4.
FRANCE	Frs. 250.	\$49.38.
BELGIUM	Frs. 250.	\$49.38.
SWITZERLAND	Frs. 253.15.	\$50.
ITALY	\$50.	L. 253.15.
PORTUGAL	\$50.	Milreis. 45. 450.
NETHERLANDS	\$50.	Fl. 121.95.
GERMANY	\$50.	M. 206. 17 pfg.
SWEDEN	\$50.	Kr. 186.50 öre.
NORWAY	\$50.	Kr. 186.50 öre.
CANADA	\$50.	
HAWAII	\$50.	
JAPAN	\$50.	

Sec. 1330. Fractions of a Cent, &c., Inadmissible.—Fractions of a cent, of a penny, of a demi-décime (five centimes), of 4 öre, or of 10 reis must not be introduced into the amount of an order.

Sec. 1331. The Application.—The applicant for a money order payable in a foreign country must give the particulars in writing, on the special form of application (No. 6701), furnished postmasters for the purpose, and in accordance with the instructions printed on the form.

Sec. 1332. Postmaster Prohibited from Filling up Application.—A postmaster may assist an intending remitter by advice, but is prohibited under any circumstances from filling up the form of application. If the applicant is unable to write he should request some one not connected with the post-office to prepare the application. Should a postmaster disregard this caution, and an improper payment be occasioned by his stating the address imperfectly, he will be held accountable for the amount.

Sec. 1333. Particulars to be Given in Application.—Upon receiving an application for an international money order the postmaster should examine it carefully to see that the particulars are plainly given and are understood. The full name and exact address of the payee should be stated, including the name of the city, town, or village, and of the country, canton, department, or district, as the case may be.

When the payee resides in a town or city, the name of the street and the number of the house should, if possible, be given.

If the person to whom the money is to be sent is a soldier, his rank, company, regiment, and the arm of the service (infantry, cavalry, ar-

tillery, &c.), to which he is attached should be stated, in addition to the name of the place where he may be stationed.

In case of the inability of the applicant to converse with the postmaster intelligibly in a common language, recourse should be had to the services of an interpreter. The application for a German order should not be written in German characters.

Sec. 1334. Form of the Order and Manner of Issue.—The forms for the issue of all international money orders are the same, and consist of the order, the advice, and coupon, which are numbered consecutively for each office and are bound in books.

The blanks are to be taken from the books in their regular sequence as applicants present themselves. The country in which payment is to be made must be indicated by writing at the top of each of the forms in the space indicated the words "British," "German," &c., as the case may be. For each order payable in Germany the postmaster must prepare an additional form—the small order printed on card board and called technically, to distinguish it, the "Card Order."

From the items contained in the application the order, advice, and coupon are to be prepared.

It is particularly urged upon postmasters to scrutinize closely the applications for orders payable in Germany, for the reason that in that country the delivery and payment of money orders are commonly made, at the same time, by letter carriers, and no greater precautions are observed than in the delivery of valuable letters. In case of an imperfect address, therefore, the order is likely to fail of reaching the intended beneficiary, or to be paid to another person of like name. In case of erroneous payment, unless proof of neglect on the part of the paying officer be quite clearly established, the rightful claimant is without redress from the country of payment.

Sec. 1335. The Amount; how Expressed.—The amounts of all orders must be expressed in figures in the money of the United States, and in that of the country where payment is to be made, in the spaces designated for that purpose. In the body of the order the amount in foreign money must be written in full in letters, except in the case of Italian, Swedish, Norwegian, Netherlands, and Japanese orders, when the amount is to be entered in the body of the order in United States money.

Sec. 1336. Name of Exchange Office must be Written in Canadian Order and Coupon.—Postmasters are required to write in the margin, at the top of each Canadian order issued by them, the name of the exchange office through which the corresponding advice is sent for certification, thus: "THROUGH BUFFALO, N. Y.," &c. Neglect of this precaution may

occasion great delay in the payment of a money order in the event of an application for a duplicate advice, the original of which shall have failed to reach the paying office. The name of the exchange office must invariably be written on the coupon as well as on the order.

Sec. 1337. Lists of Money-Order Offices.—In the case of money orders payable in Canada, the United Kingdom of Great Britain and Ireland, France and Algeria, Jamaica, New Zealand, New South Wales, Victoria, Tasmania, Queensland, Cape Colony, Hawaii, the Windward and the Leeward Islands, the postmaster is required to designate the office of payment, and therefore must consult the lists of money-order offices in those countries.

Separate lists, published in book form, of the money-order offices in Great Britain and Ireland, and in France and Algeria, are supplied to postmasters at international money-order offices.

Lists of money-order offices in the other countries named above are printed in the pamphlet "List of Money-Order Offices," published annually about the 1st of July by the Department.

As regards orders payable in Germany and Denmark, Switzerland and Austro-Hungary, Italy, Belgium, Portugal, Sweden, Norway, The Netherlands, and Japan, the postal authorities in the paying country provide for payment at the place most convenient for the payee, and therefore no lists of offices in those countries are furnished to postmasters, and it is only required that the address of the payee should be fully entered in every such advice as well as in the German Card Order.

No lists of money-order offices in India, Egypt, or in any of the British colonies not in direct exchange with the United States, are furnished by the Department.

Sec. 1338. Spoiled Forms.—If a mistake is made in filling up either the order or advice, which is observed before delivery of the order to the purchaser, the next following order, advice, and coupon form must be substituted therefor. The spoiled blanks, order, advice, and coupon, must be detached from the book of forms, marked "Not issued," "Replaced by order No. —, 188—," and must be sent to the Department with the next weekly statement of money-order transactions. (See section 1266.)

In no case, however, should an order be canceled or treated as "not issued" after the dispatch of the corresponding advice to the exchange office. In case an error has been made in filling up the original advice, which is not detected until after the corresponding order has been delivered to the remitter and has passed beyond the control of the issuing office, the issue of a duplicate advice becomes a necessity, and the original advice must then be destroyed to prevent its ever reaching the exchange office. In that case the words "Original advice spoiled in issu-

ing and destroyed," should be written in red ink across the face of the duplicate advice, or in the margin at the top.

Sec. 1339. Comparison of Order Advice and Coupon.—The order, advice and coupon, after being filled out, should be carefully compared with each other and with the remitter's application, that it may be seen whether they fully agree and are regular in all respects.

Sec. 1340. When Order Should be Sent by Remitter to Payee.—The order must then be delivered to the remitter, who must send it at his own cost to the payee if the latter reside in :

CANADA.	QUEENSLAND.
GREAT BRITAIN AND IRELAND.	CAPE COLONY.
FRANCE AND ALGERIA.	HAWAII.
NEW ZEALAND.	JAMAICA.
NEW SOUTH WALES.	WINDWARD ISLANDS.
VICTORIA.	LEEWARD ISLANDS.
TASMANIA.	CONSTANTINOPLE.

Sec. 1341. When Order Should be Retained by Remitter as Receipt.—But the order should be retained by the remitter if the intended beneficiary live in any of the following named countries :

GERMANY or DENMARK.	NORWAY.
SWITZERLAND (or AUSTRO-HUNGARY).	NETHERLANDS.
ITALY.	BRITISH INDIA.
BELGIUM.	EGYPT.
PORTUGAL.	JAPAN.
SWEDEN.	HONG-KONG (CHINA).

In which case it is of no value except as evidence of the deposit by him of the sum therein mentioned, and he should be advised that another and different form of order will be forwarded to the payee by the exchange office in the country of payment.

Sec. 1342. The Advice.—The amount, the name of the paying office, and the name and residence of the payee must be written in a neat and perfectly legible hand, and all proper names must be spelled correctly, or at least as spelled by the remitter, if the issuing postmaster is unacquainted with the correct orthography.

Sec. 1343. Corrections of Particulars after Certification.—If an error is discovered after the certification of an advice, or if a remitter desires to alter the particulars of the name or address of a payee, the correction must be communicated, on Form 6760, to the exchange office to which the advice was sent; a second advice form must not be used for this purpose.

Sec. 1344. Special Envelopes for Advices.—The utmost care must be observed in dispatching advices to the proper exchange office by the earliest mail after the issue of the corresponding orders.

Special envelopes are furnished by the Department, and may be obtained upon application to the Third Assistant Postmaster-General, for covering international advices and German card orders transmitted by postmasters to the New York exchange office.

These envelopes are $4\frac{3}{4}$ by $6\frac{1}{2}$ inches in size, and will contain the German card orders without the necessity of folding, and thereby frequently breaking them. This must always be avoided, because payment in Germany is effected upon the original card order, which should therefore be neither torn nor broken. Postmasters should be careful to use these envelopes and no other for international advices and German card orders.

Specially printed envelopes, but not of a peculiar size or pattern, are furnished postmasters to be used in transmitting the advices of orders drawn on Canada to the exchange offices concerned in the transaction of the business with that country.

Sec. 1345. Exchange Offices to which Advices must be Sent.—The advices of international orders are not to be sent direct to the offices of payment, but to that exchange office in this country charged with the duty of keeping a record of all orders issued in the United States for payment in any particular foreign country, and reciprocally, of orders originating in that country for payment here.

The Exchange Offices on the Part of the United States are: For orders payable in—

THE UNITED KINGDOM OF GREAT BRITAIN
AND IRELAND, THE GERMAN EMPIRE, SWITZERLAND,
ITALY, FRANCE and ALGERIA,
BELGIUM, PORTUGAL, SWEDEN, NORWAY,
NETHERLANDS, JAMAICA, CAPE COLONY,
WINDWARD ISLANDS, LEEWARD ISLANDS..Exchange office, NEW YORK.
NEW ZEALAND, NEW SOUTH WALES, VICTORIA,
TASMANIA, QUEENSLAND, JAPAN, HAWAII..Exchange office, SAN FRANCISCO.

The Exchange Offices on the Part of the United States for Orders Payable in Canada are:

PROVINCE OF ONTARIO.....Exchange office, BUFFALO, N. Y.,
or DETROIT, MICH.
PROVINCE OF QUEBEC.....Exchange office, SAINT ALBANS,
VT.
PROVINCE OF NOVA SCOTIA, PROVINCE OF NEW
BRUNSWICK, NEWFOUNDLAND, and PROV-
INCE OF PRINCE EDWARD ISLAND.....Exchange office, BANGOR, ME.
PROVINCE OF MANITOBA, ALBERTA TERRITORY,
ASSINABOIA TERRITORY.....Exchange office, SAINT PAUL,
MINN.
BRITISH COLUMBIA.....Exchange office, PORTLAND,
OREG.

Sec. 1346. Exchange Offices on Part of Foreign Countries.—The exchange offices on the part of foreign countries are: For orders issued in—

THE UNITED KINGDOM OF GREAT BRITAIN AND IRE-	
LAND.....	LONDON.
THE GERMAN EMPIRE.....	COLOGNE.
SWITZERLAND.....	BASLE.
ITALY.....	TURIN.
FRANCE and ALGERIA.....	*NEW YORK, N. Y.
BELGIUM.....	ANTWERP.
PORTUGAL.....	LISBON.
NORWAY.....	CHRISTIANIA.
SWEDEN.....	MALMO.
NETHERLANDS.....	THE HAGUE.
JAMAICA.....	KINGSTON.
THE WINDWARD ISLANDS.....	BRIDGETOWN, BARBADOES.
CAPE COLONY.....	CAPETOWN.
THE LEEWARD ISLANDS.....	St. JOHNS, Antigua.
NEW ZEALAND.....	AUCKLAND.
NEW SOUTH WALES.....	SYDNEY.
VICTORIA.....	MELBOURNE.
TASMANIA.....	HOBART.
JAPAN.....	TOKIO.
HAWAIIAN KINGDOM.....	HONOLULU.
QUEENSLAND.....	BRISBANE.
CANADA.....	ST. JOHN, N. B.
	MONTREAL, Quebec.
	TORONTO, Ontario.
	HAMILTON, Ontario.
	LONDON, Ontario.
	WINNIPEG, Manitoba.
	VICTORIA, B. C.

Sec. 1347. Payment of Orders.—The general rules laid down for the guidance of postmasters regarding the payment of domestic money orders apply equally to international orders. Greater care must be exercised in regard to the latter class of orders, because of the increased liability to error arising from the inability, in many instances, of the persons presenting such orders to speak the English language. Regarding the precautions to be observed in identifying applicants for payment and the measure of a postmaster's responsibility in the event of payment being made to the wrong person, see sections one thousand two hundred and ninety and one thousand two hundred and ninety-seven.

When an order is presented for payment, the postmaster will carefully examine the document to see that it is in proper form and agrees as to date, number, and amount with the advice. After satisfying himself that the applicant is the person entitled to receive the money he should

* By mutual agreement the New York office acts for both countries.

pay the order, provided that neither it nor the advice contain any fatal defect enumerated in section one thousand three hundred and fifty-five.

Sec. 1348. Payment to Person not Residing at Money-Order Office.—When international money orders are sent to an international money-order office, with directions to forward the money for the same, the payee residing at a place where there is no money-order office, the postmaster at such international money-order office should inclose the amount in a penalty envelope (duly registered) to the party entitled to receive the same, without charging the usual registry fee.

Sec. 1349. Certification of Orders from Abroad.—The advice of every order originating in a foreign country for payment in this is sent by the issuing postmaster to the exchange office of that country. There the advices are verified and the particulars entered upon descriptive lists, a special international number in a current series being assigned to each order in addition to the original or printed number which appears thereon.

(In the exchange of orders with France the office at New York acts for both countries, certifying the advices of orders issued in France and Algeria as well as the advices of the United States orders.)

Sec. 1350. When Orders are Sent Directly to Payees in United States.—Orders issued in the countries named below are forwarded to the payees in the United States. The corresponding advices are sent through the exchange office at New York or at San Francisco to the paying offices.

GREAT BRITAIN (including also orders issued in CONSTANTINOPLE), CAPE COLONY, JAMAICA, THE WINDWARD ISLANDS, THE LEEWARD ISLANDS, FRANCE, ALGERIA, NEW ZEALAND, NEW SOUTH WALES, VICTORIA, QUEENSLAND, TASMANIA, and HAWAII.

Sec. 1351. When New Inland Orders are Issued in the United States.—If the orders are issued in any of the following countries a list is sent to New York or San Francisco, from the particulars contained in which new inland orders and advices are issued:

GERMANY (including also orders issued in DENMARK and ICELAND and the GRAND DUCHY OF LUXEMBURG), SWITZERLAND (and AUSTRIA-HUNGARY), ITALY, PORTUGAL, BELGIUM, SWEDEN, NORWAY, NETHERLANDS, and JAPAN.

Advices of orders issued in the Dominion of Canada or the colony of Newfoundland are forwarded direct by the exchange office in Canada to the paying postmaster without passing through an exchange office in this country. The corresponding orders are sent directly by remitters to payees.

Every advice drawn directly on the United States in sterling money should bear upon its face a statement made by the exchange office in the issuing country showing the equivalent in United States currency of the sum received from the remitter.

The values of orders and advices issued in France and Algeria are expressed in United States money.

Sec. 1352. Payment to Indorsees, Attorneys, or the Legal Representatives of Deceased Payees.—The laws and regulations which govern the payment of domestic orders to indorsees, attorneys, and the legal representatives of deceased payees apply also to international orders. Although no printed form of indorsement appears upon most orders of foreign issue, the indorsement may be written after the form printed on the back of the domestic order.

When an order is presented by an indorsee or attorney he occupies precisely the same position as the payee were the latter to claim payment in person, and if unknown should be required to establish his identity to the satisfaction of the postmaster and to give the name of the remitter, furnishing such proof as the postmaster may require as to the genuineness of the indorsement.

Sec. 1353. Stamping, &c., of Paid Orders.—The date of payment should be stamped upon the advice as well as upon the order. In the case of orders issued in Great Britain or in any of the British colonies or dependencies, the value of the order in United States money must be written across its face plainly in figures in red ink. If this be not done the Auditor will reject the voucher. The international number stamped on the back of the advice must also be written in red ink on the face of every paid order except such as are issued by the exchange offices at New York and San Francisco, which bear the international number written on the face.

Sec. 1354. Name of Exchange Office must be Written on Paid Canadian Orders.—Postmasters must be careful, also, to write in the margin at the top of every Canadian order paid, besides the international number, the name of the exchange office by which the advice was certified.

Sec. 1355. When Payment Should be Refused.—Payment should be refused:

1. When no advice has been received.
2. When the advice has not been certified by the exchange office and the amount to be paid is not plainly stated thereon.
3. When the name stated in the advice differs from that of the person presenting or indorsing the order.
4. When either order or advice contains any erasure or alteration affecting the amount or the name of the payee.
5. When the order bears more than one indorsement.
6. When one year or a longer period has elapsed since the date of issue.

Sec. 1356. Missing Advices of Orders Payable in the United States.—When an order is presented for payment, if no advice has been received,

immediate application must be made for one to the exchange office in this country, through which the advice should have passed. An exception to this rule is to be made as to Canadian orders, in which case the application is to be made to the exchange office in Canada, indicated upon the order.

In applying to New York for missing advices postmasters must use Form 6752, unless the required advice be that of a French order, in which case Form 6757, printed in the English and French languages, should be employed. Form 6752a is intended for applications to San Francisco. For use in the transaction of business with Canada a special form, No. 6425, combining a letter of inquiry and advice, has been provided.

Sec. 1357. Disposal of Uncertified Advices.—When a postmaster receives an international advice which has not been certified he should promptly return it to the proper exchange office to have the omission rectified.

Sec. 1358. Exchange Office to Obtain Corrections.—In case of a difference between the name stated in the advice and that given by the applicant, or, in the event of an alteration or erasure affecting the value of the order, the exchange office must at once be notified of the facts and requested to obtain a correction.

Sec. 1359. Discrepancies in Amount.—In case an order be drawn for a greater sum than that expressed in the advice the postmaster is at liberty, with the consent of the payee, to pay the lesser amount, but he must write across the face of the order, in red ink: "Paid \$— amount of advice in compliance with the payee's request."

If the amount entered in the order be less than that in the advice, the sum expressed in the order may be paid.

If the sum expressed in the order and advice exceed the lawful limit of a single order as prescribed by postal convention, provided the document be regular in all other respects, the postmaster may pay, with the payee's consent, the amount of \$50.

A postmaster must, however, report to the Department and to the proper exchange office every case of discrepancy as to amount between an order and advice and state the action taken by him.

If it appears upon investigation that a further sum is due the payee, an additional order will be issued for the residue.

In general, it should be borne in mind that in the event of a discrepancy as to amount between the order and the relative advice, the smaller sum only is to be paid.

Under no circumstances will the Auditor accept an order as a voucher for the payment of any sum greater than that expressed upon its face.

Sec. 1360. Missing Advices of Orders Issued in the United States for Payment in Foreign Countries.—Upon the receipt by an inland postmaster of a notification from an exchange postmaster that the advice of an international order had not been received, a duplicate advice should be issued and forwarded to the exchange office. Such duplicate advice must bear the same number as the original which it replaces. The name of the issuing office must be written at the top of the form. The impress of the money-order stamp should indicate the actual date of issue; but the written date in the body of the form should be that of the original advice.

Postmasters are enjoined to exercise the utmost care in the employment of the duplicate-advice forms. Should a double payment result from lack of due precaution in the issue of a second advice, the postmaster at fault will be held responsible for the amount overpaid.

As a general rule, a duplicate advice must not be issued except upon formal application from the exchange office to which the original was sent. In such case the application should be returned to the exchange office accompanied by the duplicate asked for. A memorandum of the action taken should also be noted upon the register of orders issued.

Should information reach the issuing postmaster from other sources, however, indicating the loss of the original advice, he should take immediate steps, by communicating with the exchange office, to ascertain whether the loss occurred between that office and the place of issue, or upon foreign territory.

Sec. 1361. Missing Orders for Sums Payable in the United States.—Duplicates of international money orders, payable in the United States, in lieu of orders missent, lost, or destroyed, can only be issued by or through the Post-Office Department at Washington, D. C. Applications for such duplicates must be made by the inland postmaster, upon Form No. 6753, to the Superintendent of the Money-Order System at Washington, D. C., when the requisite measures will be taken to secure the issue of duplicates.

Sec. 1362. Duplicates of Invalid Orders.—If application be made to a postmaster for payment of an order which has become invalid by reason of being more than a year old it should be attached to Form No. 6753, and sent to the Superintendent of the Money-Order System with a request for the issue of a duplicate order.

Sec. 1363. Missing Orders for Sums Payable in Foreign Countries.—In case the remitter of an international order, the advice of which had been certified by an exchange office in the United States to the country of payment, should notify the postmaster from whom it was obtained that he had lost the order, or that the payee had not received it, the remit-

ter should be directed to advise the payee to make application for a duplicate at the office of payment in the foreign country. The only exceptions to the general rule regarding the issue of duplicate orders by the postal administration of the paying country occur in the exchange of money orders with France, the convention with that country providing that duplicates of lost, missent, or destroyed orders shall be issued by the country of origin and not by that of payment, and in the exchange with Germany, where the United States issues all duplicates.

Sec. 1364. Repayment.—Repayment of an international money order must not, in any case, be made without the express authority thereof of the Superintendent of the Money-Order System, to whom application should be made upon Form No. 6759. If the order and advice have not been forwarded to their intended destination they should be attached to the application for repayment and sent direct to the Department; but if the advice has been dispatched the application for repayment should be forwarded to the Superintendent through the exchange office.

After the advice has been certified by the exchange office and forwarded to the country drawn upon, the formal consent of the postal administration of that country must be obtained before permission for repayment can be granted.

Unless notice of the proposed repayment be given to the postmaster drawn upon, and the advice be withdrawn from him, it might happen that the amount would be paid both to the payee and the remitter.

Sec. 1365. Invalid Orders.—By the terms of the conventions with the various foreign countries with which the United States exchanges money orders, the amounts of orders which remain unpaid for one year from the date of issue revert to the country of origin. Postmasters will therefore be careful to send promptly to the Superintendent of the Money-Order System the advices of all international money orders which become invalid by reason of age. Such advices should not be enclosed with the weekly statement of money-order transactions, but should be placed in separate envelopes marked "Special," and indorsed "Advices of Invalid International Orders."

Sec. 1366. Complaints from Remitters of International Orders.—A considerable number of persons appear to be under the erroneous impression that in accepting sums of money from them for payment in foreign countries the Post-Office Department incurs an obligation to obtain for them acknowledgments of the receipt of their remittances.

If the purchaser of an order has made unsuccessful efforts to communicate with the payee, or if any evidence be produced tending to show that payment has been unduly delayed, or has been made to other than the rightful claimant, the Post-Office Department will cheerfully

undertake, in any of these cases, to ascertain what disposal has been made of the money.

Complaints of this nature, however, ought to be received with caution.

Sec. 1367. The Entry of International Money Orders upon the Weekly Statement.—In entering international money orders upon the weekly statement sheets the postmaster will be required to write, opposite the entry of each international order issued by him, in the column headed "WHERE PAYABLE," the word "British" for an order payable in the United Kingdom; the word "German" for an order payable in the German Empire; and in like manner the words "Canadian," "French," "Swiss," "Italian," "Jamaica," "New Zealand," "New South Wales," "Victoria," &c., as the destination of each order may require.

Inasmuch as all international money orders are issued from the same book of consecutively numbered international money-order forms, such orders must be entered upon the weekly statement in the numerical order of the blank forms upon which they are drawn. For example:

Date of order.	No.	Name of re-mitter.	Running No.	Name of payee.	Where payable.	Amount.	Fee.
Jan. 1	1	John Jones .....	.....	B. Smith	French .....	.....	.....
	2	Sarah Mix .....	.....	Mary Oates	German .....	.....	.....
	3	M. Hentz .....	.....	G. Jones	British .....	.....	.....
	4	S. Cass .....	.....	P. R. Mapes	Jamaica .....	.....	.....
	5	B. Bates .....	.....	Sam. Knox	New Zealand .....	.....	.....
	6	F. Morriss .....	.....	James Morris	Swiss .....	.....	.....
	7	Joseph Donlan .....	.....	Mark Semple	Canadian .....	.....	.....
	8	Antonio Mascati .....	.....	Giuseppe Mascati	Italian .....	.....	.....
	9	Chas. Martin .....	.....	Jas. Scant	Victoria .....	.....	.....
	10	P. Menton .....	.....	Henry Counter	New South Wales .....	.....	.....

Totals.....

After having completed all the entries of international orders issued, upon the weekly statement, the postmaster will recapitulate each week's issue thus :

RECAPITULATION.

Canadian.			French.		
No. of order.	Amount.	Fee.	No. of order.	Amount.	Fee.
4	\$25.00	.30	14	\$45.81	.50
7	15.00	.20	16	17.18	.20
10	17.50	.20			
Total, 3 orders.....	\$57.50	.70	Total, 2 orders.....	\$62.99	.70
British.			Swedish.		
No. of order.	Amount.	Fee.	No. of order.	Amount.	Fee.
5	\$9.74	.10	15	\$4.87	.10
6	34.09	.40	17	38.96	.40
9	43.83	.60	18	14.61	.20
Total, 3 orders.....	\$87.66	\$1.00	Total, 3 orders.....	\$58.44	.70
German.			New Zealand.		
No. of order.	Amount.	Fee.	No. of order.	Amount.	Fee.
3	\$8.39	.10	20	\$4.51	.10
8	24.19	.30	21	29.22	.30
			22	19.48	.20
Total, 2 orders.....	\$32.58	.40	Total, 3 orders.....	\$53.21	.60
Swiss.			New South Wales.		
No. of order.	Amount.	Fee.	No. of order.	Amount.	Fee.
1	\$9.62	.10	19	\$3.19	.10
11	24.67	.30	23	24.85	.30
12	19.95	.20			
Total, 3 orders.....	\$54.24	.60	Total, 2 orders.....	\$27.54	.40
Italian.			Victoria.		
No. of order.	Amount.	Fee.	No. of order.	Amount.	Fee.
2	\$24.19	.30	24	\$2.48	.10
13	46.82	.50	25	43.83	.50
Total, 2 orders.....	\$71.01	.80	Total, 2 orders.....	\$46.31	.60

And in like manner the issues of orders upon any other countries which exchange money orders with the United States.

In the recapitulation the different nationalities must be entered in the following order of sequence, to wit: 1. Canadian; 2. British; 3. German; 4. Swiss; 5. Italian; 6. French; 7. Swedish; 8. New Zealand; 9. New South Wales; 10. Victoria; 11. Belgian; 12. Portuguese; 13. Jamaica; 14. Tasmania; 15. Windward Islands; 16. Japanese; 17. Cape Colony; 18. Hawaiian; 19. Queensland; 20. Leeward Islands; 21. Norway; 22. Netherlands.

After having recapitulated all the international orders issued, if the issues do not include all the nationalities above mentioned, the words "No other international business" should be written below the recapitulation.

In entering upon the weekly statement international orders paid by postmasters in the United States, the postmaster will write, under the head of "WHERE ISSUED," the words "British," "Canadian," "German," "Jamaica," &c., as the case may require.

The international number of every international money order paid by the postmaster must be entered in the column headed "No." on the paid side of the weekly statement, and also in red ink on the face of the order above the printed number, except in the case of international orders reissued at New York or San Francisco, when the printed number should be entered in the weekly statement.

List of all kingdoms, duchies, and other territorial divisions which are embraced within the German Empire.

A.—KINGDOMS.

German name.	English name.
1. Preussen.....	Prussia.
With the following provinces, viz:	
Ost-Preussen.....	East Prussia.
West-Preussen.....	West Prussia.
Pommern.....	Pomerania.
Posen.....	Posen.
Brandenburg.....	Brandenburg.
Schlesien.....	Silesia.
Sachsen.....	Saxony.
Hannover.....	Hanover.
Schleswig-Holstein.....	Schleswig-Holstein.
Westphalen.....	Westphalia.
Rheinprovinz.....	Rhenish Province.
Hessen-Nassau.....	Nassau.
Hohenzollern.....	Hohenzollern.
2. Bayern.....	Bavaria.
3. Sachsen.....	Saxony.
4. Württemberg.....	Wurtemberg.

B.—GRAND DUCHIES.

5. Baden.....	Baden
6. Hessen.....	Hesse.
7. Mecklenburg-Schwerin.....	Mecklenburg-Schwerin.
8. Mecklenburg-Strelitz.....	Mecklenburg-Strelitz.
9. Sachsen-Weimar.....	Saxe-Weimar.
10. Oldenburg.....	Oldenburg.

C.—DUCHIES.

11. Sachsen-Meiningen.....	Saxe-Meiningen.
12. Sachsen-Altenburg.....	Saxe-Altenburg.
13. Sachsen-Coburg-Gotha.....	Saxe-Coburg-Gotha.
14. Anhalt.....	Anhalt.
15. Braunschweig.....	Brunswick.

D.—PRINCIPALITIES.

16. Schwarzburg-Rudolstadt.....	Schwarzburg-Rudolphstadt.
17. Schwarzburg-Sondershausen.....	Schwarzburg-Sondershausen.
18. Waldeck.....	Waldeck.
19. Reuss, ältere Linie.....	Reuss, older Line.
20. Reuss, jüngere Linie.....	Reuss, younger Line.
21. Schaumburg-Lippe.....	Schaumburg-Lippe.
22. Lippe.....	Lippe.

E.—FREE CITIES.

23. Hamburg.....	Hamburg.
24. Bremen.....	Bremen.
25. Lübeck.....	Lubeck.

F.—IMPERIAL TERRITORIES (REICHSLAND).

26. Elsass-Lothringen.....	Alsace-Lorraine.
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List of all kingdoms, duchies, and other territorial divisions which are embraced within the Austro-Hungarian monarchy.

A.—KINGDOMS.

German name.	English name.
1. Böhmen.....	Bohemia.
2. Dalmatien.....	Dalmatia.
3. Galizien.....	Galiccia.
4. Ungarn.....	Hungary.
(Konigreich).....	(Kingdom.)
(a) Kroatien and Slavonien.....	(a) Croatia and Slavonia.
(Grossfürstenthum).....	(Grand Duchy.)
(b) Siebenbürgen.....	(b) Transylvania.

B.—MARGRAVIATE.

Mähren.....	Moravia.
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C.—ARCHDUCHIES.

1. Oesterreich unter der Enns.....	Lower Austria.
2. Oesterreich ob der Enns.....	Upper Austria.

D.—DUCHIES.

1. Bukowina	Bukowina.
2. Kärnthén	Carinthia.
3. Krain	Carniola.
4. Oesterr. illyr. Küstenland	Austrian-Illyria Coast Province.
5. Salzburg	Salzburg.
6. Schlesien	Silesia.
7. Steiermark	Styria.

C.—PRINCIPALITY.

Tirol und Vorarlberg	Tyrol and Vorarlberg.
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CHAPTER FORTY-THREE

MONEY-ORDER FUNDS AND ACCOUNTS.

Sec. 1368. Transfer of Money-Order Funds.—All payments and transfers to and from money-order offices shall be under the direction of the Postmaster-General. He may transfer money-order funds from one postmaster to another, and from the postal-revenue to the money-order funds; and he may transfer money-order funds to creditors of the Department, to be replaced by equivalent transfers from the postal revenues. (R. S., § 4042.)

Sec. 1369. Transfer by Warrant to Money-Order Funds.—The Postmaster-General may transfer to the postmaster at any money-order office, by warrant on the Treasury, countersigned by the Sixth Auditor and payable out of the postal revenues, such sum as may be required over and above the current revenues at his office to pay the money orders drawn upon him. (R. S., § 4043.)

Sec. 1370. What are Money-Order Funds.—All money received for the sale of money orders, including all fees thereon, all money transferred from the postal revenues to the money-order funds, all money transferred or paid from the money order funds to the service of the Post-Office Department, and all money-order funds transferred from one postmaster to another, shall be deemed and taken to be money-order funds and money in the Treasury of the United States. And it shall be the duty of the Assistant Treasurer of the United States to open, at the request of the Postmaster-General, an account of "money-order funds" deposited by postmasters to the credit of the Postmaster-General, and of drafts against the amount so deposited, drawn by him and countersigned by the Sixth Auditor (R. S., § 4045).

Sec. 1371. Postmasters' Weekly Reports of Money-Order Funds.—The Postmaster-General shall require each postmaster at a money-order

office to render to the Post-Office Department weekly, semi-weekly, or daily accounts of all money orders issued and paid ; of all fees received for issuing them ; of all transfers and payments made from money-order funds ; and of all money received to be used for the payment of money orders or on account of money-order business. (R. S., § 4044.)

Sec. 1372. Embezzlement of Money-Order Funds; Penalty; Explanation.—Every postmaster, assistant, clerk, or other person employed in or connected with the business or operations of any money-order office who converts to his own use, in any way whatever, or loans, or deposits in any bank, except as authorized by this Title, or exchanges for other funds, any portion of the money-order funds, shall be deemed guilty of embezzlement ; and any such person, as well as every other person advising or participating therein, shall, for every such offense, be imprisoned for not less than six months nor more than ten years, and be fined in a sum equal to the amount embezzled ; and any failure to pay over or produce any money-order funds intrusted to such person shall be taken to be prima facie evidence of embezzlement ; and upon the trial of any indictment against any person for such embezzlement, it shall be prima facie evidence of a balance against him to produce a transcript from the money-order account books of the Sixth Auditor. But nothing herein contained shall be construed to prohibit any postmaster depositing, under the direction of the Postmaster-General, in a national bank designated by the Secretary of the Treasury for that purpose, to his own credit as postmaster, any money order or other funds in his charge, nor prevent his negotiating drafts or other evidences of debt through such bank, or through United States disbursing officers, or otherwise, when instructed or required to do so by the Postmaster-General, for the purpose of remitting surplus money-order funds from one post-office to another, to be used in payment of money-orders. Disbursing officers of the United States shall issue, under regulations to be prescribed by the Secretary of the Treasury, duplicates of lost checks drawn by them in favor of any postmaster on account of money-order or other public funds received by them from some other postmaster. (R. S., § 4046.)

Sec. 1373. How to Write up the Cash Book.—The cash book must be written up and balanced daily at every post-office, and each postmaster in writing up the same will follow the form of printed summary on the weekly statement blanks furnished to his office.

Sec. 1374. Transfer of Postal Funds to Money-Order Account.—It is to be expected that occasionally at some post-offices the postmaster will be called upon to pay money orders to an amount exceeding that of the money-order funds in his hands. In every such event he will transfer from the postal to the money-order account a sum of money large

enough to enable him to pay these orders. In case the postal funds are insufficient for such transfer, the postmaster will transfer as large an amount as practicable (provided it be sufficient to pay even one money order), and must immediately notify the Department (see Form No. 6033), when he will be furnished with a draft for the amount required. Should the payments at any post-office continue to exceed the receipts thereat, the postmaster at such post-office will be furnished with a letter of credit, to be used only when absolutely required for the payment of money orders.

Sec. 1375. Entry of Transferred Funds in Cash Book.—In making a transfer of funds (which must in all cases consist of complete dollars only, the introduction of cents into transfers being prohibited), if from the postal to the money-order account, postmasters will first take credit for the amount in their postal account. (See sections 241 and 243.) 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 postal 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 (Form 6024) is in all cases to be sent to the Superintendent of the Money-Order System immediately after a transfer of funds from either account. A transfer from the money-order to the postal account is only to be made when expressly directed by the Department.

When a sum in postal funds has been transferred to the money-order funds it becomes money-order funds, and must not be again transferred to the postal account. The transfer is adjusted in the Department, and in the Auditor's office, and beside transmitting the proper notification of transfer and making the entries above mentioned, the postmaster need take no action whatever. He should, of course, deposit in accordance with his instructions his postal funds, less whatever amount of the latter has been transferred during the quarter to the money-order account. In order to avoid mistakes the strictest attention should be given to the directions contained in this section.

Sec. 1376. The Fixed Reserve.—At certain money-order post-offices the fluctuating character of the business makes it necessary that a limited sum of money be kept constantly on hand to insure the prompt payment of money orders when presented. This sum is specified in each instance by direction of the Postmaster-General, and is known as the "fixed reserve." Its amount is determined by the nature and extent of

the business of the post-office to which it is allowed, and may be changed from time to time by order of the Department.

Sec. 1377. Daily Remittance of Money-Order Funds.—The money-order accounts must be kept separately from all other accounts, and must be adjusted at the close of each day's business, in order that the balance of money-order funds on hand may be accurately ascertained. Every dollar of money-order funds in excess of the sum of the unpaid advices on hand less than two weeks, must be remitted daily to the designated post-office of the first-class where the postmaster shall have been instructed to make his deposits; but postmasters to whom a "fixed reserve" is allowed may retain the amount of the "fixed reserve," and no more, except when the amount of such unpaid advices exceeds the "fixed reserve," in which event the postmaster may retain a sum which, when added to the "fixed reserve," will equal the amount of his unpaid advices on hand less than two weeks. If, for instance, a postmaster's fixed reserve is \$100, and he has advices on hand less than two weeks to the amount of \$175, he will be at liberty to withhold from deposit only \$75 in addition to his fixed reserve of \$100. He will thus have \$175 to meet the amount of such unpaid advices.

To the total of unpaid advices on hand less than two weeks is to be added the amount of any money orders payment of which has been refused, for the reason that the corresponding advices have not been received, but for which second advices have been requested from the issuing postmaster by the postmaster drawn upon.

Sec. 1378. Receipts for Daily Remittances.—The postmaster at the post-office of the first class who receives these deposits will fill up and number consecutively certificates therefor in duplicate, one of which he will transmit to the Superintendent of the Money-Order System and the other to the depositing postmaster, who will take credit therefor in his weekly statement, entering therein its proper number, date, and amount.

Sec. 1379. No Credit for Remittances until Receipt is Obtained.—Postmasters are prohibited from taking credit in their money-order cash-books or in their weekly statements for the amount of any remittance until they shall have received a certificate of deposit therefor from the designated post-office of the first class to which it was sent. The amount of each remittance for which no certificate has been received must appear in the money-order cash-book and in the summary of the weekly statement, as a part of the "cash balance on hand," exactly as though no remittance had been made; but it should be entered with its proper date in the blank space provided for such entries, at the bottom of the weekly statement. A failure to comply with this require-

ment will be deemed sufficient cause for the removal of the offending postmaster.

Sec. 1380. Daily Reports of Remittances Received.—Postmasters at all money-order offices of the first class are required to send daily to the Superintendent of the Money-Order System a list of the remittances received by them during the day, by which means the Superintendent is enabled to know precisely the exact date and amount of each remittance of money-order funds made in the United States.

Sec. 1381. Postmasters must Remit Promptly.—The dates of the issues of the several money orders, and also of the deposits, received at first-class offices, entered in the weekly statements, 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 to deposit promptly in obedience to these instructions.

Sec. 1382. Unpaid Advices Less than Two Weeks Old in Weekly Statements.—Every postmaster is required, in making up his weekly statements, to enumerate in detail, carefully and accurately, all the unpaid advices which have been in his hands less than two weeks, but he will take no account whatever of unpaid advices that have been on hand two weeks or more. If there is not space enough to include in the weekly statement all the unpaid advices on hand less than two weeks, he will enter only the aggregate amount thereof, but will make a detailed enumeration of these advices on a separate paper, which must be inclosed with the weekly statement as a voucher for funds withheld from deposit. A blank form for this enumeration of advices will be furnished postmasters who need it on application to the Department. Postmasters who fail to comply with these requirements 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**, under the proper heading.

Sec. 1383. Money-Order Funds not Subject to Rules of Postal Funds.—Postmasters will take notice that the standing instructions which they may receive from the Post-Office Department with respect to the disposal of quarterly balances arising from the sale of postage stamps, stamped envelopes, &c., due from them to the United States, do not apply to money-order funds in their hands, but only to postal funds.

Sec. 1384. Weekly Statements; how Transmitted.—The weekly statement for each week, together with all vouchers and other papers appertaining thereto, must be addressed to the "Superintendent of the Money-Order-System, Washington, D. C.," and transmitted to him in a registered package. All other correspondence relating to money-order

business must be addressed to that officer, and a memorandum should be written on each envelope stating the nature of its contents.

Sec. 1385. Money-Order Cash must be Kept Separately.—Postmasters should keep their money-order cash apart from all other cash whatsoever, and with this view a special drawer should be provided for it. All receipts of cash on money-order account, whether for money orders issued and for fees for remittances from other postmasters, or for postal money transferred, should be deposited therein; and all disbursements, whether payments of money orders, remittances made to other postmasters, or transfers to postal account, should be made therefrom.

Sec. 1386. Weekly Statements to be Numbered Consecutively.—Postmasters must number their weekly statements consecutively, beginning with No. 1 for the first statement made in the month of January of each year. The greatest care must be taken to write the names of the remitters and payees of the money orders so plainly in the statements that they may be easily read.

Sec. 1387. Make up Weekly Statements Every Saturday.—On Saturday evening of each week every postmaster will make up his 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 the statement is forwarded to the Superintendent of the Money-Order System, which must be done by the first mail after the accounts of the week have been closed.

Sec. 1388. Statements of "No Business."—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. 1389. Weekly Statements at Close of Quarter.—Postmasters will be careful to enter in their weekly statements 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 or Sunday, a statement must be made up and forwarded of the business transacted from the last Saturday but one in the month, up to the close of the last day of that month and quarter. The next succeeding statement must embrace all the business transacted since the first day of the first month of the next quarter up to the close of the second Saturday of said month. For example, the 30th of September, 1887, falls on Friday; hence no statement is to be made on Saturday, the 24th of that month, but a statement must be made on Friday, the last day of the month, to include all the business transacted since

Saturday, the 17th of the month. In like manner, no statement should be made on Saturday, October 1, 1887, but the statement of the next Saturday, October 8, must embrace all the business transacted since the first day of that month.

Sec. 1390. Vouchers to Accompany Weekly Statements.—The paid, repaid, and “not issued” money orders and postal notes, and the vouchers for incidental expenses must invariably accompany the statements in which they are entered, which will not be considered complete without them.

Postmasters at first-class money-order offices are required to send separately from the weekly statement a transcript of their cash account for the week (Form No. 6018), giving therein the business of each day in detail. Postmasters who remit their surplus money-order funds to the postmaster at San Francisco, Cal., are required to send him a similar transcript, using Form No. 6020, and those who deposit at Portland, Oreg., must forward such transcripts weekly to the postmaster of that city.

Sec. 1391. Credits Allowed on New York.—Whenever it is found necessary, in order to prevent delay or embarrassment in the payment of money orders, the postmasters at certain post-offices will be allowed a credit for a specific amount with the postmaster at New York, or at some other first-class post-office designated for the purpose, which credit will be used in the following manner: When at any post-office having such credit the funds arising from the money-order business are insufficient to pay the money 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 installments; for example, \$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 statement. Should the amount of money orders paid at any one of these post-offices continue to exceed considerably the amount of money orders issued, this credit will, of course, become exhausted. In that event the postmaster having a credit should make timely application to the Superintendent of the Money-Order System for a renewal thereof (Form No. 6035).

Sec. 1392. Drafts Against Credits; how Made.—Special drafts will be supplied to postmasters having these credits, who, in the margin provided for their own 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 post-office drawn upon will transmit to the Superintendent of the Money-Order System whenever the draft is paid. It rarely happens that any difficulty is experienced by a postmaster in negotiating a draft of this description. For this purpose a form of indorsement is printed upon it. Should he be unable to obtain the amount of such draft in his vicinity, he will promptly notify the Department. In the negotiation of these drafts, the postmaster is not at liberty to receive any money that is not a legal tender, except national bank notes, inasmuch as he is prohibited from paying out any other money for money orders presented. If a premium be received for a draft, the postmaster must charge himself therewith.

Sec. 1393. Special Drafts for Emergencies.—In case of special exigency, where assistance is needed at a post-office the business of which does not require a standing credit, a draft for a designated sum sufficient to meet the unpaid advices will be sent upon application to the Superintendent of the Money-Order System.

Sec. 1394. Drafts must Always be on Forms Furnished.—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, except in the cases mentioned in section one thousand two hundred and thirty-eight.

Sec. 1395. Special Instructions about Remittances.—The postmaster at every money-order post-office will make his deposits (see section 1377) by transmitting the amount to be deposited in a registered package addressed to the postmaster of the post-office named as his depository. Inclosed in this package he will also send a letter (Form 6021), giving in detail an accurate description of the money therein remitted. For the sake of convenience and security, the remittance should be made in paper money if practicable; the notes remitted should be of the highest denominations procurable, and the postmaster must keep an exact record of all notes remitted by him, which record, as well as the description of the money in the remittance letter, should be in accordance with the following instructions:

I. UNITED STATES TREASURY NOTES.

The denominations of United States Treasury notes in use at present are \$1, \$2, \$5, \$10, \$20, \$50, \$100, \$500, \$1,000, \$5,000, and \$10,000.

When remitting United States Treasury notes postmasters should give the series, the number, the "check letter," and the denomination, thus:

"U. S. Note; series of 1880—Z 712576; letter D, \$10."

The United States Treasury number will be found in the upper part of the note to

the right of the center, except in the \$50 note of the series of 1874, where the number will be found near the centre of the upper portion of the note. The United States Treasury number is always preceded by a letter, which must be given thus: A 789897.

The "check letter" is printed in two places on every note, one on the right and one on the left, and always in black ink.

2. GOLD AND SILVER CERTIFICATES.

The denominations of gold certificates in use at present are \$20, \$50, \$100, \$500, and \$1,000. The denominations of silver certificates are \$1, \$2, \$5, \$10, \$20, \$50, \$100, \$500 and \$1,000.

When remitting certificates postmasters should give the series, the number, the "check letter," the place of issue, and the denomination, thus: "gold certificate; department series—C 1123; letter C; Washington, D. C., \$100;" or, "silver certificate; series of 1880—A 1421; letter A; Washington, D. C., \$20."

On the first issue of silver certificates the series was not given. The series will be found on all printed since 1880.

The United States number will be found in the right upper corner and left lower corner of the certificates of all denominations.

The "check letter" is printed in two places on every certificate, one on the right and one on the left, and always in black ink.

3. NATIONAL BANK NOTES.

The denominations of national bank notes in circulation at present are \$1, \$2, \$5, \$10, \$20, \$50, \$100, \$500, and \$1,000. When remitting national bank notes postmasters should give the United States Treasury number, the "bank number," the name of the bank and the place where located, the "check letter," and the denomination.

On the \$1 and \$2 national bank notes the United States Treasury number is printed on the left margin of the notes; on all other denominations the said number is on the upper part of the note, to the right of the center.

The "bank number" on all except the \$1 and \$2 denominations is in the lower left corner of the note, under the picture. On the \$1 and \$2 denominations the bank number is in the upper part of the note to the right of the center.

The "check letter" is printed in two places on every note, one on the right and one on the left, and always in black ink.

4. COIN.

When remitting coin postmasters should give the dates and the denominations, thus:

2 twenty-dollar gold pieces of 1879.....	\$40
3 ten-dollar gold pieces of 1880.....	30
1 five-dollar gold piece of 1881.....	5
20 silver dollars of 1869.....	20
10 silver dollars of 1881.....	10

In every case of a remittance of money-order funds made by means of paper money or coin sent through the mails, the postmaster should be able to prove by at least one disinterested witness, who should, if practicable, be a person not employed in his post-office, that the money was actually inclosed in a properly registered package, addressed to

the postmaster at the post-office of the first class designated to receive the deposit, and furthermore that said package, with the money inclosed therein, was securely locked in the mail-pouch, and was taken from the post-office out of the postmaster's possession by the contractor, employé of the Railway Mail Service, mail-carrier, or other person duly authorized to dispatch the same to destination. Should the remitting postmaster fail to comply with the foregoing instructions, he will be required, if the money is lost, to make good the amount, unless the facts of which he has neglected to provide the evidence are satisfactorily made to appear from other sources.

If the remitting postmaster does not receive in due time an acknowledgment of the receipt of the registered package and a certificate of deposit for its contents, he will report the fact to the nearest post-office inspector and to the Superintendent of the Money-Order System. These deposits may likewise be made by means of drafts drawn by one national bank upon another national bank of the locality where the first-class post-office named as the depository is situated, provided such drafts can be obtained without cost. Postmasters are instructed that the unauthorized use of any portion of the money-order funds, for which they are accountable, or any failure to remit, or to pay over their surplus money-order funds to the person duly authorized by the Postmaster-General to receive the same, will subject them to the penalties prescribed by law for such offenses. If a remittance of surplus money-order funds should contain any notes which appear to the receiving postmaster to be counterfeit, he should submit such notes to the nearest assistant treasurer of the United States, or to the proper officer of any national bank, for examination, who will, in accordance with instructions from the Treasury, stamp or brand the notes as counterfeit if they should prove to be so. They should then be returned, with a certificate of deposit for the remainder of the remittance, to the postmaster who remitted them. In case a remittance should contain any notes or drafts, other than those of national banks, the receiving postmaster should report the fact to the Superintendent of the Money-Order System.

Sec. 1396. Importance of Promptly Transmitting Weekly Statements.—Negligence or delay in transmitting the weekly statements, forwarding advices, or in remitting funds for deposit, 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 in violation of the regulations, and the illegal use thereof, will subject the offender to severe penalties.

CHAPTER FORTY-FOUR.

POSTAL NOTES.

Sec. 1397. The Postal Note Authorized.—That the first section of the act entitled “An act to modify the Postal Money-Order System, and for other purposes,” be amended so as to read as follows:

“That for the transmission of small sums under five dollars through the mails the Postmaster-General may authorize postmasters at money-order offices, or at such other offices as he may designate, to issue money-orders, without corresponding advices, on an engraved form to be prescribed and furnished by him; and a money-order issued on such new form shall be designated and known as a “postal note,” and a fee of three cents shall be charged for the issue thereof. Every postmaster who shall issue a postal note under the authority of the Postmaster-General shall make the same payable to bearer, when duly receipted, at any money-order office; and after a postal note has once been paid, to whomsoever it has been paid, the United States shall not be liable for any further claim for the amount thereof; but a postal note shall become invalid and not payable upon the expiration of three calendar months from the last day of the month during which the same was issued; and the holder, to obtain the amount of an invalid postal note must forward it to the Superintendent of the Money-Order System, at Washington, District of Columbia, together with an application, in such manner and form as the Postmaster-General may prescribe, for a duplicate thereof, payable to such holder; and an additional fee of three cents shall be charged and exacted for the issue of the duplicate: *Provided*, That all provisions of law applicable to the issue of postal notes at money-order offices, and to postmasters, clerks, and other employees therein, shall be equally applicable to offices authorized to issue postal notes under this act.”

(Act Jan. 3, 1887, 24 Stat., 354.)

That the provisions of section thirty-eight hundred and thirty-four, title forty-six, chapter one, and the provisions of sections four thousand and twenty-seven, four thousand and thirty, four thousand and thirty-nine, four thousand and forty-one, four thousand and forty-two, four thousand and forty-three, four thousand and forty-four, four thousand and forty-five, four thousand and forty-six, and four thousand and forty-eight, title forty-six, chapter thirteen, of the Revised Statutes, edition of eighteen hundred and seventy-eight, shall be deemed and taken to be applicable to postal notes as well as to money-orders. (Act of March 3, 1883, § 2 in part, 22 Stat., 527.)

Sec. 1398. The Postmaster at Every Money-Order Office will be Furnished with—

1. A supply of the engraved postal note forms.
2. A plying-punch for perforating the postal notes.
3. Weekly statement sheets, in which provision is made for the entry of postal notes.
4. Blank requisitions for postal notes.
5. Blank applications for duplicates of invalid postal notes.
6. Forms of receipt to holders of invalid postal notes who deliver them for reissue.

Sec. 1399. Blank Postal Notes to be Kept Securely.—Postmasters must keep their stock of blank postal notes in their own custody, under lock and key, in some place of security to which unauthorized persons cannot have access, and they will be held responsible for any loss which the Department may suffer arising from fraud made possible through a disregard of this regulation.

Sec. 1400. Postal Notes Issued Concurrently with Money Orders, not in Lieu of Them.—It must be distinctly understood that postal notes are not to take the place of money orders. A remitter may, at his option, select either the money order or the postal note as a means of remitting money by mail. But applicants should be informed that a postal note is sent at the remitter's risk, while the Government is responsible for the payment of a money order to the true payee, if both remitter and payee comply with the laws and the regulations and instructions of the Post-Office Department.

Sec. 1401. The Fee.—The uniform fee for the issue of a postal note is three cents.

Sec. 1402. The Amount.—A postal note may be issued for any sum from one cent to four dollars and ninety-nine cents, inclusive, but not for a fraction of a cent or for any sum including a fraction of a cent, or for any larger sum than four dollars and ninety-nine cents.

Sec. 1403. Process of Issue.—The postmaster who is called upon to issue a postal note must—

1. Enter in the stub with pen and black ink the amount in figures and the date of issue.

2. Enter in the body of the note with pen and black ink the date of issue, and the amount, which must in all cases be written after this manner: *Four dollars ninety-nine cents*, or *Three dollars sixty-seven cents*. That is to say, the amount, both in dollars and cents, must be written out in full in letters. If a note be issued for less than one dollar, two heavy lines must be drawn through the space for "dollars" thus: **=====**;

and if a note be issued for a sum in dollars without cents, two heavy lines should be drawn in the same manner through the space for "cents."

3. Sign the postal note above the word "postmaster." (The signature of the postmaster who issues a postal note must invariably be written and not stamped thereon.)

4. Cut or tear the note from the stub in such manner as to leave the coupon containing the amount in dollars for which the note is issued on the note, and the remaining coupon or coupons, if any, to the left on the stub. Thus, if a note be issued for \$3.67, the cutting should be done between the \$3 and \$4 coupons, so as to leave the \$3 coupon on the note and the \$4 coupon on the stub. If a note be issued for \$4.25, all the coupons should be left on the note. If a note be issued for a sum in dollars without cents, as, for example, \$2.00, the \$1 and \$2 coupons should be left on the note and the \$3 and \$4 coupons on the stub.

5. With the pincer-punch furnished by the Post-Office Department carefully punch the amount in cents from the two rows of figures on the right-hand margin of the note headed "Dimes" and "Cents," respectively. As, for example, for 23c. punch the "2" in the "Dimes" column, and the "3" in the "Cents" column; for 9c. punch the "0" in the "Dimes" column and the "9" in the "Cents" column. Where a note is issued for a sum in dollars without additional cents, punch the "0" in the "Dimes" column and the "0" in the "Cents" column.

6. Place the impression of his money-order stamp on the back of the note in the space provided for the dated money-order stamp of the issuing office.

7. Cancel all coupons remaining attached to the stub, if there be any, by punching a hole in each of them.

The postal note is then complete and ready to be handed to the applicant upon payment by the latter of the amount thereof and the fee for its issue.

Sec. 1404. Models of Issued Postal Notes.—The printed models furnished by the Superintendent of the Money Order System illustrate a postal note correctly issued for various amounts. To prevent mistakes postmasters will find it advisable to carefully study these models.

Sec. 1405. Process of Payment.—The postmaster who is called upon to pay a postal note must:

1. Satisfy himself that the note is a genuine one and see that it is correctly filled up.

2. See that the amount written in the body of the note and the amount represented by the largest of the adhering coupons and the figures which have been punched out agree.

(If these amounts differ, the postmaster to whom the note is pre-

sented is at liberty to pay the smaller amount at the request of the holder. In such event he should address an inquiry to the issuing postmaster as to the correct amount for which the note should have been issued, as shown by the stub. If the reply shows that the smaller amount is correct, the memorandum "Paid \$—, the true amount according to issuing postmaster's stub," should be written across the face of the paid note, for which credit may then be taken. If the reply shows that the larger amount is the true one, the postmaster should pay to the holder the remainder due him, write across the face of the note the words, "Paid \$—, the true amount as shown by the issuing postmaster's stub," and claim credit for the payment of the note.)

3. Require the person who presents the note to receipt it in the space set apart for that purpose.

4. Place the impression of his dated money-order stamp on the back of the note in the space provided for the dated money-order stamp of the paying office.

(If a postal note be presented which is already receipted upon its face, if receipted by another than the holder, the postmaster must require the holder to sign his name in the margin on the back of the note, and whether the holder be the person who first signed it on the face or not, he must sign it again on the back if he be unknown to the postmaster; but if the note be already receipted by the person who presents it, and the latter is known to the postmaster, no further signature will be required.)

5. Cancel the paid postal note by punching out the star in the lower right-hand corner.

Sec. 1406. Payment at Office of [Issue.]—A postal note, if issued at a money-order office, may be paid at the office of issue to the bearer at any time within three months from the last day of the month of issue, but if issued at a postal-note office, it cannot be paid thereat.

Sec. 1407. Cancellation of Paid Postal Notes.—From every postal note paid the postmaster will punch out the star in the lower right-hand corner, thereby canceling the note.

Postmasters at money-order offices will be furnished with a supply of special envelopes for inclosing paid postal notes which accompany their weekly statements.

Postmasters will place all the paid postal notes each week in one of the special envelopes printed for the purpose, securely seal the same, mark upon the package the number of paid and repaid notes, thus :

"—— Paid Postal Notes.

"To accompany Weekly Statement No. ——,

"For week ended —— —, 18—,

“ From post-office at ——,
“ State of ——.”

and inclose the sealed package in the same envelope with the weekly statement.

Sec. 1408. Written Application not Required.—A written application is not required from the purchaser of a postal note as it is from the purchaser of a money order.

Sec. 1409. Not to be Entered in Register.—1. The particulars of issued postal notes are not to be entered in the register of orders issued.

2. The particulars of paid postal notes are not to be entered in the register of advices received.

Sec. 1410. No Limit of Number.—No limit is fixed to the number of postal notes which may be issued to the same person on the same day.

Sec. 1411. Should be Examined by Purchaser.—Persons procuring postal notes should carefully examine them to see that they have been correctly filled up and stamped. This caution will appear the more important when it is understood that any defect in this respect will throw difficulties in the way of payment.

Sec. 1412. Stubs to be Safely Kept in Issuing Office.—Upon the day when the last note is issued from any book of postal notes, the bound stubs must be carefully filed in the post-office for purposes of reference. They must be kept in a secure place under lock and key. Postmasters will be held responsible for the safe keeping of these important documents. Negligence in this respect will subject a postmaster to prompt removal.

Sec. 1413. All Blank Notes to be Accounted For.—“Spoiled” and “Not Issued” Notes.—The forms of postal notes are numbered consecutively. If, through mistake or from any other cause, any of them are spoiled, the words “not issued” must be written or stamped across the face of the note. The spoiled note must be transmitted to the Superintendent of the Money-Order System with the weekly statement, and must be entered therein in its proper numerical order, with the words “not issued” written opposite, the particulars and amount of the note being left blank. No departure from this rule will be permitted, as the Postmaster-General imperatively requires that every blank form of a postal note sent to a postmaster shall be accounted for at the end of the week in which it is used, or canceled as spoiled and not issued.

PAYMENT OF POSTAL NOTES.

Sec. 1414. No Advice.—No advice of a postal note is to be made out as in the case of money orders.

Sec. 1415. Books to be Examined and Defects Reported.—Postal-note forms should be carefully examined by the postmaster immediately upon their

receipt, and all irregularities reported. Should a blank postal note be omitted in the book supplied to the post-office, the postmaster will make a note thereof opposite the proper number in the weekly statement in which the postal note would have appeared if supplied. Should any of these blanks be defective or mutilated, the postmaster will cut out and return the same to the Superintendent of the Money-Order System, and treat the blank or blanks as "Not issued." Should any of the blank postal notes be duplicated, it will only be necessary to cut out the extra one and return it to the Superintendent of the Money-Order System in a registered package.

Sec. 1416. Omission of Stamped Date of Issue.—Should the stamp of the issuing postmaster and the written date be wanting from a postal note, the postmaster to whom it is presented must decline payment; but a postal note may be paid notwithstanding the absence of the stamp of the issuing office, provided the note is not defective in any other respect. Postal notes from which the stamp of either post-office has been omitted will be rejected as vouchers by the Department, and will be returned to the postmaster at fault in order that the omission may be supplied.

Sec. 1417. The United States not Liable, After Payment, to Further Claim.—After once having paid a postal note, by whomsoever presented, the United States will not be liable to any further claim for the amount thereof; and inasmuch as every postal note is payable to bearer, no consideration can be given by the Post-Office Department to complaints of improper payment. Complaints of the loss of letters containing postal notes will, however, be treated as are complaints of the loss of other valuable letters, and investigated as cases of mail depredation.

Sec. 1418. Notes to be Examined as to Genuineness.—The postmaster at every money-order office must make himself thoroughly acquainted with the appearance of the postal note, in order that he may be able to decide as to the genuineness of any document which may be presented to him as a postal note for payment. If he has any doubt upon this point, he should compare the note so presented with the genuine postal notes in his possession supplied to him for issue. Postmasters are enjoined to exercise especial care in this particular, because they will be held responsible in the event of payment by them of altered or counterfeit notes, and will be required to make good any loss occasioned by such erroneous payment.

Sec. 1419. Erasures and Alterations.—The postmaster must furthermore see that none of the particulars contained in postal notes presented to him for payment has been erased or altered, and that the postal note itself has not been cut, defaced, or mutilated other than by the necessary punching required for its issue. If for any reason he has occasion to

refuse or delay payment of a postal note, he must at once report the facts, by mail, to the Superintendent of the Money-Order System, Post-Office Department, Washington, D. C., or he may use the telegraph for the purpose if the case be very urgent, but in no other event.

Postmasters must not pay postal notes having coupons pasted or otherwise fastened to them until after they shall have ascertained the true amount of such notes from the issuing postmaster, for which purpose Form No. 6099 should be employed. When the note is paid the words, "Paid \$—, the true amount as shown by issuing postmaster's stub," should be written across the face thereof. Postmasters who fail to take the precaution enjoined herein will be held strictly accountable for any loss which may result from their negligence.

Sec. 1420. Duplicate Cannot be Issued of Lost Postal Note.—If a postal note be lost or destroyed, no duplicate thereof can be issued.

Sec. 1421. Duplicate of Invalid Note.—1. If a postal note be not paid within three months from the last day of the month of issue, it will become invalid and not payable, and the holder, to obtain the amount thereof, less an additional fee of three cents (which must be charged by law), must receipt the postal note, deliver it to the postmaster at some money-order office, and sign an application for a duplicate, payable to him by such postmaster, to be issued by the Superintendent of the Money-Order System.

2. The postmaster to whom an invalid postal note is delivered for the purpose of obtaining a duplicate must give to the person who delivers it a receipt therefor (written upon Form No. 6096), fill up the stub of the receipt and file it, and must then inclose the invalid note with an application (Form No. 6097), in an envelope addressed to the Superintendent of the Money-Order System, Washington, D. C., which must be sent in a registered package. At the time of payment of the duplicate note the postmaster must require the payee of the duplicate note to pay the sum of three cents, the fee for the issue of a duplicate required by law, and must debit himself with this fee in his cash book and weekly statement.

3. The duplicate to be issued by the Department will be made payable to the applicant by name, and upon payment of the same the postmaster must require the owner to give up his receipt for the invalid note.

4. Invalid postal notes may be presented for reissue at any money-order office, and a duplicate of an invalid postal note can only be drawn upon the post-office where the original was so presented.

Sec. 1422. Placards.—The postmaster at every money-order office will be furnished with a placard announcing to the public that postal notes

may be obtained thereat, which placard must be posted in a conspicuous place in the post-office.

Sec. 1423. Office Hours.—The hours during which post-offices are to be kept open for the conduct of the postal-note business are the same as the hours during which money-order business is transacted thereat.

Sec. 1424. Applications for Supplies.—Timely application for new supplies of postal notes must be made to the Superintendent of the Money-Order System, Washington, D. C., so that the issue of postal notes may not be interrupted by lack of the necessary forms.

Sec. 1425. Rates of Compensation.—The rates of compensation fixed by law for the clerical labor necessary for the performance of the postal-note business are as follows :

For each postal note issued.....	1 cent.
For each postal note paid	$\frac{3}{4}$ of a cent.

Sec. 1426. Postal-Note Funds to be Considered as Money-Order Funds.—Funds received from the sale of postal notes are to be treated as money-order funds and kept with the latter in the money-order drawer. Surplus funds arising from the issue of postal notes are to be regarded as surplus money-order funds, and must be deposited daily in accordance with section one thousand three hundred and seventy-seven.

Money-order funds and postal-note funds are not to be kept separate, but are to constitute one fund.

Sec. 1427. The Cash Book and the Weekly Statement.—The total amount of postal notes issued, the amount of fees received upon the same, and the amount of postal notes paid must be entered daily in the cash book.

The postal notes issued and the postal notes paid must be entered separately from the money orders issued and paid in the weekly statement, and the amounts thereof must be added separately and carried to the summary of the statement. Full instructions as to the manner of entering postal notes in the weekly statement will be found in the headings of the weekly statement sheets supplied to all postmasters at money-order offices.

Sec. 1428. Caution.—To prevent the loss of paid postal notes, all weekly statements transmitted to the Superintendent of the Money-Order System must be sent in registered packages.

While it is thought that cases of loss will be very few in number if all weekly statements be duly registered, still it is deemed expedient to caution postmasters that it would be desirable for their own protection to keep a copy of the list of paid postal notes accompanying each weekly statement. Such copy may be made out upon one of the regular weekly statement blanks, and it would be well if the postmaster should take

the precaution to have a witness to the inclosing and mailing of the paid notes in the weekly statement.

If these precautions (which the postmaster is not required, but simply advised, to take for his own protection) be adopted, the postmaster will have in his possession, in case of loss, good evidence upon which to found an application to the Department for relief.

AS TO "POSTAL-NOTE" OFFICES AT WHICH HAS BEEN AUTHORIZED THE ISSUE ONLY OF POSTAL NOTES, NOT THE PAYMENT THEREOF.

An extract from the law, act of January 3, 1887, will be found in section one thousand three hundred and ninety-seven.

Sec. 1429. Supplies, Forms, &c.—The postmaster at every postal-note office will be furnished with—

1. A supply of the engraved postal-note forms.
2. A pleyer-punch for perforating postal notes.
3. Weekly statement sheets containing precise instructions as to the manner in which the entries therein are to be made.
4. Blank requisitions for postal notes.
5. A postal-note stamp containing the name of his office and State, and the letters "P. N. B.," with provision for changing dates.
6. A cash book for the entry of a daily cash account.
7. Forms of remittance letter to accompany remittances of postal-note funds to the post-office designated as the depository for such funds.
8. A list of money-order offices for the information of the public.

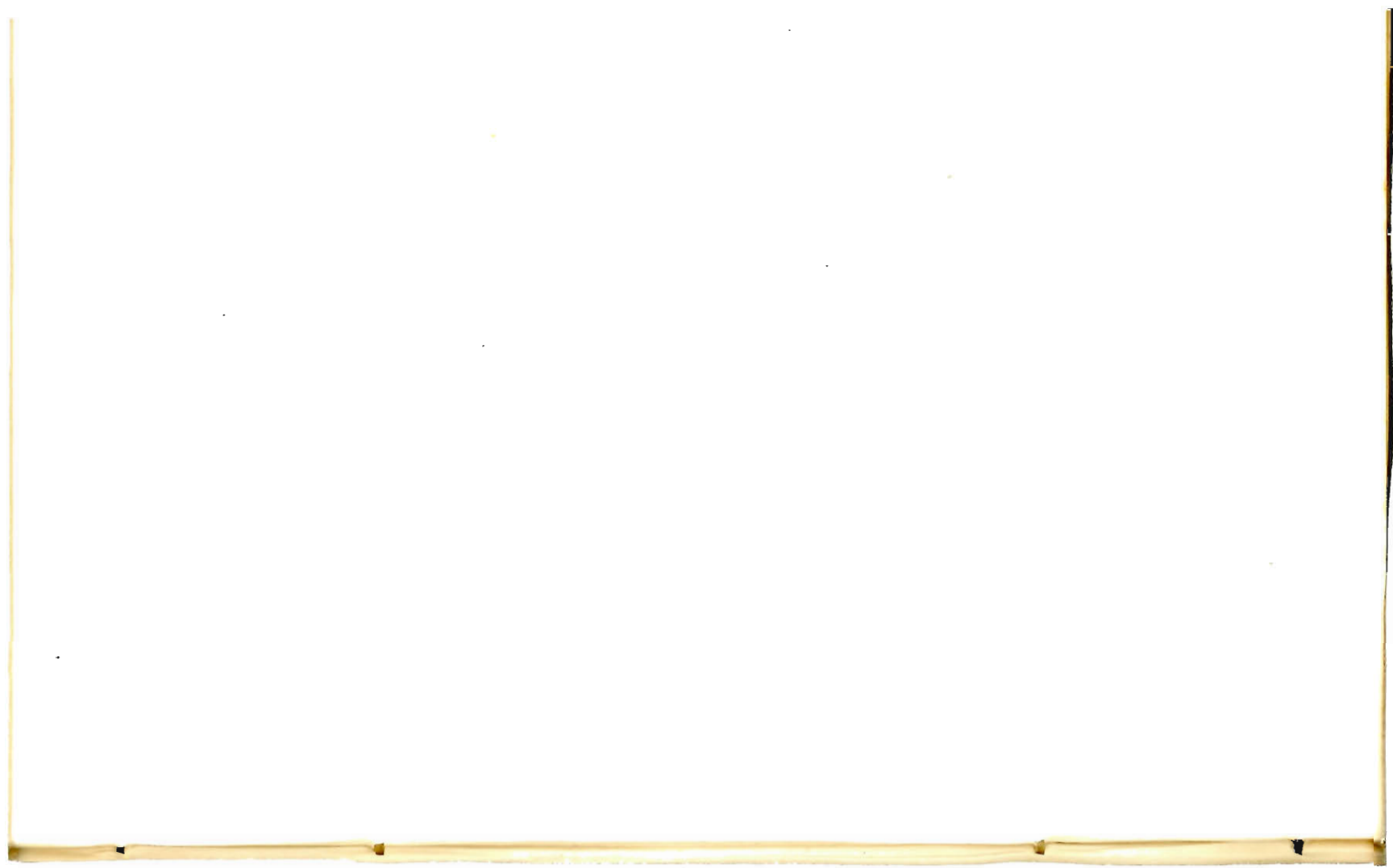
Sec. 1430. Sent at Remitter's Risk.—Purchasers of postal notes should be informed that such notes are sent at remitter's risk, and that if lost or destroyed, no duplicate can be issued.

Sec. 1431. The Cash Book.—At the close of each business day the postmaster at every postal-note office is required to enter the day's business in his postal-note cash book, after the following form:

DR.	[DATE.]		CR.	
To balance brought forward.....	\$16	73	By certificate of deposit, No.	\$8 00
" amount received for postal notes issued, No. — to No. —, inclusive	13	50		
" amount of fees upon same.....	.....	15	" balance	22 38
	30	38		30 38

Sec. 1432. Daily Remittances.—At the close of each business day the postmaster must remit to the postmaster of the office designated as his depository of postal-note funds the full balance of such funds in his hands, omitting cents.

Such remittances must be made in the manner prescribed in section one thousand three hundred and ninety-five.



TITLE IX.
POSTAL CRIMES.

CHAPTER FORTY-FIVE.

VIOLATIONS OF THE POSTAL LAWS AND PROSECUTIONS THEREFOR.

JURISDICTION.

Sec. 1433. Of the United States Courts.—The district courts shall have jurisdiction of all crimes and offenses cognizable under the authority of the United States, committed within their respective districts or upon the high seas, the punishment of which is not capital. * * (R. S., § 563.)

The circuit court shall have original jurisdiction as follows: * * * Exclusive cognizance of all crimes and offenses cognizable under the authority of the United States, except where it is or may be otherwise provided by law, and concurrent jurisdiction with the district courts of crimes and offenses cognizable therein. (R. S., § 629.)

Sec. 1434. Of State Courts.—All causes of action arising under the postal laws may be sued, and all offenders against the same may be prosecuted, before the justices of the peace, magistrates, or other judicial courts of the several States and Territories having competent jurisdiction by the laws thereof, to the trial of claims and demands of as great value, and of 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. (R. S., § 3833.)

ARRESTS AND PRELIMINARY PROCEEDINGS.

Sec. 1435. Duty of Postmasters Causing Arrests for Violations of the Postal Laws.—When an arrest has been made, at the instance of a postmaster, the prisoner should be put in custody of the United States marshal for the proper district, or his deputy, at the earliest possible moment. If examination of the accused cannot conveniently be had before a judge or commissioner of the United States, he should be taken

before a justice of the peace, or some other State officer, authorized by the next section to examine and hold to bail, whose attention may be called to the statute of the United States (R. S., § 1014, quoted as the next section) to remove any doubt as to his jurisdiction.

Sec. 1436. Preliminary Proceedings before Whom.—For any crime or offense against the United States, the offender may, by any justice or judge of the United States, or by any commissioner of a circuit court to take bail, or by any chancellor, judge of a supreme or superior court, chief or first judge of common pleas, mayor of a city, justice of the peace, or other magistrate, of any State where he may be found, and agreeably to the usual mode of process against offenders in such State, and at the expense of the United States, be arrested and imprisoned, or bailed, as the case may be, for trial before such court of the United States as by law has cognizance of the offense. Copies of the process shall be returned as speedily as may be into the clerk's office of such court, together with the recognizances of the witnesses for their appearance to testify in the case. And where any offender or witness is committed in any district other than that where the offense is to be tried, it shall be the duty of the judge of the district where such offender or witness is imprisoned, seasonably to issue, and of the marshal to execute, a warrant for his removal to the district where the trial is to be had. (R. S., § 1014.)

CRIMES AND MISDEMEANORS.

Sec. 1437. Forgery or Counterfeiting of Postal Money Orders.—Any person who shall, with intent to defraud, 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 or postal note issued by or under the direction of the Post-Office Department of the United States, or of any foreign country, and payable in the United States, or any material signature or indorsement thereon; or any material signature upon any receipt or certificate of identification thereon; any person who shall falsely alter, or cause or procure to be falsely altered, or willingly aid or assist in falsely altering any such money order or postal note; any person who shall, with intent to defraud, pass, utter, or publish, or attempt to pass, utter, or publish, as true, any such false, forged, counterfeited, or altered money order or postal note, knowing the same, or any signature or indorsement thereon, to be false, forged, counterfeited or altered, shall be punishable by a fine of not more than five thousand dollars, or by imprisonment at hard labor for not less than two years and not

more than five years. (R. S., § 5463, as amended by act of January 3, 1887, 24 Stat., 355.)

An indictment which charges a defendant with having forged a material indorsement on a money order, with intent to defraud another person, charges an offense under this section. (*United States v. Morris*, 16 Blatchford, C. Ct., 133.)

Sec. 1438. Forgery or Counterfeiting Postage Stamps, Dies, &c.—Any person who shall forge or counterfeit any postage stamp, or any stamp printed upon any stamped envelope, postal card, or any die, plate, or engraving therefor; any person who shall make, or print, or knowingly use or sell, or have in possession, with intent to use or sell, any such forged or counterfeited postage stamp, stamped envelope, postal card, die, plate, or engraving; any person who shall make, or knowingly use or sell, or have in possession, with intent to use or sell, any paper bearing the water mark of any stamped envelope, postal card, or any fraudulent imitation thereof; any person who shall make or print, or authorize or procure to be made or printed, any postage stamp, stamped envelope, or postal card, of the kind authorized and provided by the Post-Office Department, without the special authority and direction of the Department; any person who shall, after such postage stamp, stamped envelope, or postal card, have been printed, and with intent to defraud the postal revenue, deliver the same to any person not authorized by an instrument of writing, duly executed under the hand of the Postmaster-General and the seal of the Post-Office Department, to receive them, shall be punished by a fine of not more than five hundred dollars, or by imprisonment at hard labor not more than five years, or by both such fine and imprisonment. (R. S., § 5464.)

Sec. 1439. Forging or Counterfeiting Foreign Postage Stamps.—Any person who shall forge or counterfeit or knowingly utter or use any forged or counterfeited postage stamp of any foreign Government, shall be punished by imprisonment at hard labor of not less than two nor more than ten years. (R. S., § 5465.)

Sec. 1440. Penalty for Injuring Street Mailing Boxes.—Every person who willfully and maliciously injures, tears down, or destroys any letter box, pillar box, or other receptacle established by the Postmaster-General for the safe deposit of matter for the mail or for delivery, or who willfully and maliciously assaults any letter carrier, when in uniform, while engaged on his route in the discharge of his duty as a letter carrier, and every person who willfully aids or assists therein, shall for every such offense be punishable by a fine of not less than one hundred dollars, and not more than one thousand, or by imprisonment for not less than one year and not more than three. (R. S., § 3869.)

Sec. 1441. Injuring Mail Matter in Street Mailing Box, etc.—Any person

who shall willfully or maliciously injure, deface, or destroy any mail matter deposited in any letter box, pillar box, or other receptacle established by authority of the Postmaster-General for the safe deposit of matter for the mail or for delivery, or who shall willfully aid or assist in injuring such mail matter, shall be punishable by a fine of not more than five hundred dollars, or by imprisonment for not more than three years. (R. S., § 5466.)

Sec. 1442. Embezzlement of Letters Containing Inclosures.—Any person employed in any department of the postal service who shall secrete, embezzle, or destroy any letter, packet, bag, or mail of letters intrusted to him, or which shall come into his possession, and which was intended to be conveyed by mail, or carried or delivered by any mail carrier, mail-messenger, route agent, letter carrier, or other person employed in any department of the postal service, or forwarded through or delivered from any post-office or branch post-office established by authority of the Postmaster-General, and which shall contain any note, bond, draft, check, warrant, revenue stamp, postage stamp, stamped envelope, postal card, money order, certificate of stock, or other pecuniary obligation or security of the Government, or of any officer or fiscal agent thereof, of any description whatever; any bank note, blank post bill, bill of exchange, or note of assignment of stock in the funds; any letter of attorney for receiving annuities or dividends, selling stock in the funds, or collecting the interest thereof; any letter of credit, note, bond, warrant, draft, bill, promissory note, covenant, contract, or agreement whatsoever, for or relating to the payment of money, or the delivery of any article of value, or the performance of any act, matter, or thing; any receipt, release, acquittance, or discharge of or from any debt, covenant, or demand, or any part thereof; any copy of the record of any judgment or decree in any court of law or chancery or any execution which may have issued thereon; any copy of any other record, or any other article of value, or writing representing the same; any such person who shall steal or take any of the things aforesaid out of any letter, packet, bag, or mail of letters which shall have come into his possession, either in the regular course of his official duties or in any other manner whatever, and provided the same shall not have been delivered to the party to whom it is directed, shall be punishable by imprisonment at hard labor for not less than one year nor more than five years. (R. S., § 5467.)

An indictment which charges the defendant with unlawfully abstracting a letter containing bank notes from the mail is good, if it alleges that the letter containing bank notes was put into the post-office to be conveyed by post, and came into possession of defendant as a driver of the mail stage. (*The United States v. Martin, 2 McLean, 256.*)

In an indictment for embezzlement, under this section, it is sufficient to charge "that defendant was a person employed in one of the departments of the Post-Office establishment of the United States". (*The United States v. Patterson*, 6 McLean, 466.)

It is not necessary to aver in an indictment, under this section, that the letter embezzled was intended to be conveyed to any particular place; an averment that it was intended to be conveyed by post being sufficient. (*U. S. v. Okie*, 5 Blatch., 576. See also *U. S. v. Randall*, 1 Deady, 524; *U. S. v. Hardyman*, 13 Pet., 176; *U. S. v. Golding*, 2 Curtis's C. C., 212; *U. S. v. Winter*; *U. S. v. Jenther*, 13 Blatch., 333, 335.)

The purpose of the above-quoted statute (R. S., § 5467) is to prevent and punish any interference with the contents of a letter in the custody of the mail; and a postmaster who takes money out of a registered letter, and borrows it, with the hope and expectation of returning it, and does return it, is guilty of embezzlement. (*United States v. Thompson*, 29 Fed. Rep., 706.)

When the indictment alleges ownership in the person to whom a registered letter was directed, and it appears in proof that when it was stolen the sender had deposited it with the postmaster, taking his receipt therefor, and it had in due course of mail left the mailing office, held, that its custody by the Post Office Department was for the benefit of the person to whom it was addressed; that it was his property, and the sender had no control over it; and that the proofs sustained the allegation that the addressee is the owner. (*United States v. Jackson*, 29 Fed. Rep., 503.)

A local mail agent employed and paid by a railroad company to carry mail bags to and from post-offices, and who has taken the oath required of persons employed in the handling of the mails, is an employé of the postal service within the meaning of this section, and may be indicted thereunder for stealing the contents of a letter handed to him to put upon the train outside of the mail bag. (*United States v. Hamilton*, 11 Biss. C. Ct., 85.)

A letter carrier who embezzles a letter intended to be conveyed by mail, and intrusted to him as such carrier, is indictable under this section. (*United States v. Pelletreau*, 14 Blatchf., 126.)

Sec. 1443. Meaning of Words "Intended to be Conveyed by Mail."—The fact that any letter, packet, bag, or mail of letters has been deposited in any post-office or branch post-office established by authority of the Postmaster-General, or in any other authorized depository for mail matter, or in charge of any postmaster, assistant clerk, carrier, agent, or messenger employed in any department of the postal service, shall be evidence that the same was "intended to be conveyed by mail" within the meaning of the two preceding sections. (R. S., § 5468.)

Sec. 1444. Embezzlement or Larceny of Government Property.—That any person who shall embezzle, steal, or purloin any money, property, record, voucher, or valuable thing whatever, of the moneys, goods, chattels, records, or property of the United States, shall be deemed guilty of felony, and on conviction thereof before the district or circuit court of the United States in the district wherein said offense may have been committed, or into which he shall carry or have in possession of said property so embezzled, stolen, or purloined, shall be punished therefor by imprisonment at hard labor in the penitentiary not exceed-

ing five years, or by a fine not exceeding five thousand dollars, or both, at the discretion of the court before which he shall be convicted. (Act of March 3, 1875, § 1, 18 Stats., 479.)

Sec. 1445. Receiving Stolen Property of Government.—That if any person shall receive, conceal, or aid in concealing, or have, or retain in his possession with intent to convert to his own use or gain, any money, property, record, voucher, or valuable thing whatever, of the moneys, goods, chattels, records, or property of the United States, which has theretofore been embezzled, stolen, or purloined from the United States by any other person, knowing the same to have been so embezzled, stolen, or purloined, such person shall, on conviction before the circuit or district court of the United States in the district wherein he may have such property, be punished by a fine not exceeding five thousand dollars, or imprisonment at hard labor in the penitentiary not exceeding five years, one or both, at the discretion of the court before which he shall be convicted.

And such receiver may be tried either before or after the conviction of the principal felon, but if the party has been convicted, then the judgment against him shall be conclusive evidence in the prosecution against such receiver that the property of the United States therein described has been embezzled, stolen, or purloined. (Act of March 3, 1875, § 2, 18 Stats., 479.)

Sec. 1446. Loaning, Using, or Unauthorized Deposit of Public Moneys.—Every officer or other person charged by any act of Congress with the safe-keeping of the public moneys, who fails to safely keep the same, without loaning, using, converting to his own use, depositing in banks, or exchanging for other funds than as specially allowed by law, shall be guilty of embezzlement of the moneys so loaned, used, converted, deposited, or exchanged; and shall be imprisoned not less than six months nor more than ten years, and fined in a sum equal to the amount of money so embezzled. (R. S., § 5490.)

Sec. 1447. Penalty for Detaining, Opening, or Destroying Letters.—Any person employed in any department of the postal service who shall unlawfully detain, delay, or open any letter, packet, bag, or mail of letters intrusted to him, or which has come into his possession, and which was intended to be conveyed by mail, or carried or delivered by any mail-carrier, mail messenger, route agent, letter carrier, or other person employed in any department of the postal service, or forwarded through or delivered from any post-office or branch post-office established by authority of the Postmaster-General; or who shall secrete, embezzle, or destroy any such letter, packet, bag, or mail of letters, although it does not contain any security for or assurance relating to money or other

thing of value, shall be punishable by a fine of not more than five hundred dollars, or by imprisonment for not more than one year, or by both. (R. S., § 3891.)

NOTE.—It is a criminal offense, under this section, for any one in the employ of any department of the postal service to unlawfully detain, delay, or open any mailable packet of merchandise which has come into his possession and which is intended to be conveyed by mail. (*United States v. Blackman*, 17 Fed. Rep., 837.)

Sec. 1448. Penalty for Intercepting or Secreting Letters.—Any person who shall take any letter, postal card, or packet, although it does not contain any article of value or evidence thereof, out of a post-office or branch post-office, or from a letter or mail carrier, or which has been in any post-office or branch post-office, or in the custody of any letter or mail carrier, before it has been delivered to the person to whom it was directed, with a design to obstruct the correspondence, or to pry into the business or secrets of another, or shall secrete, embezzle, or destroy the same, shall, for every such offense, be punishable by a fine of not more than five hundred dollars, or by imprisonment at hard labor for not more than one year, or by both. (R. S., § 3892.)

See *U. S. v. Bond*, 2 Curtis, 265; *U. S. v. Lancaster*, 2 McLean, 431.

Sec. 1449. Stealing or Fraudulently Obtaining Mail; Opening Valuable Letters.—Any person who shall steal the mail, or steal or take from or out of any mail or post-office, branch post-office, or other authorized depository for mail matter, any letter or packet; any person who shall take the mail, or any letter or packet therefrom, or from any post-office, branch post-office, or other authorized depository for mail matter with or without the consent of the person having custody thereof, and open, embezzle, or destroy any such mail, letter, or package which shall contain any note, bond, draft, check, warrant, revenue stamp, postage stamp, stamped envelope, money order, certificate of stock, or other pecuniary obligation or security of the Government, or of any officer or fiscal agent thereof, of any description whatever; any bank note, bank post bill, bill of exchange, or note of assignment of stock in the funds; any letter of attorney for receiving annuities or dividends, selling stock in the funds, or collecting the interest thereof; any letter of credit, note, bond, warrant, draft, bill, promissory note, covenant, contract, or agreement whatsoever, for or relating to the payment or the delivery of any article of value, or the performance of any act, matter, or thing; any receipt, release, acquittance, or discharge of or from any debt, covenant, or demand, or any part thereof; any copy of record of any judgment or decree in any court of law or chancery, or any execution which may have issued thereon; any copy of any other record, or any other article of value, or any writing representing the same; any person who shall,

by fraud or deception, obtain, from any person having custody thereof, any such mail, letter, or packet containing any such article of value shall, although not employed in the postal service, be punishable by imprisonment at hard labor for not less than one year and not more than five years. (R. S., § 5469. See also R. S., § 5535.)

This section does not look beyond a possession of letters obtained *wrongfully* from the post-office or from a mail carrier. After the voluntary termination of the custody of a letter by the post-office or its agents the rights of the real proprietor of the letter are under the guardianship of the local law, and not of that of the United States. (*U. S. v. Parsons*, 2 Blatch., 104.)

To constitute a post-office under this section, the place where the business of keeping, forwarding, and distributing mailable matter is conducted need not be a building set apart for that use, or any apartment or room in a building; but, according to the extent of the business done, may be a desk, or a trunk, or box, carried about a house or from one building to another. (*The United States v. Marselis*, 2 Blatch., 108.)

A decoy letter, containing money, mailed for the purpose of entrapping a clerk in a post-office, &c., is within this section. (*U. S. v. Collingham*, 2 Blatch., 470. *Vide* also *U. S. v. Pond*, 2 Curtis's C. C., 265; *U. S. v. Lander*, 6 McLean, 598; *U. S. v. Fisher*, 2 McLean, 23.)

The penalty of imprisonment may be imposed upon an employé for stealing a letter from a railway postal car. (*United States v. Falkenheimer*, 21 Fed. Rep., 624.)

Sec. 1450. Receiving Articles Stolen from the Mails.—Any person who shall buy, receive, or conceal, or aid in buying, receiving, or concealing, any note, bond, draft, check, warrant, revenue stamp, postage stamp stamped envelope, postal card, money order, certificate of stock, or other pecuniary obligation or security of the Government, or of any officer or fiscal agent thereof, of any description whatever; any bank note, bank post bill, bill of exchange, or note of assignment of stock in the funds; any letter of attorney for receiving annuities or dividends, selling stock in the funds, or collecting the interest thereof; any letter of credit, note, bond, warrant, draft, bill, promissory note, covenant, contract, or agreement whatsoever, for or relating to the payment of money or the delivery of any article of value, or the performance of any act, matter, or thing; any receipt, release, acquittal, or discharge of or from any debt, covenant, or demand, or any part thereof; any copy of the record of any judgment or decree in any court of law or chancery, or any execution which may have issued thereon; any copy of any other record, or any other article of value or writing representing the same, knowing any such article or thing to have been stolen or embezzled from the mail, or out of any post-office, branch post-office, or other authorized depository for mail matter, or from any person having custody thereof, shall be punishable by a fine of not more than two thousand dollars, and by imprisonment at hard labor for not more than five years. (R. S., § 5470.)

See *U. S. v. Hardyman*, 13 Pet., 176.

Sec. 1451. Stealing, Detaining, or Destroying Newspapers.—Any person employed in any Department of the postal service who shall improperly detain, delay, embezzle, or destroy any newspaper, or permit any other person to detain, delay, embezzle, or destroy the same, or open, or permit any other person to open, any mail or package of newspapers not directed to the office where he is employed, shall be punishable by a fine of not more than fifty dollars. And if any other person shall open, embezzle, or destroy any mail or package of newspapers not being directed to him, and he not being authorized to open or receive the same, he shall be punishable by a fine of not more than twenty dollars. And any person who shall take or steal any mail or package of newspapers from any post-office, or from any person having custody thereof, shall be imprisoned at hard labor for not more than three months. (R. S., § 5471.)

For Embezzlement of Money-Order Funds, see section 1372.

Sec. 1452. Robbery of the Mail.—Any person who shall rob any carrier, agent, or other person intrusted with the mail, of such mail, or any part thereof, shall be punishable by imprisonment at hard labor for not less than five years and not more than ten years; and if convicted a second time of a like offense, or if, in effecting such robbery the first time, the robber shall wound the person having custody of the mail, or put his life in jeopardy by the use of dangerous weapons, such offender shall be punishable by imprisonment at hard labor for the term of his natural life. (R. S., § 5472.)

Sec. 1453. Attempting to Rob the Mail.—Any person who shall attempt to rob the mail by assaulting the person having custody thereof, shooting at him or his horse, or threatening him with dangerous weapons, and shall not effect such robbery, shall be punishable by imprisonment at hard labor for not less than two years and not more than ten years. (R. S., § 5473.)

Sec. 1454. Deserting the Mail.—Any person who shall have taken charge of the mail and shall voluntarily quit or desert the same before he has delivered it into the post-office at the termination of the route, or to some known mail carrier, messenger, agent, or other employé of the Post-Office Department authorized to receive the same, shall be punishable by a fine of not more than five hundred dollars, and by imprisonment for not less than three months nor more than one year. (R. S., § 5474.)

Sec. 1455. Stealing Post-Office Property.—Any person who shall steal, purloin, or embezzle any mail bag or other property in use by or belonging to the Post-Office Department, or who shall, for any lucre, gain, or convenience, appropriate any such property to his own or any other than its proper use, or who shall, for any lucre or gain, convey away

any such property to the hindrance or detriment of the public service; if the value of the property be twenty-five dollars or more, the offender shall be punishable by imprisonment at hard labor for not more than three years, and if the value of the property be less than twenty-five dollars, the offender shall be punishable by imprisonment for not more than one year, or by a fine of not less than ten dollars and not more than two hundred dollars. (R. S., § 5475.)

Sec. 1456. Injuring Mail Bags, &c.—Any person who shall tear, cut, or otherwise injure any mail bag, pouch, or other thing used or designed for use in the conveyance of the mail, or who shall draw or break any staple, or loosen any part of any lock, chain, or strap attached thereto, with intent to rob or steal any such mail, or to render the same insecure, shall be punishable by a fine of not less than one hundred dollars and not more than five hundred, or by imprisonment at hard labor for not less than one year and not more than three years. (R. S., § 5476.)

Sec. 1457. Stealing or Forging Mail Locks or Keys.—Any person who shall steal, purloin, embezzle, or obtain by any false pretense, or shall aid or assist in stealing, purloining, embezzling, or obtaining by any false pretense, any key suited to any lock adopted by the Post-Office Department and in use on any of the mails or bags thereof; any person who shall knowingly and unlawfully make, forge, or counterfeit, or cause to be unlawfully made, forged, or counterfeited, or knowingly aid or assist in making, forging, or counterfeiting, any such key; any person who shall have in his possession any such mail lock or key, 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 any person engaged as contractor or otherwise in the manufacture of any such mail locks or keys who shall deliver, or cause to be delivered, any finished or unfinished lock or key used or designed for use by the Department, or the interior part of any such lock, to any person not duly authorized, under the hand of the Postmaster-General and the seal of the Post-Office Department, to receive the same, unless the person receiving is the contractor for furnishing the same, or engaged in the manufacture thereof in the manner authorized by the contract, or the agent for such manufacturer, shall be punishable by imprisonment at hard labor for not more than ten years. (R. S., § 5477.)

Sec. 1458. Breaking and Entering Post-Office.—Any person who shall forcibly break into or attempt to break into any post-office, or any building used in whole or in part as a post-office, with intent to commit therein larceny or other depredation, shall be punishable by a fine of not more than one thousand dollars, and by imprisonment at hard labor for not more than five years. (R. S., § 5478.)

Sec. 1459. Counterfeiting Bid, Bond, &c.—If any person shall falsely make, alter, forge, or counterfeit, or cause or procure to be falsely made, altered, forged, or counterfeited, or willingly aid or assist in the false making, altering, forging, or counterfeiting, any bond, bid, proposal, guarantee, security, official bond, public record, affidavit, or other writing for the purpose of defrauding the United States; or shall utter or publish as true, or cause to be uttered or published as true, any such false, forged, altered, or counterfeited bond, bid, proposal, guarantee, security, official bond, public record, affidavit, or other writing, for the purpose of defrauding the United States, knowing the same to be false, forged, altered, or counterfeited; or shall transmit to or present at, or cause [to] [or] procure to be transmitted to or presented at, the office of any officer of the United States, any such false, forged, altered, or counterfeited bond, bid, proposal, guarantee, security, official bond, public record, affidavit, or other writing, knowing the same to be false, forged, altered, or counterfeited, for the purpose of defrauding the United States, shall be punishable by a fine of not more than one thousand dollars, or by imprisonment at hard labor for not more than ten years, or by both such punishments. (R. S., § 5479; see, also, R. S., § 5418.)

Sec. 1460. Sending Letters Through the Mails with Intent to Defraud.—If any person having devised or intending to devise any scheme or artifice to defraud, or be effected by either opening or intending to open correspondence or communication with any other person, whether resident within or outside of the United States, by means of the Post-Office Establishment of the United States, or by inciting such other person to open communication with the person so devising or intending, shall, in and for executing such scheme or artifice, or attempting so to do, place any letter or packet in any post-office of the United States, or take or receive any therefrom, such person so misusing the Post-Office Establishment shall be punishable by a fine of not more than five hundred dollars, and by imprisonment for not more than eighteen months, or by both such punishments. The indictment, information, or complaint may severally charge offenses to the number of three when committed within the same six calendar months; but the court thereupon shall give a single sentence, and shall proportion the punishment especially to the degree in which the abuse of the Post-Office Establishment enters as an instrument into such fraudulent scheme and device. (R. S., § 5480.)

To constitute the offense it is not necessary that the defendant should be the originator of the fraudulent scheme in which he participates. He may be guilty of "placing a letter in the post-office" if it be deposited there under his direction, though by the hand of another. (*United States v. Fleming*, 18 Fed. Rep., 907.) (R. S., § 5480.)

Evidence that the accused devised a scheme to put counterfeit money in circulation by sending through the mail, to one B, a letter calculated to induce B to purchase at a low price, for the purpose of passing it as good, and that, in order to carry such scheme into effect he placed a letter in the post-office addressed to B, is sufficient to establish an offense under this section without proof of intent on the part of accused to defraud B or any other particular person. (*United States v. Jones*, 20 Blatchf., C. Ct. 235.)

The provisions of the above section, that the indictment may "severally charge offenses to the number of three when committed within the same six calendar months," does not confine the Government to the prosecution of three several acts alone. (*United States v. Martin*, 28 Fed. Rep., 812.)

Under this section one may be convicted, who, in carrying out a fraudulent device, consisting of advertising that certain property will be sent to those sending postage stamps or money by mail, deposits letters in the mail or takes letters or packets therefrom, intending to render no equivalent for the money and stamps received. (*United States v. Stickle*, 15 Fed. Rep., 798.)

The elements of the offense of using the mail for the purpose of defrauding created by R. S., Sec. 5480, are (1) the devising, or intending to devise, a scheme or artifice to defraud; (2) the opening, or intending to open, correspondence, by means of the Post-Office Department, with the one devising the scheme; and (3) in pursuance of the scheme putting a letter or packet in the mail, or taking one out. In order to constitute the offense where goods are ordered by mail, the intent not to pay for the goods must exist before credit sought—must preclude an order for the goods—and it is not fraudulent, within the meaning of the statute, if one, not in solvent circumstances, should seek credit or order goods without the present means of paying for them; nor would it come within the meaning of the statute if one had ordered goods, and afterwards devised a purpose of escaping from paying for them. (*United States v. Wooten*, 29 Fed. Rep., 702.)

Sec. 1461. Accessory to Robbery of the Mail.—Every accessory after the fact to any robbery of the carrier, agent, or other person intrusted with the mail, of such mail or of any part thereof, shall be fined not more than two thousand dollars, and be imprisoned at hard labor not more than ten years. (R. S., § 5534.)

Sec. 1462. Accessory to Stealing Mail Matter.—Every accessory after the fact to the offense of stealing or taking any letter, or other mail matter, or any inclosure therein, shall be fined not more than one thousand dollars, and be imprisoned not more than five years. (R. S., § 5535.) (See §§ 1442, 1449, 1451.)

Sec. 1463. Willfully Neglecting to Deposit Postal Revenues.—Any officer, agent, postmaster, clerk, or other person employed in any branch of the postal service having temporary custody of any money taken from dead letters; any money derived from the sale of waste paper or other public property of the Post-Office Department; or any money derived from any other source which by law is part of the postal revenues, who shall willfully neglect to deposit the same in the Treasury of the United States, or in some other depository authorized to receive the same, shall

be deemed guilty of embezzlement, and be punishable to a fine of not more than double the sum so retained, or by imprisonment for not more than three years, or both. And any person intrusted by law with the sale of postage stamps or stamped envelopes, who shall refuse or neglect to account for the same, or who shall pledge or hypothecate or unlawfully dispose of them, for any purpose whatever, shall be deemed guilty of embezzlement, and shall be punishable by the like fine and imprisonment as are provided in this section for the embezzlement of money. (R. S., § 4053.)

Sec. 1464. Failure to Deposit with Proper Depository.—Every person who, having moneys of the United States in his hands or possession, fails to make deposit of the same with the treasurer, or some assistant treasurer, or some public depository of the United States, when required so to do by the Secretary of the Treasury, or the head of any other proper Department, or by the accounting officers of the Treasury, shall be deemed guilty of embezzlement thereof, and shall be imprisoned not less than six months nor more than ten years, and fined in a sum equal to the amount of money embezzled. (R. S., § 5492.)

Sec. 1465. Fraudulent Receipts of Postage.—If any postmaster, or other person authorized by the Postmaster-General to receive the postage of letters, shall fraudulently demand or receive any rate of postage or gratuity or reward other than is provided by this section for the postage of letters or packets, he shall be punishable by a fine of one hundred dollars. (R. S., § 3899.)

Sec. 1466. Painting upon Vessels, &c., the Words "United States Mail."—Any person who shall paint, print, or in any manner place upon or attach to any steamboat or other vessel, or any stage coach or other vehicle, not actually used in carrying the mail, the words "United States mail," or any words, letters, or characters of like import; or any person who shall give notice, 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 mail, when the same is not actually so used; or any person willfully aiding or abetting therein, shall, for every such offense, be punishable by a fine of not less than one hundred dollars nor more than five hundred dollars. (R. S., § 3979.)

Sec. 1467. Unlawfully Removing Stamps, &c.—Any person employed in any branch of the postal service who shall willfully and unlawfully remove from any mail matter any postage stamp affixed thereto in payment of the postage shall be punishable by a fine of not more than one hundred dollars, or by imprisonment for not more than six months. (R. S., § 3922.)

Sec. 1468. Removing Cancellation from Stamps, &c.—If any person em-

ployed in any department of the Post-Office establishment of the United States shall willfully and knowingly use, or cause to be used, in prepayment of postage, any postage stamps, postal cards, or stamped envelope issued, or which may hereafter be issued, by authority of an act of Congress, or of the Postmaster-General, which has already been once used for a like purpose, or shall remove or attempt to remove the canceling or defacing marks from any such postage stamp, or stamped envelope, or postal card, with intent to use or cause the use of the same a second time, or to sell, or offer to sell, the same, or shall remove from letters or other mail matter deposited in or received at a post-office the stamps attached to the same in payment of postage with intent to use the same a second time for a like purpose, or to sell, or offer to sell, the same, every such offender shall be deemed guilty of felony, and shall be imprisoned for not less than one year nor more than three years. (R. S., § 3924.)

Sec. 1469. Removal of Cancellation from Stamps, &c., or Selling or Using Same.—If any person not employed in any department of the Post-Office establishment of the United States shall commit any of the offenses described in the preceding section [R. S., § 3924, section 1468] every such person shall be deemed guilty of a misdemeanor, and be punishable by imprisonment for not less than six months nor more than one year, or by a fine of not less than one hundred dollars nor more than five hundred dollars, for each offense, or by both. (R. S., § 3925.)

That any person who shall use, or attempt to use, in payment of postage, any canceled postage stamp or postage stamps, whether the same have been before used or not, or who shall by any means remove, or attempt to remove, or assist in removing, marks from any postage stamp or postage stamps, with intent to use the same in payment of postage, or who knowingly shall have in his possession any postage stamp or postage stamps canceled, with intent to use the same, or from which such cancellation marks have been removed, or who shall sell or offer to sell any such stamp or stamps, or who shall use or attempt to use the same in payment of postage, or who shall remove the superscription from any stamped envelope or postal card that has once been used in the payment of postage, with intent to again use the same for a like purpose, shall be deemed guilty of a misdemeanor, and shall, on conviction thereof, be punished by imprisonment for not less than six months nor more than one year, or by a fine of not less than one hundred dollars nor more than five hundred dollars for each offense, or by both such fine and imprisonment, in the discretion of the court. (Act of March 3, 1879, § 28, 20 Stats., 362.)

OTHER CRIMES AND MISDEMEANORS.

Sec. 1470. Reference to Other Offenses.—In addition to the foregoing statutes, others elsewhere given prescribe punishments for offenses affecting the postal service. References are given thereto as follows:

For selling stamps, &c., for more or less than the lawful price chargeable therefor, section 174.

For submitting false evidence as to character of a publication, section 347.

For depositing in, or receiving by, the mails, obscene, lewd, or lascivious books, pamphlets, pictures, papers, writings, prints, or indecent publications, section 380.

For depositing in, or receiving by mail, any article or thing designed or intended to prevent conception or procure abortion, or adapted for any indecent or immoral use, or any written or printed card, circular, book, pamphlet, advertisement, or notice of any kind giving information, directly or indirectly, where or how, or of whom, or by what means, such books, &c., articles, or things may be obtained, see section 380.

For depositing in, or receiving by mail, any letter upon the envelope of which, or postal card upon which indecent, lewd, obscene, or lascivious delineations, epithets, terms, or language is written or printed, see section 380.

For conveying, or depositing letters or circulars concerning lotteries to be sent in the mails, section 379.

For officer aiding in sending or receiving obscene or indecent publications or representations or articles to prevent conception or procure abortion or for immoral use by mail, &c., section 382.

For conveying by or depositing in the mail letters or circulars concerning lotteries, gift concerts, etc., or schemes devised to defraud the public, section 379.

For making false return of business for purpose of fraudulently increasing compensation, section 259.

For making false return of special-delivery business for purpose of increasing compensation, section 666.

For using penalty envelope to avoid payment of postage on private matter, section 415.

For failure to account for postage due collected, or to affix postage-due stamps, section 557.

For unlawfully wearing the uniform of a letter carrier, section 643.

For unlawfully detaining mail matter to prevent its arrival or delivery, section 508.

For obstructing the mail or retarding its passage, section 725.

For swearing falsely as to responsibility of a surety on a bidder's bond, etc., section 780.

For illegal approval of a bidder's bond by a postmaster, see section 781.

For contractor's wrongful refusal to enter into contract or failure to perform service in transportation of the mails, after award of contract to him, section 803.

For issuing money orders without having previously received the money therefor, section 1257.

For failure to make reports, section 103.

For soliciting or receiving assessment or subscription for political purposes, section 78.

For such solicitation or receiving of money or other valuable thing in any public office, &c., section 79.

For official compulsion to make political contribution, discharging, promoting, degrading clerk or employé, or threatening so to do, for making or refusing to make a political contribution, section 80.

For making or receiving a political contribution while an official or employé, section 81.

For receiving gifts from official subordinates, or giving the same, section 82.

For member of Congress, &c., being interested in contract with the United States, section 91.

For officer making contract on behalf of the United States in which a member of Congress is interested, section 91.

For postal employé being interested in public contract, section 92.

For person interested in contract to act in respect thereto on behalf of the United States, section 93.

For procuring contract or office for consideration while an official, section 135.

For receiving compensation for aiding a claim before any Department or officer while Senator or member of Congress, section 136.

For private banker, receiving deposits or loans of public moneys, section 185.

For offenses for which penalty is recoverable, see section 302 and note.

Sec. 1471. False Personation of United States Officers.—That every person who, with intent to defraud either the United States or any person, falsely assumes or pretends to be an officer or employé acting under the authority of the United States, or any Department, or any officer of the Government thereof, and who shall take upon himself to act as such, or who shall in such pretended character demand or obtain from any person or from the United States, or any Department, or any officer of the Government thereof, any money, paper, document, or other valuable thing, shall be deemed guilty of felony, and shall, on conviction thereof, be punished by a fine of not more than one thousand dollars, or imprisonment not longer than three years, or both said punishments, in the discretion of the court. (Act of April 18, 1884, 23 Stats., 11.)

Sec. 1472. Conspiracy to Defraud the United States.—If two or more persons conspire either to commit any offense against the United States, or to defraud the United States in any manner or for any purpose, and one or more of such parties do any act to effect the object of the conspiracy all the parties to such conspiracy shall be liable to a penalty of not more than ten thousand dollars, or to imprisonment not more than two years or to both fine and imprisonment in the discretion of the court. (R. S., § 5440, as amended by act of May 17, 1879, 21 Stats., 4.)

APPENDIX A.

Form of quarterly postal account—

Blank Form No. 1545.]

M. —, postmaster at —, county of —, State of —, in account with the United
Dr.

	Column for post- master.	Column for Audi- tor.
A. Amount of postage stamps, postage-due stamps, special delivery stamps, newspaper and periodical stamps, stamped envelopes, newspaper wrappers, and postal cards on hand at close of last quarter		
B. Amount of postage stamps, postage-due stamps, special-delivery stamps, newspaper and periodical stamps, stamped envelopes, newspaper wrappers, and postal cards received from the Department this quarter		
Total to be accounted for		
C. Deduct amount of postage stamps, postage-due stamps, special-delivery stamps, newspaper and periodical stamps, stamped envelopes, newspaper wrappers, and postal cards now on hand		
D. Deduct { Damaged stamps returned to Dep't, \$-100 } Total		
1. To amount of postage stamps, postage-due stamps, special-delivery stamps, newspaper and periodical stamps, stamped envelopes, newspaper wrappers, and postal cards sold during the quarter		
2. To amount received from waste paper, dead newspapers, printed matter, twine, &c., sold, and miscellaneous receipts		
3. To box rents for the quarter, as per box account		
4. To deposits received during the quarter, as per abstract (Form No. 1565½) (* See note below.)		
5. To amount of drafts on hand at end of last quarter, uncollected		
Draft on —, L. P. M., \$-100	} Enter total of drafts in column for postmaster.	
" " " " \$-100		
" " " " \$-100		
" " " " \$-100		
" " " " \$-100		
6. To transfers from money-order account, as follows:	} Enter total of transfers in column for postmaster.	
Date —, \$-100		
" " " " \$-100		
" " " " \$-100		
" " " " \$-100		
7. To correction of former accounts, as per Auditor's statement of account dated —, 188—		
Total		

(Add together items 1, 2, 3, 4, 5, 6, and 7 to make the total for this column.)

I, —, postmaster at —, do — that the accounts which I have rendered to the Post-Office Department for the quarter ending —, 188—, exhibit truly and faithfully the entire receipts of my post-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 either by the usual means of prepayment when the matter was mailed, or by means of postage-due stamps when it was delivered, in accordance with the provisions of section 26 of the act of Congress approved March 3, 1879.

—, Postmaster.

Sworn and subscribed before the undersigned, a — for the — of —, this — day of —, 188—.

* Article No. 4 is to be used by postmasters at depository offices only.

FORM OF QUARTERLY POSTAL ACCOUNT.

DIX A.

Presidential office— Class—

States for the service of the Post-Office Department, from — to —, 188—, inclusive.

CR.

	Column for postmaster.	Column for Auditor.
8. By corrections of former accounts, as per Auditor's statement of account dated —, 188—		
9. By salary of postmaster		
10. By commissions on special-delivery articles delivered, eight cents for every delivery, as per receipts herewith		
11. By — ship and steamboat letters paid for this quarter, as per receipts herewith, at two cents each		
12. By amount paid clerks in post-office		
13. By " " for rent, \$	} Enter total of these three items in column for postmaster.	
14. By " " " light, \$		
15. By " " " fuel, \$		
16. By " " " advertising		
17. By " " " office furniture		
18. By " " " stationery		
19. By " " " miscellaneous expenses		
20. By " " " repairs to mail bags		
21. By transfer drafts paid, as per abstract (Form No. 1569) († See note below.)		
22. By amount paid railway post-office clerks		
23. " " for miscellaneous expenses, railway transportation, as per abstract (Form No. 1557½)		
24. By transfers to money-order account, as follows:		
Date	\$	} Enter total of transfers in column for postmaster.
"	\$	
"	\$	
"	\$	
"	\$	
"	\$	
"	\$	
"	\$	
25. By amount of drafts returned to Department uncollected		
26. By amount of drafts on hand at end of quarter, uncollected		
27. By deposit at	\$	} Enter total of deposits in column for postmaster.
"	\$	
"	\$	
"	\$	
"	\$	
(† See note below.)	\$	
Total		

† Article No. 21 is to be used by postmasters at draft offices only.
 ‡ When more than six deposits are made in one quarter, separate schedules of deposits should be made on Form No. 1566½ by postmaster, and only the total of deposits on the schedule entered in this account.

Statement of special-delivery business to accompany quarterly postal account.

Number of articles of mailable matter arriving in the mails from other offices for special delivery

Number of articles of mailable matter deposited in post-office for local special delivery

Total number of articles for special delivery

Of the above, the number of articles actually delivered was

The number forwarded to other post-offices upon request of addressees was

The number that failed to be specially delivered was

I certify that the above statement is correct. _____, P. M., _____

Blank Form No. 1545.]

Form of quarterly postal account—Presidential

M. ———, postmaster at ———, county of ———, State of ———, in account with the United

Dr.

	Column for postmaster.	Column for Auditor.
A. Amount of postage stamps, postage-due stamps, special-delivery stamps, newspaper and periodical stamps, stamped envelopes, newspaper wrappers, and postal cards on hand at close of last quarter.....		
B. Amount of postage stamps, postage-due stamps, special-delivery stamps, newspaper and periodical stamps, stamped envelopes, newspaper wrappers, and postal cards received from the Department this quarter.....		
Total to be accounted for.....		
C. Deduct amount of postage stamps, postage-due stamps, special-delivery stamps, newspaper and periodical stamps, stamped envelopes, newspaper wrappers, and postal cards now on hand.....		
D. Deduct { Damaged stamps returned to Dept't, \$-100 } Total.....		
{ Amount of dead-letter bills..... \$-100 }		
1. To amount of postage stamps, postage-due stamps, special-delivery stamps, newspaper and periodical stamps, stamped envelopes, newspaper wrappers, and postal cards sold during the quarter.....		(Add together items 1, 2, 3, 4, 5, 6, and 7 to make the total for this column.)
2. To amount received from waste paper, dead newspapers, printed matter, twine, &c., sold, and miscellaneous receipts.....		
3. To box rents for the quarter, as per box account.....		
4. To deposits received during the quarter, as per abstract (Form No. 1565)..... (See note below.)		
5. To amount of drafts on hand at end of last quarter, uncollected. { \$..... }		
Draft "....., L. P. M., \$.....	Enter total of drafts in column for postmaster.	
"....., " " \$.....		
"....., " " \$.....		
"....., " " \$.....		
6. To transfers from money-order account, as follows:		
Date....., \$.....	Enter total of transfers in column for postmaster.	
"....., \$.....		
"....., \$.....		
"....., \$.....		
7. To corrections of former accounts, as per Auditor's statement of account dated ———, 188—.....		
Total.....		

I, ———, postmaster at ———, do — that the accounts which I have rendered to the Post-Office post-office, which have been collected thereat, and the entire sum which could have been, by due diligence are just and true, as I verily believe, and furthermore, that during the said period I have not ago had not been paid either by the usual means of prepayment when the matter was mailed, or by the act of Congress approved March 3, 1879.

Sworn and subscribed before the undersigned, a — for the — of —, this — day of —, 188—.

*Article No. 4 is to be used by postmasters at depository offices only.

† When more than six deposits are made in one quarter, separate schedules of deposits should be this account.

Blank Form No. 1558.]

Form of quarterly postal

M. —, postmaster at —, county of —, State of —, in account with the United
Dr.

		Column for postmaster.	Column for Auditor.																														
A.	Amount of postage stamps, postage-due stamps, special-delivery stamps, newspaper and periodical stamps, stamped envelopes, newspaper wrappers, and postal cards on hand at close last quarter																																
B.	Amount of postage stamps, postage-due stamps, special-delivery stamps, newspaper and periodical stamps, stamped envelopes, newspaper wrappers, and postal cards received from the Department this quarter																																
Total to be accounted for																																	
C.	Deduct amount of postage stamps, postage-due stamps, special-delivery stamps, newspaper and periodical stamps, stamped envelopes, newspaper wrappers, and postal cards now on hand																																
D.	Deduct damaged stamps and stamped envelopes, &c., returned to Department																																
1.	To amount of postage stamps, postage-due stamps, special-delivery stamps, newspaper and periodical stamps, stamped envelopes, newspaper wrappers, and postal cards sold during the quarter																																
2.	To amount received for waste paper, dead newspapers, printed matter, twine, &c., sold during the quarter																																
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 30%;">Number of boxes rented per quarter.</th> <th style="width: 15%;">Rate per quarter.</th> <th style="width: 15%;">Dollars.</th> <th style="width: 15%;">Cts.</th> <th style="width: 25%;"></th> </tr> </thead> <tbody> <tr> <td>Call boxes rented for full quarter ..</td> <td></td> <td></td> <td></td> <td rowspan="6" style="font-size: small; vertical-align: middle;">Add together items 1, 2, 3, 4, 5, and 6 to make total for this column.</td> </tr> <tr> <td>Call boxes rented for part quarter ..</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Lock boxes rented for full quarter ..</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Lock boxes rented for part quarter ..</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Lock drawers rented for full quarter ..</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Lock drawers rented for part quarter ..</td> <td></td> <td></td> <td></td> </tr> </tbody> </table>		Number of boxes rented per quarter.	Rate per quarter.	Dollars.	Cts.		Call boxes rented for full quarter ..				Add together items 1, 2, 3, 4, 5, and 6 to make total for this column.	Call boxes rented for part quarter ..				Lock boxes rented for full quarter ..				Lock boxes rented for part quarter ..				Lock drawers rented for full quarter ..				Lock drawers rented for part quarter ..					
Number of boxes rented per quarter.	Rate per quarter.	Dollars.	Cts.																														
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Lock drawers rented for full quarter ..																																	
Lock drawers rented for part quarter ..																																	
3.	To whole amount of box rents collected																																
4. To	{ Amount of drafts on hand at end of last quarter, uncollected	Enter total of drafts in column for postmaster ..																															
	{ Draft on																																
	{ Draft on																																
5. To	{ Transfer from money-order account, viz:	Enter total of transfers in column for postmaster ..																															
	{ Date																																
6.	To corrections of former accounts as per Auditor's statement dated																																
Total																																	

Amount of stamps canceled as per transcript on page 4, not including special-delivery stamps	\$
Amount of article 2	\$
Total	\$

Postmasters will take credit under article 8 for commissions on the above total as follows:
 On the first \$50.00 or less 100 per cent.
 On the next \$100.00 or less 60 per cent.
 On the next \$200.00 or less 50 per cent.
 On the excess above \$350.00 40 per cent.
 The amount of compensation is limited to \$250.00 per quarter.

N. B.—Quarters are as follows: 1st quarter from January 1st to March 31st, inc. 2d quarter from April 1st to June 30th, inc. 3d quarter from July 1st to September 30th, inc. 4th quarter from October 1st to December 31st, inc. Fiscal year ends June 30th.

Box rents must be collected *in advance*. Account must be rendered for them in the quarter for which they are collected. Postmasters will be required to report the entire amount of box rents collected quarterly. A failure to do so will be considered cause for removal.

FORM OF QUARTERLY POSTAL ACCOUNT.

509

account—fourth-class office.

States for the service of the Post-Office Department, from — to —, 188—, inclusive.

CR.

	Column for postmaster.	Column for Auditor.
7. By corrections of former accounts as per Auditor's statement dated —, 188—		
Commissions on the aggregate amount of canceled stamps, and waste-paper, &c., sold as per article 2, as follows:		
On \$..... at 100 per cent. \$..... 100		
On \$..... at 60 per cent. \$..... 100		
On \$..... at 50 per cent. \$..... 100		
On \$..... at 40 per cent. \$..... 100		
Whole amount of box rents charged in article 3..... \$..... 100		
8. By total compensation as shown above.....		
9. By amount of fees on special-delivery letters and parcels delivered—eight cents for every delivery—per receipts herewith.....		
10. By — ship and steamboat letters paid for this quarter, as per receipts herewith, at two cents each.....		
11. By amount paid clerks in post-office.....		
12. By amount paid for repairs to mail bags.....		
13. By amount paid railway post-office clerks.....		
14. By transfer to money order account, as follows:		
Date....., \$..... 100		
"....., \$..... 100		
"....., \$..... 100		
"....., \$..... 100		
"....., \$..... 100		
"....., \$..... 100		
"....., \$..... 100		
"....., \$..... 100		
"....., \$..... 100		
"....., \$..... 100		
"....., \$..... 100		
15. By amount of drafts returned to Department uncollected.....		
16. By amount of drafts on hand at end of quarter, uncollected.....		
17. By deposit at — to balance this account.....		
Total		

I, —, postmaster of —, do, — that the accounts which I have rendered to the Post-Office Department for the quarter ending —, 188—, exhibit truly and faithfully the entire receipts of my post-offices 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, by affixing and canceling postage-due stamps, in accordance with section 26, act of March 3, 1879. And, furthermore, that the amount of postage stamps, stamped envelopes, postal cards, newspaper and periodical stamps canceled as postages on matter actually mailed during the quarter, and of postage-due stamps canceled in payment of undercharged and unpaid postages upon matter delivered during the quarter, upon which commission is claimed, is truly and accurately stated in the transcript accompanying this account; and, furthermore, that the amount of cancellations claimed by me on this postal account and transcript accompanying it does not include any cancellations of special delivery stamps. Furthermore, that the delivery of special delivery matter as above stated is accurate, and that the receipts submitted are genuine receipts, signed by the parties to whom the matter was delivered.

—, Postmaster.

Sworn to and subscribed before the undersigned, a — for the — of —, this — day of —, A. D. 188—.

INSTRUCTIONS.

The special attention of postmasters is directed to the following instructions, and a strict compliance with the same will be required :

ARTICLE A.—Enter the exact *face value* of all postage stamps, postage-due stamps, special-delivery stamps, newspaper and periodical stamps, and postal cards, and the value, *at the price charged by the Government*, of all stamped envelopes and newspaper wrappers on hand at the close of the preceding quarter.

Where a change of postmasters occurs, the value of stamps, postal cards, envelopes, &c., received from the outgoing postmaster should also be entered in this article.

ARTICLE B.—Enter the exact *face value* of all postage stamps, postage-due stamps, special-delivery stamps, newspaper and periodical stamps, and postal cards, and the value, *at the price charged by the Government*, of all stamped envelopes and newspaper wrappers received from the Department during the quarter. Then add together Articles "A" and "B," placing their sum directly underneath the line opposite the words "Total to be accounted for."

ARTICLE C.—Enter the exact *face value* of all postage stamps, postage-due stamps, special-delivery stamps, newspaper and periodical stamps, and postal cards, and the value, *at the price charged by the Government*, of all stamped envelopes and newspaper wrappers that remained on hand at close of business on the last day of the quarter for which this account is rendered, and deduct this amount from the "Total to be accounted for."

ARTICLE D.—Enter the exact *face value* of all damaged stamps and postal cards, and the value, *at the price charged by the Government*, of all stamped envelopes and newspaper wrappers returned to the Department during the quarter, but not until notice of allowance shall be received from the Third Assistant Postmaster-General. This amount, added to the amount remaining on hand, should be deducted from the "Total to be accounted for," and the remainder will show the amount of stamps sold.

ARTICLE 1.—Enter the exact *face value* of all postage stamps, special-delivery stamps, newspaper and periodical stamps, and postal cards, and the value, *at the price charged by the Government*, of all stamped envelopes and newspaper wrappers sold during the quarter, and of postage-due stamps affixed upon insufficiently prepaid matter. This item is ascertained by adding to the amount on hand (Article "C") the amount acknowledged by the Third Assistant Postmaster-General as returned to the Department (Article "D"), and subtracting this total from the "Total to be accounted for," the difference being the amount sold during the quarter.

ARTICLE 2.—Enter the amount received for waste paper, twine, &c., sold during the quarter.

ARTICLE 3.—Enter the amount of box rents collected during the quarter. Postmasters are prohibited from collecting or receiving the rent of boxes for more than one quarter in advance.

ARTICLE 4.—Enter all drafts for collection received during the quarter.

ARTICLE 5.—Enter all transfers from money order to postal account.

ARTICLE 6.—When the sum of Auditor's corrections of a prior quarter's account shows a balance due the United States, enter this balance as Article 6, but if the sum of such corrections shows a balance due the postmaster, it should be taken up as a credit in Article 7.

ARTICLE 7.—When the sum of Auditor's corrections of a prior quarter's account shows a balance due the postmaster, enter this balance as article 7, but if the sum of such corrections shows a balance due the United States, it should be taken up as a debit in Article 6.

ARTICLE 8.—Compute and enter the commissions on the aggregate account charged under Article 2, and the amount of canceled stamps shown by the transcript on page 4 of this account, at the rates provided by law and as set forth on the inside lower margin of this form. Credit should also be taken under this article for the whole amount of box rents charged under Article 3. See section 459, Postal Laws and Regulations, edition of 1887.

Postmasters at offices of the fourth class are reminded that their compensation consists mainly of commissions on the *cancellation*, not on the *sales*, of stamps, &c., and that consequently, in order to make honest returns of business to the Auditor, every such postmaster should keep—upon the blank Transcript which forms a part of his account—a daily account of the stamps canceled upon matter *actually mailed* from his office.

In no case should the *sales* of stamps, stamped envelopes, &c., be taken as a basis for computing the commissions of postmasters at fourth-class offices.

ARTICLE 9.—Take credit for 8 cents for every special-delivery letter or parcel delivered, for which accompanying receipts are sent as vouchers.

ARTICLE 10.—Enter the number of ship and steamboat letters received and paid for during the quarter, taking credit for the amount paid.

ARTICLE 11.—Enter amount paid for clerk hire which has been previously authorized by the First Assistant Postmaster-General.

ARTICLE 12.—Enter amount paid for repairs to mail bags. See section 873, Postal Laws and Regulations, edition of 1887.

ARTICLE 13.—Enter amount paid to railway post-office clerks and amount paid for incidental expenses for railway mail service when previously authorized by the Second Assistant Postmaster-General.

ARTICLE 14.—Enter amount transferred from postal to money-order account. Transfers should only be made when actually necessary. Credit must be claimed only for transfers made in the quarter for which the account is rendered. See sections 1373, and 1374, Postal Laws and Regulations, edition of 1887.

ARTICLE 15.—Enter amount of drafts returned to the Department during the quarter that have not been collected.

ARTICLE 16.—Enter amount of drafts on hand at the end of the quarter that have not been collected.

ARTICLE 17.—Enter amount deposited to close account for the quarter. No balance must appear as due on the account, as the postmaster is required to deposit all postal funds in his hands at the end of each quarter.

The amount entered as the total of the debits must be exactly the same as the total of the credits.

Form of special-delivery stamp account.

No commissions are allowed on the cancellation of these stamps. Special-delivery stamps must be charged in the regular stamp account and also in this special account.

	No. of stamps.	Amount.
Amount of <i>special-delivery</i> stamps on hand at close of last quarter.....
Amount of <i>special-delivery</i> stamps received from the Department during the present quarter.....
Total.....
Amount of <i>special-delivery</i> stamps sold during the present quarter (on which <i>no commissions are allowed</i>).....
Leaving amount of <i>special-delivery</i> stamps on hand at close of present quarter.....

STATEMENT OF SPECIAL DELIVERY BUSINESS.

Number of articles of mailable matter arriving in the mails from other offices for special delivery.....

Number of articles of mailable matter deposited in post-office for local special delivery.....

Total number of articles for special delivery.....

Of the above, the number of articles actually delivered was.....

The number reforwarded to other post-offices upon request of addressees was.....

The number that failed to be specially delivered was.....

I certify, on my official oath as postmaster, that the above statements are true and correct, and that the amount of cancellation claimed by me on the accompanying postal account and transcript *does not* include any cancellation of special-delivery stamps.

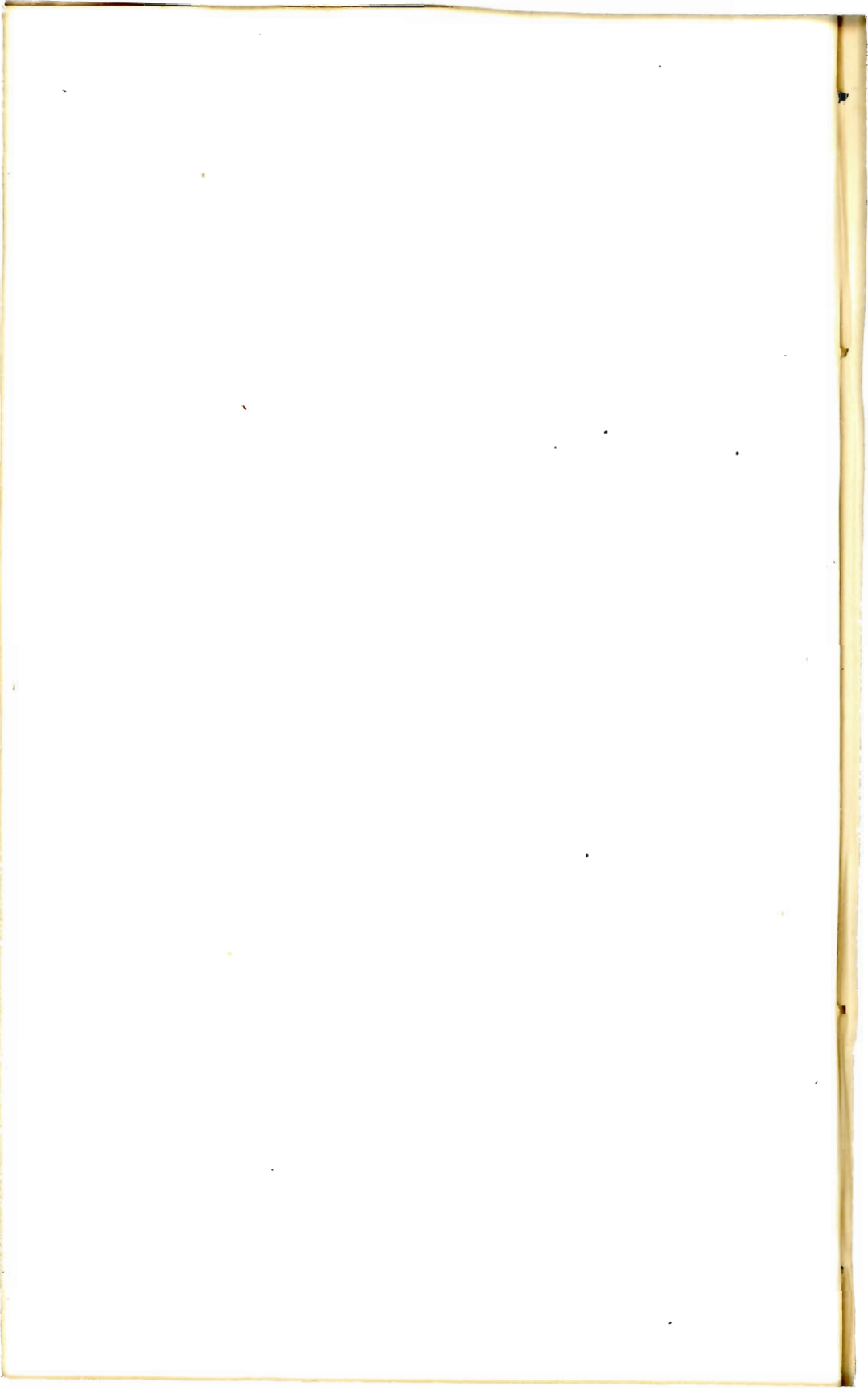
_____, P. M.,

Form of daily transcript of amount of postage stamps, stamped envelopes, postal cards, and newspaper and periodical stamps canceled as postages on matter actually mailed, and of postage-due stamps canceled in payment of undercharges and unpaid postages upon matter delivered during the quarter. No cancellation of special-delivery stamps is to be included in this statement.

Month.	Day.	Amount.		Month.	Day.	Amount.		Month.	Day.	Amount.	
		Dolls.	Cts.			Dolls.	Cts.			Dolls.	Cts.
	1				1				1		
	2				2				2		
	3				3				3		
	4				4				4		
	5				5				5		
	6				6				6		
	7				7				7		
	8				8				8		
	9				9				9		
	10				10				10		
	11				11				11		
	12				12				12		
	13				13				13		
	14				14				14		
	15				15				15		
	16				16				16		
	17				17				17		
	18				18				18		
	19				19				19		
	20				20				20		
	21				21				21		
	22				22				22		
	23				23				23		
	24				24				24		
	25				25				25		
	26				26				26		
	27				27				27		
	28				28				28		
	29				29				29		
	30				30				30		
	31				31				31		
Total.....				Total.....				Total.....			

Total amount of stamps, &c., canceled during the quarter, to be carried to account-current, \$—100.

APPENDIX B.



Reference index to the Statutes of the United States, &c.—Continued.

Act of Congress.	Title.	Chap.	Sec.	Vol.	Page.	Sec. of P. L. & R.		
Revised Statutes	IX	.....	394	.....	66	6
			395	.....	66	49	
			396	.....	66	2	
			397	.....	67	62	
			398	.....	67	383	
			399	.....	67	384	
			400	.....	67	468	
			401	.....	67	434	
			402	.....	67	132	
			403	.....	67	84	
			404	.....	67	824	
			405	.....	67	266	
			406	.....	67	268	
			407	.....	67	209	
			408	.....	68	200	
			409	.....	68	309	
			410	.....	68	310	
			411	.....	68	311	
			412	.....	68	92	
			413	.....	68	97	
	414	.....	69	105			
	XIII	3	563	95	281	
							1433	
				7	629	111	281
								1433
				14	792	148	300
				16	850	160	976
				17	889	168	298
					890	168	299
				18	919	175	281
					924	176	282
					925	176	283
					926	176	284
					927	176	285
					928	177	286
					929	177	287
					930	177	288
					931	177	289
					932	177	290
					933	177	291
					951	180	293
					952	180	292
					958	181	294
					964	182	295
					975	183	304
					976	183	305
				1014	189	1436	
21	1059	.....	195	123			
	1063	.....	196	124			
	1064	.....	197	125			
	1065	.....	197	126			
	1076	.....	198	130			
XVI	.....	.....	1629	.....	285	697
XIX	.....	.....	1754	.....	312	20
			1757	.....	313	43	
			1758	.....	313	45	
			1759	.....	313	46	

Reference index to the Statutes of the United States, &c.—Continued.

Act of Congress.	Title.	Chap.	Sec.	Vol.	Page.	Sec. of P. L. & R.		
Revised Statutes.....	XIX	-----	1760	-----	313	69		
			1761	-----	313	70		
			1763	-----	314	67		
			1764	-----	314	68		
			1765	-----	314	68		
			1766	-----	314	71		
			1778	-----	315	45		
			1779	-----	316	74		
			1780	-----	316	103		
			1781	-----	316	135		
			1782	-----	316	136		
			1783	-----	316	93		
			1784	-----	316	82		
			1785	-----	317	382		
			XXXVI	-----	3466	-----	687	312
					3467	-----	687	313
					3470	-----	688	314
	XXXVIII	-----	3576	-----	706	161		
			XL	-----	3614	-----	713	52
	3615	-----			713	65		
	3617	-----	713	65				
	3620	-----	714	56				
	3621	-----	714	65				
	3622	-----	714	59				
	3623	-----	714	59				
	3639	-----	716	183				
	3641	-----	717	210				
	3642	-----	717	198				
	3644	-----	717	220				
	3648	-----	718	72				
	3651	-----	718	57				
	3652	-----	719	66				
	XLI	-----	3660	-----	720	107		
			3661	-----	720	108		
			3662	-----	720	109		
			3664	-----	721	110		
			3665	-----	721	106		
			3668	-----	721	213		
			3669	-----	722	105		
			3674	-----	722	217		
			3678	-----	723	214		
			3679	-----	723	87		
			3682	-----	723	60		
			3683	-----	723	60		
			3690	-----	729	215		
			XLIII	-----	3709	-----	733	88
	3710	-----			733	88		
3711	-----	733			89			
3712	-----	734			89			
3713	-----	734			89			
3732	-----	736			87			
3734	-----	737			140			
3735	-----	737			86			
3737	-----	737			90			
3738	-----	737			76			
3739	-----	737			91			
3741	-----	737	91					

Reference index to the Statutes of the United States, &c.—Continued.

Act of Congress.	Title.	Chap.	Sec.	Vol.	Page.	Sec. of P. L. & E.		
Revised Statutes	XLIII	-----	3742	-----	737	91		
		-----	3785	-----	744	111		
	XLV	-----	3786	-----	744	111		
		-----	3788	-----	745	113		
	-----	3789	-----	745	111			
	-----	3797	-----	745	97			
	-----	3798	-----	745	115			
	-----	3802	-----	746	112			
	-----	3803	-----	746	385			
	-----	3804	-----	746	386			
	-----	3806	-----	746	386			
	-----	3809	-----	747	118			
	-----	3810	-----	747	117			
	-----	3828	-----	749	94			
	XLVI	1	-----	3829	-----	750	436	
			-----	3831	-----	750	445	
			-----	3832	-----	750	47	
			-----	3833	-----	750	280	
			-----	3834	-----	750	1434	
			-----	3835	-----	751	442	
			-----	3836	-----	751	451	
			-----	3837	-----	751	447	
			-----	3838	-----	751	449	
			-----	3838	-----	751	452	
			-----	3839	-----	751	474	
			-----	3840	-----	751	509	
			-----	3841	-----	752	852	
			-----	3842	-----	752	240	
			-----	3843	-----	752	244	
			-----	3844	-----	752	245	
			-----	3845	-----	752	246	
			-----	3846	-----	752	184	
			-----	3847	-----	752	185	
			-----	3848	-----	752	188	
			-----	3849	-----	752	853	
			-----	3850	-----	752	773	
			-----	3851	-----	752	477	
			-----	3857	-----	753	221	
			-----	3858	-----	754	212	
			-----	3860	-----	754	460	
			-----	3861	-----	754	221	
			-----	3862	-----	754	222	
			-----	3863	-----	754	463	
			-----	3864	-----	754	439	
			2	-----	3867	-----	755	643
				-----	3868	-----	755	629
				-----	3869	-----	755	1440
-----				3870	-----	755	635	
-----			3871	-----	755	437		
-----			3873	-----	755	662		
-----			3874	-----	755	254		
3	-----	3879	-----	756	374			
	-----	3880	-----	756	471			
	-----	3883	-----	757	354			
	-----	3885	-----	757	599			
	-----	3888	-----	757	717			
	-----	3890	-----	757	508			

Reference index to the Statutes of the United States, &c.—Continued.

Act of Congress.	Title.	Chap.	Sec.	Vol.	Page.	Sec. of P. L. & R.		
Revised Statutes	XLVI	8	3959	.....	768	810		
			3960	.....	768	813		
					3961	.....	768	815
					3962	.....	768	848
					3963	.....	768	818
			9		3964	.....	768	727
				3965	.....	769	731	
					3966	.....	769	730
					3967	.....	769	734
					3968	.....	769	735
					3969	.....	769	736
					3971	.....	769	733
					3972	.....	769	728
					3973	.....	769	729
					3974	.....	769	739
					3975	.....	769	732
					3977	.....	770	836
					3978	.....	770	837
					3979	.....	770	1466
					3980	.....	770	718
					3981	.....	770	710
					3982	.....	770	706
					3983	.....	770	708
					3984	.....	770	709
					3985	.....	770	711
					3986	.....	771	712
					3987	.....	771	713
					3988	.....	771	714
					3989	.....	771	720
					3990	.....	771	722
					3991	.....	771	723
					3992	.....	771	715
					3993	.....	772	716
					3994	.....	772	738
					3995	.....	772	725
					3996	.....	772	726
				10	3999	.....	772	761
					4000	.....	773	742
					4001	.....	773	749
					4002	.....	773	746
					4003	.....	773	754
					4004	.....	773	755
				11	4006	.....	774	825
					4007	.....	774	826
					4008	.....	774	827
					4009	.....	774	828
		4010	.....		774	829		
		4011	.....		774	830		
		4012	.....		774	831		
		4013	.....		774	832		
		4014	.....		774	392		
		4015	.....		775	391		
			4016	.....	775	714		
		12	4017	.....	775	26		
			4018	.....	776	28		
			4019	.....	776	31		
					776	27		

Reference index to the Statutes of the United States, &c.—Continued.

Act of Congress.	Title.	Chap.	Sec.	Vol.	Page.	Sec. of P. L. & R.			
Revised Statutes	XLVI	12	4020	.....	776	29		
			4021	.....	776	38		
			4022	.....	776	40		
			4023	.....	776	89		
			4026	.....	776	721		
			13	4027	777	1234		
				4028	777	1322		
				4029	777	1235		
				4031	777	1236		
				4033	778	1253		
				4034	778	1255		
				4035	778	1256		
		4036		.....	778	1288		
		4037		.....	778	1289		
		4038		.....	778	1278		
		4039		.....	778	1310		
		4040		.....	778	1280		
		4041		.....	778	1318		
		4042		.....	779	1368		
		4043		.....	779	1369		
		4044		.....	779	1371		
		4045		.....	779	1370		
		4046		.....	779	1372		
		4048		.....	780	1245		
		14		4049	780	264		
			4050	.....	780	150		
			4051	.....	781	149		
			4052	.....	781	490		
			4053	.....	781	1463		
			4054	.....	781	214		
			4055	.....	781	219		
			4056	.....	781	224		
			4057	.....	781	133		
			4058	.....	782	151		
		LX	3	4059	782	303		
				4060	782	252		
				4061	782	597		
				4952	957	420		
				4956	958	420		
				4959	958	420		
				4960	958	420		
				4961	959	420		
				LXIV	5260	1018	763
						5263	1019	142
				LXV	5264	1019	142
						5265	1019	144
		5266			1019	141		
		5267			1019	146		
		5268			1019	143		
		5269			1020	145		
		LXX	5			5413	1049	161
						5418	1050	1459
5463					1059	1437		
5464					1059	1438		
5465			1060	1439				
5466			1060	1441				
5467			1060	1442				

Reference index to the Statutes of the United States, &c.—Continued.

Act of Congress.	Title.	Chap.	Sec.	Vol.	Page.	Sec. of P. L. & E.			
Revised Statutes	LXX	5	5468	.....	1060	1443		
			5469	.....	1060	1449		
			5470	.....	1061	1450		
			5471	.....	1061	1451		
			5472	.....	1061	1452		
			5473	.....	1061	1453		
			5474	.....	1062	1454		
			5475	.....	1062	1455		
			5476	.....	1062	1456		
			5477	.....	1062	1457		
			5478	.....	1062	1458		
			5479	.....	1062	1459		
			5480	.....	1063	1460		
			5490	.....	1064	1465		
			5492	.....	1065	1464		
			6	LXIII	8	5497	1065	186
						5534	1072	1461
			8	LXIII	8	5535	1072	1462
						5579	1082	139
			Act February 4, 1874.....	22	18	14	137
46	1	18					19	43	
Act March 5, 1874 .....	.....	46	1	18	19	45		
Act March 7, 1874 .....	.....	50	.....	18	20	137	
Act March 18, 1874 .....	.....	57	1	18	23	444		
Act June 20, 1874.....	.....	323	.....	18	96	98	
				323	3	18	109	68	
Act June 23, 1874.....	.....	455	.....	18	110	76	
				456	18	204	216	
				456	18	231	115	
				456	6	18	233	6	
Joint resolution No. 6, March 24, 1874.....	.....	128	.....	18	235	349	
				12	18	235	779		
Act March 3, 1875.....	.....	128	.....	18	286	781	
				1	18	341	783		
Act July 12, 1876 .....	.....	179	.....	18	343	86	
				4	18	343	752		
				5	18	343	265		
				7	18	343	410		
				129	18	367	411	
				3	18	370	54		
				1	18	479	105		
				144	1	18	479	1445	
				179	1	19	79	747	
				4	19	80	101		
5	19	80	454						
6	19	80	440						
11	19	82	461						
13	19	82	750						
14	19	82	173						
15	19	82	325						
186	.....	1	.....	19	90	380	
				2	19	90	379		
Act July 31, 1876 .....	.....	246	.....	19	105	95	
Act August 11, 1876.....	.....	260	.....	19	129	780	
				19	130	796			
				19	130	803			

Reference index to the Statutes of the United States, &c.—Continued.

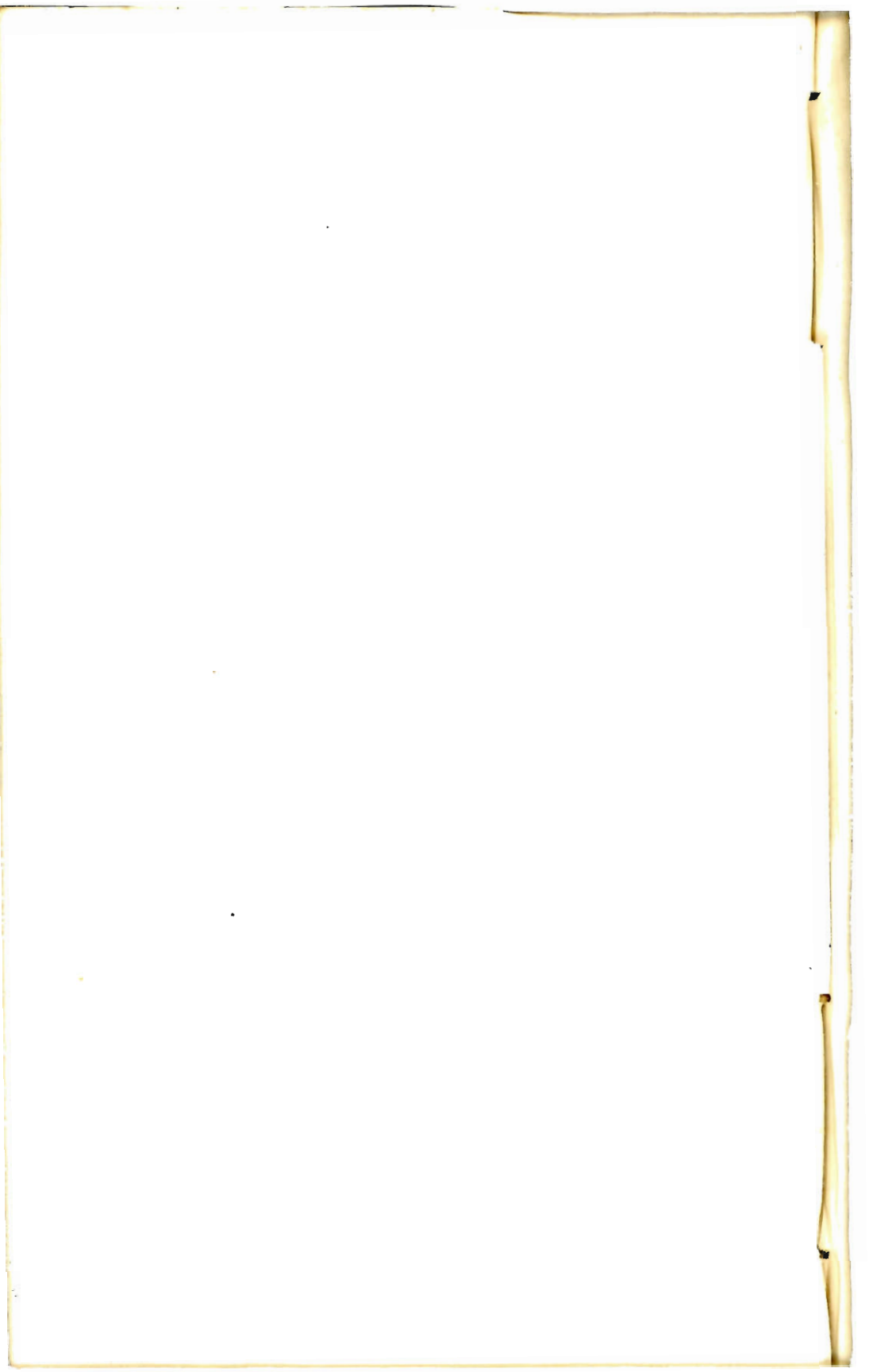
Act of Congress.	Title.	Chap.	Sec.	Vol.	Page.	Sec. of P. L. & R.
Act August 15, 1876.....	287	3	19	169	15
			5	19	169	10
			6	19	169	78
Act March 3, 1877.....	103	2	19	335	85
			3	19	335	85
			4	19	335	415
			5	19	335	415
			6	19	336	415
		105	.....	19	359	138
		106	.....	19	370	75
		110	.....	19	384	632
Act May 7, 1878.....	96	2	20	58	762
Act May 17, 1878.....	107	1	20	61	776
			2	20	62	819
			3	20	62	820
			4	20	62	96
			5	20	62	804
Act June 14, 1878.....	191	4	20	130	826
Act June 17, 1878.....	259	.....	20	140	216
			20	141	28
			20	142	894
			2	20	143	897
		329	.....	20	203	174
Act June 20, 1878.....	359	.....	20	207	259
			1	20	240	748
Act February. 4, 1879.....	45	.....	20	281	55
Act February 21, 1879.....	95	4	20	317	60
Act March 3, 1879.....	180	1	20	357	116
			3	20	358	467
			4	20	358	451
			6	20	358	629
			7	20	358	158
			8	20	358	213
			9	20	359	894
			10	20	359	904
			12	20	359	740
			13	20	359	756
			14	20	359	760
			15	20	359	319
			16	20	359	321
			17	20	359	322
			18	20	360	327
			19	20	360	343
			20	20	360	346
			21	20	360	328
			22	20	360	341
						337
						359
						360
						363
						368
						373
						371
						356
						367
						371

Reference index to the Statutes of the United States, &c.—Continued.

Act of Congress.	Title.	Chap.	Sec.	Vol.	Page.	Sec. of P. L. & R.	
Act March 3, 1879	-----	180	23	20	361	} 356 375 376 352 421 557 557 1469 809 458 159 764 414 1472	
			24	20	361		
			25	20	361		
			26	20	361		
			27	20	362		
			28	20	362		
			30	20	362		
			31	20	362		
			32	20	362		
			183	20	420		
			195	16	20		477
			8	21	4		4
			Act May 17, 1879	-----	8		-----	21	11	799
Act June 12, 1879	-----	20	-----	21	72	815	
Act April 7, 1880	-----	48	-----	21	177	26	
Act June 11, 1880	-----	206	-----	21	228	75	
Act June 15, 1880	-----	225	-----	21	317	95	
Act January 21, 1881	-----	25	-----	21	374	28 776	
Act March 1, 1881	-----	96	-----	21	375	754	
Act March 3, 1881	-----	130	-----	21	412	63	
Act December 20, 1881	-----	1	-----	22	1	412	
Act February 25, 1882	-----	16	1	22	4	218	
			2	22	4	218	
Act March 17, 1882	-----	41	1	22	29	273	
Act May 4, 1882	-----	116	-----	22	53	823 225	
			-----	22	54	810	
Act July 31, 1882	-----	361	-----	22	180	898	
Act August 2, 1882	-----	373	-----	22	185	629 633 636	
Act August 3, 1882	-----	379	1	22	216	814	
			2	22	216	800	
Act August 5, 1882	-----	389	4	22	255	12	
Act January 16, 1883	-----	27	6	22	406	497	
			7	22	406	14	
			8	22	406	23	
			10	22	406	24	
			11	22	406	78	
			12	22	407	79	
			13	22	407	80	
			14	22	407	81	
Act March 3, 1883	-----	92	-----	22	455	322	
		116	2	22	485	127	
			5	22	486	127	
			-----	22	527	42	
		123	2	22	527	1397	
			3	22	528	1258	
			4	22	528	1241	
			5	22	528	1321	
			6	22	529	1321	
		128	2	22	563	76	
		142	1	22	600	415 457	

Reference index to the Statutes of the United States, &c.—Continued.

Act of Congress.	Title.	Chap.	Sec.	Vol.	Page.	Sec. of P. L. & E.	
Act March 3, 1883.....	-----	142	2	22	602	459	
			3	22	602	455	
			4	22	602	456	
Act March 1, 1884.....	-----	9	-----	23	3	727	
Act April 18, 1884.....	-----	26	-----	23	11	1471	
Act May 1, 1884.....	-----	37	-----	23	17	13	
Act May 13, 1884.....	-----	46	2	23	22	43	
Act June 9, 1884.....	-----	73	-----	23	40	351	
Act June 27, 1884.....	-----	126	-----	23	60	636	
Act July 5, 1884.....	-----	234	-----	23	156	639	
			3	23	158	415	
Act July 7, 1884.....	-----	332	-----	23	227	555	
			334	-----	23	254	1045
Act March 3, 1885.....	-----	342	1	23	386	114	
			2	23	386	105	
Act June 29, 1886.....	-----	568	-----	24	86	322	
			569	1	24	87	737
			2	24	87	751	
Act June 30, 1886.....	-----	573	-----	24	91	348	
			827	-----	24	206	356
Act August 4, 1886.....	-----	901	-----	24	220	665	
			2	24	221	665	
Act January 3, 1887.....	-----	13	3	24	221	665	
			4	24	221	665	
			1	24	354	1397	
			2	24	355	623	
Act March 2, 1887.....	-----	314	3	24	355	631	
			1	24	440	631	
			4	24	441	1437	
Act March 3, 1887.....	-----	244	8	24	441	418	
			359	3	24	492	418
Act March 3, 1887.....	-----	359	-----	24	492	765	
			3	24	505	453	
			12	24	507	128	
			13	24	507	129	
Act March 3, 1887.....	-----	388	-----	24	569	629	
			392	-----	24	628	75
Act March 3, 1887.....	-----	392	-----	24	628	6	
Act March 3, 1887.....	-----	392	-----	24	628	16	



INDEX

TO THE

POSTAL LAWS AND REGULATIONS.

	Sec.	Page.
Abandonment of the mail, by carrier, &c., how punished.....	1454	495
Abortion , articles for procuring, unmailable.....	880	150
to be withdrawn from mails.....	527	225
to be sent to Dead-Letter Office.....	529	226
to be destroyed in Dead-Letter Office.....	433	185
Absence , who to act in, of head of Department.....	25	34
of chief of Bureau.....	25	34
leaves of, from Department, rules for.....	77	56
how granted to letter carriers.....	639	265
of letter carriers without leave, how dealt with.....	640	265
of postmaster, assistant to act.....	498	216
be designated to issue money-orders.....	1237	424
of railway postal clerk, how affects pay.....	232	106
substitutes for, on leave of.....	972	357
without leave.....	970	357
Absconding debtors , attachment of property of.....	282	125
publication of warrant.....	287	127
Abyssinia , mails exchanged with.....	389	164
Accessory to stealing mail matter, how punished.....	1462	498
to robbing mail, how punished.....	1401	498
Accidents in Railway Mail Service to be reported.....	932	350
how to be reported.....	904	355
Accounts , Postmaster-General to prescribe manner of keeping and stating.....	2	9
enforce rendition of.....	2	9
of printing and binding to be kept.....	112	67
of disbursing clerk to be settled monthly.....	59	48
of postmasters, system explained.....	238	107
what records and, they must keep.....	238	107
blank books furnished for.....	239	108
record and, to be kept, how.....	240	109
by third and fourth class postmasters.....	241	109
by first and second class postmasters.....	242	110
postal, how kept by first and second class postmasters.....	243	110
quarterly return of, how rendered.....	244	112
to be sworn to.....	245	112
penalty for neglect to render.....	246	112
directions for rendering.....	247	112
when lost, transcripts to be sent.....	248	113
of postmasters outgoing.....	249	114
incoming.....	249	114
deceased.....	250	114
no change in renewing bond.....	251	114
corrections of errors in.....	252	114
to be preserved two years.....	253	115
at carrier offices, what required.....	254	115
how report made.....	254	115
of special-delivery service and fees, how kept.....	684	278
Sixth Auditor to adjust.....	261	117
Accrued rights of United States not abridged in attachment proceedings.....	290	127
Acting clerks in Railway Mail Service, how paid.....	235	107
Acting officer in case of vacancy, absence, or sickness of head or of Bureau chief..	25	34
authority of chief clerks, acting as assistants.....	25	35
Acting special agents , who may be detailed.....	27	35
Actions to collect debts due Department.....	279	125
jurisdiction of State courts of.....	280	125
Federal courts.....	281	125
attachments in, when may issue.....	282	125

	Sec.	Page.
Actions —Continued.		
credits, when allowed in.....	292	128
on what grounds allowed.....	293	123
judgment at return term.....	294	128
interest on balances recoverable, when.....	295	128
United States attorney to prosecute.....	296	128
equity suits, when to be brought.....	297	129
returns of marshals in.....	300	129
to recover penalties, how brought.....	301	130
what offenses subject to penalty.....	302	130
compromise of judgments.....	308	132
remission of liabilities.....	309	132
discharge of judgment debtors.....	310	132
no bar to execution.....	311	132
for moneys paid by mistake or collusion.....	133	73
against postal employes for gains from illegal interest on public contract.....	91	61
Address not to be changed on letters.....	526	225
not to be changed by postal clerks.....	1010	366
how to be made on postal cards.....	325	137
to be ascertained from city directory.....	651	268
Address in care , letters addressed, how delivered.....	566	237
Adjustment of pay of railroads for carrying the mail.....	746	297
made by Second Assistant.....	7	19
Administrators , liability of, for debts due United States.....	313	133
when entitled to mail matter of decedent.....	589	239
Admission of second-class publications to pound rate.....	323	140
Advances of public moneys forbidden.....	72	53
but may be made for expenses of special agents.....	219	102
Advertisement for contracts for supplies or service.....	88	59
must be authorized by head of Department.....	94	61
how made in District of Columbia.....	95	62
rates for, not to exceed commercial.....	96	62
estimates for.....	213	100
of mail lettings, how and when given.....	776	306
routes omitted in general letting.....	777	307
notice of change of terms of contract.....	778	308
Advertisement of foreign letters, how to be made.....	582	244
of non-delivered letters, how to be made.....	582	244
compensation therefor not to exceed one cent each.....	584	245
expenses therefor to be first authorized.....	584	245
lists to be furnished for gratuitous.....	585	245
list of advertised letters to be posted.....	586	245
manner of posting same.....	587	245
when to be made.....	588	245
what matter to be advertised.....	589	245
charge on advertised letters, one cent.....	590	246
to be accounted for as postal revenue.....	500	246
advertised matter to be so marked.....	591	246
Advertisements may be attached permanently to periodicals.....	343	145
Advertising sheets , when not admissible to pound rates.....	328	138
definition of.....	331	139
Advises. (See M. O. ADVICES.)		
Aden , mails exchanged with.....	389	163
Additional carriers , how appointed.....	624	260
Affidavit. (See OATHS.)		
to postmaster's quarterly return.....	245	112
false, of bidder's surety, perjury.....	780	309
counterfeiting.....	1459	497
Africa , mails exchanged with.....	389	163
Age of letter carriers.....	634	263
special-delivery messengers.....	672	275
mail carriers.....	856	332
Agent. (See SPECIAL AGENTS; NEWS AGENT.)		
may receive mail matter of principal, when.....	566	237
authority of, when implied.....	566	237
postmasters not to act as, for lotteries.....	478	207
contractors.....	773	305
news, defined and rights of.....	350	147
entitled to the pound rate.....	348	147
pension claim, not to receive letters of pensioner.....	507	238
letters addressed to person as, how delivered.....	506	238
of club may receive mail.....	575	241
officials not to act as, when.....	83	37
of adversely interested party not to act as officer.....	93	61
postal employe not to act as, for contractor.....	92	61
mail, on ocean steamers.....	40	40
Agency. (See AGENT.)		
foreign, where may be established.....	38	40
in China and Japan.....	39	40
stamp, postal-card, and stamped-envelope, duties of.....	41	40

	Sec.	Page.
Agency —Continued.		
postal-note, duties of	43	41
Agreement as to delivery of mail matter to be observed	573	241
Agricultural colleges, reports of, free matter	417	178
Department, reports of, and seeds from, free	411	174
experiment stations, bulletins and reports of, free	418	178
regulations as to admission	419	179
Aiding in injuring mail matter in letter box, how punished	1441	489
in making false return	259	116
Ajuda , mails exchanged with	389	164
Albany and Rochester (railway post-office) exchange office with Canada	616	255
Alberta Territory , money-order exchange office for, is Saint Paul, Minn.	1345	456
Alexandria , international money orders payable in	1322	448
Algeria , mails exchanged with	389	163
money-order exchange office for, is New York	1345	456
money orders issued in, forwarded to payees in United States	1350	458
international money orders payable in	1322	448
money orders payable in, must be sent by remitter to payee	1340	455
Alhucemas , mails exchanged with	389	164
Alien cannot be postmaster	441	188
unless he has declared intentions	441	188
Allowances may be made at first-class offices	460	190
for rent, fuel, light, stationery, clerks, &c.	460	199
for clerks at separating offices	461	200
for clerks at money-order offices	462	200
for extraordinary business	463	201
for clerks and employes to be fixed by order	464	201
for miscellaneous and incidental expenses, specifically made	465	202
for rent of post-offices leased	466	202
orders for, to be truly dated and filed	132	73
not made postmasters for expenses of collecting or depositing moneys	227	104
Amur , mails exchanged with	389	165
Ambassador , how, may receive mail matter	565	237
Amirante Islands , mails exchanged with	389	164
Amoy , mails exchanged with	389	163
Andorra, Republic of , mails exchanged with	389	164
Angola, Province of , mails exchanged with	389	164
Annan , mails exchanged with	389	163
Annobon, Island of , mails exchanged with	389	164
Annual Reports. (See REPORTS.)		
Annual Estimates. (See ESTIMATES.)		
Annulment of contract to carry mail , for illegal combination of bidder	790	312
for what delinquencies of contractor	808	319
for assignment without consent	819	321
when sublet at less price	823	324
of contract generally, by transfer or assignment	90	60
for foreign mail, may be terminated by Congress	830	325
Antigua, West Indies , mails exchanged with	339	164
Antwerp is money-order exchange office for Belgium	1346	457
Appropriations to be made out of revenue only	214	100
to be applied to objects for which made	214	100
unexpended balances to go to surplus fund	215	101
when to be covered into Treasury	216	101
Appointment of clerks in Department.	19	33
of women as clerks	21	33
of honorably discharged soldiers and sailors	20	33
civil-service law as to	19-24	33
of clerks in post-offices	497	216
number and grade of	464	201
of postmasters, (see POSTMASTERS)	440	188
of post-office inspectors	30	37
of letter-carriers	633	263
of railway postal clerks	899	345
Appointment clerk , appointment and salary	6	11
duties of	7	14
Aracan , mails exchanged with	389	163
Archipelago of Banca , mails exchanged with	389	164
Gambier , mails exchanged with	389	163
Rhio (Riouw) , mails exchanged with	389	164
Argentine Republic , mails exchanged with	389	163
samples of liquids, fatty substances, &c., may be sent to	397	168
Arrears , persons in, to United States, not entitled to salary, pay, &c.	71	53
Arrest , exemption of postal clerks from, when	977	359
mail-carriers, when	725	292
criminals, postmasters to report	702	284
to put prisoners in custody of marshal, when	1435	487
Arrivals and departures , postmasters to keep register of, of mails	852	331
what, to be reported therein	853	331
reports to be made monthly	858	323
special reports, when to be made	855	332

	Sec.	Page.
Arrivals and departures—Continued.		
changes in, of mails, how made	812	320
of postal clerks, record of, when kept by postmasters	231	106
their duty in keeping same	231	106
must report all failures	231	106
transfer clerks to keep record of	1024	368
and sign, as to entry on duty	1026	369
Aruba , mails exchanged with	389	164
Asia , mails exchanged with	360	163
Assab , mails exchanged with	389	164
Assault upon mail-carrier, &c., with intent to rob, how punished	1452	495
upon letter-carrier in uniform, how punished	1440	480
Assessments , political, forbidden	78	56
penalty for making	78	56
soliciting or receiving in public building	79	56
degrading, promoting, or discharging for refus- ing to contribute	80	57
Assignee , when entitled to mail matter of assignor	572	240
Assignment of bids to carry mail not permissible	789	312
of contracts, annuls them	90	60
Assignments of chief clerks in Railway Mail Service	902	345
to clerks for, in Railway Mail Service	909	347
Assiniboia Territory , money-order exchange office for, is Saint Paul, Minn.	1345	456
Assinie , mails exchanged with	389	163
Assistant Attorney-General , appointment and salary of	5	10
duties of	7	15
claims for credit for losses of stamps or money-order funds when sent to	273	122
Assistant Postmasters-General.		
appointment and salary of	4	10
(See FIRST ASSISTANT, SECOND ASSISTANT, THIRD ASSISTANT.)		
Assistant postmasters , to be employed by postmaster	496	216
who may act as	496	216
must take official oath	498	216
not to be interested in mail contracts	773	305
to be designated to sign money orders, when	1237	434
Atlanta, Ga. , headquarters of fourth division Railway Mail Service	897	344
of division of inspective force	36	39
Attachments against defaulting or delinquent postmasters	282	125
how issued in action	283	126
application for, how made	283	126
issue of warrant	284	126
duty of marshal therein	284	125
traverse of same, how tried	285	126
sale of attached property	285	127
investment of proceeds	286	127
publication of	287	127
discharge of, on bond given	289	127
accrued rights not abridged	290	127
holders of property to account for	288	127
when to be dissolved	291	127
mail matter not subject to, while in postal custody	1129	396
Attachment or garnishment, registered letters not subject to	1129	396
Attorneys , head of Department may not employ	73	53
officials not to act as	83	57
member of Congress not to act as, for what purposes	135	74
Auckland is money-order exchange office for New Zealand	1345	456
Auditor. (See SIXTH AUDITOR.)		
Austin, Tex. , headquarters of division of inspective force	36	39
Australia , exchange of mails with colonies in	406	172
Austria , indirect exchange of international money orders through Switzerland, pay- able in	1324	440
international money orders payable in	1322	448
Austria-Hungary , mails exchanged with	399	163
advice of money order issued in, for United States, retained by exchange office in money order payable in, should be retained by remitter as receipt	1351	458
samples of liquids, fatty substances, &c., may be sent to	1341	455
award of contracts for carrying the mail	397	168
for supplies	794	313
Azores , the mails exchanged with	82	59
international money orders payable in	380	164
international money orders payable in	1322	449
Bad roads , when shown to be excuses for delinquencies	859	333
Bags. (See MAIL BAGS.)		
Bahamas , mails exchanged with	389	164
Bakel , mails exchanged with	389	163
Balances to be entered in postal account	243	110
to foreign countries, estimates for	213	109
letter, in metric system, when furnished to post-offices	471	203
for letters, when furnished to post-offices	469	203
Baleatic Isles , mails exchanged with	389	164
Bali Lombok , mails exchanged with	389	164

	Sec.	Page.
Banks , national, postmasters may deposit in, when	185	92
private, cannot receive deposits	186	92
penalty for depositing public moneys in	1416	492
Barbadoes, W. I. , mails exchanged with	389	164
Bar-rooms , post-office not to be kept in	475	207
Barbary , mails exchanged with	389	164
Basle is money-order exchange office for Switzerland	1345	456
Batavia , mails exchanged with	389	164
Bawdy books or pictures. (See OBSCENE.)		
unavailable	390	159
Bay Islands , mails exchanged with	339	164
Behavior of letter carriers on duty	641	265
of special-delivery messengers	674	276
Belgium , money order exchange office for, is New York	1345	456
mails exchanged with	389	163
sample of liquids, fatty substances, &c., may be sent to	397	163
Antwerp is exchange office for	1346	437
advice of money order issued in, for United States, retained in exchange office of	1351	458
money orders for, payable in francs and centimes	1327	451
maximum amount of money order payable in	1329	452
international money orders payable in	1322	449
money-order payable in, should be retained by remitter as receipt	1341	455
Bermuda , international money orders payable in	1322	448
Bermudas , mails exchanged with	389	164
Beyroth , international money orders payable in	1322	448
Bidders. (See PROPOSALS.)		
must give bond with proposals	779	308
conditions of bond	779	308
liability thereon	779	308
sureties of, must qualify	780	309
approval of sureties	781	309
to give certified check or draft with bid, when	783	310
drafts, when returned to unsuccessful	784	311
how to prepare bids	785	311
must inform themselves as to service	786	311
special instructions to	787	312
must be competent to contract	788	312
may not assign or transfer bids	789	312
combination of, to prevent bidding, punishable	790	312
Bids. (See BIDDERS.)		
Bien-Hoa , mails exchanged with	389	163
Billiton , mails exchanged with	389	164
Binding. (See PRINTING AND BINDING.)		
Bissao , mails exchanged with	389	164
Blank agency , established in Department	468	202
is in division of post-office supplies	7	18
Blanks for use in post-offices, furnished	468	203
list of, furnished to Presidential offices	473	204
fourth-class offices	473	206
used in money-order business	1241	425
registry system	1051	376
to be entered in inventory of post-office	242	110
Board of health , when, may control receipt of mail matter	698	283
Boarders not entitled to hotel letter-boxes, &c.	492	214
Bolivia , mails exchanged with	389	163
registered matter from, cannot be recalled by senders	1168	405
Bonaire , mails exchanged with	389	164
Bond division , appointment and salary of chief of	6	11
assignment of work to	7	17
Bonds. (See SURETIES.)		
to be in name of United States	84	58
of superintendent and disbursing clerk	52	45
of chief of finance division	16	32
of post-office inspectors	31	37
of postmasters	442	189
condition of, in money-order offices	442	189
instructions as to execution of	443	189
must be under seal	443	189
of postmasters, when to be renewed	450	192
application of payments, after new, executed	451	194
when required of letter-carrier	635	264
of bidders to carry mails	779	308
sureties to qualify	780	309
penalty for illegally approving	781	309
Books are third-class matter	359	150
weight of, in mails	368	153
how must be presented for mailing	368	152
obscene, unmailable	380	159
how sent to Postal Union countries	395	167

	Sec.	Page.
Books—Continued.		
rates of postage on, to Canada.....	402	170
Canadian, supposed dutiable, how treated.....	621	258
by railway postal clerks.....	1008	366
in foreign mails, supposed dutiable, how treated.....	621	258
copyright to Librarian of Congress, free.....	420	180
what, are free matter.....	409-411	173
Borneo , mails exchanged with.....	389	164
Boroughs , when, entitled to free-delivery service.....	623	259
Boston , exchange office with Canada.....	616	255
headquarters of first division Railway Mail Service.....	897	344
of division of inspective force.....	36	39
Boundary Line and Saint Paul (railway post-office), exchange office with Canada.....	616	255
Bourbon , mails exchanged with.....	389	163
Box holders may provide their own boxes.....	430	213
must prepay rent.....	491	213
use of boxes restricted.....	492	213
Box rents , fourth-class postmasters allowed the whole of.....	459	199
must be prepaid.....	401	213
postmasters liable for, if uncollected.....	149	82
record of, to be kept.....	240	109
how to be kept.....	241	109
at first and second class offices.....	242	110
account of, how rendered.....	243	111
by fourth-class offices.....	241	109
Branch post-offices , when, may be established.....	437	187
belong to main office.....	437	187
accounts of, how kept.....	254	115
issue of money orders at.....	1235	423
Brass-lock pouches to be dispatched only as directed.....	1207	417
ordinary through mails to be also sent in.....	1212	417
where two or more, in one dispatch, registered matter not to be divided.....	1213	417
miscarriage of.....	1217	418
separate receipts where two or more are sent.....	1214	418
not to pass brass-lock offices.....	1216	418
witnesses to mailing and receipt of.....	1218	418
no accumulation of, permitted.....	1215	418
Brass locks and keys , for what purpose used. (See chapter on MAIL EQUIPMENTS.)		
to be kept in safe.....	1209	417
not to be handled by other than authorized officials.....	1210	417
not to be carelessly used.....	1211	417
Brass-lock service for through mails over star routes.....	1177	408
to be established only when authorized by Third Assistant Postmaster-General.....	1207	417
all irregularities in, to be reported.....	1219	418
Brazil , mails exchanged with.....	389	163
Bridgetown , Barbadoes, is money-order exchange office for the Windward Islands.....	1348	457
Bridbane is money-order exchange office for Queenstand.....	1346	457
British Borneo , mails exchanged with.....	389	163
British Colonies , registered matter from, cannot be recalled by senders.....	1168	405
indirect exchange of international money-orders for, how effected.....	1323	450
mails exchanged with.....	389	163
British Columbia , money-order exchange office for, is Portland, Oreg.....	1345	456
British Guiana , mails exchanged with.....	389	164
British Honduras , mails exchanged with.....	389	164
British India , mails exchanged with.....	389	163
samples of liquids, fatty substances, &c., may be sent to.....	897	168
international money orders payable in.....	1322	448
registered matter from, cannot be recalled by senders.....	1168	405
money order payable in, should be retained by remitter as receipt.....	1341	455
Buildings. (See LEASES.)		
for Department, rent of.....	75	54
Postmaster-General to approve plans of, when.....	140	76
Bulgaria , mails exchanged with.....	389	163
Bulletin , Railway Mail Service, changes noted in, to be observed by superintendents.....	1033	371
Bulletins of agricultural experiment stations free.....	418	179
Burglary , loss by, how entered in account.....	241	110
claims for credit for losses by.....	273	122
of post-offices, how punished.....	1458	496
Business hours in Department.....	76	54
in post-offices.....	481	210
By States , mail to be made up.....	987	361
Cachco , mails exchanged with.....	389	164
Cambodia , mails exchanged with.....	389	163
Canada , postal arrangements with.....	389	163
classification of mail matter exchanged with.....	402	170
rates of postage thereon.....	402	170
exchange of mails with.....	616	255
list of exchange offices.....	616	255

	Sec.	Page.
Canada—Continued.		
Boston, New York, Suspension Bridge, Chicago, and San Francisco exchange of offices with	618	255
what matter sent free to	423	181
received from	423	181
exchange of pouches with	1013	366
mail bags to be returned to, empty	867	336
card and request matter returnable to	594, 619	240, 257
books and seeds from, supposed dutiable, and overweight samples of merchandise, how treated	621	258
supposed dutiable books from, how treated, by railway postal clerks	1008	356
international money orders payable in	1322	448
maximum amount of money order payable in	1329	452
money orders for, payable in dollars and cents	1327	451
money order payable in, must be sent by remitter to payee	1340	455
name of exchange office to be written in order and coupon	1336	453
money orders to be issued in, to be sent to payees	1351	458
undelivered registered matter from, how treated	1163	404
registered matter from, cannot be recalled by senders	1108	405
extra national correspondence from, how treated	1037	371
Canadian books , how treated in railway post-office	1008	366
Canals are post roads	727	293
contract for carrying mail on	734	294
Canary Islands , mails exchanged with	389	164
Canceled stamps , penalty for using, for postage	1468	499
penalty for removing cancellation	1468-69	500
Canceling ink , uniform, furnished to postmasters	467	202
to be entered in inventory	242	110
Canceling stamps furnished by Department	467	202
to be returned to Department when unfit for use	486	212
Cancellation of stamps, how to be effected	517	222
how done by railway postal clerks	985	361
postmarking stamps not to be used for	985	361
commissions of fourth-class postmasters on	459	199
to be entered in postal account	241	110
and daily statement made	241	110
Canton , mails exchanged with	389	163
Cape Colony , money-order exchange office for, is New York	1345	456
Capetown is exchange office for	1347	457
money orders issued in, forwarded to payees in United States	1350	458
money order payable in, must be sent by remitter to payee	1340	455
maximum amount of money order payable in	1329	452
money orders for, payable in pounds, shillings, and pence	1327	451
international money orders payable in	1322	449
Cape Verde , mails exchanged with	389	164
Capetown is money-order exchange office for Cape Colony	1345	457
Carbon sheets for registered pouch bills, how obtained	1181	409
to be used in making out registered pouch bills	1184	410
Card matter , defined	594	246
to be returned to sender, when	594	246
Canada, when	619	257
Mexico, when	594	246
Cards , postal. (See POSTAL CARDS.)		
printed, when third-class matter	364	152
Care , letters addressed, how delivered	586	237
when fictitious, how	574	241
Caroline Islands , mails exchanged with	389	165
Carriers . (See MAIL CARRIERS; LETTER CARRIERS.)		
of mail to receive mail for delivery at next post-office. (See FREE-DELIVERY SERVICE)	718	291
Cars . (See RAILWAY POSTAL OFFICERS.)		
Cartoons , political, not to be posted in post-offices	479	207
Casa-Blanca , mails exchanged with	389	164
Case examinations required at first and second class offices	499	217
how conducted, and result recorded	499	217
in Railway Mail Service, how made and reported	966	356
voluntary, when made	967	356
probationers to be examined monthly	968	356
Casualty . (See ACCIDENT.)		
claims for credit for losses by	273	122
Catcher pouches , manner of placing registered matter in	1075	381
Catchers , where used for exchange of mails	610	252
how to prepare pouches for	611	252
pouches to be used for no other purpose	612	253
only fifty pounds of mail allowed in pouch	613	253
special instructions for catcher service	614	253
how provided and kept in repair	893	342
Catch stations , delivery of mail at	1017	367
Cetcebes , mails exchanged with	389	164
Celerity , increased, compensation for, on mail route	815	320
readvertisement for, when made	816	321

	Sec.	Page.
" Celerity, Certainty, and Security ," proposals must be to carry the mails with	785	311
Census , matter relating to, passus free	414	175
not to be stopped on suspicion	416	177
Certificate of deposit , credit to be taken by, by postmaster	194	95
lost, how duplicates made	195	96
depositories to give	197	96
separate, when to be given	197	97
Certified check , bids to be accompanied by, when	783	310
how made payable	783	310
when returned to unsuccessful bidders	784	311
Centa , mails exchanged with	389	164
Ceylon , international money orders payable in	1323	448
mails exchanged with	389	163
Chadfarine Islands , mails exchanged with	389	164
Chandernagore , mails exchanged with	389	163
Change of name of post-office, when made	438	187
Changing mail , time allowed for, in star route offices	510	220
Check . (See CERTIFIED CHECK.)		
Checking errors , duty of railway postal clerks in	995	363
Chicago , exchange office with Canada	616	255
headquarters of sixth division Railway Mail Service	997	344
of division of inspective force	36	89
Chief clerk of Department, appointment and salary	5	10
duties of	7	14
duties of, in distributing work among clerks	8	29
to report existing defects	8	29
to certify and approve accounts	60	49
to First Assistant, appointment and salary of	5	11
to Second Assistant, appointment and salary of	5	11
to Third Assistant, appointment and salary of	5	11
Chief clerks of Railway Mail Service, how assigned	902	345
Chief Post-Office Inspector , appointment and salary of	5	11
reports to be made to—		
when registered package has failed to reach its destination	1093	385
letter or parcel has not been received	1103	388
contents are missing from letters or parcels received in bad order	1106	388
unsealed	1107	389
registered package envelope dispatched is received empty	1109	389
of missing registered matter	1142	400
of supposed loss of registered pouches	1188	411
when post-office inspector makes improper demand for registry keys	1194	413
of missing contents of pouch that has missed connection	1195	413
Children of postmaster, may be assistant, when	496	216
Chili , mails exchanged with	389	163
samples of liquids, fatty substances, &c., may be sent to	397	168
China , postal agency may be established in	39	40
mails exchanged with, through intermediary	890	185
Christiania is money-order exchange office for Norway	1346	457
Christmas , observable as holiday	483	210
Cincinnati, Ohio , headquarters of fifth division Railway Mail Service	897	344
of division of inspective force	36	89
Circuit court , criminal jurisdiction of	1433	487
jurisdiction of, of postal actions	281	125
proceedings in actions	282	125
Circular , defined	390	151
rules as to mailing	361	151
bulk packages, how sent, and distributed	362	151
concerning lotteries, unavailable	379	159
penalty for depositing in mail	379	159
from Department to be preserved in post-office	501	218
of inquiry must be sent if registry bill is not returned	1092	385
how treated when returned indorsed "not received"	1093	385
Civil service law , classification of clerks in post-offices under	497	216
Cities , when entitled to free-delivery service	623	259
Claims for losses by fire, burglary, or other casualty	273	122
when, must be prosecuted	273	122
how prosecuted and proofs	274	122
evidence to be furnished	275	124
and proofs, how mailed	278	124
blanks for, how furnished	277	124
against Government pending in Department	119	69
subpoena for witnesses in	119	69
fees of witnesses in	120	69
disobedient witness punishable	121	69
legal aid, how provided	122	70
pending in Court of Claims	123	70
when to be certified to court	124	70
procedure thereon	125	71

	Sec.	Page.
Claims against Government pending in Court of Claims—Continued.		
judgment, how paid	126	71
controverted when certified to	127	71
Attorney-General to aid in	127	71
further provisions relating to	128	71
judgment may be entered	129	72
call on Department for information	130	72
Department to report to Attorney-General	131	72
penalty for member of Congress aiding, for a consideration	136	74
same in officer or clerk	136	74
Classification of domestic mail matter	319	135
letters and postal cards first-class matter	319	135
periodical publications embraced in second-class matter	319	135
printed matter embraced in third-class matter	319	135
merchandise embraced in fourth-class matter	319	135
of clerks and employes in post-offices, when required	497	216
in Department	14	31
of postmasters	454	195
of salaries	454	195
orders affecting, when to take effect	455	196
readjustment of, when made	456	196
of first-class, second-class, third-class postmasters	457	196
of acting postmasters <i>pro tem</i>	458	198
of fourth-class postmasters	459	199
of post-office, when change takes effect	258	116
Clerks in Department, appointment of	19	33
distribution of	18	33
employment of, authorized	10	29
to be employed only as per appropriation	12	30
other restrictions on employment	12	30
extra, not allowed, except, &c	11	29
classification of	14	31
changes in grading, authorized	15	32
salaries of	17	32
women may be appointed	21	33
soldiers and sailors, when preferred	20	33
salaries of, how paid	54	46
not allowed extra compensation	68	52
voluntary service of, forbidden	13	31
classification of, in post-offices, when required	497	216
number and grade of, fixed	464	201
salaries and duties of	464	201
case examinations of	499	217
who may act as	496	216
postmaster's liability for negligence or misconduct of, &c	697	282
may receive mail matter of employer, when	566	237
authority of, when implied	566	237
transfer. (See TRANSFER CLERKS.)		
Clerk hire , allowances for, at first and second class offices	460	199
at separating offices	461	200
for money-order service	462	200
allowance for, fixed by order	464	201
Cleveland, Ohio , headquarters of eighth division Railway Mail Service	897	344
Closed mails , how received and forwarded	620	258
customs duties, collection of at exchange offices	621	258
offices of destination	622	259
Closing the mails , time for, in post-offices	509	220
on intermediate star routes	510	220
Clothing , uniform to be worn by letter carriers prescribed	643	266
Club , disposal of mail matter bearing address of	574	241
distribution of newspapers of	579	242
delivery of mail matter to agent of	575	241
Coal , inspection and weight of for Department use	89	59
Cochin-China , mails exchanged with	389	163
Coins receivable for postage stamps	178	90
foreign, not so receivable	178	90
receivable for money orders	1257	429
money orders payable in	1257	429
how redeemed at Treasury	187	93
postal deposits may be remitted in	189	94
but not in foreign or mutilated	196	96
surplus money-order funds may be remitted in	1395	474
mail sacks for remitting provided	860	334
Collection of mail matter from receiving boxes, how made by carriers	659	270
letter carriers to receive letters for mailing	660	270
not to return deposited letters	661	271
no fee or extra postage charged for	662	271
College , matter bearing card of, not to be returned, when	594	247
use of letter box of, by students	492	213
agricultural, reports of, free	417	178

	Sec.	Page.
College —Continued.		
agricultural, bulletins of, when free	418	178
Collusion , payments by, to be sued for	133	73
Cologne , is money-order exchange office for the German Empire	1345	456
Colombia, Republic of , mails exchanged with	389	163
Combination to prevent bids, punishable	780	312
Comino , mails exchanged with	389	163
Cominotto , mails exchanged with	389	163
Commissions of fourth-class postmasters	459	109
how made, basis of allowances for post-offices	460	109
Compensation. (See SALARIES.)		
estimates for, of postmasters	213	100
of clerks in post-office	213	100
of letter carriers	213	100
of blank agents and assistants	213	100
of first-class and third-class postmasters	457	196
of acting postmasters	458	198
of fourth-class postmasters	459	199
of postmasters for making special delivery	684	278
for increased service on mail route, when authorized	813	320
for extended mail service on route	814	320
for increased celerity	815	320
decrease of, for decreased service	817	321
for advertising undelivered letters	584	245
of clerks of different classes	14	31
of railroad companies for carrying mail	746	297
reduction of, 10 per cent.	747	297
further reduction of, 5 per cent.	748	298
to be paid land-grant roads	750	298
in Department—		
double salaries not allowed	67	52
extra, forbidden	68	52
no increase of, to acting officers	67	52
Compromise of judgments, when, may be made	308	132
of fines, penalties, and forfeitures	309	132
rules for ascertaining facts, how prescribed	309	132
Postmaster-General's written consent required	309	132
Conception. (See ABORTION.)		
articles for preventing, unmailable	380	159
Conduct of postmasters, regulations as to	460	208
Confectionery , how wrapped for mailing	370	155
Congo, Independent State of , mails exchanged with	389	163
Congressional documents may be sent in mails free	46, 9	173
Congressional Records may be sent in mails free	410	174
or parts thereof	410	174
or speeches therefrom	410	174
frank to be written by member	410	174
Constantinople , international money orders, how payable in	1322	448
money orders issued in, forwarded to payees in United States	1350	458
money orders payable in, must be sent by remitter to payee	1340	455
Contagious diseases , duty of postmaster in respect to	698	283
Contingent expenses , limitations upon	60	48
appropriation for, how to be expended	60	49
Contracts , to be in name of United States	84	58
by whom, may be signed	85	58
for stationery or supplies limited to one year	86	58
not to exceed appropriation	87	59
to be made on advertisement	88	59
when exigency arises, how made	88	59
proposals for, how opened	88	59
for Department supplies, &c.:		
when to be made	60	49
orders upon contractors, when made	60	49
articles to be inspected	60	49
accounts, how approved	60	49
not assignable	90	60
member of Congress not to be interested in	91	60
nor postal employes	92	61
officers interested in, not to act for United States	93	61
member of Congress or officer procuring, for consideration, punishable	135	74
receiving compensation for	136	74
to be truly dated and filed	132	73
Contracts for carrying the mail , term of, limited to four years	772	305
persons who may not be interested in	773	305
division of country into contract sections	774	305
miscellaneous mail lettings defined	775	306
notice of mail lettings, how given	776	306
addition of routes omitted in general letting	777	307
notice of intention to change terms of	778	308

Contracts for carrying the mail—Continued.

	Sec.	Page.
proposals and bidders:		
proposals to be accompanied by bond approved by postmaster	779	303
sureties on bonds must qualify under oath	780	309
penalty on postmaster for illegally approving bond	781	309
duty of postmaster in approving sureties	782	300
bids to be accompanied by certified check or draft, when	783	310
drafts, when returned to unsuccessful bidder	784	311
proposals, how prepared	785	311
bidders must inform themselves as to service	786	311
how proposals to be made	787	312
bidders must be competent to contract	788	312
and may not assign or transfer their bids	789	312
790	312	
combination to prevent bids punishable		
reception of proposals and award of contracts:		
all proposals to be recorded and filed	791	313
proposals, how delivered and opened	792	313
bids not to be considered, but rejected, when	793	313
how and to whom awarded	794	313
bidders not released until service commenced	795	313
procedure when bidder fails	796	314
contractor fails	797	314
temporary contracts, when authorized	798	315
service, when authorized	799	315
service, how supplied on failure of contractor	800	316
when postmaster to employ temporary service	801	316
gratuitous carriage of mails, when permissible	802	317
penalty for making straw bids	803	317
steamboat service, contracts for	804	317
may be let without advertisement, when and for what term	804	317
apartment to be furnished on mail steamboats, when	805	318
execution of, and requirements of, of service:		
time of executing	806	318
requirements of contractors	807	318
for what causes may be annulled	808	319
new sureties, when, may be required or accepted	809	319
payments on, for service	810	319
no payments on, after expiration of service	811	320
schedule time, when to be changed	812	320
increased compensation for increased service	813	320
extension of mail service	814	320
increased compensation for increased celerity	815	320
celerity, how provided	816	321
decreased compensation for decreased service	817	321
subletting of:		
cannot be assigned or transferred	818	321
when sublet without consent of Postmaster-General	819	321
subletting permissible with consent	820	322
regulations under which subcontracts made	821	322
lien of employe of contractor	822	323
annulment of, when sublet, authorized	823	324
notice of, to be given Auditor	824	324
Contractors. (See BIDDERS; PROPOSALS; CONTRACTS FOR CARRYING THE MAIL.)		
transfer of debts to	224	103
finable for delinquencies	848	329
subject to deductions for delays	848	329
causes for which fines imposable	849	330
deductions made	850	330
duty of, to deliver mail into post-office	851	331
Contract sections, country to be divided into	774	305
Contributions for political purposes forbidden	78	56
penalties for soliciting, giving, or receiving	78-81	56
letter carriers not to solicit	641	265
641	265	
Controversy forbidden to letter carriers on duty		
Conventions. (See POSTAL CONVENTIONS.)		
notices of, may be posted in post-offices	479	208
Conversion, postmaster liable for, of letters, papers, &c	697	282
Copyright, foreign publication which violates, unmailable	341	145
books, &c., may be sent free to Librarian of Congress	420	180
Corisco, mails exchanged with	389	164
Corporation, letters addressed to officers of, how delivered	566	238
mail addressed to, how delivered	570	239
employes of, may use letter box of	492	214
Corrections of postmasters' accounts, how to be entered	243	111
Correspondence. (See FIRST-CLASS MATTER; FOREIGN MAIL MATTER; LETTERS.)		
how conducted with Department	503	218
official, in Railway Mail Service, how conducted	963	355
Costa Rica, mails exchanged with	389	103
Counting mail, how done in railway post-office	1018	367

	Sec.	Page.
Conpon to manifold registered pouch bill must be detached and returned by receiving office.....	1101	412
entries on, by mailing office.....	1184	410
Courtesy enjoined on railway postal clerks.....	928	350
on letter-carriers.....	641	265
on special-delivery messengers.....	674	276
Court-houses to be supplied with mail.....	727-730	283
Court of Claims , jurisdiction of, over claims arising in Department.....	123-130	70
Courts , jurisdiction of, of postal actions.....	281	125
of crimes against postal laws.....	1433	487
Crane , use of, at catcher station.....	610	252
how kept in repair.....	893	342
Credits , how entered in postal account.....	243	111
when, allowed in suits.....	292	128
what, so allowed.....	293	128
for lost stamps, &c., when allowed.....	273	122
Crimes , punishment for:		
acting as officer, where adversely interested.....	93	61
aiding claims, &c., while member of Congress or officer.....	136	74
borrowing public moneys of custodian.....	186	92
breaking into post-office.....	1458	496
burglary of post-office.....	1458	496
conspiracy to defraud the United States.....	1472	502
contractors' wrongful failure to perform service in carrying the mails.....	803	317
counterfeiting bid or bond.....	1459	497
postage stamps.....	1438	489
foreign postage stamps.....	1439	489
money orders.....	1437	488
stamped envelopes.....	1438	489
postal cards.....	1438	489
mail key.....	1457	496
deserting the mail.....	1454	495
destroying letters by postal employés.....	1447	492
newspapers in mail.....	1451	495
detaining letters, &c., by postal employés.....	1447	492
newspapers.....	1451	495
embezzlement of letters containing inclosures by postal employés.....	1442	490
Government property.....	1444	491
loaning or using public moneys.....	1446	492
opening letters, &c.....	1449	493
of newspapers in mail.....	1451	495
money-order funds.....	1449	493
failure to deposit revenues.....	1464	499
affix postage-due stamps.....	557	233
make reports or returns.....	102	65
false presentation of officer.....	1472	502
returns of business.....	259	116
special-delivery business.....	696	273
forging of money orders.....	1437	488
postage stamps, &c.....	1438	489
foreign postage stamps.....	1439	480
mail locks or keys.....	1457	496
giving to or receiving from another officer or employé money, &c., for political purposes.....	81	57
injuring mail bags.....	1456	496
street-mailing boxes.....	1440	489
or matter therein.....	1441	489
intercepting letters.....	1448	493
issuing money orders without having first received money.....	1257	429
larceny of Government property.....	1444	491
loaning public moneys.....	1446	492
making public contract in which member of Congress is interested.....	81	60
member of Congress being interested in public contract.....	91	60
obstructing the mail.....	725	292
correspondence.....	1448	493
opening letters by postal employé, unlawfully.....	1447	492
any person, unlawfully.....	1449	493
painting "U. S. Mail" on vessel or vehicle.....	1466	499
procuring office or contract while member of Congress for consideration.....	135	74
promoting or degrading any officer, clerk, &c., for giving or refusing to contribute for political purposes.....	80	57
prying into business or secrets of another by opening letter.....	1448	493
purloining Government property.....	1455	495
receiving articles stolen from mail.....	1450	494
removing stamps, unlawfully.....	1467	499
cancellation from stamps.....	1468	499
or selling or using same thereafter.....	1469	500
robbery of the mail.....	1452	495
attempts to do so.....	1453	495

	Sec.	Page.
Crimes, punishment for—Continued.		
scheme to defraud by use of mail	1460	497
secretary letters, &c.	1448	493
selling stamps for more or less than lawful price	174	89
sending lottery matter in mails	379	159
matter in mails relating to gift concerts	379	159
obscene matter in mails	380	159
soliciting or receiving contributions for political purposes	78	56
stealing mail bags	1455	495
mail locks or keys	1457	496
mail matter	1449	493
newspapers from mail	1451	495
post-office property	1455	495
submitting false evidence as to publication	946	146
swearing falsely as to responsibility of surety on bidders' bond	780	309
taking from or giving gifts to official superiors	82	57
unlawful detention of mail matter to prevent arrival or delivery	508	220
unauthorized deposit of public moneys	1446	492
using penalty envelope unlawfully	415	176
using public moneys	1446	492
Cuba, mails exchanged with	389	164
Cumbersome packages, too large for delivery by carriers, how disposed of	656	270
Curaçoa, mails exchanged with	389	164
Currency, what, accepted for stamps, &c	178	90
not to accept mutilated	177	90
money in postmasters' hands must be	187	93
deposits must be in	196	96
for redemption, no fee for registering	1047	374
manner of registering	1048	374
Customs duties, registered matter liable to, how treated	1165	404
treatment of matter supposed to be subject to	621	258
of matter sealed against inspection	620	258
of unsealed packages	621	258
of books	621	258
of overweight packages from Canada	621	259
of seeds from Canada	621	259
collection of, at office of destination	622	259
of books from Canada in railway post-offices	1008	366
Cyprus, Island of, mails exchanged with	389	163
Dagana, mails exchanged with	389	163
Damaged registered matter, how treated	1097	386
packages with tag envelopes attached	1098	386
stamp packages, how treated	1099	387
Damao, mails exchanged with	389	164
Danish colonies, mails exchanged with	389	163
Dead-Letter Office, superintendent, his appointment and salary	6	11
organization of	7	27
work of, opening division	7	27
unavailable and property division	7	28
money division	7	28
minor division	7	28
returning division	7	28
foreign division	7	28
established as separate office	424	181
assignment of duties thereto	7	27
treatment of dead matter in	424	282
examination of returns	425	118
unavailable matter examined	425	182
misdirected matter, returned or forwarded	425	183
hotel or fictitious matter, how treated	425	183
unclaimed matter from free-delivery offices, and credit for postage due	425	183
returns from other offices examined	425	183
opening dead letters	426	183
record of valuable letters kept	427	183
money letters, how disposed of	428	184
other valuable inclosures, how disposed of	429	184
parcels of third and fourth class matter	430	184
letters without valuable inclosures, how returned	431	185
printed matter without value sold as waste paper	432	185
magazines, pictorial, &c., sent to hospitals, &c	432	185
obscene and lottery matter to be destroyed	433	185
foreign dead letters returned to country of origin	435	185
returns to, of unclaimed matter	605	249
what dead matter to be sent to	602	243
returns of unavailable matter to	608	250
how made up and sent	609	251
return of letters received from	680	242
manner of sending registered matter to	1138	399
domestic undelivered registered letters not to be sent to	1138	399
foreign undelivered registered letters to be sent to	1162	404

	Sec.	Page.
Dead-Letter Office —Continued.		
registry return receipts not to be sent to	1161	404
Dead letters. (See DEAD-LETTER OFFICE.)		
estimates for	213	100
Dead matter. (See MAIL MATTER; DEAD-LETTER OFFICE.)		
consists of unclaimed, refused, fictitious, illegible, "hotel," obscene, lottery	602	248
disposal of same, return to Dead-Letter Office	609	250
returns of unmailable, how made up and transmitted	609	251
unclaimed	607	250
second class, how disposed of	598	248
refused, how treated	601	248
Debits, how entered in postal accounts	243	110
Debts, priority of, due to United States	312	132
proceedings to collect	279	125
postal clerks must pay just and honest	930	350
letter carriers must not contract	641	266
Deceased person, mail matter addressed to, how disposed of	569	239
Deceased postmasters, accounts of, how rendered	250	114
Deductions. (See FINES AND DEDUCTIONS.)		
for contractors' failures, when may be made	848	329
causes for which, may be made	850	330
excuses for delinquencies, how made	859	333
by postmasters from their receipts	221	102
vouchers to be sent for	222	103
of pay of railway postal clerks to be noted on pay roll	236	107
Defacement of postage stamps required	516	222
Defective locks on pouches containing registered matter, treatment of	1088	384
Deficiency in address of letter, when to be supplied	563	236
Delinquencies. (See FINES AND DEDUCTIONS.)		
contractors for carrying the mails may be fined for	848	329
what delinquencies finable	849	330
excuses for, how made	859	333
Delivery, when to be kept open in post-office	482	210
of ordinary mail matter must be from post-office of address	565	236
exceptions to this rule	565	237
must be to addressee or to his order	566	237
order, when implied	566	237
when to be filed in writing	566	237
proof of identity, when required	566	237
when two or more persons of same name	566	237
addressed to one in care of another	566	237
several, deliverable to any one	566	238
public official, to officer not person, when	566	238
husband, of wife's mail, when	566	238
official letters to pensioners	567	238
to minors, and when to parents and guardians	568	239
of matter addressed to deceased persons	569	239
to partnerships and corporations	570	239
receiver to be appointed, when	571	240
to assignee or receiver, when	572	240
according to a agreement of parties	573	241
to fictitious addresses, rules for	574	241
to agent of club, when permitted	575	241
to mail carriers, when permitted	576	242
injunctions of courts in respect to, to be obeyed	577	242
of letters opened by mistake, how made	578	242
of second-class matter, how made	579	242
of valuable letters from Dead-Letter Office	580	242
of unmailable matter, when, required	581	243
condition of delivery	581	243
of mail matter at letter-carrier offices to be prompt and frequent	626	260
instructions for letter carriers in	648	268
to exercise care	649.	268
to collect postage due	650	268
use of directory to ascertain addresses	651	268
rules for letter-carriers respecting	652	269
packages too large for, how disposed of	656	270
at houses where vicious dogs are kept not to be made	657	270
of transient or "To-be-called for" letters	658	270
of matter bearing special-delivery stamps	688	279
hours within which, to be made	688	279
to be made with greatest dispatch	686	279
need not be made on Sunday	688	280
but addressee notified	688	280
of special-delivery letters, to whom, to be made	689	280
within what limits, to be made	690	280
receipts to be taken upon	691	280
of registered special-delivery matter	692	281
record of, to be kept, and how	693	281
of registered matter at letter-carrier offices	1116	392

	Sec.	Page.
Delivery of registered matter—Continued.		
when, to be at general delivery	1116	392
receipt to be in delivery-book, when	1117	393
to be taken on	1118	393
to be made by carriers, when	1119	393
name of carrier making, to appear	1120	393
care in, identification of addressee	1121	394
of special-delivery matter	1122	394
postmasters responsible for wrong	1123	394
frequent efforts to make	1124	394
signature of receiver required	1125	394
of matter when addressee is dead	1127	395
or insane	1128	395
Denmark , mails exchanged with	389	103
money order payable in, should be retained by remitter as receipt	1341	455
indirect exchange of international money orders through Germany payable in	1323	449
advice of money order issued in, for United States, retained by exchange office of issuing country	1351	458
international money orders payable in	1322	448
Department. (<i>See</i> POST-OFFICE DEPARTMENT.)		
Departmental telegraphs , operator for, detailed	137	75
use of limited	137	75
Departures. (<i>See</i> ARRIVALS AND DEPARTURES.)		
Depositaries. (<i>See</i> DEPOSITS.)		
duties of postmasters who are	197	96
accounts of, to be separately kept	198	97
report of, how to be made	198	97
to make deposits, how	199	97
statement of, quarterly	199	97
Deposits of postal revenues, transfer of, how made	210	99
by disbursing officer, how made	56	47
when, required of letter-box holders	495	214
rules governing	183	92
to be only in national banks	185	92
or with designated depositaries	185	92
private banks cannot receive	186	92
punishment for so receiving	186	92
at offices where there is a Treasury or sub-treasury	188	93
when to be made by postmasters	188	93
must be of entire balance	189	94
how made, and in what	189	94
by retiring postmasters, when made	190	94
failure to make, is embezzlement	1403, 1404	498
to be reported	192	94
cause for removal	191	94
letter of transmittal to be sent with	193	95
credit taken for, only on receipt of certificate	194	95
errors in certificates, how corrected	194	95
lost certificate, how duplicated	195	96
in what manner, made	196	96
may be remitted by draft	196	96
how remittance to be sent	196	96
duties of depositaries	197	96
accounts and reports of	198	97
by depositaries in their turn	199	97
how, brought into the Treasury	200	97
Depredations on the mails, estimates for	213	100
division of, under charge of Chief Post-Office Inspector	7	16
postmasters to report cases of	700, 701	284
punishment of. (<i>See</i> CRIMES.)		
Desirade or Desenda , mails exchanged with	389	163
Destructive matter is unmailable	368	153
consists of what	369	153
conditions under which some articles of, admitted	369	153
how treated at mailing office	528	225
when to be delivered to addressee	581	243
disposed of under direction of superintendent of Dead-Letter Office, when	528	226
Detail of clerks in Railway Mail Service	911	348
Detention of mail matter by postmaster, penalty for	508	220
by other employes	1447	492
of newspapers	1451	495
Detroit and Chicago (railway post-office), exchange office with Canada	616	255
Detroit and Peru (railway post-office), exchange office with Canada	616	255
Directory to be used by letter carriers in ascertaining addresses	651	268
Direct packages , how made up	589	229
how made up for horse routes	540	229
by railway postal clerks	989	361
for Washington, D. C.	900	361
Disbursing agents , what postmasters may be	225	103
for what purposes	225	103

	Soc.	Page.
Disbursing agents —Continued.		
when to make disbursements	228	104
to be allowed no expenses for payments	227	104
payments to letter carriers	220	104
railway postal clerks	230	105
Disbursing clerk. (See SUPERINTENDENT OF BUILDING.)		
must give bond	52, 53	45, 46
how to make requisition for money	53	46
to make payment of salaries	54	46
disbursements for topographer's office	55	46
how to make deposits	56	47
forbidden to exchange funds	57	47
cash in hands of, to be verified	58	47
settlement of accounts of	59	48
to inventory Department property	62	50
to pay money into Treasury	64	51
Disbursements, when to be made.	228	104
from postal revenues, how made	211	99
Discontinuance of post office, when to be ordered	439	188
disposal of property thereupon	485	211
mail matter, how delivered thereafter	565	237
disposition of mail key upon	884	340
of service on post-roads	817	321
on mail-route, indemnity for	817	321
Discases, contagious, duty of postmaster in respect to	603	283
Distribution of mails at post-offices, general directions as to	534	228
to be upon official schemes	535	228
made "by States"	536	228
for railroad and stage lines	537	229
when to be in separate packages	538	229
direct packages	539	229
when in direct packages for horse routes	540	229
how put in pouches, not loose or under straps	541	229
of mails by schemes in railway post-offices	998	363
railway postal clerks	988	361
Districting cities for letter-carrier delivery	625	260
District of Columbia, rent of buildings in	75	54
advertising in, limited	95	62
Dia, mails exchanged with	389	164
Division of appointments, appointment and salary of chief of	6	11
work of	7	17
of free delivery, work of	7	18
of salaries and allowances, work of	7	18
of correspondence, work of	7	19
contract, work of	7	20
of inspection, work of	7	20
of mail equipment	7	21
of post-office supplies, work assigned to	7	18
of postage stamps, chief of	6	11
of inspection, chief of	6	11
of finance, chief of	6	11
work of	7	23
of postage stamps, &c., work of	7	24
of registration, work of	7	25
of files, records and mails	7	25
of Railway Mail Service	897	344
offices of superintendents of	897	344
of railway adjustment, appointment of superintendent of	5	11
Division superintendents of Railway Mail Service	7	22
appointment of, and assignment of duty	897	344
salaries of	897	344
duties of, to recommend promotions	901	345
to assign clerks for	909	347
may detail clerks from one route to another	911	348
when to report incompetent clerks	914	348
respecting arrivals and departures of mail	959	354
voluntary examinations of clerks	967	356
may grant leaves of absence	970	357
to forward resignations	974	358
and certificate of disability	973	358
to issue instructions for delivery of mails where trains do not stop	1017	367
may detail clerks for transfer service	1019	367
to keep record of errors by transfer clerks	1021	368
in respect to messenger service	1032	370
to changes of service	1033	370
to Canadian mail-matter misssent	1037	371
in investigation of losses	1038	371
when to turn cases over to inspective force	1038	371
reports to be made to—		
by postal clerks, of failure to return registered package receipts	1231	421

	Sec.	Page.
Division superintendents of Railway Mail Service—Continued.		
reports to be made to—		
by postal clerks, of failure of postmaster to properly fill out registered pack-		
ago receipt	1220	420
send registered package receipt	1225	420
registry books to be furnished to postal clerks by	1221	419
postmasters must observe schemes furnished by, in dispatching registered matter	1081	383
Dogs , delivery by letter-carriers at houses where vicious, are kept	657	270
Dominican Republic , mails exchanged with	369	163
Dominica, West Indies , mails exchanged with	389	164
Double postage , when chargeable on domestic matter	320	135
on foreign matter	398	169
on ship letters	841	328
when to be collected	558	233
Doubt , postmasters in, to ask instructions	502	218
Drafts , postmasters may remit postal funds to depositaries by	196	96
collection of balances by	201	96
duties of postmaster receiving	201	96
duty of drawee	202	97
Auditor to be notified of payment	203	98
non-payment	204	98
report on failure to collect	205	98
responsibility for, when uncollected	206	98
neglect to collect, ground for removal	207	98
suits upon, when instituted	208	98
renewal of, when lost	317	134
duplicate, how issued	317	134
collection, when lost, how renewed	318	134
for collection, when to be entered in account	243	110
of Treasurer, all moneys subject to	220	102
Drawers to be provided in fourth-class offices	488	212
Drop letters defined	326	137
may be sent to another post-office within 3 miles	326	137
how treated, if unclaimed	326	138
when, not to be returned to writer	594	247
Duplicate certificates of deposit, when issued	197	96
warrants, when issued	315	133
draft, when issued	317	134
Dutiable matter , treatment of, at exchange offices	621	258
at offices of destination	622	259
in railway post-offices	1008	366
Ecuador , mails exchanged with	389	163
El Paso, Tex. , exchange office with Mexico	616	255
Egypt , mails exchanged with	389	163
Italian office of, mails exchanged with	389	164
money-order payable in, should be retained by remitter as receipt	1341	455
international money orders payable in	1322	448
Embezzlement. (See CHIEFS.)		
by postal employé of letters containing inclosures	1442	490
of letters by any person	1449	493
of newspapers in mail	1451	495
of mail-bag or other property	1455	495
of money-order funds	1372	468
of key to mail lock	1457	496
by postmaster, failing to deposit revenues	1463	498
with proper depository	1464	499
loaning, using, or depositing in unauthorized bank	1446	492
Employés not to be interested in contract for carrying mail	92	61
in post-offices, when to be classified	497	216
to receive no fees or perquisites	212	100
in Department, employed only as per appropriation	12	30
Employment , restrictions upon, in the Departments	10	29
except as per appropriation	12	30
Entries , how made in registry delivery book	1110	389
Entry of second-class publication, payment for	333	140
how admitted	333	141
certificate of, when granted	334	142
Epidemics , duty of postmaster in respect to	698	283
Equipment. (See SUPPLIES.)		
of post-offices	487-494	212
of mail bags, locks, and keys	860	333
Errors , record of, by transfer clerks	1021	368
must be noted by railway postal clerks	995	363
Estimates , annual, for Department service	104	65
how and when made	105	66
amounts to be designated	106	66
what to specify	107	66
for printing and binding	108	66
for salaries, to be on existing law	109	67
explanations of, required	110	67

	Sec.	Page.
Estimates —Continued.		
for postal service, to be submitted.....	213	100
car service, to be separate.....	213	100
Examination, case. (<i>See</i> CASE EXAMINATION.)		
of second-class matter at mailing office.....	343	145
rules for examination.....	344	145
Examinations of criminals, postmasters to report.....	703	285
Exchange post-offices , return receipts must be prepared by.....	1169	405
record and dispatch of return receipts by.....	1176	407
registered matter to be postmarked at.....	1170	405
registration label must be used by.....	1171	405
rules for dispatching registered matter from.....	1172	406
as to insufficiently paid matter at.....	1173-4	407
treatment of foreign registered matter received by.....	1175	407
Executors , liability of, for debts due United States.....	313	133
Exemptions of railway postal clerks from militia duty.....	697	282
but not from road duty.....	977	359
nor jury duty.....	977	359
of postmasters from militia duty.....	697	282
Exchange of funds , disbursing officers not to make.....	57	47
Exchange of pouches.....	1013	366
Exchange post-offices , list of, and countries with which exchanges are made.....	616	254
treatment of mail matter in.....	617	255
Excuses for contractors' delinquencies, how made.....	859	333
Exigency purchases , when authorized.....	60	49
how to be made.....	60	49
Expenditures , appropriation must be made for.....	211	99
from postal revenues.....	214	100
no fees allowed postal employes.....	212	100
estimates for postal service.....	213	100
unexpended balances carried to surplus fund.....	216	101
covered into Treasury after two years.....	216	101
how made, payments from Treasury.....	217	102
by deductions from postmasters.....	221	102
by disbursements by postmasters.....	225	103
how to be entered in postal account.....	243	111
for Department, how made.....	60	48
Postmaster-General to control.....	2	9
for contingent expenses limited.....	60	49
limitations upon.....	67-75	52
double salaries forbidden.....	67	52
no compensation for extra service.....	68	52
miscellaneous, estimates for.....	213	100
Express trains , when registered matter may be sent by.....	1073	381
Extension of mail service on routes, authorized, and limits of.....	814	320
Extra postage not to be charged by letter carriers.....	662	271
Extra duty , when may be required.....	76	55
Faced up , letters and circulars to be.....	991	881
Facing slips furnished to post-offices.....	469	203
printed, when furnished.....	472	204
how to be used by postmasters.....	543	230
use of, in railway post-office.....	994	362
disposition of.....	996	363
absence of, to be noted.....	997	363
Failing contractor , service, how let, in case of.....	799	815
liability of, on bond.....	779	808
when temporary service employed.....	797	315
supplied.....	800	316
punishment of, for wrongful failure to fulfill contract.....	803	317
Failure to return registered-package receipt.....	1091	385
registry bill.....	1092	385
send registry bill or receipt.....	1105	388
Falkland Islands , mails exchanged with.....	389	164
international money orders payable in.....	1322	448
False evidence relative to admission to pound rate, penalty for.....	346	146
postmasters to report.....	347	146
False pretenses , letters and circulars to defraud the public by, unmailable.....	379	159
obtaining key by, punishable.....	1457	496
False returns , penalty for making.....	259	116
of special-delivery business.....	666	273
Faroe Islands , mails exchanged with.....	389	163
Fee , registry, limit of.....	1045, 1046	374
when not prepaid, report to be made.....	1114	391
Fees , employes not to receive.....	212	100
letter-carriers not to exact.....	662	271
for registered matter.....	1045	374
not to be collected upon delivery of registered matter.....	1114	391
for special-delivery service.....	684	273
Fernando Po, Island of , mails exchanged with.....	389	164
Ferrymen on post roads exempt from militia duty.....	697	282

	Sec.	Page.
Ferryman —Continued.		
on post roads exempt from militia duty, but from no other State duties	697	282
delaying mail, how punished	726	293
Fictitious addresses , disposal of mail matter bearing	574	241
not to be delivered by letter carrier	655	270
nor registered	1043	373
advertised	589	246
when treated as "dead"	602	249
how treated in Dead-Letter Office	425	183
Figures , to designate number of letter-carrier, prescribed	644	267
Fines for violations of postal laws paid to postal revenues	303	131
disposal of moneys voluntarily paid, how deposited	300	131
remission or compromise of	309	132
Firms and deductions , when made for contractors' failures, &c	848	329
causes for which fines imposed	849	330
deductions made	850	330
railroad companies subject to	848	330
Finland , mails exchanged with	389	104
Fire , loss by, how entered in account	241	110
claims for credit for losses by	273	122
Firms , mail addressed to, how delivered	570	239
First Assistant Postmaster-General , appointment and salary	4	10
duties assigned to office of	7	16
may approve bonds and sign contracts for supplies	85	58
requisitions made upon, for supplies	165	85
and furnished only by	469	203
blank books and returns	239	108
printed labels	247	113
blank reports of sales of stamps	257	116
bond and oath of postmaster to be sent to	443	189
to notify postmaster to renew bonds	450	193
duplicates of quarterly returns to be sent to	457	196
removals or employment of clerks in post-offices to be reported to	464	201
what inventories to be sent to	484	211
to designate postmaster to receive property upon the discontinuance of a post-office	485	211
report of key-deposit fund made to	495	215
report made to, of withdrawal of letter after dispatch	533	227
as to claim of mail matter addressed to deceased person	569	239
mail matter in dispute	570	239
fictitious addresses	574	241
unmailable matter	581	243
supplies for letter-carrier offices furnished by	684	271
registration records to be furnished by	1050	375
registry blanks to be furnished by	1051	378
foreign letter bill to be furnished by	1172	406
registered-pouch supplies to be furnished by	1181	409
letter of advice for registered pouches to be furnished by	1188	411
First-class matter. (See MAIL MATTER.)		
embraces letters and postal cards wholly or partly in writing	321	135
rate of postage on	322	136
how mailed and dispatched for special delivery	685	278
Floods , mail delayed by, may be delivered from another post-office	565	237
Flores , mails exchanged with	389	164
Flour , how, may be sent in mails	370	155
Foochow , mails exchanged with	389	163
Foreign closed mails , how received and forwarded	620	258
Foreign countries , insufficiently prepaid registered matter from, how treated	1174	407
registered matter for, must be marked "foreign"	1158	403
package envelopes addressed to, how treated	1156	403
restrictions on registration to	1153	402
rules as to registering matter to	1151	401
Foreign letters. (See FOREIGN MAILS; FOREIGN MAIL MATTER; FOREIGN POSTAGE.)		
how to be advertised when uncalled for	583	245
when dead, subject to conventional stipulations	434	185
to be returned to country of origin	435	185
so returned from Dead-Letter Office	435	185
Foreign mail , transportation of, through United States	831	325
treated as domestic mail	832	326
in "closed mails," how treated	620	258
supposed liable to customs duty, how treated	621	258
treatment of, at exchange office	618	257
to be sent by route designated	615	254
postal clerks to so forward	1036	371
Foreign mail matter , treatment of, in exchange offices	618	257
treatment of, at office of destination	619	257
customs duties, on how collected	621, 622	258
postal conventions with foreign countries	383	161
publication of same	384	161
how printed	385	162

	Sec.	Page.
Foreign mail matter —Continued.		
foreign mails, how exchanged.....	388	162
Universal Postal Union countries, list of.....	389	163
countries reached through intermediary.....	390	165
rates to non-Postal Union countries.....	391	166
classification of, with Postal Union countries.....	392	166
postal cards, dimensions of.....	393	166
with paid reply on, two cents.....	393	166
commercial papers embrace what.....	394	167
printed matter includes what.....	395	167
samples of merchandise, dimensions of, and rules for inclosing.....	397	168
as to various coun- tries.....	397	168
liquids, to what foreign countries samples may be sent.....	397	168
rates and payment of postage.....	398	169
letters, five cents per half ounce if prepaid.....	398	169
double that rate if not prepaid.....	398	169
postal cards, two cents each.....	398	169
with paid reply, two cents on each part.....	398	169
printed matter, five cents for each two ounces.....	398	169
prepayment of letters not required.....	398	169
compound packages, how, may be sent.....	398	169
recall or change of address, how made.....	400	170
unmailable matter in.....	401	170
Foreign mail service , transportation of domestic mail through foreign countries.....	825	324
contracts for, between this and other countries.....	826	324
how mails may be carried.....	827	325
limit of compensation for.....	828	325
contractor may be fined.....	829	325
Congress may terminate contract.....	830	325
transportation of, through United States.....	831	325
foreign mails treated as domestic.....	832	326
rights of transportation in Postal Union countries.....	833	326
transportation charges.....	834	326
settlement of.....	835	327
Foreign officials , postmasters must not write to, on registered business.....	1167	405
Foreign publications , when admitted to pound rate.....	341	145
regulations for admission.....	342	145
general provisions:		
newspapers to be wrapped and dried.....	354	149
manner of folding and address.....	355	149
what marks or writing permissible on.....	356	149
bills, receipts, and orders for subscription may be inclosed with.....	356	149
form of list, bills, &c.....	357	149
Foreign steamboat mail service , when combined with inland.....	737	295
Forfeitures of letters seized, carried in violation of law.....	723-724	292
Fort Gratiot and Chicago (railway post-office), exchange office with.....	618	255
Fort Gratiot and Detroit (railway post-office), exchange office with Canada.....	616	255
Forwarded , prepaid letters may be.....	562	235
what may be, without charge.....	562	235
to be, with additional postage charged.....	562	235
at whose request.....	562	235
erroneously delivered matter to be.....	563	236
addressed, when to be.....	563	236
Forwarded to be in next mail	562	236
penalty envelopes not to be used for.....	562	236
letters under cover to postmaster, when.....	564	236
of special-delivery matter, when and how to be made.....	694	281
of registered matter, rules for.....	1113	390
of foreign registered matter, rule for.....	1166	405
Fourth-class matter , definition of.....	368	153
limit of weight as to.....	368	153
liquids, when admissible as.....	369	153
what liquids excluded.....	369	153
how prepare, for mailing.....	370	154
sharp-pointed instruments, how packed for mailing.....	370	155
powder, pepper, snuff, &c., how packed for mailing.....	370	155
queen bees, dried insects, reptiles, how to be packed.....	370	155
candies, confectionery, yeast cakes, and soap, how to be wrapped.....	370	155
pistols and revolvers, how sent in mails.....	370	155
flour, how sent in mail.....	370	155
permissible additions to.....	371	156
regulations for examination of.....	372	156
rate of postage on.....	373	156
"Fourth of July" observable as holiday.....	463	210
France , mails exchanged with.....	389	163
money-order exchange office for, is New York.....	1345	456
advice payable in, must be sent by remitter to payee.....	1340	455
maximum amount of money order payable in.....	1329	452
international money orders payable in.....	1322	443

	Sec.	Page.
France —Continued.		
money orders for, payable in francs and centimes.....	1327	451
issued in, forwarded to payees in United States.....	1350	458
Franking privilege granted to Mrs. Polk, Mrs. Garfield, and Mrs. Grant.....	412	174
regulation of.....	413	174
as to Congressional documents.....	409	173
records.....	410	173
as to seeds and agricultural reports.....	411	173
Fraudulent payments , when to be sued for.....	133	73
Fraudulent schemes , letters and circulars concerning, unmailable.....	379	159
penalty for depositing in mails.....	379	159
notes as to decisions thereon.....	379	159
using mails in aid of, punishable.....	1460	497
Free county delivery , to what subscribers made.....	421	180
regulations as to mailing.....	422	181
office of mailing.....	422	181
Free county publications , newspapers, when free in county.....	421	180
Free delivery , superintendent of, appointment and salary.....	6	11
Free-delivery division , work assigned to.....	7	18
Free-delivery post-offices , accounts of, how kept.....		
report of expenses of.....	254	115
rate of postage on newspapers at, when for delivery by carriers.....	255	115
rate on newspapers.....	352	148
second-class matter, how separated at.....	352	148
special-delivery messenger service at.....	353	148
employment of messengers therefor.....	672	275
their duties and service.....	672	275
	672-680	275
Free-delivery service. (See LETTER CARRIERS.)		
in what places to be established.....	623	259
application for, how made.....	624	260
districting of cities therefor.....	625	260
prompt and frequent deliveries required.....	626	260
postmasters to supervise, their duties.....	628	261
street mailing boxes, establishment of.....	629	261
regulations respecting.....	630	261
letter carriers, their appointment, promotion, leaves, &c.....	631	262
rules for behavior of.....	641	265
their suspension and removal.....	642	266
uniform to be provided.....	643	266
penalty for unlawful wearing of same.....	643	266
general duties of letter carriers.....	647-651	268
rules governing delivery by letter carriers.....	652-662	269
supplies for, how furnished.....	664	271
postmasters to report operations of.....	663	271
Free matter. Congressional documents may be franked.....	409	173
Congressional Record, or part thereof, or speeches therefrom.....	410	174
seeds and agricultural reports.....	411	174
franking privilege, to whom granted.....	412	174
regulation of.....	413	174
census matter, how sent in the mails.....	414	175
official or penalty envelopes.....	415	175
regulations as to use of.....	416	177
reports of agricultural colleges.....	417	178
bulletins and reports of agricultural experiment stations.....	418	178
regulations for transmission of.....	419	179
copy-right books to Librarian of Congress.....	420	180
second-class matter within county.....	421	180
regulations respecting mailing of.....	422	180
in foreign mails, official correspondence only.....	423	181
French colonies , mails exchanged with.....	389	163
French Guiana , mails exchanged with.....	389	163
Furniture for post-offices, estimates for.....	213	100
allowances for, when made.....	460	200
for letter-carrier offices, how furnished.....	604	271
in post-offices to be entered in inventory.....	242	110
Fusam-po , mails exchanged with.....	389	164
Gifts , letter carriers not to solicit.....	641	265
to superior officers forbidden.....	82	57
Gift concerts , letters and circulars concerning, unmailable.....	379	159
penalty for depositing in mails.....	379	159
Gift enterprises , fraudulent, payment of money orders to, when, may be stopped.....	1318	446
when registered matter may be returned.....	1130	396
Goa , mails exchanged with.....	389	164
Gold Coast , mails exchanged with.....	389	164
Gorce , mails exchanged with.....	389	163
Gozzo , mails exchanged with.....	389	163
Grand Bassam , mails exchanged with.....	389	163
Grant, Julia D. , granted franking privilege.....	412	174
Gratuitous service in carrying the mails, when permissible.....	802	317
acceptance of, forbidden, when.....	13	31

	Sec.	Page.
Great Britain , money orders issued in, forwarded to payees in United States.....	1350	458
money order payable in, must be sent by remitter to payee.....	1340	455
registered matter from, cannot be recalled by senders.....	1168	405
money-order exchange office for, is New York.....	1345	456
mails exchanged with.....	389	163
international money orders payable in.....	1322	448
money orders for, payable in pounds, shillings, and pence.....	1327	451
maximum amount of order payable in.....	1329	452
Greece , mails exchanged with.....	389	164
Greenland , mails exchanged with.....	389	163
Grenada, West Indies , mails exchanged with.....	389	164
Gross receipts of post-offices, how, affect salaries.....	457	196
Gudaloupe , mails exchanged with.....	389	163
Guadur , mails exchanged with.....	389	163
Guardian of pensioner's children, when, may receive his letters.....	567	238
Guatemala , mails exchanged with.....	389	164
Guides to be entered in inventory.....	242	110
Gaboon , mails exchanged with.....	389	163
Gambia , international money orders payable in.....	1322	448
Garfield, Lucretia R. , granted franking privilege.....	412	174
Garishment , mail matter not subject to, while in postal custody.....	1129	396
General Superintendent of Railway Mail Service. (See RAILWAY MAIL SERVICE.)		
his appointment, &c.....	894	343
his duties, supervising service.....	895	343
as to mailability of matter.....	896	343
reports to Second Assistant Postmaster-General.....	7	21
postmasters to observe schemes for dispatch of registered matter furnished by.....	1081	383
registered pouches failing to arrive to be reported to.....	1188	411
registered-pouch schemes to be furnished by.....	1182	409
Genanshin , mails exchanged with.....	389	164
German Empire , money order exchange office for, is New York.....	1345	456
Germany , indirect exchange through, of international money orders payable in Denmark.....	1323	449
money orders for, payable in marks and pfennigs.....	1327	451
international money orders payable in.....	1322	448
money order payable in, should be retained by remitter as receipt.....	1341	455
mails exchanged with.....	389	163
indirect exchange through, of international money orders payable in Grand Duchy of Luxemburg.....	1323	449
advice of money order issued in, retained by exchange office of issuing country.....	1351	458
maximum amount of money order payable in.....	1329	452
Gibraltar , mails exchanged with.....	389	163
international money orders payable in.....	1322	448
Hamilton, Ontario , is money-order exchange office for Canada.....	1345	459
Hand bills not mailable as supplements.....	338	143
Hand-to-hand receipts for registered matter to be given whenever practicable.....	1071	381
Hankow , mails exchanged with.....	389	163
Hatien , mails exchanged with.....	389	163
Hawaii , money order exchange office for, is San Francisco.....	1345	456
international money orders payable in.....	1322	449
maximum amount of money order payable in.....	1329	452
money orders for, payable in dollars and cents.....	1327	451
order payable in, must be sent by remitter to payee.....	1340	455
orders issued in, forwarded to payees in United States.....	1350	458
Hawaiian Islands , mails exchanged with.....	389	164
Hayti , mails exchanged with.....	389	164
registered matter from, cannot be recalled by senders.....	1168	405
" Held-for-postage " matter, how treated in mailing office.....	525	224
when to be sent to dead-letter office.....	529	226
Heligoland , mails exchanged with.....	389	163
Helpers in railway post-office lines, salary and class of.....	906	347
Highway taxes , postmasters not exempt from.....	697	282
nor railway postal clerks.....	977	359
nor mail contractors.....	697	282
Hindustan , mails exchanged with.....	389	163
Hobart is money-order exchange office for Tasmania.....	1346	457
Holidays , when post-offices may close upon.....	483	210
Honduras , Republic of, mails exchanged with.....	389	164
Hong-Kong , mails exchanged with.....	389	163
international money orders payable in.....	1322	448
money order payable in, should be retained by remitter as receipt.....	1341	455
Honolulu is money-order exchange office for Hawaiian Kingdom.....	1346	457
Hooks , use of, in handling mail bags forbidden.....	544	230
same, by railway postal clerks.....	954	354
Horse express , when mail to be sent by, over railroad route.....	761	301
Horse routes , direct packages to be made up for, how.....	540	229
Hotel , use of letter box of, by guests.....	492	216
Hotel matter , bearing card of, not to be returned, when.....	594	247

	Sec.	Page.
Hotel matter —Continued.		
when treated as "dead".....	602	249
how disposed of in Dead-Letter Office.....	425	183
Hours of labor in Department.....	76	54
when Department to be open.....	76	54
clerks and employes to be present in.....	76	54
of business at post-offices for registry work.....	1044	374
at post-offices.....	481	210
when office to be open on Sunday.....	481	210
within which special deliveries to be made.....	688	279
Hungary , international money orders payable in.....	1322	448
indirect/exchange of international money orders through Switzerland, payable in.....	1324	449
Husband , no control over wife's letters.....	566	238
of deceased minor entitled to her letters.....	568	239
Iceland , mails exchanged with.....	389	163
international money orders payable in.....	1322	448
Identity , postmaster to be sure of addressee.....	566	237
payee or indorsee of money order.....	1290	437
may require proof of.....	1294	439
on delivery of registered matter.....	1121	394
responsibility of, for wrong delivery.....	1123	394
letter carriers to be sure of.....	649	268
Ignorance no excuse for disregard of regulations.....	1150	401
Immoral use , things intended for, unmailable.....	380	159
Incidental expenses , allowances for, at post-offices.....	465	202
Increased celerity , compensation for.....	815	320
when contract for, to be relet.....	816	321
Increased service , compensation for, how made.....	813	320
Indecent publications , when unmailable.....	380	159
Indemnity upon discontinuance or curtailment of service under contract.....	817	321
Infectious diseases , duty of postmaster in respect to.....	698	283
Information , postmasters not to give, as to mail matter, when.....	507	220
what, not to be given by clerks in Railway Mail Service.....	927	350
as to vacancies in Railway Mail Service not to be given, when.....	975	358
Informers entitled to half of penalties received, when.....	303	131
when, liable for costs of defendant.....	304	131
and fees of officers.....	805	131
Injunctions of courts to be obeyed.....	577	242
Ink. (See CANCELING INK.)		
Inking pads , how furnished postmasters.....	467	202
to be entered in inventory of post-office.....	242	110
to be returned to Department when unfit for use.....	486	212
Inland steamboat mail service , when combined with foreign.....	737	295
Inner sacks for certain exchanges of registered mails, none other to be used.....	1202	416
when, may be bagged with other mail.....	1205	416
pouched with other packages.....	1206	417
registered-package receipts to accompany.....	1204	416
must in every case be counted as one piece.....	1205	416
received, record of by postal clerks.....	1222	419
regulations concerning, postal clerk to be governed by.....	1233	421
postal clerks must receive and account for.....	1223	419
Inner sack service for through registered matter over route partly rail and partly star.....	1177	408
regulations governing.....	1202	416
kinds of sacks and locks used in.....	1203	416
offices between which, may be established.....	1204	416
Inspection of fuel for Department use.....	89	59
Inspection of service , deductions for contractors' failures.....	848	329
fines for delinquencies.....	848	329
causes for which fines imposed.....	849	330
causes for which deductions made.....	850	330
delivery of mails to way post-offices.....	851	331
registers of arrivals and departures of mail.....	352	331
postmasters to report delinquent carriers.....	853	331
all arrivals and departures.....	854	331
special reports of delinquencies, when required.....	855	332
when special reports to be made.....	856	332
postmasters to notify contractors of failures.....	857	332
regular reports, how sent and preserved.....	858	333
contractors' excuses for delinquencies.....	759	333
Instructions , when postmaster may ask special.....	502	218
Interest , postmasters not to receive, upon deposits.....	185	92
on balances due Department at 6 per cent.....	295	128
International registered pouches, dispatch of matter in.....	1152	402
Intoxicating liquors , letter carriers not to use.....	641	265
use of, prohibited by postal clerks on duty.....	929	350
excessive use of, off duty subjects to removal.....	929	350
not to be sold in room where post-office is kept.....	475	207
cannot be sent in the mails.....	369	153
Inventory of Department property to be made.....	62	50

	Sec.	Page.
Inventory —Continued.		
of public property, how kept by postmasters	242	110
Ionian Isles , mails exchanged with	389	164
Ireland , mails exchanged with	380	163
money-order exchange office, is New York	1345	456
payable in, must be sent by remitter to payee	1340	455
Irregularities in transmission of mails to be reported	1015	366
Isle of Pines , mails exchanged with	389	163
Issue of second-class publication must be regular	323	138
regularity of, defined	329	138
period of, may be changed	320	138
Italy , mails exchanged with	389	164
international money orders payable in	1322	448
money orders for, payable in lire and centesimi	1327	451
maximum amount of money order payable in	1329	452
money-order exchange office for, is New York	1345	456
payable in, should be retained by remitter as receipt	1341	455
advice of money order issued in, for United States, retained by exchange office in	1351	458
Jamaica , mails exchanged with	389	164
international money orders payable in	1322	449
money orders for, payable in pounds, shillings, and pence	1327	451
maximum amount of money order payable in	1329	452
money order payable in, must be sent by remitter to payee	1340	455
exchange office for, is New York	1345	456
money orders issued in, forwarded to payees in United States	1350	458
Japan , mails exchanged with	389	164
postal agency may be established in	39	40
international money orders payable in	1322	440
money orders for, payable in dollars and cents	1327	451
maximum amount of money order payable in	1329	452
money order payable in, should be retained by remitter as receipt	1341	455
exchange office for, is San Francisco	1345	456
advice of money order issued in, for United States, retained by exchange office of	1351	458
registered matter from, cannot be recalled by senders	1168	405
Java , mails exchanged with	389	164
Jinsen, Corea , mails exchanged with	389	164
Jurisdiction of actions under postal laws	280	125
Jury duty , postal officers not exempt from	697	282
Karikal , mails exchanged with	389	163
Key deposits , when required, and how refunded or forfeited	495	214
Keys. (See MAIL LOCKS AND KEYS.)		
to receiving boxes, letter carriers to return to post-office at night	654	269
regulations respecting care of	680	261
how furnished for letter-carrier offices	664	271
loss of, to be reported	630	201
to letter boxes in post-offices	405	214
deposit for safe return of, redemption and forfeiture thereof	495	214
punishment for malicious injury to	1440	489
stealing	1455	495
forging	1457	496
to rotary locks, how obtained	1180	409
safety of	1104	413
must be kept in safe	1194	413
damaged, how disposed of	1107	415
Keys to brass locks. (See BRASS LOCKS AND KEYS.)		
Kingsston is money-order exchange office for Jamaica	1346	457
Kinngchow , mails exchanged with	380	163
Labels , return of	1000	364
wooden or slide, how furnished to post-offices	473	204
printed, not to be defaced	1001	364
Laban , mails exchanged with	380	163
Ladronc , mails exchanged with	389	164
Lagos , mails exchanged with	389	164
Land-grant railroads to carry mails for compensation fixed by Congress	749	298
compensation fixed by Congress	750	298
Pacific railroads, account for transportation, how stated	764	302
rates of pay, how applied	762	301
Laredo, Tex. , exchange office with Mexico	610	255
Larrache , mails exchanged with	389	164
Lascivious books, prints, &c., unavailable	380	159
Law clerk , appointment and salary	5	11
Lease of buildings for Department use	75	54
of post-offices	466	202
of buildings in District of Columbia	75	54
Leaves of absence. (See ABSENCE.)		
rules governing, in Department	77	55
to letter carriers, how granted	639	266
to railway postal clerks	970	357
how granted for sickness	970	357
back-runs, how paid	971	357

	Sec.	Page.
Leaves of absence —Continued.		
substitutes for clerks on.....	972	357
for disability.....	973	358
Leeward Islands , international money orders payable in.....	1322	449
money orders for, payable in pounds, shillings, and pence.....	1327	451
maximum amount of money order payable in.....	1329	452
money order payable in, must be sent by remitter to payee.....	1340	455
exchange office for, is New York.....	1345	456
money orders issued in, forwarded to payees in United States.....	1350	458
Legal proceedings to collect debts and penalties.....	279	125
Legal service for Department, how obtained.....	73	53
Les Saintes , mails exchanged with.....	380	163
Letter balances , when furnished to post-offices.....	469	203
Letter boxes , how provided in post-offices.....	489	213
box holders may erect.....	490	213
but must pay rental therefor.....	490	213
rental to be prepaid.....	491	213
use of, regulated.....	492	213
names of holders not to be disclosed.....	493	214
record of holders and receipts to be kept.....	494	214
key deposits, when required and how applied.....	495	214
right of postmaster to use, regulated.....	492	214
when placed in railroad stations.....	1035	371
postal clerks to visit and get mail.....	1035	371
injury to, how punished.....	1440	489
matter therein.....	1441	489
Letter carriers , where to be employed.....	623	259
prompt and frequent deliveries required by.....	626	260
sale of postage stamps by.....	627	260
postmasters to supervise service.....	628	261
duty of, respecting street mailing boxes.....	630	261
classification and salaries of.....	631	262
payment of salaries to, how made.....	229	104
number of, to be limited.....	632	263
appointment and promotion of, how made.....	634	263
bonds and oaths required.....	635	264
application for appointment, how made.....	634	263
substitute, when employed, and pay of.....	636	264
vacancies, how filled.....	637	264
promotions of.....	638	265
leaves of absence, how granted.....	639	265
absence without leave, how dealt with.....	640	265
rules for behavior of.....	641	265
reprimand, suspension, and removal of.....	642	265
uniforms to be provided for.....	643	266
prescribed.....	643	266
penalty for unlawful wearing of.....	643	266
to provide their uniforms.....	645	267
to be numbered, number how indicated.....	644	267
inspection and repair of, uniforms, how made.....	646	267
general duties of.....	647	268
in delivery of mail matter.....	648	268
to exercise care in delivery.....	649	268
collect postage due and account for same.....	650	268
use directory to ascertain addresses.....	651	268
rules respecting delivery.....	652	269
their duties when mounted.....	653	269
to return undelivered matter, satchels and keys to office at night.....	654	269
collect mail matter from receiving boxes.....	659	270
receive letters for mailing.....	600	270
not to return deposited letters.....	661	271
to receive no fee or charge extra postage.....	663	271
books for registered matter, custody and examination of.....	1124	394
delivery of registered matter by.....	1119	393
names of, delivering registered matter, must be recorded.....	1120	393
not to accept matter for registration.....	1057	377
may carry mail to patrons from post-office, when.....	576	242
when and how to make special deliveries.....	679	277
Letters are first-class matter.....	321	135
preference of, over other matter in mails.....	738	295
may be carried out of mail by private bands, when.....	715	290
in stamped envelopes, how.....	716	135
seizure and detention of, carried in violation of law.....	721-724	291
postage on.....	322	136
to be dispatched if one full rate be paid.....	557	233
double postage on, when to be collected.....	558	233
prepayment optional to Postal Union countries.....	398	169
instructions as to mailing.....	516-530	222
registered. (See REGISTRY SYSTEM.)		
when to be returned. (See RETURN.)		

	Sec.	Page.
Letters —Continued.		
when to be forwarded. (See FORWARDED.)		
and how advertised. (See ADVERTISEMENT.)		
sent to Dead Letter Office. (See DEAD MATTER.)		
embezzlement of. (See EMBEZZLEMENT.)		
delivery of. (See DELIVERY.)		
special delivery of. (See SPECIAL-DELIVERY SERVICE.)		
detention of, by postmaster, penalty	508	220
by any employé	1447	492
opening of, penalty for. (See CRIMES.)		
opened by mistake, how treated	578	242
withdrawal after mailing. (See WITHDRAWAL.)		
ship. (See SHIP LETTERS.)		
steamboat. (See STEAMBOAT LETTERS.)		
not to be placed under straps of pouches	541	229
missent, how treated in post-offices	546	230
in railway post-offices	1016	367
received unsealed to be sealed and stamped by postmasters	522	223
(See MAIL MATTER; POSTAGE.)		
Letter-sheet envelopes , authority to provide	159	84
furnished only to Presidential offices	159	84
Levant , French post-offices in the, indirect exchange of international money orders for, how effected	1326	450
Lewd publications unmailable	380	159
Liability of person taking newspaper from office	579	242
of postmaster for misconduct or neglect	657	282
for wrong delivery of matter	697	282
for misconduct of clerks	697	282
for misdelivery of registered matter	1123	394
for improper payment of money order	1291	437
Liberia , mails exchanged with	389	164
Light , allowance for, to first and second class post-offices	460	199
for post-offices, estimates for	213	100
Limit of weight in matter in the mails	374	157
exception to rule	368	153
of printed matter in foreign mails	395	167
and samples of merchandise	397	168
same in Canadian mails	402	171
Mexican mails	404	171
same in Australian mails	407	172
Liquors . (See INTOXICATING LIQUORS.)		
not to be sent in mails	369	153
Liquids , when admissible to the mails	370	154
how inclosed for mailing	370	154
Lisbon is money-order exchange office for Portugal	1346	457
Lobby of post-office, order to be preserved therein	478	207
what advertisements may be in	479	207
notices of public meetings, how posted in	479	207
Local agents . (See TRANSFER CLERKS.)		
designated railway postal clerks	898	344
"Locals," how treated in railway post-office	1005	365
to be sent to proper post-office, when	1009	366
Locks . (See MAIL LOCKS AND KEYS.)		
Loitering forbidden to letter carriers on routes	641	265
Lombok , mails exchanged with	389	164
London is money-order exchange office for Great Britain and Ireland	1346	457
London, Ontario , is money-order exchange office for Canada	1346	457
Loose matter found in mail, how treated	1003	364
Loss of registered mail matter, Post-Office Department or its revenue not to be liable for	1039	373
Losses , investigation of, how referred by division superintendent	1038	371
of stamps, by fire, burglary, or other casualty	273	122
of money-order funds in transit, claims for	273	122
credits for, how entered in account	243	110
of mail matter, postmasters to report, and how	699	284
from failure to seal registered package envelope, responsibility for	1064	379
of stamp packages to be reported to Third Assistant Postmaster-General	1141	400
from damaged and unsealed letters, to be reported to Chief Inspector	1106-7	389
of registered matter, to be reported to Chief Inspector	1142	400
pouches, instructions concerning	1188	410
Lotteries , postmasters not to be agents for	477	207
letters and circulars relating to, unmailable	379	159
circulars relating to, sent to Dead-Letter Office	529	226
not to be delivered to addressees	581	243
stopped in transit	546	230
to be destroyed in Dead-Letter Office	433	185
Lottery ticket , when unmailable	379	159
Longers not permitted in post-office, when	478	207
Low Islands , mails exchanged with	389	163
Loyalty Islands , mails exchanged with	389	163

	Sec.	Page.
Luxemburg, Grand Duchy of, mails exchanged with	389	164
international money orders payable in.....	1322	448
indirect exchange of international money orders through Germany, payable in.....	1323	449
advice of money order issued in, for United States, retained by exchange office in issuing country.....	1351	458
Luzon, mails exchanged with	389	164
Macao, mails exchanged with	389	164
Macassar, mails exchanged with	389	164
Madagascar, mails exchanged with	389	163
Madeira, Island of, mails exchanged with	389	164
international money orders payable in.....	1322	449
Madura, mails exchanged with	389	164
Mahé, mails exchanged with	389	163
Mails, time of closing, in post-offices	509	220
opening and closing, on star-routes.....	510	220
only clerks and employes to have access to.....	511	221
regulations for dispatch of.....	534-545	228
to be kept in post-office over night, when.....	547	230
penalty for obstructing.....	725	292
delaying mail at ferry.....	726	293
railroad companies must deliver, into post-office.....	744	296
and take from post-office.....	744	296
when Department provides for carriage to and from an intermediate post-office.....	744	296
to be carried on fastest train.....	751	299
when and how to be weighed on railroad.....	752	299
separate, for distribution by railway postal clerks.....	988	361
"making up" of, by railway postal clerks.....	987	361
not to be delivered in transit.....	1012	366
nor at places not post-offices.....	1014	366
guarding of, by transfer clerks.....	1022	368
distribution of, by schemes.....	535	228
States.....	536	228
local, on railroad and steamboat lines.....	537	229
opening of, at receiving offices.....	550	231
exchange offices for foreign list of.....	616	254
received from foreign countries, treatment of.....	618	257
foreign closed, how treated.....	620	258
agents for, on ocean steamers.....	40	40
revenues derived from transportation of foreign.....	148	81
estimates for transportation of.....	213	100
Sixth Auditor adjusts accounts for transportation of.....	263	119
accounts to show expenditure for transportation of.....	264	120
matter admitted to. (See MAIL MATTER.)		
foreign. (See FOREIGN MAIL MATTER.)		
robbery of, to be reported.....	701	284
transportation of domestic. (See TRANSPORTATION OF THE MAILS.)		
establishing post roads for carriage of. (See POST ROADS.)		
transportation of, by railroads. (See TRANSPORTATION OF THE MAILS; RAILWAY MAIL SERVICE; RAILROADS.)		
by Pacific railroads, pay, how applied.....	762	301
payments to be withheld.....	763	302
account thereof, how stated.....	764	302
on star routes.....	772-824	305
of domestic, through foreign countries.....	825	324
contracts for carrying foreign.....	826	324
how foreign, may be carried.....	827	325
limit of, for carrying foreign.....	828	325
transportation of foreign, through United States.....	831	325
foreign, treated and protected as domestic.....	832	326
rights of transportation of, in Postal Union countries.....	833	326
charges for.....	834	326
settlement of charges for.....	835	327
duties of contractors for carrying. (See INSPECTION OF SERVICE.)		
through-registered. (See REGISTRY SYSTEM.)		
robbery of, how punished.....	1452	495
attempts to rob, how punished.....	1453	495
accessory to, how punished.....	1461	498
desertion of, how punished.....	1454	495
sending letters through, with intent to defraud, how punished.....	1460	497
Mail agents, appointment of, for ocean steamers	40	41
Mail apartments, to be furnished on steamboats	805	318
in railway cars (see RAILWAY POSTAL CARS).....	746	297
Mail bags, different kinds of, described	860	333
how provided.....	861	334
every mail route to be supplied with.....	862	334
application for, how made.....	863	334
use of, restricted.....	864	335
when, may be taken by publishers.....	865	335
containing public documents to be returned.....	866	335

	Sec.	Page.
Mail bags —Continued.		
Canadian, to be promptly returned, empty	867	336
exchange of lock pouches	868	336
waste or abuse of, to be prevented	869	336
fastening straps not to be cut	870	336
what mutilation of, allowable	871	336
by railway postal clerks	953	353
register of outgoing and incoming, to be kept	872	336
reports of, by postmasters	873	337
unsound, in transit, how treated	874	337
depositories for, list of	875	337
accounts of depository offices, how rendered	876	338
surplus stock of, to be kept apart	877	338
damaged, to be sent to repair shops	878	338
surplus, not to accumulate	879	338
care of, by postal clerks	945	352
for what to be used in Railway Mail Service	951	353
unsound in transit, how treated	952	353
what mutilation of, allowed	953	353
hooks not to be used in handling	954	354
estimates for	213	100
Mail carriers. (See FINES AND DEDUCTIONS; LETTER CARRIERS; TRANSPORTATION OF THE MAILS.)		
private, forbidden	707	288
to receive mail for delivery at next post-office	718	291
may carry mail from office to patrons	576	242
lien of, on contractors' pay	822	323
postmasters to report delinquent	853	331
must be not under sixteen years of age	856	332
secreting, embezzling, or destroying mail, how punished	1442	490
for larceny or embezzlement of Government property, how furnished	1444	491
stealing, detaining, or destroying newspapers in mail, how punished	1451	495
deserting the mail, how punished	1454	495
not to handle registered matter outside of pouch	1076	382
Mail catchers, how provided and kept in repair	893	342
cranes for, to be constructed and kept in repair by railroad companies	893	342
where used for exchange of mails	810	252
how to prepare pouches on	611	252
pouches to be used for no other purpose	612	253
only fifty pounds of mail allowed in pouch	613	253
special instructions for catcher service	614	253
Mail contracts. (See CONTRACTS FOR CARRYING THE MAILS.)		
Mail equipments, mail bags, various kinds furnished	860	333
how same provided	861	334
every mail route to be supplied with	862	334
application for, how made	863	334
legitimate use of, restricted	864	335
canvas sacks may be taken by publisher, when	865	335
sacks containing public documents to be returned to office	866	335
Canadian mail bags to be returned immediately, empty	867	336
exchange of lock pouches	867	336
waste or abuse of mail bags to be prevented	869	336
fastening strap not to be cut	870	336
what mutilation of mail bag allowable	871	336
register of outgoing and incoming mail bags to be kept	872	336
repairs of mail bags by postmasters	873	337
unsound mail bags, how treated in transit	874	337
depository offices for mail-bags	875	337
account to be rendered	876	338
surplus stock to be kept apart	877	338
damaged mail bags to be sent to repair shops	878	338
surplus mail bags not to accumulate	879	338
mail locks and keys, how furnished	880	338
care of keys, penalty for loss	881	339
keys to have specific number	882	339
exchange of mail keys in railway post-offices	883	340
receipt to be taken for	884	340
repair of locks and keys forbidden	885	340
defective keys to be reported to Department	886	340
brass locks not to be sent to iron-lock post-offices	887	341
procedure when defective key will not open mail lock	888	341
lock cannot be opened	889	341
economy in use of mail locks	890	342
unlawful use of locks to be reported	891	342
communications respecting mail locks, how addressed	892	342
mail catchers, how provided and kept in repair	893	342
Mails, foreign. (See MAILS; SHIP AND STEAMBOAT LETTERS.)		
transportation of, through foreign countries	825	324
contracts for carrying	826	324
how, may be carried	827	325

	Sec.	Page.
Mails, foreign —Continued:		
limit of compensation for carrying	828	325
contractors for carrying, may be fined for delays or non-performance.....	829	325
contracts for carrying, may be terminated by Congress.....	830	325
transportation of foreign, through United States.....	831	325
in transit, to be treated as domestic.....	832	326
special arrangements for carriage of, with Postal Union countries.....	833	326
transportation charges in Postal Union countries.....	834	326
settlement of transportation charges.....	835	327
contractors' fines for neglect to care for.....	849	330
Mail keys , care of, by clerks in Railway Mail Service (<i>see</i> MAIL LOCKS AND KEYS).....	945	352
to be secured by safety chain.....	946	352
tenure of, by such clerks.....	946	352
transfer of, to new clerks.....	946	352
receipts to be taken for, when.....	947	352
repair of, forbidden, when.....	948	352
defective, to be reported to superintendent.....	949	353
penalty for loss of.....	950	353
Mail letting . (<i>See</i> CONTRACTS FOR CARRYING THE MAIL)		
miscellaneous, defined.....	776	306
notice of, how given.....	776	306
general, how given.....	776	306
temporary, how given.....	776	308
Mail locks and keys , estimates for.....	213	100
by whom furnished.....	280	338
care of keys, penalty for loss.....	881	339
key to have specific number.....	882	339
exchange of keys in Railway Mail Service.....	883	340
receipt to be taken for keys.....	884	340
repair of keys, forbidden.....	885	340
defective keys to be reported to Department.....	886	340
brass locks not to be sent to iron-lock post-offices.....	887	341
procedure when defective key will not open lock.....	888	341
lock cannot be opened.....	889	341
economy in use of.....	890	342
unlawful use of, to be reported.....	891	342
communications respecting, how addressed.....	892	342
railway postal clerks to secure, and how to keep.....	945	352
to hold key until when.....	946	352
receipt to be taken for key.....	947	352
repair of, forbidden.....	948	352
defective keys to be reported to superintendent.....	949	353
penalty for loss of key.....	950	353
stealing, forging, or obtaining by false pretenses, how punished.....	1457	496
Mail matter , divided into four classes.....	319	135
each class defined.....	319	135
prepayment of postage the rule.....	320	135
letters of soldiers, sailors, and marines pass without prepayment.....	320	135
first-class matter defined.....	321	135
rate of postage thereon.....	322	136
soldiers', &c., letters, how certified to pass without prepayment.....	323	136
postal-cards, first-class matter, regulating issue.....	324	137
what words constitute part of address.....	324	137
may be forwarded or returned.....	324	137
to be treated as sealed letters.....	324	137
messages on, not to be read.....	324	137
address on, how may be written, printed, or affixed.....	325	137
drop-letters, definition of.....	326	137
rate of postage on.....	326	137
may be transferred to any office within three miles.....	326	137
when, may be forwarded.....	326	138
second-class matter, embraces newspapers and periodical publications.....	327	138
conditions of admission to pound rate.....	328	138
regular issue required.....	328	138
date of issue to be required.....	328	138
from known office of publication.....	328	138
on printed paper, sheets without binding.....	328	138
devoted to literature, science, art, or special industry.....	328	138
must have legitimate list of subscribers.....	328	138
not designed for advertising purposes, or for free circulation.....	328	138
regularity of issue defined.....	329	138
known office of publication defined.....	330	139
advertising sheets defined.....	331	139
subscription price and list requisite.....	332	140
application for admission for entry and to pound rate, how made.....	333	140
interrogatories to be answered.....	333	141
temporary permit to issue, when.....	333	141
certificate of entry, when to issue.....	334	142
record of, kept in Department.....	335	142
extra editions, entitled to pound rates, when.....	336	142

	Sec.	Page.
Mail matter—Continued.		
second-class, supplements, admissible as	337	142
character of, how determined	338	143
inclosures containing illegal, how rated	339	144
sample copies, when and how may be sent at pound rates	340	144
foreign publications, entitled to same rates when	341	145
regulations for admission to	342	145
examination of, at mailing office	343	145
to be frequent and how conducted	344	146
record of, to be kept in post-offices	345	146
false evidence to secure admission, punishable	346	146
postmasters to report false evidence	347	146
rate of postage on	348	147
mode of payment of postage	349	147
rights of newsagents as to	350	147
newsagents defined and conditions of admission	350	147
rate on, when sent by other than publisher or newsagent	351	148
rate on, at free-delivery offices	352	148
how to be mailed	353	148
newspapers to be wrapped and dried	354	149
manner of folding and address	355	149
permissible marks or writing on	356	149
bills, orders, or receipts, may be inclosed with	357	149
detention of matter and collection of proper rate	358	150
postmaster at receiving office to examine	358	150
when to rate at and collect third-class rate	359	150
third-class matter defined, and rate thereon	360	151
circulars, defined	360	151
rules as to circulars	361	151
bulk packages for separate delivery, how rated	362	151
printed matter defined	363	152
what reproductions, printed matter	364	152
corrections of proof sheets, how, may be mailed	365	152
package of, what, may contain	366	152
permissible additions to	367	153
fourth-class matter defined	368	153
liquids, &c., when admissible	369	153
preparation of liquids for mailing	370	154
seeds for mailing	370	154
ink, powder, pepper, snuff, &c., for mailing	370	155
sharp-pointed instruments for matting	370	155
queen-bees, reptiles, &c., for mailing	370	155
candies, yeast-cakes, and soap for mailing	370	155
pistols and revolvers for mailing	370	155
must admit of easy examination	370	156
permissible additions to	371	156
regulations for examination of	372	156
rate of postage on	373	156
limit of weight of	374	157
penalty for evasion of payment of postage	375	157
for concealing higher class matter within lower	375	157
packages must admit of examination	376	157
regulations as to wrapping	377	157
unmailable matter, definition of	378	158
"held for postage" is	378	158
misdirected is	378	158
destructive is	378	158
coin and jewelry for foreign mails is	378	158
obscene matter is	378	158
lottery matter is, when	378	158
mutilated is, when	378	158
excess of weight and size is	378	158
foreign matter forbidden	378	158
publication which violates a copyright, when	378	158
foreign, its classification within the Postal Union	392	166
postal conventions with foreign countries	383	161
their publication	384	161
existing arrangements explained	383	162
treaty relations, with what countries	389	163
rates of postage to countries with which no treaties exists	391	166
classification of, with Postal Union countries	392	166
postal cards, width and size limited	393	166
commercial papers, include what	394	167
printed matter, includes what	395	167
dimensions of packets of	395	167
permissible additions to commercial papers	396	168
samples of printed papers, size and weight	397	168
rates and payment of postage	398	169
rate on compound packages	398	169
recall or change of address	400	170

	Sec.	Page.
Mail matter —Continued.		
foreign, unmailable matter in Postal Union mails.....	401	170
mails with Canada, classification of and rates of postage.....	402	170
Mexico, classification of and rates of postage.....	403	171
unmailable matter to Mexico, includes what.....	404	171
return of correspondence.....	405	172
mails with New Zealand, classification.....	406	172
rates of postage thereon.....	407	172
mails with other foreign countries.....	408	173
mailing rates published in Official Guide.....	408	173
free matter , Congressional documents.....	409	173
Congressional Record, and parts thereof, speeches therefrom.....	410	174
State and agricultural reports.....	411	174
special grants of franking privilege.....	412	174
regulation of franking privilege.....	413	174
census matter.....	414	175
official matter in penalty envelopes.....	415	175
regulations as to use of penalty envelopes.....	416	177
reports of agricultural colleges.....	417	178
experiment stations.....	418	179
regulations for treatment of bulletins and reports.....	419	179
copy-right books, to pass free, when.....	420	180
second-class matter within the county, free.....	421	180
regulations as to free county matter.....	422	180
in foreign mails, official correspondence, when.....	423	181
treatment of, in post-offices.....	508	219
privacy of first-class.....	508	219
sanctity of the seal.....	506	219
postmasters not to give information concerning.....	507	220
except to officers of the law, when.....	507	220
penalty for unlawfully detaining.....	508	220
remission of overcharges upon.....	512	221
not to be solicited from outside post-office delivery.....	515	221
duties in respect to, at mailing office.....	516-545	222
treatment of, in receiving office.....	550	231
opening pouches.....	550	231
errors in making up to be noted.....	550	231
and in distribution to be reported.....	550	231
facing slips, how disposed of.....	552	232
back stamping.....	553	232
deficient postage on, to be rated up.....	554	233
to postmaster himself, he may refuse.....	556	233
postage due to be collected.....	557	233
and postage-due stamps affixed.....	557	233
double postage, when to be collected.....	557	233
in bad order, how treated.....	522	223
delivery of ordinary (<i>see DELIVERY</i>).....	565-581	236
bearing special-delivery stamps (<i>see SPECIAL-DELIVERY SERVICE</i>).....	665-696	271
of registered (<i>see REGISTRY SYSTEM</i>).....	1114-1128	391
card and request defined, and when returnable.....	594	246
treatment of, in exchange offices.....	617-618	253
foreign, duties on, how collected.....	621-622	258
delivery of, by letter carriers.....	647-661	288
letter carriers to return undelivered, at night.....	654	289
may be received on cars for mailing.....	978	359
treatment of ordinary, in railway postal cars (<i>see RAILWAY MAIL SERVICE</i>).....	978-1018	359
registered in railway postal cars (<i>see REGISTRY SYSTEM</i>).....	1220-1233	419
injuries to, in letter box, &c., how punished.....	1442	490
detaining, opening, or destroying, how punished.....	1447	492
fraudulently obtaining, how punished.....	1449	493
Mail messengers. (<i>See MAIL MESSENGER SERVICE.</i>)		
to deliver mails into postal cars and post offices.....	1034	371
Mail-messenger service , act authorizing same.....	765	303
how employed.....	766	303
duties of mail-messengers.....	767	304
duties of postmasters in respect to.....	868	304
reports of, how and when made.....	769	304
employment of, temporary.....	770	305
payment for, how made.....	771	305
supervision of, by transfer clerks.....	1023	368
Mail-route messengers , designated railway postal clerks.....	898	344
Malacca , mails exchanged with.....	389	163
international money orders payable in.....	1322	448
Malmo is money-order exchange office for Sweden.....	1345	456
Malta , mails exchanged with.....	389	163
international money orders payable in.....	1322	448
Mandalay , mails exchanged with.....	389	163
Manifold bills for registered pouches, how obtained.....	1181	409
how to be made out.....	1184	410
to be preserved by receiving offices.....	1192	412

	Sec.	Page.
Manilla , mails exchanged with.....	389	164
Manitoba, Province of , money-order exchange office for, is Saint Paul, Minn.....	1345	456
Mariana, Archipelago of , mails exchanged with.....	389	164
Married woman . (<i>See WIFE.</i>)		
may be postmaster.....	441	188
bond as such valid.....	442	189
money order payable to, to be in her own name, not her husband's.....	1269	432
Marie-Galante , mails exchanged with.....	389	163
Marines' letters , when, may pass without prepayment.....	320	135
how to be certified.....	323	136
Marquesas Islands , mails exchanged with.....	389	163
Martinique , mails exchanged with.....	389	163
Massouah , mails exchanged with.....	389	164
Mauritius , mails exchanged with.....	389	164
international money orders payable in.....	1322	448
Mayor of city may administer oath to postal account.....	272	122
Mayotte , mails exchanged with.....	389	163
Mazagan , mails exchanged with.....	389	164
Melilla , mails exchanged with.....	389	164
Memorial Day , post-office may be closed on.....	483	210
Member of Congress not to be interested in contract.....	91	60
nor procure same for consideration.....	135	74
nor receive pay for services in matter before Department.....	137	74
Melbourne is money-order exchange office for Victoria.....	1346	457
Mexico , mails exchanged with.....		
exchange of mails with.....	616	255
list of exchange offices.....	616	255
exchange of pouches with.....	1013	306
New York, New Orleans, San Francisco, Saint Louis, Laredo, and El Paso, Texas,		
exchange offices with.....	616	255
classification and rates of postage with.....	403	171
what matter unmailable to.....	404	171
what matter entitled to return.....	405	172
Militia , postal officers, employes, and contractors exempt from service in.....	697	282
may be officers in.....	446	161
Mindanao , mails exchanged with.....	389	164
Minor , ineligible as postmasters.....	441	188
correspondence of, how controlled.....	568	239
parents may receive letters addressed to, when.....	568	239
guardians may receive letters addressed to, when.....	568	239
Miquelon , mails exchanged with.....	389	163
Miscellaneous expenditures of post-offices, estimates for.....	213	100
allowances for, how made.....	460	199
Misdirected matter , treatment of, in mailing office.....	526	225
at office in transit.....	546	230
when sent to Dead-Letter Office.....	602	248
registered letters, how treated.....	1112	390
packages, how treated.....	1094	385
stamp packages, how treated.....	1096	386
Mis sent matter , to be sent in right direction.....	546	230
to be so stamped.....	1016	367
registered letters, how treated.....	1111	390
packages, how treated.....	1095	386
Missing registered matter , report of, to be made.....	1142	400
Mistake , payments by, recoverable back.....	133	73
letters opened through, how treated.....	594	247
Mogadore , mails exchanged with.....	389	164
Mojetics , informer entitled to, of penalty or forfeiture.....	303	131
Moldavia , mails exchanged with.....	389	164
Moluccas , the, mails exchanged with.....	389	164
Monaco , the principality of, mails exchanged with.....	389	163
Money . (<i>See PUBLIC MONIES.</i>)		
current, only to be received for stamps.....	178	90
mutilated, not receivable.....	177	90
postal funds to be kept in.....	187	93
money-order funds to be kept in.....	1257	429
foreign, not receivable for postage.....	178	90
must be safely kept.....	183, 184	92
how to be deposited, (<i>see DEPOSITS</i>).....	188	93
in national banks, when.....	185	92
not to be sent to Department.....	148	81
nor turned over to successor.....	190	94
counterfeit, received by postmasters must be replaced by genuine.....	197	96
when to be deposited.....	188	93
how transmitted for deposit.....	196	96
denominations and kinds of, issued by United States.....	1395	474
public, to be kept separate from private.....	488	212
money-order funds to be kept separate.....	1385	472
recovered from mail robbers, how disposed of.....	704	285

	Sec.	Page.
Money —Continued.		
in dead letters returned to owner	424	182
postmasters to return, when	580	242
stolen in mails to be returned to owner	151	82
unclaimed, in dead letters, part of postal revenues	150	82
voluntarily paid as penalty, how deposited	306	131
Money letters , delivery of, when returned from Dead-Letter Office	580	242
duty of postmasters receiving such for delivery	580	242
return of, to Dead-Letter Office when owner not found	580	242
treatment of, in Dead-Letter Office	428	184
Money-order advices , blank forms for, how treated when spoiled	1266	431
contents of, to be kept strictly secret	1294	438
correctness of, to be verified by postmaster	1277	433
date of payment of money order to be stamped upon	1302	442
examined and filed alphabetically as soon as received	1293	438
instructions for making out	1269	432
invalid, more than a year old, returned to Department	1308	443
missent to be promptly remailed to destination	1295	439
missing, inquiry for, to be made	1299	440
name of paying post-office to be written in full upon	1272	433
omitted and defective blanks for, to be reported	1267	431
receipt of, necessary before money order can be paid	1292	438
repayment of money order, how noted upon	1315	445
repeated failure to receive, from any one post-office must be reported	1249	427
retained upon file for four years	1293	438
special instructions for forwarding	1261	430
of repayment of money order, when sent	1311	444
to be sent without delay to postmasters on whom money orders are drawn	1256	429
stamped with special stamp	1262	430
unpaid, less than two weeks' old, how reported	1382	471
Money-order business at branch post-offices	1235	493
accounts of, how to be kept by Auditor	269	121
compensation to postmasters for transacting	1244	426
letters upon, to Superintendent, to be in separate envelopes, without other in-		
closures	1250	428
net proceeds of, turned into Treasury	148	81
international, authority to make postal conventions for, in whom vested	1322	448
list of countries with which conventions have been concluded	1322	448
expenses of, how paid	1322	448
Money-order conventions , Postmaster-General may conclude with foreign		
postal administrations	1322	448
Money-order funds , claims for credit for, lost by fire	273	122
burglary	273	122
other casualty	273	122
in transit	273	122
credits for, on New York, how drawn upon	1392	473
on New York allowed for	1391	473
daily remittances of, how made	1377	470
received for	1378	470
not credited until receipt is obtained	1379	470
reports of remittances received	1390	471
definition of, assistant treasurer of United States to open an account for	1870	467
deposit of, in national banks permitted	1872	468
other than national banks prohibited	1372	468
drafts for, must be on printed forms only	1394	474
embezzlement of, penalty for	1372	468
fixed reserve, how determined	1376	469
postal funds, how transferred to	1374	468
receipts and payments of, how entered on cash book	1373	468
regulations for postal funds do not apply to	1383	471
remittances and deposits must be promptly made of	1381	471
of, special instructions for making	1395	474
special drafts for, in emergencies	1393	474
drawer to be provided for, to keep separate from other cash	1385	472
transfer of postal revenues to, by Postmaster-General	1369	467
to postmasters and creditors, by Postmaster-General	1368	467
transferred from postal account, how entered in cash book	1375	469
unpaid advices less than two weeks old, how reported in weekly statement of	1382	471
weekly statements of, at close of quarter, how made	1389	472
form for	1339	472
how transmitted	1384	471
made up every Saturday	1387	472
must be promptly transmitted	1396	476
"no business"	1388	472
required from postmasters	1371	467
to be numbered consecutively from January of each year	1386	472
vouchers accompanying	1390	473
Money-order post-offices , account books, blanks, and circulars furnished to, to be		
carefully preserved by postmasters	1241	425
and required of postmasters at	1240	424

	Sec.	Page.
Money-order post-offices—Continued.		
classification of	1239	424
has no reference to classification of post-offices under laws fixing salaries	1230	424
clerical service at	1244	426
clerks and postmasters at, must not fill out money-order applications	1253	428
compensation to postmasters at	1244	426
discontinuance of, to be carefully noted	1273	433
employees at, not to act as agent in competitive business	1248	427
expenditures at, for money-order business, not allowed without authority from Department	1246	427
incidental expenses at, how allowed	1246	427
money orders issued by, may be repaid at office of issue, when and how	1288	436
fee not refunded	1288	436
new postmasters at, to debit themselves with funds received from late postmaster	1243	425
official money-order business envelopes furnished to	1246	427
postmaster at, not to act as agent in competitive business	1248	427
retiring postmasters at, to deposit funds with, and turn over blank circulars, &c., to successor	1242	425
specially authorized not to keep registers, must preserve all advices on file, and not dispose of them at expiration of four years	1293	438
stationery and clerk hire at	1245	426
Money orders, domestic, acts of clerks designated to sign, covered by postmasters' bonds	1236	424
advices of	1256	429
amounts of, to be expressed in writing upon	1271	432
applicants for, to be instructed upon what post-offices to draw	1274	433
applications for blank forms of, supplied by Postmaster-General	1253	428
to be numbered to correspond with order and filed	1261	430
for, must be filed out by applicant only	1254	428
blank forms for, how treated when spoiled	1266	431
must be securely kept; postmasters responsible for fraud committed by reason of lost or stolen money-order blanks	1268	431
clerks designated to sign, to write signature, how	1238	424
date of payment to be stamped upon	1302	442
deliverable to applicant only on payment therefor	1261	430
disagreeing with advice, to be refused payment, except	1300	441
duplicate cannot be issued by postmasters	1286	436
duty of postmaster applying for	1282	435
having been applied for, original may be paid, when	1284	436
postmasters must certify to non-payment of original	1285	436
issue of, how and when permitted	1280	434
issued by Superintendent of Money-Order System, under what conditions	1281	434
notice of receipt of, to be sent by postmaster to payee	1317	446
to be drawn only upon issuing or paying post-offices	1267	436
erroneously made out must be canceled and new money orders issued	1285	431
paid, how recovered for owner	1307	443
fees charged for issuing	1258	429
fractional parts of a cent not to be included in	1259	430
how paid, when remitters are payees	1291	437
improperly issued to be refused payment	1298	440
indorsed more than once become invalid	1289	437
indorsement upon, permitted only once	1289	437
payee of, to be identified before payment of	1290	437
payment by issue of	1319	446
of, by duplicate, how noted	1303	442
tendered in silver, nickel, and copper coins of United States to be accepted in amounts for which they are legal tender	1257	429
by postmaster at his own risk when State of paying post-office is erroneously given	1320	447
forbidden until advices are received	1292	438
on day of issue	1306	443
terminates responsibility of Department	1307	443
to fraudulent concerns may be stopped by order of Postmaster-General, when	1318	446
to payee at office of issue	1313	445
upon power of attorney, upon indorsement, and to legal representatives of deceased payee	1304	442
upon presentation, to be provided for	1301	441
unclaimed, measures to be taken	1294	433
withheld by postmaster, when	1318	446
postage stamps not receivable for fees upon	1261	430
postmaster responsible for payment of, to wrong person	1297	439
to designate clerk to sign, when	1237	424
precautions to be taken before payment of	1297	439
printed forms for, to be furnished by Postmaster-General	1255	428
purchasers should carefully examine	1263	431
reissue of, payment of new fee required	1276	433
rules for	1279	434

Money-orders, domestic—Continued.

	Sec.	Page.
reissued on account of fault of issuing postmaster, fee upon, to be paid by postmaster in fault	1279	434
issued by acting postmasters, how signed	1238	424
designated clerks, how signed	1238	424
issue of, by clerks designated for that purpose	1236	424
for more than \$300 upon any other than a first-class post-office to be specially reported	1276	433
on Sunday, forbidden	1252	428
on credit, or for any money not legal tender, except national-bank notes, prohibited	1257	429
to be recorded in "register of money orders issued," subsequent action upon, to be noted therein	1275	433
upon branch post-offices, &c.	1235	423
invalid, illegally indorsed, duplicates for, how obtained	1308, 1309	443, 444
more than one year old, duplicates for, how obtained	1308	443
limited to \$100, fees for issuing	1258	428
more than three, of \$100 each, to one remitter in favor of same payee, forbidden to be drawn in one day	1260	430
must be truly dated and stamped	1261	430
name of post-office drawn upon to be written in full upon	1272	433
omitted and defective blanks for, to be reported	1267	431
paid, not correctly receipted and stamped, charged to paying postmaster	1305	443
payable only at money-order post-offices upon which drawn	1316	445
to one person or firm only	1269	432
payee of, cannot be prevented by remitter from receiving payment	1234	423
refusal of postmaster to pay, except from lack of funds, cause for his removal	1301	441
remitter of, cannot revoke after receipt by payee	1234	423
repaid, how to be signed	1313	445
to be so stamped	1312	444
repayment of, by duplicate, how noted	1314	445
rules for	1311	444
to applicant, fee not returned	1310	444
responsibility of postmasters for money received for issue of	1235	423
signature to receipt on face of, must be that of person presenting, for payment of person on, as acting postmaster, when	1290	437
upon, of postmaster or issuing clerk, must be written, not stamped	1238	424
to be stamped with a special stamp	1264	431
unpaid, Auditor to prepare statement of	1262	430
valid and payable only one year from date	1321	447
Money-order second advices , entry of, by receiving postmaster, upon register. to be furnished when needed to secure issue of duplicate money order	1288	436
when and how to be made	1296	439
Money orders, international , maximum amount for which issued	1283	435
expenses of conducting system of, how paid	1270	432
payable in Denmark through Germany	1322	448
Luxemburg through Germany	1322	448
Iceland through Germany	1323	449
extra fee for such orders	1323	449
Austro-Hungarian monarchy through Switzerland, extra fee for such orders	1324	449
British colonies and Egypt through Great Britain, extra fee for such orders	1325	450
such orders may be drawn upon postmaster at British post-office, "Constantinople," and no extra fee exacted	1325	450
at French post-offices in the Levant	1326	450
no extra fee therefor	1326	450
can be drawn upon either the British or French post-office in Constantinople	1326	450
denominations and equivalents of moneys in countries using	1327	451
on Japan, converted into Japanese currency at Tokio	1327	451
fees for issuing	1328	451
maximum amount of	1329	452
fractions of a cent, &c., inadmissible in	1330	452
application for, how made out	1331	452
postmaster prohibited from filling out	1332	452
if postmaster fills out, and improper payment results, he will be held accountable	1332	452
particulars to be given in application for	1333	452
application for German, should not be written in German characters	1333	452
applicant for, unable to converse with postmaster, should have recourse to interpreter	1333	452
form of, and manner of issue	1334	453
blank, to be issued in regular sequence	1334	453
for each, payable in Germany, postmaster to use "card order"	1334	453
applications for German, to be closely scrutinized by issuing postmaster	1334	453
amount of, how expressed	1335	453
Canadian, name of exchange office to be written in	1336	453
lists of, published in book form for Great Britain, France, and Algeria	1337	454

	Sec.	Page.
Money-orders, international—Continued.		
lists of, pamphlet, for other offices.....	1337	454
not required for Germany, Denmark, Switzerland, Austria-Hungary, Italy, Belgium, Portugal, Sweden, Norway, Netherlands, Japan, India, or Egypt.	1337	454
spoiled forms of, how treated.....	1338	454
advices and coupons should be compared.....	1339	455
sent to payee by remitter, when.....	1340	455
retained by remitter as receipt, when.....	1341	455
advices of, how made out.....	1342	455
corrections of particulars after certification.....	1343	455
special envelopes for (German).....	1344	455
to be dispatched by earliest mail.....	1344	455
special envelopes for (Canada).....	1344	455
sent to what exchange office.....	1345	456
exchange offices for.....	1345-6	456-7
payment of.....	1347	457
care to be observed by postmaster in.....	1347	457
to person not residing at money-order office.....	1348	458
from abroad, how certified.....	1349	458
directly to payees, when sent.....	1350	458
now orders furnished in country of destination, when.....	1351	458
advices of, issued in Canada, how transmitted.....	1351	458
drawn directly on United States, bears what upon its face.....	1351	458
how paid to indorsees, attorneys, or legal representatives of deceased payees.....	1352	459
paid, how stamped, &c.....	1353	459
Canadian, must have name of exchange office written thereon.....	1354	459
payment of, should be refused, when.....	1355	459
payable in United States, missing advices of.....	1356	459
forms of inquiry for.....	1358	459
uncertified advices of, how disposed of.....	1357	460
corrections in, exchange office to obtain.....	1358	460
amounts of, discrepancies in, action to be taken.....	1359	460
A auditor not to accept any, as a voucher for payment of any sum greater than that expressed upon its face.....	1360	461
missing advices of, issued in United States, action to be taken.....	1360	461
duplicate advice issued, when.....	1360	461
duplicates of, payable in United States, issued in lieu of orders missent, lost, or destroyed, by whom.....	1361	461
applications for, how made.....	1361	461
invalid, how treated.....	1362	461
missing, for sums payable in foreign countries.....	1363	461
repayment of, how and when made.....	1364	462
invalid, definition of, action of postmasters regarding them.....	1365	462
complaints from remitters of, how received.....	1366	462
how entered upon weekly statement.....	1367	463
recapitulation of each week's issue of.....	1367	464
sequence to be observed in entering.....	1367	465
international numbers of, paid, how entered in weekly statement.....	1367	465
Money-Order System , Superintendent of, appointment and salary.....	6	11
allowance of clerk hire for.....	462	201
books and records required by, furnished postmasters on application to Superin- tendent of.....	1251	428
design of Congress in establishing.....	1234	423
establishment of.....	1234	423
net proceeds of, turned into Treasury.....	148	81
objects of.....	1234	423
regulations of, must be strictly conformed to by postmasters.....	1249	427
safety of, to be commended to the public by postmasters.....	1247	427
Superintendent of, how appointed.....	6	11
Monopoly , by the Government, of mail transportation.....	705	287
private express forbidden.....	706	287
carriers forbidden at carrier offices.....	707	288
penalties for violation of law.....	706-714	287
Montenegro , mails exchanged with.....	389	164
Month's extra pay , when allowed upon discontinuance or curtailment of mail serv- ice upon route.....	817	321
Montreal, Quebec , is money-order exchange office for Canada.....	1345	456
Montserrat, West Indies , mails exchanged with.....	389	164
Morocco , mails exchanged with.....	880	163
Mother entitled to mail matter of children.....	568	239
Mounted letter carriers , their duties.....	653	260
Neozambique , mails exchanged with.....	389	164
Neusant , mails exchanged with.....	880	163
Nonintended currency , not receivable for stamps or on deposit.....	177	90
Nonintended matter , when to be forwarded to Dead-Letter Office.....	629	226
Nonintended stamps not receivable for postage.....	621	223
Nyaho , mails exchanged with.....	389	163
Natal , international money orders payable in.....	1322	448
Navigable waters are post roads.....	727	298
Neshe and Barnesville (railway post-office) exchange office with Canada.....	610	255

	Sec.	Page.
Needles , when admissible to mails	370	155
how inclosed for mailing	370	155
Negligence , liability of postmaster for	697	282
ground for disallowance of credit for losses resulting from	273	122
Netherlands , mails exchanged with	389	164
money-order exchange office for, is New York	1345	456
advics of money order issued in, for United States, retained by exchange office of	1351	458
money-orders for, payable in florins and cents	1327	450
international money orders payable in	1322	449
money order payable in, should be retained by remitter as receipt	1341	455
maximum amount of money order payable in	1329	452
exchange of money orders with	1322	448
denominations and equivalents of moneys	1327	450
money orders on, should be retained by remitter	1341	455
exchange office of	1346	457
now orders furnished in country of destination	1351	458
samples of liquids, fatty substances, &c., may be sent to	397	168
Netherlands colonies , mails exchanged with	389	164
samples of liquids, fatty substances, &c., may be sent to	397	168
Netherlands Guiana , mails exchanged with	389	164
Nevis, West Indies , mails exchanged with	389	164
New Brunswick, Province of , money-order exchange office for, is Bangor, Me.	1345	456
New Caledonia , mails exchanged with	389	163
Newfoundland , mails exchanged with	389	164
money-order exchange office for, is Bangor, Me.	1345	456
New Guinea (Papua) , mails exchanged with	389	164
New Orleans , exchange office with Mexico	616	255
News agents , rights of, to pound rates	350	147
what proofs to be filed with postmaster	350	147
must be in writing	350	147
New South Wales , classification of matter exchanged with	406	172
rates of postage thereon	407	172
money-order exchange office for, is San Francisco	1345	456
money orders for, payable in pounds, shillings, and pence	1327	451
money order payable in, must be sent by remitter to payee	1340	455
money orders issued in, forwarded to payees in United States	1350	458
maximum amount of money order payable in	1322	452
international money orders payable in	1322	449
exchange of money orders with	1322	449
denominations and equivalents of moneys	1327	451
money orders payable in, postmaster to designate paying office	1337	454
order on, should be sent by remitter	1340	455
exchange office of	1346	457
Newspapers , illegal, subject to what rates	339	144
of foreign publications, when admissible	341	145
regulations for admission of	342	145
may be carried out of mails for sale or distribution	717	290
collection of, by carriers, from receiving boxes	659	270
expenditure for, in Department limited	74	54
advertising lotteries, not unailable	379	159
to be wrapped and dried for mailing	354	149
manner of folding and address	355	149
when second-class matter	327	138
conditions of admission to second-class rate	328	138
regularity of issue	320	138
may change time of issue	329	138
must have known office of publication	330	139
when designed primarily for advertising purposes	331	139
subscription price and list requisite	332	140
application for admission of, to pound rate	333	140
proofs to be made	333	141
entry of, as second-class publication	334	142
record of entry to be kept	335	142
extra edition, when admissible	336	142
supplements may be folded with	337	142
character of	338	143
illegal, how rated	339	144
sample copies, how, may be mailed at pound rate	340	144
foreign, entitled to pound rate	341	145
regulations for admitting	342	145
examination of, at mailing office	343	145
how to be made	344	145
submitting false evidence as to character of, penalty	346	146
to be reported	347	146
postmaster to keep record of	345	146
postage on, at pound rate	348	147
mode of payment	349	147
at free-delivery offices	352	148
how to be separated at free-delivery offices	353	148

	Sec.	Page.
Newspapers—Continued.		
rights of news agents to pound rates	350	147
transient, postage on	351	148
to be wrapped and dried	354	149
manner of folding and address	355	149
so as to admit of examination	377	157
permissible marks or writing on	356	149
form of bills, orders, or receipts to accompany	357	149
detention of, illegally mailed	358	150
postage on, in foreign mails	398	169
Canadian mails	402	170
Mexican mails	403	171
Australian mails	407	172
free county delivery of, when	421	180
how mailed for	422	180
and at what office	422	181
unclaimed, not to be sent to Dead-Letter Office	598	248
publisher to be notified of refusal or failure to take from post-office	599	248
notice, how given	600	248
disposal of, when unclaimed	598	248
refused, how disposed of	601	248
left on collection boxes, carriers to take to post-office	659	270
how, may be mailed by publishers and news agents in railway post-offices	980	360
not to be carried outside of mail bags except for outside delivery	981	360
to be promptly dispatched	981	360
reading of, mailed in railway post-office, forbidden	982	360
railway postal clerks not to beg them from publishers	983	360
stealing, detaining, or destroying, while in mail, how punished	1451	495
Newspapers and periodicals are second-class matter, when	327	138
statutory conditions of admissibility	328	138
what is regularity of issue	329	138
known office of publication	330	139
advertising sheets defined	331	139
subscription price and list requisite	332	140
application for admission to pound rate	333	140
entry of, how granted	334	142
record of, kept in Department	335	142
extra editions, when admissible	336	142
supplements, when, may pass with regular issue	337	142
supplements defined	337	142
rules for determining character of	338	143
Newspaper and periodical stamps, use of, defined	153	83
postmasters to be supplied with, when	164	85
first requisition for, how made	168	86
damaged supply, how treated	170	87
their proper use explained	179	90
never to be sold or loaned	179	90
how affixed to matter	179	90
quarterly report of sales to be made	179	90
and stubs of receipts returned therewith	179	90
quarterly report of sales	256	115
cannot be received in prepayment of postage on letters	521	223
New York, exchange office with Canada	616	255
Mexico	616	255
credits for money orders allowed on	1391	473
is money-order exchange office for France and Algeria	1346	457
money allowances to, for clerk hire, &c	460	199
for international money-order business	1244	426
salary of postmaster of	456	196
headquarters of second division Railway Mail Service	897	344
of division of inspection force	36	39
New York and Chicago (railway post-office), exchange office with Canada	616	255
New Zealand, classification of mail matter exchanged with	406	172
rates of postage thereon	407	172
money-order exchange office for, is San Francisco	1345	456
international money orders payable in	1322	449
money order payable in, must be sent by remitter to payee	1340	455
money orders for, payable in pounds, shillings, and pence	1327	451
maximum amount of money order payable in United States	1350	458
exchange of money orders with	1323	452
denominations and equivalents of moneys	1322	449
money orders payable in, postmaster to designate paying office	1327	451
exchange office of	1337	454
1346	457	
Nicaragua, mails exchanged with	389	164
registered matter from, cannot be recalled by senders	1168	405
Night, custody of mails arriving at	1031	370
departing at	1032	370
Night duty of railway postal clerks	969	357
Night trains, registered matter not to be sent on	1072	381

	Sec.	Page.
Office of Third Assistant Postmaster-General--Continued.		
division of finance	7	23
postage stamps, &c	7	24
registration	7	25
files, records, and mails	7	25
Office of Superintendent of Foreign Mails	7	26
Office of Superintendent of Money-Order System	7	25
examining division	7	25
blank division	7	25
duplicate division	7	25
division of domestic correspondence	7	26
drafts, credits, and transfers	7	26
international division	7	26
postal agency	7	26
chief clerk's duties	7	26
Officer not allowed double salary, when	67	53
nor extra compensation for acting in another office	67	52
nor for extra service	68	52
nor unauthorized salary	69	53
nor when not confirmed	70	53
nor salary when in arrears	71	53
nor in advance of service	72	53
mail matter addressed to, how delivered	580	238
Ogdensburg and Utica (railway post-office) exchange office with Canada	616	255
Omissions on registry bills and receipts to be supplied	1104	388
Ontario, Province of, money-order exchange office for, is Buffalo, N. Y.	1345	456
or Detroit, Mich.	1345	456
Opened through mistake, letters, when, to be returned	594	247
letters, how treated	578	242
Opening mails, time for, in star-route offices	510	220
Order books to be kept in second-class offices	500	217
railway postal clerks to examine, when	921	349
Orders to be truly dated and filed	132	73
affecting salaries, when to have effect	455	190
Pacific railroads, rates of pay of, for carrying mails, and how applied	762	301
payments, to be withheld	763	302
accounts of, how stated	764	302
Packages, duties on, how collected	621, 822	258
Palawan, mails exchanged with	389	164
Panay, mails exchanged with	389	164
Paraguay, mails exchanged with	389	164
Parent entitled to letters addressed to minor children	568	239
Partnerships, mail matter addressed to firm, how delivered	570	239
upon dissolution and dispute	571	240
Patagonia, mails exchanged with	389	163
Payments, how made by disbursing clerk	54	46
of double salaries, when forbidden	67	52
of extra compensation forbidden	67	52
of unauthorized salary forbidden	69	52
to unauthorized officer forbidden	70	53
or to person in arrears to United States	71	53
in advance, for services or materials, forbidden	72	53
limited to service performed or articles delivered	72	53
fraudulent, to be recovered by suit from payee	133	73
for debts only	219	102
to be made only on appropriation	217	102
and by warrants, how drawn	217	102
to persons to whom due	219	102
of salaries of clerks, how made in Department	54	46
of other disbursements' to be by check on Treasurer when	54	46
of postmasters' salaries, how retained from receipts	221	102
authorized expenses, how deducted from receipts	221	102
receipts to be taken therefor	221	103
by disbursing postmasters, how and when made	228	104
how and when made for clerk hire and other expenses	228	104
same, how made when postmaster retires during a quarter	249	114
of letter-carriers, how made	229	104
of railway postal clerks, how made	230	105
of special-delivery messengers, to be made at end of month	677	277
how receipted for	678	277
of railroads carrying mail, conditions of	746	297
rate of, reduced 10 per centum	747	297
further reduction of 5 per centum	748	298
on contracts for carrying the mail, how and when made	810	319
not to be made after expiration of contract	811	320
for advertised letters, how made	584	245
advertisement of undelivered letters may be made	585	245
application of, after postmaster gives new bond	451	184
Pegu, mails exchanged with	389	163
Pennsylv. (See CRIMES.)		

	Sec.	Page.
Penalties—Continued.		
actions to collect	301	130
what offenses, subject to, list of	302	130
how recoverable	303	131
informer or prosecutor entitled to half	303	131
when informer liable for costs and fees of officers	304,	305
voluntary payments of, how deposited	306	131
compromises and remissions of, how made	309	132
Penalty envelopes or official envelopes, how provided.	415	175
what indorsement to bear	415	175
to contain penalty clause	415	176
what officers may use	415	176
on Government business only	415	176
may be inclosed with return address, when	415	176
to be inclosed to Senators, &c., in communications requiring answers	415	176
regulations for use of	416	177
form of penalty clause	416	177
ex-officer cannot use	416	177
not to be used in forwarding letters by postmasters	562	236
Penang, mails exchanged with	389	163
international money orders payable in	1322	448
Penon de la Gomera, mails exchanged with	389	164
Pensacola, official letters to, how delivered	507	238
Periodicals. (See SECOND CLASS MATTER; NEWSPAPERS AND PERIODICALS.)		
Periodical stamps. (See NEWSPAPER AND PERIODICAL STAMPS.)		
Permits to ride in railway postal cars, how obtained	956	354
not good for transportation	958	354
annual, not to be taken up	957	354
Permissible additions to second-class matter	366	149
to third-class matter	367	153
to fourth-class matter	371	156
examination with respect to	372	156
Persia, mails exchanged with	389	164
Persian Gulf, mails exchanged with	389	163
Pera, mails exchanged with	389	164
samples of liquids, fatty substances, &c., may be sent to	397	168
Philippine Archipelago, mails exchanged with	389	164
Pictures, obscene, unmailable	380	159
Pistols, how, may be sent in mails	370	155
Plank roads are post-roads	727	293
contract for carrying mail on	735	194
Political assessments, collection or payment of, when forbidden	78-81	56
postmasters forbidden to make or receive, when	504	218
Political conduct of postmaster, regulation as to	480	208
Polk, Sarah, granted franking privilege	412	174
Pondicherry, mails exchanged with	389	163
Port Huron and Detroit (railway post-office), exchange office with Canada	616	255
Portland, Oregon, may have allowance for clerical labor in money-order business.	1244	426
is depository for mail bags	875	37
Port Townsend and Tacoma (railway post-office), exchange office with Canada	616	255
Porto Rico, mails exchanged with	389	164
Portugal, mails exchanged with	389	164
samples of liquids, fatty substances, &c., may be sent to	397	168
international money orders payable in	1322	449
money orders for, payable in milreis and reis	1327	451
maximum amount of money order payable in	1329	452
money order payable in, should be retained by remitter as receipt	1341	455
exchange office for, is New York	1345	456
exchange office for, is Lisbon	1346	457
advice of money order issued in, for United States, retained by exchange office in	1351	458
Portugal and the Azores and Madeira Islands, exchange of money orders.		
with	1322	448
denominations and equivalents of moneys	1327	450
maximum amount of orders payable in	1329	452
order on, should be retained by remitter	1341	455
exchange office of	1346	457
new orders furnished in country of destination	1351	458
Portuguese colonies, mails exchanged with	389	164
Postage to be paid in stamps	152	82
prepayment of, required on domestic matter	320	155
rate of, on first class matter	322	136
letters	322	136
soldiers', sailors', and marines' letters	323	136
drop letters, when sent to neighboring office	326	137
second-class matter mailed by publisher or news agent	348	147
on matter to Postal Union countries	398	169
and from Canada	402	170
Mexico	403	171
Australian colonies	406	172
mode of payment of, on second class	349	147

	Sec.	Page.
Postage —Continued.		
mode of payment of, on transient newspapers.....	351	148
at free-delivery offices.....	352	148
on third-class matter.....	359	150
bulk packages of circulars.....	362	151
fourth-class matter.....	373	156
penalty for evasion of payment of.....	375	157
to be rated up in mailing office.....	524	224
at receiving office.....	554	232
prepayment not required on letters to Postal Union countries.....	398	169
part payment at least required on matter other than letters to Postal Union countries.....	398	169
double deficiency charged on unpaid or part paid matter from Postal Union countries.....	398	169
collected at office of delivery.....	399	169
prepayment, how far obligatory on matter to and from Canada.....	402	170
one full rate on letters and full payment required on matter to and from Mexico..	404	171
prepayment of one full rate on letters, and full prepayment on newspapers required on matter to Australian colonies.....	407	172
on matter to foreign countries, by affixing stamps valid in country of origin.....	398	169
overcharges cannot be remitted.....	512	221
double rates, when to be collected.....	558	233
extra, not to be charged by letter carriers.....	662	271
penalty for exacting more than legal.....	1465	499
report of, collected from publishers.....	256	115
due, to be collected (see POSTAGE-DUE STAMPS).....	557	233
matter held for. (See HBLD FOR POSTAGE.)		
Postage-due stamps , how used.....	180	91
not receivable as postage.....	521	223
to be affixed on unpaid matter.....	557	233
amount collected on delivery.....	650	268
when, by letter carriers.....	557	233
penalty for failure to affix or collect.....	559	234
when to be affixed at free-delivery offices.....	559	234
other offices.....	560	234
credit for, affixed to undeliverable matter, how obtained.....	425	183
allowed by the Dead-Letter Office.....	548	231
Postage-due matter not to be stopped in transit.....	213	100
Postage Stamps , estimates for.....	84	58
manufacture of, contracts for.....	85	58
may be signed by Third Assistant Postmaster-General.....	41	40
agent to superintend manufacture, his duties.....	153	83
kinds of, and denominations.....	153	83
ordinary, defined.....	153	83
postage-due stamps defined.....	153	83
newspaper and periodical, defined.....	153	83
special-delivery stamps defined.....	160	84
improvements in, to be adopted.....	161	84
portrait of living person not to be on.....	162	85
to be furnished and sold.....	163	85
postmaster, when supplied.....	164	85
to keep themselves supplied.....	165	85
requisitions for, how made.....	166	86
first, for newspaper, &c., stamps, how made.....	169	87
postmasters to count supplies when received.....	170	87
damaged, to be returned to Department.....	172	88
sale of, by agents.....	174	88
by postmasters, only for face value.....	174	88
penalty for selling for more or less.....	174	88
other than cash.....	174	89
pledging or hypothecating.....	174	89
for payment of debts.....	176	90
exchange of, prohibited.....	177	90
mutilated currency not to be accepted for.....	178	90
what money not receivable for.....	273	122
when lost by fire or burglary, how credit obtained for.....	257	115
Presidential postmasters to report monthly sales of.....	516	222
to be defaced at mailing office.....	517	222
how to be canceled.....	521	223
canceled, or previously used, how treated.....	521	223
matter mailed with previously used, how treated.....	521	223
mutilated, not receivable for postage.....	549	231
not to be canceled in transit.....	627	260
sale of, by letter carriers.....	521	223
special delivery, not receivable as postage.....	38	40
Postal agencies , foreign, Postmaster-General may establish.....	38	40
at what ports.....	39	40
in China and Japan.....	157	88
Postal cards , to be provided, and use of.....		

	Sec.	Page.
Postal cards —Continued.		
for foreign use, authorized	158	84
double, authorized	159	84
postmasters to keep supplied	163	85
requisitions for, how made	165	85
supplies to be counted when received	169	87
damaged supplies to be returned	170	87
illegal sales of, punishable	174	89
what money receivable for	177	90
cannot be issued by private parties	324	127
when, subject to letter postage	324	137
when, constitute circular	324	137
what may written or printed on address side	324	137
may be forwarded or returned	324	137
to be treated as sealed letters	324	137
address on, may be written, printed, or affixed	325	137
when to be returned to writer	595	247
Postal card agents , appointment of, and duties	41	41
Postal conventions , Postmaster-General may conclude	383	161
publication of, how made	384	161
how printed	385	162
duty of Public Printer thereon	387	162
as to money order arrangements	1322	448
Postal Guide. (See OFFICIAL GUIDE.)		
Postal note agent , appointment and duties of	42	41
to give bond	42	41
Postal note business , rates of compensation for conducting	1425	484
Postal note offices , special envelopes furnished to, for inclosing paid postal notes	1407	480
can only issue postal notes	1429	485
supplies at	1429	485
postal notes issued at, at remitter's risk	1430	485
if lost or destroyed no duplicate issued	1430	485
cash-book at, how kept	1431	485
daily remittance of postal-note funds by postmaster at	1432	485
how made	1432	485
Postal notes , authorization of, by Congress	1397	477
supplies connected with issue of, furnished by	1398	478
consist of what	1398	478
blank, to be kept securely	1399	478
postmaster responsible for loss of	1399	478
not to take the place of money orders	1400	478
applicants for, should be informed that postal notes are sent at remitter's risk	1400	478
fee for, is uniformly three cents	1401	478
amount for which issued	1402	478
how issued by postmaster	1403	478
models of, postmasters should carefully study	1404	479
how paid by postmaster	1405	479
issued at money-order office, how paid	1406	480
postal-note office, cannot be paid thereat	1406	480
paid, how canceled	1407	480
transmitted weekly to Department	1407	480
written application for, not required	1408	481
particulars of, issued and paid, not to be entered in registers	1409	481
number of, allowed to be issued to one person in one day, no limit	1410	481
should be examined by purchaser	1411	481
stubs of, issued to be safely kept in issuing office	1412	481
postmasters held accountable for safe keeping of stubs of	1412	481
postmaster's neglect to keep stubs of, will subject him to prompt removal	1412	481
"spoiled" and "not issued," how treated	1413	481
blank forms of, how accounted for weekly	1413	481
no advice of	1414	481
books of, to be examined by postmaster upon receipt	1415	481
irregularities in, to be reported	1415	481
blank note omitted, how treated	1415	481
defective or mutilated notes in, how treated	1415	481
duplicates notes in, how treated	1415	481
issued, stamp and date omitted from	1416	482
omitted from	1416	482
of either office omitted from, rejected as vouchers	1416	482
having been paid, United States not liable for any further claim for the amount thereof	1417	482
payable to bearer	1416	482
complaints of loss of letters containing, how treated	1417	482
to be examined as to genuineness	1418	482
altered or counterfeit, paid at postmaster's risk	1418	482
erased or altered, how treated by postmaster	1419	482
telegraph to be used by postmaster when	1419	482
having coupons pasted or otherwise fastened to them, not to be paid until	1419	482
how paid	1419	482
paid by postmaster at his risk	1419	482

	Sec.	Page.
Postal notes —Continued.		
lost, duplicates of, cannot be issued	1424	483
invalid, definition of	1421	483
how paid	1421	483
additional fee for payment of	1421	483
duplicate of, issued by Superintendent of Money Order System	1421	483
receipt for, to be given up to postmaster upon payment of	1421	482
when presented for reissue	1421	483
duplicates of, only to be drawn upon what post-office	1421	483
placard in relation to, where posted	1422	483
office hours at offices issuing	1423	484
application for supplies of, how and to whom made	1424	484
rates of compensation for issuing and paying	1425	484
funds from sale of, how treated	1426	484
surplus funds from sale of, how treated	1420	484
funds from sale of, not to be kept separate from money-order funds	1428	484
amount of, issued, fees received upon, and amount of, postal notes paid to be daily entered in cash book	1427	484
issued and paid, entered separately from money orders issued and paid in weekly statements	1427	484
instructions as to manner of entering, in weekly statements, found where	1427	484
paid, caution regarding loss of	1428	484
list of paid, desirable for postmaster to keep copy of	1428	484
sent at remitter's risk	1430	486
lost or destroyed, no duplicate issued therefor	1430	485
Postal revenues to be paid into Treasury	61	46
duty of disbursing officer in respect to	52-59	45
whence derived	148	81
system of, explained	148	81
post-office receipts are	149	82
net proceeds money-order business are	150	82
unclaimed money in dead letters are	150	82
moneys stolen from mail are, when	150	82
fines and penalties are	150	82
receipts for transportation of mails of foreign countries are	150	82
provision of stamps and stamped paper	152-161	82
supplies of, to postmasters	162-171	85
disposition of	172-182	85
duties of postmasters as custodians of public moneys	183	92
moneys to be safely kept	184	92
deposits only in national banks or with depositaries	185	92
private banks cannot receive, on deposit	185	92
nor banker, broker, or other person	186	92
penalty for borrowing from custodian	186	92
care of, while in custody	187	93
deposit of, when required	188	93
not to be made with Department	188	94
entire balance to be deposited	189	94
deposits by retiring postmaster	190	94
failure to deposit, embezzlement	1463, 1464	498
to report cause of failure to deposit, when	192	94
letter of transmittal with deposit	193	95
certificate of deposit	194	95
lost certificate, how duplicated	195	96
deposits, how made	196	96
duties of depositaries	197	96
accounts and reports by	198	97
deposits and reports by	199	97
deposits, how brought into Treasury	200	97
collection of, by drafts	201	97
duties of drawee	202	98
notification of payment	203	98
non-payment	204	98
report of cause of failure to collect	205	98
failure to collect, cause for removal, when	207	98
responsibility for uncollected draft	206	98
to be paid into the Treasury	209	99
transfer of, how made	210	99
expenditures from. (<i>See</i> EXPENDITURES; DISBURSEMENTS.)		
" Poste restante ," letters marked, not to be advertised	589	246
registered letters must be held not longer than three months if undelivered	1164	404
Posting of list of advertised letters, how to be made	587	245
Postmarking of all but second-class matter required	518	222
impressions of stamp, how taken	519	222
to be legible and clear	520	223
of mail matter placed in railway post-office	986	361
postal clerks to report neglect in	986	361
of unclaimed matter sent to Dead-Letter Office	607	250
Postmarking stamps to be entered in inventory	242	110
how to be used	517	222

Postmaster-General—Continued.

	Soc.	Page.
may make allowances to postmasters.....	460	190
for money-order service.....	462	200
separating offices.....	461	200
extraordinary business.....	463	201
may adopt uniform canceling ink, &c.....	467	202
establish blank agency.....	468	203
to furnish metric balances.....	471	203
may direct business hours at post-offices.....	474	207
to arrange clerks, &c., into classes in post-offices where fifty or more employed.....	497	216
to prescribe time of closing mail.....	500	220
use of postage-due stamps at free delivery offices.....	557	233
may direct publication of list of non-delivered letters.....	562	244
establish, free delivery service, when.....	623	259
receiving boxes, when.....	629	261
special-delivery service, when.....	665	271
and extend same to all offices.....	666	272
authority of, in establishing mail carriage:		
may select post-roads.....	728	294
change terminus thereof.....	729	294
shall cause court-houses to be supplied.....	730	294
provide mail carriages on post-roads.....	731	294
may contract for transportation of mails.....	732	294
extend facilities to special offices.....	733	294
contract for mail carriage on canals.....	734	294
plank roads.....	735	294
waters of United States.....	736	295
inland and foreign combined, when.....	737	295
give preference to letter over other mail.....	738	295
discontinue service on post-roads.....	739	295
as to mail carriage by railroads:		
may decide on trains and manner.....	740	295
contract without advertising.....	741	295
readjust compensation.....	746	297
by reducing same ten per cent.....	747	297
by reducing same five per cent more.....	748	298
fix rate in land grant roads, when.....	749	298
to have mails weighed.....	752	299
may request railroad companies to report receipts and expenses.....	760	301
use horse express, when.....	761	301
authorized to establish mail-messenger service.....	765	303
as to contracts for mail carriage:		
may order advertisements in what newspapers.....	776	306
advertise routes omitted.....	777	307
to designate amount of bonds of bidders.....	779	308
to prescribe form of bond and affidavit of bidders' sureties.....	780	309
opening of proposals for carrying mails.....	792	313
to whom to award contracts.....	794	314
bidder failing, to let to next lowest bidder.....	796	314
contractor failing, how to proceed.....	797	314
may authorize temporary contracts, when.....	798	315
extend service, when.....	799	315
employ temporary service, when.....	799	315
contract for steamboat service.....	804	317
fix time of executing contracts.....	806	318
require new sureties, when.....	809	319
annul contract, when.....	808	319
change schedules of arrivals and departures, when.....	812	320
extend service on routes, when.....	814	320
expedite service, when.....	815	320
discontinue or curtail service, when.....	817	321
annul contracts sublet without consent.....	819	321
or when sublet at less than contract price.....	823	324
as to transportation of domestic mails through foreign countries:		
may make suitable arrangements for.....	825	324
contract for carrying mail between United States and foreign countries.....	826	324
employ sailing vessels therefor, when.....	827	325
allow what compensation for carrying foreign mails.....	828	325
impose fines on contractors.....	829	325
discontinue contracts for, when.....	830	325
arrange for carrying foreign mails through United States.....	831	325
pay masters of vessels for ship letters.....	837	327
as to fines and deductions on contractors:		
may make deductions for failures.....	848	329
and impose fines for delinquencies.....	848	329
as to railway mail service:		
may appoint general superintendent therefor and assistant superintendents.....	894	343
railway postal clerks.....	898	344
and fix their salaries.....	898	344

Postmaster-General—Continued.

	Sec.	Page.
as to registry system:		
may establish uniform system of registration	1039	373
and direct manner of accounting for fees therefor	1045	374
prescribe regulations for sending currency for redemption free	1047	374
as to money-order system:		
may establish uniform system for	1234	423
at post-offices and branch post-offices	1235	423
make allowances for clerk hire for money-order business	1244	426
pay for stationery and incidental expenses out of proceeds of	1245	426
shall supply money-order offices with blanks, &c.	1253	428
may prescribe proof as to genuineness of indorsement of money order	1289	437
make arrangements for exchange of international money orders	1322	448
transfer money-order funds	1368	467
postal revenues to money-order funds	1369	467
to require postmasters to render reports of money-order funds	1371	468
may direct deposit of money-order funds	1372	468
authorize issue of postal notes	1397	477
Postmasters, appointment of, by President	440	188
Postmaster-General	440	188
when fourth-class office becomes Presidential	440	188
Presidential office becomes fourth-class	440	188
minors and aliens ineligible	441	188
alien, having declared intention, may be	441	189
married woman may be	441	189
wife of contractor may not be	441	189
must be of full age	441	189
bonds of, required	442	189
additional conditions of, at money-order offices	442	189
how to execute	443	189
instructions as to execution of bond	443	189
liability of sureties of	447	192
limit of time of sureties' liability	447	192
action of sureties upon death of	448	192
release of sureties of, by renewal of bond	449	193
when, must execute new bond	450	193
application of, for new bond	451	194
release of sureties by Court of Claims	453	194
commission of, when issues	444	190
must reside within delivery of office	445	190
cannot hold other office, when	446	190
classification of	454	195
compensation of	455	196
orders affecting salaries, when take effect	455	196
readjustment of salaries, when made	456	196
salaries of first, second, and third class	457	196
compensation when acting <i>pro tempore</i>	458	198
of fourth-class	459	199
money allowances	460	199
at what offices, and for what, made	460	199
basis on which allowed	460	199
at separating offices	461	200
clerk hire for money-order offices	462	200
extraordinary business	463	201
clerks and employés of	404	201
allowances to, how made	465	202
for leased post-office	466	202
supplies furnished to	467	202
of uniform canceling ink	467	202
blanks	468	203
facing slips, wrapping paper, and twine	469	203
postal balances	471	208
printed, or wooden, or slide labels	472	204
list of blanks furnished to	473	204
directions in applying for blanks	473	204
organization and management of office	474	207
to keep an office	474	207
not located in bar-room	475	207
may transact other business at fourth-class office	476	207
must not act as lottery agent	477	207
not to permit loungers or disorderly persons in post-office	478	207
what advertisements allowed posted in post-office	479	207
personal conduct of	480	208
political action restricted	480	208
business hours at post-office	481	210
when to keep delivery open	482	210
may observe what holidays	483	210
care of public property	484	211
inventory of same to be taken	484	211

	Sec.	Page.
Postmasters—Continued.		
may allow box-holders to provide lock-boxes	490	213
must employ assistant	496	216
must keep record of box-holders	494	214
records of public property	484	211
provide letter-box at office	487	212
drawers for stamps, &c	488	212
take care of property in office	486	212
turn over property to successor	485	211
at first and second class offices must examine distributing clerks	499	217
keep order books	499	217
fourth-class offices may transact other business	470	207
duty of, as to key deposits	494	214
forbidden to disclose names of box-holders	493	214
rent boxes for longer term than three months	491	213
in doubtful cases, must get instructions from Department	502	218
instructions for, as to corresponding with Department	503	218
political assessments	505	218
are not supplied with stamps, &c., until commissioned	183	85
to keep themselves supplied with stamps, &c., how	164	85
first requisition of, for newspaper and periodical stamps	166	86
collection of drafts by	201-208	97-98
deposit of funds by	185-190	92-87
duty of, as to special-request envelopes	167	86
instructions for making requisitions for stamps, &c	165	85
as to use of newspaper and periodical stamps	179	90
must count supplies when received	169	86
redeem certain spoiled stamped paper	181	91
safely keep public funds	184	92
not required to accept mutilated money	177	90
as to newspaper and periodical publications:		
duty of, as to examination of second-class matter	343, 344	145
must ascertain whether subscription price and list of subscribers are genuine	232	140
detain publications suspected to be third-class matter	358	150
inform publishers as to regulations concerning second-class matter	334	142
keep record of publications	345	146
report false evidence presented as to second-class matter	347	146
require certain information from publishers	333	140
rules for guidance of, as to supplements	638	143
sample copies	340	144
as to other classes of mail matter:		
instructions for, as to circulars	361	151
free county publications	422	180
printed matter	364	152
must examine fourth-class matter	372	156
receive and mail free copy-right books, &c., to Librarian of Congress	420	180
as to treatment of mail matter in post-offices:		
duty as to hour of closing mails	509	220
forbidden to allow unauthorized persons to handle the mails	511	221
give information concerning mail matter	507	220
open sealed matter	506	219
solicit the mailing of matter	515	221
instructions for advertising of letters	532-591	244-246
distribution and dispatch of matter	534-545	228-230
collection of deficient postage	554-561	232-235
forwarding of matter	562-564	235, 236
handling matter at catcher offices	610-614	252, 253
mailing matter to foreign countries	615-617	254-256
receiving matter from foreign countries	618-622	257-259
sending matter to Dead-Letter Office	602-609	248-251
treatment of matter received in transit	546-549	230, 231
at office of destination	550-553	231, 232
misdirected matter	526	225
refused second-class matter	509-601	248
unclaimed matter	592-598	246-281
unmailable matter	527-530	225-226
unpaid matter	525	224
must cancel stamps on matter	517	222
postmark mail matter	518	222
penalty for detention of mail matter	508	220
as to expenditures:		
all Presidential, are disbursing officers	226	104
disbursements by, to letter-carriers	229	104
railway postal clerks	230-237	105-107
may be designated to act as disbursing officers	225	103
must make all authorized disbursements before sending accounts to Auditor	228	104
may retain salary and allowances expended	221	102
but no more	221	102
must send vouchers to Auditor	222	103
deduct balances from next quarter's receipt	223	103

	Sec.	Page.
Postmasters—Continued.		
as to the registry system:		
duty of, when registered matter is too large for registered-package envelope	1065	379
package envelope contains only bill and receipt	1103	388
is received empty	1109	389
pouch arrives with defective lock	1088	384
forbidden to enter registry fees on quarterly postal account	1147	401
reprimand one another	1149	401
return fraudulent registered matter without express authority	1130	396
send registered matter over star routes to postal clerks	1078-1079	382
tie or wrap registered matter with ordinary	1074	381
write to foreign postal officials	1167	405
must be able to certify to dispatch of registered matter	1077	382
check return of registry bills and receipts	1090	385
deliver registered matter to addressee only	1121	394
inclose registered matter in registered-package envelope	1062	378
encourage registration	1041	373
indorse registered special-delivery letters	1063	379
enter registered matter on registration book	1054	377
for delivery on delivery book	1110	389
transit matter on transit book	1087	384
give and take hand-to-hand receipts when practicable	1071	381
in certain cases use registered-tag envelopes	1066	379
keep registered matter secure	1059	377
make quarterly reports of registry business	1146	401
out and send registry-return receipt and bill	1060, 1061	377, 378
registered package receipts	1067	380
mark registered matter of third and fourth classes	1053	376
number registered matter consecutively	1055	377
observe registry schemes	1081	383
preserve used registered-package envelopes	1145	400
promptly answer inquiries	1140	399
return registered-package receipts	1070	381
receive registered matter from postal clerks	1100	387
register all matter properly presented	1041	373
require registered matter to be indorsed	1053	376
re-mail registry return receipts to senders	1126	395
report when registered letter arrives unsealed	1064	379
send circular of inquiry in certain cases	1092	385
duplicate receipt if original be not returned	1091	385
notice of arrival of registered matter	1115	392
registered matter by most secure route	1080	382
return receipts for foreign matter to exchange offices	1160	404
supply omissions in registry bill and receipt	1104	388
take receipt when registered matter is delivered	1118	393
special interest in registry system	1148	401
turn over registry records to successor	1143	400
on star routes must place registered matter in way pouches	1082	383
rules for registering currency for redemption	1048	374
sending remittances of postal and money-order funds	1049	375
should consult Postal Guides as to registered matter for foreign dispatch	1155	403
will be held accountable for registered matter	1059	379
responsible for certain losses of registered matter	1064	377
in connection with free delivery of letters. (See FREE-DELIVERY SERVICE.)		
mail equipments. (See MAIL EQUIPMENTS.)		
money orders. (See MONEY-ORDER SYSTEM.)		
special delivery of letters. (See SPECIAL-DELIVERY SERVICE.)		
railway mails. (See RAILWAY MAIL SERVICE.)		
transportation of the mails. (See TRANSPORTATION OF THE MAILS.)		
Post-Office Department, establishment of	1	9
officers of	6	10
organization of	7	13
office of Postmaster-General	7	13
the chief clerk	7	14
the appointment clerk	7	14
superintendent of buildings and disbursing clerk	7	15
Assistant Attorney-General	7	15
law clerk	7	16
topographer	7	16
Chief Post-Office Inspector	7	16
First Assistant Postmaster-General	7	16
division of appointments	7	17
bond division	7	17
division of salaries and allowances	7	18
free-delivery division	7	19
division of correspondence	7	19
division of post-office supplies	7	18
duties assigned to office of Postmaster-General	7	13
chief clerk	7	14

Post-Office Department—Continued.

	Sec.	Page.
duties assigned to office of appointment clerk	7	14
superintendent of buildings and disbursing clerk	7	15
Assistant Attorney-General	7	15
Chief Post-Office Inspector	7	16
clerks in, employment authorized	10	20
only as provided by law	10	29
extra, when employed	11	29
restrictions in employing	12	30
voluntary service of, forbidden	13	31
classification of	14	31
change in grading, authorized	15	32
salaries and compensation of	17	32
distribution of	18	33
appointment of	19	33
soldiers and sailors preferred as	20	33
appointment of women	21	33
only two of a family eligible	22	34
intemperance a bar	23	34
what recommendations considered	24	34
financial maintenance of	51	45
property of, to be inventoried	62	50
sales of waste paper in, authorized	63	50
telegraph for use of	137	75
Post-office inspectors, employment of, authorized	26	35
appointment authorized	26	35
Department officers may be	27	35
compensation and per diem of	28	35
appointment of, probationary	28	36
their payment, how made	29	37
required to give bond	31	37
general authority of	32	38
duties of, how to be performed	33	38
to observe service	34	38
confidential communications of	35	39
organization of the force	36	39
headquarters of divisions	36	39
confidential regulations for	37	39
must exhibit commissions to postmasters	504	218
must receive mail matter from postal car, when	565	237
railroads to carry, without charge	743	296
railway postal clerks must assist	931	350
Post-offices, Postmaster-General to establish and discontinue	2	9
establishment of	436	187
professing to keep, without authority, punishable	436	187
establishment of branch	437	187
change of name and site of	438	187
discontinuance of (<i>see</i> DISCONTINUANCE)	439	188
organization and general management of	474-505	207-219
postmasters required to keep open, when	474	207
not to be located in bar-room	475	207
fourth-class, what room may be kept	476	207
other business to be kept separate from	476	207
lounge or disorderly persons not permitted in	478	207
dispute or controversy not permitted in	478	207
disturbers, when to be expelled	478	207
to be kept clean and orderly	478	207
public not excluded from lobby, when	478	207
smoking may be prohibited in	478	207
business hours at	481	210
what advertisements permissible in	479	207
delivery of, when to be kept open	482	210
when to be opened on Sunday	481	210
may be closed on holidays	483	210
equipment of	487	212
receiving boxes for mailing, when to be provided	487	212
drawers for mailing, &c	488	212
letter boxes, how provided in	489-495	213-214
breaking burglariously into, how punished	1458	496
embezzlement of property in	1455	495
letter deposited in, deemed "intended to be conveyed by mail"	1443	491
what constitutes a	1449	494
need not be a building set apart for that use, nor apartment or room in, when	1449	494
receiving articles stolen from, how punished	1450	494
stealing property from, how punished	1455	495
Post-office supplies. (<i>See</i> SUPPLIES.)		
division of, chief of, appointment and salary	6	11
attached to office of First Assistant	7	18
what, are furnished	467-473	202-206
Post roads, what are established as	727	293

	Sec.	Page.
Post roads —Continued.		
Postmaster-General may select terminus of, may be changed	728	294
court-houses to be supplied with mail	730	294
service may be established on authority to establish	732	294
extension of mail facilities to special offices	733	294
carrying mail on canals	734	294
plank roads	735	294
inland waters	736-737	295
discontinuing service on	739	295
Post-route maps , disbursement of appropriation for	55	46
sales of, how made	61	49
issue of, to officers in service	61	50
Pouches . (See MAIL BAGS.)		
return of	1000	364
catcher, how used	612-614	253
Ponto-Condor , mails exchanged with	359	163
Pound rate . (See SECOND-CLASS MATTEE.)		
Powders , liquids, &c., may be mailed to certain countries under restrictions	397	168
President , order of, as to acting heads of Department	25	35
holding of other offices by United States officers	446	190
United States officers, their participation in political campaigns	430	208
appoints first, second, and third class postmasters	440	183
when to fill vacancies in office of postmaster	447	192
Prepaid . (See POSTAGE.)		
Premium , on sales of public securities to be accounted for	66	51
Present , letter carriers not to solicit	641	265
Presidential post-offices , change to, from fourth class	258	116
Prince Edward Island , Province of, money-order exchange office for, is Bangor, Me.	1345	456
Printed matter , low, lascivious, or obscene, unmailable	380	159
book, when obscene, unmailable	380	159
Printing and binding for Department, estimates for	108	66
to be done by Public Printer	111	67
account to be kept	112	67
reports, when to be printed	113	67
not to contain irrelevant matter	114	68
form and style of	116	68
number of reports, &c., to be printed	115	68
Priority of debts due United States	312	132
Probation of railway postal clerks	809	345
of post-office inspectors	30	37
Profane language forbidden to letter carriers on duty	641	265
Promotions in letter carrier force, how made	633, 638, 263,	265
of railway postal clerks	900	345
Proposals for carrying the mail, to be accompanied by bonds	779	308
bond to be approved by postmaster	779	308
condition of bond	779	308
liability in case of failure	779	308
sureties on bonds must qualify	780	309
penalty for illegal approval of bond	780	309
postmaster's duties upon approval of sureties	782	309
to be accompanied by certified check or draft	783	310
when returned	784	311
how, must be prepared	785	311
bidders to inform themselves as to service	786	311
special instructions to bidders	787	312
must be made by persons competent to contract	788	312
cannot be assigned or transferred	789	312
penalty for combination to prevent	790	312
to be recorded and filed	791	313
how delivered and opened	792	313
when to be rejected	793	313
right reserved to reject all	793	313
contracts, when awarded on	794	313
when bidders released from bonds	795	313
Public moneys , disbursing clerks to give bond for	52	45
requisition for, how made	53	46
deposits of, by disbursing officers, how made	56	47
exchange of, for other funds, restricted	57	47
settlement of accounts of disbursing officers	59	48
distinct accounts of, to be rendered according to appropriation	59	48
disbursing clerk to account for, monthly	59	48
expenditures and purchases from, for Department use	60	48
of contingent fund restricted	60	49
payment of, to Treasurer	65	51
duty of postmasters as custodians of	183	92
to safely keep without loaning, using, or depositing in unauthorized bank	184	92

	Sec.	Page.
Public moneys —Continued.		
duty of postmasters—when may deposit in national bank.....	185	92
private bank cannot receive on deposit.....	186	92
postmasters, when and where to deposit.....	188	93
entire balance to be deposited.....	189	94
deposit by retiring postmaster.....	190	94
deposits, in what manner made.....	196	96
duties of depositaries receiving.....	197	96
accounts and reports by depositaries.....	198	97
deposits, how brought into Treasury.....	200	97
postal revenues, how brought into Treasury.....	209	99
transfer of postal deposits, how made.....	210	99
payments from Treasury, how made.....	217	102
subject to drafts of Treasurer.....	220	102
embezzlement of, how punished.....	1444	491
receiver of stolen, how punished.....	1445	492
custodian of, when liable to embezzlement.....	1446	492
for failure to safely keep without loaning, using, applying to his own use, or de- positing in unauthorized bank.....	1446	492
postmaster neglecting to deposit, how punished.....	1463	498
failing to deposit with proper depository, how punished.....	1464	499
Public property in Department to be inventoried.....	62	50
sale of waste paper in Department.....	63	50
how to be made.....	64	51
inventory to be made of, by postmaster.....	484	211
record to be thereof kept.....	484	211
to be turned over to successor, when.....	485	211
receipts therefor, to be taken.....	484	211
care in preserving and use enjoined.....	486	212
care of, by postal clerks.....	940	351
transfer of, by postal clerks.....	941	351
embezzlement or larceny of, how punished.....	1444	491
receiving stolen or embezzled, how punished.....	1445	492
purchasing from post-office, how punished.....	1455	495
Publishers. (See NEWSPAPERS AND PERIODICALS.)		
when entitled to pound rate.....	348	147
deemed a news agent.....	350	148
how to apply to enter publication as second-class.....	333	140
proofs to be made by.....	333	141
may fold supplements with issues.....	337	142
send sample copies.....	340	144
submitting false evidence, punishable.....	346	146
when to be notified that publication is refused.....	600	248
mail bags may be supplied to, when.....	865	335
may inclose bills, receipts, and orders for subscription with second-class matter.....	356	149
when, must pay third-class rate.....	358	150
Purchases. (See CONTRACTS.)		
for Department use, when authorized from contingent fund.....	60	48
when, to be made to meet exigency.....	88	59
of coal in District of Columbia.....	89	59
of postage stamps by one postmaster from another.....	164	85
Qualification of postmaster and postal employes by taking oath.....	43	41
of sureties of postmasters by justifying responsibility.....	443	189
bidders to carry mail.....	780	309
Quarterly returns, postmasters to render, of postal account.....	244	112
to be sworn to.....	245	112
penalty for neglect to render.....	246	112
such neglect embezzlement.....	1403	498
directions for rendering.....	247	112
transcripts to be sent when lost.....	248	113
from letter-carrier offices.....	255	115
unchanged by renewal of bond.....	251	114
correction in, to be made and notified.....	252	114
to be preserved two years.....	253	115
how made on change of class of office.....	258	116
penalty for making false.....	259	116
no statement of registry fees to be entered on.....	1147	401
Quebec, Province of, money-order exchange office for, is Saint Albans, Vt.....	1345	456
Queen bees, how, may be sent in mails.....	370	155
Queensland, classification of matter exchanged with.....	406	172
rates of postage thereon.....	407	172
exchange of money orders with.....	1322	449
international money orders payable in.....	1322	449
denominations and equivalents of moneys.....	1327	451
money orders for, payable in pounds, shillings, and pence.....	1327	451
maximum amount of money order payable in.....	1329	452
postmaster to designate paying office for orders payable in.....	1337	454
money order payable in, must be sent by remitter to payee.....	1340	455
exchange office for, is San Francisco.....	1345	456

	Sec.	Page.
Queensland —Continued.		
exchange office of	1346	457
money orders issued in, forwarded to payees in United States	1350	458
Rabat , mails exchanged with	380	164
Railroad employes not to carry letters out of mail	1030	370
Railroads are post roads	727	293
transportation of mail upon	740-764	295-303
Postmaster-General to decide what trains carry mail	740	295
and may contract for, without advertisement	741	295
company must carry mails upon any train	742	296
supplies and special agents free of charge	743	296
must deliver mails into post-office	744	296
not to carry mails beyond termini	745	297
conditions of service and rates of pay	746	297
compensation reduced ten per cent.	747	297
further reduction five per cent.	748	298
Congress may fix compensation of land-grant roads	749	288
compensation to be paid land-grant roads	750	298
mails to be carried on fastest train	751	299
mails how and when to be weighed	752	299
companies to give notice of readiness for weighing	753	299
to provide post-office cars	754	299
dimensions of, and additional pay for, post-office cars	755	300
cars to be furnished as required	756	300
special facilities, how furnished	757	300
specific requirements of services on	758	300
financial agent to receive pay for services of	759	301
correspondence with the Department	759	301
companies to report receipts and expenses	760	301
when mail may be carried by horse express	761	301
rates of pay on Pacific	762	301
payments thereto, to be withheld	763	302
accounts with, how stated	476	302
Railway Mail Service	7	21
office of Superintendent, in Department	7	21
organization of	894	343
general superintendent of, appointment and salary	894	343
duties of	896	343
as to mailability of doubtful matter	896	343
division superintendents of, appointment of	897	344
offices of, where established	897	344
classification of employes in	898	344
persons in, designated railway postal clerks	898	344
clerks in, how appointed	899	345
promoted	900	345
recommendations for promotion of, how made	901	345
assignment of chief clerks, how made	902	345
railway postal cars designated railway post-offices	903	346
organization of working crews	905	346
helpers, how employed	906	347
clerks on steamboat lines, when detailed	907	347
transfer service, where and how maintained	908	347
assignment of clerks for	909	347
chief clerks of, designation of	910	348
detail of clerks, how made	911	348
assignments to duty, how made	911	348
salaries regulated by duties assigned	913	348
disposal of incompetent clerks	914	348
general instructions to railway postal clerks	915-977	348
in handling ordinary mail matter	978-1029	359
changes in, how reported on	1033	370
Railway postal cars , railroads must furnish	754	299
with safety heaters and lamps, penalty for refusal	754	299
dimensions of, and pay for	755	300
to be furnished as required	756	300
designated as post-offices	903	346
clerks must not leave, when	936	351
care of, by postal clerks	938	351
to be examined at end of run	937	351
who may have access to	955	354
permits to ride in, how granted	956	354
when not to be taken up	957	354
not good for transportation	958	354
Railway postal clerks , salaries to, how paid	230	105
probationers	230	105
deductions from pay, how made	230	105
pay, how affected by record of arrivals and departures	231	106
absences	232	106

Railway postal clerks—Continued.

	Sec.	Page.
notices to paying postmaster to make deductions.....	233	106
partial suspension of pay, when required	234	106
payment of acting clerks	235	107
substitutes	235	107
deduction of pay of, to be noted	237	107
to turn in keys and records before final payment	237	107
classification of	896	344
appointment of, probationary.....	899	345
reappointment of, to be upon merit	899	345
promotions of, how recommended and made.....	900	345
by whom made;.....	901	345
assignment of chief clerks of.....	902	345
uniform prescribed for.....	904	346
organization of working crews.....	905	346
helpers, when employed	906	347
how paid on steamboat lines.....	907	347
may be detailed on transfer service.....	908	347
detail of, from one route to another, how made	911	348
reassignment to duty, how made.....	912	348
incompetent, to be reduced or retired	914	348
general instructions:		
to carry instructions, orders, schemes, and keys.....	915	348
report errors in Postal Guide.....	916	348
changes of schedules	917	349
needed in railway post-offices	918	349
duties of clerk in charge	919	349
to obey clerk in charge	920	349
must examine order books	921	349
reside where.....	923	349
paid for daily service.....	925	349
not to traffic while on duty	926	349
impart information.....	927	350
courtesy enjoined upon.....	928	350
use of intoxicating liquors by, prohibited	929	350
must pay honest debts.....	930	350
report accidents.....	932	350
observe rules of railway companies	933	350
vigilance required of, in guarding mail	934	350
must accompany mail to and from post-office.....	935	351
not to leave their cars, when	936	350
must examine car at end of run	937	351
not to deface or injure cars	938	351
keep stoves and heaters closed, when	938	351
must examine waste-paper and twine, when	939	351
when to turn over property of Department	940	351
transfer of property by, how made	941	352
not to apply public property to private use	942	352
sale of postage stamps by, authorized.....	943	352
not to mutilate property.....	944	352
care of mail bags, mail locks, and keys by:		
how to secure mail key	945	352
mail key, how held by	946	352
to take receipt for key on transfer or exchange.....	947	352
not to repair mail locks and keys	948	352
to report defective key to Superintendent	949	353
care of mail keys by, penalty for loss	950	353
how to use mail bags.....	951	353
treat unsound mail bags in transit.....	952	353
open mail-bag with defective lock.....	953	353
not to use hooks in handling mail bags.....	954	353
who may ride in railway postal cars	955	354
permits to ride in cars, how given	956	354
not to be taken up	957	354
not good for transportation.....	958	354
to sign record of arrivals and departures	959	354
how to reply to official communications.....	963	355
send telegrams	964	355
case examinations of, how made.....	966	356
voluntary examinations of, how made.....	967	356
probationers, to be examined monthly.....	968	356
duty of, on night lines.....	969	357
leaves of absence of.....	970	357
back runs, how paid	971	357
substitutes for clerks absent.....	972	357
when disabled to send certificate	973	358
how to send resignation.....	974	358
not to give information as to vacancies	975	358
entitled to expenses only when subpoenaed	976	358
exempt from militia duty	977	359

	Sec.	Page.
Railway postal clerks —Continued.		
general instructions:		
exempt from militia duty but not from jury duty, road duty, or arrest on criminal process	977	359
instructions to, in handling ordinary mail matter	978-1018	359
not to deliver matter to addressee	565	236
to receive mail for delivery at next post-office	718	291
duty of, as to pouching registered matter	1220	419
must check return of registered package receipts	1231	421
compare registered packages with accompanying receipts	1228	420
deliver registered matter to connecting postal car	1232	421
not deliver registered matter to employes of railroad companies	1226	420
postmark and return registered package receipts	1225	420
receive registered matter before leaving terminal office	1223	419
must receipt for registered matter	1224	420
report failures to properly make out registered package receipts	1229	420
postmasters must receive registered matter from	1100	387
record of matter to be kept by	1222	419
registry books for	1221	419
Railway post-offices , railway postal cars designated	903	346
Rating stamps furnished to postmasters	467	203
to be entered in inventory	242	110
returned to Department when unfit for use	486	212
Reazors , when admissible to mails	370	155
how inclosed for mailing	370	155
Readjustment of salaries, when made	456	196
Receipts. (See REVENUES.)		
to be given when matter is registered	1054	377
to be taken when registered matter is delivered	1118	393
postmasters to have, for all expenditures	222	103
of acting postal clerk, how made	235	107
on payment of money order, how taken	1290	437
of special-delivery matter delivered	678	277
Receiver , when to be appointed to receive mail matter	571	240
delivery of mail matter to	572	240
Receiving boxes to be provided at third and fourth class offices	487	212
how to be constructed	487	212
collection of mail matter from, by letter carriers	659	270
penalty for malicious injury to	1440	489
or to matter therein	1441	489
Record of receipts from stamps, box rents, &c.	241	109
how kept in third and fourth class offices	241	109
first and second class offices	242	110
of box rent account, how kept	494	214
arrivals and departures, how kept	960	355
of postal clerks, how kept in post-offices	959	354
to be kept at each station	1026	369
by transfer clerks	1024	368
clerks to sign	959	355
failure to sign, how entered	231	106
of errors by distributing clerk, when to be kept in post-offices	498	217
by transfer clerks	1021	368
how to be filled up	961	355
of second class publications to be kept in post-offices	345	146
Department	335	142
of registration business to be kept	1050	375
are public property	1143	400
in discontinued offices, where kept	1144	400
Refused matter of second class	589	248
notice of refusal to be given publisher	600	248
when to be placed with waste paper	601	248
when treated as "dead"	602	249
Refused registered matter , how treated	1135	398
special-delivery matter, how treated	695	282
Register , biennial, to be prepared	134	74
Registered fourth-class matter to be examined and marked	1053	377
Registered letters , addressed to lotteries, may be returned by order of the Postmaster-General	1130	396
arriving in bad order, treatment of	1106	388
containing currency for redemption, how treated	1047	374
delivery of	1117	393
at letter-carrier offices	1116	392
entry of, in delivery book	1110	389
fee on	1046	374
for special delivery, how treated	1122	394
found unsealed, how treated	1107	389
from Canada, return of undelivered	1163	404
may be forwarded without additional fee or postage	1113	390
misdirected, how treated	1112	390
missent, how treated	1111	390
must be placed inside of registered package envelopes	1063	378

Registered letters—Continued.

	Sec.	Page.
not subject to attachment or garnishment.....	1129	396
recall of, by writers.....	1133	397
report of missing, to be made to Chief Inspector.....	1142	400
return of undelivered.....	1134	397
when sent to Dead-Letter Office.....	1162	401
Registered mail , duty of transfer clerks as to.....	1027	369
Registered matter becomes so when receipt is given.....	1056	377
bill must accompany every package of.....	1061	378
cancellation of stamps on.....	1058	377
care required in delivering.....	1121	394
delivery of, general rule for.....	1117	393
at letter-carrier offices.....	1116	392
by letter carriers.....	1119	393
to other than addressee.....	1125	394
when addressee is dead.....	1127	395
insane.....	1128	395
Department not liable for loss of.....	1039	373
depreidation on, who responsible for.....	1064	370
must not be concealed from Department.....	1142	400
dispatch of, general manner of preparing for.....	1063	378
fees on, not to be reported in quarterly postal account.....	1147	401
for delivery, treatment of.....	1101	387
special delivery, how to be indorsed.....	1063	379
foreign countries, what may be included in.....	1153	402
dispatch from exchange offices.....	1172	406
other than exchange offices.....	1151	401
in international pouches.....	1152	402
label for.....	1171	405
may be forwarded from one country to another.....	1166	405
recalled by senders.....	1168	405
must be postmarked at exchange offices.....	1170	405
return receipts for.....	1157	403
treatment of insufficiently prepaid.....	1173	406
found among ordinary matter, how treated.....	1102	388
without cover in registered package envelope.....	1108	389
from Canada, how to be treated if undelivered.....	1163	404
foreign countries, delivery of.....	1159	403
general treatment of.....	1175	407
insufficiently prepaid.....	1174	407
return receipts for.....	1161	404
supposed liable to customs duty.....	1185	404
undelivered, to be sent to Dead-Letter Office.....	1162	404
when to be specially held for delivery.....	1164	404
post-offices at a distance from railroad.....	1078	382
hand-to-hand receipts for, when practicable.....	1071	381
how treated when too large for registered package envelopes.....	1065	379
in penalty envelopes, when to be reforwarded.....	1113	390
pouches with defective locks, how treated.....	1088	384
inquiries concerning, must receive prompt attention.....	1140	399
in through pouches (see REGISTERED POUCHES; INNER SACKS; BRASS-LOCK POUCHES).....	1177	408
mail carrier not to handle, outside of pouch.....	1076	382
manner of putting in catcher pouches.....	1075	381
signing receipts for.....	1069	381
may be forwarded from one office to another.....	1113	390
missing or lost, must be reported to Chief Inspector.....	1142	400
must be kept separate from ordinary mail.....	1059	377
numbered consecutively.....	1055	377
placed in registered package envelopes.....	1062	378
postmarked.....	1058	377
sent by most secure route.....	1080	382
no additional postage for forwarding first class.....	1113	390
no fee for forwarding.....	1113	390
not to be addressed to initials, box numbers, &c.....	1043	373
sent direct over railways from star route offices.....	1079	382
on night trains.....	1073	381
tied with ordinary mail.....	1074	381
not subject to attachment or garnishment.....	1129	396
on express trains, when it may be sent.....	1073	381
lottery business, return of.....	1130	396
not to be returned without express order.....	1131	396
no postage or fee on return of.....	1122	397
original record of, to show return.....	1136	399
postal clerks must receive, at terminal offices.....	1223	419
receipt for.....	1224	420
not deliver to railroad company unless specially directed.....	1226	420
deliver to connecting car or to terminal office.....	1232	421
keep record of.....	1222	419
pouch on failure to connect.....	1230	421
prompt return of bills and receipts for.....	1070	381

	Sec.	Page.
Registered matter—Continued.		
postal officials must be able to certify to dispatch of	1077	382
postmasters must always be prepared to receive, from postal clerks	1100	387
recall of, rules governing	1133	397
record of, by postal clerks, how to be kept	1222	419
receipt to be given sender of	1054	377
taken on delivery of	1118	393
refused, to be returned like undelivered matter	1135	398
registered package receipts to accompany	1067	380
return receipt must accompany every piece of	1060	377
of undelivered, rules governing	1134	397
special security given to	1040	373
tag envelopes for, when to be used	1066	379
third and fourth class postage on, when forwarded	1113	390
when to be sent to Dead-Letter Office	1138	399
Registered packages, between postal cars and post-offices to be pouched.	1220	419
comparison of, with accompanying receipts	1228	420
complete record of, by postal clerks	1222	419
condition of, to be indorsed upon them	1089	384
continuous receipt and examination of, on star routes	1086	384
damaged, with tag envelopes attached	1098	386
for dispatch in catcher pouches, how put up	1075	381
found in bad order or damaged, how treated	1097	386
hand-to-hand receipts for, when practicable	1671	381
how to be opened by receiving postmaster	1101	387
illegible postmark on, how treated	1227	420
inclosing foreign matter to be marked "foreign"	1158	403
misdirected, how treated	1004	385
of postage stamps, how treated	1026	386
missent, how treated	1095	386
must be numbered consecutively	1055	377
sent by most secure route	1080	382
received for by postal clerks	1223	419
of postage stamps, &c., when damaged in transit	1099	387
original may be entered on transit book	1087	384
over star routes to go in way pouches	1082	383
receipts for, to be promptly returned by postal clerks	1224	420
to be entered on postal clerks' books	1221	419
transit, to be entered on transit book	1087	384
treatment of, in transit	1084	383
when not received, to be reported to chief inspector	1093	385
weekly statements of money-order and postal-note business must be sent in	1428	484
Registered package envelopes, disposition of used	1145	400
empty, when opened, how treated	1109	389
how supplies of, may be had	1051	376
manner of opening	1101	387
using	1062	378
matter too large for inclosure in, how to treat	1065	379
received without cover of	1108	389
must always inclose registered matter if possible	1062	378
must be numbered consecutively each quarter	1055	377
used for no other purpose than to inclose registered matter	1062	378
never be sent out of the country	1062	378
names of fourth class offices to be written on	1051	376
numbers of, to be entered on registration book	1003	378
responsibility for failure to seal	1064	379
Registered package receipts always to accompany registered matter	1067	380
manner of making out	1068	380
signing by subordinates	1069	381
must be made out anew by every postmaster on route	1086	384
signed and promptly returned	1083	383
no postage on return of	1139	399
omissions in, must be corrected by returning postmaster	1083	383
postal clerks must make out and send, when	1230	421
postmark and return	1225	420
to be checked by postal clerks when returned	1231	421
when not sent, receiving postmaster to make out one	1105	388
not returned, duplicate to be sent	1091	385
unaccompanied by package, how treated	1103	388
Registered pouches, checking contents of	1191	412
discrepancies and delays in dispatches of	1188	410
discrepancies between lock numbers and bills for	1193	413
contents of, and bills	1106	414
entry of, when to be made on transit book	1087	384
exchanges in, to be made invariably	1170	400
in bad order, disposition of	1201	416
inspection of, before closing	1185	410
international dispatches of	1152	402
labeling, locking, and delivery of	1186	410
locks on, must not be injured	1187	410

	Sec.	Page.
Registered pouches —Continued.		
locks on, must be examined	1186	410
manifold bills for	1184	410
matter to be dispatched in	1182	409
must be delivered when due, or reason given	1199	413
entered on postal clerks' books	1222	419
taken to terminal offices	1200	416
preparation of, matter for	1183	409
receipt of, in bad order	1190	412
receipts for, to be given by postal clerks	1223	419
regulations concerning, will govern postal clerks	1243	421
return of extra, to be promptly made	1189	412
safety of locks and keys for	1194	413
supplies of, how obtained	1180	409
that have missed connection, how treated	1195	413
through registered matter only to be sent in	1177	408
to be used only when authorized	1178	408
Registered pouch bills , discrepancies between, and contents of pouch	1196	414
discrepancies between, and pouch numbers	1193	413
manifold writing of	1184	410
manner of filling out	1183	409
must not be used for other than registered pouch business	1180	409
postmasters furnished with, when exchange established	1178	408
should be verified with contents of pouch before dispatch	1185	410
should be examined and checked on receipt of pouches	1191	412
treatment of, at receiving offices	1192	412
Registered-pouch service , mode of carrying on	1178	408
object of	1177	408
supplies for	1180	409
Registered pouch , service of. (See REGISTERED-POUCH SERVICE.)		
Registered-tag envelopes , how to be used	1066	379
supplies of, how obtained	1051	376
to be used only on third and fourth-class matter	1066	379
when attached to damaged packages, how treated	1098	386
Registered third-class matter to be examined and marked	1053	377
Registration , duty of postmasters to encourage	1041	373
hours of business for	1044	374
inquiries concerning, must receive immediate attention	1140	399
letter carriers not to accept matter for	1057	377
matter admitted to	1043	373
matter for, how to be presented	1053	376
not allowed on Sundays or legal holidays	481, 483	210
of foreign matter, restrictions on	1153	406
of letters containing currency for redemption	1047, 1048	374
of matter for Postal Union Countries	1172	406
other foreign countries	1155	403
is effected when receipt is given	1056	377
of remittances of postal and money-order funds	1049	375
quarterly reports of, by postmasters	1146	401
receiving matter for	1054	377
Registration book , every postmaster must keep	1050	375
forwarded matter to be entered on	1113	390
recalled registered matter to be entered on	1133	397
receipts and bills, when returned, to be entered on stubs of	1090	385
returned registered matter to be entered on	1134	398
to be numbered 1 at beginning of every quarter	1055	377
when numbered to be entered on stubs of	1063	379
what, to contain	1054	377
Registration fee , for domestic matter	1046	374
for foreign matter	1154	402
none on official matter sent from Washington	1045	374
to be paid by Government officers elsewhere	1171	405
Registration label , for registered matter addressed to foreign countries	1172	406
when to be used on foreign letter bill	1143	400
Registration records are public property, and must be preserved	1050	375
list of, to be kept	1144	400
of discontinued post-offices, where to be kept	1143	400
retiring postmasters must turn over, to successors	1090	385
Registry bill , checking return of	1163	413
discrepancy between rotary lock and	1196	414
contents of pouch and	1103	388
envelope received containing only	1092	385
failure to return by receiving postmaster	1105	388
send by mailing postmaster	1183	409
for registered pouch, manner of making out	1192	412
treatment of, at receiving office	1184	410
manifold writing of	1061	378
manner of making out	1191	412
matter in registered pouch to be verified by	1191	412
must be sent with every registered package	1061	378

	Sec.	Page.
Registry bill —Continued.		
no postage on return of	1139	399
omissions on, to be supplied by receiving postmaster	1104	368
prompt return of, to be made	2070	381
to be sent also with matter for foreign dispatch	1151	402
Registry notice , at free delivery offices, to be sent to addressees	1116	392
at other than free-delivery offices	1115	392
how to be sent to parties at hotels	1116	392
Registry-return receipt always to be sent with domestic registered letters or parcels	1060	377
failure to send, postmaster to be reported for	1105	388
of interior postmasters to send back foreign	1176	408
for registered matter to be sent to foreign countries	1169	405
undelivered letters of foreign origin, how treated	1161	404
how to be entered on foreign letter bill at exchange office	1172	406
may be demanded by sender of matter to foreign countries	1157	403
must be returned to sender of registered matter	1126	395
signed by person receiving matter	1117	393
no postage on, when returned	1139	399
of foreign origin must be sent back to exchange office	1160	404
omissions in, to be supplied by receiving postmaster	1104	388
postmasters to inform senders of foreign matter how to obtain	1157	403
preparation of, by exchange office	1169	405
record and dispatch of, at exchange office	1176	407
shall be <i>prima facie</i> evidence of delivery of registered matter	1118	393
what to be entered on	1060	377
when none is sent, receiving postmaster to make out	1105	388
unaccompanied by letter or parcel, how treated	1103	388
Registry schemes , postmasters must observe	1081	383
for registered pouches, to be furnished by General Superintendent Railway Mail Service	1182	409
Registry system authorized	1039	373
blanks, &c., used in	1031	376
brass-lock service of. (See BRASS-LOCK SERVICE.)		
hours of business in	1044	374
inner-sack service of. (See INNER-SACK SERVICE.)		
means of securing safety in	1040	373
office of Department in charge of	1042	373
postmasters not to reprimand one another for acts done under	1149	401
to take special interest in	1148	401
not to write to foreign officials about	1167	405
when in doubt about, to write to Third Assistant Postmaster-General	1150	401
registered-pouch service of. (See REGISTERED-POUCH SERVICE.)		
Registry tracer must be sent in quest of missing packages of stamps, &c	1141	399
must receive immediate attention	1140	399
when to be sent to Third Assistant Postmaster-General	1141	400
Regular mail , how dispatched	537	229
Rejection of bids to carry mail , right of, reserved to Postmaster-General	793	313
Release of surety by renewal of bond	449	193
application for, how made	449	193
by lapse of time, three years after settlement of accounts	452	194
by Court of Claims, when granted	453	194
of bidders for carrying the mail to be when service commences	795	313
Remission of first-class rate on matter closed against inspection	561	225
of charges on mail matter	512	221
Remittances of postal and money-order funds to be registered	1049	375
Removal of letter carriers, when to be made	642	266
Renewal of lost drafts or warrants	315	133
of postmaster's bond, when required	450	193
Rent of post-offices, estimates for	213	100
of buildings in District of Columbia limited	75	54
Report on claims to Attorney-General, when required	131	72
Reports , annual, of Postmaster-General, what to contain	97	62
of the contingent fund	98	64
of employes	99	64
when to be made	100	64
to the President	102	65
of the Auditor	101	65
penalty for failure to make	103	65
what to be printed	113	67
not to contain irrelevant matter	114	68
number to be printed	115	68
form and style of printing and binding	116	68
when to be printed	117	69
extra copies, how purchased	118	69
postmasters to make, of operations of free-delivery service	603	271
of special-delivery service at free-delivery offices required quarterly	681	278
of delinquent mail carriers, how made	853	331
of arrivals and departures of the mails, how made	854	331
special, when required, of delinquencies	855, 856	332
when regular, to be forwarded monthly	858	333

	Sec.	Page.
Reports—Continued.		
of closing of office on account of epidemics, &c	698	283
of lost mail matter, how made	699	284
of robberies	700	284
of robbery of mail	701	284
of arrest of criminals	702	284
of missing registered matter, how to be made	1142	400
of registry business to be made quarterly	1146	401
Reprimand of letter carriers, when to be made	642	266
Request matter , when to be returned to sender	592	246
what may be the manner of return	592	246
Requisitions for money, how prepared	53	46
for supplies for Department, how made	60	49
Residence of railway postal clerks to be on line	923	349
Resignation of railway postal clerks, how sent	974	358
Responsibility for losses of registered matter	1064	379
for wrong delivery of registered matter	1123	394
Return of fraudulent registered matter, rules for	1130, 1131	396
matter, no fee or postage on	1132	397
of undelivered matter, rules for	1134	397
of unclaimed matter, how made to Dead-Letter Office	592	246
when to be made	593	246
of card and official matter	594	246
of letters opened through mistake	594	247
of postal cards	595	247
of other than first-class matter	596	247
of unclaimed matter, how made to Dead-Letter Office	607	250
Returns. (See QUARTERLY RETURNS.)		
of unmailable matter, when made	608	250
how made up and transmitted	609	250
Reunion , mails exchanged with	389	163
Revolvers , how, may be sent in mails	370	155
Richfield and Springfield (railway post-office), exchange office with Canada	616	255
Robbery of post-office, postmaster to report	700	284
of mail, to be reported	701	284
of money, when restored to owner	704	285
of the mail, how punished	1452	495
attempts at, how punished	1453	495
accessory to, how punished	1461	498
Rodrigues , mails exchanged with	389	164
Rotary locks , supplies of, how to be obtained	1180	409
to be used only on registered pouches and inner sacks	1180	409
to be tried when used	1186	410
not to be injured	1187	410
to be kept securely	1194	413
special attention to be given to	1198	415
damaged, must not be used	1198	415
return of, how and to whom	1198	415
on pouches, examination to see if locked	1198	415
Roumania , mails exchanged with	389	164
samples of liquids, fatty substances, &c., may be sent to	397	168
Rouse's Point and Albany (railway post-office), exchange office with Canada	616	255
Route agents designated railway postal clerks	898	344
Russia , mails exchanged with	389	164
Saba , mails exchanged with	389	164
Sacks. (See MAIL BAGS.)		
Safety heaters , railroads must provide, in postal cars	754	299
Safety lamps , railroad companies must provide, in postal cars	754	299
Saffi , mails exchanged with	389	164
Saigon , mails exchanged with	389	163
Sailors' letters , when, may pass without prepayment	320	135
how to be certified	323	136
Saint and Sainte , for names beginning with, See "ST. AND STE."		
Salaries , annual estimate for	109	67
of officers in Department	6	10
of clerks of various classes in Department	14	31
payments, how made	54	46
of post-office inspectors	28	35
of railway postal clerks	898	344
regulated by duties	913	348
double, when forbidden	67	52
not authorized by law, payment forbidden	69	53
to unauthorized officer forbidden	70	53
payment to persons in arrears forbidden	71	53
in advance forbidden	72	53
of postmasters, how classified	454	195
when readjusted	456	196
of first three classes, how assigned and fixed	457	196
<i>pro tempore</i> , same as if duly appointed and confirmed	458	198
of fourth-class, how fixed	459	199

	Sec.	Page.
Salaries —Continued.		
of postmasters, when office becomes Presidential, how fixed	459	199
may be retained from receipts of office	221	102
how credited in account	243	112
of clerks in post-offices, how fixed and allowed	464	201
Salary and Allowance Division , chief of, appointment and salary	5	11
work assigned to	7	18
Sale of a business, how, affects delivery of letters	573	241
Sales of post-route maps	61	49
of waste paper in Department	63	50
how to be made	64	51
of Department property, how to be made	64	51
of waste paper and twice in post-offices	484	211
of postage-stamps and stamped paper	172-180	88
illegal, of stamps, how punished	174	89
monthly report of, of stamps to be made by Presidential postmasters	257	115
Salonica , international money orders payable in	1322	448
Salvador , mails exchanged with	389	164
samples of liquids, fatty substances, &c., may be sent to	397	168
Sample copies , definition of	340	144
rules for determining admissibility of	340	144
how to be marked on face of package	340	144
when, deemed evidence of free circulation	340	144
Samples of merchandise , rate of postage on, to Postal Union Countries	398	169
how, must be inclosed (limit of weight)	397	168
rate in Canadian mails	402	171
Australian mails	406	172
of liquids, to what foreign mails admitted	397	168
San Francisco , exchange office with Mexico	616	255
Canada	616	255
headquarters of eighth division Railway Mail Service	897	344
division of inspective force	36	39
may have allowance for clerical labor in international money-order business	1244	426
San Marino, Republic of , mails exchanged with	389	164
Satchels , letter carriers to return, to post-office at night	654	269
worn-out, how disposed of	630	262
Scales , when furnished to post-offices	469	203
Schedules , clerks in Railway Mail Service to notify superintendents of changes in	917	349
Schemes of distribution , how furnished to postmasters	472	204
distribution of mails by, in railway post-offices	998	363
one pouch at a time	900	363
postmasters must observe registry schemes	1081	383
should recommend changes in, when necessary	1081	383
for registered-pouch exchanges, to be made by General Superintendent Railway Mail Service	1182	400
School , matter bearing card of, not to be returned, when	594	247
Searches of vessels illegally carrying mail matter	720	291
seizure of matter so carried	722	291
forfeiture of seizures	723	292
seized matter may be returned to senders	724	292
Second Assistant Postmaster-General , acting railway postal clerks to be paid under instructions from	235	107
applications for mail bags to be made to	863	334
gratuitous mail service to be made to	802	317
casualties to mail bags to be reported to	882	340
communications as to mail bags, locks, and keys to be addressed to	892	342
in regard to pay of railroads to be addressed to	759	301
damaged registered-pouch locks to be sent to	1197	415
delinquencies in carriage of the mails to be reported to	856	332
depositories for mail bags, to be under direction of	875	337
excuses of mail contractors to be made to	859	333
gives directions as to damaged mail bags	878	338
irregularities as to use of brass locks to be reported to	887	341
in delivery of mail to be reported to	851	331
mail catches to be provided by	893	342
locks and keys to be furnished by	880	338
messenger service to be under control of	760	303
may sign certain contracts	85	58
organization of office of	7	19
railway postal clerks to be paid under instructions from	230	105
registered-pouch locks to be furnished by	1181	409
reports of arrival and departure of mails to be sent to	854	331
subcontracts for mail service must be filed with	821	322
subletting of mail contracts to be under direction of	820	322
supplies locks and keys to street letter boxes	664	271
temporary mail service must be reported to	801	316
transportation of domestic mails to be under control of	7	19
transfers of mail keys to be reported to	884	340
unlawful use of mail bags to be reported to	891	342
weighing of mails to be under direction of	753	299

	Sec.	Page.
Second-class matter , general definition of	327	138
conditions of admission	328	138
regularity of issue required	328	138
must issue from known office of publication	328	138
be in form of printed sheets, without binding	32- ^c	138
and have legitimate list of subscribers	328	138
not to be primarily designed for advertising purposes	328	138
circulated free or at nominal rates	328	138
regularity of issue defined	329	138
known office of publication defined	330	139
advertising sheets defined	331	139
subscription price and list requisite	332	140
when subscription rate deemed nominal	332	140
application for admission to pound rates	333	140
temporary permit, when granted	333	141
certificate of entry, when authorized	334	142
a record of, kept in Department	335	142
extra edition admissible to pound rate	336	142
supplements admissible as	337	142
definition of supplement	337	142
rules for determining character of	338	143
inclosures containing illegal, how rated	339	144
sample copies, definition of, and rules of admissibility	340	144
false evidence, submission of, to secure admission	346	146
postmasters to report	347	146
rate of postage on	348	147
mode of payment	349	147
rights of news agents in mailing	350	147
when not entitled to pound rates	351	148
transient newspapers and periodicals	351	148
rates of postage on	352	148
at free-delivery offices	352	148
treatment of, at free-delivery offices	353	148
foreign publications, when admissible to pound rates	341	145
regulations for admission of	342	145
examination of, at mailing office	343	145
how examination is to be made	344	145
record of, kept in post-office	345	146
delivery of	379	242
Seizures of letters carried in violation of law	722-724	291
Sender of foreign registered matter may demand return receipt	1157	403
of registered matter, must be given receipt	1054	377
attach stamps to	1053	376
endorse his name on it	1053	376
return receipt must be sent to	1118	393
Senegal , mails exchanged with	389	164
Senegambia , mails exchanged with	389	164
Separating offices , allowances for clerk hire at	461	200
Servant may receive mail matter of employer, when	566	237
authority of, when implied	566	237
Servia , mails exchanged with	389	164
samples of liquids, fatty substances, &c., may be sent to	397	168
Service , voluntary, cannot be accepted	13	31
Seychelles , mails exchanged with	389	164
Shanghai, China , mails exchanged with	389	163
Japanese post-office at, mails exchanged with	389	163
Ship and steamboat letters defined	839	328
two cents allowed for bringing letters to post-office	836	327
how paid	836	327
same rate for bringing letters from foreign port, when allowed	837	327
double postage on ship letters chargeable	838	328
manner of collecting ship fees	840	328
postage on ship letters, how rated up	841	328
no fee on foreign-addressed letters	842, 843	328, 329
letters on mail steamboats, how disposed of	844	329
account of, how to be kept	845	329
no fees allowed to mail vessels	846	329
printed ship matter, how treated	847	329
Ship, steamboat, and way letters , estimates for	213	100
Siam , mails exchanged with	389	164
samples of liquids, fatty substances, &c., may be sent to	397	168
Sierra Leone , mails exchanged with	389	164
Signal Service weather reports, how treated	514	221
in railway post-offices	993	362
Signatures of subordinates, how made to registry receipts	1069	381
receivers of registered matter, how made	1125	394
Singapore , mails exchanged with	389	163
international money orders payable in	1322	448
Singing forbidden to letter carriers on their routes	641	265

	Sec.	Page.
Site of post-offices, when changed.....	437	187
Sixth Auditor , report of, to show financial condition.....	101	65
how appointed, title of office.....	260	116
duties of, assigned by law.....	261	117
organization of his office.....	263	117
to superintend collection of debts.....	262	117
to keep accounts of postal revenues.....	262	117
and penalties and forfeitures.....	264	120
and of expenditures.....	265	121
manner of keeping.....	265	121
to make quarterly report of receipts and expenditures.....	267	121
to keep separate account of money-order business.....	269	121
may administer oath.....	271	121
appeal from, to First Comptroller.....	270	121
Small-box , duty of postmaster, in respect to.....	698	283
Smoking forbidden to letter carriers on their routes.....	641	265
Smyrna , international money orders payable in.....	1322	448
Soap , how wrapped for mailing.....	370	155
Soldiers' letters , when, may pass without prepayment.....	320	135
how to be certified.....	323	136
Solicitation of mail matter prohibited.....	515	221
Southern , mails exchanged with.....	389	163
Spain , mails exchanged with.....	389	164
samples of liquids, fatty substances, &c., may be sent to.....	397	168
Special agents . (See POST-OFFICE INSPECTORS.)		
railroads required to carry without charge.....	743	296
Special-delivery letters , when registered, to be indorsed on registered-package envelopes.....	1063	370
care in delivery of registered.....	1122	394
Special-delivery matter , (See SPECIAL DELIVERY SERVICE.)		
Special-delivery messengers , employment of, at free-delivery post-offices.....	672	275
need not be uniformed.....	673	276
accommodations for, to be provided.....	674	276
behavior of, prescribed.....	674	276
efficient service required of.....	675	276
must keep delivery book.....	676	276
payment of, to be made monthly.....	677	277
how receipted for.....	678	277
letter carriers may act as, when.....	679	277
Special-delivery service , daily account of, to be kept.....	242	110
expenditures and fees for, how entered.....	243	112
first law authorizing.....	665	271
law extending, to all post-offices and all mail matter.....	666	272
all post-offices designated special-delivery offices.....	667	274
description of special-delivery stamp.....	668	274
how supplied.....	669	274
how sold and used.....	670	274
how to be canceled.....	671	275
employment of messengers for, at free-delivery offices.....	672	275
messengers need not be uniformed.....	673	276
behavior of messengers.....	674	276
provision for accommodation of same in post-office.....	674	276
postmasters to require efficient service.....	675	276
delivery books to be kept, and how.....	676	276
payment of messengers to be made monthly.....	677	277
how receipted for.....	678	277
special-delivery letters may be delivered by letter carriers, when.....	679	277
duty of letter carriers receiving, for delivery.....	680	277
reports of business of, at free-delivery offices, how made.....	681	278
propositions to perform, to be reported by postmasters.....	682	278
regulations for other than free-delivery offices.....	683	278
means of special delivery, how provided at fourth-class offices.....	683	278
accounts of service and fees, how rendered.....	684	278
regulations applicable to all post-offices.....	685	278
mailing and dispatch of the matter, directions for.....	685	278
first-class matter, how placed in pouch.....	685	278
other matter, how dispatched.....	685	279
duty of receiving postmaster.....	686	279
responsible for immediate delivery.....	687	279
hours within which delivery to be made.....	688	279
matter received on Sunday, how treated.....	688	279
to whom delivery to be made.....	689	280
within what limits delivery to be made.....	690	280
registered special-delivery matter, how treated.....	692	281
record of special-delivery articles to be kept, and how.....	693	281
special-delivery matter, when to be forwarded.....	694	281
undelivered matter, how disposed of.....	695	282
general instructions to postmasters.....	696	282
Special-delivery stamps , defined.....	154	83

	Sec.	Page.
Special-delivery stamps —Continued.		
no commissions for cancellation of.....	154	83
how used.....	180	91
description of.....	668	274
how supplied to postmasters.....	669	274
sale and use of.....	670	274
how canceled.....	671	275
Special facilities , how and where provided.....	757	300
Special post-offices , mail facilities to be provided.....	733	294
Special-request envelopes , how provided.....	155	83
definition of.....	156	83
requisitions for, how made.....	167	86
rules governing supply of.....	168	86
what may be printed on.....	168	86
mistakes in printing, how rectified.....	171	88
Spoiled stamped envelopes , how redeemed.....	181	91
disposition of, redeemed.....	182	91
St. Albans and Boston (railway post-office), exchange office with Canada.....	616	255
St. Albans and North Bennington (railway post-office) exchange, office with Canada.....	616	255
St. Bartholomew , mails exchanged with.....	389	163
St. Christopher, West Indies , mails exchanged with.....	389	164
St. Croix , mails exchanged with.....	389	163
St. Eustatius , mails exchanged with.....	389	164
St. Helena , international money orders payable in.....	1322	448
St. John, Antigua , is money order exchange office for the Leeward Islands.....	1346	457
St. John (Danish colony), mails exchanged with.....	389	163
St. John, New Brunswick , is money order exchange office for Canada.....	1346	457
St. Louis, Mo. , exchange office with Mexico.....	616	255
headquarters of seventh division Railway Mail Service.....	897	344
of division of inspective force.....	36	39
St. Louis, Senegal (Africa), mails exchanged with.....	389	163
St. Lucia, West Indies , mails exchanged with.....	389	164
St. Marie , mails exchanged with.....	389	163
St. Martin, French Guiana , mails exchanged with.....	389	163-164
St. Pierre , mails exchanged with.....	389	163
St. Thomas , mails exchanged with.....	389	163
St. Thome (islands of), mails exchanged with.....	389	164
St. Vincent, West Indies , mails exchanged with.....	389	164
Stamp agencies , appointment of, and duties.....	41	41
Stamped envelopes , to be provided and sold.....	155	83
what printing may be on.....	155	83
inclosures therein to pass as prepaid.....	155	83
kinds of, and description.....	156	83
improvements in, to be adopted.....	160	84
requisitions for, how made.....	165	85
supply to be counted when received.....	169	87
damaged, how treated.....	170	87
sales of, by agents.....	172	88
to be sold at cost.....	173	89
price of, to be fixed.....	175	89
penalty for selling for more or less.....	174	89
or for selling except for cash.....	174	89
using in payment of debts.....	174	89
pledging or hypothecating.....	174	89
exchange of, forbidden.....	176	90
what money receivable for.....	177	90
not receivable for.....	178	90
when, may be redeemed.....	181	91
disposition of, when redeemed.....	182	91
may be carried out of mail.....	716	280
Stamped-envelope agents , appointment of and duties.....	41	41
Stamps. (See POSTAGE STAMPS AND POSTMARKING STAMPS.)		
Star routes , transportation of mails on.....	772-824	305
Steamboat letters. (See SHIP AND STEAMBOAT LETTERS.)		
Steamboat lines , pay of postal clerks on.....	907	347
Steamboat service , how contracts made for.....	804	317
Stolen moneys or property from mails to be returned to owner.....	151	82
Straits Settlements , mails exchanged with.....	389	163
international money orders payable in.....	1322	448
Students' matter may be put in college boxes.....	492	213
Subletting of contracts for carrying the mail, must be with consent of Postmaster-General.....	820	322
regulations under which made.....	821	322
lien of employé of mail contractor.....	822	323
annulment of contract upon.....	823	324
Subpoenas , postal clerks in, entitled to expenses, not per diem.....	976	358
Subscription list , legitimate, essential to admissibility at pound rate.....	328	138
evidence of, required.....	332	140
Substitutes in railway mail service, how paid.....	235	107

	Sec.	Page.
Substitutes —Continued.		
for railway postal clerks, who can be	972	357
letter carriers, how appointed	636	204
their service and pay	636	264
Sumatra , mails exchanged with	389	164
Sumbawa , mails exchanged with	389	164
Sunday , special delivery not required on	688	279
received on Sunday, how treated	688	279
Superintendent of building , his duties	7	15
must give bond	52	45
to inventory Department property	62	50
Superintendent of Foreign Mails , appointment and salary	5	11
Superintendent of Dead-Letter Office , appointment and salary	5	11
Superintendent of Mails , when to be appointed, and duties of	498	217
Superintendent of Money-Order System , organization of office of	7	25
Supplements , when admitted as second-class matter	337	142
definition of	337	142
other rules for determining character of	338	143
mailed separately are third-class matter	338	143
inclosures containing illegal, how rated	339	144
Supplies , what, issued to postmasters	467	202
uniform ink and canceling stamps	467	202
blanks, tags, returns, &c	468	203
facing slips, wrapping paper, and twine	469	203
postal balances in metric system	471	203
wooden or slide labels	472	204
list of blanks for Presidential offices	473	204
fourth-class offices	473	206
for free-delivery offices, how furnished	604	271
railroads to carry	743	296
Sureties , required on bonds of postmasters	442	189
must be approved by Postmaster-General	442	189
sureties of married woman liable	442	189
how to sign bond and authentication thereof	443	189
liability after vacancy in office	447	192
to take charge of office on death of postmaster	448	192
how released by renewal of bond	449	193
payments, how applied after new bond given	451	194
release of, by lapse of time	452	194
Court of Claims	453	194
on bonds of bidders to carry mail	779	308
liabilities of	779	308
must qualify as to responsibility	780	309
penalty for false swearing thereon	780	309
illegal approval of	781	309
duties of postmasters in approving	782	309
when new, required on contracts for carrying the mail	809	319
liable for money-order business at branch offices	1235	423
Suspension of pay of railway postal clerks	234	106
of letter carriers, when to be made	642	266
Suspension Bridge , exchange office with Canada	616	255
Swatow , mails exchanged with	389	163
Sweden , mails exchanged with	389	165
exchange of money orders with	1322	449
international money orders payable in	1322	449
denominations and equivalents of moneys	1327	451
money orders for, payable in kroner and öre	1327	451
maximum amount of money order payable in	1329	452
money order payable in, should be retained by remitter as receipt	1341	455
exchange office for, is New York	1345	456
exchange office of	1346	457
advice of money order issued in, for United States, retained in exchange office of	1351	458
new orders furnished in country of destination	1351	458
samples of liquids, fatty substances, &c., may be sent to	397	168
Switzerland , mails exchanged with	389	165
exchange of money orders with	1322	448
international money orders payable in	1322	448
indirect exchange through, of international money orders payable in Austria-		
Hungary	1324	449
denominations and equivalents of moneys	1327	451
money orders for, payable in francs and centimes	1327	451
maximum amount of money order payable in	1329	452
money order payable in, should be retained by remitter as receipt	1341	455
advice of money order issued in, for United States, retained by exchange office in	1351	458
money-order exchange office for, is New York	1345	456
of	1346	457
new orders furnished in country of destination	1351	458
samples of liquids, fatty substances, &c., may be sent to	397	163
Sydney is money-order exchange office for New South Wales	1346	457
Tahiti , mails exchanged with	389	163

	Sec.	Page.
Tamatave , mails exchanged with	389	163
Tangier , mails exchanged with	389	163
British postal agency at, mails exchanged with	389	163
Tasmania , classification of mail matter exchanged with	406	172
rates of postage thereon	407	172
exchange of money orders with	1322	449
international money orders payable in	1322	449
denominations and equivalents of moneys	1327	451
money orders for, payable in pounds, shillings, and pence	1327	451
maximum amount of money orders payable in	1329	452
postmaster to designate paying office for orders payable in	1337	454
money order payable in, must be sent by remitter to payee	1340	455
exchange office for, is San Francisco	1345	456
exchange office of	1346	457
money orders issued in, forwarded to payee, in United States	1350	458
Telegrams , form of official, in Railway Mail Service	964	355
Telegraph companies , rate and priority of Government telegrams	141	76
privileges of, a public domain	142	77
must file acceptances	143	77
transfers, when forbidden	144	77
penalties for refusal to transmit official telegrams	145	77
Government may purchase lines	146	78
list of, which accept terms of act	147	78
Temporary service in carrying the mail, when authorized	799	315
when postmasters may employ	801	316
rate of pay of, limited	801	316
Tennasserim , mails exchanged with	389	163
Terra del Fuego , mails exchanged with	389	163
Tetuan , mails exchanged with	389	164
Thanksgiving Day observable as holiday	483	210
The Hague is money-order exchange office for Netherlands	1346	457
Third Assistant Postmaster-General , duties assigned to office of	7	22
may sign contracts for stamps, &c.	85	58
may sign warrants	218	102
applications for recall of registered matter, when made to	1133	397
exceptional exchanges of inner sacks to be made to	1204	416
brass-lock exchanges to be established by	1207	417
inner-sack exchanges to be established by	1204	416
misdirected registered packages, when to be sent to	1094	386
postmasters, when in doubt as to registry regulations, must apply to	1150	401
registered package and tag envelopes to be supplied by	1051	376
pouch exchanges to be established by	1178	408
registry locks, when to be sent to	1198	415
system to be in charge of	1042	373
reports to be made to, concerning damaged stamp packages	1099	387
delivery of registered matter when addressee is		
dead	1127	395
delivery of registered matter when addressee is		
insane	1128	395
applications for duplicate certificates of deposit to be sent to	195	96
entry of second-class matter to be made to	333	142
brass-lock registered service to be established by	1207	417
certificates of deposit to be sent to	194	95
changes in second-class publications to be reported to	345	146
claims for deficiencies in supplies of stamped paper to be sent to	169	87
damaged supplies of stamped paper to be sent to	170	87
dead-letter funds to be turned over to	424	182
decides upon admissibility of publications to pound rates	334	142
foreign publications	342	145
deficiencies of registry fee to be collected by	1114	391
deposits of postal revenue to be under direction of	188	93
discrepancies between registered pouches, bills, and contents to be reported to	1193, 1196	413-14
inner-sack registered service to be established by	1204	416
insufficient prepayment of registered matter to be reported to	1114	391
irregularities in registry system to be reported to	1148	401
may sign certain contracts	85	58
miscarriage of registered pouches to be reported to	1195	414
misprinted special request envelopes to be sent to	171	88
missing registered pouches to be reported to	1188	411
may sign warrants	218	102
organization and jurisdiction of office of	7	22
recall of registered matter to be under direction of	1133	397
receipts for stamped paper to be sent to	169	87
record of second-class publication to be kept by	335	142
redeemed stamped paper to be sent to	182	91
registered package envelopes to be supplied by	1051	376
pouch service to be established by	1178	408
registry system to be in charge of	1042	373
requisitions for stamped paper must be sent to	165	86

	Sec.	Page.
Third Assistant Postmaster-General—Continued.		
special-delivery service to be under direction of.....	669	274
reports to be made quarterly to.....	661	278
stamps to be supplied by.....	669	274
stamp and other agencies to be under direction of.....	7	25
used newspaper and periodical stamps to be sent to.....	179	90
stamps for deficiencies of postage to be sent to.....	559	234
reports to be made to, in cases of—		
demand for registry key by post-office inspector.....	1194	413
discrepancy between lock numbers and bills of pouches.....	1193	413
bill and registered pouch.....	1196	414
failure of mailing postmaster to send bill or receipt.....	1105	388
receiving postmaster to return bill or receipt.....	1091-2	375
send foreign return receipts to exchange office.....	1176	408
insufficient prepayment of postage or fee on domestic matter—weekly.....	1114	391
foreign matter.....	1173	406
irregularities in registry system.....	1149	401
brass-lock service.....	1219	418
misdirected stamp packages.....	1096	386
miscarriages or misconnections of registered pouches.....	1185	414
missing registered pouches.....	1188	411
misuse of tag envelopes.....	1066	379
registered letters found unsealed.....	1107	389
matter found with ordinary.....	1102	388
without cover.....	1108	389
package envelope without inclosure.....	1109	389
registration business—quarterly.....	1146	401
special registration forms at large offices never to be changed unless authorized by.....	1052	376
tracer for lost package of stamps, when to be sent to.....	1141	399
Third-class matter , definition of, and rate.....	359	150
circulars defined.....	360	151
rules as to circulars.....	361	151
bulk packages for separate distribution, how rated.....	362	151
printed matter defined.....	363	152
what reproductions are printed matter.....	364	152
proof sheets accompanying manuscript.....	359	150
how proof sheets may be corrected.....	365	152
what package may contain.....	366	152
permissible additions to.....	367	153
what words are part of address.....	367	153
Through registered matter. (See BRASS-LOCK, INNER-SACK, AND REGISTERED-POUCH SERVICE.)		
Tickets to theater, places of amusement, &c., letter carriers not to sell.....	641	266
postmasters not to vend or send lottery, in mails postage-free.....	477	207
Time of closing mails.....	509	220
Timor , southwest portion of, mails exchanged with.....	389	164
Tobago, West Indies , mails exchanged with.....	389	164
"To-be-called-for" letters , how treated.....	658	270
Tokio is money-order exchange office for Japan.....	1346	457
Touquin , mails exchanged with.....	389	163
Topographer , his duties.....	7	16
disbursements for office of, how made.....	55	46
duties of, as to sale of maps.....	61	50
Toronto, Ontario , is money-order exchange office for Canada.....	1346	487
Toubouai , mails exchanged with.....	389	163
Toumotou , mails exchanged with.....	389	163
Tracers for missing registered stamp packages.....	1141	399
Trains , Postmaster-General to decide which shall carry mails.....	740	299
mail to be carried on fastest (see RAILROADS).....	751	295
Transfer of bids to carry mail not permissible.....	789	317
of debts to contractors.....	224	103
from money order to postal funds, how entered in account.....	243	111
of public property by postal clerks.....	941	351
Transfer clerks , where detailed to serve.....	1019	367
duties of in transfer of mails.....	1020	368
recording errors.....	1021	368
guarding mails.....	1022	368
supervising messenger service.....	1023	368
keeping record of arrival and departures of mails, &c.....	1026	368
to sign same.....	1026	369
handling registered mail.....	1027	369
care of property.....	1028	369
observing general regulations.....	1029	369
examination of, how made.....	1025	369
must receive, transfer, and record registered matter in certain cases.....	1027	369
Transfer service , detail of postal clerks for (see TRANSFER CLERKS).....	908	347
Transient letters , how treated.....	658	270
Transient newspapers , rate on, one cent for each four ounces.....	351	148
to be prepaid by stamps affixed.....	351	148
Transit book for registered matter, description and use of.....	1387	384
Transit registered matter , receiving for.....	1084	383

	Sec.	Page.
Transit registered matter —Continued.		
registered matter on star routes	1085	384
continuous examination of	1086	384
Transportation of the mails , estimates for	2-3	100
Government monopoly thereof	705	287
private expresses forbidden	706	287
private carriers forbidden at letter-carrier offices	707	288
carriage of person acting as private express forbidden	708	288
penalty for sending by private express	709	288
carrying letters out of the mail	710	288
collecting, receiving, or carrying letters out of the mail	710	288
owner of vehicle	711	288
carrying letters on a vessel not in the mails	712	289
mail vessel to take letters from post-office	713	289
vessels arriving to deliver letters in post-office	714	289
penalty on foreign vessel for failure to deliver letters in post-offices	714	290
carrying letters without compensation, when prohibited	715	290
letters in stamped envelopes canceled may be carried out of mail	716	290
newspapers may be carried out of mail	717	290
mail carriers to receive mail for delivery, when	718	291
postmasters to report violations of monopoly	719	291
special agents to search vessels for letters	720	291
on special authority from Postmaster-General	721	201
seizure and detention of letters carried in violation of law	722	291
forfeiture of seizures to United States	723	292
letters seized may be returned to owner	724	292
penalty for obstructing the mail	725	292
delaying mail at ferry	726	293
general provisions for establishing mail carriage	727-739	293
transportation by railroad	740-764	295
mail-messenger service	765-771	303
on steamboats and star routes	772-824	305
foreign mails service	825-835	324
ship and steamboat letters	836-847	327
inspection of service, fines, and deductions	848-860	329
mail equipments	860-893	333
of domestic, through foreign countries	825	324
contracts for carrying foreign mails	826	324
how foreign mails may be carried	827	325
limit of compensation for, of foreign	828	325
contractors, when may be fined	829	325
contracts for, may be terminated by Congress	830	325
of foreign, through United States	831	325
foreign mails in transit to be treated as domestic	832	326
special arrangements for, with Postal Union countries	833	326
charges for, in Postal Union countries	834	326
settlement of charges for, how made	835	327
Treaties. (See POSTAL CONVENTIONS.)		
Treaty relations , with what countries	389	163
Trinidad, West Indies , mails exchanged with	389	164
international money orders payable in	1322	448
Tripoli, Italian office of , mails exchanged with	389	164
Trip reports , railway postal clerks to send	1002	364
Tschaudok , mails exchanged with	389	163
Tunis , mails exchanged with	389	163
Italian office of, mails exchanged with	389	164
Turkey (European and Asiatic), mails exchanged with	389	165
samples of liquids, fatty substances, &c., may be sent to	397	168
Twine , sales of, to be entered in account	241	109
at first and second class offices	242	110
waste remnants to be sold	484	211
how furnished to postmasters	400	203
postal clerks to preserve and turn over	939	351
Unclaimed matter , advertisement of, by postmaster	582-591	244
return of, to sender	592-596	246
second-class and printed, how disposed of	597	248
when treated as "dead"	602	248
special-delivery matter, how treated	695	282
Undelivered foreign registered matter, how treated	1162	404
registered matter from Canada, how treated	1163	404
Unexpended balances to be carried to surplus fund	215	101
and covered into Treasury	216	101
Uniforms , letter carrier, required to wear	643	266
to provide	643	266
prescribed	643	266
inspection and repair of	646	267
special-delivery messengers not required to wear	673	276
of railway postal clerks, prescribed	904	346
Universal Postal Union countries , list of, with which mails are exchanged	389	163

	Sec.	Page.
Universal Postal Union countries —Continued.		
classification of mail matter within	392	166
Unmailable matter , definition and classification	378	158
“held for postage,” defined	378	158
misdirected, defined	378	158
destructive, defined	378	158
coin and jewelry, when unmailable	378	158
obscene, defined	378	158
lottery, defined	378	158
mutilated, defined	378	158
excess of weight and size	378	158
foreign matter, when	378	159
letters and circulars concerning lotteries	379	159
obscene matter declared	380	159
definition of	380	159
test for determining	380	160
notes of decisions respecting	380	160
in mails between Postal Union countries specified	401	170
unpaid letters, when, are	523	224
treatment of unpaid matter deposited for mailing	525	224
how returned to Dead-Letter Office	609	251
reaching destination, when to be delivered	581	243
when not to be delivered	581	243
how treated in railway post-office	1003	364
to be postmarked	1004	365
Unpaid letters. (<i>See</i> UNPAID MATTER.)		
how treated	523	224
to be returned to sender, when	525	224
Unpaid matter , treatment of in mailing office	525	224
to be postmarked and rated up	525	224
returned to sender, if known	525	224
marked “held for postage”	525	224
addressee to be notified, when	525	224
to be held two weeks, awaiting his order	525	224
to be dispatched, when	525	224
sent to Dead-Letter Office, when	525	225
Uruguay , mails exchanged with	389	165
Vacancies in letter-carrier force, how filled	637	264
Valuable letters , delivery of, when returned from Dead-Letter Office	580	242
duty of postmasters receiving, for delivery	580	242
return of, when owner not found	580	242
Vancouver and Bangor (railway post office), exchange office with Canada	616	255
Venezuela , samples of liquids, fatty substances, &c., may be sent to	397	168
mails exchanged with	389	165
registered matter from, cannot be recalled by senders	1168	405
Victoria , classification of mail matter exchanged with	406	172
rates of postage thereon	407	172
international money orders payable in	1322	449
money-orders payable in pounds, shillings, and pence	1327	451
maximum amount of money order payable in	1329	452
money order payable in, must be sent by remitter to payee	1340	455
is money-order exchange office for Canada	1345	456
money-order exchange office for, is San Francisco	1345	456
money orders issued in, forwarded to payees in United States	1350	458
exchange of money orders with	1322	448
denominations and equivalents of moneys	1327	451
money orders payable in, postmaster to designate paying office	1337	454
exchange office of	1346	457
Villages , when entitled to free delivery service	623	259
Vingh-Long , mails exchanged with	389	163
Virgin Isles, West Indies , mails exchanged with	389	164
Voluntary examinations , when to be made in Railway Mail Service	967	356
Voluntary service , unlawful to accept, when	13	31
Vouchers to be sent to Auditor for all expenditures	222	103
and deductions by postmasters	222	103
Wallachia , mails exchanged with	389	164
Warrants , how drawn, countersigned, and registered	217	102
may be signed by the Third Assistant	218	102
renewal of, when lost	315	133
bond of indemnity to be given	315	133
Washington, D.C. , direct packages for, how made up	990	361
headquarters of third division Railway Mail Service	897	344
of division of inspective force	36	39
Waste paper , sale of, in Department, authorized	63	50
embraces what	484	211
to be sold and accounted for	484	211
postmasters to collect and examine	513	221
sales of, to be entered in account	241	109
at first and second class offices	242	110
second-class matter, when unclaimed, disposed of as	601	248

	Sec.	Page.
Waste paper —Continued.		
refused matter disposed of as	601	248
postal clerks must examine	937	351
how, turned over for sale	937	351
Way post-offices , delivery of mails to	851	331
registers of arrivals and departures of mail, how kept	852	331
delinquencies to be reported	853	331
postmasters' report of arrivals and departures	854	331
special reports, when required	855	332
of delinquencies or irregularities, how made	856	332
contractors to be notified of failures	857	332
reports, how sent and preserved	858	333
contractors' excuses for delinquencies, how made	859	333
Way pouch , registered matter on star routes to be dispatched in	1082	383
Weather reports of Signal Service, how treated	514	221
how treated in railway post-offices	993	362
Weighing of mails , when and how made, on railroads	752	299
companies to give notice of readiness for	753	299
Weight of mails , to be considered by bidders in making bids	786	311
Western Australia , international money orders payable in	1322	448
Whistling forbidden to letter carriers on their routes	641	265
Widow of minor entitled to his letters	568	239
of pensioner, when, may receive his letters	567	238
Wife , letters of, how to be delivered	500	238
husband cannot control delivery of letters of	566	238
of postmaster may be assistant	490	216
Windward Islands , international money orders payable in	1322	449
money orders for, payable in pounds, shillings, and pence	1327	451
maximum amount of money orders payable in	1329	452
money order payable in, must be sent by remitter to payee	1340	455
exchange office for, is New York	1345	456
money orders issued in, forwarded to payees in United States	1350	458
exchange of money orders with	1322	448
denominations and equivalents of moneys	1327	451
money orders payable in, postmaster to designate paying office	1337	454
exchange office of	1348	457
Winnipeg, Manitoba , is money order exchange office for Canada	1346	457
Withdrawal , after mailing, before dispatch, when authorized	531	226
after dispatch	533	227
of mail matter, before dispatch	531	226
not permissible after stamps canceled, when	532	227
after dispatch, how authorized	533	227
"Working crews" of railway postal clerks, how organized	905	346
Wrapping paper , estimates for	213	100
Yancon , mails exchanged with	389	163
Yeast cakes , how wrapped for mailing	370	155
Yellow fever , duty of postmaster in respect to	698	283