

POSTAL LAWS AND REGULATIONS

OF THE

UNITED STATES OF AMERICA

EDITION OF 1940
IN EFFECT NOVEMBER 1, 1940

FRANK C. WALKER
POSTMASTER GENERAL



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ORDER No. 14528.

OFFICE OF THE POSTMASTER GENERAL,
Washington, D. C., August 1, 1940.

This edition consisting of a compilation of the Acts of Congress relating to the Post Office Department and Postal Service and a revision of the regulations for the government of said department and service, shall take effect on October 1, 1940, and all previous regulations and rulings in conflict therewith are hereby superseded and abrogated from and after that date. This edition shall be known as the "Postal Laws and Regulations of 1940" and all references to the postal laws or regulations in communications or otherwise must be to the sections of this edition.

The laws are printed in the larger size type and the regulations in the smaller size. Marginal notations opposite the laws refer to title numbers and section numbers of the 1934 edition of the United States Code and Supplement V thereto or to the date and number of the Act if the law is not codified. References in the laws refer to titles and sections in the Code and not to titles and sections in this edition.

Unused section numbers at the end of each title are for new sections if necessary so as to avoid changing section numbers in following titles. Amendments to this edition will be issued as inserts, numbered consecutively, and will be published in the monthly supplements to the Official Postal Guide.

Acknowledgment is made of the value of suggestions for improvement in the Postal Laws and Regulations which have been received from officials and employees of the service and continued cooperation is requested in connection with suggestions for improvement in this edition.

JAMES A. FARLEY,
Postmaster General.

ORDER No. 14647.

OFFICE OF THE POSTMASTER GENERAL,
Washington, D. C., September 30, 1940.

Order No. 14528 of August 1, 1940, is amended so as to make November 1, 1940, instead of October 1, 1940, the date upon which the 1940 edition of the Postal Laws and Regulations shall take effect.

FRANK C. WALKER,
Postmaster General.

This edition consisting of a compilation of the laws and regulations relating to the Post Office Department and Postal Service and a revision of the regulations for the government of said department and service, shall take effect on October 1, 1940, and all previous regulations and things in conflict therewith are hereby superseded and abrogated from and after that date. This edition shall be known as the "Postal Laws and Regulations of 1940" and all references to the postal laws or regulations in communications or otherwise must be to the sections of this edition.

The laws are printed in the larger size type and the regulations in the smaller size. Marginal notations opposite the law refer to title numbers and section numbers of the 1934 edition of the United States Code and Supplement V thereto or to the date and number of the Act if the law is not codified. References in the laws refer to titles and sections in the Code and not to titles and sections in this edition.

Unused section numbers at the end of each title are for new sections if necessary so as to avoid changing section numbers in following titles. Amendments to this edition will be issued as they are prepared and will be published in the monthly supplements to the Official Postal Guide.

Acknowledgment is hereby made to the Post Office Department for the loan of the original copy of the laws and regulations for the purpose of preparing this edition.

FRANK C. WALLACE,
Postmaster General.

Order No. 14328 of August 1, 1940, is amended so as to make November 1, 1940, instead of October 1, 1940, the date upon which the 1940 edition of the Postal Laws and Regulations shall take effect.

FRANK C. WALLACE,
Postmaster General.

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TITLE ONE

POST OFFICE DEPARTMENT AND POSTAL SERVICE

CHAPTER 1

ESTABLISHMENT AND ORGANIZATION OF THE POST OFFICE DEPARTMENT

ESTABLISHMENT: OFFICERS

1. The Congress shall have power * * * to establish Post Offices and post Roads; * * * and to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, * * *.

Post office and post roads. Constitution, art. 1, § 8.

See sec. 401 as to establishment of post offices; sec. 1701 as to established post roads.

2. 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.

Post office Department. 5 U. S. C. 361. The Postmaster General.

3. Authority to appoint the following-named officers may be found in the laws cited:

—term of office.

Authority to appoint officers.

First Assistant Postmaster General, 5 U. S. C. 363.

Second Assistant Postmaster General, 5 U. S. C. 363.

Third Assistant Postmaster General, 5 U. S. C. 363.

Fourth Assistant Postmaster General, 5 U. S. C. 363.

Solicitor for the Post Office Department, 5 U. S. C. 364.

Chief Inspector, act of July 5, 1884 (23 Stat. 156), and subsequent appropriation acts.

Purchasing Agent for the Post Office Department, 5 U. S. C. 366.

Comptroller, Bureau of Accounts, Post Office Department, 31 U. S. C. 45.

Director of Parcel Post, 5 U. S. C. 364a.

Other officers and employees, annual appropriation acts.

See sec. 2001 as to officers of the Railway Mail Service; sec. 25 as to post-office inspectors.

Department officers as post-office inspectors.
39 U. S. C. 697.

Travel expenses.

Acting officers.—of department.
5 U. S. C. 4

—of bureaus.
5 U. S. C. 5.

—named by President.
5 U. S. C. 6.

Temporary appointments.
5 U. S. C. 7.

—in Post Office Department. Executive order Jan. 6, 1893.

4. The Postmaster General may employ, when the service requires it, the Assistant Postmasters General and superintendents in his department as post-office inspectors; and he may allow them therefor not exceeding the amount expended by them as necessary traveling expenses while so employed.

See sec. 60 as to limitation on allowance for travel expenses.

5. 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 6 of this title (see par. 3), perform the duties of such head until a successor is appointed, or such absence or sickness shall cease.

2. 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 6 of this title, perform the duties of such chief or of such officer until a successor is appointed or such absence or sickness shall cease.

3. In any of the cases mentioned in sections 4 and 5 of this title * * * 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.

4. A vacancy occasioned by death or resignation must not be temporarily filled under the provisions of sections 4, 5, and 6 of this title for a longer period than thirty days.

5. Pursuant to the authority conferred by section 6 of Title 5, U. S. Code: 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 Postmasters General shall be absent or sick. And the Fourth Assistant Postmaster General is authorized and directed to perform the duties of Postmaster General

whenever and so long as he and the First, Second, and Third Assistant Postmasters General shall all be absent or sick.

DUTIES OF THE POSTMASTER GENERAL

6. 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, except as otherwise provided by law.

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

Sixth. To control, according to law, and subject to the settlement of the General Accounting Office, all expenses incident to the service of the department.

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

Eighth. To * * * 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.

NOTE.—As to certain duties of the Postmaster General not directly connected with the postal service, see 40 U. S. C. 267 (approval of plans for public buildings); 20 U. S. C. 41, 45 (as member of Smithsonian Institution).

For duties of Postmaster General as member of board of trustees, Postal Savings System, 39 U. S. C. 751.

7. The Postmaster General shall keep the seal 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.

REGULATIONS

8. 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.

2. All regulations or amendments thereof shall be promulgated by the Postmaster General and duly entered of record in the journal.

3. The business of the department is distributed among its several officers as hereinafter provided.

General duties
of P. M. G.
5 U. S. C. 369.

Note.
Miscellaneous
duties not con-
nected with
Postal Service.

Official seal.
5 U. S. C. 362.
—custody.
—use.

Regulations.
5 U. S. C. 22.
—Postmaster
General may
prescribe.

—promulga-
tion.

Distribution of
business of de-
partment.

ORGANIZATION OF THE DEPARTMENT

POSTMASTER GENERAL

Office of Postmaster General.
—matters assigned to Superintendent of department.
—of Postal Service.

Appointments.

Regulations, orders.

Seal.

Special duties.

Officers attached to office of Postmaster General.

Executive Assistant to the Postmaster General.

Special Assistant to the Postmaster General.

Chief clerk and Director of Personnel of Post Office Department.
—duties.

Supervision of clerical force.

Supervision of expenditures.

Custody of journals and records.

Preparation of Official Postal Guide.
Miscellaneous business correspondence.

9. The Postmaster General assigns to his office: The superintendence and government of the department, and the appointment of the officers, clerks, and employees; the general direction of the Postal Service in all its branches, the management of its finances, and disbursement of appropriations; the appointment of postmasters of the fourth class; the submission of cases to the President relating to appointments to be made by him; the determination of appeals from the action of the several Assistant Postmasters General; the promulgation of rules and regulations; the consideration of claims for damage done to persons or property by or through the operation of the Post Office Department and claims of postmasters for credit or reimbursement for losses by fire, burglary, or other unavoidable casualty; the issuance of all orders requiring the formal approval of the Postmaster General; the custody of the official seal; and the performance of all special duties enjoined by law upon the Postmaster General. (See sec. 6.)

2. The Executive Assistant to the Postmaster General, the Special Assistant to the Postmaster General, the Chief Clerk and Director of Personnel of the Post Office Department, the Personnel Officer, and Disbursing Clerk, the Solicitor, the Purchasing Agent, and the Comptroller of the Post Office Department shall be attached to the office of the Postmaster General. (See sec. 6.)

3. The Executive Assistant to the Postmaster General shall perform such duties as may be assigned to him from time to time by the Postmaster General.

4. The Special Assistant to the Postmaster General shall perform such duties as may be assigned to him from time to time by the Postmaster General.

5. (a) The Chief Clerk and Director of Personnel of the Post Office Department is charged with the general superintendence and assignment to duty of the clerical and subclerical forces of the department; the proper administration and execution of the provisions of the Civil Service, the Reclassification, the Retirement, and the Employees' Compensation Acts with respect to departmental employees; of the advertising of the department; of requisitions on the Treasury and the expenditures of the appropriations for the departmental service; with the custody of the journals and order books; the consideration of requisitions on the Public Printer for printing and binding required by the department and service; the furnishing, receipt, and inspection of stationery, blanks, and supplies for the department; the compilation and distribution of the Official Postal Guide and other postal publications; miscellaneous correspondence and files of the Postmaster General's office; the care and maintenance of all public property located in the departmental building; together with such addi-

tional duties as may be assigned to him by the Postmaster General. The Chief Clerk of the Post Office Department is the surplus-property officer for the department and entire postal service.

Supervision of public property.

(b) The Personnel Officer, under the direction of the Chief Clerk and Director of Personnel shall keep the official roster of all officers, clerks, and employees of the department, those employed at the stamped-envelope agency, and all papers, applications, recommendations, and files, relating thereto; and the record of absences of employees of the department; certify the pay rolls; and prepare all orders and correspondence relating to appointments, promotions, removals, and acceptance of resignations.

Personnel officer.—duties.

6. The Disbursing Clerk is charged with the payment of all salaries to all officers, clerks, and employees of the department; the making of all payments for rent of departmental buildings, contingent expenses, the publication of the Official Postal Guide, printing and binding, postage on the department's foreign correspondence, and such other expenditures as may be authorized; the sale of post route and rural delivery maps, and the keeping of accounts of expenditures. The Disbursing Clerk shall give bond in the sum of \$25,000 for the safekeeping, proper disbursement of, and accounting for all public moneys coming into his possession, and for the faithful discharge of the duties of his office according to law.

Disbursing Clerk.—duties.

Bond.

7. (a) The Solicitor is charged with the duty of giving opinions to the Postmaster General and 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 duty of assisting in the defense of cases against the United States arising out of the transportation of the mails, and in other matters affecting the postal revenues. These include suits in the Federal courts involving claims of the railroads and other contractors for the carriage of the mails; the representation of the Postmaster General and the preparation and presentation of the department's cases in proceedings before the Interstate Commerce Commission for the determination by the commission of the basis for adjustment of railroad mail pay and the fixing of fair and reasonable rates for the transportation of the mails and for services in connection therewith by railroads and urban and interurban electric railway common carriers, and in other matters of petition by the Postmaster General to the commission; the representation of the Postmaster General in hearings before the department on orders changing the mode of transporting periodical mail matter in connection with reviews of such orders by the Court of Appeals of the District of Columbia; with the consideration and submission (with advice) to the Postmaster General of claims for damage done to persons or property by or through the operation of the Post Office Department, and of all claims of postmasters for losses by fire, burglary, or other unavoidable casualty, and of all certifications by the Comptroller General of cases of proposed compromise of liabilities to the United States, and of the remission

Solicitor for the Post Office Department.—duties. Opinions on questions of law.

Claims.

- Compromises, remissions.
- Pardons.
- Appeals to Postmaster General.
- Frauds, lotteries.
- Contracts.
- Assistant attorneys.—duties.
- Purchasing Agent for the Post Office Department.*—duties.
- Purchase of supplies by postmasters.
- Comptroller, Bureau of Accounts.—duties.
- of fines, penalties, and forfeitures under the statutes; with the giving of advice, when desired, in the preparation of correspondence with the Department of Justice and other departments, including the Court of Claims, involving questions of law or relating to prosecutions or suits affecting or arising out of the Postal Service, and with assisting when desired in the prosecution or defense of such cases, and the maintenance of suitable records of opinions rendered affecting the Post Office Department and the Postal Service; and with the consideration of applications for pardon for crimes committed against the postal laws which may be referred to the 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 the questions of law; with the determining of questions as to the delivery of mail the ownership of which is in dispute; with the consideration of cases relating to lotteries and the misuse of the mails in furtherance of schemes to defraud the public; with the consideration of all questions relating to the mailability of alleged indecent, obscene, scurrilous, or defamatory matter; with determining the legal acceptability of securities offered by banks to secure postal savings deposits; with the examining and, when necessary, drafting of all contracts of the department; with the handling of cases arising from the application of the private express statutes (Government monopoly of carrying letters); with the legal work incident to the enforcement of those provisions of the espionage law which concern the Post Office Department; with the consideration of alleged extortion letters; and with such other like duties as may from time to time be required by the Postmaster General.
- (b) The Assistant to the Solicitor, the Assistant Solicitor and the attorneys for the Post Office Department are assigned to the office of the Solicitor. The Assistant to the Solicitor shall have general supervision of the work of the office under the Solicitor and in his absence shall discharge the duties regularly devolving upon that officer; and in the absence of both, the Assistant Solicitor and the attorneys in the order of their standing shall act in their stead.
8. The Purchasing Agent for the Post Office Department is assigned, under the direction and control of the Postmaster General, the supervision of the purchase of all supplies; and all purchases of supplies of every nature and character, whether under contract or not, either for the Post Office Department proper or for any branch of the Postal Service, shall be made by the Purchasing Agent: *Provided, however,* That the bureau officer controlling an appropriation may authorize postmasters and other postal officials to purchase supplies chargeable to that appropriation, subject to the approval of the Purchasing Agent in each instance.
9. To the Comptroller, Bureau of Accounts, are assigned the administrative examination of all postal and money-order accounts of postmasters and foreign administrations; the instructing

of postmasters relative to preparation and rendition of their accounts; the keeping of administrative appropriation and cost accounts; and the compilation of statistical reports, monthly operating statements, and other financial data for the information of the Postmaster General and other officers of the Post Office Department in connection with the administration of the service; also the keeping of the individual accounts for the statutory deductions from basic salaries of all employees of the department and the Postal Service for credit to the "civil-service retirement and disability fund," and the Comptroller is designated as budget officer of the Post Office Department to prepare the departmental estimates and such supplemental and deficiency estimates as may be required. (See secs. 41, 205, and 255.)

FIRST ASSISTANT POSTMASTER GENERAL

10. The First Assistant Postmaster General is charged with the duty of handling for the Postmaster General all matters relating to the selection and nomination of postmasters at post offices of the first, second, and third classes, and the appointment of postmasters at offices of the fourth class; the bonding and commissioning of postmasters; the general management of post offices and the instruction of postmasters, except as otherwise provided; the establishment, discontinuance and changes of names of post offices; the changes of sites of offices of the fourth class; the authorization of allowances for clerk and city and village carrier hire, and other expenses connected with post offices; and the conduct of the city delivery, village delivery, and special delivery services; and the treatment of all unmailable and undeliverable mail matter.

Office of the
First Assistant
Postmaster
General.
—duties.

The divisions of this bureau shall perform duties as follows:

2. The Division of Post Office Service, under the supervision of the superintendent, is charged with the annual adjustment of salaries of postmasters at presidential offices; the organization and management of post offices of the first and second classes; the establishment of contract stations; the appointment, disciplining, and fixing of salaries of assistant postmasters, supervisory officers, clerks, special clerks, watchmen, messengers, laborers, printers, mechanics, and skilled laborers, and of city and village letter carriers; the establishment, maintenance, supervision, and extension of city and village delivery and collection service; allowances for clerk hire at first-, second-, and third-class offices, for mail separations and "unusual conditions" at fourth-class offices, and for miscellaneous service items at first- and second-class offices, such as telephone and water rentals, laundry, towel service, and all matters concerning the special-delivery service, and the hours of business at presidential offices.

Division of
Post Office
Service.
Superintendent.
—duties.
Management of
post offices.
Appointment
and the fixing
of salaries of
post-office
employees.
Maintenance of
city and village
delivery.

3. The Division of Postmasters, under the supervision of the superintendent, is charged with the preparation of cases for the establishment, change of name, and discontinuance of post offices; the keeping of a record of the appointment of postmasters; the obtaining, recording, and filing of bonds and oaths of office and

Division of
Postmasters.
Superintendent.
—duties.
Appointment
of postmasters.

issuance of postmasters' commissions; the consideration of charges and complaints against postmasters; all service matters in connection with fourth-class post offices; and the regulation of hours of business and changes of sites of post offices of the fourth class.

Division of Dead Letters and Dead Parcel Post. Superintendent.
—duties.
Unmailable and undelivered matter.

4. The Division of Dead Letters and Dead Parcel Post, under the supervision of the superintendent, is charged with the treatment of all unmailable and undelivered mail matter sent to it, and the general supervision of the treatment of all such matter sent to its branches for disposition; the enforcement of the prompt sending of such matter according to the regulations, the correcting of errors of postmasters connected with the nondelivery of mail matter sent to the division of dead letters and dead parcel post or its branches, and 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; the inspection and return to the 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.

SECOND ASSISTANT POSTMASTER GENERAL

Office of the Second Assistant Postmaster General.
—duties.
Transportation of mails.
Mail lettings.

11. To the Second Assistant Postmaster General are assigned the authorization and management of the transportation of the domestic and international mails by means of railroads, electric and cable cars, steamships, steamboats, rural routes, mail messengers, star routes, and air-mail routes; the preparation of advertisements for mail lettings for the transportation of mail by steamboats and star routes, the preparation of orders of awards thereon, and the execution of contracts accordingly; the authorization of changes in schedules on steamboat routes and star routes where they are fixed by orders, and the passing upon schedules for air-mail routes; the receipt and examination of reports from postmasters and others as to the performance of such service and the preparation of orders for the Postmaster General making deductions for nonperformance and imposing fines for delinquencies; the issuance of statements of amounts found upon administrative examination to be due the various companies, contractors, and others for the performance of such service, and the forwarding of such statements to the General Accounting Office for payment; the authorization of payment of salaries to railway postal clerks and making allowances for their travel expenses; the distribution of pouches, sacks, and pouch locks used in the transportation of the mails; the designation and supervision of mail-bag depositories; the direction of the mail distribution and the course of the mails; the preparation of postal conventions and agreements (except those relating to the money-order system) and the regulations

Contracts.

Deductions and fines.

for their execution; the supervision of the Railway Mail Service, Rural Delivery Service, International Postal Service (including the sea post, Navy mail, and international registry, insurance, and collect-on-delivery services), the Air Mail Services, and other classes of transportation mentioned above; and the general supervision of the divisions of the Bureau.

The divisions of this bureau shall perform duties as follows:

2. The Division of Railway Adjustments, under the supervision of the superintendent, is charged with the preparation of cases authorizing the transportation of mails on railroad, electric and cable car, mail messenger, steamboat, and Alaska star routes, and changing authorizations on such routes; passing upon claims of railroads for side and transfer service required of them in connection with the transportation of the mails; examining evidence of the performance of those services, and passing upon the application of the requirements and rates fixed by the Interstate Commerce Commission governing service on railroad and electric car routes, and preparing statements of accounts of the carriers for payment (except for mail messenger service), and the consideration of cases of delinquencies in service and preparation of orders thereon of fines or deductions.

*Division of
Railway
Adjustments.*
Superintendent.
—duties.
Preparation of
authorizations
for mail trans-
portation.
Side and termi-
nal service.
Examination
of evidence of
performance of
transportation
service.

3. The Division of International Postal Service, under the supervision of the Director, is charged with the arrangement of all details connected with the exchange of mails with foreign countries, including the ocean transportation of mails from the United States and of other mails the United States is obligated to convey; the handling of all matters pertaining to the foreign air mail service, including the authorization and management thereof, the preparation of orders relating to deductions for the nonperformance of service or other delinquencies on the part of carriers, and the preparation of monthly statements to the General Accounting Office of the amounts found upon administrative examination to be due carriers for the performance of the service; the arrangement of all details in connection with the preparation of postal conventions and agreements (except those relating to the money-order system); the preparation of instructions to postmasters in regard to the International Postal Service; the preparation of the general correspondence with foreign countries (except that assigned to the Third Assistant Postmaster General and the Chief Inspector); the consideration of and preparation of replies to inquiries relating to the international postal and parcel-post services (except those intended for the Chief Inspector); the consideration and disposal of applications for the return to senders of, or change of address on, articles contained in the mails exchanged with foreign countries; compilation of statistics of international mails; the translation of letters and documents in foreign languages received by the Department (except those intended for the Third Assistant Postmaster General or the Chief Inspector); the administrative preparation of the accounts of each vessel or line carrying mails from the United States to foreign countries; the administrative

Fines and
deductions.
*Division of
International
Postal Service.*
Director.
—duties.
Transportation
of foreign
mails
Preparation of
postal-conven-
tions.
—except.

Certification for payment of mail transportation.

preparation of parcel-post accounts with foreign countries covering terminal, transit, and other charges, and the administrative preparation of accounts with foreign countries for the transmission of mail by air; administrative determination of the balances due from or to foreign countries on account of intermediary maritime and land transit of international mails, as well as the preparation of instructions to govern the collection of the transit statistics on which these balances are based; the management of the international registry, insurance, and collect-on-delivery services, and all instructions and correspondence in relation thereto, except that assigned to the Third Assistant Postmaster General (Division of Money Orders) and that assigned to the Chief Inspector under sections 14, 809, and 811; the adjustment of indemnity claims for international mail; and the supervision of the sea post service, Navy mail service, and the international parcel-post service, as well as the authorization of refunds of postage on foreign mail (ordinary, registered, insured, and collect-on-delivery).

Transit rates.
Sea-post and
Navy mail.
International
parcel post.

*Division of
Railway Mail
Service.*
General super-
intendent.
—duties.
Regulations,
etc.
Appointments,
etc.
Conduct of
service.

New service.

Car space.

Distribution
and dispatch
of mails.
Distribution of
pouches, sacks,
and locks.

Travel allow-
ances.
Miscellaneous
expenditures.

Star route
service.

4. The Division of Railway Mail Service, under the supervision of the general superintendent, is charged with the preparation of all regulations for the government of the Railway Mail Service, and of cases for the appointment, removal, transfer, promotion, and reduction of all officers of the service and railway postal clerks; the general conduct of the mail service on railroad and inland steamboat routes; the investigation and report of the necessity for the establishment of new or additional service on railroads; reporting as to necessary changes in car space; the instruction of postmasters relative to the distribution and dispatch of mails at post offices; the distribution of pouches, sacks, and pouch locks used in the transportation of the mails other than those used exclusively in the city and rural delivery services; the designation and supervision of mailbag depositories; the preparation of statements of allowances for travel expenses of railway postal clerks; and preparation of cases for the authorization of miscellaneous expenditures and credits for the incidental needs of the Railway Mail Service; star-route contract service (except in Alaska), and the Government operated star-route service; the preparation of advertisements inviting proposals for the transportation of mails on star routes (except in Alaska), the drafting of orders awarding such service and the preparation of contracts therefor, the performance of service, the examination of monthly and special reports of postmasters, and the preparation of orders making deductions and imposing fines for nonperformance of service and other delinquencies on the part of contractors and carriers on star routes, and the preparation of monthly statements to the General Accounting Office of the amounts found upon administrative examination to be due contractors for the performance of such star-route service.

Note.

NOTE.—See Title Eleven for laws and regulations relative to the organization and conduct of the Railway Mail Service, secs. 587 to 594, as to preparation of certain matter for mailing, and secs. 809, 810, and 2233 as to reports of missending of, damage, and delay to mail in transit.

5. The Division of Air Mail Service, under the supervision of the Superintendent, is charged with consideration of all matters within the jurisdiction of the Post Office Department pertaining to the operation of the domestic air mail service; the designation and preparation of air-mail schedules and the preparation of orders authorizing air mail service and changes therein on all domestic routes; the examination of regular and special reports covering the performance of service; the preparation of orders relating to deductions for the nonperformance of service or other delinquencies on the part of carriers; the preparation of monthly statements to the General Accounting Office of the amounts found upon administrative examination to be due carriers for the performance of service; the compilation of various statistics and the supervision and conduct of the domestic air mail service generally.

Division of Air Mail Service. Superintendent.—duties.

6. The Division of Rural Mails, under the supervision of the superintendent, is charged with the consideration of all matters pertaining to the Rural Delivery Service, and the appointment and discipline of rural carriers.

Division of Rural Mails. Superintendent.—duties.

THIRD ASSISTANT POSTMASTER GENERAL

12. To the Third Assistant Postmaster General are assigned the general supervision of the financial operations of the Postal Service; the supervision of the Postal Savings System and of the sale of United States savings bonds at post offices; the general conduct of the money-order system; the classification of domestic mail matter; questions pertaining to the use of penalty envelopes and the franking privilege; the enforcement of the laws relative to the limit of weight and size of domestic mail; the granting of authority to refund postage charges on domestic mail in excess of the lawful amounts; the supervision, through the Government agencies, of the manufacture of all postage stamps, postal cards, stamped envelopes, and newspaper wrappers, and migratory-bird hunting stamps, and their distribution; the distribution of internal-revenue stamps for sale in post offices; the supervision and management of the domestic registry system as well as the domestic insurance and collect-on-delivery services; the determination in complicated cases of responsibility for shortages of any kind in postmasters' accounts; the work of ascertaining the revenues derived from and the cost of carrying and handling the several classes of mail matter and of performing the special services; general supervision of investigations of methods designed to improve the Parcel Post Service; and the preparation of the Postmaster General's reports to Congress in cases involving loss of Government funds or stamped paper through embezzlement or otherwise.

Office of the Third Assistant Postmaster General.—duties. Finances. Classification of mail matter. Penalty envelopes, etc. Limit of weight.

Stamps, postal cards, etc.—manufacture.—distribution.

The divisions of this bureau shall perform duties as follows:

Preparation of special reports.

2. (a) The Division of Finance, under the supervision of the superintendent, is charged with gathering and distributing funds derived from the collection of the revenues of the Postal Service

Division of Finance.
Superintendent.
—duties.

for the purpose of meeting the obligations of the service when and where payable; supervision of the handling and remitting of funds by postmasters; covering postal moneys into the Treasury of the United States; receiving moneys coming directly to the department; paying indebtedness not settled by postmasters; making chargebacks in accounts of fourth-class postmasters in connection with the rendering of false returns of cancelations; handling matters affecting the postal revenues; and the regulation of box-rent rates and deposits for keys of lock boxes in post offices.

Bond of Superintendent.
1906, June 22;
34 Stat. 438.

(b) The Superintendent of Finance shall give bond in such amount as the Postmaster General may determine for the faithful discharge of his duties.

Amount of bond.

(c) The Superintendent of the Division of Finance shall give bond in the sum of \$10,000.

Division of Postal Savings.
Superintendent.
—duties.

3. The Division of Postal Savings, under the supervision of the superintendent, is charged with the general direction of postal-savings and United States savings-bond business at post offices, the administrative examination of postal-savings and savings-bond accounts, the preparation of correspondence and the keeping of records of accounts pertaining thereto.

Division of Money Orders.
Superintendent.
—duties.
Conventions.

4. The Division of Money Orders, under the supervision of the superintendent, is charged with the general direction of the postal money-order system, both domestic and international, and the preparation of conventions for the exchange of money orders with foreign countries.

Division of Classification.
Superintendent.
—duties.
Classification of mail matter.

5. The Division of Classification, under the supervision of the superintendent, is charged with the consideration of all questions relating to the classification of matter admissible to the mails, intended or deposited for mailing, including the determination of the admissibility of publications to the second class of mail matter and their right to continue therein; the limit of weight and size of mail; the admissibility of meat and meat-food products under the meat inspection act, and of nursery stock, etc., under the plant quarantine and terminal inspection acts; and of the dead bodies, or parts thereof, of any wild animals or birds or the eggs of any such birds, under the laws pertaining to their shipment; the requirements as to the name and address of the sender on mail and the addressing thereof; the use of precanceled stamps; the mailing without stamps affixed of metered or nonmetered matter; the use of penalty envelopes and the franking privilege; the supervision of the collection of postage; the examination of postmasters' statements of second-class postage collected; and the granting of authority to refund postage charges on domestic ordinary mail in excess of the lawful amounts.

Second-class matter.
Penalty envelopes.
Franking privilege.
Collection of postage.

Division of Stamps.
Superintendent.
—duties.
Manufacture of stamped paper
—payment for.

6. The Division of Stamps, under the supervision of the superintendent, is charged with the general supervision of the production of postage stamp paper, including international reply coupons, postal-savings stamps, and migratory-bird hunting stamps; the examination, verification, and adjustment of the

accounts of contractors for these supplies; the disposition of requisitions for stamped-paper supplies, the distribution of such supplies, the keeping of accounts of stamped paper issued to postmasters and on hand in post offices, and the audit and disposition of reports and inventories regarding the same; the distribution of internal-revenue stamps sold through the postal service and the accounting thereof; the adjustment of cases of loss, miscarriage, or detention of stamped supplies in transit; the receipt, examination, and disposition of stamped paper sent by postmasters to the department for redemption and the certification of credits in favor of postmasters therefor; the consideration of cases relating to the counterfeiting or imitating of United States postage stamps and the legitimacy of postmasters' sales of stamped paper.

7. The Division of Registered Mails, under the supervision of the superintendent, is charged with the management of the domestic registry system and the domestic insurance and collect-on-delivery features of the Postal Service and the issuance of all instructions and correspondence in relation thereto, except that assigned to the Chief Inspector under sections 14, 809, and 810; the issuance of instructions concerning receipts or certificates of mailing for domestic ordinary, registered, insured, and collect-on-delivery mail; the authorization of all domestic rotary-lock, brass-lock, lead-seal, and exceptional exchanges and dispatches of registered mail; the authorization of refunds of postage on domestic registered, insured, and collect-on-delivery mail; the recovery and disposition of domestic indemnities found to have been improperly paid; the supervision of the adjustment by postmasters of claims involving domestic insured and C. O. D. mail; and the adjustment of indemnity claims for domestic registered mail and such claims for domestic insured and collect-on-delivery mail as are not adjusted by postmasters.

8. The Division of Cost Ascertainment, under the supervision of the superintendent, is charged with the general direction of the work of ascertaining the revenues derived from and the cost of carrying and handling the several classes of mail matter and of performing the special services.

9. The Division of Parcel Post, under the supervision of the director, is charged with the general direction of investigations of methods designed to improve the Parcel Post Service.

FOURTH ASSISTANT POSTMASTER GENERAL

13. To the Fourth Assistant Postmaster General are assigned the duty of representing the Postmaster General on the Joint Departmental Committee, administering the details of public building programs authorized by Congress outside of the District of Columbia; the authorization of allowances for rent, light, and fuel, and the consideration of general engineering problems affecting the activities of the Postal Service; the custody and distribution of equipment and supplies for the Postal Service; the administration

—distribution of.

—accounts of. Reports.

Adjustments.

Counterfeit stamps. Legitimacy of sales.

Division of Registered Mails. Superintendent. —duties. Insurance. Collect on delivery.

Indemnity.

Division of Cost Ascertainment. Superintendent. —duties.

Division of Parcel Post. Director.

Office of the Fourth Assistant Postmaster General. —duties. Distribution of supplies. Supervision of mail-equipment shops. Mail bags, etc.

and operation of Government-owned post-office buildings, appointment and discipline of personnel engaged in the operation and maintenance; requisition and distribution of cleaning and operating supplies and equipment; the authorization of allowances for hire of vehicles used in the delivery and collection service, and the conduct of the screen-wagon, pneumatic-tube, and Government-owned motor-vehicle services in cities; the production and distribution of post-route maps and parcel-post zone keys; the general supervision of the mail-equipment shops and the manufacture and repair of mail bags, locks, keys, and key chains.

The divisions of this bureau shall perform duties as follows:

Division of Engineering and Research.
Superintendent.
—duties.

2. The Division of Engineering and Research under the supervision of the superintendent, is charged with the design and construction of buildings insofar as the operation of the post-office service is concerned; the lay-out of post-office quarters in Federal buildings and leased buildings, including conveyor and other labor-saving equipment for same; general engineering problems affecting the activities of the Postal Service, and the consideration of the practicability of devices and inventions for use in the Postal Service.

Division of Motor Vehicle Service.
Superintendent.
—duties.

3. The Division of Motor Vehicle Service, under the supervision of the superintendent, is charged with the authorization, operation, and maintenance of the Government-owned motor-vehicle service, including the appointment and discipline of the personnel employed in connection therewith; the authorization and operation of the pneumatic-tube service including the appointment and discipline of the personnel employed in connection therewith; requisitions for materials, supplies, and garage equipment and correspondence pertaining thereto; requests for allowances for rent, light, fuel, power, water, telephone service, etc.; the monthly and quarterly reports and correspondence pertaining to the accounting system; the preparation of advertisements inviting proposals for the transportation of the mails in cities by means of screen wagons and pneumatic tubes, and the drafting of orders awarding such service, including the preparation of contracts therefor; the fixing of allowances for the hire of vehicles used in the delivery and collection service; the examination of reports and the preparation of orders making deductions and imposing fines for nonperformance of services and other delinquencies on the part of contractors.

Screen-wagon service.
Pneumatic tubes.

Division of Topography.
Topographer.
—duties.
Post-route and rural-delivery maps.

4. The Division of Topography, under the supervision of the Topographer, is charged with the supervision of the production of post-route and rural-delivery maps; the distribution of post-route and rural-delivery maps; and the conduct of correspondence pertaining thereto.

Division of Post Office Quarters.
Superintendent.

5. The Division of Post Office Quarters, under the supervision of the superintendent, is charged with the selection, lease, and equipment of quarters for residential post offices and stations thereof (except those located in Federal buildings); the lease and

equipment of post-office garages, and the fixing of allowances for rent, light, heat, and water at presidential offices and stations thereof.

6. Division of Building Operations and Supplies.

(a) The Equipment and Supplies Branch, under the supervision of the Assistant Director, is charged with the preparation of specifications for equipment, other than that assigned to the mail-equipment shops, and supplies for the Postal Service; the requisition, inspection, adjustment, and repair of post-office scales; the custody, distribution, and transportation of such equipment and supplies; the maintenance of a record of expenditures for equipment and supplies by appropriation; and the conduct of all correspondence pertaining thereto.

(b) The Maintenance Branch, under the supervision of the Assistant Director, is charged with the administration and operation of Government-owned post-office buildings; appointment and discipline of personnel engaged in the operation and maintenance; requisition and distribution of cleaning and operating supplies and equipment, including fuel, oils, and grease, electric and gas lamps; assignment of space and granting of privileges; joint telephone facilities serving two or more governmental agencies; requisition and distribution of furniture, floor coverings, window shades, awnings; moving into Federal buildings; and safes and their fittings. Correspondence relative to repairs to buildings and fixed equipment, including heating plant, elevators, ventilating equipment, vaults, lock boxes; lighting fixtures (Federal buildings only); interior and exterior painting, seeding and grading, should be addressed to Public Buildings Administration, Federal Works Agency. For further instructions see pamphlet "Instructions and Suggestions for Postmasters in the Operation of Public Buildings Under the Administration of the Post Office Department."

(c) The Manufacturing and Repair Branch, under the supervision of the Assistant Director, is charged with the manufacture and repair of mail bags and other mail containers and attachments, mail locks, keys, chains, tools, dies, and such other equipment for the Postal Service as may be deemed expedient; the preparation of specifications for the articles named, the recommendation of award for purchase; the maintenance of a record of expenditures; the issuance of letter-box locks, mail keys, key chains, etc., to postmasters and other officials entitled thereto, and the maintenance of a record thereof.

(d) The Division of Traffic, under the supervision of the Traffic Manager, is charged with the preparation of instructions relative to freight, express, drayage, crating, routing, and billing shipments of equipment, material, and supplies for the department and Postal Service following carefully instructions appearing in Order No. 5442, published in the current issue of the Postal Guide, Part I, under the heading "Transportation of Supplies."

—duties.
Leasing and equipping quarters for presidential post offices and stations.
—post-office garages.
Allowances for rent, heat, and light.

Equipment and Supplies Branch.
Assistant Director.
—duties.
Specifications for equipment and supplies.
Distribution of supplies.
Record of expenditures.

Maintenance Branch.
Assistant Director.
—duties.

Operation of Government-owned buildings.

Correspondence relative to repairs.

Manufacturing and Repair Branch.
Assistant Director.
—duties.
Manufacture and repair of mail bags, etc.
Preparation of specifications.
Locks, keys, chains, etc.

Division of Traffic.
Traffic Manager.
—duties.

CHIEF INSPECTOR

Office of the
Chief Inspector.
—duties.

14. The Chief Inspector is charged with keeping the department advised as to the condition and needs of the postal service; with the authorization, coordination, and disposition of all investigations by the Post Office Inspection Service, including the inspection of post offices and certification of the results thereof and ratings of the offices to the First Assistant Postmaster General; with all matters relating to depredations upon the mails and losses therein; with the consideration of complaints and correspondence relative to criminal offenses against the postal service; with the treatment of claims for rewards and correspondence relative to the department's interest in the prosecution of offenders against the postal laws; with the consideration of matters arising from the application of the private express statutes; with the coordination and supervision of plans and arrangements for the handling of the President's mail while he is traveling, and advising with White House officials on matters connected therewith; with the coordination of plans and arrangements for the handling of Army mail by the Post Office Department in the event of an emergency, and advising with the War Department on matters connected therewith; with the direction of all inquiries for the purpose of determining whether articles of mail matter have been delivered except as provided in section 810; with the treatment of all inquiries addressed to the United States Post Office Department by foreign postal administrations or by persons interested, or reported by postal officials and others under sections 809 and 2233, concerning losses and irregularities in the international mails; with the treatment of all cases involving international mail where some form of return receipt is required which has not been received; with the general supervision of the business of the Post Office Inspection Service and of the divisions of his Bureau; with the custody and proper disposition of all money and property coming into the possession of the Post Office Inspection Service or any division of his Bureau; with the selection, government, and assignment to duty of post office inspectors in charge, post office inspectors and clerks at division headquarters of post office inspectors; with the operation of the Post Office Department Library; with the printing, numbering, and assignment of commissions for officers of the Department and post office inspectors; with the performance of such other duties as may from time to time be required by the Postmaster General.

The officers and divisions of this Bureau shall perform duties as follows:

Assistant Chief
Inspector.
—duties.

(2) The Assistant Chief Inspector shall perform such duties as may be delegated to him by the Chief Inspector and in the absence of the latter shall act in his stead.

General Super-
intendent.
—duties.

(3) The General Superintendent, Office of the Chief Inspector, under the Chief Inspector and Assistant Chief Inspector, shall

exercise general supervision over the divisions of the Bureau and perform such other duties as may be delegated to him.

(4) The Division of Administrative Investigations, under the supervision of the superintendent, is charged with the authorization, coordination, and disposition of investigations relating to the protection of the mails, the personnel of the Postal Service and its operating needs, claims for rewards, and the mailing of fraudulent and other prohibited matter; with the protection of the Department's interests in postal prosecutions; and with the authorization of supplies and equipment for the Inspection Service.

Division of Administrative Investigations.
Superintendent.
—duties.

(5) The Division of Mail Investigations, under the supervision of the superintendent, is charged with the consideration of matters relating to depredations upon the mails and losses therein, burglaries, robberies, floods, and other casualties; with the authorization, coordination, and disposition of investigations relating to mail matter, and the determination of the proper disposition of money and property recovered in connection with such investigations; and with the treatment of inquiries concerning international mail.

Division of Mail Investigations.
Superintendent.
—duties.

(6) The Division of Financial Investigations, under the supervision of the superintendent, is charged with the authorization, coordination, and disposition of investigations relating to the revenues and finances of the Postal Service, the inspection of post offices, and the impersonation of postal officers and employees; with the determination of the proper disposition of money and property recovered in connection with such investigations; with the consideration of contracts, allowances, accounts, and leaves of absence under Inspection Service appropriations, clerical and expert assistance for inspectors, changes in inspectors' official stations and territories, Inspection Service appropriation requirements; with compilation and analysis of statistics; and with the operation of the cash-accounting system of the Inspection Service.

Division of Financial Investigations.
Superintendent.
—duties.

See sec. 26 as to grades, salaries, and travel allowance of post-office inspectors; sec. 29 as to duties of post-office inspectors; sec. 28 as to duties of inspectors in charge.

DUTIES OF SUPERVISORY EMPLOYEES

15. The head of each office or division shall prescribe what duties shall be performed by the assistant general superintendent, the assistant superintendent, the assistant director, or the chief clerk or assistant chief clerk of his office or division, and in the absence of the head of any office or division his duties shall be performed by the next ranking officer present.

Chief clerk, assistant chief clerk, assistant general superintendent, assistant superintendent, assistant director.
—duties.
Note.

NOTE.—The General Accounting Office is an independent establishment and is not under the jurisdiction of the Post Office Department.

CHAPTER 2

CLERICAL ORGANIZATION OF THE DEPARTMENT

CLASSIFICATION : APPOINTMENTS : ASSIGNMENTS : TRANSFERS

Classification of clerks.
5 U. S. C. 664.

16. * * * the head of each department shall allocate all positions in his department in the District of Columbia to their appropriate grades in the compensation schedules and shall fix the rate of compensation of each employee thereunder, in accordance with the rules prescribed in section 666 of this title. Such allocations shall be reviewed and may be revised by the (classification) board and shall become final upon their approval by said board. * * *

Note.

NOTE.—Compensation schedules are prescribed in sec. 673 U. S. Code, Title 5. Personnel Classification Board abolished; duties, functions, etc., transferred to the Civil Service Commission. See 5 U. S. C. 633a.

Appointments.
5 U. S. C. 638.
—civil-service examination.
—exceptions.

17. No officer or clerk shall be appointed, and no person shall be employed to enter or be promoted in either of the classes of employees existing on January 16, 1883, or that may thereafter exist, until he has passed an examination, or is shown to be specially exempted from such examination in conformity herewith. Nothing herein contained shall be construed to take from those honorably discharged from the military or naval service any preference conferred by section 35 of this title, nor to take from the President any authority not inconsistent with sections 632, 633, 635, 637, 638, 640 to 642 of this title, conferred by section 631 of this title; 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 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.

Laborers not to do same work as classified employees.

18. A person employed merely as a laborer or workman without examination under the civil-service rules shall not be assigned to work of the grade performed by classified employees.

See civil-service rule 2, par. 5.

Soldiers, sailors, and marines.
5 U. S. C. 35.
—preferred for appointment.

19. In making appointments to clerical and other positions in the executive branch of the Government in the District of Columbia or elsewhere preference shall be given to honorably discharged soldiers, sailors, and ma-

rines, and widows of such and to the wives of injured soldiers, sailors, and marines who themselves are not qualified, but whose wives are qualified to hold such positions.

2. 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.

3. In harmony with statutory provisions, when reductions are being made in the force, in any part of the classified service, no employee entitled to military preference in appointment shall be discharged or dropped or reduced in rank or salary if his record is good, or if his efficiency rating is equal to that of any employee in competition with him who is retained in the service.

20. The Bureau of Efficiency shall, subject to the approval of the President, establish a system of efficiency ratings for the classified service in the several executive departments in the District of Columbia based upon records kept in each department and independent establishment with such frequency as to make them as nearly as possible records of fact. Such system shall provide a minimum rating of efficiency which must be attained by an employee before he may be promoted; it shall also provide a rating below which no employee may fall without being demoted; it shall further provide for a rating below which no employee may fall without being dismissed for inefficiency. All promotions, demotions, or dismissals shall be governed by provisions of the civil-service rules. Copies of all records of efficiency shall be furnished by the departments and independent establishments to the Bureau of Efficiency for record in accordance with the provisions of this section. In the event of reductions being made in the force in any of the executive departments no honorably discharged soldier or sailor whose record in said department is rated good shall be discharged or dropped or reduced in rank or salary. (See 5 U. S. C. 669.)

2. Any person knowingly violating the provisions of this section shall be summarily removed from office, and may also upon conviction thereof be punished by a fine of not more than one thousand dollars or by imprisonment for not more than one year.

—and widows and orphans of, to be retained in service.
5 U. S. C. 37.

Executive order, June 24, 1938.

Efficiency ratings; establishment of system.
5 U. S. C. 648.

—preference shown honorably discharged soldier or sailor.

—penalty for violation of law.

Assignment of clerks.
5 U. S. C. 38.

21. 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 and other employees allowed by law, except such clerks or employees as may be required by law to be exclusively engaged upon some specific work, as he may find it necessary and proper to do, but all details hereunder shall be made by written order of the head of the department, and in no case be for a period of time exceeding one hundred and twenty days. Details so made may, on expiration, be renewed from time to time by written order of the head of the department, in each particular case, for periods of not exceeding one hundred and twenty days.

Details.

—renewal of.

Detail of clerks, etc., from postal to departmental service forbidden.
5 U. S. C. 370.

22. It shall not be lawful to detail clerks or other employees, paid from general appropriations for the postal service, from any branch of said postal service, whether located at the seat of government or elsewhere, to any of the offices or bureaus of the Post Office Department at Washington.

Details of employees from places outside the District of Columbia.
5 U. S. C. 39.

2. It shall be unlawful to detail civil officers, clerks, or other subordinate employees who are authorized or employed under or paid from appropriations made for * * * any other branch of the public service outside of the District of Columbia, except those officers and employees whose details are specially provided by law, for duty in any bureau, office, or other division of any executive department in the District of Columbia, except temporary details for duty connected with their respective offices.

—appropriations not to be expended, how.

3. Appropriations * * * made for the field service of the Post Office Department, except as otherwise provided, shall not be expended for any of the purposes * * * provided for on account of the Post Office Department in the District of Columbia.

Note.

NOTE.—The preceding paragraph is a provision of the "Act making appropriations for the Post Office Department for the fiscal year ending June 30, 1940." A similar provision has been carried in the appropriation acts for a number of years past.

HOURS OF SERVICE: LEAVES OF ABSENCE

Hours of service in department.
5 U. S. C. 29.

23. 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 employees, 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 the hours of any clerk or employee in their departments, respectively; but in case of an extension it shall be without additional compensation.

—extension of.

2. It shall be the duty of the head of each executive department to require monthly reports to be made to him as to the condition of the public business in the several bureaus or offices of his department at Washington; and in each case where such reports disclose that the public business is in arrears, the head of the department in which such arrears exist shall require, as provided in section 29 of this title, an extension of the hours of service to such clerks or employees as may be necessary to bring up such arrears of public business.

Reports of condition of business.
5 U. S. C. 31.

3. No recording clocks for recording time of clerks or other employees in any of the executive departments at Washington, shall be used in any of such departments at Washington.

Time-recording clock.
5 U. S. C. 27.

4. On and after March 3, 1931, four hours, exclusive of time for luncheon, shall constitute a day's work on Saturdays throughout the year, with pay or earnings for the day the same as on other days when full time is worked, for all civil employees of the Federal Government and the District of Columbia, exclusive of employees of the Postal Service, * * * whether on the hourly, per diem, per annum, piecework, or other basis: *Provided*, That in all cases where for special public reasons, to be determined by the head of the department or establishment having supervision or control of such employees, the services of such employees cannot be spared, such employees shall be entitled to an equal shortening of the workday on some other day: *Provided further*, That the provisions of this section shall not deprive employees of any leave or holidays with pay to which they may now be entitled under existing laws.

Saturday half-holidays.
5 U. S. C. 26a.

24. With the exception of teachers and librarians of the public schools of the District of Columbia and officers and employees of the Panama Canal and Panama Railroad on the Isthmus of Panama, and except as provided

Leave of absence.
Annual.
5 U. S. C. 30b.
Supp. V.

in section 301 of this title, all civilian officers and employees of the United States wherever stationed and of the government of the District of Columbia, regardless of their tenure, in addition to any accrued leave, shall be entitled to twenty-six days' annual leave with pay each calendar year, exclusive of Sundays and holidays: *Provided*, That the part unused in any year shall be accumulated for succeeding years until it totals not exceeding sixty days. This Act shall not affect any sick leave to which employees are now or may hereafter be entitled. Temporary employees, except temporary employees engaged on construction work at hourly rates, shall be entitled to two and one-half days leave for each month of service. The annual leave herein authorized shall be granted at such times as the heads of the various departments and independent establishments may prescribe. This Act becomes effective January 1, 1936.

5 U. S. C. 301.
Supp. V.

2. Nothing in this Act shall affect the Postmaster General and officers and employees in or under the Post Office Department: *Provided*, That officers and employees in the departmental service and in the Mail Equipment Shops of the Post Office Department shall be included within the provisions of this Act.

5 U. S. C. 30e.
Supp. V.

3. The leave of absence herein provided for shall be administered under such regulations as the President may prescribe, so as to obtain, so far as practicable, uniformity in the application of this Act.

5 U. S. C. 30c.
Supp. V.

4. Nothing in this Act shall be construed to prevent the continuance of any existing leave differential now obtaining for the benefit of employees of the Federal Government stationed outside the continental limits of the United States.

Leave of Absence. Sick.
5 U. S. C. 30f.
Supp. V.

5. After January 1, 1936, except as provided in section 301 of this title, all civilian officers and employees of the United States wherever stationed and of the Government of the District of Columbia, * * * shall be entitled to sick leave with pay regardless of their tenure, as described herein.

5 U. S. C. 30g.
Supp. V.

6. On and after January 1, 1936, cumulative sick leave with pay, at the rate of one and one-quarter days per month, shall be granted to all civilian officers and employees, the total accumulation not to exceed ninety days.

Temporary employees, except temporary employees engaged on construction work at hourly rates, shall be entitled to one and one-quarter days sick leave for each month of service: *Provided*, That all such employees shall furnish certificates satisfactory to the head of the appropriate department or independent establishment.

7. Administrative officers may advance thirty days sick leave with pay beyond accrued sick leave in cases of serious disability or ailments and when required by the exigencies of the situation.

5 U. S. C. 30h.
Supp. V.

8. Nothing in this Act shall affect the Postmaster General and officers and employees in or under the Post Office Department except those serving in the departmental service and in the Mail Equipment Shops of such Department.

5 U. S. C. 30m.
Supp. V.

9. Nothing in this Act shall be construed to prevent the continuance of any existing leave differential now obtaining for the benefit of employees of the Federal Government stationed outside the continental limits of the United States.

5 U. S. C. 30i.
Supp. V.

10. The leave of absence herein provided for shall be administered under such regulations as the President may prescribe, so as to obtain; so far as practicable, uniformity in the application of this Act.

5 U. S. C. 30k.
Supp. V.

11. The days of annual leave with pay provided for in the Act of March 14, 1936 (49 Stat. 1161), and the days of sick leave with pay provided for in the Act of March 14, 1936 (49 Stat. 1162), shall mean days upon which employees would otherwise work and receive pay, and shall be exclusive of Sundays which do not occur within a regular tour of duty, holidays, and all nonwork days established by Federal statute or by Executive or administrative order.

1940, March 2,
54 Stat. 38.

NOTE.—Copies of special rules published from time to time, covering hours of service, leave of absence, etc., are furnished all employees. See sec. 44 as to leave of absence of employees in Postal Service; secs. 46 to 48 as to military duty and sec. 445 as to postmasters.

Note.

CHAPTER 3

POST-OFFICE INSPECTORS

25. The Postmaster General may employ such number of post-office inspectors as the good of the service

Authority for
appointment of
inspectors.
39 U. S. C. 692.

and the safety of the mail may require; and the appointment of additional inspectors shall be made upon certification of the Civil Service Commission.

2. Authority to appoint the following-named officers and employees may be found in the laws cited:

Inspectors in charge, June 17, 1883 (20 Stat. 140); March 3, 1891 (26 Stat. 1079); June 2, 1900 (31 Stat. 260); and subsequent appropriation acts.

Clerks at division headquarters of post-office inspectors, annual appropriation acts.

See sec. 3 as to authority to appoint Chief Inspector.

Compensation.
39 U. S. C.
693a.
Supp. V.

26. The Postmaster General is authorized and directed to adjust the compensation of post-office inspectors and inspectors in charge in the post-office inspection service to correspond, so far as may be practicable, to the rates established by sections 661 to 674 of Title 5, for positions in the departmental service in the District of Columbia. Any appropriation now or hereafter available for the payment of the compensation of post-office inspectors and inspectors in charge shall be available for payment of compensation in accordance with the rates adjusted in accordance with the provisions of this section.

Travel
expenses.

2. The Chief Inspector, Assistant Chief Inspector, Post Office Inspectors in Charge, post-office inspectors, and supervisory employees of the Post Office Department and the Postal Service, while traveling on official business and away from their designated posts of duty, shall be allowed, in lieu of their actual expenses for subsistence and all fees or tips to porters and stewards, a per diem at the rate of \$5 within the limits of the continental United States and an average of \$6 beyond the limits of the continental United States, unless otherwise provided.

See sec. 4 as to duly accredited agents or officers of the department; sec. 60 as to travel allowances; and sec. 2009 as to travel allowances for railway mail service.

—clerks at
division
headquarters
39 U. S. C. 698.

3. Clerks at division headquarters of post-office inspectors shall be divided into six grades, as follows: Grade 1—salary, \$1,900; grade 2—salary, \$2,000; grade 3—salary, \$2,150; grade 4—salary, \$2,300; grade 5—salary, \$2,450; grade 6—salary, \$2,600; and there shall be one chief clerk at each division headquarters at a salary of \$3,000. * * * Clerks at division headquarters shall be promoted successively to grade 5 at the beginning of the quarter following a year's satisfactory service in the next lower grade and not to exceed 35 per centum of the force to grade 6 for meritorious serv-

ice after not less than one year's service in grade 5, * * *. Whenever in the discretion of the Postmaster General the needs of the service require such action, he is authorized to transfer clerks or carriers in the City Delivery Service from post offices at which division headquarters of post-office inspectors are located to the position of clerk at such division headquarters after passing a noncompetitive examination at a salary not to exceed \$2,300. After such transfer is made effective clerks so transferred shall be eligible for promotion to the grades of salary provided for clerks at division headquarters of post-office inspectors.

4. When any clerk in the office of division headquarters in the post-office inspection service is absent from duty for any cause other than leave with pay allowed by law, the Postmaster General, under such regulations as he may prescribe, may authorize the employment of a substitute for such work, and payment therefor from the lapsed salary of such absent clerk at a rate not to exceed the grade of pay of the clerk absent without pay.

—substitutes.
39 U. S. C. 699.

27. Whenever a post-office inspector 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 security, as the Postmaster General may approve.

Bonds of inspectors.
39 U. S. C. 696.
—when to be given.

2. Every inspector, before he shall receive any compensation, shall give a bond in the sum of \$5,000, with sureties qualifying to double that sum, but in lieu thereof corporate bond in the sum of \$5,000 may be furnished.

—amount of.

28. To the post-office inspectors in charge are intrusted the supervision of the post-office inspectors assigned to their respective divisions and such clerks as may be allowed their offices; the administrative examination of the traveling expense and other accounts of such post-office inspectors; the consideration of requests for leave of absence of all postmasters and post-office inspectors within their respective divisions, and clerks at their division headquarters; the investigation through correspondence of such service complaints and inquiries as may be delegated by the department from time to time, complaints and inquiries relative to loss, rifling, damage, wrong delivery, delay, and disposition of international mails reported under sections 809, 811, and 2233, also miscellaneous complaints against postmasters, employees, and the service at post offices of the second, third, and fourth classes, and delay or other mistreatment of ordinary or

Inspectors in charge.
—duties.

special delivery ordinary mail in post offices (see sections 809 and 810, as to complaints concerning registered, insured, and collect-on-delivery mail and concerning delay of ordinary mail in transit); and requests from postmasters at post offices of the second, third, and fourth classes for interpretations of the Postal Laws and Regulations, notices and orders relating to such laws and regulations published in the Official Postal Guide and the Postal Bulletin, except that requests for interpretations of registry, insured, or collect-on-delivery regulations should be addressed to the Third Assistant Postmaster General, Division of Registered Mails, when domestic service is involved and to the Second Assistant Postmaster General, Division of International Postal Service, when international service is involved.

Duties of post-office inspectors.
 —to make investigations.
 —report needs of service.

—aid in prosecutions.

Employees of service subordinate to inspectors.

Inspectors may examine mail.
 —may enter post offices.

Commissions of inspectors to be exhibited.

Reports are confidential.

29. Post-office inspectors are the special representatives of the Postmaster General. They are charged with the investigation of post offices and all matters connected with the Postal Service, and with keeping the department advised as to the condition and needs of the service. Alleged violations of law shall be investigated and reported upon by them, and they shall, when necessary, aid in the prosecution of all criminal offenses.

See sec. 33 as to authority to administer oaths.

2. Postmasters, clerks, employees, contractors, and others connected with the postal service, are subordinate to post-office inspectors when acting within the scope of their duty and employment. But no arbitrary power is hereby conferred upon them. They shall not interfere with any officer or employee 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 shall they interfere with the mails or the transportation thereof, except as expressly authorized by law and as permitted by the regulations.

3. Inspectors are empowered to open pouches and sacks and examine the mails therein and are authorized to enter and inspect post offices at all times.

4. Inspectors shall exhibit as evidence of their authority the commission issued by the Postmaster General, which commission, in the event of death, resignation, or removal, shall be returned immediately to the Chief Inspector. All officers in the service to whom commissions are issued shall at the end of the calendar year send their expired commissions through official channels to the Chief Inspector, who shall designate a committee of three employees of his office to check the returned commissions with the list of those issued and personally witness the cancellation of such commissions.

5. All records and information in the custody of the Chief Inspector or of his representatives are intended for use in the detection and correction of postal offenses and abuses. Inspectors and other officers and employees having possession of inspectors' reports and inspection records have no control thereof with regard to permitting the use of same for any other than official purposes, except in the discretion of the Postmaster Gen-

eral. Inspectors and other employees are hereby prohibited from presenting such records or information in a State court, whether in answer to a subpoena duces tecum or otherwise. Whenever a State court subpoena shall have been served upon them, they will appear in court and respectfully decline to present the records or divulge the information called for, basing their refusal upon this regulation.

6. If records or information are desired for use in a State court or for the use of parties to a suit or habeas corpus proceedings in a Federal court, and if the United States is not a party in interest, employees shall inform the persons interested that they are prohibited by the regulations of the Post Office Department from furnishing official records or information direct; that official records or information may only be furnished by the Postmaster General after the court has made rule upon him for same. Whenever such rule of the court shall have been made, employees shall carefully prepare or procure a copy of the record or statement of information called for and forward the same to the Chief Inspector, whereupon it will be referred through the Solicitor to the Postmaster General, and thereafter under the seal of the Department be transmitted to the judge or the court calling for it, unless it shall be found that circumstances or conditions make it necessary to decline in the interest of public policy to furnish the information.

Court rule on Postmaster General necessary to obtain records or information.

7. With regard to inspectors and other employees testifying on official matters of a confidential nature in a Federal court, each case must be given individual consideration as it arises. The Department will offer every possible assistance to the courts. Nevertheless, the question of disclosing privileged information is a matter entirely in the discretion of the head of the Department, and should an attorney for a private litigant attempt to compel an employee to disclose sources of official information or similar matter deemed to be confidential, the employee shall respectfully decline to answer. Should his reasons be asked by the court, he shall courteously state that the matter is regarded as privileged and therefore cannot be disclosed without specific approval from the Postmaster General.

—testimony in Court.

NOTE.—See Official Postal Guide as to territory assigned to and headquarters of the several divisions of post office inspectors.

Note.

See sec. 701 as to prohibition against breaking seals, etc.

See sec. 702 for instructions by which postmasters or other postal employees shall be guided.

CHAPTER 4

MISCELLANEOUS PROVISIONS RELATING TO THE PERSONNEL OF THE DEPARTMENT AND POSTAL SERVICE

OATH OF OFFICE: ADMINISTRATION OF OATH

30. The oath to be taken by any person elected or appointed to any office of honor or profit * * * in the

Oath of office.
—general as employed in Government.
5 U. S. C. 16.
—special, as employed in postal service.
5 U. S. C. 365.

civil * * * service * * * shall be as follows:

2. Before entering upon the 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.

See sec. 36 as to affidavit to be executed by civil officers upon appointment to office.

3. The oaths required to be taken under the preceding statutes by the Postmaster General and all other officers and employees of the Post Office Department and the Postal Service are combined in the following form:

—form of.

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.

5 U. S. C. 16.

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.

5 U. S. C. 365.

Sworn to and subscribed before me, a _____,
day of _____ A. D. 19—.

Note.

NOTE.—Mail contractors, subcontractors, carriers, mail messengers, assistant mail messengers, and other persons concerned in the transportation of the mails, except employees of railroads and steamboats, must take the special oath prescribed by 5 U. S. Code 365, which is the latter part of the above oath beginning "I do further solemnly swear," etc. Taken separately this special oath begins "I, A. B., do solemnly swear," etc. Contractors cannot receive pay until such oath is taken and filed in the Post Office Department. (See secs. 1815 and 1857.)

4. The oath of office required by section 16 of this title 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.

Who may administer oath.
—general.
5 U. S. C. 18.

5. In all cases in which, under the laws of the United States, oaths or acknowledgements might be taken or made on June 22, 1874, before any justice of the peace of any State or Territory, or in the District of Columbia, they may be also taken or made by or before any notary public duly appointed in any State, District, or Territory, or any of the United States commissioners, 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.

5 U. S. C. 92.

31. (The) oath (of office) or affirmation (required by this section of the U. S. Code) may be taken before any officer, civil or military, holding a commission under the United States, and such officer is authorized to administer and certify such oath or affirmation.

Oath.
—civil and military officers may administer.
5 U. S. C. 365.

NOTE.—The general oath of office prescribed by 5 U. S. C. 16, which is combined in sec. 30 with the special oath required by 5 U. S. C. 365, may be taken as provided in this section. The special oath is to be taken in practically the same manner; so that the combined oath may be taken before any of the officers named in this section. Postmasters, post-office inspectors, United States judges and district attorneys, United States commissioners, United States marshals, collectors of customs and internal revenue, and all other officers, civil or military, holding commissions under the United States, may administer the oath.

Note.
General and combined oath.

See sec. 262 as to jurat to postal accounts; sec. 37 as to oath to witness.

32. The chief clerks of the several executive departments and of the various bureaus and offices thereof in Washington, District of Columbia, are authorized and directed, on application and without compensation therefor, to administer oaths of office to employees required to be taken on their appointment or promotion.

Chief clerks of department may administer oaths.
5 U. S. C. 19.

2. Civilian employees of the executive departments and independent establishments of the United States who, upon original appointment, have subscribed to the oath of office required by section 16 of this title, shall not be required to renew the said oath because of any change in status so long as their services are continuous in the department or independent establishment in which employed, unless in the opinion of the head of the department or independent establishment the public interests require such renewal.

Unnecessary to renew oath because of change in status.
5 U. S. C. 17b.
Supp. V.

Clerks who are notaries public not to charge for administering oath.
5 U. S. C. 20.

Notary's fees.—not to be charged by clerks, etc., during office hours.

—except by fourth-class postmasters and rural carriers for pension vouchers.

Oaths to expense accounts.
39 U. S. C. 33.

5 U. S. C. 97, Supp. V.

33. No officer, clerk, or employee of any executive department who is also a notary public or other officer authorized to administer oaths, shall charge or receive any fee or compensation for administering oaths of office to employees of such department required to be taken on appointment or promotion therein.

2. No officer, clerk, or employee in the executive service of the Government who is also a notary public shall charge or receive any compensation whatever for performing any notarial act for another officer, clerk, or employee in his official relation to the Government, nor charge or receive any compensation for performing a notarial act for any person during the hours of such notary's service to the Government, which hours shall include the half hour allowed each week day for luncheon, except that fourth-class postmasters and rural carriers are permitted to charge a fee for administering oaths at any time in connection with the execution of pension vouchers. (See sec. 444.)

3. (a) Postmasters and assistant postmasters are required, empowered, and authorized, when requested, to administer oaths, required by law or otherwise, to accounts for travel or other expenses against the United States, with like force and effect as officers having a seal; for such services when so rendered, or when rendered on demand by notaries public, who at the time are also salaried officers or employees of the United States, no charge shall be made; and no fee or money paid for the services herein described shall be paid or reimbursed by the United States.

(b) Chief clerks of the various executive departments, independent establishments, and other Government agencies, or of bureaus thereof, chiefs of field parties and any officer or employee of any executive department, independent establishment, or other Government agency, in the District of Columbia or elsewhere, who shall have been designated in writing for such purpose by the head of the department, establishment, or agency concerned, are required, empowered, and authorized, when requested, to administer oaths, required by law or otherwise, to accounts for travel or other expenses against the United States, with like force and effect as officers having a seal; for such services when so rendered, or when rendered on demand by notaries public, who at the time are also salaried officers or employees of the United States, no charge shall be made; and no fee or money

paid for the services herein described shall be paid or reimbursed by the United States.

4. Each postmaster within the Territory of Alaska is hereby authorized and directed to administer oaths and affirmations and to take acknowledgments, and to make and execute certificates thereof, and to perform all other functions of a notary public within said Territory, whenever an oath, affirmation, or acknowledgment or a certificate thereof is authorized, permitted, or required by any Act or Acts of Congress.

Postmasters in Alaska as notaries public. 48 U. S. C. 35a, Supp. V.

5. Each certificate of oath, affirmation, or acknowledgment executed by a postmaster within the Territory of Alaska under the authority of this Act shall be signed by the postmaster, with a designation of his title as such postmaster, shall have affixed thereto the cancelation stamp of the post office, and shall state the name of the post office and the date on which such oath or affirmation is administered or such acknowledgment is taken.

48 U. S. C. 35b. Supp. V.

6. Except as otherwise provided or required by an Act of Congress, for administering an oath or affirmation, or taking an acknowledgment, or performing any other function of a notary public within the Territory of Alaska as herein provided, the postmaster is authorized to charge and receive the fees prescribed by law for a notary public for similar services in said Territory.

Postmasters in Alaska as notaries public authorized to receive fees. 48 U. S. C. 35c, Supp. V.

7. Post-office inspectors are empowered and authorized with like force and effect as officers having a seal to administer oaths required or authorized by law or regulation promulgated thereunder in respect of any matter coming before them in the performance of their official duties and likewise oaths to accounts for travel or other expenses against the United States, but no compensation or fee shall be demanded or accepted for administering any such oaths. Chief clerks and assistant chief clerks in the Railway Mail Service are required, empowered, and authorized, when requested, to administer oaths to employees on appointment or promotion and to accounts for travel or other expenses against the United States with like force and effect as officers having a seal: *Provided*, That for such service no charge shall be made and no fee or money paid for

Oaths: acknowledgment by post-office inspectors and chief clerks of Railway Mail Service. 39 U. S. C. 704.

such service shall be paid or reimbursed by the United States.

Marriage of female employee to be reported.

34. Promptly upon the marriage of a female employee holding a classified position in the postal service, postmasters and other appointing officers shall report to the proper bureau of the department the name of such employee as officially indicated on their rosters, the date of the last day of service prior to marriage, the married name of the employee as she desires to be officially known, and the date of the first day of service under her married name.

Report of change of name of woman postmaster.

2. A woman postmaster shall immediately report to the Bureau of the First Assistant any change in her name, giving her new name, effective date, and the reason for the change. Failure to do so promptly shall be sufficient cause for removal. Such postmasters shall not be required to furnish new bonds, and another appointment shall not be necessary. After the change has been reported, she shall sign all papers, returns, accounts, requisitions, money orders, etc., under her new name (using, however, her Christian name).

Omission to take oath.
18 U. S. C. 360.

35. Every person employed in the postal service shall be subject to all penalties and forfeitures for the violation of the laws relating to such service, whether he has taken the oath of office or not.

See sec. 43 as to removals from classified service.

Affidavit; assistance in securing appointment.
5 U. S. C. 21a and 21b.

36. Each individual after Dec. 11, 1926, appointed as a civil officer of the United States by the President, by and with the advice and consent of the Senate, or by the President alone, or by a court of law, or by the head of a department, shall, within 30 days after the effective date of his appointment, file with the Comptroller General of the United States an affidavit stating that neither he nor anyone acting in his behalf has given, transferred, promised, or paid any consideration for or in the expectation or hope of receiving assistance in securing such appointment. No salary shall be paid to any individual required under section 21a of this title to file an affidavit until such an affidavit has been filed.

See sec. 54 as to unlawfully giving or receiving consideration for appointment to public office.

Administration of oaths to witnesses in investigations.
5 U. S. C. 93.
—officers and clerks may administer.

37. Any officer or clerk of any of the departments lawfully detailed to investigate frauds on, or attempts to defraud, 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 wit-

ness attending to testify or depose in the course of such investigation.

RESTRICTIONS ON HOLDING OTHER OFFICES

38. Unless otherwise specifically authorized by law, no money appropriated by any act shall be available for payment to any person receiving more than one salary when the combined amount of said salaries exceeds the sum of \$2,000 per annum, but this shall not apply to retired officers or enlisted men of the Army, Navy, Marine Corps, or Coast Guard, or to officers and enlisted men of the Organized Militia and Naval Militia in the several States, Territories, and the District of Columbia.

**Holding two
offices for-
bidden.**
5 U. S. C.
58, 59.
—exceptions.

2. Postmasters and acting postmasters are authorized, when in the judgment of the Postmaster General the needs and interests of the Postal Service require, to employ mail messengers and other postal employees in a dual capacity, or to assign extra duties to such mail messengers and other employees; and, notwithstanding the provisions of sections 58, 59, and 70 of Title 5 (U. S. Code), compensation shall be paid to such mail messengers and other employees for such services if the total compensation actually paid for all services does not exceed \$2,000 for any one fiscal year.

Extra duties.
—compensa-
tion.
39 U. S. C. 136.

See secs. 217 and 218 as to extra compensation for discharging duties of different offices, etc., and sec. 1772, par. 2, as to mail messengers' compensation.

39. No person holding a classified or unclassified position under the Post Office Department shall be a candidate for or accept or hold any office in any State, Territorial, county, or municipal government, with or without pay or compensation, except as hereinafter specified:

**State or mu-
nicipal offices.**

2. An employee of the Post Office Department may be a member of or hold a commission in the National Guard; he may serve as a notary public, as a member of a volunteer fire department, as a member of a school committee, board of education, public library, or religious or eleemosynary institution, incorporated or established or sustained by State or municipal authority, provided these offices are not elective. Service in any of the above-mentioned capacities will not be permitted if it interferes with the regular and efficient discharge by the employee of the duties of his Federal position or office.

—positions
that may be
held by
appointment.

3. The permission to hold local offices is now subject to the general prohibition of section 9 of the act of August 2, 1939 (18 U. S. C. 61h, Supp. V, known as the Hatch law), against the participation in political management and in political campaigns

by Federal employees. If the acceptance or holding of any local office whatever involves participation in political management or in political campaigns, its incumbency by a Federal employee is prohibited. In view of the broad language of section 9 of the act of August 2, 1939, the incumbency by a Federal employee of any *elective* office whatever under a State, Territorial, county, or municipal government is prohibited. The incumbency of any *appointive* office of a political character is similarly prohibited by the statute.

COMPENSATION IN CASE OF DISABILITY OR DEATH

Compensation for disability or death.
5 U. S. C. 751.

40. The United States shall pay compensation as hereinafter specified for the disability or death of an employee resulting from a personal injury sustained while in the performance of his duty, but no compensation shall be paid if the injury or death is caused by the willful misconduct of the employee or by the employee's intention to bring about the injury or death of himself or of another, or if intoxication of the injured employee is the proximate cause of the injury or death.

Notice of injury.
5 U. S. C. 765.

2. Every employee injured in the performance of his duty, or some one on his behalf, shall, within forty-eight hours after the injury, give written notice thereof to the immediate superior of the employee. Such notice shall be given by delivering it personally or by depositing it properly stamped and addressed in the mail.

—detail.
5 U. S. C. 766.

3. The notice shall state the name and address of the employee, the year, month, day, and hour when and the particular locality where the injury occurred, and the cause and nature of the injury, and shall be signed by and contain the address of the person giving the notice.

—failure to give notice.
5 U. S. C. 767.

4. Unless notice is given within the time specified or unless the immediate superior has actual knowledge of the injury, no compensation shall be allowed, but for any reasonable cause shown, the commission may allow compensation if the notice is filed within one year after the injury.

Note.

NOTE.—Original claims for compensation for disability must be made within 60 days after the injury and those for death within one year after death, addressed to the United States Employees' Compensation Commission, at Washington, D. C., on forms furnished by the commission. The commission determines the amount of compensation to be paid in each case. In certain cases medical treatment, hospital services, and burial expenses may be provided by the commission. An employee cannot assign his claim. (See Official Postal Guide. See Title 5, ch. 15, U. S. Code.) Acting postmasters at offices of the first, second, and third classes but not postmasters come within the purview of the above law.

RETIREMENT

Eligibility for
superannuation
retirement.
5 U. S. C. 691.

41. All employees to whom this chapter of this title applies who, before July 1, 1930, shall have attained or shall thereafter attain the age of seventy years and rendered at least fifteen years of service computed as prescribed in section 707 of this title shall be eligible for retirement on an annuity as provided in section 698: *Provided*, That city, rural, and village letter carriers, post-office clerks, sea-post clerks, employees of the Indian Service at large excepting clerks, laborers, and mechanics generally shall, under like conditions, be eligible for retirement at sixty-five years of age and that railway postal clerks, mechanics and laborers in navy yards including leading men and quartermen but excluding master mechanics and foremen, and those employees engaged in pursuits whose occupation is hazardous or requires great physical effort, or which necessitates exposure to extreme heat or cold, and those employees whose terms of service shall include fifteen years or more of such service rendered in the Tropics, shall be eligible at sixty-two years of age; the classification of employees for the purpose of assignment to the various age groups shall be determined jointly by the Civil Service Commission and the head of the department, branch, or independent office of the Government concerned: *Provided further*, That any such employee who was employed as a mechanic for the major portion of his service, and not less than fifteen years, and was subsequent to August 20, 1920, involuntarily transferred to employment as a laborer and thereafter involuntarily discharged from the service of the United States, shall receive such annuity as he would have been entitled to, if on the day of his discharge from the service he had been retired under the provisions of this chapter: *Provided further*, That any mechanic, having served thirty years, who was, through no fault of his own, transferred or reduced to a minor position, and who shall have attained, or who shall thereafter attain the age of sixty-two years, shall have his annuity computed upon his average annual basic salary, pay, or compensation for the last ten years of his service as a me-

chanic: *Provided further*, That the term "mechanics," as used in this chapter, shall include all employees in the Government Printing Office whose duties are to supervise, perform, or assist in apprentice, helper, or journeyman work of a recognized trade or craft, as determined by the Public Printer.

All employees to whom this chapter applies, who would be eligible for retirement from the service upon attaining the age of seventy years, sixty-five years, or sixty-two years, as the case may be, shall, after attaining the age of sixty-eight years, sixty-three years, and sixty years, respectively, and having rendered at least thirty years' service, computed as provided in section 707 of this title, be eligible for retirement on an annuity as provided in section 698 of this title. Retirement under the provisions of this paragraph shall be at the option of the employee; but if such option is not exercised prior to the date upon which the employee would otherwise be eligible for retirement from the service, the provisions of section 715 of this title with respect to automatic separation from the service shall apply.

2. This chapter shall apply to the following employees and groups of employees:

(a) All employees in the classified civil service of the United States, including all persons who have been heretofore or may hereafter be given a competitive status in the classified civil service, with or without competitive examination, by legislative enactment, or under civil-service rules promulgated by the President, or by Executive orders covering into the competitive classified service groups of employees with their positions or authorizing the appointment of individuals to positions within such service.

(b) Superintendents of United States national cemeteries, and such employees of the offices of solicitors of the several executive departments, of the Architect of the Capitol, of the Library of Congress, of the United States Botanic Garden, of the recorder of deeds and register of wills of the District of Columbia, of the United States Soldiers' Home, of the National Home for Disabled Volunteer Soldiers (Veterans' Administration), of the State Department without the continental limits of the United States who are United States citi-

Employees
included.
5 U. S. C. 693.

5 U. S. C. 693,
Supp. V.

zens and not within the Foreign Service as defined in section 2 of Title 22, of the Indian Service at large whose tenure of employment is not intermittent nor of uncertain duration, and the Director, Assistant Directors, inspectors, and special agents of the Federal Bureau of Investigation of the Department of Justice.

(c) All employees of the Panama Canal on the Isthmus of Panama who are citizens of the United States and whose tenure of employment is not intermittent nor of uncertain duration. 5 U. S. C. 693.

(d) Unclassified employees of the United States in all cities and in all establishments or offices in which appointments are made under labor regulations approved by the President, or from subclerical or other registers for the classified service; and unclassified employees transferred from classified positions: *Provided*, That these groups shall include only those employees whose tenure of employment is not intermittent nor of uncertain duration.

(e) All regular annual employees of the municipal government of the District of Columbia, appointed directly by the commissioners or by other competent authority, including those employees receiving per diem compensation paid out of general appropriations and including public-school employees, excepting school officers and teachers.

(f) All employees and groups of employees to whom the benefits of this chapter shall have been extended by Executive orders.

(g) This Act shall not apply to such employees of the Lighthouse Service as come within the provisions of section 763 of Title 33, nor to members of the police and fire departments of the municipal government of the District of Columbia, nor to such employees or groups of employees as may have been before the effective date of this Act excluded by Executive orders from the benefits of the Act of May 22, 1920, and amendments thereof. 5 U. S. C. 693,
Supp. V.

(h) The provisions of this Act may be extended by Executive order, upon recommendation of the Civil Service Commission, to apply to any employee or group of employees in the civil service of the United States not included at the time of its passage. The President shall have power, in his discretion, to exclude from the opera-

tion of this Act any employee or group of employees in the civil service whose tenure of office or employment is intermittent or of uncertain duration.

(i) Any officer or employee to whom the Act of July 13, 1937 (Public, Numbered 206, Seventy-fifth Congress, first session), applies who has failed to exercise the option provided thereby to come within the terms of the Retirement Act of May 29, 1930, as amended, may exercise such option within six months from the effective date of this Act.

Method of
computing
annuities.
5 U. S. C. 698,
Supp. V.

3. (a) The annuity of an employee retired under the provisions of the preceding sections of this Act shall be a life annuity, terminable upon the death of the annuitant and shall be composed of (1) a sum equal to \$30 for each year of service not exceeding thirty: *Provided*, That such portion of the annuity shall not exceed three-fourths of the average annual basic salary, pay, or compensation received by the employee during any five consecutive years of allowable service at the option of the employee; nor shall such portion be less than an amount equal to the employee's purchasable annuity as provided in (2) hereof; and (2) the amount of annuity purchasable with the sum to the credit of the employee's individual account as provided in section 724 (a) hereof, together with interest at 4 per centum per annum compounded on June 30 of each year, according to the experience of the civil-service retirement and disability fund as may from time to time be set forth in tables of annuity values by the Board of Actuaries.

(b) The total annuity paid shall in no case be less than an amount equal to the average annual basic salary, pay, or compensation, not to exceed \$1,600 per annum, received by the employee during any five consecutive years of allowable service at the option of the employee, multiplied by the number of years of service, not exceeding thirty years, and divided by forty.

(c) Any employee at the time of his retirement may elect to receive, in lieu of the life annuity herein described, an increased annuity of equivalent value which shall carry with it a proviso that no unexpended part of the principal upon the annuitant's death shall be returned.

(d) Any employee retiring under the provisions of section 691 of this title may at the time of his retirement elect to receive in lieu of the life annuity described herein a reduced annuity payable to him during his life, and an annuity after his death payable to his beneficiary, duly designated in writing and filed with the Civil Service Commission at the time of his retirement, during the life of such beneficiary (a) equal to or (b) 50 per centum of such reduced annuity and upon the death of such surviving beneficiary all payments shall cease and no further annuity shall be due or payable. The amounts of the two annuities shall be such that their combined actuarial value on the date of retirement as determined by the Civil Service Commission shall be the same as the actuarial value of the single life increased annuity with forfeiture provided by this section: *Provided*, That no election in lieu of the life annuity provided herein shall become effective in case an employee dies within thirty days after the effective date of retirement, and in the event of such death within this period, such death shall be considered as a death in active service.

(e) For the purpose of this Act all periods of service shall be computed in accordance with section 707 hereof, and the annuity shall be fixed at the nearest multiple of twelve.

(f) The term "basic salary, pay, or compensation," wherever used in this Act, shall be so construed as to exclude from the operation of the Act all bonuses, allowances, overtime pay, or salary, pay, or compensation given in addition to the base pay of the position as fixed by law or regulation.

4. (a) Subject to the provisions of section 736b of this title, the aggregate period of service which forms the basis for calculating the amount of any benefit provided in this chapter shall be computed from the date of original employment, whether as a classified or an unclassified employee in the civil service of the United States, or in the service of the District of Columbia, including periods of service at different times and in one or more departments, branches, or independent offices, or the legislative branch of the Government, and also periods of service performed overseas under authority of the United States,

Computation
of accredited
service.
5 U. S. C. 707.

and periods of honorable service in the Army, Navy, Marine Corps, or Coast Guard of the United States; in the case of an employee, however, who is eligible for and elects to receive a pension under any law, or retired pay on account of military or naval service, or compensation under the War Risk Insurance Act, the period of his military or naval service upon which such pension, retired pay, or compensation is based shall not be included, but nothing in said chapter shall be so construed as to affect in any manner his or her right to a pension, or to retired pay, or to compensation under the War Risk Insurance Act in addition to the annuity herein provided.

(b) In computing length of service for the purposes of this chapter all periods of separation from the service, and so much of any leaves of absence as may exceed six months in the aggregate in any calendar year, shall be excluded, except such leaves of absence granted employees while receiving benefits under sections 751 to 791 and 793 of this title, and in the case of substitutes in the Postal Service credit shall be given from date of original appointment as a substitute.

(c) In determining the aggregate period of service upon which the annuity is to be based, the fractional part of a month, if any, in the total service shall be eliminated.

Administra-
tion.
5 U. S. C. 709.

5. For the purpose of administration, except as otherwise provided herein, the Civil Service Commission is hereby authorized and directed to perform, or cause to be performed, any and all acts and to make such rules and regulations as may be necessary and proper for the purpose of carrying the provisions of this chapter into full force and effect.

Disability re-
tirement—
medical exami-
nations re-
quired.
5 U. S. C. 710.
Supp. V.

6. Any employee to whom this chapter applies who shall have served for a total period of not less than five years, and who, before becoming eligible for retirement under the conditions defined in the preceding sections hereof, becomes totally disabled for useful and efficient service in the grade or class of position occupied by the employee, by reason of disease or injury not due to vicious habits, intemperance, or willful misconduct on the part of the employee, shall upon his own application or upon the request or order of the head of the department, branch, or independent office concerned, be retired

on an annuity computed in accordance with the provisions of section 698 of this title: *Provided*, That proof of freedom from vicious habits, intemperance, or willful misconduct for a period of more than five years next prior to becoming so disabled for useful and efficient service, shall not be required in any case. No claim shall be allowed under the provisions of this section unless the application for retirement shall have been executed prior to the applicant's separation from the service or within six months thereafter: *Provided*, That any employee who heretofore has failed to file an application for retirement within six months after separation from the service, may file such application within three months after July 1, 1930. No employee shall be retired under the provisions of this section unless examined by a medical officer of the United States, or a duly qualified physician or surgeon, or board of physicians or surgeons, designated by the Civil Service Commission for that purpose, and found to be disabled in the degree and in the manner specified herein. The time limitation for execution of claims for retirement under the terms of this section may be waived by the Civil Service Commission in cases of employees who at the date of separation from service or within six months thereafter, are adjudged mentally incompetent, but the application in such cases must be filed with the Civil Service Commission within one year from the date of restoration of any such person to competency or the appointment of a fiduciary whichever is the earlier. In the case of any such person heretofore separated from service application may be filed within one year after the effective date (January 1, 1940) of this Act.

7. Every annuitant retired under the provisions of section 710 of this chapter, unless the disability for which retired be permanent in character, shall at the expiration of one year from the date of such retirement and annually thereafter, until reaching retirement age as defined in section 691 of this title, be examined under the direction of the Civil Service Commission by a medical officer of the United States, or a duly qualified physician or surgeon, or board of physicians or surgeons designated by the Civil Service Commission for that purpose, in order to ascertain the nature and degree of

Medical examination; restoration to service.
5 U. S. C. §11.
Supp. V.

the annuitant's disability, if any. If an annuitant shall recover before reaching retirement age and be restored to an earning capacity which would permit him to be appointed to some appropriate position fairly comparable in compensation to the position occupied at the time of retirement, payment of the annuity shall be continued temporarily to afford the annuitant opportunity to seek such available position but not in any case exceeding one year from the date of the medical examination showing such recovery. Should the annuitant fail to appear for examination, as required under this section, payment of the annuity shall be suspended until continuance of the disability shall have been satisfactorily established. The Civil Service Commission may order or direct at any time such medical or other examination as it shall deem necessary to determine the facts relative to the nature and degree of disability of any employee retired on an annuity under this section.

Medical examinations: Fees.
5 U. S. C. 712.

8. Fees for examinations made under the provisions of sections 710 and 711 of this title, by physicians or surgeons who are not medical officers of the United States, shall be fixed by the Civil Service Commission, and such fees, together with the employee's reasonable traveling and other expenses incurred in order to submit to such examinations, shall be paid out of the appropriations for the cost of administering this chapter.

Discontinuance of annuity.
5 U. S. C. 713.

9. In all cases where the annuity is discontinued under the provisions of sections 710, 711, and 712 of this title before the annuitant has received a sum equal to the amount credited to his individual account as provided in section 724 (a) of this title, together with interest at 4 per centum per annum compounded on June 30 of each year, the difference, unless he shall become re-employed in a position within the purview of this chapter, shall be paid to the retired employee, as provided in section 724 (b) hereof, upon application therefor in such form and manner as the Civil Service Commission may direct. In case of reemployment in a position within the purview of this chapter the amount so refunded shall be redeposited as provided in section 724 (b) of this title.

10. No person shall be entitled to receive an annuity under the provisions of this chapter and compensation under the provisions of chapter 15 of this title, covering the same period of time; but this provision shall not be so construed as to bar the right of any claimant to the greater benefit conferred by either said sections or chapter for any part of the same period of time.

Annuity and compensation for injury not allowed for same period.
5 U. S. C. 714.

11. All employees to whom this chapter applies shall, on arriving at retirement age as defined in section 691, and having rendered fifteen years of service, be automatically separated from the service, and all salary, pay, or compensation shall cease from that date, and it shall be the duty of the head of each department, branch, or independent office of the Government concerned to notify such employees under his direction of the date of such separation from the service at least sixty days in advance thereof.

Automatic separation.
5 U. S. C. 715.

No person separated from the service who is receiving an annuity under the provisions of section 691 of this title, shall be employed again in any position within the purview of this chapter.

12. On and after July 1, 1932, no person rendering civilian service in any branch or service of the United States Government * * * who shall have reached the retirement age prescribed for automatic separation from the service, applicable to such person, shall be continued in such service, notwithstanding any provision of law or regulation to the contrary: *Provided*, That the President may, by Executive Order, exempt from the provisions of this section any person when, in his judgment, the public interest so requires: *Provided further*, That no such person heretofore or hereafter separated from the service of the United States * * * under any provision of law or regulation providing for such retirement on account of age shall be eligible again to appointment to any appointive office, position, or employment under the United States * * *.

Automatic separation; reappointment.
5 U. S. C. 715a.

13. Applications for annuity shall be in such form as the Civil Service Commission may prescribe, and shall be supported by such certificates from the heads of departments, branches, or independent offices of the Govern-

Application for retirement.
5 U. S. C. 716 and 717.

ment in which the applicant has been employed as may be necessary to the determination of the rights of the applicant. Upon receipt of satisfactory evidence the Civil Service Commission shall forthwith adjudicate the claim of the applicant, and if title to annuity be established, a proper certificate shall be issued to the annuitant.

Commence-
ment and
duration of
annuity.
5 U. S. C. 718.

14. Annuities granted under this chapter for retirement under the provisions of section 691 of this title shall commence from the date of separation from the service and shall continue during the life of the annuitant. Annuities granted under the provisions of sections 710, 711, 712, 713, 714, 733, 735, and 736 of this title shall be subject to the limitations specified in said sections.

Deductions and
donations.
5 U. S. C. 719.

15. (a) Beginning as of July 1, 1926, there shall be deducted and withheld from the basic salary, pay, or compensation of each employee to whom this chapter applies a sum equal to 3½ per centum of such employee's basic salary, pay, or compensation. The amounts so deducted and withheld from the basic salary, pay, or compensation of each employee shall, in accordance with such procedure as may be prescribed by the Comptroller General of the United States, be deposited in the Treasury of the United States to the credit of the "civil-service retirement and disability fund" created by this chapter, and said fund is hereby appropriated for the payment of annuities, refunds, and allowances as provided in said chapter.

Voluntary de-
posit of addi-
tional sums.
5 U. S. C.
719-1, Supp. V.

(b) Any employee may at his option and under such regulations as may be prescribed by the Civil Service Commission deposit additional sums in multiples of \$25 but not to exceed 10 per centum per annum of his annual basic salary, pay, or compensation, for service rendered since August 1, 1920, which amount together with interest thereon at 3 per centum per annum compounded as of June 30 of each year, shall, at the date of his retirement, be available to purchase, as he shall elect and in accordance with such rules and regulations as may be prescribed by the Civil Service Commission with the approval of the Board of Actuaries, in addition to the annuity provided by this Act, an annuity according to the experience of the civil-service retirement and disability fund as may from time to time be set forth in tables of annuity values by the Board of Actuaries based on an interest rate of

4 per centum. In the event of death or separation from the service of such employee before becoming eligible for retirement on annuity, the total amount so deposited with interest at 3 per centum per annum compounded on June 30 of each year shall be refunded in accordance with the provisions of section 724 of this title.

16. The Secretary of the Treasury shall invest from time to time, in interest-bearing securities of the United States or Federal farm-loan bonds, such portions of the "civil-service retirement and disability fund" as in his judgment may not be immediately required for the payment of annuities, refunds, and allowances as herein provided, and the income derived from such investments shall constitute a part of said fund for the purpose of paying annuities and of carrying out the provisions of section 724 of this title.

Investment
and accounts.
5 U. S. C. 720.

17. The Secretary of the Treasury is hereby authorized and empowered in carrying out the provisions of this chapter to supplement the individual contributions of employees with moneys received in the form of donations, gifts, legacies, or bequests, or otherwise, and to receive, deposit, and invest for the purposes of said chapter all moneys which may be contributed by private individuals or corporations or organizations for the benefit of civil-service employees generally.

Donations.
5 U. S. C. 721.

18. Every employee coming within the provisions of this chapter shall be deemed to consent and agree to the deductions from salary, pay, or compensation as provided herein, and payment less such deductions shall be a full and complete discharge and acquittance of all claims and demands whatsoever for all regular services rendered by such employee during the period covered by such payment, except the right to the benefits to which he shall be entitled under the provisions of said chapter, notwithstanding the provisions of sections 167 and 168 of the Revised Statutes of the United States, and section 43 of this title, and of any other law, rule, or regulation affecting the salary, pay, or compensation of any person or persons employed in the civil service to whom this chapter applies.

Consent of
employees.
5 U. S. C. 722.

19. Employees who have gone from employment within the purview of this chapter to other employment under the Government and have returned to a

Credit for
other services.
5 U. S. C. 723.

position under the purview of said sections shall have the time of such other service included in the computation for his (their) retirement: *Provided*, That such employee shall contribute to the retirement fund upon reentering such employment within the purview of said sections an amount, including interest, equivalent to that which would have been paid if such employee had continued in such employment.

Returns of
amounts
deducted from
salaries.
5 U. S. C. 724.

20. (a) Under such regulations as may be prescribed by the Civil Service Commission the amounts deducted and withheld from the basic salary, pay, or compensation of each employee for credit to the "civil-service retirement and disability fund" created by this chapter, covering service during the period from August 1, 1920, to July 1, 1930, shall be credited to an individual account of such employee, to be maintained by the department or office by which he is employed and the amounts deducted and withheld from the basic salary, pay, or compensation of each employee for credit to the "civil-service retirement and disability fund" covering service from and after July 1, 1930, less the sum of \$1 per month or major fraction thereof, shall similarly be credited to such individual account.

(b) In the case of any employee to whom this chapter applies who shall be transferred to a position not within the purview of said sections, or who shall become absolutely separated from the service before becoming eligible for retirement on annuity, the amount credited to his individual account shall be returned to such employee together with interest at 4 per centum per annum compounded on June 30 of each year: *Provided*, That when any employee becomes involuntarily separated from the service, not by removal for cause on charges of misconduct or delinquency, the total amount of his deductions with interest thereon shall be paid to such employee: *And provided further*, That all money so returned to an employee must, upon reinstatement, retransfer, or reappointment to a position coming within the purview of this chapter be redeposited with interest before such employee may derive any benefits under said sections, except as provided in this section, but interest shall not be required covering any period of separation from the service.

(c) In case an annuitant shall die without having received in annuities purchased by the employee's contributions as provided in (2) of section 698 of this title an amount equal to the total amount to his credit at time of retirement, the amount remaining to his credit and any accrued annuity shall be paid, upon the establishment of a valid claim therefor, in the following order of precedence:

First, to the beneficiary or beneficiaries designated in writing by such annuitant and recorded on his individual account;

Second, if there be no such beneficiary, to the duly appointed executor or administrator of the estate of such annuitant;

Third, if there be no such beneficiary, or executor or administrator, payment may be made, after the expiration of thirty days from the date of the death of the annuitant, to such person or persons as may appear in the judgment of the Civil Service Commission to be legally entitled thereto, and such payment shall be a bar to recovery by any other person.

In the case of an annuitant who has elected to receive an increased annuity as provided in section 698 of this title, the amount to be paid under the provisions of this subsection shall be only the accrued annuity.

(d) In case an employee shall die without having attained eligibility for retirement or without having established a valid claim for annuity, the total amount of his deductions with interest thereon shall be paid, upon the establishment of a valid claim therefor, in the following order of precedence:

First, to the beneficiary or beneficiaries designated in writing by such employee and recorded on his individual account;

Second, if there be no such beneficiary, to the duly appointed executor or administrator of the estate of such employee;

Third, if there be no such beneficiary or executor or administrator, payment may be made, after the expiration of thirty days from the date of the death of the employee, to such person or persons as may appear in the judgment of the Civil Service Commission to be le-

gally entitled thereto, and such payment shall be a bar to recovery by any other person.

(e) In case a former employee entitled to the return of the amount credited to his individual account shall become legally incompetent, the total amount due may be paid to a duly appointed guardian or committee of such former employee. If the amount of refund due such former employee does not exceed \$1,000, and if there has been no demand upon the Civil Service Commission by a duly appointed guardian or committee, payment may be made, after the expiration of thirty days from date of separation from the service, to such person or persons, in the discretion of the Commission, who may have the care and custody of such former employee, and such payment shall be a bar to recovery by any other person.

(f) Each employee or annuitant to whom this chapter applies may, under regulations prescribed by the Civil Service Commission, designate a beneficiary or beneficiaries to whom shall be paid, upon the death of the employee or annuitant any sum remaining to his credit (including any accrued annuity) under the provisions of this chapter.

Times for
payment of
annuities.
5 U. S. C. 725.
Executive order
April 7, 1934.

21. Annuities granted under the terms of this chapter shall be due and payable in monthly installments on the first business day of the month following the month or other period for which the annuity shall have accrued, and payment of all annuities, refunds, and allowances granted hereunder shall be made by checks drawn and issued by the disbursing clerk for the payment of pensions in such form and manner and with such safeguards as shall be prescribed by the Civil Service Commission in accordance with the laws, rules, and regulations governing accounting that may be found applicable to such payments.

Duties of the
Civil Service
Commission.
5 U. S. C. 727.

22. The Civil Service Commission shall keep a record of appointments, transfers, changes in grade, separations from the service, reinstatements, loss of pay, and such other information concerning individual service as may be deemed essential to a proper determination of rights under this chapter; and shall prepare and keep all needful tables and records required for carrying out the provisions of said sections, including data showing the mortality experience of the employees in the service and

the percentage of withdrawals from such service, and any other information that may serve as a guide for future valuations and adjustments of the plan for the retirement of employees under said chapter.

23. The Civil Service Commission shall make a detailed comparative report annually showing all receipts and disbursements on account of annuities, refunds, and allowances, together with the total number of persons receiving annuities and the total amounts paid them, and it shall transmit to Congress the reports and recommendations of the Board of Actuaries.

Report of Civil Service Commission.
5 U. S. C. 728.

24. None of the moneys mentioned in this chapter shall be assignable, either in law or equity, or be subject to execution, levy, or attachment, garnishment, or other legal process.

Exemption from execution, etc.
5 U. S. C. 729.

25. The Civil Service Commission is hereby authorized and directed to select three actuaries, one of whom shall be the Government actuary, to be known as the Board of Actuaries, whose duty it shall be to annually report upon the actual operations of this chapter, with authority to recommend to the Civil Service Commission such changes as in their judgment may be deemed necessary to protect the public interest and maintain the system upon a sound financial basis, and they shall make a valuation of the "civil-service retirement and disability fund" at intervals of five years, or oftener if deemed necessary by the Civil Service Commission; they shall also prepare such tables as may be required by the Civil Service Commission for the purpose of computing annuities under said sections. The compensation of the members of the Board of Actuaries, exclusive of the Government actuary, shall be fixed by the Civil Service Commission.

Board of actuaries.
5 U. S. C. 731.

26. Should any employee fifty-five years of age or over to whom this chapter applies, after having served for a total period of not less than fifteen years and before becoming eligible for retirement under the conditions defined in section 691, become involuntarily separated from the service, not by removal for cause on charges of misconduct or delinquency, such employee shall be paid as he or she may elect, either—

Involuntary separation from the service.
5 U. S. C. 733.

(a) The total amount of his deductions with interest thereon; or

(b) An immediate life annuity beginning at the date of separation from the service, having a value equal to the present worth of a deferred annuity beginning at the age at which the employee would otherwise have become eligible for superannuation retirement computed as provided in section 698 of this title; or

(c) A deferred annuity beginning at the age at which the employee would otherwise have become eligible for superannuation retirement, computed as provided in section 698 of this title. The right to such deferred annuity shall be evidenced by a proper certificate.

Any employee who has served for a period of not less than fifteen years, and who is forty-five years of age, or over, and less than fifty-five years, and who becomes separated from the service under the conditions set forth in this section shall be entitled to a deferred annuity, but such employee may, upon reaching the age of fifty-five years, elect to receive an immediate annuity as provided in paragraph (b) of this section.

Effect of reemployment.
5 U. S. C. 735.

27. Should an annuitant under the provisions of sections 733 and 735 of this title be reemployed in a position included in the provisions of this chapter, or in any other position in the Government service, the annuity shall cease, and all rights and benefits under the provisions of this section shall terminate from and after the date of such employment.

5 U. S. C. 736.

28. Sections 733 and 735 of this title shall include former employees within the provisions of this chapter in the code, or as extended by Executive orders, who may have been separated from the service subsequent to August 20, 1920, under the conditions defined in this section: *Provided*, That in the case of an employee who has received a refund from the "civil-service retirement and disability fund," such employee shall be required to return the amount so received with interest compounded on June 30 of each year at the rate of 4 per centum per annum before he shall be entitled to the benefits of this said section.

Credit for past service.
5 U. S. C. 736b,
Supp. V.

29. All employees who may be brought within the purview of this chapter by legislative enactment, or by appointment, or through classification, or by transfer, or reinstatement, or Executive order, or otherwise, shall be required to deposit with the Treasurer of the United

States to the credit of the "civil-service retirement and disability fund" a sum equal to 2½ per centum of the employee's basic salary, pay, or compensation received for services rendered after July 31, 1920, and prior to July 1, 1926, and also 3½ per centum of the basic salary, pay, or compensation for services rendered from and after July 1, 1926, together with interest computed at the rate of 4 per centum per annum compounded on June 30 of each fiscal year, but such interest shall not be included for any period during which the employee was separated from the service. All employees who may hereafter be brought within the purview of this chapter may elect to make such deposits in installments during the continuance of their service in such amounts and under such conditions as may be determined in each instance by the Civil Service Commission. The amount so deposited, less \$1 for each month, or major fraction thereof, of service after July 1, 1930, shall be credited to the employee's individual account: *Provided*, That failure to make such deposit shall not deprive the employee of credit for any past service rendered prior to August 1, 1920, to which he or she would otherwise be entitled: *And provided further*, That, notwithstanding the failure of an employee to make such deposit, credit shall be allowed for the service rendered, but the annuity of such employee shall be reduced by the amount such deposit would purchase if made, unless the employee shall elect to eliminate such service entirely from credit under this chapter.

30. In the case of those who before July 1, 1930, shall have been retired on annuity under the provisions of this chapter, or as extended by Executive orders, the annuity shall be computed, adjusted, and paid under the provisions of this chapter, but said chapter shall not be so construed as to reduce the annuity of any person retired before July 1, 1930, nor shall any increase in annuity commence before said date.

31. Retirement authorized by law of Federal personnel of whatever class, * * * and for whatever cause retired, shall take effect on the 1st day of the month following the month in which said retirement would otherwise be effective, and said 1st day of the month for retirements made after July 1, 1930, shall be for all

Benefits extended to those already retired.
5 U. S. C. 736c.

Date of retirement.
5 U. S. C. 47a.

purposes in lieu of such date for retirement as was on April 23, 1930, authorized; except that the rate of active or retired pay or allowance shall be computed as of the date retirement would have occurred if this section had not been enacted.

Civil pension
roll prohibited.
5 U. S. C. 98.

42. Except as provided in chapter 14 of this title, the establishment of an honorable-service roll, or the exemption of any of the officers, clerks, and persons in the public service from the laws existing February 24, 1899, respecting employment in such service, is prohibited.

See sec. 41 as to provisions of the retirement act.

REMOVALS

Removals from
classified
service.
5 U. S. C. 652.

43. No person in the classified civil service of the United States shall be removed therefrom except for such cause as will promote the efficiency of said service and for reasons given in writing, and the person whose removal is sought shall have notice of the same and of any charges preferred against him, and be furnished with a copy thereof, and also be allowed a reasonable time for personally answering the same in writing; and affidavits in support thereof; but no examination of witnesses nor any trial or hearing shall be required except in the discretion of the officer making the removal; and copies of charges, notice of hearing, answer, reasons for removal, and of the order of removal shall be made a part of the records of the proper department or office, as shall also the reasons for reduction in rank or compensation; and copies of the same shall be furnished to the person affected upon request, and the Civil Service Commission also shall, upon request, be furnished copies of the same. Membership in any society, association, club, or other form of organization of postal employees not affiliated with any outside organization imposing an obligation or duty upon them to engage in any strike, or proposing to assist them in any strike, against the United States, having for its objects, among other things, improvements in the condition of labor of its members, including hours of labor and compensation therefor and leave of absence, by any person or groups of persons in said postal service, or the presenting by any such person

Membership in
organizations,
etc.

or groups of persons of any grievance or grievances to the Congress or any Member thereof shall not constitute or be cause for reduction in rank or compensation or removal of such person or groups of persons from said service. The right of persons employed in the civil service of the United States, either individually or collectively, to petition Congress, or any Member thereof, or to furnish information to either House of Congress, or to any committee or member thereof, shall not be denied or interfered with.

Right to petition Congress.

LEAVES OF ABSENCE OF EMPLOYEES IN POSTAL SERVICE

44. (a) Employees in the Postal Service shall be granted fifteen days' leave of absence with pay, exclusive of Saturdays, Sundays, and holidays, each fiscal year, and sick leave with pay at the rate of ten days a year, exclusive of Saturdays, Sundays, and holidays, to be cumulative, but no sick leave with pay in excess of six months shall be granted during any one fiscal year. Sick leave shall be granted only upon satisfactory evidence of illness in accordance with the regulations to be prescribed by the Postmaster General: *Provided*, That the fifteen days' leave shall be credited at the rate of one and one-quarter days for each month of actual service.

Leaves of absence.
39 U. S. C. 823,
Supp. V.

NOTE.—The leave of absence with pay and sick leave is exclusive of Saturdays only in the case of those employees to whom the forty-hour work week applies. Consequently, the leave of rural carriers is not exclusive of Saturdays. (Decision of Comp. Gen., June 5, 1939.)

NOTE.—Under a ruling of the Comptroller General of the United States sick leave with pay accumulates from July 1, 1922.

Notes.

(b) Hereafter substitutes in the Postal Service shall be rated as employees and each substitute postal employee in the classified civil service shall be granted the same rights and benefits with respect to annual and sick leave that accrue to regular employees in proportion to the time actually employed.

Substitutes.
1940, Apr. 30;
Public, No. 492.

(c) No substitute shall be entitled to sick leave for an illness or disability incurred at a time when such substitute is on leave of absence, granted at his own request, other than annual leave, or when such substitute is not available for duty.

Substitutes.
Time of illness.
1940, Apr. 30;
Public, No. 492.

(d) In no event shall a substitute employee be granted more than fifteen days' annual and ten days' sick leave allowed by existing law to regular employees.

Substitutes.
Maximum
leave.
39 U. S. C.
824c, Supp. V.

Substitutes. Service prerequisite. 39 U. S. C. 824d, Supp. V.

Substitutes. Rules and regulations. 39 U. S. C. 824e, Supp. V.

Employees' services not to be terminated on account of illness of less than one year. 39 U. S. C. 819.

For duty at civil service examinations and as witnesses in court.

No compensation for lapsed leave. Note.

Reinstatement after military service. 39 U. S. C. 818.

Postal employees exempt from militia duty. 32 U. S. C. 3.

—not exempt from jury or road duty, etc.

Leave of absence with pay on account of jury service. 1940, June 29; Public, No. 676.

(e) No substitute shall be entitled to the benefits of this Act until he has served two thousand four hundred and forty-eight hours.

(f) The Postmaster General is authorized and directed to prescribe such rules and regulations as may be necessary or appropriate to carry out the provisions of this Act.

2. The Postmaster General shall not approve or continue any rule or regulation which terminates the employment of any employee by reason of absence on account of illness for a period of less than one year.

3. Employees serving as members on local civil-service boards during examinations or as witnesses for the Government in United States courts shall be given leave with full pay during necessary absence occasioned by such services.

4. Compensation shall not be granted in lieu of lapsed leave.

NOTE.—The provisions of this section cover classified employees in the Postal Service only. See sec. 445 as to leaves of absence of postmasters, secs. 23 and 24 as to employees of the Post Office Department, and employees of the mail-equipment shops; secs. 46 to 48 as to leave for military duty. See also secs. 458, 931, 981, and 2019 as to absence of post-office employees, city letter carriers, rural carriers, and employees of the Railway Mail Service, respectively.

MILITARY DUTY: OTHER OBLIGATIONS AS CITIZENS: LEAVE AND REINSTATEMENT PRIVILEGES

45. Any postal employee who has entered or shall enter the military service of the United States shall, upon being honorably discharged therefrom, be permitted to resume the position in the postal department which he left to enter such military service.

46. * * * persons employed by the United States in the transmission of the mail * * * shall be exempt from militia duty * * *.

2. Postmasters and other employees of the Postal Service are not exempt by reason of their employment from jury or road duty, or by any other obligation as citizens arising under the laws of any State or municipality.

3. (a) The compensation of any employee of the United States or of the District of Columbia who may be called upon for jury service in any State court or court of the United States shall not be diminished during the term of such jury service by reason of such absence, except as provided in section 3 (subparagraph (c)), nor shall such period of service be deducted from the time allowed for any leave of absence authorized by law.

(b) Any employee specified in section 1 (subparagraph (a)) who may be called upon for jury service in any court of the United States shall not receive any compensation for such service.

(c) There shall be credited against the amount of compensation payable by the United States to any employee specified in section 1 (subparagraph (a)) for such period as such employee may be absent on account of jury service in the court of any State any amounts which such employee may receive from such State on account of such jury service.

47. All officers and employees of the United States and of the District of Columbia who are members of the National Guard (of the District of Columbia) shall be entitled to leave of absence from their respective duties, without loss of pay or time, on all days of any parade or encampment ordered or authorized under the provisions of this chapter. This section shall be construed as covering all days of service which the National Guard, or any portion thereof, may be ordered to perform by the commanding general.

Employees members of National Guard.

—leave with pay,
20 D. C. Code,
1493.
1889, Mar. 1;
25 Stat. 779.

2. All officers and employees of the United States and of the District of Columbia who shall be members of the National Guard shall be entitled to leave of absence from their respective duties, without loss of pay, time, or efficiency rating on all days during which they shall be engaged in field or coast-defense training ordered or authorized under the provisions of this title.

—when engaged in field or coast defense training.
32 U. S. C. 75.

See 2 Comptroller General, 1, 54.

3. All officers and employees of the United States or of the District of Columbia who are members of the Naval Reserve (also Marine Corps Reserve) shall be entitled to leave of absence from their respective duties without loss of pay, time, or efficiency rating, on all days during which they may be employed with or without pay under the orders or authorization of competent authority, on training duty for periods not to exceed fifteen days in any one calendar year.

Naval Reserve.
34 U. S. C.
853g, Supp. V.

48. All officers and employees of the United States or of the District of Columbia who shall be members of the Officers' Reserve Corps shall be entitled to leave of absence from their respective duties, without loss of pay, time, or efficiency rating, on all days during which they

Employees entitled to leave with pay when members of Reserve Corps while attending duty with troops.
10 U. S. C. 371.

shall be ordered to duty with troops or at field exercises, or for instruction, for periods not to exceed 15 days in any one calendar year; and when relieved from duty they shall be restored to the positions held by them when ordered to duty.

See 1 Comptroller General, 544; 2 *id.*, 29.

REINSTATEMENTS

Reinstatement.

49. Civil Service Rule IX provides that a person separated without delinquency, misconduct, or inefficiency from a civilian position in the federal service after absolute appointment may be reinstated upon certificate of the Commission subject to the following limitations:

(a) Upon requisition for reinstatement by the appointing office having a vacancy to fill, made within one year of separation if the period of service was less than two years; within two years if the period of service was two years or more but less than three years; within three years if the period of service was three years or more but less than four years; within four years if the period of service was four years or more but less than five years; and without time limit if the period of service was five years or more: *Provided*, that the applicant is otherwise eligible under the conditions of the executive order of June 2, 1920.

(b) A former classified employee entitled to military preference in appointment may be reinstated without time limit.

(c) A former classified employee retired upon annuity under the Civil Service Retirement Act by reason of total disability who is eligible for reinstatement by reason of recovery and termination of annuity, shall be eligible for reinstatement subject to the conditions and limitations of the civil service rules.

(d) No person may be reinstated to a position in the classified service who did not have a classified status at the time of separation, or eligibility for such status through examination.

(e) No person may be reinstated to a position in the classified service without passing an appropriate noncompetitive examination testing fully his present fitness for the position when the Commission shall so require.

POLITICAL CONDUCT: ASSESSMENTS AND CONTRIBUTIONS

50. No person in the executive civil service shall use his official authority or influence for the purpose of interfering with an election or affecting the results thereof. Persons who by the provisions of these rules are in the competitive classified service, while retaining the right to vote as they please and to express privately their opinions on all political subjects, shall take no active part in political management or in political campaigns.

2. Officers and employees of the Post Office Department and Postal Service shall not be precluded from exercising their political privileges, but shall not use their official positions to control elections or political movements. (See sec. 39.)

Officers and employees not to use position for political purposes. Civil-service rule 1, § 1.

—not forbidden to exercise political privileges.

51. It is unlawful for any Senator or Representative in, or Delegate or Resident Commissioner to, Congress, or any candidate for, or individual elected as, Senator, Representative, Delegate, or Resident Commissioner, or any officer or employee of the United States, or any person receiving any salary or compensation for services from money derived from the Treasury of the United States, to directly or indirectly solicit, receive, or be in any manner concerned in soliciting or receiving, any assessment, subscription, or contribution for any political purpose whatever, from any other such officer, employee, or person.

Political contributions.
18 U. S. C. 208.

—not to be solicited.

2. No person shall, in any room or building occupied in the discharge of official duties by any officer or employee of the United States mentioned in section 208 of this title, or in any navy yard, fort, or arsenal, solicit in any manner whatever or receive any contribution of money or other thing of value for any political purpose whatever.

—not to be received in public offices.
18 U. S. C. 209.

3. No officer, clerk, or other person in the service of the United States shall, directly or indirectly, give or hand over to any other officer, clerk, or person in the service of the United States, or to any Senator or Member of or Delegate to Congress, or Resident Commissioner, any money or other valuable thing on account of or to be applied to the promotion of any political object whatever. (See sec. 53.)

—not to be given to officials.
18 U. S. C. 211.

52. No officer or employee of the United States mentioned in section 208 of this title (sec. 51, P. L. and R.) shall discharge, or promote, or degrade, or in any manner change the official rank or compensation of any other officer or employee, or promise or threaten so to do, for giving or withholding or neglecting to make any contribution of money or other valuable thing for any political purpose. (See sec. 53.)

Immunity from official proscription.
18 U. S. C. 210.

53. Whoever shall violate any provision of sections 208 to 211 of this title (secs. 51 and 52, P. L. and R.) shall be fined not more than five thousand dollars, or imprisoned not more than three years, or both.

Punishment for violations.
18 U. S. C. 212.

54. It shall be unlawful to pay or offer or promise to pay any sum of money, or any other thing of value, to any person, firm, or corporation in consideration of the use or promise to use any influence, whatsoever, to pro-

Payment for influence in procuring position.
18 U. S. C. 149,
150, 151.

cure any appointive office under the Government of the United States for any person whatsoever. It shall be unlawful to solicit or receive from anyone whatsoever, either as a political contribution, or for personal emolument, any sum of money or thing of value, whatsoever, in consideration of the promise of support, or use of influence, or for the support or influence of the payee, in behalf of the person paying the money, or any other person, in obtaining any appointive office under the Government of the United States. Anyone convicted of violating sections 149 and 150 of this title shall be punished by imprisonment of not more than one year, or by a fine of not more than \$1,000, or by both such fine and imprisonment.

See section 36 as to affidavit to be executed by civil officers upon appointment to office.

SPECIAL PROHIBITIONS

Employees forbidden to receive fees from public.
39 U. S. C. 812.

55. 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.

Note.

NOTE.—This section is somewhat ambiguous, but it is evidently intended to prohibit persons employed in the postal service from accepting fees or perquisites from the public for the performance of duties required of them by virtue of their appointment, except for the execution of pension vouchers by postmasters at offices of the fourth class and rural carriers as provided in sec. 444.

See sec. 33 as to notarial fees.

Conduct of postal employees.
—not to borrow money or contract debts.

56. Postmasters and employees in the Postal Service shall not borrow money or contract debts which they have no reasonable prospect of being able to pay. They will be required to pay their just debts and failure to do so will be regarded as cause for disciplinary action.

—not to solicit contributions, gifts, or presents.
—not to distribute or sell tickets, etc.
—not to issue postal handbooks.

2. (a) Postmasters and employees shall not solicit from patrons of the service, for themselves or for any organization with which they are affiliated, in person or through others, contributions of money or anything else of value; neither shall they issue addresses, complimentary tickets, prints, publications, or any substitute therefor intended or calculated to induce the public to make them gifts or presents; distribute, offer for sale, or collect the proceeds of the sale of tickets for theaters, concerts, balls, fairs, picnics, excursions, or places of amusement or entertainments of any kind, issue for profit souvenirs or postal handbooks to secure the patronage of the public.

(b) Where National, State, or large sectional conventions of service organizations are held the postmaster may appoint a committee of three, consisting of himself, a member of the service organization involved, and a member of the local chamber of commerce or civic organization interested in securing

conventions. This committee shall prepare a budget of contemplated expenses and submit it to the department for its approval. If approved, public solicitation for the necessary funds may proceed under the direction of the aforesaid committee. Within 60 days after the close of the convention a statement shall be prepared by the postmaster showing the amount of money raised and how it was expended, which statement shall be made a part of the records of the post office: *Provided further*, That nothing in this regulation shall preclude an employee from acting as an official of a religious, fraternal, or civic nonpolitical organization which is supported by dues or contributions from its own members. (See secs. 467 and 2054.)

3. The publication and circulation by employees or organizations of employees of booklets, pamphlets, or other prints for the purpose of financing conventions, either State or national, balls, or entertainments involving solicitation for advertisements, will be deemed a violation of the department's rule against solicitation and will not be countenanced. Solicitation for the above purpose by individuals or professional solicitors not connected with the service on a fee or contract basis will be regarded as an evasion of the rule and will not be permitted. There is no objection, however, to the publishing and circulating of booklets, pamphlets, or prints when the cost thereof is paid by the individual employees or from funds in the treasury of employees' organizations.

4. Postmasters and employees shall not compile city directories for public use or assist publishers in compiling the same; nor request publishers to send free copies thereof to them, nor accept any money or gratuity arising from the publication of such directories.

—not to solicit advertisements.

—not to compile city directories.

GIFTS TO SUPERIORS

57. No officer, clerk, or employee in the United States Government employ shall at any time solicit contributions from other officers, clerks, or employees 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.

Gifts.
5 U. S. C. 113.

—superiors not to receive.

—subordinates not to make.

2. Whoever, being an officer of the United States, or a person acting for or on behalf of the United States, in any official capacity, under or by virtue of the authority of any department or office of the Government thereof;

Official accepting bribe.
18 U. S. C. 207.

or whoever, being an officer or person acting for or on behalf of either House of Congress, or of any committee of either House, or of both Houses thereof, shall ask, accept, or receive any money, or any contract, promise, undertaking, obligation, gratuity, or security for the payment of money, or for the delivery or conveyance of anything of value, with intent to have his decision or action on any question, matter, cause, or proceeding which may at any time be pending, or which may by law be brought before him in his official capacity, or in his place of trust or profit, influenced thereby, shall be fined not more than three times the amount of money or value of the thing so asked, accepted, or received, and imprisoned not more than three years; and shall, moreover, forfeit his office or place and thereafter be forever disqualified from holding any office of honor, trust, or profit under the Government of the United States.

Punishment.

LOSS OF OR DAMAGE TO GOVERNMENT OR PRIVATE PROPERTY

Responsibility for loss of or damage to Government property.

58. Whenever Government property of any kind is lost or damaged through the carelessness, negligence, willfulness, or malice of a postal employee, the facts shall be reported by the postmaster to the proper bureau of the Post Office Department for determination as to whether such postal employee shall be held personally responsible for the value of the property so lost, damaged, or destroyed.

Manner of adjustment.

2. Whenever in pursuance of the preceding paragraph a postal employee is held to be personally responsible for the value of any Government property lost, damaged, or destroyed by him, the postmaster at the post office to which such employee is attached shall withhold from such employee any and all salary or compensation due such employee until he has paid over to the postmaster such amount of money as the department may determine to be the value of the property lost, damaged, or destroyed. The postmaster shall account for such money in his quarterly postal account under the head of miscellaneous receipts.

Damage to person or private property.
5 U. S. C. 392.

59. When any damage is done to person or property by or through the operation of the Post Office Department in any branch of its service and such damage is found by the Postmaster General upon investigation to be a proper charge against the United States, the Postmaster General is invested with power to adjust and settle any claim for such damage when his award for such damage in any case does not exceed \$500, and this authority shall hereafter be construed as extending to

cases caused by the negligence of any officer or employee of the Post Office Department or Postal Service acting within the scope of his employment.

2. The head of each department and establishment acting on behalf of the Government of the United States may consider, ascertain, adjust, and determine any claim accruing after April 6, 1917, on account of damages to or loss of privately owned property where the amount of the claim does not exceed \$1,000, caused by the negligence of any officer or employee of the Government acting within the scope of his employment. Such amount as may be found to be due to any claimant shall be certified to Congress as a legal claim for payment out of appropriations that may be made by Congress therefor, together with a brief statement of the character of each claim, the amount claimed, and the amount allowed: *Provided*, That no claim shall be considered by a department or other independent establishment unless presented to it within one year from the date of the accrual of said claim.

Damage to private property.
31 U. S. C. 215.

Report to Congress.

Claims to be filed within one year.

3. Acceptance by any claimant of the amount determined under the provisions of these acts shall be deemed to be in full settlement of such claim against the Government of the United States.

Acceptance of settlement.

4. (a) Postmasters shall investigate and report to the bureau of the department concerned all the facts concerning accidents of any kind involving instrumentalities of the Post Office Department with a recommendation as to the action that should be taken. If Government property was damaged through the fault of a private party, the postmaster shall collect the amount of such damage, if possible.

Claims for damage to persons or property.—report.

(b) Reports on accidents in which persons have been injured or private property has been damaged and reports on other accidents when the advisability of civil suit should be considered, shall be forwarded by the bureau of the department concerned to the Solicitor for review.

(c) The Solicitor shall determine whether or not responsibility rests upon the Government and compensation be allowable under the provisions of paragraphs 1 or 2 of this section; but no claim shall be considered unless presented to the department within one year from the date of the accrual of said claim. The Solicitor shall recommend to the Postmaster General the payment of such claims as in his opinion should be paid pursuant to the provisions of paragraph 1 of this section, not exceeding in the aggregate the amount of the appropriation for this purpose. He shall also keep a record of the number of claims submitted, the

number rejected, the number approved, the number paid, and the total amount thereof, and of the number approved but not paid because of lack of appropriation, if there be such, and the total amount thereof. He shall also consider and recommend to the Postmaster General the certification of such claims as in his opinion should be recommended for payment under the provisions of paragraph 2 of this section.

(d) When the Solicitor concludes that a civil suit is warranted he shall so advise the Chief Inspector. The Chief Inspector shall then prepare the request of the Postmaster General upon the Solicitor of the Treasury for such suit, and in case of recovery shall arrange for the proper disposition of the proceeds.

TRAVEL EXPENSES

Travel expenses of officers and employees of the United States.

5 U. S. C. 821 and 822.

60. (a) Sections 821 to 833 of this title may be cited as the "Subsistence Expense Act of 1926."

(b) When used in sections 821 to 833 of this title—

The term "departments and establishments" means any executive department, independent commission, board, bureau, office, agency, or other establishment of the Government, including the municipal government of the District of Columbia.

The term "subsistence" means lodging, meals, and other necessary expenses incidental to the personal sustenance or comfort of the traveler.

The term "actual expenses" means the actual amounts necessarily expended by the traveler for subsistence and itemized in accounts for reimbursement.

The term "per diem allowance" means a daily flat rate of payment in lieu of actual expenses.

Per diem allowance for subsistence.

5 U. S. C. 823.

(c) Civilian officers and employees of the departments and establishments, while traveling on official business and away from their designated posts of duty, shall be allowed, in lieu of their actual expenses for subsistence and all fees or tips to porters and stewards, a per diem allowance to be prescribed by the head of the department or establishment concerned, not to exceed the rate of \$5 within the limits of continental United States, and not to exceed an average of \$6 beyond the limits of continental United States.

5 U. S. C. 827.

(d) The fixing and payment, under section 823 of this title, of per diem allowance, or portions thereof, shall be in accordance with regulations which shall be promulgated by the heads of departments and establishments and which shall be standardized as far as prac-

licable and shall not be effective until approved by the President of the United States.

(e) The heads of departments and establishments, under regulations which shall be prescribed by the Secretary of the Treasury for the protection of the United States, may advance through the proper disbursing officers from applicable appropriations to any person entitled to actual expenses or per diem allowance under sections 821 to 833 of this title such sums as may be deemed advisable considering the character and probable duration of the travel to be performed. Any sums so advanced shall be recovered from the person to whom advanced, or his estate, by deduction from any amount due from the United States or by such other legal method of recovery as may be necessary.

Funds advanced for travel expenses.

5 U. S. C. 828.

(f) All laws or parts of laws which are inconsistent with or in conflict with the provisions of sections 821 to 833 of this title, except such laws or parts of law as specially fix or now permit rates higher than the maximum rates established in said sections, are hereby repealed or modified only to the extent of such inconsistency or conflict.

5 U. S. C. 829

(g) Sections 821 to 833 of this title shall not be construed to modify or repeal section 43 of Title 3 providing for the traveling expenses of the President of the United States or any Acts specifically fixing or permitting mileage rates for travel and/or subsistence expenses.

5 U. S. C. 830.

(h) Sections 821 to 833 of this title shall not be construed to modify or repeal the per diem travel allowances granted railway postal clerks, acting railway postal clerks, and substitute railway postal clerks in section 633 of Title 39.

Railway postal clerks.

5 U. S. C. 831.

2. The Standardized Government Travel Regulations, as amended December 10, 1935, with the approval of the President, shall be and continue in effect from and including May 1, 1936, until such time as amended standardized regulations are approved, subject to the following conditions, viz:

Standardized Government Travel Regulations.

(a) All provisions relating to reimbursement of actual expenses for subsistence are revoked.

(b) Per diem in lieu of actual expenses for subsistence may be allowed not to exceed the rate of \$5 within the limits of continental United States, and not to exceed an average of \$6 beyond the limits of continental United States.

POSTAL LAWS AND REGULATIONS

(c) Reimbursable transportation charges will not include gratuitous fees or tips of any kind.

The rates of the per diem in lieu of actual expenses for subsistence authorized by the amendatory law and which are set forth above represent the maximum allowable, not the minimum. It is the responsibility of the heads of the departments and establishments to see that travel orders authorize only such per diem rates as are justified by the nature of the travel.

Expenses of officers and clerks of Post Office Department traveling on business of department.

3. Any officer, clerk, or employee of the Post Office Department traveling on the business of the department, upon the order or direction of the Postmaster General, shall be allowed as per diem in lieu of subsistence such amount, not to exceed \$5 as may be fixed by the Postmaster General, which shall be paid out of the appropriation for the service for which said travel is performed.

4. Advances of funds to meet necessary traveling expenses of officers, clerks, and employees of the Post Office Department traveling on the business of the department may be made by the Third Assistant Postmaster General on requisition approved by the head of the bureau having administration of the appropriation applicable. Employees not under bond shall give a bond to indemnify the United States against loss, or in lieu thereof advances may be made upon the security of and up to the amount that has been deducted from the salary, pay, or compensation of the applicant for credit in the civil-service retirement and disability fund and not withdrawn therefrom, provided the applicant is not indebted to the United States.

Allowance of expenses to witness for the Government.
28 U. S. C. 604.

5. When any clerk or other officer of the United States is sent away from his place of business as a witness for the Government, his necessary expenses, stated in items and sworn to, in going, returning, and attendance on the court shall be audited and paid, but no mileage or other compensation in addition to his salary shall in any case be allowed.

6. The Standardized Government Travel Regulations, approved by the President and effective December 10, 1935, for the guidance of civilian officials and employees of the several departments and establishments, including their field services, except the Postal Service, while traveling on official business for the Government are hereby made applicable to the Postal Service, effective May 1, 1936, except paragraphs 5, 20, 28, 37 (note), and 83b, which are amended as follows:

I. AUTHORITY FOR TRAVEL

5. *Form of authority.*—All travel shall be either authorized or approved in writing by the Postmaster General or by an official to whom such authority has been properly delegated, except that no travel order shall be required where the travel is performed by officials of the Department holding

permanent travel commissions, post-office inspectors, or officers or employees of the Railway Mail Service.

III. TRANSPORTATION REQUESTS

20. *Used for all official travel.*—Transportation requests should be used when practicable, to obtain all official transportation where the amount involved is \$1 or more, but should not be issued to companies other than transportation lines commonly recognized as such. Transportation requests must not be used by holders of travel commissions issued by the Post Office Department nor for personal travel.

23. *Parlor and sleeping cars.*—Separate requests should be issued for parlor, chair, or sleeping-car accommodations, except by holders of travel commissions issued by the Post Office Department, who shall secure such accommodations by cash payments without surcharge and will be reimbursed for the amount so expended.

37. *Extra-fare trains.*

* * * * *

NOTE.—This regulation does not apply to holders of travel commissions issued by the Post Office Department.

XII. EXPENSE ACCOUNTS

33. *Expense accounts.*—

* * * * *

(b) Every expense account must be supported where practicable by a copy of the travel authorization, or, if travel authorization has been filed or attached to previous expense account, proper reference thereto should be made, except in those cases specified in paragraph 5, in which no travel order is required.

Note.

* * * * *

NOTE.—These regulations do not apply to railway postal clerks, acting railway postal clerks, and substitute railway postal clerks.

CHAPTER 5

ORDERS, CONTRACTS, AND BONDS

61. 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.

62. All bonds taken and contracts entered into by the Post Office Department shall be made to and with the United States of America.

Orders, contracts, etc., to bear true date.
5 U. S. C. 376.

Date of filing papers relating to contracts, etc., to be affixed.

Bonds and contracts to be in name of United States.
5 U. S. C. 377.

Contracts to contain clause that Members of Congress shall not be interested.
41 U. S. C. 22.

2. In every 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.

Member of Congress interested in public contracts.
18 U. S. C. 204.

3. Whoever, being elected or appointed a Member of or Delegate to Congress, or a Resident Commissioner, shall, after his election or appointment and either before or after he has qualified, and during his continuance in office, 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 its behalf, shall be fined not more than three thousand dollars. All contracts or agreements made in violation of this section shall be void; and whenever any sum of money is advanced by the United States, in consideration of any such contract or agreement, it shall forthwith be repaid; and in case of failure or refusal 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, suit shall at once be brought against the persons so failing or refusing and his sureties for the recovery of the money so advanced.

Punishment. Contracts void.

Repayment, etc.

Contracts not assignable.
41 U. S. C. 15.
—if assigned, causes annulment.
—right of action reserved.

63. 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.

See secs. 1816 to 1820 as to subletting of contracts for carrying the mail.

Special warranties. Executive order.

64. All contracts entered into on behalf of the Post Office Department or the Postal Service shall contain the following covenant:

2. The contractor warrants that he has not employed any person to solicit or secure this contract upon any agreement for a commission, percentage, brokerage, or contingent fee. Breach of this warranty shall give the Government the right to annul the contract, or, in its discretion, to deduct from the contract price or

consideration the amount of such commission, percentage, brokerage, or contingent fees. This warranty shall not apply to commissions payable by contractors upon contracts or sales secured or made through bona fide established commercial or selling agencies maintained by the contractor for the purpose of securing business.

3. No person shall be received as a contractor for furnishing supplies of any kind whatsoever to the Post Office Department or to the Postal Service who is not a manufacturer of or regular dealer in the articles which he offers to supply.

4. In inviting proposals the attention of bidders shall be directed to these requirements.

65. Whoever, being a person employed in the Postal Service, 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, shall be immediately dismissed from office, and shall be fined not more than five thousand dollars or imprisoned not more than one year, or both.

Employees interested in mail contracts.
18 U. S. C. 356.

2. In the discretion of the Postmaster General, postmasters, assistant postmasters, and clerks at post offices of the third class, and postmasters, assistant postmasters, and clerks at post offices of the fourth class may enter into contracts for the performance of mail-messenger service, * * *. The total amount payable under such contract to any postmaster, assistant postmaster, or clerk shall not exceed \$300 in any one year. Special-delivery messengers at post offices of all classes may enter into contracts for mail-messenger service.

Performance of mail-messenger service by employees at third and fourth class offices.
39 U. S. C. 579.

See sec. 299 as to recovery of penalties; secs. 1708 and 1772 as to postmasters being interested in mail contracts; sec. 2334 as to penalty for officers being interested in contracts, etc.

66. In addition to the persons employed in the Post Office Department and the Postal Service required to give bond under specific provisions of law, the Postmaster General may, whenever he deems it to the best interests of the Government, require any other persons employed in the Post Office Department or the Postal Service to give bond to the United States in such form and with such security as he shall prescribe.

Bonds of persons employed in department and Postal Service.
—may be required in addition to persons named in act.

See sec. 12 as to bond of Superintendent, Division of Finance; sec. 9, of Disbursing Clerk; sec. 27, of post-office inspectors; sec. 88, of purchasing agent; sec. 410, of postmasters; sec. 472, of clerks in post offices; sec. 916 of letter carriers; sec. 968, of rural carriers; sec. 2014, of railway postal clerks.

67. 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

Approval of postmasters' bonds.
39 U. S. C. 35.

Assistant Postmaster General * * * in the name of the Postmaster General.

Release of sureties and renewals of bonds of postal employees.
39 U. S. C. 815.

68. Whenever any postmaster, clerk, carrier, or other person in the postal service, employed in the Post Office Department or elsewhere, notifies the Postmaster General of his desire to execute a new bond, or whenever any of the sureties of such postmaster, clerk, carrier, or other person, notifies the Postmaster General of his desire to be released from such suretyship, or whenever the Postmaster General deems a new bond necessary or expedient, the execution of the new bond may be directed by the Postmaster General. When accepted by the Postmaster General the sureties of postmasters 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 bonds shall be executed and accepted, and the sureties of other persons in the prior bond shall be released from responsibility for all acts or defaults of such persons which may be done or committed subsequent to the day such new bond becomes operative.

Official bonds.
6 U. S. C. 2.
—to be examined every two years.

69. Every officer required by law to take and approve official bonds shall cause the same to be examined at least once every two years for the purpose of ascertaining the sufficiency of the sureties thereon; and every officer having power to fix the amount of an official bond shall examine it to ascertain the sufficiency of the amount thereof and approve or fix said amount at least once in two years and as much oftener as he may deem it necessary.

—to be renewed every four years.
6 U. S. C. 3.

2. Every officer whose duty it is to take and approve official bonds shall cause all such bonds to be renewed every four years after their dates, but he may require such bonds to be renewed or strengthened oftener if he deem such action necessary. In the discretion of such officer the requirement of a new bond may be waived for the period of service of a bonded officer after the expiration of a four-year term of service pending the appointment and qualification of his successor. The nonperformance of any requirement of the provisions of sections 1 to 3 of this title, or that part of section 27 of Title 19 relating to transmitting copies of oaths to the Secre-

—liability on, to cover period of service.

tary of the Treasury, on the part of any official of the Government shall not be held to affect in any respect the liability of principal or sureties on any bond made or to be made to the United States. The liability of the principal and sureties on all official bonds shall continue and cover the period of service ensuing until the appointment and qualification of the successor of the principal. Nothing in said sections shall be construed to repeal or modify section 38 of Title 39: *Provided*, That the payment and acceptance of the annual premium on corporate surety bonds furnished by postal officers and employees shall be a compliance with the requirement for the renewal of such bonds within the meaning of sections 1 to 3 of this title. (See secs. 411 and 416.)

Postmasters' bonds not affected.

70. Wherever, by the laws of the United States, or regulations made pursuant thereto, any person, firm, or corporation is required to furnish any recognizance, stipulation, bond, guarantee, or undertaking with surety or sureties, United States Liberty bonds, or other bonds of the United States, will be accepted by the Post Office Department in lieu of individual or corporate sureties in accordance with the general regulations of the Department of the Treasury set out in circular No. 154 of that department, based upon the authority of section 1126 of the revenue act approved February 26, 1926, as amended by the Act of February 4, 1935 (44 Stat. 122; 6 U. S. C. 15).

Liberty bonds acceptable in lieu of surety.

2. * * * "bonds or notes of the United States" shall be deemed, for the purposes of this section, to mean any public-debt obligations of the United States and any bonds, notes, or other obligations which are unconditionally guaranteed as to both interest and principal by the United States.

6 U. S. C. 15, Supp. V.

71. Official bonds, contracts, and undertakings executed by a company authorized to do business under the provisions of sections 6 to 13 of the United States Code, Title 6, will be accepted, provided such company is incorporated and has its principal office within the State or Territory or District of Columbia, or has an agent upon whom process can be served within the United States judicial district wherein the suretyship is to be undertaken.

Surety companies.

—execution of bonds and contracts.

—conditions to be complied with.

2. Whenever any official bond or undertaking is required to be given with two or more personal sureties, the execution thereof solely by a surety company shall be sufficient.

—where two or more sureties required, may qualify as sole surety.

3. No officer of the Post Office Department or Postal Service shall require or exact the execution of any official bond, contract, or undertaking by a surety company, or by any particular surety company.

Corporate surety.

—not to be exacted.

Limitation of cost.
6 U. S. C. 14.

United States to pay no part of premium or cost.

Certificate required.

Note.

Surety companies authorized to act on bonds.

—two or more companies may be accepted, when.

—limitation as to penal sum.

—reinsurance.

4. Until otherwise provided by law no bond shall be accepted from any surety or bonding company for any officer or employee of the United States which shall cost more than thirty-five per centum in excess of the rate of premium charged for a like bond during the calendar year nineteen hundred and eight. The United States shall not pay any part of the premium or other cost of furnishing a bond required by law or otherwise of any officer or employee of the United States.

5. On every bond of an officer or employee of the Postal Service accepted from any surety or bonding company there shall appear a certificate, signed by the person signing for the surety or bonding company, stating the amount of the premium per \$1,000 on said bond and the rate of premium charged by said company for a like bond during the calendar year 1908, where such bonds were issued by said company during that year. If no such bond was issued during said year, that fact shall be stated.

NOTE.—See Official Postal Guide as to surety companies acceptable on bonds.

72. No company having authority under the provisions of sections 6 to 13 of the United States Code, Title 6, to do business with the United States shall be accepted as sole surety on any recognizance, stipulation, bond, or undertaking under this department the penal sum of which is greater than 10 percent of the paid-up capital and surplus of such company.

2. Two or more companies may be accepted as sureties on any recognizance, stipulation, bond, or undertaking under this department the penal sum of which does not exceed the limit herein prescribed of their aggregate paid-up capital and surplus; and in such cases each company may limit its liability, in terms, upon the face of the bond, to a definite specified amount, such amount to be in all cases, however, within the limitations herein prescribed. In cases where the law expressly or impliedly requires or contemplates it, every such recognizance, stipulation, bond, or undertaking shall be executed by the principal and sureties jointly and severally.

3. No company shall be accepted as surety on any recognizance, stipulation, bond, or undertaking under this department which shall execute any recognizance, stipulation, bond, or undertaking on behalf of any individual, firm, association, or corporation, whether or not the United States is interested as a party thereto, the penal sum of which is greater than 10 percent of the paid-up capital and surplus of such company, except under the conditions and limitations herein prescribed.

4. No portion of any recognizance, stipulation, bond, or undertaking shall be included in determining the limitations herein prescribed which shall have been reinsured at the time of execution and delivery of the original obligation, or within 20 days thereafter, in a company authorized to do business under the act

above referred to, within the limitations herein prescribed, or in such companies and under such limitations as the Secretary of the Treasury shall have approved: Provided, That on every such recognizance, stipulation, bond, or undertaking in which the United States is interested as a party, the reinsurance agreement shall be executed simultaneously with the original obligation by a company authorized to do business under the act of August 13, 1894, as amended by the act of March 23, 1910, and shall run directly to the United States.

5. The amount of paid-up capital and surplus of every such company shall be determined by the annual and semiannual financial statements filed with the Secretary of the Treasury as herein provided. The Secretary of the Treasury will keep the other executive departments advised, from time to time, as to the status and qualifying power of the various companies under these instructions.

—status and
qualifying
power of com-
panies.

6. In the event that it becomes necessary to waive the limitations herein prescribed on any recognizance, stipulation, bond, or undertaking given to the United States, notice of such waiver and the manner in which the excess is required to be covered shall in each instance be immediately transmitted by letter to the head of each of the other executive departments.

—waiver of
limitations.

7. Failure on the part of any company to comply with the provisions of these regulations will be considered sufficient ground for refusing to accept further such company as surety on obligations under this department during the continuance of such delinquency, and in the event of persistent failure to observe the provisions of these regulations the name of any such company will be eliminated from the published list of securities acceptable to this department.

—failure of
company to
comply with
regulations.

73. All officials having custody of bonds in favor of the United States shall segregate and file the bonds (except postmaster's bonds), or maintain corresponding collective record thereof, in such manner as to enable them to furnish promptly, when requested, complete information as to the bonds furnished by given surety companies.

Record of
bonds.

CHAPTER 6

ANNUAL REPORTS

74. The Postmaster General shall make the following annual report to Congress:

Report to Con-
gress.

The Postmaster General shall each year prepare and submit in his annual report to Congress estimates of the revenue and expenditures in the Postal Service for the fiscal year current and also for the fiscal year next ensuing at the time said report is submitted, together with a statement of the receipts and expenditures for the preceding completed fiscal year.

—of revenues
and expendi-
tures for cur-
rent and ensu-
ing fiscal
years.
5 U. S. 388.

Financial condition to be shown by report of Comptroller General.
31 U. S. C. 114.

75. The annual reports of the comptroller of the Bureau of Accounts in the Post Office Department 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.

When reports are to be made.
5 U. S. C. 106.

76. 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.

See sec. 100 as to reports of useless files.

Reports to the President.
—to be made annually.

77. The Postmaster General is required by long-established usage to make an annual report to the President of the transactions of the Post Office 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.

—to be printed.

Failure to make returns or reports.
18 U. S. C. 188.

78. 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.

Punishment.

CHAPTER 7

SUPPLY CONTRACTS: SERVICE PROPERTY

ADVERTISEMENTS

Purchases and contracts for supplies or services, how made.
41 U. S. C. 5.
Exigency purchase in open market.

79. Except as otherwise provided by law 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.

Executive order, May 13, 1905.
Contracts by officers of United States, convict labor forbidden.

2. All contracts which shall hereafter be entered into by officers or agents of the United States involving the employment of labor in the States composing the Union, or the Territories of the United States contiguous thereto, shall, unless otherwise provided by law, contain a stipulation forbidding, in the performance of such contracts, the employment of persons undergoing sentences of imprisonment at hard labor which have been imposed by the courts of the several States, Territories, or municipalities having criminal jurisdiction.

Certain supplies to be advertised and contracted for by Secretary of the Treasury.
41 U. S. C. 7.

80. Except as otherwise provided by law all supplies of fuel, ice, stationery, and other miscellaneous supplies for the executive departments and other Government establishments in Washington, when the public exigencies do not require the immediate delivery of the article, shall be advertised and contracted for by the Secretary of the Treasury, upon such days as he may designate.

General Supply Committee.
41 U. S. C. 7a.

2. The Secretary of the Treasury, through the General Supply Committee established under the provisions of section 7 of this title, is hereby authorized and directed to purchase or procure and distribute supplies to meet the consolidated requirements of the executive departments and independent establishments of the Federal Government in Washington, District of Columbia, and of the municipal government of the District of Columbia: *Provided*, That the requirements of the field services of any department or establishment, when request is made by the head thereof, shall be included in such purchase or procurement and distribution of supplies. The supplies to be purchased in this manner shall be designated by the Secretary of the Treasury from those for which he is authorized under existing law to make term contracts or to include in the general schedule of supplies issued annually by the General Supply Committee.

Requisitions for supplies.
41 U. S. C. 7b.

3. Each executive department and independent establishment shall furnish from time to time, when called on to do so, estimates of its requirements for inclusion in purchases which it is proposed to have made by the Secretary of the Treasury, and there shall be reserved from proper appropriations sufficient amounts in each case to reimburse the general supply fund hereinafter

created. The General Supply Committee shall charge the proportionate cost of supplies, including breakage, shrinkage, transportation, cost of handling by the Treasury Department, and inspection, and bill the same to each requisitioning department; and each requisitioning department and independent establishment shall reimburse said general supply fund out of its appropriation upon proper vouchers.

Note. NOTE.—This law does not apply to supplies for the Postal Service. The General Supply Committee was abolished by Executive Order dated June 10, 1933, and its functions transferred to a Procurement Division in the Treasury Department.

Advertisements for proposals.

81. Advertisements shall be prepared and published prior to the beginning of each fiscal year, or before the expiration of an existing contract, inviting proposals for furnishing supplies.

Exigency purchases.

2. Whenever the public exigency requires the immediate purchase of any supplies, or the performance of any work, not covered by contract, such supplies or work shall be obtained in the open market after first inviting several bids, provided there is sufficient opportunity.

—bids.

Advertising, newspaper.
44 U. S. C. 324.

82. No advertisement, notice, or proposal for any executive department of the Government, or for any bureau thereof, 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.

—authority for, to be in writing.

—bill therefor.

Rates for advertising.
44 U. S. C. 322.

83. All advertisements, notices, proposals for contracts, and all forms of advertising required by law for the several departments of the Government 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 by the proprietors or publishers of the newspapers proposing so to advertise. But the heads of the several departments may secure lower terms at special rates whenever the public interest requires it.

—not to exceed commercial.

See secs. 1793 to 1796 as to advertisement of mail lettings.

BIDS: CONTRACTS

Bidders to be notified of opening of bids.
41 U. S. C. 8.

84. 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.

—may be present.

85. 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.

Certain contracts not to exceed one year.
41 U. S. C. 13.

2. Section 13 of Title 41 shall not apply to, or include mail bags, mail locks and keys, postal cards, postage stamps, newspaper wrappers, or stamped envelopes. (See sec. 93.)

Exceptions.
—except for mail bags, stamps, etc.
39 U. S. C. 809.

3. All blanks, blank books, and printed or engraved matter * * * for the transaction of the money-order business shall be obtained from the lowest responsible bidders * * * for a period of four years. (See secs. 94 and 102.)

—money-order supplies.
39 U. S. C. 715.

4. The Postmaster General may, if in his judgment the good of the service so requires, make contract for necessary supplies for the free-delivery service for a period not exceeding four years.

—supplies for Free Delivery Service.
39 U. S. C. 164.

5. The Postmaster General may, in his discretion, cause the contract for printing post-route maps to be let for a term of four years.

—printing post-route maps.
39 U. S. C. 804.

6. The Postmaster General is authorized to contract for a term not exceeding four years, for the supply of any or all articles enumerated under the head of "Supply Division" in the Act of April 21, 1902, chapter 563, 32 Statutes 113, when, in his judgment, it shall appear to be for the best interests of the service.

Contracts for supplies.
39 U. S. C. 803.

7. The Postmaster General may, in his discretion, enter into contracts for a period of not exceeding four years for the rental of canceling machines, for the hire of the equipages for the City Delivery Service, for the collection service by means of boxes attached to street cars, and for the steamboat and other equipment necessary for the Detroit River postal service, * * *.

—canceling machines.
—equipages, City Delivery Service.
39 U. S. C. 802.

8. The Postmaster General may, in his disbursement of this appropriation (appropriation for vehicle service), apply a part thereof to the leasing of quarters for the housing of Government-owned automobiles at a reason-

Leasing of quarters for vehicle service.

able annual rental for a term not exceeding 10 years.
(See secs. 476 and 2008.)

Note.

NOTE.—The preceding paragraph is a provision of the "Act making appropriations for the Post Office Department for the fiscal year ending June 30, 1941." A similar provision has been carried in the appropriation acts for a number of years past.

Contracts not to be made unless authorized by law.
41 U. S. C. 11.

9. 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, * * *

See sec. 214, forbidding contracts for future payments in excess of appropriations.

Collusion among bidders.
39 U. S. C. 808.

10. No contract for furnishing supplies to the Post Office Department or the Postal Service shall be made with any person who has entered, or proposed to enter, into any combination to prevent the making of any bid for furnishing such supplies, or to fix a price or prices therefor, 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, or to bid at a specified price or prices thereon; and if any person so offending is a contractor for furnishing such supplies, his contract may be annulled, and the person so offending shall be liable to a fine of not less than one hundred dollars nor more than five thousand dollars, and may be further punished, in the discretion of the court, by imprisonment for not less than three months nor more than one year.

—penalty.

Motor-truck parts.
39 U. S. C. 829.

11. Whenever motor-truck parts are needed by the Post Office Department in the operation of motor trucks, the Postmaster General is hereby authorized to enter into agreements with truck manufacturers for the purchase of such truck parts at a price not exceeding the truck manufacturer's list price, less regular discounts, without advertising, under such arrangements as in the opinion of the Postmaster General will be most advantageous to the Government.

Note.

NOTE.—The annual appropriation acts for vehicle service authorize the purchase and maintenance of tractors and trailers.

Hire of vehicles.
39 U. S. C. 52.

12. * * * Beginning with the fiscal year 1928, and thereafter, the Postmaster General may hire vehicles from postal employees, not filling supervisory positions, for use in the city delivery and collection service, and in the village delivery and collection service, either under an allowance or on a contract basis.

See sec. 1708 as to employees interested in contracts.

86. No contract shall be entered into by the Post Office Department for purchase of material or supplies to be manufactured by convict labor.

Products of convict labor.
5 U. S. C. 367.

See sec. 90 as to exception.

87. Contracts made in the Post Office Department for the various classes of mail transportation may, upon order of the Postmaster General, be signed in the place and stead of the Postmaster General by the Assistant Postmaster General who is charged with the supervision of the mail transportation involved, and such officer shall attest his signature to such contracts by the seal of the Post Office Department.

Signing of contracts.
Contracts for mail transportation to be signed by the Assistant P. M. Gen. in charge of the service involved.
39 U. S. C. 430.

PURCHASES

88. There shall be appointed by the President, by and with the advice and consent of the Senate, a purchasing agent for the Post Office Department, who shall hold office for four years unless sooner removed by the President, and who shall give bond to the United States in such sum as the Postmaster General may determine, and report direct to the Postmaster General; and who shall, under such regulations, not inconsistent with existing law, as the Postmaster General shall prescribe, and subject to his direction and control, have supervision of the purchase of all supplies for the postal service.

Purchasing agent.
5 U. S. C. 366.
—appointment.

Bond.

Duties.

The purchasing agent, in making purchases for supplies necessary for the Post Office Department, shall advertise, as provided by law, and award contracts for such supplies to the lowest responsible bidder in pursuance of existing law. The purchasing agent shall have recorded in a book to be kept for that purpose a true and faithful abstract of all bids made for furnishing supplies to the Post Office Department, giving the name of the party bidding, the terms of the offer, the sum to be paid, and he shall keep on file and preserve all such bids until the end of the contract term to which they relate. Each bidder shall have the right to be present, either in person or by attorney, when the bids are opened, and shall have the right to examine and inspect all bids. All purchases, advertisements, and contracts for supplies for the Post Office Department shall be made by the purchasing agent in the name of the Post-

Purchasing supplies.

Records of bids.

Inspection of bids.

master General subject to his approval, * * *. There shall be separate proposals and separate contracts for each class of material furnished. These records shall be open at all times for the inspection of Congress, and for the inspection of those who may be interested in such contracts made, or to be made, to furnish supplies to the Post Office Department.

Preference to domestic production.
41 U. S. C. 10a.

2. Notwithstanding any other provision of law, and unless the head of the department or independent establishment concerned shall determine it to be inconsistent with the public interest, or the cost to be unreasonable, only such unmanufactured articles, materials, and supplies as have been mined or produced in the United States, and only such manufactured articles, materials, and supplies as have been manufactured in the United States substantially all from articles, materials, or supplies mined, produced, or manufactured, as the case may be, in the United States, shall be acquired for public use. This section shall not apply with respect to articles, materials, or supplies for use outside the United States, or if articles, materials, or supplies of the class or kind to be used or the articles, materials, or supplies from which they are manufactured are not mined, produced, or manufactured, as the case may be, in the United States in sufficient and reasonably available commercial quantities and of a satisfactory quality.

Preparation of specifications.

3. Specifications for supplies shall be prepared under the direction of the head of the bureau for which the supplies are to be purchased. The Purchasing Agent shall review such specifications carefully, and if he finds them unsatisfactory shall state his objections in writing to the said officer. If, after further consideration, the officer and the Purchasing Agent still disagree, each shall submit a written statement of his position to the Postmaster General through the Committee of Awards.

Advertisement for proposals.

4. The Purchasing Agent shall prepare and issue all advertisements for proposals for all supplies. When deemed advisable by the Purchasing Agent proposals shall be opened and examined by a committee composed of the Executive Assistant to the Postmaster General, the Fourth Assistant Postmaster General, and the Purchasing Agent, to be known as the Committee of Awards, which committee shall make a report suggesting such awards as in their judgment are desirable and proper. The committee, through the Purchasing Agent, shall request the attendance of any officers or employees who may give them information and assistance or with whom they desire to advise.

5. Orders for items under contract shall be drawn by the Purchasing Agent upon requisitions made by the superintendent or chief of the division requiring the supplies, approved by the head of the bureau. The requisition shall state the appropriation to which the purchase is to be charged, the item number, quantity required, description of the article, unit price, cost, and, when practicable, the estimated time the supply on hand will last; also that these supplies are necessary for the public service and that the available balance of the appropriation is adequate for the purchase. If the Purchasing Agent, because of his knowledge of market conditions, or for other than administrative reasons, doubts the advisability of the purchase at the particular time of the requisition, he shall communicate immediately with the bureau officer, stating the reasons which lead him to believe that the purchase should not be made at that time, and in the event of a disagreement each shall submit a written statement of his position to the Postmaster General through the Committee of Awards. The order shall be sent to the contractor by the Purchasing Agent, the triplicate retained on file, and the duplicate attached to the contractor's invoice when prepared for payment.

Purchase of contract items.

6. Requisitions for articles not under contract shall be made on the Purchasing Agent by the superintendent or chief of the division requiring the supplies, approved by the head of the bureau. The Purchasing Agent, after ascertaining that there is no contract under which the purchase may be made, shall issue proposals and specifications and, when practicable, send them to three or more responsible dealers, so as to reach them at least three days prior to the date fixed for the opening of the bids. If samples are available, they shall accompany the specifications calling for proposals, or a statement shall be made as to where samples may be seen. Bids received by the Purchasing Agent and bidders' samples, if furnished, shall be submitted to the Committee of Awards, or to the officer making the requisition, who shall examine them, recommend an award, mark the accepted samples, and return bids and samples to the Purchasing Agent for his action. If a purchase is made, the order shall be drawn in the manner prescribed in paragraph 5. The approved bid shall be held by the Purchasing Agent to be attached to the contractor's invoice, and the accepted sample, if any, shall be forwarded to the board of inspection.

Open-market purchases.

7. Forms prescribed by the Comptroller General shall be used for purchases for the Post Office Department and for the postal service. Two copies of the proper form shall accompany each order sent to the contractor, except where statements are rendered monthly or at other stated periods, in which case the invoice may be made to cover all orders during the period.

Invoices.

8. A board of inspection, consisting of a chairman and a sufficient number of members to properly safeguard the interests of the service, appointed by and acting under the direction of the Postmaster General, shall, except as hereinafter provided,

Receipt and inspection of supplies.

receive and inspect all supplies purchased which are delivered in Washington, reporting their findings in triplicate to the Purchasing Agent, who, after indorsing his action thereon, shall attach the original to the contractor's invoice, retain the duplicate on file, and return the triplicate to the board of inspection. The board shall retain custody of the articles until they are accepted or rejected by the Purchasing Agent. If accepted, the articles shall be turned over to the requisitioning officer, who shall give a receipt therefor. If rejected, they shall be disposed of under direction of the Purchasing Agent: *Provided*, That when inspections in the field are necessary the Purchasing Agent shall request the Postmaster General to designate one or more persons to perform this duty, and they shall report their findings in the same manner as prescribed for inspections made by the board of inspection in Washington. In emergent cases, when the requisitioning officer shows the necessity therefor, the Purchasing Agent may waive the inspection, and in such cases he shall state the reasons for the waiver on the invoice when it is prepared for payment. The Purchasing Agent shall have the right to make an independent inspection, and for this purpose may ask the Postmaster General for any necessary assistance.

Payments.

9. All invoices shall be received by the Purchasing Agent. Those for accepted supplies shall be properly prepared, certified for payment, and transmitted by him to the requisitioning officer, who will enter them on the Postmaster General's journal and then forward the invoice with the journal for payment. A copy of that portion of the journal authorizing payment for purchases shall be sent to the Purchasing Agent for his information.

Rejected supplies.

10. If supplies are rejected, the Purchasing Agent shall immediately notify the contractor, the requisitioning officer, and the board of inspection, giving the reasons therefor. If contractors fail to remove supplies within the time specified by the Purchasing Agent, the supplies may be sent to storage by the Purchasing Agent at the contractors' risk and expense.

Accounts.

11. The bureau officers shall be responsible for the appropriations under their control and shall keep an accurate account of the expenditures authorized thereunder. The bureau officers shall furnish the Purchasing Agent a statement of the balances of the appropriations under their jurisdiction out of which supplies are purchased as frequently as they are determined. The Purchasing Agent shall keep individual ledger accounts with contractors and such general accounts of expenditures for purchases as he may deem necessary.

Correspondence.

12. Correspondence with contractors and others from whom supplies are purchased shall be conducted by the Purchasing Agent. The Purchasing Agent shall also issue any necessary instructions to postmasters regarding inspection of supplies. Correspondence with postmasters and other postal officials in regard to supplies shall be conducted by the officer controlling the appropriation to which the supplies are chargeable.

13. All appropriations for supplies for the Post Office Department shall be under the control of the Chief Clerk of the department, except the appropriation for post-route maps, which shall be under the control of the Fourth Assistant Postmaster General. The regulations hereinbefore prescribed shall govern purchases under these appropriations.

Supplies for department.

89. In making contracts for (postal cards), stamped envelopes, stamped paper, and all other supplies, the Postmaster General may require the contractor, under such regulations as he may prescribe, to make delivery at such points in the United States as he may direct, whenever, in his opinion, any such contract can be made at a saving to the Government. (See secs. 85, 93, 137, and 140.)

Delivery of supplies by contractors.
39 U. S. C. 359.

90. The Attorney General of the United States is authorized and directed to establish, equip, maintain, and operate at the United States penitentiary, Atlanta, Georgia, a factory or factories for the manufacture of cotton fabrics to supply the requirements of the War and Navy Departments, the Shipping Corporation, cotton duck suitable for tents and other Army purposes, and canvas for mail sacks and for the manufacture of mail sacks and other similar mail-carrying equipment for the use of the United States Government. The factory or factories shall not be so operated as to abolish any existing Government workshop or curtail the production within its present limits of any such Government workshop, and the articles so manufactured shall be sold only to the Government of the United States.

Factories authorized at United States penitentiary, Atlanta, Ga.
18 U. S. C. 794.

91. The Public Printer is authorized hereafter to procure and supply, on the requisition of the head of any executive department or other Government establishment, complete manifold blanks, books, and forms, required in duplicating processes; also complete patented devices with which to file money-order statements, or other uniform official papers, and to charge such supplies to the allotment for printing and binding of the department or Government establishment requiring the same.

Supplies for executive departments.
44 U. S. C. 227.

92. The Public Printer is hereby authorized to procure, under direction of the Joint Committee on Printing, as provided in sections 5 to 12, inclusive, of this title, and furnish on requisition paper and envelopes (not

Paper and envelopes for departments.
44 U. S. C. 225.

including envelopes printed in the course of manufacture) in common use by two or more departments, establishments, or services of the Government in the District of Columbia, and reimbursement therefor shall be made to the Public Printer from appropriations or funds available for such purpose; paper and envelopes so furnished by the Public Printer shall not be procured in any other manner thereafter.

PROPERTY

Envelopes.
Contracts for
four years.
39 U. S. C. 355.

93. The Postmaster General shall contract, for a period not exceeding four years, for all envelopes, stamped or otherwise, designed for sale to the public, or for use by the Post Office Department, the Postal Service, and other executive departments, and all Government bureaus and establishments, and the branches of the service coming under their jurisdiction, and may contract for them to be plain or with such printed matter as may be prescribed by the department making requisition therefor. (See sec. 85.)

—plain or
printed.

Blank forms,
etc., for the
money-order
service.
39 U. S. C. 715.

94. Except as provided in section 111 of Title 44, or otherwise provided by law, all blanks, blank books, and printed or engraved matter supplied to postmasters by the Postmaster General or used in his department for the transaction of the money-order business shall be obtained from the lowest responsible bidders for furnishing printed and engraved matter, respectively, under separate advertisements calling for proposals to furnish the same * * * upon such conditions as the Postmaster General may prescribe: *Provided*, That the Director of the Bureau of Engraving and Printing of the Treasury Department shall submit estimates of the cost of furnishing such printed and engraved matter as may be required for use in the money-order business, and shall furnish such printed and engraved matter whenever upon his estimates of cost the expenditure therefor will be less than upon proposals made as above provided for.

—proposals for
furnishing.

—contracts.

—estimates for
furnishing by
Bureau of En-
graving and
Printing.

Note.

NOTE.—The omitted part shown by stars refers to term of contract and is included in sec. 85. See sec. 102.

Uniform can-
celing ink.
39 U. S. C. 367.
—may be
adopted, when.

95. The Postmaster General may 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

protect 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 may distribute said canceling ink or other appliance in the same manner as other supplies are distributed to the different post offices in the United States.

96. 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 denominated 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.

—distribution of.

Metric postal balances.
39 U. S. C. 810.
—to be furnished exchange offices.

97. The Secretary of War is authorized, in his discretion, to deliver and turn over to the Postmaster General, without charge therefor, from time to time, such motor vehicles, aeroplanes, and parts thereof, and machinery and tools to repair and maintain the same, as may be suitable for use in the Postal Service; and the Postmaster General is authorized to use the same in the transportation of the mails and to pay the necessary expenses thereof, including the replacement, maintenance, exchange, and repair of such equipment, out of any appropriation available for the service in which such vehicles or aeroplanes are used.

Secretary of War authorized to deliver to Postmaster General motor vehicles, aeroplanes, etc.
39 U. S. C. 504.

98. Unserviceable property and waste materials accumulating in the department proper, the Washington, D. C., post office and the Mail Equipment Shops shall be handled in the following manner: Reports covering unserviceable property and waste materials shall be made to the Chief Clerk, describing the property, and when practicable, giving the record number of each piece. The board of inspection, or such special committee as may be designated by the Postmaster General, when so directed, shall make a careful inspection and report to the Postmaster General, with respect to each article, as to whether it should be condemned and sold or otherwise disposed of. If the report of the board or committee is approved by the Postmaster General, the Chief Clerk shall dispose of the property as recommended, keeping a record thereof in his files. The property condemned shall be in the custody of the Chief Clerk, who shall dispose of same in accordance with the law and Executive orders of the President.

Unserviceable property and waste material.

—how disposed of.

2. The Chief Clerk shall dispose of waste paper accumulating in the Washington, D. C., post office and Mail Equipment Shops in accordance with the law and Executive orders of the President.

Waste paper.

Property of motor vehicle service.

3. Unserviceable property and waste materials accumulating in the motor-vehicle service shall be disposed of as outlined in the rules and regulations for conducting Government-owned motor-vehicle service.

Property accumulating in field service.

4. Unserviceable property and waste materials not specified in paragraph 3 above or in section 101, accumulating in the field service, shall be disposed of in the following manner: Whenever sufficient unserviceable property or waste materials accumulate to justify inviting bids for its sale, a list thereof shall be prepared by the postmaster. The postmaster shall appoint a committee of three, to consist of supervisory employees when possible, who shall be required to make a careful inspection of each article and submit a report to the postmaster for approval as to whether it should be condemned or sold or otherwise disposed of. After approval of the report the postmaster shall prepare proposals inviting competitive bids covering unserviceable property and waste materials recommended to be disposed of. Copies of said proposals shall be distributed as widely as possible and mailed to all known dealers in the materials to be sold, etc. As much as possible shall be realized from such sales and the proceeds shall be accounted for as postal funds. (See secs. 104 and 248 to 250.)

Chief clerk of department surplus property officer.

5. The Chief Clerk of the Post Office Department is the surplus-property officer for the department and entire postal service. All surplus property accumulating in the department or field service shall be reported through proper channels to the Chief Clerk, who, under such rules and regulations as the Postmaster General may promulgate, shall issue the necessary instructions relative to the final disposition thereof.

Airplanes, etc. Sale of unsuitable authorized. 39 U. S. C. 468.

99. The Postmaster General may sell under such rules and regulations as he may prescribe any airplanes, parts thereof, field equipment, tools, and other aviation material which have become unsuitable in the Postal Service or which will deteriorate and become unsuitable before it can be used. The proceeds of such sales shall be covered into the Treasury as "Miscellaneous receipts."

Archives and records of United States. 40 U. S. C. 253.

100. All archives or records belonging to the Government of the United States (legislative, executive, judicial, and other) shall be under the charge and superintendence of the Archivist to this extent: He shall have full power to inspect personally or by deputy the records of any agency of the United States Government whatsoever and wheresoever located, and shall have the full cooperation of any and all persons in charge of such records in such inspections, and to requisition for transfer to the National Archives Establishment such archives or records as the National Archives Council * * *

shall approve for such transfer, * * * *Provided*, That any head of an executive department, independent office, or other agency of the Government may, for limited periods, not exceeding in duration his tenure of that office, exempt from examination and consultation by officials, private individuals, or any other persons such confidential matter transferred from his department or office, as he may deem wise.

2. The Archivist shall * * * transmit to Congress * * * on January 1 of each year, * * * a list or description of the papers, documents, and so forth (among the archives and records of the Government), which appear to have no permanent value or historical interest, and which, with the concurrence of the Government agency concerned, and subject to the approval of Congress, shall be destroyed or otherwise effectively disposed of.

Reports to
Congress.
40 U. S. C. 239.

See sec. 101 as to disposition of useless files.

101. Postmasters shall carefully preserve all waste paper, which shall include dead and unclaimed domestic printed matter (see sec. 803), facing slips that have been used (see sec. 759), and all other useless paper and all waste twine, including remnants of twine unfit for use (see sec. 704). As much as possible shall be realized from this waste matter, competitive bids being procured if feasible, and when practicable it should be sold before the expiration of the quarter and the proceeds accounted for as postal funds. (See secs. 104 and 248 to 250.) Waste paper and twine shall not be sent free in the mails to a purchaser and mail bags shall not be used to store or carry it away. If after exhausting every resource a profitable market cannot be found, such waste material shall be destroyed without expense to the department. Undeliverable printed matter, such as picture cards, newspapers, magazines, and other periodical publications, falling within the term "waste paper," for which no sale can be effected, may, if suitable for the purpose be delivered by postmasters, on application therefor, to the proper local municipal authorities for distribution to hospitals, asylums, or other charitable or reformatory institutions.

Waste paper
and twine.
—what in-
cluded in.

—sale of

NOTE.—For a list of dealers in paper stock communicate with the local chamber of commerce or board of trade, or those of near-by cities. Sales should be made in the neighborhood of post offices, if possible.

Note.

2. At offices designated by the First Assistant Postmaster General, and under instructions issued by him, such undeliverable magazines and periodicals as may be deemed suitable shall be segregated from publications subject to disposal as waste, and sold to the highest bidder as magazines and periodicals. Complete records of such sales shall be kept and the funds resulting

Sale of un-
deliverable
magazines.

therefrom shall be deposited by postmasters as part of the postal revenue and accounted for under "Miscellaneous Receipts," item no. 5, of the monthly and quarterly report, with a separate supporting schedule. A monthly report of the magazine sales shall be transmitted to the Superintendent, Division of Dead Letters and Dead Parcel Post.

Report of accumulation of files.

3. Whenever there shall be in any post office or field office of the Railway Mail Service an accumulation of files of papers which are not needed in the transaction of current business and which should be disposed of, a detailed report thereof should be submitted to the inspector in charge of the division in which the post office or division headquarters of the Railway Mail Service is situated.

4. Such reports shall be reviewed by inspectors in charge and if it is found that the files listed therein are no longer needed, the reports shall be transmitted to the department for reference to the National Archivist. Inspectors in charge shall report in like manner any old files on hand in their offices which should be disposed of.

Disposition of files by postmasters.

5. When permission to dispose of old files is received by the department, advice thereof will be communicated to post offices and division superintendents of the Railway Mail Service by inspectors in charge. Old files shall not be disposed of until such advice is received.

6. Old files which are not needed in the transaction of current business and which are not listed in the Official Postal Guide shall not be reported to inspectors in charge for disposition until specific authority therefor has been obtained from the proper bureau or office of the department.

Files to be retained pending action in court.

7. When there has arisen an action at law or equity either by or against the United States involving the Postal Service, or any prosecution under the laws of the United States, all files in post offices, field offices of the Railway Mail Service or of the Post Office Inspection Service relating to the cause of action shall be retained until otherwise instructed.

Note.

NOTE.—See Official Postal Guide for description of files and memoranda to be retained and the periods of retention.

PRINTING AND BINDING

Printing and binding.
44 U. S. C. 111.

—to be done at Government Printing Office, except.

102. All printing, binding, and blank-book work for Congress, the Executive Office, the judiciary, and every executive department, independent office, and establishment of the Government shall be done at the Government Printing Office, except such classes of work as shall be deemed by the Joint Committee on Printing to be urgent or necessary to have done elsewhere than in the District of Columbia for the exclusive use of any field service outside of said District.

2. No printing or binding shall be done at the Government Printing Office unless authorized by law.

—only as authorized by law.
44 U. S. C. 116.

3. No printing shall be done for the executive departments in any fiscal year in excess of the amount of the appropriation, and none shall be done without a special requisition, signed by the chief of the department and filed with the Public Printer.

—not to be in excess of appropriation.
44 U. S. C. 213.

—requisitions.

4. The forms and style in which the printing or binding ordered by any of the departments shall be executed, and the material and the size of type to be used, shall be determined by the Public Printer, having proper regard to economy, workmanship, and the purposes for which the work is needed.

Form and style of work.
44 U. S. C. 216.

5. The following reports required by law to be made to Congress shall not be printed unless the printing be recommended by the head of the department making the same, and ordered by concurrent resolution of Congress, namely: Report of contracts for conveying the mails, report of fines and deductions in the Post Office Department, * * *.

Reports of mail contracts not to be printed.
44 U. S. C. 223.

6. The Joint Committee on Printing shall have power to adopt and employ such measures as, in its discretion, may be deemed necessary to remedy any neglect, delay, duplication, or waste in the public printing and binding and the distribution of Government publications.

—remedying neglect or delay.
44 U. S. C. 4.

CHAPTER 8

POSTAL REVENUES AND OTHER PUBLIC FUNDS: SOURCES AND DISPOSAL OF

SOURCES OF REVENUE

103. Revenues from all sources except so much of the receipts at post offices as may be needed to pay the authorized expenditures thereof, shall be deposited in the Treasury or designated depositories for the use of the Post Office Department.

Revenues to be deposited in Treasury.—except.

NOTES.—The revenues of the Postal Service are derived from—

Notes.

- (a) Postage.
- (b) Box rents.
- (c) Money-order business.
- (d) Dead letters and undeliverable matter.
- (e) Fines and penalties.
- (f) Balances from foreign countries.
- (g) Miscellaneous.
- (h) Unpaid money orders more than one year old.
- (i) Excess of profit accruing from postal-savings deposits or investment of postal-savings funds.

Money-order funds not part of postal revenues.

Money-order funds are not part of the postal revenues. See sec. 1502, as to money-order funds; sec. 235, as to expenditures by postmasters out of receipts of office; sec. 490, as to key-deposit funds; sec. 299, as to fines and penalties; sec. 261, as to manner of keeping accounts.

Miscellaneous receipts.
39 U. S. C. 782.
—from dead letters.
—money stolen from mails recovered.
—fines and penalties.

—waste paper and material.

—proceeds from money-order business.

—account thereof.

104. 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 employee 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 bureau of accounts in the Post Office Department in the accounts of such department, under the head of "revenue from money-order business."

See sec. 299, as to collection of fines, penalties, and forfeitures, and payment of half to informer; sec. 232, as to money stolen from the mails; sec. 101, as to sale of waste paper and twine by postmasters; sec. 98, as to unserviceable property and waste material.

CARE OF PUBLIC FUNDS

Money to be kept safely.
39 U. S. C. 46.

—until ordered to be transferred or paid out.

105. 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. All money collected on mail delivered at their respective offices shall be deemed to be public money in the possession of the postmasters within the meaning of this section.

2. The regulations relative to the care of public funds shall apply to money-order, key-deposit, and postal-savings funds as well as postal funds. (See secs. 490 to 492, 1502, and 1503.)

See sec. 2312 as to punishment for misappropriating public funds or property; sec. 2316 as to penalty for violation of above section.

106. Postmasters shall exercise all possible care for the protection of the public funds and property in their custody. Public funds shall be kept entirely separate from all other moneys in the possession of the postmaster and shall not be mingled with personal funds.

Care of public funds and property.

2. During business hours money and stamps shall be kept in places inaccessible to the public and concealed from view. Funds and stamps left in a post office at night, or when the office is closed temporarily during the day, shall be kept in locked iron safes or in vaults, if such have been provided; otherwise they shall be kept in strong drawers or other fixed receptacles, which shall be fastened with good locks. Money and stamps shall not be left at night or when the office is closed temporarily during the day in tin or iron boxes even though locked, nor in cash drawers secured by finger-combination locks. Funds and stamps shall not be hidden about the office or elsewhere. The doors and windows of the office shall be made as secure as possible.

—where there is no safe, to be kept in locked drawers.

3. At night or when the office is left without occupants iron safes with combination locks shall be carefully and completely locked with the full combination on the outer doors and on the inner burglar-proof chest, if there is one. No credit will be allowed for losses from safes fastened only with a "day lock" or "day combination." A postmaster upon taking charge of his office shall immediately change the combination on every safe therein; and where at any time a safe is procured, either new or secondhand, he shall immediately change the combination. Failure to make such change shall be considered as prima facie evidence of contributory negligence on the part of the postmaster in any case where claim is made for credit for money or other property stolen from such safes which have been opened without resort to violence.

Safes to be completely locked.

Combination of safes to be changed.

Failure to change.

4. Clerks in charge of stations shall provide safes in accordance with the terms of their contracts. All funds and stamps, with the exception of a small working supply for the convenience of the public, outside of the usual business hours shall be placed in the safe at night and such safes carefully and completely locked. Such working supply of stamps and change, not exceeding \$10, need not be placed in the safe at night, provided it is kept in a strong drawer or other fixed receptacle securely fastened with a good lock. Whenever during the course of a day's business a considerable amount of funds has accumulated, the greater portion thereof shall be taken from the cash drawers and placed in the safe instead of leaving it in the cash drawers until closing time.

Clerks to furnish safes.

Safes to be completely locked.

Funds from cash drawer placed in safe.

5. Stamp stock and funds derived from the sales thereof belonging to the fixed credit of clerks shall not be allowed to remain in stamp cabinets over night, or between Saturday and Monday, or any other time after a tour of duty has ended. If the vault is of a size that will not accommodate the cabinets, an

Stamp stock and funds not to remain in cabinet.

individual stamp drawer or metal box equipped with a lock shall be provided in the vault or in the safe for each clerk, where such receptacle shall be placed at the end of his tour of duty.

See sec. 159 as to reimbursement for losses.

Disbursing officers to deposit funds.
31 U. S. C. 492.
—with whom.

107. Except as otherwise provided by law 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 * * * 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 * * *.

Transfers.

Exchange of funds in hands of disbursing agents.
31 U. S. C. 543.
—forbidden, except.

108. 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 to 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 * * *.

Payments.
Drafts.

—to be collected.

Money to be paid to depositaries.

—as directed by Postmaster General.

109. All postmasters and other persons employed in the Postal Service who collect or receive moneys of any description connected with the business or operations of the Postal Service shall, as often as provided by law or as directed by the Postmaster General, pay over all such moneys, not otherwise legally expended, to their designated depositaries.

See sec. 117 as to deposits of postal funds by postmasters; secs. 112 and 122 to 124 as to treatment of deposits by depositaries; sec. 1517 as to remittances of money-order funds; sec. 1522 as to depositaries for money-order funds.

Character of deposits.

110. Deposits of postal funds may be made in United States coin, Treasury notes, or national-bank notes, or paid money orders.

Paper that may be cashed.

2. Postmasters may cash with postal funds disbursing postmasters' checks, pension checks, Post Office Department warrants, Postal Savings System checks, and other kinds of Government paper, provided they are received from responsible persons whose

indorsement on said paper the postmaster is willing to guarantee. When a check drawn on the Treasurer of the United States is cashed by a postmaster he shall immediately indorse it to the order of the central accounting or depository postmaster so that it may not be negotiated by any other person.

To be indorsed.

3. Such paper, as well as checks and drafts issued by or drawn on national or State banks or trust companies, may be used by postmasters to remit their surplus postal funds, provided they can make satisfactory arrangements with their depositories to receive them at par. Postmasters will be held liable on their official bonds for any losses of Government funds resulting from fault or negligence on their part.

When bank drafts may be used.

4. Postmasters in making deposits shall not use postage stamps, foreign coins and notes, or mutilated coins and paper, or bank checks and drafts other than those issued by national or State banks or trust companies.

What shall not be included in deposits.

5. Money orders paid by district postmasters shall be treated as cash, and such orders shall be used to remit their surplus funds.

Paid money orders to be treated as cash.

See sec. 112 as to treatment of drafts, etc., by depositories; sec. 1518 as to remittance of money-order funds.

111. Postmasters shall make remittances of surplus funds when possible by checks or drafts as provided by paragraph 3 of section 110, but when such paper is not available remittances of currency or coin shall be sent by registered mail, and there shall be (in addition to the person preparing the remittance) at least one reliable witness to the preparation and dispatch thereof.

Preparation of remittances in currency.

2. Cash remittances shall be made in paper currency of the highest denominations obtainable, and when coin is included in a remittance it shall be securely wrapped and enclosed in a strong envelope. Remittances shall not be delayed to secure notes of large denominations or to exchange coin for notes. When remittances which include coin are dispatched by catcher-pouch service the coin shall be enclosed in coin bags, which will be furnished by the depository upon application.

Form of remittance.

3. The notes or coin comprising the remittance shall be counted by the postmaster or assistant who prepares such remittance in the presence of the witness, who shall also count them.

Money to be counted.

4. Remittance letter, Form 3044-A or Form 3044-D shall be used by postmasters at direct accounting offices when postal funds are remitted and Form 1842 or Form 1842-D by postmasters at district offices.

Forms to be used.

5. When coin is included in a remittance, the denominations shall be given thus:

—coin.

Ten silver dollars.....	\$10
Ten fifty-cent pieces.....	5

6. The witness shall sign both the original and copy of the remittance letter, the latter of which shall be kept on file in the post office.

Remittance letter signed by witness, etc.

7. The remittance and letter shall be inclosed in an envelope sufficiently strong to hold the contents, sealed, and prepared for registration in accordance with section 1215. They shall be con-

Package registered and dispatched in presence of witness.

tinuously under the observation of the witness from the time the money is counted until the package is placed in the pouch and the pouch locked and delivered to the mail carrier or other person authorized to receive the same.

When no witness.

8. When no one can be secured to witness the preparation and dispatch of a remittance, the postmaster shall make a record of the fact on the remittance letter, and the copy retained in the office, giving the reasons therefor.

When instructions not complied with.

9. When a postmaster fails to comply with the foregoing instructions and the money is lost in transit, he shall be required to make good the amount unless the facts relating to the remittance satisfactorily establish his exemption from blame.

Deposit of postal funds for different periods.

10. When by reason of previous neglect to deposit, or other cause, a postmaster makes a deposit of postal funds covering more than the period prescribed for an office of his class (see sec. 117), the letter of transmittal shall state the amount due for each period. (See sec. 122.)

Authorized drafts.

11. When a postmaster makes a deposit for another postmaster, he shall so state, as a separate certificate is required for each.

112. The Treasurer of the United States, Government depositaries, and depositary postmasters may accept checks and drafts issued by or drawn on national or State banks or trust companies, Post Office Department warrants, pension checks, checks of disbursing postmasters, and other kinds of Government paper, provided satisfactory arrangements are made for the acceptance of such drafts, checks, and other paper at the risk and cost of remitting postmasters.

Failure to collect drafts.—notice of

2. When a draft cannot be collected, notice shall be sent immediately to the postmaster making the deposit, and to the Third Assistant Postmaster General, Division of Finance.

Exchange to be deducted from deposit. Inquiries, to whom made.

3. When exchange must be paid for the collection of any draft, it should be deducted from the amount of the deposit.

4. All inquiries concerning the use of drafts and Government paper for the deposit of postal funds shall be addressed to the Third Assistant Postmaster General, Division of Finance.

See sec. 1523 as to money-order funds; secs. 1518 and 1525 as to remittances of money-order funds by means of drafts.

Credits for deposits.

113. Postmasters shall take credit in their quarterly accounts for postal deposits. Postal accounts of direct-accounting offices shall be rendered to the Comptroller, Bureau of Accounts, promptly at the close of each quarter and not delayed awaiting the receipt of duplicate certificate of deposit. Certificates shall be examined on receipt, and if any error is found therein immediate notice shall be sent to the depositary, in order that the necessary correction may be made.

Failure to receive acknowledgment of remittance, etc., to be reported.

2. When an acknowledgment of the receipt of a registered package containing a remittance and a certificate of deposit are not received in due time from the depositary, or any difficulty arises in correcting errors in a certificate, the facts shall be reported to the Third Assistant Postmaster General, Division of Finance, in the case of postal funds; and a report shall also be

made to the inspector in charge of the division where the post office is located in case the receipt of a remittance is not acknowledged.

114. Postmasters who fail to make deposits according to instructions, or pay over balances on demand of post-office inspectors or other duly authorized representative of the Government, shall be liable to removal.

Penalty for failure to pay over balances.

See secs. 2312 and 2317 as to penalty for embezzlement of and failure to promptly remit postal funds.

115. The Treasurer of the United States, and such Government depositaries as may be specially designated by the Postmaster General, and postmasters at such post offices as may be specially designated by the Postmaster General, shall be depositaries for postal funds.

Depositaries for postal funds.

See secs. 1521 to 1526 as to depositaries and depositary offices for money-order funds.

116. Postmasters shall not remit surplus funds to the Post Office Department or the General Accounting Office. Money sent in this manner shall be at the risk of the remitting postmaster, and may be returned.

Remittances not to be sent to department.—when sent to be at risk of postmaster.

117. Postmasters at all offices included in the following list are designated as depositary postmasters for direct-accounting offices. Postmasters at central accounting offices are depositaries for offices of the third and fourth classes in the respective territories served. Depositary postmasters shall deposit their surplus postal funds as directed by the Third Assistant Postmaster General.

Deposit of postal funds.

State or Territory	Depositary office	State or Territory	Depositary office
Alabama.....	Birmingham.	Nebraska.....	Omaha.
Alaska.....	Seattle.	Nevada.....	Reno.
Arizona.....	Phoenix.	New Hampshire.....	Concord.
Arkansas.....	Little Rock.	New Jersey.....	Newark.
California.....	San Francisco.	New Mexico.....	Albuquerque.
Colorado.....	Denver.	New York.....	New York.
Connecticut.....	New Haven.	North Carolina.....	Raleigh.
Delaware.....	Wilmington.	North Dakota.....	Fargo.
District of Columbia.....	Washington.	Ohio.....	Cincinnati.
Florida.....	Jacksonville.	Oklahoma.....	Oklahoma City.
Georgia.....	Atlanta.	Oregon.....	Portland.
Guam.....	Honolulu.	Pennsylvania.....	Philadelphia.
Hawaii.....	Do.	Puerto Rico.....	San Juan.
Idaho.....	Boise.	Rhode Island.....	Providence.
Illinois.....	Chicago.	South Carolina.....	Charleston.
Indiana.....	Indianapolis.	South Dakota.....	Sioux Falls.
Iowa.....	Des Moines.	Tennessee.....	Nashville.
Kansas.....	Topeka.	Texas.....	Austin.
Kentucky.....	Louisville.	Samoa.....	Honolulu.
Louisiana.....	New Orleans.	Utah.....	Salt Lake City.
Maine.....	Portland.	Vermont.....	Burlington.
Maryland.....	Baltimore.	Virginia.....	Richmond.
Massachusetts.....	Boston.	Virgin Islands.....	St. Thomas.
Michigan.....	Detroit.	Washington.....	Seattle.
Minnesota.....	St. Paul.	West Virginia.....	Wheeling.
Mississippi.....	Vicksburg.	Wisconsin.....	Milwaukee.
Missouri.....	St. Louis.	Wyoming.....	Cheyenne.
Montana.....	Helena.		

2. The postmaster at Washington, D. C., shall deposit funds with the Treasurer of the United States.

Washington, D. C., deposits.

Deposit periods.

3. Direct-accounting postmasters shall deposit surplus funds on the 1st and 16th day of each month.

District offices to deposit with central accounting offices.

4. Postmasters at third-class offices shall deposit surplus funds with the central accounting office whenever the amount on hand during the quarter equals \$100, and postmasters at fourth-class offices whenever the amount on hand equals \$50. Postmasters at district offices may retain such sums as may be required to meet any authorized disbursements of the office, which are due to be made within 15 days, except at the close of each quarter, when the exact amount due to balance the account shall be remitted. Remittances of cash shall consist of even dollars only and not include fractions of a dollar except at the end of a quarter. Small coins may be used, if necessary, in making remittances, but should amount to even dollars. When drafts, checks, paid money orders, etc., are used in making remittances the total of the remittance need not necessarily be in even dollars.

—how handled.

5. Whenever possible remittances shall be prepared and dispatched after the close of business each day and if a remittance is in the form of cash it shall be registered. When funds subject to remittance are received after the dispatch of the last mail they shall be forwarded on the succeeding day on the last mail available that day, together with all the surplus funds that have accrued up to that time.

Failure to make deposit at stated time.

6. Any postmaster who fails to deposit his surplus funds at the designated time shall be held liable for any loss that may result from such delay.

Deposit of other funds.

7. The regulations relative to the deposit of surplus funds and preparation and dispatch of remittances shall apply to money-order funds, except where a regulation applies specifically to postal funds only, and as provided in secs. 1516 to 1520, relating to money-order funds.

See secs. 1521 to 1526 as to depositaries and treatment of deposits therein; sec. 104 as to deposit of money paid to postmaster on account of penalty or forfeiture.

Transfer of money.
31 U. S. C. 523.
—how made.
—when.

118. The Postmaster General may transfer money belonging to the postal service between the Treasurer and designated depositaries, at his discretion, and as the safety of the public money and the convenience of the service may require.

Note.
Method of transfers.

NOTE.—Whenever the postal revenues are insufficient to meet the current expenses, the Postmaster General makes a requisition upon the Treasury, pursuant to the appropriations provided to meet such deficiencies, and the amount is placed to the credit of the Post Office Department. All expenditures for the postal service not settled directly by postmasters are made by warrants drawn by the Postmaster General and countersigned by the Comptroller General, which are paid by the Treasurer or Government depositaries. (See sec. 229.)

Amount to be remitted.
—deposit not required when claim for loss pending.

119. A postmaster who has suffered loss of money, postage stamps, or other stamp supplies through any cause, and has made claim for credit or reimbursement, shall not be required to deposit immediately the amount or the value of the supplies. Any balance against a postmaster on account of such loss may remain

outstanding until his claim is settled, and in every quarterly stamp account rendered and in every postal account rendered by a first or second class postmaster from the date of the loss until the claim therefor is settled, a note shall be made on the margin concerning the loss, specifying the date, cause, and amount thereof, and stating that a claim for credit is pending. Whatever balance is due after deducting such credit as may be allowed upon settlement of the claim shall be deposited at once.

—notation on account.

2. When a postmaster does not know the actual balance due on account of postal funds, an amount sufficient to cover all contingencies shall be deposited, and if there is any excess, proper credit shall be given on the account for the succeeding quarter. Deposits shall not be delayed awaiting a statement of account from the General Accounting Office.

Deposit, when amount due unknown.

3. On receipt of a statement from the General Accounting Office disallowing items or correcting errors in an account and requiring a deposit of the balance shown by the statement, such deposit shall be made promptly, except where a claim is pending as provided in paragraph 1.

Deposit of balance due.

See sec. 1517 as to money-order funds.

TEMPORARY DEPOSITS IN BANKS

120. Any postmaster, having public money belonging to the Government, at an office within a city or town where there is no * * * designated depository, may deposit the same temporarily, at his own risk and in his official capacity, in any national or State bank in the State in which the said postmaster resides, or in which his office is located, or within a reasonable radius of his post office in an adjacent State, but no authority or permission is or shall be given for the payment to or receipt by a postmaster or any other person, of interest, directly or indirectly, on any deposit made as herein described.

Temporary deposits in national or State banks.
39 U. S. C. 47

—interest on, not to be received.

2. In places where a national bank, State bank, or trust company has been designated by the Treasury Department as a depository of public funds, such bank shall be used by the postmaster to the exclusion of all others in making temporary deposits of postal funds.

Depository to be used.

NOTE.—Designated depositories are required to pledge collateral with the Treasury Department as security for deposits, and postmasters are thereby protected against loss of such deposits.

Note.

3. When temporary deposits of postal funds are made in banks they shall not be carried in a personal account of the postmaster, but shall be deposited in an account in the name of "Post Office Department, by _____, Postmaster."

4. When temporary deposits are maintained by postmasters in national or State banks, regular remittances shall be made to

Remittances.

their depositories as provided in sections 110, 111, 113, 116, 117, and 119.

Checking accounts, statements.

5. Every postmaster carrying checking accounts in local banks shall, at least once each quarter, obtain from the banks statements of his checking accounts, verify the balance on deposit, and ascertain what checks drawn by him on such accounts remain unpaid.

Unpaid checks.

6. The amounts of all checks drawn by postmasters against their checking accounts with local banks remaining unpaid ONE full fiscal year from June 30, after the dates thereof shall be withdrawn as soon as possible after July 1, of each year and taken up in the postmaster's quarterly account under the receipt item "Outstanding Liabilities—Postal Service Checks," and deposited as surplus postal funds. A list of such checks shall be forwarded in duplicate with the postal account for the June quarter of each year, together with any checks unpaid for 1 full fiscal year from July 1, after their dates, which have been returned as undeliverable, uncalled for, etc. The list shall give the number and date of check, name and address of payee, by whom drawn, on what bank, for what purpose, and amount. A copy of such list shall be retained by the postmaster as part of his office records and a copy shall be furnished the bank with a notice to stop payment on the checks listed thereon.

Treasury checks.

7. The foregoing shall also apply to checks of postmasters drawn on the Treasurer of the United States which, when paid, are returned to the postmaster.

Outstanding checks at change of postmasters.

8. When a change in postmasters occurs, the outgoing postmaster shall verify all checking accounts and prepare a list of all outstanding checks, including those of his predecessor or predecessors as of that date, which shall be turned over to his successor and a copy thereof shall accompany the possession slip to the Comptroller of the Post Office Department. The total amount represented by the outstanding checks shall be entered on each one of the four parts of the possession slip under the caption "Outstanding checks drawn on local banks." The incoming postmaster shall preserve the list of outstanding checks and subsequently take the same action thereon as provided in paragraph 6 of this section for his own checks.

Payment of old checks.

9. When a check, the amount of which has been carried to "Outstanding Liabilities—Postal Service Checks," or a check drawn on the Treasurer of the United States, the amount of which has been carried to "Outstanding Liabilities," is presented for payment, the payee or owner claiming payment thereof shall be instructed to forward the check and his claim to the General Accounting Office, Claims Division, for settlement.

Note.

NOTE.—"Public money" includes postal, money-order, and other funds. See sec. 1515 as to temporary deposit of money-order funds at offices where there are designated depositories; sec. 236 as to use of checks in payment of expenses of offices, and checking accounts with the Treasurer of the United States.

Special deposits in State or other banks.

121. Any postmaster may, at his own risk and expense, place any public funds and property in his custody in any bank located in the town, city, or county in which the postmaster resides, for

safekeeping; that is to say, such funds and property may be kept in a receptacle under the depositing postmaster's exclusive control, and the receptacle placed in a safe-deposit vault of such bank, or otherwise intrusted to it for safekeeping, at the risk and expense of the depositing postmaster. Under no circumstances shall such funds or property specially deposited in any bank for safekeeping be used by the bank or become a part of its assets, or be mingled with its regular deposits. Nothing in this section shall be so construed as to affect the claim of any postmaster to credit or reimbursement on account of loss resulting from burglary, fire, or other unavoidable casualty.

—under postmaster's control.

—not to be used by bank.

2. All postmasters shall make regular remittances to their designated depositaries, as provided by sections 110, 111, 113, 116, 117, and 119.

Regular remittances.

See sec. 2318 as to punishment of private banker who receives regular deposit of public funds.

TREATMENT OF DEPOSITS BY DEPOSITARIES

122. Every depositary 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.

Keeping of accounts by depositaries.
31 U. S. C. 524.

NOTE.—This, of course, applies only to the Treasurer and Government depositaries.

Note.

2. Postmasters at depositary post offices shall keep accurate accounts of all remittances received and issue certificates of deposit therefor on the forms provided by the department; and the same rules in regard to the care of such funds shall be observed as in the case of other funds of the office. (See sec. 106.)

Deposits.
—account of.
—certificate for.
—care of.

3. All deposits shall be treated in the same manner as the regular receipts of the depositary post office, and when such receipts are not sufficient to meet the authorized expenditures of the office so much of the deposits as may be necessary shall be utilized for that purpose.

—to be used same as regular receipts.

NOTE.—The regulations concerning depositaries for postal funds apply to depositaries for money-order funds, except where the regulation applies specifically to postal funds, and as provided in secs. 1521 to 1526, relating to money-order depositaries; and distinctions must be carefully observed.

Note.
Distinctions between postal and money-order funds.

See sec. 126 as to remittances of surplus funds by depositary offices; sec 249 as to entry of deposits in postal accounts; sec. 128 as to reports of deposits to Comptroller, Bureau of Accounts, Post Office Department.

4. Certificates shall not include deposits covering different quarters; in such cases separate certificates shall be issued specifying the quarters or periods within a quarter for which deposit is made.

Separate certificates for each quarter.

5. When a remittance is less or more than the amount stated in the remittance letter, certificates shall be issued for the actual amount of the deposit.

Errors in remittance letters.
—certificate to issue for actual deposit.

Deposits for other postmasters.
—how treated.
—additional, where error.

6. When one postmaster makes a remittance for another, the certificate shall be issued in the name of the postmaster for whom the deposit is made. (See sec. 111.)

7. When it is found that a certificate has been issued for a less amount than the deposit, an additional certificate shall be issued for the difference.

See sec. 1524 as to money-order funds.

Record of deposits.
—to be entered on date of receipt.
Issue of certificates.
Remittances in currency.
—by whom opened.
—how opened and verified.
—action in cases of discrepancies.

8. The amount of all deposits which reach depositary post offices during business hours shall appear in the account for that day, and the certificates of deposit shall be issued and mailed the same day.

123. Postmasters at depositary offices shall designate two or more employees two of whom shall take part in opening each registered package containing a remittance in currency, and shall examine and count the contents, and compare the same with the remittance letter. If any discrepancy is found in the amounts, it shall be carefully noted on the letter over the initials of two witnesses, and on the letter envelope, which should be forwarded to the inspector in charge of the division in which the office of mailing is located, with a report of the missing money as shown in the remittance letter.

See sec. 1523 as to money-order funds.

Counterfeits.
—how treated

2. When a remittance contains any apparently counterfeit notes or coins, they should be submitted to the nearest Federal reserve bank or branch thereof or to the proper officer of a national bank for examination, who will, if the notes or coins be counterfeit, stamp or brand them in accordance with instructions from the Treasury Department, which department, under its regulations, will retain such counterfeit notes or coins and acknowledge receipt thereof to the remitting postmaster.

3. Postmasters making remittances shall in all cases be promptly notified by the depositary of any errors in the same, and such errors shall be clearly specified; but no portion of a deposit shall be returned.

Postmasters to be notified of errors.

Errors in remittance.
Antedating of remittance letters.

124. Whenever a postmaster fails to forward a remittance on the same day the remittance letter is dated or it is evident from the registry records or the time in transit that a remittance was not actually made on the date named in the letter, or when a remittance or the letter accompanying the same is not prepared in accordance with the instructions in section 111, a report giving the office and date of remittance shall be made to the Third Assistant Postmaster General, Division of Finance, in the case of postal funds.

See sec. 1523 as to money-order funds.

Payment of postal revenues into the Treasury.
5 U. S. C. 380.

125. 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, or desig-

nated depository receiving such payment shall give the depositor a duplicate receipt therefor, to be retained by him in his office as a voucher, and shall forward the original to the Bureau of Accounts in the Post Office Department, to be placed to the credit of the depositor in audit of his accounts by the General Accounting Office.

Duplicate receipts for deposits.

NOTE.—The postal revenues are generally collected in depository post offices under the provisions of sec. 109, and by such depositories are remitted to the Treasurer, or Government depository (sec. 126). Only one certificate of deposit is issued in case of deposits of money-order funds (see sec. 1524).
See sec. 1517 as to deposit of money-order funds.

Notes. Method of collecting revenue.

126. Postmasters at depository and central-accounting offices shall deposit daily all surplus postal funds accruing at their offices in such Government depositories as may be designated by the Postmaster General.

Remittance of surplus funds from depository post offices.

127. All deposits on account of the Postal Service shall be brought into the Treasury by warrants of the Postmaster General, countersigned by the Comptroller General of the United States; and no credit shall be allowed for any deposit until such warrant has been issued.

Bringing deposits into Treasury.
5 U. S. C. 381.
—warrants for.

128. Each depository * * * shall make returns to the * * * Post Office Department of all moneys received and paid by him, at such times and in such forms as shall be directed by the * * * Postmaster General.

Depositories to make returns of deposits and payments.
31 U. S. C. 526.
—P. M. G. to prescribe time and form.

NOTE.—Depositories of money-order funds are required to make and forward to the Comptroller, Bureau of Accounts, transcripts of all deposits, as provided in sec. 1524.

Note.

DISPOSAL OF FUNDS AND PROPERTY UPON CHANGE OF POSTMASTERS, ETC.

129. Whenever a change of postmasters occurs duplicate inventories shall be made of the public property in the post office. The several classes of property shall be listed separately as follows:

Change of postmasters or discontinuance of offices.
Lists of property.
Stamps.

(a) Postage stamps, books of stamps, coils of stamps, special-delivery stamps, special-handling stamps, postage-due stamps, stamped envelopes, newspaper wrappers, postal cards, international reply coupons, internal-revenue stamps, and migratory-bird hunting stamps.

(b) Money-order records, letter-box locks, mail keys, mail-key chains, letter-carrier satchels, etc.

Supplies.

(c) All other public property, including furniture and equipment belonging to or leased by the United States, post-office records (except money-order records), copies of the Postal Laws and Regulations and of the Official Postal Guide, postmarking and dating stamps and ink and pads therefor, unused printed forms and blank books, and all other supplies.

Public property.

Postal-savings funds.

United States savings bonds. Receipts in duplicate.

(d) Postal-savings funds on hand and accountable stock, including blank certificates and postal-savings stamps.

(e) United States savings bond funds and blank savings bonds.

2. The incoming postmaster shall sign receipts in duplicate according to these inventories. He shall deliver the duplicate receipts to his predecessor and transmit the originals as follows:

(a) Stamp supplies; in accordance with the instructions printed on the receipt forms supplied by the Department.

(b) Letter-box locks, mail keys, and key chains; to the Fourth Assistant Postmaster General, Manufacturing and Repair Branch. Letter-carrier satchels; to the Fourth Assistant Postmaster General, Equipment and Supplies Branch.

(c) The original receipt for all public property, including furniture, etc., certified to by the postmaster's predecessor, shall be retained in the files of the post office.

(d) The original receipt for postal-savings funds and accountable stock shall be delivered with duplicate to the postmaster's predecessor, who shall forward the original with his final report to the Third Assistant Postmaster General, Division of Postal Savings.

(e) The original receipt for United States savings bond funds and accountable stock shall be delivered with the duplicate to the postmaster's predecessor, who shall forward the original with his final account current, Form 904, to the Third Assistant Postmaster General, Division of Postal Savings, if direct accounting, or to his central savings-bond accounting postmaster, if district accounting.

(f) An incoming postmaster or acting postmaster at a third or fourth class post office shall render to the outgoing postmaster or acting postmaster receipt in duplicate for all undelivered registered, insured and C. O. D. articles on hand. The original receipt shall be delivered to the outgoing postmaster, or acting postmaster, and the duplicate retained for the files of the office. Report shall be made to the Third Assistant Postmaster General, Division of Registered Mails, of any irregularities noted in connection with undelivered registered, insured, and C. O. D. articles turned over by the outgoing postmaster or acting postmaster. Listing of registered, insured and C. O. D. mail on Form 1087 is not necessary at first and second-class offices in connection with receipts between incoming or acting postmasters and outgoing or acting postmasters.

3. When a change of postmasters occurs, the outgoing postmaster shall deliver to the incoming postmaster all of the equipment and supplies on hand in accordance with the inventories as specified in preceding paragraphs 1 and 2, and complete certificates on the appropriate forms (Form 1058 for direct-accounting and central-accounting post offices, Form 1057 for post offices of the third class, and Form 1059 for post offices of the fourth class). The certificates when completed shall be signed by both outgoing

and incoming postmasters, detached, and forwarded as indicated on the form.

See secs. 1530 and 1531 as to disposition of money-order funds and supplies on change of postmaster.

4. When an office is discontinued, the above inventories shall be made and the property and supplies delivered to the postmaster designated by the department to receive the same, duplicate receipts being given, which shall be treated as provided in the case of a change of postmasters. Property and supplies shall not be returned to the department, but the postmaster designated to receive the property shall forward mail keys by registered mail to the Fourth Assistant Postmaster General, Manufacturing and Repair Branch, and shall at the same time transmit a letter giving the name of the discontinued office, the county and State in which located, and the numbers stamped on the mail keys which are inclosed.

Discontinuance of office.—disposal of supplies, etc.

Return of mail keys.

130. When a postmaster at a first or second class post office goes out of office, the full amount of postal funds due to the Government, according to his own account, and without waiting to ascertain the exact balance on a final settlement by the General Accounting Office (see sec. 271), shall be deposited with his designated depositary and not transferred nor paid to his successor. He shall also turn over to his successor all internal-revenue and migratory-bird hunting stamp supplies on hand and sufficient cash to make up the amount of the fixed credit charged to his office.

Disposal of funds on change of postmasters.

2. When a postmaster at a third or fourth class post office goes out of office he shall turn over to his successor all postage, migratory-bird hunting, and internal-revenue stamp supplies on hand and sufficient cash to make up the amount of the fixed credit charged to his office. He shall also forward to his central-accounting postmaster all funds due the Government to balance his final account. Four receipts shall be taken, one to be retained by the outgoing postmaster and the others to be forwarded (1) to the First Assistant Postmaster General, (2) to the Comptroller, Bureau of Accounts, and (3) to the central-accounting postmaster.

At district post offices.

Deposit of funds.

Receipts.

Key-deposit funds.

3. Key-deposit funds shall be held by a postmaster in trust (not as a part of the regular funds of the office) and shall be transferred to his successor who shall give him a receipt therefor.

See sec. 491 as to treatment of key-deposit funds; secs. 271, 279, 1530, and 1531 as to disposition of money-order funds on change of postmasters.

CHAPTER 9

POSTAGE STAMPS AND OTHER STAMPED PAPER AND SECURITIES

GENERAL PROVISIONS: POSTAGE STAMPS, ENVELOPES, ETC.

131. The Postmaster General shall prepare postage stamps of suitable denominations which, when attached

Postmaster General to prepare stamps.
39 U. S. C. 351.

to mail matter, shall be evidence of the payment of the postage thereon.

See secs. 715 and 2322 as to restrictions against use of stamps not valid for payment of postage; sec. 138 as to unlawful sale of same by postmasters.

Special-delivery and special-handling stamps.
39 U. S. C. 276a.

132. The Postmaster General is authorized to provide and issue special-delivery and special-handling stamps of such denominations as he may consider necessary.

See Official Postal Guide for denominations of special-delivery and special-handling stamps; sec. 1075 as to special-delivery service and sec. 571 as to special-handling service.

Books of stamps.
—how prepared.
—how charged to postmasters.

133. Books containing postage stamps interleaved with nonadhesive paper, shall be issued and supplied to postmasters, for sale to the public. Such books shall be charged to postmasters and sold to purchasers at their postage value and 1 cent additional for each book.

Coiled stamps.

2. Postage stamps, of denominations determined by the department, shall be issued in coils of such sizes as may be required to meet the public demand and shall be charged to postmasters and sold to the public at the cost of colling, in addition to the postage value of the stamps.

See Official Postal Guide for description and prices of stamp coils.

Special stamps for collection of postage due.
39 U. S. C. 275.

134. * * * (Postage-due) stamps (for the collection of postage on insufficiently paid matter) shall be of such special design and denomination as the Postmaster General may prescribe, and * * * shall in no case be sold by any postmaster nor received by him in prepayment of postage.

See secs. 765 to 768 and 2315 as to use of postage-due stamps.

P. M. G. may adopt improvements in stamps and stamped envelopes.
39 U. S. C. 360.

135. 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.

Portraits of living persons not to be placed on stamps, etc.
31 U. S. C. 413.

136. 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.

Note.

NOTE.—Postage stamps, stamped envelopes, and postal cards are securities of the United States. See 18 U. S. C. 261.

See sec. 2328 as to penalty for issuing or circulating business or professional cards, etc., in likeness of securities of the United States; secs. 2322 and 2324 as to offenses in connection with postage stamps, etc.

Postage stamps and stamped envelopes.
39 U. S. C. 361.

137. 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.

—to be furnished and kept for sale.

2. Postage stamps, postal cards, and stamped envelopes furnished for sale to the public shall not be used by postmasters to mail requisitions for supplies to the department nor for official correspondence. When a postmaster's supply of official penalty envelopes is exhausted, he should use a plain, unstamped envelope, indorsed with ink, as prescribed by section 615.

—not to be used by postmasters in official correspondence.

3. To prevent the spread of disease, postmasters and post-office employees who sell postage stamps shall hand them to purchasers in such manner that the gummed surface will not come in contact with the base of the stamp window.

—delivery to purchasers.

4. Postmasters, or clerks acting for them, shall sign receipts for money paid them for postage stamps and other stamped paper, provided the receipts are prepared in advance by the purchasers and presented at the time of purchase.

Postmasters to sign receipts.

NOTE.—The term "stamped paper" applies to adhesive stamps of all kinds, and postal cards, as well as to stamped envelopes.

NOTE.—Meaning of "stamped paper."
Unlawful pledging or sale of stamps.
13 U. S. C. 331.

138. Whoever, being a postmaster or other person employed in any branch of the postal service, and being intrusted 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, or cause to be sold or disposed of, postage stamps, stamped envelopes, or postal cards at any point or place outside of the delivery of the office where such postmaster or other person is employed; or induce or attempt to induce, for the purpose of increasing the emoluments or compensation of such postmaster, or the emoluments or compensation of any other person employed in such post office or any station thereof, or the allowances or facilities provided therefor, any person to purchase at such post office or any station thereof, or from any employee of such post office, postage stamps, stamped envelopes, or postal cards; or sell or dispose of postage stamps, stamped envelopes, or postal cards, otherwise than as provided by law or the regulations of the Post

Including purchases to increase pay.

Punishment.

Office Department, shall be fined not more than five hundred dollars, or imprisoned not more than one year, or both.

See sec. 424 as to unusual sales of stamped paper; sec. 709 as to diverting postal business from other post offices.

—fraction of cent.

2. When the price of envelopes or wrappers sold includes a fraction of a cent, postmasters shall require payment of the entire cent.

See sec. 153 as to accounting for "excess revenue" accruing from this source; secs. 2322 and 2324 as to penalty for unlawful use, counterfeiting, etc., of stamps, etc.; sec. 709 as to soliciting mailing of matter.

Foreign or mutilated coins or currency.
—not to be accepted, except.

139. Postmasters shall not accept foreign money or abraded or lightweight gold coins or mutilated paper currency. (See sec. 1409 as to acceptance of Canadian money in money-order transactions.)

Change, postmaster to make.

2. Postmasters should provide themselves with a sufficient amount of minor coins and bills of small denomination to enable them to make change for purchases of stamped paper. When a postmaster is unable to make change, the purchaser must tender the exact amount of his purchase.

STAMPED ENVELOPES AND WRAPPERS

Stamped envelopes, etc.
39 U. S. C. 354.
—Postmaster General to provide.
—to be sold at cost.

140. The Postmaster General shall provide suitable letter and newspaper envelopes, with such watermarks 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; * * *

See sec. 144 as to restrictions on printing.

Limitation on price.
39 U. S. C. 362.

2. 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.

Note.

NOTE.—The issuance of newspaper wrappers has been discontinued.

Letter-sheet envelopes.
39 U. S. C. 358.

141. The Postmaster General may * * * furnish for public use a letter-sheet envelope, on which postage stamps of the denominations in use on ordinary (stamped) envelopes shall be placed * * * and also * * * furnish for public use a double-letter envelope,

Double-letter envelopes.

on which stamps of the denominations in use may be placed, and with the arrangement for the address (that it may be forwarded and returned) * * * said letter sheet and * * * double envelope to be issued under such regulations as the Postmaster General may prescribe. No money shall be paid for royalty or patent on any of the articles named.

NOTE.—No letter-sheet and double-letter envelopes are now issued.

Note.

142. An agency shall be maintained at the place of manufacture of stamped envelopes and newspaper wrappers, to oversee their production and attend to their distribution. Subagencies for the distribution of stamped envelopes, newspaper wrappers, and postal cards shall be maintained under the supervision of postmasters at centrally located points to be designated by the Postmaster General.

Distribution of stamped envelopes and postal cards.

SPECIAL-REQUEST ENVELOPES

143. Postmasters shall make requisitions for special-request envelopes, on Forms 3202 (direct and central accounting) and 3202-D (district accounting), promptly upon receiving orders therefor. All orders shall be subject to acceptance by the department.

Requisitions.

2. Postmasters shall require the purchaser to deposit with his order the difference between the schedule and the postage value of the envelopes, and shall collect the postage value when the envelopes are delivered to purchaser. Purchasers shall withdraw special-request envelopes from the post office promptly upon receipt of notice from the postmaster that delivery of order has been made.

Advance deposit.

3. A receipt on Form 3202-A shall be given the purchaser for advance deposits on stamped envelopes.

Receipt.

4. The postmaster shall be held accountable for advance deposits upon orders for stamped envelopes in the same manner and to the same extent as for other receipts of the post office; but such deposits shall not be transmitted to the postmaster's depositary or central-accounting postmaster before he receives the stamped envelopes from the department. Upon delivery of such envelopes to purchasers, direct and central-accounting postmasters shall include the amount of their postage value and of the advance deposit made for them with proceeds from the sales of other stamp supplies, and remit the same with the next deposit of postal funds.

Disposition of money.

5. Promptly upon receipt of special-request and office-request envelopes, district postmasters shall remit the full value to their central-accounting postmasters. If necessary to make immediate payment, cash may be temporarily withdrawn from fixed credit funds pending delivery of envelopes to purchaser and collection of balance due. When currency or coin is sent in payment, the

District postmasters to remit full value of envelopes.

money shall be described on the back of the accompanying invoice, Form 1208.

See sec. 111 as to preparation of remittances.

Printing on envelopes restricted. 39 U. S. C. 354.

144. * * * no stamped envelope or any other envelope furnished or sold by the Government shall contain any lithographing or engraving, nor any printing nor advertisement except that the usual request for return of the letter to the writer may be printed thereon.

—advertisements.

2. No advertisement or special device of any kind nor the names of addressees shall be printed on stamped envelopes by the department. The matter to be printed shall be limited to (1) a request to return after a given number of days; (2) the name of the purchaser (individual, firm, corporation, institution, association, or society); (3) rural-delivery route, post-office box number or street address, or in lieu of street address the name of a building and room number therein, or the names of intersecting streets (specifying which corner); (4) the name of post office or branch post office, county and State. Any portion of the foregoing except the name of the post office and State and the local address of the purchaser, if the post office has carrier service, may be omitted, if desired. The name of a branch post office or of an independent station may be substituted for that of the principal post office, at the option of purchaser. The form of return-request for the stamped envelopes shall be, "After 5 days, return to," the number of days to be not less than 3 or more than 30. (See secs. 800 and 801.)

—request for return.

—name of purchaser.

—local address.

—post office and State.

—permissible omissions.

—branch post offices.

—form of return request.

—names disclosing business.

3. A name indicating or incidentally disclosing the nature of the purchaser's business or vocation may be printed on stamped envelopes if it be certified by the postmaster in writing on his requisition therefor that such name is used under corporate charter, copartnership agreement, or other articles of organization so designating the concern, or that it is the name under which the purchaser is actually doing business with the public.

—officers of firms, etc.

4. The name and title of an officer of a firm, corporation, institution, association, or society may be printed when so desired; for example, "Joe Doe, treasurer, Washington Educational Association."

—titles.

5. Such titles as "M. D.," "D. D. S.," "Rev.," "L. L. D.," etc., may be printed when they are clearly for purposes of identification and not for advertisement.

—branch of business.

6. The name of a branch or department of the purchaser's business may be printed only when other branches or departments are located at the same post-office address, making it necessary to include such printing to insure the return of undeliverable letters to the writer, and when such branch or department is shown as a part of the return card, the postmaster shall explain in writing the necessity for including it.

—unnecessary printing prohibited.

7. Any matter not needed to secure the return of undeliverable letters to the writer shall not be printed by the department in the return card on stamped envelopes.

8. Special-request envelopes shall be purchased and delivered only through the post office or branch post office to which the card directs their return.

—special-request envelopes, place of purchase.

9. No variation shall be made in the location of the return card in the upper left corner of the envelope, or in the style or size of type, the color of ink, or the form of request adopted by the department. The name of the post office or branch post office shall be spelled, and the name of State abbreviated, only as they appear in the Official Postal Guide.

—printing of return cards.

—spelling of post office.
—abbreviation of State.

10. All requisitions shall be accompanied with a legible copy of the return card desired. If obtainable, a printed letterhead or business card of the purchaser should be attached to his first requisition. The postmaster should preserve and attach to his next requisition for the same printing the slip of paper bearing the printed return card which is furnished with each box of special-request envelopes. (See sec. 145 as to responsibility for errors.)

—copy for return cards.

11. Return cards shall not be printed by the department on newspaper wrappers or postal cards.

—no printing on wrappers or postal cards.

12. Purchasers may have stamped envelopes printed in any manner they desire by a private printing office and at their own expense, but a space shall be reserved for the postmark. (See sec. 585 as to space for address and sec. 599 as to objectionable matter on envelopes.)

—private printing.

13. Requisition for 1-cent, 1½-cent, and precanceled envelopes intended for inclosing third-class matter shall include the pledge, "Return postage guaranteed," unless the request line is omitted. When 1-cent envelopes are desired for local use at a post office not having city, village, or rural delivery service, the guarantee pledge will be omitted if the requisition is indorsed "For first-class matter only," or other information given to the effect that the envelopes are to be used for first-class matter at the drop-letter rate.

—return request.

14. If the name and address of the purchaser are desired without a request to return, the words "After — days, return to" on Forms 3202 and 3202-D, and on the printer's slip shall be eliminated.

—name and address without return request.

15. Office-request envelopes for general sales shall bear in the upper left corner a request to return, blank lines for the name and local address of the purchaser, and the printed post office address.

—office-request envelopes.

145. When return-card stamped envelopes are rejected by the purchaser because of misprint or error in the card, because of wrong denomination, size, color, quality, or variety of envelopes, or because of defective manufacture, at direct and central accounting post offices, the postmaster shall immediately submit a letter of explanation to the Third Assistant Postmaster General, Division of Stamps, giving the date of the department's invoice, and hold the envelopes in the post office for instructions. If additional envelopes are desired the report shall be accompanied with a new requisition on Form 3202, indorsed "To replace rejected envelopes invoiced (date)." District postmasters shall

Rejected special-request envelopes.

return such rejected return-card stamped envelopes to their central accounting postmasters with a letter of explanation, including the date of department's invoice. A new requisition on Form 3202-D, indorsed "To replace rejected envelopes invoiced (date)" shall be sent with the report to the central accounting postmaster if replacement is desired. The central accounting postmaster shall submit a report thereof to the department and hold the rejected envelopes for instructions.

—redemption,
how made.

2. When responsibility for the furnishing of rejected return-card stamped envelopes rests with the department or the contractor, redemption shall be made at the invoiced value of the envelopes. If the error was made by the purchaser, redemption shall be made at postage value only. If the postmaster is responsible for the error he shall be given credit in his account at postage value only, but shall allow the purchaser full value in redemption.

Mispacked
envelopes.

3. When mispacked return-card stamped envelopes (those bearing the card of another purchaser) are received in a shipment, a report giving date of invoice, description of the mispacked envelopes, and stating whether they are in lieu of or in excess of those invoiced, shall be made by letter to the Third Assistant Postmaster General, Division of Stamps, by direct and central accounting postmasters, who shall hold the mispacked envelopes for instructions. District postmasters who receive mispacked envelopes shall forward them immediately, with a letter of explanation, to their central accounting postmasters, who will make a report thereof to the department and hold the envelopes for instructions.

4. Postmasters shall not send stamped envelopes, printed or unprinted, to the United States stamped envelope agent without authority from the department.

POSTAL CARDS

Postal cards.
39 U. S. C. 356.

146. 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.

—Postmaster
General shall
furnish.

—to be sold at
1 cent each.

2. The Postmaster General may * * * furnish for public use a double postal card, on which shall be placed two one-cent stamps, said card to be so arranged for the address that it may be forwarded and returned, and to be sold for two cents apiece; * * * said * * * double postal card * * * to be issued under such regulations as the Postmaster General may prescribe.

Double cards.
39 U. S. C. 353.

—to be sold at
2 cents each.

147. The Postmaster General may 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 * * * at a postage charge of two cents each, including the cost of their manufacture.

Postal cards for
circulation in
foreign mails.
39 U. S. C. 357.

—to be sold at
2 cents each.

2. Single postal cards and postal cards with paid reply shall be prepared and issued to the public for circulation in the mails exchanged with foreign countries in such denominations as may be required to conform to the provisions of the Universal Postal Union Convention and other conventions, such cards to be sold at the face value of the stamps impressed thereon.

Double foreign
cards.

3. Embossed stamped envelopes, single 1-cent postal cards, and the reply half of double postal cards of the United States shall be accepted for postage in the Philippine Islands when directed to addresses in the United States, and such envelopes and postal cards of the Philippine Islands shall be accepted for postage in the United States when directed to addresses in the Philippine Islands.

Stamped envel-
opes and
postal cards
to and from
Philippines.

REQUISITIONS FOR STAMPED PAPER STOCK

148. Postmasters shall keep on hand a supply of postage stamps of every kind, books of stamps (see sec. 135), postage-due and special-delivery stamps, stamped envelopes, postal cards, and international reply coupons, sufficient to meet the public demands and the legitimate needs of the service.

Supply of
stamps, stamped
envelopes, and
postal cards.

—to be kept on
hand.

2. Requisitions shall be made sufficiently in advance so that the stock of stamp supplies will not become exhausted. Requisitions from direct and central accounting post offices should be for three to six months' supply if storage space is available; but care shall be taken not to exceed the amount that can be given adequate protection.

—requisitions
for.

See secs. 106 and 121, as to care of postage stamps.

3. Except as may be otherwise provided, postmasters of the first class may make requisition at any time during the quarter; postmasters at all other direct accounting post offices may make requisition at any time except the first 15 or the last 10 days of a quarter. Postmasters at third-class district post offices shall make two requisitions and postmasters at fourth-class district post offices shall make one requisition each month to restore the fixed

—when to
draw requisition.

credits. Requisitions for special-request envelopes shall be forwarded on the same day the order is taken from purchaser.

—invoices.

4. An itemized invoice shall be furnished with each supply of postage stamps and other stamped paper issued to postmasters, and shall be preserved as a post-office record.

—when charged to postmasters.

5. All stamped paper supplied to direct and central accounting post offices shall be charged to postmasters in the accounts of the Post Office Department in the quarter in which the invoice is dated, even though the stock reaches the postmaster after the close of that quarter.

Stamps not to be loaned.

6. Stamped paper shall not be loaned by one postmaster to another.

—temporary, may be purchased from other offices.

7. If stamp supplies become exhausted, temporary purchases may be made from another post office. Postmasters shall not include such supplies in their quarterly stamp or postal account, and the amount thereof shall not be reckoned in the business of their offices. The selling postmaster shall report such sales to the First Assistant Postmaster General. (See sec. 424.)

8. Postmasters shall not accept checks from other postmasters in payment of stamp stock to be held uncashed until the supplies are replaced.

See secs. 248, 249, and 250, as to keeping account of stamps received and sold.

Requisitions for stamps, stamped envelopes, etc.

149. Requisitions for postage stamps of all kinds, books of stamps, postage-due, special-delivery, and postal-savings stamps, stamped envelopes ("ordinary," "special request," or "office request"), postal cards, and international reply coupons, shall be made by direct and central accounting postmasters on the Third Assistant Postmaster General, Division of Stamps, on Forms 3201, 3201-A, 3201-B, and 3202. Telegraphic requisitions are objectionable. If deemed advisable, the department may furnish more or less stamped paper than the amount for which requisition is made by the postmaster. District postmasters shall draw requisitions on their central-accounting postmasters, using Form 017-FC. See Official Postal Guide for printed envelopes.

—may be filled with more or less stock than ordered.

—signatures to.

2. Requisitions and stamp accounts shall be signed legibly, in writing and with ink, by the postmaster himself when possible, and exactly as his bond is signed. In the absence of the postmaster, or after his death or suspension and pending the appointment of a new postmaster or of an acting postmaster, the postmaster's assistant or bondsman should sign, writing his own name and title in full under those of the postmaster.

See secs. 416, 417, and 418.

—for unusual quantities.

3. When requisition is made for an unusually large supply of postage stamps or other stamped paper to fill a special order, the postmaster shall give the name and business address of the purchaser, and state where the matter originated and is to be mailed.

Supplies not furnished postmaster until commissioned.

4. No postmaster shall be supplied with stamped paper until his commission shall have been duly issued.

See sec. 415 as to postmasters holding over.

150. Packages of stamps, books of stamps, or other stamped paper, shall, upon receipt, be opened by the postmaster, and the contents counted jointly by the postmaster and a disinterested witness.

Counting of stamp supplies.

2. If the value of the stamped paper received at direct or central accounting post offices is short or in excess of the invoice, the postmaster shall make immediate report of the facts, upon his oath of office, in a letter attested by the witness to the count and addressed to the Third Assistant Postmaster General, Division of Stamps, stating the registry number of the shipment and inclosing the invoice. When such reports relate to postal cards, the postmaster shall send with his report the packer's ticket and the packing information stamped upon the box, and in the case of stamped envelopes the end of the packing box. The shipment, with the packing box or wrappers, shall be held by the postmaster for instructions. A requisition for a new supply, if needed, pending investigation of the reported discrepancy, should be fastened to his report.

—shortages and excesses.

3. If the stamped paper received at a district post office is short or in excess of invoice, a report as outlined in paragraph 2 shall be made by the district postmaster to the central-accounting postmaster who supplied the stock. The district postmaster shall hold the shipment, with the packing box and wrappers, for instructions.

At district post offices.

See sec. 145 as to treatment of irregularities in printed stamped envelopes furnished, and sec. 155 as to stamped paper damaged on receipt.

151. If an error is made by a postmaster in a requisition for ordinary stamped envelopes, credit shall be allowed at postage value only, when the envelopes are returned to the Post Office Department; and the envelopes shall not be returned until permission has been granted by the Third Assistant Postmaster General.

Error in requisition for stamped envelopes.
—credit for postage only.

ACCOUNTING

152. Postmasters at direct and central accounting post offices shall render to the Third Assistant Postmaster General, Division of Stamps, promptly at the close of each quarter, a stamp account, embodying: (a) The amount of stamps and other stamped paper on hand at beginning of the quarter; (b) the amount of stamped paper received during the quarter from the department or by transfer from other postmasters; (c) the amount of stamped paper on hand at close of quarter; (d) the amount of stamped paper redeemed by the department; (e) the amount of stamped paper transferred to other post offices; (f) amount of dead-letter bills; (g) amount of stamped paper sold during the quarter.

Postmasters' stamp account.

2. The postmaster shall list in chronological order in the space provided therefor on his quarterly stamp account the total value of all invoices for postage stamps and other stamped paper received by him.

Invoices to be listed.

3. The postmaster shall certify to the correctness of his stamp account, and mail it in an official "penalty" envelope addressed

Certificate of correctness.

plainly, "Third Assistant Postmaster General, Division of Stamps, Washington, D. C.," and bearing the words "Stamp account" in large, plain letters in the lower left corner. No papers not relating to the stamp account shall accompany it.

See sec. 262 as to quarterly account.

Postmasters to supply superintendents, etc., with stamped paper.

4. Postmasters shall issue to superintendents and clerks in charge of stations and branches, wholesale and retail stamp clerks, rural carriers, and star route carriers a sufficient supply of postage stamps and other stamped paper to meet the public demand. Postmasters shall take fixed credit receipts for stamp supplies so issued, and carry the supplies in their records as stock on hand. Money received from the sale of stamped paper to the public shall be used by superintendents, clerks in charge of stations and branches, wholesale and retail stamp clerks, and rural carriers, to purchase additional stamp stock from the postmaster. Superintendents and clerks in charge of stations and branches, wholesale and retail stamp clerks, rural carriers, and star route carriers shall replenish their fixed credits each day, except that post-office clerks with stocks of less than \$100 may replenish their credits whenever the accumulated funds amount to one-fourth of the credit. Postmasters shall take inventories of the stamped paper and cash held by employees to whom stamp supplies are entrusted at irregular intervals, not less frequently than once each month at the main office and classified stations and branches, and once each quarter at contract stations and branches. Upon discontinuance of the service of such an employee, stamped paper and cash to the full amount of the credit allowance shall be returned to the postmaster.

Inventories of stamped supplies entrusted to employees.

Central-accounting postmaster to supply district postmasters with stamped paper.

5. (a) Central-accounting postmasters may readjust the fixed credits allowed district postmasters, in amounts suitable to the needs of the respective offices in multiples of \$50. If the amount of the fixed credit is to be REDUCED, the district postmaster shall return the excess to the central-accounting postmaster in cash or postage-stamp stock; and if INCREASED, the central-accounting postmaster shall furnish the district postmaster with the amount of the increase in postage-stamp stock. The district postmaster shall sign and forward to the central-accounting postmaster a new fixed-credit receipt for the amount of the new fixed credit and the central-accounting postmaster shall return the old receipt. The amount of all fixed-credit receipts shall be included by the central-accounting postmaster in his records as postage-stamp stock on hand.

(b) All money received by a district postmaster from the sale of postage-stamp stock shall be remitted to the central-accounting postmaster for the purchase of new stock as directed below:

(c) Postmasters at fourth-class offices the names of which begin with the letters A to L shall submit their stamp requisitions between the 5th and 15th of each month, and at offices the names of which begin with the letters M to Z between the 16th and 25th of each month.

(d) Postmasters at third-class offices shall submit two stamp requisitions each month—one between the 5th and 15th and the other between the 16th and 25th.

(e) In case of emergency, requisitions may be submitted at other times.

(f) When currency or coin is included in a remittance the remittance shall be prepared as directed in section 111, and dispatched by registered mail.

6. Postmasters at district post offices shall render a quarterly account to their central-accounting postmasters promptly after the close of the quarter. This account shall include a record of stamp transactions for the period covered.

Quarterly accounts to be rendered central-accounting postmasters.

153. Postmasters shall charge themselves in their quarterly postal accounts with the difference between the invoice value of stamped envelopes and newspaper wrappers and the amount received from their sale. This difference consists of the gain accruing in fractions of a cent from the sale of envelopes and wrappers singly or in odd lots and may be ascertained, whenever an inventory is taken, by deducting the amount for which the postmaster is accountable to the department or central-accounting postmaster from the amount of cash received from the sale of postage-stamp supplies since the previous inventory.

Accounting for excess revenue.

Method of determining.

2. Branch post offices, postal stations, stamp clerks, and rural carriers having a fixed credit for stamp supplies may ascertain this difference by adding the value of stamp supplies and cash on hand at the time of inventory and deducting therefrom the amount of such fixed credit.

—at branch post offices, etc.

REDEMPTION OF STAMPED PAPER

154. Postage stamps, or special-delivery stamps, whether affixed to envelopes or not, shall not be redeemed from the public nor exchanged for other postage stamps, stamped envelopes, newspaper wrappers, or postal cards, except as provided in paragraph 7. Stamps removed from embossed stamped envelopes, newspaper wrappers, or postal cards shall not be redeemed nor accepted in payment of postage.

Postage stamps, postal cards, stamped envelopes, etc.
—redemption.

2. Postage stamps, stamp books, postage-due stamps, special-delivery stamps, special-handling stamps, international reply coupons, stamped envelopes, newspaper wrappers, postal cards, and internal-revenue stamps damaged in the post office may be returned for redemption and credit, but shall be accompanied with a statement setting forth fully the time when, and manner in which, they were damaged.

—damaged in the post office.

3. Uncanceled, unserviceable, and spoiled stamped envelopes and newspaper wrappers in a substantially whole condition, without a printed return card or address thereon, and postal cards without printing thereon, may be redeemed from any responsible person in postage stamps or other stamped paper at the postage value only of the stamped envelopes and newspaper wrappers and 75 percent of the face value only of the postal cards.

—redeemed from the public.

Stamped envelopes.

4. Stamped envelopes and newspaper wrappers bearing a printed return card or address and postal cards with printed matter of the purchaser thereon may be redeemed as provided in the preceding paragraph, but only from the person who purchased them at a post office or whose printing appears thereon, unless special authorization therefor is obtained from the department.

Postal cards.

5. Postal cards and stamped envelopes received for reply purposes, parts or pieces of cards, and postal cards treated by bronzing, enameling, or other process of coating, shall not be redeemed.

6. When the redemption value of stamped envelopes, newspaper wrappers, or postal cards includes a fraction of a cent, such fraction shall accrue to the department.

Errors in sales, etc.

7. When, through inadvertence, a postmaster sells damaged or unserviceable postage stamps, international reply coupons, stamped envelopes, newspaper wrappers, or postal cards, or when a patron through error purchases postage stamps of the wrong denomination, or stamped envelopes of the wrong color, quality, size, or denomination, or newspaper wrappers of the wrong denomination, or postal cards of the wrong size, postmasters may exchange such stamped paper at full value, provided that it is presented for exchange by the original purchaser thereof within a reasonable time after the sale, not to exceed two business days. Errors made by purchasers in ordering special-request envelopes shall be adjusted by redemption at postage value only, in accordance with section 145.

Redemption shipments from direct and central accounting post offices.

155. Postmasters at direct and central accounting post offices shall make shipments of stamped envelopes, newspaper wrappers, postal cards, and international reply coupons redeemed from the public and postage stamps and other stamped paper damaged in transit or made unsalable after receipt at post offices to the Third Assistant Postmaster General, Division of Stamps, by official registered mail, for credit. Redemption shipments shall be prepared and dispatched as directed by the instructions in the Official Postal Guide under the title "Directions for returning postage-stamp stock for credit."

District postmasters to return stock to central-accounting postmasters.

2. Stamped paper redeemed by district postmasters or damaged in their possession shall be forwarded to their central-accounting postmasters by official registered mail once every six months, or oftener if necessary, in exchange for other stamped paper.

Stamped paper damaged on receipt.

3. Where any portion of a shipment of stamps or other stamped paper received on requisition is found to be damaged or defective, except misprinted special-request envelopes (see sec. 145), the postmaster shall, if direct or central accounting, submit a report of the facts to the Third Assistant Postmaster General, Division of Stamps, and, unless otherwise instructed, include the unsalable stock in the next regular redemption shipment. If additional stock is needed, a requisition shall be submitted on the proper form, indorsed "To replace damaged stamped paper received on invoice of —." Stamped paper received by district

New requisitions.

postmasters in unsalable condition shall be returned to the central-accounting postmaster with a statement of the facts, for replacing with new stock.

4. When a shipment of postage stamps or other stamped paper damaged in transit with loss of contents is received at a direct or central-accounting post office, the postmaster shall make an immediate report of the facts, upon his oath of office, to the Third Assistant Postmaster General, Division of Stamps, stating the registry number and date of invoice. A requisition for additional stock, if needed, shall be submitted. A district postmaster receiving a shipment damaged in transit with loss of contents shall submit an immediate report to his central-accounting postmaster.

Damaged in transit.

5. Postage stamps or other stamped paper made unfit for use by fire or other unavoidable casualty while in the custody of postmasters shall, in the case of direct and central accounting post offices, be forwarded by official registered mail to the Third Assistant Postmaster General, Division of Stamps, accompanied with an itemized list of the number of each denomination and variety. Postmasters at district accounting post offices shall forward such stock in the same manner to their central-accounting postmasters, who shall furnish other stamped paper of equal value in exchange.

Stamped paper damaged by fire, etc.

6. When postage stamps or other stamped paper returned by postmasters in accordance with the foregoing paragraph are damaged so the value cannot be determined, a full statement of the facts in connection with the damaged condition of the stock shall accompany the shipment.

—when value cannot be determined.

7. Postmasters shall not take credit for redeemed, damaged, or spoiled stamped paper returned to the department until authorized.

Postmasters not to take credit without authority.

See sec. 706 as to disposition of stamp supplies exposed to infection.

INTERNAL-REVENUE STAMPS

156. The Commissioner (of Internal Revenue) shall furnish to the Postmaster General without prepayment a suitable quantity of adhesive (internal-revenue) stamps to be distributed to and kept on sale by the various postmasters in the United States in all post offices of the first and second classes and such post offices of the third and fourth classes as are located in county seats. The Postmaster General may require each such postmaster to give additional or increased bond as postmaster for the value of the stamps so furnished, and each such postmaster shall deposit the receipts from the sale of such stamps to the credit of and render accounts to the Postmaster General at such times and in such form as he may by regulations prescribe. The Post-

Internal-revenue stamps.
26 U. S. C. 917.

master General shall at least once monthly transfer all collections from this source to the Treasury as internal-revenue collections.

Shall be kept on sale.

2. Postmasters at all post offices of the first and second classes and at such post offices of the third and fourth classes as are located in county seats shall keep on hand for sale a suitable quantity of adhesive internal-revenue stamps sufficient to meet the demands of the public. In the large cities having branches and stations suitable "fixed credits" shall be issued to the superintendent or clerk in charge of stations and branches and accounted for in the same manner that "fixed credits" of postage stamps are issued and accounted for.

Postal employees not to instruct.

3. Postmasters and postal employees shall not, in their official capacity, attempt to advise or instruct taxpayers or purchasers of adhesive internal-revenue stamps on matters connected with the administration of the internal revenue laws, but shall limit their activities to selling the stamps to the public at post offices required by law and these regulations to keep them for sale.

Not to be redeemed from the public.

4. Postmasters shall not redeem, repurchase, or exchange any adhesive internal-revenue stamps from any person, firm, company, bank, or corporation.

Damaged stamps redeemed from postmasters.

5. Adhesive internal-revenue stamps, furnished to a central-accounting postmaster and to the Postmaster at Washington, D. C., by the Department, which may become damaged or unsalable but which have not been redeemed, purchased, or received in exchange from the public, shall be redeemed at face value by the Department and credits issued therefor, by the Third Assistant Postmaster General, Division of Stamps. Stamps furnished to all other post offices by a central-accounting postmaster on a fixed credit, which may have become damaged or unsalable but which have not been redeemed, purchased, or received in exchange from the public, shall be sent to the central-accounting postmaster in lieu of cash for the purchase of salable stamps.

To be issued by central accounting postmasters.

6. (a) Central-accounting postmasters shall issue to the postmaster at all post offices of the first and second classes and to the postmaster at such post offices of the third and fourth classes as are located in county seats within their respective central-accounting jurisdiction a sufficient supply of adhesive internal-revenue stamps in amounts suitable to the needs of the respective offices in multiples of \$10: *Provided*, That the amount of the fixed credit furnished to any postmaster under authority of this paragraph shall in no case, without special written authorization of the Third Assistant Postmaster General, exceed the following limitations:

First-class post offices with annual postal receipts of \$1,000,000 or more, \$5,000.

First-class post offices with annual postal receipts of \$500,000 or more, but less than \$1,000,000, \$3,000.

First-class post offices with annual postal receipts of

\$200,000 or more, but less than \$500,000, \$1,000.

First-class post offices with annual postal receipts less than \$200,000, \$500.

Second-class post offices, \$300.

Third-class post offices and fourth-class post offices located in county seats, \$100.

(b) Central-accounting postmasters may increase the fixed credits allowed to other postmasters as the needs of the service may require within the limits herein prescribed in the same manner prescribed for postage-stamp stock in paragraph 5 (a), section 152, but shall not decrease the fixed credit after it has been established at any post office without prior written authority of the Department in each instance.

—changes in fixed-credits.

(c) Postmasters shall issue to superintendents and clerks in charge of stations and stamp clerks a sufficient supply of adhesive internal-revenue stamps to meet the public demand and such fixed credits shall be accounted for in the same manner prescribed for postage stamp fixed credits in paragraph 4, section 152, but shall be issued on a separate receipt and shall under no circumstances become, or be accounted for, as a part of the postal fixed credit of such superintendent or clerk.

7. (a) All money received by a postmaster (except at central-accounting post offices and at Washington, D. C.) from the sale of adhesive internal-revenue stamps shall be remitted to the central-accounting postmaster for the purchase of new stock at least once each month between the fifteenth and twenty-fifth days of the month and at any other time during the month that the cash on hand received from the sale of adhesive internal-revenue stamps shall amount to \$500, or, if the fixed credit is less than \$1,000, whenever the cash on hand from the sale of such stamps shall amount to one-third of the fixed credit.

Deposit of revenue funds.

(b) The central-accounting postmaster and the postmaster at Washington, D. C., shall deposit twice monthly to the credit of the Postmaster General, in such manner as the Third Assistant Postmaster General may direct, all cash received at the central-accounting office from the sale of adhesive internal-revenue stamps.

8. The postmaster at the central-accounting post office and at Washington, D. C., shall render a monthly account of all internal-revenue stamp transactions to the Third Assistant Postmaster General, Division of Stamps, where such accounts shall be audited and posted, and thereafter with the bank receipts pertaining thereto, transmitted to the General Accounting Office as vouchers to the Postmaster General's quarterly account current of internal-revenue stamp transactions.

Account of internal-revenue transactions.

9. Funds received from the sale of adhesive internal-revenue stamps at post offices other than central-accounting offices shall not be diverted or used for any purpose whatever, except to replenish established fixed credits in such stamps: *Provided*, That funds from current sales at a central-accounting post office may be used to reimburse a postmaster or former postmaster for excess or

Internal-revenue funds not to be used for other purposes.

erroneous deposits made on a previous account, or to adjust discrepancies in fixed credits or pay claims allowed by the Postmaster General under section 159, when specifically authorized by the Third Assistant Postmaster General in writing in each instance.

Safety of funds.

10. All postal laws and regulations relating to the safety of public funds and postage stamps, not inconsistent with any specific provision of this section, shall apply to, and be binding upon, all postmasters and employees of the Postal Service in handling, and safeguarding, and accounting for adhesive internal-revenue stamps and funds.

Note.

NOTE.—Postmasters and postal employees are accountable under their official bonds for all internal-revenue stamps and funds in their custody.

To be accounted for in accordance with Departmental instructions.

11. Internal-revenue stamps shall be supplied to postmasters and accounted for in accordance with detailed instructions of the Third Assistant Postmaster General, who shall prepare and render in the name of the Postmaster General a quarterly account of the transactions of the Department in adhesive internal-revenue stamps and funds to the Comptroller General through the Commissioner of Internal Revenue and a signed duplicate of such account shall, with the various postmaster's monthly accounts and bank receipts, be transmitted to the General Accounting Office, Postal Accounts Division.

MIGRATORY-BIRD HUNTING STAMPS

Hunting stamp for taking migratory waterfowl. 16 U. S. C. 718a, Supp. V.

157. No person over 16 years of age shall take any migratory waterfowl unless at the time of such taking he carries on his person an unexpired Federal migratory-bird hunting stamp validated by his signature written by himself in ink across the face of the stamp prior to his taking such birds; except that no such stamp shall be required for the taking of migratory waterfowl by Federal or State institutions or official agencies, or for propagation, or by the resident owner, tenant, or share cropper of the property or officially designated agencies of the Department of Agriculture for the killing, under such restrictions as the Secretary of Agriculture may by regulation prescribe, of such waterfowl when found injuring crops or other property.

Note.

NOTE.—Pursuant to Reorganization Plan No. II, these duties of the Secretary of Agriculture were transferred to the Secretary of the Interior.

Issuance of stamps; fees. 16 U. S. C. 718b, Supp. V.

2. The stamps required by section 718a shall be issued and sold by the Post Office Department under regulations prescribed by the Postmaster General: *Provided*, That the stamps shall be sold at all post offices of the first- and second-class and at such others as the Postmaster General shall direct. For each such stamp sold

under the provisions of this section there shall be collected by the Post Office Department the sum of \$1. No such stamp shall be valid under any circumstances to authorize the taking of migratory waterfowl except in compliance with Federal and State laws and regulations and then only when the person so taking such waterfowl shall himself have written his signature in ink across the face of the stamp prior to such taking. Each such stamp shall expire and be void after the 30th day of June next succeeding its issuance and all such stamps remaining unsold by the Post Office Department at the expiration of said June 30 shall be destroyed by said Department. No stamp sold under section 718a shall be redeemable by said Department in cash or in kind.

3. (a) No person to whom has been sold a migratory-bird hunting stamp, validated as provided in section 718a of this title, shall loan or transfer such stamp to any person during the period of its validity; nor shall any person other than the person validating such stamp use it for any purpose during such period.

Offenses.
16 U. S. C.
718e, Supp. V.

(b) No person shall alter, mutilate, imitate, or counterfeit any stamp authorized by section 718 of this Act, or imitate or counterfeit any die, plate, or engraving therefor, or make, print, or knowingly use, sell, or have in his possession any such counterfeit, die, plate, or engraving.

4. Migratory-bird hunting stamps shall be issued to all central accounting postmasters for distribution to and sale at all post offices of the first and second classes, and at post offices of the third and fourth classes where there is a demand for such stamps, as directed by the Third Assistant Postmaster General.

Issued to central-accounting postmasters.

5. All migratory-bird hunting stamps shall be accounted for and all moneys received from the sale thereof shall be deposited in the Treasury of the United States by postmasters at such times and in such manner as directed by the Third Assistant Postmaster General.

Accounting for funds.

6. All accounts of postmasters for migratory-bird hunting stamps and funds from the sale thereof and signed bank receipts covering deposits of such funds shall be sent to the Third Assistant Postmaster General, who shall cause such accounts and receipts to be audited, and who shall after such audit has been completed, render in the name of the Postmaster General, a quarterly account current to the Comptroller General of the United States, on such form as he may approve covering the

Accounts.

receipt and disposition of all fees collected by the Post Office Department for migratory-bird hunting stamps. Said account current shall have as supporting vouchers the accounts received from the central accounting postmasters and their supporting subvouchers.

7. All postmasters and postal officials and employees shall be accountable under their official bond for all stamps and funds in their custody under this regulation.

8. All correspondence in connection with the issuance, distribution, and accounting of stamps and funds under this regulation shall be addressed to the Third Assistant Postmaster General, Division of Stamps.

UNITED STATES SAVINGS BONDS

United States Savings Bonds.
31 U. S. C.
757c, Supp. V.

158. The Secretary of the Treasury, with the approval of the President, is authorized to issue, from time to time, through the Postal Service, or otherwise, bonds of the United States to be known as "United States Savings Bonds." * * *

—no extra compensation.
31 U. S. C.
757c, Supp. V.

2. At the request of the Secretary of the Treasury the Postmaster General, under such regulations as he may prescribe, shall require the employees of the Post Office Department and of the Postal Service to perform, without extra compensation, such fiscal agency services as may be desirable and practicable in connection with the issue, delivery, safe-keeping, redemption, and payment of the Savings Bonds.

—denominations.

3. United States savings bonds, issued by the Secretary of the Treasury in denominations of \$25, \$50, \$100, \$500, and \$1,000, maturity value, and in registered form only, shall be offered for sale at post offices of the first, second, and third classes and at such branches, stations, and fourth-class offices as the Third Assistant Postmaster General shall select and designate for the purpose. Postmasters at designated savings-bond offices shall encourage the sale of savings bonds; they shall post conspicuously one or more placards calling the attention of the public to the advantages and availability of the bonds, shall keep on hand for discriminating distribution a supply of descriptive booklets, and shall maintain, at all times, an adequate supply of bonds for sale to the public. Requisitions for bonds (Form 911) shall be submitted by postmasters at first- and second-class offices to the Third Assistant Postmaster General, Division of Postal Savings, and by postmasters at third-class offices and designated offices of fourth class to their respective central savings-bond accounting postmasters. Postmasters will be held accountable for all savings bonds sent them.

—sale to be encouraged.

—where to send requisitions.

4. Central-accounting postmasters shall see that their district-accounting postmasters have on hand for sale an adequate supply of bonds to meet local demands. Bonds of the \$25, \$50, and \$100 denominations are furnished singly (unbound) and in books containing five bonds each. Bonds of the \$500 and \$1,000 denominations are furnished singly (unbound) and in books containing one bond each. Ordinarily, not more than one 5-bond book of each of the three lower denominations and one 1-bond book of the two higher denominations should be furnished district-accounting offices at one time. Shipments of bonds shall be accompanied by an invoice (Form 912), the instructions on which shall be carefully observed. Central-accounting postmasters shall maintain a record of all remittances and the date and serial number of the original registration stubs received from each district postmaster. The same procedure shall be followed with respect to bonds shipped to branches and stations.

—unbound and in books.

—record of bonds issued at district offices, branches and stations.

5. Purchasers of savings bonds shall apply on Form 920, on which shall be stated, by denominations, the number of bonds applied for, the amount of the purchase, and the name and address to be inscribed on the face of the bond. Postmasters will assist in the preparation of this form, being guided, with respect to the form of registration, by the instructions in Treasury Department Circular No. 530, Third Revision, or as later amended or revised.

Purchasers shall apply on Form 920.

6. In the issuance of bonds, postmasters shall strictly observe the instructions on the cover page of each book of bonds, reprinted in the Official Postal Guide. No erasures or alterations are authorized. When an error is made in inscribing on a bond the name and address of the owner and the month of issue and maturity, the bond shall be treated as spoiled and a new bond issued in its stead. (See paragraphs 8 and 9.) No attempt should be made to correct the error on the original bond. If a minor error is made in inscribing the original registration stub of an issued bond, and the inscription on the bond is correct (without alteration or correction), the error on the stub may be corrected; but, in such cases, the postmaster shall attach to the original stub a signed memorandum showing the corresponding inscription exactly as it appears on the bond and stating that no alteration or correction appears thereon. The name of a clerk, assistant postmaster, or other employee as "issuing agent" is not permissible. The postmaster is the "issuing agent" of all savings bonds issued at a post office. The official written or stamped signature shall appear on each stub, followed by the initials of the clerk or other employee actually issuing the bond. Postmasters are not authorized to receive any money from applicants for bonds unless the bonds are available for immediate delivery.

Instructions regarding issue.

Postmaster is issuing agent.

7. The provisions of sections 139 and 1409, Postal Laws and Regulations, defining what may be accepted for the purchase of money orders, shall be applicable to the purchase of savings bonds. Government checks may be accepted from responsible

What may be accepted in payment.

persons whose endorsement thereon the postmaster is willing to guarantee. Personal checks, cashier's checks, bank drafts, or other commercial paper may be accepted at the risk of the postmaster, but delivery of the bonds so purchased shall be withheld until the check or draft has cleared. Postmasters shall observe the procedure outlined in the article concerning the acceptance of checks in payment of savings bonds, printed in the Official Postal Guide. If any check or draft is presented at a post office for the purpose of purchasing savings bonds, and the postmaster is unwilling to accept responsibility therefor, the patron shall be courteously informed that the department does not require the general acceptance of checks, but that the Treasury Department will accept them, subject to collection, in the purchase of savings bonds applied for by mail. The patron should be given the prescribed mail-order application and special envelope for transmitting the application to the Treasury Department, and the postmaster shall lend all possible assistance in the preparation of the application form. Checks used in connection with such purchases should be in the exact amount of the bonds applied for. They should be drawn payable to the order of, or endorsed payable to, the Treasurer of the United States and should be forwarded by the purchaser, with the application properly completed, to the Treasurer of the United States, Treasury Building, Washington, D. C., or to any Federal Reserve bank.

Mail-order applications.

Reissue to correct error in inscription.

8. If it is conclusively proved that an error has been made in issuing a bond, and the error is discovered and the bond returned to the postmaster during the month of issue, the postmaster, on positive identification of the presenting party as the owner of the bond, shall treat the bond and registration stub as "spoiled" and issue a new bond in its stead. A direct-accounting postmaster shall forward the spoiled bond and the corresponding original registration stub to the department with the monthly report. A district-accounting postmaster shall forward the spoiled bond (and stub, if still in his possession) and a memorandum explaining the substitution with his next report on Form 914 to his central-accounting postmaster. In case of doubt, or if the error is brought to attention in a subsequent month, the postmaster shall report the facts to the Third Assistant Postmaster General, Division of Postal Savings, and await instructions. If the bond is issued strictly in accordance with the application, the postmaster shall courteously explain to the owner that the matter should be taken up direct with the Treasury Department, Division of Loans and Currency, Washington, D. C., and in all such cases the postmaster shall report the facts to the Third Assistant Postmaster General, Division of Postal Savings. Postmasters shall render any reasonable assistance to the owners.

Spoiled or damaged bonds.

9. Any bonds which may be spoiled or damaged before, or in the process of, issue shall be invalidated by writing the word "Spoiled" or "Damaged" and the name of the post office across the face of the bond and the original registration stub. Dis-

district postmasters shall forward spoiled or damaged bonds and the corresponding original registration stubs to the central-accounting postmaster for credit. Direct-accounting postmasters shall forward spoiled or damaged bonds and original stubs with monthly reports to the department. A suitable notation shall be made on the duplicate stub of the spoiled or damaged bond, showing the disposition made of the bond and original stub.

10. Each postmaster is accountable to the department under his official bond for all money received by him from the sale of United States savings bonds, in the same manner that he is accountable for any other money or property of the Government entrusted to his care as postmaster, and, in addition to the purchase price, he may be held accountable for the increase in value of savings bonds issued when deposits or remittances are not made promptly.

Accountability
of postmaster.

11. Postmasters at third- and fourth-class savings-bond offices and superintendents at savings-bond branches and stations shall prepare reports on Form 914 (Savings Bond Stock Report and Remittance Letter) for each day in which savings-bond business is transacted and promptly submit them, together with spoiled or canceled bonds, original stubs of sold bonds, and the proceeds of sales, to their respective central savings-bond accounting offices or main offices. If a remittance contains currency or coin, it must be registered and sent by the last authorized registered dispatch for the day. Postmasters may require the superintendents of branches and stations to submit "No business" reports on Form 914 for days, other than Sundays and holidays, when no savings-bond business is transacted. Where practicable, district-office remittances may be made by official check as provided in section 120; and at offices where this is the regular procedure, funds accumulated after banking hours may be held until the next day, unless the safeguarding facilities are inadequate, in which case a special registered remittance of accumulated funds shall be made if an authorized registered dispatch is available. However, any district-accounting postmaster in a town where there is a general depository for Government funds shall deposit his savings-bond receipts therein to the account of the Treasurer of the United States for credit of the Postmaster General, Savings Bond Account, following the procedure in paragraph 12 of this section; and shall send the duplicate copy of the certificate of deposit (Treasury Department Form 5500) with his report on Form 914. Central-accounting postmasters shall receipt for each remittance, using Form 913.

Disposition
of funds
by district-ac-
counting offices.

12. Direct-accounting postmasters shall promptly remit all funds received from the sale of savings bonds to their respective central-depository postmasters, using remittance letter, Form 914. Central-depository postmasters shall receipt on Form 913 for all remittances received from direct-accounting postmasters. However, any postmaster in a city where a Federal Reserve bank or branch Federal Reserve bank is located, or where there is a

Disposition
of funds by
direct-account-
ing offices.

general depository for Government funds, shall deposit savings-bond funds therein to the account of the Treasurer of the United States, for credit of the Postmaster General, United States savings-bond account, using the appropriate symbol number. Postmasters in such localities shall obtain, from the Division of Printing, Treasury Department, Washington, D. C., a supply of certificates of deposit (Treasury Department Form 5560) and prepare for each such deposit a receipt, in quadruplicate, for the signature of an officer of the bank. Central-depository postmasters shall deposit promptly all funds received from the sale of United States savings bonds and funds received from district- and direct-accounting postmasters, representing sales, with the local Federal Reserve bank, branch Federal Reserve bank, or general depository for Government funds. Both direct- and district-accounting postmasters shall carefully observe the instructions in the Official Postal Guide concerning the disposition to be made of savings-bond receipts.

Loss of bonds or funds.

13. The loss or destruction of savings bonds or funds shall be immediately reported to the inspector in charge of the division in which the office is located, as provided in section 443, Postal Laws and Regulations, and, in addition thereto, reports shall be immediately forwarded to the Third Assistant Postmaster General, Division of Postal Savings (to the central-accounting postmaster in the case of district offices), giving the serial numbers and denominations of the bonds lost or destroyed. The report shall show the date and manner of the loss or destruction and contain a certification of the postmaster to the effect that the bonds referred to have not been sold or issued by him, and that in case of their recovery at any future date they will be immediately returned to the department. See also sections 159 and 160, Postal Laws and Regulations.

Duplicate stubs and copies of remittance letters must be retained.

14. Postmasters shall retain permanently, or until otherwise instructed, the duplicate stubs of sold, spoiled, or damaged bonds and the duplicate copies of remittance letters, Form 914. Direct-accounting postmasters shall record on the retained copy of each remittance letter the serial numbers of all bonds sold and covered by the remittance.

Monthly reports of district accounting offices.

15. District postmasters shall prepare and forward to their respective central savings-bond accounting postmasters monthly United States savings-bond reports, on Form 904, immediately after the close of business on the last day of each month. This report shall be accompanied by an abstract (Form 905), in duplicate, showing the inclusive serial numbers of each denomination of bonds sold, spoiled, or damaged during the month covered by the report. If no business is transacted, a report on Form 904 shall be submitted showing the stock balances and the notation "No business transacted" written across the face of the cash account. A copy of the account current (Form 904) shall be retained by the district postmaster as an office record.

16. Direct-accounting postmasters shall prepare and forward to the Third Assistant Postmaster General, Division of Postal Savings, Washington, D. C., monthly United States savings-bond reports on Form 904 as soon as practicable after the close of the month for which the account is rendered. An abstract (Form 905), in duplicate, shall be prepared showing the quantity and serial numbers of all United States savings bonds sold, spoiled, or damaged during the month covered by the account. An individual abstract shall be submitted for each branch and station authorized to sell savings bonds. This abstract, together with the original registration stubs listed thereon and all spoiled or damaged bonds, shall be forwarded with the account current (Form 904) by ordinary mail, using special envelope (Form 907). These accounts and vouchers must not be forwarded by registered mail. A copy of the account current (Form 904) and of each abstract (Form 905) shall be retained as an office record.

Monthly reports of direct accounting offices.

17. The account current of a central-accounting postmaster shall include all bond stock held at branches, stations, and assigned district offices, and shall reflect all business transacted thereat. An individual abstract (Form 905), with supporting original registration stubs and spoiled or damaged bonds, shall, however, be submitted for each branch, station, and district office. In addition, central-depositary postmasters shall report on Form 919, by offices, listed alphabetically, remittances received from other first- and second-class post offices on account of the sale of United States savings bonds. The total of such remittances shall be appropriately debited in their accounts current. The report on Form 919 must be submitted as soon as possible after the close of each month, using special envelope (Form 908). It shall not be enclosed with the account current.

Account current of central savings-bond depositary to include business of district offices.

18. Direct-accounting and central-accounting postmasters shall prepare and forward in special envelope (Form 938) to the Third Assistant Postmaster General, Division of Postal Savings, a semi-monthly report of savings bonds sold (Form 937) in which shall be given, each transaction separately, the name and address of the owner, the number of bonds of each denomination purchased, and the total value thereof at sale price. The report shall be prepared in accordance with the instructions printed thereon and the inscriptions recorded shall be taken from the original registration stubs of sold bonds, previously reviewed for compliance with the regulations of the Treasury Department governing inscriptions. A brief notation shall be inserted immediately below the entry of each questionable inscription indicating what steps have been taken to correct the irregularity.

Statistical reports.

19. Postmasters generally will assist owners in arranging with Federal Reserve banks for the safekeeping of bonds, but shall not act as safekeeping agents. In this respect, postmasters will be guided by the instructions in Treasury Department Circular No. 530, Third Revision, or as later amended or revised.

Owners may send bonds to Federal Reserve banks for safekeeping.

20. United States savings bonds shall not be paid at any post office, but postmasters generally shall assist holders in securing payment at, or before, maturity. Any postmaster may certify

Responsibility of postmaster in certifying to request for payment.

to the request for payment on the back of a savings bond, provided he is positive that the person presenting the bond is the person whose name is inscribed on the face of the bond, and there is no evidence thereon of erasure or alteration. Registered owners of savings bonds who are unable to sign their names to requests for payment may sign by mark. In all such cases, however, the signatures shall be witnessed by at least one disinterested witness in addition to the certifying officer. The additional witness should place his signature and address to the right of the signature by mark. The postmaster shall require positive identification as he will be held fully responsible therefor. The postmaster shall advise the applicant for payment to forward the bond, the request for payment on the back thereof having been properly executed, to the Treasury Department, Division of Loans and Currency, Washington, D. C., or to any Federal Reserve bank. Savings bonds shall not be transmitted for payment as official matter, but shall be sent at the expense and risk of the owners, who should be encouraged to send the bonds by registered mail.

Who may
certify.

21. For purpose of certification, the personal signature of the postmaster, the acting postmaster, or the post-office inspector in charge of the post office is necessary; provided that, in offices of the first class, the assistant postmaster, superintendent of mails, postal cashier, superintendent of money orders, money-order cashier, assistant cashier, bookkeeper, foreman, or clerk temporarily in charge of the office may certify to the request for payment; provided further that, at any post office of the second or third class, the assistant postmaster, or clerk in charge if there is no assistant postmaster, may certify to the request for payment; and provided further that, at any classified branch or station, the superintendent, assistant superintendent, assistant cashier, bookkeeper, foreman, or clerk temporarily in charge of the branch or station may certify to the request for payment. If an official other than the postmaster, acting postmaster, or post-office inspector in charge of the post office certifies to the request for payment, he shall certify in the name and title of the postmaster, followed by his own signature and official title.

22. Detailed instructions relative to the United States savings bonds issued to, and sold through, the Postal Service and concerning accounting for the proceeds of such sales shall be issued by the Third Assistant Postmaster General, Division of Postal Savings.

CHAPTER 10

LOSSES OF FUNDS AND STAMPED PAPER

Postmaster General authorized to allow credit for certain losses.
39 U. S. C. 49

159. The Postmaster General may investigate all claims of postmasters, Navy mail clerks, and assistant Navy mail clerks for the loss of money-order funds, postal funds, postal-savings funds, postage stamps,

stamped envelopes, newspaper wrappers, postal cards, postal-savings cards, postal-savings stamps, postal-savings certificates, * * * internal-revenue stamps, Federal migratory bird hunting stamps, and funds received from the sale of such stamps belonging to the United States in the hands of such postmasters, Navy mail clerks, or assistant Navy mail clerks, and for the loss of key-deposit funds, funds deposited to cover postage on mailings, and funds received as deposits to cover orders for stamped envelopes, in the hands of such postmasters, Navy mail clerks, or assistant Navy mail clerks, and for losses of customs charges collected on dutiable mail articles occurring after April 1, 1924, resulting from burglary, fire, or other unavoidable casualty, and for the loss occurring after April 1, 1924, by bank failure of any such funds deposited in National or State banks, and if he shall determine that such loss resulted from no fault or negligence on the part of such postmasters, Navy mail clerks, or assistant Navy mail clerks, may pay to such postmasters, Navy mail clerks, or assistant Navy mail clerks, or credit them with the amount so ascertained to have been lost or destroyed, and may also credit postmasters, Navy mail clerks, or assistant Navy mail clerks with the amount of any remittance of money-order funds, postal funds, postal-savings funds, funds received from the sale of * * * Federal migratory bird hunting stamps, and internal-revenue stamps, or other public 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, Navy mail clerk, or assistant Navy mail clerk, to the office designated as his depository, or after arrival at such depository office and before the postmaster at such depository office has become responsible therefor, or to the postmaster at any other post office, or to the proper customs officer in the case of customs charges collected, and authorized shipments of postage and other stamp stock lost while in transit by mail from one postmaster, Navy mail clerk, or assistant Navy mail clerk to another postmaster, Navy mail clerk, or assistant Navy mail clerk, or to or from the Post Office Department, and such funds remitted after April 1, 1924, in compliance with instruc-

tions of the Postmaster General in the form of drafts or checks which have been returned unpaid or dishonored by reason of the closing of the banks issuing such drafts or checks: *Provided*, That in all cases of bank failure the postmaster shall first file with the receiver of the insolvent bank a claim for the full amount of the funds involved and assign such claim to the Postmaster General, who shall receive all dividends accruing in any such case. No claim exceeding the sum of \$10,000 shall be paid or credited until after the facts shall have been ascertained by the Postmaster General, and an appropriation made therefor. All such claims must be presented within six months from the time the loss occurred.

See sec. 1531 as to unadjusted claims upon change of postmasters.

Government evidences of indebtedness held by Post Office Department or Postal Service while agent for Treasury Department.
5 U. S. C. 134b-1, Supp. V.

2. All losses or destruction of, or damage to, internal revenue or other stamps, United States securities, or other obligations of the United States, and funds, occurring heretofore or hereafter, but not prior to February 4, 1935, while such stamps, securities, obligations, or funds were in the custody or possession of, or charged to, the Post Office Department or Postal Service while it was acting as agent for, or on behalf of, the Treasury Department for the sale of such stamps, securities, or obligations and for the collection of such funds, irrespective of the manner in which such loss, destruction, or damage occurred, shall be replaced out of the fund under such regulations as the Secretary of the Treasury may prescribe: *Provided, however*, That no postmaster, Navy mail clerk, or assistant Navy mail clerk having the custody or possession of such stamps, securities, obligations, or funds at the time of the loss, destruction, or damage shall be relieved of any liability to the United States or receive credit in his accounts for such loss, destruction, or damage under the provisions of the Act of March 17, 1882, as amended (U. S. C., 1934 edition, title 39, sec. 49), until the Postmaster General and the Secretary of the Treasury have jointly determined that such loss, destruction, or damage resulted from no fault or negligence on the part of such postmaster, Navy mail clerk, or assistant Navy mail clerk.

160. At direct-accounting or central-accounting offices all claims for credit on account of losses by burglary, fire, or other unavoidable casualty, and correspondence concerning the same shall be addressed to the Solicitor for the Post Office Department, who shall furnish the necessary blanks for making such claims.

Claims for credit.

—correspondence and blanks.

See sec. 443 as to reporting losses by burglary, fire, or other unavoidable casualty.

2. In case the value of stamps or other stamped paper damaged by fire or other unavoidable casualty cannot be ascertained the damaged supplies shall be sent as provided in section 155 to the Third Assistant Postmaster General, Division of Stamps, who shall determine their value, if possible, and notify the postmaster and the Solicitor.

—stamps, etc. damaged.

—to be sent to Third Assistant Postmaster General.

3. Immediately after a fire, burglary, or other similar casualty the postmaster shall count all Government funds, postage stamps, and other stamped paper remaining in his possession and make and keep a complete inventory of the same.

Inventory after casualty.

4. At a district office the postmaster should promptly notify the central-accounting postmaster of the particulars of the loss and the amounts of both stamp stock and cash lost, rendering separate reports for each. He should file his claim with the Solicitor and the inspector in charge shall also be notified. The central-accounting postmaster shall promptly forward to the district postmaster stamp stock and cash equal to the amount of the loss. The district postmaster shall sign an "emergency claim pending receipt" to cover the amount furnished, which receipt shall include the certificate acknowledging his accountability for the additional stamps and cash furnished him, and agreeing to account for them in cash or stamps to the central-accounting postmaster if his claim is subsequently disallowed by the Postmaster General.

Losses at district offices.

CHAPTER 11

GOVERNMENT TELEGRAMS

161. 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 Federal Communications Commission 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.

Rates for Government telegrams over lines given certain privileges.
47 U. S. C. 3.



TITLE TWO
ESTIMATES, APPROPRIATIONS, DISBURSEMENTS, AND
ACCOUNTS

CHAPTER 1

ESTIMATES

201. The President shall transmit to Congress on the first day of each regular session, the Budget, which shall set forth in summary and in detail: * * * Estimates of the expenditures and appropriations necessary in his judgment for the support of the Government for the ensuing fiscal year; except that the estimates for such year for the legislative branch of the Government and the Supreme Court of the United States shall be transmitted to the President on or before October 15 of each year, and shall be included by him in the Budget without revision; * * *.

The Budget to be transmitted to Congress.
31 U. S. C. 11.

Details of estimates.

202. The President from time to time may transmit to Congress supplemental or deficiency estimates for such appropriations or expenditures as in his judgment (1) are necessary on account of laws enacted after the transmission of the Budget, or (2) are otherwise in the public interest. He shall accompany such estimates with a statement of the reasons therefor, including the reasons for their omission from the Budget.

Supplemental or deficiency estimates.
31 U. S. C. 14.

203. Except as otherwise provided in chapter 1 of this title, the contents, order, and arrangement of the estimates of appropriations and the statements of expenditures and estimated expenditures contained in the Budget or transmitted under section 14 of this title, and the notes and other data submitted therewith, shall conform to the requirements of this chapter and any other applicable laws. (See sec. 231.)

Estimates and statements to conform to existing law.
31 U. S. C. 581.

2. Estimates for lump-sum appropriations contained in the Budget or transmitted under section 14 of this title shall be accompanied by statements showing, in such de-

Estimates for lump-sum-appropriations.

tail and form as may be necessary to inform Congress, the manner of expenditure of such appropriations and of the corresponding appropriations for the fiscal year in progress and the last completed fiscal year. Such statements shall be in lieu of statements of like character otherwise required by law.

Departmental officers or employees not to submit to Congress estimate or request for an appropriation.
31 U. S. C. 15.

—exception.

Budget officer to be designated by each department.
31 U. S. C. 22.

—duties.

Estimates to be revised by head of each department.
31 U. S. C. 23.

President to prescribe manner of preparation and submission of estimates to Bureau.
31 U. S. C. 24.

204. No estimate or request for an appropriation and no request for an increase in an item of any such estimate or request, and no recommendation as to how the revenue needs of the Government should be met, shall be submitted to Congress or any committee thereof by any officer or employee of any department or establishment, unless at the request of either House of Congress.

205. The head of each department and establishment shall designate an official thereof as Budget officer therefor, who, in each year under his direction and on or before a date fixed by him, shall prepare the departmental estimates.

2. Such budget officer shall also prepare, under the direction of the head of the department or establishment, such supplemental and deficiency estimates as may be required for its work.

206. The head of each department and establishment shall revise the departmental estimates and submit them to the bureau on or before September 15 of each year. In case of his failure so to do, the President shall cause to be prepared such estimates and data as are necessary to enable him to include in the Budget estimates and statements in respect to the work of such department or establishment.

207. The departmental estimates and any supplemental or deficiency estimates submitted to the bureau by the head of any department or establishment shall be prepared and submitted in such form, manner, and detail as the President may prescribe.

CHAPTER 2

APPROPRIATIONS

Restriction as to withdrawal of money from Treasury.
Constitution, art. 1, sec. 9.

208. No money shall be drawn from the Treasury, but in consequence of appropriations made by law; and a regular statement and account of the receipts and ex-

penditures of all public money shall be published from time to time.

209. The money required for the Postal Service in each year shall be appropriated by law out of the revenues of the service except as otherwise provided by law.

Appropriations
out of revenues.
39 U. S. C. 786.

NOTE.—The money required by the Post Office Department as well as the postal service in the fiscal year 1923 and subsequent fiscal years has been appropriated out of the revenues of the service. Postal appropriation acts have contained provisions that if the revenues were insufficient to meet the appropriations, a sum equal to such deficiency was appropriated out of the money in the Treasury not otherwise appropriated.

Note.

210. No act of Congress shall be construed to make an appropriation out of the Treasury of the United States, or to authorize the execution of a contract involving the payment of money in excess of appropriations made by law, unless such Act shall in specific terms declare an appropriation to be made or that a contract may be executed.

Restriction on
construction of
acts of Congress
with respect to
appropriations,
etc.
31 U. S. C. 627.

211. The total amount appropriated in the various paragraphs of an appropriation Act shall be determined by the correct footing up of the specific sums or rates appropriated in each paragraph contained therein unless otherwise expressly provided.

Footing of para-
graphs to deter-
mine amount
appropriated.
31 U. S. C. 670.

212. Except as otherwise provided by law, 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.

Balances of ap-
propriations.
31 U. S. C. 712.
—to be used for
payment of obli-
gations incurred
during year.

—carried to
surplus fund.

2. Hereafter, in making payments for commodities or services the quantity of which is determined by metered readings, such as gas, electricity, water, steam, and the like, and for telephone services, where the period covered by the charge begins in one fiscal year or allotment period and ends in another, the entire amount of the payment may be regarded as a charge against the appropriation or allotment current at the end of such period. (See sec. 243.)

Payments
based on me-
tered readings.
31 U. S. C. 668a
Supp. V.

213. After the 1st day of July, in each year, the Secretary of the Treasury shall cause all unexpended

Unexpended
balances of
appropriations.
31 U. S. C. 713.

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.

Claims under exhausted and unavailable appropriations. 31 U. S. C. 714.

—rejected, not to be reopened, except.

2. It shall be the duty of the General Accounting Office 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 section 713 of this title that may be brought before them within a period of five years. * * * *Provided*, That nothing in this section shall be construed to authorize the reexamination and payment of any claim or account which has been once examined and rejected, unless reopened in accordance with existing law.

CHAPTER 3

DISBURSEMENTS AND ACCOUNTS

RESTRICTIONS ON EXPENDITURES

Appropriations to be expended only for objects specified. 31 U. S. C. 628.

Contingent fund. —not to be expended for clerical services. 31 U. S. C. 674.

—written order for expenditures from. 31 U. S. C. 675.

Expenditures in excess of appropriations forbidden. 31 U. S. C. 665.

214. Except as otherwise provided by law, 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.

2. No moneys appropriated for contingent, incidental, or miscellaneous purposes shall be expended or paid for official or clerical compensation.

3. Except as otherwise provided 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.

4. No executive department or other Government establishment of the United States 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 or other obligation for the future payment of money in excess of such appropriations unless such contract or obligation is authorized by law.

Nor shall any department or any officer of the Government 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. All appropriations made for contingent expenses or other general purposes, except appropriations made in fulfillment of contract obligations expressly authorized by law, or for objects required or authorized by law without reference to the amounts annually appropriated therefor, shall, on or before the beginning of each fiscal year, be so apportioned by monthly or other allotments as to prevent expenditures in one portion of the year which may necessitate deficiency or additional appropriations to complete the service of the fiscal year for which said appropriations are made; and all such apportionments shall be adhered to and shall not be waived or modified except upon the happening of some extraordinary emergency or unusual circumstance which could not be anticipated at the time of making such apportionment, but this provision shall not apply to the contingent appropriations of the Senate or House of Representatives; and in case said apportionments are waived or modified as herein provided, the same shall be waived or modified in writing by the head of such executive department or other Government establishment having control of the expenditure, and the reasons therefor shall be fully set forth in each particular case and communicated to Congress in connection with estimates for any additional appropriations required on account thereof. Any person violating any provision of this section shall be summarily removed from office and may also be punished by a fine of not less than one hundred dollars or by imprisonment for not less than one month.

Voluntary service.

Allotments to prevent deficiencies.

Exceptions in emergencies.

Appropriations for Congress.

Written orders required.

Penalty for violations.

Annual apportionment of contingent fund.
31 U. S. C. 669.

5. In addition to the apportionment required by section 665, of this title, the head of each executive department shall, on or before the beginning of each fiscal year, apportion to each office or bureau of his department the maximum amount to be expended therefor during the fiscal year out of the contingent fund or funds appropriated for the entire year for the department, and the amounts so apportioned shall not be increased or diminished during the year for which made except upon the

written direction of the head of the department, in which there shall be fully expressed his reasons therefor; and there shall not be purchased out of any other fund any article for use in any office or bureau of any executive department in Washington, District of Columbia, which could be purchased out of the appropriations made for the regular contingent funds of such department or of its offices or bureaus.

Restriction on printing books by departments.
44 U. S. C. 219.

6. No book or document not having to do with the ordinary business transactions of the executive departments shall be printed on the requisition of any executive department or unless the same shall have been expressly authorized by Congress.

Restriction on illustrations, etc.
44 U. S. C. 118.

7. No part of the appropriations made for printing and binding shall be used for any illustration, engraving, or photograph in any document or report ordered printed by Congress unless the order to print expressly authorizes the same, nor in any document or report of any executive department or other Government establishment until the head of the executive department or Government establishment shall certify in a letter transmitting such report that the illustration is necessary and relates entirely to the transaction of public business.

Private telephone service or tolls.
31 U. S. C. 679.

8. Except as otherwise provided by law, no money appropriated by any Act shall be expended for telephone service installed in any private residence or private apartment or for tolls or other charges for telephone service from private residences or private apartments, except for long-distance telephone tolls required strictly for the public business, and so shown by vouchers duly sworn to and approved by the head of the department, division, bureau, or office in which the official using such telephone or incurring the expense of such tolls shall be employed.

Publications for public distribution.
44 U. S. C. 95.

9. No money appropriated by any Act shall be used for services in any executive department or other Government establishment at Washington, District of Columbia, in the work of addressing, wrapping, mailing, or otherwise dispatching any publication for public distribution, except maps, weather reports, and weather cards issued by an executive department or other Government establishment at Washington, District of Columbia, or for the purchase of material or supplies to be used in

—preparation for mailing.

such work; and it shall be the duty of the Public Printer to perform such work at the Government Printing Office. Each head of such executive department and other Government establishment at Washington, District of Columbia, shall furnish from time to time to the Public Printer mailing lists, in convenient form, and changes therein, or franked slips, for use in the public distribution of publications issued by such department or establishment; and the Public Printer shall furnish copies of any publication only in accordance with the provisions of law or the instruction of the head of the department or establishment issuing the publication. Nothing in this section shall be construed as applying to orders, instructions, directions, notices, or circulars of information printed for and issued by any of the executive departments or other Government establishments or to the distribution of public documents by Senators or Members of the House of Representatives or to the folding rooms and documents rooms of the Senate or House of Representatives.

Duty of Public Printer.

Departmental orders not included.

215. No money appropriated by any Act shall be expended for membership fees or dues of any officer or employee of the United States or of the District of Columbia in any society or association or for expenses of attendance of any person at any meeting or convention of members of any society or association, unless such fees, dues, or expenses are authorized to be paid by specific appropriations for such purposes or are provided for in express terms in some general appropriation.

Restriction as to membership fees in associations or for expenses in attending conventions.
5 U. S. C. 83.

216. Except as otherwise provided by law, no advance of public money shall be made in any case. 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. (See sec. 231.)

Payments not to be made in advance.
31 U. S. C. 529.
—nor to exceed value of articles, etc.

Advances may be made to disbursing officers, when.

2. Subscriptions to periodicals, which have been certified in writing by the respective heads of the executive

Subscriptions to periodicals.
31 U. S. C. 530.

departments or other Government establishments to be required for official use, to be paid from appropriations available therefor, may be paid in advance.

Extra compensation.
—as acting officer forbidden.
5 U. S. C. 69.

—for extra services forbidden, unless.

—for performing duties during vacancy forbidden.
5 U. S. C. 9.

Note.

Extra compensation or perquisites forbidden.
5 U. S. C. 71.

—for disbursements and extra services.
5 U. S. C. 70.

—unless.

Note.

Lump-sum appropriations not available for payment of increased salaries.
31 U. S. C. 629.

217. 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.

2. An officer performing the duties of another office, during a vacancy, as authorized by sections 4, 5, and 6 of this title, is not by reason thereof entitled to any other compensation than that attached to his proper office.

NOTE.—These laws overlap, but both are quoted for reference. See sec. 38 as to holding two offices, and sec. 218 as to similar provisions applicable to the departmental and postal service alike.

218. No civil officer of the Government shall 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.

2. 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.

NOTE.—These laws overlap somewhat, but they are both quoted for purposes of reference. They are applicable to the departmental and postal service alike; but see sec. 217 for similar provisions applicable solely to the department. See sec. 38 as to holding two offices.

See sec. 308, relating to withholding payment on judgment or claim against the United States where the person in whose favor the judgment was rendered or claimant is indebted to the Government; and as to withholding salary where officer or employee is in arrears to the United States.

219. Except as otherwise provided by law, no part of any money appropriated in lump sum shall be available for the payment of personal services at a rate of compensation in excess of that paid for the same or similar services during the preceding fiscal year; nor shall any person employed at a specific salary be transferred and paid from a lump-sum appropriation a rate of compensation greater than such specific salary, and the heads of departments shall cause this provision to be enforced:

Provided, That this section shall not apply to mechanics, artisans, their helpers and assistants, laborers, or any other employees whose duties are of similar character and required in carrying on the various manufacturing or constructing operations of the Government.

Mechanics, etc.,
excepted.

220. Law books, books of reference, and periodicals for use of any Executive Department, or other Government establishment not under an Executive Department, at the seat of Government, shall not be purchased or paid for from any appropriation made for contingent expenses or for any specific or general purpose unless such purchase is authorized and payment therefor specifically provided in the law granting the appropriation.

Restrictions on
purchases of
books, etc., from
appropriations
for contingent
expenses.
31 U. S. C. 678.

221. The appropriations for 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 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 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."

Restrictions on
expenditures of
appropriations
for contingent
expenses of the
Post Office De-
partment.
31 U. S. C. 677.

222. No department or other Government establishment shall dispose of any typewriting machines by sale, exchange, or as part payment for another typewriter, that has been used less than three years.

Restrictions as
to disposal of
typewriting ma-
chines.
41 U. S. C. 27.

POST OFFICE DEPARTMENT DISBURSEMENTS

223. The Disbursing Clerk shall prepare his accounts monthly and submit the same to the Postmaster General for examination and transmission to the General Accounting Office.

Accounts of dis-
bursing clerk.
—to be pre-
pared monthly.

2. The Disbursing Clerk shall deposit semimonthly in the Treasury to the credit of the "Service of the Post Office Department on account of Miscellaneous Receipts" all moneys realized from the sales of Post Route and Rural Delivery Maps, and render a monthly account thereof accompanied with a certified copy of the monthly statement of orders forwarded to the Fourth Assistant Postmaster General, Division of Topography.

3. The accounts of the Disbursing Clerk shall be made in duplicate, and one copy filed in his office.

—in duplicate.

Monthly report of disbursing clerk.

224. The Disbursing Clerk shall make a report to the Postmaster General at the close of each month showing the fiscal transactions of his office for the respective month, which shall include a statement of the amounts received from the sale of Post Route and Rural Delivery Maps and from all other sources, the amounts disbursed for salaries and for other purposes, the amount deposited with the Treasurer of the United States, the balance on deposit with the Treasurer of the United States subject to check, and the amount of cash on hand at the close of the month.

—details.

Examination of accounts of Disbursing Clerk.

2. At the close of each month a committee of three, appointed by the Postmaster General, shall examine the accounts of the Disbursing Clerk, count the cash on hand, verify the balances on hand and subject to check at the close of business on the last day of the month, and shall certify the result of their examination in writing to the Postmaster General.

Salary requisitions on Treasury.

225. Requisitions for advances of funds from the Treasury, or from the postal revenues, for salaries and other expenses shall be made and presented at such time and in such amounts only as may be necessary to meet the semimonthly salary payments and such other expenditures as may be authorized. The Disbursing Clerk shall prepare and forward to the Comptroller, Bureau of Accounts, monthly, a statement showing all expenditures made by him chargeable to the several appropriations.

Monthly statements of expenditures.

Disbursements of salaries.—certification of pay rolls.

226. All salaries shall be paid upon semimonthly pay rolls, which shall first be submitted to the Chief Clerk, who shall certify before payment is made that the names and salaries as therein stated are correct as shown by the records in his office, and that the amounts are severally due to the respective persons named.

See sec. 214 as to limitations on expenditures.

Payments (except salaries) by check.

2. Payments for all sums of \$10 and upward (except salaries and travel allowances) shall be made by the check of the Disbursing Clerk on the Treasurer of the United States, and the appropriation from which the payment is made shall be stated on the check.

Post-route maps. 39 U. S. C. 805.

227. The Postmaster General may authorize the sale to the public of post-route maps and rural-delivery maps or blue prints at the cost of printing and ten per centum thereof added.

Note.

NOTE.—The provision relating to the sale of post-route and rural-delivery maps has been repeated in appropriation acts for several years past. See Official Postal Guide for information as to the distribution of maps.

2. Application for the purchase of Post Route and Rural Delivery Maps and payment therefor shall be made to the Disbursing Clerk, who shall draw an order on the Fourth Assistant Postmaster General, Division of Topography, for them.

—prepared by department.

3. Post-route, rural-delivery county, and local-center maps shall be prepared by and printed under the supervision of the Topographer, Division of Topography, of the Post Office Department.

The maps shall not bear the name or any imprint of the contractor doing the printing.

4. The Fourth Assistant Postmaster General, Division of Topography, shall issue all post-route, rural-delivery county, and local-center maps sold through the Disbursing Clerk, on the written order of the latter.

—when sold to be on order Disbursing Clerk.

5. The Topographer shall issue all maps to the offices of the service entitled thereto upon their request, and to all other persons entitled.

Postal service and all others entitled.

6. The Fourth Assistant Postmaster General, Equipment and Supplies Branch, shall issue parcel-post zone keys to be used in connection with the Official Postal Guide to offices of the service, and to the public upon request.

Zone keys.

7. The Fourth Assistant Postmaster General, Division of Topography, at the end of each month shall make a statement of all orders received from the Disbursing Clerk, and forward a copy to the Disbursing Clerk and one to the General Accounting Office, and retain a copy in his office.

—account of sales.

See secs. 81 and 85 as to contract for printing post-route maps.

POSTAL SERVICE DISBURSEMENTS

228. The revenues shall be applied to the maintenance of the postal service. Disbursements shall be made either—

Disbursements. —how made.

(a) By warrants drawn upon the Treasurer of the United States, countersigned by the Comptroller General. (See sec. 229.)

—by warrant.

(b) By postmasters retaining out of the receipts of the post office their salaries, and such amounts as may be allowed by order of the Post Office Department for clerk hire, the maintenance of the office, and other authorized expenses of the postal service. (See sec. 235.)

—by postmasters out of receipts.

(c) By payments by certain postmasters designated as disbursing officers, of such sums as may be ordered by the Post Office Department to be paid its creditors and postal employees. (See sec. 235.)

—by postmasters as disbursing officers.

(d) No disbursements shall be made without authority from the Post Office Department.

—restrictions on.

229. 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 in the General Accounting Office, and expressing on their face the appropriation to which they should be charged.

Payments by warrants. 31 U. S. C. 632.

—how drawn.

—to show appropriation.

230. The Postmaster General may from time to time designate any officer in the Post Office Department and employees in the office of the Third Assistant Postmaster General to sign warrants, collection and transfer drafts in his stead, and such warrants and drafts when so signed shall be of the same validity as if signed by the Postmaster General.

Designation of officers to sign warrants. 5 U. S. C. 382.

—Third Assistant Postmaster General to sign.

Superintendent, Division of Finance.

—other officer or employee, when.

Payments to be on certificate of General Accounting Office.

39 U. S. C. 787. Advances to post-office inspectors.

—other agents.
—how accounted for.

Stolen money or property received at department.
39 U. S. C. 790.

Moneys recovered.

—transmittal to department.

—restoration to owners.

2. The Third Assistant Postmaster General, or whoever is acting in his stead, shall sign all warrants and "transfer" drafts on account of the postal service: *Provided*, That in the discretion of the Third Assistant Postmaster General such warrants and "transfer" drafts may be signed by the Deputy Third Assistant Postmaster General, the Superintendent, Division of Finance, or any other officer or employee in the office of the Third Assistant Postmaster General who may be designated by the Postmaster General.

231. 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 General Accounting Office; but advances of necessary sums to defray expenses may be made by the Postmaster General to post-office inspectors employed to investigate mail depredations, examine post routes and offices, and on other like services, to be charged to them by the General Accounting Office, and to be accounted for in the settlement of their accounts. (See sec. 216.)

See sec. 235 as to payments by postmasters for expenses of their offices and as disbursing agents.

232. 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.

233. All moneys received from mail robbers or other offenders against the postal laws, and moneys recovered by suit, or otherwise, on account of moneys taken from the mail or losses therein, shall be forwarded at once to the Chief Inspector, who shall deposit the same daily with the Superintendent, Division of Finance, office of the Third Assistant Postmaster General.

2. The Chief Inspector shall determine, upon satisfactory evidence, the proper persons or owners to whom the moneys shall be restored, and the Superintendent, Division of Finance, office of the Third Assistant Postmaster General, shall make payments in accordance with the schedule furnished and approved by the Chief Inspector.

3. When any money, either coin, currency, or negotiable paper, is received at the Post Office Department, a list shall be prepared by the bureau or office to which it pertains on Form 1044 in triplicate, the lists to be numbered consecutively through each fiscal year commencing with No. 1 on July 1 of each year, and transmitted with the funds to the Superintendent of the Division of Finance. The form shall show the name of the bureau or office, date funds were received, case number, name of remitter, purpose and fund to be credited whenever possible, and amount, except those from the office of the Chief Inspector, which shall have at-

tached statements on Form 550 submitted by the inspectors in charge and shall show a summary of the classes of funds and the amount of each. The superintendent shall verify the amount received with the amount as shown on the schedule, sign the triplicate as the receipt to the bureau or office, and retain the original and duplicate. At the close of each month the superintendent shall total the original schedules by bureaus or offices and enter the amount on Form 1045 prepared in triplicate. The amount of uncollectible checks, if any, shall be entered in the space provided for that purpose on the form. This form properly filled out shall be sent to each bureau or office from which funds are received whether any funds were received during the month or not. Each bureau or office shall have the amounts as stated on Form 1045 verified with their records, and if the amounts agree the triplicate shall be retained and the original and duplicate signed and returned to the Superintendent, Division of Finance.

234. Upon the certified quarterly statement by the General Accounting Office 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 General Accounting Office. (See sec. 235.)

Payments by
postmasters.
5 U. S. C. 379.

—to be charged
to appropri-
ations.

235. (The Postmaster General) may designate postmasters at money-order post offices as disbursing officers for the payment of the salaries of officers and employees of the Postal Service, and for such other payments as postmasters are authorized to make from postal revenues.

Designation of
postmasters as
disbursing offi-
cers.
39 U. S. C. 50.

2. 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.

Deduction of
salaries and
expenses from
receipts of
post offices.
39 U. S. C. 65.

3. All postmasters at offices of the first, second, and third classes, and at money-order offices, shall act as disbursing postmasters for the payment of the salaries of such officers and employees of the postal service and of such other amounts as may be specifically authorized by the Post Office Department.

—postmasters
at first, second,
and third class
and at all
money-order
offices desig-
nated.

NOTE.—The payments made by a postmaster for the regular expenses of his office are made in his capacity as postmaster, but in making expenditures of the character above referred to, which do not relate to the business of his office, he acts as disbursing officer under the above authority. Postmasters are liable on their official bonds for such disbursements. (See sec. 410.)

Note.

See sec. 218, prohibiting extra compensation for disbursements; sec. 238 as to payment of salaries and travel allowances to officials and employees of the Railway Mail Service.

236. Payments shall be made regularly in cash, but postmasters who maintain temporary deposits in national banks, State banks,

Payments by
check.

—when may be made.

Checks, how drawn.

Form of check.

Pay sheets of employees at first and second class offices.

—how made.

—not to be signed, when.

—to be signed, when.

Payments, when made.

Substitutes, auxiliary or temporary clerk, receipts from.

Overpayments or underpayments corrected.

or trust companies, as provided in section 120, may make payment of the expenditures of their offices by means of checks drawn upon such banks, whenever it can be done without expense to the Post Office Department.

2. The regular forms of checks issued by the bank where the deposit is maintained may be used. The signature of the postmaster shall always be followed by his official title.

3. Postmasters who have been authorized and specially instructed by the Third Assistant Postmaster General, Division of Finance, shall pay salaries of employees by checks drawn on the Treasurer of the United States.

237. At offices of the first and second classes the service and pay record of each employee shall be kept on the forms prescribed therefor by the department. At offices where the gross receipts are \$600,000 or more per annum, the postmasters shall pay the salaries of assistant postmasters, supervisors, clerks, carriers, laborers, watchmen, messengers, and motor-vehicle employees and substitute employees by checks drawn on the Treasurer of the United States, and the pay vouchers or pay roll shall not be signed by the employees, but in lieu thereof the pay check numbers shall be entered in the spaces provided therefor. At all other offices of the first and second classes the pay vouchers shall be signed by the employees, the names and signatures to correspond. The service and pay record sheets shall be so kept as to show all information called for thereon and shall be completely made out before the pay voucher is signed by the employee or check issued. If a regular employee is absent, that fact shall be shown on the service and pay record.

2. Payments shall be made in full semimonthly on the first and sixteenth days of each month, except February, when the mid-month payment shall be made on the fifteenth instead of the sixteenth, but in no case shall regular payments, or emergency payments made in advance of these dates, be in excess of the amount of salary or compensation actually earned.

3. When a substitute is employed in place of a regular employee absent for any cause, he shall be paid at the hourly rate fixed by law and the check number entered on the substitute pay voucher or pay roll in the space provided therefor or receipt taken thereon in accordance with the provisions of paragraph 1 of this section.

4. Overpayments or underpayments, which can be corrected within the quarter in which they occur, shall be made by decreasing or increasing the amount of the next payment. Star (*) the incorrect entry and explain in footnote or on reverse side of the pay voucher as “*Overpaid 75¢, deducted from July 31st payment.” Also star the correcting entry and explain as “*Deducted 75¢ to correct July 15th payment.” When an overpayment is made which is not discovered until after all the payments for the quarter have been made, the amount shall be collected at once, charged in the next postal account with a suitable explanation, and the matter reported to the General Accounting

Office, Post Office Department Division, which will include the item in the next statement of differences. In the case of an underpayment discovered after the close of the quarter, an additional payment of the amount due shall be made by check or in cash and a separate pay voucher prepared to accompany the account in which credit is claimed, or in the case of semimonthly pay rolls, entry shall be made on the next pay roll with a suitable explanation.

238. Payment of salaries and travel allowances to all officials and employees of the respective divisions of the Railway Mail Service shall be made by postmasters at division headquarters of that service by check drawn on the Treasurer of the United States upon semimonthly certifications by division superintendents, Railway Mail Service.

2. District chief clerks of the Railway Mail Service shall, on, or just before the 15th and last day of the month, make semimonthly report to their division superintendents certifying the amounts to be deducted from the salaries and travel allowances of regular clerks, and the amounts of salaries and travel allowances due surplus, unassigned, and substitute clerks for service actually performed, computed in accordance with the department's salary and travel allowance tables. Division superintendents shall submit the semimonthly pay sheets, showing the names of the employees and the amounts to be paid, to paying postmasters on the 1st and 16th day of the month, or on the following day when the 1st or 16th day falls on a Sunday or a holiday.

3. Overpayments and underpayments to employees shall be adjusted by division superintendents in subsequent semimonthly pay rolls. When an overpayment has been made that cannot be adjusted within the quarter in which the service was performed, the division superintendent shall make collection from the employee involved and furnish a receipt therefor. The amount should be turned over to the disbursing postmaster and a receipt obtained from him. The disbursing postmaster should charge this amount in his next postal account with a suitable explanation. In cases where division superintendents call upon employees for a refund covering overpayment and such refund cannot be collected, the matter shall be reported to the General Superintendent, Railway Mail Service, for reference to the chief inspector for collection of the amount overpaid. In case of death of an employee before payment is certified and check issued, an application for balance of salary due the estate of the deceased employee shall be made on Form 1055 and forwarded to the General Superintendent, Railway Mail Service, for reference to the General Accounting Office, and instructions awaited before certifying payment. The application shall be executed by the next of kin or legal representative, and if the estate is under administration, a certificate of the court shall be attached to Form 1055. When death of an employee occurs after check is issued

Salaries of officers and clerks of the Railway Mail Service.

—payments to be made by postmaster's check.

District chief clerks to certify amounts to be deducted.

Division superintendents to submit pay sheets to postmasters semimonthly.

Overpayments and underpayments to be adjusted by superintendents.

Procedure in case of death.

but before it is cashed the unpaid check shall accompany the application. (See sec. 242.)

Use of address-
ograph.

4. The names of all employees on the semimonthly pay sheets shall be entered by division superintendents with an addressograph machine, which shall be in the custody of the postmaster.

Method of entering amounts.

5. Postmasters who are required to pay the salaries of Railway Mail Service or other postal employees by checks shall cause the amounts and other particulars of such checks to be filled therein with pen and ink, or on typewriting machines, printing presses, or addressing machines, including signagraph machines.

Use of signa-
graph.

Record of pay-
ment.

6. Postmasters shall enter on the semimonthly pay sheets the number of the check opposite the employee's name and shall retain such sheets in their offices in lieu of check stubs. No other records of amounts paid shall be kept.

Use of window envelopes.

When checks mailed.

7. Checks shall be mailed in window envelopes in accordance with the addresses furnished by the division superintendent and within 24 hours, exclusive of Sundays and holidays, after receipt of pay sheets from the division superintendent: *Provided, however,* That where division superintendents make request therefor, postmasters may turn checks over to them for distribution to clerks.

Sufficient balance to be kept on deposit.

8. Postmasters shall keep on deposit with the Treasurer of the United States funds sufficient to meet the checks drawn in payment of salaries and travel allowances. The deposits with the Treasurer shall be made through Federal Reserve banks or branches of Federal Reserve banks, accompanied with certificates of deposit in triplicate on Treasury Form 6599. The bank will send the original certificate to the Treasurer of the United States to be placed to the credit of the depositing postmaster and return the duplicate to the depositor.

Payments in Alaska, Hawaii, and Puerto Rico.

9. Payments to Railway Mail Service employees by postmasters in Alaska, Puerto Rico, and Hawaii shall be made in cash.

Procedure in case of resignation, transfer, suspension, or removal.

10. On the resignation, transfer, suspension, or removal of a railway postal clerk final settlement shall be deferred until all mail keys, records, and other property of the department have been turned over to the chief clerk or division superintendent, and in the case of removal final payment shall not be certified until information has been received from the department that all claims of the Government against the clerk have been satisfied.

Duplicates for lost checks.
31 U. S. C. 528, Supp. V.

239. (a) Except as hereinafter provided, whenever it is clearly proved to the satisfaction of the Secretary of the Treasury that any original check of the United States is lost, stolen, or wholly or partly destroyed, or is so mutilated or defaced as to impair its value to its owner or holder, persons authorized to issue such checks on behalf of the United States are authorized, before the close of the fiscal year following the fiscal year in which the original check was issued, to issue to the owner or holder thereof a substitute, marked "duplicate" and showing

the number, date, and payee of the original check, upon the receipt and approval by the Secretary of the Treasury of a bond, to indemnify the United States, in such form and amount with such surety, sureties, or security as the Secretary of the Treasury shall require; but no such substitute shall be payable if the original check shall first have been paid: *Provided, however,* That the authority herein conferred to issue substitute checks may, in the case of checks issued on account of public-debt obligations and transactions regarding the administration of banking and currency laws, be issued without limitation of time.

(b) A bond of indemnity shall not be required under subsection (a) of this section in any of the following classes of cases except as provided in this subsection: Exceptions.

(1) If the Secretary of the Treasury is satisfied that the loss, theft, destruction, mutilation, or defacement, as the case may be, occurred without fault of the owner or holder and while the check was in the custody or control of the United States (including the Postal Service when carrying mail for any officer, employee, agent, or agency of the United States when performing services in connection with an official function of the United States, but not including the Postal Service when otherwise acting solely in its capacity as a public carrier of the mail), or of a person thereunto duly authorized as lawful agent of the United States, or while it was in the course of shipment effected pursuant to and in accordance with the regulations issued under section 134 of Title 5;

(2) if substantially the entire check is presented and surrendered by the owner or holder and the Secretary of the Treasury is satisfied as to the identity of the check presented and that any missing portions are not sufficient to form the basis of a valid claim against the United States;

(3) if the Secretary of the Treasury is satisfied that the original check is not negotiable and cannot be made the basis of a valid claim against the United States;

(4) if the amount of the check is less than \$50 and the Secretary of the Treasury is satisfied that the giving of a bond of indemnity would be an undue hardship to the owner or holder;

(5) if the owner or holder is the United States or an officer or employee thereof in his official capacity, a State, the District of Columbia, a Territory

or possession of the United States, including the Commonwealth of the Philippine Islands, a municipal corporation or political subdivision of any of the foregoing, a corporation the whole of whose capital is owned by the United States, a foreign government, or a Federal Reserve bank: *Provided, however,* That in any of the foregoing classes of cases the Secretary of the Treasury may require a bond of indemnity if he deems it essential to the public interest.

Rules and regulations.

(c) The Secretary of the Treasury shall have the power to make such rules and regulations as he may deem necessary for the administration of the provisions of this section.

Post Office Department check.

(d) Notwithstanding the provisions of subsections (a), (b), and (c) of this section, whenever any original check of the Post Office Department has been lost, stolen, or destroyed, the Postmaster General may authorize the issuance of a substitute, marked "duplicate" and showing the number, date, and payee of the original check, before the close of the fiscal year following the fiscal year in which the original check was issued, upon the execution by the owner thereof of such bond of indemnity as the Postmaster General may prescribe: *Provided,* That when such original check does not exceed in amount the sum of \$50 and the payee or owner is, at the date of the application, an officer or employee in the service of the Post Office Department, whether by contract, designation, or appointment, the Postmaster General may, in lieu of an indemnity bond, authorize the issuance of a substitute check or warrant upon such an affidavit as he may prescribe, to be made before any postmaster by the payee or owner of an original check.

Payment of substitute check.

(e) Substitutes, marked as hereinabove provided, drawn on the Treasurer of the United States, shall, after the lapse of the period fixed by section 725t of this title, for the payment of the original checks, be payable only as the original checks would be payable thereunder.

Definitions.

(f) The term "original check" wherever used in this section means any check, warrant, or other order for the payment of money, payable upon demand and not bearing interest, drawn by a duly authorized officer or agent of the United States, the District of Columbia, or the

District Unemployment Compensation Board, on their behalf against an account or funds of the United States, the District of Columbia, or the District Unemployment Compensation Board, including instruments issued by any corporation or other entity owned or controlled by the United States, the funds of which are deposited and covered into the Treasury of the United States or deposited with the Treasurer of the United States, but does not include money, coins, or currency of the United States; as used in subsection (d) of this section it means such an instrument drawn by a duly authorized officer or employee of the Post Office Department.

2. Whenever the disbursing officer or agent by whom was issued any original check which has been lost, destroyed, or stolen, is dead, or no longer in the service of the United States, the General Accounting Office shall state an account in favor of the owner of such original check for the amount thereof, and charge such amount to the account of such officer or agent: *Provided*, That in case a check drawn by any office or agent of the Post Office Department is lost, stolen, or destroyed a duplicate thereof may be issued under regulations prescribed by the Postmaster General, as set forth in section 528 of this title.

Check of deceased disbursing officer.
31 U. S. C. 119.

3. Application for the issuance of a duplicate warrant or check (see sec. 241 relative to checks and drafts which do not come within the purview of the provisions of law embodied in pars. 1 and 2) on the ground that the original is lost, stolen, or destroyed, shall be addressed to the Third Assistant Postmaster General, Division of Finance, except in case of the loss of a check drawn against postal-savings funds, when the application shall be addressed to the Third Assistant Postmaster General, Division of Postal Savings, and in case of the loss of a check drawn against money-order funds, when the application shall be addressed to the Third Assistant Postmaster General, Division of Money Orders. Such application shall be signed by the payee, show the time, place, and all the circumstances attending the loss or destruction of the warrant or check, its number, date, and amount, in whose favor it was issued, the bank, Treasurer of the United States, or other officer upon whom drawn, and if assigned, to whom and how, with any other material particulars within the knowledge of the applicant and be accompanied with a certificate from the officer or bank on whom the warrant or check 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.

Application for duplicate.

Check drawn by postmaster on Treasurer, etc.

4. When a check drawn by a postmaster on the Treasurer of the United States is lost, stolen, or destroyed and the postmaster wishes to stop payment thereof, he shall forward to the Treasurer a full description of the check and give a specific reason for the stoppage. If loss or nonreceipt of the check is alleged, the request shall be accompanied with the correspondence relating to the matter. If there is no correspondence, a short statement of the facts, bearing the signature and the address of the payee, shall be furnished if possible. If the check was received by the payee and subsequently lost, he shall say whether he indorsed the check. The drawer shall state that his records show the check to be unpaid and shall give the period covered by the last statement of account received from the Treasurer. When the check so stopped is subsequently recovered, prompt notice shall be given to the Treasurer, as no payment will be made until the original stoppage is formally withdrawn. This action shall be taken before the duplicate check, bond of indemnity, or affidavit, accompanied with the acknowledgment of stoppage request by the Treasurer, are sent to the Third Assistant Postmaster General, Division of Finance, for approval.

5. In cases where the payee or owner is, at the date of the application, an officer or employee in the service of the Post Office Department and the check or warrant does not exceed in amount the sum of \$50, the issuance of a duplicate warrant or check may be authorized immediately upon the submission of an affidavit giving the information referred to above, and the certificate of nonpayment. In all other cases the applicant shall be furnished with a blank bond of indemnity, with instructions for its execution. On the return of the bond properly executed, the issuance of a duplicate warrant or check may be authorized.

Duplicate warrants and checks made payable to assignee.

240. A duplicate warrant or check, when issued, shall have the same tenor, force, and effect as the original; except that in case of an assigned warrant or check the duplicate may, on production of due authority in writing from the payee for its issue, be made payable to the assignee.

Duplicates of warrants, checks, and drafts drawn to effect official transfers of funds.

241. The Third Assistant Postmaster General may authorize the issuance of a duplicate of a lost check or draft drawn to effect official transfers of postal, money-order, or postal-savings funds between officers of the Government, or in the case of postal-savings funds between such officers and the depository banks of the Postal Savings System, upon the submission of an application, affidavit, and certificate of nonpayment of the character prescribed in section 239, paragraph 3. A bond of indemnity may, however, be required for the protection of the Government if the circumstances make such action advisable.

—indemnity bond may be required.

Balances due to deceased employees or other persons.

242. When there is any balance due as salary or otherwise to a deceased creditor, which is to be paid out of the revenue of a post office, or through such office the postmaster should make payment of such amount to the executor or administrator after his appointment and qualification, taking duplicate vouchers

therefor. A certified copy under seal of the court of the appointment of the executor or administrator shall be forwarded to the General Accounting Office.

—to be paid to executors, etc.

2. When, however, the postmaster is satisfied that there is to be no administration of the estate of the deceased, he may make payment, provided the amount is not more than \$250, to the person or persons who under laws of the domicile of the decedent would be entitled to receive the same if administration were had, using blanks furnished by the department, and shall certify to the signature of the payees on the vouchers, to their relationship to the deceased, and to the fact that there is no administration. (See sec. 238.)

—when may be paid to heirs, etc.

—certificate to vouchers for.

3. When payment is made on account of a decedent the administrator or other payee should sign the pay roll, and the postmaster shall certify to the signature as above.

—pay roll to be signed.

4. Payments made by postmasters as disbursing officers shall be authorized in the usual manner before being made to executors, widows, or heirs.

—when made as disbursing officers to be authorized.

243. The business of each quarter shall be kept separate from that of every other quarter (exceptions noted in sec. 212), and postmasters shall pay all authorized expenses incurred during the quarter at their respective offices, and forward proper vouchers for such expenditures to the Comptroller, Bureau of Accounts, with the postal accounts for that quarter. (See secs. 212, 271, 417, and 418.)

Authorized payments for quarter to be made before rendering account.

2. Vouchers shall not be held to be forwarded and credit therefor claimed in an account for a subsequent quarter, but in cases where a properly executed voucher cannot be obtained from the payee to be forwarded with the quarterly postal account for the quarter in which the service was rendered or goods furnished, credit for the payment shall be claimed in the account for the quarter with which the voucher is submitted.

Vouchers not to be held.

RECORDS AND ACCOUNTS AT POST OFFICES

244. 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 post-office inspector.

Records at post offices.
39 U. S. C. 41.
—of stamps;
—of supplies, etc.
—of receipts.
—of expenditures.
—to be preserved.

2. Postmasters shall keep the accounts of their offices by quarters.

Accounts to be by quarters

Money-order accounts to be separate.

3. At money-order offices of the first and second classes separate accounts shall be kept of the money-order business. (See sec. 1528.)

See sec. 492 as to accounts of key-deposit funds.

Receipts at post offices.
39 U. S. C. 783.
—postmasters accountable for.

245. 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.

Accounts of City Delivery Service.
39 U. S. C. 163.

246. All expenses of letter carriers, * * * or incident thereto, shall be kept and reported in a separate account.

Note.

NOTE.—The omitted portions of the law refer to expenses of branch offices and receiving boxes. These items were to be kept separately and "shown in comparison with the proceeds from postage on local mail matter at each office," so that the Postmaster General might be guided in making expenditures by the income from the service. In view of the present practice of making an annual appropriation for each item of expenditure, which is to be disbursed at the discretion of the Postmaster General, there is no necessity of keeping the accounts in the manner referred to. The items referred to are to be included in the quarterly postal account.

Postmasters to collect commissions on calls through public telephones, etc.

247. Postmasters at offices of the first, second, and third classes shall collect commissions on calls through public telephones located in lobbies of post offices, branch post offices, and stations and account for such commissions with the postal revenues in the quarterly postal account.

Note.

NOTE.—Commissions on telephone calls from pay telephones installed in post offices are not postal revenues, but are covered into the general funds of the Treasury as miscellaneous receipts. For convenience in collecting, postmasters are required to account for these receipts and the General Accounting Office will transfer the funds so collected to the general fund of the Treasury.

Records and accounts, separate from postal accounts, of first and second class offices.
Record of furniture, supplies, etc.

248. Postmasters at offices of the first and second classes shall keep in suitable books and forms, separate from the postal account—

(a) A record 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 Postal Guides, and other property of the United States received from their predecessors or furnished by or on account of the Post Office Department.

Account of stamps received.

(b) A record of all postage stamps and other stamped paper, according to their respective kinds and denominations, received from a predecessor or the department, and of all damaged stamped paper returned to the department.

—stamps sold.

(c) A daily record of stamps and other stamped paper sold. The stock on hand shall be verified by count at least once each month.

—box rents.

(d) A record of all the boxes in the post office, showing the total number of all boxes and drawers therein, the number rented, the period during which each was rented, with the name

of the renter and the number of the box, the quarterly rate of rental, the amounts due for rent, and the amounts collected. (See sec. 488.)

(e) A record of all sales of waste paper, twine, or other Government property, giving quantity or amount, date, price, and name of purchaser. (See sec. 101.)

—receipts from waste paper, etc.

249. Postmasters at offices of the first and second classes shall maintain a complete and accurate current record of all postal funds received and disbursed, using for such purpose the books or forms furnished therefor by the department.

Postal accounts and records at offices of first and second classes.

See sec. 268 as to quarterly returns.

250. Postmasters at district offices shall keep, in books provided for the purpose, a record and postal account, as follows:

Record and postal account of district post offices. Record of furniture, supplies, etc.

(a) An inventory of all desks, cases, fixtures, furniture, canceling, postmarking, or rating stamps, ink pads, ink, books, maps, blanks, and Official Postal Guides received from their predecessors or furnished by the Post Office Department, according to the directions in the record book.

(b) A quarterly record of all postage stamps, books of stamps, coils of stamps, special-delivery stamps, postage-due stamps, stamped envelopes, newspaper wrappers, postal cards, and international reply coupons received from their predecessors or the central accounting office, and of all damaged stamped paper returned to the central accounting office, which shall be entered at the time of the receipt or return.

Account of stamps, etc., received.

(c) A daily record of stamps and other stamped paper sold, and of "excess" revenue on stamped envelopes. (See sec. 138.) The preceding accounts and the stock on hand shall be verified at the end of the quarter.

—stamps sold.

(d) At fourth-class offices a daily record, made up by actual count, of the cancellations of stamps on matter actually mailed at their offices for which credit is allowable.

—cancellations.

See secs. 426 and 427 as to allowable cancellations; sec. 708 as to cancellations at railway stations.

(e) The amount collected for postage on newspaper and periodical publications entered as second-class matter. (See sec. 541.)

—newspaper postage.

(f) The amount collected in money as postage on matter mailed under permits without stamps affixed.

—amount collected under permits.

(g) A 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 shall be made up from the list of boxes kept as required by section 488.

—box rents.

(h) A daily record showing number of special-delivery articles received, forwarded, and the number delivered at each rate.

—special delivery matter.

(i) A record of all moneys received from the sale of waste paper and twine, or other sources of postal revenues.

—sales of waste paper, etc.

(j) A record of all corrections reported by the General Accounting Office.

—corrections by General Accounting Office.

—expenditures.

(k) A record of all expenditures made on account of allowances for the office, as a disbursing postmaster, for repairs of mail bags and upon any other account, in the manner indicated by the forms and instructions. (See secs. 235, 469, and 1870.)

See sec. 152 as to quarterly stamp account to Third Assistant Postmaster General; sec. 262, as to quarterly report to the Postmaster General; sec. 268, as to quarterly postal accounts to Comptroller, Bureau of Accounts, Post Office Department, and from district to central accounting offices.

Change of office from fourth to third class.

—cancellations to be kept until order takes effect.

False returns by postmasters.

39 U. S. C. 45.
—Postmaster General may fix compensation in case of.

251. The change of the classification of an office from the fourth to the third class shall take effect from the date designated by the Postmaster General (see sec. 426) and until such time the daily record of cancellations shall be kept.

252. In any case where the Postmaster General shall be satisfied that a postmaster has made a false return of business, or that a postmaster has mailed or caused to be mailed matter in order to obtain commissions on cancellations of stamps, it shall be within the discretion of the Postmaster General to withhold commissions on such returns and to allow any compensation that under the circumstances he may deem reasonable or proper. The form of affidavit to be made by postmasters upon their returns shall be such as may be prescribed by the Postmaster General.

False returns of special-delivery business.
39 U. S. C. 172.

—Postmaster General may fix compensation when made.

2. Whenever, upon evidence deemed satisfactory to him, the Postmaster General shall determine that any * * * false return (of the receipt or delivery of any article of mailable matter as being stamped with a special-delivery stamp, or of the number of articles specially delivered) 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 General Accounting Office shall adjust the postmaster's account accordingly.

Orders to be certified to General Accounting Office. Collections where accounts are closed.

3. All orders of the Postmaster General withholding commissions and fixing the compensation of postmasters shall be prepared in the office of the Third Assistant Postmaster General, Division of Finance, and certified to the General Accounting Office, which will make the proper charges in its accounts, and whenever an account has been closed it will be reopened by the General Accounting Office, and the balance due the Government after making the charge provided in the Postmaster General's order shall be collected in the usual manner.

See secs. 426, 427, and 1902, as to compensation of postmasters; sec. 2319 for remainder of law, which provides a penalty for false returns.

253. All postmasters shall transmit undeliverable matter bearing canceled postage-due stamps to the central-accounting postmaster for credit of the claim involved and for treatment of the dead matter which accompanies the claim. The dead mail matter upon which canceled postage-due stamps have been affixed shall be given original and final treatment in the central-accounting office upon receipt.

Claims for credit for postage-due stamps.

Central and direct accounting post offices.

2. When a postage-due bill is not returned from the post office to which sent, or is returned without stamps, postmasters may obtain credit for the value of the postage-due stamps by making special claim therefor. A duplicate postage-due bill shall be made out from the stub of the original, indorsed in the blank space at the end, "Duplicate; original not returned," or "Original returned without stamps," and transmitted to the central-accounting postmaster. (See secs. 773, 816, and 817.)

—on bills sent out.

3. When postage-due stamps are attached to a postage-due bill which is returned to the post office from which received and the matter with which such bill was received cannot be delivered, or when postage-due stamps are inadvertently placed and canceled on domestic mail which cannot be delivered, special claim for the amount of such stamps shall be made by postmasters at the time such matter is sent to the central-accounting postmaster. Letter carrier offices shall use Form 1561. (See secs. 768, 773, 816, and 817.)

—on bills received and inadvertently placed on undelivered matter.

4. When domestic mail to which postage-due stamps have been affixed and canceled is forwarded to a foreign country, special claim shall be made for the amount of such stamps at the time the postage-due bill is forwarded to the central-accounting postmaster, as provided in section 773; and when postage-due stamps have been affixed and canceled on foreign mail which cannot be delivered, special claim shall be made for the amount of such stamps at the time such matter is forwarded to the central-accounting postmaster, as provided in sections 816 and 2223. Letter-carrier offices shall use dead letter bill, Form 1561.

—on matter forwarded or returned to foreign country.

5. The notice (Form 1503) received from the Division of Dead Letters and Dead Parcel Post of the amount allowed for postage-due stamps shall be kept on file in the post office. Credit for the amount of such stamps shall also be claimed by central-accounting postmasters and all letter-carrier offices in their quarterly stamp account under "Item F".

Credit in account.

6. Claims for credit for postage-due stamps affixed to undeliverable matter at all non-letter-carrier offices shall be transmitted with such matter to the central-accounting postmaster, who shall make reimbursement in postage stamps.

7. Central-accounting postmasters shall obtain credit, on Form 1503, for uncanceled postage stamps sent to reimburse postmasters at all non-letter-carrier offices for canceled postage-due stamps, and also credit for canceled postage-due stamps affixed to dead mail matter at their offices, and at the close of each quarter these forms and Forms 1503 received from letter carrier offices shall be transmitted to the Superintendent, Division of Dead

District offices.

Letters and Dead Parcel Post, Washington, D. C., for adjustment of the credits.

Report of second-class postage collected.—to be made quarterly.

254. Postmasters shall render to the Third Assistant Postmaster General, Division of Classification, promptly at the close of each quarter, on blanks furnished for the purpose and in accordance with the instructions thereon, a statement of postage collected at the pound rates from each publisher and news agent during the quarter, together with the weight of the free county matter. With such statement shall be sent the duplicates of the receipts (Form 3539) issued during the quarter. A new postmaster shall render separate statements of the amount collected by himself and that collected by his predecessor in the same quarter, giving the exact date when the change of postmasters took effect.

—forms used for.

2. Postmasters at offices of the first, second, and third classes shall make quarterly reports of second-class postage collected, and free-in-county mailings, on Form 3551; postmasters at offices of the fourth class shall use Form 3551-A.

See sec. 541 as to collection of second-class postage.

CHAPTER 4

SETTLEMENT OF ACCOUNTS: LEGAL PROCEEDINGS: COMPROMISES

Establishment Bureau of Accounts, Post Office Department. 31 U. S. C. 45.

Appointment of comptroller.

255. The administrative examination of the accounts and vouchers of the Postal Service imposed by law on June 30, 1921, upon the Auditor for the Post Office Department shall be performed by a bureau in the Post Office Department to be known as the Bureau of Accounts. The Bureau of Accounts shall be under the direction of a comptroller, who shall be appointed by the President with the advice and consent of the Senate, and shall receive a salary of \$5,000 a year. The comptroller shall perform the administrative duties performed by the Auditor for the Post Office Department and such other duties in relation thereto as the Postmaster General may direct.

Note.

NOTE.—See sec. 276, R. S., and act of July 31, 1894 (28 Stat. 205), relative to the former office of Auditor for the Post Office Department.

General Accounting Office. 31 U. S. C. 44.

—duties of.

256. All powers and duties which on June 30, 1921, were conferred or imposed by law upon the Comptroller of the Treasury or the six Auditors of the Treasury Department, and the duties of the Division of Bookkeeping and Warrants of the office of the Secretary of the Treasury relating to keeping the personal ledger accounts of disbursing and collecting officers, shall, so far as not in-

consistent with sections 1, 2, 11, 13 to 24, 41 to 47, 49 to 55, 58, 471, and 581 of this title and provisions of law enacted subsequent to June 30, 1921, be vested in and imposed upon the General Accounting Office and be exercised without direction from any other officer. The balances certified by the Comptroller General shall be final and conclusive upon the executive branch of the Government.

—balances certified by Comptroller General to be final.

NOTE.—The offices of the six auditors were abolished June 30, 1921.

Note.

2. The General Accounting Office shall keep and preserve all accounts arising in the Post Office Department or relative thereto and vouchers after settlement. The General Accounting Office shall close the account of the department quarterly, and transmit to the Secretary of the Treasury quarterly statements of its receipts and expenditures. It 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. It 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. The Comptroller General shall register, charge, and countersign all warrants upon the Treasury for receipts or payments issued by the Postmaster General, when warranted by law.

General Accounting Office.
31 U. S. C. 73.

—duties of

—to make quarterly settlements.

—to report manner of keeping accounts, when.

—to report delinquent postmasters.

—to countersign warrants.

3. The Bureau of Accounts in the Post Office Department shall receive and examine all accounts of salaries and incidental expenses of the office of the Postmaster General and of all bureaus and offices under his direction, all postal and money-order accounts of postmasters, all accounts relating to the transportation of the mails, and to all other business within the jurisdiction of the Post Office Department. The General Accounting Office shall audit the accounts and certify the balances arising thereon to the Postmaster General for accounts of the postal revenue and expenditures therefrom.

Auditing of Post Office Department and postal accounts.
31 U. S. C. 72.

Certification of balances.

4. The Bureau of Accounts 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

Quarterly report to Postmaster General of money disbursed by postmasters.
31 U. S. C. 112.

expenses of the postal service; designating the heads under which such payments were made.

See sec. 234 as to charging disbursements by postmasters to appropriations.

The General Accounting Office to superintend collections.
31 U. S. C. 109.

5. The General Accounting Office 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. Such office 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.

—to enforce payment.

See secs. 104 and 299 as to deposit of fines in criminal cases as part of postal revenue; sec. 302 as to priority of debts due United States.

Permanent record of unpaid money orders.
39 U. S. C. 731.

257. It shall be the duty of the General Accounting Office to maintain a complete and permanent record of all unpaid money orders issued by postmasters in the United States, or such of its insular possessions as are amenable to the authority of the Postmaster General for payment within its own territory, such record to serve as a basis for adjudicating claims for payment by warrant of the amounts of said orders.

Expenditures Postal Savings System.
31 U. S. C. 72.

2. All expenditures in the Postal Savings System shall be audited by the General Accounting Office.

Note.

NOTE.—All laws relating to the proper accounting for postal receipts are made applicable to postal-savings funds. (See 39 U. S. C. 762.)

Settlement of accounts.
31 U. S. C. 71.

258. All claims and demands whatever by the Government of the United States or against it, and all accounts whatever in which the Government of the United States is concerned, either as debtor or creditor, shall be settled and adjusted in the General Accounting Office.

—by or against United States.

Orders and regulations to be certified to General Accounting Office.
5 U. S. C. 378.

259. 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 General Accounting Office.

Expenditures contributing to deficiency.
39 U. S. C. 793.

260. The Postmaster General shall certify to the Secretary of the Treasury and to the Comptroller General of the United States, respectively, as soon as practicable after the end of each fiscal year, the following:

(a) The estimated amount which would have been collected at regular rates of postage on matter mailed

during the year by officers of the Government (other than those of the Post Office Department) under the penalty privilege, including registry fees;

(b) The estimated amount which would have been collected at regular rates of postage on matter mailed during the year by (1) Members of Congress and (2) others under the franking privilege;

(c) The estimated amount which would have been collected during the year at regular rates of postage on publications going free in the country;

(d) The estimated amount which would have been collected at regular rates of postage on matter mailed free to the blind during the year;

(e) The estimated difference between the postage revenue collected during the year on mailings of newspapers and periodicals published by and in the interests of religious, educational, scientific, philanthropic, agricultural, labor, and fraternal organizations, and that which would have been collected at zone rates of postage;

(f) The estimated excess during the year of the cost of aircraft service over the postage revenues derived from air mail; and

(g) The estimated amount paid during the year to vessels of American registry for carrying the ocean mail in excess of what would have been paid at pound rates if carried in vessels of foreign registry.

And the amounts so certified shall be separately classified on the books of the Treasury Department and the General Accounting Office, respectively, in stating the expenditures made from the appropriation to supply the deficiency of postal revenues.

2. The certificates required by this section to be furnished to the Secretary of the Treasury and the Comptroller General of the United States shall be prepared by the Third Assistant Postmaster General, Division of Classification.

261. 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.

Manner of keeping accounts.
39 U. S. C. 781.
—what to exhibit.

- 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.

—to show expenditures under each appropriation.
31 U. S. C. 113.

2. The Bureau of Accounts in the Post Office Department shall keep the accounts relating to the Post Office Department so as to show the expenditures of the Post Office Department under each item of appropriation provided by law.

Money-order accounts.
31 U. S. C. 111.
—to be kept separately.
—what to show.

3. The Bureau of Accounts in the Post Office Department 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.

See sec. 1456 as to permanent appropriation for payment of "unpaid money orders more than one year old"; Title Eight, ch. 7, as to money-order funds and accounts.

Quarterly return of accounts.
39 U. S. C. 42.
—to be rendered.

262. Every postmaster shall render to the Postmaster General, under oath, * * * 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.

Oath, how taken.

2. Postal accounts shall be sworn to before a notary public, justice of the peace, or other public officer authorized to administer oaths. (See secs. 268 and 275.)

District and central offices to distribute supplies and audit accounts.
5 U. S. C. 368.

3. In order to promote economy in the distribution of supplies, and in auditing and accounting, the Postmaster General may designate districts and central offices in such districts through which supplies shall be distributed and accounts audited, but in no case shall the postmaster at the central station be given authority to abolish offices, to change officers or employees in offices included in such district.

See sec. 267 as to vouchers for expenditures.

Sworn statement to accompany accounts, when.
39 U. S. C. 43 and 45.

263. The Postmaster General may require a sworn statement to accompany each quarterly account of a postmaster * * *. The form of affidavit to be made by

postmasters upon their returns shall be such as may be prescribed by the Postmaster General.

NOTE.—The first part of sec. 45, Title 39, U. S. Code, quoted in sec. 252, authorizes the Postmaster General to fix the compensation of a postmaster where he believes false returns have been made; sec. 329, Title 18, U. S. Code, given as sec. 2319, "Offenses," makes it an offense for any postmaster to make false returns.

Note.

264. 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 of the Post Office Department and Postal Service. (See sec. 33.)

Oaths in settlement of accounts.—who may administer.
31 U. S. C. 118.

265. 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 Bureau of Accounts in the Post Office Department at such times and for such periods as he may deem necessary in each case.

Certified copies of returns.
39 U. S. C. 54.

266. 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 provided by law.

Postmasters not to retain more than salary or compensation and commissions allowed.
39 U. S. C. 62.

NOTE.—This law does not prevent the payment of special-delivery fees to postmasters. Postmasters at first- and second-class offices are not allowed commissions on money-order business.

Note.

See sec. 1403 as to commissions on money-order business; secs. 1075 and 1100 as to special-delivery fees and as to payments at free-delivery offices on account of special-delivery service; sec. 469 as to allowances for separating mails at fourth-class offices; sec. 1772 as to payment for mail-messenger service.

267. 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 to the Bureau of Accounts in the Post Office Department, who shall transmit them for settlement to the General Accounting Office, and no such deduction shall be valid unless found to be in conformity with law.

Vouchers for expenditures.
39 U. S. C. 66.

—to be submitted to General Accounting Office.

2. Vouchers for all payments to clerks, employees, or other persons, out of the allowances made by the Post Office Department, and for all other expenditures which postmasters may be directed to make, shall be taken on forms furnished by the department and forwarded with the quarterly postal account to the Comptroller, Bureau of Accounts, Post Office Department, for examination and transmission to the General Accounting Office. All vouchers, except those covering payments for personal services to post-office clerks, carriers, and other employees, shall be prepared in duplicate, but in no case should the duplicate copy be signed by the vendor.

—to be taken in duplicate for all payments.

Bills, how made out.

3. Bills for articles purchased out of allowances shall be fully itemized and show the date of purchase and the quantity and price for each item.

Affidavits to accompany advertising accounts.

4. Postmasters shall obtain and attach to the vouchers for payment of advertising accounts the affidavit of the publisher that the rates do not exceed the commercial rates charged to individuals, with the usual discounts. (See sec. 83.)

Special-delivery messenger's receipt to be filed in office.

5. The special-delivery messenger's receipt shall be taken for the amount of each semimonthly payment on the pay voucher and the receipt for the total quarterly payments in the space provided therefor on the service record, Form 1594. The quarterly receipts shall be retained in the files of the post office subject to inspection.

See sec. 2320 as to penalty for taking and presenting a receipt for a greater sum than actually paid.

Quarterly returns.

268. Postmasters at direct-accounting offices shall observe the following directions in rendering their quarterly postal accounts:

—manner of making.

(a) The accounts shall be made out and forwarded immediately after the close of the quarter on the last day of March, June, September, and December to the Bureau of Accounts in duplicate upon the blanks furnished by the Post Office Department, a supply of which sufficient for one year shall be kept on hand.

—when to be made.

(b) The name of the postmaster, post office, and State, and number of the post office and period shall be written in the proper blank spaces in the account.

—name of postmaster, etc., to be given.

(c) The account shall be signed by the postmaster himself, or, in case he is necessarily absent or sick, by his assistant.

—signing of.

See secs. 417 and 418 as to signature to account.

—oath to.

(d) The oath at the foot of the account shall be subscribed and sworn to by the postmaster, or by the assistant when the latter renders the account, before an officer authorized to administer oaths; no allowance can be made for fees paid for administering such oath. At offices located at a distance from any person authorized to take acknowledgments postmasters may render accounts under their official oaths.

—to be in duplicate.

(e) The account shall be made in triplicate, one copy of which shall be retained by the postmaster.

—vouchers must accompany.

(f) Vouchers for all expenditures, including employees' pay rolls, shall accompany the account.

—expenditures as disbursing officers included.

(g) Postmasters who act as disbursing officers shall include in their accounts all expenditures made in this capacity, and submit all vouchers therefor with the accounts.

—how forwarded and addressed.

(h) The account, with its accompanying papers, shall, unless forwarded in a special envelope provided for that purpose, be inclosed in one package, in which no letter, receipt, or other paper not relating thereto shall be inclosed, and addressed and forwarded by ordinary mail (not registered) to the "Comptroller, Bureau of Accounts, Post Office Department, Washington, D. C." The words "Quarterly postal account" shall be plainly written on the package. Postmasters shall be furnished, on application to the Fourth Assistant Postmaster General, Equipment and

Supplies Branch, with printed labels for pasting upon the package containing their quarterly postal accounts.

2. Postmasters at central-accounting offices shall forward to the Comptroller, Bureau of Accounts, Post Office Department, in one package, not later than the 20th of the month after the close of the quarter, the following accounts and vouchers:

(a) Central-accounting postmaster's quarterly postal account and all supporting vouchers prepared in accordance with the foregoing regulations.

(b) District postmasters' quarterly accounts and all supporting vouchers.

(c) Quarterly summary, Form 1545-C.

3. Postmasters at district offices shall forward to the central-accounting offices, immediately after the close of the quarters ended March 31, June 30, September 30, and December 31 of each year, a quarterly account, with all supporting vouchers, prepared in accordance with instructions contained in postmaster's account book. At district offices a duplicate account shall be made upon the form printed in the postmaster's account book.

269. 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.

NOTE.—Accounts must be rendered immediately after the close of each quarter. (See sec. 268.) The above section does not give postmasters one month in which to render accounts, but prescribes a penalty in case the account is not rendered within that time. (See sec. 256 as to recovery of penalties.)

270. Every postmaster shall render a postal account for each quarter, even though during certain quarters no business has been transacted (as in the case of offices at some summer and winter resorts (see sec. 406)), and in such cases the postmaster shall state that fact on the regular postal-account blank.

271. Whenever a change of postmaster occurs at a third- or fourth-class post office, the outgoing postmaster shall render an account and pay the employees of the office for the period served by him, and the successor shall render an account and make payment to the employees for the remainder of the quarter.

2. Whenever a change of postmaster occurs at a first- or second-class post office, the outgoing postmaster shall render an account for the period served by him, but shall make no salary payments except the salary due him, at time of transfer if it occurs between regular pay days. He shall submit disbursement summaries (Forms 1500, 1501, 1501-G, 1858, 1906, and other appropriate forms) showing the details of salary payments made on regular

To be forwarded by central-accounting offices to department.

To be forwarded by district to central-accounting office.

Neglect to render accounts.
39 U. S. C. 44.

—penalty for.

Note.

Returns to be made even where no business done.

Accounts of outgoing and incoming postmasters.
—how rendered.
—third and fourth class offices.

—first and second class offices, outgoing postmaster.

pay days prior to time of transfer, but shall not forward with his account the vouchers covering salary payments made by him during the quarter in which the change occurs. He shall note in red ink figures at the top of each individual salary voucher the amount of salary he has actually paid to each employee during the quarter and which was included in the disbursement summaries.

—incoming postmaster at first and second class offices.

3. The incoming postmaster at first- and second-class offices shall render an account for the period served by him and shall claim credit therein for all salary payments made by him to the close of the quarter, including amounts earned during the term of his predecessor, but not paid until the regular pay day following the transfer. He shall also submit with his account the vouchers covering all salary payments during the quarter, and disbursement summaries as indicated in paragraph 2, showing in detail all payments made by him. He shall note in red ink figures at the bottom of each individual salary voucher the amount of salary he has actually paid to each employee during the quarter and which was included in the disbursement summaries.

—payment of expenses.

4. 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.

New account, when to commence.

5. The new postmaster shall not render his account for any time prior to the date his commission is received or notice that the commission has been issued. (See secs. 243, 417, and 418.)

Claim not transferable.

6. No part of any unadjusted claim whatever shall be transferred to the accounts of the incoming postmaster. (See sec. 1531.)

See secs. 243, 272, 417, and 418.

Accounts, when rendered in two parts.

272. When an acting postmaster is appointed, a new postmaster commissioned, a postmaster recommissioned, or a new or renewal bond is executed and accepted under section 68 or 69, the quarterly accounts of the post office shall be rendered in two parts except when the transfer is made on the last day of the quarter.

2. The account for the last part of a quarter in which a transfer is made shall not include any period prior to the date the incoming postmaster receives his commission (or notice that the commission has been issued) or date of acceptance of new or renewal bond by the Post Office Department. (See secs. 243, 271, 417, and 418.)

3. If, when an acting postmaster has been commissioned postmaster, a postmaster recommissioned or a new bond accepted for a postmaster, he elects to defer assuming charge of the office under his new bond until the close of the quarter, he shall immediately notify the central-accounting postmaster of his intention and on the last day of the quarter at the close of business, prepare his certificates of transfer and date them as of that date, except that no person designated or appointed to succeed an acting postmaster will be permitted to defer assuming charge of the office until the close of the quarter when by

—certificate of transfer.

so doing the period of service of the acting postmaster is extended beyond 6 months from the date of designation as acting postmaster, unless the period of service of the acting postmaster beyond the 6 months' period has been extended by the Postmaster General with the permission of the Civil Service Commission pursuant to section 3 of the act of June 25, 1938 (39 U. S. C., 1934 ed., Supp. V, sec. 39a).

4. In each class of cases mentioned in the foregoing, the certificates attached to the transfer forms shall be furnished to the proper offices as noted on the margin of the certificates.

Transfer forms.

5. The amount of postage-stamped paper on hand at the close of the first stamp account of post offices of the first and second classes shall be brought forward and charged in the second stamp account. Any balances due to the United States on the first accounts of any post office shall be either deposited or charged in the second accounts. Any balances due to postmasters on first account shall be credited in the second accounts.

Balances transferred.

6. The payment and acceptance of the annual premium on corporate surety bonds furnished by postmasters (sec. 69) shall not require a separate accounting nor change in any way the manner or time of rendering accounts under section 270.

Separate accounting not required on payment of premium on bond.

273. Whenever a postmaster, having mailed his accounts, is notified that they have not been received, he shall 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 shall make true copies and retain the same in his office.

Failure to receive accounts.

—duplicates to be made upon notice of.

274. When a balance is found to be due to a postmaster at the end of a quarter on an audited account, and a report thereof is received from the General Accounting Office, the amount of such balance may be withdrawn from the receipts.

Balance due postmaster.

—may be deducted, when.

275. In accounts and claims relating to the postal revenues and expenditures therefrom any affidavit required by the regulations and not required by law may be waived when it is shown to the satisfaction of the Postmaster General and General Accounting Office that the officer or claimant is located at a distance from any person authorized to take acknowledgments, or that for good and sufficient reason it is impracticable to furnish the affidavit. The specific reason for the failure shall be written on the account at the place provided for the affidavit.

When affidavits may be waived.

276. Where the salary or compensation of any employee in the postal service is at an annual or monthly rate, the following rules shall be followed in computing the amount due: An annual salary or compensation shall be divided into twelve equal installments, one of which shall be the pay for each calendar month; and in making payment for a fractional part of any calendar month there shall be paid such proportion of one of such installments, or of the amount of the monthly salary or com-

Computation of salaries of postal employees.
39 U. S. C. 822.

pensation, as the number of days in the fractional part of that month bears to the actual number of days in that month.

Note.

NOTE.—The above legislation contemplates a 365- or 366-day year. Where salary or compensation of employees is based by law on a 306-day year (exclusive of Sundays and holidays) the number of working days instead of the actual number of days in the month is to be used in computing payment for a fractional part of a month. (See sec. 464.)

Money-order accounts.
39 U. S. C. 735.

277. It shall be the duty of postmasters at post offices authorized to issue money orders to render to the Comptroller, Bureau of Accounts, Post Office Department, quarterly, monthly, semimonthly, weekly, semiweekly, 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.

—at first- and second-class offices.

2. Postmasters at first- and second-class offices (except daily, weekly, and semimonthly offices, which receive special instructions) shall render the following money-order accounts to the Comptroller, Bureau of Accounts, Post Office Department, Washington, D. C.:

(a) Postmaster's monthly money-order account in duplicate (Form 6011).

(b) Monthly list of money orders issued (Form 6013), accompanied with all spoiled forms.

(c) Monthly list of domestic money orders paid (Form 6014), accompanied with all paid and repaid domestic orders.

(d) Semimonthly list of international and domestic-international money orders paid (Form 6014), accompanied with all paid and repaid international and domestic-international orders.

—forwarding of accounts and vouchers.

3. The monthly money-order account (Form 6011), the monthly list of money orders issued (Form 6013), the monthly list of domestic money orders paid (Form 6014), with all accompanying vouchers, shall be forwarded in one package immediately after the close of each month's business. The semimonthly list of international and domestic-international money orders paid (Form 6014), and all accompanying vouchers, shall be forwarded in a separate envelope marked "International" immediately after the close of business on the 15th and last days of each month.

—branches and stations.

4. The money-order transactions of all branch offices and stations, except branches on naval vessels, shall be taken up in the account of the main office. The totals for the main office and for each station shall be kept separate on the report sheets and combined only when carried to the monthly recapitulation. Classified branch offices and classified stations, as well as contract branch offices and contract stations shall transmit to their respective main offices daily, with report (Form 6019), the applications and stubs of all money orders issued at such branches or stations, and the amount thereof (including fees), either

in cash or in cashed money orders, as well as any money orders spoiled in issue. Form 6012 shall also be used by all offices having branches and stations.

5. (a) Postmasters having money-order remittances in transit at the close of a quarter shall hold their last money-order accounts of that quarter until the certificates covering such remittances are received, in order that credit therefor may be claimed in the same quarter in which the certificates were issued and dated. Accounts, however, shall not be thus delayed in cases where it is manifest that the certificates to be issued will bear dates of a subsequent quarter.

Special instructions for rendering accounts.

(b) An account shall not be held for this purpose longer than three days, and under no circumstances shall credit be taken in such account for a certificate issued in a subsequent quarter.

(c) In claiming credit for a certificate of deposit received on account of a money-order remittance, the date to be entered in the cashbook shall be that on which the certificate is received, except at the close of a quarter, when credit for a certificate received shall be claimed under date of the certificate itself.

(d) Where a certificate of deposit is received after the account has gone forward at the close of a quarterly period, and such certificate bears date of the quarter just closed, credit therefor shall be taken in the next money-order account rendered and an explanatory note made thereon.

6. Postmasters shall not claim credit for money orders issued by express companies, banks, and commercial houses.

Money orders issued by express companies.

7. The cash balance, however small, remaining on hand at the close of the period covered by the preceding account shall be brought forward and accounted for in the usual way from month to month.

Cash balance from preceding account to be brought forward.

8. Postmasters at district offices shall include in their quarterly account to the central-accounting postmaster the amount received for money orders issued and fees for money orders issued and, at fourth-class post offices, commissions claimed on money orders issued. Lists of money orders issued shall accompany the quarterly accounts to the central-accounting postmaster, and in making them up the following instructions shall be strictly observed:

District offices.—rendering of accounts to central-accounting postmasters.

(a) Money-order forms are numbered consecutively, and each serial number shall be accounted for. When a form is spoiled the serial number shall be entered in the account in the same sequence as though issued, and across the amount and fee columns write in red ink "Not issued." The same notation shall be made on the face of both the coupon and order. The coupon shall be retained and the spoiled order forwarded with the account to the central-accounting postmaster.

"Not issued" forms.

(b) Special care shall be exercised to detach the coupons from the paid money orders in such manner as not to remove the serial numbers or amounts of the orders.

Detaching coupons.

278. Where no money-order business has been transacted at a district office authorized to issue and pay money orders, an issued

Reports of "No business."

list (Form 1846) shall be sent to the central-accounting office bearing the words "No business" written across the face of the blank.

Outgoing postmaster.
—final account.

279. An outgoing postmaster at a first- or second-class post office shall transmit a final account covering all money-order business transacted since the date of his last-rendered account up to and including the day of his retirement from the office.

Credit in final account.

2. In his final account the outgoing postmaster shall take credit for the amount of funds actually turned over to his successor in cash, after the following form:

—form of receipt.

By cash turned over to my successor, John Doe, \$——.

See sec. 1530 as to change of postmasters.

Destruction of money-order records.
39 U. S. C. 739.

280. The Secretary of the Treasury and the Postmaster General shall cause to be destroyed, in such manner as they may deem best, all money-order statements rendered by postmasters and all paid money orders accompanying the same, as well as all descriptive lists of international money orders certified to or by the exchange offices designated for conducting money-order transactions with foreign countries, and all coupons of issued international money orders filed in the General Accounting Office, after three years shall have elapsed from the expiration of the period covered by such statements and lists.

—after three years.

Certification by administrative officer.

281. Accounts for the performance of transportation and other services shall be certified by the administrative officer having charge thereof.

—how addressed.

2. All communications relative to the settlement of the accounts of such services shall be addressed to the General Accounting Office.

Balances certified by General Accounting Office.
31 U. S. C. 74.

282. Balances certified by the General Accounting Office, upon the settlement of public accounts, shall be final and conclusive upon the Executive Branch of the Government, except that any person whose accounts may have been settled, the head of the Executive Department, or of the board, commission, or establishment not under the jurisdiction of an Executive Department, to which the account pertains, or the Comptroller General of the United States, may, within a year, obtain a revision of the said account by the Comptroller General of the United States, whose decision upon such revision shall be final and conclusive upon the Executive Branch of the Government. Nothing in this chapter shall prevent the General Accounting Office from suspending items

—subject to revision by General Accounting Office.

in an account in order to obtain further evidence or explanations necessary to their settlement.

283. 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 Comptroller General deem it just, be applied first to discharge any balance which may be due from such postmaster under his old bond.

2. 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 General Accounting Office 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 bonds 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.

284. Whenever any deficiency shall be discovered in the accounts of any official of the United States, or of any officer disbursing or chargeable with public money, it shall be the duty of the accounting officers making such discovery to at once notify the head of the department having control over the affairs of said officer of the nature and amount of said deficiency, and it shall be the immediate duty of said head of department to at once notify all obligors upon the bond or bonds of such official of the nature of such deficiency and the amount thereof. Said notification shall be deemed sufficient if mailed at the post office in the city of Washington, District of Columbia, addressed to said sureties respectively and directed to the respective post offices where said obligors may reside, if known; but a failure to give or mail such notice shall not discharge the surety or sureties upon such bond.

LEGAL PROCEEDINGS

285. The district courts shall have original jurisdiction as follows * * * Sixth. Of all cases arising under the postal laws.

Application of payments after new bond.
39 U. S. C. 36.
—how may be made.

Deficiencies in postmasters' accounts.
39 U. S. C. 37.

—to be reported to Postmaster General.
—sureties to be notified.

Deficiencies in accounts of any officer.
6 U. S. C. 4.

District courts.
28 U. S. C. 41.

Suits to be in name of United States.
28 U. S. C. 732.
State and Territorial courts.
39 U. S. C. 825.

2. All suits arising under the postal laws, shall be brought in the name of the United States.

3. All causes of action arising under the postal laws may be sued, * * * 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 such justices, magistrates, or judiciary shall take cognizance thereof, and proceed to judgment and execution as in other cases.

See sec. 2301 as to jurisdiction of courts in criminal cases under the postal laws.

Fraudulent and improper payments.
39 U. S. C. 789.
—for service not performed.

286. 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 employee 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.

—made upon fraudulent representations, mistakes, etc.

—Postmaster General to bring suit to recover.

See sec. 256 as to duty of General Accounting Office to superintend collection of debts due the Post Office Department.

Papers to be furnished Department of Justice in suits against delinquents.
31 U. S. C. 116.

287. In case of delinquency of any postmaster, contractor, or other officer, agent, or employee of the Post Office Department, in which suit is brought, the General Accounting Office shall forward to the Department of Justice certified copies of all papers in said office tending to sustain the claim.

United States attorney to obey instructions of Department of Justice in postal suits.
5 U. S. C. 331.

288. In the prosecution of any suit for money due the Post Office Department, the United States attorney conducting the same shall obey the directions which may be given him by the Department of Justice.

Reports of proceedings in postal suits.
28 U. S. C. 489.
—district attorneys to make.

289. Each district attorney shall, immediately after the end of every term in which any suit for moneys due on account of the Post Office Department has been pending in his district, forward to the Department of Justice a statement of any judgment or order made, or step

taken in the same, during such term, accompanied by a certificate of the clerk, showing the parties to and amount of every such judgment, with such other information as the Department of Justice may require. And the said attorney shall direct speedy and effectual execution upon said judgment, and the United States marshal to whom the same is directed shall make returns of the proceedings thereon to the Department of Justice, at such times as it may direct.

Execution on judgments to be speedy.

290. Copies of the quarterly returns of postmasters and of any papers pertaining to the accounts in the office of the General Accounting Office, and transcripts from the money-order account books of the Post Office Department, when certified by the General Accounting Office under the seal of that 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.

Copies of quarterly returns of postmasters and money-order transcripts to be admitted as evidence.
28 U. S. C. 671.
—to be certified by General Accounting Office.

—judgment thereon.

See U. S. Code, Title 28, sec. 661, as to admission as evidence of certified copies of any books, records, papers, or documents in any of the executive departments.

Certified copies of statement of demands as evidence.
28 U. S. C. 670.

291. In all suits for the recovery of balances due from postmasters, a copy, duly certified under the seal of the General Accounting Office, of the statement of any postmaster, special agent (post-office inspector), or other person employed by the Postmaster General or the General Accounting Office 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

What constitutes demand.

No demand to be made on late postmasters, when.

or credits entered, it shall not be necessary to make a further demand for the new balance found to be due.

When claims to be allowed in suits.
28 U. S. C. 775.

292. 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 employee of the Post Office Department, unless the same has been presented to the General Accounting Office and by it 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 General Accounting Office a claim for such credit by some unavoidable accident.

See U. S. Code, Title 28, sec. 774, as to credits on account of claims, etc., in suits against others than postmasters.

Interest on balances.
28 U. S. C. 788.
—rate of.

293. 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 per year.

Judgment in postal suits.
28 U. S. C. 782.
—rendered at return term, except.
Continuances.—where defendant has claim against Post Office Department.

294. 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 General Accounting Office, 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.

Returns of marshal to Comptroller General of proceedings on executions.
28 U. S. C. 510.

295. Every marshal to whom any execution upon a judgment in any suit for moneys due on account of the Post Office Department has been directed, shall make returns to the Comptroller General of the United States, at such times as he may direct, of the proceedings which have taken place upon the said process of execution.

Warrant of attachment in postal suits.
28 U. S. C. 737.

296. In all cases where debts are due from defaulting or delinquent postmasters, contractors, or other officers, agents, or employees of the Post Office Department, a warrant of attachment may issue against all real and personal property and legal and equitable rights belong-

ing to such officer, agent, or employee, and his sureties, or either of them, in the following cases:

First. When such officer, agent, or employee, and his sureties, or either of them, is a nonresident of the district where such officer, agent, or employee 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.

—may issue where parties are non-residents.

Second. When such officer, agent, or employee, 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.

—where property is to be removed.

2. 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.

—where property has been removed, how executed.
28 U. S. C. 737.

3. 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 attachments enumerated in section 737 of this title, and upon production of legal evidence of the debt.

Application for warrant of attachment.
28 U. S. C. 738.
—to whom and by whom to be made.
—affidavit in support of.

See 28 U. S. C. 738 to 746 as to proceedings under warrants of attachment.

297. 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 court, to set aside fraudulent conveyances or trusts, or attach debts due the defendant,

Proceedings in equity for money due Post Office Department.
5 U. S. C. 332.

or obtain any other proper exercise of the powers of equity to have satisfaction of any judgment against such defendant.

Limitations in suits.
—on postmasters' bonds, three years.
39 U. S. C. 40.

—on bonds of officials of United States, etc., five years.
6 U. S. C. 5.

298. 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.

2. If, upon the statement of the account of any official of the United States, or of any officer disbursing or chargeable with public money, by the accounting officers, it shall thereby appear that he is indebted to the United States, and suit therefor shall not be instituted within five years after such statement of said account, the sureties on his bond shall not be liable for such indebtedness.

Note.

NOTE.—Under 39 U. S. C. 40, the 3-year limitation runs from the time the postmaster's account is "closed" by audit and settlement, the word "settlement" in connection with public transactions and accounts being used to describe administrative determination of the amount due. (U. S. v. Cash et al. 293 Fed. 584.)

Recovery of penalties and forfeitures.
39 U. S. C. 791.
—by action, how disposed of.
Fines, how disposed of.

299. 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.

Note.
Statutes which prescribe penalties, etc., where amount is to be divided with informer.

NOTE.—Penalties and forfeitures are imposed for violations of certain postal laws which are not made crimes or misdemeanors. These penalties and forfeitures are recoverable in a civil action in the United States courts as provided in the statute. The entire amount of all fines for the violation of criminal statutes is to be paid into the Treasury for the use of the Postal Service, as provided in sec. 104.

For the statutes which provide penalties or forfeitures for their violations see—

Sec. 65. Postal employees interested in contract or acting as agent for contractor.

Sec. 269. Neglect of postmasters to render accounts.

Sec. 401. Setting up or professing to keep an office bearing the sign, name, or title of post office, without authority from the Postmaster General.

Sec. 1710. Establishing private express for the conveyance of letters or packets, or aiding or assisting therein.

Sec. 1713. Carrying persons on stagecoach, railway car, steamboat, vehicle, or vessel who are employed as private express for conveyance of letters and packets.

Sec. 1714. Sending letters by private express, or delivering them for transmission thereby.

Sec. 1715. Stagecoach, railroad car, steamboat, etc., carrying letters or parcels otherwise than in the mail; penalty on owner and driver, conductor, etc.

Secs. 1719 and 2253. 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.

Secs. 1720 and 2255. Carrying letters or packets on board a mail vessel otherwise than in the mail.

Sec. 1725. Forfeiture of package seized on mail vessel with concealed letter.

Sec. 1832. Failure by master of steamboat passing between ports of the United States to deliver to postmaster letters and packets brought by him.

Sec. 2357. Delaying passage of mail at a ferry by ferryman's neglect or refusal to transport it.

Sec. 2361. Postmaster acting as agent for a lottery.

See Title XIII, as to offenses against the Postal Service, etc.

300. 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.

Liability of informer in action on penal statute.—for costs on failure of suit, etc., except.
28 U. S. C. 823.

2. 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.

—for fees of officers on failure of suit, except.
28 U. S. C. 824.

301. Whenever money is voluntarily turned over to a postmaster by a person who has rendered himself liable to a penalty or forfeiture for a violation of any of the postal laws, for which no suit has been brought, such amount shall be immediately deposited on account of "fines, penalties, and forfeitures" with the regular depository post office. (See secs. 109 and 117.)

Money voluntarily paid for violation of penal laws.

—how disposed of.

2. The amount which might be imposed as a fine for a violation of a criminal statute, if tendered by a person who is charged with a violation of such a statute, shall not be accepted. Fines for such offenses can only be imposed and collected through the courts.

Amount of fine for violation of criminal laws to be collected only through courts.

302. 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 established shall extend as well to cases in which a debtor, not having sufficient

Priority established.
31 U. S. C. 191.

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.

Note.

NOTE.—After payment of all expenses, taxes, and claims for labor and services rendered, the United States, as between the Government and other claimants, is entitled to priority under 31 U. S. C. 191, in the distribution of any balance of assets. (Opinion of the Solicitor of the Treasury, September 28, 1914.)

The act of May 27, 1926, 11 U. S. Code 104, amending the national bankruptcy law, in prescribing the order of priority specifies debts owing to any *person* entitled by law to priority and defines the term "person" as including the United States.

Liability of ex-
ecutors, etc.
31 U. S. C. 192.

303. Every executor, administrator, or assignee, or other person, who pays, in whole or in part, any debt due by the person or estate for 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 to the extent of such payments for the debts so due to the United States, or for so much thereof as may remain due and unpaid.

Priority of sure-
ties.
31 U. S. C. 193.

304. Whenever the principal in any bond given to the United States is insolvent, or whenever, such principal being deceased, his estate and effects which come to the hands of his executor, administrator, or assignee, are insufficient for the payment of his debts, and, in either of such cases, any surety on the bond, or the executor, administrator, or assignee of such surety pays to the United States the money due upon such bond, such surety, his executor, administrator, or assignee, shall have the like priority for the recovery and receipt of the moneys out of the estate and effects of such insolvent or deceased principal as is secured to the United States; and may bring and maintain a suit upon the bond, in law or equity, in his own name, for the recovery of all moneys paid thereon.

COMPROMISES, ETC.

Compromise of
judgments.
31 U. S. C. 115.

305. 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 General Accounting Office may, with the written consent of the Postmaster General, compromise such judgment, and accept in satisfaction less than the full amount thereof.

General Ac-
counting Office
may make, with
consent of
Postmaster
General.

306. (a) 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, employees, operations, or business of the postal service, the Postmaster General may prescribe such general rules and modes of proceeding as shall appear to be expedient, for the government of the Bureau of Accounts in the Post Office Department, in ascertaining the fact in each case in which the Comptroller of the Bureau of Accounts 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 General Accounting Office 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 Comptroller of the Bureau of Accounts in the Post Office Department shall deem just and expedient.

Compromise, remission, etc., of fines, penalties, forfeitures, disabilities, liabilities, etc.
5 U. S. C. 383.

—General Accounting Office may make, with consent of Postmaster General.

5 U. S. C. 384.

(b) The provisions of section 383 of this title shall extend in all cases pending on March 4, 1925, or which may thereafter arise to balances due to the United States through accountability for public moneys under any provision of law in relation to the officers, employees, operations, or business of the Postal Service, excepting the class of cases cognizable under section 49 of Title 39.

2. Any proposition of compromise shall be submitted in writing and the amount thereof deposited with the Treasurer of the United States, or national bank designated as a United States depository, in special account No. 5 of the Secretary of the Treasury, or with the Superintendent, Division of Finance. If the offer is rejected the deposit will be returned.

Deposit to be made before offer of compromise will be entertained.

CLAIMS AGAINST THE UNITED STATES

307. All transfers and assignments made of any claim upon the United States, or of any part or share thereof, or interest therein, whether absolute or conditional, and whatever may be the consideration therefor, and all powers of attorney, orders, or other authorities for receiving payment of any such claim, or of any part or share thereof, shall be absolutely null and void, unless they are freely made and executed in the presence of at least two

Transfers and assignments of claims on United States null and void.
31 U. S. C. 203.

attesting witnesses, after the allowance of such a claim, the ascertainment of the amount due, and the issuing of a warrant for the payment thereof. Such transfers, assignments, and powers of attorney, must recite the warrant for payment, and must be acknowledged by the person making them, before an officer having authority to take acknowledgments of deeds, and shall be certified by the officer; and it must appear by the certificate that the officer, at the time of the acknowledgment, read and fully explained the transfer, assignment, or warrant of attorney to the person acknowledging the same. The provisions of this section shall not apply to payments for rent of post-office quarters made by postmasters to duly authorized agents of the lessors.

Exception.

Claims, etc.,
against United
States.
31 U. S. C. 227.

—amount to be
withheld where
claimant in-
debted to
United States.

—proceedings
where indebt-
edness denied.

Balance, how
paid when
claimant ob-
tains judgment
against United
States.

308. When any final judgment recovered against the United States duly allowed by legal authority shall be presented to the Comptroller General of the United States for payment, and the plaintiff therein shall be indebted to the United States in any manner, whether as principal or surety, it shall be the duty of the Comptroller General of the United States to withhold payment of an amount of such judgment equal to the debt thus due to the United States; and if such plaintiff assents to such set-off, and discharges his judgment or an amount thereof equal to said debt, the Comptroller General of the United States shall execute a discharge of the debt due from the plaintiff to the United States.

2. But if such plaintiff denies his indebtedness to the United States, or refuses to consent to the set-off, then the Comptroller General of the United States shall withhold payment of such further amount of such judgment as in his opinion will be sufficient to cover all legal charges and costs in prosecuting the debt of the United States to final judgment.

3. And if such debt is not already in suit, it shall be the duty of the Comptroller General of the United States to cause legal proceedings to be immediately commenced to enforce the same, and to cause the same to be prosecuted to final judgment with all reasonable dispatch.

4. And if in such action judgment shall be rendered against the United States, or the amount recovered for debt and costs shall be less than the amount so withheld

as before provided, the balance shall then be paid over to such plaintiff by such Comptroller General of the United States with 6 per centum interest thereon for the time it has been withheld from the plaintiff.

5. 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 General Accounting Office, if required to do so by the party, his agent or attorney, shall report forthwith to the General Counsel for the Department of the Treasury the balance due; and the General Counsel shall, within sixty days thereafter, order suit to be commenced against such delinquent and his sureties.

Officers, etc., in
arrears.
5 U. S. C. 82.

—no salary to.

—suit upon
bond of.

6. From and after February 24, 1931, there shall be no withholding or confiscation of the earned pay, salary, or emolument of any civil employee of the United States removed for cause: *Provided*, That if at the time of such removal any such employee is indebted to the United States any salary, pay, or emolument accruing to such employee coming within the provisions of this section shall be applied in whole or in part to the satisfaction of any claim or indebtedness due to the United States.

—withholding
pay.
5 U. S. C. 46a.

7. Whenever upon the statement of the account of any disbursing officer of the United States in the General Accounting Office credit shall have been disallowed for any payment to any person in the executive branch of the Government, otherwise entitled to compensation from the United States or from any agency or instrumentality thereof, such compensation of the payee may be withheld until full reimbursement has been accomplished under such regulations as may be prescribed by the head of the department, branch, or independent establishment (including corporations) under which such payee is entitled to receive compensation.

Credit dis-
allowed for
payment.
5 U. S. C. 46b,
Supp. V.

309. 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 subpoena for a witness being within the jurisdiction of

Witnesses in
claims.
5 U. S. C. 94.
—head of de-
partment may
apply for sub-
poena to judge
or clerk of
United States
court.

such court, to appear at a time and place in the subpoena 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.

See 5 U. S. C. 95 as to fees to witnesses; 5 U. S. C. 96 as to penalty for witness refusing to attend in response to subpoena; 5 U. S. C. 48 as to attendance of counsel upon examination of witnesses; 5 U. S. C. 91 as to report to department upon suits in Court of Claims; and 18 U. S. C. 76, 80, and 92, as to penalties for presenting false claims, etc. These provisions apply to claims arising in connection with the departmental service.

**Court of Claims.
Jurisdiction.**
28 U. S. C. 250.

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

First. All claims (except for pensions) founded upon the Constitution of the United States or any law of Congress, upon any regulation of an executive department, upon any contract, express or implied, with the Government of the United States, or for damages, liquidated or unliquidated, in cases not sounding in tort, in respect of which claims the party would be entitled to redress against the United States either in a court of law, equity, or admiralty if the United States were suable: * * *

Second. All set-offs, counterclaims, claims for damages, whether liquidated or unliquidated, or other demands whatsoever on the part of the Government of the United States against any claimant against the Government in said court: * * *

**Transmission by
head of department
of accounts
and claims to
Court of Claims.**
28 U. S. C. 254.

311. When any claim or matter is pending in any of the executive departments which involves controverted questions of fact or law, the head of such department may transmit the same, with the vouchers, papers, documents, and proofs pertaining thereto, to the 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 for its guidance and action. If it shall have been transmitted with the consent of the claimant, or if it shall appear to the satisfaction of the court upon the facts established, that under existing laws or the provisions of this chapter it has jurisdiction to render judgment or decree thereon, it shall proceed to do so, in the latter case giving to either party such further opportu-

nity for hearing as in its judgment justice shall require, and shall report its findings therein to the department by which the same was referred to said court. The Secretary of the Treasury may, upon the certificate of the Comptroller General of the United States, direct any claim or matter, of which, by reason of the subject matter or character, the said court might under existing laws, take jurisdiction on the voluntary action of the claimant, to be transmitted, with all the vouchers, papers, documents, and proofs pertaining thereto, to the said court for trial and adjudication.

Settlement of accounts, etc., in Court of Claims. 28 U. S. C. 287.

312. 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 had 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, upon review of the decision of the Court of Claims as provided in section 288 of this title 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

—may be had after three years where cannot be had from proper department.

—final judgment to be conclusive.

Suit on judgment for amount found due.

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; and unless suit shall be brought within said time, such claim and the claim on the original indebtedness shall be forever barred. The provisions of section 274 of this title shall apply to cases under this section.

District courts, jurisdiction concurrent with Court of Claims. 28 U. S. C. 41 (20).

313. The district courts shall have original jurisdiction as follows: * * *

Twentieth. Concurrent with the Court of Claims, of all claims not exceeding ten thousand dollars founded upon the Constitution of the United States or 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, or for damages, liquidated or unliquidated, in cases not sounding in tort, in respect to which claims the party would be entitled to redress against the United States, either in a court of law, equity, or admiralty, if the United States were suable, and of all set-offs, counterclaims, claims for damages, whether liquidated or unliquidated, or other demands whatsoever on the part of the Government of the United States against any claimant against the Government in said court; * * *

TITLE THREE

POST OFFICES

CHAPTER 1

ESTABLISHMENT AND DISCONTINUANCE OF POST OFFICES AND APPOINTMENT OF POSTMASTERS

ESTABLISHMENT OF POST OFFICES

401. 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 General Accounting Office.

Post offices.
39 U. S. C. 1.
Postmaster
General to
establish.

2. Whoever, without authority from the Postmaster General, shall set up or profess to keep any office or place of business bearing the sign, name, or title of post office, shall be fined not more than five hundred dollars.

Conducting
post office
without
authority.
Penalty.
18 U. S. C. 302.

See sec. 1 as to authority to establish post offices and post roads.

402. The Postmaster General, when the public convenience requires it, may establish within any post-office delivery one or more branch offices (stations or substations) 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.

Branch post
offices.
39 U. S. C. 158.

2. No station, substation, or branch post office shall be established beyond the corporate limits or boundaries of any city or town in which the principal office to which such station, substation, or branch office is attached is located, except in cases of villages, towns, or cities of fifteen hundred or more inhabitants not distant more than five miles as near as may be from the outer boundary or limits of such city or town in which the principal office is located.

—limitations
upon establish-
ment.
39 U. S. C. 160.

—contract stations.
39 U. S. C. 161.

3. The Postmaster General may enter into contracts for the conduct of contract stations for a term not exceeding two years.

39 U. S. C. 159.

4. The Postmaster General shall establish in the islands of Hawaii, in Puerto Rico, and the Virgin Islands under appropriate regulations to be prescribed by him, such branch offices, nonaccounting offices, or stations of Honolulu, San Juan, and Charlotte Amalie, respectively, as in his judgment may be necessary to improve the service and as may be required for the convenience of the public: *Provided, however,* That such branches, nonaccounting offices, and stations shall be conducted under the name of the existing post offices affected so as to maintain the identity of the offices concerned.

Branches and stations.

403. Postal stations for the receipt and dispatch of mails that are located outside of the corporate limits of the city or town in which the principal office is located to which they are attached shall be known as branch post offices and designated by local names only, and the name of every such branch post office shall be separately entered in its alphabetical order in the list of post offices in the Official Postal Guide.

—branch offices defined.

—shall be listed alphabetically in Postal Guide.
—designation.

2. Stations located within the corporate limits of the municipality in which the post office to which they are attached is situated, shall be designated by numbers, letters, or local names. Numbered stations may be located outside the corporate limits.

3. Stations and branch post offices shall be divided into the following classes:

—“classified.”

(a) “Classified,” those in charge of classified employees and occupying quarters provided by the Government.

—“contract.”

(b) “Contract,” those usually located in drug stores or other places of business and operated under contract by persons not in the classified service who are required to furnish quarters and equipment, heat, light, and the necessary clerical assistance. Where the needs of the service require, contract stations may be established in Government buildings provided the required space and equipment is furnished by the proper Federal authority, and the contractor receives no salary, pay, or emolument from any department or office of the Government and provided that the rate of compensation will take into consideration the fact that the contractor is not required to furnish space or equipment.

—window service at.

4. All stations and branch post offices shall transact money-order and registry business and shall sell postage supplies except where the purpose of the establishment of the station or branch is such as not to require these facilities, and when specially designated, shall transact postal-savings business. Stations and branch post offices are “independent” when designated as such for the

—exchange of mails at.

receipt and dispatch of registered mail direct, without passing through the office to which they are attached.

404. Names of post offices shall be changed only by order of the Postmaster General.

405. 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 General Accounting Office.

2. No post office established at any county seat shall be abolished or discontinued by reason of any consolidation of post offices made by the Postmaster General, * * *. This provision shall not apply to the city of Cambridge, Massachusetts, or to Towson, Maryland, or to Clayton, Saint Louis County, Missouri.

406. Post offices at summer resorts and winter resorts shall be continued as offices, although no mail is received or dispatched during certain seasons.

2. The postmaster at a summer-resort or winter-resort post office, when closing the office for the season, shall return all unsold postage-stamp stock to his central-accounting postmaster, with a postal account in which he shall account for the difference between the amount of postage-stamp stock returned and the amount of his fixed credit. Fixed credits for stamped paper other than postage-stamp stock shall be accounted for by the return of the stamps or the cash derived from their sale. Fifteen days before the proposed reopening of a summer-resort or winter-resort post office the postmaster shall notify his central-accounting postmaster, who shall furnish him with stamp stock on fixed credit. The post-office equipment and records at a summer-resort or winter-resort post office may be retained by the postmaster provided he remains in the locality during the closed season; otherwise they should be turned over for safe keeping to the nearest post office.

3. Thirty days prior to the close of each season the postmaster at a winter-resort or summer-resort post office shall notify the First Assistant Postmaster General, Division of Postmasters, of the date on which the office is to be closed for the season so necessary changes in mail service may be made, and also furnish him the postmaster's post office address for the remainder of the year.

4. Thirty days prior to the proposed reopening of a winter-resort or summer-resort post office the postmaster shall notify the First Assistant Postmaster General, Division of Postmasters, so that arrangements may be made for supplying the office with mail.

—"independent."

Change of name of post office.

Discontinuance of post offices.
39 U. S. C. 2.
—to be certified to General Accounting Office.

—at county seats forbidden for purposes of consolidation.
39 U. S. C. 3.

Summer and winter resort post offices.

—to be continued during year.
—property at, how cared for.

—postmaster to report time of closing.

—and time of opening.

APPOINTMENT AND QUALIFICATION OF POSTMASTERS

Appointment and removal of postmasters.
39 U. S. C. 31.
—of first, second, and third classes.

—of fourth class.

39 U. S. C. 31a,
Supp. V.

Note.

39 U. S. C. 31b,
Supp. V.

Vacancies in post office to be filled promptly.
39 U. S. C. 38.

General Accounting Office to be advised of change.

Age limits.

407. (a) 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 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 General Accounting Office.

(b) Postmasters of the first, second, and third classes shall hereafter be appointed in the classified service without term by the President by and with the advice and consent of the Senate.

NOTE.—Postmasters now serving may continue to serve until the end of their terms, but they shall not acquire a classified civil-service status at the expiration of such terms of office except as provided in paragraph 1 (c) of this section.

(c) Appointments to positions of postmaster at first-, second-, and third-class post offices shall be made by the reappointment and classification, noncompetitively, of the incumbent postmaster, or by promotion from within the Postal Service in accordance with the provisions of the Civil Service Act and Rules, or by competitive examination, in accordance with the provisions of the Civil Service Act and Rules. No person shall be eligible for appointment under this section unless such person has actually resided within the delivery of the office to which he is appointed, or within the city or town where the same is situated for 1 year next preceding the date of such appointment, if the appointment is made without competitive examination; or for 1 year preceding the date fixed for the close of receipt of applications for examination, if the appointment is made after competitive examination.

2. 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 General Accounting Office of the change; * * *.

3. Candidates for the position of postmaster at Presidential post offices, other than those in the classified service, must not have passed their 63rd birthday and must meet the following minimum age requirements on the closing date for receipt of applications by the Civil Service Commission:

Third-class offices in grades ranging from \$1,100 to \$2,300 per annum, 21 years.

Second-class offices in grades ranging from \$2,400 to \$3,000 per annum, 23 years.

First-class offices in grades ranging from \$3,200 to \$4,000 per annum, 25 years; \$4,200 and above, 30 years.

Persons granted preference because of military or naval service and classified employees of the postal service are released from age limitations, except that such persons who have passed their seventieth birthday will not be eligible for examination.

4. All positions of postmaster at post offices of the fourth class (except those in Alaska, Guam, Hawaii, Puerto Rico, Samoa, and the Virgin Islands), have been by Executive order placed in the competitive classified service and made subject to the Civil Service Act and rules.

Appointments.
—under civil
service law.

5. Appointments by the Postmaster General to offices having an annual compensation of \$500 or more shall be made in the same manner as provided by the Civil Service Act and rules for other positions in the competitive classified service, except as otherwise provided.

6. Appointments by the Postmaster General at offices having an annual compensation of less than \$500 shall be made in the following manner: When a vacancy has occurred or is about to occur at any such office, a post-office inspector will visit the locality and report upon the suitability of applicants for the appointment in the order of their fitness, such report to be based solely upon the qualifications and suitability of the applicants and their ability to provide proper facilities for transacting the business of the office.

—upon inspec-
tor's recom-
mendation.

7. A postmaster of the fourth class having an annual compensation of less than \$500 shall not be eligible for transfer to any other position in the competitive classified service. Where the annual compensation of the office has amounted to \$500 or more at any time during his incumbency, he may, in accordance with law and the civil service rules, after serving 1 year as postmaster and upon passing an appropriate noncompetitive examination, be transferred to a position of rural carrier at the office at which he is serving. After 3 years' service and upon passing an appropriate noncompetitive examination, he may be transferred to a position of rural carrier at any other post office, or to any other position in the competitive classified service for which he can qualify in accordance with the Civil Service Act and rules. When the annual compensation of an office is increased to \$500 or more the incumbent of such office shall be given all the rights and privileges of persons appointed to offices with annual compensation of \$500 or more.

—transfers not
permissible.

—exception.

8. No person shall be eligible for appointment as fourth-class postmaster if he has reached his sixty-fifth birthday on the date of close of receipt of applications. Where the applicant is a veteran, widow of a veteran, or the wife of a disabled veteran, the age for entrance to the examination is waived, except that

—age limit.

no person will be admitted who has reached the age of retirement.

—classified status, when given.

9. Where the Civil Service Commission is unable to establish a register of eligibles for fourth-class postmaster and authorizes an appointment by the Postmaster General on the report of a post office inspector, the same regulations shall apply as govern appointments where the compensation is less than \$500.

—probationary period.

10. All postmasters in the classified civil service shall serve a probationary period of one year.

Ineligible for postmastership.
—alien.
—exceptions.

408. No person shall be appointed postmaster or acting postmaster of a post office in the continental United States unless he is a citizen of the United States or a person in the service of the United States on March 28, 1938, who being eligible for citizenship has filed a declaration of intention to become a citizen or who owes allegiance to the United States.

—minor.

2. No person under 21 years of age shall be appointed postmaster or acting postmaster.

—contractor.

3. No person concerned in a contract for carrying the mails, either as contractor, subcontractor, or surety, nor any member of his immediate family shall be appointed postmaster.

See sec. 65 and sec. 1772 as to postmasters interested in mail contracts.

—holding claim against Government.
—husband or wife of rural carrier.

4. No person engaged in the prosecution of claims against the Government shall be appointed postmaster.

5. The husband or wife of a rural carrier shall not be appointed postmaster, nor shall the husband or wife of a postmaster be appointed rural carrier.

Residence.
39 U. S. C. 32.

409. Every postmaster shall reside within the delivery of the office to which he is appointed or within the town or city where the same is situated.

—State boundaries.

2. The delivery district of a post office is not affected by State boundaries, and a postmaster may reside outside the State where his office is located if he is within the delivery thereof.

BONDS AND COMMISSIONS OF POSTMASTERS

Bonds of postmasters.
39 U. S. C. 34.

410. 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. On the death, resignation, or removal of a postmaster, his bond shall be delivered to the General Accounting Office. 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.

See sec. 67 as to approval of postmasters' bonds and sec. 71 as to surety companies acceptable on bonds.

411. * * * and every postmaster and his sureties shall be responsible under their bond for the safekeeping 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 (post-office inspector) 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. (See sec. 69.)

Liability of sureties.
39 U. S. C. 38.

—to continue till vacancy is filled, etc.

—may be terminated by notice.

Inspector may be put in charge.

412. An official bond and oath of office shall be executed by every person appointed postmaster or acting postmaster on a blank furnished by the First Assistant Postmaster General. The official bond shall be signed by the appointee as principal and one or more approved bonding companies or two or more individual sureties and the signatures of the principal and sureties attested by witnesses. An authorized officer shall administer the oath of justification to the individual sureties as to their financial responsibility.

Execution of bonds.

—oath of justification.

2. After execution the official bond and oath of office shall be transmitted to the First Assistant Postmaster General, Division of Postmasters, for examination and, if satisfactory, for approval, acceptance, and filing.

—examination and filing.

See sec. 68 as to release of sureties and renewal of bonds.

3. Every postmaster shall keep a record in his office of the name of the surety on his bond and the amount of the penalty of the bond. This record shall be kept in the current postmaster's account book.

Record of bond in post office.

413. Postmasters shall furnish new bonds whenever deemed necessary by the First Assistant Postmaster General; also upon the death, insolvency, or other disability of one or more of the personal sureties on the postmaster's bond, or whenever any postmaster under bond with personal sureties shall have remained in office for four years from the effective date of his last official bond. (See sec. 69.) Postmasters shall promptly report to the department the death, insolvency, or other disability of a personal surety, and failure to do so will be deemed sufficient cause for removal.

New bonds by postmasters, when required.

Commissions of officers under direction of the Postmaster General.
5 U. S. C. 11.

414. The commissions of all officers under the direction and control of * * * the Postmaster General * * * shall be made out and recorded in the * * * (Post Office Department) under which they are to serve, and the department seal affixed thereto, any laws to the contrary notwithstanding: * * *.

When commissions of postmasters shall be issued and duties assumed.

415. A commission shall be issued to every person appointed postmaster upon the filing and acceptance of his bond and oath of office. The duties of the office shall not be assumed by the person appointed until after he has received his commission or notice that the commission has been issued.

Former postmaster to continue until successor takes charge.

2. After a new postmaster has been commissioned the old postmaster shall continue to be recognized as such, and his requisitions shall be honored until his successor has actually taken possession of the office.

Postmaster shall transfer post office and records.

3. The postmaster shall transfer the post office and all records, supplies, and other Government property in his custody to his successor upon presentation of his commission, or notice that the commission has been issued, or at such time thereafter as may suit the convenience of the new postmaster. (See secs. 129, 130, 271, 279, and 1531.)

ACTING POSTMASTERS

Procedure in case of vacancy.
39 U. S. C. 39.

416. Whenever the office of a postmaster becomes vacant through death, resignation, or removal, the Postmaster General shall designate some person to act as postmaster until a regular appointment can be made by the President in case the office is in the first, second, or third class, and by the Postmaster General when the office is in the fourth class; and the Postmaster General shall notify the General Accounting Office of the change. The postmaster so appointed shall be responsible under his bond for the safekeeping of the public property pertaining to the post office and the performance of the duties of his office until a regular postmaster has been duly appointed and qualified and has taken possession of the office. Whenever a vacancy occurs from any cause the appointment of the regular postmaster shall be made without unnecessary delay.

General Accounting Office to be advised of change. Liability of sureties. —to continue till vacancy is filled, etc.

39 U. S. C. 39a. Supp. V.

2. Appointments of acting postmasters in all classes of post offices shall be made by the Postmaster General: *Provided*, That acting postmasters shall serve not to exceed 6 months from the date of their designation, except that the Postmaster General may extend the period

of service of any acting postmaster beyond such 6 months' period with the permission of the Civil Service Commission.

3. A person who, upon the occurrence of a vacancy and pending the appointment of a postmaster or the designation of an acting postmaster, assumes and properly performs the duties of postmaster at any third- or fourth-class post office shall be allowed compensation as postmaster for the period of such service: *Provided*, That the Comptroller General of the United States, in the settlement and adjustment of accounts and claims for compensation for service heretofore rendered, but subsequent to June 30, 1930, is hereby authorized and directed to allow compensation as postmaster for service rendered under the circumstances and conditions hereinbefore prescribed.

39 U. S. C. 39.
Supp. V.

4. When a postmaster voluntarily abandons his office, such account may be regarded as sufficient cause for removal.

Abandonment
of office.

417. When, upon the death, resignation, or removal of a postmaster, an acting postmaster is designated by the Postmaster General, and takes charge of the post office, he shall sign all papers, returns, accounts, requisitions, money orders, etc., as "acting postmaster."

Acting
postmaster.

—signature.

2. The accounts, up to and including the day of the death or retirement of the postmaster, shall, however, unless they have been rendered by the assistant postmaster, be signed by the acting postmaster thus: "A. B., acting postmaster, ———, postmaster deceased" (or removed, resigned, as the case may be).

—accounts.

3. An acting postmaster shall not claim compensation as postmaster nor shall his requisitions be honored until his bond is approved by the First Assistant Postmaster General.

—compensation
and requisitions.

4. The qualifications for appointment as acting postmaster are the same as for appointment as postmaster. (See secs. 408 and 409.)

PERFORMANCE OF DUTIES DURING ABSENCE OF POSTMASTER

418. 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 ap-

Performance of
duties during
absence of post-
master.
39 U. S. C. 714.

—at money-
order offices.

Liability of postmaster.

pointed 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.

Assistant postmaster to manage office unless at money-order offices other clerk is designated.

419. The assistant postmaster shall in all cases manage the business of the post office during the absence of the postmaster, unless at money-order offices some other clerk is designated for this purpose, as provided in section 418.

See secs. 446 and 449 as to assistant postmasters and their duties.

Designation of clerk at money-order offices to perform duties during absence of postmaster.

2. The postmaster at every money-order post office having a money-order credit with the Treasurer of the United States shall designate the assistant postmaster, chief clerk, or some other clerk therein, subject to the approval of the Postmaster General, to perform the duties of the office during his sickness or unavoidable absence. Such designation shall be made on Form 6834, even though the assistant postmaster is the person designated, and forwarded to the Third Assistant Postmaster General, Division of Money Orders, by whom blanks of that description are furnished.

—how made.

Assistant postmaster.

3. When an assistant postmaster or clerk is in charge of the post office during the temporary absence or sickness of the postmaster, he shall sign all papers, returns, accounts, requisitions, etc.: "A. B., postmaster, by C. D., assistant postmaster," or "A. B., postmaster, by E. F., clerk."

—official signature.

Clerk designated to perform duties of office.

—to take charge during absence of postmaster.

4. Whenever at any money-order office, a clerk, who is not assistant postmaster, is authorized, with the approval of the Postmaster General, to take charge of the office during the sickness or absence of the postmaster, such clerk shall, whenever the postmaster is absent, assume the duties of the post office, and the assistant postmaster, and all clerks and employees therein, shall observe his instructions the same as those of the postmaster.

—instructions to be obeyed.

Assistant postmaster.—official signature.

420. When the postmaster dies, resigns, retires, or is removed, the assistant postmaster, during such time as he conducts the business of the office, before the designation of an acting postmaster, shall sign all papers, etc.: "A. B., postmaster, deceased (resigned, removed, etc., as the case may be), by C. D., assistant postmaster."

Signing of papers not requiring postmaster's signature.

421. Postmasters may authorize their assistants to sign their names to such reports, letters, and papers as are not specially required to be signed by the postmaster himself. The signature should be: "A. B., postmaster, by C. D., assistant postmaster." The name of the postmaster may be either written or stamped, but the signature of the assistant shall be in ink.

Authority to sign checks.

422. A postmaster who is authorized to pay salaries or other expenses by means of checks drawn on the Treasurer of the United States, shall designate one or more of the employees of his

office to sign checks in his name when authorized and such employees shall give bond covering such duties, on a special form which may be obtained from the First Assistant Postmaster General, Division of Post Office Service. After the bond is approved, the postmaster shall certify to the Third Assistant Postmaster General, Division of Finance, in triplicate on Form 3012, that the employee is authorized to sign checks, which certificate shall bear a specimen of the employee's signature; such checks shall be signed thus: "A. B., Postmaster, by-----" (Name of authorized employee.)

Bond to be furnished.

Signatures.

See sec. 236 as to payment by check.

CHAPTER 2

CLASSIFICATION AND COMPENSATION OF POSTMASTERS

423. Postmasters shall be divided into four classes, as follows:

Classification of postmasters. 39 U. S. C. 53.

—first class.

—second class.

—third class.

—fourth class.

The first class shall embrace all those whose annual salaries are \$3,200 or more.

The second class shall embrace all those whose annual salaries are less than \$3,200, but not less than \$2,400.

The third class shall embrace all those whose annual salaries are less than \$2,400, but not less than \$1,100.

The fourth class shall embrace all postmasters whose annual compensation amounts to less than \$1,100, exclusive of commissions on money orders issued.

Salaries of postmasters at offices of the first, second, and third classes. —how fixed. 39 U. S. C. 54.

424. (a) The respective compensation of postmasters of the first, second, and third classes shall be annual salaries, graded in even hundreds of dollars, and payable in semimonthly payments to be ascertained and fixed by the Postmaster General from their respective quarterly returns to the General Accounting Office, or copies of duplicates thereof to the First Assistant Postmaster General, for the calendar year immediately preceding the adjustment, based on gross postal receipts at the following rates, namely:

POSTAL LAWS AND REGULATIONS

FIRST CLASS

\$40,000 but less than \$50,000.....	\$3,200
\$50,000 but less than \$60,000.....	3,300
\$60,000 but less than \$75,000.....	3,400
\$75,000 but less than \$90,000.....	3,500
\$90,000 but less than \$120,000.....	3,600
\$120,000 but less than \$150,000.....	3,700
\$150,000 but less than \$200,000.....	3,800
\$200,000 but less than \$250,000.....	3,900
\$250,000 but less than \$300,000.....	4,000
\$300,000 but less than \$400,000.....	4,200
\$400,000 but less than \$500,000.....	4,500
\$500,000 but less than \$600,000.....	5,000
\$600,000 but less than \$1,500,000.....	6,000
\$1,500,000 but less than \$3,000,000.....	7,000
\$3,000,000 but less than \$7,000,000.....	8,000
\$7,000,000 but less than \$10,000,000.....	9,000
\$10,000,000 but less than \$20,000,000.....	10,000
\$20,000,000 but less than \$40,000,000.....	11,000
\$40,000,000 and upwards.....	12,000

SECOND CLASS

\$8,000 but less than \$12,000.....	\$2,400
\$12,000 but less than \$15,000.....	2,500
\$15,000 but less than \$18,000.....	2,600
\$18,000 but less than \$22,000.....	2,700
\$22,000 but less than \$27,000.....	2,800
\$27,000 but less than \$33,000.....	2,900
\$33,000 but less than \$40,000.....	3,000

THIRD CLASS

\$1,500 but less than \$1,600.....	\$1,100
\$1,600 but less than \$1,700.....	1,200
\$1,700 but less than \$1,900.....	1,300
\$1,900 but less than \$2,100.....	1,400
\$2,100 but less than \$2,400.....	1,500
\$2,400 but less than \$2,700.....	1,600
\$2,700 but less than \$3,000.....	1,700
\$3,000 but less than \$3,500.....	1,800
\$3,500 but less than \$4,200.....	1,900
\$4,200 but less than \$5,000.....	2,000
\$5,000 but less than \$6,000.....	2,100
\$6,000 but less than \$7,000.....	2,200
\$7,000 but less than \$8,000.....	2,300

When the gross postal receipts of a post office of the third class for each of two consecutive calendar years are less than \$1,500, or when in any calendar year the gross postal receipts are less than \$1,400, it shall be relegated to the fourth class.

(b) Only 85 per centum of the gross postal receipts during the period the increased rate of postage * * * (July 6, 1932, to July 1, 1941) remains in force shall be counted for the purpose of determining the class of the post office or the compensation or allowances of postmasters or of postal employees of post offices of the first, second, and third classes, except that in the case of such post offices as have city or village letter-carrier service 90 per centum of the gross postal receipts shall be counted for such purpose.

How counted temporarily. 1932, June 6; Public, No. 154, sec. 1001. 53 Stat. 862.

(c) In fixing the salary of the postmaster in the post office at Washington, District of Columbia, the Postmaster General may, in his discretion, add not to exceed 75 per centum to the gross receipts of that office.

Postmaster at Washington, D. C. 39 U. S. C. 55.

NOTE.—Postmasters at first-, second-, and third-class offices are not allowed commissions on the money-order business, but see section 1403 as to such commissions allowed to postmasters at offices of the fourth class. Money-order fees are not included as a part of the gross receipts in adjusting salaries under this law. The gross receipts on which the postmaster's salary is based are the legitimate normal receipts of the office, and any abnormal or illegal increase in the receipts, whether caused by the postmaster or persons interested, will be disallowed in the adjustment of the salary of the postmaster. (See secs. 138, 252, 528, 579, and 709.)

Note.

Money-order commissions.

See secs. 1083, 1094, and 1100 as to compensation for special-delivery business at other than city-delivery offices.

2. In determining the gross receipts upon which the salary of a postmaster shall be based, stamps, stamped envelopes, and postal cards sold in large or unusual quantities to any person to be used in mailing matter at other post offices, or in mailing matter diverted from other offices, shall not be included, whether the sale be made with or without solicitation by the postmaster.

Manner of determining gross receipts. 39 U. S. C. 56.

3. When postage stamps or other stamped paper are sold in large or unusual quantities, the postmaster shall ascertain whether the purchaser intends to use such postage stamps or other stamped paper for mailing matter in his office or another office, or for mailing matter diverted from another office; and any "outside" sales shall be reported to the First Assistant Postmaster General, Division of Post Office Service, at the end of the quarter in which the sales are made. The statement of such outside sales shall be itemized by the postmaster as to dates, amounts of purchases, and business addresses of the purchasers, and shall bear the following form of certificate:

Unusual stamp sales. —duty of postmaster to investigate.

—report of.

I hereby certify on my oath of office that the foregoing is a true and correct statement, and that to the best of my knowledge and belief it shows all the stamp supplies sold at this office for use elsewhere, or on mailings diverted from other post offices.

Upon evidence of neglect of the postmaster to ascertain and report such facts, he shall be required to refund the amount of

Refund of excess salary.

the excess salary and allowances he may have received on account of such sales.

—business reply cards and envelopes.
39 U. S. C. 303.

4. * * * for the purpose of fixing the compensation and allowances at first-, second-, and third-class offices credit shall be allowed only for the postage collected in addition to the regular rate on such (business reply) cards and letters (in business reply envelopes) delivered at such offices: * * *.

See sec. 510 as to postage to be collected on delivery.

5. In determining the gross postal receipts upon which the salaries of postmasters shall be based, as provided by law, there shall be deducted from the quarterly returns furnished by the General Accounting Office the postage at the regular rate collected at first-, second-, and third-class post offices on business reply cards and letters in business reply envelopes, and the amount of such collections for the respective offices shall be furnished by the Third Assistant Postmaster General to the First Assistant Postmaster General for use in fixing the compensation and allowances at first-, second-, and third-class post offices.

Matter shipped by freight and mailed.

6. When matter entitled to transmission in the mails at the fourth-class rates of postage is shipped by freight or express, to be deposited in the mails at a given post office, without solicitation by the postmaster, and not primarily for the purpose of increasing his salary or allowances, such office of mailing is construed to be the office of origin, and the mail shall not be considered as diverted. Stamps sold at the post office of mailing and there used on such mail shall be included in determining the gross receipts upon which the salary of the postmaster is based. The postage used on such mailings shall not be included in the gross receipts unless purchased at the office where such mailings are deposited in the mails.

See sec. 138 as to penalty for unlawful sales.

Readjustment of salaries of postmasters of first, second, and third classes.
39 U. S. C. 61.

425. The Postmaster General shall make all orders relative to the salaries of postmasters; * * * and the General Accounting Office shall be notified of any and all changes of salaries.

To take effect July 1.

2. Readjustments (salaries of postmasters of the first, second, and third classes) shall be made annually to take effect at the beginning of the ensuing fiscal year (July 1) upon the basis of returns for the four quarters ending December 31 preceding such adjustments.

Note.

NOTE.—For exceptions as to readjustments for offices advanced because of unusual conditions see sec. 426.

Relegation to lower class.

3. When the receipts at any office fall below the minimum required for the class to which it is assigned it shall be relegated to its proper class; but the status of an office of the first-, second-, or third-class shall be changed at the regular readjustment

period, except as provided in section 426 with reference to unusual conditions.

4. Where two or more postmasters serve during the same quarter, the salary of the office shall be divided pro rata among them.

426. (a) 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 and on postage stamps, stamped envelopes, postal cards, stamps on registry matter, including stamps to cover return receipts, insured and collect-on-delivery matter, canceled, on matter actually mailed at their offices, except the stamps affixed to pay the fees for special delivery service and special handling service, and on that part of the value of the stamps on the mail for transportation by air mail, canceled at their offices, equal to the postage which would be required on such mail at the regular domestic rates, and on the amount of newspaper and periodical postage collected in money, and on the postage collected in money on identical pieces of third- and fourth-class matter mailed under the provisions of section 295 of this title, without postage stamps affixed, and on postage collected in money on matter of the first class mailed under provisions of section 273 of this title, without postage stamps affixed (and on business reply cards and envelopes, see par. 5), and on amounts received from waste paper, dead newspapers, printed matter, and twine sold, at the following rates, namely:

(b) On the first \$75 or less per quarter the postmaster shall be allowed 160 per centum on the amount; on the next \$100 or less per quarter, 85 per centum; and on all the balance, 75 per centum, the same to be ascertained and allowed by the General Accounting Office in the settlement of the accounts of such postmasters upon their sworn quarterly returns: *Provided*, That in adjusting the quarterly compensation of postmasters of the fourth class the General Accounting Office shall allow such compensation as may be shown by the quarterly returns to be due, not exceeding \$275 for the quarter ending September 30, not exceeding \$550 for the two quarters ending December 31, not exceeding \$825 for the three quarters ending March 31, and not exceeding \$1,100 for the

Division of salary among different postmasters.

Fourth-class postmasters, compensation. 39 U. S. C. 57.

—rate.

whole fiscal year, exclusive of 3 cents commission on each money order issued.

How counted temporarily, 1932, June 6; Public, No. 154, sec. 1001. 53 Stat. 862.

(e) * * * For the purpose of determining the commissions (as distinguished from the compensation and the allowances based thereon) of postmasters of the fourth class, only 85 per centum of the applicable cancellations, collection, and receipts during such period (July 6, 1932 to July 1, 1941) shall be counted.

—change of postmasters. 39 U. S. C. 57a.

2. Whenever during the fiscal year there occurs or is created a change in the postmastership of an office of the fourth class, by death or otherwise, the outgoing postmaster shall receive in the final settlement of his account all his earned compensation for that part of the fiscal year which he has served, but in no case shall such compensation amount to more than such sum as is determined by taking such a fractional part of \$1,100 as the time he has served in that fiscal year is to the whole fiscal year.

—office assigned to higher class. 39 U. S. C. 59.

3. When the total compensation of any postmaster at a post office of the fourth class for the calendar year shall amount to \$1,100, exclusive of 3 cents commission on each money order issued, and the receipts of such post office for the same period shall aggregate as much as \$1,500, the office shall be assigned to its proper class on July 1, following and the salary of the postmaster fixed according to the receipts.

—unusual conditions. 39 U. S. C. 60.

4. Whenever unusual conditions prevail, the Postmaster General, in his discretion, may advance any post office from the fourth class to the appropriate class indicated by the receipts of the preceding quarter, notwithstanding the provisions of section 59 of this title which requires the compensation of fourth-class postmasters to reach \$1,100 for the calendar year, exclusive of commission on each money order issued, and that the receipts of such post office for the same period shall aggregate as much as \$1,500 before such advancement is made: *Provided*, That when the Postmaster General has exercised the authority herein granted he shall, whenever the receipts are no longer sufficient to justify retaining such post office in the class to which it has been advanced, reduce the grade of such office to the appro-

priate class indicated by its receipts for the last preceding quarter.

See sec. 427 as to commissions on postage collected in money; sec. 1083 as to compensation for special-delivery business; sec. 1403 as to commissions on money-order business; sec. 252 as to fixing compensations in case of false returns of cancellations; sec. 2319 as to punishment for making false returns; sec. 1602 as to transaction of postal-savings business; sec. 475 as to allowances for rent, fuel, light, and equipment; secs. 529 and 579 as to fees on second-class matter.

5. * * * postmasters at offices of the fourth class shall be entitled to include in the amounts upon which their commissions on cancellations are based the amount of postage chargeable at the regular rate on such (business reply) cards and letters (in business reply envelopes) mailed at their offices.

—on business reply cards and envelopes. 39 U. S. C. 303.

See sec. 510 as to rates of postage to be collected on delivery.

427. Postmasters of the fourth class shall be allowed commissions as follows:

Commissions of postmasters of fourth class.

(a) Upon the amount of canceled postage stamps, stamped envelopes, newspaper wrappers, postal cards, canceled postage-due stamps, stamps on registered matter, including stamps to cover return receipts, insured and collect-on-delivery matter canceled, on matter actually mailed at their offices, that part of the value of the stamps on the mail for transportation by air mail, canceled at their offices, equal to the postage which would be required on such mail at the regular domestic rates, and other matter actually mailed at their offices.

(b) Upon the amount of newspaper and periodical postage collected in money, and on the postage collected in money on mailings of the various classes of matter mailed under permit without postage stamps affixed, as provided in sections 562 and 579, and on business reply cards and letters in business reply envelopes at 1 cent each and 3 cents for each ounce or fraction thereof, respectively, mailed in accordance with section 510 the same as on cancellations of postage stamps. Credit shall be allowed postmasters for cancellations of stamps on matter mailed on rural routes and at rural stations of their offices. The total collections on second-class matter mailed at pound rates shall be reported as one item, and the total collections on mailings under sections 562 and 579 as another separate item in the quarterly postal account.

(c) On amounts received from waste paper, dead newspapers, printed matter, and twine sold.

2. Commissions shall not be claimed by postmasters for the cancellation of the penalty clause on official envelopes. —exceptions.

3. Commissions shall not be claimed by postmasters for the cancellation of postage stamps on matter diverted from other post offices to their post offices for mailing. (See sec. 709.)

4. Commissions shall not be claimed by postmasters on undeliverable mail matter of the second, third, and fourth classes which

is returned to the sending office and which bears the pledge "Return postage guaranteed."

5. Credit shall not be allowed for cancelation of internal-revenue stamps or of special-delivery stamps or ordinary stamps used to effect special delivery of mail or of special-handling stamps or ordinary stamps used to effect special-handling service.

6. At offices of the fourth class, whenever during the fiscal year a change of postmasters occurs from any cause, the outgoing postmaster shall receive, in the final settlement of his account, all his earned compensation for that quarter of the fiscal year which he had served, as provided in section 426.

Withdrawal of compensation.

7. A postmaster of the fourth class may withdraw his earned compensation at any time during the quarter, but shall not withdraw more than his pro rata portion of the quarterly compensation, to be determined in accordance with the provision of section 426, and shall have on hand at all times an amount sufficient to meet the demands of the Government after credit is given for salary and all other authorized expenditures.

See sec. 138 as to unlawful pledging or sale of stamps; sec. 252 as to false returns of business, and sec. 1403 as to commissions on money orders issued.

Withdrawal of accrued salaries

428. Postmasters of the first, second, and third classes shall withdraw their accrued salaries at the close of business on the 15th and last day of each month. If either of said days falls on Sunday or a legal holiday, the accrued salaries may be withdrawn on the next business day. (See sec. 235.)

Salaries of postmasters to be full compensation for all risks, etc.
39 U. S. C. 717.

429. * * * 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.

Compensation of acting postmasters.
39 U. S. C. 63.
—to be regular compensation of office.

430. 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.

Note.

NOTE.—A person performing the duties of postmaster, where there is a vacancy in the office, by appointment of the Postmaster General is held to be acting by authority of the President. (See secs. 407 and 416.)

CHAPTER 3

GENERAL PROVISIONS RELATING TO POST OFFICES

Post offices to be open as directed by Postmaster General.
39 U. S. C. 4.

431. 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.

See secs. 435 and 436 as to office hours.

432. Application for authority to change the site or location of a post office shall be made to the Fourth Assistant Postmaster General, Division of Post Office Quarters, when the office is of the first, second, or third class, and to the First Assistant Postmaster General, Division of Postmasters, when of the fourth class. Should the site of an office be changed without authority the postmaster shall provide for the exchange and carrying of the mails without additional expense to the Post Office Department.

Change of site of post office.—application for authority.

Where site changed without authority.

2. The postmaster shall state in his application the distance and direction of the proposed new site from the one occupied, and whether the cost of transportation of mails will be increased or decreased, and shall furnish a map or diagram of the city, town, or village, showing the present and proposed locations with respect to the principal places of business, and a petition signed by a majority of the patrons of his office that the change is satisfactory to them. In the case of first, second, and third class post offices the postmaster shall also forward a diagram of the present and proposed quarters upon which is accurately indicated the dimensions of each and the space therein to be used for post office purposes exclusively. At such offices the postmasters shall also state the amount that will be required for rent and for light and fuel per year for the proposed new quarters. Where post offices are located on railroads the application shall show the distance between the proposed site and the railroad station by the nearest route open to public travel, and shall state whether mails are handled by railroad employees or a department mail messenger.

—what application shall show.

3. Postmasters at post offices located on railroads shall also advise the division superintendent, Railway Mail Service, in advance of a change in site of the office, giving the distance between the railroad station and the new site, and stating whether mails are handled between post office and station by employees of the railroad or of the Post Office Department. Where mails are handled by railroad employees the local railroad agent or other representative shall also be advised before change of site is made.

Division superintendent Railway Mail Service to be advised.

433. Post offices shall not be allowed to become resorts for loungers or disorderly persons, or the scene of disputes or controversies. Smoking may be prohibited in the lobbies. Whenever necessary, postmasters should call on the civil authorities to preserve order, and if they refuse or fail to do so, the office may be closed.

Care of post offices.—to be kept free from loungers, etc.—smoking may be forbidden.

2. Post offices shall be kept at all times in a clean and orderly condition.

—to be clean and orderly.

3. No post office, or branch, or station of any post office shall be located in a room where intoxicating liquor is sold to be

consumed on the premises or in any room directly connected therewith.

Advertisements in post offices.
—not to be displayed.
Notices designed to influence elections not to be placed in post offices.

434. Advertisements, circulars, placards, handbills, cards, or notices relating to any private business, and pictures, cartoons, or other documents of a political character, or concerning any election, or designed to influence an election in favor of any candidate, shall not be placed upon the walls or elsewhere, for public exhibition, within post offices or the lobbies thereof, or on any portion of the post-office premises.

Bulletin board for public notices, etc.

2. Postmasters may, for the convenience of the public, allow bulletin boards to be placed in the post office, or may set apart some convenient place where notices of public assemblies, judicial sales, and other like announcements, whether printed or written, may be displayed; but these privileges shall be afforded without discrimination as to party or sect.

Weather Bureau reports.
—to be posted.

3. Postmasters shall post in a conspicuous place Weather Bureau reports received at their offices. (See secs. 517 and 1709.)

4. Postmasters may permit bulletin boards to be placed in the employees' swing rooms on which may be posted notices unobjectionable to the postmaster relating to the activities of employees' organizations, and such boards shall be equally available to all organizations. Such boards shall be erected according to specifications prepared by the postmaster, the expense thereof to be borne by the interested employees or organizations of employees.

5. The bulletin boards in the post-office workrooms and lobbies shall, except as stated in paragraph 2, be used only for the display of official notices, and no notices such as described in paragraph 4 shall be posted thereon.

Post-office hours.
—week days.

435. Post offices shall be kept open for the delivery of mail and the sale of stamps every week day during the hours when the principal business houses are open. Any postmaster desiring specific instructions as to general-delivery and stamp-window hours should write to the First Assistant Postmaster General, stating when mails arrive and depart and what hours are observed by the principal business houses.

Registry service.

2. Offices of the first class and their stations shall be kept open for the receipt and delivery of registered mail until 6 p. m. and offices of other classes during the hours observed by the principal business houses.

Money-order service at first and second class offices.

3. Post offices of the first class shall be kept open for the transaction of money-order business from 9 a. m. to 5 p. m.; offices of the second class from 8 a. m. until 6 p. m.; and stations of offices of the first and second classes from 8 a. m. until 6 p. m. Additional time shall be allowed by the postmaster if necessary.

—at third and fourth class offices.

4. Third- and fourth-class offices doing money-order business shall be kept open for such business during the hours observed for the transaction of postal business; and, as a general rule, money-order business shall be transacted during the period in which stamps are sold.

Postal-savings service.

5. Every post office designated as a postal-savings depository shall remain open for the receipt and withdrawal of deposits

every week day during the hours prescribed for the transaction of money-order business and at such other times as the business of the office may require or as the Postmaster General shall direct.

6. Service to the public at post-office windows shall not be suspended on account of the distribution of mails during the regular hours of service at such windows if the clerical force is sufficient to attend to both distribution and delivery at the same time.

Window service during distribution of mails.

7. Post offices shall not be closed during business hours unless special authority has been obtained from the First Assistant Postmaster General.

Authority for closing.

8. Postmasters shall not maintain night service, either at the main office or stations, where such service involves any additional expense, without authority from the First Assistant Postmaster General.

Night service.

9. Lobbies of post offices may remain open at the postmaster's discretion when no one is on duty if the screen work extends to the ceiling and if all doors, windows, and wickets connecting the lobby with the working portion of the office are securely locked and police protection is adequate.

Lobbies open.

436. Post offices of the first and second classes shall not be open on Sundays for the purpose of delivering mail to the general public, but this provision shall not prevent the prompt delivery of special-delivery mail.

Sunday hours.
39 U. S. C. 5.

2. Postmasters at first- and second-class post offices shall not require more clerks and carriers to be on duty on Sundays than are requisite to collect and prepare mail for dispatch and to make such distribution of incoming mail as is necessary to meet the requirements of the law as to special-delivery mail and to perform such distribution as may be necessary to prevent congestion or an accumulation of mail that would prevent prompt deliveries on Monday. Renters of lock boxes may be permitted to obtain on Sundays such mail as may be distributed into their boxes during the process of necessary distribution.

—clerks and carriers at first- and second-class offices.

3. When the distribution of mail to lock boxes is necessary lobbies may be left open for such length of time thereafter as is safe and expedient.

—lobbies.

4. Third- and fourth-class post offices need not be opened on Sundays unless a mail or mails arrive during the time between the Saturday closing hour and 6 p. m. Sunday. If such a mail does arrive and the public convenience requires its delivery on Sunday, the office may be opened to the public not more than once nor for more than one hour, and the time of service to patrons shall not be during that of church services.

—when required at third- and fourth-class offices.

5. If such an office is opened to the public on Sundays, special-delivery mail shall be delivered but the sale of postage stamps, the registration of mail, and the delivery of registered mail is left to the option of the postmaster, and money orders need not be issued or paid.

—service.

Holidays.
 —days designated as.
 39 U. S. C. 119.
 5 U. S. C. 87a,
 Supp. V.

437. * * * holidays (in the Postal Service) shall be New Year's Day (January 1); Washington's Birthday (February 22); Memorial Day (May 30); Independence Day (July 4); the first Monday in September, known as Labor Day; Armistice Day (November 11); Christmas (December 25); and such other days as the President of the United States may set apart as fast or thanksgiving days. All days, other than the holidays enumerated herein, set aside by the President of the United States as holidays to be observed by the other departments of the Government throughout the United States shall be construed as applicable to the Postal Service in the same manner and to the same extent as the executive departments.

—service on.

2. Post offices shall be kept open on holidays specified above such length of time as may be necessary to meet the reasonable postal requirements of the public. Mails shall be made up and dispatched on such holidays as on other week days.

—holiday falling on Sunday.

3. When any of the holidays mentioned in the preceding paragraphs fall on Sunday, the following Monday may be observed, unless otherwise specially provided by proper authority.

See sec. 464 as to compensatory time for service performed by employees in post offices on Sundays and holidays.

Regulations, orders, etc., shall be preserved.

438. Postmasters shall file and preserve in their offices all correspondence, records, books of regulations, guides, instructions, circulars, and orders received from any officer of the department or the General Accounting Office. (See sec. 101.)

Instructions, in case of doubt.

439. Whenever a postmaster at a first-class office is in doubt as to the interpretation of a provision of law or regulation or other departmental requirement affecting a matter requiring his official action, he shall before taking action, ask instructions from the proper bureau of the Post Office Department, provided the necessary information cannot be found in the Postal Laws and Regulations, the Official Postal Guide, or the Postal Bulletin. Such an inquiry when made by postmasters at offices of the second, third, or fourth classes, shall be addressed to the post-office inspector in charge of the division in which their respective offices are located.

Postmaster to consult inspector in charge.

See sec. 28 concerning interpretations of registry, insured, or C. O. D. regulations.

Correspondence with department.

440. In all correspondence with the Post Office Department the name of the post office and State shall be plainly written or printed at the head of each communication, and the letter or indorsement dated and signed. Each letter shall be confined to one subject.

Communications to be answered promptly.

2. All communications from the Post Office Department and General Accounting Office and official inquiries and tracers from postmasters or inspectors shall be answered promptly, and all

letters of inquiry, applications, or complaints, which have been addressed to the department and referred to a postmaster for explanation or information shall, as far as possible, be regarded as confidential and returned with the report or answer respecting the same.

3. Postmasters and others in the Postal Service shall make official telegrams as brief as possible. A postmaster shall be addressed simply by his title, for example, "Postmaster, Buffalo, N. Y." Postmasters shall sign with their surnames, followed by the word "Postmaster." Department officials shall not be addressed by name, but simply by their titles, for example, "Chief Inspector, Post Office Department."

4. Telegrams to the Department from first- and second-class offices on purely routine matters relating to the service shall in all cases be sent "Prepaid, official business, Government rate." Telegrams to the Department from third- and fourth-class offices shall be sent "Official business, collect Government rate." Personal telegrams shall be prepaid. Employees of the Department traveling or located outside of Washington shall endeavor to divide equitably the telegraph business between the different companies.

5. Copies of all prepaid messages with a statement covering the cost of such messages shall be forwarded to the First Assistant, Division of Post Office Service, at the close of each quarter with a request for an allowance to cover such expenditures. Telegraph companies must be required to return to the postmaster the originals of all prepaid messages with properly certified bills. The bills and the originals of prepaid messages and carbon or tissue copies of received-collect messages shall be attached to the voucher, Form 1526-P, and submitted to the Bureau of Accounts with the quarterly account.

441. Postmasters and their subordinates shall treat all the patrons of their offices with courtesy and consideration.

442. Postmasters shall not use their official signatures for advertising purposes, or stamp their own or any other advertisement upon mail matter passing through their offices.

2. No postmaster or other postal officer or employee in his official capacity shall, without special authority from the Postmaster General, give any indorsement to a private enterprise or business institution; and no postmaster shall give official indorsements of patrons of his office, or testimonials, or guaranties as to their honesty, reliability, etc.

3. Postmasters and other employees in the Postal Service shall not act as agents for any lottery or send or deliver any mail matter relating thereto.

See secs. 601 to 604 as to lottery matter in the mails, and sec. 2361 as to penalty for acting as lottery agent, etc.

4. Postmasters at post offices of the fourth class may transact other business in the same room in which the post office is located; but such business shall be kept separate and distinct from that of the post office.

Telegrams.

—to be addressed to title of official.

—when to be prepaid.

—to be sent "collect" to department.

—personal.
—from employees outside of Washington.
—different companies.

—copies of prepaid messages.

Demeanor toward patrons.

Postmasters not to use positions for advertising purposes.

Testimonials.

Lottery agent.

Postmasters at offices of the fourth class may transact other business.

Reports of robberies of post offices.

—to whom made.

—by telegram details.

—by letter.

Solicitor to be advised.

Postmasters liable, when.

443. When a post office, branch, or station has been broken into by burglars, damaged by fire, cyclone, flood, or otherwise; when a loss of Government funds or property occurs, by theft or otherwise; or whenever a postmaster or other person employed in or connected with a post office has been assaulted or robbed, while on duty or in possession of mail matter or Government funds or property, the postmaster shall immediately make report thereof by telegraph to the post-office inspector in charge of the division in which the office is located. Such telegrams shall show the nature of the occurrence, the approximate loss, and the serial numbers of blank money-order forms stolen. If there was no loss the telegram should so state. If the loss included supplies state what action, if any, has been taken to obtain an emergency stock. Such telegrams shall be sent collect and indorsed "Official business, Government rate, collect."

2. An immediate report by letter shall also be made to the same inspector in charge, giving all known circumstances connected with the occurrence, including the nature, date, detailed inventory of the loss, denominations of the stamped paper stolen, serial numbers of money-order forms stolen, the amount of each class of Government funds (postal, money order, etc.) and Government property taken, and whether any clues have been found indicating the identity and whereabouts of the person or persons responsible. If the mail key has been taken its number shall be furnished. (See sec. 1894.) Full particulars regarding registered mail lost or rifled shall be given also.

3. The inspector in charge shall report the name of the post office and other particulars to the chief inspector, who shall immediately notify the solicitor of the Post Office Department of every such case from which a claim for credit under the provisions of section 159 may arise. Where the circumstances warrant, the inspector in charge shall report the facts in detail by telegraph to the chief inspector.

4. The postmaster shall be held responsible for the loss of Government funds or property if he fails to exercise due care in the protection thereof. (See sec. 106.)

See sec. 809 as to reports of losses of mail matter, delays, etc.; sec. 2303 as to reports of commission of offenses against the postal laws; sec. 1380 as to indemnity for lost registered matter; sec. 440 as to manner of sending telegrams.

PENSION VOUCHERS

Pension vouchers.
38 U. S. C. 59.

444. All United States officers on March 1, 1889, authorized to administer oaths are hereby required and directed to administer any and all oaths required to be made by pensioners and their witnesses in the execution of their vouchers for their pensions free of charge.

38 U. S. C. 60.
—to be executed.
—by fourth-class postmasters.

2. * * * Fourth-class postmasters of the United States are hereby required, empowered, and authorized to administer any and all oaths required to be made by pensioners and their witnesses in the execution of their

vouchers with like effect and force as officers having a seal; and such postmaster shall affix the stamp of his office to his signature to such vouchers, and he is authorized to charge and receive for each voucher not exceeding twenty-five cents, to be paid by the pensioner.

3. * * * Rural free delivery carriers of the United States are hereby required, empowered, and authorized to administer any and all oaths required to be made by pensioners and their witnesses in the execution of their vouchers, with like effect and force as officers having a seal, and they are authorized to charge and receive for each voucher not exceeding twenty-five cents, to be paid by the pensioner.

—by rural carriers.
38 U. S. C. 61.

4. A pensioner within the meaning of said laws and as referred to throughout this section may be any person to whom pension is due and payable from the United States and who is required to execute and present a voucher for the payment thereof, whether such person be in fact a pensioner, the wife of a pensioner, the guardian of a pensioner or of his wife or minor children, or a payee of pension as reimbursement on account of expenses of last sickness and burial of a pensioner. The term "voucher" applies not only to the form commonly so designated but to any and all sworn statements required in connection with such form.

Definition of "pensioner."

—of "voucher."

5. A fourth-class postmaster or rural carrier may demand and receive but one fee for each voucher as prescribed by the laws, whether the voucher should include one or several papers or involve the administration of an oath to one or several persons, but he is entitled to the fee if called upon to authenticate any one of the papers necessary to complete a voucher where the others are required to be or have been executed elsewhere; and he cannot refuse to authenticate a voucher or any paper necessary to its completion if the lawful fee be tendered. The laws do not empower postmasters or rural carriers to administer oaths in any other matters relating to pensions within the jurisdiction of the Administrator of Veterans' Affairs or any other Federal officer.

Fees for execution.

6. No report of the money received by postmasters or rural carriers as fees for authenticating pension vouchers need be made to the department.

—not to be reported.

7. Persons having religious scruples against taking an oath may affirm. No particular set of words need be employed in administering the oath or taking the affirmation. It will be sufficient, in substance, to charge the persons swearing or affirming: "You do solemnly swear (or affirm) that the statements contained in the voucher signed by you are to your knowledge true."

Taking of oath.

8. In all cases where the voucher form calls for statements of possession and exhibition of the pension certificate, it must be exhibited to the postmaster or rural carrier at the execution of each and every voucher for the payment of any pension. When the certificate is lost or cannot for any other reason be

Exhibition of certificate.

exhibited, the voucher may be executed only upon the exhibition to the postmaster or rural carrier of a permit duly issued by the Administrator of Veterans' Affairs, and such permit must be securely attached to the voucher.

Signature.
—of postmaster
—of carrier.

9. Postmasters should add after their names, when signed to vouchers, the word "Postmaster." Rural carriers shall attach their signatures to vouchers written in the same manner as signed to their official bonds, adding thereafter the words "Rural Carrier No. —," the name of the post office and the State.

—who can not execute.

10. Neither acting postmasters, assistant postmasters, temporary nor substitute rural carriers are qualified by paragraphs 1 and 2 of this section to authenticate pension vouchers. Vouchers authenticated by any such officials will not be accepted.

—must be legible.

11. Postmasters and rural carriers shall place on each voucher in the place marked "L. S." a clear, distinct, and legible impression of the postmarking stamp, showing the date, name of the post office, and State. Vouchers authenticated by postmasters and rural carriers without using a postmarking stamp or with unsatisfactory impressions of the postmarking stamp will not be accepted.

—penalty for false authentication.

12. To authenticate a voucher prior to the fourth day of the month in which the pension is payable and post-date the jurat to make it appear that the voucher was executed on any other than the actual date of execution; or to authenticate a voucher without the pensioner being present and duly sworn, or in the absence of witnesses where witnesses are required; or to willfully aid or assist in the making or in any wise procure the making or presentation of any false or fraudulent affidavit, declaration, certificate, voucher, or paper, or writing concerning any claim for pension, renders the offender liable to a fine not exceeding \$500, or to imprisonment for a term of not more than three years.

See 38 U. S. C. 126.

Instructions concerning execution.

13. Inquiries concerning the execution of pension vouchers should be addressed to the Administrator of Veterans' Affairs, Washington, D. C.

Note.

NOTE.—By the act of March 5, 1874 (18 Stat. 19), authority to administer certain oaths was given to "any officer, civil or military, holding a commission under the United States." All presidential postmasters hold commissions under the United States and are therefore included in paragraph 1 of this section.

CHAPTER 4

POSTMASTERS, ASSISTANT POSTMASTERS, AND CLERICAL PERSONNEL

Postmasters to give personal attention to offices.

445. Postmasters shall give personal attention to the business of their offices. At offices of the first, second, and third classes they shall devote not less than eight hours during the business part of the day to the conduct of their offices and perform duties

appropriate to their positions. At offices of the fourth class postmasters are required to devote up to eight hours a day, depending upon its size, to the business of their offices. Postmasters of all classes should not engage in any business or activity which in any way interferes with the proper discharge of their duties as postmasters and must not engage in any business which involves canvassing or soliciting.

2. Postmasters at offices where branch offices and stations are maintained shall visit the same frequently.

Postmasters to visit stations.

3. Postmasters shall not absent themselves from their offices without written authority in advance from the Inspector in Charge of the Division in which the post office is located, except that in an emergency a postmaster may absent himself for not longer than two days without first securing such prior written authority, but he must make prompt report thereof and secure the approval of the Inspector in Charge.

Unauthorized absences prohibited.

NOTE.—Postmasters are not included in the scope of the forty-hour-week law. They may, however, take time off on Saturday afternoon if there is a total or partial suspension of business in their communities on Saturday afternoon (or other short work week-day observed by the community other than Saturday), provided no additional expense will result from such absence.

Note.

4. During the absence of the postmaster at a third-class office a competent assistant who has taken the oath of office and furnished the required bond shall be left in charge. (See secs. 418 and 472.)

Absence, third-class postmasters.

NOTE.—There is no appropriation from which an additional allowance may be granted for clerk hire at a third-class office on account of the postmaster's absence. Therefore, any leave granted such a postmaster is conditioned upon the disbursement from his salary of sufficient funds to insure proper assistance being employed in the post office during his absence.

Note.

5. Postmasters of all classes shall be granted leave of absence as follows, and the provisions of this section apply in all respects to acting postmasters:

Leave of absence.

(a) *Annual leave.*—15 days annual leave with pay during each fiscal year, the unused portion of which is cumulative, but the taking of the same will be limited to 30 days in any one fiscal year. Sundays and holidays are excluded in counting annual leave, and Saturdays (or short work-week day observed by the community other than Saturday) are excluded in extended periods of a week or more.

Annual leave.

(b) *Sick leave.*—When necessary, 30 days sick leave with pay may be granted during each fiscal year. Saturdays, Sundays, and holidays are counted in sick leave, and the unused part is not cumulative. The minimum charge for absence on account of sickness shall be one-half day. Application for sick leave shall be filed within two days after return to duty.

Sick leave.

(c) Annual and sick leave shall not be granted with pay at the beginning of a fiscal year immediately following a period of absence in a nonpay status in the preceding fiscal year unless and until there is a return to duty.

(d) *Leave without pay.*—All leave without pay is granted on the basis of full days only.

Leave without pay.

Conventions.

(e) *Conventions.*—Leave of absence with pay is granted without application therefor, and without charge to annual leave, to postmasters who desire to attend their State and National postmaster's conventions, for the time in attendance at the convention and actual time taken to travel to and from the convention by the shortest possible route by train. Offices must be left in charge of competent and duly bonded employees, and when a postmaster returns to his office he must make prompt report of his absence to the Inspector in Charge.

See secs. 47 and 48 relative to military leave, and sec. 44 relative to leave as witnesses for the Government in United States Courts.

1940, June 8;
Public. No. 570.

(f) Every classified civil-service employee who shall be appointed to the position of postmaster shall retain to his credit whatever amount of sick leave and vacation time is properly due him on the date of his appointment to the position of postmaster: *Provided*, That such accumulated sick leave and vacation time shall be transferred to the credit of the employee as of the date of his appointment as postmaster in the same manner as the time might have been utilized by him before appointment: *Provided further*, That this Act shall be retroactive to the extent that every postmaster at a first- or second-class post office who shall have received appointment as postmaster while an employee of the classified civil-service and who shall hold the position of postmaster on the date this Act becomes effective, shall be entitled to the benefits of the Act and shall be credited with the amount of accumulated sick leave and vacation time which was due him on the date of his appointment as postmaster.

Leave unused.

6. A postmaster's leave automatically terminates on the date a successor assumes charge of the office; leave unused on that date is forfeited, and he is not entitled to compensation for unused leave of absence.

Applications for leave to be made to Inspector in Charge.

7. Inquiries relative to leave should be made to the Inspector in Charge of the Division in which the post office is located, and every application for leave of absence shall be made on Form 3957-B and forwarded to that official. When extended leave (duration of week or more) is requested on account of illness, the postmaster's application should be accompanied by a doctor's certificate. Postmasters' telegrams applying for leave shall be prepaid and replies thereto from the Inspector in Charge or the Department sent "collect."

Assistant postmasters.—appointment of.

446. At post offices where the appointment of an assistant postmaster has not been specifically authorized by the department the postmaster shall designate one of the clerks to perform the duties of the postmaster during his absence.

2. At post offices of the first and second classes the position of assistant postmaster is in the competitive classified service, and when appointments thereto are authorized they shall be made in accordance with the civil-service rules and be reported (on the proper form in triplicate) to the First Assistant Postmaster General for approval.

—in accordance with civil-service rules at first and second class offices.

3. Assistant postmasters at offices of the third and fourth classes may be selected without the approval of the department, but males under 21 years of age and females who are not of age under the laws of the State are not eligible for such appointment at any presidential post office. Such selections need not be reported to the department unless the office has a money-order credit with the Treasurer of the United States. (See sec. 419.) A member of the postmaster's family or a surety on his bond may, if competent, be appointed assistant postmaster at a third or fourth class office or designated to perform the duties of the postmaster during his absence.

—at third and fourth class offices.

4. Assistant postmasters or persons designated to act for the postmaster shall perform such duties as may be assigned to them by the postmaster except as otherwise prescribed by departmental instructions.

—duties of.

5. At post offices of the first, second, and third classes the person appointed assistant postmaster or the person designated to perform the duties of postmaster during the postmaster's absence shall, if he has not already done so, furnish bond on Form 1117. The bonds of all such employees shall be filed by the postmasters in their offices.

—bond.

6. The postmaster at an office of the third or fourth class may employ as clerks without expense to the department, in addition to the required assistant, such competent members of his family or other persons, whether of legal age or not, as he may desire to have assist him. All persons eligible and competent who are regularly employed or likely to be called upon to handle mail or perform other official work in such a post office shall take the oath of office (Form 9005), which oath shall be filed in the post office.

—clerical help, third and fourth class offices.

7. Contractors or subcontractors for carrying the mail, mail messengers, assistant messengers, or persons concerned in the prosecution of claims against the Government shall not be appointed assistant postmaster or clerk in a post office; except that in the discretion of the Postmaster General, a postmaster, an assistant postmaster, or a clerk in a post office of the third or fourth class may enter into a contract for the performance of mail-messenger service, provided the total amount payable under such contract shall not exceed \$300 in any one year. (See secs. 65, 1708, and 1772.)

—mail contractors, etc., ineligible.

—exceptions.

See sec. 419 as to authority of assistant postmaster to perform duties of office during absence of postmaster and as to designation at money-order offices of some clerk besides the assistant postmaster to perform duties of office during absence of postmaster; sec. 30 as to oath of office; secs. 450 and 464 as to clerks in offices of the first and second classes; secs. 468 and 469 as to clerical help at distributing offices for extraordinary business.

Oaths of assistant postmasters, clerks, etc.

447. Assistant postmasters, clerks, and employees in post offices, before entering upon the discharge of their duties, shall take the oath of office upon the form furnished by the Post Office Department (see sec. 30), and postmasters shall retain such oaths in the files of their respective offices. (See sec. 703.)

Assistant postmasters, second-class offices, salaries of.
39 U. S. C. 88.

448. At offices of the second class the annual salaries of assistant postmasters shall be in even hundreds of dollars, based on the gross postal receipts for the preceding calendar year, as follows:

- \$8,000 but less than \$10,000, \$2,200.
- \$10,000 but less than \$12,000, \$2,200.
- \$12,000 but less than \$15,000, \$2,200.
- \$15,000 but less than \$18,000, \$2,300.
- \$18,000 but less than \$22,000, \$2,300.
- \$22,000 but less than \$27,000, \$2,400.
- \$27,000 but less than \$33,000, \$2,400.
- \$33,000 but less than \$40,000, \$2,500.

Assistant postmaster to conduct office during vacancy, etc.

449. When a postmaster resigns or dies, or is removed, the assistant postmaster or designated employee shall conduct the business of the office until otherwise instructed by proper authority, or until an acting postmaster has been appointed and assumed charge of the office, as provided in section 416, or until a successor is appointed and commissioned.

See sec. 411 as to placing post-office inspector in charge of post office.

Clerks at post offices of the first and second classes.
—employment of, to be authorized.

450. The First Assistant Postmaster General may allow to postmasters at offices of the first and second classes such numbers of clerks and other employees as he may deem necessary for the proper conduct of the business of their offices, in accordance with the classification prescribed, and within the limit of the appropriation provided by law.

Allowances to include all clerical services.
39 U. S. C. 83.

2. The allowances for clerk hire made to postmasters of the first, second, * * * class post offices by the Postmaster General out of the annual appropriations therefor 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, * * *.

Classification and salaries of employees at offices of first class, other than those in the automatic grades.
39 U. S. C. 86.

451. At offices of the first class the annual salaries of the employees, other than those in the automatic grades, shall be in even hundreds of dollars, based on the gross postal receipts for the preceding calendar year, as follows:

Receipts \$40,000, but less than \$50,000—assistant postmaster, \$2,600; superintendent of mails, \$2,400.

Receipts \$50,000, but less than \$60,000—assistant postmaster, \$2,600; superintendent of mails, \$2,400.

Receipts \$60,000, but less than \$75,000—assistant postmaster, \$2,600; superintendent of mails, \$2,400.

Receipts \$75,000, but less than \$90,000—assistant postmaster, \$2,700; superintendent of mails, \$2,500.

Receipts \$90,000, but less than \$120,000—assistant postmaster, \$2,700; superintendent of mails, \$2,600; foremen, \$2,500.

Receipts \$120,000, but less than \$150,000—assistant postmaster, \$2,800; superintendent of mails, \$2,700; foremen, \$2,500.

Receipts \$150,000, but less than \$200,000—assistant postmaster, \$2,900; superintendent of mails, \$2,800; foremen, \$2,500.

Receipts \$200,000, but less than \$250,000—assistant postmaster, \$3,000; superintendent of mails, \$2,900; foremen, \$2,500.

Receipts \$250,000, but less than \$300,000—assistant postmaster, \$3,100; superintendent of mails, \$3,000; assistant superintendent of mails, \$2,600; foremen, \$2,500.

Receipts \$300,000, but less than \$400,000—assistant postmaster, \$3,200; superintendent of mails, \$3,100; assistant superintendent of mails, \$2,600; foremen, \$2,500.

Receipts \$400,000, but less than \$500,000—assistant postmaster, \$3,300; superintendent of mails, \$3,200; assistant superintendent of mails, \$2,600; foremen, \$2,500.

Receipts \$500,000, but less than \$600,000—assistant postmaster, \$3,500; superintendent of mails, \$3,300; assistant superintendent of mails, \$2,600; foremen, \$2,500; postal cashier, \$2,900; money-order cashier, \$2,600.

Receipts \$600,000, but less than \$1,000,000—assistant postmaster, \$3,700; superintendent of mails, \$3,500; assistant superintendent of mails, \$2,800; foremen, \$2,500; postal cashier, \$3,100; money-order cashier, \$2,800.

Receipts \$1,000,000, but less than \$2,000,000—assistant postmaster, \$3,900; superintendent of mails, \$3,700; assistant superintendents of mails, \$2,700, \$2,800, and \$3,100; foremen, \$2,500 and \$2,600; postal cashier, \$3,300; assistant cashiers, \$2,600; money-order cashier, \$3,000; bookkeepers, \$2,400; station examiners, \$2,400.

Receipts \$2,000,000, but less than \$3,000,000—assistant postmaster, \$4,000; superintendent of mails, \$3,800; as-

assistant superintendents of mails, \$2,700, \$2,800, \$3,000, and \$3,300; foremen, \$2,500 and \$2,600; postal cashier, \$3,400; assistant cashiers, \$2,600 and \$2,900; money-order cashier, \$3,100; bookkeepers, \$2,400 and \$2,500; station examiners, \$2,600.

Receipts \$3,000,000, but less than \$5,000,000—assistant postmaster, \$4,100; superintendent of mails, \$3,900; assistant superintendents of mails, \$2,700, \$2,800, \$3,100, and \$3,500; foremen, \$2,500 and \$2,600; postal cashier, \$3,600; assistant cashiers, \$2,600, \$2,800, and \$3,100; money-order cashier, \$3,300; bookkeepers, \$2,400 and \$2,500; station examiners, \$2,600 and \$2,800.

Receipts \$5,000,000, but less than \$7,000,000—assistant postmaster, \$4,300; superintendent of mails, \$4,100; assistant superintendents of mails \$2,700, \$2,800, \$3,100, \$3,300, and \$3,700; foremen, \$2,500 and \$2,600; postal cashier, \$3,800; assistant cashiers, \$2,600, \$2,900, and \$3,100; money-order cashier, \$3,500; bookkeepers, \$2,400, \$2,500, and \$2,600; station examiners, \$2,600 and \$2,800.

Receipts \$7,000,000, but less than \$9,000,000—assistant postmaster, \$4,600; superintendent of mails, \$4,300; assistant superintendents of mails, \$2,700, \$2,800, \$3,100, \$3,500, and \$3,900; foremen, \$2,500 and \$2,600; postal cashier, \$4,000; assistant cashiers, \$2,600, \$2,800, \$3,100, and \$3,400; money-order cashier, \$3,600; bookkeepers, \$2,400, \$2,500, and \$2,600; station examiners, \$2,600 and \$2,800.

Receipts \$9,000,000, but less than \$20,000,000—assistant postmasters, \$4,700 and \$4,800; superintendent of mails, \$4,500; assistant superintendents of mails, \$2,800, \$2,900, \$3,100, \$3,500, \$3,700, and \$4,100; foremen, \$2,500, \$2,600, and \$2,700; postal cashier, \$4,100; assistant cashiers, \$2,600, \$2,800, \$3,200, and \$3,600; money-order cashier, \$3,700; bookkeepers, \$2,400, \$2,500, \$2,600, and \$2,800; station examiners, \$2,600 and \$2,800.

Receipts \$20,000,000 and upward—assistant postmasters, \$4,800 and \$4,900; superintendent of mails, \$4,700; assistant superintendents of mails, \$2,800, \$2,900, \$3,100, \$3,500, \$3,900, and \$4,100; superintendent of delivery, \$4,700; assistant superintendents of delivery, \$2,800, \$2,900, \$3,100, \$3,500, \$3,900, and \$4,100; foremen, \$2,500, \$2,600, and \$2,700; superintendent of registry, \$4,300; as-

sistant superintendents of registry, \$2,800, \$2,900, \$3,100, \$3,500, and \$4,100; superintendent of money order, \$4,300; assistant superintendent of money order, \$4,100; auditor, \$4,000; postal cashier, \$4,300; assistant cashiers, \$2,600, \$2,800, \$3,100, \$3,300, and \$3,800; money-order cashier, \$3,900; bookkeepers, \$2,400, \$2,600, \$2,800, and \$3,300; station examiners, \$2,600, \$2,800, and \$3,000.

2. In fixing the salaries of the supervisory employees in the post office at Washington, District of Columbia, the Postmaster General may, in his discretion, add not to exceed 75 per centum to the gross receipts of that office.

Supervisory employees in Washington, D. C., post office.
39 U. S. C. 90.

3. Not more than two assistant postmasters shall be employed at offices where the receipts are \$9,000,000 and upward. At post offices where the receipts are \$14,000,000, but less than \$20,000,000, there shall be a superintendent of delivery whose salary shall be the same as that provided for the superintendent of mails, and assistant superintendents of delivery at the salaries provided for assistant superintendents of mails. Not more than one assistant superintendent of mails, one assistant superintendent of delivery, one assistant superintendent of registry, and one assistant cashier shall be paid the maximum salary provided for these positions, except where receipts are \$9,000,000 and less than \$14,000,000, to which offices two assistant superintendents of mails shall be assigned at the maximum salary, one to be in charge of city delivery.

Limitations as to number of supervisory officials.
39 U. S. C. 87, 91, and 96.

4. The salary of superintendents of classified stations shall be based on the number of employees assigned thereto and the annual postal receipts. No allowance shall be made for sales of stamps to patrons residing outside of the territory of the stations. At classified stations each \$25,000 of postal receipts shall be considered equal to one additional employee: *Provided*, That in determining the number of employees at a classified station credit shall be allowed for service performed by regular employees, substitute employees other than those serving in lieu of regular employees absent from duty for any cause and temporary employees assigned to the station, and for each 2,448 hours of service performed by such employees the station superintendent shall be allowed credit for one employee.

39 U. S. C. 93, Supp. V.

39 U. S. C. 94.

5. At classified stations the salary of the superintendent shall be as follows:

One and not exceeding five employees, \$2,400.

Six and not exceeding eighteen employees, \$2,500.

Nineteen and not exceeding thirty-two employees, \$2,600.

Thirty-three and not exceeding forty-four employees, \$2,700.

Forty-five and not exceeding sixty-four employees, \$2,800.

Sixty-five and not exceeding ninety employees, \$2,900.

Ninety-one and not exceeding one hundred and twenty employees, \$3,000.

One hundred and twenty-one and not exceeding one hundred and fifty employees, \$3,100.

One hundred and fifty-one and not exceeding three hundred and fifty employees, \$3,300.

Three hundred and fifty-one and not exceeding five hundred employees, \$3,500.

Five hundred and one or more employees, \$3,800.

39 U. S. C. 95.

6. At classified stations having forty-five or more employees there shall be assistant superintendents of stations with salaries as follows:

Forty-five and not exceeding sixty-four employees, \$2,400.

Sixty-five and not exceeding ninety employees, \$2,500.

Ninety-one and not exceeding one hundred and twenty employees, \$2,600.

One hundred and twenty-one and not exceeding one hundred and fifty employees, \$2,700.

One-hundred and fifty-one and not exceeding three hundred and fifty employees, \$2,900.

Three hundred and fifty-one and not exceeding five hundred employees, \$3,100.

Five hundred and one employees and upward, \$3,400.

39 U. S. C. 92,
97, 98.

7. At State depositories for surplus postal funds and central accounting offices, where the gross receipts are less than \$500,000, and no postal cashier is provided, the employee in charge of such records and adjustments of the accounts shall be allowed an increase of \$200 per annum; if receipts are \$500,000 and less than \$5,000,000, the postal cashier shall be allowed an increase of \$200 per annum. At all central accounting offices where the

bookkeeper in charge performs the duties of auditor, he shall be designated chief bookkeeper, at a salary equal to that of the assistant cashier of the highest grade at that office. When an office advances to a higher grade because of increased gross postal receipts for a calendar year, promotion of all supervisory employees shall be made to the corresponding grade at the higher salary provided for the same titles or designations under the higher classification of the office based on its postal receipts. No employee in the supervisory grades shall receive a salary less than \$100 more than that paid to the highest grade of clerk or special clerk.

8. There shall be two grades of special clerks, as follows: 39 U. S. C. 110.

First grade—salary, \$2,200.

Second grade—salary, \$2,300.

* * *. In all special clerk promotions the senior competent employee shall have preference.

452. Clerks in first- and second-class post offices * * * shall be divided into five grades as follows:

First grade—salary, \$1,700.

Second grade—salary, \$1,800.

Third grade—salary, \$1,900.

Fourth grade—salary, \$2,000.

Fifth grade—salary, \$2,100.

Clerks and other employees in first- and second-class offices. 39 U. S. C. 103. Clerks shall be divided into grades.

2. Substitute clerks in first- and second-class post offices * * * when appointed regular clerks * * * shall have credit for actual time served, including time served as special-delivery messengers, on a basis of one year for each three hundred and six days of eight hours served as substitute or messenger, and shall be appointed to the grade to which such clerk * * * would have progressed had his original appointment as substitute been to grade 1. Any fractional part of a year's substitute service will be included with his service as a regular clerk or carrier in the city delivery service in determining eligibility for promotion to the next higher grade following appointment to a regular position.

Substitutes. 39 U. S. C. 104.

3. Printers, mechanics, and skilled laborers, employees of the United States stamped-envelope agency at Dayton, Ohio, shall for the purpose of promotion and compensation be deemed a part of the clerical force. 39 U. S. C. 821.

Watchmen, messengers, and laborers. 39 U. S. C. 101.

4. Messengers, watchmen, and laborers in first- and second-class post offices shall be divided into two grades, as follows:

First grade—salary, \$1,500.

Second grade—salary, \$1,600.

Watchmen, messengers, and laborers shall be promoted to the second grade after one year's satisfactory service in grade 1. The pay of substitute watchmen, messengers, and laborers shall be at the rate of 55 cents per hour.

Clerks shall be promoted successively. 39 U. S. C. 108.

5. Clerks in first- and second-class post offices * * * shall be promoted successively after one year's satisfactory service in each grade to the next higher grade until they reach the fifth grade. All promotions shall be made at the beginning of the quarter following one year's satisfactory service in the grade.

39 U. S. C. 101. Supp. V.

6. Whenever any substitute laborer, watchman, or messenger is appointed to a permanent position as laborer, watchman, or messenger, the substitute service performed by such laborer, watchman, or messenger shall be computed in determining the eligibility of such person for promotion to grade 2 on the basis of 306 days of 8 hours constituting a year's service. * * * Any fractional part of a year's substitute service will be included with service as a regular laborer, watchman, or messenger in the Postal Service in determining eligibility for promotion to the next higher grade following appointment to a regular position.

—may be reduced in grade. Restoration to former grade not to be construed as a promotion. 39 U. S. C. 109 and 121.

7. * * * The Post Office Department may reduce a clerk * * * from a higher to a lower grade whenever his efficiency falls below a fair standard or whenever necessary for purposes of discipline * * *. Whenever an employee provided for in this chapter shall have been reduced in salary for any cause, he may be restored to his former grade or advanced to an intermediate grade at the beginning of any quarter following the reduction, and a restoration to a former grade or advancement to an intermediate grade shall not be construed as a promotion within the meaning of the law prohibiting advancement of more than one grade within one year.

8. Whenever the promotion of an employee provided for in this chapter is withheld because of unsatisfactory service, such employee may be promoted at the beginning of the second quarter thereafter, or of any subsequent quarter, on evidence that his record has been satisfactory during the intervening period. Clerks * * * of the highest grade in their respective offices shall be eligible for promotion to the higher positions in said post offices.

—may be promoted at the beginning of second or subsequent quarter, when.
—eligible for promotion to higher positions.
39 U. S. C. 109, and 123.

9. The Postmaster General may, when the interest of the service requires, transfer any clerk to the position of carrier or any carrier to the position of clerk and interchange the clerical force between the post office and the motor-vehicle service, such transfer or interchange to be made to the corresponding grade and salary of the clerk or carrier transferred or interchanged. The time which any clerk or carrier shall have served in the grade from which such transfer was made shall be counted in connection with the service to which such transfer may be made in computing the time of service necessary to entitle such employees to promotion: *Provided*, That no clerk * * * shall be promoted more than one grade within any one year's period of service.

Clerk may be transferred to carrier and carrier to clerk.
39 U. S. C. 129 and 130.

10. The pay of substitute, temporary, or auxiliary clerks at first- and second-class post offices * * * shall be at the rate of 65 cents per hour.

Compensation of substitute, temporary, or auxiliary clerks.
39 U. S. C. 113.
Ratio of substitutes.
39 U. S. C. 834, Supp. V.

11. The ratio of * * * classified substitute post-office clerks, * * *, classified substitute laborers, watchmen, and messengers, * * *, to regular * * *, post-office clerks, * * *, laborers, watchmen, and messengers, * * *, shall be not more than one classified substitute to six regular employees, or fraction thereof, respectively, except that in offices having fewer than six regular employees there may be one substitute clerk * * *: *Provided*, That where the ratio of substitutes is now in excess of these ratios, no additional classified substitutes shall be appointed until these ratios are established: *Provided further*, That the provisions of this section shall not operate to furlough or dismiss (1) any classified substitute * * *, post-office clerks, * * *, or laborers, watchmen, or messengers; * * *.

See section 907 as to substitute carriers in the City Delivery Service.

Motor-vehicle employees.
Classification.
39 U. S. C. 116,
Supp. V.

453. (a) Employees in the motor-vehicle service shall be classified as follows: Superintendents, \$2,400, \$2,600, \$2,800, \$3,000, \$3,400, \$3,600, \$3,800, and \$4,000 per annum: *Provided*, That at offices where the receipts are \$20,000,000 and up, the salaries shall be \$4,300 per annum; assistant superintendents, \$2,500, \$2,600, and \$2,800 per annum; chiefs of record, \$2,200, \$2,300, \$2,400, \$2,500, \$2,600, \$2,800, and \$3,000; chiefs of supplies, \$2,200, \$2,300, and \$2,400; chief dispatchers, \$2,300 and \$2,500; route supervisors, \$2,400, \$2,500, and \$2,600; dispatchers, \$2,100, \$2,200, and \$2,300; chief mechanics, \$2,400, \$2,500, \$2,600, \$2,800, and \$3,000; mechanics in charge, \$2,200, \$2,300, and \$2,400; and special mechanics, \$2,100, \$2,200, and \$2,300; *Provided*, That assistant superintendents shall not be authorized at offices where the salary of the superintendent is less than \$3,000 per annum. General mechanics employed in the motor-vehicle service shall be divided into three grades: First grade, salary \$1,900; second grade, salary \$2,000; third grade, salary \$2,100; and clerks employed in the motor-vehicle service shall be divided into five grades, as follows: First grade, salary \$1,700; second grade, salary \$1,800; third grade, salary \$1,900; fourth grade, salary \$2,000; fifth grade, salary \$2,100. * * * At first-class post offices there shall be two grades of special clerks in the motor-vehicle service—grade 1, salary \$2,200; grade 2, salary \$2,300. * * *

Promotion.

(b) General mechanics employed in the motor-vehicle service shall be promoted successsively after one year's satisfactory service in each grade to the next higher grade until they reach the third grade, and clerks employed in the motor-vehicle service shall be promoted successively after one year's satisfactory service in each grade to the next higher grade until they reach the fifth grade, * * *, and promotion shall be made at the beginning of the quarter following one year's satisfactory service in the grade.

Mechanics' helpers.
39 U. S. C. 116,
Supp. V.

2. The salary grades of mechanics' helpers employed in the motor-vehicle service shall be \$1,600, \$1,700, and \$1,800 per annum: *Provided*, That original appointments shall be made to the \$1,600 grade, and promotions shall be made to the next higher grade at the beginning of a quarter following one year's satisfactory service in each grade: *Provided further*, That after one year's

service in the \$1,800 grade mechanics' helpers may in the discretion of the Postmaster General be promoted to the first grade of general mechanics or special mechanics, as vacancies occur.

3. Driver-mechanics employed in the motor-vehicle service shall be divided into five grades: First grade, salary \$1,600; second grade, salary \$1,700; third grade, salary \$1,800; fourth grade, salary \$1,900; fifth grade, salary \$2,000; and garagemen-drivers employed in the motor-vehicle service shall be divided into two grades: First grade, salary \$1,550; second grade, salary \$1,650. In the readjustment of salaries provided for in this title all driver-mechanics shall be classified in the respective grades as follows: Those with less than one year's service shall be placed in grade 1; those with more than one year's service and less than two years' service shall be placed in grade 2; those with more than two years' service and less than three years' service shall be placed in grade 3; those with more than three years' service and less than four years' service shall be placed in grade 4; those with more than four years' service shall be placed in grade 5. Driver-mechanics employed in the motor-vehicle service shall be promoted successively after one year's satisfactory service in each grade to the next higher grade until they reach the fifth grade * * *. Garagemen-drivers in the motor-vehicle service shall be promoted after one year's satisfactory service in the first grade to the second grade * * *, and promotions of driver-mechanics and garagemen-drivers shall be made at the beginning of the quarter following one year's satisfactory service in the grade.

Driver-mechanics.
39 U. S. C. 116.

Garagemen-drivers.

4. (a) The pay of substitute, temporary, or auxiliary employees in the Motor Vehicle Service shall be as follows: Special mechanics at the rate of 75 cents per hour; general mechanics at the rate of 70 cents per hour; clerks and driver-mechanics at the rate of 65 cents per hour; and garagemen-drivers at the rate of 55 cents per hour.

Substitutes, pay.
39 U. S. C. 116.

The ratio * * * of classified substitutes in the Motor Vehicle Service, to regular * * * employees of the Motor Vehicle Service, shall be not more than one classified substitute to six regular employees, or fraction thereof, * * * except that in offices having fewer than six regular employees there may be * * * one

Ratio of substitutes.
39 U. S. C. 834,
Supp. V.

substitute in the Motor Vehicle Service: *Provided*, That where the ratio of substitutes is now in excess of these ratios, no additional classified substitutes shall be appointed until these ratios are established: *Provided further*, That the provisions of this section shall not operate to furlough or dismiss * * * any classified substitutes in the Motor Vehicle Service.

Regular
appointment.
39 U. S. C. 104,
Supp. V.

(b) Substitute clerks, substitute garagemen-drivers, substitute driver-mechanics, and substitute general mechanics, when appointed regular clerks, garagemen-drivers, driver-mechanics, or general mechanics in the motor-vehicle service, and substitutes in the pneumatic-tube service when appointed as regular employees in the pneumatic-tube service, shall be given credit for the actual time served as a substitute on the basis of one year for each three hundred and six days of eight hours, and shall be appointed to the grade to which such clerk, garageman-driver, driver-mechanic, general mechanic, or employee in the pneumatic-tube service, would have progressed had his original appointment as a substitute been made to grade one. Substitute service shall be computed from the date of original appointment as a regular classified substitute, and the salaries of the employees shall be fixed accordingly upon the date of their advancement to a regular position under section 116 of this title. Any fractional part of a year's substitute service, rendered after the enactment of this sentence, shall be included with his service as a regular clerk, garageman-driver, driver-mechanic, or general mechanic in the motor-vehicle service, or employee in the pneumatic-tube service, in determining eligibility for promotion to the next higher grade following appointment to a regular position.

Promotions.
39 U. S. C. 116.

5. (a) Clerks and general mechanics in the motor-vehicle service shall be promoted successively after one year's satisfactory service in each grade, to the next higher grade, until they receive the maximum pay prescribed for clerks and general mechanics in this section. In computing one year's satisfactory service, employees shall receive credit for time served in the grades established by the Postmaster General prior to January 1, 1925, as well as the grades created by this section, and

the compensation of employees in the motor-vehicle service on January 1, 1925, shall be adjusted accordingly.

(b) In making promotions after one year's satisfactory service since the last promotion, clerks, general mechanics, driver-mechanics, and garagemen-drivers in the motor-vehicle service, who have been transferred from one post office to another and who have not reached the maximum grade to which they are entitled to progress automatically, shall be given credit for previous service in the same capacity at other post offices, the same as if all service had been performed at one post office.

454. Under civil-service rule 2 all the employees of post offices of the first and second classes shall be included in the classified postal service, but no officer or employee in any office advanced to these classes or consolidated with an office of these classes shall be classified under the terms of this rule who fails to establish to the satisfaction of the Postmaster General his or her capacity for efficient service in the position held.

2. No officer or employee of the Government shall, directly or indirectly, instruct or be concerned in any manner in the instruction of any person or classes of persons, with a view to their special preparation for the examinations of the United States Civil Service Commission. The fact that any officer or employee is found so engaged shall be considered sufficient cause for his removal from the service.

3. The probationary period of six months for persons appointed in the post office service shall begin with the date of appointment as a regular substitute and terminate on the basis of 1,224 hours of actual service performed, or, where the appointment is made direct from a register to the position of regular clerk, carrier, or other regular employee, on the basis of six calendar months from date of appointment.

4. On and after February 1, 1939, the probationary period is fixed at 1 year and shall begin with the date of appointment as regular substitute and terminate on the basis of 2,448 hours of actual service performed, or, where the appointment is made direct from the register to the position of regular clerk, carrier, or other regular employee, on the basis of one year or 12 calendar months from the date of appointment.

455. The number, grades, and salaries of clerks and other employees at post offices of the first and second classes, where allowance for clerk hire is made, shall be fixed by the First Assistant Postmaster General. All allowances for clerks shall continue from year to year unless otherwise ordered. (See sec. 228.)

2. At post offices embraced in the classified Postal Service under the civil service act (see sec. 454) appointments shall be made under the civil-service rules from the eligible list furnished by the Civil Service Commission.

Classified civil service.
—all employees of first and second class offices included in.
—efficiency a requisite.

Officer or employee shall not instruct for examinations.

Beginning of probationary period.

Appointment of clerks in post offices of first and second classes.

Allowances to continue, except.

Appointments under civil-service rules.

Temporary appointments.

3. When at any post office in the classified service there is not a complete list of eligibles, temporary appointments may be made.

Approval of First Assistant Postmaster General.

4. Postmasters shall make no appointments to fill vacancies, or original appointments of clerks or other employees who are paid from the clerk-hire allowances made by the Post Office Department, without first submitting a nomination to the First Assistant Postmaster General, Division of Post Office Service, and receiving his approval thereof.

Appointments and changes to be certified to General Accounting Office.

5. All appointments of clerks and changes in grade or compensation shall be reported to the General Accounting Office by the First Assistant Postmaster General; and no payment on account of salaries of clerks shall be allowed, except where such payments are made to persons employed by authority of the First Assistant Postmaster General.

See sec. 19 as to preference to be given to honorably discharged soldiers, sailors, and marines, their widows and orphans. See sec. 49 on reinstatements.

Superintendents of mails.—how appointed.

456. When it is deemed necessary at any post office of the first class, the Postmaster General will appoint from the classified postal service a superintendent of mails, who shall be selected by the First Assistant Postmaster General.

—subject to postmaster.

2. The superintendent of mails shall be subject to the direction of the postmaster at the office where he is employed, and is charged with the supervision of the distribution and dispatch of all mails from the post office; the preparation and correction from time to time of all necessary schemes or lists for distribution, subject to the approval of the division superintendent of Railway Mail Service; the conduct of the case examinations prescribed in section 462; the keeping of a record of all errors and irregularities checked by or against each clerk under his charge; and the examination of all slips returned to the post office in which errors are noted, comparing the same with the schemes and orders, making a record thereof, and returning them to the respective clerks by whom the distribution was made, or, in case checks were erroneously made, to the division superintendent of Railway Mail Service, in order that proper credit may be given.

—duties of. Dispatch and receipt of mails.

Case examinations. Errors.

457. Postmasters shall not suspend post-office employees in the classified civil service without authority from the First Assistant Postmaster General (or, in the case of employees in the motor-vehicle service, the Fourth Assistant Postmaster General), except when the postmaster has good reason to believe that an employee has committed an offense involving moral turpitude or tending to bring the department or the service into disrepute or disrespect and rendering immediate suspension from duty imperative. Where, as the result of an investigation by a post-office inspector, it appears that an employee should be suspended, the inspector shall promptly report by telegraph to the chief inspector the essential facts and the action taken by the postmaster. In all other cases the postmaster shall promptly report by telegraph to the First Assistant Postmaster General, or to the Fourth Assistant Postmaster General in the case of employees in the motor-

Suspension and demeriting of clerks.—postmasters to obtain authority for, except.

vehicle service, the essential facts together with the action taken or recommended.

2. In cases where removal or reduction would not be warranted, but where disciplinary action is necessary, the postmasters shall recommend that the offending employees be demerited as provided for in the rules governing service rating records.

See sec. 43 as to reductions and removals.

458. Postmasters at offices of the first and second classes shall require the clerks at their offices to take their leaves at such times and in such order as will least interfere with the service, and the business of the office shall be so arranged that it can be carried on during the absence of the clerks on leave without the employment of temporary clerks.

Leaves of absence for clerks.—postmasters to arrange for.

2. Where leaves cannot, however, be granted without serious embarrassment to the service, authority may be obtained from the First Assistant Postmaster General to employ substitutes at the rate of pay prescribed by law. (See sec. 452 as to rate of pay.)

When substitutes may be employed.

3. Postmasters may, in addition to leave of absence with pay, provided by law, grant leave of absence without pay to employees for personal reasons, such leave not to exceed 30 days in any case during any one fiscal year. Application for leave of absence for a period longer than 30 days shall be submitted to the First Assistant Postmaster General with a full statement of the facts. An employee shall not be allowed to start on such leave until formal approval has been received.

Leave of absence without pay.

4. A postal employee shall not be separated from the service on account of illness for a period less than one year. A postmaster may, without specific approval from the department, upon written application of an employee of his office, accompanied with proper physician's certificate, grant leave without pay on account of personal illness of the employee concerned in 30-day periods for a total not to exceed one year's continuous absence. Each new application shall be accompanied with a physician's certificate. An employee who has been absent from duty for three months or longer shall not be permitted to return to duty unless he produces a physician's certificate to the effect that he is restored to health and is able to perform the duties to which he is assigned. Postmasters shall exercise care not to permit an employee to return to duty for the mere purpose of breaking the continuity of his absence. At the expiration of one year's continuous absence the employee may be dropped without prejudice. However, an employee who has been absent for one year on account of illness and has enough service to his credit to entitle him to retirement under section 6 of the act of May 29, 1930, shall not be separated from the service until he has been given an opportunity to retire.

Method of granting leave on account of personal illness.

5. An employee who is injured in the performance of his duties and is being paid compensation under the Federal Com-

compensation Act of September 7, 1916, shall not be separated from the service, but shall be continued on the rolls of the office without pay until the United States Employees' Compensation Commission discontinues his compensation unless the retirement age is reached while he is receiving compensation. When retirement age is reached, and having a retirement status (at least 15 years of allowable service) such employee shall be dropped from the post-office rolls regardless of the fact that he is receiving compensation from the United States Employees' Compensation Commission. Employees shall receive credit in connection with their retirement status for periods during which they receive compensation from the commission. When compensation is discontinued by the commission and the employee is unable to return to duty, but has sufficient service to his credit to entitle him to retirement on account of physical disability (at least 5 years of allowable service), he shall not be separated from the service until he has been given an opportunity to retire in accordance with the act of May 29, 1930.

See sec. 44 as to laws covering leaves of absence of employees in the Postal Service; sec. 445 as to postmasters; secs. 23 and 24 as to employees of the Post Office Department; secs. 46, 47, and 48 as to military duty, and sec. 982 as to leaves of absence of rural carriers.

Employment and payment of substitute when clerk is absent on other than annual leave.
39 U. S. C. 124.

459. When any clerk in post offices of the first or second class, or any letter carrier in the City Free Delivery Service, is absent from duty from any cause, other than the fifteen days' annual leave with pay allowed by law, the Postmaster General, under such regulations as he may prescribe, may authorize the employment of a substitute for such work, and payment therefor from the lapsed salary of such absent clerk, or letter carrier, at a rate not to exceed the pay of the grade of work performed by such substitute.

See secs. 452 and 907 for statutory authority for rate of pay of substitute clerks in post offices and substitute carriers.

Substitutes for clerks subpoenaed as witnesses.

460. When clerks in first- and second-class post offices are subpoenaed as witnesses in the United States courts, allowances for substitutes to take the place of the absent clerks may be authorized by the First Assistant Postmaster General at the rate of 65 cents an hour, to be paid out of the appropriation for temporary and auxiliary clerk hire.

Temporary clerks.
—application for.

461. When postmasters at offices of the first and second classes cannot satisfactorily perform the work of their offices with the regular force at holiday or election periods, or at any other time, on account of unusual conditions, they should report such fact to the First Assistant Postmaster General, Division of Post Office Service, with a statement as to what temporary clerks are needed to meet such emergency; and if the facts justify the same the First Assistant Postmaster General may authorize the employment of temporary clerks.

—may be authorized when.

462. At offices of the first class having a superintendent of mails all clerks regularly assigned (at least once each week) to the distribution of mail, either incoming or outgoing, shall be examined yearly on the distribution schemes in use in their offices. Such examinations shall be conducted by the superintendent of mails.

Examination of distributing clerks.
—what examination to consist of.

2. At first-class offices not having a superintendent of mails and at second-class offices all clerks, including assistant postmasters, assigned to the distribution of mail one hour or more daily, or who from time to time are assigned to assist in distribution during rush hours or periods of congestion, shall be examined once yearly on the distribution schemes in use in their offices, if conditions require that dispatching clerks have a knowledge of scheme distribution. Chief clerks of the Railway Mail Service will determine the necessity for and conduct such examinations on dispatching schemes and the postmaster or assistant postmaster shall conduct such examinations on city schemes.

3. A record shall be kept of the number of cards distributed per minute and the number of errors made.

4. Clerks engaged in distribution shall also be frequently questioned regarding orders affecting the distribution of mail. Incompetent distributing clerks shall not be retained in the service.

5. A record of 95 percent and an average of not less than 16 cards correctly thrown per minute on case examinations shall be required of clerks and special clerks.

6. Clerks, including special clerks, past 60 years of age or who have been in the service 30 years, shall be exempt from case examination. However, any distributor, regardless of age or length of service, who permits himself to become inefficient in the performance of his duties shall be required to again qualify by passing a satisfactory scheme examination.

463. The appointment of clerks, city, and village letter carriers in post offices as secretaries or as members of boards of civil-service examiners, as provided by Civil Service Rule IV, shall not affect their relations to the Post Office Department. They shall continue subordinate to the postmaster and shall not absent themselves from their duties as post-office employees to attend meetings of the board or to transact the business of the Civil Service Commission without special authority from him.

Clerks serving on civil-service boards.

—not to affect relations to post office.

—to apply to postmaster for permission to attend meetings.

—to be under direction of Civil Service Commission.

2. Clerks, and city and village letter carriers who are members of boards of civil-service examiners are, while in the performance of their duties as such, under the direction of the Civil Service Commission. Unless the entire time of such employees each day is taken up in the performance of civil-service work, the employees, when employed only part time on civil-service work, shall render faithful and efficient service as post-office employees during the remainder of their daily official tour, and shall not neglect their duties under the pretext of performing service for the Civil Service Commission.

—not to neglect duties as clerks.

3. Postmasters shall allow clerks, city, and village letter carriers who are members of the local board of civil-service examiners ample time to attend to their duties as members of such

Postmasters to facilitate work of civil-service boards.

boards during the regular office hours, upon proper notice and application, and shall in every way facilitate the work of the Civil Service Commission.

Hours of service of clerks, watchmen, messengers, and laborers.
39 U. S. C. 117.

464. Special clerks, clerks, and laborers, in the first- and second-class post offices * * * shall be required to work not more than eight hours a day. The eight hours of service shall not extend over a longer period than ten consecutive hours, and the schedules of duty of the employees shall be regulated accordingly.

—in emergency cases.

2. In cases of emergency, or if the needs of the service require, and it is not practicable to employ substitutes, special clerks, clerks, and laborers, in first- and second-class post offices * * * can be required to work in excess of eight hours per day, and for such overtime service they shall be paid on the basis of the annual pay received by such employees. In computing compensation for such overtime the annual salary or compensation for such employees shall be divided by three hundred and six, the number of working days in the year less all Sundays and legal holidays enumerated in section 119 of this title, the quotient thus obtained will be the daily compensation which divided by eight will give the hourly compensation for such overtime service.

—compensatory time.

39 U. S. C. 118.

3. When the needs of the service require the employment on Sundays and holidays of foremen, special clerks, clerks * * * watchmen, messengers, or laborers at first- and second-class post offices they shall be allowed compensatory time on one day within six days next succeeding the Sunday, except the last three Sundays in the calendar year, and on one day within 30 days next succeeding the holiday and the last three Sundays in the year on which service is performed: *Provided, however,* That the Postmaster General may, if the exigencies of the service require it, authorize the payment of overtime for service on the last three Sundays in the calendar year or on Christmas Day in lieu of compensatory time.

See sec. 437 for enumeration of holidays.

—watchmen and messengers.
1913, July 2;
40 Stat. 753.

4. Watchmen, messengers * * * in first- and second-class post offices shall be required to work not more than eight hours a day, and * * * the eight hours of service shall not extend over a longer period than ten consecutive hours.

5. Laborers shall not be assigned to clerical duties. The work to which laborers shall be assigned consists of loading and unloading motor trucks, trucking mail in the office, setting up and taking down bag racks, dumping mail, making simple distribution of parcels by numbers where no scheme knowledge or reading of addresses is involved, operating canceling machines, cleaning and oiling canceling machines, conveyors, etc., carrying mail from canceling machines to distribution cases and from letter drops to facing tables, handling empty pouches and sacks, and such other similar work as the postmaster may direct.

Laborers' duties.

6. At offices supplied with time recorders the recorders shall be used by clerks, carriers, and all other employees (except assistant postmasters, cashiers, superintendents of delivery, superintendents of mails, superintendents of money order, superintendents of vehicle service, and superintendents of registry) in reporting for duty, on leaving for and returning from trips or meals, and at the close of their tours of duty. The record taken from the time recorder shall constitute the official time record, and all other methods of time keeping (except carriers' trip reports) shall be discontinued. At post offices not equipped with time recorders the prescribed form shall be used in keeping the time of employees.

—time recorders.

7. Dispatchers, mechanics-in-charge, special mechanics, general mechanics, mechanics' helpers, driver-mechanics, and garagemen-drivers in the motor-vehicle service, and employees of the pneumatic-tube system, shall be required to work not more than eight hours a day. The eight hours of service shall not extend over a longer period than ten consecutive hours, and the schedules of duties of the employees shall be regulated accordingly. In cases of emergency, or if the needs of the service require, special clerks, clerks, dispatchers, mechanics-in-charge, special mechanics, general mechanics, mechanics' helpers, driver-mechanics, and garagemen-drivers in the motor-vehicle service, and employees of the pneumatic-tube system, can be required to work in excess of eight hours per day, and for such overtime service they shall be paid on the basis of the annual pay received by such employees. In computing the compensation for such overtime the annual salary or compensation for such employees shall be divided by three hundred and six, the number of working days in the year less all Sundays and legal holidays enumerated in the Act of July 28, 1916; the quotient thus obtained will be the daily compensation which divided by eight will give the hourly compensation for such overtime service. When the needs

Motor-vehicle employees.
39 U. S. C. 116,
Supp. V.
1940, Public No.
823. Oct. 9.

of the service require the employment on Sundays and holidays of route supervisors, special clerks, clerks, dispatchers, mechanics-in-charge, special mechanics, general mechanics, mechanics' helpers, driver-mechanics, and garagemen-drivers in the motor-vehicle service, and employees of the pneumatic-tube system, they shall be allowed compensatory time on one day within six days next succeeding the Sunday, except the last three Sundays in the calendar year, and on one day within thirty days next succeeding the holiday and the last three Sundays in the year on which service is performed: *Provided, however,* That the Postmaster General may, if the exigencies of the service require it, authorize the payment of overtime in lieu of compensatory time for service on Sundays and holidays.

Saturday
service.
—compensa-
tory time.
39 U. S. C. 832,
Supp. V.

465. When the needs of the service require supervisory employees, special clerks, clerks, laborers, watchmen, and messengers in first- and second-class post offices, and employees of the motor-vehicle and pneumatic-tube services * * * cleaners, janitors, telephone operators, and elevator conductors, paid from appropriations of the First Assistant Postmaster General; * * * to perform service on Saturday they shall be allowed compensatory time for such service on 1 day within 5 working days next succeeding the Saturday on which the excess service was performed: *Provided,* That employees who are granted compensatory time on Saturday for work performed the preceding Sunday or the preceding holiday shall be given the benefits of this section on 1 day within 5 working days following the Saturday when such compensatory time was granted: *Provided further,* That the Postmaster General may, if the exigencies of the service require it, authorize the payment of overtime for service on the last three Saturdays in the calendar year in lieu of compensatory time, except cleaners, janitors, telephone operators, and elevator conductors paid from the appropriation of the First Assistant Postmaster General, * * * who shall be given compensatory time in lieu of overtime pay within 30 days next succeeding: * * *.

See section 925 as to carriers in the City Delivery Service and section 959 as to carriers in the Village Delivery Service.

2. Assistant postmasters at first- and second-class post offices are included in the term "supervisory employees."

466. * * * supervisory employees, special clerks, clerks, substitute clerks, watchmen, messengers, laborers, and employees of the motor-vehicle and pneumatic-tube services in first- and second-class post offices * * *, who are required to perform night work, shall be paid extra for such work at the rate of 10 per centum of their hourly pay per hour: *Provided*, That night work is defined as any work done between the hours of 6 o'clock postmeridian and 6 o'clock antemeridian.

Night work.
—compensation.
59 U. S. C. 828,
Supp. V.

NOTE.—This law is applicable to all regular employees at first- and second-class post offices, including assistant postmasters, substitute employees, and temporary substitute employees, but does not include special-delivery messengers and cleaners or janitors employed on job work and receiving less than \$720 per annum. (See sec. 926 as to carriers, substitute carriers, and temporary substitute carriers, and the Postal Guide for method of computing the amount to be paid.)

Note.

467. Supervisory employees at first- and second-class post offices shall not be permitted before, during, or after their official tours of duty to engage in any outside employment, such as general business, the professions, or any regular trade or vocation. Employees below the rank of supervisor, except substitute employees shall not engage in any business or vocation that will interfere with their official duties nor in which their employment in the postal service will give them an advantage over others not in the service engaged in a similar business or vocation. No postmaster or employee shall engage in any business involving soliciting or canvassing.

Outside employment.

468. Postmasters at offices of the third class shall be granted for clerk hire an allowance of \$240 per annum where the salary of the postmaster is \$1,100 per annum; an allowance of \$330 per annum where the salary of the postmaster is \$1,200 per annum; an allowance of \$420 per annum where the salary of the postmaster is \$1,300 per annum; an allowance of \$510 per annum where the salary of the postmaster is \$1,400 per annum; an allowance of \$600 per annum where the salary of the postmaster is \$1,500 per annum; an allowance of \$690 per annum where the salary of the postmaster is \$1,600 per annum; an allowance of \$780 per annum where the salary of the postmaster is \$1,700 per annum; an allowance of \$870 per annum where the salary of the postmaster is \$1,800 per annum; an allowance of \$960 per annum where the salary of the postmaster is \$1,900 per annum; an allowance of \$1,050 per annum where the salary of the postmaster is \$2,000 per annum; an allowance of \$1,140 per annum where the salary of the postmaster is \$2,100 per annum; an allowance of \$1,400 per annum where the salary of

Clerical services
at third-class
offices.
39 U. S. C. 81.

the postmaster is \$2,200 per annum; an allowance of \$1,600 per annum where the salary of the postmaster is \$2,300 per annum. The Postmaster General may modify these allowances for clerk hire to meet varying needs, but in no case shall they be reduced by such modification more than 25 per centum: *Provided, however,* That the aggregate of such allowances, as modified, shall not exceed in any fiscal year the aggregate of allowances herein prescribed for postmasters of the third class.

Allowances ;
what to cover.
39 U. S. C. 83.

2. The allowances for clerk hire made to postmasters of the * * * third-class post offices by the Postmaster General out of the annual appropriations therefor 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 excepting allowances for separating mails at third-class post offices, as provided by law.

Allowances for
clerk hire at
distributing
offices of third
and fourth
classes.
39 U. S. C. 82.

469. 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.

Additional com-
pensation in
lieu of allow-
ance for cler-
ical services of
fourth-class
postmasters.
39 U. S. C. 58.

2. The Postmaster General may allow to fourth-class postmasters additional compensation for separating services and for unusual conditions during a portion of the year, in lieu of an allowance for clerical services for this purpose.

Note.

NOTE.—Postmasters of the third class shall furnish vouchers signed by the clerk to whom payments are made under the provisions of paragraph 1.

—applications
for.

3. Applications for allowances for clerical assistance at separating offices of the third and fourth classes shall be made to the First Assistant Postmaster General, Division of Post Office Service, stating the amount of mail handled for other offices and the reasons why help is necessary in order to attend properly to such distribution.

—at post offices
of third and
fourth classes
located at
intersection of
mail routes.

4. Post offices of the third and fourth classes located at the intersection of mail routes may be allowed clerk hire out of the appropriation for separating mails, upon the application of the postmaster. Such allowances shall be based upon the average amount of ordinary mail in transit daily, and the average number of registry pieces in transit monthly, one registry transit being regarded as equivalent to 30 pieces of ordinary mail.

Allowances for
separating
mails.

5. Allowances for separating mails shall be made substantially in accordance with the following scale, and in no case shall the

allowance exceed the maximum amount fixed under the scale, but it shall be graded according to the condition of the appropriation for separating mails and for clerk hire for third-class post offices.

6. Where the average number of pieces of mail separated daily amounts to 34 and is not in excess of 66 pieces, the annual allowance shall not exceed \$36. For each increase of 33 pieces in the average number separated daily, not to exceed \$12 additional may be allowed annually until the average number of pieces separated daily amounts to 600 pieces. For each increase of 50 pieces in the average number separated daily above 601, \$12 additional may be allowed annually, as follows:

Scale of allow-
ances.

From 34 to 66 pieces.....	\$36 per annum.
From 67 to 100 pieces.....	48 per annum.
From 101 to 133 pieces.....	60 per annum.
From 134 to 166 pieces.....	72 per annum.
From 167 to 200 pieces.....	84 per annum.
From 201 to 233 pieces.....	96 per annum.
From 234 to 266 pieces.....	108 per annum.
From 267 to 300 pieces.....	120 per annum.
From 301 to 333 pieces.....	132 per annum.
From 334 to 366 pieces.....	144 per annum.
From 367 to 400 pieces.....	156 per annum.
From 401 to 433 pieces.....	168 per annum.
From 434 to 466 pieces.....	180 per annum.
From 467 to 500 pieces.....	192 per annum.
From 501 to 533 pieces.....	204 per annum.
From 534 to 566 pieces.....	216 per annum.
From 567 to 600 pieces.....	228 per annum.
From 601 to 650 pieces.....	240 per annum.
From 651 to 700 pieces.....	252 per annum.

470. Whenever unusual business accrues at any post office, the Postmaster General shall make a special order allowing reasonable compensation for clerical service, * * *

Allowances for
clerical assist-
ance where un-
usual business
accrues.
39 U. S. C. 133.
—applications
for.

2. Applications for allowances for clerk hire on account of unusual conditions at third- and fourth-class post offices shall be made to the First Assistant Postmaster General, Division of Post Office Service, and allowances may be granted when it is shown that the salary of the office (or the commissions on cancellations and regular clerk hire at third-class offices) is not sufficient compensation for the work performed, and where, by reason of the unusual conditions, clerical assistance is employed that would not be necessary under usual conditions.

471. When an allowance is made for clerical assistance at any post office of the third or fourth class, the postmaster may employ any responsible and trustworthy person who is competent and can take the oath of office. (See sec. 30.) No report of the

Employment
under allow-
ances for sep-
arating mails,
etc.

person employed need be made to the Post Office Department. (See sec. 468.)

See sec. 267 as to vouchers to be filed with the General Accounting Office for payments out of allowances for separating mails, etc.

Bonds of officials and clerks in post offices.
 39 U. S. C. 132.
 —when required.
 —penalty of.
 —what to cover.

472. Assistant postmasters and cashiers at first-, second-, and third-class post offices, and when deemed necessary by the Postmaster General for the better protection of the interests of the Government any other employees in such offices, shall, before entering upon the duties of their office, give bond to the United States with good and approved security, and in such penalty as the Postmaster General shall prescribe, conditioned for the faithful discharge of all duties and trusts imposed upon them either by law or the rules and regulations of the Post Office Department.

Note.

NOTE.—Cashiers are allowed only at first-class post offices. See sec. 68 as to release from suretyship and approval of new bond.

Clerks in post offices required to give bond.

473. All employees of first and second class post offices and assistant postmasters at first-, second-, and third-class offices shall furnish bonds executed to the United States in accordance with the forms prescribed by the department.

Bonds to cover all duties imposed.

2. The bonds given to the United States by clerks and employees in post offices under their roster designation shall apply to and cover the faithful discharge of all duties and trusts imposed upon them, and the due accounting of all moneys which may come into their possession while performing the duties of any other clerk or employee or of any position under any other roster designation or classification whatever.

Amount of bond.

3. The amount of bond in each instance shall be fixed by the postmaster, based according to financial responsibility upon the amount as fixed by the department in the schedule printed in the Official Postal Guide. If at any time the financial responsibility of an employee is increased, postmasters shall see to it that the amount of bond is correspondingly increased. Postmasters shall require all such bonds to be examined at least once every two years for the purpose of ascertaining the sufficiency of the sureties thereon; to examine the sufficiency of the amount thereof and approve or fix said amount at least once in two years and oftener as they may deem it necessary. When the financial responsibility of the employee is increased, the postmaster shall require such employee to furnish a new bond in an ample amount consistent with the financial responsibility or trust imposed on the employee. (See secs. 68 and 69.)

Postmasters may negotiate rates.

4. Postmasters may represent the employees of their offices in negotiating premium rates with surety companies, but shall not solicit or accept commissions from such companies, nor seek to compel their clerks to do business with any particular company.

5. Bonds of assistant postmasters at first-, second-, and third-class offices and other employees at first-, and second-class offices (except regular and substitute rural carriers) may be accepted by the postmaster for and on behalf of the Postmaster General. After approval of a bond postmasters shall require the name of the surety and bonding company and amount of surety thereunder to be entered on each employee's roster card. All bonds shall be filed in alphabetical order and in a place safe from the destruction by fire and protected from unauthorized access or withdrawal.

6. It shall be the duty of postmasters at first-, second-, and third-class post offices to see that only clerks and employees who are under bond are permitted to handle money, stamps, registered mail, and other valuable matter, and postmasters will be held responsible for any losses of such matter chargeable to an unbonded employee intrusted with such matter in disregard of this provision.

7. Assistant postmasters (and clerks who perform the duties of the postmaster in his absence) at third-class post offices shall give bond to the United States. Assistant postmasters and clerks at fourth-class post offices shall not be required to furnish bond to the United States; neither shall clerks at third-class offices who do not handle money, stamps, registered mail, or other valuable matter, be required to furnish bond to the United States, but such clerks and assistant postmasters at fourth-class post offices may be required to give bond in favor of the postmaster if he so desires. Postmasters will be held responsible for any losses of money, stamps, registered mail, or other valuable matter chargeable to an unbonded employee, regardless of the class of the office.

NOTES.—The taking of bonds by the United States directly from assistant postmasters and clerks in post offices does not in anywise affect the liability of postmasters upon their official bonds for the proper discharge of all the duties of their office and the due accounting for all public funds which may be in, or come into, their custody as postmaster; and postmasters and their sureties are responsible on their official bonds to the same extent as theretofore for the defaults and defalcations of their subordinates. The bonds taken from assistants and clerks in post offices are simply additional security of which the United States may avail itself in case of loss.

Money received by a clerk in a post office is, in contemplation of law, received into the official custody of the postmaster; and the fact that such money is embezzled by the clerk does not constitute a defense to an action to recover. (*Bryan v. U. S.*, 90 Fed. Rep. 473, 474, citing opinions of the United States Supreme Court; and *Pond v. U. S.*, 111 Fed. Rep. 992.)

8. Assistant postmasters, other supervisory officers, clerks, printers, mechanics, laborers, and employees of the motor-vehicle service, when transferred from one post office to another, will not be required to furnish new bonds if the bonds covering them are executed on Form 1117, as this form covers an employee in any post office to which he may be transferred. The bonds should be forwarded promptly to the postmaster at which office the employee has been assigned. Substitutes promoted to a regular position or a clerk transferred to a carrier, or vice versa, need not file new bonds unless, in the opinion of the postmaster, the increased responsibility of the employee demands that a new bond shall be furnished.

Bonds may be accepted by postmasters in behalf of Postmaster General.

Only bonded employees permitted to handle money and valuable matter.

Bonds of clerks and assistant postmasters, third- and fourth-class offices.

Postmaster held responsible for losses chargeable to unbonded employee.

Note.

New bonds on transfer of employee, when required.

CHAPTER 5

LEASES, ALLOWANCES, AND SUPPLIES FOR POST OFFICES

Expenditures for rent, light, and fuel at first, second, and third class offices.
 —how authorized.
Rent, light, and fuel.
 —applications for allowances.

—expenditures not to exceed amount authorized.

—vouchers to be filed.

Room occupied by other parties not to be rented for post office without approval of department.

Premises rented by department not to be sublet without authority.

Allowance at fourth-class offices.
 39 U. S. C. 60a.

Leases for premises for use of post offices.
 39 U. S. C. 11.
 —term.

474. Such amounts as may be necessary may be allowed by the Postmaster General at post offices of the first, second, and third classes for rent, light, and fuel.

See 39 U. S. C. 11 and 64; also see sec. 228 as to authority for disbursements.

475. Applications for allowances for rent, light, and fuel at offices of the first, second, and third classes shall be addressed to the Fourth Assistant Postmaster General, Division of Post Office Quarters. The amount needed for each item shall be specified.

2. Expenditures for rent, light, and fuel shall not be made unless authorized; and the amount allowed for each item shall not be exceeded. Credit shall only be allowed for the amount actually disbursed, and vouchers therefor shall accompany the quarterly postal account. (See sec. 267.)

3. Postmasters at offices where an allowance is made for rent shall not rent a part of any room or store until a report has been made to the Fourth Assistant Postmaster General and authority received from him for such occupancy. The report shall give a description of the room or store and the class of business carried on by the occupant; what separation there will be between the post office and the other part of the room, and all other necessary information.

4. When the rental for an entire room or store for the use of the post office is paid by the Post Office Department, no portion thereof shall be sublet without the consent of the Fourth Assistant Postmaster General. If any such premises are sublet, the rental received therefor shall be accounted for as part of the revenues of the office. (See secs. 247 and 249.)

5. After July 1, 1928, postmasters of the fourth class shall be paid as allowances for rent, fuel, light, and equipment an amount equal to 15 per centum of the compensation earned in each quarter, such allowances to be paid at the end of each quarter at the same time and in the same manner as their regular compensation.

6. Postmasters at offices of the fourth class shall be paid as an allowance for rent, fuel, light, and equipment an amount equal to 15 percent of the compensation actually allowable and payable for each quarter, as provided in the law of June 4, 1926.

See sec. 428 as to compensation of fourth-class postmasters.

476. (a) The Postmaster General may, in the disbursement of the appropriation for rent, light, and fuel for first-, second-, and third-class post offices, apply a part thereof to the purpose of leasing premises for the

use of post offices of the first, second, and third classes at a reasonable annual rental, to be paid quarterly for a term not exceeding 20 years.

(b) The Postmaster General may make monthly payment of rental for post-office premises under lease.

39 U. S. C. 12.

NOTE.—Leases for quarters for the housing of Government-owned automobiles (garages) are limited to a term of not exceeding 10 years. (See act of February 14, 1923, 42 Stat. 1248, and succeeding appropriation acts.)

Note.

(c) The Postmaster General in his discretion may rent quarters for postal purposes without entering into a formal written contract in any case where the amount of the rental does not exceed \$1,000 per annum.

39 U. S. C. 14.

(d) No appropriation shall be obligated or expended for the rent of any building or part of a building to be occupied for Government purposes at a rental in excess of the per annum rate of 15 per centum of the fair market value of the rented premises at date of the lease under which the premises are to be occupied by the Government nor for alterations, improvements, and repairs of the rented premises in excess of 25 per centum of the amount of the rent for the first year of the rental term, or for the rental term if less than one year: *Provided*, That the provisions of this section shall not apply to leases made prior to June 30, 1932, except when renewals thereof are made after such date, * * *.

Limitation on rental.
40 U. S. C. 40a.

2. Whenever any building or part of a building under lease becomes unfit for use as a post office, no rent shall be paid until the same shall be put in a satisfactory condition by the owner thereof for occupation as a post office, or the lease may be canceled, at the option of the Postmaster General.

—no rent to be paid when building unfit for use.
39 U. S. C. 10.

3. Where under the terms of a lease for post-office quarters the lessor is required to provide equipment or to make repairs to building, fixtures, or equipment the postmaster shall submit to the Fourth Assistant Postmaster General, Division of Post Office Quarters, all requests for such equipment or repairs and shall not make demands direct upon the lessor.

—requests for additional equipment.

4. All correspondence relative to the leasing of premises for post offices shall be addressed to the Fourth Assistant Postmaster General, Division of Post Office Quarters.

Correspondence relative to lease.

See sec. 475 as to subletting any portion of post-office premises.

477. Applications for canceling machines at first- and second-class offices and allowances covering the purchase of miscellaneous items at such offices shall be addressed to the Fourth Assist-

Applications for allowances.

ant Postmaster General, Equipment and Supplies Branch, and should show each item or article separately, with the cost of each, and wherever it is possible to do so competitive bids for the necessary supplies shall be obtained and transmitted with the request. Miscellaneous items shall not be purchased locally without first obtaining authority from the Fourth Assistant Postmaster General.

Note.

NOTE.—There is no objection to postmasters procuring canceling machines at their own expense.

Expenditures not to be made without authority.

478. Authorization for expenditures shall specify the allowance for each item and the period covered. Allowances may be made at an annual rate. Credit shall be allowed only for expenditures authorized*and for the amount actually disbursed, and vouchers therefor shall accompany the quarterly postal account. (See sec. 267.)

—vouchers to be filed.

2. Applications for allowances for labor incident to cleaning post office and station quarters, and for telephones, laundering towels, and other service items, shall be addressed to the First Assistant Postmaster General, Division of Post Office Service.

Allowances not made for expenses in making payments or collections.

479. No allowance shall be made to any postmaster for expenses incurred in paying authorized expenditures by money order, check, or otherwise, or in depositing or collecting moneys due the Post Office Department.

Supplies.—requisitions, how made.

480. Requisitions for supplies, including stationery, general service, and money-order forms and postal-savings certificates, shall be made on such forms and submitted in such manner as may be prescribed by the Fourth Assistant Postmaster General, Equipment and Supplies Branch, through the medium of the Official Postal Guide and through general orders issued from time to time.

Prohibition against leaving devices in post offices for test.

2. Postmasters shall not permit any person or firm to leave or install in post offices or upon post-office premises, for test, approval, or otherwise, any machine, invention, or device, on any pretext whatsoever, without first obtaining specific written authority from the department: *Provided*, That this provision shall not be construed as prohibiting a postmaster, unless he shall be otherwise directed by the Department, from utilizing in his office any typewriter, adding machine, or other office appliance or article purchased at his own expense.

CHAPTER 6

LETTER BOXES, CALL AND LOCK BOXES, AND KEY DEPOSITS

LETTER, CALL, AND LOCK BOXES

Letter drops at offices of third and fourth classes.

481. At third- and fourth-class post offices a slot shall be cut in the outer door of the post office for the deposit of mail. In the event the providing of a slot in the door is not feasible, a letter box shall be provided, so constructed that it will be accessible to

the public at all hours, and the mail therein be properly protected.

482. At post offices of the second and third classes, where the equipment is not provided for by the Post Office Department, it shall be furnished by the postmaster.

Box equipments at offices of second and third classes.

2. Postmasters at offices of the fourth class shall furnish at their own expense such equipment as may be necessary to meet the public demands.

See sec. 475 as to allowances for equipment, etc., at fourth-class offices.

483. Postmasters are not required to purchase the equipment of their predecessors. A retiring postmaster should not remove his equipment to the detriment of the public service, when such equipment is not purchased by his successor, until the latter has had a reasonable time in which to obtain and install other equipment. Where the equipment of a predecessor is used at offices of the second or third classes and is not included in a lease to the Post Office Department, and at offices of the fourth class, the postmaster shall pay from his personal funds a reasonable rental for such equipment, the amount to be agreed upon between the parties interested.

Box equipment of predecessor.
—purchase of, not required.

—when used, rental must be paid.

2. Nonautomatic keyless boxes shall not be installed or used in a post office. Postmasters should provide lock boxes of the key or automatic keyless types.

—key or automatic keyless should be provided.

484. 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. (See sec. 487.)

Lock boxes may be erected in post offices by patrons.
39 U. S. C. 785.

—to become property of United States.

—rent therefor.

2. The erection of lock boxes and drawers by the patrons of post offices shall be permitted only in cases where it will not result in damage to the other equipment or necessitate such a rearrangement thereof as to make the change detrimental to the service. Applications for authority to erect private boxes or drawers shall be submitted to the First Assistant Postmaster General, Division of Post Office Service.

—only allowed under certain conditions.

3. Postmasters shall not require the patrons of the office to furnish their own lock boxes or drawers or to contribute in anywise, beyond the payment of the regular rental for the use of a box, toward the purchase or maintenance of an equipment of lock, call, or delivery boxes.

Patrons not to be required to furnish boxes or to contribute toward equipment.

485. Box rents shall be collected in accordance with the following schedule, no change in existing rates to be made by post-

Box-rent rates.

masters without authority from the Third Assistant Postmaster General, Division of Finance:

—schedule of.	Gross receipts of post office	Rate per quarter						
		Call boxes		Lock boxes and drawers				
		No. 1	No. 2	No. 1	No. 2	No. 3	No. 4	No. 5
	Less than \$500.....	\$0.10	\$0.15	\$0.20	\$0.25	\$0.35	\$0.45	\$0.60
	\$500 and less than \$1,900.....	.15	.20	.25	.35	.45	.60	.75
	\$1,900 and less than \$5,000.....	.20	.25	.35	.45	.60	.75	1.00
	\$5,000 and less than \$10,000.....	.25	.35	.45	.60	.75	1.00	1.50
	\$10,000 and less than \$40,000.....	.35	.45	.60	.75	1.00	1.50	2.00
	\$40,000 and less than \$100,000.....	.45	.60	.75	1.00	1.50	2.00	3.00
	\$100,000 and less than \$300,000.....	.60	.75	1.00	1.50	2.00	3.00	4.00
	\$300,000 and less than \$1,000,000.....	.75	1.00	1.50	2.00	3.00	4.00	5.00
	\$1,000,000 and less than \$5,000,000.....	1.00	1.50	2.00	3.00	4.00	5.00	6.00
	\$5,000,000 and less than \$15,000,000.....	1.50	2.00	3.00	4.00	5.00	6.00	7.00
	\$15,000,000 and upward.....	2.00	3.00	4.00	5.00	6.00	7.00	8.00

- No. 1. Less than 225 cubic inches in capacity.
- No. 2. Capacity 225 cubic inches and less than 500 cubic inches.
- No. 3. Capacity 500 cubic inches and less than 900 cubic inches.
- No. 4. Capacity 900 cubic inches and less than 3,000 cubic inches.
- No. 5. Capacity 3,000 cubic inches and upward.

2. Patrons shall not be required to rent either lock or call boxes or lock drawers.

Rent of boxes.
39 U. S. C. 279.

486. 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.

—to be collected for the entire quarter.

2. Box rents shall be collected at the beginning of each quarter for the entire quarter, but no longer. Ten days before the last day of each quarter, postmasters shall place a notice in each rented box that the rent is due and payable on or before the last day of the quarter. If a box holder fails to renew his right to his box on or before the last day of a quarter the box shall then be closed and offered for rent, and the mail placed in the general delivery, unless deliverable by carrier. (See secs. 779 and 783.)

—when taken or used for part of quarter.

3. When a box is rented after the beginning of the quarter the rent to be collected shall be computed by multiplying the number of days remaining in the quarter, including the day on which the box is rented, by the rate and dividing the product by the total number of days in the quarter. A box taken or in use at the beginning of a quarter shall not be rented for a shorter period than one quarter. When a box is surrendered during a quarter no portion of the rental shall be returned, and such box shall not be rented until the beginning of the following quarter. Boxes shall not be assigned or transferred to others by box holders.

Change of box equipment during quarter.

4. When boxes are removed during a quarter, and no others substituted in their places, a pro rata amount of the rent paid shall be refunded. When box equipments are changed during a

quarter or the equipment is destroyed, boxes bearing the same numbers, if possible, in the new outfit shall be assigned to box holders without payment of additional rental.

5. Lock boxes which cannot be properly locked shall not be rented until repaired; and when a box gets out of repair another one shall be assigned in lieu thereof.

6. Boxes shall not be rented to minors or persons of unsound mind when their parents or guardians, properly entitled to control their mail, object thereto. (See sec. 785.)

7. A box shall not be rented to any person whom the postmaster has good reason to believe will use it for the purpose of deception, for immoral or improper purposes (see sec. 598), or for the conduct of a fraudulent or lottery business (see secs. 597 and 601). When it is found that a box is being used for any of these purposes, or that the safety of the mail is endangered by its continued use, the postmaster shall report the facts to the department, which reserves the right to close such box and not refund any portion of the rent paid therefor.

8. Boxes shall not be rerented to persons who do not take proper care thereof or who disregard the rules concerning their use.

487. Postmasters at all offices, including those where the box equipment is furnished by the postmaster, shall enter in their quarterly accounts the amount of all rents collected for boxes assigned for that quarter as part of the receipts of the office (see sec. 426), and in case of retirement from office during a quarter the exact amount of box rents collected only shall be reported. When different postmasters serve in the same quarter, the division of the box rents, which are a part of the compensation of the office, shall be adjusted by the General Accounting Office, and proper credits given each postmaster. (See sec. 427.)

2. Box rents shall be debited in the account covering the quarter to which the rental applies, irrespective of the date of collection.

488. Postmasters shall keep in their offices and deliver to their successors a list of box holders, with the number of the box assigned to each, the time during which it has been used, the payments therefor, and the quarter for which rent is prepaid.

2. This record shall be kept at offices of the first, second, and third classes as indicated in the "Box and key register," and at offices of the fourth class in book 1550 C/F. The stubs of box-rent receipts shall be preserved at all offices.

3. When no record is turned over to a postmaster by his predecessor, he shall require box holders to produce receipts or other satisfactory evidence of payment of rent, and allow the use of the boxes for the remainder of the period for which payment has been made.

See secs. 248 to 250 as to accounts of box rents received.

489. Postmasters shall not disclose the names of box holders to any person other than the clerks of their respective post offices and post-office inspectors.

Boxes out of order.

Rent of boxes to minors.

Boxes not to be rented for improper purposes.

Boxes improperly used not to be rerented.

Account for receipts from box rents.
—to be rendered at all offices.

Division of box rents.

Record of box holders.
—how kept.

—at first-, second-, and third-class offices.
—at fourth-class offices.

—when not turned over by predecessor, how postmaster to act.

Names of box holders not to be disclosed.

KEY DEPOSITS

Key deposits.
—at what offices shall be required.

490. Postmasters at post offices located in Federal buildings, and in premises leased by the Government where equipment is furnished by the lessor, and in buildings where lock box equipment is furnished by the Department, shall collect a deposit of 20 cents for each key issued to a renter of a lock box or drawer unless otherwise instructed by the Third Assistant Postmaster General.

—amount of.

at what other offices may be required.

2. When specially authorized by the Third Assistant Postmaster General, other postmasters than those at offices named in the preceding paragraph may also collect deposits to secure the return of keys.

Return of keys.

3. Renters of lock boxes and drawers to whom keys are issued shall be required to return them, whether a deposit has been made therefor or not, whenever the box or drawer is surrendered.

Only regular keys to be used.

4. Postmasters shall not permit renters of lock boxes and drawers to use any keys except those regularly issued through the post office.

Liability of postmasters for key-deposit funds.

491. Postmasters shall be held responsible under their official bonds for the safe-keeping of, and due accounting for, all moneys received as deposits for keys.

Use of key-deposit funds.

2. Key-deposit funds are trust funds and shall be held for the redemption of outstanding keys. When forfeited such funds may be used, after permission has been secured from the Third Assistant Postmaster General, to replace keys that have been lost or illegally withheld.

See sec. 130 as to transfer of the key-deposit funds to successor; secs. 105 and 106 as to care of public funds, which will be observed in regard to key-deposit funds; sec. 120 as to deposit of public funds in banks.

Rules as to key deposits.
Payments from key deposits.

492. No postmaster shall be permitted to expend from the key funds of his post office any amount in payment of bills demanded for keys unless such bills contain an itemized statement showing the number and kind of keys furnished for which payment is demanded.

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TITLE FOUR

DOMESTIC MAIL MATTER

CHAPTER 1

CLASSIFICATION AND RATES OF POSTAGE

GENERAL PROVISIONS

501. Mailable matter shall be divided into four classes:

First, written matter;

Second, periodical publications;

Third, miscellaneous printed matter and other mailable matter (not exceeding eight ounces) not in the first, second, or fourth classes;

Fourth, merchandise and other mailable matter weighing * * * (more) than eight ounces and not in any other class.

See sec. 569 for definition of fourth-class matter.

502. The domestic rates of postage and conditions shall apply to mail addressed for local delivery, or for transmission from one place to another within the United States, or to or from or between the possessions of the United States, and to that for transmission to or from the United States or its possessions and officers or members of crews of United States naval vessels; and the United States Naval Station, Guantanamo Bay, Cuba, and to any other places where the United States Mail Service may be in operation.

2. The term "United States" shall include Alaska and Hawaii. The term "possessions of the United States" shall include Puerto Rico, the Virgin Islands of the United States, the Philippine Islands, Guam, Tutuila and Manua Islands of the Samoan group east of longitude 171° (west of Greenwich), and the Canal Zone.

NOTE.—The islands in the Bay of Panama named Perico, Naos, Culebra, and Flamenco are embraced in the term "Canal Zone." The Virgin Islands of the United States embrace St. Thomas, St. John, St. Croix, and adjacent islands, formerly known as the Danish West Indies.

503. Postage on all mail matter must be prepaid by stamps at the time of mailing, unless herein otherwise provided for.

See sec. 515 as to transmitting unpaid soldiers', sailors', and marines' letters; sec. 513 as to first-class matter prepaid 3 cents; sec. 514 as to certain letters paid at drop-letter rates; sec. 1080 as to unpaid special-delivery letters; sec. 516 as to ship and steamboat letters; secs. 538, 541, 562, and 579 as to payment of postage in money.

Classification of mail matter.
39 U. S. C. 221.

Domestic rates and conditions.
—where applicable.

Terms "United States" and "possessions of United States" defined.

Note.

Prepayment of postage.
39 U. S. C. 271.

Deficiency in postage.
39 U. S. C. 274.
—on matter mailed by inadvertence.

2. 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.

See secs. 763 to 768 as to collection of postage due; sec. 510 as to business reply cards and letters in business reply envelopes; sec. 515 as to soldiers', sailors', and marines' letters; sec. 516 as to postage on ship and steamboat letters.

Modification of postage rates authorized.
1939, June 29, Public, No. 155, sec. 1, title 1.
53 Stat. 862.

504. The President is authorized during the period ending June 30, 1941, to proclaim such modifications of postage rates on mail matter (except that in the case of first-class matter the rate shall not be reduced to less than 2 cents an ounce or fraction thereof) as, after a survey by him, he may deem advisable by reason of increase in business, the interests of the public, or the needs of the Postal Service, and such modifications shall be in effect on and after such date as he shall proclaim and until July 1, 1941. In case a modification of the rate of postage on first-class matter is proclaimed, the President shall also make a corresponding modification in the percentages of gross postal receipts specified in section 1001 (c) of the Revenue Act of 1932 as amended by this act, which percentages shall be in effect during the period such modification of the rate of postage on first-class matter is in effect. Nothing in this section shall be construed as giving the President authority to change the rate fixed by law on first-class matter mailed for local delivery, postal cards, and private mailing or post cards.

MATTER OF THE FIRST CLASS—DESCRIPTION

First-class matter.
39 U. S. C. 222.
—defined.

505. Mailable matter of the first class shall embrace letters, postal cards, and all matters wholly or partly in writing, except as hereinafter provided.

For the exceptions see secs. 552, 561, 566, 568, and 574.

—typewriting classed as handwriting.
39 U. S. C. 221a.

2. Typewriting shall continue to be classed as handwriting as provided by the Postal Laws and Regulations. (See sec. 565.)

—sealed matter, treated as.

3. All matter sealed or otherwise closed against inspection shall be treated as first-class matter. (See sec. 581.)

—statements of account.

4. Bills or statements of account produced by any photographic or mechanical process when mailed in quantities of less than 20 identical pieces shall be treated as first-class matter. (See section 561.)

506. Postal cards issued by the Post Office Department may bear written, printed, or other additions as follows:

(a) The face of the card may be divided by a vertical line placed approximately one-third of the distance from the left end of the card; the space to the left of the line to be used for a message, etc., but the space to the right for the address only.

(b) Addresses upon postal cards * * * may be either written, printed, or affixed thereto, at the option of the sender.

(c) Very thin sheets of paper may be attached to the card on condition that they completely adhere thereto.

(d) Advertisements, illustrations, or writing may appear on the back of the card and on the left third of the face.

2. A postal card bearing additional matter other than as above authorized shall not be accepted for mailing as a postal card.

507. It shall be lawful to transmit by mail, at the postage rate of 1 cent apiece, payable by stamps to be affixed by the sender, and under such regulations as the Postmaster General may prescribe, written messages on private mailing cards, such cards to be sent openly in the mails, to be no larger than the size fixed by the convention of the Universal Postal Union, and to be approximately of the same form, quality, and weight as the stamped postal card in general use in the United States * * *.

508. Private mailing cards ("post cards") in the domestic mails shall conform to the following conditions:

(a) A "post card" shall be an unfolded piece of cardboard not exceeding approximately $3\frac{3}{16}$ by $5\frac{1}{16}$ inches nor less than $2\frac{1}{4}$ by 4 inches.

(b) It shall in form and in the quality and weight of paper be substantially like the Government postal card.

(c) It may be of any color not interfering with a legible address and postmark.

(d) It may or may not, at the option of the sender, bear near the top of the face the words "Post Card."

(e) The face of the card may be divided by a vertical line; the left half to be used for a message, etc., but that to the right for the address only.

(f) Very thin sheets of paper may be attached to the card, and then only on condition that they completely adhere thereto.

(g) Advertisements and illustrations may appear on the back of the card and on the left half of the face.

2. Post cards should bear in the upper right corner of the face an oblong diagram containing the words "Place postage stamp here" and at the bottom of the space to the right of the vertical dividing line the words "This space for the address."

Postal cards.

—printing or writing on address side.

—address labels on. 39 U. S. C. 248.

—thin sheets of paper, attachment of.

—advertisements, etc., on back and face.

—unauthorized additions.

Private mailing cards ("post cards") authorized. 39 U. S. C. 281.

Private mailing cards ("post cards").

—size.

—form, quality, and weight.

—color.

—indicia.

—division of face for message and address.

—sheets may be attached.

—advertisements and illustrations.

—instructions for placing stamp and address.

—rate of postage on double post cards.

3. Double or reply post cards, each portion of which conforms in size, quality, etc., to the foregoing conditions, when sent for bona fide reply purposes only, are subject to 1 cent postage, to be prepaid on the initial portion. The reply half, when detached and mailed, is also subject to 1 cent postage. The postage on the reply half need not be affixed thereto until it is detached from the initial half and mailed for return.

—rates of postage on those which do not conform.

4. Cards which do not conform to the prescribed conditions shall, if they bear a message wholly or partly in writing, or if they bear the words "Post Card" or "Private Mailing Card," be charged with postage at the letter rate. If they do not bear the words "Post Card" or "Private Mailing Card" and are entirely in print, they shall be charged with postage at the third-class rate.

—bearing glass, mica, etc., excluded, except.

5. Cards bearing particles of glass, metal, mica, sand, tinsel, or other similar substances, shall not be accepted for mailing, except when inclosed in envelopes tightly sealed to prevent the escape of such particles, or when treated in such manner as will prevent the objectionable substances from being rubbed off or injuring persons handling the mails.

—inclosed in envelopes.

6. Cards mailed under cover of sealed envelopes (transparent or otherwise) shall be charged with postage at the first-class rate, and, if in unsealed envelopes, according to the character of the message. The postage stamps shall be affixed to the envelopes covering the cards. Stamps affixed to matter inclosed in envelopes shall not be recognized in payment of postage thereon.

RATES OF POSTAGE

Rate of postage on first-class matter.
1932, June 6,
47 Stat. 285.
1939, June 29,
53 Stat. 862.
1940, June 24,
Public, No. 652.

509. * * * until July 1, 1941, the rate of postage on all mail matter of the first class (except postal cards and private mailing or post cards, and except other first-class matter on which the rate of postage under existing law is 1 cent for each ounce or fraction thereof) shall be 1 cent for each ounce or fraction thereof in addition to the rate provided by existing law: *Provided*, That such additional rate shall not apply to first-class matter mailed for local delivery or for delivery wholly within a county the population of which exceeds one million, provided said county is entirely within a corporate city.

1885, Mar. 3,
23 Stat. 386,
1933, June 16,
48 Stat. 254.

2. Upon all matter of the first class * * * postage shall be charged * * * at the rate of * * * (three) 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 * * *.

3. Postage on first-class matter deposited at a post office for local delivery to patrons thereof by rural or star-route carriers and on that deposited by such patrons in rural or star-route boxes for local delivery to other patrons of the same post office, including those served by rural or star-route carriers, shall be charged at the rate of 2 cents for each ounce or fraction thereof.

—drop letters.
Rural and star-route letters.

4. Letters, bills, statements, etc., prepared at a central office of a concern rendering service at some other place, presented for local delivery at the post office of such latter place, shall be accepted at the 1-cent or 2-cent drop letter rate, whichever is applicable for local matter at the particular post office. The stamps used in the payment of postage on such matter or others in lieu thereof should be purchased at the post office where the matter is deposited for mailing. (See par. 2, sec. 1710.)

Letters sent in bulk to another post office.

NOTE.—A drop letter is one addressed for delivery from the office at which it is posted.

Note.

See section 516 as to rates of postage on ship and steamboat letters; sec. 579 as to payment of postage in money.

510. Under such regulations as the Postmaster General may prescribe, it shall be lawful to accept for transmission in the mails without prepayment of postage business reply cards and letters in business reply envelopes, which have been sent out in the quantity and under the conditions he may establish, postage thereon at the regular rate, together with an additional postage charge of not more than 2 cents on each such card and letter, to be collected on delivery: * * *.

Business reply cards and letters in business reply envelopes.
39 U. S. C. 303.

2. The postage on business reply cards when collected on delivery as provided in this section shall be 2 cents each, and the postage on letters in business reply envelopes shall be the regular first-class rate plus 1 cent additional for each letter. When such cards and envelopes are prepared for return by air mail, the regular air mail rate plus 1 cent additional shall be collected on delivery.

Rate of postage.

3. Persons desiring to send out or distribute business reply cards and envelopes for return under this section shall make application therefor on Form 3614 to the postmaster at the office to which the cards or envelopes are to be returned, who, except as otherwise instructed, shall transmit it to the Third Assistant Postmaster General, Division of Classification, and await the receipt of a permit and instructions as to procedure. No fee is required to accompany such applications.

Application for privilege to distribute.

4. Business reply cards shall conform in size, form, and quality of paper stock to the conditions prescribed in section 508 for private mailing or post cards. Such cards and also business reply envelopes, which must be furnished by the user without cost to the department, shall bear on the address side in the manner prescribed in the permit the printed name and address of the person or concern to whom they are to be returned, together with the permit number and such other information as may be required.

Size, form, indicia, etc.

Treatment at office where mailed for return.

5. Business reply cards and envelopes deposited in the mails at any post office for return to the person or concern who sent them out under the provisions of this section shall be postmarked and promptly dispatched in accordance with the address thereon. (See sec. 426, concerning inclusion of postage at regular rates on business reply cards and envelopes in amounts upon which postmasters at fourth-class post offices are entitled to base their commissions on cancellations.)

Collection of postage at office to which returned.

6. When business reply cards and envelopes are returned to the office of origin, they shall be delivered to the person for whom they are intended upon payment of the postage chargeable thereon as prescribed in paragraph 2 of this section. Postage-due stamps representing the amount collected on the cards and envelopes so returned and delivered shall be affixed to one or more of the cards or envelopes or to a piece of paper attached thereto and canceled, stamps of the highest denominations available being used for such purpose. (See sec. 424 for amount of credit allowed at first-, second-, and third-class offices in connection with the postage collected on business reply cards and envelopes.)

Rates of postage on air mail. 39 U. S. C. 463.

—air mail defined. 39 U. S. C. 469. Supp. V.

511. Effective July 1, 1934, the rate of postage on air mail shall be 6 cents for each ounce or fraction thereof.

2. The term "air mail" means mail of any class prepaid at the rate of postage prescribed in section 463 of this title.

3. The domestic rates of postage on matter carried by airplane, including transportation to and from the air-mail routes, shall be as follows:

	<i>Per ounce (cents)</i>
United States, from one post office to another on mainland, including Alaska, and also from one post office to another in Hawaiian Islands (but not between mainland and those islands)-----	6
	<i>Per half ounce (cents)</i>
United States (mainland) to or from—	
Hawaii -----	20
Guam -----	40
Philippine Islands -----	50
Puerto Rico, Virgin Islands of United States, U. S. Naval Station, Guantanamo Bay (Cuba)-----	10
Canal Zone -----	15
Puerto Rico, Virgin Islands of United States, U. S. Naval Station, Guantanamo Bay (Cuba) to or from—	
Canal Zone -----	15
Hawaii -----	30
Guam -----	50
Philippine Islands -----	60
Puerto Rico to or from—	
Virgin Islands of United States-----	10
U. S. Naval Station, Guantanamo Bay (Cuba)-----	10
Virgin Islands of United States to or from U. S. Naval Station, Guantanamo Bay (Cuba)-----	10
Hawaii to or from—	
Guam -----	20
Philippine Islands -----	30
Canal Zone -----	35
Guam to or from—	
Philippine Islands -----	10
Canal Zone -----	55.

The foregoing air-mail rates shall include all transportation by air mail available in the United States, including Hawaii; also in the Philippine Islands. Official matter in penalty or franked envelopes may not be sent free by air mail, but shall be chargeable with postage at the air-mail rates, except in the case of urgent official communications of the Postal Service only, when their prompt dispatch is desirable.

4. Special air-mail stamps should be used for the payment of postage on air mail, but ordinary postage stamps may be used. Air-mail stamps may not be used on other than air mail. All mail intended to be carried by airplane should be plainly marked "VIA AIR MAIL" in the space immediately below the stamps and above the address. Envelopes of distinctive design approved by the department for air mail may be used for air mail only.

Special air mail or ordinary stamps may be used.

5. The postage on all air mail should be fully prepaid in order to expedite its handling, and postmasters shall make every effort to have patrons prepay the full amount on such matter. Nevertheless, short-paid mail intended to be carried by airplane shall, if it bears at least one full rate according to destination as shown in paragraph 3, be rated with the deficiency and dispatched as intended by the sender, the amount due to be collected upon delivery of the matter.

Prepayment of postage.

See sec. 577 as to limit of weight and size; sec. 1203 as to registration; sec. 1782 as to air-mail service.

512. * * * postal cards shall be transmitted through the mails at a postage charge of one cent each, including the cost of manufacture; * * *.

Rate of postage on postal cards. 39 U. S. C. 280.

See secs. 146 and 147 as to postal cards.

2. Private mailing cards (post cards) shall be transmitted by mail at a postage charge of 1 cent each. (See sec. 507.)

—private mailing cards.

513. 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; * * *. If the postage is short paid one rate, the additional charge shall be * * * (3) cents, or the deficient postage. If it is short more than one rate, the deficient postage and an additional charge of 1 cent for each (short-paid) ounce or fraction thereof shall be collected.

Insufficiently prepaid first-class matter. 39 U. S. C. 275. 1932, June 6, 47 Stat. 285.

See secs. 763, 765, and 2315 as to the collection of postage due.

514. * * * in adjoining cities and in those 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 cities and/or offices and addressed to an adjoining city or to a locality within the delivery of another of such offices, which shall have been

Insufficiently prepaid drop letters. 39 U. S. C. 407. —to be forwarded, when.

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.

See secs. 765 and 2315 as to collection of postage due.

Soldiers', sailors', and marines' letters.
39 U. S. C. 230.
—transmission of unpaid.

515. The Postmaster General may * * * 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.

—how marked.

2. Letters sent by soldiers, sailors, and marines in the United States service, located in the United States or any of its possessions or other places where the United States domestic mail service is in operation, addressed to places in the United States or any of its possessions, when indorsed "Soldier's letter," "Sailor's letter," or "Marine's letter," and signed thereunder either with facsimile hand stamp or in writing, with his 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 any commissioned officer attached to the vessel or officer commanding a hospital or detachment ashore, may be dispatched to destination without prepayment of postage, and only the single rate of postage shall be collected on delivery.

Double postage on ship letters.
39 U. S. C. 298.

516. All letters conveyed by vessels not regularly employed in carrying the mail shall, if for delivery within the United States, be charged with double postage, to cover the fee paid to the vessel.

Rating of postage on ship letters.

2. Ship letters shall be charged double rate of postage, to be collected at the office of delivery; but on any such letter which has been prepaid by United States stamps at such double rate no additional charge shall be made.

—if carried only over water declared a post road.

—if carried only a portion of the way over a post road.

3. Letters and packages carried in a private ship or vessel from one port to another in the United States, if the whole of the water be a post road by law, shall be charged only with single postage. If only a part of the voyage be over water declared to be a post road such letters and packages shall be charged with double the rate of postage. (See sec. 1701.)

See sec. 1833 as to meaning of ship letters; secs. 1830, 1834, 1835, 1836 as to fees to masters of vessels for carrying ship and steamboat letters and payment thereof; secs. 711 and 712 as to treatment of ship matter in post offices.

Printed ship matter.

4. Printed matter delivered to a post office 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 charged with double the third-class rate of domestic postage, to be collected on delivery, and dispatched to its destination.

—how treated.

See sec. 1836 as to nonpayment of fees on printed ship matter; sec. 765 as to collection of postage due.

517. Weather Bureau reports shall be treated as letter mail, whether sent by officers of the service under penalty envelopes or by private persons and prepaid by stamps.

Weather Bureau reports.
—treated as letter mail.

See sec. 434 as to posting weather reports received by postmasters, and sec. 1709 as to display of such reports.

518. Mutilated coin and paper currency belonging to individuals shall not be transmitted to the Treasurer of the United States for redemption except as mail matter of the first class, upon which the regular postage shall be prepaid.

Mutilated coin and paper currency.

—postage on, to be prepaid.

See secs. 1213 and 1214 as to registration of packages of mutilated currency, etc., without payment of fee.

MATTER OF THE SECOND CLASS—DESCRIPTION

519. 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 225 and 226 of this title.

Second-class matter.
39 U. S. C. 224.
—defined.

NOTE.—Secs. 225 and 226 referred to are given as secs. 557 and 520, P. L. and B. There are two classes of second-class matter: (1) That sent by publishers or news agents (see sec. 538); (2) that sent by others than publishers or news agents (see sec. 545).

Note.

See sec. 543 as to definition of newspapers and periodical publications.

520. Except as otherwise provided by law, the conditions upon which a publication shall be admitted to the second class are as follows:

Conditions for admission as second-class matter.
39 U. S. C. 226.

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.

Regularity of issue.

Second. It must be issued from a known office of publication.

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: *Provided*, That publications produced by the stencil, mimeograph, or hectograph process or in imitation of typewriting shall not be regarded as printed within the meaning of this clause. (See par. 4, sec. 524.)

Formation.

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. Nothing herein contained shall be so construed as to admit to the second-class rate regular publications designed

Character of contents.

Subscription list.

primarily for advertising purposes, or for free circulation, or for circulation at nominal rates.

See sec. 529 as to applications for entry; sec. 535 as to penalty for submitting false evidence to secure entry of matter as second class.

Publications issued by benevolent or fraternal societies, institutions of learning, etc.
39 U. S. C. 229.

521. All periodical publications issued from a known place of publication at stated intervals, and as frequently as four times a year, by or under the auspices of a benevolent or fraternal society or order organized under the lodge system and having a bona fide membership of not less than one thousand persons, or by a regularly incorporated institution of learning, or by a regularly established State institution of learning supported in whole or in part by public taxation, or by or under the auspices of a trades union, and all publications of strictly professional, literary, historical, or scientific societies, including the bulletins issued by State boards of health, and by State boards or departments of public charities and corrections, shall be admitted to the mails as second-class matter, and the postage thereon shall be the same as on other second-class matter; and such periodical publications, issued by or under the auspices of benevolent or fraternal societies or orders or trades-unions, or by strictly professional, literary, historical, or scientific societies, shall have the right to carry advertising matter, whether such matter pertains to such benevolent or fraternal societies or orders, trades-unions, strictly professional, literary, historical, or scientific societies, or to other persons, institutions, or concerns; but such periodical publications, hereby permitted to carry advertising matter, must not be designed or published primarily for advertising purposes, and shall be originated and published to further the objects and purposes of such benevolent or fraternal societies or orders, trades-unions, or other societies, respectively; and all such periodicals shall be formed of printed paper sheets, without board, cloth, leather, or other substantial binding, such as distinguish printed books for preservation from periodical publications. The circulation through the mails of periodical publications issued by, or under the auspices of, benevolent or fraternal societies or orders, or trades-unions, or by strictly professional, literary, historical, or scientific societies, as second-class mail matter, shall be limited to copies mailed to such members as pay therefor,

Advertisements permitted.

Restrictions.

Limitation of circulation.

either as a part of their dues or assessments, or otherwise, not less than fifty per centum of the regular subscription price; to other bona fide subscribers; to exchanges, and ten per centum of such circulation as sample copies. When such members pay therefor as a part of their dues or assessments, individual subscriptions or receipts shall not be required. The office of publication of any such periodical publication shall be fixed by the association or body by which it is published, or by its executive board, and such publication shall be printed at such place and entered at the nearest post office thereto.

Paid with dues.

Office of publication required.

NOTE.—Under this law a publication is not required to have subscribers, except in the case of publications of the societies, orders, or trades-unions, included therein, which carry advertisements in the interest of other persons or concerns than such societies, orders, or unions. The circulation through the mails at the pound rates of postage of publications of the societies, orders, or trades-unions referred to, whose members do not pay therefor, the publications being for free circulation, is restricted to the membership and to exchanges. Publications of such societies, orders, or trades-unions, not meeting the requirements of the proviso placing a limitation on circulation, and publications of institutions of learning, State boards of health, and State boards or departments of public charities and corrections, carrying advertisements, including the name of the printer, pertaining to other persons or concerns than such societies, orders, or trades-unions, institutions of learning, or State boards, are not entitled to the privileges of the law.

Note.

See sec. 529 as to application for entry.

2. (The publications of the institutions of learning referred to in the preceding paragraph) shall be originated and published to further the objects and purposes of such * * * institution of learning.

1894, July 16,
28 Stat. 105.

522. All periodical publications issued from a known place of publication at stated intervals as frequently as four times a year by State departments of agriculture shall be admitted to the mails as second-class mail matter: *Provided*, That such matter shall be published only for the purpose of furthering the objects of such departments: *And provided further*, That such publications shall not contain any advertising matter of any kind.

Periodicals issued by State departments of agriculture.
39 U. S. C. 230.
—admission of, as second-class matter.
—not to contain advertising matter.

See sec. 529 as to applications for entry.

523. 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 herein contained shall be so construed as to allow the transmission through the mails of any publication which violates any copyright granted by the United States.

Foreign publications.
39 U. S. C. 227.
—entry of.

See sec. 529 as to applications for entry.

POSTAL LAWS AND REGULATIONS
 GENERAL PROVISIONS AS TO ADMISSION OF PUBLICATIONS AS
 SECOND-CLASS MATTER

Regularity of issue.

524. A publication shall be regularly issued at stated intervals to maintain its second-class status. (See sec. 520.) When an issue is omitted for unavoidable cause, the first succeeding issue shall bear only the serial number following consecutively that of the last preceding issue, and shall not bear a double number.

Suspension of issue of school publications during vacation.

2. Publications of colleges and schools, otherwise admissible as second-class matter, shall not lose such privileges by suspension of issue during vacation. Publications which regularly omit certain issues or suspend issuance during certain periods shall show that fact in connection with the statement of the frequency of issue as, for example, "Monthly except July and August," "Monthly during school or college year," or "Weekly during school year except holiday or examination periods."

Extra editions.

3. Extra editions of a publication admitted as second-class matter manifestly issued for the purpose of communicating additional news and imparting information germane to the publication but received too late for insertion in the regular issue shall be accepted at the second-class rates, provided the same are not issued for advertising purposes.

Stencil or hectograph publications inadmissible.

4. Alleged periodical publications produced by the stencil, mimeograph, or hectograph process, or in imitation of typewriting, shall not be admitted to the mails as second-class matter.

Known office of publication.—definition of.

525. A known office of publication is a public office where the business of the newspaper or periodical is transacted during the usual business hours, and such office shall be shown by the publication itself.

—only one at which publication can be entered.

2. In towns having letter-carrier service the street and number of the office of publication shall be given.

3. Newspapers and periodicals may have more than one office for the transaction of business, but shall be mailed by the publisher as second-class matter at the pound rates of postage only at the post office or post offices where entered. The name of the post office of original entry shall precede the names of any other offices of the publication and be given equal prominence in all printed notices relative to the offices of publication.

When office of publication is not a post office.

4. When a periodical publication is issued at a place that is not a post office the post office at which it is entered shall be shown in the publication.

Where to be printed.

5. Publication of a benevolent or fraternal society or order, or trades-union, or strictly professional, literary, historical, or scientific society, to be admissible as second-class matter under the act of August 24, 1912, 39 U. S. C. 229 (see sec. 521), shall be printed at the office of publication.

Subscription price and legitimate lists required by law.—evidence required.

526. A "legitimate list of subscribers" to a newspaper or periodical shall consist of—

(a) Such persons as have subscribed for the publication for a definite time, either by themselves or by another on their behalf,

and have paid, or promised to pay, for it a substantial sum as compared with the advertised subscription price.

(b) News agents and newsboys purchasing copies for resale.

(c) Purchasers of copies over the publisher's counter.

(d) The receivers of bona fide gift copies, duly accepted, given for their benefit and not to promote the interests of the donor. Persons to whom copies are sent free by the publishers may not be so included.

(e) Other publishers to whom exchanges are mailed, one copy for another.

(f) Advertisers receiving one copy each in proof of the insertion of their advertisements.

2. For consideration by the department in determining whether a publication has a "legitimate list of subscribers," or otherwise conforms to the requirements of the law, the publisher shall furnish the information called for in the required application form. (See sec. 529.)

Information required.

3. The methods of a publisher in fixing the price of his publication or in inducing subscriptions by the giving of premiums, prizes, or other considerations, or by clubbing his paper with other papers, or by giving commissions upon subscriptions obtained by agents, shall be carefully scrutinized in respect of their effect upon the legitimacy of the subscription list and upon the question of the primary design of the publication. Persons whose subscriptions are obtained at a nominal rate shall not be included as a part of the "legitimate list of subscribers" required by the law. Subscriptions shall be regarded as at a nominal rate when obtained in connection with the methods or offers effecting a reduction of the regular advertised annual subscription price to the extent and under the conditions set forth in the following subparagraphs (a) and (b):

Subscription price, premiums, clubbing arrangements, etc.

(a) Subscriptions obtained at a reduction to the subscriber of more than 50 percent of the regular advertised price for a single subscription whether the reduction be a direct discount or effected through a rebate, premium offer, clubbing arrangement with other publications, or otherwise, and whether full payment is made at one time or in installments. The actual cost of a premium given with a subscription shall, together with the premium-subscription offer, be filed by the publisher with the Third Assistant Postmaster General, Division of Classification, and in determining the value of a premium, not only the cost but the retail value and worth or value represented to the subscriber shall be considered.

(b) Subscriptions obtained through agents or agencies on commission or in connection with clubbing arrangements with other publications in cases where the amount received by the publisher, after deducting the amount allowed or paid as commission, or as a rebate, or through other arrangement, is less than 30 percent of the amount at the regular advertised subscription price of the publication. Contracts which a publisher desires to enter into with a person or concern who will obtain for the publisher subscriptions through soliciting agents should first be

submitted to the Third Assistant Postmaster General, Division of Classification, together with all of the conditions, facts, and circumstances pertaining thereto, in order that it may be determined whether subscriptions obtained in connection therewith will be in harmony with the requirements of the law governing second-class matter.

Expired subscriptions.

4. The right of publishers to extend in good faith credit on subscriptions is recognized and will not be abridged, and although all subscriptions are regarded as expiring with the period for which they were obtained, nevertheless, when publishers make proper effort to obtain renewals within a reasonable period, copies of their publications shall be accepted for mailing as to subscribers at the usual second-class rates of postage for a period of one year from the date of expiration, except in the case of subscriptions for less than one year. Copies sent to persons after one year from the date of the expiration of their subscriptions, or, in the case of subscriptions for less than one year, copies sent after the date of the expiration thereof, unless such subscriptions be expressly renewed for a definite time, together with an actual payment of subscription or a bona fide promise of payment, shall not be accepted as subscribers' copies but shall be accepted as other than subscribers' copies at the rates shown in section 546.

Advertising sheets.
—definition of

527. The question of whether a publication is designed primarily for advertising purposes or for free circulation or for circulation at nominal rates is one of fact and shall be determined in each case from the evidence.

Meaning of "primarily."

2. The word "primarily" is intended to indicate the chief or principal object of a publication.

3. Among regular publications designed primarily for advertising purposes within the meaning of the law (see sec. 520) shall be included—

(a) Those owned and controlled by one or several individuals or business concerns and conducted as an auxiliary to and essentially for the advancement of the main business or calling of those who own or control them;

(b) Those which, having a few or no genuine or paid-up subscriptions, insert advertisements free on the condition that the advertiser will pay for a number of papers which are sent to persons whose names are given to the publisher;

(c) Those which do advertising principally and whose columns are filled with editorial puffs of firms or individuals advertising in the publication, or who buy a certain number of copies for distribution;

(d) Publications devoted largely to advertising and having a nominal list of bona fide subscribers but whose circulation is mainly gratuitous.

Nominal rate.

4. A publication the subscription price of which is low and from the subscription list of which the publisher does not regularly exclude expired subscriptions (see sec. 526) with the same

care and accuracy as is exercised by a publisher whose rate is evidently more than nominal, or where the subscription price does not appear to be a material consideration in the business of the publisher, shall be considered as circulated at a nominal rate within the meaning of the law.

5. (a) In order to conform to the requirements of the law with respect to a legitimate list of subscribers and not come within the prohibition of the statute against publications primarily for free circulation, and continue to be mailable at the second-class pound rates of postage, the circulation of a publication entered as second-class matter under the act of March 3, 1879, shall consist in the main of copies supplied, by mail or otherwise, to persons who have themselves subscribed and paid or promised to pay for the publication. (See sec. 526.) Publications which are primarily for free circulation shall not be accepted for mailing at the publishers' second-class pound rates of postage. All copies of a publication printed, whether circulated through the mails or otherwise, and at whatever rate of postage, shall be considered in determining whether the circulation conforms to the requirements of the law for second-class matter. When an extraordinary number of copies of a publication are paid for by advertisers or other persons, or, under some other arrangement, are supplied persons not ordering the copies, such copies being free to the recipients, consideration shall be given the question as to whether the publication is designed primarily for advertising purposes or for free circulation and therefore not entitled to the second-class mailing privilege.

Legitimate list
of subscribers.

(b) When an extraordinary number of copies over the usual circulation are presented for mailing as to subscribers, the postmaster shall request the publisher to submit a sworn statement showing in what manner the claimed extra subscriptions were obtained and if paid for by others than the persons to whom the copies are sent, who paid for them, the amount paid, the purpose for which the copies are sent, and whether the person paying for the copies is an advertiser in the publication, together with such additional information as there may be concerning the arrangement under which the copies are being circulated. Postage at the transient second-class rate shall be charged on all copies paid for by an advertiser, or other interested party for advertising purposes. (See secs. 545 and 546.) When a postmaster is in doubt as to whether any particular copies of a publication are entitled to be mailed at the publishers' second-class pound rates he shall require a deposit of money sufficient to cover postage thereon at the transient second-class rate and hold such deposit pending submission of all the facts, together with a copy of the publication to the Third Assistant Postmaster General, Division of Classification, for instructions.

Copies paid for
by advertisers.

APPLICATION FOR AND ADMISSION TO ENTRY AS SECOND-CLASS MATTER

Fees for entry, reentry, or additional entry of publication as second-class matter.
39 U. S. C. 226a.

528. Each application for entry of a publication as second-class matter shall be accompanied with a fee of \$100: *Provided*, That the fee to accompany applications for entry as second-class matter of publications having a circulation of not more than 2,000 copies shall be \$25; and of publications having a circulation of not more than 5,000 copies shall be \$50: *Provided further*, That one-half of all fees collected under this section shall be returnable to the applicant upon the failure of the applicant's publication to obtain entry under the provisions of this section; each request for reentry of a publication as second-class matter on account of a change in title, frequency of issue, office of publication, or for other reason, and each request for additional entry of a publication as second-class matter shall be accompanied with a fee of \$10; each application for registry of a news agent shall be accompanied with a fee of \$20.

Note.

NOTE.—The amount of the fee to be collected with each application for original second-class entry is determined by the total number of copies printed and circulated as shown by the application. The fee is not based merely on the number of copies circulated as to subscribers or on the number sent through the mails.

Accounting for fees.

2. (a) Postmasters, at offices at which publications are already entered as second-class matter and who, therefore, have the necessary forms, shall issue a receipt for the amount of each fee accompanying applications as prescribed in paragraph 1 of this section (see also sec. 529; sec. 532; and sec. 555) on Form 3539 (L. or S.), which shall be indorsed "application fee for original second-class entry," or "application fee for second-class reentry," or "application fee for second-class additional entry," or "application fee for news agent registry," as the case may be, and the total amount of such fees shall be accounted for in a separate item under the head Second-Class Application Fees in the quarterly newspaper and periodical statement (Form 3551 or 3551-A) and also as a separate item in the quarterly postal account.

Fees held in trust.

(b) Postmasters at offices where there are no publications already entered as second-class matter, shall hold the application fee, received under the provisions of paragraph 1 of this section, and sections 529, 532, and 555, in trust pending the receipt of instructions from the Third Assistant Postmaster General, Division of Classification.

Fees not to be counted in determining compensation and allowances.

(c) In determining the compensation and allowances at post offices of the first, second, and third classes, credit shall not be allowed for the application fees received at such offices under the provisions of this section. The application fees received at post offices of the fourth class under the provisions of this section

shall not be included in the amounts upon which the commissions of the postmasters are based.

(d) No postmaster shall return to an applicant any part of a fee which was paid pursuant to the provisions of paragraph 1 of this section without the specific authorization of the Third Assistant Postmaster General, Division of Classification.

529. (a) When a publication is offered for mailing for the first time as "matter of the second class" (see secs. 519 and 520), the postmaster shall require the publisher or his duly authorized representative to file an application on the proper form for its entry as second-class matter, accompanied with the proper fee as prescribed by section 528, and two representative copies of the issue of the publication nearest to the date of the application. (See application form for instructions to both postmaster and publisher as to the proper procedure.)

Applications for entry of domestic publications as second-class matter.

(b) Application for entry as second-class matter of a newspaper or periodical publication under the provisions of the act of March 3, 1879, 39 U. S. C. 226 (see sec. 520), shall be made on Form 3501.

(c) Application for entry as second-class matter of a publication of a benevolent or fraternal society or order, or strictly professional, literary, historical, or scientific society, or tradesunion, institution of learning, State board of health, State board or department of public charities and corrections, or State department of agriculture, under the provisions of the act of August 24, 1912, or the act of June 6, 1900, 39 U. S. C. 229 and 230 (see secs. 521 and 522), shall be made on Form 3501-B.

(d) Application for entry as second-class matter of newspapers and periodicals published in a foreign country (see sec. 523) shall be made on Form 3501-A.

Foreign publications.

See sec. 597 as to matter in violation of copyright laws.

2. When a publisher of a publication entered as second-class matter at any post office desires an additional entry at another post office, an application by letter for such additional entry shall be submitted to the postmaster at the office of original entry, accompanied with the fee of \$10 prescribed by section 528. Such application shall show the approximate number and weight of the copies to be mailed at the office at which additional entry is sought and the territory to be served from such office. The postmaster shall transmit the application to the Third Assistant Postmaster General, Division of Classification. All copies for delivery at the office of original entry shall be mailed at that office and all copies for delivery at the office of additional entry shall be mailed at the latter office, and postage paid thereon at the rate applicable to copies so mailed.

Additional entry at another post office.

3. Postmasters shall not, except as provided in section 532, accept a publication for mailing at the second-class rates of postage until formally authorized by the department to do so, and on all copies of a publication mailed before the application for its entry as second-class matter has been filed postage at the third or fourth-class rate, whichever is applicable according to

Mailings of publications before entry as second-class matter.

the physical characteristics of the publication, shall be prepaid by means of stamps affixed, or in money under permit as provided by section 562 or 579.

See sec. 530 for further instructions.

Conditional acceptance by postmasters of publications as second-class matter.

530. When an application has been made as provided in section 529 for entry of a publication as second-class matter, the postmaster shall issue to the publisher, on Form 3503, a permit conditionally accepting the publication, pending its classification, for mailing in the manner in which second-class matter is mailed (see sec. 560), and require a deposit of money sufficient to cover postage at the regular third-class rate, or the rate for books, whichever is applicable, according to the physical characteristics of the publication, computed on each separately addressed copy or package of unaddressed copies offered for mailing pending consideration of the application. Such deposit shall NOT be taken up in the quarterly postal account nor in the quarterly statement of pound-rate postage rendered to the Third Assistant Postmaster General, but shall be held in trust until the postmaster is advised as to its disposition. If the publication is admitted as second-class matter, the excess of the deposits over the second-class rates of postage shall be refunded. If postage is prepaid on copies by stamps affixed, or in money under the permit system, or copies mailed at the bulk third-class rate under the provisions of section 562, while the application is pending, no refund of any portion of the postage so prepaid shall be made when admission of the publication as second-class matter is authorized. If the publication is not admitted, the entire deposit shall be converted into ordinary postage stamps, affixed to a sheet or sheets of paper, canceled, and sent by registered mail to the Third Assistant Postmaster General. Stamps of the highest available denominations shall be used for this purpose. The stamps so used shall be accounted for at presidential offices as sold and at fourth-class offices as canceled.

Deposit of third or fourth-class postage.

Indicia in publications.

2. The following indicia shall be conspicuously printed on one or more of the first five pages, preferably on the first page, of each copy of publications entered as second-class matter:

- (a) Title of the publication, which shall always be shown on the first page.
- (b) Date of issue.
- (c) Regular periods of issue; that is to say, frequency.
- (d) Serial number.
- (e) Known office of publication.
- (f) Subscription price.
- (g) Notice of entry reading as follows:

Entered as second-class matter _____ at the post office at _____ under the act of _____

—insertion of notice before entry.

3. The insertion in a publication before entry of a notice that it is entered as second-class matter shall be regarded as submitting "false evidence relative to the publication for the purpose of securing admission thereof to the second class of mail

matter." (See secs. 535 and 556.) Pending action on an application for admission of a publication as second-class matter, there may be printed on the copies the words "Application for entry as second-class matter is pending."

531. The Third Assistant Postmaster General shall decide upon the admissibility of publications as second-class matter, and, upon being satisfied that a publication is entitled to admission, shall authorize the postmaster at the proper office to accept mailings thereof at the second-class rates of postage.

Admissibility of publications as second-class matter.—final decision as to.

532. In case of a change in title, or frequency of issue, of a publication entered as second-class matter, the publisher shall, if he desires to mail the publication at the second-class rates of postage, submit to the postmaster a written request for reentry under the new conditions, accompanied with the fee of \$10 prescribed by section 528 and two copies of the publication issued after the change. The postmaster shall promptly send the request, with one copy of the publication issued after the change, to the Third Assistant Postmaster General, Division of Classification, together with a report showing whether the required fee has been paid, and, pending instructions from the department, shall, if the required fee has been paid, accept the publication for mailing at the second-class rates of postage. No mailings after such a change has been made in a publication shall be accepted at the publishers' second-class pound rates of postage until the required fee has been paid.

Procedure in case of change in title or frequency of publications.

2. In case of the removal to another post office of the known office of publication of a newspaper or other periodical entered as second-class matter, the publisher shall, if he desires to mail the publication at the second-class rates of postage, submit to the postmaster at such office a written request for reentry of the publication at that office, accompanied with the fee of \$10 prescribed by section 528. This request should show the full name of the publication, its frequency of issue, where printed, the place where it was formerly entered as second-class matter, the title and frequency of issue under which it was published at such place, and the act of Congress under which entered, and be accompanied with two copies of the first issue thereof at the new office. The postmaster shall promptly send the request and one copy of the publication to the Third Assistant Postmaster General, Division of Classification, together with a report showing whether the required fee has been paid, where the publication is printed, and whether there is maintained therefor at his place a known office of publication (see sec. 525), and, pending instructions from the department, shall, if the required fee has been paid, accept the publication for mailing at the second-class rates of postage. No mailings of the publication shall be accepted at the publishers' second-class pound rates of postage until the required fee has been paid.

Removal of office.

3. When a publication entered as second-class matter is permanently discontinued, the postmaster shall promptly report the fact to the Third Assistant Postmaster General, Division of Classification.

Discontinuances.

Department record of second-class publications.

533. The Third Assistant Postmaster General shall keep a record of publications admitted to the second-class rates of postage showing the date of entry.

Record of second-class matter at post offices.

534. Postmasters shall keep a record of all publications of the second class mailed at their post offices.

False evidence as to character of publications to secure entry as second class. 18 U. S. C. 353.

535. Whoever shall knowingly submit or cause to be submitted to any postmaster or to the Post Office Department or any officer of the Postal Service, any false evidence relative to any publication for the purpose of securing the admission thereof at the second-class rate, for transportation in the mails, shall be fined not more than five hundred dollars.

False evidence submitted to secure entry of publications.—postmasters to report.

2. When a postmaster has reason to believe that a publisher has submitted to him, or to any postmaster, or to the Post Office Department, any false statement or evidence as to his publication to secure its transmission as second-class matter, he shall report the fact, with the evidence in his possession substantiating it, to the Third Assistant Postmaster General, Division of Classification.

Cancellation of certificate of entry. 39 U. S. C. 232.—hearing.

536. When any publication has been accorded second-class mail privileges, the same shall not be suspended or annulled until a hearing shall have been granted to the parties interested.

SWORN STATEMENTS REQUIRED: PAID EDITORIAL AND READING MATTER

Sworn statements of names, etc., of editors, owners, stockholders, etc., to be filed annually. 39 U. S. C. 233. Religious, etc., publications not affected.

537. It shall be the duty of the editor, publisher, business manager, or owner of every newspaper, magazine, periodical, or other publication to file with the Postmaster General and the postmaster at the office at which said publication is entered, not later than the 1st day of October of each year, on blanks furnished by the Post Office Department, a sworn statement setting forth the names and post-office addresses of the editor and managing editor, publisher, business managers, and owners, and in addition, the stockholders, if the publication be owned by a corporation; and also the names of known bondholders, mortgagees, or other security holders; and also, in the case of daily newspapers, there shall be included in such statement the average of the number of copies of each issue of such publication sold or distributed to paid subscribers during the preceding 12 months: *Provided*, That the provisions of this paragraph shall not apply to religious, fraternal, temperance, and scien-

Circulation of newspapers.

Small stockholders omitted.

tific, or other similar publications: *Provided further*, That it shall not be necessary to include in such statement the names of persons owning less than 1 percentum of the total amount of stock, bonds, mortgages, or other securities. A copy of such sworn statement shall be published in the second issue of such newspaper, magazine, or other publication printed next after the filing of such statement. Any such publication shall be denied the privileges of the mail if it shall fail to comply with the provisions of this paragraph within ten days after notice by registered letter of such failure.

To be printed in next issue.

Denied admission to mails on failure.

2. All editorial or other reading matter published in any such newspaper, magazine, or periodical for the publication of which money or other valuable consideration is paid, accepted, or promised shall be plainly marked "advertisement." Any editor or publisher printing editorial or other reading matter for which compensation is paid, accepted, or promised without so marking the same, shall upon conviction in any court having jurisdiction be fined not less than fifty dollars (\$50) nor more than five hundred dollars (\$500).

Paid editorial, etc., to be marked "advertisement."

39 U. S. C. 234.

Penalty for failure.

3. The statement required by this section shall be made in duplicate, on form 3526, and both copies delivered to the postmaster at the office of entry of the publication. The postmaster shall forward one copy to the Third Assistant Postmaster General, Division of Classification, and retain the other in the files of the post office. To enable publishers to file such statement promptly, postmasters shall furnish them copies of Form 3526 at least 10 days prior to the 1st day of October of each year.

Statements to be made in duplicate and delivered to postmasters.—disposition of.

Postmasters to furnish forms, when.

4. Postmasters shall obtain for the files of their offices a copy of the issue of each publication at their respective offices in which the required sworn statement is published.

Postmasters to obtain copies of publications containing statements.

Reports of failure to file and publish statements.

5. Postmasters shall give prompt and careful attention to the making and filing by publishers of the statements required by this section and promptly report to the Third Assistant Postmaster General the failure of any publisher to file such statement or to publish it in the second issue of the publication printed next after it has been filed, but in no case shall a publication be denied the privileges of the mail except upon departmental instructions.

Privileges of mail not to be denied except upon departmental instructions.

6. Where exemption is claimed from compliance with the provisions of this section, the postmaster shall request from the publisher a statement showing the ground on which such exemption is claimed and forward it to the Third Assistant Postmaster General, Division of Classification, together with a copy of the publication.

Where exemption is claimed reasons therefor to be shown.

POSTAGE ON SECOND-CLASS MATTER

Postage on second-class matter.
39 U. S. C. 283.

538. In the case of publications entered as second-class matter (including sample copies to the extent of 10 per centum of the weight of copies mailed to subscribers during the calendar year) when sent by the publisher thereof from the post office of publication or other post office, or when sent by news agents to actual subscribers thereto, or to other news agents for the purpose of sale—

(a) The rate of postage on that portion of any such publication devoted to matter other than advertisements shall be 1½ cents per pound, or fraction thereof;

(b) On that portion of any such publication devoted to advertisements the rates per pound or fraction thereof for delivery within the eight postal zones established for fourth-class matter shall be as follows:

—rates.

	<i>Cents</i>
For the first and second zones.....	11½
For the third zone.....	2
For the fourth zone.....	3
For the fifth zone.....	4
For the sixth zone.....	5
For the seventh zone.....	6
For the eighth zone, and between the Philippine Islands and any portion of the United States, including the District of Columbia and the several Territories and possessions.....	7

39 U. S. C. 283.

(c) Where the space devoted to advertisements does not exceed 5 per centum of the total space, the rate of postage shall be the same as if the whole of such publication was devoted to matter other than advertisements.

Where weight of one edition does not exceed one pound.
39 U. S. C. 288.

2. Where the total weight of any one edition or issue of any such publication mailed to any one zone does not exceed one pound, the rate of postage shall be 1 cent.

Rates related to entire bulk mailed to any one zone.
39 U. S. C. 289.

3. The zone rates provided in section 283 of this title shall relate to the entire bulk mailed to any one zone and not to individually addressed packages.

Publications in the interest of religious, educational, and other organizations.
39 U. S. C. 283.

4. The rate of postage on newspapers or periodicals maintained by and in the interests of religious, educational, scientific, philanthropic, agricultural, labor, or fraternal organizations or associations, not organized for profit and none of the net income of which inures to the benefit of any private stockholder or individual, shall be

1½ cents per pound or fraction thereof, and the publisher of any such newspaper or periodical, before being entitled to such rate, shall furnish to the Postmaster General, at such times and under such conditions as the Postmaster General may prescribe, satisfactory evidence that none of the net income of such organization or association inures to the benefit of any private stockholder or individual.

5. No publication shall be accepted for mailing at the special rate provided in paragraph 4 of this section until the publisher has furnished the evidence prescribed in that paragraph and the postmaster has been authorized by the Third Assistant Postmaster General to accept the publication at such postage rate. The publisher shall submit such evidence to the postmaster, who shall forward it to the Third Assistant Postmaster General, Division of Classification. Pending consideration by the department of the evidence submitted, the publication may, if already entered as second-class matter, be accepted under deposits of money to cover postage at the rates set forth in paragraph 1 of this section, such deposits to be treated and disposed of in the manner prescribed in section 530.

Mailings at special rate to be accepted only when authorized by department.

6. In the case of publications entered as second-class matter where the number of individual addressed copies or packages to the pound is more than thirty-two and not in excess of forty-eight, the rates of postage thereon shall be double the rates prescribed in paragraphs (1), (2), and (3-a) of this section (embodied in paragraphs 1 and 4 of this section); where the number of individual addressed copies or packages to the pound is more than forty-eight and not exceeding sixty-four, the rates of postage shall be three times the regular rates, and for each additional 16 individually-addressed copies or packages or fractional part of such number of copies or packages there may be to the pound the rates of postage shall be correspondingly increased over the regular rates.

39 U. S. C. 283.

7. The rates of postage prescribed in paragraphs 1, 2, and 4 of this section shall apply to second-class matter mailed by publishers for delivery in Mexico, Cuba, Panama, and certain other foreign countries designated in the current Postal Guide, and to daily newspapers, issued as frequently as six times a week, addressed to bona fide subscribers in Canada and Newfoundland, the eighth-zone rate being applicable to advertising portions of publications subject to the zone rate. The rate of postage on second-class matter other than such daily newspapers addressed for delivery in Canada and Newfoundland, shall be 1 cent for

When mailed to Mexico, Cuba, Panama, Canada, and certain other countries.

each 4 ounces or fraction of 4 ounces, calculated on the weight of each package and prepaid by postage stamps affixed, and copies of such publications addressed for delivery from the same post office may be placed in one package, addressed to such post office, and postage paid thereon by affixing the stamps to the outside wrapper.

Note.

NOTE.—Copies of the Sunday issues of daily newspapers sent to subscribers in Canada and Newfoundland who do not subscribe for the week-day issues and copies of such issues sent to news agents in excess of the number regularly sent during the week days are subject to the rate of 1 cent for each 4 ounces or fraction of 4 ounces.

When mailed to another office where publisher's headquarters are located.
39 U. S. C. 286.

8. Copies of a publication, other than a weekly, hereafter admitted to the second class of mail matter, when mailed by the publisher or registered news agent at a post office where it is entered, for delivery by letter carriers at a different post office within the delivery limits of which the headquarters or general business offices of the publisher are located, shall be chargeable with postage at the rate that would be applicable if the copies were mailed at the latter office, unless the postage chargeable at the pound rates from the office of mailing is higher, in which case such higher rates shall apply, but this provision shall not be applicable to publications already entered as second-class matter which retain their entry at the post office where now entered.

Single sheets or portions thereof sent in proof of insertion of advertisement.
39 U. S. C. 284.

539. Single sheets or portions thereof from any publication entered as second-class matter, sent by a publisher to an advertiser or the latter's agent on account of and in proof of the insertion of an advertisement, shall, under such rules and regulations as may be prescribed by the Postmaster General, be received and transmitted through the mails at the zone rates of postage applicable under the law to the advertising portions of such second-class matter.

—to be prepared in accordance with instructions.

2. Such sheets or portions thereof shall be prepared and presented for mailing in accordance with instructions issued by the Third Assistant Postmaster General.

Back numbers and reprints.
—postage on.

540. Unbound back numbers of a publication may be mailed at the second-class rates so long as the publication continues to be published as second-class matter. Copies printed from the original type, plates, matrix, etc., may, in the case of daily publications, if printed within one week after the date of issue, and, in the case of other publications, if so printed before the following issue is printed, be mailed as second-class matter as back numbers. Copies printed subsequent to the periods mentioned shall be treated as reprints.

2. Bound back numbers and unbound reprints shall be treated as books or as miscellaneous printed matter according to their physical characteristics.

541. * * * postage on second-class matter mailed shall be collected and accounted for under such regulations as the Postmaster General may prescribe: * * *

Collection of postage.
39 U. S. C. 285.

2. * * * With the first mailing of each issue of each such (second-class) publication the publisher shall file with the postmaster a copy of such issue together with a statement containing such information as the Postmaster General may prescribe for determining the postage chargeable thereon.

Second-class matter.
39 U. S. C. 283.
—what to be filed, with mailing.

3. * * * The Postmaster General may require publishers to separate or make up to zones, in such a manner as he may direct, all mail matter of the second class when offered for mailing:

—publisher may be required to separate mail.

4. The postage on all second-class matter mailed at the pound rates shall be collected in money before the matter is dispatched.

—in money before dispatch.

5. Whenever publications of the second class are presented for mailing by the publishers thereof or a news agent, the postmaster, after weighing the same, as provided in paragraphs 9 to 14, shall collect the proper postage thereon, and give the publisher a receipt from a book of forms furnished therefor (Form 3539) showing the weight of the matter mailed and the amount collected. When specially authorized by the Third Assistant Postmaster General, the postmaster may give this receipt to the publisher at the end of the mailing of each issue of the publication or at stated periods.

—manner of, and receipts.

6. For convenience postmasters may receive from publishers a deposit of money in advance (for which a special receipt shall be given) sufficient to pay for more than a single mailing. The deposit shall be charged with the proper amount of each mailing; but if the amount on hand is not sufficient at any time to cover the postage due on the entire mailing the excess shall be held until an additional deposit is made. Credit in lieu of payment of postage shall never be allowed. An outgoing postmaster shall transfer such deposits to his successor who shall give him a receipt therefor. (See secs. 130, 133, and 245.)

Advance deposits.

7. Second-class matter mailed at publishers' second class pound rates shall be accepted only as ordinary mail and shall not be registered or sent as insured or C. O. D. mail since the pieces are not accepted and handled individually at the mailing office but only in bulk.

Not to be registered, insured, or sent C. O. D.

See sec. 254 as to statement of postage to be rendered.

8. (a) The copy of the publication filed with the postmaster as required by paragraph 2 of this section shall be marked by

—copy filed to be marked, how.

the publisher to show the portion devoted to advertisements and that to matter other than advertisements, and the percentage of each shall be indorsed on the first page of such copy by the publisher. The term "advertisements" as used herein and in paragraph 1 (b), section 538, embraces display, classified, and all other forms of advertisements as well as all editorial or other reading matter for the publication of which money or other valuable consideration is paid, accepted, or promised. Where the publisher has not been, and is not to be, compensated for the publication of editorial or other reading matter, such matter will take the rate of postage for other than advertising. In all cases where the publisher has been or is to be compensated in any form whatever the advertising rate of postage will be charged. Articles, items, and notices in the form of reading matter inserted in accordance with a custom or understanding, explicit or tacit, that a "reader" is to be given the advertiser or his products in the publication in which the display advertisement appears are advertising within the meaning of the law. Display advertising is obvious in its character and must pay the advertising mailing rate. When a newspaper or periodical advertises its own services or issues, or any other business of the publisher, in the form of either display advertisements, or editorial or reading matter, this is advertising within the meaning of the law and shall be charged the advertising mailing rate therefor. (See par. 2, sec. 537.)

—news agents shall submit statement showing, what.

(b) When a news agent presents for mailing second-class matter subject to the zone rates of postage, he shall submit to the postmaster a statement showing the percent of the space in such matter devoted to advertisements and the percent devoted to other than advertisements. Publishers should furnish this information to news agents purchasing copies of their publications in order that such agents may be able to prepare the statements required.

—where brought for mailing.

9. Second-class matter shall be brought for mailing to the post office, or such other place as is designated to receive it, and there weighed in bulk.

—how prepared for mailing.

10. It shall be inclosed in United States mail sacks, or other suitable receptacles, and separated to routes, States, and cities, in such manner as may be prescribed by the department. The sacks or bundles shall be marked to show the route, State, or city and State, and also the zone when the copies are required to be separated by zones.

—to be made up in separate sacks or bundles.

11. Publishers shall make separate sacks or bundles of (1) sample copies to places within county of publication subject to postage at the rate of 1 cent a pound; (2) sample copies to places outside county of publication; (3) subscribers' copies entitled to free county circulation; (4) subscribers' copies to places within county of publication subject to postage at the rate of 1 cent a pound; (5) subscribers' copies to places outside county of publication. Such mail matter, when so presented, shall be weighed separately. (See sec. 544.)

12. (a) In the case of sample copies of a publication carrying advertisements subject to the zone rates of postage as prescribed in section 533, the publisher shall arrange and present separately by zones the sacks or bundles of such sample copies addressed to places outside the county of publication. The publisher shall also arrange and present, by zones, copies addressed to subscribers outside the county of publication, except when such zone separation would interfere with their routing as required by paragraph 10 of this section, or the publisher prefers not to separate the copies, in which case they may be presented under the provisions of the following subparagraph (b) without being separated by zones.

—sample copies of publications carrying advertisements.

(b) When it is not practicable because of the large quantity or other reasons to separate the subscribers' copies by zones without disarranging or interfering with their routing as required by paragraph 10 of this section, or when the publisher prefers not to do so, separation by zones shall not be required of the subscribers' copies subject to zone rates addressed to places outside the county of publication, but in such case the publisher shall present to the postmaster semiannually on April 1 and October 1, or more frequently when regarded necessary or the publisher so desires, a statement on Form 3539-A showing the total number of copies, the advertising portions of which are subject to the zone rates which, according to a careful analysis by the publisher of his subscription records at the time of the submission of the statement, are to be mailed to subscribers outside the county of publication, and the per centum of this number to be addressed to each zone. The percentages given in the publisher's statement on Form 3539-A (which shall be retained in the files of the post office) shall until a new statement is due or required be applied by the postmaster to the total weight of the subscribers' copies of each mailing subject to zone rates in order to ascertain the weight of and compute the postage on the portion devoted to advertisements going to the respective zones and the portion devoted to other than advertisements going to all zones. The postmaster shall make periodic tests of the publisher's subscription list or records to determine the accuracy of the percentages given by the publisher on Form 3539-A. In case a postmaster desires information with respect to the manner of making such test, or if it should appear impracticable in any case to use the foregoing method in its entirety, he should address the Third Assistant Postmaster General, Division of Classification, for special instructions.

—when separation of subscribers' copies by zones is not practicable.

(c) When a reasonable number of copies of previous issues are included in a mailing of a current issue, they may be accepted and charged with postage on the basis of the percentages of advertisements and matter other than advertisements contained in the current issue, the issue forming the bulk of the mailing presented being regarded as the current issue. When such copies are presented under the provisions of the preceding subparagraph without being separated by zones, they shall be weighed with the copies of the current issue and charged with postage at the zone rates applicable to the latter.

—copies of previous and current issues combined.

—fractions in weight of.

13. In weighing second-class matter, fractions shall be treated as full pounds in all cases; for instance, 4½ pounds shall be called 5 pounds.

—copies to one address in one package or sack.

14. Individually addressed copies of a publication intended for subscribers at the same post office shall, if there be more than five, be securely wrapped or tied in one package; or, if there are more than 30 pieces and weighing 15 pounds or more, be placed in a separate sack addressed to such office. Sacks containing less than that amount of mail (except bulky matter) shall not be made up, except where a direct sack is necessary materially to advance the mail, but the mail shall be securely tied in bundles, properly labeled, and be included in sacks with other mail.

Matter transmitted by printer to publisher. —not entitled to second-class rate.

542. Publications entered as second-class matter shall not be accepted for mailing at the second-class rates of postage until issued from a "known office of publication." (See sec. 525.) When sent by a printer to a publisher they shall be prepaid at the third or fourth class rate, whichever is applicable, according to the physical characteristics of the publication and the weight of the package or parcel.

Free county matter and rates on second-class matter at letter-carrier offices. 39 U. S. C. 286.

543. 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 cent-a-pound rate). 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 (except as provided in sec. 579).

—daily newspapers deposited at letter-carrier offices. 39 U. S. C. 283.

2. The rate of postage on daily newspapers and on the periodicals and newspapers provided for in * * * (section 538) when deposited in a letter-carrier office for delivery by its carriers, shall be the same as otherwise provided by law (act of Mar. 3, 1879—par. 1 of this section), and nothing herein shall affect existing law as to free circulation and existing rates on second-class mail matter within the county of publication.

—publications sent by publisher or news agency. 1885, Mar. 3; 23 Stat. 387. 1917, Oct. 3; 40 Stat. 328.

3. Publications of the second class (mailed for delivery within the county of publication), 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 * * * be entitled to transmission through the mails at 1 cent a pound or a fraction thereof (except as otherwise provided in the preceding and following paragraphs of this section).

—exceptions.

4. The right of a publisher to mail his publication free of postage, including delivery by rural or star route carriers, under the provisions of this section, shall depend upon the existence of the three following conditions:

—conditions necessary.

First. The addressee shall be an actual subscriber.

Second. The residence of the subscriber shall actually be within the county in which the publication is printed in whole or in part and published.

Third. The publication shall be addressed for delivery from a post office (or rural route emanating from such post office) not having letter-carrier service.

5. The fact that the post office at which a person receives his mail is located outside of the county in which he resides, and the fact that the post office at which a publication is entered is located in an adjoining county from that in which it is printed in whole or in part and published shall not subject to postage copies of a publication otherwise entitled to free county circulation; but copies addressed to subscribers who do not reside in the county where the publication is printed in whole or in part and published shall not be accepted for mailing free, even though addressed for delivery from a post office in such county.

—subscriber must live within county.

6. Second-class matter mailed at a post office in the county of publication where letter-carrier service is not established, if addressed to a letter-carrier office in the same county, shall be charged with postage at the cent-a-pound rate.

—to letter-carrier offices.

7. Publications of the second class mailed by the publishers thereof or news agents at a letter-carrier office for distribution through the boxes or general delivery thereof, or addressed to another letter-carrier office in the same county, or for delivery on rural or star routes emanating from such letter-carrier offices, shall be charged with postage at the rate of 1 cent a pound.

Second-class matter at letter-carrier offices.
—rate when mailed for delivery through boxes or at other offices.

8. Weekly newspapers mailed by the publishers thereof or news agents at a letter-carrier office, for local delivery by carriers or otherwise, shall be charged with postage at the rate of 1 cent a pound.

—rate on weekly newspapers.

9. Newspapers other than weeklies (without regard to weight) and periodicals not exceeding 2 ounces in weight, mailed by publishers or news agents for local delivery by letter carriers, shall be charged with postage at the rate of 1 cent each.

—rate on other than weekly newspapers and periodicals not exceeding 2 ounces in weight.

10. Periodicals exceeding 2 ounces in weight, mailed by publishers or news agents for local delivery by letter carriers, shall be charged with postage at the rate of 2 cents each.

—rate on periodicals weighing more than 2 ounces.

"Newspaper."
—definition of.

11. A "newspaper" shall be held to be a publication regularly issued at stated intervals of not longer than one week and having the characteristics of second-class matter prescribed by law.

"Periodical."
—definition of.

12. A "periodical" shall be held to be a publication regularly issued at stated intervals less frequently than weekly and having the characteristics of second-class matter prescribed by law.

Publications mailed by news agents or publishers under additional entry.
—exception.

13. Publications of the second class mailed by news agents, or by publishers under additional entry, at a post office outside the county of publication shall be charged with postage at the rates set forth in section 538 except as prescribed in paragraphs 9 and 10 of this section.

Free county matter.
—must be mailed separately.
—weight to be reported.

544. All copies of a publication entitled to free county circulation shall be presented for mailing separately from those on which postage is to be paid, and when not so presented postage shall be charged on the whole at the pound rates. Free county matter shall be weighed and recorded in the post-office records separately from that which is mailed at the pound rates.

See sec. 254 as to statement of free county mailings.

Separations of second-class matter at city-delivery offices.
—how made.

2. At letter-carrier post offices second-class matter should be made up separately at the office of publication, that for delivery by letter carriers, subject to the special rates prescribed in section 543, being put in one package or bundle, and each copy of the paper or periodical therein properly stamped, and that intended 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 shall be placed in the boxes or in the general delivery for delivery therefrom.

Rate on transient publications.
39 U. S. C. 287.
—when sent by others than publisher or news agent.

545. The rate of postage on publications entered as second-class matter, when sent by others than the publisher or news agent, shall be 1 cent for each 2 ounces or fraction thereof, except when the postage at the rates prescribed for fourth-class matter is lower, in which case the latter rates shall apply: *Provided*, That these rates shall also apply to sample copies of publications entered as second-class matter mailed in excess of the quantity entitled by law to be sent at the pound rates, and to copies mailed by publishers to other than subscribers or to persons who are not properly includable in the legitimate list of subscribers required by law.

Note.

NOTE.—The transient second-class rate above referred to is to be computed on each individually addressed copy, or package of unaddressed copies, and not on the bulk weight of separately addressed copies, including those intended for delivery to boxholders.

See sec. 579 as to mailings without stamps affixed.

—when sent by publishers to others than subscribers.

2. Publications of the second class sent by publishers to others than subscribers, or to persons whose subscriptions are at a nominal rate, and copies mailed by them in pursuance of a contract, agreement, or understanding with an advertiser, or other interested party for advertising purposes, shall not be accepted

as subscribers' copies, but may be accepted as other than subscribers' copies at the rates shown in section 546.

3. Partial or incomplete copies of publications of the second class shall not be regarded as second-class matter, and postage thereon shall be prepaid at the third- or fourth-class rate, whichever is applicable, except as provided in section 539.

546. Copies of publications entered as second-class matter, not entitled to be mailed as subscribers' copies or as sample copies (see pars. 3 and 4, sec. 526; par. 2, sec. 545; pars. 5 and 6, sec. 547), if presented for mailing by a publisher, shall be accepted at the transient second-class rates prescribed by paragraph 1, section 545.

SAMPLE COPIES OF SECOND-CLASS PUBLICATIONS

547. Sample copies, to be acceptable for mailing by publishers at the office of entry at the second-class pound rates, shall be copies sent to persons for the purpose of inducing them to subscribe for, advertise in, or become agents for the publication.

2. Only complete and unaltered copies of regular editions as sent to subscribers shall be mailable as sample copies.

3. Sample copies shall be plainly marked as such on the address side of the exposed part of the publication or package or wrapper. Several sample copies may be inclosed in a single wrapper to one address or may be sent in one wrapper addressed to the post office, and each paper therein properly folded, addressed to some patron of the office, and marked "Sample copy."

4. Copies addressed to the same person in excess of three times in any one calendar year shall not be accepted as "Sample copies."

5. Sample copies shall be accepted for mailing at the pound rates to the extent of not exceeding 10 percent of the total weight of copies mailed to subscribers during the calendar year. Such sample copies may be mailed at any time during the year, based on an estimate of the probable mailings to subscribers during the year, obtained from the best information at hand. For instance, a publisher of a "weekly" mailing an average of 1,000 pounds per week to subscribers would mail during the year 52,000 pounds to such subscribers, and may, therefore, mail sample copies to the extent of 5,200 pounds at any time during that year at the second-class pound rates. Should a publisher offer for mailing as "sample copies" copies in excess of the amount above prescribed, the postmaster shall require postage on such excess copies at the rates shown in section 546. Mailings of a publication (including sample copies) pending consideration of the application for admission thereof as second-class matter shall be accepted as provided in section 530.

6. Copies mailed by a publisher acting as an agent for an advertiser or purchaser shall not be accepted as sample copies. Copies marked "Sample copy," but not mailable as such, and copies paid for by advertisers, or paid for by others for advertising purposes, mailed by a publisher, shall be subject to the

—if portion of publication detached, transient rate inapplicable.

Rates on copies of publication entered, but not mailable as subscribers' or sample copies.

Sample copies.
—admissibility of.

—must be regular issues.

—must be marked as such.
—several in same wrapper.

—mailing of.

—extra numbers not sample copies, when.

When not mailable as "sample copies" may be mailed at transient rate.

rates shown in section 546, and such mailings shall not be regarded as affecting the second-class status of the publication, except that the regular mailing of large numbers of such copies may be taken to show that the publication is "designed primarily for advertising purposes, or for free circulation, or for circulation at nominal rates."

—not entitled to free county circulation.

7. Sample copies shall not be admitted to the mail as free county matter. (See sec. 543.)

SUPPLEMENTS TO AND ILLEGAL INCLOSURES WITH SECOND-CLASS PUBLICATIONS

Supplements.
39 U. S. C. 228.
—admitted as second-class matter.
—must be germane to publication.

548. 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.

Characteristics of permissible supplements.
Municipal publications, etc.

549. Publications of statutes, ordinances, proceedings of public or deliberative assemblies, boards, or conventions, advertisements of tax rates, or other notices or advertisements required by law to be published, whether gratuitously or for compensation, may be mailed as supplemental matter.

Supplements must bear name of publication, etc.

2. Supplements shall in all cases bear the full name of the publication with which they are folded, preceded by the words "Supplement to," and also the date corresponding to the regular issue.

Maps, diagrams, etc.

3. Maps, diagrams, illustrations, etc., which form a necessary part of a publication, shall be admitted, either loose or attached, as a part of the publication itself, without the words "Supplement to ———."

Supplements not to carry orders for subscriptions, etc.

4. Supplements shall not be combined with orders for subscriptions, or bills, or receipts for subscriptions. (See sec. 553.)

Supplements must be folded with issues supplemented.

5. Supplements shall be folded with the regular issues they purport to supplement. If mailed otherwise, postage shall be prepaid at the third or fourth class rate, according to their physical characteristics.

Characteristics of illegal supplements.
Independent publications.

550. A publication entirely distinct from and independent of the regular issue, but complete in itself, especially if it be not germane to the regular issue nor connected therewith, shall not be accepted as a supplement.

Circulars, handbills, etc.

2. Circulars, handbills, show bills, posters, and other special advertisements shall not be accepted as supplements. Advertising sheets consisting entirely of advertisements, or of a combination of literary or pictorial matter and advertisements, issued by business houses and furnished to publishers for the purpose

of being circulated with second-class publications, shall not be accepted as supplements or covers to such publications when mailed at the second-class rates of postage.

3. Matter printed elsewhere than at the office of publication, to be used as supplements to various newspapers for the purpose of securing circulation of advertisements of private business, or covers to such publications, when mailed at the second-class rates of postage, shall not be accepted as supplements, even though containing literary matter.

4. Publications may be prepared in parts or sections, and when so prepared, each part or section should show the same title and date of issue, and bear appropriate designations such as "Part 1," "Section 1," and "Part 2," "Section 2," etc., and a statement should be printed on the first page of the first part or section showing the number of parts or sections in which the issue is published.

551. All advertisements in periodicals shall be permanently attached thereto.

Matter printed outside of office as supplements to various papers.

Prepared in parts or sections.

Advertisements.—to be permanently attached.

ADDITIONS TO MATTER OF THE SECOND CLASS

552. Mailable matter of the second class shall contain no writing, print, 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, index figures of subscription book, either printed or written, the printed title of the publication and the place of its publication, the printed or written name and address without addition of advertisement of the publisher or sender, or both, and written or printed words or figures, or both, indicating the date on which the subscription to such matter will end, the correction of any typographical error, a mark except by written or printed words, to designate a word or passage to which it is desired to call attention; the words "Sample copy" when the matter is sent as such, the words "Marked copy" when the matter contains a marked item or article, and publishers or news agents may inclose in their publications bills, receipts, and orders for subscriptions thereto, but the same shall be in such form as to convey no other information than the name, place of publication, subscription price of the publication to which they refer and the subscription due thereon.

2. A pledge to pay the postage for the return of undeliverable copies (see secs. 805 and 808) may be printed on wrappers of second-class matter.

Permissible writing, printing, or additions on second-class matter.
39 U. S. C. 249.

Pledge to furnish return postage.

Words "Please exchange," etc., on wrapper prohibited.

Number of copies in package.

Printed illustrations, etc.

Coupons, order forms, etc.

Bills, receipts, orders, etc., accompanying second-class matter.

Bills or receipts may include what.

Orders may include what.

Subscription blanks with receptacles for coin permissible.

3. The words "Please exchange" and similar requests and directions relative to delivery inconsistent with these regulations shall not be permitted on the wrappers of matter mailed at the second-class rates of postage. (See sec. 585.)

4. The number of copies included may be indicated upon the wrapper or face of a package.

5. Printed illustrations, including photographs, not in the nature of advertisements, may be pasted to the pages of a publication admitted to the mails as second-class matter.

6. Coupons, order forms, and other matter intended for detachment and subsequent use may be included in permanently attached advertisements, or elsewhere, in newspapers and periodicals, provided they constitute only an incidental feature of such publications and are not of such character, or used to such extent, as to destroy the statutory characteristics of second-class publications, or to bring them within the prohibition of the law denying the second-class rates of postage to publications "designed primarily for advertising purposes," or to give to them the characteristics of books or third-class matter. Coupons, etc., consisting of not more than one-half of one page shall be regarded as an incidental feature.

553. Bills or receipts printed or written in substantially the following form may be inclosed with second-class matter:

NEW YORK, N. Y., -----, 19--.

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 -----.

2. A bill or receipt for subscription may include the names of more than one publication and their regular prices, provided they are all published by the same individual or company, or sent by the same news agent, and may also include any period of subscription or any number of shipments to a news agent.

3. Orders for subscription may indicate the term or period for which the subscription is ordered. The written or printed words or figures, or both, to indicate when the subscription will end may be placed upon the matter itself, or the wrapper, or upon the bills, receipts, or orders which may be inclosed therewith.

4. Subscription blanks, otherwise conforming to these requirements, may be mailed with second-class publications at the regular second-class rates of postage, although printed on cardboard and arranged with a receptacle for coin, or when printed on envelopes. Envelopes, including business reply envelopes and business reply cards, are permissible inclosures in copies of publications mailed at the second-class pound rates only when they are prepared with a subscription order form printed thereon and do not convey information in excess of that authorized by law. Such subscription order forms may show only the title of the publication, place of publication, subscription price, and the amount of the subscription due thereon.

5. A combination subscription order form for two or more publications is a permissible inclosure only when the publications are published by the same publishers and the order form does not contain information in excess of that authorized by law.

Combination subscription order forms permissible when.

NEWS AGENTS: MAILING OF SECOND-CLASS PUBLICATIONS

554. The term "news agent" shall embrace persons, including newsboys, engaged in business as news dealers or sellers of publications of the second class. A person who restricts himself to advancing the interests of a single publication, or the publications of one publisher, shall not be regarded as a "news agent" within the meaning of the law, but as a mere local agent of the publisher and not entitled to a "news agent's" mailing privileges.

News agents.—definition of.

555. When a person, firm, or corporation desires to mail second-class matter as a news agent at the second-class pound rates of postage, formal application for the privilege, accompanied with the fee of \$20 prescribed by section 528, shall be submitted to the postmaster on Form 3501-C. The application shall be sent by the postmaster to the Third Assistant Postmaster General, Division of Classification.

Application of news agents for registration. Fee.

See the form for instructions to both postmaster and news agent as to proper procedure.

2. If upon examination of the application it is found that the applicant is entitled to exercise the privileges of a news agent, he shall be duly registered as such and the postmaster authorized to accept from him, at the applicable second-class postage rates, mailings of publications entered as second-class matter, so long as he complies with the law and the regulations.

Registration.

556. When periodical publications are presented by a news agency or agent for mailing at the second-class rates of postage, postmasters shall require such agency or agent to furnish satisfactory evidence that the publications offered are entitled to such rates, and have been duly entered at the office of publication, and are being sent to actual subscribers, or to other news agents for the purpose of sale.

Mailing of publications by news agents.

Evidence of entry.

2. A printed notice of entry shall be regarded as sufficient evidence that a publication is entitled to pass in the mails at the second-class rates of postage. Postmasters may refuse to accept at second-class rates publications which do not bear such a notice. (See sec. 531.)

Printed notice evidence of entry.

3. Satisfactory evidence shall also be furnished that the persons to whom bulk packages are sent from a news agency are also news agents, and the addresses upon such bulk packages should show this fact.

Matter addressed to other agents.

4. A news agent shall not be permitted to take packages of newspapers or 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, except in the case of publications entitled to pass free in the county to actual subscribers thereto. (See secs. 538 and 543.)

Publications not to be re-mailed without additional prepayment of postage, except.

Packages of publications not to be opened and distributed.

Unsold matter not to be returned to publishers or news agents at pound rate.

Portions of unsold publications not to be returned at pound rate.

5. Postmasters shall not open packages addressed to news agents and distribute any of the papers or periodicals therein, through the post office or otherwise.

6. Unsold second-class matter returned by news agents to either publishers or other news agents, and copies sent by news agents to other news agents, except for the purpose of sale, or to persons not subscribers to such agency, shall be subject to the transient second-class rates of postage prescribed by section 545, except when the postage at the second-class pound rates is higher, in which case the latter rates shall apply.

7. When news agents desire to return to publishers merely the head or small portions of each publication as evidence that the copy has not been sold, such portions shall be rated as third- or fourth-class matter, according to weight. (See secs. 561 and 569.)

MISCELLANEOUS PROVISIONS

Examination at mailing office. 39 U. S. C. 225.

—for matter subject to higher rate of postage.

Violation of rules governing admission.—examination of publications for.

Character of publication in doubt.

Detention of matter not entitled to second-class rate, and collection of proper postage.

Deposit to be received and facts reported, when.

557. 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. Nothing herein contained shall be so construed as to prohibit the insertion in periodicals of advertisements attached permanently to the same.

558. Postmasters shall carefully examine mailings of publications entered at their offices as second-class matter to ascertain whether the publishers are complying with the law and these regulations.

2. Every postmaster having reason to believe that a publication passing in the mails as matter of the second class is not entitled to the second-class mailing privileges shall report the matter promptly, with any evidence or facts in his possession tending to support such belief, to the Third Assistant Postmaster General, Division of Classification.

See sec. 535 as to penalty for submitting false evidence as to second-class publications; sec. 536 as to annulment of entry.

559. When the postmaster at the office of mailing finds that a publisher or news agent has deposited matter for mailing at the second-class rates of postage which, in his judgment, is chargeable with a higher rate by reason of illegal inclosures or additions, he shall detain the same, notify the sender, and demand of him proper postage, to be prepaid by stamps affixed to each separately addressed piece.

2. When the decision of the postmaster is questioned, he shall on receipt of a deposit of postage at the higher rate, dispatch the package as second-class matter, and submit to the Third Assistant Postmaster General, Division of Classification, a sample of the objectionable matter, with a full statement of the facts in the case. Should the publication be held entitled to the second-class rates, the excess of the deposit over the same shall

be refunded; if the decision of the postmaster is sustained, the full amount of the deposit shall be sent, in ordinary stamps, with report of the facts, to the Third Assistant Postmaster General, in the manner prescribed in section 530.

Conversion of deposit.

560. No newspapers shall be received to be conveyed by mail unless they are sufficiently dried and inclosed in proper wrappers.

Wrapping and folding of publications, etc.
39 U. S. C. 252.

2. Newspapers and periodicals shall be wrapped in such manner that the wrappers can be removed and replaced without destroying them or injuring their inclosures. When envelopes are used as wrappers they shall bear in the upper left corner of the address side the name and address of the publication, and in the upper right corner, a notice of its entry as second-class matter.

—wrappers for.

3. All publications should be properly folded for assorting and delivery and addressed in a legible hand or plain type not smaller than 10 point. When several unwrapped copies for subscribers at the same post office are sent under one wrapper, each copy should bear the name and post-office address of the subscriber. Postmasters shall request publishers and news agents to fold their publications to a size not larger than 9 by 12 inches when practicable.

—manner of.

4. Publications which are illegibly addressed and those which are not wrapped and folded in accordance with the above regulations shall be held until all other matter is distributed.

—when not in accordance with regulations.

MATTER OF THE THIRD CLASS—DESCRIPTION—POSTAGE RATES

561. Mail matter of the third class shall include books, circulars, and other matter wholly in print (except newspapers and other periodicals entered as second-class matter), proof sheets, corrected proof sheets, and manuscript copy accompanying same, merchandise (including farm and factory products) and all otherailable matter not included in the first or second class, or in the fourth class as defined in section 240 of this title, but bills or statements of account produced by any photographic or mechanical process shall not be accepted as mail matter of the third class unless presented in quantities of 20 or more identical copies. When such bills or statements are not identical or are presented in quantities of less than 20 identical copies, they shall be subject to postage at the first-class rate.

Third-class matter.
39 U. S. C. 235, Supp. V.

—defined.

NOTE.—Third-class matter does not include any matter exceeding 8 ounces in weight.

Note.

2. The rate of postage on third-class matter shall be $1\frac{1}{2}$ cents for each two ounces or fraction thereof, up to

—rate of postage.
39 U. S. C. 291.

and including eight ounces in weight except that the rate of postage on books, catalogues, seeds, cuttings, bulbs, roots, scions, and plants, not exceeding eight ounces in weight shall be 1 cent for each two ounces or fraction thereof, except as herein (sec. 572) provided for library books: *Provided, That* * * * the rate of postage on third-class matter mailed in bulk under * * * (regulations prescribed by the Postmaster General, sec. 562) shall be 12 cents for each pound or fraction thereof, except that in the case of books, catalogues, seeds, cuttings, bulbs, roots, scions, and plants, the rate shall be 8 cents for each pound or fraction thereof: *Provided, however,* That the rate of postage on third-class matter mailed in bulk under the foregoing provisions shall be not less than 1 cent per piece.

Proclamation
of President.
1939, June 30.

3. Books consisting wholly of reading-matter and containing no advertising matter, other than incidental announcements of books, in parcels not exceeding 8 ounces in weight and otherwise conforming to the conditions set forth in section 572, paragraphs 6 and 7, may be mailed for the period July 1, 1939, to June 30, 1941, inclusive, at the postage rate of 1½ cents a pound or fraction thereof where such rate is less than that chargeable under existing regulations.

Hotel and
steamship
room keys.
39 U. S. C. 302.

4. On hotel and steamship room keys with metal or fiber tags securely attached thereto, there being indelibly stamped upon such tags explicit post-office address and instructions directing that key and tag be returned to the hotel or steamship of their origin, postage shall be charged at the rate of 5 cents for each two ounces or fraction thereof if postage be collected on delivery.

Postage may be
collected on
delivery.
—conditions.

5. When hotel or steamship room keys conforming to the conditions prescribed in paragraph 4 of this section are presented for mailing or deposited in the mails without prepayment of any postage, they shall be dispatched to the post office of address and delivered to the hotel or steamship of origin in accordance with the instructions on the tags attached to the keys on payment of postage thereon at the rate of 5 cents for each 2 ounces or fraction thereof. Postage-due stamps representing the amount of postage collected shall be affixed to the tags in accordance with the general procedure governing the collection of postage due set forth in sections 765 and 768.

See secs. 562 and 579 as to payment of postage on third-class matter in money; sec. 516 as to postage on printed ship matter.

Pound rate for
bulk mailings of
third-class
matter.
39 U.S. C. 291.

562. * * * under such regulations as the Postmaster General may establish for the collection of the lawful revenue and for facilitating the handling of such matter

in the mails, it shall be lawful to accept for transmission in the mails, without postage stamps or with precanceled stamps affixed, separately addressed identical pieces of third-class matter in quantities of not less than twenty pounds, or of not less than two hundred pieces subject to pound rates of postage applicable to the entire bulk mailed at one time: * * *.

2. (a) Persons desiring the privilege of mailing third-class matter under the provisions of this section shall make application therefor to the postmaster, who shall transmit it to the Third Assistant Postmaster General, Division of Classification, except when otherwise instructed by that office, and await the receipt of a permit and instructions as to procedure. Until such authority and instructions are received, no postmaster shall accept third-class matter for mailing under the provisions of this section.

—application for privilege.

(b) Each application for a permit to mail third-class matter without stamps affixed as nonmetered mail under the provisions of this section shall be accompanied with the fee of \$10 prescribed by paragraph 3, section 579, which shall be accounted for in the manner prescribed in that paragraph.

Fee of \$10 with application.

3. (a) There shall be printed in the upper right corner of the address side of each separately addressed piece of third-class matter mailed under the provisions of this section without stamps affixed the words "U. S. Postage Paid," the name of the post office and State where mailed, and such other information as may be required in instructions issued by the Third Assistant Postmaster General. Matter mailed without stamps affixed under the provisions of this section shall not be postmarked.

—indicia on matter.

(b) When the postage on third-class matter mailed under the provisions of this section is paid by means of precanceled stamps, each separately addressed piece shall bear such printed indicia as may be prescribed by the Third Assistant Postmaster General to show that the matter is being so mailed.

(c) In the upper left corner of the address side of such matter should be placed the name and complete address of the sender.

4. Each mailing of third-class matter under the provisions of this section shall be accompanied with a statement on a form provided therefor, signed by the sender, showing such information as may be required. To facilitate the handling of such matter the mailer shall separate and "tie out" all mailings under this section, whether without stamps affixed or under precanceled stamps, into direct packages for post offices whenever there are as many as 15 pieces for any post office in any mailing and the mailer shall separate and "tie out" the pieces or packages into properly labeled State packages whenever there are as many as 15 pieces or packages for any State. Mailers shall also make separations of such mail for post office stations and branches if the name of a post-office station or post-office branch forms a part of the address. Any mailings offered without the separations being made as outlined shall be refused.

—mailings, to be accompanied with statement.

—separation required.

—computation of postage.

5. Postage on the entire quantity, except when prepaid by means of precanceled stamps, shall be paid at or before the time the matter is presented either in money or at the option of the postmaster and at his risk by check drawn to his order. Such postage shall be collected at the rate of 12 cents a pound or 8 cents a pound, according to the character of the particular matter (see sec. 561), and shall be computed on each pound or fraction thereof unless the postage at the pound rate amounts to less than 1 cent for each piece, in which event postage at the latter rate shall be collected.

—examination and verification of mailings.

6. (a) Except when the postage on third-class matter mailed under the provisions of this section is paid by means of precanceled stamps affixed, the mailings shall be examined, counted, weighed, and verified and receipts (Form 3603) issued therefor in the manner prescribed for matter mailed without stamps affixed under the provisions of section 579 insofar as they may be applicable, and in accordance with such further instructions as may be issued by the Third Assistant Postmaster General.

(b) When the postage on matter mailed under the provisions of this section is paid by means of precanceled stamps, each mailing shall be carefully examined to see that the proper amount of postage is affixed.

—accounting for postage.

7. The postage on mailings without stamps affixed under the provisions of this section shall be accounted for in the manner prescribed by paragraph 11, section 579.

—matter not to be registered, insured, or sent C. O. D.

8. Matter mailed under the provisions of this section shall be accepted only as ordinary mail, and cannot be registered or sent as insured or C. O. D. mail, since the pieces are not accepted and handled individually at the mailing office, but only in bulk.

Circulars.
39 U. S. C. 236.
—Definition and characteristics.

563. 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.

—rate of postage on, in case of written additions.

2. When a name (except that of the addressee or sender), date (other than that of the circular), or anything else is handwritten or typewritten in the body of a circular for any other reason than to correct a genuine typographical error, postage shall be charged at the first-class rate. (See sec. 509.)

See sec. 568 as to permissible additions to matter of third class.

Printed matter.
39 U. S. C. 237.
—defined.

564. "Printed matter" 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.

565. Typewriting and carbon and letter-press copies shall be accepted for mailing only as first-class matter. (See sec. 505.) Facsimile copies of handwriting or typewriting, produced by a mechanical process such as the printing press, mimeograph, multigraph, etc., shall be treated as matter of the third or fourth class according to weight, provided they are presented for mailing at the post-office windows, or other depositories designated by postmasters, in a minimum number of 20 identical unsealed copies. If mailed elsewhere, or in less number, payment of the first-class rate of postage shall be required.

Typewritten matter.
—facsimile copies.

566. All letters written in point print or raised characters or on sound-reproduction records used by the blind, when unsealed, shall be transmitted through the mails as third-class matter.

Letters for the blind.
39 U. S. C. 331.
Supp. V.

567. The postage on each copy of the daily Congressional Record mailed from the city of Washington as transient matter shall be one cent.

Postage on transient copies Congressional Record.
39 U. S. C. 290.

See sec. 609 as to transmission of Congressional Record free under frank of Members of Congress, etc.

PERMISSIBLE ADDITIONS ON THIRD-CLASS MATTER

568. * * * Upon matter of the third * * * (class) or upon the wrapper or envelope inclosing the same or the tag or label attached thereto, the sender may write his own name, occupation, and residence or business address, preceded by the word "From," and may make marks other than by written or printed words to call attention to any word or passage in the text, and may correct any typographical errors. There may be placed upon the blank leaves or cover of any book or printed matter of such * * * (class) a simple manuscript dedication or inscription not of the nature of a personal correspondence. Upon the wrapper or envelope or the tag or label attached thereto may be printed any matter mailable as third class matter. * * * but there must be left on the address side * * * a space sufficient for a legible address and necessary stamps.

Permissible additions on third-class matter.
39 U. S. C. 249.

—what are.

2. * * * There may be placed on third- * * * class mail matter, or on the package, wrapper, or envelope inclosing the same, or on a tag or label attached thereto, either in writing or otherwise, the words "Please do not open until Christmas," or words to that effect. * * *

"Please do not open until Christmas."
39 U. S. C. 249.

See sec. 574 as to fourth-class matter.

3. The written additions permissible on fourth-class matter are likewise permissible on matter of the third class.

—designation of contents, serial number, "Merry Christmas," "Happy New Year," etc.

4. It shall be permissible to place on third-class matter, or on a card inclosed therewith, a written designation of contents, a serial number, and such simple inscriptions as "Merry Christmas," "Happy New Year," "Dear Sir," "My Dear Friend," "Sincerely yours," "With best wishes."

—imprints by hand stamp.

5. Imprints by hand stamp upon printed matter of the third class shall not affect its classification except when the added print is in itself personal, or converts that to which it is added into a personal communication; in the latter case, however, the mailing at one time at the post office or other depository designated by the postmaster of not less than 20 identical unsealed copies shall be sufficient evidence of impersonal character to entitle such matter to the third-class rate of postage.

—hand-stamped dates, etc., on cards giving certain information.

6. Printed cards which do not conform to the requirements for post cards bearing a hand-stamped, marked, or punched date, giving information as to when the sender will call or deliver something, or when some event will occur, or some article was received, etc., mailed in a less number than 20 identical copies, shall be charged with postage at the letter rate; but when not less than 20 identical unsealed copies are mailed at the same time they shall be accepted at the third-class rate.

See sec. 563 as to definition of circular and additions thereto.

MATTER OF THE FOURTH CLASS: PARCEL POST—DESCRIPTION

Fourth-class mail matter defined.
39 U. S. C. 240.

569. (a) Mail matter of the fourth class shall weigh in excess of 8 ounces, and shall include books, circulars, and other matter wholly in print (except newspapers and other periodicals entered as second-class matter), proof sheets, corrected proof sheets and manuscript copy accompanying same, merchandise (including farm and factory products), and all other mailable matter not included in the first or second class, or in the third class as defined in section 235 of this title, not exceeding 70 pounds in weight, nor greater in size than 100 inches in length and girth combined, nor in form or kind likely to injure the person of any postal employee or damage the mail equipment or other mail matter and not of a character perishable within a period reasonably required for transportation and delivery.

Orders of Postmaster General 1931, July 14.

Limit of weight and size.

(b) Such official matter exceeding 4 pounds in weight as is not mailable free under the penalty privilege shall be embraced in mail of the fourth class.

P. M. G. order 1926, Feb. 4.

Note.

NOTE.—The orders of the Postmaster General modifying the fourth-class limits of weight and size, rate, and classification, issued in pursuance of the authority contained in 39 U. S. C. 247 (see sec. 571, par. 7), are as follows: Order No. 7349 of July 25, 1913, increasing the weight limit of fourth class from 11 pounds to 20 pounds in the first and second

zones and reducing the rates of postage in these zones, effective August 15, 1913; Order No. 7705 of December 6, 1913, extending the classification of articles mailable as parcel post to include books, effective March 16, 1914; Order No. 7706 of December 6, 1913, increasing the limit of weight of fourth class for delivery within the first and second zones from 20 to 50 pounds and in the third, fourth, fifth, sixth, seventh, and eighth zones from 11 to 20 pounds, and reducing the rates of postage in the third, fourth, fifth, and sixth zones, effective January 1, 1914; Order No. 9005 of July 10, 1915, increasing the limit of size of parcels of fourth class from 72 inches to 84 inches in length and girth combined, effective July 10, 1915; Order No. 1140 of February 26, 1918, increasing weight limit from 50 pounds in first and second zones and 20 pounds in the third zone to 70 pounds, and in all other zones from 20 to 50 pounds, effective March 15, 1918; Order No. 3880 of February 4, 1926, extending the classification of articles mailable as fourth-class to embrace such official matter exceeding 4 pounds in weight as is not mailable free under the penalty privilege; Order No. 1416 of July 14, 1931, increasing the limit of weight of fourth-class matter in the fourth, fifth, sixth, seventh, and eighth zones from 50 to 70 pounds, and increasing the limit of size from 84 to 100 inches in length and girth combined; Order No. 2388, April 7, 1932, modifying the rates of postage in the eight zones, effective October 1, 1932.

2. For fourth-class mail matter the United States and its several Territories and possessions, excepting the Philippine Islands, shall be divided into units of area thirty minutes square, identical with a quarter of the area formed by the intersecting parallels of latitude and meridians of longitude, represented on appropriate postal maps or plans, and such units of area shall be the basis of eight postal zones, as follows:

(a) The first zone shall include all territory within such quadrangle, in conjunction with every contiguous quadrangle, representing an area having a mean radial distance of approximately fifty miles from the center of any given unit of area.

(b) The second zone shall include all units of area outside the first zone lying in whole or in part within a radius of approximately one hundred and fifty miles from the center of a given unit of area.

(c) The third zone shall include all units of area outside the second zone lying in whole or in part within a radius of approximately three hundred miles from the center of a given unit of area.

(d) The fourth zone shall include all units of area outside the third zone lying in whole or in part within a radius of approximately six hundred miles from the center of a given unit of area.

(e) The fifth zone shall include all units of area outside the fourth zone lying in whole or in part within a radius of approximately one thousand miles from the center of a given unit of area.

(f) The sixth zone shall include all units of area outside the fifth zone lying in whole or in part within a

Units of area.
39 U. S. C. 292.

Zones.

First zone.

Second zone.

Third zone.

Fourth zone.

Fifth zone.

Sixth zone.

radius of approximately one thousand four hundred miles from the center of a given unit of area.

Seventh zone.

(g) The seventh zone shall include all units of area outside the sixth zone lying in whole or in part within a radius of approximately one thousand eight hundred miles from the center of a given unit of area.

Eighth zone.

(h) The eighth zone shall include all units of area outside the seventh zone.

See sec. 797 as to delivery of matter in excess of weight or size inadvertently dispatched; sec. 587 as to determination of admissibility of matter to the mails; secs. 588 to 590 as to preparation for mailing of liquids, disease germs, and matter liable to injure mails or persons; secs. 728 and 797 as to treatment of dangerous matter excluded from mails.

In excess of limit of size.

570. If a parcel of fourth-class matter exceeds the size, in length and girth combined, or the weight, prescribed in paragraph 1, section 569, it shall not be accepted for mailing.

See sec. 581, par. 4, as to tying two or more boxes or pieces together.

—how measured.

2. In measuring a parcel the greatest distance in a straight line between its ends, *but not around the parcel lengthwise*, shall be taken as the length, while the distance around it at its thickest part shall be taken as the girth. For example, a parcel 10 inches wide, 5 inches high, and 35 inches long has a girth of 30 inches, its length and girth combined being 65 inches.

RATES OF POSTAGE ON FOURTH-CLASS MATTER

Rates of postage on fourth-class matter. 39 U. S. C. 293. Orders Postmaster General: 1931, July 14; 1932, April 7.

571. On fourth-class matter the rate of postage, except as herein (sec. 572) provided for library books, shall be by the pound as hereinafter provided, the postage in all cases to be prepaid by stamps affixed thereto or as otherwise prescribed by the Postmaster General.

2. The postage on matter of the fourth class shall be as follows:

(a) On all matter mailed at the post office from which a rural route starts, for delivery on such route, or mailed at any point on such route for delivery at any other point thereon, or at the office from which the route starts, or on any rural route starting therefrom, and on all matter mailed at a city-carrier office, or at any point within its delivery limits, for delivery by carriers from that office, or at any office for local delivery, 7 cents for the first pound or fraction of a pound, and 1 cent for each additional two pounds or fraction thereof.

For the first zone.

(b) For delivery within the first zone, except as provided in the next preceding paragraph, 8 cents for the first pound or fraction of a pound, and 1.1 cents for each

additional pound or fraction of a pound, a fraction of a cent in the total amount of postage on any parcel to be computed as a full cent (and except where the distance by the shortest regular mail route from the office of origin to the office of delivery is 300 miles or more, in which case the rates of postage shall be 9 cents for the first pound or fraction of a pound and 2 cents for each additional pound or fraction of a pound).

(c) For delivery within the second zone, 8 cents for the first pound or fraction of a pound and 1.1 cents for each additional pound or fraction of a pound, a fraction of a cent in the total amount of postage on any parcel to be computed as a full cent (except where the distance by the shortest regular mail route from the office of origin to the office of delivery is 300 miles or more, in which case the rates of postage shall be 9 cents for the first pound or fraction of a pound and 2 cents for each additional pound or fraction of a pound).

For the
second zone.

(d) For delivery within the third zone, 9 cents for the first pound or fraction of a pound and 2 cents for each additional pound or fraction of a pound.

For the
third zone.

(e) For delivery within the fourth zone, 10 cents for the first pound or fraction of a pound and 3.5 cents for each additional pound or fraction of a pound, a fraction of a cent in the total amount of postage on any parcel to be computed as a full cent.

For the
fourth zone.

(f) For delivery within the fifth zone, 11 cents for the first pound or fraction of a pound and 5.3 cents for each additional pound or fraction of a pound, a fraction of a cent in the total amount of postage on any parcel to be computed as a full cent.

For the
fifth zone.

(g) For delivery within the sixth zone, 12 cents for the first pound or fraction of a pound and 7 cents for each additional pound or fraction of a pound.

For the
sixth zone.

(h) For delivery within the seventh zone, 14 cents for the first pound or fraction of a pound and 9 cents for each additional pound or fraction of a pound.

For the
seventh zone.

(i) For delivery within the eighth zone and between the Philippine Islands and any portion of the United States, including the District of Columbia and the several Territories and possessions, 15 cents for the first pound or fraction of a pound and 11 cents for each additional pound or fraction of a pound.

For the
eighth zone.

3. The postage on matter of the fourth class when mailed on rural routes shall be, for local delivery, 2 cents per parcel less than at the rates prescribed in this section and, for other than local delivery, 3 cents per parcel less than at the rates prescribed in this section.

Minimum charge on parcel over 84 inches.
P. M. G. Order, 1931, July 14.

4. On parcels measuring more than 84 inches but not more than 100 inches in length and girth combined the minimum postage charge shall be the zone charge applicable to a 10-pound parcel.

Individually addressed catalogs.
P. M. G. Order, 1939, June 29.

5. The rates of postage on individually addressed catalogs and similar printed advertising matter in bound form, consisting of 24 or more pages and not exceeding 10 pounds in weight, shall be as follows:

Zones

Rates	Local	1st	2d	3d	4th	5th	6th	7th	8th
First pound.....	4¢	4¢	4¢	5¢	6¢	7¢	8¢	9¢	10¢
Each additional pound...	½¢	1¢	1¢	2¢	3¢	4¢	5¢	6¢	7¢

Fourth-class matter; special handling.
39 U. S. C. 294a.

6. (a) To procure the most expeditious handling and transportation practicable of mail matter of the fourth class, special-handling stamps shall be affixed thereto, in addition to the regular postage, in accordance with the following schedule: Matter weighing not more than 2 pounds, 10 cents; matter weighing more than 2 but not more than 10 pounds, 15 cents; matter weighing more than 10 pounds, 20 cents: *Provided*, That, under such regulations as the Postmaster General may prescribe, ordinary postage stamps of equivalent value may be accepted in lieu of the special-handling stamps herein specified.

Dispatch of special-handling mail.—baby chicks.

(b) Fourth-class mail matter with the required special-handling stamps affixed thereto, other than baby chicks, shall be dispatched and handled in transit in the same manner as special-delivery mail (see sec. 1081), but the dispatch and handling of baby chicks shall, so far as may be practicable, be confined to the routes (rail, electric, or star) which will involve the least exposure to severe weather conditions in transit and in transfer at connecting points.

Authority to reclassify articles, rates, conditions of mailability, etc.
39 U. S. C. 247.

7. The classification of articles mailable, as well as the weight limit, the rates of postage, zone or zones, and other conditions of mailability under sections 240, 293, and 294 of this title (fourth-class matter), if the Postmaster General shall find on experience that they or any

of them are such as to prevent the shipment of articles desirable, or to permanently render the cost of the service greater than the receipts of the revenue therefrom, he is hereby directed, subject to the consent of the Interstate Commerce Commission after investigation, to re-form from time to time such classifications, weight limit, rates, zone or zones or conditions, or either, in order to promote the service to the public or to insure the receipt of revenue from such service adequate to pay the cost thereof.

8. The eighth-zone rate of postage shall apply to fourth-class matter between any point in the United States or its possessions and any point in the Hawaiian Islands; between any point in the United States or its possessions and any point in Alaska and between any two points in Alaska. This rate shall apply also to parcels mailed between the United States or its possessions and the Canal Zone, and between the Philippine Islands and the United States or its possessions. (See sec. 571.)

Rates and conditions applicable to Alaska, Hawaiian Islands, Canal Zone, Philippine Islands.

9. The eighth-zone rate of postage shall apply to parcels of fourth-class mail, subject to the pound rates, exchanged between the United States, or any of its possessions, and United States naval vessels stationed in foreign waters. When such vessels are stationed in a port of the United States, or any of its possessions, the rates applicable to or from the post office at such port shall be charged.

—naval vessels.

10. The rate of postage on gold coin, gold bullion, and gold dust offered for mailing between any two points in Alaska, or between any point in Alaska and any point in the United States or its possessions, shall be 2 cents an ounce or fraction thereof, regardless of distance. Such gold coin, gold bullion, or gold dust shall be inclosed in sealed packages not exceeding 50 pounds in weight and sent by registered mail.

Gold between points in Alaska and the United States.

See sec. 1203 for amount of registry fee.

572. (a) Books, consisting wholly of reading matter and containing no advertising matter other than incidental announcements of books, when sent by public libraries, organizations or associations not organized for profit and none of the net income of which inures to the benefit of any private stockholder or individual, as a service to county or other unit libraries or as a loan to readers or when returned by the latter libraries or readers to such public libraries, organizations, or associations shall be charged with postage at the rate of 3 cents for the first pound or fraction thereof, and 1 cent for each additional pound or fraction thereof, except that the rates now or hereafter prescribed for third- or fourth-class matter

Rates of postage on library books. 39 U. S. C. 293a.

shall apply in every case where such rate is lower than the rate prescribed herein for books under this classification: *Provided*, That this rate shall apply only to such books as are addressed for local delivery, for delivery in the first, second, or third zone, or within the State in which mailed.

—evidence to be submitted by libraries.

(b) Public libraries, organizations, or associations before being entitled to the foregoing rates shall furnish to the Postmaster General under such regulations as he may prescribe, satisfactory evidence that none of the net income of such organizations inures to the benefit of any private stockholder or individual.

—request to mail at library book rate.

2. When any public library, organization, or association desires to mail books to county or other unit libraries or as a loan to readers at the rate of postage provided in this section such library, organization, or association shall first submit to the Third Assistant Postmaster General, Division of Classification, through the postmaster at the office where it is desired to mail the books, a request for such privilege, together with satisfactory evidence, such as its articles of incorporation, constitution, by-laws, etc., to establish that the library, organization, or association is not organized for profit and none of its net income inures to the benefit of any private stockholder or individual. No books shall be accepted for mailing under the provisions of this section until such evidence has been furnished and the Third Assistant Postmaster General has approved the request of the applicant.

—definition of books.

3 Books mailed under the provisions of this section shall consist wholly of reading matter and contain no advertising matter other than incidental announcements of books. Parcels of such books when mailed by or returned to an authorized library, organization, or association, shall bear over the return card of the sender in the upper left corner of the address side, an indorsement reading "Contents: Books. Mailed under sec. 572, P. L. and R."

—indorsement of parcels.

4. Books to be entitled to be mailed by an authorized library, organization, or association at the reduced rates prescribed in this section shall be sent as a service to a county or other unit library or as a loan to readers. Books may be returned to an authorized library, organization, or association at the rates prescribed in this section only by a county or other unit library, or by a reader to whom the books have been sent as a loan.

—further conditions.

5. The postage rates on books consisting wholly of reading matter, containing no advertising matter other than incidental announcements of books, when mailed under such regulations as the Postmaster General may prescribe, shall be for the period commencing July 1, 1939, and ending June 30, 1941, 1½ cents per pound or fraction thereof, irrespective of the zone of their destination.

—postage rate on books.

6. A book, within the contemplation of paragraph 5, shall be a cloth- or paper-bound volume having 24 or more pages, of which at least 22 are printed, and shall not contain ruled or blank pages intended for records or memoranda purposes.

7. The permissible additions to and enclosures with fourth-class matter as set forth in section 574 shall also be permissible in the case of books mailed under the provisions of paragraph 5.

573. Publications weighing in excess of 8 ounces issued at regular intervals of 12 or more times a year, 25 per centum or more of whose pages are devoted to text or reading matter and not more than 75 per centum to advertising matter, which are circulated free or mainly free, may, upon authorization by the Post Office Department, under such regulations as the Postmaster General may prescribe, be accepted for mailing at the postage rate of 1 cent for each 2 ounces or fraction thereof, provided the copies of such publications are presented for mailing made up according to States, cities, and routes as directed by the Postmaster General.

Publications
issued at regu-
lar intervals
circulated free
or mainly free.
39 U. S. C.
293b.

2. Application to mail copies of a publication under the provisions of paragraph 1 shall be submitted in writing by the publisher through the postmaster at the office where the matter is to be mailed. The application shall set forth the name of the publication, its frequency of issue, the number of issues published under such frequency, where published, and the name of the publisher, and be accompanied with two copies of the issue nearest to the date of the application. The postmaster shall transmit the application and one copy of the publication to the Third Assistant Postmaster General, Division of Classification, and pending action thereon shall accept copies of the publication for mailing under deposits of money sufficient to cover postage at the regular fourth-class rates. Such deposits shall be held in trust and otherwise treated as provided in paragraph 1, section 530, with respect to second-class matter, until further instructions are received from the Third Assistant Postmaster General.

—applications.

3. The following indicia shall be conspicuously printed on one or more of the first five pages, preferably on the first page, of each copy of a publication accepted under this section:

—indicia to
be printed.

(a) Title of the publication, which shall always be shown on the first or cover page.

(b) Date of issue.

(c) Regular periods of issue; that is to say, frequency.

(d) Serial number.

(e) Office of publication.

(f) Subscription price, if any.

(g) Notice of authority for acceptance under this section, as follows:

Acceptance under the act of June 5, 1934, authorized_____. Pending action on an application for acceptance of a publication hereunder there may be printed on the copies the words:

"Application is pending for acceptance under act of June 5, 1934."

—percentage of advertising.

4. With the first mailing of each issue of such publication the publisher shall file with the postmaster a copy thereof marked to show the matter therein devoted to other than advertising, or at least up to 25 per centum of the entire publication, that is, to text or reading matter, and endorsed on the first page to show such percentage. Advertising in the form of textual or reading matter shall not be included in such percentage. The postmaster shall check the copy to see that it contains at least 25 per centum of text that is not advertising, and that the publication otherwise conforms to the requirements.

—properly prepared for dispatch.

5. Such publication shall be properly prepared and addressed and placed in United States mail sacks or other suitable receptacles and separated to States, cities, and routes, in the same general manner as prescribed for second-class matter, and shall be brought for mailing to the post office or such other place as is designated to receive it. Copies not so prepared and presented shall be charged with postage at the regular fourth-class rates. Individually addressed copies intended for the same post office shall, if there be more than five, be securely wrapped or tied in one bundle; or, if there are more than 30 pieces, be placed in a separate sack addressed to such office. Sacks containing less than that amount (except bulky matter) shall not be made up except where a direct sack is necessary materially to advance the mail, but the mail shall be securely tied in bundles, properly labeled, and be included in sacks with other mail.

—postage to be prepaid.

6. The postage on a publication mailed under this section shall be fully prepaid, preferably in money, in the manner prescribed by section 579 insofar as applicable; or by means of precanceled postage stamps. There shall be printed in the upper right corner of the address side of each separately addressed piece such words or information as may be required in instructions issued by the Third Assistant Postmaster General.

—when not regularly issued.

7. When a publication accorded the privileges of this section is not regularly issued 12 or more times a year, the postmaster shall so report to the Third Assistant Postmaster General, Division of Classification.

PERMISSIBLE ADDITIONS ON FOURTH-CLASS MATTER

Permissible additions on fourth-class matter.
39 U. S. C. 249.

574. * * * Upon matter of the * * * fourth (class) or upon the wrapper or envelope inclosing the same or the tag or label attached thereto, the sender may write his own name, occupation, and residence or business address, preceded by the word "From," and * * *

any marks, numbers, names, or letters for purpose of description, or may print thereon the same, and any printed matter not in the nature of a personal correspondence, but there must be left on the address side or face of the package a space sufficient for a legible address and necessary stamps.

2. * * * There may be placed on * * * fourth-class mail matter, or on the package, wrapper, or envelope inclosing the same, or on a tag or label attached thereto, either in writing or otherwise, the words "Please do not open until Christmas," or words to that effect.

"Please do not open until Christmas."
39 U. S. C. 249.

3. The written additions permissible on third-class matter are likewise permissible on matter of the fourth class. (See sec. 568.)

Tag or label.

4. The tag or label, with the printing or writing authorized thereon, may be attached to the whole parcel or separate tags or labels, bearing the same, may be attached to each of one or more articles contained in the parcel.

5. Inscriptions such as "Merry Christmas," "Happy New Year," "With best wishes," and the like, may be placed on matter of the fourth class or on a card inclosed therewith.

"Merry Christmas," "Happy New Year," etc., permissible inscriptions.
Inclosures.
—invoices, etc.

6. There may be inclosed with matter of the fourth class an invoice showing, in writing or printing, the name and address of the sender and of the addressee; the names and quantities of articles inclosed, together with inscriptions indicating, "for purpose of description," the price, style, stock number, size, and quality of the articles; the order or file number, date of order, and date and manner of shipment; and the initials or name of the salesman or of the person by whom the articles were packed or checked.

MISCELLANEOUS PROVISIONS

575. The Postmaster General may provide by purchase, rental, or otherwise, such equipment and supplies, including vehicles, maps, stamps, directories, and printed instructions, as may be necessary, to carry out the provisions of this chapter with reference to fourth-class mail matter, and appoint and compensate such employees as may be required.

Supplies for parcel-post system.
39 U. S. C. 242.

CHAPTER 2

PROVISIONS APPLICABLE TO THE SEVERAL CLASSES OF MAIL MATTER

RECEIPTS OR CERTIFICATES OF MAILING

576. Upon request and the payment of the fee prescribed therefor a receipt or certificate, as evidence of mailing only, and as many additional copies thereof as may be desired, shall be issued

Receipt of mailing.

to the sender of any domestic ordinary mail of any class, and as many additional receipts or certificates, as evidence of mailing only, as may be desired for registered, insured, and collect-on-delivery mail, in accordance with the provisions of section 1384; but such receipt or certificate of mailing for ordinary mail shall not include any reference to the postage paid.

LIMIT OF WEIGHT AND SIZE OF MAIL MATTER

Limit of weight and size of mail matter.
 1896, June 8;
 29 Stat. 262.
 1928, May 29;
 45 Stat. 942.
Orders of Postmaster General: 1913, July 25, Dec. 6; 1915, July 10; 1918, Feb. 26; 1931, July 14.

577. The weight (of mail matter) * * * is hereby declared to be not exceeding 4 pounds for each package thereof except in case of single books weighing in excess of that amount (fourth-class mail matter not exceeding 70 pounds in weight, nor greater in size than 100 inches in length and girth combined), and except for books and documents published or circulated by order of Congress, or printed or written official matter emanating from any of the departments of the Government or the Smithsonian Institution.

Note.

NOTE.—The words inserted within parentheses in above paragraph placing books in fourth-class matter and increasing the weight limits and size of fourth-class or parcel-post matter, are based upon orders of the Postmaster General issued in pursuance of the authority conferred upon him by law. (See sec. 571, par. 7.)

First-class matter.
 39 U. S. C. 223.

2. The limit of weight of mail matter of the first class shall be the same as is applicable to mail of the fourth class. (See sec. 569.)

—matter for the blind.

3. Parcels of books, pamphlets, and other reading matter for the blind, either in raised characters or in the form of sound-reproduction records, when mailed free of postage under the conditions prescribed in section 624, shall not exceed fifteen pounds in weight.

—matter addressed to the Philippine Islands.

4. The 70-pound limit applies to parcels for Manila, Baguio, Iloilo, Cebu, Zamboanga, and Davao, Philippine Islands, but parcels for other places in those islands may not exceed 20 pounds.

—in excess of, not to be accepted except.

5. Postmasters shall decline to accept for mailing packages offered to them weighing in excess of the limit provided by law, whether such packages are presented as free matter by officers of the Government, under the penalty label (see sec. 618), or under prepaid postage, except as provided herein and in the following section.

See sec. 797 as to delivery of matter in excess of weight inadvertently dispatched.

—air mail.

6. Mail carried by airplane shall not exceed 70 pounds in weight and shall not exceed 100 inches in length and girth combined.

See section 511 as to postage; section 1782 as to airplane service.

Note.

NOTE.—No limit of size is prescribed for mail other than that of the fourth class (see sec. 569) and air mail.

Matter to which limit of weight is inapplicable.
 —second class.

578. Mail matter of the second class prepaid at either the publishers' second-class pound rates or the transient second-class rate shall be accepted for mailing regardless of the weight thereof.

2. Books and documents published or circulated by order of Congress, without regard to their weight and whether wrapped separately or not, shall be accepted for mailing at any post office.

—single books.
—public documents.

3. Printed or written official matter weighing in excess of 4 pounds, emanating from any of the departments of the Government or the Smithsonian Institution, shall be accepted for mailing under a penalty envelope or label at the post office at Washington, D. C., only. Such official matter weighing more than 4 pounds, but not exceeding the limit of weight prescribed by section 577, may be accepted for mailing at other post offices only when postage is prepaid thereon. (For further information with respect to the acceptance of official matter see sec. 618.)

—printed or written official matter from Washington; when mailed at other post offices.

4. The weight of official matter relating to the postal service, including postal supplies and equipment, sent in the mails from any post office shall not exceed the maximum weight limit for fourth-class mail (see sec. 569) except in special cases where specific instructions are issued.

—official matter relating to postal service.

5. Packages of postage stamps, stamped envelopes, newspaper wrappers, postal cards, internal-revenue stamps, and copyright matter in its simplest mailable form addressed to the Register of Copyrights, Washington, D. C., shall be accepted at any post office regardless of the weight thereof. (See secs. 618 and 623.)

—postage stamps, stamped envelopes, internal-revenue stamps, and other stamped paper.
—copyright matter.

MAILING MATTER WITHOUT POSTAGE STAMPS AFFIXED

579. (a) The Postmaster General, under such regulations as he may prescribe for the collection of such postage, is hereby authorized to accept for delivery and deliver, without postage stamps affixed thereto, mail matter of the first class on which the postage has been fully prepaid at the rate provided by law: *Provided*, That such first-class matter on which the postage is paid in connection with a metered device set by the postmaster for a given number of impressions paid for at the time of setting and which automatically locks upon the exhaustion of such impressions may, if through inadvertence it is not fully prepaid but is prepaid at least * * * (one full rate), be accorded the same treatment as is provided for such short-paid first-class matter mailed with postage stamps affixed.

Mailing matter without stamps affixed.
39 U. S. C. 273.
First-class.
—metered matter.

See secs. 513, 763, and 765 for treatment of shortpaid first-class matter.

(b) Under such regulations as the Postmaster General may establish for the collection of the lawful revenue and for facilitating the handling of such matter in the mails it shall be lawful to accept for transmission in the mails, without postage stamps affixed, quantities of not

Identical pieces of second-, third- and fourth-class matter.
39 U. S. C. 295.

less than 300 identical pieces of third-class matter and of second-class matter and 250 identical pieces of fourth-class matter, and packages of money and securities mailed under postage at the first- or fourth-class rate by the Treasury Department: *Provided*, That postage shall be fully prepaid thereon at the rate required by law for a single piece of such matter.

39 U. S. C. 293.

2. (a) On fourth-class matter * * * postage * * * shall * * * be prepaid by stamps affixed thereto or as otherwise prescribed by the Postmaster General.

Metered fourth-class matter.

(b) Metered fourth-class matter mailed without stamps affixed—that is, such matter on which the required indicia are printed by means of a device having recording mechanism set by the postmaster for a given number of impressions or amount of postage and which automatically locks when such impressions or amounts have been exhausted—may be accepted for mailing in any quantity, irrespective of whether the pieces are identical, and bulk mailings of large quantities of nonidentical parcels of fourth-class matter may be accepted without stamps affixed, under conditions prescribed by the Third Assistant Postmaster General, Division of Classification.

39 U. S. C. 291a.

(c) Metered permit matter of the third class, except bulk mailings of such matter under the provisions of section 291 of this title, may be mailed in such quantities as the Postmaster General may prescribe.

Metered third-class matter.

(d) Metered third-class matter without stamps affixed, except bulk mailings under the provisions of sec. 562, may be accepted for mailing in any quantity, irrespective of whether the pieces are identical.

Fee of \$10 to accompany application for nonmetered permit.
39 U. S. C. 273a.

3. (a) Each application for a permit to mail matter without stamps affixed as provided by sections 221a, 273, 291, 291a and 295 of this title, and the regulations made pursuant thereto by the Postmaster General, shall be accompanied with a fee of \$10: *Provided*, That no fee shall be required to accompany applications for permits to mail matter without stamps affixed as metered mail.

Procedure.

(b) Each application for a permit to mail matter of any class without stamps affixed as nonmetered mail shall be accompanied with the fee of \$10 prescribed by the preceding subparagraph (a). Each such application, indorsed to show that the required fee has been paid, shall be promptly sent by the postmaster to the Third Assistant Postmaster General, Division of Classifi-

cation, except as the Third Assistant Postmaster General may otherwise instruct.

(c) Postmasters who have been authorized to accept matter for mailing without stamps affixed as nonmetered mail shall issue a receipt for the amount of each fee accompanying applications as prescribed in subparagraphs (a) and (b) of this paragraph and paragraph 2 (b), section 562, on Form 3603, which shall be indorsed "nonmetered application fee." The total amount of such fees shall be accounted for separately in the quarterly postal account under account No. 21, nonmetered application fees. (See par. 11, this section.)

—when postmaster previously authorized.

(d) Postmasters who have not been authorized to accept matter for mailing without stamps affixed as nonmetered mail shall hold the application fee, received under the provisions of this paragraph and paragraph 2 (b), section 562, in trust pending the receipt of instructions from the Third Assistant Postmaster General, Division of Classification.

—when postmaster not previously authorized.

(e) In determining the compensation and allowances at post offices of the first, second, and third classes, credit shall not be allowed for the application fees received at such offices under the provisions of this paragraph and paragraph 2 (b), section 562. Such application fees received at post offices of the fourth class shall not be included in the amounts upon which the commissions of the postmasters are based.

Fees not to be counted in determining compensation and allowances.

4. Postmasters at whose offices patrons desire to avail themselves of the privilege of this section shall apply to the Third Assistant Postmaster General, Division of Classification, for authority to receive such mailings and instructions as to procedure. Until such authority and instructions are received no postmaster shall receive matter of any class for mailing under this section without stamps affixed. Only such second-class matter may be accepted under the provisions of this section as is chargeable with the transient second-class rate of postage (see sec. 545) or the special rates prescribed by paragraphs 9 and 10, section 543.

—postmasters to apply for authority to receive such.

5. Persons desiring the privilege of mailing matter of any class without stamps affixed, under the provisions of this section, shall make application therefor on Form 3612 to the postmaster, who shall after he has been properly authorized, as provided in the foregoing paragraph, issue a permit on the prescribed form (3601 for nonmetered matter of the second, third, and fourth classes, 3601-A for metered matter of any class and 3601-B for nonmetered first-class matter), which shall contain the regulations, so far as they affect the sender of such matter, and those regulations shall in every case be strictly complied with, or the postmaster shall refuse so to receive the matter in the mails. Such permit shall be issued in triplicate, the original to be handed to the prospective mailer, the duplicate to be given to the superintendent of mails or superintendent of second-class matter, as the case may be, and the triplicate sent to the cashier.

Application for privilege.

—indicia on matter.

6. In the upper right corner of the address side of the envelope, wrapper, address label, or tag of each separately addressed piece of such matter shall be printed by means of a printing press or other device a statement showing the amount of postage paid on the piece, the word "Paid," the name of the post office and State where mailed, the permit number, and, in the case of first-class matter, such other information as may be required, all in the form and in the size of type prescribed in instructions issued by the Third Assistant Postmaster General. Matter mailed without stamps affixed under the provisions of this section shall not be postmarked.

—mailings to be accompanied by statement.

7. Except as otherwise provided in instructions issued by the Third Assistant Postmaster General, Division of Classification, each mailing shall be accompanied with a statement on a form provided therefor, signed by the sender, and showing such information as may be required. To facilitate the handling of such matter in the mails, the mailer shall comply with all reasonable requests of the postmaster for the separation thereof into States, cities, etc. Postage on the entire quantity shall be paid at or before the time the matter is presented for mailing, either in money or, at the option of the postmaster and at his risk, by check drawn to his order. When the mailing of matter of the second, third, or fourth class extends over two or more consecutive days, and the number of pieces presented on the last day to complete the mailing is less than that prescribed, such number shall be accepted and an indorsement made on receipt Form 3603, as follows:

—mailer to comply with requests as to separation of matter.

This is the remainder of mailing of _____
(Give date of preceding mailing.)

—postmaster to issue receipt.

8. (a) A receipt (Form 3603) for each mailing of nonmetered second, third, or fourth class matter shall be issued by the postmaster to the sender. Such receipt shall also be issued for each mailing of first-class matter except when otherwise specially authorized by the Third Assistant Postmaster General, Division of Classification, in connection with the authorization in each case of the issuance of the permit to the mailer. This receipt shall show the class of matter mailed, the permit number, the total number of pieces in the mailing, the amount of postage chargeable on a single piece, and the total amount paid. Such receipt shall be issued in triplicate by manifold process; the original to be handed to the mailer, the duplicate to be sent with the quarterly postal account at the end of the quarter, as stated in par. 11, and the triplicate retained in the post office.

(b) A receipt on Form 3603-A for the amount collected at the time of setting a meter device shall be issued in triplicate as above indicated instead of a receipt for each mailing as presented.

(c) Postmasters shall follow such special instructions as may be given by the Third Assistant Postmaster General, Division of Classification, with respect to the procedure governing the acceptance of metered and nonmetered permit matter for mailing and the accounting for the postage thereon.

9. Postmasters shall require at least two post-office employees to verify the "Statement of mailing" by an indorsement on the back thereof; the same two employees shall sign each copy of the receipt, which is issued in triplicate, and they shall be given due notice that the performance of this duty in a perfunctory manner will result in the administering of severe disciplinary action. The superintendent of mails, or the employee in charge of the mailing division, shall be held responsible for the strict enforcement of this regulation.

Verification of "Statement of mailing" by two post-office employees.

10. At the expiration of each month, or as soon thereafter as possible, the postmaster (or cashier, if the office has a cashier) shall send to every permit holder desiring the same, a statement of mailings (Form 3613). In the event that there have been no mailings, a statement to that effect may be sent.

Statement of mailings to be sent monthly to permit holders.

11. At the close of each quarter the postmaster shall send with the quarterly postal account the duplicate receipts on Form 3603 and Form 3603-A and a certificate (Form 3604 for presidential offices, or Form 3605 for fourth-class offices), showing the total amount of postage collected during the quarter on matter mailed under the provisions of this section, and in a separate item the total amount of "nonmetered application fees," which amount shall be charged in separate items in the quarterly postal account.

Quarterly statement.

12. The envelope, wrapper, or label of matter mailed by the United States Treasury Department under the provisions of this section shall bear in the upper right corner the words "——— cents paid, Washington, D. C.," followed by the permit number.

—matter mailed by U. S. Treasury Dept.

USE OF PRECANCELED GOVERNMENT STAMPED ENVELOPES

580. The Postmaster General is authorized, under such regulations as he may prescribe, to issue a permit to persons using Government-stamped envelopes and to persons using Government postal cards to deface the postage stamps thereon in connection with the placing on the envelopes and postal cards of the name of the post office and State of mailing, together with such other indicia as may be prescribed.

Precanceled Government stamped envelopes and postal cards. 39 U. S. C. 370.

2. Postmasters at whose offices patrons desire to avail themselves of the privilege of this section shall apply to the Third Assistant Postmaster General, Division of Classification, for authority to issue permits therefor and instructions as to the procedure. Until such authority and instructions are received no postmaster shall issue permits for the privilege of using Government stamped envelopes and Government postal cards precanceled by the mailer.

—postmasters to apply for authority to issue permits.

3. Persons desiring the privilege of using Government stamped envelopes and Government postal cards precanceled by themselves shall make application therefor to the postmaster, who shall follow the instructions as to procedure given by the Third Assistant Postmaster General, Division of Classification.

—application for privilege.

—indicia.

4. The name of the post office and State, the permit number, and, in the case of first-class mail, the date of mailing, together with such other indicia as may be required, shall be placed on the envelopes and cards by the mailer in such form as may be prescribed. The return card of the mailer should appear in the upper left corner of the address side of the envelopes.

—mailer to face and separate mailings.

5. To facilitate the handling of matter mailed in Government stamped envelopes and Government postal cards precanceled by the mailer, persons and concerns accorded this privilege will be expected to face their mailings, and also to separate them according to States and cities when in sufficient quantity to make it advantageous to the mailer and the Postal Service to do so.

Note.

NOTE.—For conditions under which mailers may affix precanceled stamps to first-class matter apply to the Third Assistant Postmaster General, Division of Classification.

MISCELLANEOUS PROVISIONS

Packages must admit of examination.
39 U. S. C. 250.

581. 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.

—otherwise postage to be at first-class rate.

Second- and third-class matter.

2. Matter of the second and third classes should be inclosed in an unsealed envelope or wrapped in such manner that the contents of the package can be easily examined. Unfolded cards and double advertising cards with detachable parts for reply may be mailed without cover. In all cases the matter should be prepared in such form as to facilitate its handling in the mails.

Fourth-class matter.
—examination of contents.
—when inclosed in boxes.

3. Parcels of fourth-class matter shall not be accepted for mailing unless packed so as to assure safe shipment and permit the contents to be easily examined. (See sec. 590.) Such matter inclosed in boxes to which the lids are nailed or screwed may be accepted for mailing at the fourth-class rates of postage if, with reasonable effort, the lids can be removed by the use of a chisel, screw driver, or other suitable instrument for the purpose of permitting examination of the contents. When a postmaster to whom is presented for mailing a bag which is sewed up is satisfied from an examination of it that it contains only fourth-class mail, he shall accept it at the fourth-class rates of postage and mark it "Examined at mailing office; contains only fourth-class mail."

—when inclosed in sewed bags.

Two or more packages mailed as a single parcel.

4. Two or more pieces or packages of fourth-class matter shall, in order to be mailable as a single parcel, be of approximately the same size or shape or constitute parts of one article, and be securely tied, wrapped, or otherwise firmly fastened together.

5. Seeds or other articles not prohibited, which are liable from their form or nature to loss or damage unless specially protected, shall, if not labeled as is provided in paragraph 6, be put up in sealed envelopes made of material sufficiently transparent to show the contents clearly without opening, and accepted as third- or fourth-class mail, according to the weight of the parcels.

Seeds, etc.
—In sealed transparent envelopes.

6. (a) Proprietary articles of merchandise not in themselves unmailable (see secs. 569, 588, and 598), such as fancy soaps, tobacco, harmless medicinal preparations, fruits, nuts, and other farm and factory products, put up in fixed quantities by the manufacturer, producer, or shipper, for sale by himself and others, which may be sealed in such manner as properly to protect the articles, but to allow examination of such package in its simplest mercantile form, shall be accepted for mailing at the third- or fourth-class rates of postage, according to the weight of the parcels, provided the parcels are labeled in printing to show the specific nature and quantity of contents, together with the name of the manufacturer, producer, or shipper.

Proprietary articles of merchandise, farm and factory products.

(b) Articles of merchandise or other articles embraced in mail of the third or fourth class (except circulars and miscellaneous printed matter in parcels weighing 8 ounces or less), which are not in themselves unmailable (see secs. 569, 588, and 598), when inclosed in sealed parcels labeled in printing to show the nature of contents as, for example, "Contents: Merchandise—fourth-class mail," together with the printed inscription "Postmaster: This parcel may be opened for postal inspection if necessary," in connection with the printed, hand-stamped, or written name and address of the sender, shall be accepted for mailing at the third- or fourth-class rates of postage, according to the weight of the parcels.

Merchandise in sealed parcels.

See sec. 582 as to penalty for inclosing matter of a higher class in that of a lower class and mailing same at a lower rate than would be required for such higher class.

7. When any matter offered for mailing is sealed against inspection, except as provided in paragraphs 5 and 6 of this section, or contains or bears writing not permissible (see secs. 552, 568, and 574), it shall be charged with postage at the first-class rate and treated as first-class matter (see secs. 513 and 723). When in doubt as to classification, postmasters shall submit samples to the Third Assistant Postmaster General, Division of Classification.

Parcels closed against inspection, etc.

8. Postmasters shall examine parcels when presented for mailing to ascertain that the postage is fully prepaid. (See secs. 552, 557, 559, 568, and 574.)

Examination.

9. So-called "window" envelopes, having an opening or a transparent panel in the front, through which the address upon the inclosure is disclosed, may be accepted for mailing under conditions prescribed by the Third Assistant Postmaster General, Division of Classification, if domestic ordinary mail is concerned, or by the Division of Registered Mails, if domestic registered mail is concerned. (See Official Postal Guide.)

Window envelopes.

Inclosing higher class in lower class matter.

18 U. S. C. 351.

582. Matter of the second, third, or fourth class containing any writing or printing in addition to the original matter, other than as authorized by law, shall not be admitted to the mails, nor delivered, except upon payment of postage for matter of the first class, deducting therefrom any amount which may have been prepaid by stamps affixed, unless by direction of the Postmaster General such postage shall be remitted. Whoever shall knowingly 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 such higher class matter, shall be fined not more than one hundred dollars.

—fine for.

See secs. 552, 568, and 574 for permissible additions to second-, third-, and fourth-class matter; sec. 581 as to merchandise in sealed parcels.

Report to Third Assistant Postmaster General in case law believed to have been violated.

2. When the postmaster at the office of mailing is satisfied that the sender of a piece of mail matter has knowingly concealed or inclosed matter of a higher class in that of a lower, in violation of this section, he shall report the case to the Third Assistant Postmaster General, Division of Classification, on Form 3595, giving all the facts and circumstances, including 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.

—office of mailing.

—office of address.

3. When the postmaster at the office of address is satisfied that there has been a violation of this section, he shall deliver the package to the addressee on payment of the proper postage and report the facts to the Third Assistant Postmaster General, on Form 3595, as above set forth. If the proper postage is not paid, the package shall be retained by the postmaster to be used as evidence, and he should be able to establish its identity.

Third- or fourth-class matter accompanied with communication.

583. When the sender desires that a parcel of third or fourth class matter on which the postage is fully prepaid at the rate for the respective class, or a package of second-class matter prepaid at the rates prescribed in paragraph 1, section 545, or at publishers' second-class rates, be accompanied with a communication, or other matter of the first class, which is not a permissible inclosure at the lower rate, the communication may be placed in an envelope, and after the full amount of postage at the first-class rate is affixed to the envelope it may be tied to or otherwise securely attached to the outside of the parcel or package in such manner as to prevent its separation therefrom and not to interfere with the address thereon. The envelope shall be addressed to correspond with the address on the parcel. Combination envelopes or containers having separate portions for a letter and matter of a lower class may be used for mailing together two classes of matter. Parcels or packages with which communications are mailed in this manner shall be treated as second-, third-, or fourth-class matter, as the case may

be. When second-class matter accompanied with a communication under the provisions of this section is prepaid at publishers' second-class rates, a notice of entry as second-class matter shall be placed in the upper right corner of the address side of the package. Properly prepaid third-class matter inclosed in unsealed envelopes indorsed "Third class" may be mailed with fully prepaid packages of second-, third-, or fourth-class matter under these conditions.

584. Whenever it shall be shown to the satisfaction of the Postmaster General that any postage is paid on any mail matter for which service is not rendered, or is collected in excess of the lawful rate, he may, in his discretion, authorize the postmaster at the office where paid to refund the proper amount out of the postal receipts in the possession of the postmaster.

Overcharges on mail matter.
39 U. S. C. 300.

—may be refunded.

2. All applications for refunds under the provisions of this section should be addressed to the Third Assistant Postmaster General, Division of Classification, if they relate to refunds on domestic ordinary mail, or to the Third Assistant Postmaster General, Division of Registered Mails, if they relate to refunds on domestic registered, insured, or C. O. D. mail, and to the Second Assistant Postmaster General, Division of International Postal Service, if they relate to refunds on international ordinary, registered, insured, or C. O. D. mail. Applications for refunds shall be accompanied with a full statement of the facts, and, when possible, the envelope or wrapper in which the matter was mailed. Postmasters shall not make refunds until instructed by the department.

Application for refund.

3. Upon receipt of instructions to make a refund, a postmaster shall pay the amount authorized out of the postal receipts in his possession and shall require the person to whom the payment is made to give a receipt therefor in duplicate on Form 3533 for domestic mail and Form 2995 for international mail, which will accompany the department's instructions. The "original" receipt shall be sent promptly to the Third Assistant Postmaster General in the case of domestic mail and to the Second Assistant Postmaster General in the case of international mail and the "duplicate" shall be retained in the post-office files.

Payment and receipt.

4. Credit for the amount of the refund shall be claimed by the postmaster in the quarterly postal account.

Credit to be claimed.

See sec. 765 as to procedure in cases where the addressee objects to the payment of postage due; sec. 2211 as to refund of overcharges on foreign matter.

585. * * * In all cases directions for transmit (transmission), delivery, forwarding, or return shall be deemed part of the address; * * *

Directions for transmission, etc., part of address.
39 U. S. C. 249.

2. The words "personal," or "to be called for," and return requests and other directions as to delivery, forwarding, or return, shall be deemed part of the address, and permissible.

—"personal" or "to be called for," etc., deemed part of address.

Sufficient space to be left for address, etc.

Watermarks.

Fourth-class matter must bear return card.

—address to be complete.

—arrangement of address, etc.

—addressed to boxholder.

3. Space shall be left on the address side of all mail sufficient for a legible address and for all directions permissible thereon, for postage stamps, for postmarking, rating, and any words necessary for forwarding or return. Watermarks which do not render the reading of the address difficult shall be permitted.

4. A parcel of fourth-class matter shall not be accepted for mailing unless it bears the name and address of the sender, which should be preceded by the word "From." When a parcel of fourth-class matter which does not bear the name and address of the sender is deposited for mailing, and the sender is known or can be ascertained from the contents of the parcel, it shall be returned to him with the information that his name and address must be placed on it. If the sender is not known, or can not be ascertained, the parcel shall be marked "Sender unknown" and dispatched.

5. All mail shall bear a complete, definite, and legible address, and, when intended for delivery at a letter-carrier office, the address should include the street and number or post-office box number of the addressee. The address should be placed in the lower right portion of the face or address side of envelopes, cards, or wrappers, the postage stamps or permit indicia (see secs. 562 and 579) indicating amount of postage paid being placed in the upper right corner, and the return card of the sender in the upper left corner of the side used for the address. Unaddressed matter and matter bearing dual addresses shall not be accepted for mailing. Names of more than one post office shall not appear in the address on any mail.

6 (a) When it is desired to send a piece of advertising or other matter as ordinary mail to (1) every rural or star-route box holder served from any post office having rural or star-route delivery, or (2) every post-office box holder at post offices not having city letter carrier service, the name, box, and route numbers or local street address may be omitted from the matter, provided each piece is definitely addressed in the following manner, respectively:

(1) Rural or star-route box holder,

(Post office and State)

(2) Post-office box holder,

(Post office and State)

Provided further, That postage at the proper rate is fully prepaid on the matter, preferably in money under permit in accordance with section 562 or section 579, or by means of pre-canceled stamps under the conditions governing their use, and all the pieces for the same post office are put up by the mailer, so far as may be practicable, in packages of 50, each package to

be labeled, preferably by means of a facing slip, as follows, according to the distribution desired:

- (1) For distribution to rural or star-route box holders,

(Post office and State)

- (2) For distribution to post-office box holders,

(Post office and State)

(b) It is preferable that the names of the post office and State be included in the address on each piece of matter mailed under this regulation, but, when the sender so desires, such names may also be omitted, provided the word "Local" be used in lieu thereof; provided further, the packages in which the pieces are put up and labeled as prescribed in the preceding subparagraph (a) are securely tied or otherwise prepared so that there will be no likelihood of the packages breaking open and the pieces scattered in the mails.

(c) The total number of boxes served by rural and star-route carriers from each office having rural or star-route delivery service, irrespective of the number of routes served from the respective post offices, shall be shown in the county list of post-offices in the Official Postal Guide. The number of post-office box holders at offices not having city letter-carrier service shall also be shown in such list.

7. The sender's name and complete address shall be placed on all window envelopes, on all fourth-class mail and on all registered mail and should be placed on all other mail, in the upper left corner of the address side.

Return card required on window envelopes, etc.

See paragraph 3, sec. 702, as to furnishing information concerning number of rural routes and number of boxes served by each carrier.

586. When more than 200 pounds of parcel post, other than perishable matter, is offered for mailing by one sender to one addressee on the same day, and the delivery thereof to destination will involve its transportation over a star route, the postmaster shall apply to the Second Assistant Postmaster General for special authorization before accepting such shipment.

Fourth-class matter. Weight limitation on shipments.

MATTER LIABLE TO DAMAGE THE MAILS OR INJURE THE PERSON; PREPARATION AND PACKING WHERE ADMISSIBLE; PLANT QUARANTINE

587. The Second Assistant Postmaster General shall determine subject to the laws and regulations, what matter shall be absolutely excluded from the mails, as liable to destroy, deface, or otherwise damage the contents of the mail bags or harm the person of anyone engaged in the Postal Service (see secs. 569 and 588), and what precautions shall be observed as to preparation and packing where such matter is admitted to the mails. (See secs. 581, 588 to 591.)

Second Assistant Postmaster General to determine what matter shall be excluded as liable to injure mails.

—to prescribe manner of packing.

—questions, to be submitted to General Supt., R. M. S. Division superintendents to report improper admission of matter.

Sample of doubtful matter.

Poisons, explosives, etc., not mailable.
18 U. S. C. 340.

2. Postmasters shall submit questions of this character to the General Superintendent of the Railway Mail Service with a full statement of the facts necessary to a proper decision.

3. Division superintendents shall report to the General Superintendent if, in their judgment, any matter is admitted to the mails which should be excluded therefrom, and such report shall be accompanied with a statement of any injury to the mails which may come to their knowledge, caused by the admission of such matter, and the reasons which lead them to apprehend any damage from the continued admission thereof.

4. Inquiries regarding doubtful matter shall, where possible, be accompanied with a sample of the same.

Sec. 569 as to authority for excluding matter liable to injure mails, etc.

588. All kinds of poison, and all articles and compositions containing poison, and all poisonous animals, insects, and reptiles, and explosives of all kinds, and inflammable materials, and infernal machines, and mechanical, chemical, or other devices or compositions which may ignite or explode, and all disease germs or scabs, and all other natural or artificial articles, compositions, or material, of whatever kind, which may kill or in any wise hurt, harm, or injure another, or damage, deface, or otherwise injure the mails or other property, whether sealed as first-class matter or not, are hereby declared to be nonmailable matter and shall not be conveyed in the mails or delivered from any post office or station thereof, nor by any letter carrier; but the Postmaster General may permit the transmission in the mails, under such rules and regulations as he shall prescribe as to preparation and packing, of any articles hereinbefore described which are not outwardly or of their own force dangerous or injurious to life, health, or property: *Provided*, That the transmission in the mails of poisonous drugs and medicines may be limited by the Postmaster General to shipments of such articles from the manufacturer thereof or dealer therein to licensed physicians, surgeons, dentists, pharmacists, druggists, cosmetologists, barbers, and veterinarians, under such rules and regulations as he shall prescribe. *Provided further*, That all spiritous [*sic*] vinous, malted, fermented, or other intoxicating liquors of any kind are hereby declared to be nonmailable and shall not be deposited in or carried through the mails. Whoever shall knowingly deposit or cause to be deposited for mailing or delivery, or shall knowingly cause to be

delivered by mail, according to the direction thereon, or at any place at which it is directed to be delivered by the person to whom it is addressed, anything declared by this section to be nonmailable, unless in accordance with the rules and regulations hereby authorized to be prescribed by the Postmaster General, shall be fined not more than \$1,000 or imprisoned not more than two years, or both; and whoever shall knowingly deposit or cause to be deposited for mailing or delivery, or shall knowingly cause to be delivered by mail, according to the direction thereon or at any place to which it is directed to be delivered by the person to whom it is addressed, anything declared by this section to be nonmailable, whether transmitted in accordance with the rules and regulations authorized to be prescribed by the Postmaster General or not, with the design, intent, or purpose to kill or in any wise hurt, harm, or injure another, or damage, deface, or otherwise injure the mails or other property, shall be fined not more than \$10,000 or imprisoned not more than twenty years, or both.

2. (a) Spirituous, vinous, malted, fermented, or other intoxicating liquors of any kind, poisons of every kind, and articles, preparations, compounds, and mixtures which are poison (except as prescribed in the fourth paragraph hereof), and poisonous animals, insects, and reptiles, corrosive materials, fireworks, matches, except as prescribed in paragraph 2 (b) of this section, and explosives of every kind, and inflammable materials liable to cause fire by self-ignition through friction, through absorption of moisture, or through spontaneous chemical changes, and infernal machines, and mechanical, chemical, or other devices or compositions which may ignite or explode, and disease germs or scabs (except as prescribed in sec. 589), and other natural or artificial articles, compositions, or materials of whatever kind which may kill or in any wise hurt, harm, or injure a person or damage, deface, or otherwise injure the mail or other property, live animals, insects, birds or fowls (except as prescribed in sec. 594), fresh hides or pelts, or any articles exhaling bad odor, whether sealed as first-class matter or not, shall not be admitted to the mails.

Liquids, explosives, insects, etc. in the mails.
—what not to be admitted.

(b) Beverages containing not more than 3.2 percent of alcohol by weight, when addressed for delivery within any State, Territory, or District of the United States, the laws of which do not prohibit the manufacture or sale therein of beverages containing an alcoholic content of not more than 3.2 percent by weight, do not come within the term "intoxicating" as used in this section.

Nonintoxicating beverages.

Intoxicating
liquors; sale to
Indians.
25 U. S. C. 241.
Supp. V.

(c) Any person who shall sell, give away, dispose of, exchange, or barter any malt, spirituous, or vinous liquor, including beer, ale, and wine, or any ardent or other intoxicating liquor of any kind whatsoever, or any essence, extract, bitters, preparation, compound, composition, or any article whatsoever, under any name, label, or brand, which produces intoxication to any Indian to whom an allotment of land has been made while the title to the same shall be held in trust by the Government, or to any Indian who is a ward of the Government under charge of any Indian superintendent or agent, or to any Indian, including mixed bloods, over whom the Government, through its departments, exercises guardianship, and any person who shall introduce or attempt to introduce any malt, spirituous, or vinous liquor, including beer, ale, and wine, or any ardent or intoxicating liquor of any kind whatsoever into the Indian country, which term shall include any Indian allotment while the title to the same shall be held in trust by the Government, or while the same shall remain inalienable by the allottee without the consent of the United States, shall be punished for the first offense by imprisonment for not more than one year, and by a fine of not more than \$500, and for the second offense and each offense thereafter by imprisonment for not more than five years, and by a fine of not more than \$2,000: *Provided, however,* That the person convicted shall be committed until fine and costs are paid: *And provided further,* That first offenses under this section may be prosecuted by information, but no person convicted of a first offense under this section shall be sentenced to imprisonment in a penitentiary or required to perform hard labor. It shall be a sufficient defense to any charge of introducing or attempting to introduce ardent spirits, ale, beer, wine, or intoxicating liquors into the Indian country that the acts charged were done under authority, in writing, from the War Department or any officer duly authorized thereunto by the War Department. All complaints for the arrest of any person or persons made for violation of any of the provisions of this section shall be made in the county where the offense shall have been committed, or if committed upon or within any reservation not included

in any county, then in any county adjoining such reservation; but in all cases such arrests shall be made before any United States court commissioner residing in such adjoining county, or before any magistrate or judicial officer authorized by the laws of the State in which such reservation is located to issue warrants for the arrest and examination of offenders by section 591 of Title 18, as amended. And all persons so arrested shall, unless discharged upon examination, be held to answer and stand trial before the court of the United States having jurisdiction of the offense.

(d) Beer, lager beer, ale, porter, wine, or other liquors, regardless of alcoholic content, may not be mailed to Indian wards anywhere or into any present Indian reservation or to those parts of opened Indian reservations which are still reserved for Government or tribal use or which are held in trust for individual Indians prior to their request for fee patents for such lands.

(e) Inflammable liquids and substances having a flash point between 80° and 20° F., such as paints, varnishes, automobile tire-repair outfits containing rubber cement, etc., that are not liable to cause fire by self-ignition through friction, through absorption of moisture, or through spontaneous chemical changes, and are not poisonous or explosive or unmailable for reasons other than their inflammability, shall be accepted for transmission in the domestic mails except the Air Mail Service when in quantities of not more than 4 ounces and when contained in tightly closed metal boxes or cans and packed in strong papier-mâché tubes or in boxes made of good quality double-faced corrugated pasteboard. The word "inflammable" and the proper name of the article shall be plainly marked on the outside of the package. Articles having a flash point below 20° F. are held to be explosive and shall not be accepted for mailing.

(f) Substances mentioned in the preceding paragraph (e) when in larger quantities shall be accepted for transmission in the domestic mails except the Air Mail Service, when in tight and strong metal containers inclosed in tight and strong outside wooden or fiber board boxes or cases: *Provided*, That the maximum quantity of any inflammable liquid packed in one outside container shall not exceed 5 gallons and the containers shall not be entirely filled—not less than 2 per cent of their capacity to be left vacant. The proper name of the inflammable substance contained therein shall be plainly marked on the outside of the package and caution labels (red for liquid and yellow for solids) shall be attached thereto by the shipper. These caution labels shall be diamond shaped, each side 4 inches long, with the wording

printed in black letters inside of a black-lined border measuring 3½ inches on each side. The wording on the red labels shall be:

Notice to postal employees. Caution. Do not drop. Keep away from fires, stoves, radiators, lighted matches, lanterns, and direct sunlight. Any leaking package shall be removed to a safe place. This is to certify that the contents of this package are properly described by name and are packed and marked and are in proper condition for transportation according to the regulations prescribed by the Post Office Department.

Shipper's name.

The wording on the yellow labels shall be:

Notice to postal employees. Caution. Do not drop. Keep fire and lights away. Sweep up and remove carefully contents of broken packages. This is to certify that the contents of this package are properly described by name and are packed and marked and are in proper condition for transportation according to the regulations prescribed by the Post Office Department.

Shipper's name.

All such parcels shall be handled outside of mail bags.

(g) Nitrate of soda and nitrate of potassium in packages not exceeding 25 pounds shall be accepted for transmission in the domestic mail when prepared as provided in paragraph 2 (f) of this section or when packed in strong cotton bags lined with two thicknesses of kraft paper, cemented together with asphaltum and cemented to the outside cotton bags. Care shall be taken to avoid any of the product getting on the outside of the parcels, and the package shall be capable of withstanding a drop of 4 feet without any escaping of contents. Each package shall bear the yellow caution label referred to in the preceding subparagraph.

(h) Safety matches (strike-only-on-box variety) shall be accepted for transmission in the domestic mails when packed in asbestos wrapped or tightly closed metal containers.

(i) Mercury in quantities not exceeding 15 pounds shall be accepted for transmission in the domestic mails when in a tightly closed container of glass or earthenware, securely cushioned in a double-faced corrugated fiberboard box. This box shall then be cushioned in a larger double-faced corrugated fiberboard box, tightly closed and securely fastened. Both fiberboard boxes must be of at least 175-pound test board. Mercury in small quantities such as contained in switches used to make and break an electric current may also be packed in approved mailing tubes when the glass tube of mercury is completely surrounded with at least one-half inch of soft cushioning material.

Liquids, pastes, confections, etc., when admitted.

3. Liquids not spirituous, vinous, malted, fermented, or otherwise intoxicating, and not liable to explosion or spontaneous combustion or ignition by shock or jar, and not inflammable, fruits or vegetable matter liable to decomposition, comb honey, soft soap, pastes or confections, ointments, salves, and articles of similar consistency, shall be admitted to the mails for transmission in the

domestic mails when inclosed in packages in conformity with the conditions prescribed in sections 590 and 591.

4. (a) Medicines which are not outwardly or of their own force dangerous or injurious to life, health, or property, and not in themselves unmailable (see secs. 569 and 598), shall be admitted to the mails for transmission in the domestic mails when inclosed in packages in conformity with the conditions prescribed in section 590: *Provided*, That the term "medicines" shall not be construed to mean poisons: *Provided further*, That the article mailed bears the label or superscription of the manufacturer thereof or dealer therein, or of the licensed physician, surgeon, dentist, pharmacist, druggist, or veterinarian preparing or prescribing the same.

Medicines,
when admitted.

(b) Insecticides, fungicides, and germicides not outwardly or of their own force dangerous or injurious to life, health, or property, and not in themselves unmailable (see secs. 569 and 598), shall be admitted to the mails for transmission in the domestic mails when securely packed for safe transmission: *Provided*, That the container of the article mailed is plainly labeled to show its contents, is also marked "Poisonous Composition", and bears the label or superscription of the manufacturer thereof. (See par. 4 (f) of sec. 590 as to packing.)

Insecticides,
fungicides, and
germicides,
when admitted.

Poisonous preparations, such as raticides, for the extermination of rodents and other destructive mammals are not included in the above classification and are not mailable.

(c) Poisonous drugs and medicines and anesthetic agents which are not outwardly or of their own force dangerous or injurious to life, health, or property, and not otherwise unmailable (see secs. 569 and 598), when securely packed for safe transmission shall be admitted to the mails for transmission in the domestic mails when sent by the manufacturer thereof or dealer therein to licensed physicians, surgeons, dentists, pharmacists, druggists, cosmetologists, barbers, and veterinarians, when addressed as such: *Provided*, That the container of the article mailed is plainly labeled to show its contents, is marked "Poison," and bears the label or superscription of the manufacturer thereof.

Poisonous
drugs and
anesthetic
agents, when
admitted.

5. (a) Motion-picture films shall be packed in spark-proof metal boxes or cans, complying with specification No. 32 of the Interstate Commerce Commission regulations for the shipment of dangerous articles. Case and cover shall be lined throughout with hard fiber board at least one-eighth inch thick. Each outside metal case shall be plainly and permanently marked in the metal by embossing the following symbol, consisting of a rectangle and the following mark:

Motion-picture
films, when
admitted.

I. C. C.—32 A.

The letters and figures in this symbol shall be at least one-half inch high, and the final letter may be either A, B, C, D, E, F, or G.

(b) Motion-picture films may also be packed in outside wooden boxes complying with Specification No. 15C of the Interstate Commerce Commission regulations for the transportation

of dangerous articles, provided each reel is placed in a tightly closed inside metal container. Marking on boxes to indicate compliance with the specifications is

I. C. C.—15C***

the stars being replaced by figures indicating the maximum gross weight for which the box is authorized. The letters and figures in this symbol shall be at least one-half inch high. Boxes marked I. C. C.—19 as previously authorized may be accepted if made prior to October 1, 1930.

(c) Short motion-picture films (not exceeding 25 feet in length) shall be accepted when placed in tightly closed metal cans and in outside containers of corrugated strawboard or other suitable material. Motion-picture films not exceeding 1,000 feet in length shall be accepted for mailing when placed in tightly closed metal cans lined with asbestos, in outside fiber-board or corrugated fiber-board containers, securely sealed, without the yellow caution label, to be dispatched inside of mail bags. Such films also shall be accepted for mailing when placed in tightly closed metal cans without lining, in outside fiber board or corrugated fiber-board containers, securely sealed, with the yellow caution label, to be dispatched outside of mail bags.

(d) Noninflammable motion-picture films shall be accepted without other restriction when packed in sufficiently strong containers; each outside container shall be plainly marked "Motion-picture films—Not dangerous."

(e) Pyroxylin plastics (celluloid, fiberoid, pyralin, viscoloid, zylonite, etc.) in sheets, rolls, or tubes, shall be packed in strong spark-proof wooden boxes, or sheet pyroxylin may also be packed flat in double-faced corrugated strawboard packages, provided that the total thickness of sheet material in one package does not exceed one-half inch in thickness. The pyroxylin plastic shall be wrapped in paper and the box shall not be less than two thicknesses of double-faced corrugated strawboard at all points. When material is in rolls, it shall be placed in fiber or strawboard cylinders with walls not less than 0.045 inch thick, for a net weight of 6 pounds or less or 0.115 inch thick for a net weight of 15 pounds or less, and the cylinders shall be lined with single-faced corrugated strawboard two-tenths inch thick.

(f) All packages containing inflammable motion-picture films (except short lengths) or pyroxylin plastics (except manufactured articles) shall have attached thereto by the shipper a diamond-shaped yellow label, each side 4 inches long, with the wording printed in black letters inside of a black line border measuring 3½ inches on each side, reading as follows:

Caution. Keep away from fire, heat, and open-flame lights. Sweep up and remove carefully contents of broken packages. This is to certify that the contents of this package are properly described by name and are packed and marked and are in proper condition for transportation, according to the regulations prescribed by the Post Office Department.

Shipper's name.

All such parcels shall be handled outside of mail bags.

(g) Motion-picture films shall be loaded in cars occupied by a postal or railroad employee and in a place that will permit of their ready removal in case of fire. They shall not be loaded in cars nor stored in stations or offices in contact with steam pipes or other sources of heat.

(h) Postmasters shall exercise special care in accepting motion-picture films and pyroxylin plastics for shipment and see that containers are in good condition and have attached there-to the required caution label.

(i) The address labels shall be plain, with the name of the shipper shown in the upper left corner less conspicuously than the name and address of the addressee, which shall appear on the lower half of the label, and all old labels and postage stamps shall be removed.

(j) Packages of motion-picture films shall not exceed the size and weight limit for parcel-post mail.

589. (a) Specimens of diseased tissues, blood, serum, and cultures of pathogenic microorganisms may be admitted to the mail for transmission to United States, State, municipal, or other laboratories in possession of permits referred to in paragraph 2 of this section only when enclosed in mailing cases constructed in accordance with this regulation, provided that bacteriologic or unfixed pathologic specimens of plague and cholera shall not be admitted to the mails except when prepared as hereinafter specifically provided.

Diseased tissues.
—when
mailable.

(b) Pathologic specimens of plague and cholera which have been immersed for at least 72 hours in four times their volume of 4 percent formaldehyde gas in water, or other fluid of equal or superior disinfecting power for a period sufficient to fix or harden the central portions of the specimen, may be admitted to the mails if packed in the same manner as herein prescribed for other unfixed pathologic tissues (par. 3, subpars. a, b, c).

(c) Cultures and infectious material of plague, cholera, anthrax, undulant fever and tularaemia may be admitted to the mails if enclosed in stout glass tubes sealed by fusion of the glass and packed in a larger stout glass container with a layer of absorbent cotton soaked in 4 percent formaldehyde surrounding the inner container. The outer glass container shall be closed with a rubber stopper or cork of good quality or by fusion of the glass. This double glass container shall then be packed in accordance with the provisions of paragraph 3, subparagraphs b and c.

2. No package containing diseased tissue, blood, serum, or cultures of pathogenic microorganisms shall be delivered to any representative of any of the said laboratories until a permit shall have first been issued by the Postmaster General, certifying that said institution has been found to be entitled, in accordance with the requirements of this regulation, to receive such specimens.

—permit from
Postmaster
General before
delivery.

3. (a) Specimens of sputum, feces, pus, unfixed diseased tissue, or other infectious material fluid in nature or shipped with non-

disinfecting fluid shall be placed in stout glass containers of suitable size (but not more than 3 inches in diameter) closed with a metal cover with a rubber, cork, or paraffined paper leakproof washer or with a cork or rubber stopper of good quality or by fusing the glass, provided that large fixed specimens of diseased tissue may be prepared for shipment outside of mail bags when packed in accordance with the provisions of subparagraph *b*.

—cylindrical sheet metal box, container to be placed in.

(*b*) The aforesaid glass container shall then be placed in a cylindrical sheet-metal box, with soldered joints, closed by a metal screw cover with a rubber or felt washer. The vial or test tube in this sheet-metal box shall be completely and evenly surrounded by absorbent cotton or other suitable absorbent in quantity sufficient to absorb the contents of the glass container should it be broken.

Sheet metal box to be inclosed.

(*c*) The sheet-metal box with its contents shall then be enclosed in a closely fitting wooden or papier-mâché box or tube, at least three-sixteenths of an inch thick in its thinnest part or in a sheet-metal box or tube of sufficient strength to resist rough handling and support the weight of the mails piled in bags. This tube shall be tightly closed with a screw-top cover with sufficient screw threads to require at least one and one-half full turns before it will come off.

(*d*) Cultures in solid media, blood, serum, spinal fluid, fixed and completely disinfected diseased tissue and infectious materials on swabs shall be transmitted in a stout glass container of suitable size (but not more than 3 inches in diameter) closed with a metal cover with a rubber, cork, or paraffined paper washer or with a stopper of rubber, paraffined cork, or cotton, the last sealed with paraffin or covered with a tightly fitting rubber cap. The tube shall then be packed in a single wooden or papier-mâché cylindrical box or tube, at least three-sixteenths of an inch thick in its thinnest part or in a sheet-metal box or tube, of sufficient strength to resist rough handling and support the weight of the mails piled in bags. The glass container in this box or tube shall be completely and evenly surrounded by absorbent cotton or other suitable absorbent packing material. Cultures in media that are fluid at the ordinary temperature (below 45° C. or 113° F.) may be mailed if packed in stout glass vials closed by fusing the glass and enclosed as in subparagraphs (*b*) and (*c*).

(*e*) Specimens of blood dried on glass microscopic slides for the diagnosis of malaria or typhoid fever by the Widal test or of other conditions shall be sent in any strong mailing case which is not liable to breakage or loss of the specimen in transit.

(*f*) Large pathological specimens of fixed diseased tissue and shipments of large numbers of small specimens may be prepared for shipment outside of mail bags. Small specimens of sputum, blood, serum, spinal fluid, pus, feces, fixed or unfixed diseased tissue or other material fluid in nature or shipped with fluid, forming part of such a shipment shall be placed in stout glass containers as in subparagraph (*a*) and individually evenly wrapped in absorbent cotton or other suitable absorbent material

in sufficient quantity to absorb all the fluid in case of breakage. Large specimens of fixed diseased tissue shall be placed in securely sealed glass containers or in securely closed (hermetically sealed or screw-top or approved patent-top) metal containers with the necessary preservative fluid. The container shall be surrounded by sawdust or other suitable absorbent material to protect against breakage or leakage. Small and large specimens so prepared shall be shipped in a strong securely closed box marked "Fragile—Liquid. This Side Up," or with similar inscription, and be transported outside of mail bags.

4. Upon the outside of every package of diseased tissue, blood, serum, or cultures of pathogenic microorganisms admitted to the mails shall be written or printed the words "Specimen for bacteriological examination. This package shall be pouched with letter mail." Except that large specimens or shipments prepared under paragraph 3, subparagraph (f) shall be marked "Specimen for bacteriologic examination."

Indorsement
on packages.

590. Admissible articles which, from their form or nature, might damage other mail matter or equipment or injure the person of any postal employee shall be accepted when packed in accordance with the following conditions:

When articles
liable to damage
mail or
injure employ-
ees may be
accepted.

2. In case of articles liable to break, the inner bag, box, envelope, or wrapping shall be surrounded by sawdust, excelsior, cotton, or other similar substance.

When fragile.

3. Admissible liquids and oils (see sec. 588) in packages not exceeding the limit of weight of fourth-class matter (see sec. 569) shall be accepted for mailing when intended for delivery at the office of mailing or on a rural route starting therefrom when inclosed in strong and securely closed containers, provided it is not necessary to transport them over steam or electric railways.

Liquids and
oils for local
delivery.

4. Admissible liquids and oils, pastes, salves, or other articles easily liquefiable shall be accepted for mailing, regardless of distance, when they conform to the following conditions:

—for points
beyond.

(a) When in strong glass bottles holding 4 ounces or less, the total quantity sent in one parcel shall not exceed 24 ounces, liquid measure. Each bottle shall be wrapped in absorbent material and then all placed in a box made of cardboard or other suitable material and packed in a container made of double-faced corrugated fiberboard or solid fiberboard or wood. The corners of the container shall fit tightly and be reinforced with tape, so as to prevent the escape of any liquid if the inside container should be broken, and the whole parcel shall be securely wrapped with strong paper and tied with twine. Such parcels shall be indorsed "Fragile—Liquid," and be dispatched inside of mail bags. Single bottles of liquid holding 4 ounces or less may also be packed as prescribed in the following paragraphs (b) and (c):

Bottles of 4
ounces or less.

(b) When in glass bottles holding more than 4 and not more than 16 ounces, the bottle shall be very strong and shall be inclosed in a block or tube of metal, wood, papier-mâché or

Bottles of 16
ounces or less.

similar material, and there shall be provided between the bottle and the block or tube a cushion of cotton, felt, or other absorbent. The block or tube, if of wood or papier-mâché, shall be of sufficient strength to afford proper protection to contents, and withstand handling in the mails, and shall be rendered watertight by an application on the inside of paraffin or other suitable substance, and shall be closed by a screw-top cover with sufficient screw threads to require at least one and one-half complete turns before it will come off. The cover of the block or tube shall be provided with a washer so that no liquid could escape if the bottle should be broken. Such bottles may also be packed in strong and tight receptacles of wood, metal, or solid fiberboard or waterproof double-faced corrugated fiberboard if surrounded with bran, sawdust, or other absorbent material in sufficient quantity to absorb all the liquid if the bottle should be broken. Parcels prepared in this manner shall be indorsed "Fragile—Liquid" and be dispatched inside of mail bags.

Bottles over 16 ounces.

(c) Mailable liquids, in quantities of more than 16 ounces, when in securely sealed glass bottles, shall be accepted for mailing when packed in strong boxes and surrounded with sawdust or other suitable substance to protect the contents from breakage. All such packages shall be marked "Fragile—Liquid. This Side Up," or with similar inscription, and be transported outside of mail bags.

In metal containers.

(d) Mailable liquids in securely closed (hermetically sealed or screw top or approved patented top) metal containers, when in quantities of less than 1 gallon and inclosed in double-faced corrugated fiberboard or solid fiberboard or wooden boxes for shipment inside of mail bags, shall be accepted for mailing, but when in friction-top cans the tops shall be securely soldered on or so fastened by effective indentations at not less than six places, or the cans be surrounded with sawdust, bran, or other suitable absorbent material in sufficient quantity to absorb all the liquid if the top of the can should come off. Such parcels shall be marked "Fragile—Liquid."

Mark "Fragile."

(e) Mailable liquids in tightly closed metal containers in quantities of 1 gallon or more shall be accepted for mailing when suitably boxed or crated to be dispatched outside of mail bags and labeled "Fragile—Liquid. This Side Up," but when in extra strong metal containers, such as heavy milk cans, the boxing or crating may be omitted.

(f) Insecticides, fungicides, and germicides, when accepted for mailing, must be in inside containers of metal, glass or fiber cans or boxes and in outside containers of metal, wood, or fiberboard, tightly closed and securely fastened. When in liquid form, the inside container must not only be surrounded with sufficient absorbent material to absorb all the liquid should the container be broken but packed in cushioning material. (Excelsior is not considered an absorbent.) When in solid or powdered form, the inside container must be surrounded with cushioning material.

5. Pastes, salves, etc., not easily liquefiable shall be accepted for mailing when inclosed in watertight containers and cushioned in a double-faced corrugated fiberboard or solid fiberboard or wooden box.

Pastes, salves, etc.

6. Manufacturers or dealers intending to transmit articles in considerable quantities should submit to the postmaster at the mailing office for approval a specimen parcel showing the manner of packing.

Sample to be submitted.

7. Sharp-pointed or sharp-edged instruments or tools shall be capped or incased so that they cannot cut through their covering. Blades shall be bound so that they will remain firmly attached to each other or within their handles or sockets. Plowshares, stove castings, pieces of machinery, etc., shall have all points, edges, and corners thoroughly protected with excelsior or similar material and be wrapped in burlap, cloth, or tough paper, or be properly boxed to prevent damage to mail or equipment, when intended for other than local delivery.

Sharp instruments, etc.

8. Ink powders, flour, pepper, snuff, or other similar powders not explosive, or any similar pulverized dry substance not poisonous, shall be accepted when inclosed in the manner prescribed herein for liquids, or when inclosed in cases made of metal, wood, papier-mâché, or similar material, in such manner as to render impossible the escape of any of the contents.

Powders.

9. Candles, confectionery, yeast cakes, soap in hard cakes, etc., shall be inclosed in boxes and so wrapped as to prevent damage to other mail matter.

Confectionery, soaps, etc.

10. Mailable hides and pelts which are thoroughly dried or cured (secs. 588 and 593) shall be so wrapped as to prevent grease soaking through the package and damaging other mail matter.

Hides and pelts.

11. Unloaded guns may be sent in the mails, but the postmaster at mailing office shall carefully examine such packages and shall receive them only when sure they are harmless. Cartridges or loaded shells shall not be accepted for mailing.

Guns.

See section 607 as to malleability of pistols, etc.

12. Fragile articles, such as millinery, toys, musical instruments, etc., and articles consisting wholly or in part of glass, or contained in glass, shall be securely packed and cushioned in strong double-faced corrugated fiberboard or solid fiberboard or wooden boxes and the parcel stamped or labeled "Fragile." Parcels so labeled shall be handled with the greatest possible care. Parcels which do not contain fragile articles shall not be marked "Fragile."

Fragile articles.

591. Postmasters and other employees shall endorse all parcels containing perishable articles with the word "Perishable" on the wrapper directly above the name of the addressee. Articles likely to spoil within the time reasonably required for transportation and delivery shall not be accepted for mailing.

Perishable articles.

2. Butter, lard, and perishable articles, such as fish, fresh meats, dressed fowls, vegetables, fruits, berries, and articles of a similar nature, which decay quickly, shall be accepted for

Butter, lard, meats, fruits, etc.
—for delivery, where.

mailing to any office which in the ordinary course of mail they can reach without spoiling, when inclosed in crates, boxes, baskets, or other suitable containers, so constructed as properly to protect the contents and prevent the escape of anything therefrom. Such parcels shall be labeled "Perishable," and, if necessary for safe shipment, shall be transported outside of mail bags. Berries, fruits, and vegetables shall not be accepted for mailing unless they are in good dry shipping condition.

Eggs.

3. Eggs shall be accepted for mailing when packed in crates, boxes, baskets, or other suitable containers, so constructed as properly to protect the contents. Such packages shall be transported outside of mail bags. All parcels containing eggs shall be plainly marked "EGGS." When necessary, they should be marked "THIS SIDE UP."

Eggs for hatching.

4. Eggs for hatching shall be accepted for mailing, when each egg is wrapped separately and surrounded with excelsior, woodwool, or other suitable material and packed in a basket, preferably with a handle, or other suitable container, lined with paper, fiber board, or corrugated pasteboard. Such parcels shall be labeled "Eggs for hatching," "Keep from heat and cold," "Please handle with care," or other suitable words, and shall be handled outside of mail sacks.

Cured meats and meat products.

592. Fresh, salted, dried, smoked, or cured meats and other meat products may be admitted to the mails and may be transported, regardless of distance, from one State or Territory or the District of Columbia to another State or Territory or the District of Columbia when the provisions of the act of March 4, 1907, and the amendment thereof of June 29, 1938, and the regulations promulgated thereunder by the Department of Agriculture have been complied with: *Provided, however,* That fresh meat in any form shall be accepted for mailing only to post offices to which, in the ordinary course of mail, it can be sent without spoiling. (See sec. 591.)

Fresh meat.

2. The regulations promulgated by the Department of Agriculture, referred to in the preceding paragraph, provide as follows:

Regulations governing interstate shipment.

Certificates of inspection or exemption.

(a) No carrier or other person shall transport or receive for transportation from one State or Territory or the District of Columbia to another State or Territory or the District of Columbia, or to any place under the jurisdiction of the United States, or to a foreign country, any article derived wholly or in part from cattle, sheep, swine, or goats unless and until a certificate is made and furnished to him in one of the following forms prescribed for the purpose showing that such meat or meat-food product has been either inspected and passed or exempted from inspection according to act of Congress of March 4, 1907 and the amendment thereof of June 29, 1938.

Certificate of inspection.

(b) When any meat or product which has been inspected and passed and bears the inspection legend is offered to any carrier for transportation from one State or Territory or the District of Columbia, to or through another State or Territory or the

District of Columbia, or to any place under the jurisdiction of the United States, or to a foreign country, the carrier shall require, and the shipper shall make and deliver to the carrier, a certificate in the following form:

Date _____, 19__ —form of.

Name of common carrier _____
 Shipper _____
 Point of shipment _____
 Consignee _____
 Destination _____

I hereby certify that the following described meat or meat-food products which are offered for shipment in interstate or foreign commerce, have been U. S. inspected and passed by Department of Agriculture, are so marked, and at this date are sound, healthful, wholesome, and fit for human food.

Kind of product.	Amount and weight.
_____	_____
_____	_____

(Signature of shipper.)

(Address of shipper.)

The signature of the shipper or of his agent shall be written in full. This certificate may be stamped upon or incorporated in any form which is ordinarily used in the transportation of meat and products. Certificates of this form or copies thereof need not be forwarded to the (Bureau of Animal Industry) at Washington.

(c) When any meat or product which has not been inspected and passed under these regulations is offered for transportation from one State or Territory or the District of Columbia to or through another State or Territory or the District of Columbia, or to any place under the jurisdiction of the United States, or to a foreign country, by any retail butcher or retail dealer who holds a certificate of exemption issued (by the Secretary of Agriculture), the carrier shall require, and such retail butcher or retail dealer shall make and deliver to the carrier, a certificate in duplicate in the following form:

Certificate of exemption by retail butchers or dealers.

Date _____, 19__ —form of.

Name of common carrier _____
 Shipper _____
 Point of shipment _____
 Consignee _____
 Destination _____
 Number of exemption certificate _____

I hereby certify that I am a retail butcher or a retail dealer in meat or meat-food products; that the following-described meat or meat-food products are offered for shipment in interstate or foreign commerce under a certificate of exemption issued to me by the United States Department of Agriculture, and that at this date they are sound, healthful, wholesome, and fit for human food, and contain no preservative or coloring matter or other substance prohibited by the regulations of the Secretary of Agriculture governing meat inspection.

Kind of product.	Amount and weight.
_____	_____
_____	_____

(Signature of shipper.)

(Address of shipper.)

The signature of the shipper or of his agent shall be written in full, and each certificate shall show the exemption number of the shipper. This certificate shall be separate and apart from any waybill, bill of lading, or other form ordinarily used in the transportation of meat. The duplicate certificate shall be forwarded immediately by the initial carrier to the Chief of the Bureau of Animal Industry, Washington, D. C.

Certificate of exemption as to animals slaughtered on farms.

(d) When cattle, sheep, swine, or goats, have been slaughtered by a farmer on the farm and any meat or product derived therefrom which has been marked by him with his name and address is offered to a carrier for transportation from one State or Territory or the District of Columbia to or through another State or Territory or the District of Columbia, or to any place under the jurisdiction of the United States, or to a foreign country, the carrier may so transport such meat or product which is identified as derived from any of such animals slaughtered by a farmer on the farm.

The carrier shall require, and the shipper shall make and deliver to the carrier, a certificate in duplicate in the following form:

—form of.

Date _____, 19__.

Name of common carrier _____

Shipper _____

Point of shipment _____

Consignee _____

Destination _____

I hereby certify that the following-described uninspected meat or meat-food products are from animals slaughtered by a farmer on the farm, and are offered for transportation in interstate or foreign commerce as exempted from inspection according to the act of Congress of June 30, 1906, and that at this date they are sound, healthful, wholesome, and fit for human food, and contain no preservative or coloring matter or other substance prohibited by the regulations of the Secretary of Agriculture governing meat inspection.

Kind of product.	Amount and weight.

(Signature of shipper.)

(Address of shipper.)

The signature of the shipper or of his agent shall be written in full. This certificate shall be separate and apart from any waybill, bill of lading, or other form ordinarily used in the transportation of meat. The duplicate certificate shall be forwarded immediately by the initial carrier to the Chief of the Bureau of Animal Industry, Washington, D. C.

Note.

NOTE.—The exemptions set forth in paragraphs 2 (c) and 2 (d) of this section, applying to animals slaughtered by any farmer on a farm and to retail butchers and retail dealers in meat-food products do not apply to meat or meat-food products of horses slaughtered or handled by farmers or retail butchers or dealers. See par. 7 of this section.

Parcels unaccompanied with proper certificates not to be accepted.

3. Postmasters shall not accept for mailing any parcel containing any carcass, part of carcass, or meat-food product of cattle, sheep, swine, or goats offered for transportation from one State or Territory or the District of Columbia to another State or Territory or the District of Columbia, or for foreign shipment, unless and until the person offering the parcel for mailing shall furnish the certificate applicable in the particular case under the requirements of the regulations issued by the Department of Agriculture embodied in the preceding paragraph.

4. In making out the certificate the sender or shipper shall give the United States mails as the carrier, the post office of mailing as the point of shipment, the name of the addressee as the consignee, and the post office of address as the destination.

5. Paragraphs 2 (c) and 2 (d) of this section require the certificate to be made in duplicate. Postmasters shall promptly send the duplicates to the Chief of the Bureau of Animal Industry, Washington, D. C. The originals required by these paragraphs, as well as the certificate required by paragraph 2 (b), shall be retained in the files of the post office for one year.

6. The required certificates shall be prepared by the sender or shipper. (Form 3583-B for retail butcher shipments and Form 3583-F for farmer's shipments may be used.)

7. Under the act of July 24, 1919, providing for the inspection of horse meat and products thereof and the regulations promulgated in connection therewith by the Department of Agriculture, horse meat and food products thereof may be accepted for mailing from one State or Territory or the District of Columbia to another State, Territory, or the District of Columbia, or to any place under the jurisdiction of the United States, or to any foreign country, only when labeled or marked "Horse meat" or "Horse-meat products" and each shipment is accompanied with a certificate in the form indicated in paragraph 2 (b) of this section, changed to read "Horse-meat or horse-meat products" instead of "Meat or meat-food products."

NOTE.—The regulations of the Department of Agriculture provide that the domestic meat labels for horse meat or meat-food products thereof shall be printed on paper light green in color. The legend composing the body of each label shall be as follows: "The horse meat or meat-food product thereof contained herein has been United States inspected and passed by the Department of Agriculture," and in lieu of the phrase "domestic meat label" there shall be printed thereon the phrase "domestic horse meat or horse-meat product."

593. Postmasters shall not accept for mailing any parcel containing the dead bodies, or parts thereof, of any wild animals or birds, or the eggs of any such birds, which have been killed or taken or are offered for shipment contrary to any law of the United States or of any State, Territory, District of Columbia, or foreign country or State, Province, or other subdivision thereof: *Provided, however,* That the foregoing shall not be construed to prevent the acceptance for mailing of the dead bodies, or parts thereof, of any wild animals or birds, or the eggs of any wild birds, killed or taken during the season when the same may be lawfully killed or taken and the shipment of which is not prohibited by law in the State, Territory, District, or foreign country, in which the same are killed or taken or offered for shipment.

2. Parcels containing the dead bodies of any wild animals, or birds, or parts thereof (except furs, hides, or skins of such animals, for which provision is hereinafter made), or the eggs of such birds, may be admitted to the mails only when plainly and clearly marked, labeled, or tagged on the outside thereof with the names and addresses of the shipper and consignee (addressee), and with an accurate statement showing by number

Instructions for making out certificates.

Duplicate certificates required. —disposition of.

Forms to be furnished by sender.

Horse meat and products thereof may be accepted, when.

Note.

Dead wild animals or birds or portions thereof. —when not mailable.

—when acceptable.

—parcels to be marked how.

and kind the contents thereof: *Provided, however,* That fresh game in any form may be accepted for transmission only to post offices to which, in the ordinary course of mail, it can be sent without spoiling. (See sec. 591.)

—furs, hides,
or skins of
wild animals.

3. Parcels containing furs, hides, or skins of wild animals may be accepted for mailing only when properly dried, and plainly and clearly marked, labeled, or tagged on the outside thereof with the names and addresses of the shipper and consignee (addressee), together with such other indorsement, if any, as may be required by the game laws of the State, Territory, or District in which mailed.

Note.

NOTE.—Sections 392, 393, and 394 of title 18, United States Code, as amended by the act of June 19, 1939, title 2, Public, No. 131, Seventy-sixth Congress, make it unlawful to ship the dead bodies, or parts thereof, of any wild animals or birds, or the eggs of any such birds, contrary to the laws of the United States or of any State, Territory, District, or foreign country, and prescribe how parcels containing the same lawfully shipped shall be marked or labeled.

Queen bees.

594. (a) Queen bees and their attendant bees, when accompanied with a copy of a certificate of the current year from a State or Government apiary inspector to the effect that the apiary from which said queen bees are shipped is free from disease or by a copy of a statement by the beekeeper made before a notary public or other officer having a seal that the honey used in making the candy used in the queen mailing cage has been diluted and boiled in a closed vessel may be sent in the mails when so put up as to render it practically impossible that the package shall be broken in transit, or the persons handling the same be injured, or the mail bags or their contents soiled.

Honey bees.

(b) Honey bees in quantities may be sent in the mails under the same conditions as are prescribed for queen bees and their attendant bees when delivery can be made to the addressee within a period of 5 days. If the cages are wooden, the material of which they are constructed shall not be less than three-eighths of an inch thick and the saw cuts therein or space between slats shall not be over one-eighth of an inch wide; if wire screen is used for the sides of the cages the screen may be of one thickness. Semiliquid food consisting of sugar sirup inclosed in a tin can with small holes in the bottom of the can to permit of a proper leakage of the food supply may be placed in the cages. The food can shall be securely suspended in the cage with the top of the can wedged against the top of the cage. Cleats approximately 1 inch high shall be securely fastened on the bottom of the cages to prevent the escape therefrom of any sirup that the bees may fail to consume. Each cage shall be provided with a suitable handle and be marked on the top with the words "THIS SIDE UP." Such parcels shall be transported outside of mail bags.

Other live
insects.

(c) Other live nonpoisonous or disease conveying insects when addressed to the Bureau of Entomology and Plant Quarantine, U. S. Department of Agriculture or to departments or divisions of Entomology in State agriculture colleges, or experiment

stations, or to persons holding official entomology positions, or when accompanied by a permit issued by the Bureau of Entomology and Plant Quarantine, U. S. Department of Agriculture, authorizing their interstate movement; and dried insects and reptiles may be sent in the mails when so put up as to render it practically impossible that the package shall be broken in transit, or the persons handling the same be injured, or the mail bags or their contents soiled.

Dried insects
and reptiles.

2. Live day-old chicks, day-old ducks, day-old geese, day-old guinea fowl, and day-old turkeys shall be accepted for mailing when the package in which they are contained is properly prepared and can be delivered to the addressee within 72 hours from the time they are hatched. Shipments of day-old chicks and other live day-old poultry shall not be forwarded to the addressee from the office of original address nor returned to the sender if delivery cannot be made to either the addressee or sender within the 72-hour period from the time of hatching.

Live day-old
chicks.

See sec. 804, par. 2 (a), for instructions covering the disposition of undeliverable shipments.

3. Baby alligators not exceeding 20 inches in length, baby terrapin, baby turtles, bloodworms, chameleons, earthworms, frogs, goldfish packed in moss, hellgrammites, horned toads, hydras, leeches, lizards, meal worms, newts, planaria, salamanders, shellfish, snails, soft crabs, soft crawfish and tadpoles may be sent in the mails to points they may reasonably be expected to reach in good condition. They shall be properly prepared for safe transmission, and containers shall be labeled "Perishable" and the nature of the contents marked thereon.

Harmless live
creatures.

4. Live day-old chicks, day-old ducks, day-old geese, day-old guinea fowl, day-old turkeys, queen bees and their attendant bees, honey bees, and harmless live animals, mailed under the conditions set forth in the preceding paragraphs of this section, may be accepted for insurance or collection-on-delivery, and indemnity in connection therewith will be paid in accordance with the provisions of sections 1389 and 2234.

Insurance and
C. O. D.

595. When any State, Territory, or District of the United States, or any portion thereof, is quarantined by order of the Secretary of Agriculture, with respect to a plant disease or insect infestation, under the provisions of the plant quarantine act of August 20, 1912 (7 U. S. C. 154), or acts amendatory thereof, the acceptance for mailing from such quarantined State, Territory, or District, or any portion thereof, into or through any other State, Territory, or District, of any class of nursery stock, plants, or plant products, covered by such quarantine order, shall be subject to the restrictions of that order.

Plant quaran-
tine.

2. Nursery stock, including all field-grown florists' stock, trees, shrubs, vines, cuttings, grafts, scions, buds, fruit pits and other seeds of fruit and ornamental trees or shrubs, and other plants and plant products for propagation, except field, vegetable, and flower seeds, bedding plants and other herbaceous plants, bulbs, and roots, may be admitted to the mails only when accom-

Nursery stock,
etc.

Certificate of inspection.

panied with a certificate from a State or Government inspector to the effect that the nursery or premises from which such nursery stock is shipped has been inspected within a year and found free from injurious insects and plant diseases, and the parcel containing such nursery stock is plainly marked to show the nature of the contents and the name and address of the sender.

Terminal inspection of plants and plant products by the several States.
7 U. S. C. 166.
Supp. V.

596. (a) When any State shall provide for terminal inspection of plants and plant products, and shall establish and maintain, at the sole expense of the State, such inspection at one or more places therein, the proper officials of said State may submit to the Secretary of Agriculture a list of plants and plant products and the plant pests transmitted thereby, that in the opinion of said officials should be subject to terminal inspection in order to prevent the introduction or dissemination in said State of pests injurious to agriculture. Upon his approval of said list, in whole or in part, the Secretary of Agriculture shall transmit the same to the Postmaster General, and thereafter all packages containing any plants or plant products named in said approved lists shall, upon payment of postage therefor, be forwarded by the postmaster at the destination of said package to the proper State official at the nearest place where inspection is maintained. If the plants or plant products (including seed) are found upon inspection to be free from injurious pests and not in violation of a plant-quarantine law or plant-quarantine regulation of the United States Department of Agriculture or of the State of destination pertaining to such injurious pests, or if infected shall be disinfected by said official, they shall upon payment of postage therefor be returned to the postmaster at the place of inspection to be forward to the person to whom they are addressed; but if found to be infected with injurious pests and incapable of satisfactory disinfection or in violation of a plant-quarantine law or plant-quarantine regulation of the United States Department of Agriculture or of the State of destination pertaining to such injurious pests, the State inspector shall so notify the postmaster at the place of inspection who shall promptly notify the sender of said plants or plant products that they will be returned to him upon his request and at his expense, or in default of

such request that they will be turned over to the State authorities for destruction.

(b) It shall be unlawful for any person, firm, or corporation to deposit in the United States mails any package containing any plant or plant product addressed to any place within a State maintaining inspection thereof, as herein defined, without plainly marking the package so that its contents may be readily ascertained by an inspection of the outside thereof. Whoever shall fail to so mark said packages shall be punished by a fine of not more than \$100.

(c) The Postmaster General is hereby authorized and directed to make all needful rules and regulations for carrying out the purposes hereof.

2. (a) When the Secretary of Agriculture furnishes the Postmaster General a list of plants and plant products subject to terminal inspection under the provisions of the preceding paragraph, appropriate instructions in regard thereto shall be issued to postmasters by the Third Assistant Postmaster General, Division of Classification.

(b) Any State which has established terminal inspection under the provisions of paragraph 1 of this section should submit through the United States Department of Agriculture a list of plants and plant products and the plant pests transmitted thereby, the shipment of which to or within the State is prohibited or regulated by State plant-quarantine laws or plant-quarantine regulations pertaining to injurious pests. Upon receipt of notice from the Secretary of Agriculture of the approval of such list of plants or plant products by the United States Department of Agriculture, appropriate instructions shall be issued to postmasters by the Third Assistant Postmaster General, Division of Classification, to prevent the acceptance of such plants or plant products when presented for mailing in violation of State plant-quarantine laws or regulations pertaining to injurious pests.

3. When a package containing plants or plant products subject to terminal inspection is received at the post office of address, the postmaster shall at once notify the addressee of the required amount of postage for forwarding it to the place of inspection and return. Upon payment of the required amount, the postmaster shall affix to the parcel stamps sufficient to cover the postage from his office to the place of inspection, and place in an official envelope, to be attached to the parcel and addressed to the postmaster at the place of inspection, the stamps representing the amount of postage furnished by the addressee for its return. The postmaster shall then indorse on the wrapper of the parcel the words—

Forward to ----- for inspection,
(Give post office of inspection.)

Packages to be marked so that contents may be ascertained.

Postmaster General authorized to make necessary regulation.

Appropriate instructions to be issued by Third Assistant.

Addressee to furnish postage for forwarding package to place of inspection and return.

and transmit the parcel to the postmaster at the place of inspection.

Treatment of parcel at office of inspection.

4. (a) On receipt of the parcel at the post office of inspection the postmaster shall deliver it to the proper State official, and if such official shall return it to him marked to show that it has been inspected and passed, the postmaster shall affix to the parcel the postage furnished for returning it to the post office of address and promptly transmit it to that office. It shall then be delivered to the addressee.

Disposition of infected products.

(b) If the State official to whom a parcel containing plants or plant products has been sent for inspection shall inform the postmaster at the place of inspection that such plants or plant products are infected with injurious pests and incapable of satisfactory disinfection, or are in violation of a plant-quarantine law or plant-quarantine regulation of the United States Department of Agriculture or of the State of destination pertaining to such injurious pests, the postmaster shall promptly notify the sender that the parcel is undeliverable, giving the reason therefor, together with the name and address of the addressee, and stating the amount of postage required for its return, and that if the postage is not promptly furnished the parcel will be turned over to the State authorities for destruction. After the sending of such notice the postmaster shall wait the length of time prescribed in paragraph 8, section 805, when, if postage be not received by that time, he shall inform the State authorities that the parcel may be destroyed by them.

Return of unused postage stamps.

5. When a parcel containing plants or plant products is returned to the sender or destroyed under the provisions of the preceding paragraph, the postage stamps representing the amount of postage furnished by the addressee for the return of such parcel from the post office of inspection to the office of address shall be sent by the postmaster at the former office to the addressee, together with a letter of information as to the disposition of the parcel.

State inspector to be notified if addressee fails to furnish postage.

6. If the addressee, after having been notified, as prescribed in paragraph 3 of this section, fails to furnish the required postage for sending the parcel to the place of inspection and return, the postmaster shall so notify the State inspector at that place and advise him of the amount of postage required for sending the parcel to him. If such official furnishes the postage the postmaster shall, after affixing the necessary stamps, indorse on the wrapper of the parcel the words:

Forward to ----- for inspection,
(Give post office of inspection.)

together with the words "Postage paid by State," and transmit it to the postmaster at the place of inspection. If the State inspector shall return the parcel to the postmaster at the point of inspection, marked to show that it has been inspected and passed, and having postage properly prepaid, it shall be transmitted to the office of address and delivered to addressee. Should the State inspector fail to furnish the postage for send-

ing the parcel to him for inspection, the parcel shall be treated as other undeliverable fourth-class matter, as prescribed in section 805.

7. When desired, in order to simplify and expedite the handling of parcels of plant material subject to terminal inspection, the addressee may have the parcels addressed to himself in care of a State plant inspector at an inspection point and arrange with the inspector, to have the latter forward the parcels to the addressee, after inspection and passing, upon payment of the forwarding postage which shall be furnished to the inspector by the addressee, or the addressee may have the sender place a pledge to pay the forwarding postage on the parcels, in which case they shall, after being inspected and passed, be forwarded, rated with the forwarding postage, such postage to be collected upon delivery as provided by paragraph 4, section 769. In following the latter procedure the parcels shall be labeled as follows:

Shipped for (or on a/c)

W. H. Jones,
Garfield, Utah.

From:

John Doe Nurseries,
Shenandoah, Iowa.

Forwarding Postage Guaranteed. To:

Contents:

W. H. Jones,

% State Plant Inspector,
Salt Lake City, Utah.

When forwarding parcels under the foregoing arrangement, the inspector shall first cross out "% State Plant Inspector," and the name of the post office at the point of inspection appearing in the original address, and insert the name of the post office to which the parcels are to be forwarded for delivery to the addressee upon payment of forwarding postage.

CHAPTER 3

UNMAILABLE MATTER

597. Unmailable matter shall include 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, and is classified as follows:

(a) Matter which is insufficiently prepaid to entitle it to be dispatched in the mail.

(b) Matter without address or so incorrectly, insufficiently, or illegibly addressed that it cannot be transmitted to its destination.

(c) Matter which from its harmful nature is forbidden in the mails. (See secs. 588 to 590.)

(d) Matter so damaged in transit that it cannot be forwarded to its destination, matter of value found loose in the mails with-

Unmailable matter.
—definition.

Classification.

—held for sufficient postage.
—misdirected.

—destructive.

—mutilated.

out address so that the destination cannot be known, and all matter recovered after depredations in the mails, which shall be forwarded to the department for disposition. (See secs. 805, 818, and 2085.)

—excess of weight or size.

(e) Packages exceeding the limit of weight or size allowed. (See secs. 569, 577, and 578.)

—obscene.

(f) Obscene matter. (See sec. 598.)

—libelous and indecent.

(g) Libelous and indecent matter. (See sec. 599.)

—treasonable.

(h) Treasonable matter. (See sec. 600.)

—lottery.

(i) Lottery matter. (See sec. 601.)

—fraudulent.

(j) Fraudulent matter. (See sec. 603.)

—violations of copyrights.

(k) Publications which violate copyrights granted by the United States. (See sec. 523.)

—firearms.

(l) Firearms capable of being concealed on the person. (See sec. 607.)

—foreign.

(m) Mail matter addressed to foreign countries, posted in violation of law or treaty stipulations. (See sec. 805.)

(n) Matter soliciting the procurement of divorces in foreign countries. (See sec. 606.)

Obscene matter
unavailable.
18 U. S. C. 334.

598. Every obscene, lewd, or lascivious, and every filthy book, pamphlet, picture, paper, letter, writing, print, or other publication of an indecent character, and every article or thing designed, adapted, or intended for preventing conception or producing abortion, or for any indecent or immoral use; and every article, instrument, substance, drug, medicine, or thing which is advertised or described in a manner calculated to lead another to use or apply it for preventing conception or producing abortion, or for any indecent or immoral purpose; and every written or printed card, letter, circular, book, pamphlet, advertisement, or notice of any kind giving information, directly or indirectly, where, or how, or from whom, or by what means any of the hereinbefore-mentioned matters, articles, or things may be obtained or made, or where or by whom any act or operation of any kind for the procuring or producing of abortion will be done or performed, or how or by what means conception may be prevented or abortion produced, whether sealed or unsealed; and every letter, packet, or package, or other mail matter containing any filthy, vile, or indecent thing, device, or substance; and every paper, writing, advertisement, or representation that any article, instrument, substance, drug, medicine, or thing may, or can, be used or applied for preventing conception or producing abortion, or for any indecent

or immoral purpose; and every description calculated to induce or incite a person to so use or apply any such article, instrument, substance, drug, medicine, or thing, is hereby declared to be nonmailable matter and shall not be conveyed in the mails or delivered from any post office or by any letter carrier. Whoever shall knowingly deposit, or cause to be deposited, for mailing or delivery, anything declared by this section to be nonmailable, or shall knowingly take, or cause the same to be taken, from the mails for the purpose of circulating or disposing thereof, or of aiding in the circulation or disposition thereof, shall be fined not more than five thousand dollars, or imprisoned not more than five years, or both. The term "indecent" within the intentment of this section shall include matter of a character tending to incite arson, murder, or assassination.

Punishment for mailing or taking from mails, to circulate.

Arson, murder, assassination.

2. Any person who knowingly and willfully deposits or causes to be deposited for conveyance in the mail or for delivery from any post office or by any letter carrier any letter, paper, writing, print, missive, or document containing any threat to take the life of or to inflict bodily harm upon the President of the United States, or who knowingly and willfully otherwise makes any such threat against the President, shall upon conviction be fined not exceeding \$1,000 or imprisoned not exceeding five years, or both.

Threat to harm the President.
18 U. S. C. 89.

See sec. 602 as to treatment of matter when mailable is in question, and sec. 2351 as to threats to extort.

599. All matter otherwise mailable by law, upon the envelope or outside cover or wrapper of which, or any postal card upon which, any delineations, epithets, terms, or language of an indecent, lewd, lascivious, obscene, libelous, scurrilous, defamatory, or threatening character, or calculated by the terms or manner or style of display and obviously intended to reflect injuriously upon the character or conduct of another, may be written or printed or otherwise impressed or apparent, are hereby declared nonmailable matter, and shall not be conveyed in the mails nor delivered from any post office nor by any letter carrier, and shall be withdrawn from the mails under such regulations as the Postmaster General shall prescribe. Whoever shall knowingly deposit

Libelous and indecent matter on wrappers or envelopes.
18 U. S. C. 335.

Punishment for mailing.

or cause to be deposited, for mailing or delivery, anything declared by this section to be nonmailable matter, or shall knowingly take the same or cause the same to be taken from the mails for the purpose of circulating or disposing of or aiding in the circulation or disposition of the same, shall be fined not more than five thousand dollars, or imprisoned not more than five years, or both.

See sec. 725 as to treatment of scurrilous matter, etc., at mailing offices; sec. 756 at offices in transit; sec. 774 at offices of delivery; sec. 602 as to treatment of matter when mailability is in question.

Disloyal matter not mailable.
18 U. S. C. 343.

600. Every letter, writing, circular, postal card, picture, print, engraving, photograph, newspaper, pamphlet, book, or other publication, matter or thing, of any kind, in violation of any of the provisions of sections 25, 27, 31 to 38, inclusive, sections 98, 130, 131, 288, 381, 502, 611 to 633, inclusive, of this title, sections 213, 220, 221, and 222, inclusive, 231 to 235, inclusive, and 238 to 245, inclusive, of Title 22, and sections 31 to 42 and 191 to 194 of Title 50 is hereby declared to be nonmailable matter and shall not be conveyed in the mails or delivered from any post office or by any letter carrier; but no person other than an employee of the Dead Letter Office, duly authorized thereto, or other person upon a search warrant authorized by law, shall be authorized to open any letter not addressed to himself.

Matter urging treason, etc.
18 U. S. C. 344.

2. Every letter, writing, circular, postal card, picture, print, engraving, photograph, newspaper, pamphlet, book, or other publication, matter or thing, of any kind, containing any matter advocating or urging treason, insurrection, or forcible resistance to any law of the United States, is hereby declared to be nonmailable.

Use of mails forbidden.
18 U. S. C. 345.
1940 Mar. 28,
Public, No. 443.

3. Whoever shall use or attempt to use the mails or Postal Service of the United States for the transmission of any matter declared by sections 343 and 344 of this title to be nonmailable, shall be punished by imprisonment for not more than ten years and may, in the discretion of the court, be fined not more than \$5,000. Any person violating any provision of said sections may be tried and punished either in the district in which the unlawful matter or publication was mailed, or to which it was carried by mail for delivery according to the direc-

tion thereon, or in which it was caused to be delivered by mail to the person to whom it was addressed.

NOTE.—Paragraph 1 above relates to mail matter of any class which is in violation of any of the provisions of the act of June 15, 1917 (Title 50, U. S. Code, C. 4), and when the United States is at war applies specifically to all matter which is intended to interfere with the operation or success of the military or naval forces of the United States or to promote the success of its enemies, or which is intended to cause insubordination, disloyalty, mutiny, or refusal of duty, in the military or naval forces of the United States, or which is intended to obstruct the recruiting or enlistment service of the United States. (See act of June 15, 1917, Title 50, U. S. Code, C. 4.)

See sec. 602 as to treatment of matter when mailability is in question.

601. No letter, package, postal card, or circular concerning any lottery, gift enterprise, or similar scheme offering prizes dependent in whole or in part upon lot or chance; and no lottery ticket or part thereof, or paper, certificate, or instrument purporting to be or to represent a ticket, chance, share, or interest in or dependent upon the event of a lottery, gift enterprise, or similar scheme offering prizes dependent in whole or in part upon lot or chance; and no check, draft, bill, money, postal note, or money order, for the purchase of any ticket or part thereof, or of any share or chance in any such lottery, gift enterprise, or scheme; and no newspaper, circular, pamphlet, or publication of any kind containing any advertisement of any lottery, gift enterprise, or scheme of any kind offering prizes dependent in whole or in part upon lot or chance, or containing any list of the prizes drawn or awarded by means of any such lottery, gift enterprise, or scheme, whether said list contains any part or all of such prizes, shall be deposited in or carried by the mails of the United States, or be delivered by any postmaster or letter carrier. Whoever shall knowingly deposit or cause to be deposited, or shall knowingly send or cause to be sent, anything to be conveyed or delivered by mail in violation of the provisions of this section, or shall knowingly deliver or cause to be delivered by mail anything herein forbidden to be carried by mail, shall be fined not more than one thousand dollars, or imprisoned not more than two years, or both; and for any subsequent offense shall be imprisoned not more than five years. Any person violating any provision of this section may be tried and punished either in the district in which the unlawful matter or publication was mailed or to which it was carried by mail for delivery according to the direction

Note.
Interference with military or naval forces.

Lottery, gift enterprise, etc., circulars not mailable.
18 U. S. C. 336.

Punishment.

Place of trial.

thereon or in which it was caused to be delivered by mail to the person to whom it was addressed.

See secs. 604 and 1438 as to forbidding delivery of mail matter and payment of money orders to persons or concerns conducting lotteries or fraudulent enterprises; sec. 2354 as to penalty for importing, etc., lottery tickets; sec. 602 as to treatment of matter when mailability is in question.

Postmasters shall not give opinions, but refer matter to Solicitor.

602. The postmaster shall not give opinions to the public, and when in doubt as to the mailability of any matter under sections 598, 599, 600, 601, 603, 605, and 606, he shall withhold the same from dispatch or delivery and submit the question with sample of the matter to the Solicitor for the Post Office Department for instructions.

Firearms.

2. Where there is doubt as to the mailability of unloaded firearms under section 607 the parcel shall be withheld from dispatch or delivery and the question, with a complete statement of the facts, submitted to the Solicitor of the Post Office Department for instructions.

3. Where parcels containing firearms are found in the mails obviously in violation of section 607, the facts shall be reported to the inspector in charge of the division in which the office of mailing is located.

See sec. 587 as to the admission of matter liable to injure the person or damage the mails; sec. 701 as to breaking seal of letters or packages supposed to contain unmailable matter; sec. 725 as to treatment of lottery matter at mailing offices; sec. 756 at offices in transit; sec. 774 at offices of delivery; sec. 2232 as to lottery matter in foreign mails.

Green goods, fraudulent and fictitious matter. 39 U. S. C. 256. —nonmailable.

603. All matter the deposit of which in the mails is made punishable by sections 338 and 339 of Title 18 (sec. 2350) is hereby declared nonmailable; but nothing herein contained shall be so construed as to authorize any person other than an employee of the Dead Letter Office, duly authorized thereto, to open any letter not addressed to himself.

See sec. 701 as to breaking seal of letters or packages supposed to contain unmailable matter; sec. 725 as to treatment of fraudulent matter at mailing offices; sec. 756 at offices in transit; sec. 774 at offices of delivery; sec. 2232 as to fraudulent matter in foreign mails; sec. 2350 as to matter relating to schemes for obtaining money by false pretenses; secs. 604 and 1438 as to forbidding delivery of mail matter and payment of money orders to persons or concerns conducting fraudulent schemes; sec. 602 as to treatment of matter when mailability is in question.

Delivery of mail matter to person or concerns conducting lotteries or fraudulent enterprises, etc. 39 U. S. C. 259. —Postmaster General may forbid, when.

604. The Postmaster General may, upon evidence satisfactory to him that any person or company is engaged in conducting any 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 that any person or company is conducting any other scheme or device for obtaining money or property of any kind through the mails by means of false or fraudulent pretenses, representations, or promises, instruct postmasters at any post office at which registered letters or any other

letters or mail matter arrive directed to any such person or company, or to the agent or representative of any such person or company, whether such agent or representative is acting as an individual or as a firm, bank, corporation, or association of any kind, to return all such mail matter to the postmaster at the office at which it was originally mailed, with the word "Fraudulent" plainly written or stamped upon the outside thereof; and all such mail matter so returned to such postmasters shall be by them returned to the writers thereof, under such regulations as the Postmaster General may prescribe. Nothing contained in this section shall be so construed as to authorize any postmaster or other person to open any letter not addressed to himself. The public advertisement by such person or company so conducting such lottery, gift enterprise, scheme, or device, that remittances for the same may be made by mail to any other person, firm, bank, corporation, or association named therein shall be held to be prima facie evidence of the existence of said agency by all the parties named therein; but the Postmaster General shall not be precluded from ascertaining the existence of such agency in any other legal way satisfactory to himself.

Return of matter to senders.

Matter not to be opened.

Public advertisement evidence of agency.

2. This law shall be enforced at offices of delivery and then only upon the specific order of the Postmaster General. When mail is returned to senders under fraud orders, there shall be plainly written or stamped on the outside thereof the words: "FRAUDULENT: Mail to this address returned by order of Postmaster General."

Where and when to be enforced.

See sec. 1438 as to forbidding payment of money orders to persons or concerns conducting lotteries or fraudulent enterprises; sec. 1317 as to treatment of registered matter under "fraud order"; secs. 2204 and 1473 as to treatment of matter addressed to, and money orders payable in, foreign countries.

605. The Postmaster General may, upon evidence satisfactory to him, that any person is using any fictitious, false, or assumed name, title, or address in conducting, promoting, or carrying on or assisting therein, by means of the post-office establishment of the United States, any business scheme or device in violation of the provisions of sections 338 and 339 of Title 18 (secs. 603 and 2350), instruct any postmaster at any post office at which such letters, cards, or packets, addressed to such fictitious, false, or assumed name or address arrive to notify the party claiming or receiving such letters, cards, or packets

Fictitious matter.
39 U. S. C. 255.
Treatment of matter addressed to fictitious names, etc., for promotion of unlawful business.

to appear at the post office and be identified; and if the party so notified fails to appear and be identified, or if it shall satisfactorily appear that such letters, cards, or packets are addressed to a fictitious, false, or assumed name or address, such letters, postal cards, or packages shall be forwarded to the Dead Letter Office as fictitious matter.

—delivery of,
from post
office, when,
39 U. S. C. 257.

2. Whenever the Postmaster General is satisfied that letters or packets sent in the mails are addressed to places not the residence or business address of the persons for whom they are intended, to enable such persons to escape identification, he may direct postmasters to deliver such letters only from the post office upon identification of persons addressed.

See sec. 775 as to identification of persons claiming fictitious matter; sec. 602 as to treatment of matter, when mailability is in question.

Matter concern-
ing procure-
ment of
divorce in a
foreign
country.
18 U. S. C. 338c,
Supp. V.

606. Every written or printed card, circular, letter, book, pamphlet, advertisement, or notice of any kind, giving or offering to give information concerning where or how or through whom a divorce may be secured in a foreign country, and designed to solicit business in connection with the procurement thereof, is hereby declared to be nonmailable matter and shall not be conveyed in the mails or delivered from any post office or by any letter carrier. Whoever shall knowingly deposit, or cause to be deposited, for mailing or delivery, anything declared by this section to be nonmailable, or shall knowingly take or cause the same to be taken from the mails for the purpose of circulating or disposing thereof, shall be fined not more than \$5,000 or imprisoned for not more than five years, or both.

18 U. S. C. 338d,
Supp. V.

2. Nothing herein contained shall be construed to preclude criminal prosecution under the provisions of section 338 of this title, in any case in which the mails are used by any person in furtherance of any scheme or artifice to defraud, or for obtaining money or property by means of false or fraudulent pretenses, representations, or promises.

See section 2350 as to using the mails to promote frauds and section 597 (n) as to matter soliciting the procurement of divorces in foreign countries.

Mailing pistols,
revolvers, and
other firearms,
etc.
18 U. S. C. 361,
Supp. V.

607. Pistols, revolvers, and other firearms capable of being concealed on the person are hereby declared to be nonmailable and shall not be deposited in or carried by

the mails or delivered by any postmaster, letter carrier, or other person in the Postal Service: *Provided*, That such articles may be conveyed in the mails, under such regulations as the Postmaster General shall prescribe, for use in connection with their official duty, to officers of the Army, Navy, Coast Guard, Marine Corps, or Officers' Reserve Corps; to officers of the National Guard or Militia of the several States, Territories, and Districts; to officers of the United States or of the several States, Territories, and Districts whose official duty is to serve process of warrants of arrest or mittimus of commitment; to employees of the Postal Service; and to watchmen engaged in guarding the property of the United States, the several States, Territories, and Districts: *And provided further*, That such articles may be conveyed in the mails to manufacturers of firearms or bona fide dealers therein in customary trade shipments, including such articles for repairs or replacement of parts, from one to the other, under such regulations as the Postmaster General shall prescribe. Whoever shall knowingly deposit or cause to be deposited for mailing or delivery, or shall knowingly cause to be delivered by mail according to the direction thereon, or at any place to which it is directed to be delivered by the person to whom it is addressed, any pistol, revolver, or firearm, declared by this section to be nonmailable, shall be fined not exceeding \$1,000 or imprisoned not more than two years, or both.

2. Pistols, revolvers, and other firearms capable of being concealed on the person shall be treated as nonmailable matter unless the conditions hereinafter prescribed have been complied with by the sender and addressee of such articles.

Conditions of mailing.

3. All parcels containing unloaded firearms capable of being concealed on the person shall be plainly marked by the sender—

Parcels to be marked.

FIREARMS

For _____

(State excepted class)

Postmasters see section 607, P. L. and R.

the word "Firearms" to be in bold gothic (block) letters not less than 36 point (about one-half inch high and of corresponding width). The particular class of persons to which the addressee belongs authorized by the law to receive firearms through the mails shall be indicated by inserting on the blank line under "Firearms" words descriptive of his official position or business, such as "Army officer," "Manufacturer," "Bona fide dealer," etc., as the case may be.

Affidavit.

4. Except as provided in paragraph 10 hereof, parcels containing unloaded firearms properly prepared for mailing addressed for delivery to any officer of the Army, Navy, Coast Guard, Marine Corps or Officers' Reserve Corps, or to any officer of the National Guard or Militia of any State, Territory, or District of the United States may be accepted for mailing, provided there be filed with the postmaster at the time of mailing by the sender or his agent an affidavit of the addressee of such parcel, setting forth that he is such an officer and that the contents of the parcel are intended for his use in connection with his official duty, and provided further that such affidavit shall bear a certificate signed by his commanding officer stating that the firearm is for the use of the addressee in connection with his official duty.

Parcels for officers.

5. Except as provided in paragraph 10 hereof, parcels containing unloaded firearms properly prepared for mailing addressed for delivery to officers of the United States or of the several States, Territories, and Districts whose official duty is to serve process of warrants of arrest or mittimus of commitment may be accepted for mailing provided there be filed with the postmaster at the time of mailing by the sender or his agent an affidavit of the addressee of such parcel, setting forth that he is such an officer and that the contents of the parcel are intended for his use in connection with his official duty, and provided further that such affidavit shall bear a certificate stating that the firearm is intended for the use of the addressee in connection with his official duty. In the case of a Federal officer such certificate shall be signed by a judge of the Federal court for the judicial district in which the addressee's official services are rendered; and in the case of a State officer the certificate shall be signed by a judge of a court of record for the jurisdiction in which the addressee's official services are rendered.

—for watchmen.

6. Except as provided in paragraph 10 hereof, parcels containing unloaded firearms properly prepared for mailing, addressed for delivery to watchmen engaged in guarding the property of the United States, the several States, Territories, and Districts, may be accepted for mailing provided there be filed with the postmaster at the time of mailing by the sender or his agent an affidavit of the addressee of such parcel, setting forth that he is such a watchman and that its contents are intended for his use in connection with his official duty, and provided further that such affidavit shall bear a certificate signed by the chief clerk of the department, bureau, or independent branch of the Government of either the United States, the State, Territory, or District by which such watchman is employed, stating that the firearms are for the use of the addressee in connection with his official duty.

Affidavit and certificate to be filed.

7. The affidavit and certificate required by paragraphs 4, 5, and 6 shall be retained in the files of the mailing post office for a period of not less than three years.

Identification of addressee.

8. The postmaster at the office of delivery shall require the addressee of any parcel covered by paragraphs 4, 5, and 6 to call at the post office and establish his identity as such ad-

dressee to the satisfaction of the postmaster. The parcel may then be delivered. A receipt therefor shall be taken and retained in the files of the delivering post office for a period of not less than three years.

Receipt to be filed.

9. Parcels containing unloaded firearms properly prepared for mailing may be conveyed in the mails to manufacturers of firearms or bona fide dealers therein in customary trade shipments, including such articles for repairs or replacement of parts, from one to the other. At the time such parcels are presented for mailing there shall be filed with the postmaster a statement signed by the sender that he is a manufacturer of firearms or that he is a bona fide dealer therein and that the parcels are customary trade shipments or contain such articles for repairs or replacement of parts and that to the best of his knowledge and belief the addressees are manufacturers of firearms or bona fide dealers therein. If satisfied that the sender is a manufacturer of firearms or a bona fide dealer therein, the postmaster shall accept the parcel for mailing. Before making delivery of any such parcel the postmaster at the office of address shall satisfy himself that the addressee is a manufacturer of firearms or a bona fide dealer therein.

Manufacturer or dealer.

10. Parcels containing unloaded firearms properly prepared for mailing addressed for delivery to officers of the Army, Navy, Coast Guard, Marine Corps, or Officers' Reserve Corps; to officers of the National Guard or Militia of the several States, Territories, and Districts; to officers of the United States or of the several States, Territories, and Districts whose official duty is to serve process of warrants of arrest or mittimus of commitment; to employees of the Postal Service; and to watchmen engaged in guarding the property of the United States, the several States, Territory, and Districts for use in connection with their official duty, may be accepted for mailing when offered by an authorized agent of the Federal Government, provided that such parcels shall bear plainly written or printed the official title and address of the sender together with the words "Official shipment." The postmaster before making delivery of any such parcel shall satisfy himself as to the identity of the addressee.

Official shipment.

See sec. 602 for treatment of matter when mailability is in question.

CHAPTER 4

FREE MATTER IN THE MAILS

MATTER TO BE FRANKED

608. The Vice President of the United States, and Senators, Representatives, Delegates, and Resident Commissioners in Congress, the Secretary of the Senate, and

Congressional documents.
39 U. S. C. 326.

Clerk of the House of Representatives may send and receive through the mail all public documents printed by order of Congress; and the name of the Vice President, Senator, Representative, Delegate, Resident Commissioner, Secretary of the Senate, and Clerk of the House shall be written thereon (except as provided in sec. 162 of title 44, U. S. C.), 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 30th day of June following the expiration of their respective terms of office.

See secs. 543 and 544 as to free county publications of the second class; sec. 2203 as to free matter in foreign mails.

—may be sent and received by mail free, by whom, and when.

Cong. Record.
39 U. S. C. 325.

609. The Congressional Record, or any part thereof, or speeches or reports therein contained, shall, under the frank of a Member of Congress, or Delegate, or Resident Commissioner from Puerto Rico or the Philippines, written by himself except as provided in section 185 of Title 44), be carried in the mail free of postage, under such regulations as the Postmaster General may prescribe.

—carried free under frank of Member of Congress.

Seeds and agricultural reports.
39 U. S. C. 329.

2. Seeds transmitted by the Secretary 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.

—may be sent free by Secretary of Agriculture, Members of Congress, and Delegates.

Official correspondence by Members of Congress.
39 U. S. C. 327.

610. The Vice President, Members and Members-elect of, Delegates and Delegates-elect to Congress, and the Resident Commissioners from Puerto Rico and the Philippines, shall have the privilege of sending free through the mails, and under their frank, any mail matter to any Government official or to any person, correspondence, not exceeding four ounces in weight, upon official or departmental business (until the first day of December following the expiration of their respective terms of office).

Letters exceeding 4 ounces in weight to Government officials.

2. Letters which exceed 4 ounces in weight to be entitled to free transmission shall in every case be addressed, upon official business, to a Government official, whose title shall be given in the superscription of the letter, either with or without his name.

The term "any Government official" shall include only officers of the United States, Senators, Members, and Delegates in Congress.

3. When letters to other than Government officials, weighing over 4 ounces, are mailed without postage thereon, they shall be held for postage and treated in accordance with the provisions of section 723.

4. The name of the Senator, Representative, or Delegate, written or impressed, shall appear on the envelope of the letter, in connection with the initials of his office, and be preceded by the word "Free."

5. When any person is suspected of being guilty or known to be guilty of forging or misusing the frank of any Senator, Representative, or Delegate, the fact shall be promptly reported to the Third Assistant Postmaster General, Division of Classification. No letter bearing the frank of the Vice President, Member, Member-elect, Delegate, or Delegate-elect shall be detained on the mere suspicion that the frank is forged or misused.

NOTE.—This section does not affect secs. 608 and 609, relating to the franking of public documents, the Congressional Record, and seeds.

611. All mail matter sent by the post by Frances F. Cleveland (Preston), widow of the late Grover Cleveland, under her written autograph signature or facsimile thereof, and by Mary Lord Harrison, widow of the late Benjamin Harrison, under her written autograph signature or facsimile thereof, and by Edith Carow Roosevelt, widow of the late Theodore Roosevelt, under her written autograph signature or facsimile thereof, and by Edith Bolling Wilson, widow of the late Woodrow Wilson, under her written autograph signature or facsimile thereof, and by Helen H. Taft, widow of the late William Howard Taft, under her written autograph signature or facsimile thereof, and by Grace G. Coolidge, widow of the late Calvin Coolidge, under her written autograph signature or facsimile thereof, will be conveyed free of postage during the natural life of each, respectively.

612. No matter shall be admitted to the mails under an authorized frank unless admissible as ordinary mail matter.

2. To entitle matter to free carriage, it shall bear the word "Free" and the signature, either written or printed facsimile, of the person entitled to frank it, together with his official designation, if any, on the address side of the package.

3. All franked matter shall be forwarded like any other, but when once delivered to the addressee may not be remailed unless properly franked again. A bulk package of franked articles may be sent by a person entitled to the franking privilege, to one addressee, who, on receiving and opening the package, may, on behalf of such person, place addresses on the franked articles

Letters to persons not Government officials.

Name of person franking to appear on envelope.

Forgery or misuse of frank.

NOTE.

Special grants of franking privilege.
 Frances F. Cleveland.
 Mary Lord Harrison.
 1909, Feb. 1;
 35 Stat. 591.
 Edith Carow Roosevelt.
 1919, Oct. 27;
 41 Stat. 1449.
 Edith Bolling Wilson.
 1924, March 4;
 43 Stat. 1359.
 Helen H. Taft.
 1930, June 14;
 46 Stat. 1906.
 Grace G. Coolidge, 1934,
 June 16;
 48 Stat. 1395.
 1940, Apr. 30;
 Public, No. 495.

Use of franking privilege.
 What matter may be franked.
 Name and designation of person franking matter to be affixed.

Franked matter may be forwarded, but not remailed without re-franking.
 Bulk packages of franked matter.

and remail them for carriage and delivery to the respective addresses.

Note.

NOTE.—This section relates to matter entitled to free carriage under secs. 608 and 609; see sec. 2203 as to franked matter in foreign mails.

Prohibition against loan, etc., of frank.
39 U. S. C. 335.

613. It shall be unlawful for any person entitled under the law to the use of a frank to lend said frank or permit its use by any committee, organization, or association, or permit its use by any person for the benefit or use of any committee, organization, or association. This provision shall not apply to any committee composed of Members of Congress.

Pan American diplomatic representatives.
39 U. S. C. 336.

614. Under such regulations as the Postmaster General shall prescribe correspondence of the members of the Diplomatic Corps of the countries of the Pan American Postal Union stationed in the United States may be reciprocally transmitted in the domestic mails free of postage. * * * The same privilege shall be accorded consuls of such countries stationed in the United States, and vice consuls when they are discharging the functions of such consuls, for the exchange of official correspondence among themselves, and for that which they direct to the Government of the United States.

—correspondence which may be mailed free.

2. The matter that may be sent free of postage in the domestic mails under the provisions of this section shall embrace all correspondence of the members of the diplomatic corps of the Pan American countries and Spain; and it likewise shall embrace the official correspondence exchanged between the consulates of such of these countries as have put this provision into effect in their own countries, to that which they address to the Government of the United States (see current Official Postal Guide for list of these countries), and to that exchanged with their respective embassies and legations, whenever reciprocity exists. These provisions shall not apply to merchandise (fourth-class or parcel-post matter), or to articles other than written or printed correspondence within the usual meaning of that term. Such correspondence shall not exceed 4 pounds in weight. (See sec. 577.)

—indicia on envelopes, labels, etc.

3. The envelopes, labels, etc., covering correspondence of the Diplomatic Corps mailed under the provisions of this section, shall show in the upper left corner of the address side the name of the ambassador or the minister, or the name of the embassy or legation, as the case may be, together with the post-office address, while in the upper right corner of the address side shall appear the inscription "Diplomatic mail" over the word "Free."

4. The official correspondence of consulates mailed under the provisions of this section shall show over the words "Official correspondence" in the upper left corner of the address side the name and address of the consul or consulate, as the case may be, as well as the name of the country represented, while in the upper right corner of the address side shall appear the inscription "Consular mail" over the word "Free."

See sec. 1211 as to free registration.

OFFICIAL MATTER

615. It shall be lawful (for all officers of the United States Government) 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; official mail matter of all officers of the United States Government, not including Members of Congress; all official mail matter of the Smithsonian Institution; all official mail matter of the Pan American Union and the Pan American Sanitary Bureau; * * * the envelopes of such matter in all cases to bear appropriate indorsement containing the proper designation of the office from which, or officer from whom, the same is transmitted with the statement of the penalty for their misuse. 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 (or officer), the names of the department and bureau or office (or officer), as the case may be, whence transmitted (with a statement of the penalty for their misuse).

Official or penalty envelopes.
39 U. S. C. 321.
1940, June 29;
Public, No. 683.
—use of, who entitled to.

—indorsements on.

2. All official correspondence of the superintendent of documents * * * shall be entitled to free transmission by mail * * * (under the penalty clause).

39 U. S. C. 323.

3. Official correspondence concerning the (Congressional) directory may be had in penalty envelopes under the direction of the Joint Committee (on Printing).

44 U. S. C. 149.

4. The legislative counsel shall have the same privilege of free transmission of official mail matter as other officers of the United States Government.

2 U. S. C. 277.

5. Any department or office 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

—return may be used, when.
39 U. S. C. 321.

such official information, and indorsements relating thereto. (See sec. 619, par. 2.)

—not to be used by officers receiving allowances for postage.
39 U. S. C. 321.

6. (The privilege of using penalty envelopes) shall not extend or apply to officers who receive a fixed allowance as compensation for their services, including expenses of postages.

Fraudulent use of official envelopes.—penalty.
18 U. S. C. 357.

7. Whoever shall make use of any official envelope, label, or indorsement authorized by law, to avoid the payment of postage or registry fee on his private letter, packet, package, or other matter in the mail, shall be fined not more than three hundred dollars.

See sec. 764 as to delivery of part-paid matter to executive departments at Washington; sec. 2203 as to free matter in foreign mails; sec. 1211 as to registration of official matter.

Public documents.
44 U. S. C. 218.
—compliments not permissible on.

616. No report, document, or publication of any kind distributed by or from an executive department or bureau of the Government shall contain any notice that the same is sent with "the compliments" of an officer of the Government, or with any special notice that it is so sent, except that notice that it has been sent, with a request for an acknowledgment of its receipt, may be given.

Census mail matter.
13 U. S. C. 214.

617. All mail matter, of whatever class or weight, relating to the census and addressed to the Census Office, or to any official thereof, and indorsed "Official business, Census Office," shall be transmitted free of postage, * * * and so marked: *Provided*, That if any person shall make use of such indorsement to avoid the payment of postage * * * on his or her private letter, package, or other matter in the mail, the person so offending shall be guilty of a misdemeanor and subject to a fine of \$300, to be prosecuted in any court of competent jurisdiction.

—transmitted free.
Penalty for use of indorsement for evasion of postage.

Immigration and Naturalization Service.
39 U. S. C. 324.
Reorganization Plan No. V.
1940, June 14.

2. All mail matter, of whatever class, relating to naturalization, including duplicate papers required by law or regulation to be sent to the Immigration and Naturalization Service by clerks of State or Federal courts, addressed to the Department of Justice, or the Immigration and Naturalization Service, or to any official thereof, and indorsed "Official Business," shall be transmitted free of postage * * * and so marked: *Provided*, That if any person shall make use of such indorsement to avoid the payment of postage * * * on his or her private letter, package, or other matter in the mail, the person so offending shall be guilty of a misdemeanor and subject

to a fine of \$300, to be prosecuted in any court of competent jurisdiction.

618. No article or package exceeding 4 pounds in weight shall be admitted to the mails under the penalty privilege except postage stamps, stamped envelopes, newspaper wrappers, postal cards, internal-revenue stamps, single books weighing in excess of that amount, and books and documents published or circulated by order of Congress, or printed or written official matter emanating from any of the departments of the Government, or from the Smithsonian Institution.

See sec. 578 as to official matter to be mailed free only at Washington, D. C.

2. Official matter exceeding 4 pounds in weight which is not embraced within these exceptions shall not be accepted for mailing free of postage under a penalty envelope or label, but, if it does not exceed the limit of weight prescribed by section 569, shall be accepted at the rates of postage prescribed for fourth-class matter, regardless of its character or kind, including written official matter, whether sealed or unsealed.

Penalty
privilege.
39 U. S. C. 334.
Limitations.

—exceptions.

3. No article, package, or other matter, except postage stamps, stamped envelopes, newspaper wrappers, postal cards, and internal-revenue stamps, shall be admitted to the mails under a penalty privilege, unless such article, package, or other matter, except postage stamps, stamped envelopes, newspaper wrappers, postal cards, and internal-revenue stamps would be entitled to admission to the mails under laws requiring payment of postage.

—matter ad-
mitted re-
stricted.
39 U. S. C. 333.

4. On and after July 1, 1939, no executive department or independent establishment of the Government shall transmit through the mail, free of postage, any book, report, periodical, bulletin, pamphlet, list, or other article or document (except official letter correspondence, including such enclosures as are reasonably related to the subject matter of the correspondence; informational releases in connection with the decennial census of the United States, mail concerning the sale of Government securities, and all forms and blanks and copies of statutes, rules, regulations, and instructions and administrative orders and interpretations necessary in the administration of such departments and establishments), unless a request therefor has been previously received by such department or independent establishment; or such transmission is required by law; or such document is trans-

Mailing under
penalty
privilege.
39 U. S. C.
321b.
Supp. V.

mitted to inform the recipient thereof of the adoption, amendment, or interpretation of a statute, rule, regulation, or order to which he is subject. For each quarter, beginning with the quarter commencing July 1, 1939, the head of each independent establishment and executive department (other than the Post Office Department) shall submit to the Postmaster General, within thirty days after the close of the quarter, a statement of the weight of the mail matter by classes of mail that the independent establishment or department has transmitted free of postage during such quarter, and he shall also certify to the Postmaster General at the end of each such quarter that nothing was transmitted through the mail free of postage by the independent establishment or department in violation of the provisions of this section: *Provided*, That nothing herein shall be construed to prohibit the mailing free of postage of lists of agricultural bulletins, lists of public documents which are offered for sale by the Superintendent of Documents, or of announcements of publications of maps, atlases, statistical, and other reports offered for sale by the Federal Power Commission as authorized by section 825k of Title 16: *Provided further*, That this prohibition shall not apply to the transmission of such books, reports, periodicals, bulletins, pamphlets, lists, articles, or documents to educational institutions or public libraries, or to Federal, State, or other public authorities.

Quarterly reports.

5. The quarterly reports and certificates required by paragraph 4 of this section shall, for the purpose of uniformity, be submitted in such form as the Postmaster General may prescribe and shall cover all matter mailed free of postage at Washington, D. C., by the executive departments and independent establishments of the Government and also all matter so mailed by their branches and officials at other post offices.

Use of penalty envelopes and labels.
—restrictions.

619. Correspondence of persons not officers writing to the executive departments or to officers of the United States concerning the business of the writers with the Government shall not be accepted for mailing free in penalty envelopes. Officers authorized to use such envelopes shall not furnish them for use to bidders, or to contractors with the Government, or to enable private persons or concerns to send free reports, etc., which they are required by law to make.

Return penalty envelopes, etc., to be addressed before sending out.

2. Officers desiring official information from or through persons not officers may furnish penalty envelopes or labels 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 or labels bearing printed return address may be furnished in quantities for the transmission of such information.

3. The right of an officer of the United States to use the penalty envelope shall cease immediately upon his going out of office; and he shall not be permitted 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 officer of the Government.

Officer not entitled to use of penalty envelope after resignation, except.

4. Postmasters shall not stop census matter or any mail matter in an official penalty envelope or under a penalty label upon the mere suspicion that the penalty envelope, label, 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 or labels in violation of law, they shall promptly report the matter to the Third Assistant Postmaster General, Division of Classification.

Matter in official envelope, etc., not to be stopped on suspicion.

See sec. 2203 as to free matter in foreign mails.

REPORTS AND BULLETINS OF AGRICULTURAL COLLEGES AND EXPERIMENT STATIONS

620. An annual report by the president of each of said (Government aided) colleges shall be made to the Secretary of Agriculture, as well as to the Secretary of the Interior, regarding the condition and progress of each college, including statistical information * * *, one copy of which shall be transmitted by mail free to all other colleges further endowed under sections 322 to 328, inclusive, of this chapter (relating to Agricultural and Mechanical Colleges).

Reports of certain agricultural colleges, etc.
7 U. S. C. 325.

—free when transmitted to other such colleges, etc.

2. Postmasters at offices where colleges are established under the provisions of the act of July 2, 1862 (7 U. S. C., ch. 13), shall receive from the officers thereof the reports referred to addressed, one copy each, to other such colleges and to the Secretary of the Interior and the Secretary of Agriculture, and affix to each a penalty label or official envelope of the post office, and forward them free.

—how mailed.

621. All correspondence, bulletins, and reports for the furtherance of the purposes of sections 341 to 348 of Title 7 (Agriculture), may be transmitted in the mails of the United States free of charge for postage, under such regulations as the Postmaster General, from time to time, may prescribe, by such college officer or other person connected with the extension department of such

Agricultural extension work.
39 U. S. C. 330.

college as the Secretary of Agriculture may designate to the Postmaster General.

7 U. S. C. 341
and 342.

2. * * * there may be inaugurated in connection with the college or colleges in each State receiving the benefits of the foregoing provisions of this chapter, agricultural extension work which shall be carried on in cooperation with the United States Department of Agriculture. * * * Cooperative agricultural extension work shall consist of the giving of instruction and practical demonstrations in agriculture and home economics to persons not attending or resident in said colleges in the several communities, and imparting to such persons information on said subjects through field demonstrations, publications, and otherwise * * *.

Correspondence, bulletins, and reports. —when to be accepted by postmaster.

3. Upon designation to the Postmaster General by the Secretary of Agriculture of a college officer or other person connected with the extension department of a State agricultural college receiving the benefits of the act of July 2, 1862 (7 U. S. C., ch. 13), and the acts supplementary thereto, by whom the correspondence, bulletins, and reports mentioned in paragraph 1 of this section are to be transmitted, the Third Assistant Postmaster General, Division of Classification, shall authorize the postmaster at the post office where the extension department of such college is located to accept from the officer or person so designated such correspondence, bulletins, and reports for free transmission in the mails.

—indicia on wrapper or envelope to be used.

4. In the upper left corner of the envelope or wrapper containing such correspondence, bulletins, or reports shall be printed over the words "Free—Cooperative Agricultural Extension Work—Acts of May 8 and June 30, 1914," the name of the agricultural college and the name of the post office at which the matter is to be accepted free, followed by the name and title of the college officer or person designated to transmit such matter, and in the upper right corner the words "Penalty for private use to avoid payment of postage, \$300." The designated college officer or person shall not furnish such envelopes for use as return envelopes by individuals or concerns from whom replies are requested.

—restrictions.

5. Only such correspondence, bulletins, and reports as are for the furtherance of the purposes of the act of May 8, 1914, set forth in paragraph 2 of this section, and are mailed at the authorized post office by the college officer or other person duly designated may be transmitted free under the provisions of this section. All such correspondence, etc., to be entitled to free transmission, shall be conducted under the name of such designated college officer or person. Correspondence with autograph signature may be mailed sealed, but all other matter shall be presented unsealed.

6. When in doubt as to whether any particular matter presented for mailing under the provisions of this section is entitled to be transmitted free, the postmaster shall submit a sample to the Third Assistant Postmaster General, Division of Classification, and pending decision may dispatch the matter if the sender makes a deposit to cover the postage at the proper rate. The deposit shall be refunded if the matter is held to be entitled to free transmission.

—questions as to mailability to be submitted to Third Assistant.

622. Bulletins or reports of progress * * * published at agricultural experiment stations (established under the provisions of the act of March 2, 1887, in connection with colleges endowed under provisions of the act of July 2, 1862), 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 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.

Bulletins and reports of certain agricultural experiment stations.
7 U. S. C. 365.

—may be sent free.

2. An agricultural experiment station which claims the privilege of transmitting free through the mails, under the provisions of this section, bulletins, reports of progress, or annual reports, shall make application to the Third Assistant Postmaster General, Division of Classification, through the postmaster at the office where such station is located, stating the date of the establishment of the 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 acts of Congress referred to in this section, 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 where such station is located and the name of the post office where the bulletins and reports will be mailed. The application shall be signed by the officer in charge of the station.

—application for authority to transmit in the mails.

3. If such privilege is allowed, the postmaster shall be instructed to admit such bulletins and reports to the mails free of postage.

Admission of bulletins and reports.

4. Only bulletins or reports issued after an experiment station has become entitled to the privileges of this section may be transmitted free; and they may be inclosed in envelopes or wrappers, sealed or unsealed. On the exterior of every envelope, wrapper, or package and over the words "Free—Annual Report, or Bulletin or Report of Progress," shall be printed the name of the station and the name of the post office at which the matter

—restrictions.

Manner of wrapping, addressing, and mailing.

is to be accepted free, followed by the name and title of the officer in charge of the station, and in the upper right corner the words "Penalty for private use to avoid payment of postage, \$300." The designation of the bulletin or report inclosed may be shown in lieu of the words "Annual Report, or Bulletin or Report of Progress" following the word "Free." There may also be written or printed upon the envelope or wrapper a request that the postmaster at the office of delivery notify the mailing station of the change of address of the addressee, or other reason for inability to deliver the same, and upon a bulk package a request to the postmaster to open and distribute the matter therein, in accordance with the addresses thereon.

Bulletins of Department of Agriculture mailed with station bulletins.

5. Bulletins published by the United States Department of Agriculture, and entitled to be mailed free under the penalty envelope of that department, may also be adopted and mailed by agricultural experiment stations, with such of their own publications as are entitled to free transmission in the mails, under the same regulations; and any bulletins or reports mailable free by any agricultural experiment station under these regulations may be so mailed by any other station entitled to such privilege.

Station reports printed by State authority and containing extraneous matter, etc.

6. If annual reports of an agricultural experiment station are printed by State authority, and consist in part of matter relating to the land-grant college to which such station is attached, then said report entire may be mailed free by the director of the station, provided, in his judgment, the whole consists of useful information of an agricultural character. But the reports of State agricultural departments or boards may not be adopted by agricultural experiment stations in order to secure free circulation of such State reports.

Bulletins and reports.—to whom may be sent.

7. The bulletins and reports of progress issued by agricultural experiment stations may be sent free only to the newspapers and persons stated in this section. The annual reports may be sent free to any address.

See sec. 2203 as to sending annual reports to certain foreign countries.

PUBLICATIONS FOR COPYRIGHT

Copyright of works of an author, photographic print, etc.
17 U. S. C. 11.

623. Copyright may * * * be had of the works of an author, of which copies are not reproduced for sale, by the deposit, with claim of copyright, of one complete copy of such work if it be a lecture or similar production or a dramatic, musical, or dramatico-musical composition; of a title and description, with one print taken from each scene or act, if the work be a motion-picture photoplay; of a photographic print if the work be a photograph; * * * or of a photograph or other identifying reproduction thereof, if it be a work of art or a plastic work or drawing.

2. After copyright has been secured by publication of the work with the notice of copyright as provided in section nine of this title, there shall be * * * deposited in the Copyright Office or in the mail addressed to the Register of Copyrights, Washington, District of Columbia, two complete copies of the best edition thereof then published, * * * which copies * * *, if the work be a book or periodical, shall have been produced in accordance with the manufacturing provisions specified in section fifteen (see note) of this title; or if such work be a contribution to a periodical, for which contribution special registration is requested, one copy of the issue or issues containing such contribution; or if the work is not reproduced in copies for sale there shall be deposited the copy, print, photograph, or other identifying reproduction provided by section eleven of this title, such copies or copy, print, photograph, or other reproduction to be accompanied in each case by a claim of copyright.

Copies to be sent Copyright Office.
17 U. S. C. 12.

NOTE.—Sec. 15 of Title 17, U. S. Code, prescribes that books and periodicals entitled to copyright, except works in raised characters for the use of the blind or books of foreign origin in a language or languages other than English, shall be produced within the limits of the United States in respect of the following features:

- (a) Setting of type.
- (b) Preparation of plates, including setting of type therefor.
- (c) Printing of text and illustrations, except where subjects represented are located in a foreign country and illustrate a scientific work or produce a work of art.
- (d) Binding.

Note.

Copies shall be produced in United States.

3. In the case of the book the copies so deposited shall be accompanied by an affidavit under the official seal of any officer authorized to administer oaths within the United States, duly made by the person claiming copyright or by his duly authorized agent or representative residing in the United States, or by the printer who has printed the book, * * *.

Affidavit to accompany.
17 U. S. C. 16.

NOTE.—The "affidavit" above referred to should set forth that the text of the book deposited has been printed from type set or plates made in the United States, or produced by lithographic or photo-engraving process wholly performed therein; that the printing and binding were done therein; and also gives the names of the places (establishments) where the printing and binding were performed, and the date of completion or publication of the book.

Note.
What affidavit shall show.

4. The postmaster to whom are delivered the articles deposited as provided in sections eleven and twelve of this title shall, if requested, give a receipt therefor and shall mail them to their destination without cost to the copyright claimant.

Postmaster to give receipt.
17 U. S. C. 14.

Dispatch under penalty label.

5. A postmaster to whom are delivered with a claim for registration of copyright copies of a lecture or similar production, a dramatic or musical composition, a photographic print of a photograph, a photograph or other identifying reproduction of a work of art or a plastic work or drawing, a book (accompanied with the affidavit prescribed by par. 3), or a periodical publication, shall dispatch the same under a penalty envelope or label of his office to the Register of Copyrights, Washington, D. C.; and, when requested, shall give a receipt therefor on a form furnished by the sender.

Fee for copyright may accompany matter, when.

6. When persons presenting copyright matter for transmission free of postage to the Register of Copyrights, Washington, D. C., desire to have such matter and the fee for copyright registration mailed together, this may be done, provided the remittance for such fee is inclosed in an envelope addressed to the Register of Copyrights, Washington, D. C., and postage is prepaid thereon at the letter rate, in which case the postmaster, after properly canceling the stamps affixed to the envelope containing such fee, shall inclose it in the penalty envelope in which the copyright matter is transmitted to the Register of Copyrights, or it may be inclosed in a penalty envelope attached as a label to the parcel containing the copyright matter.

Registry fee.

7. Matter for copyright shall not be dispatched by registered mail without the prepayment of the registry fee. When so dispatched, the sender is entitled to the usual registry receipt in addition to the receipt provided for in paragraph 5 of this section.

Note.

NOTE.—No indemnity is payable for such mail unless both postage and registry fee are paid. (See sec. 1382, par. 6 (a).)

READING MATTER FOR THE BLIND

Books, pamphlets, etc., for the blind. 39 U. S. C. 331. Supp. V.

624. (a) Books, pamphlets, and other reading matter published either in raised characters, whether prepared by hand or printed or in the form of sound-reproduction records for the use of the blind, in packages not exceeding the weight prescribed by the Postmaster General, and containing no advertising or other matter whatever, unsealed, and when sent by public institutions for the blind, or by any public libraries, as a loan to blind readers, or when returned by the latter to such institutions or public libraries * * * shall be transmitted in the United States mails free of postage and under such regulations as the Postmaster General may prescribe.

—requirements to be entitled to transmission.

(b) The weight of parcels acceptable free of postage under the preceding paragraph shall not exceed 15 pounds.

Note.

NOTE.—The provisions of law embodied in section 566, paragraph 6, section 624, and paragraph 1, section 625, were reenacted by the act of May 16, 1938.

2. Reading matter in raised characters, or in the form of sound-reproduction records for the use of the blind, to be entitled to transmission in the mails free of postage, shall not contain any advertising matter, and shall in every case be sent by or returned to a public library or public institution for the blind.

—shall not contain advertising or other matter.
—shall be sent by or returned to public library or institution for blind.

3. When mailed by a public library or public institution for the blind, the matter shall be sent as a loan to a blind reader. Such matter may be mailed for return to a public library or public institution for the blind only by a blind reader.

—shall be sent as a loan and returned by blind reader.

4. The matter shall be wrapped so that it may be easily examined.

—how wrapped.

5. On the upper-left corner of the envelop or wrapper containing the matter the name and address of the sender shall appear, and on the upper-right corner the word "Free" over the words "Reading Matter for the Blind," or "Sound-Reproduction Records for the Blind."

—superscription.

NOTE.—Letters written in point print or raised characters or on sound-reproduction records used by the blind are not included in the reading matter entitled, under the provisions of this section, to free transmission in the mails. (See sec. 566.)

Note.

6. * * * Magazines, periodicals, and other regularly issued publications in such raised characters, whether prepared by hand or printed, or on sound-reproduction records (for the use of the blind), which contain no advertisements and for which no subscription fee is charged, shall be transmitted in the United States mails free of postage and under such regulations as the Postmaster General may prescribe.

Publications for the blind.
39 U. S. C. 331.
Supp. V.

7. Before a publication may be mailed free of postage, under the provisions of the above paragraph, it shall be formally entered as free matter at the post office at which the publisher desires to mail it. To obtain such entry the publisher shall file with the local postmaster a written application therefor, accompanied with a copy of the publication. The application shall show: (a) The name of the publication; (b) the periods of its issue; (c) whether it contains advertisements; (d) whether a subscription fee is charged. Upon receipt of such application the postmaster shall forward it, together with a copy of the publication, to the Third Assistant Postmaster General, Division of Classification. Pending consideration of the application by the department, the postmaster shall accept the publication for mailing under a deposit of money to cover the postage at the rate which otherwise would be chargeable. If the publication be admitted as free matter, the deposit shall be returned to the publisher; otherwise it shall be converted into ordinary postage stamps and sent to the Third Assistant Postmaster General in the manner prescribed by section 530.

—when may be mailed free by publishers.

—mailed free by publishers.

Application for privilege.

Conditional acceptance under deposits to cover postage.

8. On the first page of a publication formally entered as free matter shall be printed, in ordinary type, the following: (a)

Indicia on publications.

Name of publication; (b) place where published; (c) date of issue; (d) frequency of issue; (e) the words "Entered----- at the post office at ----- as free matter, under the act of August 24, 1912." In the case of a publication on sound-reproduction records, such indicia may be printed on labels and affixed to the records.

Volumes of Holy Scriptures for the blind. 39 U. S. C. 331. Supp. V.

625. * * * Volumes of the Holy Scriptures, or any part thereof, published either in raised characters, whether prepared by hand or printed, or in the form of sound-reproduction records for the use of the blind, which do not contain advertisements (a) when furnished by an organization, institution, or association not conducted for private profit, to a blind person without charge, shall be transmitted in the United States mails free of postage; (b) when furnished by an organization, institution, or association not conducted for private profit to a blind person at a price not greater than the cost price thereof, shall be transmitted in the United States mails at the postage rate of 1 cent for each pound or fraction thereof; under such regulations as the Postmaster General may prescribe.

—mailable free.

—mailable at 1 cent a pound.

—application for privilege.

2. When any organization, institution, or association not conducted for private profit desires to mail volumes of the Holy Scriptures (the Bible), or any part thereof, to blind persons under the conditions mentioned in this section, a written application for such privilege accompanied with satisfactory evidence that the organization, institution, or association is not conducted for private profit and that the volumes when mailed free of postage will be sent without charge to a blind person or when mailed at the rate of postage of 1 cent for each pound or fraction of a pound will be furnished to a blind person at a price not exceeding the cost of the volumes, shall be submitted through the postmaster at the office where it is desired to mail the matter, to the Third Assistant Postmaster General, Division of Classification.

—how wrapped and indorsed.

3. Volumes of the Holy Scriptures or parts thereof to be mailed free of postage or at the postage rate of 1 cent a pound to a blind person by an organization, institution, or association under the provisions of this section shall be properly wrapped in such manner that the matter can be easily examined, and shall bear in the upper left corner of the address side of the envelope, wrapper, or address label, the name and address of the sender over the words "Holy Scriptures for the Blind, act of June 7, 1924; sec. 625, Postal Laws and Regulations," and in the upper right corner the word "Free," when the volumes are furnished without charge. If the volumes are being furnished to a blind person at a price not exceeding the cost there-

of, stamps to cover postage at the rate of 1 cent for each pound or fraction of a pound shall be affixed to the upper right corner of the address side of the envelope, wrapper, or address label.

4. Postmasters shall not accept any matter for mailing free or at the rate of 1 cent a pound under the provisions of this section until authorized so to do by the Third Assistant Postmaster General, Division of Classification.

—not to be accepted until authorized.

626. Magazines, periodicals, and other regularly issued publications in raised characters, whether prepared by hand or printed, or on sound-reproduction records (for the use of the blind), which contain no advertisements, when furnished by an organization, institution, or association not conducted for private profit, to a blind person, at a price not greater than the cost price thereof, shall be transmitted in the United States mails at the postage rate of 1 cent for each pound or fraction thereof, under such regulations as the Postmaster General may prescribe.

Publications for the blind.
39 U. S. C.
293c.
Supp. V.

2. Any organization, institution, or association desiring to mail a publication to blind persons at the rate of 1 cent a pound under the conditions mentioned in this section shall submit, through the postmaster at the office where it is desired to mail the matter, to the Third Assistant Postmaster General, Division of Classification, a written application for such privilege accompanied with satisfactory evidence that the organization, institution, or association is not conducted for private profit and that the copies of the publication will be furnished to a blind person at a price not exceeding the cost price thereof.

Application.

3. Matter to be mailed under the provisions of this section shall be properly wrapped in such manner that it can be easily examined and shall bear the words "Periodicals for the blind, act of April 15, 1937," below the name and address of the sender which must appear in the upper left corner of the address side of the envelope, wrapper, or address label, the postage stamps to cover postage at the rate of 1 cent for each pound or fraction of a pound to be placed in the upper right corner.

Preparation for mailing.

627. Reproducers for sound-reproduction records for the blind or parts thereof which are the property of the United States Government, when shipped for repair purposes by an organization, institution, public library, or association for the blind not conducted for private profit, or by a blind person to an agency not conducted for private profit, or from such an agency to an organization, institution, public library, or association for the blind not conducted for private profit, or to a blind per-

Reproducers for Sound-reproduction records for the blind.
39 U. S. C. 331.
Supp. V.

son, may be transmitted through the mails at the rate of 1 cent per pound or fraction thereof; under such regulations as the Postmaster General may prescribe.

2. The Postmaster General may in his discretion extend this rate of 1 cent per pound or fraction thereof to reproducers for sound-reproduction records for the blind, or parts thereof, which are the property of State governments or subdivisions thereof, or of public libraries, or of private agencies for the blind not conducted for private profit, or of blind individuals, under such regulations as he may prescribe.

Evidence to
be furnished.

3. Organizations, institutions, libraries, or other agencies desiring to send or receive reproducers for sound-reproduction records or parts thereof at the rate prescribed in paragraph 1 of this section shall furnish satisfactory evidence that they are not conducted for private profit.

For repairs.

4. Parcels, not exceeding the limit of weight prescribed for fourth-class matter, containing reproducers or parts thereof to be acceptable for mailing under this section must be sent for repair purposes only or returned after repair, shall be securely packed or wrapped, and shall bear the words:

Sound Record Reproducer for the Blind
For Repair
Act of May 16, 1938

below the name and address of the sender which must appear in the upper left corner of the address side of the envelope, wrapper, or address label, the postage stamps to cover postage at the rate of 1 cent for each pound or fraction of a pound to be placed in the upper right corner.

TITLE FIVE

TREATMENT OF MAIL MATTER IN POST OFFICES: LOSS OR IMPROPER TREATMENT: UNDELIVERABLE MAIL MATTER

CHAPTER 1

THE PRIVACY AND SAFEGUARDING OF THE MAILS

701. No person in the postal service, except those employed for that purpose in the Division of Dead Letters, or a branch thereof, shall break, or permit to be broken, the seal of any letter or other matter while in the custody of the Postal Service. Neither postmasters, inspectors, employees of the Post Office Department, nor officers of the law, without legal warrant therefor, have authority to open under any pretext a sealed letter while in the mails, not even though it may contain improper or criminal matter, or furnish evidence for the conviction of offenders. (See sec. 603.)

Privacy of matter under seal.

Sealed matter not to be opened, except on warrant.

See sec. 2230 as to articles supposed liable to customs duty.

2. The seal of letters or packages suspected to contain unmailable matter shall not be broken to ascertain that fact.

Sealed letters, etc., not to be opened.

3. Postal cards, post cards, and circulars unsealed and all other unsealed matter may, when suspected to contain unmailable matter, be examined for the purpose of ascertaining their character.

Unsealed matter may be examined when suspected to contain unmailable matter.

4. No person employed in the Postal Service shall place or carry in his pockets or other part of his clothing any mail which is in the custody of the Postal Service.

Employees forbidden to place mail in clothing.

See sec. 2345 as to penalty for improperly detaining, opening, or destroying letters; sec. 2347 as to penalty for intercepting or secreting letter; secs. 598 to 605 as to obscene, scurrilous, lottery, and fraudulent matter. See current Official Postal Guide for instructions in connection with mail matter for the Philippine Islands and transmitted by rural free delivery. See sec. 581, par. 6 (b) as to sealed packages of merchandise mailed as third- and fourth-class matter.

702. Postmasters and others in the postal service shall not give to unauthorized persons information concerning mail matter. They shall furnish such information to post-office inspectors and may furnish it also to the sender, the addressee, or the authorized representative of either, when satisfactory identification had been established and the request is limited to information proper for the applicant to receive. Postmasters may give to officers of the law, upon proper identification, to aid in the apprehension of fugitives from justice, information regarding the addresses, return cards, or postmarks on mail matter, but

Information not to be given.

—except to officer of law, etc.

shall not withhold such mail from the addressees or *delay its delivery*. If the information so given to such officers relates to a violation of the postal laws, the postmaster shall report his action immediately to the inspector in charge of the division in which his office is located.

See sec. 489, prohibiting the disclosure of names of box-holders; sec. 1404, of information concerning money orders; sec. 1624, of information relative to Postal Savings accounts; and sec. 2061, of information regarding mail passing through hands of railway postal clerks. See sec. 703, which prohibits access to mail matter in post offices by any persons except employees of the Postal Service; also sec. 2303, which requires information concerning postal law violations to be reported to the inspector in charge.

Letters of inquiry to be acknowledged.

2. Postmasters shall acknowledge the receipt of letters of inquiry or request addressed to them in their official capacity, using the penalty envelope when postage is not furnished, and if the information requested is such that it would be improper or impracticable to give, the reason for declining to do so shall be stated.

See sec. 1218, relative to furnishing receipts showing to whom, when, and where registered matter is delivered; sec. 442, as to prohibiting giving indorsements or testimonials.

Number of rural routes and boxes served.

3. Postmasters shall furnish, upon request, information as to the number of rural routes at their offices and the number of boxes served by each carrier; and, at offices not having city carrier service, the number of post-office boxes in use at their offices, after satisfying themselves that such information is not to be used for any improper or unlawful purpose. (See sec. 585; also sec. 988 as to rural carriers.)

Lists of names.

4. Postmasters and others in the postal service shall not furnish lists of names of patrons receiving mail at their offices, and, except as provided in paragraph 8 of this section and in accordance with the provisions of section 1218, shall not give information as to the post-office addresses of former patrons.

—correction of official lists.

5. Postmasters shall not compile but shall correct, free of charge, as frequently as requested, mailing lists used officially by Members of Congress and Federal departments and bureaus.

—other mailing lists.

6. Mailing lists submitted by State departments, municipalities, religious, fraternal, and recognized charitable organizations, and mailing lists used by the concerns submitting them for correction for the solicitation of business by mail in connection with sales work, shall be corrected as frequently as requested at the expense of the owners, including return postage.

—charge for correction.

7. Except as provided in paragraph 5, a minimum charge of 25 cents, payable in advance by cash or money order, shall be made at all first and second-class offices and third-class offices having city or village delivery service, for the correction of any mailing list bearing less than 25 names, and for any list of 25 names or more a charge of 1 cent for each name submitted (likewise payable in advance) shall be made, plus the postage for the return of such list. At third- and fourth-class offices not having city or village delivery service, postmasters shall correct free-of-charge mailing lists containing less than 25 names, and for those

lists containing 25 names or more, a charge of 1 cent a name may be made. Furthermore, all lists submitted, whether for correction of address or elimination of duplicates, are to be considered mailing lists. At first- and second-class offices the amount received for mailing-list corrections shall be accounted for in the quarterly reports to the Comptroller under the heading "Miscellaneous receipts." At third- and fourth-class offices, postmasters shall make no accounting of moneys so received, the proceeds received being payable to the employee performing the work.

8. Corrections shall consist of crossing off the names of persons to whom mail cannot be delivered or forwarded, the correction of incorrect street names, the correction of incorrect local street, rural, or post-office box numbers; the correction of initials where apparently there has been a bona fide intention to write a name known to the owner of the list, and the indication of the head of the family, if known, when two or more names are shown for the same address. These lists are to be submitted by mail only and are not to be accepted by postmasters in any other manner except in cases of local firms having large mailing lists for correction. When a list of names is submitted in card form, and two or more names are shown for the same address, the card showing the name of the head of the family shall be endorsed "Head." If more than one family resides at the same address, the head of each family shall be shown by endorsing the cards involved "Head 1," and "Head 2," and the cards containing the names of members of each family shall be endorsed "1" and "2," respectively. The same general procedure shall be followed when mailing lists are submitted in sheet form. The new addresses of persons who have removed to the delivery of other post offices shall be furnished when reliable permanent forwarding orders are on file. New names shall not be added to a list.

—allowable corrections.

9. A postmaster or other postal employee summoned as a witness shall obey the summons and go into court, but shall refuse to testify in regard to mail matter, money orders, or postal savings accounts, at the same time exhibiting this regulation. He shall then testify if so directed by the court.

Testimony by order of court.

10. Copies of papers in the files of the department or records in post offices, or copies thereof, shall not be furnished on the application of individuals, except in the discretion of the department in cases where a suit has been commenced and is pending involving the substance of the paper, document, or record itself, and then only upon the proper subpoena duces tecum issued by a court of record. In no case shall copies be furnished of the official bonds of officers connected with the service, except in case of suits relating to said bonds, or the execution thereof, or criminal prosecutions thereunder.

—copies or records not to be furnished.
—except.

See sec. 1371 as to registered matter.

11. Where, in a pending suit, a commission has been issued for the taking of his deposition, a postmaster may on behalf of either the sender or of the addressee of mail delivered through his office,

but not on behalf of third parties, give testimony in answer to interrogatories relating to the delivery and receipting for such mail.

Access to mails forbidden.

703. Postmasters shall not permit to have access to any mail matter in the post office any persons except duly sworn assistants, clerks, letter carriers, post-office inspectors, and those mail contractors and carriers who, under the terms of the contract, are required to perform duties necessitating their personal presence in the post office.

—unauthorized persons to be excluded.

2. Mails shall not be made up or handled within reach of unauthorized persons, and such persons shall be excluded from the room appropriated to the use of the post office while the mails are being opened or made up.

See sec. 1895 as to care of mail locks and keys.

—former postmasters.

3. A former postmaster shall not be permitted to have access to or handle mail unless he takes the oath of office anew.

See sec. 993 as to rural carriers; sec. 1098 as to special-delivery messengers.

Credentials of post-office inspectors to be required.

4. Postmasters shall require post-office inspectors to exhibit their commissions before being admitted to the post office, in order to avoid imposture, unless such officers are personally known to them. (See sec. 29.)

Waste paper to be examined.
—safeguard against loss of mail matter.

704. The postmaster shall cause the waste paper accumulating in his office to be examined as it is collected and before it is disposed of, in order to prevent the loss of letters or other mail matter or of money, stamp stock, or other valuables.

See sec. 101 and Official Postal Guide as to waste paper and disposal thereof.

Matter unsealed or in bad order.
—to be officially sealed.

705. Mail matter of the first class deposited in or received at any post office unsealed or in a mutilated or otherwise bad condition shall be stamped or marked with the words "Received unsealed" or "Received in bad condition," as the case may be, and shall be officially sealed and postmarked before being forwarded or delivered.

—tags to be attached, etc.

2. When a parcel in bad order is received in a post office or by a railway postal clerk, there shall be attached thereto a tag bearing the words "Bad Order" in conspicuous type and appropriate instructions. The employee first discovering the damage shall postmark this tag and attach it to the parcel to be transmitted to the office of address and shall make a report of the essential facts on Form 5257, attaching thereto the pouch or sack label, to be sent to the superintendent, Railway Mail Service, of the division in which the office discovering the damaged package is located. However, when a parcel is received at the office of address in a damaged condition without a "Bad-order" tag attached, postmasters will prepare Form 5257, but will not attach a "Bad-order" tag to the parcel.

See secs. 1308 and 1313 as to registered matter received unsealed or in bad order.

706. A postmaster shall 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 smallpox, yellow fever, etc., 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.

Mail from infected localities.—postmaster should refuse to receive, when.

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.

Delivery of mail to infected houses.

3. When a board of health serves 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 shall refuse to receive such mail matter from any carrier or messenger and shall deliver to the carrier or messenger a copy of such order or declaration and shall report the facts at once to the First Assistant Postmaster General and the division superintendent of Railway Mail Service. 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. (See sec. 1027 as to rural service.)

How postmaster shall proceed upon service of declaration.

4. If a case of smallpox, 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 shall notify his sureties to take possession of the office and conduct it temporarily elsewhere until the danger of contagion is passed.

How to proceed when contagion in postmaster's family.

5. When blanks, books, and other office supplies of a post office have been exposed to infection, so as to render them liable to communicate smallpox or other contagious disease, permission to burn them shall be secured from the Fourth Assistant Postmaster General, Equipment and Supplies Branch. Permission to burn stamp supplies which have likewise been exposed to such infection shall be secured from the Third Assistant Postmaster General, Division of Stamps. The postage stamps, due stamps, stamped envelopes, postal cards, and international reply coupons shall be counted in the presence of two disinterested witnesses and an itemized statement of the quantity, denomination, and value sworn to and attested by the witnesses, forwarded, together with the letter authorizing said destruction of stamp supplies to the Third Assistant Postmaster General, Division of Stamps.

—infected supplies.

See sec. 275 with regard to affidavits.

CHAPTER 2

TREATMENT OF DOMESTIC MAIL MATTER AT POST OFFICES OF MAILING AND AT POST OFFICES IN TRANSIT

RECEIPT OF MATTER AT MAILING OFFICES

Time for closing mails.
39 U. S. C. 6.

707. 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.

—at first-class offices, one hour.
—at other offices.

2. Mails at first-class post offices shall 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 may be closed at 9 p. m. At fourth-class offices day mails shall not be closed until it becomes necessary, allowing a reasonable time for delivery at the train or to the carriers on star routes.

—special exemptions.

3. This regulation shall not apply to the post office at New York City, and any office may be exempted therefrom by special order.

See sec. 752 as to opening of mails at intermediate offices; sec. 1852 as to notice and record of arrival and departure of mails.

Cancellation of stamps at railway stations.

708. Postmasters may, for the convenience of the public, erect boxes at railway stations for the reception of mail matter and cancel the stamps on said matter at the station, either personally or by a sworn employee. (See sec. 250.)

See sec. 746 as to postmasters delivering late letters after cancellation to postal clerks in person or by clerks, but not by private hands.

Diversion of mail.
—soliciting forbidden.

709. Postmasters shall not solicit the mailing of matter at their offices by persons living or doing business within the delivery of another post office. (See sec. 2319 as to penalty.)

—credit not to be claimed.

2. Postmasters at post offices of the fourth class shall not claim credit for the cancellation of postage stamps on matter diverted from other post offices to their post office for mailing, whether solicited or unsolicited, and they shall report to the Third Assistant Postmaster General all such cases coming to their knowledge. The report shall show the amount of postage stamps canceled on such diverted matter and the names and addresses of the senders thereof.

Fourth-class matter by freight or express to be deposited.

3. When matter entitled to transmission in the mails at the fourth-class rates of postage is shipped by freight or express, without solicitation by the postmaster, and not primarily for the purpose of increasing his compensation, to be deposited in the mails at a given post office, such office of mailing is construed to be the office of origin, and the mail shall not be considered as diverted. The postmaster shall be allowed commissions upon the amount of the stamps canceled on such mail.

710. When matter is received for mailing, its weight shall be ascertained and postage thereon rated up. A decided down weight is necessary to subject matter to an additional rate of postage. (See secs. 513 to 515, 723, and 1080.)

Postage to be rated up on weight of matter at time of mailing.

711. All ship and steamboat letters and printed matter delivered into post offices by masters of vessels shall be rated with the postage due thereon, as provided in section 516, and indorsed "Postage due, — cents," and dispatched to destinations.

Receipt of ship and steamboat matter.

See sec. 1833 as to ship letters and meaning thereof; secs. 1834 to 1836 as to fees to masters of vessels for carrying ship and steamboat letters and payment thereof.

712. Letters brought by steamboats shall be marked "Steamboat," at the time of receiving them.

Account of ship and steamboat letters to be kept.

2. Postmasters shall keep an account of both ship and steamboat letters received, the postage chargeable thereon, and the fees paid therefor.

See sec. 516 as to postage on such letters, and sec. 1835 as to payment of fees.

713. When wholly unpaid letters are delivered into a terminal post office by a postal clerk on a steamboat route, they shall be treated in all respects as other unpaid letters. (See sec. 723.)

Unpaid letters from steamboat routes.—how treated.

See sec. 1830 as to nonpayment of fees in such cases.

714. Parcels of fourth-class matter shall be mailed at a post office or branch or station thereof, or delivered to a rural or other carrier duly authorized to receive such matter. Parcels of third-class matter may be deposited in mail boxes.

Third- and fourth-class matter to be mailed, where.

2. Parcels collected on star routes shall be deposited in the next post office at which the carrier arrives and postage charged at the rate from that office.

Parcels collected on star routes.

3. Second-, third-, and fourth-class matter shall not be accepted at a railway post office nor by a railway postal clerk, nor be deposited in a depot letter box from which collections are made by such clerks.

Matter not mailable at railway post offices.

715. United States postage stamps, to be acceptable for postage, shall be without defacement, provided that for the purpose of identification only, and not for advertising, it shall be permissible to puncture or perforate letters, numerals, or other marks or devices in United States postage and special-delivery stamps. The punctures or perforations shall not exceed one-thirty-second of an inch in diameter, and the whole space occupied by the identifying device shall not exceed one-half inch square. The puncturing or perforating shall be done in such manner as to leave the stamps easily recognizable as genuine and not previously used. Stamps on which ink or other coloring substance has been used in connection with such puncturing or perforating shall not be accepted for postage.

Defaced stamps.

Perforation for identification.

See sec. 2322 as to penalty for using canceled stamps.

2. When postage or special-delivery stamps are so affixed to mailable matter that one overlies another, concealing part of its surface, the stamp thus covered shall not be taken into account in prepayment.

Overlapping stamps.

Treatment of matter bearing previously used stamps.

3. When matter bearing previously used stamps is deposited for mailing (except as provided in sec. 769 as to forwarding mail), it shall be treated as "held for postage." (See sec. 723.) Upon receipt of stamps to pay postage they shall be affixed and canceled and the mail forwarded to addressee. A report of each instance where previously used stamps have apparently been wilfully reused for payment of postage shall be submitted to the Third Assistant Postmaster General, Division of Classification, accompanied, when practicable, with the envelope or wrapper bearing the stamps in question. (See sec. 2322.)

Stamps not good for postage.

4. Mutilated or defaced postage stamps, fractional parts of stamps, postage-due stamps, stamps cut from embossed stamped envelopes, newspaper wrappers, or postal cards, or stamps other than postage stamps, shall not be accepted or counted in prepayment of postage, and matter bearing such stamps shall be treated as "held for postage," except when bearing special-delivery stamps, as to which see section 1080.

Imitations of postage stamps.

716. Matter bearing imitations of postage stamps or adhesive stamps in form and design resembling postage stamps, shall not be accepted for mailing, and if deposited in the mail shall be returned to the sender, if known, or, if unknown, shall be sent to the Division of Dead Letters and Dead Parcel Post.

CANCELING AND POSTMARKING AT MAILING OFFICES

Stamps to be defaced.
39 U. S. C. 365.

717. Postage stamps affixed to all mail matter or to 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. When practicable postage stamps may be furnished to postmasters precanceled by printing on them the name of the post office at which they are to be used, under such regulations as the Postmaster General may prescribe.

—precanceled stamps.

39 U. S. C. 366.
Report of delinquent postmasters.

2. 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.

No commission on stamps not canceled at mailing office.

3. Commissions shall not be claimed for the cancellations of stamps not defaced at the mailing office. Report of failures to cancel stamps shall be made to the Third Assistant Postmaster General, Division of Finance.

Canceling ink prescribed.

718. Postmasters shall cancel stamps on mail matter by the use of black canceling ink furnished by the department and shall thoroughly and completely deface the stamps. However, the postmarking portion of hand postmarking and canceling stamp shall not be used to cancel postage stamps.

2. Canceling ink shall be carefully kept, and the instructions for the use and care of the ink and pad furnished with those supplies shall be strictly observed. —instructions for using.

719. All mail matter deposited in any post office for mailing to domestic destinations (except that of the second class mailed by publishers and news agents without stamps affixed, matter mailed without postage stamps affixed under the provisions of sections 562 and 579, matter bearing precanceled stamps, and registered letters and other sealed registered articles which section 2208, paragraph 2, and section 1216, paragraph 2, stipulate shall be postmarked only on the back) shall be postmarked on the address side, the postmark to show the post-office name in full and the State name in full or abbreviated. All first-class mail, all insured, all C. O. D. mail, and all mail addressed to foreign countries (except second-class matter mailed by publishers and news agents, without stamps affixed, for dispatch to those countries to which domestic conditions apply) shall show, in addition to the post office and State names, the date of mailing. All mail of the first class when dispatched from a post office having an hour-dating stamp shall show the names of post office and State and the date *and* (unless mailed under the provisions of sections 579 or 580) the hour of mailing. Special-delivery mail of all classes, all "special handling" parcels, and all parcels of motion-picture films accepted for mailing at any post office shall be postmarked or otherwise indorsed to show the post office and State and the date and hour of mailing. **Postmark on mail matter.**

2. The willful impression on any mail matter of a postmark bearing any other date than that on which such matter is mailed or of a backstamp bearing a date other than that on which the mail is received at the post office backstamping it or the erasure of any date of a postmark or backstamp, whether for purpose of fraud or deception or to conceal a delay or detention of mail matter or any other official error or delinquency, may subject the offender to dismissal from the service. —improper dating or erasure of date prohibited.

720. The type of postmarking stamps shall be carefully adjusted at the beginning of each day, and where type is furnished to indicate the hour of dispatch or receipt of mail the type shall be changed punctually at the specified period. At offices of the first class the time of postmarking first-class mail shall be changed each hour and half hour and kept one-half hour in advance. For instance, at 1 p. m., the time indicated in the postmark should be 1:30 p. m., and 1:30 p. m., the time in the postmark should show 2 p. m., etc. **Postmarking stamps. —adjustment.**

2. Postmarking stamps and type shall be kept clean. Broken stamps shall be returned to the Fourth Assistant Postmaster General, Equipment and Supplies Branch, except where the wooden handle only is broken, in which case that office shall be requested to furnish a new handle. —broken.

3. Postmasters shall not use any postmarking stamps but those furnished by the Post Office Department. Nothing herein shall be construed to prohibit postmasters from purchasing or —special stamps not permitted.

renting canceling machines from their personal funds, subject to the approval of the department: *Provided*, That no allowance shall be made for the purchase or rental of such machines in the event the office becomes entitled to a canceling machine under the rules of the department.

—records.

4. At all third- and fourth-class post offices a clear and distinct impression of the postmarking stamp shall be made immediately after each change in either date or hour, including Sunday where mail is made up for dispatch on that day. Such record of postmarks shall show every change made in the postmarking stamps and shall be kept in chronological order in suitable record books or on loose sheets to be supplied by postmasters.

SHORT-PAID AND UNMAILABLE MATTER AT MAILING OFFICES

Unpaid letters.
39 U. S. C. 407.
—to be sent to Division of Dead Letters, except.

721. 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 a post office designated by the Postmaster General, to be treated in the same manner as other undelivered letters (unless the deficient postage is furnished, as provided in Section 723).

See secs. 813 and 824.
See sec. 514 for remainder of statute relating to forwarding in certain cases of matter mailed at drop-letter rate.

Unpaid letters accompanied by money insufficient for one full rate.

—to be returned to writer, when.

—notice to be given, when.

—to be treated as "held for postage," when.

Unpaid or insufficiently paid matter.
—treatment of.

—to be post-marked and deficiency of postage noted.

722. When a number of letters are deposited in a letter box wholly unpaid by stamps affixed, and a sum of money is found in such box which is not sufficient to pay one full rate of postage on all of said letters, they shall, if mailed by the same person, and he is known and resides within the delivery of the mailing office, be returned to him, together with the money.

2. When such letters are mailed by different persons they shall be notified that the letters are held for postage. If this cannot be done, then the letters shall be treated as "held for postage" and disposed of as provided in the following section, and the money treated as money found loose in the mails and disposed of as provided in section 818.

723. When any letter or matter of the first class wholly unpaid or prepaid at less than one full rate, or any matter of the second or third class of obvious value, such as sheet music, pictures, photographs, or pamphlets likely to be of use or value to the addressee, or any parcel of the fourth class not fully prepaid but otherwise mailable, shall be deposited in any post office for delivery in the United States, it shall be postmarked with date of receipt, rated up, and the amount of deficient postage noted thereon. (See sec. 715.)

2. When the matter described in the preceding paragraph bears the card or address of the sender, or if he be known to or can be conveniently located by the postmaster, and is within the delivery of the office, it shall be at once returned to him for the required postage. The stamps originally affixed to such matter shall, when it is again presented for mailing, be accepted in payment of postage to the amount of their face value. If the sender be not within the delivery limits of the office, he shall be, if known, notified that the matter is held for postage, and if the postage be not furnished within two weeks the addressee shall be notified, as provided in the following paragraph.

—returned to writer when ascertainable and patron of mailing office.

—original postage to be accepted.

—notice to sender at another office.

3. When the postage is not furnished by the sender of such matter or he is not known or cannot be conveniently located, the matter shall be indorsed "Held for postage" and the addressee notified by next mail, by an official card (Form 3548) or otherwise, of such detention and the amount of postage required.

—if sender not known, addressee to be notified.

4. After the addressee of unpaid or insufficiently paid matter held for postage has been notified of the amount of postage due thereon, such matter shall be held not longer than two weeks, unless the office of address be so remote from the office of mailing that the postage could not be received from the addressee within that time, in which case the matter shall be held not longer than four weeks, except that six weeks may be allowed for the notice to be dispatched and returned between any post office in the Territory of Hawaii and any other United States post office outside the Territories of Hawaii and Alaska, and 90 days for such service between any post office in the Territory of Alaska and any other United States post office not in the same Territory, also, six weeks for such service between any post office in the Canal Zone and any post office in the United States.

—time of holding.

—remote offices.

If within the prescribed time the required postage is received, stamps of the value thereof shall be affixed to the matter in such manner as to cover a part of the words "Held for postage" and the matter dispatched. If Canal Zone stamps are furnished in response to such notices sent from the United States to the Canal Zone, they should be affixed and the matter dispatched without question as to the stamps.

—treatment if addressee pays postage.

5. If the sender of any insufficiently paid letter or other matter shall pay the postage, after dispatch of notice to addressee, it shall be indorsed "Postage subsequently paid by sender," the necessary stamps affixed and canceled, and the matter dispatched.

—if sender subsequently pays postage.

6. If the amount of unpaid or insufficiently paid postage on any matter of the first class is not received from the addressee at the expiration of two weeks from the date of mailing of the notice, except as provided in paragraph 4, and prepayment shall not have been made by the sender, such matter shall be marked "Unclaimed" and disposed of as provided in sections 815, 816, and 817.

—when to be marked "Unclaimed."

See secs. 715 and 2322 as to matter bearing stamps not good for postage thereon; sec. 1080 as to matter bearing special-delivery stamps, but without proper postage; sec. 763 as to treatment of unpaid or insufficiently

paid matter at offices of delivery; secs. 769 and 805 as to payment of new postage on second-, third-, and fourth-class matter before forwarding or return; sec. 2204 as to the treatment of foreign mail matter unpaid; sec. 803 as to matter without value; and Title Seven, Registry System, as to registered matter.

Treatment of unpaid and insufficiently prepaid matter for local delivery.

7. When matter wholly unpaid or insufficiently prepaid is deposited at any city delivery post office for local delivery and the sender is unknown, notice of detention need not be sent, but such matter shall be delivered to the addressee by the carrier, and the deficient postage collected by means of postage-due stamps affixed. (See sec. 768.) If the addressee refuses to pay the postage, the matter shall be treated as prescribed by paragraph 6 of this section. (See secs. 814 and 817.)

Misdirected matter at mailing office.

724. Postmasters and others in the Postal Service shall not attempt to correct post-office addresses on mail matter except as provided in this section and in sections 769 and 771.

—not to be dispatched unless destination is obvious.

2. Mail that is misdirected as to post-office name, unless addressed to a known county and State, shall not be dispatched except upon reasonable assurance as to its destination (in which case it shall be indorsed to show by what post office the address is supplied), but shall be returned to the sender, if his name and address are known, with the words stamped or written thereon, "Returned for better direction," together with such information as the mailing office may have as to the correct post-office name. The stamps originally affixed to such matter will, when it is again presented for mailing, be accepted in payment of postage to the amount of their face value.

—to be returned to sender if known.

—remailed, original postage good.

—sender not known and address uncertain.

3. If the name of the sender is not known and the post-office address cannot be supplied with reasonable certainty at the mailing office, the matter shall be disposed of as unmailable. (See sec. 726.)

—known county and State.

4. Mail not addressed to a post office but to a known county and State shall be dispatched in the mails without change of address. (See par. (g), sec. 2087.)

See sec. 771 as to treatment of misdirected mail after dispatch; sec. 783 as to directory service at city carrier offices.

Unmailable matter.
—treatment of.

725. All matter which is unmailable under the provisions of sections 598, 599, or 600, shall, when deposited in a post office, be withdrawn from the mails and sent to the Division of Dead Letters and Dead Parcel Post with a statement of the facts connected therewith. All matter which is unmailable under the provisions of sections 601 or 2350, shall, when deposited in the post office, be withdrawn from the mails and disposed of in accordance with section 726, except that counterfeit money and spurious coins mailed in violation of section 2350, shall be sent to the Division of Dead Letters and Dead Parcel Post with a statement of the facts connected therewith.

—to be refused when known to be unmailable.

2. Postmasters shall exclude from the mails all unmailable matter, and when it is known at the time any matter is offered for mailing that it is unmailable under any statute the postmaster shall decline to receive it.

See sec. 602 as to matter of doubtful mailability; sec. 597 as to unmailable matter generally; secs. 587 and 590 as to the admission of

matter liable to injure the person or damage the mails, and admission of certain of such matter when properly packed, etc.; sec. 577 as to matter in excess of weight; sec. 570 as to matter in excess of size.

726. The following unmailable matter, when of the first class, shall, if deposited in a post office of the first class for mailing, be treated in the dead-letter branch of that office. Such matter posted in post offices of the second, third, and fourth classes shall be sent to the central-accounting post office and such matter posted in the Territory of Alaska shall be sent to the dead-letter branch at the Seattle, Wash., post office; and when of the third or fourth class to the postmaster of the proper headquarters of the Railway Mail Service under provisions of section 813.

Disposition of matter unmailable, misdirected, damaged, or held for postage.

(a) "Held for postage" matter which can not be returned to sender and has not been prepaid by addressee, as provided in section 723.

(b) Misdirected matter which can not be dispatched to the addressee nor returned to the sender, as provided in section 724.

(c) Excess of weight and size matter, or those packages of domestic matter which exceed the weight or size limited by law. (See secs. 570, 577, and 578.)

(d) Mutilated or damaged matter other than merchandise found loose in the mails, or that which when deposited in the post office is, or before dispatch may become, so damaged that it can not be forwarded to destination and can not be returned to the sender. (See sec. 705.)

2. "Held for postage" and misdirected printed matter (nixies) of no obvious value, and samples of merchandise sent for advertising purposes and articles of like character having no salable value, may be disposed of as waste paper or destroyed, as provided in section 803 respecting unclaimed printed matter of like character upon which postage-due stamps have not been affixed. Before such matter is disposed of all postage stamps thereon shall be canceled and each piece carefully examined, and if any is found to contain other matter of a higher class it shall be disposed of in accordance with paragraph 1, of this section.

Exception.

3. Domestic fraudulent and lottery matter of any class declared nonmailable by sections 601 and 2350, shall be sent to a designated branch of the Division of Dead Letters and Dead Parcel Post for disposition. Foreign lottery matter of any class declared nonmailable by sections 601 and 2350, shall be sent to the postmaster, dead-letter branch, Washington, D. C. Obscene, scurrilous, and treasonable matter of any class declared nonmailable by sections 598, 599, and 600, and letters containing counterfeit money and spurious coins declared nonmailable by section 2350, shall be sent to the Division of Dead Letters and Dead Parcel Post.

Obscene, scurrilous, and lottery matter.

See sec. 2204 as to foreign matter; sec. 814 as to treatment of dead matter at receiving offices.

Frequency of returns of un-mailable matter to Division of Dead Letters and Dead Parcel Post.

727. At post offices of the first class daily, and at all other post offices weekly, returns shall be made to the Division of Dead Letters and Dead Parcel Post or to branches thereof, or to post offices at division headquarters of the Railway Mail Service, as prescribed in section 726, of all unmailable matter deposited therein, except articles of merchandise found loose in the mails, as provided in sections 815 to 820, unless other disposition thereof is directed.

Disposal of destructive un-mailable matter.

728. When any article of destructive mail matter, except matter absolutely excluded from the mail (see secs. 569 and 588), is received for forwarding or deposited in the post office, the postmaster shall hold it and notify the sender, whether he live within the delivery of the post office or not, that it can not be transported by mail. If the sender is not known, the postmaster shall notify the addressee of the detention of the package, that it can not be transmitted in the mails and that he must provide some other means for its being forwarded at his own expense outside the mails. If the package is not taken from the post office by or for either the sender or addressee within 30 days, the postmaster shall report the facts to the First Assistant Postmaster General, Division of Dead Letters and Dead Parcel Post, and await instructions. Intoxicating liquors, poisons, explosives, and articles harmful and dangerous to handle absolutely excluded from the mails under section 588 shall not be delivered, but shall be held intact and report thereof made to the inspector in charge of the division in which the office of mailing is located. Instructions as to the disposition of such matter will be issued by the inspector in charge.

—sender to be notified, when.

—addressee to be notified, when.

—report to First Assistant Postmaster General, when.

See sec. 797 as to delivery of dangerous matter reaching office of address.

WITHDRAWAL AND RECALL OF MAIL MATTER AT MAILING OFFICES

Withdrawal by sender before dispatch.

729. After mail matter has been deposited in a post office it shall not be withdrawn except by the sender, or, in case of a minor child, by the parent or guardian duly authorized to control the correspondence of the writer. Mail deposited by a person adjudicated of unsound mind may be withdrawn by the duly appointed guardian.

—care in permitting.

2. When request is made for the withdrawal of any mail matter, the postmaster shall ascertain whether the person making the request is entitled to such matter. The applicant should be required, if necessary, to exhibit a written address in the same hand as that upon the matter sought to be withdrawn, and such description of the matter, or other evidence, as will identify the same and satisfy the postmaster that the applicant is entitled to withdraw it.

—original postage valid.

3. When matter withdrawn from the mails before dispatch is again presented for mailing, the stamps originally affixed thereto shall be accepted in payment of postage to the amount of their face value.

See sec. 1292 as to withdrawal from the mails of registered matter; sec. 2228 as to withdrawal of foreign matter.

730. When the sender of any article of unregistered mail matter desires its return after it has been dispatched from the mailing office application shall be made to the postmaster at the office of mailing, stating the reasons for such request. The matter shall be identified, the application accompanied with proper proof in writing, and a sum deposited with the postmaster sufficient to cover all expenses incurred.

Recall of matter after dispatch.
—application for, how made.

—deposit to cover expense.

2. When application has been made in due form for the recall of an article of mail matter the postmaster shall telegraph a request to the postmaster at the office of address, or to a railway postal clerk in whose custody the matter is known at the time to be, for the return of such matter to his office, carefully describing the same, so as to identify it and prevent the return of any other matter. All such telegraphic requests shall bear the proper signature and title of the sender of the message. If air mail is being recalled, the telegram should include, as additional means of identification, the air-mail trip involved, and if the originating office does not have direct air-mail contact, the city and train should be shown to which the mail was dispatched for initial plane connection.

—request for, to be telegraphed.

3. On receipt of a request for the return of any article of mail matter the postmaster or railway postal clerk to whom such request is addressed shall return such matter in a penalty envelope, to the mailing postmaster, who shall deliver it to the sender upon payment of all expenses and the regular rate of postage on the matter returned (except first-class matter, which is returned without additional charge for returning), and on the envelope or cover thereof postage-due stamps of the proper value shall be placed and canceled. (See sec. 765.) If the mail to which the application relates has been delivered, that fact shall be reported to the mailing postmaster who shall inform the sender. Under no circumstances shall the addressee be informed that mail has been intercepted or that recall thereof has been requested by the sender.

—return to mailing office.

—not possible after delivery.

4. All applications for the recall of any article of mail matter, together with the proofs submitted therewith, the sender's receipt for such matter, and the envelope or wrapper in which it was inclosed, shall be filed at the mailing office.

Filing of applications, etc.

5. The following form may be used for making application for withdrawal of mail matter after dispatch:

Form of application.

-----, 19--

Postmaster, -----:

Please recall and deliver to myself or bearer a letter (or whatever article of mail matter it may be) deposited in ----- on or about -----, 19--, 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 (or other article of mail matter) 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 (or wrapper) of the letter (or other article of mail matter) returned.

[Name.] -----

[Address.] -----

[Receipt.] Received -----, -----, 19-- of the postmaster the above-described piece of mail matter for account of the sender.

[Name.] -----

[Address.] -----

Witness [Name.] -----

Note.

NOTE.—Telegrams sent in such cases must be paid for at the regular commercial rates and not at the rates established for official business. See sec. 2094 as to return of matter by postal clerks upon request of postmaster; sec. 1292 as to recall of registered matter; sec. 2228 as to recall of foreign matter.

DISTRIBUTION AND DISPATCH OF MAILS AT MAILING OFFICES

Distribution and dispatch of mails.

—to be governed by orders from General Superintendent, Railway Mail Service.

—in absence of instructions.

—postmasters not to change dispatch without special orders.

Orders relative to making up and dispatch. —how kept.

Distribution of mails by schemes.

—not to be changed without authority.

731. Postmasters shall be governed in the distribution and dispatch of mails at offices where a superintendent of mails is not employed (see sec. 456) by the orders received from the General Superintendent, Railway Mail Service, or from the division superintendent in whose division the post office may be located.

2. In the absence of other instructions, postmasters whose offices are situated upon a railroad shall send all mail direct to the cars, unless it be addressed to post offices directly connected with their own by star or steamboat routes. Postmasters at other post offices shall mail to the nearest post office upon a railroad all matter which cannot be sent direct to its destination by star or steamboat route.

3. Postmasters at junction points shall never change the dispatch of mails from one road to another except upon orders from the division superintendent.

See sec. 2204 as to dispatch of foreign mails: Title Seven as to registered mail; sec. 724 as to dispatch of matter addressed to known county and State but unknown post office.

732. Postmasters at offices of the first and second classes shall keep an order book in which all orders relating to the making up and dispatching of mails at their offices, and changes in schemes which are received from division superintendents, Railway Mail Service, shall be inserted or recorded; and distributing clerks shall be required to examine the same daily and, if necessary, to place their initials at the foot thereof to indicate such examination. (See sec. 462.)

733. Postmasters shall carefully distribute and make up mails by the official schemes which may be furnished them and which shall be kept corrected, and shall conform to any changes that may be made in the same by the proper division superintendent of Railway Mail Service, and shall make up and exchange only such pouches as he may order. Any post office may be excepted from this requirement by the division superintendent.

2. No change in distribution or dispatch of mails shall 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, shall be made to the division superintendent.

734. 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 shall be made up "by States," and facing slips used as provided in section 741; letter and circular mail for each State shall be made up in packages, and other mail in canvas sacks by itself when the quantity is sufficient, and the name of the State marked on the slip used as a label for the package or sack. (See secs. 541 and 740.)

Distribution of mails by States, etc.

Mail to be made up in packages by States.

Local mail for railroad and steamboat lines.

—to be made up in packages.

735. Post offices on railway post-office lines, in making up local mail for such lines, shall send by each train by which a dispatch is made all mail which can be expedited by such trains. When sent by railway post-office trains, the mail for near-by stations shall be made up in a separate package and placed under a facing slip addressed to the railway post office and train and, in addition, be marked "No. 1" to indicate that it is for immediate distribution. Any mail for the remaining offices on the line proper to be forwarded shall be included in a package addressed to the railway post office and train and marked "No. 2." Mail for States for which distribution is not required and not in sufficient quantity to be made up in separate packages shall be combined in a package addressed to the railway post office and train and marked "No. 3."

—exception.

2. If the quantity of mail is not sufficient to warrant these separations, it shall be combined in one package addressed to the railway post office and train, the No. 1, No. 2, and No. 3 separations to be arranged in sequence.

736. Mail for delivery and mail for distribution at a post office shall be made up in separate packages, unless special authority to combine it is given.

Letters for delivery and distribution.

737. A direct package shall be made up by 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.

Direct packages. —how made up.

2. Ordinary letters, other than air mail and special delivery, shall be tied out in direct packages when there are 10 or more pieces for one post office, railway post office, or route, except when requests are received from the proper division superintendent of the Railway Mail Service for the tying out of directs containing less than 10 pieces. All air mail letters shall be made up in separate packages when there are five or more involved. Less than five for connecting lines shall be placed at the top of the working package under the registered and special delivery letters, if any, with facing slip endorsed to show air mail is included, or similarly at the top of a direct package if no further air mail dispatch can be had.

—air mail.

See section 1081 as to special-delivery mail, and section 1223 as to registered mail.

Mail not to be put in pouch loose or under straps.

—notice to messenger in case of.

Restrictions as to make-up of through pouches. Limit of weight of sacks of mail.

Sacks, when used for separations.

Facing slips. —to be used on packages and pouches.

Circular matter in canvas sacks, how labeled.

Sack containing "Perishable" parcel post, how marked.

Use of hooks prohibited. Record of pouches dispatched.

738. Letter and circular mail shall be properly "faced up" and tied in packages and not placed loose in the pouch or sack.

2. After pouches are closed and dispatched from a post office, letters shall not be placed under the strap or attached to the outside of the pouch. When this is done at the station the postmaster shall inform the mail messenger that the practice must be discontinued.

739. Postmasters shall not make up through pouches to be dispatched by mail trains unless specially instructed to do so.

740. Not more than 100 pounds of mail matter shall be placed in a sack.

2. A mail sack may be used for a separation of third- and fourth-class matter only when the bulk or volume exceeds one-third the capacity of a No. 1 sack unless necessary to materially advance the mails and no intermediate distributing unit is available.

See sec. 541, par. 14, as to using mail sacks for second-class matter.

741. Upon each package of letters or circulars, and in the label holder of each pouch or canvas sack of newspapers, special-delivery and special-handling matter, shall be placed a facing slip or label bearing the postmark of the office with date and time of closing or dispatch, the name or number of the person making up the package, pouch, or sack, and addressed as provided in section 2078. The labels used for the dispatch of canvas sacks containing circulars, parcel post, and ordinary papers shall be stamped to show the date and the closing hour of the period of duty to which the clerk making distribution and dispatch is assigned. In terminal railway post offices the date and number of the tour with the name of the clerk shall be shown.

See sec. 758 as to filing and disposing of facing slips received.

2. Only one label shall be placed on each letter package and in the label holder of each pouch or sack.

742. When it is necessary to send circular matter inclosed in envelopes similar to those used to cover business letters, in canvas sacks, the label upon the sacks shall read, in addition to the regular address, "Circulars."

2. When direct packages of circulars are made and the quantity for any post office warrants a separate sack, it should be made and labeled as stated in paragraph 1, but when the quantity is insufficient for separate sacks, the packages should be combined in State sacks and labeled "Circular Directs" in addition to the State.

743. Every sack containing perishable parcel-post matter shall have attached thereto a distinctive tag bearing appropriate lettering, including the word "Perishable," in conspicuous type.

744. Hooks shall not be used in handling mail bags.

745. Postmasters shall keep a permanent record of all pouches due to be dispatched, except where only one pouch is dispatched at a time, and such pouches shall be checked off on the record

when dispatched, so that accurate and specific information can be furnished in regard to any losses or delays to mail in transit.

See sec. 762 as to record of pouches at post offices; sec. 1734 as to record by railroad companies; sec. 1779 as to mail messengers; sec. 2065 as to railway postal clerks and as to numbering a series of pouches in the same dispatch.

746. Postmasters shall dispatch first-class mail to railway post offices in the lock pouches provided for that purpose.

2. When any mail matter is received too late to be put in the lock pouch, the postmaster or sworn assistant or clerk may, after postmarking and canceling the same, deliver it in person to the railway postal clerk.

3. After the stamps are canceled upon any mail matter it shall not be returned to the person mailing it to be taken to a railway post office.

See sec. 708 as to canceling stamps at railroad stations.

747. On each star route there shall be used one locked pouch which shall be opened at every post office. If the amount of mail is not too large, it shall all be carried in such pouch.

2. All mail matter of the first class carried on star routes shall be inclosed in locked pouches; other mail matter shall also be included in the locked pouches unless the quantity or bulk is too great, in which case it shall be carried outside of bags or in tie sacks.

3. On any star or mail messenger route where more than one post office is supplied, whenever, in the judgment of the proper Division Superintendent of Railway Mail Service, conditions justify, he may order a direct locked pouch or pouches to be made up by railway post offices or by supply post offices on the route for one or more of the post offices supplied, with proper return pouches when necessary, all such pouches to be properly labeled and not to be opened by any other office. Such pouches shall not contain registered matter unless specially ordered by the division superintendent. In every case where registered matter is to be included in such direct pouches, the division superintendent shall submit through official channels to the Third Assistant Postmaster General, Division of Registered Mails, for approval a report of all the facts, including the date on which the service was ordered to begin and the extent to which registered matter may be involved, and if such registered matter is of considerable value, it shall not be dispatched in such direct pouches until the service is authorized by the Third Assistant Postmaster General, Division of Registered Mails.

4. In making up mail to be dispatched on a star route, all letter mail for each office shall be tied out in a direct package (see sec. 737); all other mail matter for each office shall be tied out in packages in a similar manner as far as practicable.

5. Mail to be dispatched from an office on a star route to points beyond the terminal office thereon shall be made up, as far as possible, "by States" (see sec. 734); or if not sufficient for that, then in one package with the name of the terminal post office marked on the slip covering the same and the abbre-

Dispatch of first-class matter to railway post offices.
—in pouches.
—by hand, when.

—by private person, after cancellation, forbidden.

Locked pouches and direct packages on star routes.

What matter in locked pouches.

When locked pouches to be used.

Tying in packages.

Mail dispatched beyond terminal office, how distributed.

viation "Dis." to indicate that the package is for distribution.

6. Star route pouches dispatched by post offices shall be labeled "Way pouch from (name of office of origin) to the (name of terminal office)," for the outward trip and in reverse order for the inward trip.

Note.

NOTE.—"Locked pouches," as used in this section, include horse mail bags as well as mail pouches.

See sec. 1822 as to meaning of "star route"; Title Seven as to registered mail; secs. 1863 to 1901 as to mail bags, locks, and keys, and use thereof.

Delivery to carriers in advance of schedule time prohibited.

748. Postmasters shall not, except in cases of emergency, deliver mail to carriers in advance of schedule time without express permission from the Post Office Department, nor permit the mail to be taken from the post office on the evening before schedule day for departure to be kept in a private house overnight.

Unofficial indorsements on mail matter forbidden.

749. Employees in the Postal Service shall not place personal or unofficial indorsements or messages of any kind upon mail matter handled by them in their official capacity.

EXCHANGE OF MAILS AT CATCHER POST OFFICES

Mail catchers and cranes.
—when used.

750. Mail catchers and cranes shall be used for the purpose of exchanging mails between post offices and railway post offices when trains do not stop at the stations.

Preparation and hanging of pouches on mail cranes.

2. At such stations mail pouches for railway post offices shall be hung on the mail crane not exceeding 10 minutes before the time of arrival of the train.

Special pouches to be used.

3. Canvas mail pouches, provided specially for catcher exchanges (see secs. 1863 and 1865), and no others, shall be used.

Arrangement of mail in pouch.

4. When only a small amount of mail is to be dispatched, the pouch shall be strapped tightly around the center and the mail placed in the top of the pouch, but when a large mail is to be sent it shall be divided about equally between top and bottom. The strap shall be buckled around the center of the pouch. In case the strap is missing, the middle of the pouch shall be tied. The pouch shall be hung lock end down.

Light on crane at night.

5. When the exchange of mails occurs at night and a lamp is not affixed to the crane and kept in order as provided in section 1747, the Chief Clerk of Railway Mail Service shall be notified.

Mail on crane to be watched.

6. The person charged with the duty of affixing pouches to mail cranes shall watch the pouch until it is caught by the passing railway post office, or if there is a failure to catch the pouch he shall deliver it to the post office, and the postmaster shall immediately report the failure (either to catch or deliver the mail) to the Chief Clerk, Railway Mail Service, giving probable cause of failure.

—postmaster to report irregularities.

Extra pouch to be returned.

7. When a pouch is not caught from a mail crane, and a pouch is put off the train, the extra pouch shall be returned by the next mail train. The regular and extra pouches shall be strapped or tied together at the middle as one pouch.

—how

8. When a mail crane is out of repair, report thereof shall be made to the Chief Clerk, Railway Mail Service. Cranes out of repair.

See sec. 1279 as to pouches containing registered mail; sec. 1747 as to erection of mail cranes and furnishing of lamp thereon; sec. 1776 as to duties of mail messengers; secs. 1863 and 1865 as to catcher pouches and use thereof.

751. Not exceeding 35 pounds of mail matter shall be placed in a catcher pouch. Letter mail shall be given preference; and when the mail matter to be sent exceeds 35 pounds, the excess shall be dispatched by local train, if there be one. Weight of mail in catcher pouches. —not to exceed 35 pounds.

MAIL MATTER AT OFFICES IN TRANSIT

752. At all intermediate offices on star routes where no time is specified the mails shall be opened and closed within 10 minutes. If this time be too short, the postmaster shall apply to the Second Assistant Postmaster General for an extension. On railroad and steamboat routes there shall be no more delay than is necessary to receive and deliver the mails. Time for opening and closing at intermediate offices. —extension of.

2. Whenever a pouch of mail in transit on a star route is passed along without being opened, a note shall be made on the postmaster's transit registry record to show that the pouch was passed unopened to the next office, giving the reason and the date. Record of passage of pouch unopened.

See sec. 1868 as to pouches which cannot be opened; sec. 1881 as to defective locks on pouches and forwarding of mail bag which cannot be opened.

753. When a pouch is received addressed to another office or railway post office, and, on account of being delayed, is opened and the contents distributed in order to advance the mail, the label of such pouch shall be marked "Distributed," postmarked, and sent direct to the office of destination, if addressed to a post office, or to the chief clerk (if known, otherwise to the superintendent) of the railway post-office line addressed, so that the pouch may be properly accounted for. Unless there is reason to think the pouch has been lost or stolen, the postmaster may defer reporting nonreceipt of pouch for 12 hours after pouch is due, or until arrival of next following mail; then if label is received, no report need be made. Report of pouches in transit opened to advance mails.

2. When a pouch due to be made up for a post office or railway post office is not made up for any reason, the label for such pouch shall be indorsed "Not made up," with reasons therefor, and be disposed of in the same way as labels referred to in paragraph 1. Pouches "Not made up."

3. Labels from emergency or irregular pouches shall be sent by the post office or railway post office addressed, with a statement showing how and when received, to the post office of origin; or if made up by a railway post office, to the chief clerk (if known, otherwise to the superintendent) of that railway post office. A railway postal clerk so disposing of a label shall make a notation thereof on his trip report. Disposition of labels from emergency or irregular pouches.

4. When sealed sacks or pouches are made up by a sea post office arriving at New York, the labels taken therefrom shall be

sent to the Assistant Director, International Postal Service, New York, N. Y. If made up by a trans-Pacific sea post office, the labels shall be sent to the Superintendent, Railway Mail Service, San Francisco, Calif., or to the Superintendent, Railway Mail Service, Seattle, Wash., as the case may be.

Uncanceled stamps not to be canceled in transit.

754. Matter dispatched from a post office on which the stamps are not properly canceled shall not be stopped in transit nor the stamps thereon canceled at any office but that of destination.

See sec. 717 as to defacing uncanceled stamps at office of delivery, and reporting postmaster.

Carriers stopping overnight to deposit mail in post office.

755. Where a mail carrier stops overnight at any place where there is a post office, the mail shall be kept in the post office or where otherwise ordered by the Second Assistant Postmaster General. (See sec. 1856.)

Misdirected, missent, and unmailable matter.

756. Misdirected matter or matter which is liable to injure the person or damage the mails, unless prepared for mailing as prescribed in section 590, and all matter which is manifestly obscene, etc., and matter which contains on the outside cover or wrapper, or postal cards, bearing scurrilous or libelous language, etc., and matter which relates to lotteries or similar enterprises, or to fraudulent schemes, which was dispatched from the post office of mailing contrary to the provisions of section 725, shall be detained and withdrawn from the mails by any postmaster into whose hands the same may come in transit and treated as though it were originally deposited at his office. (See sec. 728.)

—to be withdrawn from mail in transit.

Publications containing lottery advertisements, how treated.

2. Newspapers and other publications in transit which contain lottery advertisements or lists of prizes drawn at a lottery shall be held and a report made to the Solicitor for the Post Office Department for instructions.

Matter not to be withdrawn.

3. Any matter, except as above provided, which should have been detained at the office of mailing as "held for postage," "excess of weight or size," shall not be stopped in transit. (See secs. 723 and 726.)

Misdirected first-class matter.

4. Misdirected matter of the first class, if it bear the card or request of the sender, shall be withdrawn and returned to him with the words written or stamped thereon, "Returned for better direction." (See sec. 724.)

Missent matter.

5. Missent matter, or that which is plainly addressed but sent in the wrong direction, shall, when discovered, be placed in the first mail going in the proper direction.

Examination of missent matter.

6. Postmasters and superintendents of stations shall examine the addresses of all mail matter received and select therefrom any that may be found directed to other post offices of the same name in other States, or which have in any manner been missent to their offices, and shall at once plainly stamp or mark such matter with the word "Missent," also with the postmark of the office, and forward it by next mail to its destination.

See sec. 724 as to misdirected matter.

757. Matter inadvertently dispatched without prepayment of postage thereon, or which is insufficiently prepaid, shall not be stopped in transit or rated up at intermediate offices.

Postage-due matter not to be stopped in transit.

See secs. 710 and 723 as to treatment of postage-due matter at office of mailing; sec. 768, at office of delivery.

CHAPTER 3

TREATMENT OF DOMESTIC MAIL MATTER AT RECEIVING POST OFFICES

OPENING OF MAILS

758. Upon the arrival of the mail at a post office, the mail sacks and pouches addressed to that office shall be examined to ascertain whether they are properly locked and whether they are cut or torn so that mail matter could have been lost or abstracted therefrom, and shall then be opened. Upon being emptied the pouch or sack shall be carefully examined to see that no mail matter is left therein. Only one sack or pouch shall be opened at a time, so that the responsibility for all errors may be definitely fixed. When practicable two persons shall witness the opening of incoming pouches, and the removal therefrom of any registered matter contained therein, as required by section 1268.

Opening of pouches.

Examination of pouch. Only one pouch or sack to be opened at a time.

2. The address slips of all pouches and sacks shall be carefully removed. Pouch labels shall be postmarked with the date of receipt and kept on file at least 30 days except in the case of way pouch labels on star routes. (See sec. 747).

Address slips on pouches.

See sec. 1238 as to registered pouch labels.

3. The address slips of all pouches in which the dispatch of registered mail is authorized shall be initialed by the person opening the same and by the witness, if any, to such opening. (See sec. 1268.) If registered mail billed in a pouch is missing, the label shall be transmitted with the report required by section 1315.

See sec. 730 as to return of mail upon request of postmaster at mailing office; secs. 1297, 1883, and 1897 as to procedure when lock or key is defective and pouch cannot be opened; secs. 1296, 1314, and 1372 as to registered matter; sec. 1852 as to notice and record of arrival and departure of mails; sec. 2071 as to examination of pouches.

INSERT No. 23. ORDER No. 16160.

SEPTEMBER 5, 1941.

Paragraphs 3, 5, 6, and 9 of section 759, Postal Laws and Regulations of 1940, are amended to substitute the word "superintendent" for the words "chief clerk" in the first line of paragraph 3 and in the third line of paragraphs 5, 6, and 9.

Mail Service.

2. All errors found in the distribution of any package of letters or in any sack of newspapers shall be noted on the reverse side of the slip covering or inside of the same, giving the name of post office or State, if included in the superscription, the name of the person noting the error, and postmarking with date.

Errors in distribution of package or in sack of newspapers.

Package or sack without slips.

3. If any package or sack arrives without slips, the chief clerk, Railway Mail Service, shall be promptly notified of the fact, and the name of mailing office given, if known, and the label shall be sent to him.

Irregularities to be reported.

4. Any irregularities in the receipt or dispatch or forwarding of any mail shall also be promptly reported.

Mail improperly distributed or made up to be reported.

5. Any mail received at any post office which has not been properly distributed or made up by railway postal clerks shall be promptly reported to the chief clerk and the slips covering or received with the same shall be sent with the report.

Missent packages, how checked.

6. Missent packages of letters and papers shall be checked on the pouch or sack label, as follows:

Missent pkg. of
 ----- letters (or
 papers), all for

 John Smith, P. M.
 (Postmark.)

and the label shall be forwarded to the chief clerk, Railway Mail Service. If the pouch or sack is not labeled, that fact shall be stated and the errors checked on a blank slip. A package of papers is construed to mean a tie-out under a separate label of more than one piece of separately wrapped and addressed mail matter other than letters.

Misdirected packages to be checked.

7. Misdirected packages of letters and papers shall be checked in the same manner as a missent package, except the word "Misdirected" shall be substituted for "Missent."

Missent or misdirected pouches or sacks.

8. Missent or misdirected pouches and sacks shall be reported as prescribed in paragraph 6 for missent packages. The labels shall be forwarded in all these cases.

Facing slips to be sent to chief clerk.

9. All slips received upon packages of letter or circular mail, or in sacks of newspaper mail, upon which errors have been noted shall be preserved and sent to the chief clerk daily from first- and second-class offices and weekly from all others.

See sec. 763 as to examination for insufficiently paid matter, etc.; sec. 810, par. 6, as to reporting the missending, delay, or damage of ordinary mail and special delivery ordinary mail.

Missent matter to be promptly forwarded.

760. Whenever, on opening the mails at a post office, matter is found therein directed to other post offices of the same name in other States, or which in any manner has been missent to such office for delivery, it shall at once be plainly stamped or marked with the word "Missent," also with the postmark of the office, and forwarded by next mail to destination.

Mail left in bag.

2. If mail belonging to an intermediate office is found in a pouch when opened, it shall be sent back by the return pouch.

Backstamping.—registered, special-delivery mail, motion-picture films.

761. All registered mail of whatever class and all special-delivery letter mail received for delivery at any post office shall be backstamped once over the flap of the envelope or wrapper to show the post office and State and date of receipt at such office. When registered first-class mail or a special-delivery letter is addressed for delivery through a station or branch of a post

office and such mail passes through the main office, it shall be backstamped over the flap once at the main office and once at the station or branch. Care should be exercised in backstamping registered mail to see that the impressions of the backstamp do not interfere with any impressions of the postmarking stamp previously appearing on the back of the registered article. The names of post office and State and date of receipt and the hour, when hour stamp is used, shall be plainly placed on the address side of all "special-handling" parcels, all special-delivery parcels, and all parcels of motion-picture films received for delivery at any post office.

2. At all post offices every piece of mail of any class that is subject to general-delivery service shall be stamped, by machine or hand, or otherwise indorsed to show the date of its receipt in the general-delivery section. Letter mail shall be so stamped or indorsed on the back; cards, parcels, and papers on the face.

—mail for general delivery.

3. All mail held in general-delivery sections shall be examined daily for the prompt return to senders, or other proper disposition, of that for which the retention periods have expired.

762. Postmasters shall keep a permanent record of all pouches due to be received, except where only one pouch is received at a time, and such pouches shall be checked off on the record when received, so that accurate and specific information can be furnished in regard to losses or delays to mail in transit. In case of failure to receive a pouch due, prompt report shall be made to the division superintendent, Railway Mail Service, and a copy of such report attached to permanent record.

Record of pouches received.

See sec. 753 as to report of failures; sec. 745 as to record of pouches at post offices; sec. 1734 as to railroad companies; sec. 1779 as to mail messengers; sec. 2065 as to railway postal clerks.

MATTER INSUFFICIENTLY PAID AND COLLECTION OF POSTAGE DUE

763. 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.

Rating up postage and search for matter improperly rated. 39 U. S. C. 251.

2. On opening the mail postmasters shall look over the letters and examine packages and parcels to ascertain whether the postage thereon has been sufficiently prepaid, and shall rate up at double the prepaid rate (see secs. 503 and 767) the amount found to be due on all matter, not free, dispatched inadvertently without any prepayment. All partly but not fully prepaid first-class matter which is short paid more than one full rate shall be rated with the deficient postage plus an additional charge

Examination for matter underpaid.

of 1 cent for each short-paid ounce or fraction thereof. (See sec. 513.) All other partly but not fully prepaid matter shall be rated with the deficient postage at the single rate according to its class and weight. The amount due shall be noted in writing or handstamped on each letter or parcel.

See sec. 723 as to deficient matter at mailing office; sec. 757 as to matter in transit deficient in postage; sec. 768 as to collection of postage due; sec. 582 as to penalty for inclosing higher-class in lower-class matter; sec. 1080 as to deficient special-delivery matter; and sec. 1320 as to deficiency on registered matter.

Treatment of mail bearing wrong stamps.

3. Mail inadvertently dispatched with postage-due stamps affixed, but no others, such stamps representing the full amount of postage, shall be delivered to the addressee without additional charge. If such stamps do not represent the full amount of postage, the deficient postage at the single rate only shall be collected from the addressee. In all such cases the office of mailing shall be reported to the Third Assistant Postmaster General, Division of Classification.

—mailing office to be reported.

See sec. 715 as to treatment of mail bearing canceled or mutilated stamps, etc.

Appeal in case of supposed overcharge.

4. Matter of the second class without evidence of prepayment of postage by stamps affixed containing illegal inclosures of any character or containing or bearing additions not authorized by section 552, or which the postmaster believes was not entitled to the pound rates, shall be delivered without exacting additional postage, but a report of the facts should be made to the Third Assistant Postmaster General, Division of Classification, including therein the name, date, and place of entry of the publication, and, where practicable, submitting the copy thereof containing the illegal inclosure or unauthorized addition. (See secs. 557 to 559.)

Underpaid official matter at Washington.
39 U. S. C. 321.
—delivered free, except.

764. * * * Any part paid letter or packet addressed to any of the departments or bureaus (the executive departments or bureaus thereof 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. * * *

Note.

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, D. C., post office.
See secs. 615 to 619 as to official mail matter.

Collection of postage due.
39 U. S. C. 272.

765. No mail matter shall be delivered until the postage due thereon has been paid.

—postage-due stamps to be used.
39 U. S. C. 275.

2. * * * Postmasters, before delivering * * * (any matter of the first class upon which one full rate has been prepaid) 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 * * *.

See sec. 597 as to insufficiently paid matter.

3. Postmasters shall not accept postage stamps in payment of postage remaining due on mail matter. The amount due shall invariably be paid in cash.

Postage due to be paid in cash.

4. If the addressee objects to the payment of the additional postage, he may deposit the amount thereof with the postmaster, who shall give a receipt therefor, and submit to the Third Assistant Postmaster General, Division of Classification, a full statement of the facts and the reason for the charge. If the charge be made because the matter is closed against inspection, the addressee 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 matter of the first class; and the postmaster shall promptly transmit it accordingly, under penalty envelope, with proper letter of advice. Should it be held that the matter was prepaid at the proper rate, or if for any reason it appears proper not to insist on the payment of such additional postage, the postmaster will be directed to refund the deposit. (See sec. 584.)

Postmasters at offices of address to rate up.

Appeal to department.

See sec. 426 as to commissions on postage-due stamps canceled at offices of the fourth class, and sec. 2315 as to failure to account for postage due.

766. When insufficiently prepaid matter is addressed to a postmaster he need not pay the additional necessary postage if the matter is not taken out of the office, but it shall be treated as "refused" matter; where, however, such matter is taken out of the office the deficient postage shall be paid.

Underpaid mail addressed to postmasters.—deficient postage must be paid before delivery.

767. Double rate of postage shall be charged only on matter reaching its destination with no evidence of any prepayment whatever.

Double postage.—how charged.

2. When it is apparent from the envelope or wrapper of mail 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 shall be from the blank in the impression of the canceling stamp. In such case matter of the first class shall be presumed to have been prepaid one full rate only. (See sec. 513.)

—when not to be charged.

See sec. 508 as to double rate of postage and matter on which charged; sec. 514 as to collection of unpaid postage on certain letters mailed at drop rate; sec. 515 as to letters of soldiers, sailors, and marines; sec. 1080 as to special-delivery letters.

768. Postage-due stamps shall be used for the collection of postage at the office of destination on unpaid or part-paid matter of the first, third, and fourth classes, and of the second class when mailed by others than publishers or news agents, and on undeliverable second-class matter returned to the publisher under the provisions of section 808.

Postage-due stamps.—on what matter used.

See sec. 516 as to use of postage-due stamps in collecting postage on ship letters; sec. 2223, on foreign matter; sec. 763, on matter improperly rated.

—when to be affixed.

—at other than city-delivery offices, when delivery is requested.

—at city-delivery offices, as soon as received.

When no postage-due stamps on hand.

Matter received accompanied by postage-due bill.

Due bill to be returned, how.—delivery of matter.

Forwarding of mail matter. First-class mail. 39 U. S. C. 410.

Perishable matter. 39 U. S. C. 276.

Second-, third-, and fourth-class matter.

2. Postmasters at other than city-delivery post offices shall not affix postage-due stamps to part-paid or unpaid matter of any class until the delivery thereof has been requested. No postmaster shall affix postage-due stamps to part-paid or unpaid matter of the third or fourth class until the delivery thereof can be effected. Postage-due stamps shall not be affixed to matter forwarded by request of addressee, returned to writer, or sent to the Division of Dead Letters and Dead Parcel Post, or a branch thereof, or to post offices at division headquarters of the Railway Mail Service.

3. At city-delivery post offices postage-due stamps shall be affixed to all part-paid or unpaid mail of the first and second classes as soon as received unless a forwarding order is on file, in which case first-class mail prepaid at least one full rate shall be forwarded without affixing due stamps.

See sec. 769 as to forwarding mail.

4. When postmasters have no postage-due stamps on hand they shall collect the amount of postage due, and as soon as they obtain such stamps an amount equal to the postage collected shall be affixed to a sheet of paper, canceled, and forwarded to the Third Assistant Postmaster General, Division of Classification, with a statement of the facts.

See sec. 773 as to attaching postage-due bill to matter forwarded with postage-due stamps affixed; sec. 1320 as to deficiency in postage on registered matter; and sec. 148 as to timely requisition for stamp supplies.

5. When matter is received at any post office, returned to writer, or forwarded from another office on which postage-due stamps have been affixed and canceled, and which is accompanied with a postage-due bill, as provided in section 773, such bill shall be returned to the postmaster from whom it is received, accompanied with uncanceled postage-due stamps in the amount named thereon. Upon the delivery of such matter the proper postage shall be collected.

See sec. 253 as to claim for postage-due stamps canceled on matter not delivered, forwarded to foreign country, or undelivered foreign matter where postage-due bills are not returned or returned without stamps affixed, and where matter is forwarded to foreign country; sec. 808 as to postage due on returned second-class matter.

FORWARDING OF MAIL MATTER

769. Prepaid letters shall be forwarded from one post office to another, at the request of the party addressed, without additional charge for postage.

2. Under such regulations as the Postmaster General may prescribe, fourth-class matter of obvious value which is of a perishable nature may be forwarded to the addressee at another post office charged with the amount of the forwarding postage * * *. Other undeliverable matter of the second, third, and fourth classes may be forwarded to the addressee or to such

other person as the sender may direct, at another post office, charged with the amount of the forwarding postage * * * when it bears the sender's pledge that the postage for forwarding * * * will be paid, such postage to be collected on delivery, but when the sender refuses to furnish such postage in accordance with his pledge, the acceptance from him of further matter bearing such pledge may be refused.

—bearing sender's pledge.

3. Mail which can be forwarded without additional charge for postage includes letters prepaid at one full rate, parcels fully prepaid at the first-class rate, postal cards, post cards, and official matter.

—without additional charge, includes what.

4. Additional postage shall be charged on mail of the second, third, and fourth classes every time it is forwarded. Such postage shall be charged on each individually addressed piece, and shall not be computed on the bulk weight of a number of pieces for the same addressee. Mail of these classes which bears the pledge of the sender that postage for its forwarding will be paid (see sec. 805 as to pledge) may be forwarded to the addressee or such other person as the sender may direct in connection with his pledge, at another post office, charged with the amount of the forwarding postage. Fourth-class matter of obvious value which is of a perishable nature may also be forwarded to the addressee charged with the forwarding postage, even though it does not bear such pledge. When mail charged with the forwarding postage is forwarded as provided in this section, such postage shall be collected on delivery by means of postage-due stamps. Other mail of the second, third, and fourth classes may be forwarded to the addressee only, but not unless the addressee, or some one for him, shall have first prepaid the forwarding postage, in which case the necessary stamps shall be affixed and canceled by the forwarding postmaster. In each case the postage for forwarding mail of the third or fourth class shall be computed at the same rate as would be chargeable if the matter were originally mailed at the forwarding office. Matter of the second class when forwarded shall be charged with postage at the transient second-class rate regardless of weight or distance. (See sec. 545.) Before matter is forwarded as herein provided, the postmaster shall make the necessary change in the address thereon, including the name of the new addressee when the sender requests in connection with his pledge to pay the forwarding postage that the matter be sent to some person other than the original addressee.

—additional charge when forwarded.

5. When the sender of ordinary mail of the third and fourth classes desires to be notified in cases where the matter is incorrectly addressed because of removal of the addressee, he may indicate that fact on the matter itself in such manner as may be prescribed by the Third Assistant Postmaster General, Division of Classification, in which case the postmaster at the office of address shall furnish the desired information, including the new

Form 3547.
Notice of forwarding.

address of the addressee, if known, on card Form 3547, for which a postage charge of 2 cents shall be collected upon delivery of the card notice to the sender of such mail.

Note.

NOTE.—This regulation applies only to third and fourth class matter sent out in the regular course of business for purposes other than obtaining the address of the person to whom the matter is sent.

Mail addressed to discontinued post office.

6. Mail of the second, third, and fourth classes addressed to a discontinued post office may, when the office to which such mail is ordered sent by the department is not convenient for the addressees, be transmitted to such office as they may designate, without additional charge.

Change of address on account of change in postal service.

7. Patrons of any office who, on account of the establishment of or a change in rural-delivery service, receive their mail from the rural carrier of another office may have their mail of the second, third, and fourth classes sent to the latter office for delivery by the rural carrier without a new prepayment of postage, provided they first file with the postmaster at the former office a written request to that effect. This is not construed as "forwarding" within the meaning of the law.

Notice to addressee, when.

8. When mail of the second, third, or fourth class, except such as may be forwarded charged with the forwarding postage to be collected on delivery as provided in paragraphs 2 and 4 of this section, is received addressed to a person who has filed a forwarding order, notice shall be sent advising him that the matter will be forwarded on receipt of postage therefor.

Delivery of mail to addressee after notice has been sent.

9. Mail of the second, third, or fourth class, the addressee of which has been notified of the amount of postage required for forwarding, may be delivered to the addressee at the office from which the notice emanated, without payment of the forwarding charge, provided he shall first revoke his order for forwarding, thus relieving the postmaster of sending notices that are to be inoperative; or, if he does not revoke his forwarding order, the matter may be delivered to him on payment of 1 cent for each card notice sent him.

Mail matter addressed to persons in United States service.

10. All mail, whatever its class, addressed to persons in the United States service (civil, military, or naval), serving in the United States or any of its possessions, or en route to or from the United States or any of its possessions, whose change of address is caused by official orders, shall be transmitted as rapidly as possible until it reaches the addressee; the actual location of the addressee for the time being shall be considered as the original destination of the piece of mail matter. Such transmission shall not be considered as "forwarding" in the sense in which that word is used in the Postal Service, and no additional postage shall be required therefor. To assure prompt delivery, mail matter sent to persons in the United States service should include in the address the complete designation of the organization, company, and regiment, vessel, or other branch of the service to which the addressee belongs, and the postage thereon should be fully prepaid. This provision for the free transmission from one post office to another of all mail for persons in the United

States service shall not apply to mail (other than that of the first class) for the members of the families of such persons.

11. Any erroneously delivered article of mail on being returned to the post office, and any matter proper to be forwarded free, addressed to the care of another, and returned by him redirected, may be forwarded as if it had not passed from the post office. Matter which has been opened inadvertently upon misdelivery may be forwarded. Unopened letters properly readdressed for forwarding may be deposited in the post office originally addressed, or a letter box of such office.

Matter erroneously delivered or addressed. —when to be forwarded.

—opened by mistake on misdelivery.

NOTE.—A change of street number to secure delivery at the office of address is not regarded as "forwarding" and does not subject matter to additional postage.

Note.

See sec. 1327 as to forwarding of domestic registered mail; sec. 1385 as to forwarding of domestic insured mail.

770. Requests to forward mail, unless made in writing or by telegram, and those made by any other person than the addressee or his lawful agent or the person in whose care the matter is addressed, except by the sender of matter of the second, third, or fourth class, as provided in section 769, shall 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.

Forwarding requests, when disregarded.

2. Unlimited requests for the forwarding of mail to other post offices shall be observed for a period of two years, unless revoked, except that such requests affecting general-delivery mail at city delivery post offices shall expire at the end of 30 days unless renewed.

Unlimited requests.

3. The direction may be changed and matter reforwarded upon request as many times as may be necessary to reach the addressee.

Reforwarding permitted.

4. Matter entitled thereto shall be promptly forwarded.

5. At city delivery offices the city carriers shall record only changes of address (local changes and forwarding orders) of patrons, and the records of permanent removal shall be retained and observed for two years. (See sec. 927, par. 11.)

Matter to be expedited. Change of address and permanent removal of patrons.

6. Letters shall not be forwarded on trial. A postmaster at whose office a letter cannot be delivered may forward such letter to another office if he has special reason to believe it can be delivered therefrom.

Forwarding on trial.

771. The address on all misdirected ordinary matter which bears as a part of the address the name of a street, hotel, or other local identifying address, showing that it is intended for delivery at a certain other post office, may be corrected and the matter transmitted to its proper destination without payment of additional postage, provided it is reasonably certain that the matter can be delivered at such other office, and the amount of postage originally prepaid is sufficient to cover the charge from the office of mailing to the one to which it is sent. This course shall be followed only where the address itself bears some tangible evidence clearly showing that the matter is misdirected.

Misdirected matter. —address supplied.

—disposition when undeliverable.

—with corrected address, to be stamped when forwarded.

Letters under cover to postmasters.

—how treated.

—to be stamped when forwarded.

Forwarding of matter to which due stamps have been affixed.

—to be accompanied with bill.

—to foreign countries.

In all other cases mail plainly addressed to an office, but undeliverable thereat, shall be disposed of as provided in sections 799 to 808.

2. Each piece of obviously misdirected mail transmitted to another office in accordance with the foregoing shall bear the postmark of the office where the address is corrected, with its current date, below or following the words "Deficiency in address supplied by" or some other stamp or indorsement giving like information.

See sec. 724 as to correcting misdirected matter at office of mailing.

772. Postmasters shall forward all matter of the first class on which one full rate of postage is prepaid which may be received under cover from any other post office with or without request to mail the same. Before forwarding they shall cancel the stamps and indorse in writing or stamp on such matter the following:

Received at -----, under cover from the post office at -----.

When the name of the mailing office does not appear, the indorsement shall be made as indicated, leaving the last two spaces blank. The foregoing shall not apply to matter received for mailing under the provisions of paragraph 2, section 1710.

773. When at a city delivery office matter to which postage-due stamps have been affixed and canceled is forwarded to another post office within the United States, a numbered postage-due bill, stating amount due and name of the person from whom it is to be collected, shall be attached to and sent with the matter.

2. When domestic mail on which postage-due stamps have been affixed is forwarded to foreign countries, the postage-due bill indorsed "Foreign letters forwarded", shall be attached to the "dead-letter bill" and sent to the central-accounting postmaster. (See sec. 817.)

See sec. 814 as to disposition of refused, unclaimed, and undelivered matter; sec. 768 as to return of postage-due bill by postmaster receiving same; sec. 2223 as to postage due on foreign matter; sec. 253 as to credit for postage-due stamps affixed to undelivered matter, etc., matter forwarded to foreign country or undelivered foreign matter, and where postage-due bills are not returned or returned without stamps affixed.

UNDELIVERABLE AND UNMAILABLE MATTER AT RECEIVING POST OFFICES

Unmailable matter.
39 U. S. C. 243.

774. * * * All matter declared nonmailable by section 334 of Title 18, which shall reach the office of delivery, shall be held by the postmaster at the said office subject to the order of the Postmaster General.

—treatment of, at office of delivery.

2. All matter received at offices of delivery which is manifestly obscene, etc. (see sec. 598), and matter which contains on the outside cover or wrapper, or postal cards, bearing scurrilous or defamatory language, etc., and matter which relates to lotteries or similar enterprises, or to fraudulent schemes, which

was through inadvertence dispatched from the mailing office contrary to the provisions of section 725, shall be withdrawn from the mails and treated as provided in said section.

See secs. 2204 and 2232 as to unmailable matter of above character in foreign mails.

775. Ordinary mail matter addressed to fictitious persons or 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, shall not be delivered and shall be sent to the proper branch of the Division of Dead Letters and Dead Parcel Post, or to post offices at division headquarters of the Railway Mail Service, as prescribed by section 814, unless the envelop contains the card of the sender or a request to return, in which case such letters or packages shall be returned accordingly.

Matter not to be delivered to fictitious addresses.

—where to be sent.

See sec. 1323, par. 12, regarding the treatment of registered matter addressed to no particular person or firm.

2. 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 anyone for conducting, under a fictitious address, correspondence forbidden circulation in the mails, he shall promptly report the fact and the reason for his belief to the Solicitor for the Post Office Department and await his instructions, giving notice at the same time at the place where such mail matter has been received that, pending instructions from the Post Office Department, the claimant of such matter must call at the general delivery to receive it upon establishing his identity. (See secs. 597 and 605.)

Suspected fictitious addresses to be reported.

See sec. 777 as to mail addressed to a business name or title.

3. Postmasters may deliver all letters on which the postage has been fully prepaid, arriving at their respective post offices, during the month of December of each year, which are addressed plainly and unmistakably to "Santa Claus," without any other terms or expressions identifying the person for whom such letters are intended, to responsible charitable institutions or reputable individuals in the town or city of address who may desire to use them exclusively for philanthropic purposes. Letters of the character described addressed for local delivery, on which the postage is wholly unpaid or paid less than one full rate, also may be delivered to such institutions or individuals upon the payment of the postage with which they are chargeable. In the event that these letters are requested by more than one institution or individual, the postmaster shall distribute them in such proportion as he may deem proper. When no voluntary request is presented, postmasters shall forward without delay all "Santa Claus" letters to the proper branch of the Division of Dead Letters and Dead Parcel Post in accordance with section 721.

"Santa Claus" letters.

DELIVERY OF MAIL

Mail to be delivered from office to which addressed.—except.

—addressed to discontinued office.

—when delayed by casualties.

—to officers and enlisted men of Army and Navy in active service.

—to representatives of foreign Governments.

—to post-office inspectors.

—on addressee's application under certain conditions.

Mail in transit to special-supply office.

Mail in transit to star-route office.

776. Mail shall be delivered from the post office to which it is addressed and shall not be withdrawn for delivery in transit, except as provided herein and in section 2229 relating to matter liable to customs duties.

2. Mail addressed to a discontinued post office shall be delivered from the office to which mail is sent by order of the department. (See sec. 769.)

3. A postmaster at whose office mail matter in transit is lying delayed by flood or other casualty which has made the mail route impassable may deliver such matter to the parties addressed upon their personal or written applications and identification, or may deliver all of the mail for a particular office to which mail cannot be regularly carried on account of such casualties upon the personal application of the postmaster or a sworn employee of such office.

4. Mail addressed to officers and soldiers of the United States Army and State militia in the field and officers, sailors, and marines of the United States Navy in active service may be forwarded and delivered, in accordance with instructions from the proper military and naval authorities, through the general or division superintendents of the Railway Mail Service.

5. Mail matter addressed to any ambassador or other diplomatic representative of a foreign government may, on his request, be delivered from any post office through which it may be passing, the postmaster being sure of his identity.

6. Mail matter addressed to a post-office inspector shall be delivered to him upon his request from any post office through which it may be passing, or by any railway postal clerk when assured of the inspector's identity by inspecting his commission.

7. Ordinary mail matter in transit to an intermediate post office which is supplied by closed pouch by rural carrier may be delivered from the distributing office on Sundays and holidays or in an emergency, when the office is open to the public, upon addressee's personal or written application, with satisfactory identification.

8. Ordinary mail matter in transit to a post office receiving special supply may be delivered from the distributing office upon addressee's personal or written application with satisfactory identification.

See sec. 1323, par. 14, as to registered, insured, and collect-on-delivery mail.

9. Ordinary mail in transit to a post office located on a star route may in cases of emergency be delivered from the distributing office upon personal or written application of the addressee, with satisfactory identification.

10. Mail matter addressed to a post-office employee or to any member of his family, coming into his hands in the course of distribution and separation for delivery, shall not be withdrawn from the mails by such employee without first being submitted

to the postmaster or a duly designated supervisor in charge of the work to which the employee is assigned.

See sec. 2216, par. 4, regarding delivery of mail from foreign countries by postmasters at ports of arrival.

777. Mail matter should be delivered to the person addressed or in accordance with his written order. When the addressee habitually sends for or receives his mail through his clerk, servant, agent, or some member of his family, and recognizes or acquiesces in such delivery, no written order need be required.

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. Ordinary letters bearing the word "Personal" in connection with the address shall be delivered as other mail for the addressee is delivered.

3. A letter addressed to a person imprisoned to await trial, upon indictment or pending indictment, shall be delivered in accordance with the order of the person addressed. In the absence of an order the mail may be delivered to the sheriff or officer having charge of the prisoner.

4. When a postmaster is in doubt as to the identity of the addressee he may require proof, and shall exercise great care to make proper delivery, especially where mail matter appears to be of value.

5. Where two or more persons of the same name receive mail at the same office the postmaster shall advise them to adopt some address or means by which their mail may be distinguished. Postmasters may deliver such matter according to their best judgment, and shall not return it to the mailing office for better description of the addressee until after inquiry they are unable to determine to whom it should be delivered.

6. Mail matter addressed to a person in care of another shall be delivered to the addressee, if he so direct, and not to the person to whose care it is addressed. In the absence of such direction it shall be delivered to the first of the two persons who may call for it. (See sec. 778.)

7. Mail matter addressed to several persons may be delivered to any one of them.

8. Mail matter addressed to a public official or to an officer of a corporation by his official title shall be delivered to the person actually holding the office designated in the address.

9. Neither husband nor wife can control the delivery of matter addressed to the other. When so instructed, a postmaster shall refuse to deliver mail to the husband which is addressed to the wife, or mail to the wife which is addressed to the husband. In the absence of instructions to the contrary the wife's mail should be placed with the husband's and delivered to him with his own, unless they be known to live separately.

10. A person engaged in a legitimate business may adopt a business name, and, when duly identified, may receive his mail,

General directions for delivery of ordinary mail matter.
—to person addressed or to his order.

—upon verbal request of person not the addressee.

—when addressed "Personal."

—when addressee is in prison.

—when addressee is not known, identification.

—where two patrons have same name.

—addressed "in care of."

—to several persons.

—to public officials, etc., by title.

Neither husband nor wife to control delivery of mail to the other.

Addressed to business name.

registered or ordinary, by that name as well as by his proper name.

Delivery to agent of several.
—to be made on written order.

11. 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 the mail for such parties, and also mail addressed to a person in care of any such parties, shall be delivered to the agent named.

—application for.

12. All persons or firms who receive mail as agents for other persons or firms not bona fide occupants of premises to which mail is addressed, may be required by the local postmaster to file with him, for identification purposes, a written application of the addressee for such delivery of mail. A signed copy of the application shall be kept on file by the agent. Forms of application may be obtained from the local postmaster.

—to mail carriers for addressees.

13. Mail matter of patrons of a post office shall, at their request, be delivered to a star or rural carrier to be carried out of the mail and handed to them on his route before he passes another post office.

Disputed ownership.

14. In all cases of dispute as to the person or persons to whom mail should properly be delivered, where the postmaster is in doubt as to his duty under the regulations, he shall obtain written statements from the contending parties as to the grounds of their claims, and submit such statements, with a full report of his own, to the Solicitor for the Post Office Department, for advice in the premises.

See secs. 605 and 775 as to matter addressed to fictitious addresses used for unlawful business; sec. 1323 as to delivery of registered matter; sec. 776 as to transit mail; sec. 779 as to general delivery; sec. 784 as to pension mail; sec. 785 as to minor's mail; sec. 787 as to deceased addressee; sec. 788 as to disputed ownership; sec. 1088 as to special delivery.

Packages of second-class matter.
—separate copies to be delivered.

778. When bulk packages of second-class matter are received at any post office, addressed thereto, they shall be opened and the separate copies of the publication contained in such packages shall be delivered according to the addresses thereon. (See secs. 541 and 560.)

—for club subscribers, name may be written on separate papers.

2. When a package of second-class matter, intended for a club of actual subscribers at any except a letter-carrier office, is addressed to one of the members of such club, the addressee may call at the post office and write addresses on the single copies, which shall be delivered without payment of additional postage (see sec. 560); but the package cannot be taken away from the post office and the copies returned again for delivery or transmission in the mails unless additional postage is paid at the rate for transient matter of the second class (see sec. 545).

Use of general delivery.

—by transients.

779. Mail bearing as a part of its address the indorsement, "Transient," "To be called for," "General delivery," or other words indicating that it is intended for a transient person, shall be placed in the general-delivery case to be delivered upon application and proper identification, except as hereinafter provided. (See sec. 775.)

—at city and village delivery offices.

2. At city and village delivery offices, persons supposed to be residents who call at the general delivery for mail shall be re-

quested to furnish in writing their names and addresses (Form 1527) together with their reasons for desiring to use the general delivery instead of carrier service. Minors shall be required to furnish the same information, as well as the names of their parents or guardians, whose written consent shall accompany the application. (See sec. 785.) The general-delivery privilege shall not be extended to patrons whose mail can be delivered regularly by city or village carrier, except in cases where the reasons assigned are wholly satisfactory to the postmaster.

3. Postmasters at offices not having city or village delivery service may notify the parents of minors in all instances where it appears that such minors are using the general-delivery or post-office boxes for receiving mail under objectionable circumstances.

—at offices not having city or village delivery.

4. Mail with or without sender's return request that is not addressed as indicated in paragraph 1, nor to a post-office box, street, or rural-route number, shall be placed in the general-delivery case when the address cannot be supplied in the directory section (see sec. 783), unless it is addressed in care of a person whose address is known to the distributing clerks or carriers at an office not equipped with a directory.

—undelivered matter.

780. Ordinary mail, except that of the first class bearing the return cards of the senders, may be retained at the office of address at the request of the addressee for a period of 60 days. If the request is for a longer period, the postmaster shall submit the question to the First Assistant Postmaster General with a statement as to whether it would be practicable to comply with such request. First-class mail bearing return cards shall not be held at the request of the addressee beyond the time indicated in such cards. (See sec. 801.)

Retention of mail at request of addressee.

781. The use of a box shall be restricted to the renter thereof, the members of his household, and those connected with him in business.

Use of boxes.

2. Mail addressed to the members of the household of a box holder, including visitors, servants, and transient and temporary boarders, or in his care, and mail for confidential or official employees may be placed in his box.

—by members of families, etc.

3. A firm renting a box may have placed therein all mail matter addressed to its name and to any of its official employees. By the consent of all the members of a firm any member thereof may have mail addressed to himself or members of his family deposited in the box assigned to the firm's use.

—by firm.

4. When a box is rented by a corporation, association, or society, mail for its officials may be placed therein.

—by corporation, society, etc.

5. Mail matter addressed to the students and employees at a college, seminary, or school, who board therein, or to inmates and employees of any public institution, may be placed in the box rented by such college, school, or institution, if consistent with the usage and rules thereof.

—by colleges, public institutions, etc.

6. Mail addressed to guests or transient boarders at a hotel or boarding house should be placed in the box assigned to such hotel or house, or the proprietor thereof.

—by hotels, boarding houses.

Mail addressed to box number.

7. Mail addressed merely to the number of a box may be delivered to the holder thereof as long as no improper or unlawful business is conducted in this manner.

See sec. 1323, par. 12, regarding the treatment of registered matter addressed to no particular person or firm.

Matter without postage not to be put in boxes.

8. Bills and circulars shall not be placed in boxes by postmasters for themselves or anyone else without payment of regular postage thereon.

Mail in lock boxes to be handed out, when.

9. Postmasters may hand out mail from lock boxes or drawers when the holder or such person as may be authorized to take the mail has forgotten the key or cannot open the box.

Discrimination in handing out mail forbidden.

10. No discrimination in favor of box renters shall be made in the delivery of mail, but each person shall be served in his turn.

See sec. 486 as to rental of boxes.

Delivery of mail at city delivery offices.

782. All mail addressed to residences and business houses within the city delivery limits of a city or town shall, as far as possible, be delivered by letter carriers.

—by carrier, except.

2. Mail addressed to street and number shall be delivered by letter carriers unless the addressee directs otherwise. If a patron so direct, all of his mail, however addressed, shall be delivered by carrier or through his post-office box; otherwise it shall be delivered as addressed.

See sec. 779 as to the use of general delivery by residents served by carriers; sec. 1354 as to delivery of registered mail.

City directories.—use of, in ascertaining addresses.

783. At letter-carrier offices where a city directory is available it shall be used when necessary to ascertain the addresses of persons to whom letters are directed, and it shall also be used in the case of transient newspapers and other matter of the third and fourth classes where the error in or omitting of the street address is evidently the result of ignorance or inadvertence; but when circulars, printed postal cards, or other matter, except letters, arrive at any post office in large quantities, mailed apparently by the same person or firm, and from which the street addresses have been omitted, the directory shall not be used to supply such omissions, and all such circulars, etc., which cannot be delivered through boxes or by letter carriers shall be placed in the general delivery to await call.

Pension letters.—not deliverable, when. 38 U. S. C. 50. Supp. V.

784. Pensions, compensation, insurance, or other allowances or benefits provided for by laws administered by the Veterans' Administration shall be paid by checks drawn, pursuant to certification by the Administrator of Veterans' Affairs, by the Division of Disbursement of the Treasury Department in such form as to protect the United States against loss, without separate vouchers or receipts, and payable by the Treasurer of the United States, except in any case in which the Administrator of Veterans' Affairs may consider a voucher necessary for

the protection of the Government. Such checks shall be transmitted by mail to the payee thereof at his last-known address, and the envelope or cover thereof may bear an appropriate notice of the prohibition hereafter set forth in this section.

Postmasters, delivery clerks, letter carriers, and all other postal employees are prohibited from delivering any mail addressed by the United States bearing such notice and containing any such check (except that in the case of checks in payment of allowances and benefits other than pensions, compensation, or insurance, the prohibition shall apply only insofar as the Administrator of Veterans' Affairs deems it necessary to protect the United States against loss), to any person whomsoever, if the addressee has died or removed, or in the case of a widow believed by the postal employee intrusted with the delivery of such mail to have remarried (unless such mail is addressed by the United States in the name which the widow shall have acquired by remarriage); and the postmaster in every such case shall forthwith return such mail with a statement of the reasons for so doing, and if because of death or remarriage, the date thereof, if known.

NOTE.—The word "mail" as used in the law refers to letters containing checks in payment of pension drawn without separate vouchers or receipts, and the word "removed" has reference to removals beyond the delivery of the post office to which the mail is addressed and not to changes of residence or address within the delivery of such office. A temporary absence is not a removal within the meaning of the law.

Note.

2. Before delivering a letter the envelope of which bears instructions referring to the act of June 3, 1936 (a provision of which act constitutes paragraph 1 of this regulation), the postal employee intrusted with the delivery of such letter shall ascertain that the addressee is living, has not removed from the delivery of the post office addressed, has not reenlisted in the military or naval service of the United States, is not under guardianship, and, if a widow, has not remarried.

—before delivering postal employee must ascertain what.

3. If the addressee has not died, reenlisted, removed, or, if a widow, remarried, the letters bearing instructions under the act of June 3, 1936, may be delivered to the addressee, or without his or her written order, to any member of his or her family or household, his or her clerk, servant, or agent who has been in the habit of receiving the addressee's ordinary mail with his or her knowledge and consent, or to any responsible person who presents the addressee's written order, except that in no case shall such mail be delivered to a claim agent, attorney, or broker. Such letters shall not be forwarded to another post office, nor placed in lock or call boxes in the post office, nor delivered by city or rural carriers into receptacles on their routes.

When and how to be delivered.

Upon receipt of such a letter addressed to the holder of a post-office box, notice shall be placed in the addressee's box requesting him to call or send a proper representative for the letter. The same procedure shall be followed with respect to such a letter addressed to rural-route boxes, unless the conditions are such that delivery at the addressee's residence is required by section 1014. The postmaster of any office to which such a letter has been inadvertently forwarded shall not effect delivery thereof but shall immediately return such letter to the post office of original address, such return to be made in post office penalty envelope together with a memorandum referring to the instructions printed on the Treasury Department envelope.

Letters not bearing instructions.

—deliverable, how.

—undeliverable, when.

—return must be prompt.

Note.

4. Letters from the Veterans' Administration, including those from the Disbursing Officer of that office, not bearing such instructions, addressed to a pensioner, a claimant for pension, or a payee of the pension (in whole or in part) of another person, may be delivered to the addressee, to his or her guardian, to the person in whose care they may be addressed, if a responsible person, or to a member of the addressee's family or household, or other person to whom other mail for the pensioner is delivered. They may also be forwarded at the addressee's request. They shall not be delivered to or placed in the box of an attorney, claim agent, or broker, even upon the addressee's written or verbal order or request. They shall not be held for delivery beyond the period given in the card request; and if the addressee has died, they shall be returned immediately with a statement of that fact and the date of death, if known.

NOTE.—A payee of the pension of another person may be the wife (not widow) of a pensioner, the guardian of such wife or the pensioner, or his child or children.

Mail addressed to minors.

—delivery to be controlled by parents or guardians, when.

—to be delivered direct, when.

—when not dependent, delivery of.

—when deceased.

—at colleges, etc.

785. Mail matter addressed to minor children should generally be delivered in accordance with the directions of their father, or, if he be dead, of their mother, unless the minors be under guardianship, in which event their mail shall be delivered as the guardian may direct. If deemed necessary the postmaster may require the directions to be in writing.

2. In the absence of directions from a parent or guardian or one authorized to control the correspondence of a minor, mail matter addressed to such minor shall be delivered to him or her.

3. Mail matter addressed to a minor who is not dependent upon a parent for maintenance and support, and does not reside with a parent or guardian or with some one in whose charge he may have been placed, shall be delivered to the minor, or in accordance with his instructions.

4. 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.

5. At colleges and similar institutions, where students have been placed in charge of the principal by their parents or guardians, and where the rules of the institution provide that the principal shall have control of mail matter addressed to such

students as are minors, such mail shall be delivered in accordance with the order of the principal. If, however, the principal has not authority from the parent or guardian to control the mail of the children placed under his care (which authority is understood by an acceptance of the rules, that being one), such mail shall not be delivered to the principal against the wishes of the scholar.

See sec. 486, as to renting boxes to minors.

786. Mail addressed to a person who has been adjudicated of unsound mind shall be delivered in accordance with the directions of his duly appointed guardian.

Mail addressed to persons adjudicated of unsound mind.

787. Mail matter (not pension mail) addressed to a deceased person shall be delivered to the executor or administrator of his estate; if there be none, delivery may be made to the surviving husband or widow, unless there be other claimants, in which event the postmaster shall report the facts, with written statements from the parties, to the Solicitor, and await instructions.

Mail addressed to deceased persons.

2. When there is no executor, administrator, surviving husband, widow, or other claimant, the mail shall be sent to the proper branch of the Division of Dead Letters and Dead Parcel Post, with the return of unclaimed matter, with a statement of the facts. (See sec. 814.)

—to be sent to Division of Dead Letters, when.

See section 784 as to delivery of matter addressed to pensioners; section 801 as to return of request and card matter; and sections 1324 and 1325 as to registered matter.

788. Mail matter addressed to a firm may be delivered to any member thereof.

Mail addressed to partnerships and corporations. —delivery to agent.

2. Mail matter addressed to a corporation shall be delivered to the agent or officer conducting its correspondence or to the person authorized to receive it.

3. Postmasters shall not decide disputes between members of an existing firm as to delivery of its mail. Where the mail has previously been delivered through a box or general delivery such delivery shall be continued; if through carrier the mail shall be handed to any member of the firm.

—postmaster not to decide disputes as to delivery of.

4. Attempts to secure the mail of an established house, firm, or corporation through the adoption of a similar name shall not be recognized. When disputes arise between individuals, firms, or corporations as to the use of a name or designation, matter addressed to a street, number, or building shall be delivered according to such address. When not so addressed, the mail shall be delivered to the firm or corporation which first adopted the name of the address at that place.

When same name is used, delivery of.

5. In all cases of disputes as to the firm or corporation which is entitled to receive mail matter, when the postmaster is in doubt as to his duty under the regulations he shall obtain written statements from the contending parties as to the grounds of their claims and submit such statements, with a full report of his own, to the Solicitor for advice.

Report to department when in doubt.

789. When a firm or company dissolves, and contention arises as to whom the mail matter addressed to the former business firm or company, or its officials, shall be delivered, the postmaster, being

Contention as to delivery of mail for dissolved firm or company.

—postmaster to require appointment of receiver, when.

—matter to be sent to Division of Dead Letters pending settlement of dispute, except.

Mail for dissolved corporation.

Mail for person, firm, or corporation in hands of receiver.
—delivery of, to receiver or assignee, when.

—delivery of, to firm or person instead of assignee or receiver, when.

Mail relating to business which is sold.

forbidden by one party to deliver to another, shall 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 30 days from the date when delivery ceased, the mail in dispute and all that may arrive thereafter (until an agreement is made or receiver appointed) shall be sent to the proper branch of the Division of Dead Letters and Dead Parcel Post, marked "In dispute." (See sec. 817.) If, however, such letters bear the return address of the sender, they shall be returned to the sender direct marked "In dispute."

790. Mail matter for a dissolved corporation shall be delivered to the receiver or other legal representative authorized to settle its affairs.

791. 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 shall be delivered to the assignee or receiver when the instrument of assignment authorizes the assignee to receive it and a copy thereof is filed with the postmaster, or when the order of the court by which such receiver was appointed directs him to receive it; or 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 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 when the receiver has been appointed to take charge of, continue, or wind up the business of an existing corporation.

2. Mail matter shall be delivered to the firm or person and not to the assignee or receiver 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; or 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; or 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.

792. When a business is sold, the mail shall be delivered according to the agreement entered into by the parties. Postmasters shall not construe contracts nor determine rights, but shall deliver the mail according to such directions as may be given by the vendor or the plain provisions of contract of sale; and in the absence of directions by the vendor or any provision in the contract of sale the mail shall be delivered to the person for whom it appears to be intended.

793. When mail matter is claimed by different persons and suit is instituted between them to determine their rights thereto, any order of the court affecting the delivery of the mail shall be obeyed.

Order of court to be obeyed.

794. When a letter intended for one person is delivered to another of the same name and returned by him, the postmaster shall 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; the letter shall then be replaced in the post office. If the person who opens the letter is unable to sign his name, the postmaster shall make the indorsement and have the person sign by "mark" in presence of a witness.

Letters "Opened through mistake." —to be resealed and indorsed by party opening.

2. A letter opened by mistake shall be treated until its proper delivery as though it were sealed. Postmasters shall not examine the contents of such letters, but shall confine themselves to the information upon the envelope or wrapper.

—to be treated as sealed until proper delivery.

See sec. 801 as to return to senders of letters opened by mistake.

795. When dead letters containing money or other valuable matter are received from the Division of Dead Letters and Dead Parcel Post, or a branch thereof, for delivery to the owners, diligent effort shall be made to deliver them to the proper persons. Such letters shall be treated as if under seal, and postmasters and their employees shall maintain the strictest secrecy as to their contents. No exchange shall be made for other funds of any money therein contained.

Valuable letters received from Division of Dead Letters or branch. —effort to deliver.

—secrecy as to contents.

2. If letters received from the Division of Dead Letters and Dead Parcel Post, or a branch thereof, containing money or other valuable matter can not be delivered, after holding them 30 days from date of receipt, the reason for nondelivery shall be indorsed on the circular which accompanies each letter, and they shall be returned to the Division of Dead Letters and Dead Parcel Post or the proper branch thereof. Such letters shall be entered on one list, which shall be sent in duplicate, giving the record letter, number, and book. The package shall be indorsed "Dead registered matter from _____" (here add name of post office), and be addressed "The Division of Dead Letters and Dead Parcel Post, Washington, D. C.," or the proper branch.

—if not delivered within 30 days, disposal of.

See sec. 1332 as to manner of sending registered matter to the Division of Dead Letters and Dead Parcel Post; sec. 813 as to points where undelivered matter should be sent.

3. Letters containing articles of value, not money, shall not be registered on return unless they were received registered. No other letters shall be sent in the same package.

—registry of dead letters, when.

4. Dead letters containing money or other valuable matter received from the Division of Dead Letters and Dead Parcel Post or a branch thereof for delivery shall not be forwarded to another post office without special permission of that division or branch. If the whereabouts of the owner be known, the letter shall be returned immediately to that division or branch, as provided in paragraph 2, with full information.

—not to be forwarded.

—when registered, how handled.

Delivery to senders of unclaimed letters returned. —postage due.

Card requests.

Delivery of certain unmailable matter. 39 U. S. C. 243.

—when reaching office of destination.

Name of sender and facts to be reported.

Kind of matter to be so delivered. —matter liable to injure or destroy. —matter in excess of weight or size.

5. Mail matter received under registered cover from the Division of Dead Letters and Dead Parcel Post or branches thereof shall be handled as registered matter until finally disposed of, regardless of whether or not the piece of mail matter transmitted was registered when originally deposited in the mails. Postmasters of offices failing to do this will be held personally responsible for losses resulting therefrom.

796. Unclaimed card and request letters, prepaid one full rate but not wholly prepaid, shall, when returned to the office of mailing, be delivered to the sender, and the amount of postage due thereon collected. (See sec. 801.)

2. Unclaimed letters bearing the card of a hotel, school, college, or other public institution returned to the office of mailing in accordance with a special request thereon shall be presented to the hotel, school, college, or other institution, and if the writer or his address is unknown such letters shall be treated as other undeliverable matter.

797. If any matter excluded from the mails by section 240 of this title (see secs. 569 and 577), except that declared nonmailable by section 334 of Title 18 (see secs. 598 and 774), shall, by inadvertence, reach the office of destination, the same shall be delivered in accordance with its address. 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.

2. All improperly wrapped mailable matter, all matter not absolutely excluded from the mail, but which from its form and nature is liable to destroy, deface, or otherwise damage the contents of mail bags, or harm the person of anyone engaged in the Postal Service (see secs. 588, 591, and 594), all matter in excess of the weight prescribed by law (see sec. 577), upon which postage is paid for its full weight, and all matter exceeding the size prescribed by law (see secs. 569 and 570), which inadvertently reaches the office of address, shall be delivered under the provisions of the preceding statute. In such cases reports shall be made, giving the date and office of mailing and the names and addresses of the sender and addressee, reports concerning matter liable to injure or destroy being sent to the Second Assistant Postmaster General, Division of Railway Mail Service, and reports relative to matter exceeding the limit of weight or size to the Third Assistant Postmaster General, Division of Classification. Intoxicating liquors, poisons, explosives, and articles harmful and dangerous to handle absolutely excluded from the mails under section 588 shall not be delivered, but shall be held intact and report thereof made to the inspector

in charge of the division in which the office of mailing is located. Instructions as to the disposition of such matter will be issued by the inspector in charge.

798. The Postmaster General may direct the publication of the list of nondelivered letters at any post office by 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 Postmaster General may deem proper, but not oftener than once a week.

Advertising of
nondelivered
letters.
39 U. S. C. 401.

2. The list of nondelivered 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 section 401 of this title.

39 U. S. C. 402.

3. Every postmaster shall post, in a conspicuous place in his office, a copy of each list of nondelivered letters immediately after its publication.

39 U. S. C. 403.

4. The compensation for publishing the list of nondelivered letters shall in no case exceed one cent for each letter so published.

39 U. S. C. 404.

5. All letters published as nondelivered shall be charged with one cent in addition to the regular postage, to be accounted for as part of the postal revenue.

39 U. S. C. 405.

6. Unclaimed domestic and foreign matter shall not be advertised.

Not to be
advertised.

RETURN AND DISPOSAL OF UNCLAIMED MATTER

799. The Postmaster General may regulate the period during which undelivered letters and parcels of the first class shall remain in any post office and when they shall be returned to the Dead Letter Office; * * *

Detention of un-
delivered matter
and return to
Division of Dead
Letters.
39 U. S. C. 406.
Supp. V.

See sec. 821 for remainder of above statute as to return of matter from the Dead Letter Office and the branches thereof; sec. 817 as to returns to the Dead Letter Office and the branches thereof; secs. 1313, 1330, and 1333 as to registered matter.

Return of unde-
livered letters.
39 U.S. C. 409.
—time speci-
fied.

800. When the writer of any letter on which the post-
age is prepaid shall indorse on 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 the time the writer may direct or the
Postmaster General prescribe, shall be returned to the
writer without additional charge for postage, and if
not then delivered, shall be treated as a dead letter.

Limitation.

2. The writer's card request for the holding of a letter for a
period shorter than 3 days or longer than 30 days shall be dis-
regarded, except that a special-delivery letter bearing the spe-
cific request that it be returned to the writer if immediate de-
livery cannot be effected shall be so returned.

—time altered
by sender.

3. The sender of a letter bearing a specific return request
may by subsequent written instruction to the postmaster at the
office of delivery lengthen or shorten the time originally allowed
for delivery, but no letter shall be returned in less than
3 days (except as provided in sec. 730 as to the recall of mail)
nor held for delivery more than 30 days.

Addressee's re-
quest for reten-
tion not valid.

4. Mail matter of the first class bearing the sender's return
request shall be returned at the expiration of the time specified
in the request, regardless of instructions from the addressee for
the retention of his mail. Such matter placed in a patron's
rented post office box shall not be returned, except such as is in
a box when it is declared vacant.

Sender's return
request to be
disregarded,
when.

5. First-class, ordinary mail, specifically addressed to street
and number, building, rural route, or post-office box, bearing
the sender's return request, which cannot be delivered as ad-
dressed shall be given directory service; and if addresses, the
correctness of which is reasonably certain, are not found, such
mail shall be returned at once to the senders without regard
to the number of days specified or implied by the return cards
thereon. Such mail shall not be placed in the general delivery
nor held to await call.

See sec. 780 as to the holding of mail without return cards at the
addressee's request.

Return of card
letters.
—time not
specified.

801. Ordinary mail of the first class (except that described in
par. 5 of sec. 800 and single postal cards and post cards), bearing
the name and address of the sender without a request specifying
a number of days, which after proper service remains undeliv-
ered shall not be advertised but shall be returned to the sender
at the expiration of—

—when to be
returned.

Five days if intended for delivery by village or rural carrier.
Ten days if intended for general delivery service at an office
having city carrier service.

Fifteen days from offices not having city carrier service unless
intended for delivery by village or rural carrier.

—official mail.

2. Unclaimed official mail sent under penalty envelope or label
or the frank of a Member of Congress and unclaimed reports and
bulletins sent out from State agricultural colleges (in accordance

with sec. 620) and from agricultural experiment stations (as provided in par. 3, sec. 622) shall be returned to the office of mailing if it is known. If the office of origin can not be ascertained, such mail shall be returned to the post office at Washington, D. C.

3. A request upon a drop letter for its return to the writer at another post office shall not be complied with unless the letter is prepaid with one full rate of postage.

—drop letters..

4. An unclaimed letter bearing the card of a hotel, school, or college, or other public institution printed upon the envelope as an advertisement shall not be returned unless the card includes a printed or written request for return.

—cards of hotels, schools, etc.

5. If a prepaid letter bearing a return card is opened inadvertently or upon a wrong delivery and is undeliverable, it shall be returned to the writer without additional charge. (See sec. 794.)

—inadvertently opened letters.

6. An undelivered letter or other matter of the first class bearing a return card and prepaid one full rate, but not wholly prepaid, shall be returned to the mailing office to be delivered to the sender upon his payment of the postage due.

—short-paid letters.

7. Every piece of domestic first-class mail returned in accordance with the sender's return card shall bear on its face an indorsement of the reason for its return, as prescribed by section 806, and shall also be indorsed "Returned to writer," and bear a postmark showing the date of return and the name of the post office from which returned. The original address shall be canceled, but shall not be obliterated or rendered illegible.

—indorsement of reason.

See section 2227 as to indorsement of foreign mail.

8. Undeliverable mail bearing the card of the White House, the Speaker's room (House of Representatives), the United States Senate, or of the House of Representatives, with or without postage stamps affixed, shall be returned direct to the Washington, D. C., post office and not sent to the Division of Dead Letters and Dead Parcel Post.

—mail from White House, Senate, etc.

802. Unpaid, misdirected, unmailable, and unclaimed domestic postal cards and post cards deposited for local delivery shall be returned to the sender, without additional postage, when they bear his return card in the upper left corner of the address side. Single postal cards and post cards, and double post cards not having postage prepaid on reply portion, when mailed for other than local delivery, shall be returned to the sender only when they bear his return card in the upper left corner of the address side, together with a pledge to pay return postage. Such cards bearing the sender's return card and pledge to pay return postage shall be returned charged with 1 cent postage due, to be collected on delivery, as provided in section 805. All other undeliverable domestic cards shall be held for reclamation 2 weeks and then, if not delivered, shall be destroyed or disposed of as waste by postmasters, except that such as are obscene or scurrilous shall be sent to the Division of Dead Letters and Dead Parcel Post, and those that bear uncanceled postage stamps shall be sent

Undelivered postal and post cards. —local, may be returned.

—unless unmailable.

—message to be canceled.

—double.

Disposal of unclaimed printed matter.
39 U. S. C. 411.
—regulations as to.

Matter without value to be treated as waste paper, except.

Note.

Undeliverable perishable matter.
39 U. S. C. 261.

—when it may be disposed of by sale or otherwise.

to the proper branch of the Division of Dead Letters and Dead Parcel Post. Before being disposed of as waste, the written communications on undeliverable cards shall be canceled or mutilated so as to prevent the improper use of the correspondence.

2. Double postal cards, and double post cards with postage prepaid on reply portion, when unclaimed, shall be returned to sender when known; otherwise they shall be sent to the proper branch of the Division of Dead Letters and Dead Parcel Post. Care shall be taken in endorsing and returning double cards not to deface or destroy the unused half.

803. 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.

2. Domestic printed matter, obviously without value, including printed single postal cards, and post cards, and double post cards not having postage prepaid on reply portion, which are not returnable under the conditions prescribed in paragraph 1, section 802, shall not be sent to the Division of Deal Letters and Dead Parcel Post or a branch thereof when unclaimed, except that upon which postage is due, but shall be disposed of as waste paper, and the proceeds accounted for as other postal revenue. (See sec. 101.)

NOTE.—Printed matter of obvious value means such as sheet music, pictures, photographs, books, or pamphlets likely to be of any special use or value to the addressee.

804. Under such regulations as the Postmaster General may prescribe, undeliverable parcels containing perishable matter may be sold and the amount realized, less a commission of 10 per centum, but in no case less than 15 cents, shall be remitted to the sender or other rightful owner.

2. (a) Undeliverable parcels containing live day-old poultry, dressed poultry, fresh meats, fish, vegetables, fruits, berries, cut flowers, nursery stock, eggs, hides and pelts, or other perishable articles, may, when there is insufficient time to forward them to the addressee at a new address or return them to the sender before the contents would spoil (72 hours from time of hatching with respect to live day-old poultry—see sec. 594, par. 2) be disposed of by postmasters by sale through competitive bidding. Postal employees are strictly forbidden to submit bids at such sales nor shall bids be accepted from *or on behalf of* the original addressee of such perishable article or articles. The amount realized, less a commission of 10 percent, but in no case less than 15 cents, shall be remitted to the sender or other rightful owner, or the net amount

realized may be delivered at any time within 2 weeks to the sender, original addressee, or such other person as may be the rightful owner, or on his written order, and a receipt obtained therefor. In case of doubt as to the rightful owner of the proceeds, instructions shall be obtained from the Department. If at the expiration of that period the net proceeds remain unclaimed, postmasters at post offices of the second, third, and fourth classes shall transmit such proceeds with a full explanation of the transaction to the central accounting office for deposit as part of the postal revenues. Such proceeds originating at post offices of the first class or received at central accounting post offices from post offices of the second, third, and fourth classes shall be deposited as part of the postal revenues and accounted for under the head of "Miscellaneous Receipts," item No. 5, of the monthly and quarterly report, with a separate supporting schedule.

(b) Postage-due stamps representing the amount retained as a commission for the sale of the articles—that is, 10 percent of the proceeds, but in no case less than 15 cents—shall be affixed to the parcel or to a tag or sheet of paper attached to the article, canceled and delivered with the matter to the purchaser.

3. In case articles of a perishable nature, with the exception of hides and pelts, cannot be sold through competitive bidding they may be delivered to the proper local municipal authority to be distributed to hospitals, asylums, or other charitable or reformatory institutions. If there is no such municipal authority, the matter may be delivered to any charitable institution or organization making application therefor; otherwise it shall be destroyed.

—perishable matter, disposition.

4. Perishable matter shall be delivered as promptly as possible, but if such matter cannot be delivered or sold and becomes offensive and injurious to health, postmasters may destroy it, or the injurious or offensive portion thereof. Under no circumstances shall such perishable matter be sent to the Division of Dead Letters and Dead Parcel Post or to post offices at division headquarters of the Railway Mail Service.

Perishable matter.

—when postmasters may destroy.

5. Postmasters shall keep a complete record of the receipt and disposition made of each piece of undeliverable perishable matter, in order that they may furnish at any time statistical information showing the number of perishable parcels sold, the proceeds therefrom, the amount retained by the Postal Service as commission, and the class of each parcel involved—that is, whether ordinary, insured, or C. O. D.

—record to be kept of transactions and disposition of proceeds of sales.

6. Undeliverable samples of merchandise sent for advertising purposes, such as tooth paste, shaving soap or cream, toilet soap, hair tonic, needles, lead pencils, polishes, paints, or articles of a like character having a salable value, shall be sent to the Division of Dead Letters and Dead Parcel Post or to post offices at division headquarters of the Railway Mail Service (except Cleveland, Ohio, and Pittsburgh, Pa.). They shall be listed on Form

Samples of merchandise.

1522 as one item, giving the number of articles and the name and address of each sender. Those of no salable value shall be destroyed and no record kept of their disposal.

—insured and
C. O. D.

7. When the matter is insured or C. O. D., appropriate office record shall be made showing the full particulars of the parcel and if sold, the amount obtained and the disposition made thereof. The postmaster at the office of mailing or of address, as may be appropriate, or both, if the matter is disposed of in transit, shall be advised in detail of the action taken, and they shall make proper notation on their office records. In the event of the filing of claim for indemnity covering any such insured or C. O. D. parcel, postmasters shall see that a full statement of the facts accompanies the claim papers for transmission to the duly designated postmaster or the department as may be appropriate.

Prepayment of
postage on re-
turned second-,
third-, and
fourth-class
matter.
39 U. S. C. 276.

805. Under such regulations as the Postmaster General may prescribe, fourth-class matter of obvious value which is of a perishable nature may * * * when * * * undeliverable to the addressee * * * be returned to the sender charged with the return postage. Other undeliverable matter of the second, third, and fourth classes * * * may be returned to the sender charged with the return postage, when it bears the sender's pledge that the postage for * * * return will be paid, such postage to be collected on delivery, but when the sender refuses to furnish such postage in accordance with his pledge, the acceptance from him of further matter bearing such pledge may be refused.

Undelivered
mail matter.
39 U. S. C. 278.

2. Except as provided in sections 276 and 277 of this title (see par. 1, this section, and par. 1, sec. 808) second-, third-, and fourth-class mail matter (except that of the second, third and fourth classes bearing the sender's pledge to pay the return postage) shall not be returned to sender or remailed until the postage has been fully prepaid on the same. In all cases where undelivered matter of the second class is of obvious value (and does not bear the sender's pledge to pay the return postage), the sender, if known, shall be notified of the fact of nondelivery, and be given the opportunity of prepaying the return postage. In all cases when undelivered mail matter of the third and fourth classes is of obvious value (and does not bear the sender's pledge to pay the return postage and is not perishable), the sender, if known, shall be given the opportunity of prepaying the return postage or accepting delivery to himself or

—sender to be
notified, when.

upon his order, at the office where it is held, upon the payment of 1 cent postage for each card notice given him, under such regulations as the Postmaster General may prescribe.

See sec. 769 as to the forwarding of second, third, and fourth class matter; sec. 808 as to the return of second-class matter.

3. (a) Undeliverable matter of the second, third, and fourth classes which bears the pledge of the sender that postage for its return will be paid, and undeliverable fourth-class matter of obvious value which is of a perishable nature, shall be returned to the sender rated with the postage chargeable for its return, such postage to be collected by means of postage-due stamps on delivery of the matter to the sender. Such matter as has first been forwarded from the office of the original address under the provisions of paragraph 4, section 769, without prepayment of the forwarding postage, is chargeable, when returned to the sender, with the postage for such forwarding, in addition to that required for its return, both to be collected on delivery of the matter as herein provided.

Matter bearing sender's pledge and that of obvious value of a perishable nature.

(b) When the sender of matter of the second, third, or fourth class desires, in case it is undeliverable as originally addressed, that it be forwarded to the addressee or to some other designated person at another post office or that it be returned to the sender and the forwarding or return postage, or both, collected on delivery, he shall place on the matter an appropriate pledge that such postage will be paid. The pledge shall be placed immediately under the sender's return card, which the matter shall bear in every case, in the upper left corner of the address side. When the sender refuses to pay the forwarding or return postage in accordance with his pledge, report of all the facts shall be made to the Third Assistant Postmaster General, Division of Classification, but acceptance of further matter bearing such pledge shall not be refused until specific instructions to do so are received.

Manner in which sender's pledge should be indicated.

4. The rate of postage for the return of matter of the second class is the transient second-class rate (see sec. 545) regardless of weight or distance, except as provided in paragraph 4, section 808; of the third class, 1½ cents for each 2 ounces or fraction thereof, except that the rate on books, catalogues, seeds, cuttings, bulbs, roots, scions, and plants is 1 cent for each 2 ounces or fraction thereof, up to and including 8 ounces; and of the fourth class, the rates prescribed in sections 571, 572 and 573. In every case postage shall be computed on each separately addressed piece.

Rates of postage for the several classes.

5. Matter of the second, third, and fourth classes which does not bear the pledge of the sender to pay return postage, except perishable matter of the fourth class of obvious value, shall not be returned until the postage for such return shall have been prepaid. When such matter of obvious value bearing no pledge, except perishable fourth-class matter, is undeliverable, the postmaster shall notify the sender of that fact by card notice (Form 3540) and give him an opportunity to furnish the return postage

Matter not bearing sender's pledge.

Notice to sender.

or, in the case of third- and fourth-class matter, to withdraw the matter, if he so prefers, from the mails (either himself or through some person authorized by him) at the office where it is held, upon payment of 1 cent postage for each card notice sent him. When postage shall have been furnished for the return of matter as herein provided, the postmaster shall affix the necessary stamps to each separately addressed piece, cancel the stamps, make the necessary change in address, and promptly return the matter. If the sender prefers to withdraw the matter and pay 1 cent postage for each notice furnished him, the stamp representing such postage shall be affixed to the matter itself when withdrawn, and be canceled by the postmaster.

Note.

NOTE.—There is no provision of law by which the sender of undeliverable second-class matter may withdraw it in this manner from the mails at the office of address.

—at letter-carrier offices.

6. Under the foregoing provisions undeliverable matter of the third and fourth classes addressed for local delivery at the office of mailing shall not be returned to the sender by letter carrier, or by rural carrier, without a new payment of postage on each piece at the rate chargeable thereon, as stated in paragraph 4.

Undeliverable matter at terminal offices.

7. Undeliverable "nixie" matter of the second, third, and fourth classes of obvious value received at a terminal office from railway postal clerks shall at once be returned to the sender, if known, without additional charge for postage. Such matter shall be properly indorsed to show the reason for its return. If the sender is unknown or the matter is not of obvious value, it shall be treated as if the office receiving it were the post office of original address.

Undeliverable matter of obvious value, how long to be held.

8. When a notice concerning undeliverable matter of the second, third, or fourth class, of obvious value, has been sent as provided in this section, the postmaster shall hold such matter not longer than two weeks, unless the office of mailing be so remote from the office of address that a response could not be received from the sender within that time, in which case the matter shall be held not exceeding 4 weeks; except that 6 weeks may be allowed for the notice to be dispatched and returned between any post office in the Territory of Hawaii and any other United States post office outside the Territories of Hawaii and Alaska, and 90 days for such service between any post office in the Territory of Alaska and any other United States post office not in the same Territory.

Matter of obvious value.

9. Matter of obvious value within the meaning of this section is not only such as the postmaster may so regard, but includes all registered, insured, and C. O. D. matter, and such as bears the pledge of the sender that postage for its forwarding and return will be furnished.

Undeliverable third- and fourth-class matter.—disposition.

10. (a) Undeliverable matter of the third and fourth classes of obvious value which cannot be returned to the sender under the provisions of this section shall be sent to the Division of Dead Letters and Dead Parcel Post or the post office at the headquarters of the division of the Railway Mail Service (except Cleveland, Ohio, and Pittsburgh, Pa.) that includes the State, Terri-

tory, or part of a State in which the office of detention is located, except that such matter detained at offices in the lower peninsula of Michigan shall be sent to the postmaster at Chicago, Ill. —exception.

(b) Mail matter addressed to foreign countries, posted in violation of law or treaty stipulation and bearing a return address, shall be returned at once without charge to the sender with reason for return properly endorsed thereon. All such matter without return address, except that of the first class in letter form, shall be listed on Form 1522 and dispatched to the Division of Dead Letters and Dead Parcel Post or proper dead parcel post branch, where it shall be treated and finally disposed of in the same manner as ordinary domestic matter; *provided, however, that matter of foreign address which is found to be undeliverable and of obvious value shall be held in the dead parcel post branch 6 months awaiting reclamation.*

See secs. 723 and 724 as to return of matter to sender before dispatch where postage is unpaid, or the matter is misdirected, without payment of new postage; sec. 769 (note) as to sending local matter redirected to new address without new postage; sec. 2204 as to insufficiently prepaid matter addressed to foreign countries; sec. 826, paragraph 5, for postage charges on parcels returned by dead parcel post branches.

806. Upon every undelivered article of mail matter shall be indorsed or stamped the reason for nondelivery, using a term that is applicable and easily understood, such as: "Moved—no address," "Unknown at address," "No such number," "No such street," "Refused," "Deceased," "Firm dissolved—no order," "In dispute," "House quarantined," or such other term as clearly explains the failure of delivery; and when no other reason can be ascertained the matter should be indorsed "Unclaimed." At offices having city or village delivery service, mail properly distributed to a carrier, but which he is unable to deliver, shall be indorsed by the carrier with the correct reason for nondelivery and the indorsement shall include the initials of the carrier and the number of the route served by him. In indorsing or stamping undelivered matter the original address or postmark shall not be defaced or obscured.

Reason for nondelivery to be shown on matter.

See sec. 2227 as to indorsement of foreign mail.

807. When at letter-carrier post offices matter to which postage-due stamps have been affixed is returned to sender, the provisions of section 773 relating to postage-due bill shall be observed.

Return of matter to which postage-due stamps have been affixed.

UNDELIVERABLE SECOND-CLASS MATTER

808. When copies of any publication of the second class, mailed by a publisher at the pound rate or free in the county of publication, are undeliverable at the address thereon, the postmaster at the office of destination shall promptly notify the publisher of the fact, giving the reason therefor, and copies received five weeks after the mailing of the notice to the publisher, and in no instance until two successive issues thereof have been

Undeliverable second-class matter.
39 U. S. C. 277.
—publisher to be notified of.
—returned to publisher charged with postage at third-class rate.

published, shall, under such regulations as the Postmaster General may prescribe, be separately returned to the publisher thereof charged with postage at the third-class rate: *Provided*, That there shall be a postage charge of 2 cents for such notice regarding undeliverable copies, which shall be collected from the publisher upon delivery of the notice; except that where the undeliverable copies bear the pledge of the sender to pay the return postage no notice shall be sent to the publisher but the copies received during the period specified in this paragraph shall be returned charged with postage due at the rate of 1 cent for each two ounces or fraction thereof, with a minimum charge of 2 cents, and indorsed to show the reason they are undeliverable and the new address of the addressee, if known.

Two cents postage charge for each notice.

Action when publisher refuses to pay postage due.

2. If the publisher refuses to pay the postage due on the notice on Form 3578 or the postage due on undeliverable copies of his publication returned to him under Form 3579, the postmaster shall immediately obtain the publisher's statement of his reasons for such refusal and make a full report of the matter to the Third Assistant Postmaster General, Division of Classification.

Notice to publisher.—how given.

3. (a) The notice to the publisher that copies of his publication are for any reason undeliverable at the address thereon shall be made in duplicate, on Form 3578, the original to be retained by the postmaster as a record of notices furnished and the duplicate, charged with 2 cents postage due, sent to the publisher. Such notice shall not be sent when copies of a publication are undeliverable at the address thereon because of the temporary absence of the addressee.

—record of.

Return of publication in lieu of sending notice.

(b) When the copies of a publication bear the pledge of the sender to pay return postage, no notice on Form 3578 shall be sent to the publisher, except in case of local change of address, and the copies received during the period specified in paragraph 1 of this section shall be returned to the publisher charged with postage due at the rate of 1 cent for each two ounces or fraction thereof, with a minimum charge of 2 cents, and the copies shall be indorsed to show the reason they are undeliverable together with the new address of the addressee, if known.

Conditions under which matter shall be returned to publisher.

4. Copies of all publications received after five weeks from the date of mailing the notice on Form 3578, or the return of the first copy of the publication as prescribed in paragraph 3 (b), this section, but in no instance until two successive issues thereof have been published, which are undeliverable at the address thereon, including local change of address, shall be returned to the publishers under label Form 3579, charged with postage due at the third-class rate. This label shall be pasted on the outside of the publication or its wrapper in such manner as not to cover or obscure the original address or the subscription number

thereon. Lines shall be lightly drawn through the original address. The postmaster shall enter in the place provided therefor the amount of postage due at the third-class rate and the date of the notice sent to the publisher.

5. The copy which forms the basis for sending the notice on Form 3578 and copies received similarly addressed for the period of five weeks thereafter, or in the event that during the five weeks' period two issues have not been published, then copies received until two issues have been published, shall, if undeliverable at the post office of address, be disposed of as waste (see sec. 101), unless there be on file a forwarding order of the addressee, or unless there appears on the face of the publication or wrapper a pledge of the publisher to pay postage for its return, in which events the copies shall be forwarded or returned. (See sec. 769 and par. 3 (b), this section, as the case may be.) If the postage for forwarding such matter is not furnished, the copies shall be disposed of as waste.

6. When second-class matter is forwarded to the addressee under the provisions of section 769, the rate is that applicable to transient second-class matter (see par. 1, sec. 545); the rate of postage applicable to such matter when returned to the publisher under the provisions of this section is the third-class rate or the rate prescribed in par. 3 (b), this section, as the case may be. Notice on Form 3578 shall be sent promptly, whether or not the copies bear a guarantee of return or forwarding postage, except as provided in par. 3 (b), this section.

7. Undeliverable Canadian second-class matter shall be given the same treatment as domestic matter of that class.

See current Postal Guide for instructions.
See sec. 768 as to collection of postage due on undeliverable second-class matter returned.

Disposal of undeliverable second-class matter not returned to publisher.

Rate of postage applicable.

CHAPTER 4

LOSS, RIFLING, DAMAGE, OR OTHER MISTREATMENT OF MAIL MATTER; INQUIRIES, COMPLAINTS, AND INVESTIGATIONS; REQUESTS FOR AND FAILURE TO RECEIVE RETURN RECEIPTS; AND COLLECTIONS FROM POSTAL EMPLOYEES AND MAIL CONTRACTORS

809. Postmasters and other postal officers shall report in the manner outlined in this chapter and in section 2233 every complaint made to them, or instances which come to their knowledge, of the loss, rifling, damage, or other mistreatment of mail matter by postal employees or others. Instances not mentioned here in or in section 2233 shall be reported on Form 1510 or by letter to the bureau of the department having jurisdiction of the subject involved. (See secs. 9 to 15.)

2. Postmasters and other postal officers shall not make, nor attempt to make, settlements in whole or in part direct with patrons of the Postal Service on account of loss, rifling, damage,

Loss or improper treatment of mail matter.

Unauthorized settlements and concealments of knowledge forbidden.

or other mistreatment of mail matter unless specially authorized so to do; nor shall they conceal from the department or its representatives entitled to the information any known facts or circumstances concerning a deprecation upon or loss of mail matter.

Philippine Islands or Canal Zone.

3. Postmasters (except postmasters at United States exchange offices when specifically authorized) shall refrain from addressing inquiries to postmasters or other postal officers in the Philippine Islands or Canal Zone regarding the alleged loss, rifling, damage, wrong delivery, or other improper treatment of mail matter by postal employees.

Extraordinary loss or damage.

4. All cases of extraordinary loss or destruction of mail matter, as well as any accident, occurrence, or deprecation of consequence requiring the immediate attention of inspectors, shall be reported promptly by telegram, if possible, to the inspector in charge of the proper division. (See sec. 443 as to the burglary of a post office.) Also an immediate report by letter shall be made to the same inspector in charge, giving, if possible, all the facts and circumstances connected with the irregularity. Full particulars regarding registered mail lost or rifled shall be reported, and if the loss includes the mail key the number shall be given. (See sec. 1894.) The inspector in charge shall, when the circumstances warrant, report the matter to the chief inspector by telegraph.

Loss, rifling, damage, etc., of mail.
—inquiries as to delay, etc., of registered mail.

810. Inquiries concerning the disposition or delay (as distinguished from prima facie loss, rifling, damage, wrong delivery, or tampering) of domestic registered mail, including that exchanged with the Canal Zone and Philippine Islands, shall be reported to the Third Assistant Postmaster General, Division of Registered Mails. These reports shall be made on Form 1510 or by letter, and in cases of delay the envelope or wrapper shall be submitted if possible.

—loss, etc., of registered mail.

2. (a) Loss, rifling, damage, or wrong delivery of, and tampering with domestic registered mail (see subparagraph (c) as to Philippine Islands and Canal Zone) shall be reported to the inspector in charge of the division in which the irregularity occurred if known; otherwise, to the inspector in charge of the division in which the office of mailing is located. Where it is apparent in a case of wrong delivery that no loss is involved, report shall be made to the Third Assistant Postmaster General, Division of Registered Mails, rather than to the inspector in charge.

—complaints, how made.

(b) Complaints at first or second class offices shall be made on Form 565 and at others on Form 1510, or by letter. Whenever available the envelope or wrapper shall be submitted, and in cases of damage, the damaged contents and packing material shall be retained if practicable until the investigation is completed.

(c) Where Philippine Islands or Canal Zone are involved, the procedure prescribed in section 2233, paragraph 1 or 2, as the case may be, shall be followed.

3. Inquiries concerning insured mail exchanged with the Canal Zone, or addressed to the Philippine Islands, accepted in accordance with instructions appearing in the annual Postal Guide, or elsewhere, shall be executed on Form 3812, and at the same time, if prima facie loss or rifling is indicated, or wrong delivery of insured parcels from the Canal Zone is disclosed, Form 1510 shall be executed. Form 3812 shall be transmitted to the Third Assistant Postmaster General, Division of Registered Mails, and Form 1510, endorsed to show the date of reference of Form 3812 to the foregoing official, shall be sent to the inspector in charge of the division of origin or destination, first and second-class offices, in cases of loss or rifling, also complying with paragraph 4 (a). When Form 1510 is executed, Form 3812 shall be completed to show to what inspector in charge Form 1510 is sent. The Third Assistant Postmaster General, Division of Registered Mails, shall notify the chief inspector when loss, rifling, or wrong delivery in the United States Postal Service is disclosed in instances not previously reported to inspectors in charge.

Inquiries, insured mail, Canal Zone and Philippine Islands.

4. (a) Loss or rifling of domestic mail except registered (see subpar. (c) as to Philippine Islands or Canal Zone) shall be reported on Form 1510 to the inspector in charge of the division in which the article was mailed, first- or second-class offices executing and transmitting B jacket, Form 651, therewith: *Provided*, That where loss or rifling occurred while an article was being forwarded or returned, the office which forwarded or returned it shall make report to the inspector in charge of the division in which that office is located, accompanied, where required, with Form 651 executed as though the mail originated at that office: *And provided further*, That if the loss or rifling occurred at the office of address, that office shall make report to the inspector in charge of the division in which it is located, accompanied, where required, with Form 651 executed as though the mail originated there, and showing under "Remarks" that the mistreatment occurred there, and whether individual responsibility has been placed. Indemnity applications required by section 1389 shall be made independent of the foregoing action. Complaints filed at the office of address shall be transmitted to the office of mailing for the preparation of the B jacket, if the article was mailed at a first- or second-class office, otherwise they shall be forwarded direct to the inspector in charge of the division in which the mailing office is located.

Loss, etc., of mail, except registered.

(b) Before concluding that a loss is involved inquiries shall be made to determine whether the article has been delivered, is held at office of mailing or address, or missent, when probable. (See Postal Guide as to when and what inquiries shall be made for insured and C. O. D. mail.) The office preparing the B jacket shall see that suitable inquiries have been made and replies inclosed.

Preliminary inquiries as to loss.

(c) Where Philippine Islands or Canal Zone are involved, the procedure prescribed by paragraph 3 (insured) or section 2233, paragraphs 9 and 10 (ordinary), as the case may be, shall be followed.

Damage of insured and C. O. D. mail.

5. Damage of domestic insured or C. O. D. mail for which indemnity is claimed shall be reported on Form 3812, as directed in section 1389, accompanied with the wrapper or cover wherever practicable.

See sec. 1383 as to registered C. O. D. mail.

Missending, delay, or damage of ordinary mail.

6. Missending, delay, or damage of ordinary mail, including air mail and special-delivery mail, while in transit, shall be reported to the division superintendent, Railway Mail Service, of the division in which the irregularity occurred, if known; otherwise to the superintendent of the division in which the mailing office is located. Complaints of delay or other mistreatment of such mail in post offices shall be reported to the inspector in charge of the division in which the office is located. Reports shall be made on Form 1510 or by letter, and the envelope or wrapper submitted therewith, if possible.

Wrong delivery or tampering, domestic mail, except registered.

7. Wrong delivery of or tampering with domestic mail, except registered, shall be reported on Form 1510, or by letter, to the inspector in charge of the division in which the irregularity occurred, if known; otherwise to the inspector in charge of the division in which the mailing office is located. Where it is apparent in a case of wrong delivery of insured or C. O. D. mail that no loss is involved, report shall be made to the Third Assistant Postmaster General, Division of Registered Mails, rather than to the inspector in charge. The envelope or wrapper shall be submitted whenever available. Indemnity applications required by section 1389 shall be made independent of the foregoing action.

Parcels (except registered) devoid of contents.

8. (a) When domestic parcels (except registered) entirely, rather than but partially, devoid of contents, are observed in transit, whether in the Railway Mail Service, in post offices, or elsewhere, the postal employees making such discovery shall completely execute Form 5258 in duplicate. The original, together with the wrapper or container, shall be forwarded to destination. Duplicate Form 5258, with the sack label, shall be forwarded at the same time to the inspector in charge of the division in which the condition of the parcel was first observed.

Office record, disposition of wrappers or containers.

(b) The postmaster at the office of address shall file the original Form 5258 as an office record and deliver the wrapper or container to the addressee, unless an insured or C. O. D. parcel is involved, in which event the postmaster shall immediately notify the addressee in writing that the wrapper or container will be held at the post office unless the addressee makes objection thereto; if objection is made, the wrapper or container shall be delivered. A copy of the notice to the addressee shall be filed with the Form 5258; appropriate information as to the disposition of the wrapper or container entered on the delivery record; and the postmaster at the office of mailing notified of the action taken. The latter postmaster shall promptly furnish appropriate information regarding the case to the sender.

(c) Wrappers or containers of insured or C. O. D. parcels retained in accordance with the foregoing may be treated as waste paper after the expiration of six months, or such longer period as may be found advisable in exceptional cases, unless claim for indemnity or complaint is filed, in which event they shall be preserved until the claim or complaint receives final action. Wrappers or containers of ordinary parcels not delivered to the addressee for any reason may be immediately treated as waste paper.

Wrappers or containers, disposition.

9. Damage of mail sacks or pouches and contents in the exchange of mail by railway postal clerks shall be reported to the division superintendent, Railway Mail Service, of the division in which the damage occurred. The report shall contain a description (name and address of addressee, name and address of sender, and office of mailing) of any registered mail or ordinary mail of the third or fourth class damaged. If registered mail is damaged, report shall also be made to the proper inspector in charge with full description.

Damage of mail and equipment in Railway Mail Service.

811. Complaints of failure to receive return receipts for domestic registered and insured mail shall be reported as provided for inquiries in section 810, paragraph 1.

Failure to receive return receipts, registered and insured mail.

2. (a) Complaints of failure to receive return receipts, or requests for return receipts after mailing, in connection with foreign registered and insured mail (except to Canada), shall be handled at first- and second-class offices as prescribed in section 2233, paragraph 1 (a), and the foreign form of registry return receipt, Form 2865 (old Form 3870), shall accompany the Form 542, after changing "registered" to "insured" on the return receipt when appropriate. Form 2865 shall be indorsed at the top "Duplicate advice of delivery," if return receipt was requested when the parcel was mailed; otherwise the indorsement shall be "Request for advice of delivery made after mailing."

(b) At third- and fourth-class offices Form 1510 shall be executed, showing also whether the receipt was requested at or after the time the parcel was mailed; third-class offices shall also attach Form 2865 (old Form 3870). The forms shall be disposed of as prescribed in section 2233, paragraph 1 (a).

(c) Complaints of failure to receive return receipts, or requests for return receipts after mailing, for registered mail addressed to Canada, shall be handled as prescribed in section 2233, paragraph 3 (a), the domestic form of return receipt (Form 3811) being attached to the inquiry where the Form 2865 is not available and indorsed as indicated above.

NOTE.—Consult Postal Guide and supplements as to charges for return receipts and inquiries or complaints and as to the statistics which are required to be kept in connection therewith.

Note.

812. The loss, rifling, damage, wrong delivery of, or depredation upon registered or other mail, and the failure to collect or remit C. O. D. funds shall be investigated by the Chief Inspector, who shall ascertain the facts.

Investigation of loss, rifling, or damage, etc., of mail.

—collection by Chief Inspector.

2. When the Chief Inspector finds that the facts ascertained in connection with such investigation establish the responsibility, by reason of fault or negligence, of a postal employee or mail contractor or an agent or employee thereof, the Chief Inspector shall demand the amount of the loss from such employee or contractor.

—report to administrative officer.

3. The Chief Inspector in such cases shall communicate the facts to the officer having charge of the employee or service with information of any collection made or contemplated, for consideration of the advisability of imposing fine or of taking other disciplinary or corrective measures. The amount of the fine or the character of disciplinary action taken or proposed to be taken shall upon request be reported to the Chief Inspector by such officer.

Disciplinary action.

—receipt, given in case of collection.

4. When collection is made under the provisions of this section a receipt shall be given on a form furnished by the department showing the amount, the case number, a description of the mail, and the grounds on which the collection is based.

—protest.

5. If after payment the propriety of the collection is questioned, the matter may be taken up by the person from whom the collection was made through his superior officers, but this shall be done within 30 days from the date of the collection. Any statement which it is desired to submit shall be forwarded promptly through official channels to the office having the employee or service in charge for transmission to the Chief Inspector; at the same time the officer with whom it is originally filed shall immediately notify the Chief Inspector that a statement has been submitted. Unless the Chief Inspector sustains the propriety of the collection, the money shall be returned. This information shall be printed on the receipt mentioned in paragraph 4.

Institution of suit.

6. If full recovery is not made and the Chief Inspector determines that further proceedings should be had, he shall present the facts to the Solicitor for the Post Office Department for advice as to the advisability of suit by the United States for recovery of the amount involved. Upon receipt of the reply of the Solicitor the Chief Inspector shall, if he deem proper, prepare the request of the Post Office Department upon the Department of Justice for suit.

Disbursement of collections.

7. All amounts recovered under the provisions of this section shall be paid to the United States and to the senders or owners of the mail as their interests shall appear.

Payment of indemnity.

8. If the facts ascertained by the Chief Inspector establish an irregularity for which indemnity may be payable and recovery cannot be made without materially delaying the settlement of the indemnity claim, he shall transmit the papers to the officer charged with consideration of such claims for certification or rejection.

CHAPTER 5

DEAD MAIL MATTER

WHERE TO BE SENT

813. Undeliverable and unmailable matter which is not returned to senders from post offices (except that for which other treatment is provided), shall be forwarded by postmasters and other employees of the Postal Service in the following manner.

Undeliverable and unmailable matter, where forwarded.

2. (a) Such matter reaching any post office in the Territory of Hawaii shall be forwarded to the post office at Honolulu; in the Virgin Islands of the United States and in Puerto Rico, to the post office at San Juan. Such matter originating in the Philippine Islands shall be forwarded to the post office at Manila.

Dead-letter service in Hawaii, Virgin Islands, Puerto Rico, and Philippines.

(b). Such matter of the first class reaching any post office of the first class shall be treated in the dead-letter branch of that office. Such matter of the first class reaching post offices of the second, third, and fourth classes shall be sent to the central-accounting post office. Such matter reaching any office in the Territory of Alaska shall be sent to the dead-letter branch at the Seattle, Wash., post office. (See secs. 822 to 828 and 2227.)

First class matter.

3. Undeliverable matter of the third and fourth classes, of obvious value, which cannot be returned to the sender, shall be sent to the Division of Dead Letters and Dead Parcel Post or the postmaster at the office where the division superintendent of Railway Mail Service is located (except Cleveland, Ohio, and Pittsburgh, Pa.) that includes the State, Territory, or part of a State in which the office of detention is located, except that such matter detained at offices in the lower peninsula of Michigan shall be sent to the postmaster at Chicago, Ill.

Third and fourth class matter of obvious value.

See section 805, paragraph 10 (b), for the treatment of mail matter posted in violation of law or treaty stipulations.

MAKING RETURNS FROM POST OFFICES

814. Dead matter, or that of the first class and obscene, scurrilous, or lottery matter of any class, which is to be sent from the post office of address to the Division of Dead Letters and Dead Parcel Post or branch thereof, and that of the third and fourth classes which is to be sent to post offices at division headquarters of the Railway Mail Service, shall be made up as follows:

Classification of dead matter.

(a) Unclaimed matter: That which is not called for and cannot be delivered or returned as provided in sections 723 and 801 to 805, other than matter of the second class, treated as waste paper, as provided in sections 804 and 808.

—unclaimed.

(b) Refused matter: That which for any reason the parties addressed decline to receive, other than matter of the second

—refused.

class and printed matter, treated as waste paper, as provided in sections 803 and 808.

—fictitious.

(c) Fictitious matter: 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. (See sec. 775.)

—illegible.

(d) Illegible matter: That which having reached the office of destination is so illegibly or imperfectly addressed that it cannot be ascertained for whom it was intended.

—hotel.

(e) Hotel matter: 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, etc., as unclaimed. (See secs. 801 and 817.)

—obscene and scurrilous.

(f) Obscene and scurrilous matter: That which inadvertently reaches the office of delivery, but of which delivery is forbidden by sections 598 and 599. (See sec. 774.)

—lottery.

(g) Lottery matter: Circulars or other matter concerning lotteries, gift concerts, or similar enterprises offering prizes, which are unmailable under the provisions of section 601. (See sec. 774.)

See sec. 726 as to matter to be sent from mailing offices; sec. 2223 as to matter of foreign origin.

Unclaimed matter.
—retention and subsequent disposition.

815. Unclaimed mail matter shall be held at post offices of the fourth class for 1 month and at all other offices (except as hereinafter provided) 2 weeks and then if undelivered shall be sent to the proper branch of the Division of Dead Letters and Dead Parcel Post if of domestic origin and of the first class, third class and of obvious value, or fourth class, in regular returns to be made once a week. At the expiration of the proper period for detention, first-class post offices shall treat unclaimed and unmailable first-class matter daily.

—not bearing sender's return request.

2. With the exception of postal cards and post cards, city carriers' returns of first-class ordinary mail matter of domestic origin which do not bear the senders' return requests, and also noncard letters, addressed simply to a city delivery office but without local street or other address and without the words "General delivery," "Transient," or other indication that the addressee is a transient patron, shall be given directory service, and if addresses, the correctness of which is reasonably certain, are not found shall be held one week and sent to the proper branch of the Division of Dead Letters and Dead Parcel Post in regular periodical returns. All letters on hand at the time of the return shall be included therein.

—"general delivery" matter.

3. At letter-carrier offices ordinary, first-class, noncard letters, or parcels of domestic origin specifically addressed to the general delivery or bearing the word "Transient" or other indication that the addressee will call at the general delivery for his mail shall, if not delivered at the expiration of 10 days, be sent to the proper branch of the Division of Dead Letters and Dead Parcel Post in regular periodical returns.

816. Postmasters in the Territory of Hawaii shall transmit to the postmaster at Honolulu and postmasters in Puerto Rico and the Virgin Islands of the United States to the postmaster at San Juan, and postmasters in the Philippine Islands to the postmaster at Manila all matter and reports required by these regulations to be sent to the Division of Dead Letters and Dead Parcel Post and to the post offices at division headquarters of the Railway Mail Service.

Unclaimed matter at post offices in Hawaii, Puerto Rico, and the Philippines.

2. Postmasters at post offices of the second, third, and fourth classes shall transmit to the central-accounting office, postmasters at offices of the first class to the inquiry section of their offices or to the designated dead-letter employee, and all postmasters in the Territory of Alaska to the dead-letter branch at the Seattle, Wash., post office, all matter and reports required by these regulations to be sent to the Division of Dead Letters and Dead Parcel Post.

3. Promptly at the close of each quarter postmasters at post offices of the first class shall submit a report of the dead-letter work at their offices on Form 4913, to the Superintendent, Division of Dead Letters and Dead Parcel Post.

817. In making up returns to be sent to the Division of Dead Letters and Dead Parcel Post, or branches thereof, and to post offices at division headquarters of the Railway Mail Service, every piece of mail matter shall be postmarked by stamp or hand with the name of the post office and the date of sending.

Making up and transmitting returns of unclaimed matter.—postmarking.

2. Matter bearing postage-due stamps which cannot be delivered (see sec. 768) shall be tied in one package, with a written statement as to the amount of such postage-due stamps, and inclosed in a separate wrapper or envelope plainly marked on the outside, "Postage-due matter." At city delivery offices each class of matter shall be tied in separate bundles and a facing slip put on each one stating the number of pieces therein and the amount claimed for postage.

Matter bearing postage-due stamps.

See sec. 253 as to claim for credit for the value of stamps and for value of stamps on postage-due bills not returned or returned without stamps, and on matter forwarded to foreign countries, and on foreign undelivered matter.

3. A memorandum giving the date and number of pieces transmitted shall be sent from other than letter-carrier offices with every return.

Advice to be sent.

4. Unclaimed and unmailable special-delivery matter sent to the proper branch of the Division of Dead Letters and Dead Parcel Post for final disposition shall be entered alphabetically on Form 1522, in duplicate, numbered consecutively by the name of the addressee and no other entries need be made on this form. The special-delivery matter with the original Form 1522 shall be tied or wrapped separately and included in the regular dispatch of unclaimed or unmailable matter, as the case may be. Copy of the form shall be retained for the files of the dispatching office.

Special-delivery matter.

List of third-class matter of obvious value and of fourth-class matter to be sent. Dispatch of return.

5. A manuscript list of each piece of matter of the third class of obvious value and of all matter of the fourth class shall be sent with such matter. This list shall be made on Form 1522. Copy of list shall be retained for reference.

6. The whole return shall be wrapped and securely tied in one parcel addressed "Division of Dead Letters and Dead Parcel Post, Washington, D. C.," or "Postmaster, -----" (at post office of the dead-letter branch or division headquarters of Railway Mail Service), as may be proper, and indorsed "Return of unclaimed matter from -----" (here add name of post office). A penalty envelope may be used for the address label, but shall be fastened securely to the parcel. When a return of first-class matter is too bulky to be tied in one parcel a pouch shall be used, so that all the matter will be received together; but returns of third-class and parcel-post matter shall be inclosed, as far as practicable, in locked mail sacks equipped with locking cord fasteners.

Hotel and fictitious matter.

7. Hotel and fictitious matter shall be accompanied with a statement showing the number of pieces transmitted and sent separately from other unclaimed matter.

Dead-letter bills.

8. Postmasters at letter-carrier offices shall use dead-letter bills (Form 1561), and returns from all other offices shall be sent without dead-letter bills.

Valuable matter found loose in the mails and in post offices.

818. Postmasters at all first-class post offices receiving money or uncanceled postage stamps found loose in the mails shall, if they be unclaimed, retain the same for 1 month, and shall keep a complete record of such matter, with full particulars, such as may enable the rightful owners to identify and receive their property without loss of time. These postmasters may deliver such matter to the proper claimants, and take receipts therefor upon blanks provided for the purpose. They shall make every effort to match or identify money or articles found with losses or deficiencies in registered, insured, collect-on-delivery, or ordinary mail coming to their knowledge, and, if possible, deliver the same to the proper owners at the same time as the letters or packages from which they have become separated, or as soon thereafter as possible. Any article of merchandise found loose in the mails and unclaimed at the end of 2 months shall be disposed of by postmasters at division headquarters of the Railway Mail Service by public sale, except that such matter found or received in the Washington, D. C., post office shall be sent each month to the Division of Dead Letters and Dead Parcel Post for disposal. A suitable record shall be kept thereof, and the net proceeds shall be accounted for as part of the postal revenues under the head "Miscellaneous Receipts," item No. 5, of the monthly and quarterly report with a separate supporting schedule.

—record of.

—effort to deliver.

—article of merchandise.

2. Money or uncanceled postage stamps found loose in the mails at post offices of the second, third, and fourth classes, shall be forwarded weekly to the proper central-accounting postmaster, and such matter found loose in the mails at post offices

of the first class, including those at division headquarters of the Railway Mail Service, or received at first-class offices from other sources, shall be retained for 1 month awaiting reclamation. At the end of that period, if not reclaimed, the money shall be deposited as part of the postal revenue and accounted for under the head of "Miscellaneous Receipts," item No. 5, of the monthly and quarterly report with a separate supporting schedule, and the postage stamps shall be destroyed by burning under proper supervision, in the presence of a witness.

3. Weekly returns shall be made to postmasters at division headquarters of the Railway Mail Service of all articles except money and uncanceled postage stamps found loose in the mails by postmasters at other offices received from the Railway Mail Service or other sources. All such matter on hand at the time of such return shall be included therein.

4. Postmasters at post offices of the second, third, and fourth classes receiving money or uncanceled postage stamps found loose in the mails from the Railway Mail Service or other sources shall make weekly returns thereof to the central-accounting office and include therein all such matter on hand at the time of making the returns. Each article of this matter shall be enclosed in a separate envelope or wrapper, endorsed with a description of the article and a statement of when and where found. Such packages shall be numbered and described on Form 1522. Stamps may be transmitted in bulk, but the list shall show the total number of each denomination and the total value of the entire return. Dispatches shall be made by official registered mail when the value thereof is \$1 or more.

5. All articles of merchandise found loose in the mails shall be sent by postmasters in each division to the postmaster at the office where the division superintendent of the Railway Mail Service is located, except that such matter found at offices in the lower peninsula of Michigan shall be sent to the postmaster at Chicago, Ill., and that found in the third division, Railway Mail Service, shall be sent to the Division of Dead Letters and Dead Parcel Post, Washington, D. C.

See secs. 809, 810, and 2233 as to report of complaints, and damage, loss, theft, etc., of mail; sec. 443 as to report of robberies of post offices.

819. Unmailable matter shall not be held to be advertised. Unmailable first-class matter shall be treated daily at all post offices of the first class, and such matter reaching all other post offices shall be forwarded weekly to the proper branch of the Division of Dead Letters and Dead Parcel Post. Unmailable matter of the second, third, and fourth classes shall be forwarded to post offices at division headquarters of the Railway Mail Service. All unmailable matter received through the mails and on hand at the time of return (see sec. 774) shall be included in the dispatches, except that which is to be disposed of otherwise. (See sec. 726.)

See sec. 725 as to unmailable matter at mailing offices; sec. 756 as to offices in transit.

—weekly returns of, at what offices.

Treatment and disposition at offices not located at division headquarters, Railway Mail Service.

Merchandise, where sent.

Returns of unmailable matter.—first-class offices daily; other offices weekly.

Making up and transmitting unmailable matter.
—list of.

820. Each return of unmailable parcels shall be accompanied with a list of such matter on Form 1522, the full name and address on each parcel to be given as nearly as possible; but matter of the first class shall be accompanied with a statement only of the number of pieces transmitted and sent separate from matter of the third and fourth classes.

Reason for sending.

2. Every piece of unmailable matter sent to a branch of the Division of Dead Letters and Dead Parcel Post, or to post offices at division headquarters of the Railway Mail Service, shall have plainly written or stamped upon it the specific reason therefor as provided in sections 806 and 2227, and shall also bear the name of the post office and the date on which it was so sent, care being taken in endorsing or stamping such matter not to deface the original postmark or address.

Preparation of returns.

3. Returns of unmailable matter shall be securely fastened in one package, with list enclosed, addressed "Postmaster, Dead Letter Branch, -----," or "Postmaster, Dead Parcel Post Branch, -----," as may be proper, and plainly endorsed, "Return of unmailable matter from -----" (here add the name of the post office). All matter shall be included in the same return.

4. Duplicates of all lists and statements shall be retained by postmasters.

5. Unmailable matter shall not be sent with returns of ordinary unclaimed matter.

See secs. 1330 and 1333 as to unclaimed registered matter; sec. 795 as to delivery of valuable letters received from Division of Dead Letters and Dead Parcel Post and the branches thereof.

TREATMENT

Return of undelivered letters to writers.
39 U. S. C. 406. Supp. V.

821. The Postmaster General * * * may make regulations for * * * return (of undelivered letters) from the Dead Letter Office to the writers when they cannot be delivered to the parties addressed. When letters and parcels of the first class are returned from the Dead Letter Office to the writers, a fee of 5 cents shall be collected at the time of delivery, and in addition a charge shall be made of the minimum registry fee for the return of all ordinary dead letters containing \$1 or more in cash, and parcels of the first class apparently valued at \$1 or more, under such rules and regulations as the Postmaster General may prescribe.

See sec. 799 as to time of retention in post offices.

Unclaimed matter reaching Division of Dead Letters to be returned to senders.
—exception.

822. All matter unclaimed by the addressees and undelivered matter of every character reaching the Division of Dead Letters and Dead Parcel Post and the branches thereof shall, as far as circumstances and conditions permit, be returned to senders, except such as is obviously of no value or is unmailable under any provision of law, which shall be disposed of as the First Assist-

ant Postmaster General may direct. All registered matter shall be returned to the senders upon payment of any postage due thereon required to be paid before transmission. All registered matter to be returned.

2. The fee of 5 cents for the return of ordinary letters and parcels of the first class to writers which do not bear the card address of the sender shall be collected by means of postage-due stamps to be affixed by postmasters to such letters and parcels before delivery, and the amount to be charged shall be indicated on official or penalty envelopes before dispatch to post offices from the Division of Dead Letters and Dead Parcel Post or its respective branches. In addition to the fee of 5 cents charged for the return, all ordinary letters and parcels of the first class dispatched under official registered mail to postmasters for delivery to the rightful owners shall be charged with the minimum registry fee for such service, which shall be collected by means of postage-due stamps. The total amount of the collection shall be indicated upon the proper receipt form prior to dispatch. Postmasters at all dead letter branches shall keep a record of the number of all letters returned to the writers subject to the collection of a fee of 5 cents for return and in addition the number of letters containing \$1 or more in cash and valuable first class parcels returned subject to the collection of the minimum registry fee, together with the total amount to be collected. This data shall be entered on Forms 4911 and 4913. Fee of 5 cents to be collected.

823. When necessary to open letters for the purpose of making proper disposition of them, they shall be opened only by clerks or employees designated for that purpose, and under the direction of the Superintendent, Division of Dead Letters and Dead Parcel Post or the postmasters at the branches of the Division of Dead Letters and Dead Parcel Post. Every letter containing a valuable inclosure shall 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 thereon and the amount shall be immediately made by the person who opens it, and the record and all such letters, together with all other letters containing inclosures of value, shall be delivered at the close of each day to the clerk designated to receive them. Opening dead letters to effect delivery or return.—under direction of Superintendent.

DISPOSITION OF VALUABLE INCLOSURES AND LETTERS CONTAINING THEM

824. All letters of domestic origin which cannot be delivered by postmasters shall be sent to the Post Office Department or to a post office designated by the Postmaster General and such as contain inclosures of value, other than correspondence, shall be recorded. If the sender or addressee cannot be identified, such letters shall be held for a period of one year awaiting reclamation. If within one year they have not been claimed, Memorandum of letters with valuable inclosures containing money.

Dead letters containing valuable inclosures. 39 U. S. C. 408.—record of.—disposition.

they shall be disposed of as the Postmaster General may direct. All other undeliverable letters shall be disposed of without record and not held for reclamation.

Government securities, disposition of, when not reclaimed.

2. Unregistered Government bonds, Government-bond coupons, and other securities of the United States (with the exception of postage stamps, war savings stamps, and thrift stamps) and all other negotiable paper or intangible property susceptible of being converted into cash, which may be found in unclaimed letters or be found loose in the mails, shall, if not reclaimed after the expiration of one year, be converted into cash, and the proceeds deposited in the Treasury as miscellaneous postal receipts.

See sec. 104 as to miscellaneous receipts.

3. Any war savings securities, either registered or unregistered, which shall be found in unclaimed letters or be found loose in the mails, in railway postal cars, in letter boxes, or on post-office premises shall, if affixed to a certificate or card on which the name of a person has been inscribed, be transmitted to the Secretary of the Treasury, Division of Loans and Currency, Washington, D. C., for disposition, and where the securities are not affixed to a certificate or card or folder on which the name of a person is inscribed, such securities shall be delivered to the Third Assistant Postmaster General, Division of Finance, for redemption, the proceeds of which shall be disposed of as miscellaneous receipts of the Postal Service.

Dead matter containing valuable inclosures.

825. Suitable record shall be kept of all articles containing money, negotiable paper, notes, drafts, money orders, wills, checks, deeds, and other valuable and important papers, valuable personal photographs or pictures, and more than 5 cents in postage stamps. Such of the matter as cannot be restored to proper claimants shall be filed for reclamation.

—treatment of money.

2. Money enclosed in a letter which cannot be restored to the owner shall be kept in such letter during the year allowed for reclamation. Before such letters are filed a record in ink shall be made on the envelope or cover showing the amount of money contained therein. A permanent book record shall be kept to show the amounts contained in all letters filed, withdrawn from file for delivery to owners, or (at branches) for deposit as part of the postal revenues, and the amount of such money on hand at close of business each day. After the expiration of the time allowed for reclamation the branches shall remove unclaimed money letters from the files, strip the money from the letters and deposit at least once a month as part of the postal revenues, and account for it under the head "Miscellaneous Receipts," item No. 5, of the monthly and quarterly report, with a separate supporting schedule. The letters and correspondence shall be destroyed and any valuable enclosure found therein, except money, disposed of as the First Assistant Postmaster General may direct. Each employee through whose hands such matter passes shall receipt and account for it. Unclaimed postage stamps after expiration of time for reclamation

shall be destroyed under proper supervision by burning in the presence of a witness, and a record kept of their value.

§26. Records shall be kept of the addresses and contents of valuable third- and fourth-class matter received in the Division of Dead Letters and Dead Parcel Post and branches thereof: *Provided, however,* That it shall not be deemed necessary to open and examine the contents of parcels bearing the names and addresses of both senders and addressees; and when such parcels or inclosures cannot be delivered or restored to senders they shall be held in the file awaiting reclamation for the following periods from date of recording. All matter from the ordinary mails shall be held 60 days; all mail matter including that of the first class not in the form of a letter addressed to foreign countries, posted in violation of law and treaty stipulations that is found upon examination to contain merchandise or other valuable inclosures shall be held 6 months; and all insured and c. o. d. matter shall be held 6 months, after which claims for reclamation may not be allowed: *Provided, however,* That ordinary, insured, or c. o. d. articles which the records show to be undeliverable to the addressees, and which bear written or printed instructions of senders that they are to be treated as abandoned if undeliverable to the addressees, may be disposed of immediately upon receipt in the Division of Dead Letters and Dead Parcel Post, and branches thereof, or at post offices especially designated by the First Assistant Postmaster General. The treatment prescribed in the foregoing provision shall also apply to parcels of domestic origin and foreign address, including ordinary, registered, insured, and c. o. d. which have been returned to this administration as undeliverable to the addressees and which bear written or printed instructions of the senders that they are to be treated as abandoned if undeliverable to the addressees, and those whose contents are obviously of no value which the records show to have been refused by the senders.

Third- and fourth-class matter containing articles of value and letters containing merchandise.—record.

2. All articles remaining unclaimed at the expiration of the time prescribed shall be disposed of under such conditions as the Postmaster General may direct. Postal employees are strictly forbidden to submit bids at auction sales of unclaimed merchandise.

Disposition of unclaimed matter.

3. An account shall be kept of the proceeds of sales of dead matter and the net amount realized deposited by postmasters as part of the postal revenues and accounted for under the head "Miscellaneous Receipts," item No. 5, of the monthly and quarterly report, with a separate supporting schedule.

Account of proceeds.

4. Packages reaching the Division of Dead Letters and Dead Parcel Post or post offices at division headquarters of the Railway Mail Service containing medicine, perishable articles, liquids, or articles of a like character liable to injure other matter with which they come in contact, or to attract rodents or vermin, shall be destroyed as soon as it is ascertained that they cannot be restored to the owners, but a suitable record shall be kept of all articles thus destroyed.

Packages containing liquids or injurious matter to be destroyed.

Postage on returned parcels.

5. A parcel of fourth-class mail returned to the sender from the Division of Dead Letters and Dead Parcel Post or post offices at division headquarters of the Railway Mail Service shall be charged with postage at the zone rate from Washington, D. C., or such division headquarters, together with an additional charge for postage at the zone rate from the post office where the matter was originally detained to Washington, D. C., or such division headquarters.

DISPOSITION OF LETTERS WITHOUT VALUABLE ENCLOSURES:
PRINTED AND UNMAILABLE MATTER

Letters without valuable enclosures.

—to be returned to writers.
—no record.
Letters not returned to writers.

827. Letters without valuable enclosures shall be returned to the writers, so far as possible, subject to a charge of 5 cents each and a record shall be kept thereof in accordance with paragraph 2 of section 822.

2. Letters containing correspondence only not returned to the writers shall be disposed of daily under proper supervision by burning.

Undeliverable printed matter, magazines, etc.

3. Undeliverable printed matter obviously without value shall be sold as waste paper. Undeliverable magazines and other periodicals not disposed of in accordance with section 101, illustrated papers, and picture cards, not classed as merchandise and appropriate in character, may be disposed of to such hospitals, asylums, and other charitable and reformatory institutions as the First Assistant Postmaster General may direct.

Seized or detained matter.
39 U. S. C. 258.

828. 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.

Third- and fourth-class matter received by Division of Dead Letters and Dead Parcel Post.
—destruction of, except.

2. All domestic matter of the third or fourth class received by the Division of Dead Letters and Dead Parcel Post, its branches, or post offices at division headquarters of the Railway Mail Service, which is unmailable under sections 597 to 601, shall be destroyed or otherwise disposed of under the direction of the superintendents or the postmasters, except when it can be ascertained therefrom by whom it was deposited in the mails, in which case the matter shall be held and the fact reported to the Chief Inspector, or unless on submission to the Postmaster General he shall direct its preservation as evidence or other disposition.

Sealed matter which is non-mailable.

3. Sealed matter declared nonmailable by law and received by the Division of Dead Letters and Dead Parcel Post, its branches, or post offices at division headquarters of the Railway Mail Service shall be disposed of in accordance with the order of the Postmaster General.

Matter forbidden delivery under "fraud orders."

4. All mail matter the delivery of which is forbidden by order of the Postmaster General under sections 604 and 605, which is received by the Division of Dead Letters and Dead Parcel Post, its branches, or post offices at division headquarters of the Railway Mail Service, shall be treated in accordance with such order.

See sec. 2232 as to treatment of obscene, lottery matter and matter of an immoral character.

TITLE SIX
DELIVERY SERVICE

CHAPTER 1

CITY DELIVERY

ESTABLISHMENT AND SUPERVISION

901. 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. This section shall not affect the existence of the free delivery in places where it was established prior to January 3, 1887. In offices where the free delivery shall be established, 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.

City Delivery Service.
39 U. S. C. 151.

—establishment of, when.

—discontinuance of, when.

See Official Postal Guide for required conditions for establishment of City Delivery Service.

2. When two or more post offices situated within the corporate limits of any city, village, or borough are consolidated by authority of the Postmaster General, and the said offices together produced a gross revenue for the preceding fiscal year of not less than ten thousand dollars, letter carriers may be employed for the free delivery of mail matter in like manner as if any one of such post offices had produced such revenue in said fiscal year.

—from consolidated post offices.
39 U. S. C. 152.

Extra postage or carriers' fees prohibited.
39 U. S. C. 162.

902. No extra postage or carriers' fees shall be charged or collected upon any mail matter collected or delivered by carriers.

Fixing of limits and frequency of service.

903. The limits of the City Delivery Service and the number of daily deliveries and collection trips to be made shall be fixed by the department and shall not be changed except by authority of the First Assistant Postmaster General.

Changes in routes.

2. Postmasters may make changes in carrier routes within established limits so as to equalize the carriers' work and to improve the service.

Hours of service.

3. The routes shall be laid out in such a manner that none of the carriers shall be required to work more than 8 hours a day within a period of 10 consecutive hours.

See sec. 924 as to hours of service.

Supervision of delivery service by postmasters.

904. Postmasters shall see that all employees connected with the City Delivery Service are fully informed as to their duties and responsibilities.

Filing of orders.

2. All orders of the Post Office Department affecting the City Delivery Service or the duties of letter carriers shall be suitably filed, and copies of all such orders shall be posted in conspicuous places in the post offices and stations.

Issue of instructions.

3. Postmasters shall issue such instructions, not in conflict with the Postal Laws and Regulations, as are necessary to promote the efficiency of the City Delivery Service and maintain proper discipline.

Testing of carriers.

4. Postmasters shall frequently test at irregular intervals the efficiency of letter carriers in the collection and delivery of the mail.

Expenditures for City Delivery Service.
—not to be made without authority.

905. Postmasters shall not make expenditures on account of the City Delivery Service without first obtaining authority from the First Assistant Postmaster General, Division of Post-Office Service, except in cases of urgent necessity, when the First Assistant Postmaster General shall be promptly notified.

See sec. 246 as to accounts of City Delivery Service.

Correspondence concerning appointments, etc., of carriers.

906. Postmasters shall address to First Assistant Postmaster General, Division of Post-Office Service, correspondence relating to the City Delivery Service, and to the appointment, removal, and reinstatement of letter carriers and substitute letter carriers.

LETTER CARRIERS AND SUBSTITUTE CARRIERS

Classification and salaries.
39 U. S. C. 103.

907. * * * letter carriers in the City Delivery Service shall be divided into five grades as follows:

First grade—salary, \$1,700; second grade—salary, \$1,800; third grade—salary, \$1,900; fourth grade—salary, \$2,000; fifth grade—salary, \$2,100.

Substitutes.
39 U. S. C. 104.

2. * * * substitute letter carriers in the City Delivery Service when appointed regular * * * carriers

shall have credit for actual time served, including time served as special-delivery messengers, on a basis of one year for each three hundred and six days of eight hours served as substitute or messenger, and shall be appointed to the grade to which such * * * carrier would have progressed had his original appointment as substitute been to grade 1.

Any fractional part of a year's substitute service will be included with his service as a regular clerk or carrier in the City Delivery Service in determining eligibility for promotion to the next higher grade following appointment to a regular position.

3. The pay of * * * substitute letter carriers in the City Delivery Service shall be at the rate of 65 cents per hour.

39 U. S. C. 113.

4. Marine carriers assigned to the Detroit River Marine Service shall be paid an annual salary of \$300 in excess of the highest salary paid carriers in the City Delivery Service.

Detroit River service.
39 U. S. C. 115.

5. The ratio of * * * classified substitute city letter carriers * * * to regular * * * city letter carriers * * * shall be not more than one classified substitute to six regular employees, or fraction thereof, * * *, except that in offices having fewer than six regular employees there may be * * * one substitute carrier, * * *: *Provided*, That where the ratio of substitutes is now in excess of these ratios, no additional classified substitutes shall be appointed until these ratios are established: *Provided further*, That the provisions of this section shall not operate to furlough or dismiss (1) any classified substitute * * * city letter carriers, * * * .

Ratio of substitutes.
39 U. S. C. 834.
Supp. V.

See section 452 as to substitute post-office clerks and substitute laborers.

908. * * * letter carriers in the City Delivery Service shall be promoted successively after one year's satisfactory service in each grade to the next higher grade until they reach the fifth grade. All promotions shall be made at the beginning of the quarter following one year's satisfactory service in the grade.

Promotions.
39 U. S. C. 108.

2. Whenever the promotion of an employee provided for in this chapter is withheld because of unsatisfactory service, such employee may be promoted at the begin-

—when made.
—basis of.
—delayed.
39 U. S. C. 123.

ning of the second quarter thereafter, or of any subsequent quarter, on evidence that his record has been satisfactory during the intervening period.

—to higher positions.
39 U. S. C. 109.

3. * * * carriers of the highest grade in their respective offices shall be eligible for promotion to the higher positions in said post offices.

—one grade a year.
39 U. S. C. 130.

4. * * * no * * * carrier shall be promoted more than one grade within any one year's period of service.

—annual recommendations for.

5. Fifteen days before the end of each quarter recommendation should be submitted to the department either for or against the promotion of every clerk and carrier who at the end of the quarter will have completed a year's service in any of the grades from \$1,700 to \$2,000, inclusive.

Reductions.
39 U. S. C. 109.

909. The Post Office Department may reduce a * * * carrier from a higher to a lower grade whenever his efficiency falls below a fair standard or whenever necessary for purposes of discipline.

—restoration.
39 U. S. C. 121.

2. Whenever an employee provided for in this chapter shall have been reduced in salary for any cause, he may be restored to his former grade or advanced to an intermediate grade at the beginning of any quarter following the reduction, and a restoration to a former grade or advancement to an intermediate grade shall not be construed as a promotion within the meaning of the law prohibiting advancement of more than one grade within one year.

Ratings.

910. Postmasters shall keep service ratings, under instructions issued by the department, to show the relative standing of letter carriers based on their faithfulness and efficiency.

Examination of applicants.

911. Applicants for appointment as letter carriers shall be examined by the Civil Service Commission, to whom applications should be made. Examinations will be open only to citizens of the United States.

Qualifications.

2. Every applicant for appointment shall be between 18 and 45 years of age, weigh at least 125 pounds, and be not less than 5 feet 4 inches in height. He shall undergo a physical examination by a reputable physician, who shall make the certificate required by the Civil Service Commission.

Appointments.
—how made.

912. Letter carriers and substitute letter carriers shall be appointed by the Postmaster General on the nomination of the postmaster.

Substitutes.

2. Selections of persons for appointment as substitute letter carriers shall be made by the postmaster from the carriers' eligible register in the manner prescribed by the civil-service rules and the nominations submitted to the civil service district man-

ager for indorsement and transmitted to the First Assistant Postmaster General, Division of Post Office Service.

3. When two or more persons are nominated on the same day for appointment as substitute letter carrier, their seniority shall be determined by their standing, or rating, on the eligible register and not by the order of their selection.

—seniority in.

4. A vacancy in the regular force may be filled by the promotion of the senior substitute carrier or by reinstatement or by transfer.

—of senior substitute to regular.

5. When a vacancy occurs in the regular force and there are no substitute letter carriers, the nomination for appointment shall be made from the carriers' eligible register, unless filled by reinstatement or by transfer.

—when no substitute.

6. The appointment of letter carriers and substitute letter carriers at new city delivery offices upon their establishment shall be made from the carriers' eligible register by the Postmaster General on nomination of the postmaster. A postmaster is not required to make selection for permanent appointment from an eligible register containing less than three names.

—at new city delivery offices.

Selection from incomplete register.

7. When a vacancy occurs or an emergency arises necessitating the immediate appointment of a letter carrier, and the eligible register contains less than three names, appointment may be made in accordance with civil service rule 8.

Temporary appointments. —when and how made.

913. Reinstatements to the service shall be made, in the discretion of the Postmaster General, only in accordance with civil service rule 9. (See sec. 49.)

Reinstatements.

2. Applications for reinstatement to the service should be made through the postmaster to the First Assistant Postmaster General, Division of Post Office Service.

—applications for.

3. If an applicant for reinstatement is an honorably discharged soldier, sailor, or marine of the war with Spain or war with Germany, he shall state the title of the military or naval organization in which he served and, if possible, transmit through the postmaster the certificate of his honorable discharge from the military or naval service or a certified or photostat copy thereof.

—soldiers, etc.

914. The Postmaster General may, when the interest of the service requires, transfer any clerk to the position of carrier or any carrier to the position of clerk and interchange the clerical force between the post office and the motor-vehicle service, such transfer or interchange to be made to the corresponding grade and salary of the clerk or carrier transferred or interchanged.

Transfers. 39 U. S. C. 129.

2. The time which any clerk or carrier shall have served in the grade from which such transfer was made shall be counted in connection with the service to which such transfer may be made in computing the time of service necessary to entitle such employees to promotion: * * *

—of clerk to carrier or vice versa. —computation of time. 39 U. S. C. 130.

—exchange of positions.
—physical ability.
—interests of service.

—to another post office.
—application through postmasters.

—recommendation of postmaster.

Resignation.

Removal.

Bonds of letter carriers.
39 U. S. C. 157.

—amount of.

—by authorized surety company preferred.

—new, required when.

3. Transfers from the grade of clerk to that of carrier in the same office may be made, provided the clerks to be transferred are physically able to perform the duties of a carrier, but such transfers should be recommended only when the best interests of the service will be subserved.

4. The transfer of a carrier from one office to another shall be made only in exceptional cases. Applications shall contain a full statement of the circumstances in the case and be addressed to the postmaster at the office to which transfer is desired, and submitted to the postmaster at the office in which the carrier is employed. The last-named postmaster shall forward the application accompanied with a statement of the carrier's record and any pertinent facts in his case. If the postmaster at the office to which the transfer is desired is favorable thereto, he shall forward the application, together with his recommendations, to the First Assistant Postmaster General, Division of Post Office Service.

915. Resignations of letter carriers and substitute letter carriers shall be made in writing and forwarded to the First Assistant Postmaster General, Division of Post Office Service. A resignation shall not be requested by the postmaster or by anyone for him.

2. A letter carrier or substitute letter carrier shall not be removed except for just cause upon written charges filed with the First Assistant Postmaster General, Division of Post Office Service, of which he shall be given due notice and allowed full opportunity for defense. The charges shall specifically set forth alleged delinquency or misconduct, giving date and place of the occurrence. (See sec. 43.)

916. 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.

2. Each letter carrier and substitute letter carrier shall, at the time of his appointment, give bond in the sum of \$1,000. It is preferred that bonds furnished by one of the surety companies authorized to act as sureties on official bonds be given. (See Official Postal Guide for list of surety companies acceptable on postal employee's bonds.)

3. Letter carriers, when transferred from one post office to another, will not be required to furnish new bonds if the bonds covering them are executed on Form 1117, as this form covers an employee in any post office to which he may be transferred. The bond should be forwarded promptly to the postmaster at which office the employee has been assigned. Substitutes promoted to a regular position or a carrier transferred to a clerk, or vice versa, need not file new bonds unless, in the opinion of

the postmaster, the increased responsibility of the employee demands that a new bond shall be furnished.

See sec. 69 as to renewal of official bonds.

4. Bonds of city and village letter carriers may be accepted by the postmasters at the post offices in which such carriers are employed, for and on behalf of the Postmaster General. These bonds shall be filed by the postmasters in their respective offices.

—acceptance and filing.

See sec. 68 as to release from suretyship and approval of new bond.

917. Every carrier, before beginning active service, shall take the official oath prescribed in section 30, which oath shall be retained in the files of the local post office, subject to the call of the First Assistant Postmaster General or to inspection by a post-office inspector or other officer of the Post Office Department.

Official oath to be taken by letter carriers.

UNIFORMS FOR CITY LETTER CARRIERS

918. The Postmaster General may prescribe a uniform dress to be worn by letter carriers.

Uniforms of carriers.
39 U. S. C. 154.

2. Whoever, not being connected with the letter-carrier branch of the Postal Service, shall wear the uniform or badge which may be prescribed by the Postmaster General, to be worn by letter carriers, shall be fined not more than one hundred dollars, or imprisoned not more than six months, or both.

Wearing, without authority. Penalty.
18 U. S. C. 310.

919. Letter carriers and substitutes shall procure uniforms at their own expense. Postmasters shall advise and assist them in obtaining well-fitting suits of the prescribed material and at the best terms.

Carriers to provide their uniforms.

2. No postmaster or employee at any post office shall act as agent or collector for any individual or firm engaged in the manufacture or sale of letter carriers' uniforms or any portion thereof.

Employees not to act as agents for manufacturers.

3. Postmasters, or employees designated by them for the purpose, may receive and distribute to the letter carriers and substitutes for whom they are intended uniform goods shipped singly or in bulk by manufacturers to their offices or to the stations thereof, and shall keep a record of such deliveries.

Distribution of uniforms.

920. Uniforms made according to the following specifications shall be worn by all letter carriers:

Specifications for carriers' uniforms.

FOR WINTER WEAR

—for winter wear.

(a) Coat: A double-breasted, square-corner sack coat, with lapels, and made of bluish, mixed cadet-gray flannel, or a heavy bluish-gray worsted or serge, terminating two-thirds the distance from the top of the hip bone to the knee, with a pocket at each side and one on the left breast, all outside, with flaps $2\frac{3}{4}$ to 3 inches wide, with length to suit height of wearer, say $6\frac{1}{2}$ to 7 inches; coat to be piped with best grade mohair braid, one-

Coat.

sixteenth inch projecting, to be inserted between edges; 10 brass buttons with the designs of this department (letter carrier in uniform with mail bag on shoulder and letter in uplifted hand, or present design with letters "P. O. D." beneath) down the front to button to the neck, and cord piping around the sleeves, 2½ inches from the bottom, to correspond with piping on the edge; two circular buttons (vest size) on sleeve of coat, equidistant below cord on sleeve; coat to be lined with a durable all-wool flannel.

Trousers.

(b) Trousers: Of same material and color as coat, with fine black broadcloth piping one-fourth inch wide down the outside seam. Side and two hip pockets, to be made of strong, durable material.

Vest.

(c) Vest: A single-breasted vest of same material and color as coat and trousers, with seven circular brass buttons (vest size) with the letters "P. O. D." upon the face. Four pockets on outside (two on breast and two at waist) and one on inside.

Overcoat or cape.

(d) Overcoat or cape: 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 black mohair piping; or an overcoat of the same material and color, trimmed to correspond with the coat, with five brass buttons down the front of the same size and design as the coat button. It shall not be obligatory on the carriers to wear either, but whenever additional covering is needed the postmaster of each city shall decide, in accordance with the wishes of a majority of the carriers, which shall be worn, as both shall not be worn in the same city.

—for summer wear.

FOR SUMMER WEAR

Coat.

(e) Single-breasted, straight-front sack, with square corners, skeleton made, of bluish-gray flannel, or a light-weight bluish-gray worsted or serge, composed wholly or in part of wool or cotton, and terminating two-thirds distance from top of hip bone to knee, with lapels (medium roll) made to button over the breast, three pockets outside with flaps, one on each side and one on left breast. Coat to be bound with black mohair piping, one-sixteenth inch projection, and five buttons down front, four buttons to button, and one at top under lapel of coat.

Trousers.

(f) Trousers: Same material and color as coat, with black-cloth cord one-fourth inch wide down the outside seam. Side and two hip pockets, to be made of strong and durable material.

Vest.

(g) Vest: Same material and color as coat and trousers, piped same as coat, with collar cut to open same height as coat, and five regulation buttons down the front. Vest may be omitted in summer.

Shirt waists.

2. During the heated term postmasters may permit letter carriers to wear a neat shirt waist or loose-fitting blouse instead of coat and vest, the same to be made of light-gray chambray, ging-

ham, light-gray cheviot, or other light-gray washable material, to be worn with turndown collar, either white or of the same material and color as the shirt waist (the latter preferred), dark tie, and neat belt, all to be uniform at each office, and also may permit letter carriers to wear trousers made of light-gray chambray, light-gray cheviot, light-gray palm-beach cloth, or other light-gray washable material of appropriate weight, provided all the carriers at any office wear such trousers, which should be kept neat and clean.

3. All garments shall be sewed with pure-dye sewing silk, and the garments shall be finished in a proper and workmanlike manner and goods thoroughly shrunk.

Sewing on garments, etc.

4. Where the weather is mild throughout the winter and the majority of the carriers at a post office so elect, the carriers at that office may be permitted to wear a sweater coat of uniform color and design in lieu of the prescribed uniform coat, provided that at the office where such permission has been granted all carriers shall wear such sweater coats.

921. Each carrier shall be designated by a number, which shall be shown on a metal badge to be worn on hat, cap, or helmet as part of the carrier uniform. The badge shall be solid and composed of metal 18 per centum German silver, No. 18 B. & S. gauge, nickel plated, elliptical in shape, $1\frac{1}{2}$ inches in height the shortest diameter, and $2\frac{1}{2}$ inches in width the greatest diameter; the carrier number shall be raised and japanned and located in the center of the badge, and shall be of numerals nine-sixteenths inch high; surrounding the figures representing the carrier route shall be an elliptical border each point of which shall be five-sixteenths inch from the outer edge of the badge; in the top half of the badge, between the outer border and the inner ellipse shall be the words "U. S. Post Office"; similarly located, except in the lower half of the badge, shall be the name of the post office and State; the legend "U. S. Post Office" and name of the office and State shall be of japanned raised block letters one-eighth inch high; at each end of the badge, between the outer border and the inner ellipse, shall be a raised japanned five-point star; surmounting the badge shall be the symbol eagle and shield, the top of the eagle's head to be one-half inch from the upper edge of the badge and the spread wings to measure 2 inches on a straight line from tip to tip; on the back of the badge and immediately in the rear of each star there shall be one staple, hard-soldered, projecting one-fourth inch; a bar pin of steel wire $2\frac{1}{2}$ inches long with safety catch to be used in fastening a badge to the headgear; the entire badge shall be curved 10 percent, so as to conform to the shape of the headgear.

Numbering of carriers.

922. Length of service as letter carriers shall be indicated on the carriers' uniforms by stars, as follows:

Service stars.

- Five years' service, one black silk star.
- Ten years' service, two black silk stars.
- Fifteen years' service, one red silk star.

Twenty years' service, two red silk stars.

Twenty-five years' service, one silver star.

Thirty years' service, two silver stars.

Thirty-five years' service, one gold star.

Forty years' service, two gold stars.

Forty-five years' service, three gold stars.

—size of.

2. All stars shall be three-fourths inch in diameter and placed one-half inch above black braid on each sleeve, equidistant between seams.

Substitute carriers, distinctive mark for.

3. Substitute carriers shall wear a black-cloth bar, one-fourth inch wide and 1½ inches long, one-half inch above the black braid on each sleeve, equidistant from seams.

4. In computing the length of service as letter carriers under this section, credit shall be allowed to carriers for actual time served as substitutes, upon a basis of 1 year for each 306 days of 8 hours, as prescribed in section 104, title 39, U. S. Code.

Inspection of uniforms.

923. Postmasters at city delivery offices shall cause a careful inspection of carriers' uniforms to be made twice a year. A carrier shall not be required to buy a new suit or any part thereof unless the postmaster, after inspection, decides that it is necessary in order to maintain a uniform and neat appearance of the force.

HOURS OF SERVICE

Hours of service.
39 U. S. C. 117.

924. * * * carriers in the City Delivery Service shall be required to work not more than eight hours a day. The eight hours of service shall not extend over a longer period than ten consecutive hours, and the schedules of duty of the employees shall be regulated accordingly.

—excess in emergency.

2. In cases of emergency, or if the needs of the service require, and it is not practicable to employ substitutes, * * * carriers in the City Delivery Service can be required to work in excess of eight hours per day, and for such overtime service they shall be paid on the basis of the annual pay received by such employees. In computing compensation for such overtime the annual salary or compensation for such employees shall be divided by three hundred and six, the number of working days in the year less all Sundays and legal holidays enumerated in section 119 of this title; the quotient thus obtained will be the daily compensation which, divided by eight, will give the hourly compensation for such overtime service.

—additional pay.

—compensatory time.
39 U. S. C. 118.

3. When the needs of the service require the employment on Sundays and holidays of * * *, carriers,

* * *, at first- and second-class post offices they shall be allowed compensatory time on one day within six days next succeeding the Sunday, except the last three Sundays in the calendar year, and on one day within thirty days next succeeding the holiday and the last three Sundays in the year on which service is performed: *Provided, however,* That the Postmaster General may, if the exigencies of the service require it, authorize the payment of overtime for service on the last three Sundays in the calendar year or on Christmas Day in lieu of compensatory time.

4. Postmasters shall prepare for the guidance of carriers in their work a time schedule made on the basis of 8 hours' work each week day except Saturday (see sec. 925), and so arranged as to provide only such time as is absolutely necessary for the legitimate duties of each carrier. The hours of daily service need not be continuous, but they must be within 10 consecutive hours.

Postmasters to arrange schedules.

5. Each carrier shall be furnished with a copy of the schedule under which he is required to work.

Copy to carrier.

6. Postmasters shall not direct or permit carriers to work overtime except in cases of emergency.

Overtime forbidden.—except.

925. When the needs of the service require * * * carriers in the City Delivery Service * * * to perform service on Saturday they shall be allowed compensatory time for such service on one day within five working days next succeeding the Saturday on which the excess service was performed: *Provided,* That employees who are granted compensatory time on Saturday for work performed the preceding Sunday or the preceding holiday shall be given the benefits of this section on one day within five working days following the Saturday when such compensatory time was granted: *Provided further,* That the Postmaster General may, if the exigencies of the service require it, authorize the payment of overtime for service on the last three Saturdays in the calendar year in lieu of compensatory time: * * *.

Saturday service.—compensatory time.
39 U. S. C. 832, Supp. V.

See section 465 as to supervisory employees, special clerks, clerks, and laborers in first- and second-class post offices, and section 959 as to carriers in the Village Delivery Service.

926. * * * Carriers and substitute carriers in the City Delivery Service * * * who are required to perform night work, shall be paid extra for such work at the rate of 10 per centum of their hourly pay per

Night work.—compensation.
39 U. S. C. 828, Supp. V.

hour: *Provided*, That night work is defined as any work done between the hours of 6 o'clock postmeridian and 6 o'clock antemeridian.

Note.

NOTE.—This act is applicable to temporary substitute carriers. See sec. 467 as to clerks, supervisory employees, etc., and the Postal Guide for method of computing the amount to be paid.

Employment and time of carriers.

927. Letter carriers shall not report prior to schedule time for the first trip of the day nor for the beginning of a trip following a "swing."

Carrier not to remain in office, when.

2. Carriers shall not remain at their desks nor in the working room of the office during a "swing" or interval between trips, nor during the dinner hour; neither shall they remain in the post office after completing the last trip of the day.

Collectors not to workroom.

3. Carriers engaged exclusively in the collection service shall not be allowed to remain in the workroom of the office except while depositing and facing the mail collected by them.

Time recorders.

4. Carriers shall register on the time recorder upon reporting, leaving, returning, and ending for each trip which begins and ends at the post office. The time cards shall constitute the official time record. Should the time recorder be out of order, the time recorded by carriers on their time cards shall constitute the official record.

Carrier not to register for another. Entries on trip reports, how made.

5. One carrier shall not register on the clock for another. Violation of this rule may subject both carriers to removal.

6. The time of reporting, leaving, returning, and ending for each trip shall also be recorded by the carriers on their time cards; the entries on these cards shall be made at the beginning and end of each trip and not be deferred until the close of the day.

—when collection made on way to office.

7. When collections are made in the morning, on the carrier's way to the office, the first and second entries on the time card shall be the time of opening the first box.

—when carrier does not return after completing trip.

8. When a carrier completes his delivery on his route and does not return to the post office, the time recorded on his time card for returning and ending on that trip shall be the time of delivery of his last piece of mail.

Overtime to be reported.

9. Carriers or supervisors in charge of carriers shall not conceal the fact that overtime has been made; nor shall carriers whose duties require less than eight hours a day expand the actual working time on their routes, nor attempt to record unnecessary time in order that their trip reports may show eight, or approximately eight, hours' work.

Carriers not to waste time.

10. When carriers are unable to deliver all mail matter taken out on the last trip of the day without making overtime, they shall return to the post office within the eight hours prescribed with the undelivered mail, and such failure shall be reported to the postmaster or the superintendent of the station, and a full statement also be made on Form 1571 of the day.

Mail to be returned to office, when.

11. A city delivery carrier shall not be required to keep a complete directory of all patrons on his route, but shall keep a record of all changes of address. Unlimited forwarding orders

and permanent changes of address shall be observed for a period of two years.

12. Carriers shall not perform clerical work. Their duties shall be restricted to (1) the collection and delivery of mail, (2) the routing of mail for delivery, (3) the forwarding of mail addressed to their routes and the transfer of mail of former patrons whose addresses have been changed to other routes, (4) the indorsing of undeliverable mail, (5) the receipting for and recording of registered mail, (6) the posting of route books, (7) the facing of mail collected by them whenever such work will not retard collections, and (8) to serving at carriers' delivery windows.

Clerical labor not permitted.

13. A letter carrier shall not be designated as superintendent, foreman, captain, or sergeant of carriers, or given supervision of or authority over other carriers.

Carrier must not be designated superintendent, etc.

928. When regular carriers are absent from duty for any cause their places shall be supplied by substitute carriers if necessary.

Substitute carriers.—employment of.

See sec. 907 for rates of pay.

2. Substitute carriers shall be assigned to duty by the postmaster or his representative and shall never be called into service by carriers except in cases of urgent necessity, when it is plainly impossible to notify the postmaster in time either by telephone or messenger.

—assignment of.

NOTE.—As substitutes are paid by the hour, their services are not restricted to eight hours daily nor to service within any number of consecutive hours.

Note.—exempt from 8-hour law.

CONDUCT: DISCIPLINE

929. In the performance of their duties letter carriers shall be civil, prompt, and obliging.

Conduct of carriers.

2. Carriers shall attend quietly and diligently to their duties, shall not loiter or stop to converse on their routes, and shall refrain from loud talking, profane language, and smoking in the office or on their routes.

Shall attend quietly and diligently to duties.

3. Carriers shall not drink intoxicating liquor while on duty, nor in public places while in uniform. Any carrier who becomes intoxicated while on duty, or who is addicted to intemperance, may be removed from the service.

Not to use intoxicants while on duty.

930. Letter carriers may be reprimanded, their promotions withheld, their salaries reduced, or they may be removed from the service for infractions of the Postal Laws and Regulations, of orders of the department, and of orders of the postmaster not inconsistent therewith, as the nature or gravity of the offense may require. They may be suspended with loss of pay only by approval of the department. In urgent cases authority therefor may be requested by telegram. (See sec. 915.)

Discipline.

—suspension.

LEAVES OF ABSENCE

931. Carriers in the service on the 1st day of July are entitled to receive 15 days' vacation, exclusive of Saturdays, Sundays,

Leaves of absence.

—when to be taken.

and holidays, at any time during the fiscal year (July 1 to June 30, inclusive) when the postmaster can best spare them. Carriers entering the service after the 1st day of July are entitled to a pro rata leave of absence during the remainder of the fiscal year equal to one and a quarter days for each month.

—during special service.

2. Carriers serving as members of local civil-service boards during examinations, as members of the United States Militia of the District of Columbia, or as witnesses for the United States Government in courts shall be given leave with full pay during necessary absence occasioned by such service.

Leave without pay.

3. Postmasters may, in addition to the leave of absence with pay provided by law, grant leave of absence without pay to city carriers, such leave not to exceed 30 days in any one fiscal year. Applications for leave of absence to cover a longer period in cases of illness or disability received in the service shall be submitted by the postmaster to the First Assistant Postmaster General with a full statement of the facts and recommendation.

See sec. 44 as to statutes covering leaves of absence of employees in the Postal Service; secs. 46 to 49 as to military duty and sec. 458 as to sick leave.

Absence without leave.
—action relative thereto.

932. A letter carrier absenting himself without leave shall be reprimanded by the postmaster, or reported to the First Assistant Postmaster General, Division of Post Office Service, for suitable discipline or for removal. (See sec. 43.)

DELIVERY AND COLLECTION OF MAIL BY CARRIERS

General regulations to apply to delivery of mail matter.

933. The regulations as to the delivery of mail matter shall apply to the delivery of such matter by letter carriers, except where inapplicable or as otherwise modified herein.

See secs. 777 to 797 as to delivery of mail matter; sec. 782 as to matter to be delivered by carriers; secs. 1336, 1354 to 1359, 1385, par. 10, as to delivery of registered, insured, and C. O. D. matter by carriers; sec. 1101 as to special-delivery matter.

Care in delivery of mail.

934. Carriers shall be careful to deliver mail to the persons for whom it is intended, or to some one authorized to receive it. They shall, in case of doubt, make inquiry with the view of ascertaining the owner. Failing in this, the mail shall be returned to the office, to be disposed of as the postmaster may direct.

Prohibitions. Mail not to be delivered in the street.

935. Carriers shall not deliver mail matter to patrons in the street unless such delivery can be made without unreasonable delay.

Mail not to be delivered in boxes at vacant premises.

2. Mail matter shall not be delivered by carriers in boxes or other receptacles at premises not occupied in whole or in part by the addressees unless expressly ordered by the postmaster.

Houses not to be entered.

3. Carriers shall not enter any house while on their trips, except in the discharge of their official duties.

Only mail received from office to be delivered. Mail not to be exhibited.

4. Carriers shall not deliver mail matter which has not passed through the post office or station with which they are connected.

5. Mail matter intrusted to carriers shall not be exhibited to persons other than those addressed, except on the order of the postmaster or some one authorized to act for him.

6. Letters for delivery shall not be carried by carriers in their pockets.

Mail not to be carried in pockets. Carriers not to leave routes, nor stop for meals. No matter to be thrown away.

7. Carriers shall not deviate from their respective routes nor stop for their meals while on their trips.

8. Carriers shall not throw away or improperly dispose of mail matter, however trifling or unimportant it may appear to them.

9. Stamps shall not be removed from mail matter intrusted to carriers for delivery or collected by them for mailing.

Stamps not to be removed.

See sec. 902 as to demanding fees for delivery of mails.

936. Carriers are not required to deliver mail at residences where vicious dogs are permitted to run at large.

Delivery where vicious dogs are kept. Collection of postage due.

937. Carriers shall collect and promptly return to the postmaster all postage and other charges due on mail intrusted to them for delivery, as indicated by the postage-due stamps attached or otherwise. Such mail matter must not be delivered until the amount due shall have been paid.

See sec. 2315 as to penalty for failure to collect or to account for postage due.

938. When carriers, making collections from letter boxes, find that it will be impossible on any one trip to carry to the post office the contents of all the boxes on their routes, preference shall be given to mail matter of the first class. Newspapers and packages placed on the tops of letter boxes should be collected when it can be done without overloading the mail sacks and preventing the prompt collection of mail matter properly deposited in the boxes.

Collection of mail matter from receiving boxes.

Preference to matter of first class.

939. Carriers, while on their routes, shall receive letters with postage stamps affixed, handed them for mailing, and, when making delivery at any residence, shall collect such letters placed on or in the mail box; but they should not delay their deliveries by waiting for such letters. Carriers shall not accept money to pay postage on letters tendered to them for mailing.

Carriers to receive matter for mailing. Letters.

2. Carriers should also receive other small articles of mailable matter with postage properly prepaid, but they should refuse to receive packages that are cumbersome on account of size, shape, or weight, especially when the carrying of such packages would interfere with the prompt delivery of mail and the collections from letter boxes.

Other matter.

3. Carriers shall receive and register all letters and packages of first-class matter that are not cumbersome on account of size, shape, or weight, and properly offered them for registration, and shall give the regulation receipt therefor.

To receive and register first-class matter, when.

See sec. 902 as to carriers demanding fee for letters collected; sec. 1340 as to registration of mail by letter carriers.

940. Carriers shall not return, under any circumstances, to any person any letter or letters said to have been deposited in a letter box, or which have come into the custody of the carrier in a regular way. An applicant for the return of such mail should be directed to the postmaster. (See secs. 729 and 730.)

Matter collected or received by carriers not to be returned to senders.

Return undelivered mail, satchels, etc., to office at night.—except.

941. After the last daily delivery, carriers shall return to the post office or station with which they are connected their satchels and all mail that cannot be delivered, except that when, in the opinion of the postmaster the interest of the service will be promoted thereby, carriers may be permitted to take their satchels home with them direct from their routes, but undelivered ordinary mail matter remaining in satchels shall first be deposited in the nearest letter box.

LETTER BOXES

Street letter boxes.
39 U. S. C. 155.

942. 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.

—not to be placed inside buildings, except.
39 U. S. C. 156.

2. 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, * * *.

Chutes attached to letter boxes.
39 U. S. C. 156.
—may be declared part of box.

943. * * * the Postmaster General is authorized, in his discretion, to declare by official order that the chutes connected with mail boxes that are attached to any chute or device which may be approved by him are a part of said receiving boxes and under the exclusive care and custody of the Post Office Department.

Mailing chutes and receiving boxes may be placed, where.

2. Mailing chutes and receiving boxes may be placed, subject to the approval of the postmaster, in public buildings, railroad stations, hotels and business, or office buildings of not less than four stories in height, and apartment houses comprising not less than 40 residential apartments. Buildings in which receiving boxes are or may be located shall be open to the general public, without restriction, at all times during the hours prescribed for mail collections, in order to afford access to such receiving boxes for the deposit of mail matter therein. Mailing chutes installed in conformity with these regulations shall be approved by the postmaster before they are accepted for service.

Installation to be approved by postmaster.

3. Unapproved chutes shall not bear any sign or insignia indicating that they are under the jurisdiction and protection of the United States Postal Service.

Location of receiving box.

4. No receiving box shall be located more than 100 feet from a main entrance. In no case shall a receiving box be placed on other than the ground floor of a building.

Chutes and boxes.
—specification for construction.

5. Mailing chutes and receiving boxes shall be constructed in accordance with specifications prescribed by the department. Application for approval of such chutes and boxes shall be

made to the First Assistant Postmaster General, Division of Post Office Service.

6. Owners or lessees of buildings shall be required to maintain mailing chutes and receiving boxes in good order at all times.

—to be kept in good order.

7. Every mailing chute and receiving box shall be inspected by a representative of the postmaster at least once each year.

—to be inspected annually.

8. Only matter of the first class shall be deposited in mailing chutes and receiving boxes.

—for matter of first class only.

9. Mailing chutes and receiving boxes shall be considered the property of the United States whenever and so long as collections of mail matter are made therefrom, and shall be and remain under the exclusive custody and control of the postmaster until such collections are discontinued by his direction.

Property of the United States, when.

10. (a) Every mail-chute contract shall contain an explicit waiver by the owner or owners of patents issued and to be issued upon the chute and receiving box, or either of them, covered by such contract, and upon any device or devices connected therewith, of all claims against the United States and its officers and agents on account of the use or employment of such chute and box and such device or devices, and shall also contain a full warranty by the company or person proposing to erect such chute and receiving box against claims on account of infringements of the patents of others. Before commencing collections of mails the postmaster shall also require such person or company to file with him a waiver of all claims of every name and nature arising under the contract, with a bond in such form and with such penalty as shall be prescribed by the Postmaster General, conditioned that the obligor and his or its sureties shall and will protect and indemnify the United States from any and all such claims, accompanied with a written notice from such person or company that they have no claim of any kind against such mailing chute and receiving box or either of them.

Contract to contain waiver by patentee.

(b) With every mail-chute contract submitted for approval there shall be furnished evidence that a surety bond in such form and with such penalty as shall be prescribed by the Postmaster General has been given to the purchaser guaranteeing the construction and installation of the mail-chute equipment in accordance with the rules, regulations, and specifications of the Post Office Department, and that any defect arising within three years will be remedied by the manufacturer without expense to the purchaser.

Bond of indemnity.

11. When mailing chutes and receiving boxes are erected under lease, the postmaster may sign an agreement, indorsed on the back of the contract, between the proprietor or lessee of the building and the person or company erecting such chutes and boxes, providing that if the lessor of such chutes and boxes shall request the discontinuance of mail collections therefrom and the return of the mailing apparatus to him the postmaster shall, after due notice to such proprietor or lessee, discontinue such collections, remove the lock from the receiving box, and permit the removal of the mailing apparatus by said lessor.

When erected under lease.

Information as to chutes.

Hours of collection.

Regulations to become part of contract.

Postmasters to control location of boxes.

Boxes to be supplied with time cards.

Care of street letter boxes and keys.

List of boxes.

Damaged boxes, report of.

—if useless to be sold as waste.

Mail keys.

—accountability therefor.

—custody thereof.

—loss to be reported.

Private boxes.

12. Printed cards, properly framed, dustproof, and glazed and giving information as to the use of mail chutes and receiving boxes, as well as stating that the hours of collection are posted on the receiving box and calling attention to the penalties for tampering with mail equipment, shall be attached to each mail opening. The card on the receiving box shall be completed to show the hours of collection therefrom.

13. These regulations shall be printed on the back and become a part of every contract hereafter entered into between manufacturers or owners of mailing chutes and receiving boxes for the erection and use of such chutes and boxes and the proprietor or lessee of the building in which they are located.

944. Postmasters may locate boxes within the city delivery limits in places where, in their judgment, they are most needed.

945. All letter boxes shall be supplied with time cards showing the hours at which collections are made therefrom.

946. A list of street letter boxes, giving number and location, shall be kept in the post office.

2. Letter boxes shall be kept in repair and in neat condition. If this should involve any expenditure, the postmaster shall first write to the Fourth Assistant Postmaster General, Equipment and Supplies Branch.

3. Whenever a letter box is broken or the time card thereon defaced, the carrier on whose route the box is located shall promptly report the facts to the postmaster; and at the end of each month he shall make a report on the general condition of all the letter boxes and time cards on his route. Broken or un-serviceable letter boxes and package boxes that cannot be easily and cheaply repaired shall be thoroughly demolished and sold as waste postal material. Postmasters shall charge themselves in the quarterly postal account with the proceeds of such sales. (See sec. 101.)

4. Every letter carrier having in his possession a mail key shall attach it securely to his clothing by means of a safety chain. He shall be held strictly accountable for the safety and proper use of the key, and he shall not permit it to be examined or handled by any person not authorized to do so.

5. At the end of the day's work carriers shall deliver their keys to the person designated by the postmaster to receive them, except that carriers who make early morning collections and carriers engaged in late collections who end their tour of duty in the field, at a distance from the post office, may be permitted to retain their keys overnight.

6. The loss of a mail key by a carrier shall be reported immediately to the First Assistant Postmaster General, Division of Post Office Service. The report shall contain the name of the carrier and the number of the key, as well as a full statement of the circumstances surrounding the loss.

See sec. 1895 as to loss of key.

947. Private mail receptacles should be used to facilitate the delivery of mail. When designated by the owner or user there-

of for the purpose of receiving mail, all rules and regulations affecting the use of such receptacles issued by the Postmaster General shall be effective and apply to such receptacles.

2. Approved apartment-house mail receptacles, one for each apartment, conforming to the apartment-house mail receptacle regulations pamphlet and amendments should be provided in apartment houses, family hotels and flats containing three or more apartments except where the management has arranged that mail for the tenants be delivered at the office or desk for distribution by its employees. Directory boards, showing the names of all persons receiving mail, should be provided in apartment houses where there are 25 or more receptacles. Copies of the apartment-house mail receptacle regulations pamphlet may be secured upon application to the First Assistant Postmaster General, Division of Post Office Service.

Apartment-house mail receptacles.

3. Every letter box or other receptacle intended or used for the receipt or delivery of mail matter on any city delivery route, rural delivery route, star route, or other mail route is hereby designated a letter box for the receipt or delivery of mail matter and an authorized depository for mail matter within the meaning of the act of March 4, 1909 (18 U. S. C. 317 and 321). (See secs. 2342 and 2347.)

Mail receptacles designated "letter boxes."

4. (a) Every such private mail box or other receptacle intended for use for the receipt or delivery of mail matter by any city or village letter carrier shall be used exclusively for the reception of matter regularly in the mails, and any mailable matter, such as statements of accounts, circulars, sale bills, or other like matter, deposited therein shall be treated in accordance with the rules governing the mails, including the proper addressing and the payment of postage at the regular rate.

Used exclusively for mail matter.

(b) When a carrier finds deposited in such a mail box or other mail receptacle mailable matter on which no postage has been paid, addressed to or intended for the person in whose box it is deposited, he shall take such matter to the post office to be held for postage and treated as prescribed by section 723.

Matter to be held for postage.

5. Whoever shall knowingly or willfully deposit any mailable matter such as statements of accounts, circulars, sale bills, or other like matter, on which no postage has been paid, in any letter box established, approved, or accepted by the Postmaster General for the receipt or delivery of mail matter on any mail route with intent to avoid payment of lawful postage thereon; or shall willfully aid or assist in any of the aforementioned offenses, shall for every such offense be punished by a fine of not more than \$300.

Penalty for misuse.
18 U. S. C.
321a.

948. Postmasters shall arrange with the police authorities of their respective cities for the arrest of all unauthorized persons found tampering with, defacing, or collecting matter from street letter boxes, and of all persons wearing the carriers' uniform (in-

Police protection of letter boxes.
—postmasters to arrange for.

cluding the carriers) found tampering with or collecting from the boxes at other than the usual and regular collection hours, of which the police authorities shall be kept informed.

See sec. 2342 as to penalty for injuring letter boxes or matter therein; sec. 918 as to penalty for wearing carrier's uniform.

CHAPTER 2

VILLAGE DELIVERY

- Establishment.** 949. Village delivery may be established under such regulations as the Postmaster General may prescribe in towns and villages having post offices of the second or third class and in communities adjacent to cities having city delivery.
- See 39 U. S. C. 153 and annual appropriation acts.
- Administration and operation.** 2. The administration and operation of the Village Delivery Service shall be governed by the provisions of the Postal Laws and Regulations and the instructions in the Official Postal Guide relating to City Delivery Service, so far as they are applicable.
- Delivery limits.** 950. The limits of the Village Delivery Service and the number of daily delivery and collection trips to be made shall be fixed by the department and shall not be changed except by authority of the First Assistant Postmaster General.
2. Postmasters may make changes in carrier routes within established limits so as to equalize the carriers' work and to improve the service.
- Compensation of carriers.** 951. The pay of carriers in the Village Delivery Service, under such rules and regulations as the Postmaster General may prescribe, shall be from \$1,150 to \$1,350 per annum. The pay of substitute letter carriers in the Village Delivery Service shall be at the rate of 50 cents per hour.
- 39 U. S. C. 106.
- Salary and promotions.** 2. The entrance salary shall be at the rate of \$1,150 per annum, with consecutive promotion of \$100 each for two years, promotion to be made at the beginning of the first quarter after one year's satisfactory service in the previous grade.
- Appointments and separations.** 952. At second-class and third-class offices appointments of village carriers shall be made under the civil-service rules from the eligible list furnished by the Civil Service Commission. (See sec. 455.) Nominations shall be submitted on Form 1531, through the district civil service manager, to the First Assistant Postmaster General, Division of Post Office Service. All changes at second-class and third-class offices shall be reported on Form 1532 to the First Assistant Postmaster General.
- See sec. 43 as to the removal of classified employees.
- Employment of auxiliary assistance.** 953. At second-class and third-class offices when auxiliary assistance is necessary the person shall be selected from the eligible register (either clerk or village carrier), if any. In the

absence of an eligible register a temporary appointment may be made. (See sec. 912.)

954. Requests for auxiliary allowance on account of vacations shall be submitted to the First Assistant Postmaster General, Division of Post Office Service.

955. Salary payments shall be made semimonthly, receipts therefor to be taken on the prescribed form.

956. Each village delivery carrier and substitute village delivery carrier shall, at the time of his appointment, give bond in the sum of \$1,000. (See secs. 472 and 916.)

957. A village carrier while on duty shall wear a uniform similar to that worn by a city carrier. (See sec. 920.)

958. Village carriers shall not be employed in the delivery of mail on their routes on Sundays or holidays: *Provided*, That at third-class offices open to the public on Sundays and holidays village carriers may be required, if conditions warrant, to report at the post office for one hour to assist in the delivery of mail to patrons of their routes who call, but collections of mail may be required on such days when local conditions require and unusual delays would be avoided thereby.

959. When the needs of the Service require * * * carriers * * * in the village delivery service * * * to perform service on Saturday they shall be allowed compensatory time for such service on 1 day within 5 working days next succeeding the Saturday on which the excess service was performed: * * * *Provided further*, That the Postmaster General may, if the exigencies of the Service require it, authorize the payment of overtime for service on the last three Saturdays in the calendar year in lieu of compensatory time * * *.

See section 465 as to supervisory employees, special clerks, clerks, and laborers in first- and second-class post offices and section 925 as to carriers in the City Delivery Service.

960. The regulations concerning vacation and sick leave with pay and leave without pay for post-office employees shall apply equally to village carriers. (See secs. 44 and 931, note.)

961. Patrons shall provide private mail receptacles. Delivery service shall not be accorded any residence not equipped with a door slot or receptacle.

962. Village carriers shall deliver all mail addressed to patrons if practicable. Patrons shall be notified to call at the post office for packages too large to be handled by the village carriers, or which cannot be delivered by a rural carrier.

963. Village delivery carriers shall not be required to keep a complete directory of all patrons on their routes, but shall keep a record of all changes of address. Unlimited forwarding orders and permanent changes of address shall be observed for a period of two years.

Auxiliary allowance on account of vacation.

Salary payments.

Bond of carrier.

Uniform.

Sunday and holiday service.

Saturday service.
—compensatory time.
39 U. S. C. 832, Supp. V.

Leave of absence.

Mail receptacles.

Delivery of mail.

Route book.

CHAPTER 3

RURAL DELIVERY

ESTABLISHMENT OF SERVICE

Authority to establish.
39 U. S. C. 191, 192.

Classes of service.

Petitions for establishment of motor-vehicle routes.

When horse-drawn vehicle service may be established. Extension of routes.

Conditions precedent to establishment.

Frequency of service on new routes.

Consolidation of routes.
39 U. S. C. 192a.

964. Rural mail delivery shall be extended so as to serve, as nearly as practicable, the entire rural population of the United States.

2. All rural mail-delivery routes shall be divided into two classes to be known as—

(a) Standard horse-drawn vehicle routes, which shall be twenty-four miles in length, and

(b) Standard motor-vehicle routes, which shall be fifty miles in length, and shall only be established when a majority of the proposed patrons who are heads of families residing upon such proposed routes shall by written petition ask the Post Office Department to establish the same.

3. Nothing herein contained shall be construed to prohibit the establishment of horse-drawn vehicle routes of less length than the standard of twenty-four miles. If, in the discretion of the Postmaster General, in order to render more complete service, it should be necessary to do so the Postmaster General may increase the length of routes not to exceed fifty per centum above the standards herein prescribed.

4. Rural routes of a length above 36 miles and less than 50 miles, also, may be established there being no recognized standard route of 50 miles.

See decision of April 17, 1925, of Comptroller General (4 Comp. Gen. 862), citing act of February 23, 1925, 43 Stat. 1063.

5. Roads on which rural delivery service is established shall be in good condition and so maintained, unobstructed by gates, and there shall be no unbridged streams not fordable at all seasons of the year.

6. The frequency of service on a newly established route shall not exceed three times a week, unless such route is formed wholly, or in greater part, by rearrangement of six-times-a-week service.

7. No consolidation of rural routes shall be made otherwise than on account of the resignation, death, retirement, or dismissal on charges of carriers in the Rural Mail Delivery Service.

965. All persons, except those who reside within the city delivery limits of cities where city delivery service is in operation, or within the village delivery limits of cities, towns, or villages where village delivery service is in operation, may be served by rural carriers, provided they will erect approved boxes on the established line of the routes in the manner required by the department.

Who may be served.

CARRIERS : SUBSTITUTE AND TEMPORARY CARRIERS

966. Rural carriers shall be appointed by the Postmaster General upon certification by the Civil Service Commission from registers of eligibles resulting from examination.

Appointment of rural carriers.

967. Every regular, auxiliary, temporary, and substitute rural carrier shall, before beginning service, take the official oath prescribed in section 30, and no person who has not taken the prescribed oath shall be given custody of the mails.

Official oath.

968. Every regular, auxiliary, temporary, and substitute rural carrier shall, upon being appointed, execute a bond in the sum of \$500 with acceptable sureties, the bond to be forwarded to the department when executed.

Bond required.
—amount of.
—where filed.

2. Bonds to be acceptable shall be signed by two personal sureties, each of whom is worth the sum of \$500 in property over and above his debts and personal liabilities, or by an indemnity company that is authorized to qualify as sole surety on an official bond.

—surety companies or personal.

NOTE.—For a list of surety companies see Official Postal Guide.

Note.

3. When a person who has qualified as surety on a bond of a rural carrier dies, removes from the locality of the route, or becomes insolvent, the postmaster shall at once notify the Second Assistant Postmaster General, Division of Rural Mails.

Bondsmen.
—report of death, removal, insolvency.

4. The execution of new bonds for regular, auxiliary, temporary, or substitute rural carriers may be required by the Postmaster General whenever it is deemed necessary or expedient.

New bonds.
—may be required.

969. Postmasters at offices where rural delivery service is in operation shall familiarize themselves with the regulations, rules, orders, and instructions governing rural delivery, shall instruct the carriers and inform others concerning it, and shall supervise generally the rural service at their offices.

Postmasters to familiarize themselves with regulations and supervise and instruct carriers.

2. Postmasters shall supervise the work of the carriers and see that they perform their duties in an efficient manner and shall keep themselves informed as to the condition of the routes attached to their offices and the business transacted on them, and shall make prompt report to the Second Assistant Postmaster General, Division of Rural Mails, of any dereliction on the part of the carriers, such as dishonesty, immorality, intoxication, any irregularity in the transaction of money order, insurance, C. O. D., or registry business, continued failure, without excuse, to serve their routes completely; unsatisfactory service, persistent insubordination and disregard of postmaster's orders, or other conduct detrimental to the best interests of the service,

Details of supervision.

and await specific instructions before taking other action in the matter.

Permanent changes of travel.
—report to be made to department.

3. Postmasters shall make prompt report to the department of any permanent changes of travel by rural carriers from the line of their routes as officially described, due to changes in roads by State or local authorities, or for other reasons, and should make recommendation for withdrawal of service from retraces or other portions of routes not regularly traveled, or on which the number of families served and the amount of mail delivered and collected do not warrant continuance of service thereon. They should make suggestions for extensions of routes for the supply of families not easily accessible to facilities, or to more conveniently serve patrons when, in their opinion the number of families, the distance they reside from rural or star routes or post offices and the condition of the roads to be covered warrant such extensions.

—extensions of routes.

Inspection trips and reports.

970. Postmasters, their assistants, or other competent employees shall make a trip of inspection over the rural routes each year in the month of May. The inspections shall be made without expense to the Department. Report of each inspection shall be prepared in duplicate on Form 4248. The original of the form shall be promptly submitted to the Second Assistant Postmaster General, Division of Rural Mails, and the copy shall be filed in the post office.

Carriers subordinate to postmasters.

971. Rural carriers shall be subordinate to the postmasters at the offices to which they are attached and shall comply with their instructions and obey their orders, subject to directions from the department.

Assistance in separating.
—permitted, when.

972. Postmasters shall not permit rural carriers, without specific authority from the Department, to handle or have access to mail other than that of patrons of their routes. Postmasters shall obtain permission from the Department to allow rural carriers to assist in the separation of second-, third-, and fourth-class matter when such action is necessary to enable the carriers to depart for the service of their routes at the prescribed time and a change in the schedule is impracticable.

Carriers' compensation.
39 U. S. C. 197.
Supp. V.

973. The salary of carriers in the Rural Mail Delivery Service for serving a rural route of thirty miles six days a week shall be \$1,800; on routes less than thirty miles, \$60 per mile per annum for each mile or major fraction thereof. Each rural carrier assigned to a route served six days in a week shall receive \$20 per mile per annum for each mile or major fraction thereof said route is in excess of thirty miles, based on actual mileage, and each rural carrier assigned to a route served three days in the week shall receive \$10 per mile per annum for each mile or major fraction thereof said route is in excess of thirty miles, based on actual mileage. The Postmaster

General may, in his discretion, allow and pay such additional compensation as he may determine to be fair and reasonable in each individual case to rural letter carriers serving heavily patronized routes not exceeding thirty-eight miles in length: *Provided*, That in no case shall the total compensation of a rural letter carrier serving a heavily patronized route of thirty-eight miles or less in length exceed \$2,100 per annum, exclusive of maintenance allowance: *Provided, further*, That the Postmaster General shall report to the Committees on Post Offices and Post Roads of the two Houses the number and names of the routes, on which these increases shall be made, by January 1, 1940, after which date no further increases shall be made.

2. In addition to the salary provided in this chapter, each carrier in Rural Mail Delivery Service shall be paid for equipment maintenance a sum equal to 5 cents per mile per day for each mile or major fraction of a mile scheduled. Payments for equipment maintenance as provided herein shall be at the same periods and in the same manner as payments for regular compensation to rural carriers.

Additional for
equipment.
39 U. S. C. 206.

3. A rural carrier serving one triweekly route shall be paid a salary and equipment allowance on the basis of a route one-half the length of the route served by him. A rural carrier serving two triweekly routes shall be paid a salary and equipment allowance on the basis of a route one-half of the combined length of the two routes.

39 U. S. C. 198.

4. Each rural carrier assigned to a route on which triweekly service is performed shall receive \$10 a mile for each mile the route is in excess of 60 miles or major fraction of a mile in length, based on actual mileage. (See 4 Comp. Gen. 884.)

5. In the case of any carrier in the Rural Mail Delivery Service on July 1, 1934, who serves six days a week a rural route of less than thirty miles, or who serves three days a week a rural route of less than sixty miles or two routes of a combined length of less than sixty miles, the annual salary of such carrier shall not be reduced more than \$180 by operation of section 197 of this title. Should any such carrier be transferred to another route or other routes, the salary which he was receiving on June 30, 1934, shall be protected to the same

39 U. S. C.
197a.
Supp. V.

extent as such salary would, under the preceding sentence, have been protected had such carrier continued to serve the route or routes from which he was transferred and had the length of such route or routes been changed to correspond to that of such other route or routes.

Additional compensation for pouch mail. 39 U. S. C. 205.

6. The Postmaster General may, in his discretion, allow and pay additional compensation to rural letter carriers who are required to carry pouch mail to intermediate post offices, or for intersecting loop routes, in all cases where it appears that the carriage of such pouches increases the expense of the equipment required by the carrier or materially increases the amount of labor performed by him, such compensation not to exceed the sum of \$12 per annum for each mile such carrier is required to carry such pouch or pouches.

Pay dependent upon length of route to be determined by department. 39 U. S. C. 199.

7. The pay of rural carriers and substitute rural carriers, which depends upon the length of the route, shall be determined in accordance with the records of the Post Office Department, which records shall be promptly corrected whenever the Postmaster General determines that such records are not correct.

See 5 Comp. Gen. 626 and 6 Comp. Gen. 569.

Claim for additional compensation.

8. All claims for additional compensation on account of increase in the expense of equipment required, or of any material increase in the amount of labor performed because of the carriage of pouch mail, shall be submitted to the Second Assistant Postmaster General, Division of Rural Mails, with a full statement of the facts, through the postmaster, who shall make such comment or recommendation thereon as he may deem proper.

Pay of substitute carriers. 39 U. S. C. 203.

974. * * * substitutes for (rural) carriers on vacation to be paid during said service at the rate paid the carrier.

2. A substitute carrier who performs service for a regular carrier absent with pay shall be paid at the same rate paid the regular carrier for each day's service, exclusive of Sundays and authorized holidays.

3. A temporary carrier serving a route for which there is no regular carrier, or in place of a regular carrier absent without pay, shall be paid at the same rate paid the regular carrier, Sundays and holidays included, except at the beginning or ending of the period of employment.

4. A regular carrier when on annual or sick leave shall not accompany the substitute who is employed to serve the route, the substitute being expected to be qualified and able to serve without assistance. A regular carrier who performs service or

accompanies the substitute under such circumstances shall not be considered as on leave with pay, and payment shall be made only to the substitute carrier.

975. Certificates of service performed by rural carriers shall be carefully prepared by the postmaster on forms provided therefor and in accordance with instructions thereon. Promptly upon receipt of the certifying postmasters' certificates of service performed by rural carriers the disbursing postmaster shall compute the amount of pay due each carrier and issue his check in payment thereof on the Treasurer of the United States. (See sec. 985 as to deductions.)

976. Application for the salary due a deceased rural carrier for services rendered shall be made to the disbursing postmaster, who shall make payment to the person qualifying under the rules of the department to receive and receipt therefor.

977. Rural carriers shall be paid semimonthly, at the rates fixed by law, through certain designated post offices.

2. Regularly appointed temporary carriers shall be paid for service at the same rates of pay as regular carriers.

978. Carriers shall not be transferred from one route to another without specific authority from the department.

2. The application of a rural carrier for a transfer from one route to another at the same office, or from the route to which he is assigned to a route at another office, should be submitted to the Second Assistant Postmaster General, Division of Rural Mails, through the postmaster at the office to which he is attached. In the latter case the application shall be accompanied with the recommendation of the postmaster at each office concerned.

See sec. 407 for transfer of postmaster to rural carrier, and sec. 54 as to giving consideration for procuring appointment, etc.

979. The official duties of rural carriers shall be the delivery into and collection from boxes on their routes of mail matter of all classes; serving of post offices with mail whenever such service is authorized; sale of stamp supplies; receiving and receipting for matter presented for registration; delivery of registered, insured, and C. O. D. matter; the handling of registered matter in transit over their routes; taking of applications for money orders and the money therefor; the acceptance of parcels for insurance, the acceptance of C. O. D. parcels, the forwarding of mail addressed to their patrons, and the transfer of mail of former patrons whose addresses have been changed to other routes; the erection of United States collection boxes; and the performance of such other duties as may be required of them by law and the regulations of the department.

2. The services of rural carriers may be utilized by postmasters at offices where either city delivery or village delivery service is in operation to deliver fourth-class mail addressed to patrons of either of these services and to relay bundles of mail to be deposited in collection boxes or other suitable places for subsequent delivery by city or village carriers. However,

Carriers' certificates.

Deceased carriers.—payment for services of.

Salaries to be paid semimonthly.

Temporary carriers, rate of pay.

Transfers.—authority from department.—application for transfer.

Carriers' duties.—defined.

they shall not be required to take such fourth-class mail or mail to be relayed in quantities in excess of the reasonable capacity of their conveyances after making provision for the loading of the mails for the rural routes, nor make any additional trips or travel, nor leave their conveyances out of their sight or at a greater distance than 50 yards in order to perform this work.

Delinquencies.
—penalty for.
39 U. S. C. 207.

980. The Postmaster General may, in his discretion, whenever for disciplinary purposes he deems it advisable to do so, reduce temporarily the pay of rural carriers. In no case shall such a reduction in pay be of more than one grade as fixed by law, nor extend over a greater period of time than one year.

Discipline.

2. A rural carrier may be reprimanded, temporarily reduced in pay, suspended from duty, or removed from the service, in accordance with the gravity of the offense, for dishonesty, immorality, intoxication, or improper conduct of any character; irregularities in the transaction of money-order, registry, insured, or C. O. D. parcel-post business; for continued failure, without excuse, to serve his route completely; unsatisfactory service, neglecting to take mail to and from a post office which he has been ordered to serve; for leaving behind or throwing off any portion of the mail; for allowing the mail or any part of it to be damaged, lost, or destroyed; for frequent failures to reach an intermediate office at about the same time each day; for total or partial abandonment of service, or for persistent insubordination disregard of the orders of the department or of postmaster.

Leave of absence.

981. Carriers in the service on the 1st day of July may be granted 15 days' annual leave at any time during the fiscal year when their services can be spared. Carriers entering the service after the 1st day of July are entitled to leave of absence at the rate of 1¼ days for each month of actual service.

—for service as Government witnesses or for civil-service duty.

2. A rural carrier serving in court as a witness for the Government or serving as a member of a civil-service examining board shall be allowed leave with pay during the period of such service in addition to the annual leave to which he is otherwise entitled, but in every such case immediate report shall be made to the department, with dates and the name of the temporary carrier who served the route.

See sec. 44 as to statutes covering leaves of absence of employees in the Postal Service; sec. 46 to 49 as to military duty.

Leave of absence without pay.

982. Postmasters may, in addition to the leave of absence with pay provided by law, grant leave of absence without pay for not exceeding 30 days in any one fiscal year to rural carriers without making report thereof to the department. Entries of such leave shall be made on Form 4251. Applications for leave of absence to cover a longer period in cases of illness, or disability received in the service, shall be submitted by the post-

master to the Second Assistant Postmaster General with a full statement of the facts, but leave of absence for more than one year shall not be granted in any such case. Rural carriers who desire to be absent for longer periods shall be dropped from the rolls without prejudice. The dropping of a rural carrier after one year's continued absence because of illness or disability would not prevent his filing an application for retirement with annuity on account of total disability if he has enough service to his credit to entitle him to such retirement under the law.

2. Application for leave without pay on account of sickness shall be accompanied, if possible, with a statement from the attending physician certifying as to the nature of the carrier's illness and its probable duration.

Physician's certificate.

3. When a rural carrier is granted leave of absence without pay for a definite period he shall be given credit for Sundays and holidays occurring at the beginning and end of such period, but not for those occurring within the period. If the leave of absence without pay is for an indefinite period, a carrier shall not be given credit for Sundays or holidays occurring within or at the close of the period of absence, nor shall he be given credit for being in a pay status until he actually returns to duty. When a rural carrier is suspended from duty by the department as a disciplinary measure, pay shall be deducted for every day included in the period of suspension.

Leave without pay; suspension from duty.

4. When a carrier is absent from duty on account of an injury sustained while on duty, the first date of absence and the name of the temporary carrier employed shall be reported promptly to the Second Assistant Postmaster General. A report of the injury shall be made to the United States Employees' Compensation Commission, Washington, D. C., upon a form which may be obtained from the nearest post office of the first class. An employee who is injured in the performance of his duties, and is paid compensation under the Act of September 7, 1916, shall not be separated from the service, but shall be continued on the rolls without pay until the Employees' Compensation Commission discontinues his compensation, or the employee has been given an opportunity to retire in accordance with the provisions of the Act of May 29, 1930.

Absence on account of injury.

See sec. 458 as to leave of absence without pay of other post office employees.

983. A rural carrier who is absent without permission from the postmaster shall forfeit his pay for the period of such absence, and in addition may be reprimanded, suspended without pay, or removed from the service, as the circumstances may warrant.

Absence without permission.—penalty for.

984. When a rural carrier is absent, or when a vacancy in the rural carrier force at an office exists for any reason, the bonded substitute shall be employed to serve the route; if a bonded substitute is not available some other capable person shall be employed. A regular carrier shall not be employed as a substitute

Another carrier not to serve as substitute.

for another carrier nor to serve a route other than that to which he is assigned.

Deductions for failure to perform service.
39 U. S. C. 200.

985. Deductions for failure to perform service on a standard rural delivery route for 30 miles and less shall not exceed the rate of pay per mile for service for 30 miles and less; and deductions for failure to perform service on mileage in excess of 30 miles shall not exceed the rate of compensation allowed for such excess mileage.

—partial service.

2. If a rural carrier shall fail to serve any part of his route and such failure is due to lack of proper endeavor, proper equipment, or to any reason personal to the carrier, deduction shall be made from his salary for such partial failure at the rate of pay per mile for service on routes of 30 miles and less; and for failure to perform service on that part of a route in excess of 30 miles deduction shall be made at the rate of pay for such additional mileage.

—where service impossible.

3. Deductions shall be made from the pay of rural carriers for each schedule day on which no service is rendered by them, unless it is found impossible after the carriers have reported at the post office to serve any part of their routes because of weather and road conditions, and for failure to serve their routes on any holiday not designated in section 986. On tri-weekly routes deductions shall be made of two days' pay for each schedule day on which no service is performed.

Holidays.

986. Service shall not be required on rural delivery routes on New Year's Day, Washington's Birthday, Memorial or Decoration Day (May 30), Fourth of July, Labor Day, (the first Monday in September), Armistice Day (November 11), Christmas Day, or on such day as the President may set apart as Thanksgiving Day.

When holiday falls on Sunday.

2. When a holiday on which service is not required falls on Sunday, the following Monday shall be observed unless otherwise specially provided.

Neatness and courtesy required.

987. Rural carriers while on duty shall present a neat appearance and be courteous to patrons.

Exemplary conduct required.

988. Rural carriers shall not use intoxicants while in charge of the mail, shall not drink to excess at any time, and shall refrain from improper conduct of any character under penalty of appropriate punishment, or, in repeated instances, of separation from the service.

Passengers.
—carrying of, forbidden.
—exception.

2. Rural carriers shall not carry in their vehicles while on duty any unauthorized person, but shall allow post-office inspectors and other agents of the department, on presentation of proper credentials, to accompany them on their regular trips.

Petitions for changes of route.
—circulation of, forbidden.

3. Rural carriers shall not circulate or encourage the circulation of petitions for changes in the service, the appointment or removal of postmasters, or for any other object in connection with the Postal Service.

989. Rural carriers and clerks in charge of rural stations are not, by reason of their official character, entitled to any special privileges, nor are they exempt from performing jury or road duty (unless the court should excuse the employee summoned to serve on a Federal grand jury), or from any other obligations imposed by the laws of any State, county, or municipality upon its citizens, but are exempt from militia duty without regard to their ages.

See sec. 46 as to military and other public duties.

990. Rural carriers shall have access to the copies of the Postal Laws and Regulations and Official Postal Guides in post offices so that they may inform themselves regarding all regulations, rules, and orders relating to the Rural Delivery Service. Carriers shall receive their instructions and obtain information concerning the service from the postmasters to whom they are subordinate and shall not write to the department in regard to such matters. In cases of uncertainty postmasters shall submit questions to the department and await definite instructions.

2. Rural carriers may submit directly to the department suggestions pertaining *solely* to methods of improving the service, either by enlargement of the local delivery zone to serve more patrons at reduced postal rates, through the direct exchange of mail matter between carriers, or by any other means that will promote the efficiency of the service or increase the patronage thereof. Copies of all suggestions at time of transmission shall be furnished the postmaster, whose duty it shall be to forward the same to the Second Assistant Postmaster General, with such recommendation or comment as may be deemed proper.

991. Any special rules or instructions which postmasters may desire to promulgate for the guidance of their rural carriers with a view to promoting efficiency and maintaining proper discipline shall be submitted to the Second Assistant Postmaster General for approval.

992. Every rural carrier shall procure the name of each patron on his route, using for that purpose the "Patron's name and address slip," and shall enter the names in alphabetical order in the roster book and place opposite each name the number of the box through which mail is delivered.

2. Postmasters shall make a quarterly examination of each rural carrier's roster of patrons and ascertain the correctness thereof.

993. Space shall be provided for the rural carriers in some part of the post office not accessible to the public, which space shall be sufficient to enable them properly to perform their office work. Carriers shall have access to this portion of the office only for such time as may be required to arrange their mail and to make necessary records and reports before and after serving their routes.

994. In all cases of impassable roads, bad condition of roads, unsafe bridges, dangerous fords, or other obstructions to service

Jury and road duty, etc.
—carriers and rural-station clerks not exempt.

—exempt from militia duty.

Access to Postal Laws and Regulations to be given by postmasters.

Carriers not to write to department.

—exception.

Special rules proposed by postmasters.
—approval of, by department.

Roster of patrons.
—maintenance of, required.

—postmasters to make examination of.

Room for carriers.

Obstruction of travel to be reported to postmaster.

on rural routes, the postmasters at distributing offices shall notify the patrons affected and the road supervisors or officials in charge of such matters and request that the necessary repairs be made, using for the purpose Forms 4024 and 4024-A. If the repairs are not made within a short time the postmaster shall report the facts to the Second Assistant Postmaster General, Division of Rural Mails, with recommendation for an amendment of the route to withdraw it from impassable or unsuitable roads. Postmasters shall in like manner report every instance where a nonautomatic gate is being maintained on any road covered by rural delivery service.

Deviations from routes forbidden.

995. Rural carriers shall serve their routes as ordered by the department and as officially described, except in cases of emergency, when they shall make such deviations and use such roads as may be available and will enable them to serve the greatest possible number of their patrons. When the deviations involve but slight additional travel and are likely to be of short duration, reports thereof to the department are not necessary. If the changes from the established route are of considerable extent, or likely to be necessary for a period of at least two months, prompt and full report shall be made to the Second Assistant Postmaster General, Division of Rural Mails.

—postmasters to make reports regarding.

Assistant to carrier.

2. A rural route shall be served each schedule day when by the use of suitable equipment the performance of the service is practicable. When essential to the performance of full service a rural carrier shall employ, at his own expense, some suitable person, preferably a bonded substitute, to assist him, and in such circumstances the assistant may accompany the regular carrier, if by such an arrangement more nearly complete service can be performed than otherwise would be possible. Ordinarily, when the employment of assistance is necessary, the person employed by the carrier shall, if practicable, serve a different part of the route from that covered by the regular carrier. A rural carrier when serving his route shall not be accompanied by any person to serve as driver or in any other capacity except as herein provided.

Service on tri-weekly routes.

3. When, owing to climatic or other conditions which cannot be controlled, a carrier serving one triweekly route is unable to perform service on the days prescribed by the department, he shall, if conditions permit, be required to perform service on the next working day.

Horseback service permitted, when.

4. Postmasters may permit carriers to perform service on horseback when, on account of storms or other causes, roads are temporarily impassable for vehicles. In such cases the mail shall be completely protected from loss or damage.

Funds received.

—accounting for and disposition of.

996. Rural carriers shall account for and promptly pay over to the proper officials each schedule day all funds belonging to the United States which may come into their possession, and make proper disposition of any money intrusted to them as agents of the Post Office Department.

997. Rural carriers shall report at the offices for duty in accordance with schedule without regard to the condition of the weather and make every effort to perform full service. If a carrier is temporarily prevented from traveling over his route as officially described, he shall, if necessary to serve some of his patrons, reverse the order of travel, and shall, in case of any obstruction to travel over the regular route, use any available roads in order to serve his patrons.

Carriers to report for duty regardless of weather conditions.

—partial service, when required.

998. Postmasters at distributing offices shall not permit suspension or interruption of service on rural delivery routes because of the absence of regular carriers or substitutes, but in such emergency shall employ a suitable person to perform service temporarily.

Constant service required.

999. Rural carriers shall report at the post offices to which they are attached, not less than 30 minutes prior to the scheduled hour of departure to serve their routes, or as much earlier as may be necessary to enable them to assort their mail for delivery, shall have their conveyances at the post offices by the starting time, and shall return with their collections before going to their homes. They shall cover their routes expeditiously, but so regulate the rate of travel that the respective boxes will be reached at about the same hour each day.

Schedules. Carriers to report for duty, when.

Routes to be covered expeditiously.

2. In case of emergency a temporary deviation from the schedule may be permitted, but no permanent change in a carrier's schedule shall be made except by direction of the department.

Changes of schedules by carriers or postmasters forbidden, except. Necessary changes to be reported to the department.

3. When a change of schedule is rendered advisable by reason of change in the time in arrival or departure of mails or for any other reason, the postmaster shall notify the Chief Clerk of the Railway Mail Service of the district in which the office is located and submit a new schedule. The length of the route, the existing schedule, and the proposed schedule shall be stated together with reasons for the change. Upon receipt thereof, the Chief Clerk of the Railway Mail Service will forward the notification to the Second Assistant Postmaster General, Division of Railway Mail Service, with appropriate recommendation.

4. Postmasters shall require carriers to delay departure for service of their routes one hour when advisable on account of delay of incoming mails at the post office, provided such delay in departure will not prevent the complete performance of service on the route or the regular dispatch of mails collected by the carrier.

Awaiting of belated mails permitted, when.

5. Carriers, while serving their routes, may stop not to exceed 30 minutes for dinner, provided such stop will not prevent their return to the distributing office on schedule time. During such interval the carrier shall retain personal custody of the mail and equipment.

Stop for dinner permitted, when.

1000. The exact time a rural carrier reports at the office, leaves to serve his route, returns at completion of the trip and leaves the office after completing his duties shall be reported daily by him on Form 4240. In case of partial failure the carrier shall note in his report the cause of his failure to complete the trip,

Trip reports, how made.

Robert E. Horst

the number of miles traveled, and the number of miles of the route served. The entries shall be made at the beginning and end of his trip. The carrier shall not be permitted to take the report away from the post office, and at the end of each month he shall complete the report promptly.

Loop routes.

—under supervision of postmasters at distributing offices.

1001. Rural carriers who serve "loop routes" shall report to the postmasters at offices to which they are attached at stated intervals for instructions and to have checked their accounts of stamps and other postal supplies, and the postmasters shall exercise as close supervision as practicable over the service and keep themselves advised, as far as possible, through inquiry of patrons and otherwise, as to the character of service rendered by the carriers.

Outside employment, restrictions.
39 U. S. C. 196.
—soliciting forbidden.

1002. Letter carriers of the rural free-delivery service shall not solicit business or receive orders of any kind for any person, firm, or corporation, and shall not, during their hours of employment, carry any merchandise for hire: *Provided*, That said carriers may carry merchandise for hire for and upon the request of patrons residing upon their respective routes, whenever the same shall not interfere with the proper discharge of their official duties, and under such regulations as the Postmaster General may prescribe.

Soliciting of patronage forbidden.

2. Rural carriers shall not, either in person or through others, directly or indirectly, or by any method whatever, cooperate with or assist publishers or others in securing the patronage of the public, nor furnish, directly or through others, the names and addresses of patrons of the service, with or without compensation, to any individual or company, except to officers who are, under the regulations, entitled to them.

List of patrons not to be furnished.

See sec. 57 as to conduct of employees; sec. 702 as to giving information.

Business in which carriers shall not engage.

3. Rural carriers shall not engage in any business while on or off duty which offers temptation to solicit patronage on their routes or in which their official position would give them special advantage over competitors.

Express business.

4. Rural carriers shall be permitted to carry outside of the mails, for and upon request of patrons of their routes, articles and packages of merchandise which under the law and regulations are unmailable provided there is no delay or interference with the regular mail service; but intoxicating liquors, explosives, or any articles exhaling bad odor shall not in any circumstances be carried by them while on duty.

Mailable matter shall not be carried unless postage prepaid.

5. Rural carriers shall not carry while on duty any package of mailable matter the weight of which is within the limit prescribed for admission to the mails (except franked and other matter entitled under the law to free transportation), unless postage shall have been paid thereon at regular rates. Admissi-

ble matter shall be properly prepared for mailing and carried only in the mails.

6. Rural carriers shall not while on duty convey outside the mails any package which has been rendered unmailable by the addition of extraneous matter, nor any package containing articles or parcels to be delivered by the carrier to different persons.

7. Articles and packages which patrons desire conveyed outside the mails shall be delivered to the carrier in person. Carriers shall not leave their routes while on duty to receive or deliver such matter.

8. Any fees charged by the carriers for transporting and delivering matter outside the mails shall be paid by the patrons for whom such service is rendered. Carriers shall not receive compensation from merchants for such service.

1003. The passage of a carrier on a rural route shall not be willfully obstructed, but rural carriers are not entitled to privileges on public highway not possessed by private individuals. (See secs. 2349 and 2357.)

1004. The resignation of a rural carrier or substitute shall be made in writing and forwarded through the postmaster to the Second Assistant Postmaster General, Division of Rural Mails. In transmitting the resignation of a substitute carrier, the postmaster shall furnish the name of some suitable person agreed upon by himself and the regular carrier for appointment to fill the vacancy.

2. If deemed advisable by the postmaster, a substitute may be assigned to two or three routes, but not more.

3. When a substitute is no longer available for service, the postmaster shall promptly report that fact to the department.

Carriers not to carry packages rendered unmailable by addition of extraneous matter.

—not to leave route to receive or deliver packages carried outside the mails.

—fees to be paid by patron.

Passage of carrier not to be obstructed.

Resignations.

—postmasters to forward.

—new substitute to be named.

Substitute may serve more than one route.

—when none available.

DELIVERY AND COLLECTION OF MAIL

1005. The mail for each rural route shall be separated by the postmaster or his assistants at the distributing office and handed to the carrier for delivery.

1006. Before starting from distributing offices rural carriers shall assort their mail, arranging it in the order in which it is to be delivered, placing together, so far as practicable, the entire mail for each box, in order that prompt and accurate delivery may be effected.

1007. Rural carriers shall be held strictly accountable for the care and proper delivery or dispatch of mail intrusted to them; they shall not carry mail in the pockets of their clothing, throw it into yards, nor leave it where it is likely to be lost.

See secs. 2345 and 2346 as to destroying or improperly disposing of mail matter.

2. All ordinary parcel-post packages for patrons of rural routes shall be carried out on the routes on the first trip after their receipt at the post office. Where a patron lives within hailing distance of the route, the carrier shall make reasonable effort

Separation of mail by office force required.

Arranging by carriers.

Rural carriers accountable for mail matter.

Parcel-post mail.

to hail him and have him meet the carrier to receive parcels too large to be placed entirely within the mail box. If delivery is not effected in this manner and a written request for delivery outside of the box has not been filed with the postmaster by the patron in accordance with the provision hereinafter stated, a notice on Form 4233 shall be left in the box requesting that the patron indicate thereon the day on which he will meet the carrier to receive the parcel. A parcel that is too large to be placed in the box of the addressee shall not be left outside of the box unless the patron shall, by written request filed in the post office, direct that parcels be delivered in this manner, with the express proviso that the Department and the carrier are relieved of all responsibility in case of loss or depredation.

See secs. 1028, 1357, 1385, 1387, and 1388 as to delivery of special-delivery, registered, insured, and C. O. D. parcels.

Exhibition of mail to unauthorized persons forbidden. Fees forbidden.

1008. Mail shall not be exhibited by rural carriers to others than the addressees.

2. Rural carriers shall not request or receive from patrons fees for the delivery or collection of mail, and shall not require the payment of postage on mail in excess of that prescribed by law. (See sec. 902.)

Mail addressed to box and route number merely may be delivered.

1009. Mail, other than registered, insured, and collect-on-delivery mail, for delivery by rural carriers which is addressed merely to the box and route number may be delivered to the owner of the box as long as no improper or unlawful business is conducted in this manner. Matter which is unaddressed shall be treated as undeliverable.

See par. 6, sec. 585, as to mail addressed to box holders.

Mail matter returnable to box numbers.

2. First-class matter mailed by a patron and returned on account of failure of delivery to the addressee shall be placed in the box of the sender if the name of the post office and the route and box numbers are given on the return card, regardless of the absence of the sender's name.

3. Insured and collect-on-delivery mail shall be delivered in accordance with the regulations that govern the delivery of registered mail.

See sec. 775, which requires postmasters to report suspected fictitious addresses, and sec. 1323, par. 12, regarding registered matter.

Delivery to none but addressees or duly authorized persons.

1010. Ordinary mail shall be delivered only into boxes of patrons to whom it is addressed, or into those of persons duly authorized to receive it. Carriers may deliver such mail directly to patrons whom they meet provided their identity is known and carriers are not thereby unduly delayed.

Examination of boxes by carriers not required, when.

1011. Rural carriers shall open and examine boxes of patrons only when signals are displayed to indicate that they contain mail for dispatch. When the mail is collected from the box, the carrier shall lower the signal, whether he has deposited mail in the box or not.

—signal not to be raised.

2. The carrier shall not raise the signal on a box at any time.

Office delivery to rural patrons, when required.

1012. Postmasters shall deliver newspapers to patrons of rural-delivery routes who call therefor at the offices when they are

open for business on Sundays and holidays, and shall deliver mail of any class to rural patrons who call for it during business hours on ordinary week days at times when such delivery will not interfere with the business of the office nor delay the rural carriers in departing to serve their routes.

1013. When mail matter on which the required postage has not been fully paid is received at a distributing office, addressed to a patron of a rural route, the postmaster shall note thereon the amount of postage due and hand the mail to the carrier for delivery on collection of the amount due. If the deficient postage can be collected by the carrier without leaving his route he shall, on receiving the required amount in coin, affix postage-due stamps to the matter, cancel them, and deliver the mail; otherwise the carrier shall fill in a notification card (Form 4233), deposit it in the addressee's box, and return the unpaid or part-paid matter to the post office to be held until the amount of postage due is paid or directions are received from the addressee as to disposition of such mail. (See sec. 768.)

Postage-due mail at rural-delivery offices.—treatment of.

Use of Form 4233.

2. When matter on which postage is to be collected is sent out for delivery upon a rural route, the carrier shall be furnished by the postmaster with postage-due stamps in the required amount, but such stamps shall not be affixed to the mail until the carrier shall receive in coin the amount due.

Stamps shall be supplied to carriers.

See sec. 1320, governing the collection of deficiencies on short-paid registered mail.

1014. Letters from the Veterans' Administration bearing upon the envelope reference to the act of June 3, 1936, addressed to a patron of a rural route, shall be delivered at the residence of the addressee by the carrier on his regular trip if such residence is not more than one-half mile from the line of travel and there is a passable road leading thereto.

Pension mail, delivery of, at residence required, when.

2. If the patron's residence is more than one-half mile from the route, or there is no passable road leading to his residence, a note shall be placed in his box informing him of the receipt of pension mail at the post office and that he or a proper representative may receive such mail at his box, or by calling at the post office for it.

—exceptions.

See sec. 784 for treatment of pension mail.

1015. Postmasters and rural carriers shall not divert in transit any mail addressed to a post office other than the distributing office for the purpose of effecting more expeditious delivery thereof by carrier to the box of the addressee. All mail shall be delivered from the post office to which it is addressed except as otherwise provided by the Postal Laws and Regulations.

Diversion of mail in transit prohibited.

See secs. 776 and 1044 for exceptions.

1016. Rural carriers shall stop regularly at intermediate offices on their routes for mail addressed to such offices for patrons of the rural delivery routes. If such patrons reside on the part of the route already traveled by the carrier, the mail shall be left overnight in the distributing office and delivered by the carrier

Intermediate offices.—carriers to stop at, when.

on his next trip. Such action shall not be considered as forwarding mail and no additional postage shall be required. Carriers shall enter intermediate offices to obtain mail from the postmasters or their assistants, provided it is not necessary for them to go a greater distance than 50 yards from their vehicles or out of sight of them.

Acceptance of any mail required, when.

—exceptions.

1017. A rural carrier shall accept any mailable matter which may be tendered to him by any person for delivery or dispatch provided the postage is fully prepaid or money equal to the postage required is furnished, unless it is ascertained that the purpose of thus handing mail to the carrier for deposit into one office is to "boycott" another office, or deprive it of its legitimate revenue. This provision applies also to registry business, the insurance of third- and fourth-class matter, the sale of stamped paper supplies, and to money-order business.

Amount of postage, how determined.

1018. When matter is tendered to a rural carrier for mailing, the weight of which or the postage rate for which he is unable to ascertain, he shall receive from the sender an amount sufficient to insure full payment of postage, take the mail to the post office, and affix the necessary postage, returning to the sender on the next trip any excess amount collected.

Collections by carriers.

—to be deposited in distributing office.
—exceptions.

1019. All mail collected by rural carriers shall be taken by them to the offices from which the respective routes are operated, and shall be properly faced by the carriers for cancellation and for delivery or dispatch, unless the regulations provide, or instructions are specifically issued by the department, for the delivering or depositing of the mail in some other manner. (See secs. 1021 and 1022.)

Unstamped matter found in boxes, treatment of, when money for postage is provided.

1020. When a rural carrier finds unstamped mail in a patron's box and the requisite amount of money for postage, he shall collect the mail and money and affix the necessary stamps, provided that, if the mail box does not have a corrugated bottom, the money is properly wrapped, is in a coin-holding receptacle, or is attached to the mail by means of a clip or other suitable fastener.

Unpaid or part-paid matter for dispatch.

2. When mailable matter is deposited in a box for dispatch and the required postage has not been paid nor sufficient money left for the purchase of stamps, a rural carrier shall, when the identity of the sender is known, place in the box a notice that such matter cannot be dispatched until the necessary postage is paid. If the identity of the sender is unknown, the matter shall be taken to the distributing office and treated as prescribed in section 723.

Patrons' boxes to be used for mail only.

3. Mail boxes erected on rural routes shall be used exclusively for the reception of matter regularly in the mails, and any mailable matter, such as circulars, sale bills, etc., deposited therein shall be treated in accordance with the rules governing the mails, including proper addressing and the payment of postage at the regular rate.

Unpaid matter deposited in patrons' boxes.

4. When a rural carrier finds deposited in a box mailable matter on which postage has not been paid, addressed to or intended for the person in whose box it is deposited, the car-

rier shall take such matter to the distributing post office to be held for postage and treated as prescribed by section 723.

1021. Where the exchange of mail by rural carriers through a United States collection box is authorized, each carrier shall open the box and deposit in it, without canceling the stamps, mail collected on his route addressed to patrons of the intersecting route, to intermediate post offices or stations located thereon, or to the distributing office, delivery or dispatch of which will be thereby advanced, to be collected by the carrier on the connecting route.

United States collection boxes at points of exchange.

2. When carriers on intersecting rural routes are authorized to make hand-to-hand exchange, each shall deliver to the other all mail which would be thereby advanced in delivery or dispatch.

—hand exchange.

1022. When mail is collected by a carrier en route, or received by one carrier from another, which can, in regular course of service, be delivered in the addressee's box by the receiving carrier prior to his return to the distributing office, he shall cancel the stamps thereon by writing legibly across them the date, the name of the distributing office, the State, and the number of the route and deposit the mail in the proper box.

Cancellation by carriers of mail delivered en route.

2. The value of stamps canceled by a carrier on mail collected and delivered by him shall be reported to the postmaster of the distributing office.

Report of value of stamps.

3. Any mail collected or received by a rural carrier on his route addressed for delivery at a post office other than the one from which his route starts shall be delivered, uncanceled, at the office of address, if an intermediate post office, or dispatched to the office of address, even though the addressee is a patron of the carrier's route and a more expeditious delivery could be effected by the carrier.

—addressed to post office, how handled.

4. Except as provided in this section, no stamps on mail shall be canceled by carriers.

—exception.

1023. Mail which has come into the custody of a rural carrier shall not be returned by him to any person. Any application for return of a letter or package shall be referred to the postmaster at the distributing office.

Return of mail by carriers forbidden.

1024. Rural carriers shall deliver to the postmaster or other authorized person, each day, immediately after completing their trips, the undelivered matter and the mail collected by them and all postal funds and stamped paper supplies, and complete their money-order and registry business records and make all required reports before going off duty. When conditions warrant it, postmasters may require carriers before going off duty, to arrange for delivery by them mail received after the departure of the carriers upon the service of their routes. Carriers shall not, except by specific authority of the department, or in cases of extreme emergency, retain any mail in their possession overnight.

Undelivered mail and postal funds to be immediately delivered to postmaster by carrier.

See sec. 152, par. 4, and sec. 1047 as to stamps and funds.

2. Carriers shall note on the face of each piece of mail which they are unable to deliver the reason for nondelivery.

Notation of nondelivery.

Unidentified mail.
—to be examined by carriers.

Two rural routes on one road.

Service where contagious disease prevails.

Special delivery at residence within half mile of route.

—fee allowed.

—outside half-mile limit to patron's box.

—no fee allowed.

To whom delivery may properly be made.
Special-delivery matter, when to be deposited in patron's box.

—notice to patron, form of.

—within mile limit, immediate delivery.

Special-delivery matter collected and delivered en route.

—procedure.

1025. When the addressee of mail received at a distributing office is unknown, such mail shall be placed in the hands of the rural carriers for possible identification and delivery before it is treated as undeliverable matter.

1026. A patron residing on a road traveled by two or more rural carriers may select the carrier by whom he prefers to have his mail delivered and collected, in which case only the designated carrier shall handle his mail. Unless such selection is made by the patron, each carrier passing the box shall deliver mail into it and collect therefrom any mail which he can expedite in dispatch or delivery, provided the box is on the right-hand side of the road as traveled by the carrier.

1027. A rural carrier shall deliver mail into the box of a patron in whose family a contagious disease exists, when this can be done without exposure to contagion, but no mail other than first-class mail or printed matter shall be collected from such box while quarantine is in force.

1028. Special-delivery mail addressed to a patron of a rural route who lives more than 1 mile from the post office shall be sent out by the carrier on his first trip after the receipt of such mail and shall be delivered by the carrier at the patron's dwelling or place of business, provided it is not more than one-half mile from the route and there is a passable road leading to it, for which service the carrier shall be paid the regular fee. If the patron resides more than one-half mile from the route, the mail, after being properly recorded, shall be delivered by the carrier into the patron's box the same as ordinary mail. (See sec. 1007 as to parcels too large for box.) In the latter case, or in any case where delivery is effected without extra travel or special effort, the special-delivery fee shall not be paid to the postmaster, the clerk in charge of a rural station, nor the rural carrier.

2. Special-delivery mail shall be delivered to the addressee or to some one authorized to receive his mail.

1029. If a rural carrier cannot make personal delivery of special-delivery matter at the residence or place of business of the addressee, it shall not be returned to the post office, but shall be deposited in the patron's box, and the carrier shall leave at the residence or place of business notice of nondelivery (Form 3955-A).

2. Special-delivery mail addressed to a patron of a rural route who resides within 1 mile of the post office or of the rural station from which the route is operated shall be delivered immediately by a person other than the rural carrier unless the mail is received before the carrier starts on the service of his route and the residence of the addressee is not more than one-half mile from the route.

1030. When a rural carrier collects on his route special-delivery mail addressed to a patron of his route which can be delivered before he returns to the office, he shall make proper entry on Form 3954, or on messenger's receipt book (Form 3951), as the

case requires, cancel the stamps, and make delivery in the regular way, and upon arrival at the distributing office promptly notify the postmaster or clerk in charge of such collection and delivery so that the proper entry can be made on the records.

See sec. 1076 as to amount of special-delivery charge.

1031. Special-delivery matter shall be transferred by one carrier to another at a point where regular exchange of ordinary mail is authorized, either in person or through a United States collection box, if such action will facilitate delivery. The carrier who makes or attempts to make delivery to the addressee shall be paid the regular fee by the postmaster at the office from which his route emanates.

Exchange of special-delivery matter by carriers.
—allowed when.
—effected how.
—compensation for.

1032. A rural carrier starting from an office having city delivery service shall take a receipt on Form 3951 for special-delivery matter delivered. At other than city delivery offices receipts shall be taken on sheets (Form 3954). If receipts cannot be obtained on delivery, proper record shall be made of the reasons for failure to obtain them. (See secs. 1089 and 1090.)

Record and receipts.

1033. Special-delivery matter addressed for delivery along a rural route, beyond the special-delivery limits of an office, shall be recorded in the post office and treated in accordance with the regulations governing the handling of such mail.

Record of special-delivery matter in post office.

2. For recording special-delivery matter received, Form 3951 shall be used at city delivery and village delivery offices, and Form 3953 at all other offices.

—blanks for.

3. At city delivery offices the postmasters shall keep a record of the number of articles specially delivered by each rural carrier, and at the end of each month shall pay him the fee earned, taking his receipt therefor on Form 1907.

Deliveries from city-delivery offices.
—method of payment.

1034. In registering special-delivery mail and in making delivery of registered special-delivery matter, the rules and regulations governing the registry system also shall be observed.

Registered special-delivery matter.
—treatment of.

1035. During the first 15 days in the month of May of each year a count shall be kept and record made on Form 4240, in duplicate, of the number of pieces of mail delivered and collected on every rural route on which the service is daily, except Sunday; also of the number of applications for money orders received, of the value of stamps (including permit matter) on mail collected by the carrier, and of the value of the stamps and other stamped paper sold by the carrier. One copy of the report shall be forwarded promptly to the Second Assistant Postmaster General, Division of Rural Mails; the other shall be retained in the files of the post office.

Statistical reports to be prepared.
—rural routes.

2. On all triweekly routes the same count and records shall be made as required on routes served daily except Sunday, except that they shall be made every schedule day of the year. Report shall be made to the Second Assistant Postmaster General on Form 4240, showing the business transacted on each of such routes only during the first 15 days in the month of May of each year.

—triweekly routes.

SUPPLY OF INTERMEDIATE OFFICES

Transportation of locked-pouch mail by carriers required.
Equipment and supplies to be conveyed, when.

1036. Rural carriers shall transport mails between post offices located on their routes whenever the performance of such service is specifically ordered by the department. They shall also convey, without extra pay, post-office blanks, mail bags, locks, keys, postal supplies, and official equipment to and from the intermediate post offices or stations to which they render regular service.

Protection of mail.

1037. Mail pouches and their contents shall be carefully protected from injury, depredation, or loss. They shall not at any time be intrusted or delivered to a person who is not a sworn employee of the Post Office Department.

Punctuality and regularity obligatory.

1038. Rural carriers who supply post offices shall make special effort to exchange mails at the post offices in accordance with prescribed schedules even though at times adverse conditions of weather or highways prevent them from traveling over their entire routes.

Carriers to enter post offices in exchanging mails.
—when.

1039. Rural carriers in serving intermediate post offices shall enter the offices to make exchange of mails with the postmasters or their assistants: *Provided*, That in order to do so it will not be necessary for them to go a greater distance than 50 yards from their vehicles or out of sight of them.

Return of pouch undelivered, when allowed.

1040. When a rural carrier finds it impossible to effect exchange of mail at an intermediate post office he shall return the pouch to the postmaster at the distributing office with a statement of the reason for such failure, and such postmaster shall promptly report the facts to the Second Assistant Postmaster General, Division of Rural Mails.

Detention of carriers.
—limited to 10 minutes.

1041. Postmasters shall not detain carriers at intermediate offices more than 10 minutes to effect the exchange of mails except by express authority of the department.

Postmasters to report irregularities.

1042. Postmasters at offices supplied by rural routes shall make report to the Second Assistant Postmaster General, Division of Rural Mails, of all cases of abandonment or interruption of service, or continued irregularity in time of arrival of the carrier; when mail arrives in bad condition or exposed to depredation, loss, or damage; when a pouch is received unlocked or without lock or fastened with other than a regulation lock; when mail is carried by an unauthorized person; and any other irregularity in the performance of service or the conduct of the carrier.

Restrictions as to handling mail and equipment.

1043. Rural carriers shall not open or close mail pouches, handle mail to be pouched, or have in their possession locks or keys to locks used on mail pouches.

Mail in transit.

1044. Upon the personal application or written request of the addressee, ordinary mail in transit to a postoffice, which is supplied by rural carrier, may be delivered from the distributing office on Sundays and holidays, when the office is open to the public.

—delivery of, when permitted.

VEHICULAR AND OTHER EQUIPMENT AND STAMP SUPPLIES

1045. Carriers in rural mail-delivery service shall furnish all necessary vehicle equipment for prompt handling of the mail. Nothing herein shall be construed, and no order shall be issued, to prevent the use of motor vehicles on horse-drawn vehicle routes. The Postmaster General in his discretion may require all carriers to furnish sufficient equipment to properly handle postal business on their routes.

Carriers shall furnish equipment.
39 U. S. C. 193, 194, and 195.

2. The conveyances provided by rural carriers shall be so constructed and maintained as to accommodate the mail and thoroughly protect it from damage or loss. The automobiles used by rural carriers in the performance of service shall be of sufficient capacity to enable the carriers properly to handle the business on their routes. When the use of horses is necessary or desirable the stock shall be kept in such condition as will enable the carriers to perform complete and uninterrupted service under adverse weather and road conditions.

Conveyance provided and maintained by carrier.

Animals to be in good condition.

3. Rural carriers shall not display advertising matter of any character upon their equipments.

Advertisements on equipment not permitted.

1046. General equipment for rural delivery service, such as carriers' furniture, satchels, straps, record books, vouchers, report, and other official blanks, etc., when not otherwise provided, shall be furnished by the department upon requisitions of postmasters.

Equipment.—requisitions for.

2. Postmasters shall see that the rural carriers attached to their offices are constantly supplied with, and regularly take over their routes, all necessary service books and blanks and every article of equipment required in the performance of their official duties.

—carriers shall be provided with.

3. Rural carriers on receiving equipment shall give dated and itemized receipts therefor, specifying the quantity and condition of articles received. These receipts shall be filed and preserved as vouchers by postmasters.

—carrier's receipts for.

4. All satchels, straps, record books, official blanks, etc., furnished by the department for carriers' use, shall be carefully preserved and always deposited in the post offices or rural stations when carriers are off duty, except in cases of extreme emergency.

—care of.

5. When carriers' satchels or other articles of equipment are in bad condition, the facts shall be reported promptly to the Fourth Assistant Postmaster General, Equipment and Supplies Branch. Satchels shall not be repaired by carriers.

—reports regarding conditions.
—repairing by carriers forbidden.

6. When a rural carrier leaves the service he shall satisfactorily account for and return to the postmaster, or some duly authorized person, every article of the official equipment, including all master keys and keys to patrons' boxes.

—accounted for.
—return of, when required.

Expenditures by postmasters forbidden.

7. Postmasters shall not make expenditures on account of the rural service for the purchase or repair of service equipment, or for any other purpose, without specific authorization from the department.

Stamped-paper supplies.—sale of, by carriers.

1047. Rural carriers when on duty shall carry, for sale, a stock of postage stamps, postal cards, and stamped envelopes to the value of \$3 or more sufficient to meet the demands of purchasers. (See secs. 152 and 1024.)

—stock, how kept.

2. The amount advanced by the postmaster shall be kept intact, and the stock of each carrier shall be replenished each schedule day by purchase from the postmaster from the proceeds of the sales of the day. The excess from sales of stamped envelopes accruing each day shall be turned over to the postmaster at the close of each quarter, to be charged to his accounts as provided in section 153.

Checks not acceptable.

3. Carriers shall not accept checks in payment for postal supplies purchased of them.

RURAL STATIONS

Establishment of rural stations.

1048. Rural stations shall be established and maintained in connection with rural delivery service when considered necessary to facilitate the transaction of postal business in communities where a considerable number of people would be seriously inconvenienced if compelled to transact business with the rural carrier only, or at such points where rural carriers are required to exchange mails and it is deemed inadvisable to establish post offices.

Clerk in charge, subordinate to postmaster.

2. A rural station shall be tributary to a post office and shall be in charge of a clerk subordinate to and under the control of the postmaster of such office, who shall frequently visit and inspect the station with a view to correcting irregularities and seeing that it is conducted properly.

Appointment.—compensation.—bond required.—quarters.

3. Clerks in charge of rural stations shall be appointed by the Postmaster General at an annual compensation fixed by him, and shall furnish bonds in a designated sum. The person appointed shall provide quarters and equipment suitable for the transaction of the business of the station. If call boxes or lock boxes are provided, the rentals must be at the rates prescribed by the regulations and paid to the Department.

Clerks in charge to exercise supervision over carriers.

1049. Clerks in charge of rural stations shall exercise supervision over rural carriers on routes emanating from their stations, shall receive and certify to the correctness of the required reports, and transmit them to the postmasters at the offices to which they are attached.

Functions.

1050. At rural stations mail shall be dispatched, received, and delivered, money orders issued, mail registered, and stamp supplies sold.

Receipt and dispatch of mails.

1051. Mail shall be supplied to rural stations by rural carriers unless otherwise specifically authorized. Mail for delivery at a rural station or for a rural route emanating therefrom shall be properly separated at the distributing office, tied in bundles,

and transported in the carrier's satchel to the station, where it shall be delivered to the clerk in charge. Dispatch of mail from rural stations shall be made in the same manner.

1052. Rural stations shall be kept open during ordinary business hours each week day, except on holidays when service on routes emanating therefrom is not required, and shall invariably be open in ample time to permit the rural carriers to work their mail, and shall be open when the rural carriers return from their routes, in order to permit them to deposit collections and attend to other duties.

Stations open.
—when.

1053. Mail addressed to a rural station shall be retained there to be called for, unless the addressee is a patron of a rural route starting from such station or of a route contiguous thereto, in which case the mail shall be delivered in the patron's box by the carrier of the route. The usual notices for registered, insured, and collect-on-delivery mail addressed to a rural station for delivery shall be issued in accordance with the requirements of section 1321.

Handling of mail matter.

1054. Postage on all mail deposited at a rural station for delivery or dispatch, whether by rural carrier or local patrons, shall be canceled by the clerk in charge, who shall make report thereof to the postmaster at the distributing office.

Canceling of stamps to be done by clerks in charge.

1055. Clerks in charge of rural stations shall conduct all official correspondence with the postmasters at the offices to which the stations are attached, make remittances and accountings to them, and make requisitions on them for all necessary supplies.

Correspondence.
—requisitions, etc.

1056. Postmasters at offices to which rural stations are tributary shall furnish the clerks in charge of such stations with postage stamps, stamp books, stamped envelopes, postal cards, registry supplies, etc., in sufficient quantities to meet their demands, for which the postmaster shall take proper receipts.

Supplies to be furnished by postmasters at distributing offices.

2. When clerks in charge of rural stations issue stamp supplies to rural carriers they shall require receipts therefor similar in form to those required by postmasters in such cases.

—receipt for, by clerks in charge and by carriers.

1057. Accurate detailed accounts of business transacted at rural stations shall be kept by the clerks in charge and reports rendered monthly to the postmasters of the offices to which they are attached.

Monthly reports.
—to be made to postmasters.

PATRONS' BOXES

1058. Persons wishing to become patrons of rural routes shall provide and erect, at their own expense, standard boxes of either the No. 1 or the No. 2 size, the manufacture of which has been approved by the Department.

Patrons' boxes.
—shall be provided by patrons.

The box of the No. 1 size is 18½ inches long, 6¼ inches wide, and 7½ inches high.

Dimensions.

The box of the No. 2 size is 23¾ inches long, 11 inches wide, and 13⅞ inches high.

2. Copies of the specifications and drawings to be followed in the manufacture of these standard boxes may be obtained on application to the Second Assistant Postmaster General, Division of Rural Mails.

Specifications.

Use and transfer of boxes.

3. Patrons shall not be required to discard boxes which were in use on and before July 1, 1929, while they remain serviceable. A box which has been approved for use in the Rural Delivery Service, although it may not be either a No. 1 or a No. 2 size box, may be transferred by the owner to another route when he moves, or it may be continued in use at the old location by a person moving into the place occupied by the former owner of the box, but a box which is not a standard box of either the No. 1 or the No. 2 size or which has not been approved by the Department, obtained by one patron from another, may not be erected and used by the former at a different location.

Inscriptions.

1059. The following inscriptions shall be placed on rural mail boxes, other inscriptions not being permitted:

(a) Name of owner.

(b) Name and address of manufacturer, inconspicuously placed.

(c) The words "Approved by the Postmaster General," "U. S. Mail."

2. The display of advertising matter on rural mail boxes or on the posts, stands, or other supports upon which such boxes are erected or placed is prohibited.

Approval of boxes.
—how obtained.
—conditions prescribed for manufacturer.

1060. Individuals, firms, or companies proposing to manufacture rural-delivery mail boxes for sale shall submit to the Second Assistant Postmaster General, Division of Rural Mails, a full-size sample constructed in exact conformity with the specifications and drawings adopted by the Department. If the sample be approved, the manufacture and sale of the box will be authorized on condition that the manufacturer shall emboss or stamp in a conspicuous place on each box the words "Approved by the Postmaster General" and inconspicuously the name of the manufacturer. No box shall be approved for manufacture or sale that does not conform in every respect with the specifications adopted by the Department.

Sale and purchase of boxes.

2. Authorized manufacturers may employ agents throughout the country to promote the sale of their boxes. But, regardless of any contracts or arrangements between manufacturers and agents, patrons may purchase boxes direct from manufacturers at authorized prices, patrons paying cost of transportation. (See Official Postal Guide for list of authorized manufacturers of rural-delivery mail boxes.)

Erection of boxes.
—accessibility required.

1061. Each box shall, if practicable, be erected on the right hand side of the road regularly traveled by a rural carrier and in such position as to be easily and safely accessible for the delivery and collection of mail by the carrier without leaving his conveyance.

Removal of obstructions required.

2. The posts or other supports upon which rural mail boxes are erected shall be of neat design and may be of wood, metal, or concrete, of suitable strength and dimensions. They may be either round or square, plain or ornamental, and with or without fixed or movable arms. Supports shall not be in the form of effigies or in forms intended to represent figures or mechanical objects, either grotesque or otherwise.

3. No receptacles of any kind, or for any purpose, shall be attached to the posts, stands, or other supports upon which rural mail boxes are erected, placed, or maintained.

4. Patrons shall, as far as practicable, keep clear the approaches to their boxes by promptly removing obstructions which may render difficult or impossible the delivery of mail by the carrier.

1062. More than one family, but not more than five families, may use the same box, provided that written notice of agreement, signed by the respective heads of families or individuals desiring to join in the use of such box, shall be filed with the postmaster at the distributing office.

1063. Service shall not be withdrawn from any box owner by a postmaster or carrier without specific authority of the department.

1064. Rural carriers shall make report to postmasters of any boxes erected which do not conform to the regulations in the matter of type, condition, location, or inscriptions, and to the owners of these boxes the postmaster shall send Form 4056 (notice to patron of irregularity in rural-mail box), requesting that the irregularities or defects be remedied. If, after a reasonable time, any patron fails to comply with the requirements, the postmaster shall make report thereof to the Second Assistant Postmaster General, Division of Rural Mails, giving the name of the patron and a statement as to what is required in connection with the box. The same action shall be taken by postmasters in respect to boxes which they note in making the annual inspection required by section 970 are not in conformity with the regulations. The form (4056) shall be obtained by requisition on the Equipment and Supplies Branch.

1065. Officials and employees of the Post Office Department and Postal Service shall not act as agents for manufacturers of rural-mail boxes and shall not be interested, directly or indirectly, in the manufacture or sale of any rural-mail box. A postmaster may, however, order, without compensation or profit to himself, on request of a patron or prospective patron, a standard box as required by the regulations.

1066. Cases of deprecations on or interference with United States collection boxes or their contents, or with rural-mail boxes or their contents, shall be promptly reported by the postmaster of the distributing office to the post-office inspector in charge of the division where such deprecation occurs.

2. When a United States collection box becomes broken, or is in bad condition, the carrier on the route shall notify the postmaster, who shall report the facts to the Fourth Assistant Postmaster General, Equipment and Supplies Branch. If the lock is out of order or the key broken, appropriate report shall be made to the Fourth Assistant Postmaster General, Manufacturing and Repair Branch.

See sec. 2342 relative to injuries to mail boxes.

1067. The use of locks on boxes shall not be required, but is considered advisable as a measure of protection. If patrons

Obstructions to be removed.

Several families may use same box.
—agreement required.

Withdrawal of service.

Insecure or badly located boxes.

—report to be made.

Manufacture or sale of boxes by employees forbidden.

Damage to or deprecation upon collection boxes to be reported.

Locks to boxes.

—carriers must accept keys.

provide locks, carriers shall accept keys and unlock and lock boxes when serving them. To facilitate the carrier's work, patrons should, as far as practicable, adopt locks for each route of such pattern that a master key may be provided the carrier for use in unlocking the boxes.

—master-keys.

Giving out of master keys.

1068. Master keys to locks on rural-mail boxes intended for carriers' use shall be delivered only to postmasters, who shall place them in the hands of the carrier. Carriers shall protect from misuse, loss, or destruction master and other keys to patrons' boxes. The loss of a key by rural carrier shall be promptly reported to the postmaster, who shall require the carrier to replace the key at his own expense.

—protection of.

—lost ones to be replaced by carriers.

Report required regarding new routes.

1069. Box numbers shall not be assigned until the expiration of two months from the date of installation of new service. If at that time 75 percent of the heads of families residing on the route have not erected boxes, the postmaster shall report that fact to the Second Assistant Postmaster General, Division of Rural Mails, stating how many boxes have been erected.

Assignment of numbers.—system.

1070. Each mail box on a rural delivery route shall have a number assigned to it, beginning with No. 1 for the first box reached by the carrier after leaving the office, succeeding boxes to be numbered in regular sequence in the order reached by the carrier in traveling over the route in accordance with the official description.

—to be entered in carrier's roster book.

2. A box served by more than one route shall be given a number in the regular order for each route.

3. The box numbers so assigned shall be entered in the carrier's roster as required by section 992, but shall not be inscribed upon the boxes.

Notification of assignment of numbers to patrons.

1071. When the assignment of box numbers on a route is completed, the postmaster shall furnish each box owner with the official number of his box, with request that he advise his correspondents to include in his address the number of the rural route and his box number.

Numbering of boxes subsequently erected.

1072. New boxes erected between those already numbered shall be given any regular numbers which may have been vacated, and which would appear in order of sequence; otherwise new boxes shall be designated in the following manner: Those between the carrier's starting point and box No. 1, as A, B, C, etc.; those between Nos. 1 and 2, as 1-A, 1-B, etc., and so on throughout the route.

UNITED STATES COLLECTION BOXES

U. S. Collection Boxes.

—when supplied.
—where erected.

1073. United States collection boxes shall be supplied by the department for use in the rural delivery service, to be erected only at points where, after proper investigation, it is ascertained that they are necessary for the proper and convenient handling of the mail, such as at junction points of two or more routes, as a means for effecting exchange of mail by carriers, or as a depository for mail for dispatch in communities where there are

no post offices. After such boxes have been erected at designated points in accordance with official instructions they shall not be removed therefrom except by order of the Second Assistant Postmaster General.

—removal not allowed.

2. Postmasters shall from time to time take count of the amount of mail matter taken by carriers from United States collection boxes, and if it shall appear that the maintenance of a box is no longer necessary they shall so report to the Second Assistant Postmaster General, Division of Rural Mails.

—when not sufficiently used, report to be made to the department.

3. A record shall be kept in the distributing offices of all United States collection boxes erected on rural delivery routes, giving the location thereof, and full information concerning exchange through them.

—record of, shall be kept.

See sec. 1066 as to damage or depredation upon collection boxes.

1074. Keys to United States collection boxes shall be furnished to rural carriers by postmasters at distributing offices. For each key delivered to the carrier the postmaster shall take a separate receipt, on which shall be indicated the designative number of the key and date of its delivery to the carrier.

Keys to collection boxes.

—receipt for, by carriers.

2. Every carrier having possession of a United States collection-box key shall, when on duty, wear it securely attached to his clothing by the chain. When off duty, the key shall be deposited in the distributing office with the postmaster, or person designated by him, for safe-keeping, and shall never be passed over to, handled, or examined by any person not a sworn officer of the postal service, nor be left where there is danger of losing it or exposing it to theft. These keys shall not be tampered with nor shall any attempt be made to repair or alter them. A violation of this rule or the loss of a key, shall be considered sufficient cause for removal of a carrier.

—care of.

—repairs to, not permitted.
—loss of, penalty for.

3. When a carrier loses or breaks a key to a United States collection box, the fact shall be immediately reported by the postmaster to the Second Assistant Postmaster General, Division of Rural Mails, with a full statement of the circumstances and the number of the key.

—report regarding loss, how made.

CHAPTER 4

SPECIAL DELIVERY

ESTABLISHMENT: RATE: DISPATCH

1075. Every article of mailable matter upon which * * * (a) special (delivery) stamp shall be duly affixed (in addition to the lawful postage thereon) shall be entitled to immediate delivery, within the carrier-delivery limit of any free-delivery office, and within 1 mile of any other post office which the Postmaster Gen-

Mail matter entitled to special delivery.
39 U. S. C. 167.
—immediate delivery of.

eral shall at any time designate as a special-delivery post office. * * *

Special-delivery offices.

2. Special-delivery service shall be performed at every post office. Delivery shall be made within a radius of 1 mile of every post office, or delivery station, or branch of such post office, and within the delivery limits of every office having village or city-delivery service.

Regulations for special-delivery service.
39 U. S. C. 171.
—Postmaster General may prescribe

3. The Postmaster General shall prescribe suitable regulations, not inconsistent with 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.

Note.

NOTE.—Special-delivery service between the United States and Canada is governed by conventional stipulation providing for the use of the special-delivery stamps of the country of origin and a fee of 20 cents in addition to the postage. For detailed instructions, see Official Postal Guide.

Special delivery of mail matter.
39 U. S. C. 167.
—postmasters responsible for.

1076. * * * The postmaster shall be responsible for * * * (the) immediate delivery of every * * * article (bearing a special-delivery stamp), and shall cause delivery to be made of all such articles received at his office bearing such stamp and entitled to delivery thereat, * * *. (See sec. 1083.)

Rate on special-delivery matter.
39 U. S. C.
276b.

1077. To procure the most expeditious handling and transportation practicable and the immediate delivery of mail matter at the office of address, special-delivery stamps shall be affixed thereto, in addition to the regular postage, in accordance with the following schedule: Matter weighing not more than 2 pounds, if of the first class, 10 cents, if of any other class, 15 cents; matter weighing more than 2 but not more than 10 pounds, if of the first class, 20 cents, if of any other class, 25 cents; matter weighing more than 10 pounds, if of the first class, 25 cents, if of any other class, 35 cents: *Provided*, That, under such regulations as the Postmaster General may prescribe, ordinary postage stamps of equivalent value may be accepted in lieu of the special-delivery stamps herein specified.

See sec. 132 as to distinctive stamps for special delivery.

—use of ordinary stamps.

2. Postmasters and other employees shall endorse every special-delivery article, except ordinary sized long and short envelopes bearing the distinctive special-delivery stamp, with the words

“Special Delivery” on the envelope or wrapper directly above the name of the addressee, regardless of whether or not the distinctive special-delivery stamp, or the equivalent in ordinary stamps, is affixed.

3. All special-delivery mail, except ordinary-sized long and short envelopes, shall be properly rated and plainly endorsed, by rubber stamp or otherwise, with the words, “Special-Delivery Fee Paid.....cents,” thus indicating the proper special-delivery fee according to the weight of the article.

To be rated and endorsed.

1078. Postmasters and all persons employed in the Postal Service shall facilitate in every way not inconsistent with the Postal Laws and Regulations the prompt dispatch, transmission, and immediate delivery of all special-delivery matter. Where delivery is possible, failure to deliver shall not be considered excusable.

Persons employed in Postal Service to expedite special-delivery matter.

2. Any disregard of the regulations relative to the special-delivery service or failure to give proper attention to special-delivery matter shall be reported to the First Assistant Postmaster General, Division of Post Office Service.

—failure of, to be reported.

1079. The expense of the special-delivery service shall be paid out of the receipts of said service and charged against the appropriation for said service.

Expenses of special-delivery service. —to be paid out of receipts.

1080. * * * The omission by the sender to place the lawful postage upon a letter bearing such special-delivery stamp and otherwise entitled to immediate delivery under the provisions of this section (sec. 1075) shall not hinder or delay the transmission and delivery thereof as provided herein, but such lawful postage shall be collected upon its delivery, in the manner provided by law for the collection of deficient postage resulting from the overweight of letters. (See sec. 768.)

Postage on special-delivery matter. 39 U. S. C. 165.

2. The foregoing provision permitting the dispatch of mail matter bearing a special-delivery stamp without prepayment of postage shall apply to letters only.

—omission to pay on letters, not to delay transmission.

3. Mail matter of the first class other than letters, when prepaid one full rate by stamps affixed in addition to the special-delivery stamp, shall be dispatched with the deficient postage rated thereon; but such matter with postage wholly unpaid, although bearing a special-delivery stamp, shall be held for postage.

—shall be prepaid except on letters. —of first class other than letters, part paid or wholly unpaid.

4. Wholly unpaid and insufficiently prepaid matter of the second, third, or fourth class, although bearing a special-delivery stamp, shall be held for postage, *Provided*, That when through inadvertence a parcel of third- or fourth-class matter prepared for mailing as special-delivery matter is partly but not fully prepaid, and it is not practicable to collect the deficiency from the sender without delaying the parcel, it shall be rated with the amount due and dispatched, the deficiency to be collected

—of other classes unpaid.

upon delivery. In such case, however, the sender should be advised that it is expected that the full postage, together with the proper special-delivery charge, will be prepared on parcels mailed in future.

Postage due, how rated.

5. One full rate of postage due shall be required of the addressee on special-delivery letters weighing 1 ounce or less transmitted without any prepayment of postage. On special-delivery letters exceeding 1 ounce in weight transmitted without any prepayment of postage the deficient postage at the single rate and an additional charge of 1 cent for each ounce or fraction thereof, computed on the unpaid weight, shall be collected on delivery. All other special-delivery matter which through inadvertence reaches its destination with no prepayment of postage shall be charged with postage due at double rates. (See secs. 503, 513, 763, 767, and 768.)

—collection of, on delivery.

6. On partially prepaid special-delivery matter the deficient postage shall be collected on delivery, the same as on other short-paid matter.

Making up and dispatch of special-delivery matter. Facing slips, how placed on packages.

1081. Special-delivery letters shall be made up in separate packages when there are 5 or more for the same place or route; if less than 5 they shall be placed at the top of the package under the registered letters, if any. When the package is for a route or "dis" the slip shall be placed across the package so as to expose the stamps, the lower third of the slip being turned in to enclose the special-delivery matter.

See sec. 1223 as to registered mail, and sec. 2073 as to air mail.

—other than first class.

2. Special-delivery mail other than first class shall be sacked separately from other second-, third-, and fourth-class mails and given the same dispatch and handling in closed pouch trains as is accorded pouches of letters, and when dispatched in R. P. O. trains shall be handled in postal cars as far as practicable. All post offices shall make up a direct sack in every case where there are two or more parcels the size of an ordinary shoe box or larger, addressed to the same post office. Any residue special-delivery mail remaining after all directs have been made shall be distributed to States and R. P. O. lines and dispatched in accordance with the scheme of dispatch for first-class mail. At the smaller offices where the quantity is insufficient to warrant directs and the character of the parcels is such as not to injure first-class matter, they shall be pouched with letter mail.

—registered.

3. Registered special-delivery matter shall be dispatched in accordance with the regulations governing the dispatch of registered mail.

Commissions not allowed for cancellations of stamps.

1082. No commissions shall be allowed on cancellation of special-delivery stamps or on the cancellation of ordinary stamps when used in lieu of special-delivery stamps.

Stamps, attached to articles mailed abroad.

2. United States special-delivery stamps attached to articles mailed abroad and contained in mails for the United States shall be canceled in the sea post offices or the United States exchange post office which opens the mails and distributes the articles therein contained. In case said stamps were canceled

in the foreign mailing office, the articles shall nevertheless be delivered by special messenger.

See secs. 426 and 427 as to compensation of postmasters.

RECORD AND DELIVERY

1083. To provide for the payment of such persons as may be employed for this service, the postmaster at any office designated by section 167 of this title shall keep a record of the number of letters received at such office bearing such special (delivery) stamp, which number shall correspond with the number entered in the receipt books heretofore specified * * * Nothing in this section and sections 165 and 169 of this title shall interfere with the prompt delivery of letters as now provided by law or regulations of the Post Office Department.

Special delivery:
payment of persons employed.
39 U. S. C. 170.

2. For making special delivery there may be paid to the messenger or other person making such delivery 9 cents for matter of the first class weighing not in excess of 2 pounds, 10 cents for matter of other than the first class weighing not in excess of 2 pounds, 15 cents for mail matter of any class weighing more than 2 pounds but not in excess of 10 pounds, and 20 cents for mail matter of any class weighing in excess of 10 pounds.

—rate of.
39 U. S. C.
169a.

3. Where all the service necessary for delivery has been performed by a messenger, the failure of delivery not being due to lack of effort, the compensation for delivery is deemed to have been earned.

—compensation earned.

4. In all instances where no special-delivery service is rendered, delivery being made through post-office window, into a post-office box, into a rural mail box, to addressee or his representative on the rural carrier's route, or otherwise without special service, the fee shall not be disbursed but shall become a part of the postal revenues.

—fee not disbursed.

5. Postmasters and other postal employees, including special-delivery messengers, shall not enter into any agreement for the division, rebate, or refund of special-delivery fees or the compensation received for special-delivery service.

Division, rebate, or refund of fees prohibited.

1084. Postmasters shall, immediately after opening the mails and upon the receipt of local or drop matter in the post office, withdraw special-delivery mail, and impress 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.

Separation and stamping of special-delivery matter.

See sec. 761 as to backstamping special-delivery mail.

1085. * * * (The Postmaster General) may contract for the immediate delivery of all articles (bearing special-delivery stamps) from any post office at any price

Contract for special delivery.
39 U. S. C. 167.
—may be made.

less than eight cents per piece, when he shall deem it expedient.

2. When 100 or more pieces are received for delivery to 1 address on 1 trip the contract price shall not be more than 50 percent of the total special delivery fees involved.

Record of special-delivery matter.
—how kept.

1086. A record shall be kept of each piece of special-delivery mail received for delivery, showing office of origin, complete address, registry, insurance, or collect-on-delivery number, if any, and the name or number of messenger to whom delivered, and the time of delivery to messenger. This record shall also show reason for nondelivery or delay of any piece of such mail and its subsequent treatment or disposal.

Hours of special-delivery service.
—at city delivery offices.

1087. Special-delivery matter shall be delivered at city delivery offices from 7 a. m. to 11 p. m., and at all other post offices from 7 a. m. until 7 p. m., and after the arrival of the last mail, provided this is not later than 9 p. m. Special orders may be made fixing later hours for delivery in particular cases.

—on Sundays.

2. Special-delivery matter shall be delivered at post offices of the first and second classes on Sunday, and at other offices if open on Sunday. Special delivery shall be made at all offices on holidays. (See secs. 436 and 437.)

—on holidays.
All reasonable efforts to be made to effect delivery.

1088. Every reasonable effort shall be made to effect the prompt delivery of special-delivery mail. If the address is deficient or incorrect, it shall be completed or corrected if possible. If the addressee has removed to the delivery of another post office, the article, if ordinary mail of the first class, shall be immediately forwarded if the new address is known or can be ascertained; if the article be registered mail, it shall not be forwarded without such authority as is required by section 1327, in the absence of which a registry notice shall be sent. (See sec. 769 as to immediate forwarding of perishable or "pledge" matter of second third, or fourth class.)

Delivery records
39 U. S. C. 169.

1089. * * * (Special-delivery messengers) upon the delivery of * * * (every article) 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, * * *.

—manner of making entries.

2. Each messenger at a city-delivery office shall be furnished with a delivery book or its equivalent (Form 3951), in which shall be entered the address of each piece of matter received for special delivery, the date and hour of its receipt by the messenger, the registry, collect-on-delivery, or insurance number, if any, the amount of postage due thereon, and the time of delivery by messenger.

—receipt of addressee.

3. The receipt of the person to whom any special-delivery matter is delivered shall be taken in the blank space provided for this purpose in the delivery book, or its equivalent, and the time of such delivery shall be noted thereon.

4. Delivery books, or their equivalent, shall be kept in the post office when not in use, and messengers shall promptly return them to the office after every trip. Whenever for any cause a book is no longer used, it shall be filed in the post office.

—to be kept in post offices when not in use.

5. At post offices other than city-delivery offices receipts shall be taken on sheets (Form 3954). (See sec. 1100, par. 2.)

—at other than city-delivery offices.

1090. Special-delivery matter shall be delivered to anyone authorized to receive the ordinary mail of the addressee and receipt obtained, if possible.

Treatment of mail when personal delivery cannot be effected.

2. When no one responds to the repeated ringing of the bell or knocking on the door, the messenger may deposit the mail in the usual mail receptacles (including door slots and apertures under doors) after determining through close observation of the premises and suitable inquiry that the mail is correctly addressed and the occupants are only temporarily absent.

3. Care shall be exercised that mail be not left in receptacles at offices, houses, or apartments where the occupants are to be away for more than a day. The messenger shall be held to a high degree of diligence and common sense in dealing with such cases.

—not to be left in receptacles.

4. When special-delivery mail is left in the receptacle after observing the foregoing precautions, the messenger shall note in the proper space on the receipt form the time of such action, and the reason why he felt justified in leaving the mail. He shall also push beneath and beyond the door a notice showing that there is a letter in the receptacle.

—messenger to make note on receipt form and also leave notice.

5. Where the mail receptacle is unsafe, or no receptacle is provided, or where it is not possible to place the letter in the receptacle, special-delivery ordinary mail may be pushed beneath the door of the dwelling, apartment, or place of business. When delivery is made in this manner, Form 3955 shall be placed in the receptacle, or if receptacle is not provided, the Form 3955 shall be pushed beneath the door. Where mail or notices are pushed beneath the door they shall not be visible from the outside.

6. When special-delivery matter cannot be delivered as above described, Form 3955, special-delivery notice, shall be left under the door or in the receptacle, properly checked to show that the article has been returned to the post office. If the article, the delivery of which has been attempted, is a registered, insured, or C. O. D. piece, or is marked or known to be perishable, the messenger shall indicate its character on the face of Form 3955. The messenger's number, the date, and the name of the addressee shall be entered on this form, and at post offices having carrier-delivery stations, the station where the article is being held, and its location, shall be entered.

Addressee to be advised of attempted delivery.

7. When delivery is made without obtaining receipt, entry shall be made on Form 3951, showing what disposition was made of the mail and time of delivery.

8. Special-delivery mail which is returned to the post office by messengers as undeliverable shall be given attention by the supervisor or clerk in charge of the special-delivery section to

When undeliverable, procedure.

ascertain the correct address of the addressee. If it is not possible to ascertain the correct address of the addressee and put the article in the way of delivery from the directory in the post office, it shall, if the office has delivery service, be listed on Form 3951 and turned over to the supervisor in charge of carrier service for further attempt at delivery. The supervisor shall deliver the special delivery in question to the proper carrier, making note on Form 3951 to show the carrier to whom it was delivered. Carriers need not sign for such special-delivery mail. However, if it cannot be delivered as addressed, the carrier should return it to the supervisor, properly marked for forwarding or endorsed to show the reason for nondelivery. At the end of the trip the supervisor will return Form 3951 to the special-delivery section with all undelivered specials and suitably endorsed to show the designation of the carrier to whom the specials were delivered that are not returned. The special-delivery records shall show final disposition of the article.

Postmasters held responsible for efficient service.

9. Postmasters shall hold strictly responsible for effective and accurate special-delivery service the supervisory official or other employee directly in charge of such service, who shall at all times maintain proper discipline among the messengers, see that they perform their full duty in all cases, and that in the event of failure to make proper effort at delivery messengers are immediately dismissed, suspended, or that other suitable disciplinary action is taken. A messenger's claim for pay for an unsuccessful effort to deliver a piece of mail shall not be allowed unless he exercises diligence and good faith in attempting delivery.

Perishable matter.

10. Parcels containing perishable articles likely to spoil within the time reasonably required for transportation and delivery shall not be accepted for mailing, except that when special-delivery service will enable such articles to be delivered before spoiling when they are received at the delivery office after delivery hours or on Sundays and holidays, they may be accepted for mailing if the proper special-delivery charges are paid in addition to the regular postage.

11. When perishable parcels are received at the delivery office after hours or on Sundays or holidays when there is no delivery, and which have been inadvertently accepted for mailing without the special-delivery charge being prepaid, such articles, if likely to spoil before the next regular delivery, shall be rated up as short paid the amount for special-delivery service that should have been affixed at the mailing office and handled as special-delivery matter.

Mail bearing card request.

12. Paragraphs 2 and 8 of this section shall not apply to a special-delivery letter bearing the specific request that it be returned to the writer if prompt delivery cannot be effected by either the messenger or the regular carrier. (See par. 2, sec. 800.)

Registry, insured, or C. O. D. matter.

1091. When special-delivery mail is registered, insured, or sent collect on delivery, the usual registry, insured, or collect-on-de-

livery receipts shall be taken, and all other requirements of the registry system and collect-on-delivery regulations shall be observed, but no special-delivery receipt need be taken. —how treated.

1092. After special-delivery matter has been taken out for delivery and returned with the information that the person addressed has removed to the delivery of another office, and such matter is then forwarded, it is not entitled to special delivery at the office of second address. Such matter shall be indorsed by the forwarding postmaster "Forwarded, fee claimed by office of first address." Where a forwarding order has been given by the addressee in advance of the arrival of the matter, so that no attempt to deliver is necessary, it shall be forwarded with the indorsement, "Forwarded, fee not claimed," and the postmaster at the office of final destination shall make special-delivery and be entitled to the regular fee therefor. Special-delivery matter forwarded from one post office to another without any indorsement shall be taken out for immediate delivery the same as if indorsed "Forwarded, fee not claimed," and the facts reported to the First Assistant Postmaster General, Division of Post Office Service. The failure of the postmasters to properly indorse special-delivery matter may deprive them of the fee to which they would otherwise be entitled. (See sec. 769.)

Forwarding of special-delivery matter.

—with indorsement.

—without indorsement.

1093. Special-delivery matter which cannot be delivered shall be treated in accordance with the regulations governing the return of other undeliverable matter. (See secs. 800 to 807 and 2227.)

Undelivered special-delivery matter.
—disposal of.

1094. Special-delivery matter may be delivered at third- and fourth-class post offices by the postmaster or any assistant or employee or other competent person whom the postmaster may employ as messenger. Such postmaster, assistant, employee, or other person so employed as a messenger shall be paid compensation as shown in section 1083 on all special-delivery mail on which special-delivery service is given or attempted. At offices of the third class having village delivery service, the village delivery carriers shall not be paid the fee for delivery of special-delivery mail matter when such delivery is effected during their regular tour of duty as village delivery carriers.

Special delivery at third and fourth class offices.
—by whom made.

—compensation for.

See sec. 1075 as to limits of delivery at other than free-delivery offices; sec. 1076 as to responsibility for delivery of special-delivery matter.

2. At second-class post offices when, because of the small volume of special-delivery mail, it is impossible to employ substitute carriers or clerks as special-delivery messengers or to obtain messengers, special-delivery matter may be delivered by the postmaster, who shall be paid the compensation as shown in section 1083.

—second-class offices.

SPECIAL-DELIVERY MESSENGER SERVICE

1095. * * * The Postmaster General may, in his discretion, direct any free-delivery office to be excepted from the foregoing provision (concerning the delivery

Special-delivery messengers.
39 U. S. C. 167.
—at free-delivery offices.

of special-delivery matter by postmasters, clerks, or other persons), and require the delivery to be made entirely by special messengers, according to the provisions of sections 169 and 170 of this title. * * *

See sec. 1075 as to limits of delivery at free-delivery offices; sec. 1083 as to compensation of messengers.

Substitute carriers and clerks.—employment of.

1096. At city delivery offices postmasters should employ substitute carriers and clerks, preferably the former, instead of boys as special-delivery messengers where the volume of such business is sufficient to warrant these employees in taking up the work and the conditions are otherwise favorable; but boys 16 years of age or over may be so employed when in the judgment of the postmaster circumstances require it or he is of the opinion that the efficiency of the service will be promoted thereby.

—minimum age of.

2. The force of special-delivery messengers in each office shall be so arranged that a suitable number may always be on hand to secure immediate delivery of all special-delivery matter at any time within the prescribed hours of the day, but postmasters shall not employ a greater number of messengers than actually necessary.

—suitable number to be on hand during prescribed hours.

—clerks, etc., when service may be performed by.

3. When delivery of special-delivery matter can not be made promptly by regular special-delivery messengers, postmasters may cause such delivery to be made by any regular clerk or employee, who shall be allowed the same compensation as regular messengers, except that, at offices of the first and second classes, regular clerks or employees (other than rural carriers and clerks in charge of rural stations) shall not receive fees for delivering special-delivery mail during their regular tours of duty, and substitutes shall not receive fees for effecting special deliveries during the time for which they are paid at the hourly rate.

4. Additional special-delivery messengers shall not be appointed to handle special mailings, but such mailings shall be delivered by the regular special-delivery messengers. If there are insufficient regular messengers to effect prompt delivery, the work shall be assigned as indicated in paragraph 3 of this section.

See sec. 1028 as to conditions under which rural carriers and clerks in charge of rural stations may receive fees.

Combinations among messengers.

1097. Special-delivery messengers shall not make combinations or arrangements with a view to securing a division of the total permissible compensation of the month, and postmasters shall, by distribution of the work and assignment of hours of duty, equalize as far as practicable the compensation of messengers.

Conduct of messengers.

1098. Special-delivery messengers shall conduct themselves in an orderly manner while in the office and on their trips and shall be held personally responsible for properly safeguarding special-delivery matter entrusted to their care for delivery.

Not to have access to other mail matter.

2. A special place should be provided in the post office for the accommodation of the messengers, and 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. (See sec. 703.)

1099. Postmasters at all offices having three or more special-delivery messengers, each of whom is regularly employed as much as four hours daily, shall require such messengers to provide themselves, at their own expense, with uniforms in full accordance with the following specifications:

Uniforms of messengers.

(a) *Material*.—Some as provided in section 920, bluish, mixed cadet gray, flannel, or heavy bluish-gray worsted or serge.

—specifications.

(b) *Style of coat or vest*.—Same as provided in section 920, except that it may be optional whether the vest is worn, and instead of an overcoat a reefer may be adopted for winter wear. Use of summer coat to be optional, shirt to be used instead.

(c) *Style of trousers*.—Same as provided in section 920, or, if breeches are worn, they may be made of same cloth as the coat, or for summer wear khaki breeches may be worn, and for the winter, corduroy breeches.

(d) *Style of shirt, material, color, etc.*—Same as provided in section 920.

(e) *Style of tie*.—Either a black four-in-hand or bow may be used.

(f) *Puttees*.—Leather, black or dark brown.

(g) *Style of cap*.—Cap same material and color as uniform and similar in style and appearance to what is commonly known as the "full-top yacht cap."

2. Every special-delivery messenger at an office of the first or second class shall wear a badge furnished by the Fourth Assistant Postmaster General, Equipment and Supplies Branch, and postmasters shall require each special-delivery messenger to whom a badge is issued to place a deposit of 50 cents, which shall be treated as a trust fund and accounted for as such to cover losses of badges, the deposit to be returned to the messenger when he is separated from the service and returns his badge in good condition to the postmaster. Whenever a deposit is forfeited, it shall be accounted for as miscellaneous postal receipts. The badge shall be worn on the messenger's cap.

—badge furnished.

—deposit.

3. The above requirements shall not apply to substitute carriers wearing the regulation carrier uniform whose services are utilized as special-delivery messengers.

—exceptions.

1100. Postmasters of the first- and second-class offices shall take receipts from each messenger, or rural carrier acting as messenger, or on a regular payroll (Form 1594), showing the name of the messenger, his number, and the number of pieces delivered, or attempted to be delivered, at each rate of pay, as ascertained from the postmaster's record. The quarterly voucher shall be detached and forwarded to the Comptroller, Bureau of Accounts, with the quarterly postal account. (See sec. 243.)

Pay roll, first and second class offices.

2. Postmasters of third-class offices shall report in their quarterly postal accounts (Form 1550-T/C) the actual number of pieces delivered, or attempted to be delivered, and the amount

Pieces delivered at third and fourth class offices.

paid as fees to messengers, and postmasters of fourth-class offices shall make similar report on Form 1550-FC. (See sec. 1089, par. 5.)

See sec. 252 as to fixing compensation where false returns of special-delivery matter are made; sec. 2319 as to punishment for false returns.

Matter delivered by letter carriers.
—no compensation allowable.

1101. Whenever special-delivery matter can be as promptly delivered by a letter carrier on his regular trip as by special messenger it may be given to him for that purpose, but he shall not be allowed any compensation therefor. The carrier shall be provided with a delivery book, or its equivalent, and a receipt shall be taken by him, or delivery effected into a receptacle the same as in the case of delivery by messenger.

Carriers, etc., receiving special-delivery matter for mailing.

1102. Letter carriers, whether assigned to delivery or collection duty, and special-delivery messengers shall receive all prepaid matter bearing a special-delivery stamp which may be handed to them on their trips, and shall keep such matter separate from other mail, and deliver it to the proper clerk immediately upon their arrival at the post office. Letter carriers shall not turn over local matter for special delivery directly to messengers, even though they may be satisfied that it will be more speedily delivered.

Allowances for carfare at offices of first class.
—application for.

1103. Allowances may be made at post offices of the first class upon application to the First Assistant Postmaster General, Division of Post Office Service, for carfare for special-delivery messengers in emergent cases where immediate delivery in the usual way is impracticable.

2. Carfare shall not be allowed to special delivery messengers in all cases, but only where it is impossible to make delivery in the usual way.

—how expended.
Vouchers for expenditures.

3. Postmasters shall take vouchers for all expenditures, noting thereon that the carfare is for special-delivery messengers in emergent cases, and forward them with the quarterly account. (See sec. 243.)

TITLE SEVEN

REGISTRY SYSTEM: INSURANCE AND COLLECT-ON-DELIVERY SERVICES

CHAPTER 1

REGISTRATION OF DOMESTIC MAIL MATTER

ESTABLISHMENT OF SYSTEM OF REGISTRATION

1201. For the greater security of valuable mail matter the Postmaster General may establish a uniform system of registration, * * *. (See secs. 1203, 1380, 1381 and 1382 as to indemnity for losses.)

Establishment
of system of
registration.
39 U. S. C. 381.

PREPARATION OF MATTER FOR REGISTRATION

1202. (a) Postmasters and other postal employees before accepting matter for registration shall require it to be properly enveloped or wrapped, to be legibly and correctly addressed, to bear the name and address of the sender, and the necessary stamps or printed or metered indicia showing that postage, registration fee, surcharge, if any, and other fees for available services specially requested, have been fully prepaid. Unsealed parcels of second-class matter mailed at the second-class pound rates shall not be accepted for registration, but may be accepted for registration when postage is prepaid at the transient second-class rate. Letters contained in business reply envelopes, however, may be accepted for registration without prepayment of postage, but the registry fees, any required surcharges, and the fees for other special services shall be prepaid. If a return receipt is requested, the words "Return receipt requested" or "Return receipt requested showing address where delivered," as may be proper, shall be placed conspicuously upon the cover, preferably above and near the address. Inquiry shall be made as to contents and method of packing of articles presented for registration. Improperly packed articles shall not be accepted. Articles containing fragile matter shall be indorsed "Fragile." Any indorsements restricting delivery and any other required indorsements shall similarly be placed upon the cover near the address. Postmasters and other postal employees shall not assist in the preparation of matter for registration, either by placing the contents in an envelope or by sealing or addressing it.

Preparation of
matter for reg-
istration.

—business re-
ply envelopes.

—when return
receipt is
desired.

—packing and
indorsement.

—restrictions
upon delivery.

Fee not to cover two or more articles.

(b) Two or more articles tied or otherwise fastened together shall not be registered as one unless inclosed in the same envelope or wrapper.

See secs. 1209, 1218, and 1322 as to return receipts; also secs. 1334 to 1346 as to carrier registrations.

Envelopes to be securely sealed in every part.

2. Envelopes presented for registration shall be securely sealed in every part with mucilage or glue and be strong enough to carry their inclosures safely. Postmasters shall discourage the use as covers for registered mail of envelopes constructed in such a manner as to facilitate rifling. Postmasters shall not accept for registration articles inclosed in flimsy envelopes, or which are not so wrapped or enveloped as to carry safely, or an unsealed parcel containing first-class matter. Parcels containing merchandise (other than those consisting of currency or securities which must be securely sealed in every part) may be sealed with paper strips without first being sealed with mucilage or glue, provided the paper strips completely and securely seal the parcels, but parcels containing currency or securities must be securely sealed in every part. No sealed letter or parcel which appears to have been opened and resealed shall be accepted for registration, except as provided in secs. 1205 and 1329.

Flimsy envelopes not to be used.
—Parcels, sealing of.

Indefinitely addressed matter.

3. Matter indefinitely addressed, or addressed to fictitious names, to initials, to box numbers or buildings only, or "owner" or "occupant" followed by street and number without the name of addressee, shall not be accepted for registration. This applies to the names and addresses of senders as well as addressees.

See sec. 777 as to right to use a trade name.
See Official Postal Guide as to use of paper strips or seals on registered matter and registration of window envelopes.
See sec. 1370 as to responsibility for loss of registered mail.

REGISTRATION OF UNOFFICIAL MATTER

Registration of unofficial matter.
39 U. S. C. 384.
—on application of party mailing same.
—fee for.

1203. (a) Mail matter shall be registered on the application of the party posting the same. The registry fees, which are in addition to the regular postage, and the limits of indemnity therefor within the maximum indemnity provided by law shall be as follows:

- For registry indemnity not exceeding \$5, 15 cents;
- For registry indemnity exceeding \$5 but not exceeding \$25, 18 cents;
- For registry indemnity exceeding \$25 but not exceeding \$50, 20 cents;
- For registry indemnity exceeding \$50 but not exceeding \$75, 25 cents;
- For registry indemnity exceeding \$75 but not exceeding \$100, 30 cents;
- For registry indemnity exceeding \$100 but not exceeding \$200, 40 cents;

For registry indemnity exceeding \$200 but not exceeding \$300, 50 cents;

For registry indemnity exceeding \$300 but not exceeding \$400, 60 cents;

For registry indemnity exceeding \$400 but not exceeding \$500, 70 cents;

For registry indemnity exceeding \$500 but not exceeding \$600, 80 cents;

For registry indemnity exceeding \$600 but not exceeding \$700, 85 cents;

For registry indemnity exceeding \$700 but not exceeding \$800, 90 cents;

For registry indemnity exceeding \$800 but not exceeding \$900, 95 cents; and

For registry indemnity exceeding \$900 but not exceeding \$1,000, \$1:

Provided, That for registered mail or insured mail treated as registered mail having a declared value in excess of the maximum indemnity covered by the registry fee paid there shall be charged additional fees as follows: When the declared value exceeds the maximum indemnity covered by the registry fee paid by not more than \$50, 1 cent; by more than \$50 but not more than \$100, 2 cents; by more than \$100 but not more than \$200, 3 cents; by more than \$200 but not more than \$400, 4 cents; by more than \$400 but not more than \$600, 5 cents; by more than \$600 but not more than \$800, 6 cents; by more than \$800 but less than \$1,000, 7 cents; and if the excess of the declared value over the maximum indemnity covered by the registry fee paid is \$1,000 or more, the additional fees for each \$1,000 or part of \$1,000 on articles destined to points within the several zones applicable to fourth-class matter shall be as follows:

For local delivery or for delivery within the first zone, 8 cents;

For delivery within the second zone, 9 cents;

For delivery within the third zone, 10 cents;

For delivery within the fourth zone, 11 cents;

For delivery within the fifth or sixth zones, 12 cents;

For delivery within the seventh or eighth zones, 13 cents.

All such fees shall be accounted for in such manner as the Postmaster General shall direct. * * *

Rules and Regulations, 39 U. S. C. 384a.

(b) The Postmaster General may make such rules and regulations in accordance with sections 381, 381a, and 384 of this title as he may consider necessary or advisable.

Postal employees to familiarize themselves with fees and limits of indemnity.

(c) Postmasters and postal employees concerned shall thoroughly familiarize themselves with the fees and limits of indemnity covering domestic registered mail and the arrangements under which surcharges are to be collected in connection with domestic registered mail and insured mail treated as registered mail. Registry surcharge is not applicable to international registered mail. Care must be exercised at all times to see that all of the prescribed charges are collected.

Surcharge not applicable to international registered mail.

See sec. 1209 as to declaration of value and Official Postal Guide for detailed instructions as to registry fees and surcharges.

—sender to be advised as to fees.

(d) In accepting mail for registration, postmasters shall advise sender as to the amount of registry fee necessary if sender desires indemnity covering the full declared value, but not exceeding \$1,000.

—not acceptable if full value not stated.

(e) When the full value knowingly and wilfully is not stated at the time of mailing, the article is rendered nonacceptable. When this fact is known by any postmaster he shall refuse to accept the article until the requirement is met by the sender.

See sec. 2207 as to the registration fees in connection with international registered mail.

Without intrinsic value.

2. Mail matter without intrinsic value for which no indemnity is provided may be registered at the minimum fee of 15 cents.

Statistics.

3. Postmasters at offices of the first, second, and third classes shall keep such statistical records as will enable them to report promptly at the close of each fiscal year the number of articles registered at each of the prescribed fees as well as any required statistics covering registry surcharges. (See secs. 1209 and 1379.)

—what classes may be accepted.

4. Postmasters shall register all mailable first, second, and third class matter properly prepared and offered for that purpose. The Third Assistant Postmaster General may specially authorize any postmaster to decline to accept for registration articles which either singly or collectively are known or presumed to be of large value when the articles are addressed to post offices to which the registered matter cannot reasonably be transported without seriously jeopardizing its safety or endangering the lives of the persons handling the mail; or he may authorize any postmaster to accept such matter upon condition that it will not be transmitted over the entire route to office of address, but will be sent to the post office nearest or most accessible to the one addressed to which the matter may be transmitted without undue risk, where it will be held for delivery and notice to call issued to the addressee.

See sec. 1354 concerning the holding of registered matter of large value for desk delivery.

5. Mailable second and third class matter valued in excess of \$100 upon which a registry fee providing indemnity in excess of \$100 is paid shall be sealed and first-class postage paid thereon.

NOTE.—The requirement for the sealing of registered matter of the second and third classes valued in excess of \$100 on which a registry fee providing indemnity in excess of \$100 is paid and the prepayment of letter postage thereon does not prohibit the voluntary sealing of registered matter of the second and third classes valued at \$100 or less, prepaid at the first-class rate of postage, nor the sealing subject to postal inspection of third-class matter valued at \$100 or less, prepaid at the third-class rate of postage under the provisions of sec. 581.

Note.

See sec. 435 as to post-office hours for registry business, and secs. 577 and 578 as to limit of weight.

6. Mailable fourth-class matter may be registered if it is sealed and the first-class rate of postage paid thereon. Official matter of such a character that it is not entitled to be mailed free of postage under the penalty privilege if it exceeds 4 pounds in weight may be accepted for registration with postage paid thereon at the fourth-class rate, in addition to any required registry fee and surcharge, provided it consists of such official matter as the Third Assistant Postmaster General (Division of Registered Mails) may designate as being acceptable for registration at the fourth-class rate of postage. (See sec. 618.) Such official matter intended for registration should be sealed.

Fourth-class.

Official matter.

7. City, village, and rural carriers and clerks in contract stations shall not accept for registration mail of such value as will involve unusual risk, but shall request senders to present the matter at the main office or such classified station or branch as may be designated by the postmaster. When there is reason to believe that because of local conditions, mail of large value is being subjected to unusual hazards through being presented for registration at any classified station instead of at the main office, report of the facts should be made to the Third Assistant Postmaster General, Division of Registered Mails.

8. Postmasters and postal employees shall recommend that money and valuable matter of the first, second, and third classes and valuable articles of the fourth class, such as currency, coin, jewelry, and precious stones, usually of small bulk but of considerable value, be registered, because of the greater safeguards provided by the registry service. They shall recommend also the use of postal money orders, whenever available, instead of cash, for remittances by mail; and when postal money orders are not available, that money be sent by registered mail.

—valuable matter.

9. Mail for dispatch via airplane service shall be accepted for registration upon the prepayment, by postage stamps affixed, or metered impression, of the required registration fee and surcharge, if any, in addition to the airplane postage. Registered air mail shall be indorsed "Air mail" and be made up and dispatched in accordance with the registry regulations and be given the most expeditious handling consistent with the safeguards required for registered mail. When registered mail for dispatch via airplane originates off the route of the air mail service and justifies the use of inclosing equipment, the face of

—airplane service.

the paper jacket, or the label of the sack or pouch, shall also be indorsed "Air mail." (See secs. 511 and 1782.)

See secs. 1380, 1381, and 1382 for indemnity applicable to domestic registered mail and sec. 1383 as to fees and limits of indemnity applicable to domestic registered collect-on-delivery mail; also sec. 2234 as to payment of indemnity for international registered mail.

Restriction
in delivery.
39 U. S. C.
246d.

1204. The Postmaster General, under such regulations as he may prescribe, is authorized to collect an additional fee of 10 cents for effecting the delivery by carrier or otherwise of domestic registered, insured, or collect-on-delivery mail, the delivery of which is restricted to the addressee only, or to the addressee or order: *Provided*, That no refund shall be made of fees paid for this service unless request for refund is made and erroneous delivery of the article or articles was made by the Postal Service or nondelivery of the article or articles was due to some fault of the Postal Service.

2. Upon payment of an additional fee of 10 cents, the sender may restrict delivery of a domestic registered article at the time of mailing by indorsing it "Deliver to addressee only" or "Deliver to addressee or order," or with words of similar import, or, after mailing and before delivery, by written order through the mailing postmaster. This fee shall also be collected by the postmaster at the office of delivery for delivering each registered article which the addressee has restricted in delivery to himself or order. When delivery of an article has been restricted by the sender, notation to that effect must be placed on the sender's receipt and on the records of both the office of mailing and the office of address. When delivery is restricted by the addressee, notation to that effect must be placed upon the records of the office of delivery.

Note.

NOTE.—The fee of 10 cents for restricted delivery shall not be charged on any official registered mail which under the law is entitled to free registration. The additional fee is chargeable, however, on official registered mail when such mail is not entitled to free registration. (See sec. 1211.)

Registration of
matter found
in ordinary
mail.

1205. When any domestic article marked to indicate that the sender desires it registered is found in the ordinary mail at the mailing office, it shall be removed therefrom and registered, whether or not any postage is affixed thereto or the name and address of sender is shown.

Notations to
be placed on
article repaired
or reinclosed,
if necessary.

2. (a) The postal employee who removes the article from the ordinary mail shall indorse it to show when and by whom it was found in the ordinary mail and condition if other than good. If the article is in bad condition, it shall be repaired or reinclosed. (See sec. 1310.) The records of the mailing section shall show the names and addresses of sender and addressee, when and by whom it was removed from the ordinary mail, and condition if other than good.

(b) The employee who actually registers the article shall receipt for it to the mailing section and mail a registration receipt to the sender with caution regarding placing in the ordinary mail matter intended for registration. The registration receipt and the office registration record shall show the particulars usually required, and, in addition, the amount of postage, fee, or other charges borne by the article, the amount of any deficiency in postage, fee, or other charges, and its condition if other than good. The office registration record shall show by whom the article was removed from the ordinary mail. The amount of any deficiency in postage or other charges shall be noted on the article. The records of the post office of delivery shall show, in addition to the usual particulars, by what office the article was removed from the ordinary mail.

Registration receipt to be mailed sender—particulars to be shown on receipt and office record.

(c) Postmasters at offices of delivery shall collect any deficiency on articles withdrawn from the ordinary mail and registered and note on their records the amount of deficiency collected upon delivery.

Collection of deficiency at offices of address.

3. (a) When the sender of an article intended for registration but found in the ordinary mail at the mailing office can be reached without missing the first available dispatch, information shall be obtained from him showing the value of contents of the article and there shall be collected any registry surcharge applicable as well as any deficiency in postage, registry fee, or other charges. If this would delay the article and it bears stamps sufficient to pay at least the postage necessary to permit of its dispatch, the article shall be rated up with the deficiency and dispatched. If sufficient postage is not paid to permit of dispatch of the article and the name and address of the sender are known, the postmaster will ascertain from him the value of the article and obtain the required charges. If, however, the name and address of the sender are not known, the postmaster will advise the addressee of the article so he may furnish postage and fee for its forwarding if he so desires.

Treatment of when found at mailing offices.

(b) When the article is restricted in delivery or marked to indicate that a return receipt is requested showing where delivery is effected but does not bear stamps sufficient to pay for these services, the postmaster shall hold the article and obtain from the sender, if his name and address are known, payment of charges for the special services requested as well as any deficiency in postage, fee or surcharge, and information as to the value of the article. If the sender's name and address are not known, the registered article shall be transmitted to its destination, if it bears sufficient postage to permit of its dispatch, marked up to indicate the amount of deficiency to be collected from the addressee.

Restricted delivery and 23-cent return receipt fees to be prepaid, if sender's address is known.

(c) When after due notice any sender continues placing in the ordinary mail articles intended for registration, they shall be indorsed at mailing, but not at other post offices, "Not in the registered mail," dispatched as ordinary mail, and report made to

When not to be registered.

the Third Assistant Postmaster General, Division of Registered Mails, when domestic articles, and to the Second Assistant Postmaster General, Division of International Postal Service, when addressed to foreign countries.

When to be treated as special delivery.

(d) An article found in the ordinary mail bearing any required special-delivery fee in ordinary stamps in addition to required postage, but not marked to indicate whether the sender desired the article sent as special delivery or as registered mail, shall be dispatched as ordinary special-delivery matter after being indorsed "Special Delivery," provided that where practicable without missing the first available dispatch the desire of the sender shall be ascertained and the article treated accordingly.

Treatment of when found in transit.

4. (a) If an article marked to indicate that the sender desired it registered is found in the ordinary mail at a post office while in transit, it shall be removed therefrom and dispatched to destination as registered matter. If it bears the name and address of the sender, a registration receipt shall be mailed to the sender with caution against depositing in the ordinary mail matter intended for registration. The postmaster at sender's address shall be furnished a description of the letter in order that he may collect any required surcharge from the sender.

Removed from ordinary mail by railway postal clerk.

(b) If the article is removed from the ordinary mail by a railway postal clerk, he shall give it the next number in his registry jacket series, inclose it in a jacket bearing the same number, and list the article on the jacket bill to show the number given it, the railway post office and train number, date of registration, the post office and State and date of original mailing, and the names and addresses of sender (if shown) and addressee. The jacket shall be addressed to the postmaster at destination of article if for domestic delivery, or to the proper United States exchange office if for foreign delivery.

Cautionary notice to sender by delivery office.

5. (a) If the article does not bear the name and address of the sender or is removed from the ordinary mail by a railway postal clerk, the postmaster delivering the article shall mail the registration receipt and cautioning notice to the sender, after obtaining the sender's name and address from the addressee. He shall also furnish the postmaster at the sender's address a description of the article in order that any required surcharge may be collected.

When received from a dead-letter office.

(b) Cautionary notice shall likewise be given by a postmaster receiving from a dead-letter office, for restoration to the sender, a registered article which has been removed from the ordinary mail.

Reports to be made.

(c) Postal employees who notice at points other than the offices of mailing that any sender frequently places in the ordinary mail matter intended for registration shall report the fact, through proper channels, to the postmaster at the mailing office.

See secs. 1329 and 2210 as to treatment of registered matter found in the ordinary mail.

Stations and branches.

1206. Mail may be registered at all branch post offices and stations as well as at the main office, but registered mail shall be delivered only from the main post office or from branch post offices

and stations designated by name or letter, or from numbered stations when specially authorized. (See sec. 1203, pars. 4 and 7.)

1207. Unless otherwise authorized by the Third Assistant Postmaster General, window registration receipts, and the articles they describe, shall be consecutively numbered, beginning with No. 1 on the 1st day of July of each year, and continuing throughout the entire fiscal year. At large offices, where it is necessary, in order to prevent conflict of numbers, the registration series may commence with some number other than 1, and the series of numbers shall be commenced anew as frequently as is necessary to obtain the use of as small numbers as practicable. All registration numbers shall be legibly entered and the use of prefixes, suffixes, or dashes avoided as far as practicable. In rendering reports to the department every series of numbers used during the period for which the reports are rendered shall be included.

2. Registration numbers shall, as far as practicable, be placed on mail by means of numbering machines (if already available for the purpose), pen and ink, or indelible pencil, rather than with ordinary pencil.

1208. Unless otherwise authorized, the registration numbers given articles at a numbered station shall be in a series beginning with an even thousand, in which the figure indicating the thousand shall be the same as the number of the station, thus:

Station No. 1	-----	1000 to 1999
Station No. 2	-----	2000 to 2999

When a station has exhausted its series, the same series shall be started anew.

1209. (a) Receipt shall be given the sender at the time each article is accepted for registration or as insured mail treated as registered mail. Unless otherwise authorized by the Third Assistant Postmaster General, the receipt and post office record shall bear notations showing the registration number, registry fee, class of postage, full value of contents or known or estimated cost of duplication of nonnegotiable securities and valuable papers, amount of surcharge, if any, names and complete addresses of sender and addressee, amount of return receipt or special delivery fee, if any, restriction in delivery, if any, and the fee paid therefor, and postmark showing date of registration. The receipt and office record covering air mail articles must be indorsed "Via air mail." If the article has no value or is not valued in excess of \$5, the notations, respectively, "No value" or "Not over \$5" shall be entered on the receipt and office record. When the declared value is not stated because the article is one which is entitled to free registration or for other authorized reason, the receipt and office record shall be marked briefly to show reason why no value was declared. At offices using the quick registration receipt, which will not show the names and addresses of the sender and addressee, the office record of the article shall be completed to show names and complete addresses of sender and addressee as well as the other particulars.

See sec. 1384 as to *additional* receipts or certificates of mailing for registered mail.

Numbering registered articles, receipts, etc.

Stations and branches to use separate series of numbers.

Receipt to be given at time matter is accepted. —details to be recorded.

Full value to be declared.
39 U. S. C. 381a.

(b) The full value of all registered mail or insured mail treated as registered mail shall be declared by the mailer at the time of mailing unless otherwise prescribed by the Postmaster General, and any claim for indemnity in any amount involving such mail, when the full value knowingly and willfully was not stated at the time of mailing, shall be invalid. * * *

See secs. 1203, 1380, 1381 and 1382 as to indemnity.
NOTE.—Declaration of value is not required if the article mailed is entitled to free registration.

Note.

Use of firm mailing sheets.

2. Mail for registration recorded by the sender on firm mailing sheets shall, at the time of its acceptance at the post office, be carefully checked as to registration numbers, amounts of postage and fees (and surcharges if any) paid, and the names and addresses of the addressees, etc. Exception to these requirements may be authorized by the Third Assistant Postmaster General. Any discrepancies shall be noted on the mailing list retained at the post office and on the receipt issued to the sender.

When matter becomes registered.

1210. An article shall not be considered as *registered* until it has been accepted and a receipt therefor has been issued by the postmaster or an authorized employee of his office. (See sec. 1205.)

REGISTRATION OF PENALTY AND FREE MATTER

Registration of official matter.
39 U. S. C. 321a.

1211. (a) Any official domestic letter or parcel to be registered by any executive department or bureau thereof, or independent Government institution, located at Washington, District of Columbia, or by the Public Printer, which requires registration may be registered without the payment of any registry fee.

—official postal matter.
39 U. S. C. 384.

(b) Mail matter upon the official business of the Post Office Department which requires registering shall be registered free of charge, and pass through the mails free of charge.

Not to be registered unnecessarily.
—official mail of executive departments.
—census matter free.
13 U. S. C. 214.

(c) Postal employees must not register unnecessarily official matter relating to the Postal Service.

2. All mail matter, of whatever class or weight, relating to the census and addressed to the Census Office, or to any official thereof, and indorsed "Official business, Census Office," shall be transmitted free * * * by registered mail if necessary, and so marked: *Provided*, That if any person shall make use of such indorsement to avoid the payment of * * * registry fee on his or her private letter, package, or other matter in the mail, the person so offending shall be guilty of a misdemeanor and subject to a fine of three hundred dollars, * * *.

3. All mail matter, of whatever class, relating to naturalization, including duplicate papers required by law or regulation to be sent to the Immigration and Naturalization Service by clerks of State or Federal courts, addressed to the Department of Justice, or the Immigration and Naturalization Service, or to any official thereof, and indorsed "Official business," shall be transmitted free * * * by registered mail if necessary, and so marked: * * *.

—naturalization matter.
39 U. S. C. 324.
Reorganization Plan No. V, effective June 14, 1940.

NOTE.—The above laws, except those which relate to matter upon the official business of the Post Office Department, or the census, or that relating to naturalization mail, apply to such matter only as is registered at the seat of government. Government officers located at Washington, D. C., whose official mail may be registered free there, under the above statutes, may have such mail registered free elsewhere, when they are temporarily away from Washington; but not those officers who are permanently away from that city, or who are engaged in field service for their respective departments. Matter entitled to free registration by officers or employees of the Government temporarily absent from Washington should be indorsed over their signatures with the words "Temporarily absent from Washington, D. C."

Note.

4. Free registration is not accorded to mail of the legislative or judicial departments nor to that of a State government or any of its branches.

Not applicable to legislative or judicial departments nor to State governments. Civil Service Commission.

5. Letters or parcels relating exclusively to official business of the United States Civil Service Commission, Washington, D. C., and addressed thereto, when presented for mailing by members of local boards of examiners of the commission located permanently in the various cities, shall be accepted by postmasters, who shall place them under the authorized official penalty envelopes or labels and in their official capacity register them free, as from the postmaster to such commission. If desired, an informal receipt shall be given by the postmaster to the official from whom the matter is received.

—registration of matter of local boards.

See sec. 615 as to penalty for misuse of official indorsement; sec. 617 as to the free transmission of ordinary mail relating to the census or naturalization; secs. 1213 and 1214 as to currency for redemption.

6. Under such regulations as the Postmaster General shall prescribe correspondence of the members of the Diplomatic Corps of the countries of the Pan American Postal Union (Postal Union of the Americas and Spain) stationed in the United States may be reciprocally transmitted in the domestic mails * * * and be entitled to free registration, but without any right to indemnity in case of loss. The same privilege shall be accorded consuls of such countries stationed in the United States, and vice consuls when they are discharging the functions of such consuls, for the exchange of official correspondence among themselves, and for that which they direct to the Government of the United States.

Pan American Postal Union.
39 U. S. C. 336.

See sec. 614 as to free postage.

Official matter registered in a special manner. Special envelopes.

—mail not under cover of, to be marked "Registered."
 —mail under cover of, to be delivered intact.

Free registration of United States currency for redemption and new currency for currency redeemed.
 39 U. S. C. 385.

Note.

Letters containing currency.
 —registration of.
 —contents to be exhibited.

—list of contents.

—preparation of.

Preparation of postal or money-order funds for remittance.
 —how inclosed.

1212. Specially printed envelopes and labels may be used in the preparation and dispatch of official matter registered at the post office at Washington, D. C., or elsewhere, but official matter included in such envelopes or to which such labels are attached, mailed at post offices other than Washington, D. C., shall not be registered free except as provided in section 1211. The rubber registration stamp need not be used on registered official mail under cover of such specially printed envelopes or labels, but such mail not under cover of these envelopes or labels shall be marked "Registered."

2. In delivering registered mail inclosed in such envelopes or having such labels attached, the envelopes or labels shall not be separated from the matter.

1213. 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.

Note.—See sec. 518 relative to payment of postage at first-class rate on such shipments.

1214. When a letter containing currency to be sent to the Treasurer of the United States for redemption is offered for registration, the postmaster shall require the contents to be exhibited to him and a list furnished giving a 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 \$1 and upward the letter, number of series, date, and denomination of each note shall be given.

2. The list shall be carefully compared with the money to be remitted, and when found correct shall be filed with the postmaster.

3. The money shall be inclosed and the letter sealed in the presence of the postmaster, who, after postage is prepaid by the sender, shall mark plainly upon the envelope the words "Accepted without registry fee under section 1213," issue the usual registry receipt therefor, and treat it as any other registered letter.

1215. When a remittance of postal or money-order or postal-savings funds is registered, the package shall be prepared as follows:

(a) If in bulk small enough, the money shall be inclosed in a strong envelope (such as the department provides expressly for

the purpose), which shall be securely sealed, and addressed. If the remittance is of such a character that the envelope alone will not safely carry it in the mails, the funds shall be wrapped in material strong enough to carry them, the wrapper sealed, and the remittance then securely inclosed in the official penalty remittance envelope.

(b) If in coin in bags or in currency in packages too large for inclosure in the official remittance envelope, the bag or package shall be rewrapped with strong paper, and this additional wrapper thoroughly sealed. An official remittance envelope shall then be pasted thereon in such manner as to expose the address. (See sec. 111.)

—if in coin,
etc., how
wrapped.

CHAPTER 2

TREATMENT OF MATTER AT POST OFFICES OF MAILING AND IN TRANSIT

PREPARATION OF MATTER FOR DISPATCH

1216. All registered matter shall be plainly marked in bold letters, on its face, "Registered," and the original registration number shall be placed immediately under such word. The regulation rubber stamp, reading "Registered No. ———" should be used for this purpose. This indorsement, if practicable, shall be placed in the *left* portion of the address side of the article near the address. Articles too small to contain the word "Registered" shall be similarly marked with the letter "R," to be followed by the original registration number.

Registry mark.

2. A legible impression of the postmarking stamp shall be placed twice on the back of each letter and other sealed article over the crossings of the upper and lower flaps. (See sec. 761 as to back-stamping.) When the envelope is constructed in such a manner that additional impressions of the postmarking stamp will render rifling of the envelope more difficult, such impressions shall be placed across the flaps at the ends of the envelope in addition to those placed over the upper and lower flaps. The postmark shall not be placed on the address side of sealed registered mail unless the article is sealed on the address side. All other registered mail shall be legibly postmarked on the address side. Unless otherwise specially authorized, the postmark of the office of mailing on all registered matter shall show the date of registration as well as the office and State of origin.

See secs. 717 to 720 as to canceling and postmarking.

1217. When a receipt has been inadvertently given for a registered piece which, before dispatch, is found to be unmailable, either because of noncompliance with the requirements of the regulations or because it is addressed to a place not listed in the Official Postal Guide as a post office, the sender shall be notified and permitted to take appropriate action. In case the sender is a local resident and does not respond to the notice within three

Correction of
address before
dispatch.

—shall be
made by
sender.

days, the article shall be appropriately indorsed and returned to him as registered mail. In case the sender is not a local resident, a reasonable time shall be allowed to permit an answer to the notice.

—on matter mailed at stations, etc.

See sec. 813 as to disposition.

2. Incorrect addresses, as to destination only, on registered articles mailed at stations, and which have been erroneously sent to the main office, may be corrected thereat upon the written request of the sender, verified by the superintendent of the registering station. All records and receipts given for the articles shall be changed to cover the new address.

Registered matter before dispatch not to leave custody of post office. —except.

3. Unmailable registered articles for which receipts have been given shall not be allowed to leave the custody of the post office for correction of address or otherwise, unless the formalities for withdrawal prescribed in section 1292 are fully complied with or unless the article is regularly returned to the sender as registered mail.

Registry return receipt. 39 U. S. C. 386.

1218. (a) Whenever the sender shall so request, and upon payment of a fee of 3 cents at the time of mailing or of 5 cents subsequent to the time of mailing, a receipt shall be obtained for any registered mail matter, showing to whom and when the same was delivered, which receipt shall be returned to the sender, and be received in the courts as prima facie evidence of such delivery: *Provided further*, That upon payment of the additional sum of 20 cents at the time of mailing, a receipt shall be obtained for any registered mail matter, showing to whom, when, and the address where the same was delivered, which receipt shall be returned to the sender, and be received in the courts as prima facie evidence of such delivery.

No refund of return receipt fees. 39 U. S. C. 245.

(b) * * * no refund shall be made of fees paid for return receipts for registered or insured mail where the failure to furnish the sender a return receipt or the equivalent is not due to the fault of the Postal Service.

2. (a) The charge of 20 cents for obtaining a return receipt requested at the time of mailing to show the address where a registered article is delivered shall be *in addition* to the charge of 3 cents for a return receipt requested at the time of mailing, making a total charge of 23 cents for a return receipt requested at the time of mailing to show where the article is delivered.

(b) All requests for return receipts to show the address where a registered article is delivered shall be made at the time of mailing. No action shall be taken on such requests received after the article has been mailed.

(c) When the sender of a registered article at the time of mailing requests a return receipt without requesting the address where the article is delivered, the article shall be conspicuously marked "*Return receipt requested.*" A registry return receipt when requested at the time of mailing shall be filled out and accompany any registered article addressed to a post office in the United States or its possessions. (See secs. 1202, 1209, and 1322 as to return receipts.)

(d) When the sender of a registered article at the time of mailing requests a return receipt showing the address where the article is delivered, the article and the return receipt shall be conspicuously marked "*Return receipt requested showing address where delivered.*"

(e) Return receipts for registered mail restricted in delivery shall be indorsed "Deliver to addressee only" or "Deliver to addressee or order," as the case may be, immediately below the space for signature of addressee.

(f) The separate and additional charge for return receipts applies to all registered mail regardless of whether mailed by the public or any branch of the Government, including post offices. The right to free registration does not carry with it the privilege of obtaining free return receipts.

(g) When the sender of a registered article requests a return receipt after mailing, the postmaster shall collect a fee of 5 cents for such service. The request of the sender shall be filed as a record for the mailing office, and the postmaster at that office shall prepare the return receipt, request the postmaster at the office of address to obtain the receipt as requested, affix the amount collected in postage stamps to the postmaster's request and cancel the stamps. The postmaster at the office of address shall comply with and file the request or promptly transmit it to any other office to which the article may have been forwarded, in order that the postmaster at the office of delivery may comply with and file the request.

3. Senders' return receipts accompanying registered mail shall be securely fastened to the articles. Receipts found loose in the mails shall be assembled with and fastened to the registered articles to which they belong, but if this can not be done the loose receipts shall be destroyed.

—how fastened to article.
—loose in the mails.

See secs. 2209 and 2211 relative to return receipts for registered matter sent to foreign countries.

BILLING OF REGISTERED MATTER FOR DISPATCH

1219. The Third Assistant Postmaster General, Division of Registered Mails, may prescribe what particulars of registered matter shall be entered in billing or recording any domestic registered mail.

Particulars to be entered in registry records.

1220. Unless otherwise specially authorized by the Third Assistant Postmaster General, Division of Registered Mails, all registered letters, parcels, and jackets shall be billed and recorded in the domestic service under the original registration

Billing and recording registered mail in domestic service.

number and the name of the post office and the State of origin. Unless otherwise authorized by the Third Assistant Postmaster General, rotary-lock pouches and sacks shall be billed and recorded by lock letters and fixed and rotary numbers and the name of the post office and State (or railway post office) of origin. In billing and recording registered articles the entries shall be made from the articles themselves. The dispatching record, such as the stub of the window registration book, manifold registry dispatch book, transit book, or railway postal clerk's receipt book, shall show to whom the registered matter was delivered or dispatched. (See secs. 1219 and 1368.)

—when required information not furnished.

Manifold registry dispatch bill. —when to be used.

2. When all of the required information can not be furnished, such portion of the description as is legible, together with the name of the post office and State of destination, shall be entered in making the dispatching or transit record.

1221. The manifold registry dispatch bill (Form 3851, 3852, 3853, or 3854) shall be used in the dispatch of registered mail in pouches or sacks closed with rotary locks and in jackets. The form shall be used in lieu of registry dispatch receipt card, Form 3830 (see sec. 1222) in iron, or brass-lock dispatches, when more than five registered articles are dispatched at one time, and when advantageous may be used even though an average of but three articles are dispatched. Figures instead of words shall be used on manifold registry dispatch bills and their coupons to show the total number of registered articles received or dispatched.

—takes the place of other transit records.

2. When the manifold registry dispatch bill is used, the matter described thereon shall not be reentered in the transit record or railway postal clerk's registry receipt book.

3. When considered advantageous because of saving reentry of registered articles within the post office, or for other reasons, the postmaster at an office of the first or second class may request, through proper channels, that registered mail dispatched to his office in brass-lock or iron-lock pouches be listed on manifold bills, and that two copies of the bill accompany the registered matter. When such requests involve railway postal clerks, they shall be addressed to the Superintendent of the Division of Railway Mail Service involved. When the requests involve other post offices, they shall be addressed direct to postmasters at such offices. (See sec. 1300.)

See sec. 1237 as to use of manifold registry dispatch bill in connection with rotary lock and jacket dispatches.

IRON AND BRASS LOCK POUCH AND REGISTERED POUCH AND JACKET SERVICES

IRON AND BRASS LOCK POUCHES

Billing articles for dispatch in iron-lock pouches.

1222. All registered matter dispatched in iron-lock or brass-lock mail bags shall be accompanied with a registry dispatch receipt card (Form 3830), or a manifold bill (Form 3851, 3852, 3853, or 3854), describing each registered article.

See sec. 1223 as to pouching registered mail.

2. In making out registry dispatch receipt cards, the sending post office or postal employee shall fill in the blanks provided for the return address and shall make the required entries. (See sec. 1220.) The receipt shall be postmarked with date of its dispatch. (See sec. 1368.)

—how made out.

3. Transit articles, as well as articles of local origin, shall be entered on the same card or manifold bill. (See sec. 1270.) When the card is used, no blanks shall be left between the entries, and after the last entry a diagonal line shall be drawn from the left side to the lower right corner.

—transit and local packages on.
—no blanks between entries on.

4. If blank lines or spaces are left on the registry dispatch receipt card, wavy lines shall be run through the blank lines or spaces by the receiver, and the irregularity reported to the Third Assistant Postmaster General, Division of Registered Mails.

—blanks, when to be filled by receiver.

See sec. 1314 as to signing registry receipt cards and bills, and sec. 1372 as to omission of initials from signature.

5. The entries and signatures on registry dispatch receipt cards shall in every instance, if practicable, be made with pen and ink. Unless otherwise authorized by the Third Assistant Postmaster General, stamped signatures on such cards or on manifold bills or their coupons may be used only when followed by written signature or name.

Entries and signatures with pen and ink.

1223. Registered matter and registry dispatch receipt cards shall not be dispatched in a newspaper or tie sack, except when lead-sealed sacks are specially authorized.

Dispatches in iron or brass lock pouches.
—pouching of.
—tied with ordinary mail.

2. When not impracticable on account of size or shape, registered matter dispatched in iron or brass lock pouches shall be placed at the top of the local or No. 1 working package. The facing slip shall be placed atop the package immediately over the registry dispatch receipt card or manifold bill in the manner prescribed by paragraph 3. In the absence of a local or No. 1 working package, any registered matter which ordinarily would be included in such a package shall be placed in an unsealed jacket used as a container and the registry card or manifold bill describing the matter securely attached to the outside of the jacket.

3. The registry dispatch receipt card or manifold bill shall be placed on the local or No. 1 working package, immediately under the facing slip, with the word "Registers" prominently exposed. The facing slip shall be placed across the package with the lower half of the slip turned under the registered letters and special-delivery letters, if any, thereby exposing the registry card or bill and the word "Registers" on the card or bill to view at all times. The registry dispatch receipt card or manifold bill shall always be placed on top of the local or No. 1 working package; in the absence of such a package, the card or bill shall be treated as provided in paragraph 2. Registered letters shall, when practicable, be placed on top of the local or No. 1 working package, if there is such a package, regardless of the fact that there is other registered matter for dispatch which cannot be conveniently included in that package.

—not included in city packages.

4. Registered matter shall not be included in city packages unless inclosed in direct pouch for city addressed, nor in State packages of ordinary mail.

—not necessary to untie package of ordinary mail.

5. In offices where registry and mailing sections are separate and the outgoing package of ordinary mail first to be worked has been tied out in the mailing section, it need not be untied to insert registered matter subsequently brought to the mailing section. Such matter shall be tied on top of the local or No. 1 working package of ordinary mail with the registry receipt card or manifold bill on top, so as to expose the words "Registers" or "Registry bill No. —," or otherwise handled in accordance with paragraphs 2 and 6.

—when not tied with ordinary mail, to be inclosed in registered jacket envelopes, or loose in pouch.

6. Registered parcels which cannot be tied with the ordinary mail on account of size or shape, and which on this account might become mislaid if dispatched loose in the pouch, shall be inclosed, if possible, in unaddressed, unnumbered, and unsealed registered jacket envelopes, used merely as containers; otherwise they shall be placed loose in the pouch. The unsealed jacket shall be securely closed with clips or string so that the parcels will not become loose in the pouch.

—entries on bill or card to be preceded by "L" or "O" when deposited loose in unsealed jackets or as outside piece.

7. The entry on the manifold bill or registry dispatch receipt card of any registered article which is not included in the local or No. 1 working package or in the unsealed jacket where properly used under paragraph 2 shall be preceded by the letter "L" (loose in pouch) or "O" (outside of pouch) as may be appropriate. When registers are dispatched outside of or loose in an iron or brass lock pouch the destinations of these registers shall be shown on the registry dispatch receipt card or manifold bill, in addition to the other particulars required.

—marking pouches "Special delivery" or "Air mail."

8. When any iron or brass lock pouch or rotary-lock pouch or sack contains a special-delivery registered article, the label of the sack or pouch shall be marked "Special delivery." When such a pouch contains an air mail registered article and is to be transmitted over any portion of the route by other than airplane, the label shall be marked "Air mail."

Brass-lock pouch service.

1224. When so ordered by the Third Assistant Postmaster General, Division of Registered Mails, registered mail service between post offices where the service is mainly over star routes shall be performed by direct exchange in pouches fastened with special brass locks, and ordinary through mail may be dispatched with registered mail in such pouches when it does not interfere with the proper transaction of the registry business. (See sec. 1233 as to dispatch of registered mail.)

If more than one pouch.

1225. If more than one pouch be required for any one dispatch, the postmaster shall, as far as possible, avoid a division of the registered portion of the mail, placing it all in one brass-lock pouch or as few such pouches as will contain it.

Record to be kept of brass-lock pouches in certain cases.

1226. In exceptional cases where brass-lock pouch dispatches have been authorized between a post office and railway post office or between railway post offices, record (similar to that made of

iron-lock pouches) shall be made by all persons handling the brass-lock pouches, showing the number of pouches received and dispatched, the offices of origin, and the offices to which the pouches are addressed.

See secs. 745, 762, and 2065 as to pouch records.

1227. When two or more brass-lock pouches are used in any one dispatch, separate registry dispatch receipt cards or manifold bills shall be inclosed in each pouch; and a note shall be made at the foot of each such card or on the bill specifying the number of pouches sent, as follows: "----- brass-lock pouches sent by this dispatch."

Separate receipts.—when.

—how indorsed.

1228. If more than the usual number of brass-lock pouches are received at one time from any post office, the extra locks shall be returned, without registration, to the sending office by the next mail.

Accumulation of brass locks prohibited.

See sec. 1874 as to surplus pouches.

1229. Brass-lock pouches shall not be exchanged with any other than the first brass-lock post office on the route nor shall they be permitted to pass such office. They shall be properly labeled and the registered contents billed to the first brass-lock post office on the route.

Brass-lock pouches not to pass brass-lock offices.

1230. Brass locks shall not be used on pouches sent to offices not authorized to exchange brass-lock pouches. If, however, a postmaster not so authorized receives a mail pouch secured with a brass lock and labeled to his office, he shall cut the stitching of the seam, as provided in section 1883, and properly dispose of the contents of the pouch.

Brass locks not to be sent to offices not authorized to exchange them.

2. In every such case the brass lock and pouch shall be returned to the office from which received and the postmaster who improperly used it shall be notified.

—report of irregularity to postmaster.

1231. When a brass-lock pouch labeled to some other office is brought to a brass-lock office, it shall be opened at once and the inclosed registered articles checked against the entries on the registry dispatch receipt card or manifold bill and indorsed as to condition, when required, and recorded in the transit record when required. The card or bill shall be indorsed "Pouch delivered at this office because of (giving the reason); contents (correct or not, as the case may be; but if incorrect the details shall be given)," and this indorsement shall be signed by the postmaster and postmarked with the date thereof and the name of his office. (See secs. 1314 and 1315.) A new registry dispatch receipt card, returnable to the postmaster who prepares it, or bill, shall be dispatched with the registered articles to the post office for which the pouch was originally intended.

Miscarriage of brass-lock pouches.—treatment in case of.

—receipts in case of.

2. If a properly labeled brass-lock pouch be left by mistake at an office having no key to open it, it shall be forwarded unopened, to its destination by first mail.

—treatment where no key to open.

1232. Brass locks and keys shall, as far as possible, remain in the custody of one person in the office, and such record kept that

Care to be taken of brass locks and keys.

it may be shown beyond question who had possession of a key on any given day.

2. When not in actual use the brass-lock keys shall be attached by a chain to the inside of the safe, if there be one in the office.

Keys to be kept in safe when not in use.

REGISTERED JACKETS, SACKS, AND POUCHES

General provisions

Dispatch of registered mail.
—pouches, sacks, and jackets.

1233. Registered mail may be dispatched also under rotary-lock pouches and sacks, registered jacket envelopes, State pouches, sacks, and jackets, split-paper jackets, iron- and brass-lock pouches, and (when specially authorized) lead-seal sacks. Except where otherwise modified the general regulations and instructions relating to the registry system shall apply to these dispatches also.

Lightest possible equipment to be used.

1234. Postal employees shall use the lightest equipment practicable in dispatching registered mail. Pouches or sacks shall not be used when a registered jacket envelope or a split-paper jacket (see sec. 1254) will properly carry the registered matter.

See sec. 1256 as to rotary-lock pouches or sacks for registered mail of unusual value.

Only rotary locks to be used.
—when.

1235. None but the locks intended therefor shall be used in making rotary-lock dispatches. These locks shall not be used for any other purpose unless specially authorized. (See sec. 1368.)

Rotary locks of special combinations.

1236. Rotary locks of special combinations shall not be used for other than the purposes for which they are specially authorized. Postal employees shall record such locks in a manner similar to other rotary locks.

Pouch bills.

1237. A bill shall be prepared as indicated by the prescribed form (see sec. 1220 as to particulars required in billing) and sent in each rotary-lock pouch or sack (see sec. 1221).

Labeling and locking pouches and sacks.

1238. Rotary-lock pouches or sacks shall be inspected and labeled before any articles are placed therein. Each article shall then be checked against the corresponding entry on the bill and the bill checked against the label of the pouch or sack, and the lock numbers proved correct. The articles shall be tied together in bundles in order of their entry on the bill and placed with the original of the bill in the pouch or sack, which immediately shall be locked securely. (See sec. 1268 as to witnessing.) No rotary lock shall be used that is broken or wanting in any of its parts, is imperfect in the operation of its rotary numbers, or is difficult to unlock; and all locks shall be tested before use.

—imperfect locks not to be used.

2. The bill shall be placed under the first registered article tied in the letter package; but should a pouch or sack jacket contain only parcel matter which cannot readily be tied into a package, the bill shall be placed inside a penalty envelope, marked to indicate that it contains the registry bill, and dropped into the pouch or sack.

Inspection to insure proper locking.

3. After locking, the lock numbers shall be checked against the carbon counterpart of the bill retained in the files of the dispatching office. Postal employees locking pouches and sacks shall shake

the locks, and endeavor to turn the shackle, to make certain that the lock is securely fastened.

4. The requirements of this section as to checking of registered articles with the bill shall be strictly followed unless otherwise directed by the Third Assistant Postmaster General, Division of Registered Mails.

1239. Hand-to-hand receipt shall be obtained for dispatches of registered mail in paper jackets or in pouches or sacks closed with rotary locks, whenever practicable. Unless it is known that hand-to-hand receipt can be obtained over the entire route, pouches or sacks used to inclose registered matter shall not be filled so that they cannot be inclosed in a No. 2 iron-lock pouch.

Hand-to-hand receipt to be obtained when possible.

1240. Postal employees who receive or dispatch rotary-lock pouches, sacks, or jackets shall carefully examine them for any damage to the pouches or sacks or discrepancy in the lock numbers, and make sure the pouches or sacks are securely locked. (See secs. 1259 and 1261.)

Examination of pouches, sacks, and locks.

1241. When a registered jacket or rotary-lock sack or pouch plainly addressed to a post office is missent to another post office, the postmaster shall make proper entry of it on his transit or other authorized record, and dispatch it unopened to its address.

Missent jackets, pouches, and sacks.
—addressed to post offices.
—to be re-sent.

2. When a registered jacket or rotary-lock sack or pouch addressed to a railway post-office train or transfer clerk is missent or has missed connection, it shall be treated by the postmaster or other postal employees receiving it in accordance with section 1260.

—addressed to railway post offices.

Registered jackets

1242. Postal employees shall use registered paper jacket envelopes in the dispatch of five or more, and should use such jackets when practicable in the dispatch of three or more separate registered articles addressed to or intended for distribution by the same post office, registry transfer station, railway post office, terminal railway post office, or transfer clerk, when at least one record and handling of the articles in transit will thereby be saved. Jackets shall also be used in making dispatches of three or more registered articles over a star route when their handling and recording as single pieces at one or more intermediate offices will be saved.

When jackets should be used.

2. Postmasters at offices in Alaska shall use registered paper jacket envelopes in the dispatch of one or more letters or small sealed parcels, when the method of handling the registered matter in transit or the conditions of its transmission justify the use of jackets in order to give greater protection to the mail.

—Alaska.

3. When applicable the rules governing rotary-lock pouches and sacks shall be observed in the opening and closing of registered jacket envelopes; in other respects the treatment of the jacket envelopes shall be as prescribed for registered letters and parcels, except as modified herein. (See sec. 1261.)

—regulations governing rotary-lock dispatches to be observed when applicable.

Jackets to contain all domestic articles to go by same mail to same office.

—jackets for railway post offices.

Separate jackets for international and domestic mail.

Registered jacket envelopes and sealed sacks to be consecutively numbered.

Note.

Responsibility for losses caused by failure to properly prepare jackets.

Misdirected or unaddressed jackets.
—treatment of.

1243. All domestic registered letters or parcels to go by the same mail to the same office shall, if practicable, be inclosed in the same registered jacket envelope and entered on the same manifold bill. Such envelope shall be plainly postmarked twice after it has been sealed so that the postmarks will appear partly upon the upper and partly upon the lower flap. The number of the registered jacket shall be entered in the proper place on the dispatching record. When made up for a railway post office, its name and the train number shall be given in the address on the jacket.

2. Jackets containing fragile, special-delivery, or air-mail articles shall be marked "Fragile," "Special Delivery," or "Air Mail" on the address side.

1244. Separate registered jackets shall be used for international and domestic mail.

2. Registered jackets containing registered matter for United States naval vessels, the Canal Zone, or the Philippine Islands shall be marked "Naval mail," "Canal Zone," or "Philippines," respectively.

1245. Registered jacket envelopes and sealed sacks shall be numbered consecutively, beginning with No. 1 on the 1st day of July of each year and continuing throughout the fiscal year, without regard to the numbers on the articles inclosed in them, unless otherwise authorized by the Third Assistant Postmaster General.

NOTE.—No objection will be made to the series of jacket numbers being commenced anew on dates other than July 1, where this is found expedient at any of the larger post offices.

1246. If a registered jacket envelope is dispatched unaddressed or unsealed, except as provided in section 1223, or in bad order, and a depredation is committed which cannot be traced to the person committing it, the dispatching postal employee may be held responsible for the loss.

1247. When a misdirected or unaddressed registered jacket, except one containing postage stamps, stamped envelopes, or postal cards, which shall be treated as required by section 1307, is received at a post office or railway post office, it shall be opened and contents verified in the presence of two witnesses, when practicable, who shall certify on the bill and jacket whether the contents were found correct as billed. If it is found that any of the contents can be expedited they shall be distributed and dispatched to destinations, the empty jacket filed, and the coupon of the bill signed and indorsed with the reason for opening and sent to the post office or railway post office by which the jacket was made up, and the irregularity reported to the Third Assistant Postmaster General, Division of Registered Mails. If it is found that none of the mail can be expedited, the entire contents shall be reenclosed in the jacket with the bill. Both jacket and bill shall be indorsed to show why the jacket was opened, whether the contents were found correct, and be signed by the opening employees. The jacket and contents shall then be placed in another jacket properly addressed and indorsed with the name of the original dispatching office or railway post office, and also with the

name of the rejacketing office or railway post office, sealed, witnessed, when practicable, and dispatched under the original jacket number. Jackets which upon opening are found to contain mail billed or intended for another office shall be similarly treated.

1248. Transit registered jackets, damaged or opened by mistake, shall be reenveloped at once at the post office where the damage or opening occurs or is discovered.

2. The original jacket shall not be removed or changed, but shall be indorsed with a full statement of the facts, signed by the postal employee receiving it, placed in a new jacket bearing the same number, postmark, offices of origin and address, and the postmark of the office at which the new envelope is supplied, and indorsed "Reenveloped at (name of office and State)." A record of the facts shall be made in the transit record. If the jacket is opened, the procedure authorized in section 1260 in connection with wrongly labeled or missent rotary-lock pouches shall be observed so far as practicable.

3. When a railway postal clerk discovers a registered jacket in a damaged condition while in his possession, he shall indorse such fact on the jacket and accompanying receipt. The damaged jacket shall be indorsed "Reenveloped by (name of railway postal clerk, etc.)," and inclosed in another registered jacket bearing the same number, postmark, offices of origin and address, and the postmark of the railway post office or transfer office jacketing the same. A statement of the facts shall be made in the proper record. If a clerk is not provided with a supply of registered jackets, he shall make proper indorsement and deliver the jacket to the post office at the terminus of his run or to a connecting line or transfer office to be reenveloped. A damaged jacket too large for inclosure in another jacket shall be delivered to the post office at the terminus of the clerk's run and there be rewrapped and treated as prescribed in this section.

1249. A jacket plainly addressed to a post office in operation shall not be delayed merely because some simple irregularity is noted in connection with it. Registered jackets, sacks, or pouches in transit or addressed to another post office shall not be opened, except as provided in the regulations or by special order of the Third Assistant Postmaster General.

1250. When a registered jacket envelope addressed to a railway post-office train misses connection, it shall be treated in the manner prescribed for rotary-lock pouches by section 1260.

STATE POUCHES, SACKS, AND JACKETS, AND SPLIT PAPER JACKETS

1251. When the quantity or bulk of registered mail addressed for delivery in any State or Territory justifies such action, postal employees may dispatch such mail in pouches and sacks closed with rotary locks or in jackets, addressed to a State or Territory by name only, in accordance with the following limitations:

2. State pouches, sacks, and jackets shall not be made up until schemes and instructions have been received from the proper officer of the Railway Mail Service.

Damaged registered jackets.
—treatment of.
—how reenveloped.

—recorded in transit record.

—treatment in transit.

Jackets not to be delayed in transit.

Jackets for railway post offices.
—treatment when connection is missed.

State pouches, sacks, and jackets.
—when to be made up.

—schemes and instructions required.

—rules govern-
ing.

3. State pouches, sacks, and jackets shall be prepared and treated in accordance with the general rules and regulations governing registered pouches, sacks, and jackets, and shall be opened and contents distributed by the authorized railway postal clerks or authorized post offices only.

Authority to
make up does
not permit
exceptional
dispatch in
iron-lock
pouches.
Consolidation
of dispatches.

1252. Authority to make up State pouches, sacks, or jackets shall not be construed as permitting the exceptional dispatch of registered mail in iron-lock pouches.

1253. Dispatches addressed to offices may be billed and inclosed in the proper State pouch, sack, or jacket, and one or more State pouches, sacks, or jackets may be billed and inclosed in another State pouch, sack, or jacket addressed to the same State, when at least one record and handling in transit is saved thereby.

Split paper
jackets.
—when to be
made up.

1254. When the quantity or bulk of registered mail is not sufficient to justify the use of a sack or pouch, and is too large to inclose in a registered paper jacket envelope, it may be re-wrapped in a strong paper wrapper, securely sealed, and a registered paper jacket split open and so pasted thereon, as to expose both front and back. Split paper jackets shall be postmarked twice over the intersections of the wrapper flaps if they are exposed; otherwise the postmarking impression shall be placed twice on the package so as to appear partly on the split paper jacket and partly on the package.

LEAD-SEAL SACKS

Lead-seal
sacks.
—may be used
when.

1255. Lead-seal sacks may be used in authorized cases in lieu of, and in accordance with the regulations governing rotary-lock pouches and sacks, and registry jackets, in the dispatch of registered mail whenever the quantity or bulk of such mail justifies. (See secs. 1256 to 1267.)

ROTARY-LOCK POUCHES AND SACKS

Rotary-lock
pouch and sack
service.

1256. All postal employees furnished with rotary-lock keys may make and receive dispatches of registered mail in pouches or sacks closed with rotary locks when the quantity or bulk of registered matter involved justifies the use of the equipment and at least one handling in transit of the registered mail inclosed is saved thereby. Rotary-lock pouches or sacks shall be used where the registered mail is of unusual value and its dispatch in a rotary-lock pouch or sack will afford additional protection.

Note.

NOTE.—All post offices of the first and second classes, all terminal railway post offices, all railway post offices in full postal cars, and in the most important apartment car lines designated by a star in heavy-faced type (★) in the schedules of the Railway Mail Service, and certain transfer clerks have rotary-lock keys. See Official Postal Guide for additional instructions relative to rotary-lock dispatches and list of post offices of the third and fourth classes, branch post offices, and stations that have such keys.

See sec. 1871 as to requisitions for pouches and sacks, and sec. 1874 as to disposition of pouches and sacks.

Receipt to be
taken on
delivery.

1257. When a rotary-lock pouch or sack is delivered hand-to-hand, receipt therefor shall be taken immediately on the proper record.

2. When hand-to-hand delivery cannot be made of a rotary-lock pouch or sack it shall be inclosed in an iron-lock mail bag, labeled to the proper office, and a registry dispatch receipt card or manifold bill describing the pouch or sack by its letter, fixed and rotary lock numbers, inclosed with it.

—pouching of pouches and sacks.

3. In receiving, each rotary-lock pouch or sack shall be counted as one registered piece in the totals written on registry dispatch receipt card, or the manifold bill.

—each pouch or sack to be counted as one piece.

1258. Railway postal clerks, including transfer clerks, and postmasters at offices which are terminals of railway post-office runs may reciprocally make hand-to-hand delivery of registered mail in pouches or sacks closed with rotary locks whenever the quantity or bulk of such matter justifies the use of the equipment, in lieu of hand-to-hand delivery of the matter by individual pieces. (See sec. 1256.) This shall not be construed as authorizing the pouching of such mail under iron locks between railway post offices and terminal post offices.

Hand-to-hand delivery of registered mail in pouches or sacks closed with rotary locks.

1259. If a pouch or sack in transit is damaged so as to endanger the contents or if it bears a damaged or defective lock, the receipt given for it shall show such fact, and it shall be opened, the contents repouched, and the bill indorsed "Pouch opened because of ———; contents ———" (correct or incorrect, as the case may be, any discrepancy being stated). If the receiving office is not equipped with a rotary-lock key the pouch shall be sent to, or delivered at, the first office having a rotary-lock key and handled as above. (Railway postal clerks shall deliver such pouch to office at terminus of run or to connecting railway post office unless it is proper for them to open such pouches). Postal employees shall record the facts in such cases and make a report at once to the Third Assistant Postmaster General, Division of Registered Mails, or to their inspector in charge if the damage involves the mail or indicates a loss. The pouch shall then be forwarded to its destination. (See sec. 1883.)

Damaged transit pouches and sacks.
—treatment of

2. If a new pouch or sack or lock must be substituted, the fact shall be stated on the original bill, and the new lock numbers given.

3. Upon the arrival of the damaged pouch or sack at an office having a rotary-lock key, the receiving clerk shall withhold his receipt until the contents have been examined and checked with the bill. When hand-to-hand delivery is made, the delivering postal employee shall be allowed to be present at such examination, and if there be any discrepancy or damage to the contents the receipt shall so state. (See sec. 1261.)

4. When necessary for the protection of the registered matter, or to avoid its being materially delayed, a postmaster or a railway postal clerk may open the seam of a registered pouch or sack which is so damaged as to endanger its contents or has attached a lock which cannot be opened. Appropriate note showing the action taken shall be made on the bill received in the pouch and also on the coupon of the bill, which in such case shall be returned to the post office or railway post office which made up the

dispatch and note made on the bill to show disposition of the coupon. If any of the registered articles are damaged or missing, report shall be made to the inspector in charge. (See secs. 1260 and 1261.) Pouches and sacks which have been so opened shall be sent, with locks attached, to the Fourth Assistant Postmaster General, Manufacturing and Repair Branch, for repairs. (See secs. 1868 and 1873.)

Pouches or sacks wrongly labeled or which have missed connection.
—record in transit book; receipts.

1260. When a wrongly labeled or missent rotary-lock pouch or sack, the destination of which is not plain, or one that has missed connection, is received in transit, it shall be recorded in the transit record, the hours of arrival and departure and lock numbers being given. If the receiving office has a key and believes the contents can be expedited, the pouch shall be opened in the required manner, and the bill indorsed "Pouch delivered to this office because _____" (giving the reason). The articles shall be checked and any necessary notations made. (See sec. 1261.)

2. If any of the contents can be expedited, they shall be distributed and dispatched to their destinations and the coupon of the bill signed, indorsed with reason for opening, and sent to the office making up the pouch; otherwise the changed lock number shall be written on the bill, dispatching requirements complied with fully, and after a copy has been made of the bill received in the pouch, the pouch and its contents shall be dispatched to their destination. If any of the contents are missing, section 1261 shall be complied with fully. The missending or mislabeling of the pouch shall be reported to the Third Assistant Postmaster General.

—pouches or sacks for railway post offices; treatment when missent or connection missed.

3. If a pouch or sack addressed to a railway post office and which has missed connection or has been missent can be read-dressed and dispatched to another railway post-office train on the same route without the likelihood of delaying any of the contents, this shall be done, the name of the office of origin of the pouch or sack and the name of the railway post office and train to which it was originally addressed being crossed off, but not obliterated, and the name of the new dispatching office and new railway post-office train addressed substituted. On the receipt of such pouch or sack the opening clerks shall mark the coupon to explain how it came into their hands and proceed in the usual manner.

Opening of pouches and sacks at receiving offices.
—checking contents.

1261. Rotary-lock pouches and sacks and lead-seal sacks shall be opened by two clerks where practicable, who shall enter on the bill the hour of opening and verify with the bill the serial letter and the numbers of the lock. The contents of the pouch shall be verified with the entries on the bill and the bill postmarked and signed by the two opening clerks unless otherwise authorized. The clerk actually opening the pouch or sack shall sign on the first line provided on the bill for signatures of receiving clerks. The total number of registered articles received shall be entered in figures, instead of words, on the bill and on the coupon when used.

2. If any discrepancy or damage is observed, it shall be noted on the bill and coupon and the coupon postmarked and signed by the two opening clerks and returned immediately to the dispatching office or railway post office. (See sec. 1262.) If a depredation appears to have been committed on any of the contents, report in the manner hereinafter outlined shall be made by the office or railway post office of receipt to the inspector in charge of the division in which the receiving office or railway post office is located and the requirements of this paragraph as to lock, seal fastenings, pouch, sack, label, tag, and jacket shall be observed. If there are entries on the bill for which no corresponding articles are found and a probable loss is indicated, the facts shall be reported immediately to the dispatching office or railway post office by telegram and by letter if report is made by a postmaster, or by letter to his chief clerk if report is made by railway postal clerk, the chief clerk to thereupon report to the dispatching office or railway post office by telegram and by letter. The pouch or sack, with lock or the seal fastenings, shall be held out of service. The label or tag, or registry jacket if one were used, shall be indorsed by the opening clerk and witness, and also retained. The equipment shall be marked for identification, postmasters or chief clerks, Railway Mail Service, holding the equipment until the discrepancy is satisfactorily explained or instructions are received from a post-office inspector to release it.

—missing articles.

3. Unless the dispatching office or railway post office finds the piece on hand or that it was billed and dispatched to an office or railway post office other than the one reporting the discrepancy, immediate report shall be made to the inspector in charge of the division in which the dispatch was made in the manner outlined in paragraph 2 of this section.

4. In the event of discrepancy between the serial or rotary numbers of the lock and the bill the lock shall be withheld from use until information is received from the dispatching office or railway post office in reply to inquiry, which shall be made immediately, that the discrepancy is due to clerical error.

—discrepancy in lock numbers.

See sec. 1884 as to damaged locks.

5. When there are articles in the pouch for which there are no entries on the pouch bill, they shall be entered on the bill with a note of explanation and the particulars stated on the coupon. Any missent articles shall be promptly transmitted to their destinations, and the requirements of section 1305 observed. (See sec. 1260.)

—regarding articles unaccounted for. —articles not billed.

6. Any irregularities noted in connection with the dispatch shall be reported to the Third Assistant Postmaster General, by postmasters direct to the department and by railway postal clerks through their chief clerk.

—discrepancy between contents and bill.

See sec. 1315 as to pouches, sacks, and jackets unaccompanied by registry dispatch receipt card or manifold bill.

1262. Pouch-bill coupons shall not be returned unless discrepancies or other irregularities are noted or unless the bills are

Coupons. —when to be returned.

received in iron- or brass-lock pouches, in dispatches to or from Navy mail clerks, or from the United States stamped-envelope agent and subagents for the distribution of stamped paper. Exceptions to these instructions may be authorized by the Third Assistant Postmaster General.

See sec. 1300 as to pasting coupons over their counterparts.

—discrepancies between contents and bills.

2. Discrepancies shall be noted on the bills, and coupons used to notify the dispatching offices of such discrepancies, care being taken to fill in the blank spaces on the coupon with corresponding data on the bills.

Failure to report discrepancies or irregularities.

1263. When the receiving postal employee fails to send proper notice of irregularities or discrepancies, the absence of the notice shall be regarded as evidence of the receipt of the contents of a registered pouch, sack, or jacket as billed, until the contrary be shown.

Pouch bills at receiving offices.

1264. At receiving offices the bills shall be used for checking and indicating the distribution of the articles within the office. Each entry showing such distribution shall be signed with the initials of the clerk who makes it and who records the articles on any other registry record, unless some alternative procedure is followed with the approval of the Department. The pouch bills, after being checked, shall be filed.

—bills to be filed.

—when reentry of articles unnecessary.

2. Registered articles received accompanied with manifold bill need not be reentered when the incoming bill can advantageously and properly be utilized to show record and dispatch of the matter. (See secs. 1268, 1270, and 1272.)

Discrepancies in number of pouches or sacks received.

1265. In case of the nonreceipt of any rotary-lock pouch or sack listed or scheduled, the receiving postmaster shall immediately telegraph notice of it to the sending postmaster, who, if the discrepancy be due to clerical or other remedial error, shall make immediate explanation by letter to the receiving office. In similar cases railway postal clerks shall make telegraphic report to their chief clerk, who in turn shall advise the office or railway post office of address, by letter, if the shortage is due only to clerical or remedial error. If the discrepancy be such as to indicate to the dispatching office that a loss or miscarriage has occurred, the fact shall immediately be reported by postmasters and chief clerks of the Railway Mail Service, by telegraph, to the inspector in charge of the division in which the sending office is located. (See sec. 1261.) Such reports may be made by telephone when less expensive, or in case of great emergency. All messages by telegraph or telephone shall be confirmed immediately in writing.

—subsequent information.

2. Should the matter afterwards arrive at its destination, or should discovery of its whereabouts be made otherwise than through such procedure, the postmaster first obtaining such information shall promptly communicate it by letter to the officers mentioned.

—nonarrival of entire dispatch.

3. The course prescribed in this section shall be pursued whenever an entire dispatch fails to arrive at destination when due, unless the postmaster shall have positive information that it has been unavoidably delayed.

1266. Pouches or sacks used in making registry dispatches shall not be returned except when the quantity or bulk of registered mail involved justifies a return dispatch, but if not needed for use shall be treated as surplus mail bags.

Pouches used in making registry dispatches not to be returned.—except.

See sec. 1261 as to opening of pouches and checking contents at receiving offices.

1267. Registry locks and keys shall be given special care. Rotary locks shall not be tampered with nor exposed to injury or loss. When a pouch or sack is opened the lock shall at once be placed in the safe, if there is one, of the registry branch, and kept there until needed. Unless otherwise authorized by the Third Assistant Postmaster General rotary-lock keys shall be attached to the safe by a chain, and may be detached therefrom only by the postmaster or the clerk in charge, or by a post-office inspector when he may require it. When the key is removed by a post-office inspector the postmaster shall make report of the fact at once to the Fourth Assistant Postmaster General, Manufacturing and Repair Branch.

Care of rotary locks and keys.

See sec. 1880 as to requisitions for rotary locks, and sec. 1885 as to disposition of surplus rotary locks.

DISPATCHING AND ROUTING

1268. Unless otherwise authorized by the Third Assistant Postmaster General, postal employees shall handle registered mail in such manner as to be prepared at any time to make affidavit (corroborated by the affidavit of a witness, if witnessing was practicable) that any particular piece was properly dispatched, delivered as a hand piece, or received, and its condition.

Certification to proper dispatch. Employees to be prepared to make affidavit. Witness to dispatch.

See sec. 758 as to opening of pouches and initialing of labels on pouches or sacks in which the dispatch of registered mail is authorized; sec. 1369 as to protection of registered mail; and secs. 812 and 1370 as to financial responsibility in case of a loss.

2. Unless otherwise authorized by the Third Assistant Postmaster General, in every instance when practicable, two employees shall witness the placing of registered mail in jackets, sacks, or pouches (see sec. 1238 as to rotary-lock dispatches) and the immediate sealing or locking thereof; also the opening of incoming jackets, sacks, or pouches and the removal of registered mail therefrom on receipt (see secs. 1242, 1261, and 1314). Unless otherwise authorized, at the time registered mail is placed in or removed from jackets, sacks, or pouches the employee and witness shall check each piece against the corresponding entry on the manifold registry bill or registry dispatch receipt card, and comply in other respects with the regulations as to dispatch or receipt of registered mail. As evidence of their accountability, the employees shall write their names or initials in the transit, delivery, or other proper record.

Witnessing of dispatch or receipt of registered mail.

3. The witnessing shall not be perfunctory and shall not be omitted on the ground of inconvenience or for any other insufficient reason. The witness shall be held to a strict accountability for careful performance of his duties as such.

—not to be omitted.

Registered mail to be placed in pouch immediately before closing.

Mail to be arranged in order of entry.

Delivery of registered mail to mail messenger or carrier.

—to be inclosed in locked pouch. —except.

When impracticable to obtain hand-to-hand receipt.

Registered matter at offices on routes having R. P. O. Service.

—not to be sent direct nor by trains not carrying postal clerks.

Hand-to-hand receipts.

Package receipts or coupons of bills.

Receipting for registered mail by totals.

R. P. O. clerks to call at post offices and receipt for mail.

Registered mail on railroad or steamboat routes over which there is no R. P. O. service.

4. Registered mail shall not be placed in a jacket, sack, or pouch until the equipment is ready to be immediately thereafter sealed or locked.

5. In dispatching registered with ordinary mail the registered matter shall be placed in the pouch last, immediately before the pouch is locked and delivered to the person authorized to receive it.

6. In dispatching and delivering registered mail it shall be arranged, as far as possible, in the order in which it is entered on the dispatching record or accompanying registry dispatch receipt card or manifold registry bill.

1269. Registered mail shall not be delivered to a mail messenger or mail carrier without first being inclosed in a locked pouch, except as herein provided.

2. A registered article too large for inclosure in a sack or pouch shall be dispatched outside of the pouch and hand-to-hand receipt obtained therefor when practicable.

3. When it is impracticable to obtain a hand-to-hand receipt for an outside piece, it shall be dispatched with the pouch and the registry dispatch receipt card or manifold bill inclosed in the pouch shall designate the article as an outside piece, and show destination of the outside piece. In such cases receipts may be taken from, and obtained by, the mail carrier or mail messenger, if practicable; otherwise notation shall be made on the dispatching records showing to whom and when the article was delivered, and delivery made in the presence of a witness, if practicable. (See secs. 1239, 1270, 1271, and 1301.)

1270. On routes over which there is railway post-office service, registered matter shall be pouched or delivered to the postal clerk in charge of the railway post office. It shall not be sent in a direct pouch labeled to a post office on the route, or by a train which does not carry a postal clerk, without special authorization. (See sec. 1368.)

2. When it is practicable, registered mail shall be delivered direct and hand-to-hand receipt obtained on the authorized record. When hand-to-hand receipts cannot be obtained, signatures shall be obtained on a registry dispatch receipt card or coupon of the manifold bill. (See secs. 1221, 1295, 1304, and 1314.) Registered mail shall not be receipted for by totals, unless specially authorized. (See sec. 1368.)

See secs. 1264 and 1293 as to record of matter for which hand-to-hand receipts are received.

1271. Unless otherwise specially authorized, railway postal clerks before leaving a terminal post office shall apply for, receive, and receipt for all registered pouches, sacks, jackets, and single pieces, to be dispatched by their lines. (See secs. 1368 and 2040.)

1272. On railroad or steamboat routes over which there is no railway post-office service, registered mail shall be dispatched in pouches which contain the ordinary letter mail, labeled in accordance with special orders. (See secs. 1221, 1295, 1304, and 1314.)

1273. Postmasters at offices on railroad or steamboat routes having a closed-pouch service only shall place their registered mail in pouches labeled to offices at terminals of such routes, or to junction offices connecting with railway post offices; but registered mail for intermediate offices on the routes shall be included in any direct pouches which postmasters make up for such offices. Where trains on branch lines of railroad have direct connection with railway post-office trains, registered mail may be included in direct pouches labeled to the railway post office by postmasters at offices located on the branch lines and be transferred without passing through the junction office when so ordered by the proper officer of the Railway Mail Service.

—how dispatched.
Dispatch of matter on railway or boat line.
 —on railroad or steamboat routes for closed-pouch service only.
 —on branch railroad lines in connection with railway post-office trains.

See sec. 1280 as to registered mail in pouches lying over at railway junction points.

—at junctions.

1274. Bulky or fragile registered articles, liable to be damaged or to damage other mail if thrown from moving cars, shall not be sent to railway post-office trains which do not stop at the post offices of dispatch or to which the articles are addressed, if they can be dispatched to railway post-office trains that do stop at such offices. (See sec. 2093.) Railway postal clerks receiving such registered articles for stations at which their train does not stop shall dispatch them at a station which will permit the most expeditious handling of the matter by another railway post-office train, or in charge of railroad employees if no railway post-office train stops at the catcher station. In such case the registered matter shall, if practicable, be inclosed in a locked mail bag addressed to the post office at which it is put off, and the postmaster at that office advised, on a registry dispatch receipt card or manifold bill, of the reasons for such dispatch. The bill or receipt shall describe the matter as outside pieces when it is dispatched outside of a locked mail bag. If close train connections or the weight or bulk of the matter make it impracticable to take it to the post office at such place, it may be left at the station in the custody of the railroad company if of nominal value, in which case it should be billed and dispatched to another railway post-office train or to the post office of destination.

Registered cases and other bulky or fragile articles for catcher stations.
 —how delivered.

1275. Unless specially authorized otherwise, postmasters at offices on star or mail-messenger routes and at a distance from a railway or steamboat line shall not send registered matter in through pouches direct to a railway postal clerk if other offices intervene, even though ordinary mail be so sent. Such registered matter shall be sent in the regular way pouch.

Dispatch of matter from offices not on railway or boat line.
 —on star or mail-messenger route, manner of.

See sec. 1368 as to exceptional treatment; secs. 1295 and 1304 as to treatment of such matter in transit; and sec. 747 as to specially authorized exceptional dispatches of registered mail in direct iron-lock pouches over star routes.

1276. Unless specially authorized otherwise, registered articles on a star route, except those passing between authorized brass-lock or rotary-lock exchange offices, shall be placed in one locked way pouch. (See secs. 1224, 1225, 1233, and 1304.)

Registered articles dispatched over star routes.
 —exception.

See sec. 747 as to specially authorized dispatches of registered mail in direct iron-lock pouches on star routes.

Matter must be sent by most secure route.

Delays.

Registered matter in catcher pouches.
—how placed.

Care of catcher pouches.

Pouching by railway postal clerks.
—direct forbidden, except.
—to distant offices forbidden, except.

Stations and branches to handle registered mail like post offices.

Main-office-to-station bill.

Independent post-office stations and independent branch post offices.
—to dispatch matter direct.

—matter registered to.

1277. Postmasters on star routes shall dispatch registered matter by the route which offers the best security, railway mail service routes always being preferred. (See sec. 1293.)

2. If unusual delay results from sending matter by one route in preference to another, a report of the facts shall be made to the Third Assistant Postmaster General.

1278. Postmasters at offices using a catcher pouch shall place registered articles therein for dispatch the last thing before locking, so that when the pouch is hung for catching the registered articles will rest at its mouth.

1279. The person whose duty it is to hang on a mail crane a pouch containing registered mail shall remain in sight of the pouch until it is caught by the passing train.

See sec. 750 as to exchange of mails by catcher pouches.

1280. Unless specially authorized registered mail shall not be pouched direct from one railway post-office train to another except in the manner provided in section 1301.

2. Registered matter shall not be pouched to distant offices so as to pass junction offices without examination and record, except where railway post-office trains have direct connection with the trains of branch lines on which there is no railway post-office service, in which case, when ordered by the proper officer of the Railway Mail Service, registered mail may be included in direct pouches exchanged between railway post-office trains and such post offices as are located on the branch lines. When there is sufficient time between the arrival and departure of trains at junctions, the registered mails shall be transferred between the railway post office and branch lines through the junction post office. Unless specially authorized, registered mail shall not be included in pouches that lie over at railway junction points. (See sec. 1368.)

STATION DISPATCHES

1281. The regulations governing the treatment and transmission of registered mail at and between post offices shall apply to the treatment and exchange of such mail at and between branches and stations as far as practicable, except as herein otherwise provided or specially authorized by the Third Assistant Postmaster General. (See sec. 1368.)

1282. When registered matter is dispatched from the main office to a station, and is descriptively recorded on the main-office-to-station bill, it need not be descriptively reentered on the delivery book or other delivery record at either the main office or station.

1283. Independent branch post offices and independent stations shall receive and dispatch registered mail direct, and be guided in so doing, as well as in the delivery of such matter, by the postal laws and regulations governing postmasters. (See sec. 403.)

2. Registered jacket envelopes inclosing matter directed for delivery at any branch post office or independent station shall be

addressed to such office or station, followed by the name of the State in which it is located. The name of the post office to which such branch post office or independent station is attached need not appear, except in cases where an independent station which is not a branch post office is designated by a letter only, when postmasters shall add upon the registered jacket envelope the name of the post office to which the lettered station is attached.

3. Registered jacket envelopes and rotary-lock pouches addressed to any independent branch post office or independent station, when received at the main office or at any branch office or station other than the one addressed, shall be treated as transit matter; but all such jackets addressed to any branch post office or any station which has not been designated as independent for the receipt and dispatch of registered mail shall, unless otherwise authorized by the Third Assistant Postmaster General, be opened at the main office and the contents dispatched to the branch post office or station addressed, accompanied with manifold bill or registry dispatch receipt card.

—jackets for, to be treated as transit matter.

NAVY MAIL

1284. Postal employees shall make up and dispatch registered mail for United States naval vessels in the same manner as for a domestic destination, except that the articles shall be transmitted to, or in the direction of, the proper United States exchange office. (See sec. 2213.) As a general rule, such mail shall be sent to New York, N. Y., San Francisco, Calif., San Diego, Calif., San Pedro, Calif., or Seattle, Wash., according to the location of the vessel.

Make-up and dispatch of registered mail to naval vessels.

2. Registry jacket envelopes containing registered mail for United States naval vessels shall be addressed to the "Navy mail clerk, U. S. S. -----," and indorsed "Navy mail."

—registry jacket envelopes, how addressed.

1285. Postmasters making up closed registered mails for naval vessels shall enter the same on a manifold bill (Forms 3851, 3852, 3853, 3854) and inclose the bill with the registered mail.

Manifold bill to be used.

1286. When hand-to-hand delivery cannot be effected, the exchange of registered mail between United States post offices of final dispatch (or railway mail clerks when specially authorized) and United States naval vessels shall be made in the sacks or pouches containing the ordinary mail, in the manner prescribed for the dispatch of registered mail in iron-lock pouches between postmasters, unless rotary-lock dispatches have been authorized.

Transmission of registered mail to and from naval vessels.

1287. Navy mail clerks, assistant Navy mail clerks, and other postal employees concerned shall follow strictly the directions set out in the book of Instructions for the Guidance of Navy Mail Clerks, issued by the Post Office Department, in connection with registered, insured, and collect-on-delivery services.

Instructions.

See sec. 2247 as to Navy mail service.

LOSSES AND DISCREPANCIES IN CONNECTION WITH DISPATCHES

Failure to return registry dispatch receipt cards or coupons of registry bill. Duplicate of registry dispatch receipt card to be sent.

Report of losses to be made to inspector in charge.

1288. When a registry dispatch receipt card or the coupon of the manifold registry bill is not promptly returned when required (see sec. 1262), the postal employee who sent it shall fill out and send a duplicate, noting date thereof on the registration book, railway postal clerk's registry receipt book, or the counterpart of the manifold bill. On failure, thereafter, to receive either the original or duplicate in due season, the procedure prescribed by section 1289 shall be followed, unless the office to which dispatch was made was the office of final destination, in which event the matter shall be reported immediately to the inspector in charge in the manner contemplated in section 1289.

1289. When a registry dispatch receipt card or manifold registry bill coupon covering an iron-lock or brass-lock dispatch is returned to the dispatching office or railway post office indorsed to indicate that an article was not received, and it is found that the article is not on hand and was not billed and dispatched to an office or railway post office other than the one reporting the discrepancy, the postmaster, or chief clerk, Railway Mail Service, to whom such discrepancies shall be reported by railway postal clerks, immediately shall obtain the name and address of the addressee from the office of origin and communicate same to the office of address with an inquiry as to whether the addressee received the article. When the card or coupon is received from the office of final destination, reporting nonreceipt of the article, the facts shall be reported immediately to the inspector in charge of the division in which the dispatch was made, without further correspondence. If the office of address finds that the article was not received by the addressee, that office shall make full report immediately to the inspector in charge of the division in which the dispatching office or railway post office is located, report being made by telegram if there is reason to believe that the missing article was of considerable value.

See sec. 155 as to damage or loss of registered shipments of postage stamps and other stamped paper; sec. 1261 as to rotary lock dispatches; and sec. 1315.

Registry dispatch receipt card and coupon of bills. —return of, to be checked and filed.

1290. On the return of a registry dispatch receipt card properly postmarked and signed, the postmaster or railway postal clerk shall at once note the date of its return on the registration book (or other proper office record) or railway postal clerk's registry receipt book, and file it according to its date. If the return of such receipt be checked in the post office on the transit record, no further checking is required.

Inquiries for registered mail. —domestic.

1291. If requested by the sender, the postmaster shall send to the office of address an inquiry regarding the disposition of a domestic registered article, provided a reasonable time has elapsed after mailing and the sender has been advised that the article was not received or has been unable to ascertain that it was received.

—when to be sent.

See Official Postal Guide as to when charge shall be made for inquiries.

2. If the inquiry is returned with the information that the registered article was not received, or a reply is not received within a reasonable time, a detailed report shall be made to the proper inspector in charge.

—when report concerning is to be made to the department.

3. If the records of the post office of address fail to show the receipt of the article, the postmaster at that office, before returning the inquiry, shall endeavor to ascertain from the addressee whether the article was received by him, either as ordinary or as registered mail, or through any other source. If it is found that the article was received but not entered upon the registry records it shall be entered, a receipt obtained, and a registry return receipt furnished to the sender, if one was requested. Replies to inquiries shall be made promptly and full information given.

—where records fail to show receipt of article.

WITHDRAWAL OR RECALL OF MATTER

1292. A registered article may be withdrawn or recalled by the sender, or authorized representative, after identification, before its delivery, upon compliance with the following:

Recall of registered matter.

(a) Before dispatch: The sender shall write on his registry receipt "Withdrawn before dispatch," sign his name thereto, and surrender the receipt. The postal employee shall write or stamp "Withdrawn before dispatch" on the counterpart of the receipt in the registration book or opposite the description on Form 3807, sign his name, and paste the surrendered receipt on the counterpart, or file it if Form 3807 is used; and shall write or stamp the same words and imprint the postmark on the face of the article.

—before dispatch.

(b) Application for refund of postage paid on registered mail withdrawn before dispatch should be made to the Third Assistant Postmaster General, Division of Registered Mails, in connection with domestic registered articles, and to the Second Assistant Postmaster General, Division of International Postal Service, in connection with foreign registered articles.

See sec. 584 as to refund of postage.

(c) After dispatch: The sender shall file with the mailing postmaster a written request for the return of the article, giving name and full address of sender and of addressee, the registry number, and date of mailing. The mailing postmaster shall then request the postmaster at the office of address, by mail or telegraph at the expense of the sender, to return the article, giving the particulars necessary to identify it. The postmaster at office of address shall return the article by registered mail without additional registry fee.

—after dispatch.

See sec. 805 as to postage on other than first-class matter returned; sec. 1318 as to postage on request for recall.

2. The same records shall be made and receipts taken for registered articles recalled after dispatch as for other registered matter returned to writer, except that the article and records shall be marked "Recalled." (See secs. 1328 and 1333.)

Records.

Filing of sender's request.

3. The request of the sender and postmaster for recall shall be filed with a note of action indorsed thereon.

See secs. 729 and 730 as to withdrawal and recall of ordinary mail, and sec. 2228 as to recall of foreign matter.

REGISTERED MATTER IN TRANSIT

Transit record.—to be kept at what offices.

1293. Each office receiving transit registered mail, or having stations or city, village, or rural carriers, shall record in a transit book, or authorized substitute, all transit registered mail, including missent matter, immediately upon its arrival, unless the matter is accompanied with a manifold bill, or other form, which can be utilized as record of the matter.

Record of mail of local origin.

2. Registered mail of local origin shall be recorded in the transit record unless it is dispatched with manifold bill or record of its dispatch is made on counterpart of the registration receipt or on other registration record. (See secs. 1222, 1270, and 1368.)

Railway postal clerks.

3. Railway postal clerks shall record in their registry receipt book or manifold registry bill book the required particulars of each registered article handled by them and shall keep a record of registered mail handled on registered balance sheet Form No. 5015.

See sec. 1237 as to record of registered articles inclosed in registered pouches or sacks; sec. 1220 as to the record of rotary-lock pouches and sacks.

Registered matter to be carefully examined on receipt.—if in bad condition or missent.

1294. When a postal employee receives a registered letter or parcel, or a paper or sack jacket, he shall carefully examine it, and, if in bad condition, note on the envelope or wrapper and on the records a statement of the facts over his signature and office stamp. (See sec. 1310.) No "Record of transit" need be made on registered jacket envelopes except at the office of delivery and when the mail is received in bad condition or missent.

Separate tags to be reattached.

2. If tags used in connection with certain lead-seal dispatches of registered mail are torn off in transit, they shall be securely reattached to the mail from which they became separated.

See sec. 1314 for manner of opening registered jacket envelopes.

Mail in transit.

1295. When a postal employee, upon opening an iron-lock or brass-lock pouch, finds inclosed registered matter addressed to an office, or for distribution by a railway post office, beyond his own, he shall sign and return the accompanying registry dispatch receipt card or coupon of the accompanying bill. He shall then fill out a new registry dispatch receipt card, returnable to his own post office, or a manifold bill if the quantity of mail justifies. The articles, with the new receipt card or bill, shall then be deposited in the pouch (see secs. 1223 and 1268) and sent forward by the same mail.

Pouch passed by another office.—treatment of, and matter therein.

1296. When a postmaster receives and opens a pouch which has been passed as provided in section 1883, he shall retain the registered matter for the office or offices passed and enter it in his transit record. If the pouch has been passed on account of a defective key, the postmaster shall retain the registered matter

until he is advised that a new key has been received by the office passing the pouch, if he has reason to believe that the mail is of considerable value, and send a registry notice to the addressee, who may call for the registered matter at the office where it is held. If the registered mail is apparently not of considerable value, the postmaster shall return it in a sealed package, by the mail carrier, to the post office by which the pouch was passed. (See sec. 1897.) If the pouch was passed on account of defective lock, the postmaster shall return the registered matter for the office passed in the first locked pouch sent to that office.

1297. When a postmaster is compelled to pass a way pouch unopened to the next office on the route for the reasons given in sections 1883 and 1897, he shall note the fact, the cause, and the date on his transit record and advise the postmaster to whom the pouch is forwarded.

1298. Transit registered mail shall be delivered direct, and hand-to-hand receipts obtained therefor whenever practicable. (See sec. 1270.)

1299. In making up registered mail for those offices where separate stations have been established for handling transit registered matter and for the opening of all registered pouches, sacks, and jackets containing transit registered mail, separate registered pouches, sacks, or jackets shall be used for the "city" and "distribution" matter when the quantity of registered mail justifies such action. The pouch labels shall be marked "City" or "Dis.," as may be appropriate.

See Official Postal Guide for offices having this service.

1300. Receipts shall be given at the time registered mail of any kind is transferred in either direction between registry clerks and mailing clerks. Mailing or other clerks opening the pouches shall receipt, postmark, and return all registry dispatch receipt cards and coupons of registry bills arriving with registered matter taken from iron- or brass-lock pouches, and note on the witnessing record the date of return of similar cards and paste returned coupons over their counterparts, or otherwise satisfactorily file, for registered matter originally dispatched by them in iron- or brass-lock pouches, after which such return cards and dispatch bills shall be filed.

2. Registered articles exchanged between registry clerks and mailing clerks at the larger offices shall be listed on manifold bills in triplicate when this is practicable and advantageous through saving the reentry of the registered articles or for some other reason. When manifold bills, which are furnished to post offices on request, are used in duplicate or triplicate, the registry or mailing clerks shall receipt through carbon paper, detach, and retain in the registry or mailing department one sheet for proper entries thereon. (See sec. 1221.)

1301. At terminal offices registered matter shall be delivered direct and proper receipts obtained unless otherwise authorized. (See sec. 1368.) When railway postal clerks make direct connection at junction or terminal points they shall deliver to the con-

Matter in pouches with defective locks. —treatment of.

Delivery of transit mail direct.

Registry transfer stations, mail for.

Witnessing records and receipts for transfers between registry and mailing clerks.

—in manifold.

Delivery of matter at junctions and terminals of route.

necting clerks all registered matter for their lines. At junction points the delivery shall be hand to hand, except where there is only one clerk on each of the connecting railway post offices, and neither can leave his car; in such cases registered matter may be included in pouches exchanged between the railway post offices, if direct and immediate transfer is made; otherwise such matter shall be delivered direct to the postmaster or transfer clerk, or in authorized cases pouched into the junction post office. (See secs. 1271 and 2040.)

When direct delivery cannot be made.

2. When registered matter cannot be delivered direct to a postmaster or to a railway postal clerk on a connecting car and must be pouched, it shall be dispatched in the manner prescribed by section 1223.

See sec. 1268 as to witnessing.

When mail shall be placed in pouch, etc. Transfer of return registers.

3. Registered mail shall not be placed in a pouch, sack, or jacket until the equipment is ready to be locked or sealed.

4. Railway postal clerks shall transfer return ("go-back") or missent registered matter at meeting points by hand-to-hand receipt and delivery, unless it can be turned back from some other point where hand-to-hand receipt and delivery can be effected through a transfer clerk. In cases where this treatment would cause material delay such registered matter may be pouched under the following conditions:

(a) On railway post-office lines where two or more clerks are on duty the registered matter may be pouched to any office that can advance delivery of it.

See sec. 1268 as to witnessing.

(b) On railway post-office lines having but one clerk on duty the registered matter shall be pouched only to such offices on the line as are specifically designated by the division superintendent, Railway Mail Service.

Care in conveying pouches.

5. In conveying matter between the terminal office, transfer office, or terminal railway post office, and the postal car, or between postal cars in stations when not adjacent, or between any of the points named, a locked pouch shall be used (so far as the size of the packages will permit), which shall be kept in the personal charge of a railway postal or transfer clerk, who shall accompany the vehicle on which it is conveyed.

See secs. 2040 and 2097 as to mail being accompanied by postal or transfer clerk.

Receipt for registered matter at terminal offices.

1302. Postmasters at terminal offices of routes on which there is railway mail service shall at all times be prepared to receive and receipt for registered pouches brought to their offices by railway postal clerks, unless otherwise directed by the Third Assistant Postmaster General. (See sec. 1368.)

Delivery to railroad employees or mail carriers forbidden. Article illegibly postmarked. —how treated.

1303. Railway postal clerks shall not deliver registered matter to employees of any railroad company, nor to mail carriers, unless specially authorized to do so. (See sec. 1270.)

1304. The first recipient of a registered article bearing an illegible postmark shall write on the article the name of the office or railway post office from which it was received.

ARTICLES MISSENT, MISDIRECTED, DAMAGED, UNSEALED, OR
WITHOUT COVER

1305. When a registered article is missent, the postal employee receiving it shall indorse the piece, and the registry dispatch receipt card or the manifold registry bill and coupon accompanying it, "Missent," sign, postmark, and return the registry dispatch receipt card or manifold registry bill coupon, and enter the article on the post-office delivery book or railway postal clerk's registry receipt book as "Missent and forwarded," showing the date of redispach.

Missent letters or parcels.
—how treated in post offices and railway post offices.

2. When a postmaster or railway postal clerk receives registered matter not billed to him and obviously dispatched to him through error, he shall receipt for the matter as prescribed in section 1315, and make immediate report by letter to the office or railway post office which sent the matter, railway postal clerks reporting through their chief clerk. Report shall also be made by telegraph to the office or railway post office which sent the matter, if the missent matter consists of a jacket, pouch, or sack, three or more articles of nominal value, or one or more of apparently exceptional value, railway postal clerks likewise making such reports through their chief clerk.

3. Report of the above-mentioned irregularities also shall be made by railway postal clerks to their division superintendent and by postmasters to the Third Assistant Postmaster General, Division of Registered Mails.

4. In all instances where an employee having custody of registered matter of apparently exceptional value, known as bank or money packages, misses a connection or inadvertently carries such a package by the office of destination, he shall make report by telegraph to the office of destination at his earliest opportunity. Where packages are included by the office of dispatch in a rotary-lock pouch labeled to a connecting line and the names of the offices of destination are not therefore available, the pouch should be opened if the clerk has a rotary key and the procedure as outlined above followed. In the event a clerk is not possessed of a rotary key, the telegraph notice will be addressed to the office making up the rotary-lock pouch. Like report shall be made by the first employee receiving such matter as a result of missending.

5. At post offices where specially authorized systems of delivering registered mail are in operation, "Missent" registered articles shall be treated in accordance with the special instructions received.

—at post offices using specially authorized delivery systems.

1306. When a postmaster receives registered first-class matter unaddressed, misdirected, or directed to a place not a post office, he shall record it in his delivery book, or other authorized form, as "Returned for proper direction," giving the date, and return it to the mailing office so marked. (See sec. 1333.) If, however, the time prescribed for the retention of the article permits, he shall hold the article and ascertain from the sender, through the mailing postmaster, what disposition the sender desires made

Misdirected or unaddressed matter.
—how treated.
—when first class.

of it; but when a postmaster has positive knowledge of the correct domestic address he shall dispatch the registered article to that address, and make appropriate record of the action taken. (See sec. 1318.)

—when other than first class.

2. A misdirected or unaddressed article prepaid at other than the letter rate shall be similarly recorded, and the sender notified to send stamps to prepay return or forwarding postage, unless the article is one of the second or third class on which the sender has pledged payment of return postage, in which case it shall be returned as prescribed in paragraph 1. Upon receipt of the stamps they shall be affixed to the article, which shall then be indorsed appropriately and returned or properly disposed of otherwise.

—when first-class matter is to be sent to the proper branch of the Division of Dead Letters and Dead Parcel Post.
—disposition of other than first-class matter.

3. If the name of the mailing office of any registered first-class matter cannot be ascertained by careful examination, the matter shall be sent by registered mail to the proper branch of the Division of Dead Letters and Dead Parcel Post, accompanied with a letter of advice. When stamps are not furnished for the return or forwarding of registered matter of other than the first class which does not bear the postage pledge of the sender, it shall be disposed of as prescribed in paragraph 10 (a), section 805, being sent by registered mail.

—when received by railway postal clerks.

4. Misdirected and unaddressed registered mail when received by railway postal clerks shall be delivered to the post office at the terminus of the postal clerk's run for treatment by the postmaster in accordance with this section.

Misdirected packages of stamps, etc.

—report of.

1307. Postmasters on receiving a registered package of stamps, stamped envelopes, postal cards, or other stamped paper bearing an incorrect or imperfect address shall record it on the delivery book or other authorized form, hold it, and at once notify the Third Assistant Postmaster General, Division of Stamps, giving the registry number, date of postmark, post office of origin, and full address of the package, and await instructions. When the package is disposed of under instructions from the Third Assistant Postmaster General, such disposition shall be noted on the record.

—special instructions as to disposition of.

Packages of postage stamps, stamped envelopes, or postal cards damaged in transit.
—to be re-wrapped, re-addressed, and forwarded to destination.

1308. Registered packages of stamped paper which become damaged shall be securely rewrapped and sealed by the postmaster who discovers the damage. A split registered jacket envelope, plainly marked "Registered postage-stamp package," "Registered postal-card package," or "Registered stamped-envelope package," as may be proper, shall be pasted to the new wrapper, and be numbered, postmarked, and addressed precisely like the original label attached to the package, and the following inscription shall also be marked on it: "Placed under cover at -----"

—record of, in transit book.

—report of.

2. The package shall then be recorded upon the transit book or other authorized record, whereon a note of the facts as to the damage and the reenveloping shall be made, and the article sent to its destination. A report of the facts shall be made in every case to the Third Assistant Postmaster General, Division of Stamps.

1309. Any railway postal clerk who receives a misdirected or damaged package of stamped paper shall deliver it to the postmaster at the terminus of his run for treatment by the postmaster in accordance with sections 1307 and 1308.

Misdirected and damaged stamped paper in the Railway Mail Service.
—how treated.

1310. Registered letters (including articles originally sealed) received unsealed or in bad order shall be marked to that effect by, and over the signature of, the first postal employee who notes that the article is in such condition. (See secs. 1261 and 1294.) If the article is open, or is damaged to such an extent that any of the original contents may have been lost or removed, and it appears that the article contains, or originally contained, money, bonds, jewelry, or similar matter, notation shall be made on the envelope or wrapper to indicate the value of such money, bonds, checks, or drafts, or the number and character of articles of jewelry or similar valuable matter, actually found in the letter by the postal employee first noting its unsealed or damaged condition, if the article is in such condition that the information is obtainable without further mutilation of the envelope; if none of the valuable contents which it may be apparent were originally in the article is found therein, note to this effect shall be made on the envelope. (See secs. 818 and 826.)

Registered articles received in bad order.
—treatment of.

2. The article shall then be reinclosed without delay in a special registry "bad order" penalty envelope (No. 87 or No. 103), or in an ordinary official penalty envelope, if No. 87 or No. 103 is not available. The new envelope shall be securely sealed and addressed, numbered, and postmarked like the original envelope (which shall not be removed), marked "Have this examined on delivery," and recorded in the proper record. Any indorsement or other indication on the original envelope restricting delivery, requesting return receipt, or showing that the article is for special delivery, shall also be noted on the new envelope.

—to be reinclosed in penalty envelope.

3. If a registered article in bad order is so slightly damaged that it is improbable that any of its contents could have been lost or removed therefrom, it shall be marked "Received in bad order," by, and over the signature of, the first employee who notes the damage, and the article promptly repaired by means of official sealing stamps or reinclosed in a penalty envelope as described above if sealing stamps are not available. The postmark and full name of the postal employee repairing the article shall be placed on it in such a manner that an impression of the stamp and the writing of the name will appear partly upon the sealing stamp and partly upon the envelope of the article. When sealing stamps are affixed to a damaged registered letter in such a manner as to adhere to both sides of the envelope, the impression of the postmarking stamp and the signature of the postal employee repairing the article shall be placed on both sides of the envelope so as to appear partly on the sealing stamps and partly on the envelope.

—if slightly damaged.

4. In recording an unsealed or damaged registered article, the postal employee who reincloses or repairs it shall make note of its receipt in bad condition and of its inclosure or repair, stating

—condition to be noted in record.

particulars of presence or absence of valuable contents if known to him.

—addressee to report any irregularity upon delivery.

5. The post office of delivery shall require the addressee, or his authorized representative, to open a bad-order registered article, whether repaired with sealing stamps or reinclosed, in the presence of the delivering employee, the envelope being cut at the end so as to preserve the sealing intact. If any of the contents is missing, the envelope (letter, and penalty if any) or wrapper shall be obtained from the addressee, with his indorsement as to shortage of contents, and sent to the proper inspector in charge with report of the facts.

—report of shortage to be sent to inspector in charge.

—detailed examination of contents not necessary where damage is apparently slight.

6. Examination of the contents of a damaged registered article at the office of delivery in the presence of the delivering postal employee shall not include the counting of large sums in coin or currency in registered articles addressed to banks and other large financial institutions in cases where the damage is so slight that apparently none of the inclosures could have been taken or lost from the article.

—large articles to be rewrapped.

7. When a registered article too large for inclosure in an envelope is received in bad order at a post office, it shall be rewrapped and a split bad-order or other penalty envelope pasted thereon, and the article treated in other respects in the manner outlined above for damaged or unsealed registered letters. Such an article received in a railway post office may be inclosed, if practicable, in a registered jacket envelope bearing the indorsement required for a penalty envelope; otherwise it shall be turned in at the terminus of the postal clerk's run to be rewrapped at the post office in accordance with this section.

—railway post office clerks may use registered penalty jacket.

8. When a registered letter or parcel originally sealed (including those opened by mistake) is unsealed or open when restored to the registered mails for any reason, so that any of the contents is accessible, it shall be indorsed by the one who opened the letter or by the person returning the article to the postal service, over his signature, to show by whom the letter was opened, and the postal employee who receives the letter back shall examine the contents in the presence of the person returning the article, for the purpose of ascertaining and noting on the envelope over his signature the amount of any money, bonds, or similar matter, or the character and number of articles of jewelry or similar matter, found in the letter upon its restoration to the Postal Service, and of making note if any of the original contents of this character is apparently missing. The article shall thereafter be promptly reinclosed in a penalty or bad-order envelope, No. 87 or No. 108, and if this is done by an employee other than the one who received the article back into the Postal Service he also shall certify on the opened letter as to its valuable contents at the time the article is actually reinclosed by him in the penalty or special envelope and resealed. The new envelope shall bear all the information and markings of the original envelope and be indorsed "Have this examined on delivery." Brief note of the facts shall be made on the proper record.

—unsealed or partially unsealed matter to be reinclosed.

9. Postal employees shall observe the sanctity of the seal and not read or inspect correspondence contained in a damaged or unsealed first-class registered article further than is actually necessary to verify any valuable contents therein.

—postal employees not to read or inspect correspondence.

1311. When money or other small articles are found loose in a pouch, sack, or jacket in which only one damaged registered article is contained, it may be assumed, in the absence of evidence to the contrary, that the money or other article belongs to the damaged registered piece. Both the damaged registered piece and the money or other article shall be placed in a "bad-order" or ordinary penalty envelope. When the registered matter is delivered it shall be opened in the presence of the delivering postal employee for the purpose of ascertaining whether the money or other article belongs to the damaged piece. If it is found that the money does not belong to the piece in which it has been placed, it shall be disposed of in the manner directed in section 818.

Matter found loose in pouch, sack or jacket.

1312. If a registered letter arrives at a post office or railway post office unsealed, it shall be indorsed "Received unsealed" over the signature of the receiving postal employee, and officially sealed and treated as directed in sections 1310 and 1311.

Letters found unsealed.
—how treated.

1313. If a registered jacket envelope or rotary-lock sack or pouch contains loose money or other matter not inclosed in an envelope, the receiving postal employee shall note all the particulars on the bill and coupon accompanying the mail, have the statement signed by two witnesses, if possible, and postmark and return the coupon to the dispatching office.

Matter found without cover in registered jacket envelope or rotary-lock sack or pouch.
—how treated.

2. If received at a post office and the inclosure be a postal or money-order remittance, the postmaster shall receipt for it and make proper disposition thereof.

—if a postal or money-order remittance.

3. When there is anything connected with the loose matter, whether received in a post office or railway post office, to indicate without doubt the name and address of the person for whom it is intended, the matter shall be carefully inclosed in a sealed penalty envelope, addressed, and delivered at the post office as prescribed in section 1310, and a report of the case made to the Third Assistant Postmaster General, Division of Registered Mails, except in the case of foreign mail, when report shall be made to the Second Assistant Postmaster General, Division of International Postal Service.

—must be delivered if possible.

—report of.

4. If the railway postal clerk is in doubt as to the name and address of the person for whom the matter is intended, he shall deliver it to the postmaster at the terminus of his run. If the postmaster is in doubt as to the ownership of the matter he shall report the facts and await instructions from the Third Assistant Postmaster General, Division of Registered Mails, in the case of domestic mails, and from the Second Assistant Postmaster General, Division of International Postal Service, in the case of foreign mails.

If doubt as to ownership, instructions to be obtained from department.

See secs. 1261 to 1265 as to statement of discrepancies in connection with registered mail received in jacket envelopes and rotary-lock sacks and pouches.

CHAPTER 3

TREATMENT OF MATTER AT POST OFFICES OF DELIVERY

OPENING, EXAMINATION, RECORDING, DELIVERY, FORWARDING,
AND RETURN OF REGISTERED MAIL

Matter received for delivery.
—how treated.

1314. Every postal employee who opens an iron or brass-lock pouch or a sack containing, or reasonably believed to contain, registered mail (see sec. 1261 as to rotary-lock pouches), or a registry jacket shall at the time the registered mail is removed from the equipment have a witness to its removal, if practicable. The employee and witness immediately after removal of the registered mail shall, unless otherwise authorized by the Third Assistant Postmaster General, check each piece against the corresponding entry on the manifold registry bill or registry dispatch receipt card.

See sec. 1268 as to witnessing.

—registered mail to have preference over ordinary.

2. Registered mail shall be checked and receipted for before distribution is attempted of any ordinary mail in the pouch or sack.

—receipt for.

3. The employee opening the iron- or brass-lock pouch or sack shall sign the accompanying registry dispatch receipt card and write, in words, in the space provided therefor, the total number of articles described in the receipt and received by him, postmark the receipt on the address side, with the date he received the registered matter it describes, and return it by next mail, without cover of an envelope or postage. If a manifold registry bill accompanies the registered mail, the bill shall be properly completed and the coupon signed, postmarked, and returned under cover of an official penalty envelope. The total number of articles received shall be noted on the bill and coupon in figures instead of words. (See sec. 1222.)

—coupon to be signed and returned.

4. Before signing the receipt, the postal employee shall correct any errors which it may contain, and note upon it any irregularities observed in connection with the articles described therein. (See secs. 1222, 1261, and 1315.)

—errors and irregularities in connection with.

5. Ordinary mail shall be carefully examined to ascertain whether any unrecorded registered mail has been included therewith. (See secs. 1205, 1329, and 2210.)

Registered jacket envelopes.
—how opened.

6. Employees in opening a registered jacket envelope shall cut the envelope on the end so as not to detach any part of it. The articles within the jacket shall be checked against the corresponding entries on the bill, which shall be signed, postmarked, and filed. (See secs. 1242, 1261, 1262, 1263, and 1268.)

—comparison of, with bill.

—examination and recording of.

7. Registered letters and parcels shall be examined as to their condition, backstamped, and recorded immediately in the delivery book or other proper record.

See sec. 761 as to backstamping of registered mail and sec. 1300 as to receipts for registered mail transferred in either direction between mailing clerks and registry clerks.

8. Official registered matter addressed to a postmaster shall be recorded and receipted for the same as other registered mail. (See sec. 1212.)

Record and receipt on delivery book of official matter.

1315. When a registry dispatch receipt card or manifold registry bill covering an iron or brass lock dispatch is not accompanied with all the registered articles described thereon, there shall be marked opposite the entry of any missing article "Not received," and the missing article or articles described on the coupon of the bill, which shall be similarly indorsed. The card or coupon shall be returned immediately to the dispatching post office or railway post office. (See sec. 1262.) At the same time nonreceipt of the registered matter shall be reported by letter to the dispatching office or railway post office, such reports to be made through chief clerks Railway Mail Service where railway postal clerks are involved. The pouch label shall accompany the report and be indorsed by the opening clerk and witness. The label shall be preserved for use in connection with investigation of the shortage.

Registry dispatch receipt cards and manifold bills not accompanied with the articles described.

See secs. 1268 and 1289, also sec. 1261 if rotary lock dispatch is involved.

2. When a registered article is not accompanied with a registry dispatch receipt card or manifold bill, one shall be filled out, signed, postmarked, and sent promptly to the postal employee by whom the article was dispatched. If the dispatch card or bill accompanying an article is not properly filled out (see secs. 1221 and 1222), it shall be completed, or a new one made out, signed, postmarked, and the card or coupon returned. Written report of these irregularities shall be made by railway postal clerks to their chief clerks and by postmasters to the Third Assistant Postmaster General.

—when registered matter not accompanied with card or bill.

—record not properly filled out.

3. If a registered article is irregularly received, unaccompanied with a registry dispatch receipt card or manifold registry bill and under such circumstances as to indicate that it may have been erroneously dispatched, a registry dispatch receipt card or manifold registry bill shall be supplied by the first postal employee receiving the matter through irregular channels and sent to the postal employee by whom the irregular dispatch was made, if known, and report made as indicated in paragraph 2 and section 1305. If it is not known by whom the article was irregularly dispatched, report shall be made to the superintendent of the division of Railway Mail Service in which the post office or railway post office is located in the manner required by section 1305.

—registered matter irregularly received.

1316. Registered matter dispatched from one station to another of the same office for delivery without passing through the main office shall be recorded at the delivery station on the delivery record, and if delivery is made by carrier his receipt shall be taken on that record. The same procedure shall be followed where mail is registered at a delivery station for delivery therefrom.

Station registrations for local delivery.

See sec. 1283 as to direct receipt of matter at independent stations; sec. 1206 as to deliveries at stations.

Fraud orders.

1317. When a "fraud order" has been issued by the Postmaster General, the postmaster to whom it is specifically directed and no other shall return to the senders thereof all registered mail addressed to the person or concern named in the order. Such mail shall be marked in the manner prescribed in section 604, and returned as directed by section 1330, paragraph 2.

Registered mail known to be undeliverable.
—treatment of.

1318. When a domestic registered article is known to be undeliverable as addressed, the postmaster at the office of address shall, if the time limit for the return of the article is sufficient for the purpose of obtaining a reply, notify the postmaster at the sender's address, and shall comply with any proper directions received through him as to the disposition of the article.

—postage required for forwarding or return.

2. Upon receipt of the notice referred to in the preceding paragraph, the postmaster at the office of the sender's address shall notify the sender, and collect from him 3 cents to prepay the postage on any request made by him for the forwarding, recall, correction of address, or other disposition he wishes made of the registered article to which the notice relates. A postage stamp representing such amount shall be affixed to the request and canceled, and the request sent under penalty envelope by the postmaster to the office of address. If the request be unaccompanied with such postage, it shall nevertheless be complied with but the circumstances shall be reported to the Third Assistant Postmaster General.

—report to department.

3. When a domestic registered article of local origin is known to be undeliverable as addressed, the postmaster shall communicate with the sender, if the period mentioned in the return request of the sender will permit, for the purpose of ascertaining what disposition the sender desires made of the registered matter.

See sec. 1330, par. 3, as to refused articles.

Form 3858.

4. Form 3858 should be used in complying with the provisions of this section.

Specially authorized systems.

1319. At presidential offices special systems of handling and delivering registered mail may be authorized by the Third Assistant Postmaster General.

2. At post offices where special systems of handling and delivering registered mail have been installed the instructions governing the conduct of those systems shall be observed in the treatment of registered mail.

Short-paid registered matter.

1320. When domestic registered mail is delivered to the addressee or to the sender, and the postage and registry fee have not been fully prepaid, the postmaster shall collect the deficiency upon delivery. The stamps affixed to the article shall be applied to the postage required and the remainder, if any, to the registry fee. If the amount of registry fee is not known, the article shall be considered as having been registered for the minimum registry fee of 15 cents.

—collection of deficiency.

See secs. 763, 767, 768, and 773 as to rating and collecting postage due.

2. When the addressee refuses to pay the deficiency, a first-class article shall be treated as directed in paragraph 3, section 1330, and a second- or third-class article which does not bear the sender's pledge to pay return postage shall be treated as prescribed by paragraph 4, section 1330; in the latter case, Form 3540 shall be used in communicating with the sender. Second- or third-class registered matter bearing the pledge of the sender to pay return postage shall be returned to the sender rated with the postage chargeable for its return, such postage to be collected by means of postage-due stamps upon delivery. (See sec. 805.)

—treatment of, when refused.

—bearing pledge of sender to pay return postage.

3. If a postmaster improperly accepts registered matter addressed to Government officials without the prepayment of the registry fee, the deficiency shall be collected from the dispatching postmaster. (See secs. 245, 764, 1203, and 1211.)

—addressed to Government officials.

4. Reports of the receipt of short-paid domestic registered mail shall be made to the Third Assistant Postmaster General, Division of Registered Mails, and of short-paid international registered mail to the Second Assistant Postmaster General, Division of International Postal Service, on the form furnished for the purpose.

reports of.

1321. Postmasters shall promptly notify the addressee, on Form 3849, of the arrival of registered mail not deliverable by carriers. The notice shall be postmarked and delivered through the regular channels of the addressee's ordinary mail. If the article be not delivered within three days, a second notice, so marked, shall be served in the same manner, and the article indorsed "Second notice." The dates on which such notices are issued shall be noted on the article.

Registry notices to be issued.

Second notice.

Dates to be indorsed on articles.

See sec. 1357 relative to serving of registry notices by carriers.

2. When it is necessary to send a registry notice to a hotel or the like, where mail is ordinarily subject to scrutiny by those not entitled to receive the registered matter, it shall be transmitted in a sealed penalty envelope, regardless of the manner of delivery.

Sent to hotels and similar places.

3. Registry notices bearing delivery or forwarding orders shall be retained on file in the post office.

Notices bearing orders to be filed.

1322. (a) Unless otherwise authorized by the Third Assistant Postmaster General, when a registered article is received for delivery accompanied by a return receipt or marked to indicate that such a receipt was requested by the sender, the letter "R" shall be placed opposite the entry of the article on the proper delivery record. Both the delivery record of a registered article and the return receipt if requested shall be signed by the person accepting delivery, and they shall show the actual date of delivery. The person receipting for the article shall be requested to write or stamp such date on the registry return receipt card. If this request is not complied with, the postal employee shall write or stamp such date on the card. When the quantity of registered mail justifies, a stamped signature showing the names of both the addressee and his agent may be authorized by the Third Assistant Postmaster General, Division of Registered Mails, to be used in connection with domestic registered articles, and return

Delivery record and return receipt to be signed and show date of delivery.

receipts therefor, and by the Second Assistant Postmaster General, Division of International Postal Service, to be used in connection with foreign registered articles, provided the addressee assumes responsibility for any improper use of the stamp.

(b) When registered mail is signed for by an authorized agent of the addressee the name of both the addressee and agent shall appear on the card.

(c) A carrier making delivery of a registered article for which the sender has requested a return receipt to show the address where delivery is effected shall place a notation on the return receipt below the signature of the addressee or his authorized representative showing the complete address at which delivery is effected.

(d) In making delivery at a post office or a post-office station of a registered article for which the sender has requested a return receipt to show the address where delivery is effected the delivering employee shall indorse the return receipt form "Delivered at post office" or "Delivered at _____ Station," naming the station.

Receipt to be returned promptly.

—when not accompanying article.

2. The return receipt, after being properly completed and post-marked with actual date of delivery, shall be promptly mailed to the sender of the article.

3. If no registry return receipt accompanies a registered article marked "Return receipt requested," or "Return receipt requested showing address where delivered," or with words of similar import, the delivering postmaster or other postal employee shall prepare a return receipt and treat it as though it had accompanied the article. If a domestic registered article does not bear any request for a return receipt but is accompanied with a properly addressed return receipt card, a receipt shall be obtained thereon, and the card mailed to the sender. In such cases the address at which delivery is effected shall not be added to the card. If the charge for the return receipt was not prepaid by the sender, delivery shall not be delayed, but the return receipt shall be obtained and sent under cover to the postmaster at the office named in the address of the sender and the charge collected upon delivery of the receipt to him.

See Official Postal Guide as to delivery of dutiable matter; secs. 2218 and 2224 as to foreign return receipts.

Delivery of registered matter.

1323. Registered mail, the delivery of which has not been restricted by the sender or addressee, may be delivered—

(a) To the addressee.

(b) To a person authorized by the addressee in writing to receive it.

—written order for.

—not to be made on telegraphic orders.

—name not to be changed.

(c) To such person other than the addressee as the sender, after mailing, directs in a written order verified by the mailing postmaster. Deliveries of this character shall not be made on telegraphic orders, but articles described in such orders may be withheld from delivery until the receipt of a duly certified written order from the sender. The names of the addressees of articles so delivered shall not be changed. (See sec. 1318.)

(d) To any responsible person (see subpars. (e) and (f)) to whom the addressee's ordinary mail is customarily delivered, including the authorized representative of a club, fraternity house, or similar institution of good standing. In the absence of a written order from the sender or addressee, mail addressed to a guest at a hotel, occupant of an apartment house, or the like shall not be delivered to the proprietor, manager, or clerk, unless addressed in his care or in care of the hotel or apartment house; except that if the duly authorized agent of a hotel or apartment house has signed and filed with the postmaster the prescribed agreement to assume responsibility for the proper care and disposition of registered matter for hotel guests or occupants of an apartment house and agrees to keep proper record of the same, registered matter, when delivery has not been restricted, addressed to hotel guests or occupants of an apartment house may, without a written order from the sender or the addressee, be delivered to the authorized representative of the hotel or apartment house even though not addressed in care of the hotel or apartment house. The hotel or apartment house shall designate in writing the persons to whom the registered matter is to be delivered. (See par. 15.)

—for hotel guests, clubs, fraternity house, etc.

(e) Registered mail addressed for delivery to persons at Y. M. C. A.'s, Y. W. C. A.'s, Salvation Army Shelters, Missions, and the like, is properly deliverable, without written orders from the senders or addressees, to such persons as are authorized to receive mail for the places addressed or, in the absence of such authorization, to any responsible persons who customarily receive the ordinary mail of such institutions. If any such institutions operate hotels, registered mail addressed for delivery thereat shall be treated strictly in accordance with the provisions of paragraph 1 (d) of this section.

—for Y. M. C. A.'s, etc.

(f) In the absence of knowledge to the contrary, the following should be regarded as responsible persons within the meaning of paragraph 1 (d) of this section: Adult members of the addressee's family; his employees in a clerical or supervisory capacity; the proprietor or manager of a private lodging house in which he resides. Careful inquiry shall be made to determine whether the address given comes within the definition of a private lodging house. (See par. 15 of this section.)

—responsible persons.

Note.

NOTE.—A private lodging house within the meaning of the regulation ordinarily is considered a private home within which the addressee resides and where the lodgers are in a general way selected, as distinguished from a public lodging house which is open to any and all who may apply for accommodations, frequently transients, and at which it seems reasonable to presume that the registered mail of the addressee would not receive the same care and attention as would be accorded it by those in charge of a private home in which the addressee resides.

(g) No mail addressed to others shall be delivered to the following persons unless they are authorized in writing by the addressee to receive it: Minors; janitors; laborers; messengers; elevator operators; house servants; mail orderlies for military camps (except Civilian Conservation Corps camps), posts or stations. Sections 776 to 797, concerning the delivery of ordinary

—persons not authorized.

mail, shall govern the delivery of registered matter in all cases where applicable, except as provided in this chapter.

See sec. 795 as to registered matter from the Division of Dead Letters and Dead Parcel Post.

—firm, corporation, etc.

(h) As if addressed to the person, firm, corporation, association, or institution in whose care it is addressed.

—when applicant is unknown, identification of.

2. (a) Identification shall always be required if the applicant for registered mail is unknown. He shall not be allowed even to examine it until his identity as a person entitled to receive it is established, and when identified as such, shall not be permitted to open the envelope or wrapper until the mail has been delivered and the necessary receipts obtained. In case of doubt as to the sufficiency of the evidence of identity offered, instructions shall be obtained from the Third Assistant Postmaster General, Division of Registered Mails, in connection with domestic registered mail, and from the Second Assistant Postmaster General, Division of International Postal Service, in connection with foreign registered mail.

—directory service.

(b) Before delivering registered mail based on information obtained as the result of directory service, care shall be exercised to see that the recipients of the registered articles are the persons for whom they were intended by the senders.

—verification of address.

3. Unless the postmaster or carrier knows that the addressee is located at the address borne by a registered article, the correct address shall be ascertained, if practicable, to permit proper delivery or forwarding to a new address.

—the sender may restrict.

4. The sender of registered mail may restrict its delivery by indorsement thereon and the payment of an additional fee of 10 cents. (See sec. 1204.)

—indorsed for delivery to addressee or order.

(a) Mail indorsed "Deliver to addressee or order," or with words of similar import, shall not be delivered except to the addressee or on his written order.

—to addressee only.

(b) Mail indorsed "Deliver to addressee only," or with words of similar import, shall not be delivered to any person except the addressee, not even on his written order; if personal delivery cannot be made, the mail shall be treated as undeliverable. Mail so indorsed, addressed to a firm, corporation, institution, or the like, shall be delivered to the person duly authorized by the addressee in writing to receive registered mail so addressed. The person signing for such registered matter shall add the words "Authorized agent" below the signature, or, if delivery is made to an official or member of the firm, his title shall be indicated after or below the signature. The word "Personal" is not to be construed as an indorsement so restricting delivery. Directions to deliver only to the addressee cannot be observed when registered mail is addressed to the President, Vice President, or ex-Presidents of the United States, heads of departments or bureaus of the Government, Justices of the Supreme Court of the United States, Senators or Representatives in Congress, governors of States or Territories, or to the diplomatic representatives of governments. Mail so addressed when marked "Deliver to ad-

—exceptions.

dressee only," or with words of similar import, will be delivered to the addressee or on his written order, and senders of such mail so indorsed should be advised accordingly.

See secs. 777, 788 to 793, as to disputes.

5. The addressee of registered mail may restrict its delivery by filing at the post office of address directions in writing, stating to whom delivery may be made, and such directions shall be strictly observed. Unless otherwise authorized by the Third Assistant Postmaster General, when delivery of a registered article is restricted by the addressee, notation to that effect must be placed on the records of the office of delivery.

—the addressee may restrict.

6. Unknown signatures on written orders for the delivery of registered mail shall be verified before acceptance. Standing orders shall be complied with until countermanded in writing or positively known to be inoperative. Obsolete orders shall be retained four years, after which they may be disposed of as provided in section 101.

—unknown signatures to be verified and orders retained for four years.
—standing orders.

7. If the addressee is dead or insane, delivery may be made to his legal representative. (See secs. 1324 and 1325.)

—when addressee is dead or insane.

8. Registered mail addressed to a minor living with or under the control of his parents, or dependent on them for support, or under control of a guardian, is subject to the parents' or guardian's control unless it be indorsed for personal delivery, when paragraph 4 applies. In such cases, if delivery be forbidden by parents or guardian, the mail shall be so indorsed, and treated as undeliverable.

—when addressee is a minor.

See sec. 785 as to ordinary mail for minors.

9. Registered mail addressed to students who are not minors at colleges and similar institutions, the delivery of which has not been restricted by the sender or addressee, may be delivered to the authorized representative of the institution. If a student is a minor and has been placed in charge of the principal by his parent or guardian, and the rules of the institution provide that the principal shall have control of mail addressed to such students as are minors, registered mail, the delivery of which has not been restricted by the sender, shall be delivered in accordance with the order of the principal. If the principal has not authority from the parent or guardian to control mail of minor students placed under his care, such mail shall not be delivered to the principal or other representative of the institution against the wishes of the student or his parent or guardian but may be delivered to the addressee in the absence of any objection from the parent or guardian. (See par. 8 of this section.) In case of doubt as to proper delivery the matter shall be submitted to the Third Assistant Postmaster General, Division of Registered Mails, with a full statement of facts. (See sec. 785.)

—when addressed to students.

10. Registered mail, not obviously of a personal nature, addressed to a former public officer or to a former officer or employee of a firm, corporation, association, or institution, by his name and former title, shall be delivered as if addressed to the

—addressed to public or corporation officer by title.

person holding the title or performing the duties of the office. If, because of unusual circumstances, a postmaster is in doubt as to the correctness of such delivery, he shall retain the registered article and promptly ascertain the intention of the sender, in writing, through the mailing postmaster, and dispose of the mail accordingly.

—pension letters.

11. Registered letters from the Veterans' Administration, Bureau of Pensions, at Washington, D. C., addressed to a pensioner, a claimant for pension, or the payee of a pension, shall be delivered in accordance with the requirements of section 784.

—mail erroneously accepted for registration.

12. Registered mail received for delivery which has been erroneously accepted for registration (sec. 1202, par. 3), when addressed simply to a box (post-office or rural) number, street number, to initials or fictitious names, shall be considered undeliverable and treated in accordance with section 1318.

See sec. 1212 as to envelopes and labels covering official matter.

—no exceptions to rules.

13. No exception shall be made to the rules herein prescribed governing the delivery of registered mail because of relationship of any nature between the addressee and any person claiming the mail.

Addressed to special supply office.

14. Registered and insured mail (and collect-on-delivery mail when the distributing office transacts money-order business) in transit to a post office receiving special supply mail, in cases of emergency, be delivered from the distributing office, upon the addressee's personal or written application, with satisfactory identification, but no registered, insured, or collect-on-delivery mail which is marked for delivery to the addressee only shall be delivered to other than the addressee. Records of such delivery of registered, insured, or collect-on-delivery mail shall be retained by the distributing office. Particulars of the article delivered in transit by the distributing office shall be transmitted to the postmaster at the office of address who shall enter the article upon his records and make a note on the records to the effect that delivery was effected in transit from the distributing office.

See sec. 776 as to ordinary mail.

—discretion to be exercised.

15. Postmasters shall exercise discretion in the delivery of registered mail. If there is reason to believe that the person or institution to whom delivery of registered mail may be authorized is not such a responsible person or institution as would care for and properly dispose of it, delivery should not be made except to the addressee or person in whose care it is addressed, or to a representative of the addressee or person in whose care it is addressed authorized in writing to receive it, or in compliance with a written order from the sender verified by the postmaster at the sender's address.

See sec. 777 as to disputes between claimants.

Disposition of matter when addressee is dead.
—delivery to legal representative.

1324. If delivery has not been restricted by the sender, registered mail for a deceased addressee may be delivered to his legal representative. If none, it shall be returned to the sender with reason indorsed thereon, unless he, through the mailing post-

master, directs delivery to another person. If there is no legal representative and the article is claimed by a relative of the deceased addressee, such relative may be furnished with the name and address of sender.

See sec. 2227 as to the disposition of foreign matter which can not be delivered to legal representative of deceased addressee.

1325. Registered mail, the delivery of which has not been restricted by the sender or the addressee—

Delivery of mail to specially described persons.
—addressed to prisoners.

(a) Addressed to a prisoner, may be delivered to the officer having charge or custody of the prisoner to whom the addressee's ordinary mail is customarily delivered, or to the person acting for such officer and under his authority.

—to employees and inmates of hospitals and asylums.

(b) Addressed to an inmate or employee of a hospital, sanitarium, or asylum, or similar institution, may be delivered to the person who customarily receives the ordinary mail of the employees or inmates of such institutions; but if a committee or a guardian has been regularly appointed for such inmate, his registered mail shall be delivered to, or in compliance with the written order of, the committee or guardian.

—to members of theatrical companies at theaters.

(c) Addressed to members of theatrical companies at a theater, may be delivered to any responsible person who customarily receives the ordinary mail of the theatrical company or its members or to any responsible person to whom ordinary mail for the theater is customarily delivered.

1326. The liability of the department for registered mail shall cease on its delivery in accordance with the Postal Laws and Regulations. (See secs. 1323, 1329, 2210, and 2227.)

Liability of department ceases on delivery of registered mail.
Forwarding matter.

1327. Except as provided in paragraph 5 below, all registered matter, except that which has once been properly delivered, may be forwarded from one post office to another, without additional charge for registry fee, on payment of the charges, if any, for transmitting the forwarding request—

(a) Upon the written order of any person to whom the matter is deliverable at the office of address.

—upon the written request of sender or any person to whom deliverable.

(b) If delivery is restricted, upon the written order of any person to whom it would be deliverable in the absence of the restriction.

(c) Upon the written order of the sender or addressee verified by the postmaster who sends the request.

(d) Upon the telegraphic request from a postmaster based on the verified written order of the sender or addressee.

(e) In cases where the postmaster is satisfied that no fraud is intended, upon a written or telegraphic order received direct from the sender or addressee.

2. If the postage required for forwarding or returning other than first-class mail which does not bear the sender's pledge to pay forwarding or return postage is not received within the period prescribed by sections 769 and 805, the article shall be disposed of as an undeliverable registered article. (See secs. 1330 and 1333.)

—postage required for other than first-class mail.

Forwarding orders apply to registered as well as ordinary mail. —unless. Forwarding orders to be signed and filed.

Not to be forwarded to foreign countries.

Note.

Method of forwarding.

Entry in delivery book.

Air mail.

Registered matter found in the ordinary mail to be removed therefrom.

—recording and disposition thereof.

3. Written orders to forward mail shall be construed to apply to both ordinary and registered mail, unless the contrary is specifically stated.

4. Forwarding orders shall invariably be signed and retained on file. (See sec. 770.)

5. Postmasters shall not forward to a foreign country, in compliance with requests from the senders or the addressees, domestic registered articles mailed in the United States and originally addressed for delivery at post offices in the United States. If such articles cannot be delivered at the domestic post offices of destination, they shall be marked with the reasons for their non-delivery and treated as undelivered registered matter. If the articles are of the first class and do not bear requests requiring their retention for specified periods, they shall be returned immediately.

NOTE.—See instructions in Postal Guide concerning forwarding of registered mail to and from the Canal Zone. See sec. 1328 as to forwarding air mail.

1328. In forwarding or returning registered mail, the postmaster shall not change the name of the addressee or sender, but shall change the address only, cross off the name of his post office and State and all numbers except the original mailing office registration number, plainly mark it "Forwarded," or "Returned to writer" ("R. W."), as may be proper, and dispatch it, accompanied with the original return receipt, if any. The delivery book or other authorized record in the forwarding office shall show when and to what office and State a given article was forwarded, or when and to what office and State or country the article was returned, and the number under which it was dispatched. (See sec. 1368.)

2. Registered air mail properly prepaid at the air mail rate of postage may be forwarded to the addressee by the same means without additional charge for postage when delivery of the matter will be expedited if carried by airplane.

1329. A registered article, whether of domestic or foreign origin, and regardless of its condition, found in the ordinary mail not marked "Not in the registered mail" shall be removed from the ordinary mail wherever found, backstamped, indorsed as to its condition, and repaired or reinclosed when in other than good condition (see sec. 1310), and given the safeguards provided for registered mail. Report of the finding shall be made to the Third Assistant Postmaster General, Division of Registered Mails, except in cases of international mail. The latter shall be reported to the Second Assistant Postmaster General, Division of International Postal Service.

2. The article shall be marked "Removed from the ordinary mail and registered," and recorded to show original number, office, and State of origin, names and addresses of sender and addressee, the amount of postage and fee borne by it, the amount of any deficiency collectible upon delivery, condition, if not good, and when and by whom found in the ordinary mail. The article shall then be disposed of as registered mail. If removed from

the ordinary mail at the office of address after proper delivery, inquiry shall be made of the person whose receipt is held to ascertain reason for the article being in the ordinary mail, the article redelivered or otherwise properly disposed of, and the receipt originally obtained marked to show action taken.

3. If a registered article once properly delivered is reregistered it shall be indorsed "Reregistered after delivery" and a new registry fee and any surcharge properly collectible shall be charged, and additional postage if this would be required were it ordinary mail. The registry fee and any surcharge properly collectible and any necessary additional postage and surcharge if not supplied by the addressee or agent shall be collected from the sender upon return unless prepayment of postage is required.

—new fee required, when.

4. (a) Any registry fee required when forwarding or returning a registered article found in the ordinary mail or presented for reregistration by other than the addressee after proper delivery need not be prepaid. If the registry fee is not prepaid, the article shall be marked "Collect _____ cents on delivery," or where scales are not available, "Collect deficiency on delivery." The article shall be dispatched to its destination as registered mail provided any required postage is prepaid or if postage would not be required were the article ordinary mail.

—when fee need not be prepaid.

(b) However, where the required registry fee has not been prepaid and the article is to be returned to the sender (and the period specified in the return request or, in its absence, the period prescribed by sec. 1330 for the retention of the article, will permit of notice to the sender and receipt of reply within the prescribed period) the postmaster shall advise the sender that the article is held, stating the amount of the additional registry fee and postage (if any) required for returning it. If there is insufficient time to communicate with the sender, and prepayment of postage is not required or is required and has been prepaid, the article should be dispatched to destination indorsed to show that the deficiency in registry fee and any other charges applicable are to be collected upon delivery. If the article requires *prepayment* of additional postage before forwarding or return and the additional postage is not prepaid the article shall be marked "Remailed after delivery—Not registered," and disposed of as ordinary mail. (See secs. 769 and 805.) Such action shall be taken in these cases as will result in the collection of any additional surcharges required for registered articles remailed after proper delivery.

5. A sealed article presented for reregistration bearing evidence of having been opened, resealed, tampered with, or which is otherwise in bad order shall be refused until reenveloped by the patron. In such case additional postage, registry fee, and any surcharge properly collectible shall be collected before dispatch. If the patron refuses to comply with these requirements and the article is subsequently found in the ordinary mail, it shall be withdrawn therefrom, appropriately indorsed, and given the safeguards required for registered mail, as provided in this section.

—when to be refused or reinclosed.

—registration receipt to be issued.

6. A descriptive registration receipt shall be issued to the person presenting for reregistration a registered article once properly delivered, which shall show by whom the article was presented, postmark of issuing office, original number, name of original mailing office, names and addresses of original sender and addressee, and be marked "Reregistered after delivery," followed by notation showing the amount of any additional postage, fees, and surcharge collected, or collectible upon delivery. When such an article is returned to a letter carrier and subsequently delivered by him to the post office or a station, receipt shall be issued to the carrier on Form 3868, such receipt and office record to show that the article was returned after proper delivery.

—connection between record of delivery and record of reregistration.

7. Such notations shall be made as will connect the delivery record of an article reregistered after proper delivery with the record of the article made upon reregistration.

—disposition of when refused.

8. If neither the addressee nor the sender will accept an article removed from the ordinary mail and reregistered and pay the additional fee, surcharge, and postage, if any, required, the article shall be disposed of as undeliverable.

—when sender does not desire reregistration after proper delivery.

9. If the sender of any registered article does not desire it registered, if forwarded or returned after proper delivery, he may indorse the article, when mailed, "Do not reregister after proper delivery." When such an article is remailed after proper delivery it should be indorsed "Remailed after delivery—Not registered," unless the person presenting it, or the addressee or his authorized representative, requests reregistration and pre-pays the fee and any postage required.

—manner of indorsing when not registered.

10. If for proper reason any article once registered is forwarded or returned in the ordinary mail, it shall be marked "Remailed after delivery—Not registered." When such articles are received from depot letter boxes or are deposited in railway post office cars, railway postal clerks will make the required indorsement thereon.

Office of delivery to keep record showing registration and reregistration after delivery and deficiency collected.

11. Offices to which articles removed from the ordinary mail and registered and articles reregistered after proper delivery are forwarded or returned marked to indicate that additional registry fee and postage, if any, is required, shall keep such record as will show that the articles were removed from the ordinary mail and registered or remailed after delivery, how they were disposed of, and the amount of any additional fee, surcharge or postage actually collected on any particular article. (See sec. 1320.)

Articles not marked "Registered," treatment of.

12. Registered matter which has not been marked "Registered" by the mailing postmaster shall be so indorsed by the first postal employee noting the irregularity.

See sec. 1205 as to matter intended for registration found in the ordinary mail.

Undelivered and refused matter. —when to be returned.

1330. Domestic registered letters and parcels which remain undelivered at either the office of their original address or the office or station to which they have been properly forwarded for—

(a) Five days if intended for delivery by village or rural carrier ;

(b) Ten days if intended for box or general delivery at an office having city-carrier service or for delivery by city carrier ;

(c) Fifteen days at offices not having city-carrier service, unless intended for delivery by village or rural carrier ;

(d) Such other period as may be named in the sender's return request, if any, not less than 3 nor more than 60 days, shall be indorsed on the face with the reason for nondelivery and disposed of as herein provided.

2. Undelivered registered articles of the first class and those inclosed in penalty envelopes, or under penalty labels or franks, those of any class the delivery of which is forbidden by the Postmaster General (see sec. 604), shall be returned to the office given in the sender's address by registered mail without charge for returning.

—when to be returned without charge.

3. Refused articles prepaid at the letter rate and all those whose delivery is forbidden by the Postmaster General (see secs. 604, 1317, and 1320), shall be returned immediately.

Certain matter to be immediately returned.

4. At the expiration of the period mentioned in the sender's return request, or, if the period is not mentioned in the return request, at the expiration of the periods mentioned in paragraph 1 above, a notice shall be mailed promptly to the sender of undelivered or refused registered articles originally prepaid at other than the first-class rate (unless the sender has pledged payment of return postage, in which case the matter may be returned without prepayment of postage), requesting him to send the required amount in stamps to pay the return postage (see sec. 805), but not registry fee or surcharge on such articles. When the stamps are received, they shall be affixed to the article and canceled, and the article promptly returned. If the stamps be not furnished, the articles shall be treated as prescribed in section 805. Undelivered or refused registered matter of other than the first class originating in the Philippine Islands, or on board United States naval vessels, shall be returned, through the proper post office at division headquarters of the Railway Mail Service, without notice to the sender, unless provision has been made for the payment of the return postage by either the sender or the addressee, in which case the matter shall be returned direct.

Other than first-class matter sender required to furnish postage.

—treatment if return postage not furnished.

See sec. 1328 as to dispatching matter for return to sender.

5. When a postmaster has good reason to believe that undelivered registered mail of domestic origin, bearing no time limit, can be delivered properly if it is held longer than the periods specified in the first paragraph of this section, he may indorse it "Specially held for delivery" and retain it not longer than 60 days, provided a written order to that effect is obtained from the sender verified by the postmaster at the sender's address.

Specially held for delivery.

1331. Undelivered registered articles at stations or branch post offices shall be held for the period prescribed in section 1330, unless there is good reason to believe that an article is not deliverable

Undelivered articles at stations. —how treated.

within the territory of such station or branch, in which event it shall be returned immediately to the main office.

—to be forwarded direct.

2. Registered mail for which there is a proper forwarding order at other than an independent station or branch may be forwarded to destination through the main office in the manner prescribed by sections 1327 and 1328, instead of being sent to the main office for purposes of forwarding.

Articles sent to dead-letter offices, etc.
—how prepared.

1332. When registered articles are disposed of under the provisions of sections 805 and 814 to 820, they shall be postmarked with the date of sending, indorsed with reason therefor, be accompanied with duplicate lists showing the sending post office and the number and address of each letter and parcel; and the lists, with the articles described thereon, shall be placed in an official penalty envelope indorsed "Inclosing registered matter," and addressed as prescribed in paragraph 6, section 817. The packet shall then be registered and dispatched as one free registered article.

—must be registered.

—not to be entered on registry bill.

2. The contents of a sealed packet of matter sent to the Division of Dead Letters and Dead Parcel Post, or branch thereof, or to a post office at division headquarters of the Railway Mail Service shall not be entered on the registry dispatch receipt card or manifold registry bill, but only the packet itself as made up. (See secs. 1330 and 1333.)

Treatment of matter when returned to mailing office.

1333. When an undelivered article reaches the office to which it is sent for restoration to sender, it shall be recorded as billed, and be receipted for by the sender as such on the delivery record, but the letters "R. W." shall appear in every record of such article. The original return receipt shall be destroyed. When practicable note shall be made on the original record of the article, showing its return and date, with a reference to its new entry on the delivery record.

Matter once returned for restoration to sender, addressee has no further claim to.

2. After a registered article has been returned for restoration to the sender the addressee shall have no further control over it. After a registered article has been returned to the sender it shall not be received again in the registered mail unless specially authorized, without prepayment anew of postage, registry fee, and any required surcharge and its reinclosure in a new envelope. (See secs. 1202 and 2229.)

When matter returned and undeliverable to sender, how to be treated.

3. When a returned registered article cannot be delivered to the sender within the time specified in the first paragraph of section 1330, it shall be treated as prescribed in sections 813 to 817.

CHAPTER 4

HANDLING OF REGISTERED MATTER BY CITY, VILLAGE, AND RURAL CARRIERS

GENERAL PROVISIONS

Regulations.
—city, village, and rural carriers to be governed by.

1334. City, village, and rural carriers and clerks in charge of rural stations shall be governed in the acceptance of mail for registration, and the handling and delivery of registered matter, by

the regulations governing postmasters and other postal employees, except as otherwise provided in this chapter.

—except.

2. The regulations in this chapter apply to city, village, and rural carriers, unless otherwise stated.

1335. No unauthorized person shall be permitted to have access to registry records or registered mail while in possession of a carrier. Carriers will be held responsible in case of the loss or deprecation of a registered letter or parcel while in their custody.

Unauthorized persons forbidden access to registered matter or records. Responsibility of carriers.

See secs. 703 and 1369 as to protection of registered mail, and secs. 812 and 1370 as to responsibility.

1336. Carriers shall not change the address of any registered article without proper order, nor shall city or village carriers transfer registered mail from one district to another except through the registry clerk at the post office or station. When the address is changed by carrier he shall write his initials and number over or near the new address and indicate that the order was verbal, if such is the case.

Address not to be changed by carriers without order.

REGISTRATION BY CARRIERS

1337. Each carrier shall be furnished one carrier's registration book (Form 3897, if office record Form 3807 is kept at the post office on which to record the post office or city carrier registrations; Form 3896, if Form 3807 is not kept at the post office for office or city registrations), an adequate supply of registry delivery notices (Form 3849), and such other forms as may be prescribed from time to time. Carriers, when out on their routes, shall have with them the required registry forms, and immediately upon accepting a letter or parcel for registration shall issue the prescribed receipt and deliver it to the sender.

Forms and blanks. —for carriers, list of.

Receipt.

—issue of.

2. Carriers on routes on which experience has shown that mail is seldom, if ever, presented for registration may be relieved, in the discretion of the postmaster, from carrying the registration book.

1338. The clerk in charge of each rural station shall be supplied with a window registration book (Form 3805), a registry delivery book (Form 3850), registry return receipts (Form 3811), and registry delivery notices (Form 3849).

Forms for rural stations.

1339. If a carrier loses his registration book or is unable satisfactorily to account for a missing receipt, the facts shall be reported immediately to the post-office inspector in charge of the division in which the post office is located.

Missing receipt, report of.

1340. City and village carriers shall receive and register all mailable matter of the first class that is not cumbersome on account of size, shape, or weight, when properly offered them for registration.

Registration of mail by city and village carriers. —first class.

See sec. 1337 as to supplies.

2. Small packages of matter other than of the first class, proper for registration (see sec. 939), may also be registered by city and village carriers, provided it does not interfere with their other duties. (See secs. 1202 and 1209.)

—other than first class.

Mail registered en route to be delivered en route.
—when.

1341. When a rural carrier accepts for registration a piece of mail addressed to a patron residing on a portion of the route over which the carrier is to pass before returning to the post office or station with which he is connected, he shall endeavor to effect its delivery before reaching such office or station, making the usual entries in the registration and delivery records and obtaining proper receipt for the article, which receipt shall be filed at the post office or station. The carrier's record shall be marked to show how the piece was disposed of, and signed by the postmaster or superintendent of the station.

See sec. 717 as to canceling stamps.

Numbering of registered mail of carriers.

1342. All mail registered by carriers and the registration receipts issued therefor shall be numbered by them in consecutive series, consisting of 100 numbers for each carrier, beginning on July 1 of each year and continuing throughout the fiscal year. (See sec. 1368.)

2. The numbers of articles registered by each city and village carrier shall correspond in "hundreds" with the series assigned to the carrier according to his number. The first registration number in each carrier's series shall be represented by each carrier's number followed by two ciphers. For example:

Carrier No. 1	-----	100 to 199, inclusive.
Carrier No. 5	-----	500 to 599, inclusive.
Carrier No. 10	-----	1000 to 1099, inclusive.

3. At large offices where it is impracticable to assign a separate cycle series of numbers to each city carrier, one distribution series may be utilized at the main office or at stations for all city carrier registrations, but the receipts in the city carriers' registration books shall be numbered consecutively, commencing with No. 1, and continuing throughout the book. The articles registered by carriers shall bear registration numbers corresponding with the numbers shown by the receipts issued to the senders. These numbers shall be crossed off lightly when the articles are given numbers in the station or main office distribution series assigned for city carrier registrations. The carrier's registration book and the proper office records shall show both the registration numbers under which the articles were accepted by the carriers and the numbers in the series under which the articles were dispatched.

Assignment of cycle series of numbers.

4. A cycle series of 100 registration numbers shall be assigned to each rural route and used in numbering mail accepted for registration and the receipts issued therefor, which series shall commence with a number formed by affixing two ciphers ("00") to the route number and end with a number formed by affixing "99" to the number of the route, the series to commence anew as soon as 100 numbers have been used and on July 1 of each year. For example:

The first article registered on rural route No. 1 on July 1 would be given No. 100 and the numbers continued through 199, when the series will again commence with "100." Likewise the first article registered on route No. 5 would commence with "500," continue through 599, and then commence anew with "500."

5. This cycle series number shall be used as the dispatching number for city and rural carrier registration by the post office or station to which the carrier or route is attached.

6. When a carrier has exhausted his series of numbers the same series shall be started anew without regard to date and continue in this manner until June 30 of each year. The number of the carrier who registered an article or the rural route on which it was registered may be ascertained by striking off the last two figures of the registration number borne by the article, the remaining figure or figures indicating the number of the carrier or of the route.

7. Each carrier shall number consecutively the registration books used by him during any fiscal year, beginning with No. 1. The first receipt in a new book shall be given the proper registration number in the series above prescribed following that of the last receipt in the book previously filled unless the series is commenced anew because exhausted or of commencement of new fiscal year.

Numbering of registration books and receipts.

1343. Rural carriers shall register any matter proper for registration (see secs. 1202, 1205, 1209, 1329, 1344, 1347, 1349, 2210, and Official Postal Guide) which may be offered to them while on duty, handle registered mail in transit over their routes, and deliver such mail to patrons on their routes, issuing and taking the necessary receipts on forms prescribed for the purpose.

Authorization of registration.—handling in transit and delivery of registered mail by carriers.

See sec. 1017 for exceptions.

1344. When a rural carrier finds in a rural mail box an acceptable letter or parcel marked for registration bearing name and address of sender, with sufficient stamps affixed to pay postage, registry fee and any required surcharge, or money to pay for same, he shall at once register the article, and, if the sender is a patron of the route, leave the registration receipt in the box. If the sender is not a patron of the route, the registration receipt shall be mailed in a penalty envelope to his address. The same procedure shall be followed if the article is marked to indicate that the sender desired it to be registered even though it does not bear the name of the sender or sufficient postage is not affixed.

Matter found in rural mail box, treatment of.

See secs. 1205 and 1210 as to when an article may be considered as registered.

1345. Carriers shall not address matter tendered for registration, place contents in envelopes or seal them, but may act as agents of patrons, without remuneration, to inclose money orders, procured for the remitters, in addressed envelopes furnished by senders for the purpose, and seal or present the same for registration at the office or station to which they are attached.

Carriers not to address mail for or place contents in envelopes.—may act as agents.

See sec. 1202 as to assistance by postal employees in preparation of matter for registration.

1346. When a piece of matter accepted for registration by a carrier is found to be unmailable, but the irregularity can be properly corrected by the sender without taking the article from the carrier's custody, the sender shall be permitted to make such

Unmailable matter.—treatment of.

correction. It shall then be taken to the distributing office or station for dispatch without requiring the payment of additional postage, registry fee, or surcharge. Corrections so made shall be noted on the sender's original receipt and on the office or station records.

—return of, to sender.

2. If an unmailable piece of matter cannot be rendered mailable by the sender while in the custody of the postal service, it shall be returned to him with a statement of the reasons for its rejection, and the sender's registration receipt indorsed across the face "Returned to sender," with the reason therefor. When mail is returned to the sender in this manner the carrier shall receipt to the post office for it by signing his name and number under the indorsement "Returned to sender," the sender's receipt taken by the carrier on the proper form, and the sender requested to surrender the original registration receipt, which shall be similarly indorsed and signed by the carrier and pasted on the edge of the stub in the carrier's registration book.

TREATMENT AT POST OFFICES OF MATTER REGISTERED BY CARRIERS

Checking and record of carrier registrations at post office or station.

1347. Immediately upon returning to the post office or station after serving his route, each carrier shall deliver to the postmaster or authorized representative all matter accepted for registration (except as provided in sec. 1351), who shall check the matter and any postage, fees, or surcharges collected by the carrier against the record in the book (see sec. 1341) and give the carrier proper receipt therefor at the time.

2. After mail registered by the carrier has been found acceptable, the postmaster or representative shall complete the office record of the matter.

Examination by postmasters of matter registered by carriers.

1348. Postmasters or their authorized employees shall examine all letters and parcels registered by carriers to see that the requirements of the Postal Laws and Regulations have been complied with. (See secs. 513, 723, 1202, 1310, and 1311.)

Excess cash received with mail matter. —return of.

1349. Any cash in excess of the amount required to pay postage, registry fee and any required surcharge shall be handed to the sender on the carrier's next trip or inclosed in an envelope and deposited in the sender's mail box. The amount required shall be noted on the office record by the receiving postmaster or authorized employee directly beneath the amount received, as written by the carrier, the subtraction being made so as to show the amount received and the amount returned to the sender. (See sec. 1018.)

Carbon copy of sheets from carrier's registration books to be filed.

1350. The carbon copy of the sheets taken from the manifold carrier's registration books (Form 3896) shall be filed in the post office according to dates, the most recent on top, and shall be the permanent office record of articles registered by carriers attached to a post office or station. The window registration book shall not be used for recording such matter. Form 3807 shall be used as the office record of registrations by rural carriers when "quick-receipt" Form 3897 is issued.

2. The office record of registered articles handled by carriers shall be compared and checked frequently to see that each article is properly accounted for.

1351. Registered articles shall be prepared for dispatch to other offices at rural stations the same as they are made up for dispatch at post offices. Receipts for registered articles dispatched from rural stations shall be taken from the rural carrier direct, and receipts shall be taken by the rural carrier from the postmaster, railway postal clerk, or other postal employee to whom the registered articles are delivered. (See secs. 1216 and 2208.)

Matter for dispatch.—making up of.

1352. Unless otherwise specially authorized by the Third Assistant Postmaster General, registered articles dispatched over a rural route to other offices or stations shall not be inclosed in iron-lock pouches but shall be handed to the carrier outside of the pouch, hand-to-hand receipt being obtained. (See sec. 1368.)

Articles, how carried.

1353. When a postmaster receives a registered article addressed to his office which is properly deliverable by a rural carrier attached to another office which is served by an exchange between carriers, he shall change the address on the article, as to destination only, to that of the office from which it is deliverable, and treat it in accordance with the provisions of section 1365.

Delivery by carrier attached to another office.

DELIVERY OF REGISTERED MAIL BY CARRIERS

1354. Postmasters at city and village delivery offices, unless requested to the contrary by addressees, shall deliver by city or village carriers all registered mail, addressed to street and number and to persons whose addresses appear in the city or office directory.

Delivery by city and village carriers.—except.

2. When there is reason to believe that a registered letter or parcel contains a large sum of money or valuable securities which cannot be delivered by city, village, or rural carrier or by special-delivery messenger without unusual risk, the addressee shall be requested to call for it at the post office, and the special-delivery stamps or special-delivery indorsement thereon, if any, may be disregarded.

Packages containing money, securities, etc., to be held for desk delivery.

3. When a postmaster receives a number of registered articles for delivery by the same carrier on any one trip, he shall hold the registered matter for desk delivery, if in his opinion the aggregate value of the articles is such that delivery cannot be made by carrier without unusual risk.

1355. When the addressee is a box holder, all of his registered mail shall be held for desk delivery unless he requests that it be delivered by carrier.

Box holder's mail held for desk delivery.

1356. Carriers shall receipt on the post-office or station delivery record for all registered mail handed them at such office or station for delivery, and also enter, or have entered, complete descriptions thereof, as well as of transit registered articles, in their own registry records (Forms 3830, 3849, or 3851, 3852, 3853, 3854). (See sec. 1368.)

Carriers to receipt for registered matter for delivery.

See sec. 1323 as to delivery of registered mail.

Delivery of registered matter by carriers. Attempts to deliver.

1357. Carriers shall endeavor to deliver registered mail on the first trip after it is prepared for delivery, unless the addressee has given orders to the contrary, and shall make as many efforts each day to deliver such mail as their trips will permit, unless it clearly appears after any trip that delivery by them is impossible.

—memorandum notice as to.

2. After each unsuccessful trial the carrier shall write in pencil, on the left end or back of the letter or parcel, the reason for nondelivery, and sign it with his initials and number and leave a notice (Form 3849) at the addressee's residence, place of business, or mail box. Article shall show date notice was issued.

When delivery can not be effected.

1358. When on any day it is found impossible to deliver a registered article on that date, it shall be returned to the postmaster, superintendent, or authorized clerk. This shall be done also after the last trip each day, and after any trip which is followed by the carrier's lay-off.

Checking of carriers' returns.

2. The receipts for registered mail delivered, and the undelivered registered articles returned to the post office by city, village, or rural carriers, shall be promptly checked with the post-office delivery record and prompt and proper action taken if any discrepancies are found. Form 3867 (sheet record of registered matter received for delivery), or the incoming manifold bills if more convenient, shall be used at post offices having the "number only" system of delivering registered mail as the checking record. At other offices Form 3867, delivery book, Form 3850, or the incoming manifold bills if more convenient, may be used on which to check the carriers' returns. A receipt on the form provided for the purpose must be given city, village, and rural carriers for any undelivered registered articles, and any receipts for registered articles delivered, turned in by them, such receipts to be given at the time the registered matter and signed receipts are received from the carriers.

Signed receipts and undelivered matter. —how treated.

3. Undelivered registered articles returned by carriers shall, at each return, be carefully examined and reentered on the authorized record; and every time thereafter they are taken out for delivery by the carrier he shall receipt for them.

Registered special-delivery letters. —delivery of.

1359. Registered letters for special delivery shall be intrusted only to adult employees of a post office, or, if this be not practicable, only to sworn messengers of undoubted discretion and good judgment. Postmasters may make delivery of such letters in person.

—receipts obtained.

2. In delivering special-delivery registered mail the receipts required for special-delivery mail need not be obtained in addition to the receipts for registered mail.

See secs. 1091 and 1323, par. 1 (d), as to delivery of special delivery and registered matter, and sec. 1354 as to registered mail of unusual value.

Delivery by rural carriers.

1360. Registered mail addressed to a patron of a rural route shall be delivered at the residence of the patron if it be not more than one-half mile from the line of travel and there is a passable road leading to it, but a carrier shall not be required to make more than one visit to a residence to effect the delivery of any one piece of registered mail. (See sec. 1354.)

2. If the addressee does not meet the carrier on the first trip, or by reason of location is not entitled to delivery at his residence, or delivery at the residence is not effected as prescribed by the preceding paragraph, the carrier shall place in the box of the patron a notice (Form 3849) that the patron may obtain the registered article by calling at the post office or meeting the carrier at the box on the next trip.

—when notice is necessary.

1361. A rural carrier may advise a patron of his route whose residence or place of business is located more than one-half mile from the route, by telephone or otherwise, that he holds registered mail addressed to him, and that he will be at the patron's mail box at a specified time to effect delivery. Such arrangement shall not be made, except on initiative of the patron, when the latter is located one-half mile or less from the route.

Telephone.
—may be used, when.

1362. Rural carriers who call at intermediate offices on their routes to receive mail for delivery to their patrons shall receipt therefor, and turn in to such offices the delivery receipts and any undelivered registered articles in the manner prescribed by secs. 1356 to 1361, inclusive.

Intermediate offices.
—treatment of matter received at.

1363. Any registered matter and signed office or return receipts for registered articles remaining in possession of the carrier when service on his route is completed shall be turned in at the distributing office or station. If, however, prior to his arrival at distributing office the rural carrier calls at an intermediate office from which he has received registered mail for delivery, he shall turn in to that office any undelivered registered mail received therefrom, and the office and return receipts for any such mail which he has delivered. Any signed office receipts for registered mail which was received by the rural carrier from an intermediate office and delivered, and which was temporarily left at the distributing office shall be obtained by the carrier and delivered into the intermediate office on his next trip, but the return receipts for such articles may be mailed out by the distributing office.

Intermediate office matter.
—return of.

1364. If a rural carrier, under due authorization, delivers registered mail to another carrier, he shall obtain receipt therefor on an appropriate record. The carrier receiving the mail shall in turn enter it in his record and secure receipt from the person to whom he makes delivery.

Exchange of mail by carriers.

1365. When a rural carrier attached to an office which is served in transit by an exchange of mail between him and a carrier attached to another office receives from the latter carrier a registered article for delivery on his route, he shall, if possible, effect delivery before reaching his office, and shall report the fact to the postmaster or authorized employee at such office, exhibiting his record of the article (which shall embody the usual delivery record and particulars), from which such postmaster or employee shall enter a description of the article on the delivery records of the post office or station.

Delivery by carrier in transit.
—when permitted, and how effected.

1366. Registered mail addressed to a rural station for delivery shall be held there, to be called for, the usual office registry notice

Delivery from rural stations.

(Form 3849) being issued, unless the addressee is a patron of a rural route starting from such station or a route contiguous thereto, in which case the mail shall be sent out by the carrier, unless patron otherwise directs.

CHAPTER 5

MISCELLANEOUS PROVISIONS

GENERAL

Correspondence relative to the registry system, etc. —how conducted.

1367. All correspondence or other business relating wholly to matters concerning the domestic registry system shall be conducted through the office of the Third Assistant Postmaster General, Division of Registered Mails, and those relating wholly to the international registry system shall be conducted through the office of the Second Assistant Postmaster General, Division of International Postal Service. 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 shall be referred, either entire or by copies or appropriate extracts, to the office directly in charge of the registry service, domestic or international, as the case may be; but all cases involving the loss, depredation, or wrong delivery indicating probable loss of a domestic registered article, and all inquiries for missing domestic registered matter shall be referred or reported in the first instance to the inspector in charge, while those concerning foreign registered matter shall be handled in accordance with the provisions of section 800. (See sec. 2259.)

Cases of losses, depredations, etc.

Exceptional treatment of registered mail.

1368. When at particular points or in particular instances the general method prescribed by the regulations relative to registered mail is not practicable or advantageous, the Third Assistant Postmaster General, Division of Registered Mails, in the case of domestic mail, and the Second Assistant Postmaster General, Division of International Postal Service, in the case of international mail, may authorize exceptional dispatches or exceptional treatment of such mail.

1369. All registered matter shall be kept separate from ordinary matter, and properly protected from accident or theft. Registered mail shall be handled, as far as practicable, only by experienced employees of known integrity.

Registered matter to be kept separate and secure.

2. Prompt report shall be made to the Third Assistant Postmaster General, by postmasters direct and by other postal officials or postal employees through proper channels, of any instance noted wherein there may be a doubt as to whether registered mail, particularly that known or presumed to be of more than nominal value, is given adequate safeguards either in transit or in post offices.

See secs. 443 and 1335 as to responsibility for negligence; sec. 703 as to unauthorized persons.

1370. Postmasters and other postal employees will be held personally responsible by the Post Office Department for the wrong delivery, deprecation upon, or loss of any registered letter or parcel if such wrong delivery, deprecation, or loss be due to negligence or disregard of the regulations. (See secs. 812, 1202, 1223, 1268, 1270, 1323, and 1369.)

Responsibility for registered matter.
—in case of loss through negligence.

1371. Postmasters and other postal employees shall not surrender registered matter upon the service of process of attachment, garnishment, or other legal process. A postmaster or other employee served with such process shall make answer to the court from which it issues, setting forth his official character and the fact that the matter in dispute came into his hands by virtue of his official authority. If, after such answer, the court directs the delivery, the postmaster shall request the suspension of the order until he can communicate with the Third Assistant Postmaster General, Division of Registered Mails, in the case of domestic registered mail, and with the Second Assistant Postmaster General, Division of International Postal Service, in the case of foreign mail, by telegraph if necessary, and obtain further instructions.

Mail matter not to be surrendered upon service of legal process.
Answer to service of process.

—delivery directed after.

Report to Third Assistant Postmaster General.

Registry records taken into court.
—care of.

2. A postal employee summoned to take registry records into court shall not permit them to be taken from his custody, and during the absence of such records as are in current use at the post office blank record forms of the same kind shall be used. (See sec. 702.)

Receipts of postal employees.
—written, not stamped, etc.

1372. Unless otherwise authorized by the Third Assistant Postmaster General, receipts for registered mail shall be written, not stamped. (See sec. 1322 for exception.) When conditions require it, the initials of the receiving postal employees may be omitted, except when two employees in the post office or railway post office have the same surname. (See sec. 1222.)

Checking mail by description required.

1373. Registered articles shall not be checked by totals unless specially authorized by the Third Assistant Postmaster General.

See sec. 1268 as to witnessing.

RECORDS, FORMS, AND REPORTS

1374. Postmasters shall keep proper record of all matter registered and received for delivery, respectively. (See secs. 1209, 1300, and 1314.) Proper dispatching and transit records also shall be maintained of all registered letters, parcels, and jackets, and rotary-lock sacks and pouches addressed to other post offices. (See secs. 1220, 1221, 1237, 1293, and 2213.)

Registry records.
—in post offices.
—registration record.
—delivery record.
—dispatching and transit record.
—special, at presidential offices.

2. Postmasters at presidential offices may be furnished specially arranged registration, delivery, and transit record forms, as well as other special forms, with instructions for exceptional treatment of registered mail at their offices.

1375. Registry books and forms of a special character not needed at all offices may be furnished upon the authority of the Third Assistant Postmaster General only, and by "special allow-

Special registry books and forms.

ance," when the volume of registry business transacted warrants it, or when for other reasons the registry business would be benefited thereby.

—how obtained.

2. After due authorization books and forms with office headings may be ordered from the Fourth Assistant Postmaster General, Equipment and Supplies Branch.

Blanks for registry business to be kept on hand.
—at every post office.

1376. Postmasters shall make timely requisition for, and keep constantly on hand at their main offices, at stations, and in possession of city, village, and rural carriers (if any), such authorized registry blanks and forms as are necessary for the proper conduct of the registered-mail service at their offices.

Registry forms in the Railway Mail Service.

1377. Railway postal clerks shall be furnished, through their respective division superintendents, with such registry forms as they are authorized to use.

Registry records.
—must be preserved.
—of discontinued offices.

1378. The registry records of a post office shall be preserved among the files of the post office for the proper period (see sec. 101) and turned over by a retiring postmaster to his successor.

How disposed of upon discontinuance of office.

2. All books, blanks, and other papers relating to registry business received by a postmaster from any discontinued office shall be kept by him as a part of the records of his office.

3. When a post office is discontinued and made a station of another post office, all books, blanks, and other papers relating to the registry business of the discontinued office shall be turned over to the designated postmaster, who shall continue their use at that station, making a notation in the books to show where the record of the discontinued post office stops and that of the station begins.

—in the Railway Mail Service.

4. Records of registered matter handled by railway postal clerks shall be retained by them for a period of two years, unless sooner disposed of in accordance with the provisions of section 2030, and thereafter turned in to the respective division superintendents. Railway postal clerks' certificate of final service shall not be issued to the paying postmaster until these records are turned in. (See sec. 238.) Registry records of a terminal railway post office shall be preserved among the files of such office and in the custody of the clerks in charge. All such registry records shall be inspected from time to time by chief clerks or examiners of the Railway Mail Service.

Reports of registered business to be rendered.

1379. Postmasters at offices of the first, second, and third classes shall maintain such statistical record of registered matter as may be required by the department and report the items called for on the forms provided for the purpose promptly on the 1st day of July of each year. The record of such statistics at the larger offices shall be kept on Form 3873 at the main office and on Form 3874 at stations or branches. Postmasters also shall be prepared to furnish without delay such additional reports as may from time to time be requested by the department.

Note.

NOTE.—Information as to the statistics to be reported annually will be found in the Official Postal Guide.

Station reports to be sent to main office.

2. All station statistical reports of registry business shall be sent to the main office on Form 3874 at the close of each month, or oftener if required by the postmaster.

CHAPTER 6

INDEMNITY FOR LOSSES

1380. * * * as a part of such system (of registration) he (the Postmaster General) may provide rules under which the senders or owners of any registered matter shall be indemnified for loss, rifling, or damage thereof in the mails, the indemnity to be paid out of the postal revenues, but in no case to exceed \$1,000 for any one registered piece, or the actual value thereof when that is less than \$1,000, and for which no other compensation or reimbursement to the loser has been made: *Provided*, That the Postmaster General may in his discretion provide for the payment of indemnity for the actual value of registered mail or insured mail treated as registered mail in excess of \$1,000, but not in excess of \$10,000, when such mail is not insured with any commercial insurance company or other insuring agency and may fix the fees chargeable for the risks assumed ratably at the rates fixed up to \$1,000: *Provided further*, That the Postmaster General in his discretion may cause to be underwritten or reinsured in whole or in part with any commercial insurance companies any liability or risk assumed by the Post Office Department in connection with the mailing of any particular registered article or articles. (See sec. 1201.)

Indemnity for domestic registered matter.
39 U. S. C. 381.

NOTE.—The present limit of indemnity for domestic registered mail has been fixed at \$1,000. (See sec. 1203.)

Note.

2. Any necessary detailed instructions in connection with the administration of the regulations relating to indemnities for domestic registered mail shall be issued by the Third Assistant Postmaster General.

1381. Whoever shall make, allege, or present, or cause to be made, alleged, or presented, or assist, aid, or abet in making, alleging, or presenting, any claim or application for indemnity for the loss of any registered or insured letter, parcel, package, or other article or matter, or the contents thereof, knowing such claim or application to be false, fictitious, or fraudulent; or whoever for the purpose of obtaining or aiding to obtain the payment or approval of any such claim or application, shall make or use, or cause to be made or used, any false statement, certificate, affidavit, or deposition; or whoever shall

False claims for indemnity.
18 U. S. C. 354.
Supp. V.

knowingly and willfully misrepresent, or misstate, or, for the purpose aforesaid, shall knowingly and willfully conceal any material fact or circumstance in respect of any such claim or application for indemnity, shall be fined not more than \$500 or imprisoned not more than one year, or both, except in cases where the amount of such claim or application for indemnity is less than \$100 there may be imposed a fine only.

Limit of indemnity.

1382. Indemnity within the prescribed limit (see sec. 1203) will be paid to the rightful claimant in case of the injury, loss, or rifling of domestic registered mail, as follows:

(a) In the case of loss or irreparable damage, the market value of the article at the time of loss, or its value on date of mailing, if date of loss cannot be ascertained.

(b) In case of partial damage, the actual and necessary cost of repairs.

(c) The actual, direct, and necessary expenses of duplicating valuable papers, or the original cost of such papers when not duplicated.

Matter partly covered by commercial insurance, 39 U. S. C. 381a.

2. * * * All claims for indemnity involving registered mail, or insured mail treated as registered mail, or other insured mail, or collect-on-delivery mail, which is also insured with commercial insurance companies or other insuring agencies, shall be adjusted by the Post Office Department on a pro rata basis as a coinsurer with the commercial insurance companies or other insuring agencies.

Where fraudulent value is stated.

3. Whenever a false, fictitious, or fraudulent value is knowingly and wilfully stated, the department reserves the right without any refund of fee to decline to pay indemnity or to pay such indemnity as may in its discretion be considered equitable in the light of the evidence procured.

Determination as to conflicting claims.

4. If no agreement is reached in the case of a conflicting claim, indemnity will be paid to such person as may legally be entitled to receive it.

Claims to be made within one year.

5. Claims for indemnity involving domestic registered mail shall be made within one year from the date of mailing, unless the delay in filing such claim was unavoidable and not due to the fault of the claimant.

Where indemnity is not paid.

6. No indemnity will be paid—

(a) For the injury or loss of any registered matter upon which postage, registry fee, and any required surcharge have not been paid.

(b) For the injury or loss of any registered matter which was not rightfully in the mails, or was not injured or lost while in the custody of the Postal Service, or for which other compensa-

tion or reimbursement has been made through the Post Office Department or the Postal Service.

(c) For the injury or loss of any registered matter exchanged between post offices in the United States and post offices in possessions of the United States having separate and distinct postal services, except in accordance with such stipulations as may be agreed upon between the postal administrations interested unless the matter originated and the weight of evidence indicates that the matter was lost in the Postal Service of the United States.

(d) For damage to registered mail, due to insecure or insufficient preparation or wrapping or lack of proper indorsement, unless it is shown to the satisfaction of the Third Assistant Postmaster General that the circumstances in any particular case are such as to justify the Department assuming responsibility for the improper preparation of the article for mailing or absence of the proper indorsement.

(e) For the loss or rifling of or damage to any domestic registered article without intrinsic value.

(f) For loss resulting from delay to a registered article.

(g) For damage to articles which are so fragile in their inherent nature as to prevent their safe carriage in the mails, regardless of the manner in which packed.

(h) For the loss, injury, or rifling of a registered article re-mailed after proper delivery unless the article was reregistered after delivery and the evidence indicates to the satisfaction of the department that the loss, injury, or rifling occurred in the Postal Service.

(i) For indirect, remote, and unnecessary expenses incident to repairs or duplication of papers, or for any consequential loss.

(j) When the sender knowingly and willfully failed to state, when required, at the time of mailing, the full value of a registered article or an insured article treated as registered mail. (See secs. 1203 and 1209.)

7. When the sender is incompetent or deceased, indemnity will be paid to such person as may legally be entitled to receive it.

8. A lost article recovered shall, if still in possession of the Post Office Department, be surrendered to the proper claimant, upon the return of the whole or such portion of the indemnity paid as the Department considers properly refundable. The Department may, in its discretion, require the claimant to accept a recovered article for which indemnity has been paid and to refund the indemnity or such portion thereof as the Department considers it to be equitably entitled. If the article cannot be surrendered and indemnity refunded within a reasonable time after its recovery, the article may be disposed of as undeliverable dead matter.

See sec. 1383 regarding indemnity for domestic registered collect-delivery mail.

See sec. 1211, par. 6, relative to the nonpayment of indemnity in connection with free registration of domestic matter mailed by members of the Diplomatic Corps, consuls, and vice consuls of the countries adhering to the Postal Union of the Americas and Spain.

Payment of indemnity when claimant is deceased, incompetent, etc. Lost articles recovered to be surrendered upon return of indemnity.

DOMESTIC REGISTERED COLLECT-ON-DELIVERY MAIL

Domestic registered C. O. D. mail.

—regulations governing.

1383. Domestic collect-on-delivery mail sealed against postal inspection and bearing postage at the first-class rate may be registered upon application of the person posting the same. The rules and regulations applicable to other domestic collect-on-delivery and other domestic registered mail shall apply also to domestic registered collect-on-delivery mail unless otherwise stipulated.

Sealed, first-class rate.

Maximum charges and indemnity.

See sec. 1385, par. 3, citing the law authorizing the Postmaster General to extend the collect-on-delivery service to sealed domestic mail of any class bearing postage at the first-class rate and to fix the fees and limits of indemnity for such service.

2. Domestic registered collect-on-delivery mail shall be sealed and bear postage at the first-class rate.

3. The maximum amount of charges collectible on domestic registered collect-on-delivery mail shall be \$200 regardless of the amount of C. O. D. fee paid in excess of that required for the collection of \$200, but the maximum indemnity payable for the loss, rifling, or damage of domestic registered collect-on-delivery mail shall be \$1,000, the limit fixed for other domestic registered mail.

Fees and indemnity up to \$200.

4. The amounts to be collected upon delivery, *not exceeding \$200*, the limits of indemnity payable covering the amounts collectible, and the fees chargeable therefor in addition to the postage on domestic registered collect-on-delivery mail shall be as follows:

Amounts of C. O. D. charges and limits of indemnity payable up to \$200:	C. O. D. fee (including registration)
Not over \$10.....	\$0.25
From \$10.01 to \$50.....	.30
From \$50.01 to \$100.....	.40
From \$100.01 to \$200.....	.50

Fees and indemnity above \$200.

5. (a) When indemnity *in excess of \$200* is desired for the loss, rifling, or damage of domestic registered collect-on-delivery mail, the following collect-on-delivery fees, which include registration, shall be charged in addition to the postage:

Amount of indemnity desired regardless of amount of C. O. D. charges:	C. O. D. fee (including registration)
For indemnity exceeding \$200 and not exceeding \$300...	\$0.60
For indemnity exceeding \$300 and not exceeding \$400...	.70
For indemnity exceeding \$400 and not exceeding \$500...	.80
For indemnity exceeding \$500 and not exceeding \$600...	.90
For indemnity exceeding \$600 and not exceeding \$700...	1.00
For indemnity exceeding \$700 and not exceeding \$800...	1.10
For indemnity exceeding \$800 and not exceeding \$1,000...	1.20

Surcharges.

(b) Surcharges shall be collected on registered collect-on-delivery mail under the same conditions as are outlined for the regular registered mail (see sec. 1203) except that in determining the amount of surcharge collectible, there shall be taken as a basis the amount by which the declared actual value of the article

mailed exceeds the limits of indemnity payable for the fees prescribed for registered collect-on-delivery mail in paragraphs 4 and 5 of this section.

6. Except as otherwise prescribed, the rules and regulations governing the payment of indemnity in connection with domestic registered mail not sent collect on delivery and domestic unregistered collect-on-delivery mail shall govern in connection with domestic registered collect-on-delivery mail. (See secs. 1382 and 1389.)

Payment of indemnity.

7. Domestic registered collect-on-delivery articles shall in all cases be based on bona fide orders for their contents, or be mailed in conformity with agreements between the senders and the addressees. (See sec. 1387, par. 2.) The department reserves the right to decline to pay any indemnity involved in connection with domestic registered collect-on-delivery mail not ordered by the addressees or sent in conformity with bona fide agreements between the senders and the addressees.

Bona fide orders.

8. Each domestic registered collect-on-delivery article shall be given one original number, which shall be the registration number.

Numbering.

9. No senders' return receipts shall be furnished for domestic registered collect-on-delivery mail.

No return receipts.

10. No indemnity shall be paid on account of the loss, rifling, or damage of domestic registered collect-on-delivery mail if claim is not made within six months from the date of mailing of the article, unless it is established to the satisfaction of the Third Assistant Postmaster General that the delay was unavoidable and not the fault of the claimant.

Time limit for filing claims.

11. No indemnity shall be paid for damage to domestic registered collect-on-delivery mail caused by failure to prepare properly the matter in accordance with the instructions issued to the sender prior to the mailing.

No indemnity for articles not properly prepared.

12. All indemnity claims involving domestic registered collect-on-delivery mail shall be adjusted by the Third Assistant Postmaster General, Division of Registered Mails.

Claims adjusted by department.

13. (a) The loss, rifling, or damage of domestic registered collect-on-delivery mail shall be investigated by the Chief Inspector as is done in the case of other domestic registered mail. (See secs. 809 and 812.)

Loss, rifling, or damage; investigation.

(b) Inquiries or claims in connection with domestic registered collect-on-delivery mail which are known to involve failure to remit C. O. D. charges or an incorrect amount of C. O. D. charges, as distinguished from loss, rifling, or damage of the articles, shall be sent direct to the Third Assistant Postmaster General, Division of Registered Mails.

Failure to remit C. O. D. charges.

(c) When it is not known whether an inquiry or claim in connection with domestic registered collect-on-delivery mail involves the C. O. D. charges as distinguished from loss, rifling, or damage of the article, inquiry shall be made of the postmaster at the office of address to ascertain the facts. If the reply indicates failure to remit all or part of the charges or otherwise involves the correctness of the charges the matter shall be referred direct to the

Indefinite inquiries, procedure.

Third Assistant Postmaster General, Division of Registered Mails. If the reply indicates that loss, rifling, or damage has occurred, or if no reply is received within a reasonable time, the matter shall be referred to the proper inspector in charge. (See sec. 1291.)

Instructions.

14. Any necessary instructions relative to the conduct of the domestic collect-on-delivery service, involving sealed or unsealed registered or unregistered mail, shall be issued by the Third Assistant Postmaster General, Division of Registered Mails.

RECEIPTS OR CERTIFICATES OF MAILING FOR ORDINARY, REGISTERED, INSURED, AND COLLECT-ON-DELIVERY MAIL

Receipt or certificate of mailing.
Fee for receipt.
39 U. S. C.
260a.

1384. The Postmaster General is authorized to charge a fee, under such regulations as he may prescribe, for the issuance to the sender of ordinary mail, and of registered, insured, and collect-on-delivery mail, a receipt or certificate showing such mailing.

Note.

NOTE.—The purpose of the act of Congress approved January 13, 1931, 39 U. S. C. 260a, is shown by its title, "To authorize the Postmaster General to issue additional receipts or certificates of mailing to senders of certain classes of mail matter and to fix the fees chargeable therefor."

Charge for receipt, ordinary mail.

2. Upon request and the payment of 1 cent for each receipt or certificate of mailing furnished for each piece of mail described the postmaster at the office of mailing shall furnish a receipt or certificate of mailing to the sender of domestic ordinary mail of any class, but such certificate for ordinary mail shall not show the amount of postage paid. (See sec. 576.)

Charge for additional receipts.

3. Upon request, the postmaster at the office of mailing shall furnish to the sender of any domestic ordinary, registered, insured, or collect-on-delivery mail, as many additional receipts or certificates of mailing for the same article as may be desired, upon payment of 1 cent for each additional receipt or certificate furnished for each piece of mail described. No charge other than the prescribed registration, insurance, or collect-on-delivery fees shall be made for the original receipts issued for domestic registered, insured, or collect-on-delivery mail.

Stamps in payment.

4. Uncanceled postage stamps to cover the charge for certificates of mailing shall be affixed to the certificates and canceled by the postmark of the office of mailing.

Statistics.

5. Record shall be kept showing separately the number of certificates of mailing issued for domestic ordinary, registered, insured, and collect-on-delivery mail, and separately the number of articles of ordinary, registered, insured, and collect-on-delivery mail covered by such certificates. When more than one certificate of mailing is issued for the same article, each entry of the article on each certificate issued, including copies, shall be counted and charged for, but each article is to be counted but once regardless of the number of certificates of mailing issued for the same article.

CHAPTER 7

DOMESTIC INSURANCE AND COLLECT-ON-DELIVERY SERVICES,
INDEMNITY

GENERAL PROVISIONS

1385. The Postmaster General shall make provision by regulation for the indemnification of shippers of articles sent by fourth-class mail or third-class domestic mail, for shipments injured or lost, by insurance or otherwise, and, when desired, for the collection on delivery of the postage and price of the article shipped, fixing such charges as may be necessary to pay the cost of such additional services.

Insurance, collect-on-delivery service.
39 U. S. C. 244.

2. The provisions of the Postal Laws and Regulations governing the insurance and collect-on-delivery services applicable to domestic fourth-class or parcel-post mail shall apply also to third-class domestic mail which is insured or sent collect on delivery.

Provisions applicable to third-class matter.

3. The provisions * * * (with respect to the insurance and collect-on-delivery services) are hereby extended so as to authorize the Postmaster General, under such rules and regulations as he may prescribe, to provide collect-on-delivery service for sealed domestic mail matter of any class bearing postage at the first-class rate and to fix the fees and limits of indemnity for such service.

Collect-on-delivery service extended, etc.
39 U. S. C. 246a.

NOTE.—The omitted portions of this law (39 U. S. C. 246 a) refer to previous legislation, which directed the establishment of insurance and collect-on-delivery services for fourth-class (parcel-post) mail, extended such services to third-class mail, and prescribed insurance and collect-on-delivery fees for indemnities up to \$100.

Note.

This law extended the domestic collect-on-delivery service to any class of mail sealed against postal inspection bearing the first-class rate of postage. It did not limit or change the privilege of utilizing the collect-on-delivery service already in effect for unregistered third- and fourth-class matter unsealed or sealed subject to postal inspection prepaid at the third- or fourth-class rate of postage.

4. Except as otherwise prescribed the provisions of the Postal Laws and Regulations and the instructions in the Official Postal Guides governing collect-on-delivery service for domestic third- and fourth-class mail shall cover sealed domestic collect-on-delivery mail of any class, registered or unregistered, bearing postage at the first-class rate.

Provisions covering all classes of C. O. D. mail.

NOTE.—The domestic insurance service applies only to third- and fourth-class matter. The domestic collect-on-delivery service applies to third- and fourth-class matter and to sealed matter of any class, registered or unregistered, bearing postage at the first-class rate.

Note.

See sec. 1383 as to fees and limits of indemnity and other conditions applicable to domestic registered collect-on-delivery mail; sec. 1386 as to fees and limits of indemnity for insured mail; secs. 1387 and 1388 as to domestic unregistered collect-on-delivery mail; and Official Postal Guide as to insurance and collect-on-delivery services to foreign countries.

Inquiry as to packing and contents.

5. Postmasters and other postal employees before accepting a parcel for mailing shall inquire as to the manner of packing and what it contains. Unmailable and improperly packed parcels shall not be accepted.

See secs. 590 and 591 as to packing and sec. 597 as to unmailability.

Guarantee of return and forwarding postage.

6. All domestic insured and collect-on-delivery third and fourth class parcels shall be accepted with the understanding that the senders, in every instance, guarantee any return or forwarding postage which may be necessary when such parcels become undeliverable. All domestic insured and collect-on-delivery third and fourth class parcels should bear, in connection with the senders' return cards, pledges guaranteeing return and forwarding postage; but regardless of whether or not the parcels bear such pledges, they shall be treated as though the pledges were on the parcels.

Sender's receipt and mailing office record.

7. The sender of an insured or collect-on-delivery article shall be given a receipt showing, in addition to the other required entries, unless otherwise authorized by the Third Assistant Postmaster General, the office and date of mailing, the number of the article, in separate amounts the fee and postage paid, and also, in the case of a collect-on-delivery article, the name and address of the addressee and the amount to be remitted. A record shall be retained at the mailing office showing, unless otherwise authorized by the Third Assistant Postmaster General, the same particulars together with the name and address of the addressee (including the street or other local address if shown) in the case of insured mail, and the name and address of the sender in the case of collect-on-delivery mail. The receipt shall be signed with the name or initials of the employee issuing it and route number if issued by a rural carrier. The number on the receipt shall correspond with that on the article.

See sec. 1384 as to the issuance of *additional* receipts or certificates of mailing for insured and collect-on-delivery mail.

Numbering and indorsement.

8. Insured and collect-on-delivery articles shall be numbered separately and consecutively, the numbering to commence anew on July 1 or other authorized times, and indorsed "Insured, No. (of article)," or "C. O. D., No. (of article), due sender (amount), money-order fee (amount), total (amount to be collected)," in addition to any other special indorsements required.

Dispatched and handled in transit as ordinary mail.

9. Domestic insured and collect-on-delivery mail (except registered collect-on-delivery) shall be dispatched and handled as ordinary mail while in transit between the office of mailing and the office of delivery.

Delivery.

10. Delivery of insured and collect-on-delivery mail shall be made in accordance with the regulations governing the delivery of registered mail (see secs. 1321 to 1326 and sec. 1360), except that under such instructions as may be promulgated by the Third Assistant Postmaster General insured and collect-on-delivery mail, the delivery of which has not been restricted by the sender or addressee, addressed to a guest at a hotel, occupant of an apart-

ment house, or the like, may be delivered without a written order from the sender or addressee to the proprietor, manager or a representative authorized in writing by the hotel or house to receive the mail, even though not addressed in his care or in care of the hotel or house.

NOTE.—This paragraph does not apply to registered mail.

11. Damaged insured or collect-on-delivery articles should not be withheld from delivery.

12. Domestic insured or collect-on-delivery articles which have not been delivered properly may be forwarded or returned without the payment of additional insurance or collect-on-delivery fees. (See secs. 769, 805, 1386, and 1387.)

13. Undeliverable insured and collect-on-delivery articles shall be treated as provided by sections 769, 804 to 806, 815, 817, and 2227.

14. Fourth-class matter inadvertently registered shall be handled in transit and delivered as registered mail, but any deficiency in postage shall be collected at the fourth-class rate (see sec. 1320) by means of postage-due stamps.

15. All irregularities with respect to domestic insured and collect-on-delivery mails shall be reported to the Third Assistant Postmaster General, Division of Registered Mails.

16. Postmasters at rural delivery offices shall see that rural carriers are instructed to accept articles for insurance or collection on delivery and are equipped with necessary supplies.

17. Each rural route shall be assigned one series of numbers for insured and another for collect-on-delivery mail, in conformity with the scheme in section 1342 for numbering registered mail, and record shall be kept of the last number used. Every number shall be accounted for.

18. Rural carriers, when requested, shall insure third- and fourth-class matter and shall accept third- and fourth-class and sealed domestic mail matter of any class bearing postage at the first-class rate to be sent collect on delivery, and immediately upon acceptance shall issue the prescribed receipt and deliver it to the sender. The patron shall fill in a collect-on-delivery tag with ink, typewriter, or indelible pencil, showing amount to be collected and names and addresses of the sender and addressee. Stubs and mailing-office coupons descriptive of insured and collect-on-delivery articles accepted by rural carriers shall be filed at the post office.

19. The amount of insurance or C. O. D. fee, and postage when correct amount is known, shall be entered on the sender's receipt and the mailing office record. When in doubt as to weight of an article, an amount sufficient fully to prepay postage and insurance or C. O. D. fee shall be collected, the space for postage being left blank, and the total amount received, including the insurance or C. O. D. fee, entered on the back of sender's receipt and mailing office record. The receiving postmaster or postal employee shall enter the correct amount of postage on the mailing

Note.

Damaged parcels to be delivered.
Forwarding or return.

Undeliverable matter.

Parcels inadvertently registered.

Irregularities.

Acceptance of insured and C. O. D. mail by rural carriers.
Numbers for insured and C. O. D. mail on rural routes.

Receipts on acceptance.

Amount of postage, how determined.

office record. The total amount required and the excess, if any, shall be shown on the back of the mailing office record beneath the total amount received as entered by the carrier. Any excess payment shall be handed to the sender on the carrier's next trip or inclosed in an envelope and placed in the sender's mail box. (See secs. 1018 and 1349.)

Parcels accepted by rural carriers.
—delivery to post office.

20. Stamps to pay the required postage and fee shall be affixed, the C. O. D. tag properly filled out and attached if the article is collect on delivery, and the article turned in by the rural carrier at the post office. When articles require special indorsement, such as "perishable," "fragile," etc., appropriate notation shall be made on the articles (and tag coupons if collect on delivery), to assure proper indorsement with stamp at the post office.

Examination at post office.

21. Insured and collect-on-delivery articles accepted by rural carriers shall be carefully examined at the post office to ascertain whether they bear appropriate indorsements, required postage and fee, are properly packed, and that tags of collect-on-delivery articles are correctly completed.

Matter left in boxes.
—preparation for mailing.

See sec. 719 as to requirement for postmarking insured and collect-on-delivery mail with date of mailing.

22. An article intended for insurance or collection on delivery may be left in a rural patron's mail box for collection, provided sufficient stamps are affixed for postage and fee, or money therefor is left in the box, and the article is properly packed, marked "Insured" or "C. O. D.," and the collect-on-delivery tag is properly filled in and attached. A note shall be left stating contents if the article is other than first class, and value if insured, and what part of the stamps or money represents fee. When desired, a blank collect-on-delivery tag may be left in the box to be filled out and attached to an article for collection on a subsequent trip. The department assumes no responsibility for such article until receipted for in good condition nor for such money unless received.

—collection from boxes.

23. When a rural carrier collects an article from a patron's box to be insured or sent collect on delivery, he shall fill in the stub of the insurance receipt or mailing-office portion of the collect-on-delivery tag and, if patron has left money for postage and fee, enter amount of money found with the article.

Exceptional treatment.

24. When the general method prescribed by the regulations relative to domestic insured and collect-on-delivery mail is not practicable or advantageous, the Third Assistant Postmaster General, Division of Registered Mails, may authorize exceptional treatment.

Statistical reports.

25. Statistical reports covering domestic insured and collect-on-delivery mail shall be rendered annually in accordance with detailed instructions in Official Postal Guide.

INSURED MAIL

Matter which may be insured.

1386. Third and fourth class matter mailed at or addressed to any post office in the United States or its possessions, or on or to United States naval vessels, except parcels mailed in the Philip-

pine Islands, may be insured against loss, rifling, or damage in an amount equivalent to its value or the cost of repairs, within the limit of indemnity payable for the fee paid including postage (exclusive of fee) when claimed in case of outright loss or irreparable damage to entire contents.

2. Parcels marked "Insured" but not actually insured by the Post Office Department shall not be accepted for mailing.

Indorsement "Insured."

3. Parcels containing matter offered for sale addressed to prospective purchasers who have not ordered same or authorized their sending shall not be insured. Should such matter be received in the Postal Service contrary to this regulation, indemnity for the loss or damage thereof shall not be paid.

Unordered matter not insurable.

4. (a) The fee for insurance shall be 5 cents for indemnification not to exceed \$5; 10 cents for indemnification not to exceed \$25; 15 cents for indemnification not to exceed \$50; 25 cents for indemnification not to exceed \$100; 30 cents for indemnification not to exceed \$150; and 35 cents for indemnification not to exceed \$200 * * *

Fees and limits of indemnity. 39 U. S. C. 245.

NOTES.—(a) The maximum indemnity for domestic insured mail addressed to the Philippine Islands is \$100 payable by the United States when the evidence shows that the loss, rifling, or damage occurred in the Postal Service of the United States as distinguished from that of the Philippine Islands. There is no reciprocal insurance service from the Philippine Islands.

Notes. Insurance to Philippine Islands.

(b) The maximum indemnity for domestic insured mail exchanged with the Canal Zone is \$200. The agreement for the exchange of insured mail with a maximum indemnity of \$200, between the Canal Zone and the United States, including all possessions of the United States, except the Philippine Islands, contemplates the payment of indemnity by the Canal Zone or the United States according to where the loss, rifling, or damage occurred, and the assumption by the United States of 75 percent of the indemnity liability in those cases where responsibility cannot be definitely fixed upon either service. The Administration of the Canal Zone will assume the remaining 25 percent of the indemnity liability in such cases.

Insurance service with Canal Zone.

(b) The fees for insurance shall be in addition to the postage, and both fees and postage shall be prepaid with stamps affixed.

Fees in addition to postage.

See sec. 719 as to postmarking insured mail with date of mailing.

(c) Upon payment of an additional fee of 10 cents the sender may restrict delivery of domestic insured mail by marking it "Deliver to addressee only" or "Deliver to addressee or order," or with words of similar import. This fee shall also be collected by the postmaster at the office of delivery for delivering any domestic insured article which the addressee (instead of the sender) has restricted in delivery to himself or to his order.

Restriction in delivery.

See section 1204 for the law authorizing this charge and for instructions relative thereto which are equally applicable to insured mail.

5. (a) * * * Whenever the sender of an insured article of mail matter shall so request, and upon payment of a fee of 3 cents at the time of mailing, or of 5 cents subsequent to the time of mailing, a receipt shall be obtained for such insured mail matter, showing to whom and when the same was delivered, which receipt shall be

Return receipts. 39 U. S. C. 245.

returned to the sender and be received in the courts as prima facie evidence of such delivery: *Provided further*, That upon payment of the additional sum of 20 cents at the time of mailing by the sender of an insured article of mail matter, a receipt shall be obtained for such insured mail matter, showing to whom, when, and the address where the same was delivered, which receipt shall be returned to the sender, and be received in the courts as prima facie evidence of such delivery: *Provided further*, That no refund shall be made of fees paid for return receipts for registered or insured mail where the failure to furnish the sender a return receipt or the equivalent is not due to the fault of the Postal Service.

No refund of return receipt fees.

—showing address, where delivered.

(b) The charge of 20 cents for obtaining a return receipt requested at the time of mailing to show the address where an insured article is delivered shall be in addition to the charge of 3 cents for a return receipt requested at the time of mailing, or a total charge of 23 cents for a return receipt requested at the time of mailing to show where the article is delivered.

—requested at time of mailing.

(c) All requests for return receipts to show the address where an insured article is delivered shall be made at the time of mailing. No action shall be taken on such requests received after the article has been mailed.

—indorsement.

(d) When the sender of an insured article at the time of mailing requests a return receipt without requesting the address where the article is delivered, the article shall be conspicuously marked "Return receipt requested." When a return receipt showing the address where the article is delivered is requested at the time of mailing, the article shall be marked conspicuously "Return receipt requested showing address where delivered." The postmaster at office of delivery shall supply the return receipt form and obtain a receipt thereon in making delivery. (See secs. 1202, 1209, 1218, and 1322.)

—receipt furnished at delivery office.

Registry regulations applicable.

(e) The requirements of the first paragraph of section 1202, section 1209, paragraphs 2 (d) and 2 (g) of section 1218, and section 1322, covering domestic registered mail, shall be considered equally applicable to, and shall be strictly observed in connection with, domestic insured mail.

Delivery receipts.

6. Receipts shall be taken upon the delivery of all insured mail and retained in the post office as a record of delivery. Return receipts when obtained shall be in addition to the post office record of delivery.

Record of returned and forwarded parcels.

7. When an insured parcel is forwarded or returned a record shall be made showing the parcel number, office of mailing, name and address of addressee, name of office to which forwarded or returned, and the date of such action. If an insured parcel is forwarded to other than the addressee (permitted only when an insured parcel bears at the time of mailing a specific request

that the matter be forwarded to a person designated in such request), the record shall also show the name and address of the person to whom forwarded.

COLLECT-ON-DELIVERY MAIL

1387. (a) Third and fourth class (parcel post) matter and sealed domestic mail of any class bearing postage at the first class rate, may be sent collect on delivery between money-order offices of the United States and its possessions, but not to or from the Philippine Islands, the Canal Zone, or United States naval vessels, on payment of the following fees in addition to the postage:

C. O. D. service.—scope, fees, and indemnity for unregistered C. O. D. mail.

(b) The fee for collect-on-delivery service for domestic third- and fourth-class mail shall be 12 cents for collections and indemnity not to exceed \$5; 17 cents for collections and indemnity not to exceed \$25; 22 cents for collections and indemnity not to exceed \$50; 32 cents for collections and indemnity not to exceed \$100; 40 cents for collections and indemnity not to exceed \$150; and 45 cents for collections and indemnity not to exceed \$200.

39 U. S. C. 246.

NOTE.—The collect-on-delivery fees and limits of indemnity prescribed above for the third and fourth classes of mail also apply to domestic collect-on-delivery mail of any class sealed against postal inspection and prepaid at the first-class rate of postage, except when collect-on-delivery mail is registered, concerning which see section 1383.

Note.

(c) Although the amount of the C. O. D. charges will govern the amount of C. O. D. fee to be paid by the sender, yet the sender may pay a larger C. O. D. fee than the charges require if he desires to have the article indemnified in excess of the amount of the C. O. D. charges for its value up to \$200, but he may not pay a fee less than is required for the collection of the C. O. D. charges merely because he is willing to accept indemnity in a smaller amount in case of loss, rifling, or damage. Both postage and fee shall be prepaid with stamps affixed. The collect-on-delivery fee shall cover insurance against loss, rifling, or damage in an amount equivalent to the actual value or the cost of repairs within the limit of indemnity payable for the fee paid, including postage (exclusive of fee) when claimed in cases of outright loss or irreparable damage to entire contents, and against nonreceipt of returns.

C. O. D. charges govern fee.

See sec. 719 as to postmarking collect-on-delivery mail with date of mailing.

(d) Upon payment of an additional fee of 10 cents, the sender may restrict delivery of domestic collect-on-delivery mail by marking it "Deliver to addressee only" or "Deliver to addressee or order," or with words of similar import. This fee shall also be collected by the postmaster at the office of delivery for delivering any domestic collect-on-delivery article which the *addressee* (in-

Restriction in delivery.

stead of the sender) has restricted in delivery to himself or to his order.

See section 1204 for the law authorizing this charge and for instructions which are equally applicable to collect-on-delivery mail.

Bona fide orders.

2. Collect-on-delivery shipments shall in all cases be based on bona fide orders for the contents of the articles or be in conformity with agreements between senders and addressees.

Mailing-office record.

3. A collect-on-delivery tag shall be prepared and attached to each collect-on-delivery article, showing office and date of mailing, number of article, names and addresses of sender and addressee, amount due the sender, and the amount of money-order fee necessary to make remittance.

Without C. O. D. tag attached.

4. When a collect-on-delivery article is received without the tag attached, a tag shall be prepared, the charges shown on the article shall be collected, and the prescribed receipt obtained.

Forwarding or return.

5. When a collect-on-delivery article is forwarded or returned, the original tag shall be left attached, the article and tag appropriately marked to show that the article is forwarded or returned, and record made showing the article number, office of mailing, name and address of the addressee, name of office to which forwarded or returned, and the date of such action. If a C. O. D. article is forwarded to other than the addressee (permitted only when a C. O. D. article bears at the time of mailing a specific request that the matter be forwarded to a person designated in such request), the record shall also show the name and address of the person to whom forwarded.

Employees to receipt for all parcels.

6. An employee shall receipt for all collect-on-delivery articles given him for delivery. A receipt shall be given the employee on return of the articles or receipted tags and the total amount to be collected.

Delivery receipts.

7. In delivering C. O. D. mail, receipts shall be obtained on the tags attached thereto.

Examination prohibited.

8. Examination of contents of a collect-on-delivery article shall not be permitted until it has been receipted for and all charges paid, but an article may be refused when tendered for delivery. After delivery the C. O. D. charges shall not be refunded nor the article taken back for any reason except as a new mailing.

Delivery-office record. Application for money order.

9. The receipted tag shall be used as the addressee's application for a money order for amount due sender. A money order shall be issued, mailed, and proper records made on the tag, in accordance with the requirements of section 1415, and the tag filed with the other money-order applications, except at offices where the maintenance of a separate file for C. O. D. money-order applications is authorized.

Treatment at nonmoney-order offices.

10. If a collect-on-delivery article is received at a nonmoney-order office, the postmaster thereat shall notify the mailing postmaster, who shall ascertain whether the sender desires the article returned or delivered without collection of charges. If the sender instructs in writing that the article be delivered without collection, the mailing postmaster shall attach the order to the mailing-

office record and notify the postmaster at office of address accordingly.

11. The department shall not be responsible for senders' errors in stating charges or for misunderstandings between senders and addressees as to character or contents of collect-on-delivery articles.

Responsibility
of department.

12. (a) The Postmaster General may charge a fee of 10 cents for postal services in effecting delivery of collect-on-delivery mail upon terms differing from those originally stipulated at the time of mailing.

Alteration of
C. O. D.
charges.
39 U. S. C.
246b.

(b) If sender directs, the amount originally stated as due on delivery of a collect-on-delivery article may be increased (not to exceed \$200, the maximum amount collectible), decreased, or canceled, or the article may be delivered at the office where held to other than the original addressee. Such direction shall be filed with the postmaster at the office of mailing, who shall connect the authorization with the mailing-office record of the article and immediately notify the postmaster at the office where the article is held. The fee of 10 cents for this service shall be collected from the sender and affixed by the postmaster at the office of mailing by means of uncanceled postage stamps to Form 3818 or other communication used for this purpose, and canceled.

—office of
mailing.

13. (a) The postmaster at the office of address shall comply with the authorization of the sender for change or cancellation of charges on the C. O. D. article involved or the delivery of the article to other than the original addressee received from the postmaster at the office of mailing, and shall attach the authorization to and file it with the delivery-office portion of the collect-on-delivery tag.

—office of
address.

(b) If all or part of the fee for the service requested is not attached to the communication received by the postmaster at the office of address, the authorization of the sender shall be complied with and the failure to affix the postage stamps reported to the Third Assistant Postmaster General, Division of Registered Mails.

1388. Under such regulations as the Postmaster General may prescribe, any collect-on-delivery parcel which the addressee fails to remove from the post office within 20 days from the first attempt to deliver or the first notice of arrival at the office of address may be returned to the sender charged with the return postage, whether or not such parcel bears any specified time limit for delivery; and a demurrage charge of not exceeding 5 cents per day may be collected when delivery has not been made to either the addressee or the sender until after the expiration of the prescribed period: *Provided*, That no demur-

Demurrage
charge.
39 U. S. C.
246c, Supp. V.

rage shall be charged on collect-on-delivery parcels exchanged between post offices in continental United States and post offices in the Territories and island possessions of the United States.

Amount of charge.

2. A demurrage charge of 5 cents per day shall be collected on each domestic C. O. D. article (registered or unregistered) which the addressee fails to remove from the post office within 20 days after the first attempt to deliver or the first notice of arrival at the office of address, exclusive of the day delivery is first attempted or the first notice of arrival is issued at the office of address, the actual day of delivery, Sundays, and holidays. No demurrage shall be charged on C. O. D. articles exchanged between the United States proper and Hawaii, Alaska, Puerto Rico, Virgin Islands of the United States, Guam, and Tutuila, Samoa.

—when and how paid.

3. The demurrage charges which have properly accumulated on a domestic collect-on-delivery article at each post office where held shall be paid by either the addressee or the sender before delivery. When a C. O. D. article on which demurrage has accrued is not accepted by the addressee, the amount of demurrage charges shall be paid by the sender upon return of the C. O. D. article to him. Postage-due stamps representing the amount of demurrage charges shall be affixed to each article and canceled at the time of delivery.

Notice to sender.

4. The sender of each domestic collect-on-delivery article, registered or unregistered, shall be notified of the inability to make delivery regardless of the cause as soon as it is definitely known that the collect-on-delivery article is undeliverable, but, in any event, within five days after the date of receipt of the article at the office of address. A record shall be kept at offices of address showing the dates on which notices are sent to senders of undelivered collect-on-delivery articles, and the articles indorsed accordingly.

INDEMNITY FOR LOSS, RIFLING, OR DAMAGE

Payment of indemnity claims by postmasters. 39 U. S. C. 332.

1389. The Postmaster General may, under such rules and regulations as he shall prescribe, authorize postmasters to pay limited indemnity claims on insured and collect-on-delivery mail.

Postmasters at central accounting offices authorized to pay claims.

2. Except as stated in current Postal Guide, postmasters at the central accounting offices of the States or sections in which insured and collect-on-delivery articles are mailed are authorized to pay indemnity claims arising from the loss, rifling, and injury of insured and unregistered collect-on-delivery articles, and exchanged within and between the continental United States (including Alaska), Guam, Hawaii, Pago Pago, Samoa, Puerto Rico, and the Virgin Islands: *Provided*, That the Third Assistant

Postmaster General may change the designated paying post office for any particular State or section whenever in his judgment such action is advisable or necessary. Any instructions for the execution of this regulation shall be obtained from the Third Assistant Postmaster General, Division of Registered Mails.

Manner of filing claim.

3. When an insured or collect-on-delivery article is lost, damaged, or rifled and claim for indemnity is made, the sender shall file an affidavit, which may be executed at a post office without cost (see sec. 33), on Form 3812, showing contents of article, actual value, method of packing in claims involving damage, and to whom indemnity should be paid. The postmaster at the mailing office shall certify on Form 3812 as to mailing of article. The form shall then be forwarded to the postmaster at office of address, who, in loss claims, shall certify what record, if any, he has of the article. The addressee shall be required to make affidavit on Form 3812, showing whether the article has been received, or as to the articles missing, or condition, if rifled or damaged.

Disposition of application for indemnity.

4. When completed, the application shall be sent promptly to the proper paying postmaster or to the Third Assistant Postmaster General, Division of Registered Mails, as may be appropriate under existing instructions, for consideration of the payment of indemnity.

Claims should be started at post office of mailing, except.

5. Claim should be started at the office of mailing, and may be instituted at office of address *only* when the addressee is aware of the contents of the article, and the mailing particulars (except fee and postage) are available. When the addressee institutes a claim, the postmaster at office of address shall obtain the declaration of the addressee on Form 3812, execute declaration of postmaster at office of address, and transmit the application to the postmaster at the office of mailing for completion.

—when addressee institutes claim.

6. Indemnity for lost, damaged, or rifled domestic insured or collect-on-delivery mail shall be paid according to the procedure outlined in section 1382, except that preliminary investigation by post-office inspectors shall not be essential, and except that no indemnity shall be paid:

Payment.

(a) If claim is not made within six months from date of mailing of the parcel, unless it is established to the satisfaction of the Third Assistant Postmaster General that the delay was unavoidable and not the fault of the claimant.

Six months limit.

(b) In the case of a claim on account of damage, if the sender had been instructed prior to the date of mailing of the article relative to proper packing and indorsement and had failed to comply therewith and the evidence indicates that the damage was attributable to inadequate packing or lack of proper indorsement, or both.

Instructions as to packing and indorsement disregarded.

See sec. 594, and Official Postal Guide and Form 3812 (Application for Indemnity) for additional information and instructions.

7. Indemnity will be paid on account of the complete or partial loss by death or otherwise of live day-old chicks, day-old ducks, day-old geese, day-old guinea fowl, day-old turkeys, queen bees

Indemnity for live day-old chicks, etc.

and their attendant bees, honey bees, and harmless live animals, mailed under the provisions of section 594 and sent as insured or collect-on-delivery mail, when the evidence shows that the loss by death or otherwise was attributable to fault of the Postal Service, provided that a deduction may be made from the amount otherwise payable to cover what the department may consider a reasonable death rate.

TITLE EIGHT
MONEY-ORDER SYSTEM

CHAPTER 1

GENERAL PROVISIONS

ESTABLISHMENT OF SERVICE

1401. 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."

Authority for establishment of money-order system.
39 U. S. C. 711.

"Money-order offices."

See chs. 5 and 6, this title, as to international money-order service.

1402. The Postmaster General may authorize postmasters at such offices as he shall designate, under such regulations as he shall prescribe, to issue and pay money orders of fixed denominations, not exceeding ten dollars, to be known as postal notes. Postal notes shall be valid for six calendar months from the last day of the month of their issue, but thereafter may be paid under such regulations as the Postmaster General may prescribe. Postal notes shall not be negotiable or transferable through indorsement. If a postal note has been once paid, to whomsoever paid, the United States shall not be liable for any further claim for the amount thereof.

Postal notes.
39 U. S. C. 738.

ALLOWANCES FOR CLERICAL SERVICES AT MONEY-ORDER
OFFICES

1403. Postmasters at money-order post offices of the first and second classes 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,

Allowance for clerks.
39 U. S. C. 717.
—at first and second class offices.

except as otherwise provided in Chapter 3 of this title. At all money-order post offices, other than post offices of the first, second, and third classes, the compensation for the clerical labor in the money-order business shall be paid out of the fees received for the issue of money orders, and shall be three cents for each domestic or international money order issued: *Provided*, That the Postmaster General may allow to the postmaster at each international exchange office such additional amount in each case, out of the annual appropriation for clerks in post offices, 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.

—at other money-order offices.

—at international exchange offices.

Note.

NOTE.—The compensation of clerks in post offices of the first and second classes is based upon the classification provided by law. (See secs. 448 and 451.)

See sec. 429 as to salaries allowed postmasters, being full compensation for money-order business and sec. 1529 as to compensation at fourth-class offices.

MISCELLANEOUS PROVISIONS

Postmasters and employees not to act as agents in competitive business.

1404. Postmasters and employees at money-order offices or the branches or stations thereof shall not accept from any express company, banker, banking institution, or other corporation or firm any agency for the issue or payment of money orders, drafts, bills of exchange, or similar instruments for the transmission of money, except under special permission of the Third Assistant Postmaster General.

Information not to be given.

2. Postmasters and postal employees shall not disclose information concerning money orders issued or paid by them to any person except the remitter, payee, or endorsee or the agent of one of them or to a representative of the Post Office Department, or under special instructions from the department.

Navy mail service.

1405. Navy mail clerks and assistant Navy mail clerks attached to United States vessels and certain shore stations which have been designated for that purpose by the Secretary of the Navy and the Postmaster General, shall transact postal money-order business. Such vessels and shore stations are designated as stations of a post office, and money-order business is transacted under conditions similar to those governing other stations of post offices.

See sec. 2247 as to authority for establishment of Navy mail service and appointment of Navy mail clerks and assistants.

Correspondence.

1406. Postmasters shall observe the following instructions in correspondence with the Post Office Department:

(a) Applications for duplicate money orders, and for warrants in lieu of invalid orders, requests for increases in money-order reserves or credits, letters asking for information regarding money-order funds, the transaction of international money-order

business, the establishment or discontinuance of money-order offices, requisitions for photostats of paid money orders, and general correspondence pertaining to the money-order service shall be addressed to the Third Assistant Postmaster General, Division of Money Orders, and the envelopes inclosing such communications should bear the letters "M. O. B.," written or printed.

—with Division of Money Orders.

(b) Correspondence in connection with the administrative examination of money-order accounts; namely, the prompt deposit of surplus money-order funds, and all details as to submission, signature, and preparation of the accounts shall be addressed to the Bureau of Accounts, Post Office Department.

—with Bureau of Accounts.

(c) All correspondence relative to the audit of money-order accounts, including requests for information concerning errors disclosed by the audit and for distinguishing marks or other data appearing on the paid money orders, shall be addressed directly to the General Accounting Office, Postal Accounts Division. Letters shall not be inclosed with accounts.

—with General Accounting Office.

See secs. 417 and 418 as to signing of reports and papers by assistant postmasters.

CHAPTER 2

ISSUE OF DOMESTIC MONEY ORDERS

GENERAL PROVISIONS

1407. Money orders shall be drawn on the domestic form upon all money-order post offices in the United States and its outlying possessions and dependencies, including the Canal Zone and Philippine Islands, and upon post offices in the foreign countries with which the United States transacts money-order business on the domestic basis.

Offices upon which orders may be drawn.

For list of countries on which domestic money orders may be drawn see Schedule No. 1 in the Register of Money-Order Post Offices.

2. A domestic money order may be drawn payable to the person making application for issue thereof, if he so desires.

Payable to remitter.

1408. 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

Issue of money orders at branch offices and stations.
39 U. S. C. 713.

—accountability for moneys received from.

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.

See sec. 403 as to classification of branch offices and stations; sec. 410 as to bonds of postmasters; sec. 472 as to bonds of post-office clerks.

Character of money to be tendered.

1409. In the transaction of money-order business postmasters shall not receive or pay out foreign money, except that at post offices near the border line between the United States and Canada, Canadian money may be received for and used in payment of money orders under such special restrictions as the Third Assistant Postmaster General shall prescribe. (See sec. 139.)

Promissory notes, checks, etc., not accepted.

2. Promissory notes shall not be accepted in any case for the issue of money orders. Government paper of any kind (disbursing officers' checks, which include disbursing postmasters' checks in payment for rural delivery service, pension checks, Post Office Department warrants, etc.) may be received from responsible persons whose indorsement thereon the postmaster is willing to guarantee, provided such paper will be accepted at par by the depository to which it is finally remitted. Subject to these conditions, such Government paper, including postal savings system checks, may be cashed with surplus money-order funds, and forwarded for deposit in accordance with section 1517. Postmasters are not required to accept personal checks tendered by patrons as payment for the issue of money orders, whether drawn to pay the charges on C. O. D. parcels or for the purchase of money orders on rural routes, and if such checks are accepted as a personal accommodation to patrons, the corresponding money orders shall not be issued until the checks are cashed, after which the money so obtained shall be used to pay for the issue of the money orders. In any event the acceptance of personal checks is at the risk of the postmaster, who will be held liable on his official bond for any loss which may result from their being dishonored.

Waiver of identification of payee forbidden. 39 U. S. C. 724.

1410. Postmasters shall not issue any money order conditioned that identification of payee, indorsee, or attorney may be waived, nor shall any postmaster pay any money order * * * without requiring identification of the payee, indorsee, or attorney.

Identification of payee by signature.

1411. When the remitter of a money order purchases it in favor of himself, the issuing postmaster shall question the applicant, and if he is not sure that he can prove his identity at the paying office, the postmaster shall procure and transmit to the paying postmaster a specimen of the signature of the remitter-payee on Form 6339, on the back of which the correct particulars of the money order shall be entered. In such case the issuing postmaster shall write or stamp on the back of the coupon of the money order the words "Specimen signature of payee sent on Form 6339."

When a postmaster has no Form 6339, a slip of paper describing the order and bearing the signature together with a statement from the issuing postmaster that it is the signature of the payee may be substituted.

2. When the remitter and payee are different persons the issuing postmaster upon request shall attach a specimen of the payee's signature to Form 6339 and transmit it to the paying postmaster in a sealed penalty envelope with a statement to the effect that such signature was furnished by the remitter.

Specimen signature of payee.

3. Nothing in this section shall be understood as relieving a postmaster from exercising proper precaution to avoid wrong payment of a money order. (See pars. 1 and 15 of sec. 1430 and sec. 1432.)

Postmaster to exercise precaution.

FEEES AND LIMITATIONS

1412. A money order shall not be issued for more than \$100, and the fees for domestic money orders shall be as follows:

Fees and limitations.
39 U. S. C. 716.
Single order limited to \$100.
Fees for money orders.

For orders—

- From \$0.01 to \$2.50, 6 cents;
- From \$2.51 to \$5, 8 cents;
- From \$5.01 to \$10, 11 cents;
- From \$10.01 to \$20, 13 cents;
- From \$20.01 to \$40, 15 cents;
- From \$40.01 to \$60, 18 cents;
- From \$60.01 to \$80, 20 cents; and
- From \$80.01 to \$100, 22 cents.

NOTE.—The above fees are applicable also to orders drawn on post offices in countries with which business is transacted on the domestic basis.

Note.

2. Money orders may be drawn by the Superintendent of the Division of Money Orders without the exaction of an additional fee for the purpose of correcting errors made by issuing or paying postmasters.

Orders drawn to correct errors.
39 U. S. C. 726.

3. No money order shall contain a fractional part of a cent.

No order issued for fraction of a cent.

See sec. 2325 as to penalty for fraudulent issue of money orders; sec. 2326 as to penalty for issue of orders without receiving money therefor.

APPLICATION AND ISSUE

1413. The Postmaster General shall supply such money-order offices, as he may deem expedient, with blank forms of application for money orders, in such form as he may direct.

Form of application.
39 U. S. C. 719.

1414. The application for a money order shall be made on the printed form (No. 6001), showing the particulars required to be stated in the money order and coupon. If remitter is not a resident of the place where the order is issued he should be requested

Applications.
—to be filled in.

to enter his permanent (home) address at bottom of his application.

—to be filed.

2. The applications shall be filed for ready reference in the proper sequence of the serial numbers of the money orders, and preserved not less than three years.

Issue of money orders.

1415. A money order shall be drawn only upon a designated money-order office. The postmaster shall determine whether the place of payment named in the application is a money-order office, and for that purpose shall consult, if necessary, the list of post offices appearing in the latest edition of the Official Postal Guide and Monthly Supplements.

Orders not to be drawn on stations.

2. A money order shall be drawn on the main office or a branch office, but not on a station. If an application be made for an order to be drawn on a station, the order shall be drawn on the post office, only and the name of the station omitted.

Abbreviations.

3. In entering the name of the paying office in the order, the issuing official shall give also the name of the State or its customary abbreviation. The name of the office itself shall not be abbreviated.

Number on application.

4. The impression of the M. O. B. stamp, the serial number of the order to be issued and the fee to be charged shall be entered on the application.

Number to be given in correspondence.

5. The serial number printed on the upper right corner of the money order and repeated on the stub, coupon, and receipt shall be used in designating the order in accounts and correspondence.

Date.

6. The date affixed to the order and its several parts by the issuing postmaster shall be the actual date of issue. (See secs. 611 and 1528.)

Stub.
Coupon.

7. The stub shall be retained by the issuing postmaster.
8. The coupon shall be delivered to the purchaser with the order to which it is attached.

Receipt to be retained by remitter.
Instructions for issue.

9. The receipt shall be given the purchaser with the money order, and the remitter should retain it until the order is paid.
10. Money orders shall be issued in accordance with the instructions printed thereon and on the cover of each book of money-order forms.

Money orders issued in payment for C. O. D. parcels.

11. Money orders issued in payment for C. O. D. parcels shall, if possible, be mailed the same day the parcels are delivered. If not, they shall be issued and mailed without fail on the following business day. The name of the sender of the C. O. D. parcel shall be entered as payee on the money order, and the name of the addressee (not the name of the postmaster nor the person receiving for addressee) as remitter. The money order in each case shall be mailed in a penalty envelope to the payee (sender of the parcel). The number of the C. O. D. parcel shall be written or stamped in the space provided for that purpose on the coupon. A separate money order shall be issued for the charges collected on each C. O. D. parcel. Where the charges amount to more than \$100, two money orders shall be issued in payment for the C. O. D. parcel, in which case the serial number of each order shall be entered on the C. O. D. tag constituting the application.

12. At offices of the first and second classes, receipts detached from money orders issued to cover the charges on C. O. D. parcels shall be attached to Form 3815, to which they relate, as evidence that money orders have been issued. At offices of the third and fourth classes the receipts from such orders shall be attached to the C. O. D. tags, except in cases where delivery of C. O. D. parcels is made through rural carriers, in which event the receipts shall be given to the carriers to be filed with the delivering employee's coupon as evidence that remittance has actually been made.

Disposition of receipt.

13. At post offices having C. O. D. stations, all money orders in payment for C. O. D. parcels shall be issued on the forms provided for that station, and the separate file of C. O. D. tags constituting the applications for money orders shall be kept there. The money orders in payment for C. O. D. parcels issued at a large office not having a C. O. D. station shall be issued in the money-order section and the tags which constitute the applications for the money orders shall be filed by the serial number of the orders with other applications.

Issue of orders at C. O. D. stations.

Treatment of C. O. D. tags as money-order applications.

See sec. 1420 as to separate advices; sec. 1422 as to signing of postmaster's name by clerks; sec. 1423 as to money-order forms; and sec. 1425 as to "not issued" forms.

1416. An order shall be made payable to only one person or one firm. It shall not be drawn payable to husband and wife jointly, and if more than one person is named as payee in the application the patron shall be required to submit another application naming but one payee.

Precautions in drawing orders. Payable to one person or firm only.

2. If only the surname of the payee be given by the purchaser the postmaster shall decline to issue the order unless the payee's street address and house number be given for entry with the surname in the coupon; but the order may be issued without street address—

If only surname given, order not to be issued.

(a) If the single name given is the business name of the payee, as "Mason's," "Johnson's Store," or "Madam Saville."

Exceptions. —business name. —official titles.

(b) If the payee is designated only by an official title indicative of the capacity in which he is to receive payment, as "Cashier, First National Bank."

(c) If the payee is designated by a name adopted under membership in a religious order, the name and address being so combined as clearly to indicate the person intended, as "Sister Theresa, Academy of Visitation," or "Brother Joseph, St. Anselmo's College."

—members of religious orders.

3. When the order is payable in a city the full address of the payee (street and number) should be entered in the application; but the postmaster shall not decline to issue the order if the applicant is unable to give such complete address.

Particulars necessary.

4. When notified of the appointment of a guardian, committee, or other person legally designated by a court having jurisdiction so to act for one adjudged incompetent, a postmaster shall refuse to issue a money order on the application of the ward unless permission is granted by a person in whose care such ward has been placed. (See sec. 1436, par. 1 (e) and sec. 1437, par. 1 (c).)

Consent of guardian for issue of orders on application of ward.

Record of money orders.
—to include all particulars, and subsequent action.

1417. A postmaster at whose office the filing system has not been authorized shall promptly record in the "Register of orders issued" the serial number, amount, and fee of each order issued at his office, as shown by the application therefor; and any subsequent action taken in reference to any of these orders shall be noted opposite the entries thereof in the register under the head of "Remarks."

See sec. 1527 as to "Register of orders issued."

ERRORS AND CHANGES

Error in issue of order.

1418. If an error of any kind occurs in issuing an order and is discovered by the postmaster or the purchaser before the latter has left the window, the transaction should not be considered as completed and the order should be treated as "not issued" and another one drawn and delivered to the remitter in its stead. In such event, as but one order has been issued, only one fee shall be charged.

See sec. 1425 for treatment of "not issued" orders.

Request for change in place of payment, etc.
39 U. S. C. 725.
—by remitter.

1419. 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.

Original order to be receipted and surrendered.

2. If, after the completion of the transaction by delivery to the postmaster of the amount of the order and its fee and the acceptance of the order by the purchaser, the remitter, payee, or other holder of the order should return it for the purpose of changing any of the particulars thereon, it shall be treated as repaid and a new order issued, for which another fee shall be paid. If the order is returned because of a mistake made by the issuing postmaster he shall pay the fee for the new order from his personal funds, or, if the remitter prefers the return of the money instead of a new order, the amount of the fee shall be refunded to the remitter from the personal funds of the postmaster.

See sec. 1442 as to repayments.

New order issued.
Fee.

ADVICES

Advices.

1420. Form 6006 shall be used to give the particulars of a domestic money order when the paying postmaster requests additional or corrected information to insure the proper payment of the order.

Completion of Form 6006.

2. When the issuing postmaster receives from the paying office a request on Form 6006, he shall correctly enter thereon the exact particulars as they appear in the application for the money order and promptly mail the completed form to the paying postmaster.

Entry on application.

3. When such information is furnished, that fact, with the date on which Form 6006 was returned, shall at once be noted on the application, and, at offices not authorized to use the filing system, opposite the entry of the order in the register of orders issued.

MONEY ORDER DATING STAMPS

1421. The special dating stamp, known as the "M. O. B." stamp, shall be used for stamping money orders and advices and upon requisitions for money-order supplies, but shall not be used in postmarking letters.

2. When the M. O. B. stamp is lost, stolen, or destroyed, an ordinary postmarking stamp may be used in transacting money-order business until a new M. O. B. stamp has been procured.

M. O. B. stamps.
—use of.

—not to be used.

—when lost, ordinary stamp may be used.

POSTMASTERS' SIGNATURES TO MONEY ORDERS

1422. The postmaster may authorize any clerk employed in his office to sign his name to money orders. The name of the postmaster shall either be written or stamped. In all cases, except when the postmaster signs the order in his own handwriting, the name of the postmaster whether stamped or written shall be followed by the initials of the person who issues the money order.

2. An acting postmaster may authorize clerks in his office to sign his name to money orders the same as the postmaster.

3. When an assistant postmaster or a clerk designated by the postmaster is in charge of the post office during the temporary absence or sickness of the postmaster, or upon his death or resignation before an acting postmaster takes charge, all money orders shall be signed in the name of the postmaster the same as if he were present.

Signature of postmaster to orders.
—by clerks, may be authorized.
—how written.

Acting postmasters, signatures.

Signing of orders when assistant postmaster or clerk in charge of office.

—to be in name of postmaster.

See secs. 410 and 472 as to bonds of postmasters and clerks; sec. 416 as to acting postmasters; secs. 418 to 421, also 1511 as to performance of duties of office during temporary absence of postmasters; sec. 417 as to signing of papers, etc., by assistant postmasters in name of postmaster.

MONEY-ORDER FORMS

1423. The Postmaster General shall prescribe the forms for the issue of money orders and shall furnish money-order offices with printed or engraved forms for domestic money orders, and no money order shall be valid unless drawn upon such form.

See sec. 2328 as to penalties for issue of advertisements, circulars, business, or professional cards, etc., in likeness of money order.

NOTE.—Each post office is designated by a number, known as the office number, as well as by name. The office number is printed on the "order" and "coupon" portion of each form. In addition to the office number, the forms furnished each office are also numbered consecutively. This number, known as the serial number, appears on the stub, order, coupon, and receipt portion of the forms.

Money-order forms.
39 U. S. C. 720.
No order valid unless on regular form.

Note.

1424. Every blank money-order form sent to a postmaster for issue at his office shall be duly accounted for in its proper numerical order in his money-order lists or accounts.

2. Books of money-order forms supplied to an office shall be examined immediately upon receipt, and all irregularities therein be reported promptly to the Third Assistant Postmaster General, Division of Money Orders.

Blank forms of issue.
—must be accounted for.

—examination of, for irregularities.

—omitted.

3. When a form is omitted from any book the postmaster shall make a note of the fact opposite the proper consecutive number in the account in which the order, if supplied, would have been reported as issued, and a similar note in the "Register of orders issued" at offices where the filing system is not authorized.

—defective or mutilated.

4. Defective or mutilated forms shall be held until they are reached in numerical sequence and then treated as "not issued" in accordance with the instructions contained in section 1425, paragraph 2.

—duplicated.

5. Where two forms bear the same number, one of them shall be canceled by writing across the face thereof the words "Number duplicated," and it shall be sent, with the corresponding coupon and receipt, to the Third Assistant Postmaster General, Division of Money Orders.

—bound in wrong book.

6. Forms printed for one office and bound in a book sent to another shall be forwarded to the Third Assistant Postmaster General, Division of Money Orders, with a letter stating the serial numbers between which they were found.

"Not issued" forms.
—defined.

1425. A form shall be treated as "not issued"—

(a) When order, coupon, or receipt, through defective printing, mutilation, or disfiguration, is not fit for use.

(b) When a mistake in its issue is discovered before the transaction is completed and before the remitter has left the money-order window.

—disposition.

2. A form included in either of the classes named above shall be canceled by writing across the face of the order, of the coupon, and of the stub the words "Not issued." At offices not authorized to use the filing system, these words shall also be written opposite the entry of the number in the register of money orders issued. The spoiled order shall be sent with the account or list in which it would be entered if it were regularly issued; the coupon and receipt shall be attached to a properly numbered money-order application, which shall be filed in its regular sequence and on which shall be entered the words "Not issued," and the stub shall be left in its place in the book of money-order forms.

—no fee chargeable.

3. No fee shall be charged for a "not issued" order and no amount therefor entered in the list of orders issued.

See sec. 277, par. 2 (b), as to attaching "not issued" forms to accounts.

Safety of forms.
—postmasters responsible.

1426. Postmasters shall keep their stock of blank money-order forms in their own custody, under lock and key, in some place of security to which unauthorized persons cannot have access, and will be held responsible for any loss arising from fraud made possible through a disregard of this regulation.

Theft of forms.

2. In case of theft of money-order forms the postmaster shall *immediately* notify the post-office inspector in charge of the division in which the office is located giving the *first and last* serial numbers of the stolen forms. *Whenever practicable this report shall be made by telegraph in as brief form as may be consistent with clearness and accuracy, and shall state the date on which the robbery occurred, or the loss was detected.* (See sec. 440.)

CHAPTER 3

PAYMENT OF DOMESTIC MONEY ORDERS

GENERAL PROVISIONS

1427. The regulations embodied in this chapter shall apply in general to the payment of money orders issued in the United States and its outlying possessions and dependencies.

Application of regulations as to payment.

NOTE.—See chapter 6 concerning issue of domestic money orders for payment in certain foreign countries listed in table 1, List of International Money-Order Offices.

Note.

1428. A postmaster shall provide, as far as possible, for the payment of money orders on presentation and shall pay money orders drawn upon his office if he has sufficient funds, whether arising from the issue of money orders or from postal receipts. When necessary, a district postmaster shall apply to his central accounting postmaster for additional funds or request the department to authorize a money-order credit with the Treasurer of the United States.

Prompt payment of orders.

Application for additional funds.

2. A postmaster may advance from his private funds the amount required to cash an order drawn upon his office. In such case he should cause the order to be indorsed in his favor and hold it as his personal property until he is in receipt of funds sufficient to reimburse himself, whereupon the order may be treated as paid.

—not to be refused.

See sec. 1507 as to transfer of postal funds to money-order account; secs. 1510 to 1512 as to applications for drafts for payment of money orders and credit with the Treasurer of the United States; sec. 1513 as to supplying funds at stations.

1429. Under such rules and regulations as the Postmaster General shall prescribe, postal money orders may be issued payable at any money-order post office, and on and after the date upon which such rules and regulations become effective all money orders shall be legally payable at any money-order post office, although drawn on a specified office; and as compensation for the extra labor involved in paying a money order at an office other than that on which the order is drawn the Postmaster General is authorized to exact a fee of the same amount as that charged for the issue of the order.

Payment at any office.
39 U. S. C. 727.

2. An original domestic money order shall be paid at its full face value if presented at the office on which drawn or at the office of issue at any time within the period of its validity, which is 1 year from the last day of the month in which issued. For the first 30 days after issue any domestic money order issued in the continental United States (except Alaska) and drawn on an office located therein, may be paid for its face value, less the fee prescribed by the law quoted above, at an office other than that of issue or that on which drawn, provided the office at which

Orders payable at offices other than those drawn upon.

presented is located within the continental United States (except Alaska).

Orders issued in, and drawn on, offices in Hawaii or Puerto Rico.

3. A money order issued in Hawaii or Puerto Rico, drawn on an office therein located, may be paid for its face value less the prescribed fee at a money-order office other than that of issue or that designated for payment in the same Territory in which issued, if presented for payment before the expiration of the thirtieth day following the date of issue. Money orders issued in Alaska, Guam, Tutuila (Samoa), and United States Virgin Islands, may be paid only at the office on which drawn or repaid at the office of issue.

Issuing postmaster to be notified of payment.

4. When in accordance with the foregoing provisions of this section a money order is paid at an office other than the one therein designated as the paying office, the postmaster making the payment shall immediately send to the postmaster at the issuing office a notice thereof (Form 6126), which shall describe the money order. Upon receipt of such notice the postmaster at the issuing office shall file it with the application for the order, and detach and send at once to the postmaster paying the order the reply coupon which is an acknowledgment of the receipt of the notice. This acknowledgment shall state that an application for a duplicate of the order has not been and will not be certified. Until such acknowledgment is received credit shall not be taken for payment of the order, but it shall be considered as a part of the cash on hand.

Name of paying office misspelled.

5. Payment of a money order may be made on due presentation, and credit therefor may be taken at the office meant, when the name thereof in the money order is only slightly misspelled, or in such case as where "Balto." is given in place of Baltimore, "Cin." in place of Cincinnati, "Kans. City" in place of Kansas City, "N. Y." in place of New York, "Okla." or "Oklahoma" in place of Oklahoma City, or "Phila." in place of Philadelphia. Irregularities of this kind shall be reported by the paying postmaster to the Third Assistant Postmaster General, Division of Money Orders. However, when the authorized abbreviation of the first word in such names as Fort Hunt, Mount Holly, and Saint Charles is used, it should not be reported to the Department.

Cashing at stations or branches.

6. A money order may be cashed at a station or branch of the main office on which drawn. A money order drawn on a branch or one drawn in error on a station, may be paid at the main post office to which such branch or station is attached, or at any branch or station of that main office.

Precautions in paying orders. Examination of order, etc. Signature of payee or person authorized to receive payment.

1430. When a money order is presented for payment, the postmaster or paying clerk shall examine it to see that it is properly drawn, signed, and stamped by the issuing postmaster, and assure himself that it is not issued on a form reported stolen; that it corresponds with the coupon; and that it is signed by the payee or by a person authorized by the payee to receive payment. If a month or more has elapsed since the issue of the order the postmaster or paying clerk shall assure himself, by a proper

search of his records, that an application for a duplicate order has not been certified.

2. In case any discrepancy whatever is found between the amount written in the blocks on the order and the sum named in the coupon or between the amount written in order or coupon and the printed figures constituting the marginal check on the left or if the order bears an alteration, the postmaster shall apply immediately to the issuing postmaster on Form 6006 for a correct statement of particulars which shall be given on the reverse of that form. Credit shall not be taken for payment in any such case prior to receipt of response to such application unless specially authorized by the Department. When such application is made, a memorandum thereof shall be written on the lower margin of the coupon or on the back of it by the postmaster, but he shall not retain possession of order or coupon unless he has made a payment or an advance thereon as provided in paragraph 10 of this section. When payment is made in accordance with particulars furnished by a separate advice, such advice shall be attached to the coupon and filed therewith.

Alterations or discrepancies.

Separate advice.

3. When the order and coupon have become separated and the coupon lost before presentation of the order, application shall be made on Form 6006 for a separate advice, upon receipt of which, if it agrees with the order and names the party claiming to be the payee and the order is not invalidated by age nor otherwise irregular, payment may be made, and the separate advice, with the date of payment stamped thereon, shall be filed in place of the coupon.

Lost coupon.

4. Payment of a money order shall not be refused because the issuing postmaster impressed the coupon with a stamp other than the M. O. B. stamp. If the issuing postmaster has inadvertently affixed his stamp at the place for the stamp of the paying office on the order, payment may yet be made; the impression of the former stamp may be covered by pasting over it a piece of paper bearing the impression of the latter. In like manner, when an order bears on its face, instead of on its back, the stamp of another office at which it has been cashed for the payee and from which it is received with request for reimbursement of the postmaster, the stamp of the office drawn on, or the stamp of the office of issue, according to circumstance, may be affixed and the order treated as paid or repaid thereat.

Improperly stamped.

5. A money order may be paid if the money-order stamp has been omitted from the coupon but the date of issue appears on the order, or if the date has been omitted from the order but appears in the impression of the stamp on the coupon. In either case the paying postmaster or clerk shall enter the missing date in the order or coupon, as the case may be. When the date is lacking in both order and coupon, the postmaster drawn on shall forward an application for a separate advice (Form 6006) to the issuing postmaster. If both the order and coupon are regular in all other respects, the postmaster at the paying office may, if the payee is known to him to be a responsible person, advance

Omission of M. O. B. stamp in coupon.

the amount of the order and hold the receipted order as cash until in receipt of the required separate advice, properly stamped and dated; before it is forwarded for credit the date of issue shall be entered on the order. The separate advice shall be attached to the coupon and filed therewith at the paying office.

Omission of remitter's name.

6. An order may be paid notwithstanding the omission from the coupon of either or both the name and address of the remitter, and unless desired by the payee request need not be made for a separate advice giving these particulars.

Difference in name of payee.

7. In case the name given in the separate advice differs from the name given in the coupon as that of payee, but is that of the person or firm claiming to be the payee and the order is not otherwise irregular, payment may be made on due presentation of the order properly receipted in claimant's own name. No notation on the order relative to such discrepancy need be made.

Omission of amount.

8. In case the amount is omitted in the blocks on the order, but appears in the coupon, and as there entered is free of alteration and does not exceed the largest sum indicated by figures remaining attached to the marginal check, payment may be made and credit taken therefor without sending for a separate advice, provided the amount paid be written by the paying official on the face of the order, thus: "Paid \$-----, amount named in coupon." Similarly, if the amount is omitted in the coupon, but appears in the blocks on the order, and as there entered is free of alteration and does not exceed the largest sum indicated by figures remaining attached to the marginal check, payment may be made and credit taken therefor without sending for separate advice, provided the amount paid be written by the paying official across the face of the coupon, thus: "Paid \$-----, amount named in order." Defects of this kind, however, shall be reported to the Third Assistant Postmaster General, Division of Money Orders.

Amount expressed improperly.

9. Payment of an order shall not be withheld because the amount in the coupon is expressed wholly in figures, if the amount thus expressed is the same as that entered in the blocks on the order, and does not exceed the largest sum indicated by the figures remaining attached to the left of the order. Words, and not figures, shall always be employed to express the number of dollars in the coupon; and the paying postmaster shall report to the Third Assistant Postmaster General, Division of Money Orders, every case where figures instead of words have been employed in the space for entry of the number of dollars in the coupon.

Discrepancies in amount.

10. In any case of discrepancy between the amount entered in the blocks on the order and that written in the coupon payment may be made on receipt of a separate advice, Form 6006, naming either of those two amounts, even if it exceeds the largest amount indicated by the printed figures remaining attached to the left of the order, or even if the marginal check has been entirely removed, if the order be not otherwise irregular. Pending receipt of response to request for a separate advice in such a case, the smaller of the two amounts named, respectively, in the blocks on

the right of the order and in the coupon may be advanced, if the payee so desires, provided it does not exceed the largest amount indicated by the printed figures remaining attached to the left of the order. For any sum thus advanced the paying postmaster shall take from the payee a written receipt and hold the same (with the order and coupon) as representing a corresponding sum in cash until the required separate advice is received. The proper amount shall then be paid, and the formal receipt of the payee be obtained on the order itself; and the order shall be forwarded in the usual way with the account in which credit is taken for the payment. Across the face of the order, before it is thus forwarded, if the sum named in the blocks thereon differs from that paid, the paying postmaster shall write a statement of the amount paid, thus: "Paid \$-----, in accordance with separate advice, the same being the amount named in coupon." Similarly, if the sum named in the coupon differs from that paid, he shall write across the face of the coupon the words "Paid \$-----, in accordance with separate advice, the same being the amount named in the order." The separate advice shall be attached to the coupon and filed therewith at the paying office.

11. In case the sum named in the separate advice is less than the amount entered in the blocks on the order and that written in the coupon, and the owner of the order accepts the amount named in the advice, the paying postmaster shall write across the face of the order and of the coupon the words "Paid \$-----, amount named in separate advice," and take credit for that amount. If a larger sum has been advanced under the provisions of the preceding paragraph, and the payee refuses to refund the difference, the paying postmaster shall refer the case to the Third Assistant Postmaster General, Division of Money Orders, for the necessary action.

Amounts in blocks and coupon dissimilar and greater than amount in advice.

—procedure when larger amount has been advanced.

12. In case the sum named in the separate advice exceeds both the amount entered in the blocks on the order and that written in the coupon, the postmaster at the office drawn on shall report the facts by letter to the Third Assistant Postmaster General, Division of Money Orders, stating what amount is entered in the order, what amount is written in the coupon, what amount is indicated by the marginal check, and what amount has been paid, if any, and await instructions.

Amounts in blocks and coupon dissimilar and less than amount in advice.

13. When an order issued in payment of a C. O. D. shipment is presented at the shipping office and shows a discrepancy between the amount entered in the blocks on the order and that written on the coupon, the postmaster shall consult his C. O. D. record and pay whichever of the two amounts agrees with that record without awaiting the return of Form 6006, which shall, however, be promptly dispatched to the issuing office. Upon receipt of the separate advice, if the amount given as correct is the same as that paid, the form shall be attached to the coupon and filed therewith at the paying office. Should the issuing office name another amount as correct, the paying postmaster shall refer the order and returned Form 6006 to the Third Assistant Postmaster General, Division of Money Orders, for adjustment.

Discrepancy in amount of C. O. D. order.

14. All other provisions of this section not inconsistent are to be observed in connection with C. O. D. money orders.

Identification of applicant for payment.

15. Unless the applicant for payment is personally known by the postmaster or paying clerk to be the owner of the order, he shall be required to prove his identity. The initials of the person paying a money order to an individual at the window shall be entered on the back of the coupon, and if identification is required, the paying employee, for his own protection, shall make a brief notation thereon of the proof of identity furnished.

See sec. 1411 regarding payee who is also remitter and specimen signatures sent as aids to identification.

If applicant unable to write. Postmaster not to act as witness. Signature of payee.

16. If signature of payee or indorsee is by mark it shall be witnessed by a person who can write, and the witness shall be some one other than the postmaster or paying clerk.

17. Any signature of the payee not inconsistent with the name given in the coupon may be accepted by the paying postmaster as sufficient, provided he is satisfied that it is the genuine signature of the payee intended.

Signature of officer.

18. An order drawn in favor of a public officer or officer of a corporation, company, or association, as such, may be paid to his successor, if presented by the latter, who, in receipting for same, shall be required to indicate in writing the capacity in which he acts, thus: "William Jones, treasurer, successor to George Thompson."

When payee is a society or corporation.

19. When the payee is a society or corporation, the person who has authority to receive payment of moneys due such payee shall receipt the order in his official capacity, and, if occasion arises, the postmaster may require satisfactory proof of such authority.

Stamped signature in receipt, when.

20. All of the requisite signatures to a money order—those of payee, indorsee, or witness to payment—shall be written, preferably in ink; but a stamped signature may be used in place of the written signature of payee or agent of payee in receipts on money orders drawn in favor of, or made payable to, a firm, corporation, association, society, or individual, if the orders so receipted are presented for payment only through a bank located in the city or town on which drawn and such bank expressly guarantees the signature by rubber stamp or other indorsement on the back of the orders. If not presented for payment through a bank the stamped signature of the firm may be used if beneath it is written the signature of the person receiving payment or executing the indorsement.

Signature of agent.

21. The paying postmaster shall affix or cause to be affixed to the signature of the person receiving payment of a money order any such word or words as may be necessary to explain the right of such person to collect the amount. For instance, where an order drawn in favor of a company is paid to its local manager, the word "Manager" should be made to appear beneath or opposite his signature to the receipt.

Use of titles.

22. The paying postmaster shall not insist on the inclusion or the omission of a title or prefix such as "Dr.," "Rev.," "Prof.,"

"Madam," or "Mrs." in the signature to an order, whether or not the payee is designated by such title or prefix in the coupon.

1431. Money orders sent by out-of-town banks to the postmaster at either the office of issue or the office on which drawn may be paid by a check drawn on the Treasurer of the United States and forwarded by mail to the cashing bank, provided the bank by its stamp on the back of each order guarantees all prior indorsements. As this arrangement is an accommodation, return postage should be provided by the bank. If it is not, it shall be deducted from the face value of the check. When, however, the bank's collection letter bears an indorsement that the money order represents payment of an obligation of the United States Government and must be paid at par, the check shall be drawn for the full face value of the money order and mailed free of postage in an official penalty envelope. A money order sent by a Government agency either to the postmaster at the office of issue or the office on which drawn shall be paid by a check drawn against the postmaster's money-order credit with the Treasurer of the United States and delivered, or mailed in a penalty envelope, to that particular branch of the Government which forwarded the money order. Should the postmaster not have a money-order credit with the Treasurer of the United States, he shall apply to the Third Assistant Postmaster General, Division of Money Orders, for a special check for the amount needed. (See sec. 1512.)

Payment of orders from out-of-town banks.

—from Government agencies.

1432. If an order be paid to the wrong person through lack of precaution at the paying office, the postmaster or other paying employee will be held accountable for the amount of the order.

Responsibility for wrong payment.

NOTE.—In case of the wrong payment of a money order, the department will endeavor to recover the amount for the owner, provided such wrong payment did not result from the fault of the remitter, payee, or indorsee.

Note.

1433. When a postmaster is notified of the wrong payment of a money order at his office, he shall promptly report the matter to the Third Assistant Postmaster General, Division of Money Orders, and on Form 6065 request a photostat of the paid order for examination by the complainant. If the paying office is of the first- or second-class, the postmaster shall give the date of payment and the "file number" or the sheet, column, and running number of the account in which credit therefor was taken, so that the order may be located in the files of the General Accounting Office. If the paying office is of the third- or fourth-class, the date on which the paid order was forwarded to the central accounting office shall be given. If a photostat of a paid money order is needed for any other purpose the same procedure must be followed.

Alleged wrong payment of money order.

1434. Immediately after payment of an order the date of payment shall be stamped upon the order and coupon in the spaces provided for that purpose, except at those offices at which paid orders are tabulated, or where perforating machines are used; but if the order is cashed at a branch post office or station, that office shall stamp the date of payment on the back only of the order and coupon.

Paid money orders to be stamped and recorded.

See sec. 277 as to attaching paid orders to accounts as vouchers.

PAYMENT OF ORDERS TO OTHER THAN PAYEES

Transfer of orders.
39 U. S. C. 723.
—upon payee's indorsement.

1435. 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.

More than one indorsement invalidates order.
Invalid order, how paid.

See sec. 1451 as to payment by duplicate of order invalidated by more than one indorsement.

Payment to others than persons named.
—on indorsement.

1436. When a money order is presented for payment which purports to have been indorsed by the payee to another person and the postmaster is not in a position to judge whether the signature to the indorsement is the genuine signature of the payee, he should require that the indorsement be guaranteed by someone he has reason to believe is financially responsible. A money order shall not be paid to a second person without written transfer or indorsement of the same to such person by the payee, in the prescribed form provided on the order, except in the following cases:

—on power of attorney.

(a) When 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 office of payment copy of such power of attorney.

—on written order of payee.

(b) When the payee has given a separate written order, addressed to the postmaster at the office drawn upon and filed with the latter, authorizing payment to another person, and designating such person by name as the one to receive payment of and to receipt for any specified order, or for all orders payable by the same postmaster to the payee.

—upon assignment.

(c) When a person or firm makes an assignment, and the assignor intends that money orders payable to him shall be paid to the assignee, he should execute a power of attorney, or give such written order separate from the instrument of assignment, to be filed in the post office. The person receiving payment as attorney, or as agent designated in separate written order, should receipt the money order as such, indicating beneath his signature the capacity in which he acts.

—in case of death of payee.

(d) In case of the death of the payee the money order shall be paid to his legal representative, who shall be required to present to the paying postmaster satisfactory evidence of his authority to

act in such capacity, and to sign the money order as executor or administrator, as the case may be.

(e) When a committee, guardian, or other person is appointed by a court having jurisdiction to act for a person declared incompetent, money orders shall not be paid to the ward. All money orders showing the ward as payee or indorsee shall be paid only to the committee, guardian, or other duly designated person who shall exhibit to the postmaster satisfactory evidence that the designation to thus act for the ward has been made by competent authority. Such money orders shall be receipted in the name of the ward, followed by the signature and legal designation of the committee, guardian, or other authorized agent. (See sec. 1416 and sec. 1437, par. 1 (c).)

2. A money order payable to a firm, bank, or company which has ceased to exist shall be paid to the legal representative thereof. (See sec. 790.)

3. The stamp impressions which banks ordinarily place upon orders left with or sent to them for collection shall not be regarded as indorsements transferring ownership of the orders or within the meaning of the statute which forbids more than one indorsement. (See sec. 1435.) Though all or a part of any such impression appears on the back of the coupon, the order may be paid, separated, and employed as a voucher in the usual manner. If the back of the coupon is so covered with bank-stamp impressions that no room is left on it for the stamp of the paying office, the date of payment may be stamped on the face of the coupon.

4. If an order which has been indorsed twice or oftener is presented for payment by the first indorsee, it may be paid to him, if regular in all other respects, after he shall have receipted it, and the inconsistent indorsements may be canceled.

5. When an order is presented for payment by the payee, it is immaterial what signatures appear at the place for receipt or what indorsements there may be on the order; payment may be made if the order is otherwise regular and there is space for the payee to sign his name below or near the words "Received payment" and inconsistent or unnecessary signatures or indorsements may be canceled.

6. The payee or the remitter of an order, but no one else, may substitute any other name for one which he has already written by mistake in the body of a first indorsement thereon, and payment may be made on due presentation of the order by the person whose name has thus been substituted, if the order is regular in other respects.

7. When a money order purporting to have been receipted by the payee or first indorsee is deposited in a bank for collection, the postmaster at the office drawn upon may effect payment on due presentation of the same thereat by the bank, provided there be a clear understanding on the part of the bank that the latter will refund the amount if it afterwards appear that the depositor was not the owner of the order. A money order thus paid shall bear upon its back the impression of the stamp of the bank.

—to committee or guardian of payee.

—to concern which has ceased to exist.

Bank indorsements.

Order presented by first indorsee.

Order presented by payee.

Substitution of name written in error by payee or remitter.

Payments to banks.

Payment to remitter.

8. A money order presented by the remitter may be repaid at the issuing office, paid at the office of payment, or, subject to the provisions of section 1429, cashed at any other post office. (See sec. 1442.)

Note.

NOTE.—At offices where the “clearing house” system is authorized, special instructions concerning the same will be given.

WHEN ORDERS SHALL NOT BE PAID

Payment of orders withheld.
—when order over one year old.

1437. Payment of money orders shall be withheld under the following circumstances:

(a) When the order is presented after the expiration of one year from the last day of the month of its issue.

See sec. 1456 as to payment of such orders.

—when presented by second or subsequent indorsee.

(b) When the person presenting the order is a second or subsequent indorsee.

See sec. 1451 as to payment of orders more than once indorsed; sec. 1436 as to disregard of indorsements when presented by original payee; sec. 1442 when presented by remitter for repayment.

—when presented by a person for whom a guardian has been appointed.

(c) When a money order is presented by a person for whom a guardian has been legally appointed and the postmaster has been notified of such appointment, payment of the money order shall be refused and the guardian notified that it will be paid when presented by the guardian or by someone to whom he has properly indorsed it. (See sec. 1416, par. 4 and sec. 1436, par. 1(e).)

Alleged fraud by payee.

2. When request is made by the issuing postmaster or by the remitter that payment be withheld for sufficient time to enable the remitter to furnish proof that the order was purchased by him through false representations or other fraudulent action of the payee, or who is alleged by him to be engaged in conducting a scheme or device for obtaining money through the mails by false or fraudulent pretenses, representations, or promises, the postmaster to whom the order is presented for payment shall withhold payment and forward the request, together with the proof furnished, to the Third Assistant Postmaster General, Division of Money Orders. When the payment of a money order is not being withheld under the conditions just stated nor its payment forbidden by the Postmaster General under the provisions of section 1438, the order shall be paid notwithstanding the protest of the remitter.

Payment of money orders to persons or concerns conducting fraudulent schemes, lotteries, etc., forbidden.
39 U. S. C. 732.
—when.

1438. The Postmaster General may, upon evidence satisfactory to him that any person or company is engaged in conducting any 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 that any person or company is conducting any other scheme for obtaining money or property of any kind through the mails by means of false or fraudulent pretenses, representations, or promises, forbid the pay-

ment by any postmaster to said person or company of any postal money orders drawn to his or its order, or in his or its favor, or to the agent of any such person or company, whether such agent is acting as an individual or as a firm, bank, corporation, or association of any kind, and may provide by regulation for the return to the remitters of the sums named in such money orders. This shall not authorize any person to open any letter not addressed to himself. The public advertisement by such person or company so conducting any such lottery, gift enterprise, scheme, or device, that remittances for the same may be made by means of postal money orders to any other person, firm, bank, corporation, or association named therein shall be held to be prima facie evidence of the existence of said agency by all the parties named therein; but the Postmaster General shall not be precluded from ascertaining the existence of such agency in any other legal way.

Orders payable to agents included.

Amount of orders to be returned.

Evidence of agency.

See sec. 601 as to punishment for mailing lottery matter; sec. 604 and 2350 as to mailing fraudulent matter; sec. 1473 as to international money orders.

1439. The postmaster at the paying office shall not forward by mail in the form of money or check the amount of a money order sent to him by mail and purporting to be signed by the payee, but shall instead inform the latter that if he so desires a new money order for the same amount, less fee, will be drawn in lieu thereof in his favor payable at any post office he may designate.

Payment by issue of a new order.

—at request of payee.

2. If the payee declines in a case of this kind to consent to the issue of a new order in his favor, the postmaster shall return to him the receipted or indorsed order.

If payee declines new order.

3. If an order which has been indorsed to another person is sent by the indorsee with request for a new order, the postmaster, unless satisfied as to the genuineness of the signature to the indorsement, shall return the order to the sender and advise him that his request will be complied with if he will have the signature guaranteed by the postmaster where he resides. Such guarantee shall be written on the back of the order, thus: "Indorsement guaranteed, _____ P. M., _____," followed by the stamp of the money-order office.

Payment by new order, at request of indorsee.

Signature to be guaranteed.

4. When a money order is paid by the issue of another order the postmaster shall write across the coupon of the paid order the words, "Paid by issue of order No. _____," giving the serial number of the new order.

Notation on coupon.

1440. When a separate advice correcting the name of payee or amount is received, it shall be attached to and filed with the coupon.

Separate advice to be recorded and filed.

1441. As soon as practicable after the close of each day's business all coupons shall be detached from the paid money orders

Coupons to be filed.

and filed in proper order, alphabetically, according to the names of issuing offices and State. At district offices the paid money orders shall be forwarded with the next requisition for stamp stock or remittance of surplus funds to the Central Accounting Office and at direct accounting offices the paid orders shall be listed daily in duplicate on Form 6014, the original to accompany the orders to the department and the duplicate to be retained as the record of payments.

Method of filing coupons.

2. At post offices paying a large number of money orders daily, unless the orders are now being tabulated by the electrical accounting system, a distributing case, with compartments for each State (and several extra when needed for large States or cities) may be used for sorting the paid coupons. They shall be placed each day face downward in the appropriate compartment and allowed to accumulate until the end of the month, at which time the coupons shall be taken from the case and tied in bundles with appropriate labels showing the States in which the orders were issued, but no attempt shall be made to further assort the coupons. When it is necessary to search the record of payment to answer inquiries, to detect money orders issued on stolen forms, or to certify to applications for duplicate money orders, the appropriate State bundle shall be searched by leafing through the paid coupons as far back as the month in which the money orders were issued.

Note.

NOTE.—At certain of the large post offices at which paid money orders are tabulated by the electrical tabulating system a special method of filing paid coupons adapted to the system is in use.

CHAPTER 4

REPAYMENT OF MONEY ORDERS: DUPLICATE ORDERS: PAYMENT OF INVALID ORDERS BY WARRANT

REPAYMENT OF DOMESTIC ORDERS

Repayment upon application of remitter.
39 U. S. C. 728.
Fee not to be returned.

1442. The postmaster issuing a money order shall repay the amount of it upon the application of the person who obtained it, and the return of the order; but the fee paid for it shall not be returned.

Repayment made, when.

2. A domestic money order may be repaid to the remitter, payee, or indorsee if presented at the issuing post office within one year from the last day of the month of issue, provided a duplicate of it has not been issued. (See sec. 1436, par. 8.)

Repayment to remitter.

3. When a money order is presented at the issuing office and signed by the remitter, repayment shall be made although other signatures or indorsements appear on the order. The inconsistent entries shall be crossed out with pen and ink.

Inconsistent entries.

Date of repayment.

4. Immediately after repayment of a money order the date of repayment shall be stamped on the face of the order and on the back of the coupon with the M. O. B. stamp, and at offices maintaining that record an entry shall be made in the register of

orders issued. The coupon shall be detached and filed with the coupons of paid orders. Credit for the repayment shall be taken in the money-order cashbook and, at direct accounting offices, in the next money-order account which the repaid order shall accompany as a voucher. At district offices the repaid order shall be included in the next remittance to the central accounting post office. If the order is repaid at a branch post office or station, the date of repayment shall be stamped on the back of both order and coupon, but not on the face.

1443. A money order may be repaid by the issuing office to such person as the remitter may designate by his indorsement thereon, substituting the word "Remitter" for that of "Payee" where the latter occurs in the printed form for indorsement, or by giving a separate written order addressed to the postmaster and to be filed at the post office. The person receiving repayment as agent designated in separate written order shall receipt the money order as such, and indicate beneath his signature the capacity in which he acts.

Repayment to agent of remitter.

1444. In the case of every repaid order, the issuing postmaster shall write the date of repayment and the words "Repaid to remitter," "Repaid to payee," or "Repaid to indorsee," as the case may be, across the face of the remitter's original application, and in the column of "Remarks" against the entry of the order in the register of orders issued at offices where such register is in use.

Record of repayments.

DUPLICATE ORDERS: APPLICATION AND ISSUE

1445. Whenever a money order has been lost within one year from the last day of the month of issue 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 person 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.

Lost valid orders.
39 U. S. C. 729.
—payment by duplicate.

Certificate of issuing and paying postmasters.

1446. Any postmaster may accept from the remitter, payee, or indorsee an application for a duplicate of a lost or destroyed money order within one year from the last day of the month of issue of the original. Such postmaster shall fill out and sign Form 6002, and if the order was not issued at his office, forward the application to the issuing postmaster. The issuing postmaster shall certify that the description of the money order is correct, that the original order has not been and will not thereafter be repaid, and that notice of payment at an office other than that on which drawn has not been received. He shall then mail it to the paying postmaster for his certification that the original order has not been and will not thereafter be paid, and for

Duplicate of lost valid orders.

—application for, how made.

transmission to the Third Assistant Postmaster General, Division of Money Orders.

See sec. 1456 as to application for warrant where orders are more than one year old.

Duplicate payable to whom.

Consent of payee or indorsee.

Certificate of genuineness of such consent.

—if payee or indorsee is dead.

Bond of indemnity.

Payee refuses consent.

Application for duplicate order at issuing office.

Examination and comparison.

2. A duplicate of an order lost before indorsement shall be issued to the payee upon his application, but if the order was indorsed the consent of either payee or indorsee shall be obtained before the duplicate is issued to the other. Likewise, if the remitter applies for a duplicate in his favor a waiver of claim by the payee and indorsee, if any, shall be obtained. The waiver shall be written and filed with the application for duplicate.

3. When an application for a duplicate order contains one of the forms of waiver of claim required by the previous paragraph, the genuineness of the signature thereto shall be certified by the postmaster at the place where the payee or indorsee resides. Issuing and paying postmasters shall aid, so far as they may be able, in obtaining the waiver required by this section. If the payee or indorsee is dead, his legal representative shall sign the form and shall be required to exhibit to the postmaster who certifies to such waiver the proper documentary evidence of his authority to act in that capacity. After the lapse of a reasonable time, if the payee or indorsee, or his legal representative, cannot be found, satisfactory evidence of that fact shall be forwarded to the department with the application for duplicate. A blank bond of indemnity, in a penal sum of the amount of the lost order, shall then, if necessary, be sent the remitter for execution and return to the department. The condition of such bond shall be that if, after the issue and payment of a duplicate to the remitter, any other person shall establish a valid adverse claim to the original order, the amount paid on the duplicate will be refunded to the department upon demand.

4. When an application is made by the remitter of a lost order for a duplicate thereof payable to himself, if the payee will not sign consent to repayment, the postmaster at the office drawn on shall complete and certify to an application signed by the payee or indorsee for a duplicate to be drawn in favor of such applicant and, after writing across the face of the first application the words "Consent for duplicate in favor of remitter refused," shall send both applications to the postmaster at the office of issue. The latter shall then notify the remitter that the payee or indorsee demands the duplicate order, and, after changing his records and destroying the application in favor of the remitter, forward to the department the application prepared at the paying office.

1447. When an application for a duplicate of a lost order is received at the office where the order was issued, the postmaster shall compare the particulars of the order as entered therein with the remitter's application from which the order was issued, to see if both the office and serial numbers and all other particulars are correctly given, especially the name of the paying office. The postmaster shall also be sure that there is not on file a notice of payment at an office other than that on which drawn.

When the application for duplicate is certified at the issuing office, the following shall be written or stamped across the remitter's original application and at offices where the register of money orders issued is in use, opposite the entry of the order in the register: "Duplicate applied for in favor of ----- (remitter, payee, or indorsee as the case may be), -----, 19--." The issuing postmaster shall enter correctly the number of his office in the upper left corner of the application for duplicate.

2. To guard against the possibility of paying a money order more than once, the postmaster at the office of issue shall not certify or forward an application for a duplicate order prior to the expiration of the thirty-sixth day following the date on which the original was issued: *Provided however*, That an application may be accepted, certified, and forwarded at once if the applicant or the party in whose favor the application is made shall execute a good and sufficient bond of indemnity (Form 6116) in a penal sum not less than the amount of the order, conditioned upon the refund of the amount paid on the duplicate in the event that after payment thereof any other person shall establish a valid claim to the original order, or in case it shall appear that the original has been paid to the rightful owner at another office.

When application shall be forwarded.

Execution of certificate at paying office.

Examination of records.

Certificate.

Record at paying office.

Original order paid.

When application for duplicate may be accepted.

Inquiry to paying office.

1448. When application for a duplicate of a money order alleged to have been lost is received at the paying from the issuing office, the postmaster, before executing the certificate as to nonpayment of the original, shall examine his file of coupons or lists of paid orders to ascertain whether payment has already been made on the original or a duplicate. If he finds that the order has not been paid, he shall execute the required certificate to that effect and forward the application to the department. He shall, by copying from the application for duplicate, prepare and file with his coupons of paid orders a description of the lost order on Form 6002-A, upon which he shall make a memorandum as follows: "Duplicate applied for in favor of ----- (payee, remitter, or indorsee), -----, 19--," the date to be inserted being that of the certificate. Particular care shall be taken to avoid mistakes in writing the amount on Form 6002-A. If it is found that the original order has been paid, the application shall be returned to the issuing postmaster with a statement to that effect, giving date of payment. (See also sec. 1455, par. 2.)

1449. The issuing postmaster shall not accept an application for a duplicate order to be issued on account of loss of the original until sufficient time for receipt of acknowledgment from the payee has elapsed unless it is known that the original has been lost or destroyed or has gone astray. The application may be accepted if the postmaster at the office of payment reports that the order has not been paid, but an inquiry as to payment of a domestic money order shall not be forwarded to the paying office on Form 6193 until 15 days after the issue of the order, unless the remitter can exhibit a letter denying receipt of the remittance written after the lapse of ample time for the payee to have received the letter in which the order was inclosed. Unless it is

indicated in Form 6193 that the remitter has been notified that the original order has not been received by the payee, all inquiries on such form received before 15 days have elapsed from the date of issue, should be returned without action.

Recovery of lost order.

1450. When a money order alleged to have been lost comes into the possession of the remitter, payee, or indorsee thereof after application for a duplicate has been made, the postmaster to whom the order is presented shall notify the Third Assistant Postmaster General, Division of Money Orders, who may authorize the payment or repayment, as the case may be, of such original order, provided no duplicate has been issued in lieu thereof. If such duplicate has been issued, the postmaster to whom the order is presented shall write across it the words "Canceled—Duplicate issued." If the person who presents the order requires the postmaster to return it to him, he may do so; but if not, the order shall be sent to the department for disposal.

Payment of, before duplicate is issued.

Cancellation of, after duplicate is issued.

Payment of orders invalidated by indorsements.

1451. An original or duplicate money order bearing more than one indorsement is invalid in the hands of anyone other than the remitter, payee, or first indorsee. (See sec. 1435.) The holder of such an order, if he is the second or any subsequent indorsee, to obtain the amount thereof, shall make application for a duplicate or triplicate, as the case may be, and furnish such proof as the Post Office Department may require relative to the genuineness of the indorsements.

See sec. 1436 as to payment to payee or first indorsee when order has been more than once indorsed.

Applications, how made.

2. Application for a duplicate of an illegally indorsed or mutilated or defaced money order shall be made on Form 6002, and may be received at either the issuing or paying post office. The coupon as well as the order itself shall be forwarded with the application to the Third Assistant Postmaster General, Division of Money Orders. If the application is made through the office at which the order was issued, a record of it shall be made as provided in section 1447. If the application is made through the office drawn on, the postmaster thereat shall place in his files a memorandum thereof as provided in section 1448.

Duplicate orders to be issued only by department. Payment of duplicate orders.

1452. Duplicate money orders shall be issued only by the department and not by postmasters under any circumstances.

1453. A duplicate money order shall be repaid only at the office of issue of the original or paid only at the office on which the original was drawn, although the duplicate may be mailed to the owner at some other office. When the payee of a duplicate resides at a place distant from the office on which it is drawn, it may be paid by the issue of a new order for the same amount, less fee, on the money-order office nearest such payee's place of residence. He shall receipt the duplicate, and send it to the postmaster at the office on which it is drawn, with request for payment thereof by the issue of a new order, naming the office on which the new order shall be drawn.

PAYMENT AND REPAYMENT OF DUPLICATE ORDERS

1454. Upon presentation of a duplicate of an order which was drawn on his office, the postmaster shall look for the description of the original order on Form 6002-A, filed as provided in section 1448, with the coupons of orders paid thereat, and upon effecting payment shall see that record of the number of the duplicate and date of payment be made on Form 6002-A, thus: "Paid by duplicate No. _____, _____, 19___." Similarly, when repayment is made on a duplicate order a note giving the number of the duplicate and the date of repayment shall be made across the face of the remitter's original application and in the register of orders issued at offices where such a record is kept. The coupon attached to the duplicate after being stamped with the date of payment or repayment shall be separated therefrom and filed in its proper place among other coupons of paid and repaid orders; and the duplicate order itself, stamped with the date of payment or repayment as voucher for the disbursement, shall be treated as other paid orders. The record kept on Form 6002-A shall be attached to the coupon and filed therewith when payment of duplicate is made at the office on which the original was drawn. Before payment or repayment is made on the duplicate, particular care shall be taken to see that it agrees with the record as to amount.

Record of payment or repayment by duplicate.

See sec. 1456 as to payment by warrant when duplicate has become invalid by reason of age; and sec. 1455, par. 2, regarding use of Form 6002-B.

1455. When a money order more than a month old is presented at the paying office, the postmaster shall examine his file of coupons or lists of paid orders to see if he has any record of the order, and if he finds that an application for a duplicate of the order has already been certified and forwarded he shall follow directions given in section 1450. Similarly, when an order more than a month old is presented for repayment the postmaster shall examine the application on which it was issued, and the file of coupons or lists of paid orders. If a duplicate has been applied for, neither payment nor repayment shall be made on the original without special authorization from the department as provided in section 1450. Clerks in charge of contract stations shall be careful in this respect and shall in case of presentation of a money order more than a month old, inquire of the main office whether an application for a duplicate has been certified.

Precautions against double payment.

2. At first- and second-class offices where the payments are numerous, a separate card record of applications for duplicate money orders may be kept on Form 6002-B for the convenience of the paying clerk, and in such cases Form 6002-A should not be used.

Record of applications for duplicates.

INVALID ORDERS PAYABLE BY WARRANT

1456. Domestic money orders shall not be paid at the offices upon which they are drawn, or at the offices of issue, after one year from the last day of the month of

Invalid money orders.
39 U. S. C. 718.
—payable only by warrant.

issue of such money orders; but such money orders shall be sent to the Post Office Department and shall be paid by a warrant of the Postmaster General countersigned by the Comptroller General of the United States * * * (See sec. 229.)

39 U. S. C. 730.

2. The Postmaster General upon evidence satisfactory to him, and under such special regulations as he shall prescribe, may cause payment to be made in the manner prescribed in sections 718 and 729 of this title, of the amount of any money order remaining unpaid after the lapse of seven years from the date of its issue.

39 U. S. C. 731.

3. The Postmaster General, upon evidence satisfactory to him, and under such special regulations as he shall prescribe, may cause payment to be made in the manner prescribed in sections 718 and 729 of this title, of the amount of any domestic money order remaining unpaid after the lapse of three years from the date of its issue. It shall be the duty of the General Accounting Office to maintain a complete and permanent record of all unpaid money orders issued by postmasters in the United States, or such of its insular possessions as are amenable to the authority of the Postmaster General for payment within its own territory, such record to serve as a basis for adjudicating claims for payment by warrant of the amounts of said orders.

—more than
three years old.

Note.

NOTE.—A duplicate money order becomes invalid if not presented for payment within one year from the last day of the month of issue of the original.

Application
for warrant.

4. The holder of an original or duplicate money order which remains unpaid after the lapse of one year from the last day of the month of issue of the original, in order to obtain payment of the amount thereof, shall present such original or duplicate order to the postmaster at a money-order office, who shall forward it to the Third Assistant Postmaster General, Division of Money Orders, with an application from the holder for a warrant for the amount. The application shall be made on Form 6003 and signed by the claimant. If the department is satisfied that the order has not been paid or repaid and that the applicant is entitled thereto, a warrant for the amount thereof, drawn upon the Treasurer of the United States, shall be issued without charge to the applicant and mailed to his address. The Post Office Department, however, before issuing a warrant for the amount of an invalid money order, whether to the remitter, payee, or indorsee, or legal representative, heirs, or assigns of either, may require him or them to furnish a bond of indemnity in a penal sum of the amount of the money order, for the purpose of secur-

ing the department against loss in the event that any other person shall establish a valid adverse claim to the order.

5. The regulations governing applications for duplicate money orders, where not inconsistent with the provisions of this section or section 1457, shall apply to applications for warrants in payment of orders which have become invalidated by age.

—regulations not inconsistent to apply.

1457. Whenever a money order, which has not been paid within one year from the last day of the month of issue, has been lost, the Postmaster General, upon the application of the remitter or payee of such order, shall issue a warrant for the payment thereof, as provided for in section 718 of this title, without charge, on the certificate of the General Accounting Office, or upon such other proof satisfactory to the Postmaster General, that the order has not been paid.

Lost invalid money orders.
39 U. S. C. 729.
—warrant for payment of, issued on application,
—proof of non-payment.

2. Application for the issue of a warrant in lieu of an order invalidated by age, which is alleged to have been lost, shall be made in accordance with the preceding section. Satisfactory proof of such loss shall be submitted to the postmaster, who shall transmit the same to the Third Assistant Postmaster General, Division of Money Orders, with the application for the warrant.

—application for warrant, how presented.

3. A warrant in payment of a money order which has become invalid because of age shall be issued if the original money order accompanies the application therefor and a duplicate money order has not been issued, provided no adverse claim to the amount of the order is pending. If the money order has been lost, the warrant shall be issued under the same conditions, provided the order is listed as outstanding and unpaid in the records of the General Accounting Office, but unless so listed a warrant shall not be issued when the order does not accompany the application.

See sec. 1445 as to first part of above statute regarding payment of lost orders within one year from date of issue; sec. 4 of the above act is given as part of sec. 1456.

CHAPTER 5

INTERNATIONAL MONEY-ORDER SERVICE

GENERAL PROVISIONS

1458. 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 one hundred dollars in amount, at such rates of exchange * * * and under such rules and regulations as he may deem ex-

Establishment of international money-order service.
39 U. S. C. 712.

Conventions.
Fees.
Expenses.

pedient; and the expenses of establishing and conducting such systems of exchange may be paid out of the proceeds of the money-order business.

Domestic regulations govern international service, except.

1459. As far as practicable, the regulations concerning domestic money-order business shall govern the transaction of international business, except as otherwise modified herein or by instructions published in the Official Postal Guide, Part I, or the International List.

—where the international money-order forms are used.

1460. International money-order business, i. e., where the international money-order forms are used and the advices sent through exchange offices, shall be transacted at all post offices of the first, second, and third classes, but only at such offices of the fourth class as may be designated by the Third Assistant Postmaster General, Division of Money Orders. Each of these offices shall be supplied with a copy of the publication, List of International Money-Order Offices (Form XIV), hereafter referred to as the "International List."

—applications for establishment.

2. Applications for the establishment of international money-order service shall be addressed to the Third Assistant Postmaster General, Division of Money Orders.

—forms to be used.

3. Application for an order payable in a foreign country named in Table 2 or 3 of the International List, shall be made on Form 6701, or on Forms 6701-A to 6701-N. The schedules of fees and tables appearing in the Official Postal Guide and International List should be kept where they may be readily consulted, that the postmaster will be certain of charging the correct fee.

Note.

NOTE.—A few of the countries named in these tables undertake to act as intermediaries in the exchange of money orders between the United States and other countries not reached by direct exchange, to keep the resulting accounts and assist in conducting correspondence relative thereto. For its service in readvising a remittance of that kind most of the foreign postal administrations make a slight deduction from the face value of the original order. For the countries with which money-order business may be transacted by such indirect exchange see the "Ready Reference Table" in the International List.

DIRECT AND INDIRECT EXCHANGE: EXCHANGE OFFICES

Direct exchanges.

1461. Direct exchange of money orders on the international basis shall be made between the United States and the countries named in Tables 2 and 3 of the International List.

Exchange offices.

1462. Where dissimilarity of language, monetary systems, organizations, or methods necessitates that course, money orders shall be exchanged with countries through exchange offices acting for each country. To these offices all advices and coupons of issued orders shall first be sent for verification and for correction of errors. The particulars of the advices shall then be entered on descriptive lists which shall form the basis of accounts. The lists shall be numbered consecutively, and each entry therein designated by two numbers, a number assigned by the exchange office according to the sequence of advices as entered in the list which is known as the international number and the serial number of the money order.

—descriptive lists.

2. The following offices are authorized to certify money orders of United States issue: U. S. exchange offices.

(a) New York for all countries in Africa, Europe, and South America; also for Cape Verde Islands, French Levant, Malaya, Netherland Indies, Palestine, and Thailand. —New York.

(b) New Orleans for the countries of Central America. —New Orleans.

(c) El Paso and Laredo, for Mexico. —El Paso.

(d) San Francisco for China, Japan (except as noted in subparagraph (e)), the British colony of Hong Kong, New Zealand, and the Commonwealth of Australia, consisting of New South Wales, Queensland, South Australia, Tasmania, Victoria, and Western Australia. —San Francisco.

(e) Seattle for Japan only, for all offices in Alaska, Idaho, Minnesota, Montana, North Dakota, Oregon, and Washington. —Seattle.

(f) Honolulu for trans-Pacific countries for offices in Hawaii only. —Honolulu.

(g) The postmaster at Pago Pago, Tutuila, Samoa, is authorized to certify his own orders to trans-Pacific countries. —Samoa.

(h) Guam for orders issued in Guam payable in China, Japan, and Hong Kong. —Guam.

ISSUE OF INTERNATIONAL ORDERS

1463. Postmasters who have been authorized to transact domestic money-order business, but have not been specially authorized to transact international money-order business, shall not issue money orders for payment in any foreign country other than those enumerated in Schedule No. 1 under the heading "Postal Money-Order System" in the Official Postal Guide. When an intending remitter applies at a domestic office for a money order payable in any foreign country not enumerated in Schedule No. 1, the postmaster shall direct him to the nearest international money-order office. **Requests for international orders.**
—at domestic money-order offices.

1464. A postmaster may advise an applicant for an international order, but shall not fill in the form of application, except in the cases of money orders issued in payment of C. O. D. parcels. If the applicant is unable to write, he should request someone not connected with the post office to prepare the application. Should a postmaster disregard this caution, and an improper payment result therefrom, he will be held accountable for the amount. **Postmasters prohibited from filling in applications.**

1465. The postmaster shall examine every application for an international order and require that the necessary particulars be given therein. There shall be no misunderstanding between him and the applicant in regard thereto. **Particulars to be given in application.**

2. The full name and exact address of the payee shall be stated, including the name of the city, town, or village, and country, and also the name of the canton, department, or district, as the case may be. When entered in the application form, the payee's address should be exactly the same as that on the letter conveying the order or a notice of its issue to the payee. **Name and address of payee.**

—if in town or city.

3. When the payee resides in a town or city, the name of the street and the number of the house shall, if possible, be given.

—if a soldier.

4. If the person to whom the money is to be sent is a soldier, his rank, company, regiment, and the branch of the service (Infantry, Cavalry, Artillery, etc.) to which he is attached shall be stated, in addition to the name of the place where he may be stationed.

—if a sailor.

5. If the payee is a sailor, his rank or rating and the name of the ship on which he is serving shall be stated, besides the name of the place where the vessel was stationed at latest accounts.

—if a woman.

6. If the payee is a woman, it shall be stated whether she is single, married, or a widow. If married, her own given name (not that of her husband), as well as her name by marriage should be furnished.

Care necessary in writing advice.

1466. The greatest care shall be exercised to copy in the advice every detail given in the remitter's original application. The omission of something seemingly unimportant may result in wrong payment, for which the issuing postmaster will be held responsible if efforts made for recovery of the amount prove unsuccessful.

Language.

2. If the address furnished by the remitter is not written in English script or Roman letters which can be accurately transcribed, the remitter may write in his own language the payee's address on Form 6083, which shall then be attached to the advice and mailed with it to the exchange office. This Form 6083 is obligatory for all money orders payable in China, French Levant, Greece, Palestine, and Yugoslavia, and for those payable in (or through) Japan, when the remitter and payee are Chinese, Japanese, or Korean.

—use of Form 6083.

3. In no case shall the procuring of Form 6083 absolve the issuing clerk from copying, most carefully, on the advice the full details given by the remitter on his original application.

Full details to be entered on advice.

Dispatch of advices.

1467. Advices of international money orders (accompanied when necessary with the Form 6083), as also German card orders, shall be dispatched to the proper exchange office by the earliest mail after the issue of the orders, and shall be sent only in the special envelopes (No. 52) furnished for that purpose.

Special envelopes for advices.

Errors.

1468. If a mistake in either order, advice, or receipt is observed before handing the order to the purchaser, all parts shall be marked "Not issued" and the next following order, advice, and receipt shall be substituted therefor.

Treatment before delivery.

2. The spoiled blanks (order, receipt, advice, and coupon) shall be detached from the book of forms, treated as "Not issued," and forwarded with the next money-order account. (See sec. 277.)

Treatment after delivery.

3. In no case shall an international order be treated as "not issued" after the order, advice, or receipt has passed beyond the control of the issuing postmaster. If an error has been made in the advice which is not detected until after the order of the same number has been delivered to the remitter and has passed beyond the control of the issuing office, a duplicate advice on Form 6702 shall be issued, attached to the original—after the latter has been

Duplicate advice.

marked "Spoiled in issue"—and transmitted therewith to the proper exchange office.

4. If an error is discovered after certification of an advice, or if a remitter desires to correct the name or address of a payee, notice of the correction shall be given to the exchange office to which the advice was sent; but Form 6760 and not a second advice shall be used for that purpose.

Correction of errors after certification.

1469. Upon receipt by a postmaster in the United States of a notification from an exchange postmaster that the advice of an international order issued by the former has not been received by the latter, a duplicate advice, on Form 6702, shall be issued and forwarded to the exchange office. Such duplicate advice shall bear the same number as the original which it replaces. The name of the issuing office shall be written at the top of the form. The impress of the M. O. B. stamp shall indicate the actual date of issue of the duplicate advice, but the written date in the body of the form shall be that of the original advice.

Missing advices, orders payable abroad on international form.

Duplicate advice.

2. Should a double payment result from lack of due precaution in the issue or certification of a second advice, the postmaster at fault will be held responsible for the amount overpaid.

Double payment.

Responsibility.

3. A duplicate international advice shall be issued only upon formal application from the exchange office to which the original was sent or upon instructions from the department. In either case the application for an advice shall be returned to the exchange office or the department, accompanied with the duplicate. A memorandum of the action taken shall be noted upon the remitter's application.

Duplicate advice.

—when issued.

4. Should information reach the issuing postmaster from other sources, indicating the loss of an original international advice, he shall communicate at once with the exchange office, and forward a duplicate advice warning the exchange office against double certification.

—record.

Loss of original advice.

—inquiry.

1470. For further information in regard to the method of issuing international money orders, the postmaster shall carefully consult the tables, instructions, and models given in the International List and the Official Postal Guide, Part I.

Postmaster shall consult tables, etc.

1471. Inquiries concerning payment of international money orders issued in the United States shall be addressed on Form 6684 to the exchange office through which the advice was transmitted.

Inquiries concerning payment.

2. In order to obviate unnecessary correspondence the issuing postmaster shall decline to make inquiry unless satisfied that the remitter has just and reasonable cause for complaint, as, for instance, the death or removal of the payee, or a letter denying receipt of the amount or affirming that wrong payment has been made. If the remitter offers written evidence to substantiate his statement the postmaster shall attach the document to Form 6684 and forward both to the proper exchange office.

—unnecessary correspondence.

NOTE.—Complaints of alleged wrong or delayed payment of money orders drawn on most foreign countries will not be considered by those countries unless made within one year from the date of payment or from the date on which the order, if unpaid, would have become invalid by reason of age.

Note.

Certification forbidden because of fraud order.

1472. When an advice of a money order is received at an exchange office drawn in favor of a person or concern to whom payment is forbidden by the Postmaster General under the provisions of section 1438, the advice, coupon (and canceled order if drawn on a country listed in Table 3) shall be attached to Form 6759, properly completed to show that the advice has not been certified, and forwarded to the Third Assistant Postmaster General, Division of Money Orders.

Note of action in regard to orders.

—to be made on application.

1473. A memorandum of all action taken in regard to an international money order, such as the issue of a duplicate advice, application for repayment, inquiry as to payment, etc., shall be made by the issuing postmaster on the remitter's application to prevent conflicting action being taken in the future.

International orders issued for C. O. D. parcels.

1474. Before delivering a C. O. D. parcel from one of the countries with which C. O. D. service is in effect, the clerk having charge of the assignment of such parcels for delivery shall complete an application on Form 6701 from which the international money order is later to be issued. The amount of the C. O. D. charges plus the money-order fee collected from the addressee shall be turned over to the money-order section with Form 6701, and a receipt shall be given on Form 3815. An international money order shall be issued, the advice and coupon sent to the proper exchange office and the receipt attached to the record of delivery of the parcel to show that the charges have been remitted.

Record of undeliverable parcels.

2. Form 6701 completed from parcels which for any reason are not delivered shall not be destroyed or turned over to the money-order section but shall be retained by the clerk having charge of the assignment of C. O. D. parcels for delivery, to provide a record of the name and address of the sender and may also be used to show what was done with the undeliverable parcels.

When office does not transact international money-order business.

3. When a C. O. D. parcel from abroad is received at a post office not authorized to transact international money-order business, the postmaster shall complete an application on Form 6001 and shall collect from the addressee the C. O. D. charges plus the domestic fee *and* the fee for an international money order of the amount of the charges. He shall issue a domestic money order in favor of the postmaster at the proper exchange office for the amount of the C. O. D. charges *and* the international money-order fee, and mail it (the domestic money order) to him with an application on Form 6001 for the issue of an international money order. The postmaster at the exchange office shall issue an international money order to remit the charges to the shipper of the parcel in the foreign country. (To determine the proper international fee and exchange office, consult Schedule 2 and Table 3, respectively, in Part I of the Official Postal Guide, under the heading, "The Postal Money Order System.")

PAYMENT OF INTERNATIONAL MONEY ORDERS

Payment of orders.

—care in.

1475. The regulations relative to the payment of domestic money orders, except where inapplicable or otherwise modified, shall apply equally to international orders. Greater care shall 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.

2. When a money order is presented for payment, the postmaster shall examine it to see that it is properly drawn, signed, and stamped; that it corresponds exactly with the advice, and that it is signed by the payee or by the person authorized by the payee to receive payment. (See sec. 1430, par. 15 and sec. 1432.)

Examination of orders and advices.

1476. Payment of an international order shall be withheld under the following circumstances:

Payment withheld.

(a) When an advice has not been received.

—advice not received.

(b) When advice has not been certified.

—advice not certified.

(c) When the amount is not plainly stated therein.

—amount uncertain.

(d) When the name given by the payee does not correspond with that in the order and advice.

—differences.

(e) When the order or advice contains an alteration or erasure affecting the amount or the name of the payee.

—alterations.

(f) When the order bears two or more indorsements. (See sec. 1436 as to order presented by original payee or first indorsee.)

—indorsements.

(g) When the order is invalid by reason of age.

—order invalid.

When a money order issued in any foreign country is presented for payment after one year from date of issue (six months in the cases of Lithuania and Malaya), the postmaster shall forward it to the Third Assistant Postmaster General, Division of Money Orders, accompanied with a statement that the holder desires payment although the order is invalid. Such orders shall not be paid until authority is received from the department.

2. In any such case, except those specified in subparagraph (g) of this section, the postmaster shall immediately address an inquiry to the exchange office or report to the department for instructions.

—inquiry.

1477. If it be regular in other respects, a postmaster may pay an order for which he holds an advice, notwithstanding the fact that the order itself designates a different office of payment. Before sending in the paid order as a voucher, he shall write across its face in red ink, "Advice certified to this office." An international order lacking the stamp of the issuing office, the signature of the postmaster, or initials of the issuing clerk may also be paid if the corresponding advice is on file at the paying office.

Irregularities not affecting payment.

1478. The laws and regulations which govern the payment of domestic orders to indorsees, attorneys, and the legal representatives of deceased payees shall apply also to international orders.

Payment to indorsees, attorneys, or the legal representatives.

2. No provision is made for indorsement on most orders of foreign issue, but an indorsement may be written on the back as in the case of a domestic order.

—how effected.

3. 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, shall be required to

—identification in case of.

establish his identity to the satisfaction of the postmaster, furnishing such proof as the postmaster may require as to the genuineness of the indorsement.

See sec. 1436 as to indorsement and payment of domestic order to other than payee.

ADVICES AT PAYING OFFICES

Missing advices of orders payable in United States.
—request for advice.

1479. When an order issued in any of the countries named in Tables 2 and 3, International List, is presented for payment and no advice has been received, the paying postmaster shall immediately apply on Form 6752 to the proper exchange office in this country for an advice.

Advice not certified.

1480. When a postmaster receives an advice of an international money order issued in one of the countries named in Table 2 of the International List, which advice has not been certified, he shall promptly send it to the proper exchange office in the United States to be returned to the foreign country for certification.

Card order not certified.

2. When an uncertified card order is received by a postmaster or presented to him for payment, he shall send it to the Third Assistant Postmaster General, Division of Money Orders, with a statement of the facts and request that it be replaced by a formal international order.

Advice corrected through exchange office.

1481. In case of a difference between the name of the payee as stated in the advice and that given by the holder of the order, or in the event of an alteration of the amount, the postmaster shall immediately dispatch, on Form 6752, a request for correction to the proper exchange office.

Treatment of advices.

1482. Advices of orders issued in the countries named in Tables 2 and 3 of the International List are sent to exchange offices in their respective countries, there to be verified before entry in descriptive lists, which are then formally certified and transmitted to the corresponding exchange offices in the United States.

Treatment of orders.

1483. Money orders issued in the countries named in Table 2 of the International List are mailed by the remitters to the payees and payment is made on the original orders. However, for those issued in the countries named in Table 3, upon receipt of the lists at the exchange offices in this country, new orders shall be issued and forwarded to the payees at the same time that the advices are mailed to the paying offices.

—reissued orders.

Value in United States money to be entered on advice.

1484. In orders issued in the countries named in Table 2 of the International List, the amounts are frequently expressed in foreign money only, but the equivalent sum in United States currency to be paid is noted in each advice by the foreign exchange office.

Notation on paid order.

2. Before the paid order is transmitted as a voucher from a direct accounting office or is transmitted as postal funds by a district postmaster to his central accounting office the paying postmaster shall note in red ink in the upper portion of the order the amount paid and the international number appearing on the back of the advice. The date of payment shall be stamped on both order and advice.

1485. When, at the end of each month, the advices of unpaid international money orders have remained on hand since the close of the previous month, the postmaster shall notify the payees by means of Form 6706 to apply for payment.

Unclaimed international orders.
Notice to payee.

2. By the terms of the conventions with the various foreign countries with which the United States exchanges money orders, those which remain unpaid for one year (six months in the cases of Lithuania and Malaya) from the date of issue become invalid. Postmasters shall send promptly to the Third Assistant Postmaster General, Division of Money Orders, the advices of all international money orders which become invalid by reason of age.

Invalid orders.

Advices sent to department.

1486. The rules which govern the payment of international money orders generally, apply to those issued in foreign countries to pay the C. O. D. charges on parcels mailed in the United States. Since such money orders may be drawn on any post office in this country, one may be drawn on an office which is not authorized to transact international money-order business. In such event, when the advice reaches him the postmaster shall pay the order and claim credit for it in the same manner as for paid domestic orders.

Payment of international C. O. D. orders.

2. An international C. O. D. money order shall not be repaid to the remitter, except when the sender of the parcel authorizes such action and waives all claim to the C. O. D. charges or indemnity therefor. When it appears that any person or firm is using the international C. O. D. service to further a scheme to defraud and postmasters are informed of that fact, they shall decline to pay international money orders drawn in favor of that person or firm and shall send the advices to the Third Assistant Postmaster General, Division of Money Orders.

Not to be repaid.

REPAYMENT OF INTERNATIONAL ORDERS

1487. Under no circumstances shall an international money order drawn on any country named in Table 2 or 3 of the International List be repaid without express authority from the Third Assistant Postmaster General, Division of Money Orders.

Authority for repayment.

2. After preparing and signing an application for repayment on Form 6759 to which the order should be attached if in remitter's possession, the issuing postmaster shall send it to the proper exchange office for the particulars of certification. If the advice has been certified, the receiving exchange office shall supply the number and date of the list and the international number of the entry and forward the application to the foreign office for its action. If the foreign postal administration acts favorably on the application by placing the amount of the order at the disposal of the postal administration of this country, an authorization for repayment shall be sent the issuing postmaster by the Third Assistant Postmaster General, Division of Money Orders.

Application forwarded to exchange office.

3. If the advice has been received but not certified by the exchange office, both advice and application shall be transmitted directly to the Third Assistant Postmaster General, Division of

Advice returned by exchange office.

Money Orders, and the formal consent of the country drawn upon for the desired repayment to the remitter need not be requested.

DUPLICATE INTERNATIONAL ORDERS

Duplicate of lost order payable in United States, international basis.
 —issue.
 —application.
 —duplicate advice.

1488. When notified of the loss or nonreceipt of a money order issued in any of the countries named in Tables 2 and 3, International List, the paying postmaster, if the advice is in his possession, shall accept the payee's application for a duplicate on Form 6753 and forward it to the department. If he has not received the advice he shall apply on Form 6752 to the proper exchange office for a duplicate advice before certifying to an application for a duplicate order.

CHAPTER 6

SEMI-DOMESTIC MONEY-ORDER SERVICE

GENERAL PROVISIONS

Establishment of semidomestic money-order service.

1489. Under the authority granted by section 1458, the Postmaster General from time to time has concluded arrangements with the postal administrations of certain foreign countries for the transaction of money-order business on the domestic basis. The names of such countries will be found under the title "Postal Money Order System" in Table No. 1, which appears in Part One of the Official Postal Guide.

Domestic regulations govern.

1490. As far as practicable the regulations concerning domestic money-order business shall govern the transaction of business with the countries named, except as otherwise herein modified, or by instructions subsequently issued in the Official Postal Guide and the Register of Money-Order Post Offices (Form XI).

Money Order Forms to be used.

1491. Money orders intended for payment in any of the countries named in Table 1 shall be drawn on the domestic form and made payable only at those post offices listed in the Register of Money-Order Post Offices which shall be kept up to date from changes published in the Monthly Supplements to the Official Postal Guide. The money order shall be delivered to the remitter for transmission to the payee.

APPLICATIONS AND FEES

Form of application.

1492. Applications for the issue of money orders payable in the countries with which business is conducted on the domestic basis, shall be made on Form 6001.

Fees and limitations.

2. A money order shall not be issued for more than \$100, and the fees shall be the same as for other domestic orders. (For schedule see section 1412.)

Full particulars to be entered in application.

3. The postmaster shall examine every application for a semi-domestic money order and require that the necessary particulars be given therein. He shall determine whether the place named in the

application is a money-order office and for that purpose shall consult, if necessary, the list of post offices appearing in the latest edition of Form XI (Register of Money-Order Post Offices, as corrected). The full name and exact address of the payee shall be stated, including the name of the State, colony, or island and the province or parish.

ADVICES

1493. The arrangements concluded with some of the countries provide for the use of a separate advice form in the exchange of money orders. Postmasters shall consult the Official Postal Guide and Register of Money-Order Post Offices to ascertain which countries use advices.

Separate advices furnished by certain countries.

NOTE.—Canada, Canal Zone, Cuba, Jamaica, Newfoundland, and the Philippine Islands do not forward an advice for each order issued, as coupons attached to the orders serve the purpose of advices.

Note.

2. In the issue of orders for payment in these countries it is necessary to send an advice to St. Vincent only. When orders are issued for payment in that Colony, Form 6006 shall be dispatched to the postmaster at the office drawn on by the earliest mail available.

Advices to be sent to St. Vincent.

1494. At the end of one year from the last day of the month of issue the advices of orders which were issued in any of these countries and which remain unpaid during that period shall be sent to the Third Assistant Postmaster General, Division of Money Orders.

Invalid advices.

PAYMENTS

1495. When a money order issued in a country with which business is transacted on the domestic basis is presented for payment, the postmaster shall examine it to see that it is properly drawn, signed, and stamped. If the order was issued in a country which furnishes an advice, the advice must be on file and comparison made to ascertain that it corresponds in every particular with the order.

Precautions.

See sec. 1430, par. 15, and sec. 1432, regarding identification of applicant and responsibility for wrong payment.

2. A money order issued in one of the countries with which business is conducted on the domestic basis, may be paid only at the post office in the United States on which drawn. If presented at another office the postmaster shall forward the order to the Third Assistant Postmaster General, Division of Money Orders, where the necessary change will be made to enable the postmaster to effect payment. The same action shall be taken when any error or discrepancy occurs in the name of the office drawn on.

Payable only at office drawn on.

3. Immediately after payment of an order, the date of payment shall be stamped upon the order and the advice or coupon in the spaces provided for that purpose. All advices and coupons of money orders paid shall be filed in proper order, alphabetically, according to the names of issuing offices and country of origin, and preserved for a period of not less than three years.

Advice or coupon to be stamped paid and filed.

INDORSEMENTS

More than one indorsement allowed.

1496. Unless specifically stated on a money order issued in a country named in Table 1, the number of indorsements thereon is not limited as in the case of United States domestic orders, and payment may be made to a second or subsequent indorsee, provided the postmaster is satisfied that the holder is the rightful owner.

Payment to indorsees, attorneys or legal representatives.

2. With this exception, the laws and regulations governing the payment of domestic money orders to indorsees, attorneys, and the legal representatives of deceased payees shall apply also to money orders issued in these countries.

CORRESPONDENCE

Correspondence with Canada.

1497. Postmasters are expressly forbidden to correspond with the postal administration of Canada or with Canadian postmasters regarding money orders except when it is necessary to apply for the particulars of an order by means of a separate advice or to forward a separate advice of an order to Canada. All other correspondence, including inquiries as to payment, shall be referred to the Third Assistant Postmaster General, Division of Money Orders.

Correspondence with other countries.

2. Inquiries concerning payment of money orders drawn on other countries named in Table 1 and notices of repayment of original orders may be sent direct to the postmasters drawn on. All other correspondence shall be referred to the Third Assistant Postmaster General, Division of Money Orders.

Form to be used.

3. If within a reasonable time after the issue of an order for payment in one of these countries, the remitter informs the postmaster that it has not been paid, inquiry shall at once be made of the postmaster drawn on using Form 6193 for that purpose.

See par. 1 regarding inquiries as to payment of money orders drawn on Canada.

Response to inquiries.

4. Upon receipt from the issuing postmaster in one of these countries of an inquiry concerning payment of an order, the paying postmaster in this country shall promptly forward the desired information.

Request for correct particulars.

5. When request for correct particulars of a money order is received by a postmaster in the United States, Form 6006 shall be completed and sent directly to the postmaster drawn on. The same form shall be used to obtain the correct particulars of a money order issued in any country named in Table 1.

REPAYMENT

Repayment, action necessary.

1498. Repayment of an order drawn on one of the countries with which business is conducted on the domestic basis, may be effected upon presentation before it has become invalid by reason of age, provided an application for a duplicate has not been certified. In the case of an order payable in St. Vincent, the postmaster at the office in that Colony on which the order was drawn shall be notified of repayment and shall be requested to return

the advice or to forward a certificate of nonpayment. Form 6036 shall be used for this purpose.

2. When a notice is received from the issuing postmaster abroad that an order drawn on an office in the United States has been repaid, the postmaster shall transmit the corresponding advice or a certificate of nonpayment (Form 6028), to the Third Assistant Postmaster General, Division of Money Orders, with the notice from the foreign country, provided a duplicate has not been paid. A memorandum advice on Form 6006, giving the particulars of the order and bearing a notation that the advice or a certificate of nonpayment has been sent to the department with the notice of repayment, shall be filed with the unpaid advices and retained for one year. If, however, a duplicate has been paid the postmaster shall report the date of payment.

Return of advice.

DUPLICATE ORDERS

1499. Duplicates of orders are issued by the department of the country of origin, and applications on Form 6002 shall be forwarded to the Third Assistant Postmaster General, Division of Money Orders, regardless of whether the order was issued in the United States or in any of the countries named in Table 1.

Applications for duplicates to be sent to Department.

2. If the order was issued in any of these countries the postmaster drawn on shall, by copying from the application for the duplicate, or from the advice of the unpaid order, prepare and file with his coupons of paid orders a description of the lost order on Form 6002-A, upon which he shall make a memorandum as follows: "Duplicate applied for in favor of _____ (payee or remitter), _____, 19____," the date to be inserted being that of the certificate.

Record of application for duplicate.

INVALID ORDERS

1500. When an order issued in the United States for payment in one of the countries with which business is conducted on the domestic basis, becomes invalid by reason of age and payment or repayment is desired, application shall be made on Form 6003, to the Third Assistant Postmaster General, Division of Money Orders, for a warrant.

Issued in the United States.

2. When a money order issued in one of these countries is presented for payment after the period of validity has expired or when an inquiry is made regarding an invalid order alleged to have been lost, the postmaster shall forward the order or inquiry, as the case may be, to the Third Assistant Postmaster General, Division of Money Orders, with request for authority to pay or for instructions.

Issued in foreign countries.

FORMS OF POSTAL ORDERS WHICH SHALL NOT BE PAID

1501. The instructions contained in this chapter refer only to postal money orders. Postmasters are cautioned not to pay Canadian postal notes or any other notes or instruments of other countries used exclusively in the transaction of their internal business.

Postal notes or postal orders.

CHAPTER 7

MONEY-ORDER FUNDS, ACCOUNTS, AND RECORDS

GENERAL PROVISIONS

Money-order funds.
39 U. S. C. 736.

—to be considered money in the Treasury.

Note.

General regulations as to public funds.
—to apply to money-order funds, except.

Money-order cash to be kept separately at direct-accounting offices.
—at district offices to be treated as postal funds.

Payments and transfers of money-order funds.
39 U. S. C. 733.
—to be under direction of Postmaster General.

Transfers by warrant from postal revenues to money-order account.
39 U. S. C. 734

1502. 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.

NOTE.—Money-order funds are not part of the postal revenues. See sec. 1521 as to remainder of above statute; secs. 1505 to 1509 as to transfer of funds.

1503. All regulations relating to care of public funds and property given in sections 101, 105, and 106 shall apply to money-order funds unless they specifically refer to postal funds or are otherwise modified in this chapter.

1504. Postmasters at direct accounting offices shall keep their money-order cash apart from all other cash whatsoever, and a special drawer should be provided therefor. (See sec. 106.)

2. At district offices money-order funds shall be treated as postal funds, and all postal funds on hand shall be available for the payment of money orders.

TRANSFERS OF MONEY-ORDER FUNDS

1505. 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.

See secs. 2309 and 2316 as to penalty for embezzlement of and failure properly to remit money-order funds.

1506. The Postmaster General may transfer to the postmaster at any money-order office, by warrant on the Treasury, countersigned by the Comptroller General of the United States 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.

See secs. 1510 to 1513 as to credits with the Treasurer of the United States; secs. 1521 and 1522 and notes as to accounts of money-order funds with Treasurer of the United States and depositaries.

1507. Postmasters at direct accounting offices shall transfer to the money-order account such available postal funds as may be needed for the payment of money orders, and special permission from the department need not be obtained. Such transfers shall not include fractional parts of a dollar.

Transfer of postal funds to money-order account.

—authority for.

1508. Postmasters at direct accounting offices may transfer surplus funds from the money-order account to the postal account if it becomes necessary thus to provide for immediate payment of authorized expenses on postal account. (See sec. 235.) They shall not transfer surplus money-order funds to postal account for the purpose of accumulating funds to meet future payments.

Transfer of money-order funds to postal account. —authority for.

—limitation.

1509. Each transfer of funds from the postal to the money-order account shall be debited in the money-order account and credited in the postal account on the date on which the transfer is actually made.

Records of transfers of funds.

—postal to money-order account.

—money-order to postal account.

2. Each transfer of funds from the money-order to the postal account shall be debited in the postal account and credited in the money-order account on the date on which the transfer is actually made.

See sec. 1505 as to authority for transfers of funds from one account to another.

MONEY-ORDER DRAFTS AND CREDITS WITH THE TREASURER OF THE UNITED STATES

1510. When required for the satisfactory transaction of money-order business, the Third Assistant Postmaster General, Division of Money Orders, may grant the postmaster at any money-order office a credit with the Treasurer of the United States on money-order account for a specific amount.

Credits on Treasurer, United States.

—when allowed.

2. When at any office having a credit with the Treasurer of the United States it is necessary to draw against such credit, the postmaster may issue a check for the sum needed, which check may be cashed through a bank or business house or drawn in favor of, and delivered to, the holder of the orders in payment for them.

—checks against.

3. All available money-order and postal funds need not be exhausted before drawing against the credit with the Treasurer, but when holders so desire, checks may be issued in payment of money orders regardless of the amount of funds on hand.

4. The amount of each check shall be debited by the postmaster in his cashbook upon the day it is drawn.

—entry of amount of checks on,

—renewal of.

5. When the credit with the Treasurer allowed to any office is about to become exhausted, the postmaster shall make application to the Third Assistant Postmaster General, Division of Money Orders, for a renewal thereof, using Form 6035. (See sec. 1428.)

1511. A book of blank checks consecutively numbered, shall be supplied to each postmaster having a standing credit with the Treasurer of the United States.

Checks.

2. The postmaster shall record on the stub of each check a description of the check in the form provided thereon. When a Treasury check is written by a clerk or cashier, the particulars

—entries on stub.

in the check and stub must be verified by the officer who signs the check.

—to be on forms furnished by department.

3. Postmasters shall not draw checks upon any form other than that supplied by the department. Checks shall be signed with pen and ink by the postmaster when practicable, but if not, they shall be signed in his name by the authorized clerk. (See secs. 418 and 419.)

—negotiation of.

4. If a postmaster is unable to negotiate in the vicinity of his own office a check on the Treasurer of the United States, he shall promptly notify the Third Assistant Postmaster General, Division of Money Orders.

—additional checks.

5. A postmaster having a regular credit with the Treasurer of the United States shall make application on Form 6054 for additional blank checks before his supply of such blanks is exhausted. Spolled checks shall be returned promptly to the Third Assistant Postmaster General, Division of Money Orders.

Special checks.

1512. When a postmaster not having a standing credit on the Treasurer of the United States is in need of additional funds for the payment of money orders, he shall apply to the Third Assistant Postmaster General, Division of Money Orders, on Form 6033 (or, lacking that form, by letter) for an emergency credit and a special check. (See sec. 1428.)

—application for.

2. Postmasters shall provide funds in anticipation of presentation of orders issued abroad, the advices of which are in their possession.

—to pay for foreign orders.

Supplying funds to stations.—through main office.

1513. When a branch post office or station is in need of funds for the payment of money orders exceeding in amount the funds on hand, the superintendent shall forward an application to the postmaster at the main office who shall supply the necessary amount from money-order funds. For the amount so furnished the superintendent shall give a receipt on Form P (Acknowledgment of funds received).

Receipts.

TEMPORARY DEPOSITS OF MONEY-ORDER FUNDS

Deposits, etc., permitted. 18 U. S. C. 355.

1514. Nothing herein 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 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 so to do by the Postmaster General, for the purpose of remitting surplus funds from one post office to another.

See sec. 120 as to deposit of public funds temporarily in national or State banks, etc.; sec. 1518 as to remittance of money-order funds by bank drafts, etc.

1515. Postmasters may deposit the money-order funds of their offices in a national bank or a State bank, or may make a special deposit thereof for safekeeping in any other bank, as provided in sections 120 and 121.

Temporary deposits of money-order funds.

2. Where postmasters maintain temporary deposits, regular remittances of surplus funds shall be made as provided in section 1517.

Regular remittances to be made.

DEPOSITS OF SURPLUS FUNDS: REMITTANCES

1516. All regulations as to deposit of surplus funds and preparation and dispatch of remittances, given in sections 110, 111, 113, 114, 116, 117, and 119, shall apply to money-order funds unless they specifically refer to postal funds or are otherwise modified in this chapter.

General regulations as to deposits.—to apply to money-order funds, except.

1517. Postmasters at direct accounting offices shall remit daily to the depository designated by special instructions to each office (see sec. 1522) all surplus money-order funds unless the amount is less than \$50, in which case no remittance is required (see sec. 1520).

Remittances of money-order funds.

2. Remittances of cash shall consist of complete dollars only and not include fractions of a dollar. Small coins may be used, if necessary, in making remittances, but should amount to even dollars. When drafts, checks, etc., are used in making remittances the total of the remittance need not necessarily be in even dollars.

—not to include fractions of a dollar.

—except.

3. Whenever possible remittances shall be prepared and dispatched after the close of business each day and if the remittance is in the form of cash it shall be registered. When it is not possible to dispatch the remittance after the close of business for the day it shall be forwarded on the succeeding day by the last mail available that day, together with all the surplus funds that have accrued up to that time.

—when to be made.

4. When a postmaster is in doubt as to the proper depository for money-order funds he shall apply to the Third Assistant Postmaster General, Division of Money Orders, for instructions.

Doubt as to depository.

See secs. 111 and 1215 as to preparation and dispatch of remittances and as to coin bags; secs. 1409 and 1518 as to remittances by check or draft; sec. 1520 as to reserves; sec. 2317 as to penalty for failure to remit or pay over money-order funds as instructed.

1518. Surplus money-order funds may be remitted by means of drafts issued by any reliable bank or banking institution, if procured without cost, and provided they are drawn on a bank in the same city as the regularly designated depository office.

Remittances by drafts, checks, etc.

—of banks.

2. A postmaster may also forward remittances by means of checks drawn against his official checking account, if such checks can be negotiated at par by the postmaster at the depository office.

—against official account.

See sec. 1409 as to the use of Government paper in remittances of surplus money-order funds; sec. 1514 as to statute under which drafts may be used in making such remittances; sec. 1525 as to treatment at depository offices of unauthorized drafts.

1519. Postmasters at direct accounting offices shall not take credit in their cashbooks or in their money-order accounts for the amount of any remittance until a certificate of deposit is received therefor from the depository to which it was sent.

Credit for remittances before certificate is obtained prohibited.

Entry when certificate not received.

2. The amount of each remittance for which no certificate has been received shall appear in the cashbook and in the account as a part of the "Balance at close of this day," exactly as though no remittance had been made; but it shall be entered in A/c No. 35 as "funds in transit to depository."

"Reserve." —allowance and use.

1520. At direct accounting offices where necessary to keep on hand a sum of money to insure the prompt payment of money orders on presentation, the Third Assistant Postmaster General may allow a "reserve" in such amount as he may determine.

Amount retained.

2. A postmaster to whom a "reserve" is allowed may retain from deposit the amount thereof and no more, but need not retain all or any portion of it unless actually needed.

3. In determining the amount of surplus funds on hand at the close of business each day, the postmaster may deduct from the actual cash balance the money-order "reserve," and if the surplus so ascertained is in excess of \$50 every dollar of such surplus shall be remitted promptly to the designated depository. (See sec. 1517.)

DEPOSITARIES AND DEPOSITORY OFFICES FOR MONEY-ORDER FUNDS

Deposits with Treasurer, U. S. 39 U. S. C. 736.

1521. * * * It shall be the duty of the Treasurer of the United States or depository designated by the Secretary of the Treasury * * * 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 Comptroller of the Bureau of Accounts in the Post Office Department.

Note.

NOTE.—Money-order funds are not part of the postal revenues, and such funds, when deposited with the Treasurer of the United States may be paid out or transferred upon the draft of the Postmaster General. (See sec. 1502 for first part of above statute.)

Depositories for money-order funds. —designated by special instructions.

1522. Depositories for money-order funds shall be designated by special instructions from the Third Assistant Postmaster General, Division of Money Orders.

Note.

NOTE.—The Treasurer of the United States, national banks designated as Government depositories, and postmasters at certain of the larger post offices are depositories of money-order funds. Surplus money-order funds accruing at places where there is no bank designated as a Government depository are remitted directly to larger post offices specially designated as depositories therefor.

General regulations for depositories. —to apply to money-order depositories, except.

1523. The directions in sections 112 and 122 to 124 shall apply to depositories of money-order funds, unless they specifically refer to postal funds or are otherwise modified in this chapter.

Deposits, certificates of.

1524. Postmasters at depository offices shall issue a certificate of deposit for each remittance of money-order funds received. The date, number, and amount of each certificate of deposit so issued shall be immediately entered in the quarterly schedule of money-order deposits received. One card shall be used for enter-

ing all deposits received from each post office during a quarter, except in cases where there is a change in postmasters, when a separate card shall be used for entering the deposits received from each postmaster.

2. At the close of each quarter a schedule of money-order deposits received, Form 6025, showing the name of each post office, State, and quarterly total of deposits received, shall be prepared and transmitted to the Bureau of Accounts of the Post Office Department, accompanied with the schedule of money-order deposits received, as vouchers.

—reports of.

1525. When a remittance contains checks of a firm or individual, the receiving postmaster shall issue a certificate of deposit, but, unless previously authorized to accept them, shall report the facts to the Third Assistant Postmaster General, Division of Money Orders.

Unauthorized checks used in remittances.

See sec. 1409 as to use of Government paper in remittances of surplus money-order funds; sec. 1518 as to remittances by bank drafts.

1526. All money-order funds received at depositary post offices shall be treated as money-order funds accruing at such offices and shall be used whenever necessary for the payment of money orders drawn on such offices.

Deposits of money-order funds to be used the same as regular funds.

2. Postmasters at depositary offices shall remit as directed by the Third Assistant Postmaster General, Division of Money Orders, all surplus funds accruing at their offices, whether from the sale of money orders or from remittances by other postmasters, such surplus to be ascertained in the manner outlined in section 1520.

Remittances by depositary postmasters.

MONEY-ORDER RECORDS AND ACCOUNTS

1527. The following records shall be kept at the smaller money-order offices at which the "filing system" is not authorized:

Record books.—at smaller offices.

(a) A "Register of orders issued," in which shall be recorded daily the particulars of all orders issued.

Daily register.

(b) A cashbook, showing the debit and credit transactions of each day.

Cashbook.

2. The records shall be kept in accordance with the printed instructions contained therein and shall be retained on file in the post office for at least three years from the date of the last entry therein.

Complete record kept on file.

See secs. 100 and 101 as to destruction of money-order records.

NOTE.—Special instructions will be issued to such offices as are authorized by the Third Assistant Postmaster General to use the "filing system."

Note.

1528. The money-order accounts at direct-accounting offices shall be kept separately from all other accounts and shall be adjusted at the close of each day's business in order that the balance of funds on hand may be accurately ascertained. (See sec. 244.) At district offices the accounts shall be combined in the daily cashbook.

Daily adjustments of accounts.

2. Postmasters shall wait until they are positive that all business for the day has been transacted before they close the account or change the date in M. O. B. stamp. (See secs. 61, 1415, and

All business of day to be entered.

1421.) Should it become necessary to issue an order after the account of the day has been closed, such account shall be reopened and made to include the transaction.

Compensation for money-order business.—at fourth class offices.

1529. Postmasters at fourth-class post offices shall take credit for a commission of 3 cents for each money order issued, in the account and cashbook at the end of each month.

See section 1403 as to commission for money-order business.

CHANGE OF POSTMASTER AT MONEY-ORDER OFFICE

Change of postmasters, direct accounting offices.

1530. When a change of postmasters occurs at a direct accounting post office, the outgoing postmaster shall deliver all money-order funds, records, forms, stamps, and other money-order property to the incoming postmaster, and complete the certificate on Form 1058, which shall be signed by the outgoing and incoming postmasters, detached, and forwarded to the offices named thereon.

—surplus funds sent to depository.

2. When an outgoing postmaster has made a remittance of surplus funds to his depository for which he has not received a certificate of deposit on the day of his retirement, his successor shall not receipt for the amount of such remittance, nor make any entry thereof in his accounts. The outgoing postmaster shall, in such case, delay forwarding his final account until he shall have received the certificate, and take credit for the amount thereof in that account, thus closing it.

Change of postmasters at district offices. Delivery of property.

3. When a change of postmasters occurs at a district post office, the outgoing postmaster shall deliver to the incoming postmaster all money-order records, forms, stamps, etc., as provided in paragraph 1, and shall complete certificates on Form 1057 if the post office is of the third class, or Form 1059 if the post office is of the fourth class. The certificates when completed shall be signed by both outgoing and incoming postmasters, detached, and forwarded as indicated on the form.

See secs. 129 and 130 as to disposition of postal funds and other property on change of postmasters; sec. 279 as to final money-order account of outgoing postmaster.

Incoming postmaster.

1531. Upon taking charge of a direct-accounting post office the incoming postmaster shall debit himself in the cashbook and in his first account with the amount of money-order funds received in cash from his predecessor after the following form:

Cash received from predecessor.

To cash received from my predecessor, Richard Roe, per my receipt to him, \$_____.

Receipt given.

2. The receipt for funds shall be given only for an actual transfer of cash on hand and not include the amount of any unadjusted claim whatever. Two or three columns in the cashbook should be left blank so as to separate the account of the outgoing postmaster therein from that of his successor.

Failure of outgoing postmaster to comply with instructions.

3. If the outgoing postmaster fails to comply with the provisions of the preceding section, such fact shall be reported by the new postmaster to the Third Assistant Postmaster General, Division of Money Orders.

See sec. 271, par. 1, for treatment at district offices.

CHAPTER 8

MONEY-ORDER BUSINESS ON RURAL ROUTES

CONDUCT OF BUSINESS AT RURAL STATIONS

1532. Rural postal stations shall be supplied with money-order facilities upon their establishment, and money orders shall be issued by clerks in charge of such stations, under the direction of the postmasters at the offices to which the stations are tributary. Money orders shall not be drawn on a rural postal station. (See secs. 473, 1408, and 1422.)

Rural postal stations.
—money-order facilities at.

—orders shall not be drawn on.

1533. Clerks in charge of rural postal stations shall remit daily to the post offices to which their stations are tributary all money-order funds accruing at the stations. They shall also render to the postmaster daily reports, on Form 6019, of the money-order business transacted at the stations.

Clerks in charge.
—remittances by.

—reports by.

2. Clerks in charge of rural stations who are supplied with sufficient funds for the purpose may, with the approval of the postmasters of the offices to which the stations are attached, cash for payees who prove their identity, or for such duly authorized persons as may present the same, money orders drawn upon such offices. (See secs. 1430 and 1436.) In every such case the postmaster shall treat the cashed orders as vouchers, and shall stamp each of such orders on the face as paid at his main office, and take credit as for payment made thereat. (See secs. 1434 and 1513.)

—permitted to cash orders conditionally.

3. In the transaction of money-order business, clerks in charge of rural postal stations shall be governed by the Postal Laws and Regulations applicable to the money-order system and by such special instructions as may from time to time be issued by the department.

—to be governed by Postal Laws and Regulations and special instructions.

PURCHASE OF MONEY ORDERS THROUGH RURAL CARRIERS

1534. Each rural carrier shall be furnished with a supply of money-order applications for the use of remitters, and with a book of forms for receipts (No. 6387) to be given by him for money entrusted to him for the purchase of orders.

Money-order supplies for rural carriers.

2. The postmaster shall number consecutively in ink all of the receipt forms and stubs in each receipt book before it is given to the carrier for use. The numbers shall begin with No. 1 for both receipt and stub when the route is established and be continued consecutively through succeeding books until No. 500 is reached, when the series shall again begin with No. 1.

Postmaster to number receipt forms and stubs.

1535. Rural carriers while serving their routes shall take applications for money orders, accept the amounts it is desired to send, plus the fees, and give receipts therefor. On the back of each application the carrier shall write over his signature the number of the receipt given by him to the remitter (the purchaser). In case the amount tendered is in excess of the amount required and the carrier cannot make change, he shall request the patron

Rural carriers to receive applications for money orders.

to meet him on his next trip and return to him the excess amount received, which amount the carrier shall not in any case leave in the patron's box.

—money not to be deposited in mail boxes.

2. Patrons on rural routes must not deposit money in their mail boxes for the purchase of money orders. Patrons who deposit money in mail boxes, instead of paying it to the carrier and obtaining his receipt, do so at their own risk. If, however, money is left in a box for the purchase of an order the carrier shall present it to the postmaster with an application on Form 6001, and upon forwarding the remitter's receipt, the postmaster should call the attention of the sender to the provisions of this paragraph.

Procuring orders.—at what offices allowed.

1536. When application for a money order is made through a rural carrier, such order shall be procured only at the post office or station to which he is attached; except that the amount collected on a collect-on-delivery parcel and the receipted tag shall be given to the postmaster from whom the carrier received the parcel.

See sec. 979 as to delivery of C. O. D. mail by rural carrier, and sec. 1387, par. 9, as to C. O. D. remittances.

Applications and funds received.—turning in at office.

1537. Immediately after returning from the service of his route to the office to which he is attached the rural carrier shall exhibit to the postmaster or the clerk designated for the purpose his book of receipts (Form 6387), and shall present the applications he has received and the money, including fees, for money orders; and the postmaster shall issue the orders in accordance with the applications.

—treatment by postmaster.

Carrier's record.

1538. The date, number, and amount of each order purchased through a rural carrier shall be entered by the issuing employee on the stub of the receipt (Form 6387) given by the carrier to the purchaser, and the stub shall be signed by the postmaster, or in his name by the issuing clerk, as provided in section 1422. The stub thus receipted shall constitute the postmaster's receipt to the carrier for the money.

—carrier's voucher.

—spoiled, treatment of.

2. If a receipt form is spoiled, and therefore not delivered to an applicant, the word "Spoiled" shall be written on the stub and receipt form by the carrier, and the receipt form delivered to the postmaster.

—stub receipts, preservation of.

3. After all the receipt blanks in a book have been used, the carrier may turn the stubs over to the postmaster for preservation, or the carrier may, if he desires, retain the stubs himself for his own protection.

Delivery of order to applicant.—method of.

1539. A money order, with the receipt attached, issued on an application presented through a rural carrier shall, if possible, be personally delivered on the route to the applicant or his duly authorized representative when the carrier makes his next regular trip, but the carrier should not leave his route for this purpose. If personal delivery is found impracticable, the order and receipt may be inclosed in a penalty envelope addressed to the applicant and deposited in applicant's (the remitter's) mail box.

2. When the applicant requests that the order be mailed to the payee, the rural carrier shall deliver to the postmaster an addressed envelope furnished by the remitter with the requisite postage affixed in which the postmaster shall mail the order direct to the payee instead of having it delivered to the remitter, as outlined in the preceding paragraph. No remuneration or extra fee shall be received for such service.

Mailing of order to payee.

3. When the order is mailed direct to the payee by the postmaster, the receipt form, duly stamped and showing the amount, shall be detached from the coupon of the money order and mailed in a sealed penalty envelope (No. 4) to the remitter.

Treatment of receipt and money order at post office.

1540. In case a rural carrier is, by authority of the department, required to deliver his collections to another carrier to be taken by him to a post office or station, the carrier who made the original collection shall deliver also the money-order applications and the money for the orders, including fees for the same, to the other carrier for delivery at such office or station and take proper receipt for the amount in each case on Form 6387, changing the same to read as follows:

Exchange from one carrier to another.—method of.

Received of _____ (remitter), through _____ (rural carrier No. _____), the sum of _____, etc.

2. The carrier who originally received the application and money shall keep this receipt attached to the stub of the receipt given to the remitter. The postmaster of the office to which the carrier is attached shall receipt on Form 6387 to the carrier presenting the application and money.

Receipts.

PAYMENT OF MONEY ORDERS THROUGH RURAL CARRIERS

1541. Money orders drawn in favor of persons residing on a rural route may, as a matter of accommodation, be paid through the carrier serving the route, but the carrier shall not in any case ask for or accept any fee or compensation for collecting the amount of an order.

Paying orders by carriers permitted.—method of.

2. The payee, so situated, who desires to collect the amount through the carrier, shall deliver the money order to the latter and therewith hand him a separate request, addressed to the paying postmaster, in the following form:

Request of payee.

Please pay to _____, carrier, for delivery to me, the amount of money order No. _____ issued at _____ in my favor and this day handed to him by me for collection.

3. Such request, properly dated, may be made wholly in writing or on Form 6387-A.

—in writing or in printed form.

4. In such case the carrier, upon receiving the money from the postmaster, shall execute a receipt therefor on the back of such request, which shall then be filed with the coupon.

Carrier shall receipt.

5. Upon delivery of the money by the carrier to the payee, the latter shall be required to execute the receipt on the face of the

Payee to receipt on order.

§1541

POSTAL LAWS AND REGULATIONS

—use of, as voucher, by postmaster.

order; and the order shall then be turned over by the carrier to the postmaster, to be by him treated as the voucher for the payment.

Additional receipt required, when.

6. If the payee has received the order before delivering it to the carrier for collection the postmaster shall instruct the carrier to procure an additional receipt from the payee when he pays the money, which receipt shall be filed with the coupon.

See sec. 1430 as to identification, etc.

TITLE NINE

POSTAL SAVINGS SYSTEM

CHAPTER 1

ESTABLISHMENT OF SYSTEM

1601. The Postmaster General shall select and designate the post offices which are to be postal-savings depository offices, and shall appoint and, unless otherwise provided by law, fix the compensation of such superintendents, inspectors, and other employees as may be necessary in conducting, supervising, and directing the business of such offices, including the employees of a central office at Washington, District of Columbia, and shall prescribe the hours during which postal-savings depository offices shall remain open. He shall also from time to time make rules and regulations with respect to the deposits in and withdrawals of moneys from postal-savings depositories and the issue of pass books or such other devices as he may adopt as evidence of such deposits or withdrawals.

Authority for establishment of Postal Savings System.
39 U. S. C. 768.

NOTES.—The administration of the Postal Savings System is by law divided into two parts. The Postmaster General is charged with the designation of post offices as postal-savings depositories, the supervision of postal-savings business transacted at depository post offices, and the conduct of the central administrative office at Washington. The board of trustees, consisting of the Postmaster General, the Secretary of the Treasury, and the Attorney General, is charged with the management and investment of postal-savings funds after they leave the custody of postmasters. (See 39 U. S. C. 751.) The Treasurer of the United States is treasurer of the board of trustees. (See 39 U. S. C. 759.)

Notes.
Organization.
Function of Postmaster General.
—of board of trustees.
—of Treasurer of United States.
Function of Third Assistant Postmaster General.

The Third Assistant Postmaster General is constituted the agent of the board of trustees for all purposes connected with the qualifications of depository banks, the fixing of the amounts of securities to be deposited and withdrawn by such banks, and the conditions of such deposits and withdrawals, the deposit of postal-savings funds to the credit of said board and the withdrawal and transfer of such funds, the authorization of the sale of securities of banks which fail or decline to repay deposits on demand, the purchase of postal-savings bonds for depositors, and the repurchase of such bonds from holders at par and accrued interest. (The amendment of Feb. 4, 1935, to the Second Liberty Bond Act provided that no further original issue of postal-savings bonds shall be made after July 1, 1935.)

See sec. 435, par. 5, as to office hours.

2. The names of all post offices, branches, and stations where postal-savings accounts may be opened shall be indicated in the State list of the Official Postal Guide, and changes in postal-savings depository offices shall appear in the monthly supplements.

Depositories indicated in Official Postal Guide.

Placards.

3. Postmasters at offices designated as postal-savings depositories shall post conspicuously one or more placards calling the attention of the public to the postal-savings service and shall keep on hand for judicious distribution a supply of the leaflet, Form PS 4 (Information about the United States Postal Savings System), sufficient for the needs of the office.

Postmaster General may require postal employees to transact postal-savings business.

39 U. S. C. 764.

No additional compensation allowed.

39 U. S. C. 763.

1602. The Postmaster General is authorized to require postmasters and other postal officers and employees to transact, in connection with their other duties, such postal-savings depository business as may be necessary.

2. Postmasters, assistant postmasters, clerks, or other employees at post offices of the presidential grade, and postmasters at post offices of the fourth class shall not be allowed or paid any additional compensation for the transaction of postal-savings depository business.

CHAPTER 2

DEPOSITS AND ISSUE OF CERTIFICATES

DEPOSITS AND ACCOUNTS

Accounts.
39 U. S. C. 754.

—who may open.

1603. Accounts may be opened and deposits made * * * by any person of the age of ten years or over, in his or her own name, and by a married woman in her own name and free from any control or interference by her husband; but no person shall at the same time have more than one postal-savings account in his or her own right.

Individuals only may deposit.

2. Deposits shall be accepted only in the name of individuals, and no account shall be opened in the name of any corporation, association, society, firm, or partnership, or in the names of two or more persons jointly. No account shall be opened in the name of one person in trust for or on behalf of another person or persons.

Regardless of residence, a person may have one account.

3. Accounts may be opened and deposits accepted without regard to the residence of the depositor, but no person may at the same time have more than one postal-savings account either at the same office or at different offices.

Minimum deposit.
39 U. S. C. 756.

4. At least \$1, or a larger amount in multiples thereof, must be deposited before an account is opened * * * and \$1, or multiples thereof, may be deposited after such account has been opened.

Maximum credit allowed depositor.
39 U. S. C. 756.

5. * * * the balance to the credit of any one person, upon which interest is payable, shall not exceed \$2,500,

exclusive of accumulated interest, and noninterest-paying deposits shall not be accepted. * * *

See Sec. 1630 as to acceptance of bankrupt funds.

6. The provisions of sections 139 and 1409 defining what may be accepted for the purchase of money orders shall be applicable to postal-savings deposits, subject to the provisions of sections 1612 and 1613. The postmaster may accept Government paper not more than one full fiscal year old from responsible persons whose indorsement thereon the postmaster is willing to guarantee; and when such paper is accepted, the postmaster shall immediately issue the certificates and deliver them to the purchaser. Acceptance of a personal check, cashier's check, bank draft, or other commercial paper is at the risk of the postmaster; and when such paper is accepted, the purchaser shall be given a receipt prepared substantially in the form "Received, subject to collection, of _____, check No. _____ for \$_____ drawn on _____, as a postal-savings deposit"; but the certificates, which shall be issued immediately or at the earliest opportunity, shall be retained by the postmaster with a copy of the receipt until ample time shall have elapsed to insure receipt of notice should the check or draft fail to clear, after which the certificates shall be delivered to the depositor, either in person or by ordinary mail. No funds are available to pay collection charges on checks or drafts accepted as postal-savings deposits, and where charges cannot be avoided, they shall be paid in advance by the depositor.

What may be accepted as postal-savings deposits.

—Government paper.

—personal checks, bank drafts, etc., at postmaster's risk.

ACCOUNT OPENED BY DEPOSITOR IN PERSON

1604. When a person applies to open an account, the postmaster or his representative shall question the applicant to obtain the necessary information and shall carefully fill out an application on depositor's card (Form PS 600).

Depositor's application on card, Form PS 600.

—to be filled out by postmaster.

Information must be complete.

2. Great care shall be taken to comply with all instructions printed in the Postal Guide relative to the depositor's card (Form PS 600), and no account shall be opened with any person until all the information called for by the application form has been furnished and the form signed by the intending depositor. When an applicant, though willing to do so, is unable to answer all the questions on the application form, a partly completed application, if properly signed, may be accepted, provided other data are entered on the application which will assure subsequent identification of the depositor. The applicant shall personally sign his name on the line marked "Signature or (x) mark of depositor." A married woman shall sign her Christian or given name and not that of her husband.

When applicant is unable to furnish information.

3. Accounts shall be numbered consecutively when opened, beginning with No. 1. The number shall be entered on the depositor's card and on all certificates issued in the name of the depositor to whom the account belongs. In no event shall a depositor have more than one account number at any one time. A new account opened by a former depositor shall receive a new number.

Numbering of accounts.

Filing of de-
positors' cards.

4. Depositors' cards shall be filed numerically by account numbers. When the number of accounts is large, an alphabetical card index of depositors' names shall be maintained, showing the account number assigned to each.

Unclaimed ac-
counts.
39 U. S. C. 751.

1605. The board of trustees shall submit a report to Congress at the beginning of each regular session showing by States and Territories (for the preceding fiscal year) * * * the number and amount of unclaimed deposits.

Investigation of
inactive
accounts.

2. Postmasters shall investigate and report to the department all inactive accounts—that is, accounts which show no transactions either in principal or interest—and in making such investigation shall follow carefully instructions contained in leaflet Form PS 160.

Note.

NOTE.—Accounts that have been inactive 20 years and whose owners cannot be located will be reported to Congress by the board of trustees as unclaimed.

Allotments of
wages of sea-
men.
46 U. S. C. 599,
Supp. V.

1606. It shall be lawful for any seaman to stipulate in his shipping agreement * * * for deposits to be made in an account opened by him and maintained in his name * * * at * * * a United States postal savings depository subject to the governing regulations thereof.

Deposits made
through a rep-
resentative or
by mail.

1607. When any person because of infirmity or other good and sufficient reason is unable to appear personally to open an account, the postmaster shall furnish to the representative of such person a blank application card (Form PS 600) and shall instruct the representative as to the method to be observed in filling out the application.

Application
form furnished
to representa-
tive.

2. When the application has been returned, properly filled out and signed by the depositor, the postmaster shall accept the deposit and issue the necessary certificates, delivering them to the representative. An intending depositor who signs by mark shall appear personally to open an account.

Acceptance of
deposit from
representative.
Depositor who
signs by mark
must appear in
person.

3. Postal-savings accounts may be opened by mail. A person eligible to open an account and desiring to do so may apply, for that purpose, at any post office, whether such office is a designated depository or not.

Person residing
where post
office is not a
depository may
open account
by mail.

4. If the applicant appears at a post office not designated as a postal-savings depository, the postmaster shall make request on the most convenient postal-savings depository office for an application blank (Form PS 300-B). If further applications to open accounts are anticipated, the postmaster shall request an adequate supply of application forms for subsequent use and shall notify the Third Assistant Postmaster General, Division of Postal Savings. The postmaster at a postal-savings depository office shall furnish copies of Form PS 300-B to any postmaster at a nondepository office who requests them.

Application,
Form PS
300-B.

5. The postmaster where the intending depositor applies shall identify the applicant and carefully fill out the application (Form PS 300-B) in his presence. The postmaster shall write the applicant's name at the top of the form, and after questioning him shall enter thereon all required information. The applicant shall personally sign his name on the line marked "Signature or (x) mark of the applicant." A married woman shall sign her own Christian or given name and not that of her husband. The postmaster shall execute the certificate at the foot of the form and then forward the application to the most convenient post office in the State which is shown by the Official Postal Guide to be a postal-savings depository office, unless the intending depositor specifically requests that the account be opened elsewhere, in which case the postmaster shall be governed by his wishes. The certificate to the application shall be signed by the postmaster at the office where the applicant appears.

—filled out for applicant by local postmaster.

Identifying certificate to be signed by postmaster in person.

6. No money shall be sent with the application, and the postmaster at the office where the application is prepared shall not accept deposits in any form. He shall, however, inform the applicant that he will be notified direct by the postmaster at the office where the account is to be opened on approval of the application and instructed how to make deposits.

No money to be sent until application is approved at depository office.

7. On receipt of an application on Form PS 300-B to open a postal-savings account by mail, the postmaster at a postal-savings depository office shall see that the application has been properly prepared as provided in this section and that the certificate of identification has been executed. If the application is approved, the postmaster at the depository office shall notify the intending depositor on Form PS 629 and authorize him to begin forwarding deposits direct to the office by money orders made payable to the depository postmaster or by registered mail.

Approval of application.

8. When the initial deposit is received at the depository office, the information furnished by the applicant on Form PS 300-B shall be copied on a depositor's card (Form PS 600) and the application filed therewith. In the space provided for the depositor's signature on Form PS 600 the name of the office through which the application was made shall be entered. The postmaster shall then issue the necessary certificates and mail them to the depositor. When deposits from patrons of an outlying office are frequent or numerous, the postmaster at the depository office shall notify the Third Assistant Postmaster General, Division of Postal Savings, in order that consideration may be given to the designation of the outlying office as a depository. (See sec. 1619 as to withdrawals.)

Entries on depositor's card, Form PS 600.

Mailing of certificates.

9. When a person who has already opened an account is unable to appear in person to make a subsequent deposit, he may either send the amount through a representative or forward it to the post office by registered mail or money order. When a deposit is sent through a representative, the postmaster shall accept the deposit, issue necessary certificates, and deliver them to the representative. When a depositor forwards money by mail for de-

Deposits may be sent by representative, registered mail, or money order.

posit, the postmaster shall issue the necessary certificates and mail them to the depositor. The postmaster shall file the letter accompanying the remittance with the depositor's card (Form PS 600).

Money orders to be payable to postmaster. Money sent at depositor's risk.

10. Post-office money orders mailed for deposit shall be made payable to the postmaster. Money intended for deposit, when sent to the post office by mail or by representative, shall be at the risk of the depositor.

ISSUE OF CERTIFICATES

Certificates.

1608. Postal-savings deposits shall be evidenced by nontransferable and nonnegotiable certificates of deposit, to be supplied, with stubs attached, to postmasters in fixed denominations of \$1, \$2, \$5, \$10, \$20, \$50, \$100, \$200, and \$500, and each denomination bound in a separate book. A separate numerical series of certificates of each denomination shall be supplied to post offices and stations having large deposits, with the name of the post office or station printed on the certificates. For other post offices a general numerical series of certificates of each denomination shall be supplied on which the name of the issuing office shall be written or stamped by the postmaster.

—denominations.

—stubs.

—separate series for large offices.

2. Certificates thus numbered when issued shall bear the name of the issuing office, the date of issue, the name of the depositor, the number of his account, and the date on which interest begins. (See leaflet Form PS 100.) To facilitate the issue of certificates a stamp, known as a certificate dater, may be furnished. The "Date of issue" shall be inserted in the upper slot of the stamp, and the "Date when interest begins," in the lower slot, the impression of the stamp to be made on each certificate in the spaces provided for such dates. The stub of each certificate besides the serial number shall show the depositor's account number, date of issue, and initials of the issuing clerk. In entering dates on certificates, the month, day, and year shall be written or stamped in the spaces provided, thus: August 1, 1917. The name of the month may be abbreviated, but should not be indicated by figures. The depositor's name shall be written as signed on the application (Form PS 600). No entries shall be made on certificates except as authorized by these regulations. (See sec. 1610 for correction of errors.)

—entries.

Postal-savings certificates, interest date.

3. Certificates issued on any day of a month shall begin to bear interest on the first day of the next succeeding month, except under certain specified conditions, when issued in lieu of certificates surrendered for payment of interest or for part payment of principal (see leaflet Form PS 100).

Procedure on receipt of deposit.

4. On receipt of a deposit the postmaster shall prepare a postal-savings certificate or certificates covering the amount of the deposit and enter on the depositor's card (Form PS 600) the date, serial number, and amount of each certificate, and the balance then to the depositor's credit. The certificates shall then be delivered to the depositor as evidence of his deposit. Each depositor

shall be provided with an envelope (Form PS 301) bearing printed information for the depositor's guidance and in which he may preserve his certificates. At offices having many accounts, the depositor shall also be given a numerical reference card (Form PS 301-A) to enable him to refer to his account by number when making deposits. Postmasters shall comply with reasonable requests of depositors as to the denominations of certificates to be issued.

Envelope Form PS 301.

5. Before accepting a deposit from a person who has already opened an account the depositor's card (Form PS 600) shall be withdrawn from the files, and if the proposed deposit will not cause his balance to be more than \$2,500, exclusive of accumulated interest, certificates covering the deposit shall be issued and recorded.

Deposit by person who already has an account.

6. The depositors' cards (Form PS 600), after the entry of transactions, shall not be returned to the files until all accounts for the day are in balance. At the close of each day the total value of certificates issued shall be entered in the daily summary (Form PS 708 at first- and second-class offices; Form PS 708-T/F at third- and fourth-class offices; but, in lieu of the summary, Forms PS 630-A and PS 630-C/A at the larger offices), and the inclusive serial numbers for each denomination of the certificates issued as shown by the retained stubs shall be entered on Abstract A, which is furnished in loose-leaf form (Form PS 705) for first- and second-class offices, but which at third- and fourth-class offices is in the daily summary (Form PS 708-T/F). The entries on the depositors' cards shall be proved daily by adding the deposits made during the day as shown thereon and comparing the total with the total issues shown by the abstract of issues, Form PS 705. Form PS 705 or Abstract A in the daily summary for third- and fourth-class offices (Form PS 708-T/F), as the case may be, shall be used at all depository offices to maintain a daily record of certificates issued.

Recording day's transactions and proving balances.

7. Certificates shall be issued in consecutive order, beginning with the lowest serial number. Serial numbers shall not be changed under any circumstances.

Certificates to be issued in order. Serial numbers not to be changed.

8. If, after certificates have been issued from a new book, the postmaster discovers that a book of lower serial numbers of that denomination is on hand from which no certificates have been issued, he shall continue to use the book of higher serial numbers until it is exhausted and then issue from the book of lowest serial numbers.

When certificates are issued from wrong book, a book of lower numbers being on hand unused.

9. If, after certificates have been issued from a new book, the postmaster discovers that a book of lower serial numbers of that denomination is on hand from which certificates have been issued, he shall resume issuing certificates from the partly used book of lower numbers until that book is completed. When the certificates issued out of order are reached in the regular order of issue, they shall again be entered in Abstract A with a notation, "Issued and charged -----," showing the day, month, and year of issue.

—a book of lower numbers being on hand partly used.

Issued certificates not to be kept.

10. Postmasters shall not accept issued postal-savings certificates for safekeeping.

Note.

Note.—Certificates and accruing interest are valid obligations until paid, the yearly interest table on the back of old style certificates being merely for convenience.

BLANK CERTIFICATES AND STAMPS

Certificates and other supplies.—how to address requisitions.

1609. All requisitions for postal-savings certificates shall be made on Form 4620, addressed to the Fourth Assistant Postmaster General, Equipment and Supplies Branch. Postal-savings stamps shall be obtained from the Third Assistant Postmaster General, Division of Stamps, using the blank spaces on requisition Form 3201, which shall be plainly marked "Postal Savings." Requisitions for general stock supplies shall be made on the designated supply office in accordance with instructions issued by the department.

Stock of postal-savings stamps and certificates.

2. Postmasters shall keep on hand a sufficient quantity of postal-savings stamps and postal-savings certificates to meet the public demand, and of such other supplies as may be necessary to enable them to transact all postal-savings business promptly.

—accountability.

3. Postmasters shall be held accountable for all postal-savings certificates and stamps sent them for issue. Ordinarily not more than one book of blank certificates of any series shall be furnished at one time to the postal-savings clerk for use at the window unless the issues of any series in a week usually exceed one book, in which event the postmaster shall furnish an additional book or books as needed. The postmaster shall retain in his personal custody the supply of blank certificates not in use at the window or shall designate some official or clerk, other than the clerk engaged in postal-savings window work, who shall be responsible for the safeguarding of the blank certificates. (See sec. 1618, par. 11.) Postal-savings stamps and certificates shall not be loaned or sold by one postmaster to another. They shall in all cases be obtained by requisition as provided in paragraph 1 of this section.

Safeguarding blank certificates.

4. No postmaster shall be furnished with postal-savings supplies of any kind until his office shall have been designated as a postal-savings depository, but the postmaster at a depository office may place postal-savings stamps on sale at all stations of his office.

—furnished only to postal-savings offices.

5. Packages of postal-savings stamps and postal-savings certificates shall, on receipt, be opened and counted jointly by the postmaster or his authorized representative and a witness. If the quantity does not agree with the accompanying invoice (Forms PS 325 or PS 560, for certificates, and PS 515, for stamps), the postmaster shall immediately make a report of the discrepancy, with invoice attached, addressed to the division from which the supplies were issued, and hold the shipment for instructions. The report shall contain the date of invoice, the number of the registered package, and the full address of the shipment, and shall state the condition in which it arrived. In case of shortage

—opening and counting.

the correctness of the report shall be certified by the postmaster on his official oath and attested by the witness.

6. Upon receipt of postal-savings certificates and stamps the postmaster shall immediately charge himself with the face value thereof, regardless of their condition, on the lines provided in the postal-savings certificate-form account and the savings-stamp account of his daily summary (Form PS 708 at first- and second-class offices; Form PS 708-T/F at third- and fourth-class offices; but, in lieu of the summary, Forms PS 630-A and PS 630-C/A at the larger offices) and make similar entries in his next monthly account current.

—entries in records and reports.

7. In each communication relating to postal-savings supplies received the postmaster shall refer to the date of the invoice.

Date of invoice to be stated.

8. (a) If postal-savings certificates are received in a damaged condition, or become damaged by fire or otherwise while in the possession of a postmaster, they shall be treated as "spoiled" and sent to the Third Assistant Postmaster General, Division of Postal Savings, with the next monthly account current (Form PS 704). An itemized statement of the quantity returned, giving the serial numbers and containing a full explanation of the damage, shall accompany the certificates. Credit shall be claimed in the account with which the certificates are forwarded.

Damaged certificates to Division of Postal Savings.

(b) If postal-savings stamps are received in a damaged condition or become damaged by fire or otherwise while in the possession of the postmaster, they shall be sent to the Third Assistant Postmaster General, Division of Stamps, for redemption. An itemized statement of the quantity returned and a full explanation of the cause of the damage shall be prepared in duplicate. The original shall accompany the returned stamps, which shall be counted, prepared for mailing, and dispatched in the presence of a witness, and the duplicate shall be retained by the postmaster as a voucher, but credit shall not be taken until formal authorization is received from the Third Assistant Postmaster General. If the value of the stamps cannot be ascertained from an examination of them, they shall nevertheless be forwarded, and the postmaster shall be informed of their redemption value if it can be determined.

Damaged stamps to Division of Stamps.

9. Losses of postal-savings stamps shall be reported immediately to the Solicitor for the Post Office Department, to the post-office inspector in charge of the division in which the post office is located, and to the Third Assistant Postmaster General, Division of Postal Savings.

Report of losses.

10. When blank postal-savings certificates are stolen or destroyed, the postmaster shall report the serial numbers at once to the post-office inspector in charge of the division in which the post office is located, and to the Third Assistant Postmaster General, Division of Postal Savings, who shall furnish the postmaster with a form for use in certifying to the loss, and on return of such certification the postmaster shall claim credit for the loss in his accounts if such action is found to be proper.

Serial numbers of certificates stolen or destroyed to be reported.

Requisitions to replace lost or damaged stock.

11. Requisitions to replace postal-savings certificates or stamps which have been stolen, destroyed, or rendered unserviceable from any cause shall be made in the usual manner, except that the requisition shall be plainly marked "To replace stock lost or damaged."

Protection.

12. Postal-savings certificates, stamps, and record books shall be given the same protection as is required by section 106 for postage stamps, stamped paper, and postal records.

CORRECTION OF ERRORS OR CHANGE OF NAME OF DEPOSITOR

Errors.—certificates spoiled in issue.

1610. If an error made in issuing a certificate is discovered before the issue is recorded and the certificate delivered, the postmaster shall stamp both the certificate and the stub "Spoiled," and issue the certificate bearing the next serial number. He shall enter the serial numbers of all such spoiled certificates on Abstract A (see sec. 1608, par. 6) at the close of each day and transmit the spoiled certificates with his next monthly report.

Errors in issued certificates.

2. If an error is found in a certificate after issue, the depositor shall be requested to leave the certificate at the depository office, and the postmaster shall forward it to the Third Assistant Postmaster General, Division of Postal Savings, with a detailed description of the error made and the correction desired. The postmaster shall issue a receipt (Form PS 305—see sec. 1618, par. 9), in duplicate, for the certificate, give the original to the depositor, and place the duplicate as a memorandum with the depositor's card (Form PS 600). If necessary, the Third Assistant Postmaster General shall stamp the certificate "Spoiled" and issue and forward to the postmaster a new certificate bearing the same serial number, which he shall deliver to the depositor after destroying both the original receipt returned by the depositor and the retained duplicate. The spoiled certificate having been already entered on the depositor's card, the postmaster shall make no new entry of the certificate issued in lieu of it, but shall make such corrections as may be necessary by drawing lines through the erroneous entries and interlining the correct entries immediately above.

Errors in records.

3. In case of error in making an entry in any postal-savings record of his office, the postmaster shall draw a line through the entry and initial it. The correct entry shall then be made on the line immediately below, or if subsequent entries have been made, by interlining immediately above the erroneous entry.

Errors in account current.

4. If the postmaster discovers an error after he has rendered his monthly account current which in any way affects its accuracy, he shall report the facts immediately to the Third Assistant Postmaster General, Division of Postal Savings.

No erasures or changes in certificates or records without authority.

5. The postmaster shall, under no circumstances, except as herein provided, erase or change an entry on any postal-savings certificate, or in any postal-savings record, without authority from the Third Assistant Postmaster General.

6. A woman who opens an account and afterwards marries shall present her postal-savings certificates to the postmaster, who shall note on the face of each certificate the new name of the depositor and affix his signature. The depositor shall be required to sign her new name on the depositor's card (Form PS 600). Until the depositor presents her certificates for proper notation, the postmaster, if aware of her marriage, shall receive no further deposits on her account nor make any partial or interest payments to her, but he may make full payment to close her account on being satisfied as to her identity.

Woman who marries.

7. In the event of the change of a depositor's name by the order or decree of a court of competent jurisdiction, the procedure set forth in the next preceding paragraph shall be followed.

Change of name by order of court.

CERTIFICATES LOST, STOLEN, OR DESTROYED

1611. When notified by a depositor that his certificate or certificates have been lost, stolen, destroyed, or improperly withheld, the postmaster shall furnish an application (Form PS 607) for a certificate or certificates in lieu thereof. The detailed instructions on the application shall be carefully followed, and, when the application has been properly executed, the postmaster shall forward it to the Third Assistant Postmaster General, Division of Postal Savings. The application shall be noted on a memorandum slip (Form PS 306) and the slip attached to the depositor's card (Form PS 600).

Application for reissue, Form PS 607.

2. If it is deemed proper, new certificates of the same denomination, date, and number, but distinguishable from the original, shall be issued by the Third Assistant Postmaster General, Division of Postal Savings, and forwarded to the postmaster, who shall verify all entries on the new certificates, giving particular attention to the "Date when interest begins." Certificates showing discrepancies shall be returned to the department. The postmaster shall record the reissue of the certificates on the depositor's card (Form PS 600) by writing "Reissued" in the "Remarks" column in line with the entry of issue, destroy the memorandum slip (Form PS 306), and deliver the new certificates to the depositor.

Reissue of certificate.

—entry on depositor's card, Form PS 600.

3. If, for any reason, a postmaster is unable to deliver the reissued certificates to the depositor promptly, he shall return the certificates to the Third Assistant Postmaster General, Division of Postal Savings, with a statement of the facts and a transcript of the depositor's card (Form PS 600).

When reissued certificates cannot be delivered.

4. If, after a new certificate has been issued to replace one lost, the depositor reports that he has found the old certificate, he shall be instructed to surrender the old certificate. The clerk to whom the certificate is surrendered shall write the word "Canceled" across the face thereof and deliver it promptly to the supervisory officer, who, after recording on the certificate the date on which it was received by him, shall transmit it promptly to

When certificate reported lost is found.

the Third Assistant Postmaster General, Division of Postal Savings, with a statement of the facts.

Loss of deceased depositor's certificate.

5. When a postmaster is notified of the loss or destruction of a certificate or certificates issued to a depositor who has since died or become mentally incompetent, the provisions of section 1620 shall be complied with in conjunction with this section.

INTEREST

Interest. 39 U. S. C. 758, Supp. V.

1612. Notwithstanding any other provision of law, (1) each deposit in a postal-savings depository office shall be a savings deposit, and interest thereon shall be allowed and entered to the credit of the depositor once for each quarter beginning with the first day of the month following the date of such deposit, but no interest shall be allowed to any such depositor with respect to the whole or any part of the funds to his or her credit for any period of less than three months; (2) no interest shall be paid on any such deposit at a rate in excess of that which may lawfully be paid on savings deposits under regulations prescribed by the Board of Governors of the Federal Reserve System pursuant to section 371b of Title 12, for member banks of the Federal Reserve System located in or nearest to the place where such depository office is situated; * * *

—when payable on certificates.

2. Interest on postal-savings deposits accrues at the rate of 2 percent per annum, or one-half of 1 percent for each full period of three months. (See sec. 1608, par. 3.) Interest shall be paid only upon the surrender of the certificate evidencing the deposit.

—instructions in leaflet PS 100.

3. Complete instructions concerning the computation, payment, and recording of interest, and the taking of receipts therefor, found in the leaflet, Form PS 100, shall be followed strictly; and on account of their extreme importance a copy of the leaflet, Form PS 100, and a copy of the tables of quarterly interest (Form PS 100-A) shall always be kept available for ready reference.

Interest not compounded.

4. Compound interest shall not be allowed on an outstanding certificate, but a depositor, by surrendering the certificate, may withdraw the interest payable and use it in making a new deposit (interest date first of following month), subject to the restrictions that deposits shall not be received for fractions of a dollar and that the balance to a depositor's credit shall not exceed \$2,500, exclusive of interest.

POSTAL SAVINGS CARDS AND STAMPS

Postal-savings cards and stamps. 39 U. S. C. 756, Supp. V.

1613. It is hereby made the duty of the Postmaster General to prepare such postal-savings cards and postal-savings stamps of such denominations as he may prescribe

and to keep them on sale at every postal-savings depository office and at such other offices as he may designate and to make all necessary rules and regulations for the issue, sale, and cancelation thereof.

2. In order that smaller amounts may be accumulated for deposit any person may purchase from any postal-savings depository specially prepared adhesive stamps to be known as "postal-savings stamps" and attach them to a card which shall be furnished for that purpose. A card with postal-savings stamps affixed shall be accepted as a deposit of equivalent value in sums of \$1 or multiples thereof either in opening an account or in adding to an existing account or may be redeemed in cash.

Cards with stamps affixed may be accepted as deposit.

3. Postmasters at depository offices shall keep for sale specially prepared adhesive postal-savings stamps, and shall furnish each purchaser thereof free of charge with a card (Form PS 333), to which the postal-savings stamps may be affixed. The value of postal-savings stamps furnished the postmaster shall be entered by him in his daily summary (Form PS 708 at first- and second-class offices; Form PS 708-T/F at third- and fourth-class offices; but, in lieu of the summary, Forms PS 630-A and PS 630-C/A at the larger offices). The cards (Form PS 333) shall not be taken up in the postmaster's accounts.

Postmasters to keep stamps for sale. —to furnish cards free of charge.

4. When a card (Form PS 333) with postal-savings stamps affixed is presented at any postal-savings depository, it shall be accepted as a deposit of equivalent value either in opening an account or in adding to an existing account, or it shall be redeemed in cash. The postmaster shall cancel the card and stamps with a special date stamp provided for that purpose, bearing the word "Canceled." He shall place an impression of the postal-savings dating stamp of his office in the space provided therefor. The value of postal-savings stamps sold and postal-savings cards and stamps redeemed shall be entered at the close of business each day in the daily summary (Form PS 708 at first- and second-class offices; Form PS 708-T/F at third- and fourth-class offices; but, in lieu of the summary, Forms PS 630-A and PS 630-C/A at the larger offices), and all cards canceled during the month shall be forwarded with the postmaster's monthly report.

Acceptance and treatment of stamps as deposits.

5. One certificate may be issued to cover a deposit made partly in cash and partly by means of postal-savings cards with stamps affixed. Postal-savings stamps not affixed to a postal-savings card shall not be accepted. Postage stamps shall not be accepted for deposit in lieu of postal-savings stamps.

Certificate purchased with cash and stamps.

NOTE.—Postal-savings stamps are transferable and need not be presented for deposit or redemption by the original purchaser or at the office where purchased.

Note.

DEPOSIT AND WITHDRAWAL OF FUNDS IN BANKS

Deposits in
qualified banks.
39 U. S. C. 759

1614. (a) Postal savings funds * * * shall be deposited in solvent banks, whether organized under national or State laws, * * * being subject to national or State supervision and examination * * *. The board of trustees shall take from such banks such security in public bonds or other securities, authorized by Act of Congress or supported by the taxing power, as the board may prescribe, approve, and deem sufficient and necessary to insure the safety and prompt payment of such deposits on demand: *Provided*, That no such security shall be required in case of such part of the deposits as are insured under section 264 of title 12.

39 U. S. C. 758,
Supp. V.

(b) Notwithstanding any other provision of law, * * * postal savings depositories may deposit funds on time in member banks of the Federal Reserve System subject to the provisions of section 371b of title 12, and the regulations of the Board of Governors of the Federal Reserve System, with respect to the payment of time deposits and interest thereon.

39 U. S. C. 759.

2. The funds received at the postal savings depository offices in each city, town, village, and other locality shall be deposited in banks located therein (substantially in proportion to the capital and surplus of each such bank) willing to receive such deposits under the terms of this chapter and the regulations made by authority thereof. If one or more member banks of the Federal Reserve System exists in the city, town, village, or locality where the postal savings deposits are made, such deposits shall be placed in such qualified member banks * * *, but if such member banks fail to qualify to receive such deposits, then any other bank located therein may, as hereinbefore provided, qualify and receive the same.

Note.
Reference to
regulations of
the board of
trustees.
Funds to be de-
posited daily.

NOTE.—Banks receiving deposits of postal-savings funds are required to qualify for that purpose in accordance with the regulations adopted by the board of trustees of the Postal Savings System under authority of the Postal Savings Act, 39 U. S. C. 751.

3. If one or more local banks have qualified under the law, the postmaster shall deposit each day to the credit of the board of trustees, Postal Savings System, all postal-savings funds amounting to \$50 or more on hand at the close of business on the preceding business day, unless the amount used in the meantime to meet withdrawals has reduced such balance to less than \$50.

No deposit of less than \$50 shall be made, and any less amount shall be retained by the postmaster as cash on hand, except on the 25th day of each month, when all cash on hand shall be deposited. If on any day the receipts are unusually heavy, the postmaster, in his discretion, may include in his deposit all or a part of the funds on the same day they are received. He shall be informed by the Third Assistant Postmaster General which banks have qualified for deposits and what proportion and amount under the law shall be deposited in each bank. The postmaster shall procure a supply of deposit slips from such depository bank or banks, and for each deposit shall receive from the bank a duplicate certificate of deposit on Form PS 400. No deposit shall be made to the official credit of any postmaster. (See pars. 6 and 7 of this section as to record of bank deposits.) It is contemplated that the daily postal-savings receipts shall be deposited in bank early during the following business day; but, if there are proper facilities to safeguard the funds, the bank deposit may be deferred until just before the closing time of the banks. By making full use of the daily postal-savings receipts to meet depositors' withdrawals, the number of bank transactions will be reduced and the necessity for requesting an increased checking credit frequently obviated.

Sums less than \$50 to be held except on 25th of the month.

Heavy receipts deposited the same day.

Certificates of deposit, Form PS 400.

4. To provide for meeting withdrawals when the current receipts are insufficient, the postmaster, if outside the continental United States and one or more local banks have qualified as depositories for postal-savings funds, shall be authorized to draw checks on a designated bank to a specified amount in any calendar month against the funds on deposit therein to the credit of the board of trustees. The postmaster shall deposit in the bank so designated an amount equal to the monthly checking credit before making a deposit in any other bank. The checking credit bank may hold at all times the amount of the monthly checking credit in addition to its apportioned share of the deposits, the total amount on deposit not to exceed the maximum balance authorized by the Third Assistant Postmaster General, Division of Postal Savings. (See sec. 1617, pars. 4 to 8, as to withdrawals.)

Postmaster's monthly checking credit held by one bank.

—whose share of deposits is increased by a like amount.

NOTE.—Pursuant to the provisions of the Banking Act of 1933, the authority under which postmasters drew checks on designated banks was revoked by order of the Third Assistant Postmaster General, dated June 22, 1933. This revocation of authorized checking credits does not extend to postmasters in Alaska, Hawaii, Puerto Rico, and the Virgin Islands. (See sec. 1617, pars. 9 to 11, for instructions as to how to secure funds by means of drafts, Form PS 316.)

Note.

5. When a check is received by a postmaster from the Third Assistant Postmaster General for deposit as postal-savings funds, the amount shall be taken up on line 8 of the daily summary (Form PS 708 or, in lieu of the summary, Forms PS 630-A and PS 630-C/A at the larger offices) and the account current (Form PS 704). The check shall be properly indorsed and disposed of as provided in section 1617, par. 9 (b), or, if a local bank is qualified as a postal-savings depository, deposited in bank to the credit of the board of trustees in the usual manner. If the margin between the balances already held by the local qualified bank or

Checks received from Third Assistant Postmaster General.

banks and the maximum balances which they are authorized to receive is not sufficient to permit the deposit of the amount involved, the postmaster shall make no entries in his records, but shall return the check at once without indorsement to the Third Assistant Postmaster General, Division of Postal Savings.

Entry of bank deposits in daily summary.

6. The amount of each bank deposit shall be entered in the daily summary (Form PS 708 at first- and second-class offices; Form PS 708-T/F at third- and fourth-class offices; but, in lieu of the summary, Forms PS 630-A and PS 630-C/A at the larger offices) for the day on which it is actually deposited, and the certificate of deposit received from the bank should also bear that date, except when the postmaster makes deposits after the books of the bank have been closed for the day, in which case both the postmaster's entry and the bank certificate of deposit shall bear the date of the following working day. The total of the deposits during each month shall be shown as a credit entry on the monthly account current (Form PS 704), and the date, receipt number, and amount of each deposit shall be entered in Abstract C on the back of that form.

Record of bank deposits on envelope, Form PS 317.

7. The duplicate certificates of deposit (Form PS 400) issued by banks shall be filed by the postmaster in envelopes (Form PS 317), on which he shall keep a record of the amount on deposit in each bank. The postmaster shall be informed as to the maximum amount of funds each bank is authorized to receive, which he shall note on the envelope (Form PS 317) used for that bank, and he shall under no circumstances deposit any sum which would cause the bank's balance to exceed such amount. On making any deposit or withdrawal or on receiving notice of any deposit or withdrawal by the board of trustees, the postmaster shall make the necessary entry in his record (Form PS 317) to show the correct balance in the bank. When the deposits in any bank reach 75 percent of the maximum amount authorized, the postmaster shall immediately notify the bank, calling attention to section 18, paragraph 2, of the Regulations Governing the Deposit of Postal Savings Funds in Banks, and recommend the amount of additional securities which should be deposited by the bank. Immediately following June 30 and December 31 of each year the postmaster shall ascertain from each bank the amount of interest credited by it to the board of trustees and enter this addition to the bank's balance on his Form PS 317. The audited figures shall be furnished later by the Third Assistant Postmaster General. The postmaster shall from time to time verify the accuracy of his record of bank deposits by checking the same with the bank's statement for the purpose of reconciling any differences that may exist. When the postmaster has deposited the maximum amount authorized for all local qualified banks, he shall notify the Third Assistant Postmaster General, Division of Postal Savings, and dispose of his surplus receipts as provided by section 1615, paragraphs 8 and 9.

Record of maximum balance bank may hold.

When deposits in a bank approach maximum balance, department to be notified.

Entry of interest credited by banks.

Record to be verified from bank's statement.

When maximum balance in all banks is reached, department to be notified.

DEPOSITS IN GENERAL ACCOUNT OF TREASURER OF THE UNITED STATES AND REMITTANCE OF FUNDS TO CENTRAL DEPOSITORY

1615. If no * * * qualified bank exists in any city, town, village, or locality, or if none where such deposits are made will receive such deposits on the terms prescribed, then such funds shall be deposited under the terms of this chapter in the bank most convenient to such locality.

Where no bank qualifies.
39 U. S. C. 759.

2. If no local bank has qualified as a postal-savings depository, the postmaster shall remit each day to a designated central postal-savings depository postmaster the surplus receipts on hand at the close of business on the preceding business day unless the amount used in the meantime to meet withdrawals has reduced such balance to less than \$50. If on any day the receipts are unusually heavy, the postmaster, in his discretion, may include in his remittance all or part of the funds on the same day they are received. Where practicable, remittances may be made by official check as provided in section 120. Remittances which include currency or coin shall be sent by registered mail. However, any postmaster in a town where no local bank has qualified as a postal-savings depository but where there is a Federal Reserve bank, branch Federal Reserve bank, or general depository for public funds shall deposit his surplus receipts with such bank in the general account of the Treasurer of the United States (see par. 9 of this section). The Third Assistant Postmaster General may, as a matter of convenience, designate one or more central depository offices for each State or Territory to which the postmasters in such State or Territory having no local qualified banks shall remit their postal-savings receipts and from which they shall obtain funds to meet withdrawals by depositors (see sec. 1617, pars. 9 to 11), the net gain in deposits for each such remitting post office to be later transferred at convenient intervals by the Third Assistant Postmaster General for deposit as required by the law in the qualified bank or banks most convenient to the point where the deposits originated.

Daily remittances to designated post office for deposit.

Central depository offices.

3. Postmasters shall not be required to remit to their central postal-savings depository postmasters or deposit with local Federal Reserve banks, branch Federal Reserve banks, or general depositories for public moneys postal-savings funds in any amount less than \$50 except on the 25th day of the month when all postal-savings cash on hand must be disposed of.

Sums less than \$50 to be held except on 25th of the month.

4. The postmaster to whom postal-savings funds are sent shall issue a receipt in triplicate on Form PS 313 for each remittance, the duplicate to be forwarded immediately to the remitting postmaster, the triplicate filed, and the originals of all such receipts forwarded to the Third Assistant Postmaster General, Division of Postal Savings, promptly after the close of business on the last day of each month. (See sec. 1617, par. 13, as to other vouchers.)

Remittances receipted for by central depository on Form PS 313.

—entered in records and deposited in bank.

—used to meet withdrawals.

—entered by remitting postmaster in records and reports.

—not to delay account current.

—accompanied by letter of transmittal, Form PS 314.
—dispatched by registered mail.

—by official checks.

The amounts received shall be debited in the daily summary (Form PS 708, or, in lieu of the summary at the larger offices, Forms PS 630-A and PS 630-C/A), and the funds included with the next deposit to the credit of the board of trustees. Similar entries shall be made on the next monthly account current (Form PS 704). The postmaster may use such funds to meet withdrawals by depositors at his own office.

5. The amount of funds remitted shall be credited by the remitting postmaster in his daily summary (Form PS 708 at first- and second-class offices; Form PS 708-T/F at third- and fourth-class offices; but, in lieu of the summary, Forms PS 630-A and PS 630-C/A at the larger offices) on the date of remittance. The total of such remittances during each month shall be shown as a credit entry on the monthly account current (Form PS 704), and the date, amount, and receipt number of each such remittance shall be entered in Abstract C on the back of said form. The monthly account current shall not be delayed because all receipts on Form PS 313 covering remittances during the month have not been received, but the report shall be forwarded promptly at the close of the month and the numbers of the missing receipts omitted.

6. All remittances of postal-savings funds to other post offices for deposit shall be accompanied by a letter of transmittal (Form PS 314). If the remittance includes currency or coin, it shall be made by registered mail and shall be prepared and dispatched in the manner required by section 111 for remittance of postal funds.

7. If one or more local banks have been designated limited depositories for public funds by the Secretary of the Treasury, the postmaster shall deposit his surplus postal-savings receipts temporarily in such bank, as provided in section 120, and remit by official check, avoiding, so far as practicable, the purchase of bank drafts and cashier's checks. Where no bank has been designated as a depository for public funds, the postmaster shall remit in one of the following ways: (a) by drawing checks upon an account maintained with a local bank under section 120; (b) by purchasing a bank draft or cashier's check; or (c) by mailing funds, using registered mail if currency or coin is included. With the first and second methods, preference should be given to banks which are members of the Federal Deposit Insurance Corporation. Postmasters whose official use of local banks in accordance with the above instructions is restricted or prevented because of service charges and central depository postmasters who are unable to negotiate without expense, or obtain immediate credit for, checks or drafts received as remittances, shall promptly inform the Third Assistant Postmaster General, Division of Postal Savings. Postmasters shall not use personal checks for the purpose of making remittances and they shall be held liable on their official bonds for any losses of postal-savings funds resulting from fault or negligence on their part.

8. When a postmaster who has been depositing in local banks has no further margin for deposits in such banks, he shall remit his surplus receipts daily to the designated central depository office in his State, as provided in the preceding paragraphs of this section, or, pursuant to specific instructions from the Third Assistant Postmaster General, shall deposit his surplus receipts daily with a Federal Reserve bank, branch Federal Reserve bank, or general depository for public funds, in the general account of the Treasurer of the United States. If the postmaster has been granted a checking credit with a local bank, as is the case only with respect to certain post offices outside of the continental United States, he shall continue to obtain funds to meet withdrawals in excess of his current receipts by checking on his local bank designated for that purpose, and shall replace from his next receipts any withdrawals thus made which reduce the bank's balance below the authorized maximum. The remitted funds shall be returned subsequently for deposit in his local depository bank or banks by the Third Assistant Postmaster General, Division of Postal Savings, if the required additional security is furnished; otherwise the funds shall be transferred for deposit in the qualified banks most convenient to the locality, as in the case of deposits at offices which have no local qualified banks.

When local banks have no margin, funds to be remitted to central depository office.

—postmaster continuing to check on local bank.

Return of remitted funds by department.

9. The postmaster at a city or town where a Federal Reserve bank, branch Federal Reserve bank, or general depository for public funds, is located, but where no local bank has qualified as a postal-savings depository or, if qualified, has no margin for further deposits, shall deposit his surplus receipts daily, pursuant to specific instructions from the Third Assistant Postmaster General, with such Federal Reserve bank, branch Federal Reserve bank, or general depository, in the general account of the Treasurer of the United States to the credit of the "Board of Trustees, Postal Savings System, on account of returnable deposits fund (symbol 42001)." The amount of funds deposited shall be credited by the postmaster in his daily summary (Form PS 708 at first- and second-class offices; Form PS 708-T/F at third- and fourth-class offices; but, in lieu of the summary, Forms PS 630-A and PS 630-C/A at the larger offices). The total of such deposits during each month shall be shown as a credit entry on the monthly account current (Form PS 704), and the date, amount, and receipt number of each such deposit shall be entered in Abstract C on the back of said form. When the postmaster at Washington, D. C., has no margin for further deposits in local banks, he shall deposit his surplus receipts daily with the Treasurer of the United States.

Surplus receipts to be deposited in local Federal Reserve banks or general depositories.

APPORTIONMENT OF BANK DEPOSITS

1616. Where more than one bank has qualified to receive postal-savings funds from the same depository office, the postmaster shall make deposits in such qualified banks in accordance with instructions from the Third Assistant Postmaster General as to the percentage of deposits to which each bank is entitled.

Department will instruct as to percentage of deposits in two or more banks.

How to preserve the apportionment.

2. The postmaster shall ordinarily deposit funds in only one bank each day, and shall make deposits in the several banks in such rotation and amounts as will keep the total deposits in each bank at substantially the proportion to which it is entitled. If there are two qualified banks each of which is entitled to 50 per cent of the postal-savings funds, deposits shall be so alternated between the two banks as to give each bank approximately one-half. Thus, if the postmaster deposits \$200 in the first bank on one day and \$100 in the second bank on the succeeding day, he should make sufficient additional deposits in the second bank to bring its balance to approximately \$200 before making any further deposit in the first bank. He shall be careful to preserve as nearly as practicable the proportion to which each bank is entitled; and if on any day the receipts are unusually heavy the postmaster may depart from the usual procedure and make deposits in all qualified banks on the same day in the respective proportions to which each is entitled.

See sec. 1614, par. 4, as to replacement of withdrawals from banks.

When additional banks may qualify.

3. After the first apportionment of funds has been made to the banks in any locality, additional banks may qualify, to take effect on the 1st day of January, April, July, or October, in accordance with the regulations adopted by the board of trustees. When additional banks so qualify as depositaries, the postmaster shall be instructed in regard to the reapportionment of deposits. Each such reapportionment shall apply only to current funds available for deposit on and after the date when the additional banks qualify and shall not affect funds previously apportioned and deposited. The postmaster shall not place with a new bank more than its proper share of the current funds.

Reapportionment applies only to current deposits.

Adjustment of apportionment.

4. The Third Assistant Postmaster General shall review periodically the apportionment of postal-savings funds among depositary banks and shall take or authorize such action as may be necessary to correct any departure from the proper apportionment of deposits.

Postmaster to report changes in status of depositary banks.

5. The postmaster shall inform the Third Assistant Postmaster General, Division of Postal Savings, of the suspension of business of any such bank. He shall also report any change in the corporate name of any qualified bank or its announced merger with any other institution.

Note.

NOTE.—The provisions of this section have been in abeyance since March 1, 1938, and compliance will not be required until there is further demand on the part of banks for postal-savings funds, at which time appropriate instructions will be issued.

CHAPTER 3

PAYMENT OF CERTIFICATES AND INTEREST

WITHDRAWALS BY DEPOSITORS

Withdrawal of postal-savings deposits.

1617. Any depositor may withdraw the whole or any part of the funds deposited to his or her credit, with the accrued interest, upon demand.

2. A depositor desiring to withdraw the whole or any part of the funds deposited to his credit, with the interest payable thereon, shall present at his depository office postal-savings certificates, covering the amount of the desired withdrawal. (See sec. 1618.)

Depositor to present certificates.

3. Withdrawals shall be paid from the deposits in the State or Territory, so far as the postal (savings) funds on deposit in such State or Territory may be sufficient for the purpose, and, so far as practicable, from the deposits in the community in which the deposit was made.

Withdrawals payable from deposits within State.
39 U. S. C. 758.

4. Postmasters shall, if practicable, pay out of daily postal-savings receipts amounts withdrawn by depositors, including both principal and interest due.

—payable from daily receipts.

5. When sufficient funds are not on hand to meet withdrawals, a postmaster who has been authorized by the Third Assistant Postmaster General to draw on a local bank, as is the case only with respect to certain post offices outside of the continental United States, shall draw his official check on the bank designated for that purpose, as provided in section 1614, paragraph 4, and for that purpose shall procure from the bank a supply of blank checks. Such checks shall be drawn only when absolutely necessary and for the sole purpose specified. They shall be made payable to the postmaster or his authorized representative and shall be drawn substantially in the following form: "Pay to postmaster at ----- from postal-savings funds ----- dollars." *They shall not be made payable to depositors nor delivered to them.* The postmaster may authorize his assistant or one or more clerks to draw checks in his absence, signing the postmaster's name, "per -----" (signature of the person so authorized). He shall give proper notice to the bank of each such authorization, but he shall be liable on his official bond for the amount of all checks signed by such authorized representatives.

Checks on local bank.

—payable to postmaster.

—signed by postmaster's representative.

6. Should the amount specified as the checking credit of a postmaster who is authorized to draw on a local bank, as is the case only with respect to certain post offices outside of the continental United States, be insufficient at any time to meet withdrawals by depositors, the postmaster shall report the facts to the Third Assistant Postmaster General, Division of Postal Savings, stating the amount of funds needed, in order that additional credit may be allowed. In determining the amount of unused credit the postmaster shall be governed by the dates of checks drawn and not the dates of payment. The use of the telegraph shall be avoided whenever possible, and depositors should be encouraged to give advance notice of contemplated withdrawals. When it is necessary to request such allowances by telegraph, the postmaster shall use the code word "Admerge," meaning "To meet withdrawals please authorize an additional credit of," so that a request for an additional credit of \$200 shall read "Admerge two hundred." Postmasters shall be charged with the cost of unnecessary words in telegrams not complying with this regulation.

When checking credit is insufficient.

Use of telegraph.

Telegrams from first- and second-class offices shall be sent "Pre-paid, official business, Government rate." Telegrams from third- and fourth-class offices shall be sent "Official business, collect Government rate." To avoid the cost of duplicate telegrams in such cases, the postmaster shall request the checking credit bank to notify him at once on receipt of the authority. Letters requesting an increase in checking credit shall state whether the increase should be granted by mail or telegraph.

Entry of checks in records and reports.

7. When the postmaster draws a check against his checking credit, he shall on that day enter the withdrawal on Form PS 317 and debit the amount of the check on the line provided in his daily summary (Form PS 708 at first- and second-class offices; Form PS 708-T/F at third- and fourth-class offices; but, in lieu of the summary, Forms PS 630-A and PS 630-C/A at the larger offices). The total of the checks drawn during each month shall be shown by a similar debit entry on the monthly account current (Form PS 704), and the date, number, and amount of each check shall be entered in Abstract D on the back of said form.

—cashed from money-order or postal funds or through business houses. Use of postal or money-order funds in one day covered by a single check.

8. When required to meet withdrawals after banking hours, such checks may be cashed from money-order or postal funds, or, when such funds are not available, through local business houses, if accepted without charge for exchange. At offices where the cashing of several postal-savings checks out of postal or money-order funds on the same day would be necessary, instead of drawing such checks a temporary memorandum slip for each transaction may be placed with the postal or money-order funds and a single check on the postal-savings credit substituted at the close of the day to cover the total amount involved. Such checks shall bear the date of the transactions covered.

Drafts on central depository office, Form PS 316.

9 (a) In order to obtain funds to meet withdrawals of principal or interest in excess of his daily receipts, a postmaster (other than the postmaster at Washington, D. C., or at a central postal-savings depository post office) who has not been authorized to draw on a local bank shall draw drafts (Form PS 316) on the designated central depository postmaster for any amount needed. However, for convenience and to avoid the too frequent use of drafts, postmasters at first- and second-class offices shall use money-order funds, so far as practicable, to meet such withdrawals; and postmasters who have been granted a money-order credit with the Treasurer of the United States shall check on that credit to obtain necessary additional working funds. Memorandum slips (Form PS 622-A) to cover such temporary advances to the postal-savings account shall be placed with the money-order funds and held until reimbursement shall have been made. The postmaster shall reimburse the money-order account from surplus postal-savings funds subsequently received and, at the end of each month, shall draw a postal-savings draft for any amount still due the money-order account and shall dispose of the draft as money-order funds. The money-order account shall always be completely reimbursed at the end of each month, and the postmaster shall not reflect such temporary advances of money-

—borrowing money-order funds at first- and second-class offices.

order funds on his monthly reports to the department. The postmaster shall debit in the daily summary (Form PS 708 or, in lieu of the summary, Forms PS 630-A and PS 630-C/A at the larger offices) the total amount of funds borrowed each day and shall credit in that record the total amount repaid to the money-order account. At third- and fourth-class post offices, where money-order funds are immediately taken into the postal account, a postal-savings draft shall be drawn whenever additional funds are needed to pay postal-savings certificates or interest. The draft may be cashed from funds in the postal account, in which case the draft shall be included in the next remittance of postal funds. At offices where the cashing of several postal-savings drafts out of postal funds on the same day would be necessary, instead of drawing such drafts a temporary memorandum slip for each transaction shall be placed with the postal funds and a single postal-savings draft substituted at the close of the day to cover the total amount involved. Postal-savings drafts shall not be drawn for any purpose other than that specified.

—borrowing postal funds at third- and fourth-class offices.

(b) The postmaster at Washington, D. C., or at a central postal-savings depository post office where no authority has been granted to check on a local bank, shall use money-order funds, as provided in subparagraph 9 (a) of this section, when sufficient postal-savings funds are not on hand to meet withdrawals by depositors or to cash postal-savings drafts drawn on him by other postmasters. He shall obtain funds needed to reimburse the money-order account from the Third Assistant Postmaster General and shall requisition such funds in ample time to insure complete reimbursement of the money-order account at the end of each month, and in sufficient amount to meet the estimated needs of his office. Any excess over the amount immediately needed for reimbursing purposes shall be held as cash in the post office or shall be deposited, wholly or in part, in a temporary checking account in a designated depository for Government funds, as provided in section 120. The postmaster at Washington, D. C., or at a central depository office where no authority has been granted to draw on a local bank, may hold as cash or deposit in such temporary checking account the current postal-savings receipts of his office, in reasonable anticipation of early needs.

Central depositories requisition funds from department.

—hold excess current receipts in reserve for anticipated needs.

10. When required to meet withdrawals promptly, and neither money-order nor postal funds are available, postal-savings drafts may be cashed through local banks or business houses, if accepted without charge for exchange. *They shall not be made payable to depositors nor delivered to them.*

Drafts cashed through banks or business houses.

11. When the postmaster draws a draft (Form PS 316) on the designated central depository postmaster, he shall on that day debit the amount of the draft on the line provided in his daily summary (Form PS 708 at first- and second-class offices; Form PS 708-T/F at third- and fourth-class offices; but, in lieu of the summary, Forms PS 630-A and PS 630-C/A at the larger offices). The total of the drafts drawn during each month shall be shown

Record and report of drafts drawn.

by a similar debit entry on the monthly account current (Form PS 704), and the date, number, and amount of each draft shall be entered in Abstract D on the back of said form. The stubs of the drafts (Form PS 316) shall be retained on file.

Action of depository office on drafts.

12. The postmaster at a central postal-savings depository post office, on receiving for payment a draft properly signed and indorsed by a postmaster authorized to draw on him, shall pay the draft from his current postal-savings receipts or, if they are insufficient, from money-order funds, as provided in subparagraph 9 (b), or, if he has been granted a checking credit on a local bank, as is the case only with respect to certain post offices outside of the continental United States, by cashing a check on his designated bank, as provided in paragraph 5 of this section. If the draft is received direct from the drawing postmaster, the funds shall be sent by return registered mail, accompanied by a letter of transmittal on Form PS 319, and the remittance shall be prepared and dispatched in the manner provided in section 111.

—payment from current receipts or by use of checking credit.

—when received direct from drawing postmaster.

Record and report of drafts paid.

13. When a postmaster pays drafts drawn by other postmasters, he shall on that day credit the total amount of such drafts on the line provided in his daily summary (Form PS 708 or, in lieu of the summary at the larger offices, Forms PS 630-A and PS 630-C/A). The total of all drafts paid during each month shall be shown by a credit entry on the monthly account current (Form PS 704). The date, number, and amount of each draft paid, as well as the name of the drawing office, shall be entered in Abstract E (Form PS 519). This abstract, together with all drafts paid and receipts issued on Form PS 313 during the month, shall be forwarded in envelope Form PS 330 promptly after the close of business on the last day of the month to the Third Assistant Postmaster General, Division of Postal Savings, without awaiting the completion of the monthly account current.

Withdrawal of deposits by presentation of certificates at office of issue.

1618. When a depositor desires to withdraw all or part of the amount represented by a certificate, together with the interest due thereon, or when he desires to withdraw only the interest due on a certificate, he shall present the certificate at the office of issue.

See sec. 1619 for information concerning withdrawals through a representative or by mail.

Identification of depositor.

2. The postmaster shall withdraw from the files the depositor's card (Form PS 600). Unless the applicant for payment is personally known to be the depositor to whom the certificate was issued, the postmaster shall ask test questions as to all personal facts shown on the depositor's card, secure the applicant's signature on a separate slip of paper for comparison with the signature on the card, and take such other action as may be necessary to assure himself of the applicant's identity.

Finger impressions.

3. If an office is equipped to take finger impressions, the instructions contained in the pamphlet, Form PS 45, entitled "Instructions Concerning Finger Impressions," shall be followed.

4. The postmaster shall determine whether interest is payable on the certificate and, if any be due, shall write the amount of such interest in the receipt form on the certificate.

Entry of interest on certificate.

See the leaflet, Form PS 100, entitled "Instructions Concerning the Payment of Interest on Postal Savings Certificates," for detailed working instructions, and the tables, Form PS 100-A, for computing the quarterly interest due.

5. After the amount of interest, if any be due, has been written in the receipt form on the certificate, the depositor shall indorse the certificate in the presence of the postmaster or his authorized representative and surrender it. If a depositor cannot write and signs by mark, his name shall be written and attested by a disinterested witness in the following manner:

Indorsement of depositor.

—by mark.

His
John X Doe
mark
Richard Roe
Witness

6. If a depositor signs his name in characters not used in the English language, his signature shall also be attested by a disinterested witness. The instructions in this paragraph and those in paragraph 5 shall be observed even though finger impressions of the depositor are taken.

—in characters not used in English.

7. Neither the postmaster nor any clerk employed on postal-savings work shall act as witness, but any other employee of the office not engaged on postal-savings work and having no interest in the transaction may witness signatures to postal-savings vouchers and documents.

Who may act as witness.

8. If the postmaster, after complying with the foregoing instructions, is satisfied that the applicant is the depositor, and if the certificate bears no evidence of alteration or erasure and corresponds in every particular with the record of its issue, the postmaster, in accordance with the demand made by the depositor, shall pay all or part of the amount represented by the certificate, together with all interest due thereon, or shall pay only the interest due on the certificate; otherwise payment shall be withheld until the postmaster is satisfied that it is proper.

Payment.

9. If the postmaster is unable to satisfy himself as to the propriety of any payment, he shall transmit the certificate with a statement of the facts to the Third Assistant Postmaster General, Division of Postal Savings, after giving the holder a receipt on Form PS 305 for the certificate surrendered. The supply of Form PS 305 shall be kept by the postmaster or a designated official and shall be delivered to window clerks in quantities estimated as a week's supply. Before being turned over to a window clerk they shall be numbered in duplicate, and the clerk shall be required to account for each form disposed of.

Payment withheld.

—and facts reported to department.

—receipt for certificate.

10. A copy of the leaflet, Form PS 100, containing full information concerning the authorized method of taking receipts for pay-

—safeguarding of receipt forms.

ments of interest and recording such payments, shall be kept readily available at all times for reference.

Note.

NOTE.—The special procedure involved when a certificate is surrendered for payment of only part of the principal or for payment of only the interest due on a certificate is fully explained in the leaflet, Form PS 100.

Imprint of "Paid" stamp must be legible.

11. Certificates when paid, either in full or in part, or when surrendered for payment of only the interest due, shall be stamped on the face with the special "Paid" date stamp furnished for the purpose. The stamp shall be maintained in good working order, and the imprint shall clearly show the month, day, and year of payment. If the date of payment is not legible, the certificate shall be stamped again on the back in such manner that the date can be read. The employee making the payment shall place his initials on the back of each certificate in the left margin below the words "Information for depositor." The transaction shall be recorded on the depositor's card (Form PS 600) by entering the date (day, month, and year) thereof, the total amount of the certificates surrendered, and the new balance on the next unused line. On the same form the date of the transaction and the respective amount of interest paid, if any, shall be entered in line with the serial number of each surrendered certificate. Depositors' cards on which withdrawals have been entered shall not be returned to the files until all accounts for the day are in balance. Paid postal-savings certificates shall not remain in the custody of the postal-savings window clerk; they shall be delivered daily to the postmaster or some designated official or clerk (see sec. 1609, par. 3), who shall be responsible for the protection of the vouchers and who shall be charged with the duty of preparing the monthly reports (see sec. 1622).

Record of payments.

—on depositor's card.

—in abstract (Form PS 706) and daily summary.

12. At the close of each day's business or at such time during the day as may be convenient the postmaster shall enter the date of payment and serial numbers of the certificates paid under the proper denominations in Abstract B, which is bound in a book (Form PS 706) separate from other forms for first- and second-class offices, but which at third- and fourth-class offices is in the daily summary (Form PS 708-T/F), and enter the total amount of principal and total amount of interest paid in the daily summary (Form PS 708 at first- and second-class offices; Form PS 708-T/F at third- and fourth-class offices; but, in lieu of the summary, Forms PS 630-A and PS 630-C/A at the larger offices). The entries on depositors' cards shall be proved by adding the withdrawals made during the day and comparing the total with the total withdrawals shown by Abstract B. At the close of the month Form PS 706a—709 (detailed instructions for the preparation of which appear thereon) and all paid certificates, properly arranged, shall be forwarded with the postmaster's monthly account current. Abstract B shall be retained and become a part of the permanent files of the post office.

Closing of accounts.

13. Whenever all certificates issued to a depositor have been paid, the depositor's card (Form PS 600), bearing the record of the account, shall be marked "Account closed" and placed in a separate file with other closed accounts in numerical order.

WITHDRAWALS THROUGH A REPRESENTATIVE OR BY MAIL

1619. When it has been shown to the postmaster's satisfaction that a depositor, because of infirmity or for other good and sufficient reason, cannot appear in person to make a withdrawal, the postmaster shall furnish to the representative of such depositor a blank order for the purpose. Payment shall not be made on such an order unless the postmaster is satisfied as to the identity of both the depositor and the representative.

Payment may be made through representative.

2. For the payment of a certificate to such a depositor, a blank order (Form PS 304) shall be furnished. When the order has been properly filled out and signed by the depositor, it shall be returned to the postmaster, together with the certificate or certificates properly indorsed by the depositor. The depositor shall give a receipt on the certificate in the following form: "Received the amount of this certificate and \$_____ interest due thereon." The amount of interest payable shall be inserted by the postmaster in the receipt form on each certificate before the representative receipts on Form PS 304 for the total payment. The postmaster shall then make payment to the representative. The payment of the certificates and interest shall be recorded as provided in section 1618, paragraphs 11 and 12, and the leaflet, Form PS 100. The order on Form PS 304 shall be filed with the depositor's card (Form PS 600).

Payment of principal and any interest due, authorized by order on Form PS 304.

3. When such a depositor desires to withdraw merely the interest payable on any certificate or certificates, he shall be furnished with a blank order (Form PS 302). When the order, properly filled out and signed by the depositor, is returned to the postmaster, together with the certificate or certificates properly indorsed by the depositor, the postmaster shall proceed as provided in the leaflet, Form PS 100, paying the interest due, and delivering to the representative the new certificates issued in the name of the depositor for the amount of the principal. The order on Form PS 302 shall be filed with the depositor's card (Form PS 600).

Payment of interest alone, authorized by order on Form PS 302.

4. If the death of a depositor occurs after he has signed an order for a withdrawal and before it has been presented for payment, the postmaster, if aware of such death, shall defer payment and proceed as provided in section 1620.

Death of depositor after signing an order.

5. When a depositor desires to make a withdrawal by mail of the amount of any of his certificates, the postmaster at any depository office shall furnish him application blanks (Form PS 315) for requesting payment by money order, less the usual fee, of the principal and any interest due on such certificates. The applicant shall indorse the certificates and complete the application form, in duplicate, in the presence of any postmaster, who shall affix his signature to the application, as witness, and date it with the office stamp. The postmaster shall retain the duplicate of Form PS 315 to assist in the identification of the depositor on presentation of the money order for payment. The depositor shall forward the endorsed certificates and the original Form PS 315,

Depositor may apply on Form PS 315 for payment by money order.

at his own expense, preferably by registered mail, to the postmaster at the office where the account is held.

Receipt for any interest due.

6. The depositor shall give a receipt on the certificate in the following form: "Received the amount of this certificate and \$----- interest due thereon." If any interest is due, the amount shall be entered in the receipt form on the certificate by the postmaster at the paying office.

Payment by money order.

7. The postmaster at the office where the certificates were issued, if satisfied as to the applicant's identity, shall forward to him at the stated address a money order for the amount withdrawn, less the money-order fee, using Form PS 320 as the letter of transmittal. The payment of the certificates and interest shall be recorded as provided in section 1618, paragraphs 11 and 12, and the leaflet, Form PS 100. The order on Form PS 315 shall be filed with the depositor's card (Form PS 600).

Withdrawal of interest only by mail.

8. When such a depositor desires to withdraw merely the interest payable on any certificate or certificates, he shall be furnished with a blank order (Form PS 315-A). When the order has been properly filled out and signed, the depositor shall forward it with the certificate or certificates properly indorsed to the postmaster at the office where the account is held, as provided in paragraph 5 of this section. If the depositor's identity is satisfactorily established, the postmaster at the latter office shall proceed as provided in the leaflet, Form PS 100, and shall forward to the depositor at the stated address a money order for the amount of interest due, less the money-order fee, and the new certificates issued in lieu of the principal. The order on Form PS 315-A shall be filed with the depositor's card (Form PS 600).

DEATH OR LEGAL DISABILITY OF A DEPOSITOR

Specific authority for payment must be obtained.

1620. Payment of the amount on deposit, or any part thereof, to the credit of a deceased, insane, or otherwise legally incompetent depositor shall not be made until specific authority therefor has first been obtained from the Third Assistant Postmaster General. After the death of a depositor his account shall not be increased by further deposits.

Application forms.

2. Application forms for the use of the next of kin, undertaker, preferred creditor, or consul may be obtained from the Third Assistant Postmaster General, Division of Postal Savings. In reporting the death of a depositor, or in requesting these forms, the postmaster shall state the name of the depositor and the amount on deposit, the interest due thereon, and any other information that may assist in the settlement of the account.

Payment in settlement of deceased depositors' accounts must be made direct to persons authorized. Administration, when required.

3. A depositor may not designate a beneficiary to receive payment except through the formality of a will, and payment shall be made only to the person or persons authorized.

4. When the amount on deposit is such that more than \$500 will be available for distribution to heirs after allowing for payment of preferred claims, the amount due a deceased depositor in the final settlement of his account will be payable only to the legal representative duly appointed under the laws of the State

in which the money is deposited, unless administration is not required by such State laws. In case administration has been granted on the estate of a deceased depositor, or a depositor has been adjudged legally incompetent to handle his own affairs, the postmaster shall obtain from the executor, administrator, or other legal representative and forward to the Third Assistant Postmaster General a certified copy of an order of a court of competent jurisdiction, or a certificate, showing that the person demanding payment has been appointed and qualified as such executor, administrator, or other legal representative. If proper authority is shown, the Third Assistant Postmaster General shall then authorize the postmaster to pay such legal representative the amount standing to the credit of the depositor, together with all interest payable thereon, upon indorsement of the certificates, as provided by paragraph 11 of this section.

Payment to administrator or other representative of estate.

5. When the appointment of the legal representative has been in force for a period exceeding one year, the legal representative shall be required to obtain an additional certification, dated not more than sixty days prior to its submission to the department, from the clerk of the court or other proper official showing that his appointment still remains in full force and effect.

When appointment has been in force more than one year.

6. If a depositor dies intestate and the amount on deposit is small (\$500 or less, except where the laws of the State in which the money is deposited provide, either specifically or by court decision, for the payment of a larger amount without administration), the postmaster shall obtain an application for payment on Form PS 114 from one of the next of kin or the person who paid the funeral expenses. This form shall be executed in accordance with the instructions printed thereon and forwarded to the Third Assistant Postmaster General, Division of Postal Savings, who, if the application is approved, may authorize payment of the amount standing to the depositor's credit, with all interest payable thereon, to the person or persons legally entitled to receive it, upon indorsement of the certificates, as provided by paragraph 11 of this section.

Payment to next of kin.

7. If the funeral expenses and other preferred claims have not been paid and no exemptions are created by the laws of the State in which the money is deposited, or if existing exemptions do not equal the amount on deposit, the postmaster shall obtain an application for payment on Form PS 115 from the undertaker who buried the depositor or from the other preferred creditor or creditors. This application, accompanied by a certification on Form PS 115-A as to the correctness of the claim, shall be forwarded to the Third Assistant Postmaster General, Division of Postal Savings, who may authorize payment to the proper person or persons.

Payment to undertaker or other preferred creditors.

8. In the event of the death intestate of a depositor residing in the United States who is survived by alien heirs residing abroad entitled to the amount on deposit or a portion thereof, the postmaster shall obtain an application for payment on Form PS 112 from the consular officer having jurisdiction in the case. This

Payment to consular officer for alien heirs.

application shall be forwarded to the Third Assistant Postmaster General, Division of Postal Savings, and payment to the proper persons may be authorized.

Death intestate of depositor residing abroad.

9. In case of the death intestate of any depositor while residing abroad, application shall be made to the Third Assistant Postmaster General, Division of Postal Savings, for special instructions.

Requirements as to funeral expenses waived.

10. When a depositor dies and is buried abroad, is lost at sea, perishes in some catastrophe that makes interment impossible, or is buried by the United States Government, a statement to that effect shall be made in the application for payment, in which event the requirements as to the funeral expenses will be waived.

Signature of payee on certificates and interest receipt.

11. Before making payment the postmaster shall obtain the signature of the payee (each payee, if more than one) on each of the postal-savings certificates, and his receipt for all interest due (if payment of interest has been authorized by the department), in the following form: "John Doe, by Richard Roe" (executor, widower, guardian, or other proper title). Payment of the account of a deceased or incompetent depositor shall be made in its entirety, at one time, and without delay. If for any reason a postmaster is unable to effect such payment, he shall withhold payment of the entire amount on deposit and report the facts to the Third Assistant Postmaster General, Division of Postal Savings. Whenever funds are to be remitted by mail a money order for the amount, less the usual fee, shall be used.

Memorandum showing authority to be attached to paid certificates.

12. After payment has been made a memorandum shall be affixed to the certificates stating that "payment was made in accordance with authority contained in the letter from the Third Assistant Postmaster General dated _____" The certificates shall then be treated as paid and forwarded by the postmaster with his next monthly account current.

POSTAL-SAVINGS BONDS

Postal-savings bonds.
39 U. S. C. 780.

1621. Any depositor in a postal savings depository may surrender his deposit, or any part thereof, in the sums of twenty dollars, forty dollars, sixty dollars, eighty dollars, one hundred dollars, and multiples of one hundred dollars and five hundred dollars, and receive in lieu of such surrendered deposits, under such regulations as may be established by the board of trustees, the amount of the surrendered deposits in United States coupon or registered bonds of the denominations of twenty dollars, forty dollars, sixty dollars, eighty dollars, one hundred dollars, and five hundred dollars, which bonds shall bear interest at the rate of two and one-half per centum per annum, payable semiannually, and be redeemable at the pleasure of the United States after one

year from the date of their issue and payable twenty years from such date, and both principal and interest shall be payable in United States gold coin of the present standard of value. The bonds herein authorized shall be issued only (first) when there are outstanding bonds of the United States subject to call, * * * and (second) at times when under authority of law other than that contained in this chapter the Government desires to issue bonds for the purpose of replenishing the Treasury, * * *. The bonds herein authorized shall be exempt from all taxes or duties of the United States as well as from taxation in any form by or under State, municipal, or local authority * * *.

NOTE.—The amendment of February 4, 1935, to the Second Liberty Bond Act provided that no further original issue of postal-savings bonds shall be made after July 1, 1935. Provision for payment in gold coin repealed June 5, 1933 (31 U. S. C. 463).

Note.

2. On the application of any holder of postal-savings bonds, the board of trustees will purchase them at their par value and accrued interest to date of purchase. Registered bonds thus offered for purchase shall be assigned to the "Board of Trustees, Postal Savings System." Assignments of postal-savings bonds may be witnessed by postmasters designated to receive postal-savings deposits and, *in the case of bonds assigned to the Board of Trustees of the Postal Savings System*, by assistant postmasters, postal cashiers, and money-order cashiers at offices designated to receive postal-savings deposits. In all cases where the assignment is witnessed by a postal official other than the postmaster, the form of signature to the certificate of acknowledgment should be the following: "John Doe, Postmaster, by Robert Roe, Postal Cashier." When an assignment is acknowledged by a postmaster or other postal official, an impression of the shield-shaped postal-savings stamp shall be made on the bond in the space provided in the "Transfer" clause for a seal.

Purchase of bonds by board of trustees. —witnessing of assignment.

3. Checks and coupons covering interest on postal-savings bonds may be cashed by postmasters from postal or money-order funds in the same manner as other Government paper. They may also be cashed out of postal-savings funds, as provided by section 1626, paragraph 2.

Interest checks and coupons cashed by postmasters.

CHAPTER 4

ACCOUNTS, RECORDS, REPORTS, AND CORRESPONDENCE

1622. The postmaster at a depository office shall keep a daily summary (Form PS 708 at first- and second-class offices; Form PS 708-T/F at third- and fourth-class offices; but, in lieu of the summary, Forms PS 630-A and PS 630-C/A at the larger offices) in which he shall enter daily all postal-savings funds received and

Daily summary.

disbursed, all postal-savings certificates and stamps received, issued, and otherwise disposed of, and other information concerning the postal-savings transactions at his office required by these regulations.

Record of certificates issued.

2. Certificates as issued shall be entered individually on the depositors' cards (Form PS 600), as provided by section 1608, paragraph 4. The inclusive serial numbers of certificates issued shall be entered daily on Abstract A, which is furnished in loose-leaf form (Form PS 705) for first- and second-class offices, but which at third- and fourth-class offices is in the daily summary (Form PS 708-T/F), as required by section 1608, paragraph 6.

—of certificates paid.

3. Certificates paid shall be entered on the depositors' cards (Form PS 600) and on Abstract B, which is bound in a book (Form PS 706) separate from other forms for first- and second-class offices, but which at third- and fourth-class offices is in the daily summary (Form PS 708-T/F), as provided by section 1618, paragraphs 11 and 12.

—of interest payments.

4. Interest payments on certificates shall be entered on the depositors' cards and the total payments carried daily to the daily summary or, at the larger offices, to Forms PS 630-A and PS 630-C/A, as provided in paragraphs 11 and 12 of section 1618.

—of proved totals of daily transactions.

5. The value of certificates issued and paid shall be proved daily and the totals carried to the daily summary or, at the larger offices, to Forms PS 630-A and PS 630-C/A, as provided by section 1608, paragraph 6, and section 1618, paragraph 12.

Balance on daily summary to be proved.

6. The daily summary shall be closed daily, all items of receipt and disbursement verified, and all balances proved. No entry need be made on days when no postal-savings business is transacted, but at the top of the page on which subsequent business is recorded the dates on which no business was transacted shall be noted. When no business is transacted for several consecutive days, the inclusive dates shall be shown. When no business is transacted during a calendar month, the entry of such dates indicating no business shall be omitted. (See instructions on the inside cover of the form.)

Account current, Form PS 704.

7. At the close of business on the last day of each month the postmaster shall prepare an account current on Form PS 704 by combining items shown in his daily summary (Form PS 708 at first- and second-class offices; Form PS 708-T/F at third- and fourth-class offices; but, in lieu of the summary, Forms PS 630-A and PS 630-C/A at the larger offices). The number of certificate forms of each denomination on hand at the close of the month and their value, as well as the value of savings stamps, shall be verified by an actual count of the stock before the report is rendered. The balance in the summary of depositors' accounts shall be verified by adding the balances to the credit of the individual depositors, as shown by the depositors' cards (Form PS 600). After preparation the account current shall be carefully checked and promptly forwarded with abstract of issues (Form PS 705-A), abstract of certificates and interest paid (Form PS

—abstracts of certificates.

706a-709), all paid certificates, special interest vouchers, spoiled certificates, and other supporting vouchers to the Third Assistant Postmaster General, Division of Postal Savings, by ordinary mail, in the special envelope (Form PS 331) provided for that purpose. The Third Assistant Postmaster General may modify the requirements concerning postal-savings records and reports with respect to the larger post offices.

—special interest vouchers.

8. If the total of balances to the credit of the individual depositors, as shown by the depositors' cards (Form PS 600), does not agree with the amount shown by item No. 39 of the summary of depositors' accounts, the following action shall be taken at once to discover the errors:

Errors on depositors' cards.

(a) Examine depositors' cards (Form PS 600) to see that no errors in addition or subtraction have been made. If the error is not discovered in this operation, then—

—procedure.

(b) Check the entries on depositors' cards (Form PS 600) with the records of certificates issued and paid. The data for certificates issued prior to July 1, 1917, will be found in the "Postmasters' register of certificates issued" (Form PS 509). The record of certificates issued subsequent to June 30, 1917, will be found on the stubs or duplicate certificates bound in the books from which the certificates were issued. The data for certificates paid prior to July 1, 1917, will be found in the "Postmasters' register of certificates paid" (Form PS 509-A). The data for certificates paid subsequent to June 30, 1917, will be found on Abstract B (Form PS 706), which abstract is bound in the summary, Form PS 708-T/F, used at third- and fourth-class offices starting July 1, 1938.

(c) If the two items are not brought into balance within a reasonable time, that fact shall be reported to the Third Assistant Postmaster General, Division of Postal Savings, who shall furnish additional instructions. This report shall include the amount of the summary of depositors' accounts, the total of all balances to the credit of the individual depositors, and the resulting difference.

9. If no business is transacted during any month, an account current (Form PS 704), showing the cash, stock, and depositors' balances, shall be forwarded, and the words "No business transacted" written across the face of the cash account.

When no business is transacted.

10. The account current shall be signed in ink by the postmaster, or in his absence by the assistant postmaster or other representative designated in accordance with sections 419, 420, and 421.

Signing of account current.

11. Promptly after the close of business on the last day of each month the postmaster shall mail to the designated central depository office for postal savings a card (Form PS 541) containing statistical information concerning the postal-savings transactions of his office. This report shall be prepared in accordance with the instructions printed thereon.

Monthly report on card, Form PS 541.

When there are no transactions.

12. If there have been no transactions during any month, a report on Form PS 541 shall be forwarded showing the total number of accounts remaining open and the balance to the credit of depositors. The words "No business transacted" shall be written across the face of the card.

Receipt for cash and stock transferred to new postmaster.

13. When a change of postmasters occurs, the retiring postmaster shall deliver all postal-savings stamps, unissued postal-savings certificates, and cash on hand to his successor, who shall make a careful inventory thereof and deliver to the retiring postmaster a receipt in duplicate (form furnished by department with instructions) for the stock and cash actually received by him. The receipt shall be dated as of the day on which the retiring postmaster relinquished charge of the office. The incoming postmaster shall also check the amounts receipted for with the balances shown in the daily summary, Form PS 708 or PS 708-T/F (Forms PS 630-A and PS 630-C/A at the larger offices), and the retiring postmaster's final account current (Form PS 704), and if a discrepancy is found which cannot be reconciled the matter shall be reported at once to the Third Assistant Postmaster General, Division of Postal Savings.

—forwarded with final report of retiring postmaster. Delivery of records and supplies.

14. The retiring postmaster shall forward the original receipt with his final report to the Third Assistant Postmaster General, Division of Postal Savings. He shall deliver to his successor all postal-savings records, blank forms, dating stamps, and instructions which have been received from the department.

Separate reports for part months.

15. When a change occurs during the month, each postmaster shall render a separate report covering that part of the month for which he has served.

New bond or commission.

16. If a postmaster is commissioned to succeed himself as acting postmaster or if a postmaster is recommissioned under a new bond, a receipt (form furnished by department with instructions), in duplicate, shall be prepared by the postmaster as of the date on which he assumed charge under the new commission, which date shall not be prior to the day on which the new commission is received from the department. If a postmaster or acting postmaster continues under a renewal bond, a receipt, in duplicate, shall be prepared as of a date not prior to the day on which notice of the acceptance of the new bond is received from the department. If, in any case, such change occurs during a month, separate reports (see par. 7) shall be rendered covering the respective parts of the month in which the old and the new commissions or bonds were operative. The original receipt shall be forwarded to the Third Assistant Postmaster General, Division of Postal Savings, with the final report submitted under the old commission or bond, and the duplicate receipt shall be retained.

Loss of records to be reported.

17. The postmaster shall report promptly to the Third Assistant Postmaster General, Division of Postal Savings, any loss of postal-savings records by fire or burglary or in any other manner.

See sec. 443 as to reporting losses.

Copies of reports and abstracts.

18. The postmaster shall keep on file in his office copies of all reports and accompanying abstracts.

AT STATIONS AND BRANCH OFFICES

1623. The usual records of postal-savings transactions shall be kept at each branch and station designated as a postal-savings depository except that, in the case of a large office, the postmaster may authorize the station or branch superintendent to dispense with the daily summary (Form PS 708), provided satisfactory arrangements are made to retain permanently duplicate copies of the daily report (Form PS 621). The superintendent of each station and branch shall submit a report to the postmaster on Form PS 621 for each work day, but the postmaster may authorize the superintendent to use Form PS 621-B on days when no business is transacted. The report on Form PS 621 shall be accompanied by the net postal-savings receipts of the day and all vouchers covering the day's transactions, and shall be dispatched in time to permit the funds remitted to be included in the postmaster's deposit or remittance on the following day. If accompanied by a remittance containing currency or coin, the report shall be sent by registered mail, properly witnessed as to count, sealing, and dispatch.

Records kept and reports rendered by stations and branches.

2. The postmaster shall prepare a daily report on Form PS 621 covering postal-savings business at the main office. The day's business for the entire postal district shall be summarized at the main office, and the daily summary, Form PS 708, kept at the main office (Forms PS 630-A and PS 630-C/A at the larger offices), shall be a record of the business transacted there and at stations and branches. At the close of each month the postmaster shall prepare and forward to the Third Assistant Postmaster General, Division of Postal Savings, a consolidated account current (Form PS 704) covering the business of the main office and all stations and branches, as shown by the daily summary (Form PS 708) or, at the larger offices, by the daily report of the bookkeeper (Form PS 630-C/A). Individual abstracts of certificates issued (Form PS 705-A) and individual abstracts of certificates and interest paid (Form PS 706a-709), with supporting vouchers, for the main office and for each station and branch, shall be submitted with the consolidated report on Form PS 704. The postmaster may require superintendents at stations and branches to prepare and submit to him for transmission either or both of these abstracts.

Postmaster's account current to include transactions at stations and branches.

3. The superintendent of a station or branch may be authorized by the postmaster to use postal or money-order funds in paying postal-savings certificates and to submit to the main office as a part of the daily remittance of postal or money-order funds a memorandum slip (Form PS 622) debiting postal-savings funds to the amount of other funds used. On receipt of this memorandum at the main office the necessary adjustment shall be made between the funds involved. Remittances from a station or branch to the main office may, with the approval of the postmaster, be made in the form of checks or drafts, as provided by section 1615, paragraph 7.

Use of postal and money-order funds at station or branch.

Remittances by checks and drafts.

Postal-savings cash furnished to stations or branches.

Use of drafts on Form PS 316.

4. The postmaster shall arrange to transmit to the station or branch such postal-savings cash as may be needed to meet withdrawals in excess of its available funds. As a convenient method of furnishing stations and branches with postal-savings funds, the postmaster may authorize each station or branch superintendent to draw drafts on the main office (Form PS 316), within such limit as the postmaster may fix, which the superintendent may cash out of postal or money-order funds, or through nearby banks or business houses, if accepted without charge for exchange. The words "Drawing postmaster," on Form PS 316, should be stricken out and the words "Superintendent, station or branch _____," inserted. The station or branch superintendent drawing such drafts shall forward with his daily report on Form PS 621 a statement showing the number and amount of each draft drawn on that day. All drafts thus drawn shall be entered in the records of both the station or branch and main office, and shall be listed in Abstract D on the back of the monthly account current. The total amount of drafts drawn and paid shall be entered on lines 4 and 17, respectively, of the account current. The value of the drafts remaining unpaid at the end of a month shall be included in the closing cash balance, and the payment thereof shall be credited in the report for the month in which it is actually made. Paid drafts shall be submitted with the monthly account current unless the office is a central depository for postal savings, in which case the payment of all drafts of stations and branches shall be described on Form PS 519 and the paid drafts shall be submitted therewith. (See sec. 1617, par. 13.)

Supplies furnished to stations and branches.

5. Stations and branches shall be furnished from the main office with postal-savings certificates, stamps, and other supplies, and a separate account shall be kept at the main office showing the distribution of all certificates and stamps to the main office, stations, and branches. Postal-savings certificates and stamps transferred to or returned by a station or branch shall be accounted for at the station or branch by appropriate entries in the postal-savings-certificate form account and the savings-stamp account of the daily summary. Superintendents of stations or branches shall use Form PS 311 when requisitioning postal-savings certificates or stamps from the main office. Stock shipped from the main office to stations or branches shall be accompanied with an invoice, Form PS 312.

Supply of certificates for stations or branches.

6. The supply of postal-savings certificates furnished stations or branches shall be held at the main office until such certificates are actually needed, record of the stock for each station or branch being kept on Form PS 310. Certificates furnished on requisition to stations or branches shall ordinarily consist of not more than one book of any series, except in cases where the issues in a month usually exceed one book. In such cases the postmaster is authorized to furnish an additional book or books, as needed. The clerk in charge of the supply of certificates at the main office and the clerk receiving for the certificates at the station or branch shall

each make a careful examination of each book to see that there are no missing certificates.

7. Local banks in a town served by a branch post office transacting postal-savings business may qualify for the deposits. (See sec. 1614, par. 2.) If one or more banks qualify, the postmaster will be authorized to deposit in such bank or banks the net current increase in the postal-savings deposits of the branch post office. Unless otherwise specifically instructed, the superintendent of a branch post office with a local qualified bank shall dispose of his daily postal-savings receipts and obtain funds to meet withdrawals in accordance with the instructions in paragraphs 1, 3, and 4 of this section.

Deposits in
local banks.

8. A single statistical report on card Form PS 541 shall be forwarded showing the consolidated business of the main office, stations, and branches.

Statistical
report.

MISCELLANEOUS PROVISIONS

1624. The final judgment, order, or decree of any court of competent jurisdiction adjudicating any right or interest in the credit of any sums deposited by any person with a postal savings depository if the same shall not have been appealed from and the time for appeal has expired shall, upon submission to the Postmaster General of a copy of the same, duly authenticated in the manner provided by the laws of the United States for the authentication of the records and judicial proceedings of the courts of any State or Territory or of any possession subject to the jurisdiction of the United States, when the same are proved or admitted within any other court within the United States, be accepted and pursued by the board of trustees as conclusive of the title, right, interest, or possession so adjudicated, and any payment of said sum in accordance with such order, judgment, or decree shall operate as a full and complete discharge of the United States from the claim or demand of any person or persons to the same.

Adjudication
of courts con-
clusive as to
rights in postal-
savings funds.
39 U. S. C. 767.

NOTE.—This law is held to provide for recognizing the judicial determination of cases involving the disputed ownership of postal-savings deposits, but since moneys accepted by the Government under the postal-savings act assume the nature of public funds they are not subject to ordinary proceedings of attachment, garnishment, or execution. (*Buchanan v. Alexander*, 4 Howard U. S. 19; 14 Am. & Eng. Ency. Law 814; Shinn, Attachment and Garnishment, sec. 505.) In order to be recognized as affecting the title to postal-savings deposits, the judgment, order, or decree of the court must establish specifically the ownership of the postal-savings deposits in controversy.

Note.

2. Postmasters shall promptly report to the Third Assistant Postmaster General, Division of Postal Savings, any claim made or legal proceedings instituted for the purpose of affecting the

Legal proceed-
ings affecting
deposits to be
reported.

payment of postal-savings deposits, forwarding at the same time any legal papers served upon them in connection therewith. Payment of withdrawals involving disputed accounts shall be withheld pending instructions from the department. (See sec. 702, par. 9.)

Privacy of accounts.
39 U. S. C. 762.

1625. No person connected with the Post Office Department shall disclose to any person other than the depositor the amount of any deposits, unless directed so to do by the Postmaster General.

No information concerning accounts to be given except to depositor or representative of his estate.

2. Postmasters and postal employees shall not disclose the name of any postal-savings depositor, nor give any information concerning a particular account, to any person other than the depositor himself, unless specially authorized to do so by the Third Assistant Postmaster General, except when a depositor is deceased or has been adjudged mentally incompetent, in which case information relative to the amount on deposit may be furnished to the duly appointed legal representative or the next of kin: *Provided*, That nothing in this regulation shall prohibit the giving of such information to post-office inspectors.

See sec. 702 as to giving information about mail matter, etc.

Funds to be kept separate.
39 U. S. C. 762.

1626. Postal savings depository funds shall be kept separate from other funds by postmasters and other officers and employees of the Postal Service, who shall be held to the same accountability under their bonds for such funds as for public moneys.

Postal-savings funds used to cash certain negotiable paper.

2. The postmaster may cash out of postal-savings funds checks covering interest on postal-savings bonds and other checks or negotiable paper of the Postal Savings System provided they are received from responsible persons whose indorsement on such paper the postmaster is willing to guarantee. He may also cash out of such funds coupons covering interest on postal-savings bonds. Such checks and coupons shall be included in his next deposit or remittance of postal-savings funds in lieu of a like amount of cash and so treated in his records and reports.

Accounting statutes.
39 U. S. C. 765.

1627. All the safeguards provided by law for the protection of public moneys, and all statutes relating to the embezzlement, conversion, improper handling, retention, use, or disposal of postal and money-order funds and the punishments provided for such offenses are hereby extended and made applicable to postal savings depository funds, and all statutes relating to false returns of postal and money-order business, the forgery, counterfeiting, alteration, improper use or handling of postal and money-order blanks, forms, vouchers, accounts, and rec-

ords, and the dies, plates, and engravings therefor, with the penalties provided in such statutes, are hereby extended and made applicable to postal-savings depository business, and the forgery, counterfeiting, alteration, improper use or handling of postal savings depository blanks, forms, vouchers, accounts, and records, and the dies, plates, and engravings therefor. (See secs. 105 and 106.)

2. Unbonded clerks shall not be assigned to the transaction of postal-savings business at depository offices unless such assignment is specifically authorized by the First Assistant Postmaster General.

Postal-savings clerks to be bonded.

1628. The faith of the United States is solemnly pledged to the payment of the deposits made in postal-savings depository offices, with accrued interest thereon as herein provided.

Pledge for repayment of deposits.
39 U. S. C. 766.

1629. Correspondence with the department concerning a depositor's account shall specify the name of the depositor and, when necessary, the number of his account and the amount on deposit. Letters should not be inclosed with monthly reports unless they refer to the inclosures.

Correspondence.
Facts to be specified.
Letters not to be inclosed with reports.

2. When it becomes necessary for a postmaster to communicate with a depositor at an address in a foreign country, except Canada, Cuba, Mexico, and Panama, the letter and any accompanying inclosures shall be placed in an envelope properly addressed to the depositor but not sealed and forwarded under cover to the Third Assistant Postmaster General, Division of Postal Savings, for the affixing of the necessary postage.

Letters to depositors in foreign countries.

1630. In all bankruptcy proceedings the officers and agents in charge of the bankrupt funds are authorized to deposit the same without limit as to amount in the postal savings depositories at the prescribed interest rate in all cases where local banks are unable or unwilling to give the required security. Such deposit or any portion thereof may be withdrawn as required in the bankruptcy proceedings.

Bankrupt funds.
11 U. S. C. 101a.

2. When an officer or agent in charge of bankrupt funds applies at a depository post office to open a postal-savings account, the postmaster shall require evidence that (a) the funds involved are entitled to consideration under the above quoted amendment to the Bankruptcy Act, that (b) the officer or agent has been duly appointed, and that (c) local banks are unable or unwilling to give the required security. If satisfied, the postmaster shall accept the deposit in any amount of even dollars, issue certificates in the name and title of the officer or agent, together with the

—conditions of acceptance.

name of the bankrupt corporation, association, or individual, and deliver the certificates to such officer or agent, except that, if the deposit is by commercial check or draft, delivery of the certificates shall be withheld until collection has been made. If the postmaster is in doubt as to the acceptability of the deposit, he shall refer all the papers in the case to the Third Assistant Postmaster General, Division of Postal Savings, and await instructions.

—payment.

3. When payment is demanded, the certificates shall be indorsed by the officer or agent (or his successor, whose appointment must be evidenced by a decree of court) and, in addition, may be countersigned by another individual in his representative court capacity if such be the requirement of the referee having jurisdiction over the funds in question. As the amount involved is invariably large, the postmaster shall request the officer or agent to give advance notice of contemplated withdrawals so that he will have time to requisition the necessary amount from the Third Assistant Postmaster General, Division of Postal Savings.

TITLE TEN

TRANSPORTATION OF THE MAILS

CHAPTER 1

POST ROADS AND ESTABLISHMENT OF MAIL SERVICE

1701. 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 and all air routes 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 courthouse 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.

2. All public roads and highways while kept up and maintained as such are post routes.

NOTE.—Prior to the act of March 1, 1884, all post roads were established by specific acts of Congress; but inasmuch as all public roads and highways, while kept up and maintained as such, are now post routes, this is no longer necessary.

1702. 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.

NOTE.—As under the act of March 1, 1884 (sec. 1701), all public roads while kept up and maintained as such are now post roads the statute must be read in the light of this fact. The statutes under this chapter authorizing contracts for mail service apply to the various classes of transportation.

1703. The Postmaster General shall cause a mail to be carried from the nearest post office on any established post road to the courthouse of any county in the United States which is without a mail.

Post roads.
39 U. S. C. 481,
Supp. V.
—waters of
United States.

—railroads
and air
routes.

—canals.

—plank roads.

—roads to
courthouses,
etc.

—letter-carrier
routes.

—public roads
and highways.
39 U. S. C. 482.

Note.
Post roads.

**Postmaster
General to
provide for
carrying mail
on post roads.**
39 U. S. C. 483.

Note.

**County seats to
be supplied
with mail.**
39 U. S. C. 484.

Transportation of mail to and from post offices.
39 U. S. C. 493.

Transportation of domestic mails through foreign countries.
39 U. S. C. 651.

Mail retarded on account of bulk.
39 U. S. C. 501.

—when letters may be carried separately.

Discontinuance of service on any road.
39 U. S. C. 492.

Postmasters and employees not to be contractors.
39 U. S. C. 52.

—immediate family of postmaster or assistant included.

Display of weather signals on cars and vehicles transporting the mail.
15 U. S. C. 318.

1704. The Postmaster General may, when he deems it advisable, contract for the transportation of the mails to and from any post office.

1705. 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.

1706. 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.

1707. 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.

1708. No postmaster, assistant postmaster, or clerk employed in any post office shall be a contractor or concerned in any contract for carrying the mail.

See sec. 85, par. 12, for exception.

2. No postmaster, assistant postmaster, or clerk in a post office, nor any member of the immediate family of a postmaster or assistant postmaster, shall be permitted to become a bidder, or contractor, or subcontractor, or to receive compensation for carrying the mails. (See secs. 65 and 1749.)

See sec. 1772, par. 2, as to contracts by employees of the postal service and special-delivery messengers for mail-messenger service; sec. 2334 as to penalty for being interested in contract or acting as agent for contractor.

1709. The Secretary of Agriculture, in cooperation with the Postmaster General, may arrange a plan by which there shall be displayed on all cars and other conveyances used for transporting United States mail suit-

able flags or other signals to indicate weather forecasts, cold-wave warnings, frost warnings, and so forth, to be furnished by the Chief of the Weather Bureau.

CHAPTER 2

GOVERNMENT MONOPOLY OF MAIL TRANSPORTATION

PRIVATE EXPRESS: CARRYING OF LETTERS OUTSIDE OF MAIL BY COMMON CARRIERS, VESSELS, MAIL CARRIERS, ETC.

1710. Whoever 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, or whoever shall aid or assist therein shall be fined not more than five hundred dollars or imprisoned not more than six months, or both. Nothing contained in this section shall be construed as prohibiting any person from receiving and delivering to the nearest post office, postal car, or other authorized depository for mail matter any mail matter properly stamped.

Conveying mail by private express.
18 U. S. C. 304.

Punishment.

Delivery to post office, etc., allowed.

2. Postmasters may accept for mailing letters delivered to them in bulk by freight, express, mail, or messenger: *Provided*, Each of such letters bears the return card of a person or firm located within the delivery limits of their offices: *And provided further*, That each of such letters is duly directed and properly sealed and bears the proper postage, which should be purchased at the office of mailing.

Letters delivered to post offices in bulk by freight, express, etc.

NOTE.—The Congress, under authority of the Constitution (sec. 1), has vested in the Post Office Department an absolute monopoly of the transportation of letters and packets by regular trips or at stated periods over all post routes. The above proviso and section make certain exceptions to the general statute. The term "packet" now has only historical significance. At one time a correspondence limited to a single sheet was called a single letter; two sheets a double letter; and three sheets a triple letter. All such communications composed of four or more sheets were called a packet. (*Williams v. Wells Fargo & Co. Express*, 177 Fed. 352.) The Government monopoly does not extend to all matter admitted to the mails but only to letters. Letter-carrier routes are post routes. (See sec. 1701.)

Note. Government monopoly of transportation of letters. Definition of "packet."

See secs. 2356 and 2357 as to penalty for obstruction and detention of mails; section 2355 as to penalty for use of sign "U. S. Mail," etc.; section 299 as to recovery of penalties.

1711. Nothing in this chapter shall be construed to prohibit the conveyance or transmission of letters or packets by private hands without compensation, or by

When conveyance by private persons is lawful.
18 U. S. C. 309.

special messenger employed for the particular occasion only: *Provided*, That whenever more than 25 such letters or packets are conveyed or transmitted by such special messenger, the requirements of section 500 of title 39 shall be observed as to each piece.

When letters may be carried out of the mail.
39 U. S. C. 500, Supp. V.

1712. All letters enclosed in envelopes with embossed postage thereon, or with postage stamp or stamps affixed thereto, by the sender, or with the metered indicia showing that the postage has been prepaid, if the postage thereon is of an amount 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, and that where stamps are affixed they be canceled with ink by the sender. But the Postmaster General may suspend the operation of this section or any part thereof upon any mail route where the public interest may require such suspension.

—in stamped envelopes.

See sec. 579 for conditions governing metered mail.

Transporting persons unlawfully conveying mails.
18 U. S. C. 305.

1713. Whoever, being the owner, driver, conductor, master, or other person having charge of any stagecoach, railway car, steamboat, or other vehicle or vessel, shall knowingly convey or knowingly permit the conveyance of 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 law, shall be fined not more than one hundred and fifty dollars.

Penalty.

Sending letters by private express.
18 U. S. C. 306.

1714. Whoever shall transmit by private express or other unlawful means, or deliver to any agent thereof, or deposit or cause to be deposited at any appointed place, for the purpose of being so transmitted, any letter or packet, shall be fined not more than fifty dollars.

Penalty.

Carrying letters out of the mail over post routes.
18 U. S. C. 307.

1715. Whoever, being the owner, driver, conductor, master, or other person having charge of any stagecoach, railway car, steamboat, or conveyance of any kind 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, and which 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, to the current business of the carrier, or to some article carried at the same time by the same stagecoach, railway car, or other vehicle, except as otherwise provided by law, shall be fined not more than fifty dollars.

Penalty.

See sec. 1712 as to transportation outside of mail letters inclosed in stamped envelopes; sec. 1710 as to ship letters; sec. 299 as to recovery of penalties.

2. A railroad or steamboat company or other common carrier may carry outside of the mails letters written and sent by its officers and agents which relate to its business only, without inclosing the same in stamped envelopes. Such letters may be to other of such carriers' officers and agents, to those of connecting lines, or to anyone else, so long as no other carrier intervenes.

Letters which may be carried by common carriers outside mail.

3. Letters of a company or carrier addressed to officers or agents of a connecting line on business relating to such company or carrier and delivered to an agent of the latter at the point of connection may be carried, and such carriage continued by the connecting company or carrier.

—for connecting lines.

4. Letters written by a railroad company and addressed to the manager of an eating house operated by such company, or written by him and addressed to the company, may be carried.

—for eating houses.

5. No company or carrier, or any officer or employee thereof, may carry outside of the mails letters which are neither written by the company or carrier nor addressed to it. The fact that letters relate to through business over the lines of all companies or carriers transporting the same shall not warrant a company in carrying such letters from one of its connecting lines to another.

Letters which cannot be carried.

6. Where companies or corporations operating railroads are united as a system of railways, the right to carry letters outside of the mail without payment of postage shall remain as an appurtenant of the individual companies or corporations composing the system, and shall not by reason of the union into a system become the right of the system.

Railway systems, carrying letters outside mail, right of individual companies and not of system.

1716. Whoever, being concerned in carrying the mail, shall collect, receive, or carry any letter or packet, or cause or procure the same to be done, contrary to law, shall be fined not more than fifty dollars, or imprisoned not more than thirty days, or both.

Illegal carrying of mail by officials, etc.
18 U. S. C. 303.
Punishment.

1717. Contractors or mail carriers may convey, out of the mail, newspapers for sale or distribution to subscribers.

Newspapers may be carried out of the mail.
39 U. S. C. 254.

NOTE.—Postage on such newspapers when placed in post office must be paid by stamps affixed at the transient second-class rate. (See sec. 545.) The United States only assumes a monopoly of the transportation of letters and packets. (See sec. 1710.)

Note.

Carriers to receive and deposit properly prepaid matter presented to them.
39 U. S. C. 495.

1718. Every railway 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.

Note.

NOTE.—All postal cars and all mail apartments in cars and steamboats are post offices for the distribution of mail in transit, and mail matter placed therein is deposited in a post office.
See sec. 2064 as to acceptance of mail from public by railway postal clerks.

Vessels to deliver letters at post office before entry.
18 U. S. C. 327.

1719. No vessel arriving within a port or collection district of the United States shall be allowed to make entry or break bulk until all letters on board are delivered to the nearest post office, and the master or other person having charge or control thereof has signed and sworn to the following declaration before the collector or other proper customs officer :

Oath.

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 to the post office at ----- every letter and every bag, packet, or parcel of letters which was on board the said vessel during her last voyage, or which were in my possession or under my power or control.

Penalty for failure.

And any master or other person having charge or control of such vessel who shall break bulk before he has delivered such letters shall be fined not more than one hundred dollars.

See sec. 1832 as to delivery at post office of letters by master of vessel and payment therefor; sec. 2251 as to penalty for foreign vessels not delivering letters at post office on arrival, etc.; sec. 2258 as to retaliatory postage on letters carried to or from United States on foreign vessels; sec. 516 as to postage on ship letters.

Carrying letters out of the mail on vessels.
18 U. S. C. 308.
Punishment.

1720. Whoever shall carry any letter or packet on board any vessel which carries the mail, otherwise than in such mail, except as otherwise provided by law, shall be fined not more than fifty dollars, or imprisoned not more than one month, or both.

Illegal carrying of mail, report of.

1721. Whenever a postmaster, or other officer of the Postal Service, receives information or has good reason to believe that letters are illegally brought to or sent from any city, town, landing, station, or place, whether by steamboat, railroad, private carrier for hire, or any other mode of conveyance, or in any way in violation of law, he shall immediately report such violation to the proper inspector in charge with all the facts concerning it in his possession. If in doubt whether matter comes within the classification of letters or whether it may be lawfully transported and

delivered other than by the Post Office Department unless postage is affixed, samples, or a complete description of the matter, should be submitted to the Solicitor for a ruling.

1722. The Postmaster General may, by a letter of authorization under his hand, to be filed among the records of his department, empower any post-office inspector or other officer of the Post Office Establishment to make searches for mailable matter transported in violation of law; and the inspector 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 inspector or officer has reason to believe that mailable matter, transported contrary to law, may therein be found.

1723. Any post-office inspector, 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.

1724. Any post-office inspector, 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 nearest 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.

1725. Every package or parcel seized by any post-office inspector, 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

Officers of Post Office Department may be specially authorized to make searches. 39 U. S. C. 700.
—of any car or vehicle.
—of store or building.

Authority for search of vessels and seizure of letters. 39 U. S. C. 497.

Agents of department or collectors may seize or detain letters, etc., illegally carried. 39 U. S. C. 498. Period of detention.

Seized packages unlawfully containing letters to be forfeited to the United States. 39 U. S. C. 499. Proceedings to enforce forfeiture.

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.

See sec. 828 as to return to sender of letters or other matter seized or detained for violation of law; sec. 299, as to disposition of penalties and forfeitures.

CHAPTER 3

TRANSPORTATION OF MAILS BY RAILROADS

AUTHORIZATION, RATES, AND REQUIREMENTS OF SERVICE

Adjustment of compensation.
(Space basis act.)
39 U. S. C. 524.

1726. The Postmaster General is authorized and directed to adjust the compensation to be paid to railroad companies for the transportation and handling of the mails and furnishing facilities and services in connection therewith upon the conditions and at the rates hereinafter provided.

Classes of service.
39 U. S. C. 525.

2. The Postmaster General may state railroad mail routes and authorize mail service thereon of the following four classes, namely: Full railway post-office car service, apartment railway post-office car service, storage-car service, and closed-pouch service.

—full R. P. O. cars.
39 U. S. C. 526.

3. Full railway post-office car mail service shall be service by cars forty feet or more in length, constructed, fitted up, and maintained for the distribution of mails on trains. The authorizations of full railway post-office cars shall be for standard-sized cars sixty feet in length, inside measurement, except as hereinafter provided.

—apartment R. P. O. cars.
39 U. S. C. 527.

4. Apartment railway post-office car mail service shall be service by apartments less than forty feet in length in cars constructed, fitted up, and maintained for the distribution of mails on trains. Two standard sizes of apartment railway post-office cars may be authorized and paid for, namely, apartments fifteen feet and thirty feet in length, inside measurement, except as hereinafter provided.

—storage cars.
39 U. S. C. 528.

5. Storage-car mail service shall be service by cars used for the storage and carriage of mails in transit other than by full and apartment railway post-office cars. The

authorizations for storage cars shall be for cars sixty feet in length, inside measurement, except as hereinafter provided. Storage space in units of three feet, seven feet, fifteen feet, and thirty feet, both sides of car, may be authorized in baggage cars at not exceeding pro rata of the rates hereinafter named for sixty-foot storage cars.

NOTE.—The unit of seven feet of storage space was discontinued and a 70-foot full storage car and additional lesser storage units were authorized by orders of the Interstate Commerce Commission. (See secs. 1727 and 1728.)

Note.

6. Service by full and apartment railway post-office cars and storage cars shall include the carriage therein of all mail matter, equipment, and supplies for the mail service and the employees of the Postal Service or Post Office Department, as shall be directed by the Postmaster General to be so carried.

—scope of car service.
39 U. S. C. 529.

7. Closed-pouch mail service shall be the transportation and handling by railroad employees of mails on trains on which full or apartment railway post-office cars are not authorized, except as hereinbefore provided. The authorizations for closed-pouch service shall be for units of seven feet and three feet in length, both sides of car.

—closed pouch service defined.
39 U. S. C. 530.

NOTE.—The unit of seven feet was discontinued and additional closed pouch units authorized by orders of the Interstate Commerce Commission. (See secs. 1727 and 1728.)

Note.

8. (a) The rates of payment for the services authorized in accordance with this section shall be as follows, namely:

Rates per mile and initial and terminal allowances.
39 U. S. C. 531.

(b) For full railway post-office car mail service at not exceeding 21 cents for each mile of service by a sixty-foot car. (See note under par. 11 (a).)

(c) In addition thereto he may allow not exceeding \$4.25 as a combined initial and terminal rate for each one-way trip of a sixty-foot car. (See note under par. 11 (b).)

9. (a) For apartment railway post-office car mail service at not exceeding 11 cents for each mile of service by a thirty-foot apartment car and 6 cents for each mile of service by a fifteen-foot apartment car. (See note under par. 11 (a).)

39 U. S. C. 531.

(b) In addition thereto he may allow not exceeding \$2.75 as a combined initial and terminal rate for each one-way trip of a thirty-foot apartment car and \$2 as a

combined initial and terminal rate for each one-way trip of a fifteen-foot apartment car. (See note under par. 11 (b).)

39 U. S. C. 531.

10. (a) For storage-car mail service at not exceeding 21 cents for each mile of service by a sixty-foot car. (See note under par. 11 (a).)

(b) In addition thereto he may allow not exceeding \$4.25 as a combined initial and terminal rate for each one-way trip of a sixty-foot car. (See note under par. 11(b).)

39 U. S. C. 531.

11. (a) For closed-pouch service, at not exceeding 1½ cents for each mile of service when a three-foot unit is authorized, and 3 cents for each mile of service when a seven-foot unit is authorized.

Note.

NOTE.—Rates of pay, pars. 8 (b), 9 (a), 10 (a), and 11 (a) were increased by orders of the Interstate Commerce Commission. (See secs. 1727 and 1728.)

(b) In addition thereto he may allow not exceeding 25 cents as the combined initial and terminal rate for each one-way trip of a three-foot unit of service and 50 cents as a combined initial and terminal rate for each one-way trip of a seven-foot unit of service.

Note.

NOTE.—The initial and terminal rates (see pars. 8 (c), 9 (b), 10 (b), and 11 (b)) were canceled and abolished, payments in lieu thereof being included in the line rates, by order of the Interstate Commerce Commission of December 23, 1919.

Oversize and undersize cars.
39 U. S. C. 532.

12. Where authorizations are made for cars of the standard lengths of sixty, thirty, and fifteen feet, as provided by sections 526 and 527 of this title (pars. 3 and 4 of this section), and the railroad company is unable to furnish such cars of the length authorized, but furnishes cars of lesser length than those authorized, but which are determined by the Department to be sufficient for the service, the Postmaster General may accept the same and pay only for the actual space furnished and used, the compensation to be not exceeding pro rata of that provided by section 531 of this title (pars. 8 (b) and 9 (a) of this section) for the standard length so authorized. The Postmaster General may accept cars and apartments of greater length than those of the standard requested, but no compensation shall be allowed for such excess lengths.

Land-grant rates.
39 U. S. C. 536.

* 13. Railroad companies whose railroads were constructed in whole or in part by a land grant made by Congress, on the condition that the mails should be

* Revoked
see Insert 44

transported over their roads at such price as Congress should by law direct, shall receive only eighty per centum of the compensation otherwise authorized by this chapter.

14. The initial and terminal rates provided for in section 531 of this title (pars. 8, 9, 10, and 11) shall cover expenses of loading and unloading mails, switching, lighting, heating, cleaning mail cars, and all other expenses incidental to station service, and required by the Postmaster General in connection with the mails that are not included in the car-mile rate. The allowance for full railway post-office cars, apartment railway post-office cars, and storage cars may be varied in accordance with the approximate difference in their respective cost of construction and maintenance.

Initial and terminal rates.—service covered by. 39 U. S. C. 533.

—may be varied.

NOTE.—See note to pars. 8 (c), 9 (b), 10 (b), and 11 (b).

15. In computing the car miles of the full railway post-office cars and apartment railway post-office cars, the maximum space authorized in either direction of a round-trip car run shall be regarded as the space to be computed in both directions, unless otherwise mutually agreed upon.

R. P. O. space to be computed in both directions. 39 U. S. C. 534.

16. In computing the car miles of storage cars, the maximum space authorized in either direction of a round-trip car run shall be regarded as the space to be computed in both directions, unless the car to be used by the company in the return movement, or otherwise mutually agreed upon.

Computation of storage space. 39 U. S. C. 535.

See sec. 1727, par. 1 (c), as to authorizations of lesser storage units in both directions.

17. New service and additional service may be authorized at not exceeding the rates herein provided, and service may be reduced or discontinued with pro rata reductions in pay, as the needs of the Postal Service may require. No additional pay shall be allowed for additional service unless specifically authorized by the Postmaster General.

Authorization and discontinuance of service. 39 U. S. C. 564.

18. The Postmaster General is authorized to make special contracts with the railroad companies for the transportation of the mails where in his judgment the conditions warrant the application of higher rates than those herein specified, and make report to Congress of all cases where such special contracts are made and the terms and reasons therefor.

Special contracts with railroad companies. 39 U. S. C. 565.

Construction and maintenance of cars. 39 U. S. C. 537.

19. All cars or parts of cars used for the Railway Mail Service shall be of such construction, 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, lighted, and cleaned by and at the expense of the railroad companies. No pay shall be allowed for service by any railway post-office car which is not sound in material and construction and which is not equipped with sanitary drinking-water containers and toilet facilities, nor unless such car is regularly and thoroughly cleaned. The Postmaster General shall not approve or allow to be used, or pay for service by, any full railway post-office car not constructed of steel or steel underframe or equally indestructible material; and all full railway post-office cars accepted for this service and contracted for by the railroad companies shall be constructed of steel.

See sec. 2106 as to the character of construction of full and apartment railway post-office cars.

Service performed by one carrier over property of another. 39 U. S. C. 566.

* 20. Service over property owned or controlled by another company or a terminal company shall be considered service of the railroad company using such property and not that of the other or terminal company. ~~Service over land-grant roads shall be paid for as herein provided.~~

Necessary facilities for protecting and handling mails to be provided by railroad companies. 39 U. S. C. 538.

21. Railroad companies carrying the mails shall furnish all necessary facilities for caring for and handling them while in their custody. They shall furnish all cars or parts of cars used in the transportation and distribution of the mails, except as herein otherwise provided, and place them in stations before the departure of trains at such times and when required to do so. They shall provide station space and rooms for handling, storing, and transfer of mails in transit, including the separation thereof, by packages for connecting lines, and such distribution of registered mail in transit as may be necessary, and for offices for the employees of the Railway Mail Service engaged in such station work when required by the Postmaster General, in which mail from station boxes may be distributed if it does not require additional space.

Penalty for failure to furnish and maintain cars or apartments. 39 U. S. C. 567.

22. If any railroad company carrying the mails shall fail or refuse to provide cars or apartments in cars for distribution purposes when required by the Postmaster

* See Insert No 44

General, or shall fail or refuse to construct, fit up, maintain, heat, light, and clean such cars and provide such appliances for use in case of accident as may be required by the Postmaster General, it shall be fined such reasonable sum as may, in the discretion of the Postmaster General, be deemed proper.

23. The Postmaster General shall in all cases decide upon what trains and in what manner the mails shall be conveyed. Every railroad company carrying the mails shall carry on any train it operates, and with due speed, all mailable matter, equipment, and supplies directed to be carried thereon. If any such railroad company shall fail or refuse to transport the mails, equipment, and supplies when required by the Postmaster General on any train or trains it operates, such company shall be fined such reasonable amount as may, in the discretion of the Postmaster General, be deemed proper.

Railroad companies required under penalty to transport mail, supplies, etc.
39 U. S. C. 539.

24. The Postmaster General may make deductions from the pay of railroad companies carrying the mails under the provisions of sections 524 to 568 of this title for reduction in service or infrequency of service where, in his judgment, the importance of the facilities withdrawn or reduced requires it, and impose fines upon them for delinquencies. He may deduct the price of the value of the service in cases where it is not performed, and not exceeding three times its value if the failure be occasioned by the fault of the railroad company.

Deductions of pay for reduced service and imposition of fines for delinquencies.
39 U. S. C. 568.

25. The provisions of sections 524 to 568 of this title shall apply to service operated by railroad companies partly by railroad and partly by steamboats.

Combined steamboat and railroad service.
39 U. S. C. 540.

26. The provisions of sections 524 to 568 of this title respecting the rates of compensation shall not apply to mails conveyed under special arrangement in freight trains, for which rates not exceeding the usual and just freight rates may be paid, in accordance with the classifications and tariffs approved by the Interstate Commerce Commission.

Mails conveyed in freight trains.
39 U. S. C. 555.

27. Railroad companies carrying the mails shall submit, under oath when and in such form as may be required by the Postmaster General, evidence as to the performance of service.

Reports of service performed.
39 U. S. C. 556.

Transportation of mail matter at rates paid by express companies.
39 U. S. C. 557.

28. The Postmaster General shall, from time to time, request information from the Interstate Commerce Commission as to the revenue received by railroad companies from express companies for services rendered in the transportation of express matter, and may, in his discretion, arrange for the transportation of mail matter other than of the first class at rates not exceeding those so ascertained and reported to him, and it shall be the duty of the railroad companies to carry such mail matter at such rates fixed by the Postmaster General.

Carload and less-than-carload rate of fourth-class matter and periodicals.
39 U. S. C. 558.

29. The Postmaster General may, in his discretion, petition the Interstate Commerce Commission for the determination of a postal carload or less-than-carload rate for transportation of mail matter of the fourth class and periodicals, and may provide for and authorize such transportation, when practicable, at such rates, and it shall be the duty of the railroad companies to provide and perform such service at such rates and on the conditions prescribed by the Postmaster General.

Postmaster General may distinguish between the several classes of mail matter.
39 U. S. C. 559.

30. The Postmaster General may, in his discretion, distinguish between the several classes of mail matter and provide for less frequent dispatches of mail matter of the third and fourth classes and periodicals when lower rates for transportation or other economies may be secured thereby without material detriment to the service.

Return to the mails of equipment, supplies, etc.
39 U. S. C. 560.

31. The Postmaster General may return to the mails, when practicable for the utilization of car space paid for and not needed for the mails, postal cards, stamped envelopes, newspaper wrappers, empty mail bags, furniture, equipment, and other supplies for the Postal Service.

Empty mail bags, etc., to be returned to the mails.
39 U. S. C. 561.

32. The Postmaster General, in cases of emergency between October first and April first of any year, may return to the mails empty mail bags and other equipment theretofore withdrawn therefrom as required by law, and, where such return requires additional authorization of car space, pay for the transportation thereof as provided for herein out of the appropriation for inland transportation by railroad routes.

Weighing of the mails.
39 U. S. C. 562.

33. The Postmaster General may have the weights of mail taken on railroad mail routes, and computations of

the average loads of the several classes of cars and other computations for statistical and administrative purposes made at such times as he may elect, and pay the expense thereof out of the appropriation for inland transportation by railroad routes.

34. All railway common carriers are hereby required to transport such mail matter as may be offered for transportation by the United States in the manner, under the conditions, and with the service prescribed by the Postmaster General and shall be entitled to receive fair and reasonable compensation for such transportation and for the service connected therewith.

Railway common carriers required to transport the mails.
39 U. S. C. 541.

35. The Interstate Commerce Commission is hereby empowered and directed to fix and determine from time to time the fair and reasonable rates and compensation for the transportation of such mail matter by railway common carriers and the service connected therewith, prescribing the method or methods by weight, or space, or both, or otherwise, for ascertaining such rate or compensation, and to publish the same, and orders so made and published shall continue in force until changed by the commission after due notice and hearing.

Interstate Commerce Commission empowered to fix rates and compensation.
39 U. S. C. 542.

36. In fixing and determining the fair and reasonable rates for such service the commission shall consider the relation existing between the railroads as public-service corporations and the Government, and the nature of such service as distinguished, if there be a distinction, from the ordinary transportation business of the railroads.

Commission to consider relation existing between railroads and the Government.
39 U. S. C. 543.

37. The procedure for the ascertainment of said rates and compensation shall be as provided in sections 545 to 554 of this title (pars. 39 to 48, inclusive, of this section).

39 U. S. C. 544.

38. The Postmaster General shall file with the commission a statement showing the transportation required of all railway common carriers, including the number, equipment, size, and construction of the cars necessary for the transaction of the business; the character and speed of the trains which are to carry the various kinds of mail; the service, both terminal and en route, which the carriers are to render; and all other information which may be material to the inquiry, but such other information may be filed at any time in the discretion of the commission.

Procedure of ascertainment of rates and compensation.
39 U. S. C. 545.

Postmaster General authorized to employ clerical and other assistance and rent quarters.
39 U. S. C. 546.

39. The Postmaster General may employ such clerical and other assistance as shall be necessary to carry out the provisions of sections 524 to 568 of this title, and may rent quarters in Washington, District of Columbia, if necessary, for the clerical force engaged thereon, and pay for the same out of the appropriation for inland transportation by railroad routes. The Postmaster General shall file with the commission a comprehensive plan for the transportation of the mails on said railways and shall embody therein what he believes to be the reasonable rate or compensation the said railway carriers should receive.

Commission to give each carrier 30 days' notice.
39 U. S. C. 547.

40. Thereupon the commission shall give notice of not less than thirty days to each carrier so required to transport mail and render service, and upon a day to be fixed by the commission, not later than thirty days after the expiration of the notice herein required, each of said carriers shall make answer and the commission shall proceed with the hearing as provided by law for other hearings between carriers and shippers or associations.

Testimony, etc.
39 U. S. C. 548.

41. All the provisions of the law for taking testimony, securing evidence, penalties, and procedure are hereby made applicable.

Classification of carriers.
39 U. S. C. 549.

42. For the purpose of determining and fixing rates or compensation hereunder the commission is authorized to make such classification of carriers as may be just and reasonable and, where just and equitable, fix general rates applicable to all carriers in the same classification.

Additional weighing of the mails.
39 U. S. C. 550.

43. Pending such hearings, and the final determination of the question, if the Interstate Commerce Commission shall determine that it is necessary or advisable, in order to carry out the provisions of this chapter, to have additional and more frequent weighing of the mails for statistical purposes, the Postmaster General, upon request of the commission, shall provide therefor in the manner prescribed by law, but such weighing need not be for more than thirty days.

Establishment of rate or compensation by order of commission.
39 U. S. C. 551.

44. At the conclusion of the hearing the commission shall establish by order a fair, reasonable rate or compensation to be received, at such stated times as may be named in the order, for the transportation of mail matter and the service connected therewith, and during the

continuance of the order the Postmaster General shall pay the carrier from the appropriation for inland transportation by railroad routes such rate or compensation.

45. Either the Postmaster General or any such carrier may at any time after the lapse of six months from the entry of the order assailed apply for a reexamination, and thereupon substantially similar proceedings shall be had with respect to the rate or rates for service covered by said application, provided said carrier or carriers have an interest therein.

Reexamination
after six
months.
39 U. S. C. 553.

46. For the purposes of sections 524 to 568 of this title the Interstate Commerce Commission is hereby vested with all the powers which it is authorized by law to exercise in the investigation and ascertainment of the justness and reasonableness of freight, passenger, and express rates to be paid by private shippers.

Commission
vested with
powers author-
ized by law in
the investiga-
tion.
39 U. S. C. 554.

* 47. The Interstate Commerce Commission shall allow to railroad companies whose railroads were constructed in whole or in part by a land grant made by Congress on condition that the mails should be transported over their roads at such price as Congress should by law direct only eighty per centum of the compensation paid other railroads for transporting the mails and all service by the railroads in connection therewith.

Land-grant
rates.
39 U. S. C. 552.

48. (a) Notwithstanding any other provision of law, but subject to the provisions of sections 1 (7) and 22 of the Interstate Commerce Act, as amended, the full applicable commercial rates, fares, or charges shall be paid for transportation by any common carrier subject to such Act of any persons or property for the United States, or on its behalf, except that the foregoing provision shall not apply to the transportation of military or naval property of the United States moving for military or naval and not for civil use or to the transportation of members of the military or naval forces of the United States (or of property of such members) when such members are traveling on official duty; and the rate determined by the Interstate Commerce Commission as reasonable therefor shall be paid for the transportation by railroad of the United States mail: *Provided, however,* That any carrier by railroad and the United States may enter into contracts for the transportation of the United States mail

Government to
pay full rate.
1940, Sept. 13,
Public, No. 785.

for less than such rate: *Provided further*, That section 3709, Revised Statutes (U. S. C., 1934 edition, title 41, sec. 5), shall not hereafter be construed as requiring advertising for bids in connection with the procurement of transportation services when the services required can be procured from any common carrier lawfully operating in the territory where such services are to be performed.

* (b) If any carrier by railroad furnishing such transportation, or any predecessor in interest, shall have received a grant of lands from the United States to aid in the construction of any part of the railroad operated by it, the provisions of law with respect to compensation for such transportation shall continue to apply to such transportation as though subsection (a) of this section had not been enacted until such carrier shall file with the Secretary of the Interior, in the form and manner prescribed by him, a release of any claim it may have against the United States to lands, interests in lands, compensation, or reimbursement on account of lands or interests in lands which have been granted, claimed to have been granted, or which it is claimed should have been granted to such carrier or any such predecessor in interest under any grant to such carrier or such predecessor in interest as aforesaid. Such release must be filed within one year from the date of the enactment of this Act. Nothing in this section shall be construed as requiring any such carrier to reconvey to the United States lands which have been heretofore patented or certified to it, or to prevent the issuance of patents confirming the title to such lands as the Secretary of the Interior shall find have been heretofore sold by any such carrier to an innocent purchaser for value or as preventing the issuance of patents to lands listed or selected by such carrier, which listing or selection has heretofore been fully and finally approved by the Secretary of the Interior to the extent that the issuance of such patents may be authorized by law.

Penalty for refusal of railroad company to perform mail service.
39 U. S. C. 563.

49. It shall be unlawful for any railroad company to refuse to perform mail service at the rates or methods of compensation provided by law when required by the Postmaster General so to do, and for such offense shall be fined \$1,000. Each day of refusal shall constitute a separate offense.

* Revoked
see Insert No 44

1727. (a) Where authorizations are made for cars or apartments of the standard lengths of 60, 30, and 15 feet, and the railroad company is unable to furnish such cars or apartments of the length authorized, but furnishes cars or apartments of lesser length, but which are accepted by the department to be sufficient for the service, payment shall be made only for the actual space furnished and used, the compensation to be not exceeding pro rata of that provided for the standard length authorized. The Postmaster General may accept cars and apartments of greater length than those of the standard requested, but no compensation shall be allowed for such excess lengths except that where an oversize car is furnished storage units may be authorized therein on either the basis of actual measurement or count of sacks and outside packages, whichever may be more practicable, provided that in no case shall payment be made for more than the actual length of the car.

Railway mail pay.
Oversize and undersize R. P. O. cars and apartments.
I. C. C. order
Nov. 18, 1921.

(b) In computing the car-miles of full and apartment railway post-office cars, the maximum space authorized in either direction of a round-trip car run shall be regarded as the space to be computed in both directions.

Basis of computation of R. P. O. mileage.
I. C. C. order
Dec. 23, 1919.

(c) In computing the miles of service of a storage car or lesser storage-space unit, the maximum space authorized in either direction of a round-trip car run shall be regarded as the space to be computed in both directions unless any part of the car containing such unit be used by the railroad company in the return movement.

—storage-space mileage.
I. C. C. order
July 10, 1928.

(d) All regular authorizations for full railway postal (post-office) cars, apartment railway post-office cars, and full storage cars may be discontinued, in accordance with the needs of the service at established railway passenger or freight division points or junctions at which the train is scheduled to stop.

Authorizations of service may be discontinued.
—at what points.
I. C. C. order
July 10, 1928.

(e) Regular authorizations of lesser closed-pouch and storage units shall not be changed en route at other than junction or division points, but they may begin at the point where closed-pouch or storage space becomes necessary and may be terminated at the point where the last mails are dispatched.

Regular authorizations to be changed at junction or division points.
I. C. C. order
July 10, 1928.

(f) For the purpose of making changes in authorizations in lesser units of closed-pouch and storage space, a "junction" will be considered to be a point where two railroad lines of the same or of different companies cross or diverge, and at which mails are regularly received or dispatched by any train.

—"junction" defined.

(g) The same regular lesser unit of closed-pouch and storage space shall be authorized on every day of the week upon which closed-pouch and storage mails are carried in lesser units.

Same lesser units authorized, when.
I. C. C. order
July 10, 1928.

(h) All units of emergency space needed to supplement regular authorizations shall be 3, 6, 9, 12, 15, 18, 21, 24, 27, or 30 feet without duplication or grouping, and such units may be discontinued, increased, or decreased at any point where a fluctuation in the volume of mail carried requires a change from one unit to another.

Emergency space.
—authorization and discontinuance.
I. C. C. order
July 10, 1928.

Where combined storage units necessitate use of more than 30 feet of space.
I. C. C. order
Dec. 23, 1919.

When regular authorizations may be increased.
I. C. C. order
July 10, 1928.

Railroad companies to be separately compensated for side, terminal, or transfer service.
I. C. C. order
Dec. 23, 1919.

—where the companies contract for such service.
I. C. C. order
Dec. 23, 1919.

(i) Whenever a regularly authorized unit of storage or closed-pouch space, combined with an emergency unit, necessitates the use of more than 30 feet linear space in a baggage car, or storage car used exclusively for the mails, a 60-foot car shall be authorized and paid for on the basis of the round trip, provided the car is not used by the railroad company in the opposite direction.

(f) Whenever a regular authorization of less than 30 feet is exceeded on more than 50 percent of the trips in any calendar month the appropriate higher unit shall be authorized. Whenever a regular authorization of 30 feet of storage space is exceeded under like condition a full storage car of the appropriate length of 60 or 70 feet shall be authorized on the days of the week on which the 30-foot unit is exceeded on more than 50 percent of the trips on such days. A regular authorization may be reduced to the appropriate smaller unit which would have accommodated the mails on more than 50 percent of the trips in any calendar month. This rule will not apply to the month of December.

(k) Where the railroad companies are required by the department to perform side, terminal, or transfer service, they shall be separately compensated for such service, unless the service is performed in or directly contiguous to railway terminals and depots. The amount to be paid therefor shall be measured by the amount paid by the railroad to contractors plus 3 percent; and where the service is performed by agents or employees of the railroad companies the payment shall be for the value of the pro rata time of such railway agents or employees while engaged in rendering the service, including cost of vehicular service that may be necessary, with the addition of 3 percent.

(l) Where the railroad companies contract for such service contracts shall be let to the lowest responsible bidder upon advertisement. Readjustment for such service shall be made annually. The railroad companies shall submit certified copies of each contract to the Postmaster General on or before July 1 of each year showing the rate of payment for the ensuing year, and the amounts specified in such contracts plus 3 percent shall be accepted as the basis of payment to the Postmaster General heretofore prescribed. The railroad companies shall also furnish the Postmaster General each year, on or before July 1, a detailed statement of the daily time consumed in handling the mails by their agents or employees at each point where side, terminal, or transfer service is performed, which statement shall be verified by a responsible official of the company conversant with the facts, and such verified statement shall compute the pro rata payment of the agent or employee performing the service, based on the time actually consumed, and the amount named in the statement plus 3 percent shall constitute the basis of payment for the next ensuing year, unless in special cases, and for good cause, the Postmaster General may require further statements and verifications from any particular railroad company at other periods of the year.

(m) That from time to time, at least once in two years, the Postmaster General, upon notification to the railroads, and with their presence and assistance, shall conduct tests to determine the number of sacks and outside packages that will fill a foot or 3 feet of space in a car, and the results thereof shall be reflected in changes of rules, where necessary, in the count of sacks and packages as the basis for measurement.

Tests to be conducted to determine carrying capacity of 1 foot or 3 feet of space.
I. C. C. order
Dec. 23, 1919.

(n) That payments for transportation of the mails, and the services connected therewith shall be made each month after the service has been performed.

Payments to be made monthly.
I. C. C. order
Dec. 23, 1919.
Rates fixed by I. C. C. order
July 10, 1928.

2. (a) That the fair and reasonable rates of pay to be received for the transportation of mail matter and the service connected therewith on and after August 1, 1928, by all carriers except those hereafter shown in par. 2 (b), 2 (c), and par. 3, be, and they are hereby, established as follows:

For each mile of service by—	Rate	For each mile of service by—	Rate
	<i>Cents</i>		<i>Cents</i>
60-foot railway post-office car.....	39. 00	15-foot storage space.....	13. 00
30-foot apartment car.....	21. 50	12-foot storage space.....	11. 00
15-foot apartment car.....	14. 50	9-foot storage space.....	8. 75
70-foot storage car.....	47. 00	6-foot storage space.....	6. 25
60-foot storage car.....	40. 50	3-foot storage space.....	3. 50
30-foot storage space.....	21. 50	15-foot closed-pouch space.....	14. 50
27-foot storage space.....	20. 00	12-foot closed-pouch space.....	12. 50
24-foot storage space.....	18. 50	9-foot closed-pouch space.....	10. 25
21-foot storage space.....	16. 75	6-foot closed-pouch space.....	7. 50
18-foot storage space.....	15. 00	3-foot closed-pouch space.....	4. 50

Provided, That the minimum payment on any mail route, over any part of which mail is transported not less than six days a week, shall be \$72 per mile per annum.

—minimum rate.

(b) That the fair and reasonable rates of pay to be received for the transportation of mail matter and the service connected therewith on and after August 1, 1928, by the Bangor & Aroostook Railroad Co., Boston & Albany Railroad (New York Central Railroad Co., lessee), Boston & Maine Railroad, Central Vermont Railway, Inc., Maine Central Railroad Co., the New York, New Haven & Hartford Railroad Co., Rutland Railroad Co., Canadian Pacific Railway (Wells River, Vt., to Newport, Vt., and Richford, Vt., to Newport, Vt.), Quebec Central Railway Co., Canadian National Railway Co. (Portland, Me., to Boundary Line (n. o.), Vt., and Lewiston to Lewiston Jct. (n. o.), Maine), be, and they are hereby, established as follows:

New England rates.

For each mile of service by—	Rate	For each mile of service by—	Rate
	<i>Cents</i>		<i>Cents</i>
60-foot railway post-office car.....	52. 50	15-foot storage space.....	17. 75
30-foot apartment car.....	29. 50	12-foot storage space.....	15. 00
15-foot apartment car.....	19. 50	9-foot storage space.....	12. 00
70-foot storage car.....	63. 00	6-foot storage space.....	8. 25
60-foot storage car.....	54. 00	3-foot storage space.....	4. 50
30-foot storage space.....	29. 50	15-foot closed pouch space.....	19. 50
27-foot storage space.....	27. 25	12-foot closed pouch space.....	17. 00
24-foot storage space.....	25. 00	9-foot closed pouch space.....	14. 00
21-foot storage space.....	22. 75	6-foot closed pouch space.....	10. 00
18-foot storage space.....	20. 25	3-foot closed pouch space.....	6. 00

—minimum rate.

Provided, That the minimum payment on any mail route, over any part of which mail is transported not less than six days a week, shall be \$96.50 per mile per annum.

Rates for separately operated railroads 100 miles or less in length.

(c) That the fair and reasonable rates of pay to be received for the transportation of mail matter and the service connected therewith on and after August 1, 1928, by separately operated railroads, not exceeding 100 miles in length, be, and they are hereby, established as follows:

For each mile of service by—	(a) Separately operated railroads 50 to 100 miles in length	(b) Separately operated railroads less than 50 miles in length	For each mile of service by—	(a) Separately operated railroads 50 to 100 miles in length	(b) Separately operated railroads less than 50 miles in length
	<i>Cents</i>	<i>Cents</i>		<i>Cents</i>	<i>Cents</i>
60-foot railway post-office car.....	73.00	91.00	15-foot storage space.....	24.50	30.75
30-foot apartment car.....	40.50	50.50	12-foot storage space.....	20.75	26.00
15-foot apartment car.....	27.00	34.00	9-foot storage space.....	16.50	20.50
70-foot storage car.....	88.00	110.50	6-foot storage space.....	11.75	14.75
60-foot storage car.....	75.50	94.50	3-foot storage space.....	7.00	8.50
30-foot storage space.....	40.50	50.50	15-foot closed pouch space.....	27.00	34.00
27-foot storage space.....	37.75	47.00	12-foot closed pouch space.....	23.00	28.75
24-foot storage space.....	35.00	43.50	9-foot closed pouch space.....	18.25	23.00
21-foot storage space.....	31.75	39.50	6-foot closed pouch space.....	13.25	16.70
18-foot storage space.....	28.25	35.25	3-foot closed pouch space.....	8.00	10.00

—minimum rate.

Provided, That the minimum payment on any mail route, over any part of which mail is transported not less than six days a week, shall be \$112.50 per mile per annum.

Rates fixed for Denver & Salt Lake Ry. Co. I. C. C. order Feb. 9, 1929.

3. (a) That the fair and reasonable rates of pay to be received for the transportation of mail matter and the service connected therewith on and after March 1, 1929, by the Denver & Salt Lake Railway Co., be, and they are hereby, established as follows:

For each mile of service by a—	Rate	For each mile of service by a—	Rate
	<i>Cents</i>		<i>Cents</i>
60-foot railway post-office car.....	54.00	12-foot storage space.....	16.00
30-foot apartment car.....	30.00	9-foot storage space.....	13.00
15-foot apartment car.....	20.00	6-foot storage space.....	9.00
60-foot storage car.....	56.00	3-foot storage space.....	5.00
30-foot storage space.....	30.00	15-foot closed-pouch space.....	20.00
27-foot storage space.....	28.00	12-foot closed-pouch space.....	17.00
24-foot storage space.....	26.00	9-foot closed-pouch space.....	14.00
21-foot storage space.....	23.75	6-foot closed-pouch space.....	10.00
18-foot storage space.....	21.25	3-foot closed-pouch space.....	6.00
15-foot storage space.....	18.75		

Rates fixed by I. C. C. orders Feb. 9 and Apr. 27, 1929.

(b) That the fair and reasonable rates of pay to be received for the transportation of mail matter and the service connected therewith by the California Western Railroad & Navigation Co., McCloud River Railroad Co., Nevada County Narrow Gauge Railroad Co., Nevada Northern Railway Co., Quincy Railroad Co., San Diego & Arizona Eastern Railway Co., San Luis Valley Southern Railway Co., Sierra Railroad Co., Spokane International Railway Co., Laramie, North Park & Western Railroad Co., The Nevada Copper Belt Railroad Co., Washington, Idaho & Montana

Railway Co., Yreka Western Railroad Co., Yosemite Valley Railway Co., Midland Terminal Railway Co., Virginia & Truckee Railway, Alabama, Tennessee & Northern Railroad Corporation, Tonopah & Goldfield Railroad Co., and Trona Railway Co. be, and they are hereby, established as follows:

For each mile of service by a—	For railroads over 100 miles in length	For separately operated railroads not exceeding 100 miles in length and not less than 50 miles in length	For separately operated railroads less than 50 miles in length
	<i>Cents</i>	<i>Cents</i>	<i>Cents</i>
60-foot railway post-office car.....	67.50	81.00	101.25
30-foot apartment car.....	37.50	45.00	56.25
15-foot apartment car.....	25.00	30.00	37.50
70-foot storage car.....	81.50	98.00	122.50
60-foot storage car.....	70.00	84.00	105.00
30-foot storage space.....	37.50	45.00	56.25
27-foot storage space.....	35.00	42.00	52.50
24-foot storage space.....	32.25	38.75	48.25
21-foot storage space.....	29.25	35.00	44.00
18-foot storage space.....	26.25	31.50	39.50
15-foot storage space.....	22.75	27.25	34.00
12-foot storage space.....	19.00	22.75	28.25
9-foot storage space.....	15.00	18.00	22.25
6-foot storage space.....	10.75	13.00	16.00
3-foot storage space.....	6.25	7.50	9.50
15-foot closed-pouch space.....	25.00	30.00	37.50
12-foot closed-pouch space.....	21.00	25.50	31.50
9-foot closed-pouch space.....	17.00	20.50	25.50
6-foot closed-pouch space.....	12.50	15.00	18.75
3-foot closed-pouch space.....	7.50	9.00	11.25

Minimum pay \$125 per mile per annum.

(c) That the fair and reasonable rates of pay to be received for the transportation of mail matter and the service connected therewith, by the Canadian Pacific Railway Co., Houlton, Me., to Boundary Line (n. o.); Onawa, Me., to Boundary Line (n. o.) be, and they are hereby, established as follows:

Rates fixed by I. C. C. order Dec. 23, 1919.

For each mile of service by a—	Rate	For each mile of service by a—	Rate
	<i>Cents</i>		<i>Cents</i>
60-foot railway post-office car.....	33.75	15-foot storage space.....	12.25
30-foot apartment car.....	18.75	12-foot storage space.....	10.25
15-foot apartment car.....	12.50	9-foot storage space.....	8.25
70-foot storage car.....	41.00	6-foot storage space.....	5.75
60-foot storage car.....	35.00	3-foot storage space.....	3.25
30-foot storage car.....	18.75	15-foot closed-pouch space.....	12.50
27-foot storage space.....	17.75	12-foot closed-pouch space.....	10.75
24-foot storage space.....	16.75	9-foot closed-pouch space.....	8.75
21-foot storage space.....	15.50	6-foot closed-pouch space.....	6.50
18-foot storage space.....	14.00	3-foot closed-pouch space.....	3.75

Minimum pay \$62.50 per mile per annum.

RATES OF PAY OF RAILROAD COMPANIES

1728. Following are the rates of pay for the transportation of mails by railroads, as fixed by the Interstate Commerce Commission:

Rates of pay for transportation of mails by railroads.

TABLE A.—General rates applicable to all railroads except as shown in Tables B, C, D, and E

For each mile of service by—	For railroads over 100 miles in length		For separately operated railroads 50 to 100 miles in length	For separately operated railroads less than 50 miles in length
	Regular rates	Land-grant rates		
	<i>Cents</i>	<i>Cents</i>	<i>Cents</i>	<i>Cents</i>
60-foot railway post-office car.....	39.00	31.20	73.00	91.00
30-foot apartment car.....	21.50	17.20	40.50	50.50
15-foot apartment car.....	14.50	11.60	27.00	34.00
70-foot storage car.....	47.00	37.60	88.00	110.50
60-foot storage car.....	40.50	32.40	75.50	94.50
30-foot storage space.....	21.50	17.20	40.50	50.50
27-foot storage space.....	20.00	16.00	37.75	47.00
24-foot storage space.....	18.50	14.80	35.00	43.50
21-foot storage space.....	16.75	13.40	31.75	39.50
18-foot storage space.....	15.00	12.00	28.25	35.25
15-foot storage space.....	13.00	10.40	24.50	30.75
12-foot storage space.....	11.00	8.80	20.75	26.00
9-foot storage space.....	8.75	7.00	16.50	20.50
6-foot storage space.....	6.25	5.00	11.75	14.75
3-foot storage space.....	3.50	2.80	7.00	8.50
15-foot closed-pouch space.....	14.50	11.60	27.00	34.00
12-foot closed-pouch space.....	12.50	10.00	23.00	28.75
9-foot closed-pouch space.....	10.25	8.20	18.25	23.00
6-foot closed-pouch space.....	7.50	6.00	13.25	16.75
3-foot closed-pouch space.....	4.50	3.60	8.00	10.00
Minimum pay per mile per annum.....	\$72.00	\$57.60	\$112.50	\$112.50

TABLE B.—Rates applicable to the railroads shown below

Bangor & Aroostook Railroad Co.	Central Vermont Railway, Inc.
Boston & Albany Railroad (New York Central Railroad Co. lessee).	Maine Central Railroad Co.
Boston & Maine Railroad.	New York, New Haven & Hartford Railroad Co.
Canadian National Railway Co. ¹	Quebec Central Railway Co.
Canadian Pacific Railway Co. ²	Rutland Railroad Co.

For each mile of service by—	Rate	For each mile of service by—	Rate
	<i>Cents</i>		<i>Cents</i>
60-foot railway post-office car.....	52.50	15-foot storage space.....	17.75
30-foot apartment car.....	29.50	12-foot storage space.....	15.00
15-foot apartment car.....	19.50	9-foot storage space.....	12.00
70-foot storage car.....	63.00	6-foot storage space.....	8.25
60-foot storage car.....	54.00	3-foot storage space.....	4.50
30-foot storage space.....	29.50	15-foot closed-pouch space.....	19.50
27-foot storage space.....	27.25	12-foot closed-pouch space.....	17.00
24-foot storage space.....	25.00	9-foot closed-pouch space.....	14.00
21-foot storage space.....	22.75	6-foot closed-pouch space.....	10.00
18-foot storage space.....	20.25	3-foot closed-pouch space.....	6.00

Minimum pay per mile per annum, \$96.50.

¹ Canadian National Ry., route 101726, Portland, Me., to Boundary Line (n. o.), Vt., and route 101791, Lewiston to Lewiston Junction (n. o.), Me., receive the rates shown in this table. Route 101735, Canadian Boundary Line (n. o.) to Rouses Point, N. Y., route 102787, Suspension Bridge (n. o.) to Boundary Line (n. o.), N. Y.; route 102745, Boundary Line (n. o.) to Fort Covington, N. Y.; route 109726, Port Huron (Tunnel Sta.) to Boundary Line (n. o.), Mich., and Detroit to Boundary Line (n. o.), Mich., and route 110721, International Boundary Line (n. o.) (Warroad) to International Boundary Line (n. o.) (Spooner), Minn., receive the rates shown in Table A.

² Canadian Pacific Ry., route 101716, Richford to Newport, Vt., and route 101797, Newport to Wells River, Vt., receive the rates shown in this table. Route 101788, Houlton, Me., to Boundary Line (n. o.), and route 101789, Onawa, Me., to Boundary Line (n. o.), receive the rates shown in Table D.

* See Insert No. 44
 See 1726 amendment

TABLE C. Rates applicable to the railroads shown below

Alabama, Tennessee & Northern Railroad Corporation.	Quincy Railroad Co.
California Western Railroad & Navigation Co.	San Diego & Arizona Eastern Railway Co.
Laramie, North Park & Western Railroad Co.	San Luis Valley Southern Railway Co.
McCloud River Railroad Co.	Sierra Railroad Co.
Midland Terminal Railway Co.	Spokane International Railway Co.
Nevada County Narrow Gauge Railroad Co.	Tonopah & Goldfield Railroad Co.
Nevada Copper Belt Railroad Co.	Trona Railway Co.
Nevada Northern Railway Co.	Virginia & Truckee Railway.
	Washington, Idaho & Montana Railway Co.
	Yosemite Valley Railway Co.
	Yreka Western Railroad Co.

For each mile of service by a—	For railroads over 100 miles in length	For separately operated railroads not exceeding 100 miles in length and not less than 50 miles in length	For separately operated railroads less than 50 miles in length
	<i>Cents</i>	<i>Cents</i>	<i>Cents</i>
60-foot railway post-office car.....	67.50	81.00	101.25
30-foot apartment car.....	37.50	45.00	56.25
15-foot apartment car.....	25.00	30.00	37.50
70-foot storage car.....	81.50	98.00	122.50
60-foot storage car.....	70.00	84.00	105.00
30-foot storage space.....	37.50	45.00	56.25
27-foot storage space.....	35.00	42.00	52.50
24-foot storage space.....	32.25	38.75	48.25
21-foot storage space.....	29.25	35.00	44.00
18-foot storage space.....	26.25	31.50	39.50
15-foot storage space.....	22.75	27.25	34.00
12-foot storage space.....	19.00	22.75	28.25
9-foot storage space.....	15.00	18.00	22.25
6-foot storage space.....	10.75	13.00	16.00
3-foot storage space.....	6.25	7.50	9.50
15-foot closed-pouch space.....	25.00	30.00	37.50
12-foot closed-pouch space.....	21.00	25.50	31.50
9-foot closed-pouch space.....	17.00	20.50	25.50
6-foot closed-pouch space.....	12.50	15.00	18.75
3-foot closed-pouch space.....	7.50	9.00	11.25

Minimum pay per mile per annum, \$125.

TABLE D.—Rates applicable to the Canadian Pacific Railway Co.

For each mile of service by a—	Rate	For each mile of service by a—	Rate
	<i>Cents</i>		<i>Cents</i>
60-foot railway post-office car.....	33.75	15-foot storage space.....	12.25
30-foot apartment car.....	18.75	12-foot storage space.....	10.25
15-foot apartment car.....	12.50	9-foot storage space.....	8.25
70-foot storage car.....	41.00	6-foot storage space.....	5.75
60-foot storage car.....	35.00	3-foot storage space.....	3.25
30-foot storage space.....	18.75	15-foot closed-pouch space.....	12.50
27-foot storage space.....	17.75	12-foot closed-pouch space.....	10.75
24-foot storage space.....	16.75	9-foot closed-pouch space.....	8.75
21-foot storage space.....	15.50	6-foot closed-pouch space.....	6.50
18-foot storage space.....	14.00	3-foot closed-pouch space.....	3.75

Minimum pay per mile per annum, \$62.50.
 Canadian Pacific Ry. Co., route 101788, Houlton, Me., to Boundary Line (n. o.); and route 101789, Onawa, Me., to Boundary Line (n. o.), receive the rates shown in this table. Route 101716, Richford to Newport, Vt., and route 101797, Newport to Wells River, Vt., receive the rates shown in Table B.

TABLE E.—Rates applicable to the Denver & Salt Lake Railway Co.

For each mile of service by a—	Rate	For each mile of service by a—	Rate
	<i>Cents</i>		<i>Cents</i>
60-foot railway post-office car.....	54.00	12-foot storage space.....	16.00
30-foot apartment car.....	30.00	9-foot storage space.....	13.00
15-foot apartment car.....	20.00	6-foot storage space.....	9.00
60-foot storage car.....	56.00	3-foot storage space.....	5.00
30-foot storage space.....	30.00	15-foot closed-pouch space.....	20.00
27-foot storage space.....	28.00	12-foot closed-pouch space.....	17.00
24-foot storage space.....	26.00	9-foot closed-pouch space.....	14.00
21-foot storage space.....	23.75	6-foot closed-pouch space.....	10.00
18-foot storage space.....	21.25	3-foot closed-pouch space.....	6.00
15-foot storage space.....	18.75		

Contracts with-
out advertising
for bids.
39 U. S. C. 571.

1729. The Postmaster General may enter into contracts for carrying the mail, with railway companies, without advertising for bids therefor.

Mails not to be
carried without
departmental
authority.

1730. Mails shall not be carried on any new railroad, or other railroad or part thereof on which mail service has not been authorized, either regularly or under waivers, until ordered by the Second Assistant Postmaster General.

Recommendation for establishment or extension of service to be submitted by R. M. S.

2. Division superintendents of Railway Mail Service shall report to the General Superintendent with recommendation and facts upon which it is based, all cases for establishment of service on new railroads and extension of service on existing routes, and all cases for increase and decrease of space on all routes necessary to conform properly to the mails carried.

Transportation of officers, agents, and employees of Department and Service and post-office inspectors.
39 U. S. C. 523.

1731. Every railroad company carrying the mails shall carry on any train it operates and without extra charge therefor the persons in charge of the mails and when on duty and traveling to and from duty, and all duly accredited agents and officers of the Post Office Department and the Railway Mail Service and Post Office inspectors while traveling on official business, upon the exhibition of their credentials.

39 U. S. C. 541a.

2. The Postmaster General is hereby authorized, in his discretion, to permit railroad and electric-car companies to provide mail transportation by motor vehicle over highways in lieu of service by train, the compensation for such service to be at a rate not in excess of the rate that would be allowed for similar service by railroad or electric car, payment therefor to be made from the appropriate appropriation for railroad transportation and mail-messenger service or electric- and cable-car service.

1732. Whenever a railroad company finds it necessary to transfer at the place of a wreck or washout, its officials and employees shall see that the mails and railway postal clerks are promptly transferred and every possible convenience furnished the clerks for working their mails.

Transfer at place of wreck or washout.

2. Whenever a railroad company finds it necessary to set out a car containing mail on account of bad order, or other operating conditions, its employees shall see that all mails in the car are transferred to vacant space in other cars in the train, or to an additional car if available: *Provided*, That where the train involved is an important passenger train and the transfer of all of the mails would result in a protracted delay to the train, the transfer may be limited to first-class and registered mails, daily newspapers, and special delivery, and special handling matter, and also to such other classes of mail as can be handled during the time of such transfer: *Provided further*, That where a following train will secure substantially the same connections and deliveries as would have been made by the train from which the car was set out, the mails may be held for such following train. Where the car set out is a distributing unit the railway postal clerks will render all possible assistance in the transfer of the mails.

1733. Offices at stations for the employees of the Railway Mail Service engaged in station work shall be lighted, heated, furnished, supplied with ice water, provided with toilet facilities (where such facilities are not easily accessible), and kept in order by the railroad company.

Maintenance of transfer offices.

1734. Railroad companies shall require their employees who handle the mails on trains to keep a record of all pouches due to be received or dispatched by them, and to check the pouches at the time they are received or dispatched.

Railroad-companies to keep record of pouches.

2. Every irregularity in the receipt and dispatch of mail shall be reported by the employee to his superintendent promptly, and if a probable loss of or damage to mail is involved, or if the cause of failure to receive a pouch is not known, the report should be made by wire, and the superintendent shall notify the division superintendent of Railway Mail Service without delay. A copy of the employee's report shall be attached to and become a part of the permanent pouch record.

Irregularities to be promptly reported.

3. Train pouch records shall be kept on file at the headquarters of division superintendents of railroad companies for at least one year immediately following the date the mail covered by them was handled, and shall be accessible there to post office inspectors and other agents of the Post Office Department. Where a baggageman performs service over two or more railroad divisions on a single trip, pouch records may be filed at the headquarters of the one division superintendent of the railroad company agreed upon by the division superintendents of the Railway Mail Service concerned.

Train pouch records to be filed.

Records subject to examination.

4. Railroad companies shall require their employees to submit pouch records for examination to post office inspectors and other duly accredited agents of the Post Office Department upon their request and exhibition of credentials to such employees.

See secs. 745 and 762 as to record of pouches at post offices; sec. 1779, by mail messengers; sec. 2065, by railway postal clerks.

Railroad companies to furnish time-tables. Telegraphic notice of change of trains, when.

1735. Railroad companies shall forward timetables to the division superintendents and chief clerks of the Railway Mail Service having supervision over the mail service on their lines not less than 72 hours before taking effect. If for any reason it becomes necessary to temporarily annul, curtail, or suspend train service, immediate telegraphic notice thereof shall be given the same officials.

Notice of schedules to postmasters.

2. At places where railroad companies have agents, such agents shall notify the postmasters as soon as possible after receipt of any notice of change in schedule of mail trains.

Superintendents to notify railroad companies of change in pouch list.

1736. Division superintendents of the Railway Mail Service shall promptly notify the proper officers of railroad companies of any changes in the list of closed pouches to be handled by railroad employees.

Letter boxes at railroad depots.—companies may place, when.

1737. When it appears that the public convenience will be subserved, the General Superintendent of Railway Mail Service may authorize railroad companies to place letter boxes in their depots for the receipt of mail matter other than that for local delivery.

RECEIPT AND DELIVERY OF MAILS

Receipt and delivery of mails by railroad companies.

1738. Every railroad company shall take the mails from and deliver them into all post offices and postal stations located 80 rods or less from a railroad station at which the company has an agent or other representative, where required by the Post Office Department, the company to be separately compensated for such service unless it is performed in or directly contiguous to railroad terminals and depots.

—companies to be separately compensated for such service.
—when.

2. The railroad company shall give 30 days' advance notice to the department at Washington, D. C., of the discontinuance of an agency where mails are handled, or the removal of a station to a point outside the 80-rod limit, and the company shall not be relieved of the duty of handling the mails unless such notice is given.

Company to give notice of discontinuance of agency or removal of station.

3. The department will provide for the carriage of mails to and from post offices and postal stations located more than 80 rods from the nearest railroad station and also to and from post offices and postal stations located 80 rods or less from the nearest railroad station when the company has no agent or other representative employed at such station. The department may also provide for such service at any post office or postal station and relieve the company of the performance of the service whenever such action is deemed advisable.

When the department will provide receipt and delivery.

4. In all cases the distance between the railroad station and the post office or postal station shall be measured by the shortest route open to public travel, avoiding angles, from the nearest

Measurement of distance between post office and station.

door of the baggage room to the nearest door of the post-office building where the receipt and delivery of the mails is practicable. In case there is no baggage room or station the measurement shall be made from the middle of the station platform where mails are exchanged. The route need not be a way regularly dedicated to public use; and if it be over private property, no prohibition against the Government shall be recognized which shall not also have been made and enforced against the general public.

5. Any person acting for an advantage to himself or another by authority or consent of the railroad company, and representing in any manner the interests of the company or railroad in its business transactions with the public, shall be regarded as the company's agent or representative.

Definition of "agent" or "representative."

See ch. 5, this title, as to mail-messenger service; sec. 1727, par. 1 (k) and (l), as to separate compensation for side service.

1739. At connecting points where railroad stations are not over 80 rods apart the company having mails on its trains to be forwarded by a connecting train shall be required to transfer such mails and deliver them into the connecting train (unless relieved of the service by the department); first, where the two companies have agents or representatives employed, and, if the connection is not immediate, to deliver them to the agent of the company to be properly dispatched by the trains of said company; and, second, where the company having the mails for dispatch makes transfer of baggage or passengers. Transfers of mail between connecting trains of steam-railroad routes and cars of electric-railway routes shall be required to be made by the respective companies operating the routes where the railroad company employs an agent and its station is adjacent and readily accessible to the tracks of the electric-railway company and the connection is immediate, except where other provision for the service may be made by the Post Office Department. Companies shall be separately compensated for any such transfer service performed by them unless it is performed in or directly contiguous to railway terminals and depots. Where the tracks of electric-car routes are contiguous, transfers of mail between the cars shall be required of the operating companies when practicable and the connection is immediate.

Transfers between connecting trains.—how made.

1740. At places where railroad companies are required to take the mails from and deliver them into post offices or postal stations or to transfer them to connecting railroads the persons employed to perform such service shall be regarded as agents of the companies and not employees of the postal service, and need not be sworn; but such persons shall be more than 16 years of age and of suitable intelligence and character. Postmasters shall promptly report any violation of this requirement to the superintendent of Railway Mail Service.

Employees of railroads.—not postal employees.—qualifications of.

1741. When it is desirable to have mails taken from the post office or postal station to train at a point where the service devolves upon the company in advance of the regular time of

Advance delivery by companies.

Duties of railroad company and mail messenger. Railroad company not required to handle mails of small volume. —where no railroad representative is on duty.

When department messenger cannot wait for delayed train.

Delayed trains.

—responsibility of railroad company.

—delivery to post office.

Arrival of mail at late hour of night.

closing mails, the company shall be required to make such advance delivery as becomes necessary by the requirements of the service.

1742. Where a mail messenger is employed by the department and a railroad representative is on duty, the railroad company shall not be required to receive mails from and deliver them into the mail cars or place the mail on mail cranes if the volume of mail is relatively small and can be readily handled by the department messenger by hand on one trip. At such a point where mail trains arrive at times when there is no railroad representative on duty, the railroad company shall not be required to place the mails on or take them from trains, and if trucking is necessary under such circumstances the railroad company shall provide and render accessible to the messenger the necessary trucks. The department reserves the right, however, in both cases to require the performance of this service by railroad employees at any time during the 24-hour period. (See secs. 1743 and 1776.)

2. When the department mail messenger cannot wait for the delayed train without delaying the other mails, the railroad company shall be required to take charge of and dispatch the mails for the delayed train and shall be responsible for the inward mail until it is delivered to the messenger or other authorized representative of the department.

3. In cases where the company's agent cannot give the mail messenger or other carrier of the mail advance information as to the time the train will arrive, the messenger need not wait for the train beyond its scheduled time of arrival. Where the train is reported as being more than two hours late, the messenger need not wait for the arrival of the train. In such cases the messenger may deliver the mail to the company's agent, or other representative, whose duty it shall be to dispatch the mail by proper train and to retain custody of the incoming mail, if any, until it is called for by the messenger. Where the train is reported to arrive within two hours of scheduled time, the messenger should wait for the arrival of the train, but need not wait more than two hours, at the expiration of which time he may turn the mails over to the agent, whose duty shall be the same as in the other cases. At a point where there is no railroad representative on duty and the mail messenger has no means of ascertaining when a delayed train will arrive, it is the duty of the mail messenger to wait at least two hours beyond the scheduled time of arrival of the train, after which time he may return the mail to the post office to be included in the next regular dispatch. In all cases where mail is turned over to the company's agent for dispatch the company shall be responsible for its proper handling, and the messenger shall call for and deliver the incoming mail to the post office as soon as practicable after the arrival of the train unless the train arrives at a late hour of the night and the post office is closed, when the incoming mails may be disposed of as provided for in the section next following.

1743. Whenever the mail on any railroad route arrives at a late hour of the night or at a time when the Government mes-

senger is not on hand to receive it, the railroad company shall, if a representative is on duty, retain custody thereof by placing the mail in a secure and safe room or apartment of the depot or station until called for or until the following morning, when it shall be delivered at the post office, or to the Government messenger, at as early an hour as the necessities of the post office may require. The department reserves the right, however, to require such service of the railroad company at times when the regular representative may not be on duty.

—care of mails.

2. At points where there is no railroad representative employed or on duty and there is a railroad station or depot, and mail trains pass late at night, the railroad company shall, if deemed necessary by the Railway Mail Service, provide exchange of mails through a safe room in the depot or by means of a safe and suitable locked box at the station.

1744. When a train departs from a railroad station between 9 p. m. and 6 a. m., and it is deemed necessary to have the mail dispatched by such train, the division superintendent of Railway Mail Service shall, where mail is taken from and delivered into the post office by the railroad company, request the company, or where a mail messenger or carrier is employed by the Post Office Department shall direct the postmaster to have the mail messenger take the mail to the railroad station at such time as will best serve the interest of the mail service. Such mail shall be taken in charge by the agent or other representative of the railroad company, who shall be required to keep it in some secure place until the train arrives and then see that it is properly dispatched.

Dispatch of mails at late hour of night.

2. The division superintendent of Railway Mail Service shall give reasonable advance notice to the proper officer of the railroad company in order that the agent or representatives of the company may be properly instructed. (See sec. 1743.)

—notice of, to company.

1745. Where mail cars are not placed at points accessible to the vehicle of mail messengers or other departmental carriers, the railroad company shall be required to receive the mails from and deliver them to the messengers or other carriers at points accessible to their vehicles, except as provided in section 1742.

Loading of mails. Mail cars to be accessible.

2. Railroad companies shall furnish the men necessary to handle the mails, to load them into and receive them from the doors of railway post office cars, and to load and pile the mails in and unload them from storage and baggage cars, except as provided in section 1742. Mails intended for delivery to postal clerk shall never be placed in a postal car unless there is a clerk on duty to receive and care for them.

Necessary help to be furnished by railroad company.

Loading when postal clerk is on duty.

1746. A train shall not depart from a station and leave mails which are being loaded, or are being trucked from vehicles or some part of the station to the train, or are aboard a connecting train that has come to a stop in the same station: *Provided*, That where holding an important train for mails from a delayed connection would cause serious delay and there is subsequent available train service within a reasonable length of time, the depart-

Mail trains must not leave when mails are being loaded. —exception. Rule as to pay for transportation by subsequent train.

ment may authorize a time limit beyond which such train may not be held excepting to load first-class mail, daily newspapers, and foreign mail if necessary to insure steamer connection. If the application of this provision to any train is desired by a railroad company, request should be made to the superintendent of Railway Mail Service for same, specifying reasons and length of time beyond which it is thought impracticable to hold the train in question. If such request is approved by the superintendent of Railway Mail Service any delayed mail involved under such authority as may be given shall be carried on the subsequent train in lieu of service authorized on the first train to the extent of any unused space thereon, no additional pay to be allowed the company unless the quantity of mail carried in both trains is in excess of that which could have been carried in the space authorized.

Trains not to be held for local mails.

2. Mail trains shall not be held beyond their scheduled time of departure for mail originating in local post offices, terminal railway post offices, or offices of publication. The Railway Mail Service shall fix and enforce an ample time limit in which mails shall be delivered to the railroad companies for dispatch.

Responsibility for transfer of mails at joint stations.

3. At joint stations where mails are due to be transferred from a train of one railroad company to a train of another, the mail after being unloaded from the incoming train shall be held to be in the custody of the company operating the train to which the mail is due to be dispatched, and the responsibility for the transfer shall then rest with that company.

Mails to be accorded transfer with other traffic.

4. Whenever necessary to transfer passengers, baggage, or express from one train to another, for any reason, all mails shall be included in the transfer unless such transfer is a regular connection coming within the provisions of paragraph 1.

Classes of mails that may be withheld from important trains.

5. Division superintendents of Railway Mail Service may cause to be withheld catalogue, circular, parcel post, and ordinary paper mails, in the order named, from dispatch to important trains if necessary and advisable to prevent delay to such trains, and forward such mails in other trains in regular or emergency space.

Mail cranes. To be furnished by companies.

1747. At all points at which trains do not stop where the Post Office Department deems the exchange of mails necessary a device for the receipt and delivery of mails satisfactory to the department shall be erected and maintained by the railroad company; and pending the erection of such device the speed of trains shall be slackened so as to permit the exchange to be made with safety.

Reduction of speed or stoppage.

2. Where the department deems it necessary to the safe exchange of the mails, the railroad company shall be required to reduce the speed or stop the train.

Lights on cranes.

3. When mails are caught at night from a crane, the railroad company shall furnish the lantern or light to be attached to the crane and keep it in proper condition, regularly placed, and lighted; also the light shall be so kept and displayed for the guidance of the clerks when delivery only is made. However, if the company has no agent or other employee at the station, the

company shall furnish the light, which shall be cared for and placed by the department's carrier.

4. The engineer or motorman of a train in which railway post-office service is operated, shall give timely notice, by whistle or other signal, of its approach to a nonstop point at which mails are delivered or are taken from a mail crane, or both.

See secs. 750 and 751 as to use of mail cranes and catcher pouches.

1748. Evidence of the performance of service by railroad companies shall be submitted by the companies, under oath, through the Railway Mail Service, in the form prescribed by the Post Office Department, quarterly for regular service (or monthly in the discretion of the department); monthly for emergency service, and quarterly for side and terminal service.

Railroad companies to submit evidence of service.

TEMPORARY SERVICE

1749. When a postmaster at a post office dependent on a railroad for its mail supply deems temporary mail service necessary because of a failure of the railroad service, he shall ascertain from persons eligible to perform the service the lowest rate at which he can obtain such temporary service and immediately report the facts, by telegraph, if necessary, to the superintendent of Railway Mail Service in whose division the office is located, stating the cause and probable duration of the failure, the point from which temporary service is desired, and the lowest obtainable rate for such service.

Temporary service, employment of, when railroad service fails.

Report to superintendent.

2. The superintendent of Railway Mail Service shall endeavor to have the railroad company resume regular service. If not resumed, such temporary service as may be necessary shall be employed. In cases where all regular supply for an office is suspended, the superintendent may employ temporary service, if a reasonable bid therefor is obtained, before submitting the case to the department. In cases where temporary service is recommended to supplement other supply, the Second Assistant Postmaster General may authorize the employment of temporary service. The facts in all cases shall be reported promptly to the department.

Superintendent's duty.

Report to department.

3. No temporary service rendered necessary by the failure of railroad service shall be employed by a postmaster until he has first obtained authority therefor from the Railway Mail Service.

Temporary service must first be authorized.

4. Postmasters, assistant postmasters, clerks in post offices, and members of the immediate families of postmasters and assistant postmasters shall not be permitted to bid or receive pay for temporary railroad service.

Persons ineligible to bid or receive pay.

MISCELLANEOUS PROVISIONS

1750. 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

Companies to furnish department with data relative to operations.
5 U. S. C. 389.

Postmaster General to make recommendations on such information.

Official matter may be transported by express.
39 U. S. C. 522.—franked congressional matter accepted.

Freight shipments of second-class matter.
39 U. S. C. 576. Owner of publication may apply to Post Office Department for hearing.—proceedings.

Action following adverse decision.

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.

1751. The Postmaster General may provide for the transportation of official matter of any department of the Government over any railroad or express company whenever he can do so at a saving to the Government and without detriment to the public service: *Provided*, That nothing in this section shall apply to official matter franked by Members of Congress. (See sec. 1726.)

1752. No publication shall be sent by freight if such method of transportation results in unfair discrimination. Whenever the owner of any publication required by an order of the Post Office Department to be transmitted by freight believes that he is unfairly discriminated against, he may apply to the Post Office Department for an opportunity to be heard; and upon such application being duly filed in writing, the owner of such publication shall have opportunity for a full and fair hearing before said Department, and pending final determination no change shall be made in the method of transportation of such publication as ordered by the Department. The testimony in any such hearing or proceedings shall be reduced to writing and filed in the Post Office Department prior to entering an order upon such hearing. Upon such hearing if the Post Office Department decides adversely to the contention of the publisher, such publisher shall have the right, within the period of twenty days after the date of the order of the Post Office Department made upon such hearing, to appeal to the United States Court of Appeals for the District of Columbia, for a review of such order by said Court of Appeals, by filing in the court a written petition praying that the order of the Post Office Department be set aside. A copy of such petition shall be forthwith served upon the Post Office Department and thereupon the said Department forthwith shall certify and file in the court a transcript of the record and testimony. Upon the filing of such transcript the court shall have jurisdiction to affirm, set aside, or modify the order of the Department.

The jurisdiction of the United States Court of Appeals for the District of Columbia to affirm, set aside, or modify such orders of the Post Office Department shall be exclusive. Such proceedings in the United States Court of Appeals for the District of Columbia shall be given precedence over other cases pending therein and shall be in every way expedited.

1752½. (a) Wherever it is found that adequate railroad facilities are not available, the Postmaster General is authorized to contract for carrying the mails and railway postal clerks on routes between points where, in his judgment, the conditions justify the operation of such service in motor vehicles especially designed and equipped for the distribution of mail en route: *Provided*, That such vehicles shall be constructed, fitted up, maintained, and operated in accordance with such specifications, rules, and regulations as he may prescribe: *Provided further*, That the Postmaster General is authorized, within his discretion, to transport and provide for the distribution of mails in Government-owned motor vehicles on such routes between points where in his judgment the conditions justify the operation of such service: *Provided further*, That all laws and regulations governing Star Route Service, not in conflict with this Act, shall be applicable to contracts made under the authority of this Act: *And provided further*, That no contract shall be awarded for a period of less than two years nor in excess of four years, and that payment for such service shall be from the appropriations for inland transportation by star routes.

(b) The Postmaster General may, in his discretion, and in the interest of the Postal Service, and under such rules and regulations as he may prescribe, provide for the distribution of mail on motor-vehicle routes in motor vehicles specially designed and equipped for that purpose and provided for in section 1 (subparagraph (a)) of this Act: *Provided*, That the supervision and distribution of mails in motor-vehicle service, as herein provided, shall be under the jurisdiction of the Second Assistant Postmaster General, and the personnel therein shall be a part of the Railway Mail Service under the same working conditions, rates of pay, travel allowance, and other benefits applicable to railway postal clerks: *And provided further*,

Jurisdiction
of Court of
Appeals, Dis-
trict of Co-
lumbia.

Distribution of
mails on motor-
vehicle routes.
1940, July 11,
Public No. 740.

That payment for such service shall be from the appropriations for Railway Mail Service salaries and railway postal clerks' travel allowance.

(c) Every individual or company carrying the mails shall carry on any vehicle it operates and without extra charge therefor the persons in charge of the mails and when on duty and traveling to and from duty, and all duly accredited agents and officers of the Post Office Department and post-office inspectors while traveling on official business, upon the exhibition of their credentials.

(d) The Postmaster General is authorized to promulgate such specifications, rules, and regulations as may be necessary to carry out the provisions of this Act.

CHAPTER 4

TRANSPORTATION OF MAILS BY URBAN AND INTERURBAN ELECTRIC-RAILWAY COMMON CARRIERS

Interstate
Commerce
Commission
empowered to
fix rates and
compensation.
39 U. S. C. 570.

Penalty for
refusal of rail-
road to per-
form service.

Electric-rail-
way mail pay.
Rates fixed.
—closed-pouch
service in pas-
senger car.
I. C. C. order
Aug. 7, 1920.

1753. The Interstate Commerce Commission is empowered and directed to fix and determine from time to time the fair and reasonable rates and compensation for the transportation of mail matter by urban and interurban electric railway common carriers and the service connected therewith, prescribing the method or methods by weight or space, or both, or otherwise, for ascertaining such rate or compensation and to publish same, and orders so made and published shall continue in force until changed by the commission after due notice and hearing. It shall be unlawful for any urban or interurban electric railroad to refuse to perform mail service at the rates or methods of compensation thus provided for such service when required by the Postmaster General so to do, and for such offense shall be fined \$100. Each day of refusal shall constitute a separate offense.

1754. That the fair and reasonable rate for transportation of closed-pouch mail on a car constructed and run primarily for passenger service, with no separate compartment for mail, baggage, and express, is 4 cents per mile of authorized car run for 10, or less than 10, pouches, sacks, and parcels. Where more than 10 pouches, sacks, and parcels are regularly tendered for transportation on one such passenger car, at any point on a mail route, the Postmaster General shall authorize not less than 60 cubic

feet of space and the fair and reasonable rate therefor is 5 cents per mile of authorized car run; and for each additional 30 cubic feet or fraction thereof, 1 cent per mile of authorized car run, over said mail route; the authorization to be determined by actual measurement where practicable, or by count of pouches, sacks, and parcels as provided in paragraph 8.

2. That the fair and reasonable rate for closed-pouch service in baggage or express cars or in baggage and express compartments in passenger cars, is 3 cents per mile of authorized car run for 30 cubic feet of space or less, and 1 cent per mile of authorized car run for each additional 30 cubic feet or fraction thereof of space authorized; the authorization to be determined by actual measurement where practicable, or by count of pouches, sacks, and parcels as provided in paragraph 8.

Rates fixed.
—closed-pouch
service in bag-
gage or express
car or com-
partment.
I. C. C. order
Aug. 7, 1920.

3. That the fair and reasonable rate for independent cars devoted to the transportation of the mails on which railroad employees handle the mails, 50 cents per car-mile of authorized travel of cars 36 feet in length, inside measurement. Where the railroad company is unable to furnish cars of the length authorized, but furnishes cars of lesser length which are accepted by the department as sufficient for the service, payment shall be made only for the actual space furnished, the compensation to be not exceeding a prorate of that provided for a 36-foot car. When cars exceeding 36 feet in length, inside measurement, are authorized and used, the compensation shall be not exceeding a prorate of that provided for a 36-foot car. In computing the car-miles of independent cars the space in both directions of an authorized round-trip car run shall be regarded as the space to be computed unless the car or any part thereof is used by the company in the return movement.

Rates fixed.
—independent
cars.
I. C. C. order
June 2, 1925.

4. That the fair and reasonable rate for railway post-office cars and railway post-office apartments in cars, in which postal employees handle the mails, 2 cents per linear foot or fraction thereof per mile of authorized travel in cars 20 feet or less in length, inside measurement, and in cars more than 20 feet in length, inside measurement, 2 cents per linear foot per mile of authorized travel for the first 20 feet and seven-eighths cent per linear foot per mile of authorized travel for each additional linear foot or fraction thereof. In computing the car-miles of full and apartment railway post-office cars, the maximum space authorized in either direction of a round-trip car shall be regarded as the space to be computed in both directions.

Rates fixed.
—R. P. O. cars
and apart-
ments.
I. C. C. order,
June 2, 1925.

5. That the minimum rate of payment on any electric railroad mail route shall be \$175 per annum.

Minimum rate
on any route.
I. C. C. order,
Aug. 7, 1920.
Emergency
space.
Method of
handling.

6. When greater amounts of mail are carried than are provided for in the regular authorizations, transportation of the excess mails will be paid for as "emergency service." The companies may submit (through the Railway Mail Service) at the close of the month an itemized statement under oath of the excess service that has been performed during the month. Such statement must show the trip (or train number if one is used), the points between

which the excess mails were carried, the distance, the date on which the service was performed, and the number of pieces of excess mails carried. The rate shall then be stated and each item extended so as to show the amount of the claim for the month. Where the regular authorization is for a closed-pouch unit the company's claim should be based on 30 cubic feet of space, or multiples thereof, at 1 cent per mile for each 30 cubic feet or fraction thereof, that being the rate for additional mails. Where the regular authorization is an independent car or railway post-office authorization the emergency service should be of a separate unit of closed-pouch service. If service becomes necessary on additional trips or in additional independent cars requisition should be had by the company from the postmaster or other representative of the department before performing the service. The company employees should carry all mail offered without further authorization on trips on which regular mail service is authorized, the company to be entitled to pay for carrying the excess mails.

Side, terminal,
or transfer
service.
I. C. C. order,
Aug. 7, 1920.

7. (a) Where the railroad companies are required by the department to perform side, terminal, or transfer service they shall be separately compensated for such service, unless the service is performed directly contiguous to railway terminals and depots. The amount to be paid therefor shall be measured by the amount paid by the railroad to contractors, plus 3 percent; and where the service is performed by agents or employees of the railroad companies the payment shall be for the value of the pro rata time of such agents or employees while engaged in rendering the service, including cost of vehicular service that may be necessary, with the addition of 3 percent.

—where the
companies con-
tract for such
service.
I. C. C. order,
Aug. 7, 1920.

(b) Where the railroad companies contract for such service contracts shall be let to the lowest bidder upon advertisement. Readjustments for such service shall be made annually. The railroad companies shall submit certified copies of each contract to the Postmaster General on or before July 1 of each year showing the rate of payment for the ensuing year, and the amounts specified in such contracts plus 3 percent shall be accepted as the basis of payment by the Postmaster General heretofore prescribed. The railroad companies shall also furnish the Postmaster General each year, on or before July 1, a detailed statement of the daily time consumed in handling the mails by their agents or employees at each point where side, terminal, or transfer service is performed, which statement shall be verified by a responsible official of the company conversant with the facts; and such verified statement shall compute the pro rata payment of the agent or employee performing the service, based on the time actually consumed, and the amount named in the statement plus 3 percent shall constitute the basis of payment for the next ensuing year, unless in special cases, and for good cause, the Postmaster General may require further statements and verifications from any particular railroad company at other periods of the year.

8. That from time to time, as often as he may deem it necessary, and at least once in two years, the Postmaster General, upon notification to the railroad, and with their presence and assistance, shall conduct tests to determine the number of pouches, sacks, and outside packages that will fill 30 cubic feet of space in a car or compartment of a car, and the results thereof shall be reflected in changes in rules, when necessary, in the count of pouches, sacks, and packages as the basis of measurement.

Tests to be conducted to determine carrying capacity of 30 cubic feet of space.
I. C. C. Order Aug. 7, 1920

9. That payments for transportation of mails by electric railroads and the service connected therewith shall be made each month after the service has been performed.

Payments for service to be made monthly.
I. C. C. Order Aug. 7, 1920

10. The rates for service by urban and interurban electric-railway common carriers are as follows:

Rates of pay.
I. C. C. Order Aug. 7, 1920 and June 2, 1925.

Closed-pouch service:

	Per mile traveled (cents)
In passenger car without compartment—	
10 (or less) pouches, sacks, and parcels.....	4
60 cubic feet.....	5
For each additional 30 cubic feet.....	1
In baggage or express car and compartment in passenger car—	
30 cubic feet.....	3
For each additional 30 cubic feet.....	1
Independent cars: 36 feet in length.....	50
(For cars of greater or less length, pro rata.)	

Railway post-office cars:

	Per linear foot per mile (cents)
20 linear feet or less.....	2
Excess of 20 linear feet.....	¾

Minimum payment on any route, \$175 per annum.

1755. Mail service on electric and cable car lines shall be established only by direct order of the Post Office Department, and no increase, decrease, or change in the service, as ordered, shall be made without first securing authority therefor from the Second Assistant Postmaster General.

Service authorized only by department.

1756. Any person employed by an electric or cable car company and designated by such company to handle the mail shall be considered an agent of the company and not an employee of the postal service and need not be sworn as an employee of the postal service.

Employees of companies.

1757. The compensation for transportation of the mails by electric and cable cars shall include the transportation, in cars carrying the mails or on trips designated by the Post Office Department, of employees of the postal service who accompany the mails or are necessary for and actually engaged in distributing the same, and also post-office inspectors and other duly accredited agents of the department in the discharge of their duties.

—not employees of postal service.
Compensation includes carriage of employees of postal service and inspectors.

1758. All independent and trailer cars, or apartments in the same, used in the transportation of the mails on electric and cable car routes shall be of such style and so constructed, painted, lettered, equipped, furnished, heated, lighted, and maintained by

Style and equipment of cars.
—to be prescribed by department.

the companies performing such service as required by the Second Assistant Postmaster General and without expense to the Post Office Department.

Mail space in cars.
—restriction of use.
Unauthorized persons not to be admitted to.

1759. No part of the space authorized in a full car or a mail apartment of a car, on an electric or cable car line, shall be used for other than mail purposes. No person other than the duly authorized clerks, carriers, messengers, inspectors, or officers and agents of the Post Office Department shall be admitted thereto; and these shall be admitted only upon exhibition of their credentials.

Terminal, side, and transfer service.
—to be performed by railroad when ordered by department.
—separate compensation provided.

1760. Every electric and cable car company over whose line the transportation of mails is authorized, shall take the mails from and deliver them into each post office, mail station, or other point of exchange, when required to do so by the Post Office Department, the company to receive separate compensation for such service unless it is performed directly contiguous to the line. (See sec. 1754.)

Service to be performed by department, when.

2. At any point where service is not required to be performed by the company, the postmaster (if of the fourth class) may be required, where the distance to be traveled is slight, to provide for the service between the cars and the post office without expense to the department. Where the post office or mail station is located a considerable distance from the point of exchange with the cars, the department will make provision for the carriage of the mails, but where the conditions as to train service, agency, etc., are similar to those found in the railroad service the provisions of section 1738 relative to the exchange of mails shall, where practicable, apply.

Service to be performed by company, when.

Safety of mails.
—companies to provide for.

1761. Every electric or cable car company on whose line mail service is authorized shall be held responsible for the safety and security of the mail while in the care of its employees.

Safe exchange of mails.
—companies to provide for.

1762. Where necessary for a safe exchange of the mails, electric and cable car companies carrying the mails shall be required to stop their cars at such points as may be designated by the Post Office Department.

Use of sign "U. S. Mail."
—restricted.

1763. The use of the sign "U. S. Mail" or "United States Mail" shall be permitted on cars only when they are actually carrying the mails. Such sign shall be painted on cars used exclusively in the transportation of the mails. Removable signs bearing the words "United States Mail," or letters or characters of like import, shall be displayed on cars only when United States mail is being actually transported thereon.

See sec. 2355 as to penalty for unlawful use of sign "U. S. Mail."

Letter boxes on cars.
—mail therein, how considered.

1764. The use of letter boxes and the carriage of mails therein on electric or cable cars shall not be considered such mail transportation as is contemplated by the law providing for mail service on electric and cable car lines.

Power for canceling machines.
—on electric lines to be provided.

1765. Where canceling machines are used in postal cars on electric lines, the company furnishing the cars shall provide, without additional expense to the Post Office Department, such power as may be necessary to properly operate them.

1766. In case of failure on the part of an electric or cable car company to provide for the carriage of the mails in accordance with the requirements of the department, temporary mail service, by some other mode of conveyance, shall be authorized by the Second Assistant Postmaster General.

Failure of service.

—temporary service may be authorized by department.
—action of postmasters in case of.

2. In case of failure in such service postmasters shall be governed by the provisions of section 1749, applying to failure of service on steam railroads.

1767. Evidence of the performance of service by electric or cable car companies shall be submitted monthly, under oath, by the companies through the Railway Mail Service, in the form prescribed by the Post Office Department.

Companies to submit evidence of service.

CHAPTER 5

MAIL-MESSENGER SERVICE

1768. The Postmaster General may 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. (See sec. 1704.)

Authority for employment of mail-messenger service.
39 U. S. C. 578.

1769. Where mail-messenger service is deemed necessary by the Post Office Department, the postmaster at the office to be supplied shall be instructed to advertise for ten days for sealed proposals to perform the service in accordance with the specifications prepared by the department. The postmaster shall post the advertisements in the most conspicuous places in the post office, and at such other public points as will bring the matter to the attention of those likely to bid for the service. He shall give wide publicity to the advertisement.

Advertisement for proposals and posting notices.

2. When deemed advisable the transportation of the mails in covered, screened or paneled, and locked vehicles furnishing complete protection to the mails may be authorized in cities and towns without formal written contract and bond, under the rules and regulations governing ordinary mail-messenger service.

Specified equipment service.

1770. The postmaster shall receive all bids offered and, when the time of advertisement has expired, forward all of them UNOPENED and inclosed in one envelope, together with a copy of the notice posted, and a statement of the manner of giving it publicity, to the Second Assistant Postmaster General, Division of Railway Adjustments.

Postmaster to receive and forward bids to department.

Postmaster's report on bidders.

2. The postmaster shall also forward at the time he transmits the bids a specific statement of the service required and a report as to the character and suitability of the bidders on Form 2638. Bidders may forward bids direct to Post Office Department, but should inform the postmaster so that he may make proper report. (See sec. 1803.)

Designation of mail messengers.

1771. Proposals for mail-messenger service shall be opened in the office of the Second Assistant Postmaster General, and the lowest bidder, if in all other respects acceptable, shall be designated as mail messenger. The right is reserved to reject any and all bids. A formal written contract, with bond, is not required.

Postmaster to notify party designated.

2. Notice of the designation of a mail messenger shall be sent to the postmaster, who, on its receipt, shall immediately notify the party designated to begin service on the date mentioned in the notice, and the retiring messenger of the date he is to be released.

Mail messenger not designated for fixed period. No increase of pay for additional service.

3. A mail messenger shall be expected to continue the performance of service indefinitely at the compensation specified or until his employment is terminated by proper notice or order. No increase of pay under the designation shall be allowed for additional trips performed, increase in distance, or for increase in the weight of mails carried between the points named in the order designating the mail messenger. (See sec. 1775.)

Postmasters and employees at third and fourth class offices may contract for mail-messenger service.
—Limitation.
- 39 U. S. C. 579.

1772. In the discretion of the Postmaster General, postmasters, assistant postmasters, and clerks at post offices of the third class, and postmasters, assistant postmasters, and clerks at post offices of the fourth class may enter into contracts for the performance of mail-messenger service, and allowance may be made therefor from the appropriations for mail-messenger service. The total amount payable under such contract to any postmaster, assistant postmaster, or clerk shall not exceed \$300 in any one year. Special-delivery messengers at post offices of all classes may enter into contracts for mail-messenger service. (See par. 2.)

2. Post-office employees at post offices of all classes not named in the preceding paragraph may also, in the discretion of the Postmaster General, enter into contracts for the performance of mail-messenger service, provided the total amount paid under such contract shall not exceed \$300 in any one fiscal year, except that special-delivery carriers may receive in excess of \$300 for mail-messenger service in any one fiscal year, and provided further that the total amount paid to any employee for such dual service in any one fiscal year shall not exceed \$2,000.

See 39 U. S. C. 136, and decisions of Comptroller General thereunder.

3. Members of the immediate families of postmasters, assistant postmasters, and clerks at third and fourth class post offices may, in the discretion of the Postmaster General, enter into contracts for the performance of mail-messenger service provided the total amount paid under such contract shall not exceed \$300 in any one fiscal year.

Member of immediate family may contract for mail-messenger service within limitation.

NOTE.—The words "immediate family" as used in the section are construed to mean persons who are members of the same household, or where one person is dependent upon the other for support. Under other circumstances blood relatives are not held to be members of the same immediate family.

Note.

4. In exceptional cases, postmasters at offices of the fourth class may be required, without additional compensation, to transport the mails between their offices and railroad stations or other points of exchange where the distance between the post office and point of exchange is not greater than 80 rods and the mails are not of such volume or character as to require the use of a motor or horse-drawn vehicle for their carriage.

Postmasters required to carry mails without additional pay, when.

See sec. 38 as to extra duties; sec. 65 as to employees interested in mail contracts; sec. 1708 as to restriction upon postmasters and postal employees with regard to mail contracts; sec. 2334 as to penalty for being interested in contract or acting as agent for contractor.

1773. The postmaster shall not extend the service of a mail messenger beyond the limits of that named in the advertisement and notice of designation without express authorization from the Post Office Department.

Extension of service forbidden without authority.

1774. The postmaster shall instruct the mail messenger in regard to the performance of his duties, prescribe schedules of arrivals and departures for the service (allowing reasonable running time for the trips), and require the messenger to receive and deliver the mails in case of delayed incoming or outgoing trains or boats. (See secs. 1742 to 1744.)

Duties of postmasters in connection with service.
—to instruct messenger and prescribe schedule.

2. The postmaster shall keep accurate record of all failures to perform trips and of all other delinquencies or irregularities, and the resulting delays or injuries therefrom, and report the same, stating the cause or causes therefor accompanied by the mail messenger's explanation thereof, to the Second Assistant Postmaster General, Division of Railway Adjustments. No fines shall be imposed without authority from the Second Assistant Postmaster General.

—to report failures, delinquencies, etc.

3. Postmasters shall report promptly to the Second Assistant Postmaster General, Division of Railway Adjustments, when mail-messenger service ceases to be necessary or when the cost of service can be reduced by a readvertisement of the route. When a change in the location of the post office or the railroad station materially affects the performance of mail-messenger service, postmasters shall promptly report all the facts and ask for any necessary instructions and shall not, because of any such a change, discontinue mail-messenger service without instructions to do so from the Second Assistant Postmaster General.

—to report when service ceases to be necessary or when cost can be reduced.

—to report death or resignation of messenger or abandonment of service.

4. If a mail messenger dies, resigns, or abandons the service for any reason the postmaster shall at once report the facts to the Second Assistant Postmaster General, Division of Railway Adjustments.

See sec. 1777, par. 2, as to employment of temporary service.

Age of mail messengers.

1775. Mail messengers shall be not under 16 years of age, and shall be suitable to be intrusted with the care and custody of the mails.

—messenger must reside on or contiguous to the route.

2. No bid for carrying the mail on a mail-messenger route shall be considered unless the bidder resides on or contiguous to the route on which the service is to be performed, or shall file with his bid an agreement that in the event of the service being awarded to him he will reside on or contiguous to said route. Mail messengers shall give personal attention to the performance of the service.

Messenger may employ assistants.

3. When necessary, the mail messenger may employ at his own expense assistant mail messengers, who shall conform in all respects to the requirements applying to the mail messenger himself. All assistant messengers must meet with the approval of the postmaster having jurisdiction over the service and take the oath required by section 30. When a mail messenger is absent from duty for short periods, and an assistant messenger is employed, the assistant's services shall be paid for by the regular messenger.

—to be paid by regular messenger.

4. The postmaster shall at once forward to the Second Assistant Postmaster General, Division of Railway Adjustments, the certificate of oath required by section 30, of all regular and assistant messengers.

Oath.

No payment for unauthorized service.

5. No person shall be paid by the Post Office Department for mail-messenger service unless the employment of such service has been previously authorized. (See secs. 1708 and 1773.)

Resignation.

6. A mail messenger may resign at any time by giving the Second Assistant Postmaster General written notice 45 days before the time he intends to cease service. (See secs. 1777 and 1778.)

Messenger can not assign or sublet.

7. A mail messenger shall not assign or sublet the service.

Duties of mail messengers.

—to receive and deliver mail.

1776. Mail messengers shall receive the mails from and deliver them into post offices and from and into mail cars and on board steamboats when such cars or boats are accessible. They shall also deliver and receive mails at mail cars though not accessible to the messenger's vehicle where mail trains arrive at times when there is no railroad representative on duty, the railroad company to furnish the trucks if trucking is necessary, and shall deliver and receive mail at the mail cars though not accessible to the messenger's vehicle or place them on cranes where a railroad representative is on duty if the volume of mail is relatively small and can be readily handled by the messenger by hand on one trip. Otherwise when cars or boats are not accessible to the messenger's vehicle, the mails shall be delivered to and received from the railroad or steamboat employees at the nearest accessible point. The service shall be performed in accordance with the schedules of arrivals and departures prescribed by the postmaster. (See secs. 1742 and 1745.)

—perform service in accordance with schedules.

2. The mail messenger shall guard the pouches and other mail in his custody from theft or injury, and shall obey all orders and regulations or special instructions from the Post Office Department or the postmaster affecting the mail-messenger service.

—to guard mail and observe orders and instructions.

3. When for any reason the mail messenger is unable to make proper dispatch of mails in his custody, or there is a failure to catch pouch from crane, the mail messenger shall return and deliver the mails into the post office and notify the postmaster. Mail messengers shall not be permitted to retain mails in their homes.

1777. Where temporary service becomes necessary prior to the establishment of mail-messenger service, the postmaster shall apply to the Second Assistant Postmaster General, Division of Railway Adjustments, for authority to employ such service, stating the necessity for the same and the lowest obtainable rate per annum at which it can be secured. The Second Assistant Postmaster General, if he deems it necessary, shall issue instructions to the postmaster authorizing the employment of such service. No payment shall be made for such service unless it has been previously authorized by the Second Assistant Postmaster General. (See sec. 1775.)

Temporary new mail-messenger service.

—authorization of.

2. In the event a mail messenger, for any reason, fails to provide service on an established route, the postmaster may employ such temporary service as may be necessary, *at not exceeding the rate at which service on the route was authorized*. If the necessary temporary service on the route cannot be secured at such rate, the postmaster shall ascertain the lowest obtainable rate for such service and report the same at once by wire if necessary, with a statement of its necessity, to the Second Assistant Postmaster General, Division of Railway Adjustments, and await instructions.

Temporary mail-messenger service.—how employed.

—when not obtainable at regular rate.

3. The postmaster shall immediately report the employment of temporary service to the Second Assistant Postmaster General, Division of Railway Adjustments.

—report of employment of.

1778. Postmasters may be designated by the Postmaster General as disbursing officers for the payment of mail messengers and others engaged under their supervision in transporting the mails.

Postmasters authorized to pay mail messengers. 39 U. S. C. 50.

2. Mail messengers shall be paid monthly by the postmaster having supervision over the service. When the services of a mail messenger terminate for any reason final payment shall be deferred until notification is received from the Second Assistant Postmaster General authorizing such payment.

Payment for mail-messenger service.—how made.

3. Postmasters shall report and certify to the performance of mail-messenger service upon Form 2242, furnished by the department, strictly in accordance with instructions printed thereon.

Reports of performance of service.

(See secs. 1855 and 1856.)

1779. Mail messengers shall keep lists of all pouches due to be received and dispatched by them, and verify all pouches by the lists at the time of receipt or dispatch, except where the only

Record of pouches due to be received and dispatched.

pouches handled are in exchange between the post office and a train or a boat and not more than one pouch is involved in either direction at a time. If any regular pouch is not received and the cause of the failure is not known the division superintendent or chief clerk of Railway Mail Service shall be notified by telegraph. A copy of the report shall be attached to and become a part of the permanent pouch record.

See secs. 745 and 762 as to record of pouches to be kept at post offices; sec. 1734, by railroad companies; sec. 2065, by railway postal clerks.

CHAPTER 6

SERVICE BY PNEUMATIC TUBES OR SIMILAR DEVICES

Pneumatic tubes and similar devices. 39 U. S. C. 423.

Contracts for service.

Advertisement for bids after investigation by commission.

—form of advertisement.

—awarding of contract.

1780. The Postmaster General may enter into contracts not exceeding in the aggregate \$1,388,759 for the transmission of mail by pneumatic tubes or other similar devices for a period not exceeding ten years, after public advertisement once a week for a period of six consecutive weeks in not less than five newspapers, one of which shall be published in each city where the service is to be performed. Contracts for this service shall be subject to the provisions of the Postal Laws and Regulations relating to the letting of mail contracts, except as herein otherwise provided, and no advertisement shall issue until after a careful investigation shall have been made as to the needs and practicability of such service and until a favorable report, in writing, shall have been submitted to the Postmaster General by a commission of not less than three expert postal officials, to be named by him; nor shall such advertisement issue until in the judgment of the Postmaster General the needs of the Postal Service are such as to justify the expenditure involved. Advertisements shall state in general terms only the requirements of the service and in form best calculated to invite competitive bidding.

2. The Postmaster General shall have the right to reject any and all bids; no contract shall be awarded except to the lowest responsible bidder, tendering full and sufficient guaranties, to the satisfaction of the Postmaster General, of his ability to perform satisfactory service, and such guaranties shall include an approval bond in double the amount of the bid.

3. No contract shall be entered into in any city for the character of mail service herein provided which will create an aggregate annual rate of expenditure, including necessary power and labor to operate the tubes, and all other expenses of such service in excess of four per centum of the gross postal revenue of said city for the last preceding fiscal year.

—limit of annual expenditure.

4. In the city of New York, including the borough of Brooklyn, the annual rate of expenditure for the transmission of mail by such tubes or devices, including power, labor, and all operating expenses, shall not exceed \$18,500 per mile of double line of tubes or such other sum not exceeding \$19,500 per mile as may have been prescribed by the Interstate Commerce Commission under the act of June 19, 1922, chapter 227.

Service in New York, N. Y., and Brooklyn, N. Y.

5. No contract shall be made in any other city providing for three miles or more of double lines of tube which shall involve an expenditure in excess of seventeen thousand dollars per mile per annum, and said compensation shall cover power, labor, and all operating expenses.

—expenditure shall cover power, etc.

6. Only such contracts shall be made as may from time to time be provided for in the annual appropriation act for the Postal Service. Said service shall not be extended in any cities other than those in which the service was under contract under authority of Congress on March 2, 1907, except the borough of Brooklyn, of the city of New York, and the cities of Baltimore, Maryland; Cincinnati, Ohio; Kansas City, Missouri; Pittsburgh, Pennsylvania; and San Francisco, California.

—extension of service prohibited.
—exception.

1781. The general provisions relating to contract service, chapter 8, this title, shall apply, so far as pertinent, to the pneumatic-tube service.

General provisions to apply.

CHAPTER 7

AIR MAIL SERVICE

1782. (a) (1) If any applicant who makes application for a certificate within one hundred and twenty days after the date of enactment of this chapter, shall show that, from May 14, 1938, until the effective date of this section, it, or its predecessor in interest, was an air carrier, continuously operating as such (except as to

Existing air carriers.
49 U. S. C. 481, Supp. V.

interruptions of service over which the applicant or its predecessor in interest had no control), the Authority, upon proof of such fact only, shall, unless the service rendered by such applicant for such period was inadequate and inefficient, issue a certificate or certificates, authorizing such applicant to engage in air transportation (A) with respect to all classes of traffic for which authorization is sought, except mail, between the terminal and intermediate points between which it, or its predecessor, so continuously operated between May 18, 1938, and the effective date of this section, and (B) with respect to mail and all other classes of traffic for which authorization is sought, between the terminal and intermediate points between which the applicant or its predecessor was authorized by the Postmaster General prior to the effective date of this section, to engage in the transportation of mail: *Provided*, That no applicant holding an air-mail contract shall receive a certificate authorizing it to serve any point not named in such contract as awarded to it and not served by it prior to April 1, 1938, if any other air carrier competitively serving the same point under authority of a contract as awarded to such air carrier shall prove that it is adversely affected thereby, and if the Authority shall also find that transportation by the applicant to and from such point is not required by the public convenience and necessity.

(2) If paragraph (1) of this subsection does not authorize the issuance of a certificate authorizing the transportation of mail between each of the points between which air-mail service was provided for by the act of Congress making appropriations for the Treasury Department and the Post Office Department, approved March 28, 1938, the Authority shall, notwithstanding any other provision of this chapter, issue certificates authorizing the transportation of mail, and all other classes of traffic for which authorization is sought, between such points, namely, (A) from Wichita, Kansas, to Pueblo, Colorado, via intermediate cities; (B) from Bismarck, North Dakota, to Minot, North Dakota; (C) from Detroit, Michigan, to Sault Sainte Marie, Michigan, via intermediate cities; (D) from Brownsville, Texas, via Corpus Christi, to Houston to San Antonio, Texas; (E) from Phoenix, Arizona, to Las Vegas, Nevada, via inter-

mediate cities; (F) from Jacksonville, Florida, to New Orleans, Louisiana, via intermediate cities; (G) from Tampa, Florida, to Memphis, Tennessee, via intermediate cities and from Tampa, Florida, to Atlanta, Georgia, via intermediate cities (which projects have been advertised); and (H) by extension from Yakima, Washington, to Portland, Oregon; and (I) by extension from Grand Rapids, Michigan, to Chicago, Illinois.

(b) Each certificate issued under this section shall specify the terminal points and intermediate points, if any, between which the air carrier is authorized to engage in air transportation and the service to be rendered; and there shall be attached to the exercise of the privileges granted by the certificate, or amendment thereto, such reasonable terms, conditions, and limitations as the public interest may require. A certificate issued under this section to engage in foreign air transportation shall, insofar as the operation is to take place without the United States, designate the terminal and intermediate points only insofar as the Authority shall deem practicable, and otherwise shall designate only the general route or routes to be followed. Any air carrier holding a certificate for foreign air transportation shall be authorized to handle and transport mail of countries other than the United States. No term, condition, or limitation of a certificate shall restrict the right of an air carrier to add to or change schedules, equipment, accommodations, and facilities for performing the authorized transportation and service as the development of the business and the demands of the public shall require. No air carrier shall be deemed to have violated any term, condition, or limitation of its certificate by landing or taking off during an emergency at a point not named in its certificate or by operating in an emergency, under regulations which may be prescribed by the Authority, between terminal and intermediate points other than those specified in its certificate. Any air carrier may make charter trips or perform any other special service, without regard to the points named in its certificate, under regulations prescribed by the Authority.

(c) Whenever so authorized by its certificate, any air carrier shall provide necessary and adequate facilities and service for the transportation of mail, and shall trans-

Terms and conditions of certificate.

Requirement as to carriage of mail.

port mail whenever required by the Postmaster General. Such air carrier shall be entitled to receive reasonable compensation therefor as hereinafter provided.

Application
for new mail
service.

(d) Whenever, from time to time, the Postmaster General shall find that the needs of the Postal Service require the transportation of mail by aircraft between any points within the United States or between the United States and foreign countries, in addition to the transportation of mail authorized in certificates then currently effective, the Postmaster General shall certify such finding to the Authority and file therewith a statement showing such additional service and the facilities necessary in connection therewith, and a copy of such certification and statement shall be posted for at least twenty days in the office of the secretary of the Authority. The Authority shall, after notice and hearing, and if found by it to be required by the public convenience and necessity, make provision for such additional service, and the facilities necessary in connection therewith, by issuing a new certificate or certificates or by amending an existing certificate or certificates in accordance with the provisions of this section.

Continuation
and termina-
tion of mail
contracts.
49 U. S. C. 485,
Supp. V.

2. (a) Each contract between the United States and any person for the carriage of mail, entered into or continued under the provisions of the Air Mail Act of 1934, as amended, and each contract for the carriage of mail by aircraft in Alaska, shall be continued in effect until canceled in accordance with this subsection. Each such contract shall be canceled upon the issuance to the holder of such contract of a certificate of public convenience and necessity authorizing the transportation of mail by aircraft between the points covered by such contract, or upon the failure of the holder of such contract to apply for such certificate within one hundred and twenty days after the date of enactment of this chapter, or upon a determination by the Authority that such certificate should not be issued. Until the Authority fixes rates under section 486 of this chapter, the Postmaster General shall pay compensation for the transportation of mail by aircraft at the rates provided by each such contract or, where rates have been heretofore or shall hereafter be fixed by orders of the Interstate Commerce Commission, pursuant to proceedings instituted prior to the date of enactment of this chapter, shall pay compensation for such transpor-

tation in accordance with such orders as if this chapter had not been enacted.

(b) Each contract between the United States and any person heretofore entered into under the provisions of the act of March 8, 1928, as amended (45 Stat. 248), shall be continued in effect until canceled in accordance with this subsection. Each such contract shall be canceled upon the issuance of a certificate of public convenience and necessity to the holder of such contract authorizing the transportation of mail by aircraft between the points covered by such contract, or upon the effective date of any order of the Authority hereunder fixing a fair and reasonable rate of compensation for the transportation of mail by aircraft between the points covered by such contract, whichever is later, or upon the failure of the holder of such contract to apply for such certificate within one hundred and twenty days after the date of enactment of this chapter, or upon a determination by the Authority that such certificate should not be issued.

Continuation
and termina-
tion of foreign
mail contracts.

(c) Upon the cancelation, pursuant to the provisions of this chapter, of any contract for the transportation of mail by aircraft, the bond or bonds required from the holder thereof shall terminate and cease to be effective, and such holder and his or its surety or sureties thereon shall be released and discharged from all obligations thereunder, and all securities deposited with such bond or bonds shall forthwith be returned to such holder: *Provided*, That the foregoing provision shall not be construed to terminate or make ineffective any bond or bonds of such holder, or to release or discharge from any obligation thereunder such holder or his or its surety or sureties thereon, in respect of any matter arising prior to the date of the cancelation of such contract, and such holder or his or its surety or sureties thereon shall not be released or discharged prior to disposition of any such matter: *Provided further*, That nothing in this chapter shall be construed to affect any right which may have accrued to any air carrier prior to the date of the cancelation, pursuant to the provisions of this chapter, of any contract for the transportation of mail by aircraft.

Termination
of bonds.

(d) The Postmaster General is authorized to make such rules and regulations, not inconsistent with the provisions of this chapter, or any order, rule, or regulation

Rules and
regulations.

made by the Authority thereunder, as may be necessary for the safe and expeditious carriage of mail by aircraft.

P. M. G. regulations.

(1) Carriers will transport the mail on the route specified in the certificate of convenience and necessity issued by the Civil Aeronautics Authority and on the schedules selected by the Postmaster General in accordance with section 485 (e) of the aforesaid chapter. In case of cancelation, carriers will be held responsible for the prompt transportation of the mail to the nearest post office or train from whence it can be given the most expeditious dispatch to destination.

(2) Carriers will furnish adequate and suitable quarters at such air-mail stops on the routes as may be necessary to receive, transfer, dispatch, and distribute mail; such quarters will conform to specifications prepared by the Department.

(3) Carriers will truck the mail between such points as may be necessary in emergencies caused by unscheduled stops, unscheduled operation including cancelations of trips either enroute or at termini.

(4) Carriers will keep postal officials and employees concerned fully informed regarding any irregularity in the operation of service on their routes.

(5) Carriers will be required to maintain approved schedules except where prevented from doing so by weather and providential causes. They will make the connections between planes of other routes as required and will observe such holding orders as may be prescribed by authorized officials of the Post Office Department.

(6) Carriers will be required to promptly answer all official correspondence from officials of the Post Office Department.

(7) All pilots and other employees of air lines having access to or engaged in the handling of mail at any time will take the required oath of office.

(8) Carriers will keep such records and transmit such reports as may be necessary for the Postmaster General to make prompt and proper accounting for the transportation of the mail on air routes and for other services connected therewith. They will utilize standard forms issued by the Department and will promptly transmit same on completion to the Department or to the authorized field representative.

(9) The Post Office Department will pay the rates prescribed by the Civil Aeronautics Authority for the transportation of air mail. The mileage on which payment will be based for service by planes and for service by automobiles, trucks, and other modes of conveyance will be that prescribed by the Civil Aeronautics Authority.

(10) Carriers will be required to protect mails in their custody from both weather and from depredation.

(11) In case of a crash, the carriers will promptly notify the specified postal officials by wire, radio, or telephone, in accordance with instructions to be hereafter specified.

(12) Mail shall be given priority over all other forms of traffic, not only in the matter of transportation but also in unloading and transfer to the connecting air line, the designated postal representative, or the air-mail field.

(13) Mail compartments will conform to specifications issued by the Postmaster General.

(14) Carriers will be required to promptly inform the Department of any failures on the part of the postal service or any of its employees and to report negligence in the performance of duties or any other irregularity on the part of postal employees.

(15) Air carriers who transport mail will carefully observe all rules and regulations issued by the Post Office Department and will be required to take cognizance of and comply with all postal laws and regulations covering the transportation of mail and to be guided by such portions thereof as are not inconsistent with the provisions of the Civil Aeronautics Act or the interpretation made thereof and the rulings made thereunder by the Civil Aeronautics Authority. They will be subject to fines and deductions for failure to do so.

(16) Specific rules and regulations hereafter issued will be numbered and will be known as air-mail regulations. For convenience in reference, the abbreviated letters "AMR" will be utilized.

(e) Each air carrier shall, from time to time, file with the Authority and the Postmaster General a statement showing the points between which such air carrier is authorized to engage in air transportation, and all schedules, and all changes therein, of aircraft regularly operated by the carrier between such points, setting forth in respect of each such schedule the points served thereby and the time of arrival and departure at each such point. The Postmaster General may designate any such schedule for the transportation of mail between the points between which the air carrier is authorized by its certificate to transport mail, and may, by order, require the air carrier to establish additional schedules for the transportation of mail between such points. No change shall be made in any schedules designated or ordered to be established by the Postmaster General except upon ten days' notice thereof filed as herein provided. The Postmaster General may by order disapprove any such change or alter, amend, or modify any such schedule or change. No order of the Postmaster General under this subsection shall become effective until ten days after its issuance. Any person who would be aggrieved by any such order of the Postmaster General under this subsection may,

Mail schedules.

49 U. S. C. 485,
Supp. V.

before the expiration of such ten-day period, apply to the Authority, under such regulations as it may prescribe, for a review of such order. The Authority may review, and, if the public convenience and necessity so require, amend, revise, suspend, or cancel such order; and, pending such review and the determination thereof, may postpone the effective date of such order. The Authority shall give preference to proceedings under this subsection over all proceedings pending before it. No air carrier shall transport mail in accordance with any schedule other than a schedule designated or ordered to be established under this subsection for the transportation of mail.

Maximum mail load.

(f) The Authority may fix the maximum mail load for any schedule or for any aircraft or any type of aircraft; but, in the event that mail in excess of the maximum load is tendered by the Postmaster General for transportation by any air carrier in accordance with any schedule designated or ordered to be established by the Postmaster General under subsection (e) of this section for the transportation of mail, such air carrier shall, to the extent such air carrier is reasonably able as determined by the Authority, furnish facilities sufficient to transport, and shall transport, such mail as nearly in accordance with such schedule as the Authority shall determine to be possible.

Tender of mail.

(g) From and after the issuance of any certificate authorizing the transportation of mail by aircraft, the Postmaster General shall tender mail to the holder thereof, to the extent required by the Postal Service, for transportation between the points named in such certificate for the transportation of mail, and such mail shall be transported by the air carrier holding such certificate in accordance with such rules, regulations, and requirements as may be promulgated by the Postmaster General under this section.

Evidence of performance of mail service.

(h) Air carriers transporting or handling United States mail shall submit, under oath, when and in such form as may be required by the Postmaster General, evidence of the performance of mail service; and air carriers transporting or handling mails of foreign countries shall submit, under oath, when and in such form as may be required by the Postmaster General, evidence of the

amount of such mails transported or handled, and the compensation payable and received therefor.

(i) In the event of emergency caused by flood, fire, or other calamitous visitation, the Postmaster General is authorized to contract, without advertising, for the transportation by aircraft of any or all classes of mail to or from localities affected by such calamity, where available facilities of persons authorized to transport mail to or from such localities are inadequate to meet the requirements of the Postal Service during such emergency. Such contracts may be only for such periods as may be necessitated, for the maintenance of mail service, by the inadequacy of such other facilities. No operation pursuant to any such contract, for such period, shall be air transportation within the purview of this act. Payment of compensation for service performed under such contracts shall be made, at rates provided in such contracts, from appropriations for the transportation of mail by the means normally used for transporting the mail transported under such contracts.

Emergency
mail service.

(j) Nothing contained in this Act shall be construed to repeal in whole or in part the provisions of section 6 of the Act entitled "An Act to provide for experimental air-mail service, to further develop safety, efficiency, economy, and for other purposes," approved April 15, 1938. The transportation of mail under contracts entered into under such section shall not, except for sections 401 (1) and 416 (b), be deemed to be "air transportation" as used in this Act, and the rates of compensation for such transportation of mail shall not be fixed under this Act.

1940, July 2,
Public, No. 721.

See sec. 1783 as to contracts for inaccessible routes.

(k) Every air carrier carrying the mails shall carry on any plane that it operates and without charge therefor, the persons in charge of the mails when on duty, and such duly accredited agents and officers of the Post Office Department, and post office inspectors, while traveling on official business relating to the transportation of mail by aircraft, as the Authority may by regulation prescribe, upon the exhibition of their credentials.

Free travel for
postal em-
ployees.
49 U. S. C. 485,
Supp. V.

3. (a) The Authority is empowered and directed, upon its own initiative or upon petition of the Postmaster General or an air carrier, (1) to fix and determine from

Authority to
fix rates.
49 U. S. C. 486,
Supp. V.

time to time, after notice and hearing, the fair and reasonable rates of compensation for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith (including the transportation of mail by an air carrier by other means than aircraft whenever such transportation is incidental to the transportation of mail by aircraft or is made necessary by conditions of emergency arising from aircraft operation), by each holder of a certificate authorizing the transportation of mail by aircraft, and to make such rates effective from such date as it shall determine to be proper; (2) to prescribe the method or methods, by aircraft-mile, pound-mile, weight, space, or any combination thereof, or otherwise, for ascertaining such rates of compensation for each air carrier or class of air carriers; and (3) to publish the same; and the rates so fixed and determined shall be paid by the Postmaster General from appropriations for the transportation of mail by aircraft.

Rate-making
elements.

(b) In fixing and determining fair and reasonable rates of compensation under this section, the Authority, considering the conditions peculiar to transportation by aircraft and to the particular air carrier or class of air carriers, may fix different rates for different air carriers or classes of air carriers, and different classes of service. In determining the rate in each case, the Authority shall take into consideration, among other factors, the condition that such air carriers may hold and operate under certificates authorizing the carriage of mail only by providing necessary and adequate facilities and service for the transportation of mail; such standards respecting the character and quality of service to be rendered by air carriers as may be prescribed by or pursuant to law; and the need of each such air carrier for compensation, for the transportation of mail sufficient to insure the performance of such service, and, together with all other revenue of the air carrier, to enable such air carrier under honest, economical, and efficient management, to maintain and continue the development of air transportation to the extent and of the character and quality required for the commerce of the United States, the Postal Service, and the national defense.

(c) Any petition for the fixing of fair and reasonable rates of compensation under this section shall include a statement of the rate the petitioner believes to be fair and reasonable. The Postmaster General shall introduce as part of the record in all proceedings under this section a comprehensive statement of all service to be required of the air carrier and such other information in his possession as may be deemed by the Authority to be material to the inquiry.

Statement of
Postmaster
General and
carrier.

(d) The Postmaster General may weigh the mail transported by aircraft and make such computations for statistical and administrative purposes as may be required in the interest of the mail service. The Postmaster General is authorized to employ such clerical and other assistance as may be required in connection with proceedings under this chapter. If the Authority shall determine that it is necessary or advisable, in order to carry out the provisions of this chapter, to have additional and more frequent weighing of the mails, the Postmaster General, upon request of the Authority, shall provide therefor in like manner, but such weighing need not be for continuous periods of more than thirty days.

Weighing of
mail.

(e) Except as otherwise provided in section 485 (k), the unexpended balances of all appropriations for the transportation of mail by aircraft pursuant to contracts entered into under the Air Mail Act of 1934, as amended, and the unexpended balances of all appropriations available for the transportation of mail by aircraft in Alaska, shall be available, in addition to the purposes stated in such appropriations, for the payment of compensation by the Postmaster General, as provided in this chapter, for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith, between points in the continental United States or between points in Hawaii or in Alaska or between points in the continental United States and points in Canada within one hundred and fifty miles of the international boundary line. Except as otherwise provided in section 485 (k), the unexpended balances of all appropriations for the transportation of mail by aircraft pursuant to contracts entered into under the act of

Availability of
appropriations.

March 8, 1928, as amended, shall be available, in addition to the purposes stated in such appropriations, for payment to be made by the Postmaster General, as provided by this chapter, in respect of the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith, between points in the United States and points outside thereof, or between points in the continental United States and Territories or possessions of the United States, or between Territories or possessions of the United States.

Safety and postal offenses. 49 U. S. C. 621, Supp. V.

4. (a) Any person who violates (1) any provision of subchapters V, VI, and VII of this chapter, or any provision of subsection (a) (1) of section 181 of this title, or (2) any rule or regulation issued by the Postmaster General under this chapter, shall be subject to a civil penalty of not to exceed \$1,000 for each such violation. Any such penalty may be compromised by the Authority or the Postmaster General, as the case may be. The amount of such penalty, when finally determined, or the amount agreed upon in compromise, may be deducted from any sums owing by the United States to the person charged.

Liens.

(b) In case an aircraft is involved in such violation and the violation is by the owner or person in command of the aircraft, such aircraft shall be subject to lien for the penalty: *Provided*, That this subsection shall not apply to a violation of a rule or regulation of the Postmaster General.

Effectiveness of existing orders, regulations, and so forth.

49 U. S. C. 678, Supp. V.

5. (a) All orders, determinations, rules, regulations, permits, contracts, certificates, licenses, and privileges which have been issued, made, or granted by the Interstate Commerce Commission, the Department of Commerce, or the Postmaster General, or any court of competent jurisdiction, under any provision of law repealed or amended by this chapter, or in the exercise of duties, powers, or functions transferred to the Authority by this chapter, and which are in effect at the time this section takes effect, shall continue in effect until modified, terminated, superseded, set aside, or repealed by the Authority, or by any court of competent jurisdiction, or by operation of law.

Pending administrative proceedings.

(b) The provisions of this chapter shall not affect any proceedings pending before the Secretary of Commerce

or the Postmaster General, or proceedings pending before the Interstate Commerce Commission for the determination of rates for the transportation of air mail by aircraft, on the date of the enactment of this chapter; but any such proceedings shall be continued, orders therein issued, appeals therefrom taken, and payments made by the Postmaster General pursuant to such orders, as if this chapter had not been enacted; and orders issued in any such proceeding shall continue in effect until modified, terminated, superseded, or repealed by the Authority or by operation of law: *Provided*, That the rates determined by the Interstate Commerce Commission shall be determined without regard to that portion of section 469d (e) of this title, which provides as follows: "which, in connection with the rates fixed by it for all other routes, shall be designed to keep the aggregate cost of the transportation of air mail on and after July 1, 1938, within the limits of the anticipated postal revenue therefrom."

(c) The provisions of this chapter shall not affect suits commenced prior to the date of the organization of the Authority; and all such suits shall be continued, proceedings therein had, appeals therein taken, and judgments therein rendered, in the same manner and with the same effect as if this chapter had not been passed. No suit, action, or other proceeding lawfully commenced by or against any agency or officer of the United States, in relation to the discharge of official duties, shall abate by reason of any transfer of authority, power, or duties from such agency or officer to the Authority under the provisions of this chapter, but the court, upon motion or supplemental petition filed at any time within twelve months after such transfer, showing the necessity for a survival of such suit, action, or other proceeding to obtain a settlement of the questions involved, may allow the same to be maintained by or against the Authority.

Pending
judicial pro-
ceedings.

6. Such other definitions, sections, or subsections, or any part thereof, of the Civil Aeronautics Act of 1938, directly or indirectly applicable to the Air Mail Service, are hereby incorporated as a part of the Postal Laws and Regulations by this reference, and will be observed accordingly.

Definitions.

7. Postmasters and other postal officials shall keep such records and shall submit such reports as may be required for the transaction of air-mail business.

Records and
reports.

CHAPTER 8

STAR, STEAMSHIP, AND STEAMBOAT ROUTES, AND VEHICLE SERVICE IN CITIES

ESTABLISHMENT OF SERVICE

Carrying mails on plank roads. 39 U. S. C. 486. —contracts for.

Contracts for inaccessible routes. 39 U. S. C. 470, Supp. V.

1783. 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.

2. Whenever he shall find it to be in the public interest, because of the nature of the terrain and the impracticability of surface transportation, the Postmaster General may award contracts for the transportation of any or all classes of mail by airplane upon star routes not over two hundred airplane-miles in length by direct flight between termini, payment for such service to be made from the appropriation for inland transportation by star routes: *Provided*, That all laws and regulations not in conflict with this section governing star routes shall be applicable to contracts made under the authority of this section: *Provided further*, That the base rate of pay which may be allowed in awarding such contracts shall not exceed 20 cents per airplane-mile for a load not exceeding two hundred and fifty pounds of mail, and not exceeding 1 cent per airplane-mile for each twenty pounds of mail carried in excess of the two hundred and fifty-pound limit, except that in the discretion of the Postmaster General a higher base rate of pay may be allowed in awarding contract for carrying mail over circuitous routes of less than seventy-five miles in length: *And provided further*, That the provisions of the Act of June 12, 1934 (48 Stat. 933), as amended by the Act of August 14, 1935 (49 Stat. 614), shall not apply to the transportation of mail under this section: *And provided further*, That the Postmaster General shall not award more than five contracts for the transportation of mail under the authority of this section.

Carrying mails on canals. 39 U. S. C. 485. —contracts for.

1784. 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.

1785. 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.

Special offices not on established routes. 39 U. S. C. 489. Compensation to carriers.

See sec. 1828 as to employment of special service.

1786. 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.

Carriage of mails by steamboat or vessel. 39 U. S. C. 487.

1787. 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.

Contracts for service upon domestic water routes where service is new. 39 U. S. C. 449. —how made. —duration of.

1788. When from any cause it may become necessary to make a new contract for carrying the mails upon any water route between the 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.

Contracts for service upon domestic water routes where service has been previously performed. 39 U. S. C. 449. —duration of —how made.

Compensation.

2. The Postmaster General may, in his discretion, contract for a period of not exceeding four years, without advertisement therefor, for the carriage of all classes of mail, by steamboat or other powerboat of United States registry, on the route from Seward, by points on Kenai Peninsula, Kodiak Island, Alaska Peninsula, the Aleutian Islands to Umnak Island, and points on Bristol Bay, Alaska, and vicinity, and back, by a schedule and under the conditions prescribed by the Postmaster General; the contractor to furnish and use in the service a safe and

Alaska contract requiring boat adequate for mail, passengers, and freight. 39 U. S. C. 487a. Supp. V.

seaworthy boat of sufficient size to provide adequate space for mail, passengers, and freight, the annual cost not to exceed \$125,000, payment therefor to be made from the appropriation for powerboat service.

Combined inland and foreign service.
39 U. S. C. 424.

1789. 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.

—contracts for, when may be made.

Mails to be carried as freight or express.
39 U. S. C. 450.

1790. When there is no competition on a route and the rate of compensation asked is excessive, or no proposal is received, the Postmaster General may require that the mails be carried as freight or express, and it shall be unlawful for any common carrier by water to refuse to carry the mails when so required, and the penalty for such offense shall be a fine of \$500. Each day of refusal shall constitute a separate offense.

—when.

Contracts for vehicular transportation.
—character of service.

1791. When deemed advisable the Postmaster General may enter into formal written contract for transporting the mails in cities in regulation screen vehicles between post offices; between post offices and railroad stations; between the post office and terminal railway post offices; between the post office and steamboat landings; between the post office and mail stations; between the post office and points of exchange with electric or cable cars or like points, and between the several post offices, railroad stations, terminal railway post offices, steamboat landings, mail stations, or points of exchange with electric or cable cars in cities and towns, and may also enter into formal written contracts for furnishing specified equipments for use in the delivery and collection of mail, for use in the delivery, collection, and transportation of mail, and for the delivery and collection of mail in combination with contracts for ordinary regulation screen-vehicle service.

Note.

NOTE.—This class of service is usually performed under a formal written contract, with bond, and in accordance with specifications prescribing the equipment and the requirements of the service. Such mail-messenger and transfer service as is herein indicated is distinguished from the "mail-messenger service" provided for in chapter 5 this title in the foregoing particular.

Authorization of service.
—advertisement.

1792. Vehicle service under formal contract in cities shall be authorized after public advertisement in which special instructions with regard to the requirements of the service, the style and character of the equipment to be used, and the general provisions of the contract shall be stated.

ADVERTISEMENTS AND PROPOSALS FOR CONTRACT SERVICE

1793. The United States shall be divided into four contract sections. A general letting for one of these sections shall occur every year, and contracts may be made for four consecutive years, commencing on the first day of July. The sections are:

First. Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, District of Columbia, Virginia, and West Virginia.

Second. North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Tennessee, Kentucky, Puerto Rico, and Virgin Islands.

Third. Ohio, Indiana, Illinois, Michigan, Wisconsin, Minnesota, Iowa, Missouri, Arkansas, Louisiana, Texas, and Oklahoma.

Fourth. Kansas, Nebraska, North Dakota, South Dakota, Montana, Wyoming, Colorado, New Mexico, Arizona, Utah, Idaho, Washington, Oregon, Nevada, California, Alaska, and Hawaii.

1794. The Postmaster General shall cause advertisements of all general mail lettings of each State and Territory to be conspicuously posted in each post office named in said advertisements for at least sixty days before the time of such general lettings, and no other advertisement of such lettings shall be required; but this provision shall not apply to any other than general mail lettings.

See sec. 1790 for provision for requiring carriage as freight or express where there is no competition, or the compensation asked is excessive, or no proposal is received.

1795. After providing by general advertisement for the transportation of the mails in any State or Territory as authorized by law, the Postmaster General may secure any mail service that may become necessary before the next general advertisement for said State or Territory by posting notices, for a period of not less than ten days, in the post offices at the termini of any route to be let, and upon a bulletin board in the Post Office Department, inviting proposals in such form and with such guaranty as may be prescribed by the Postmaster General, for the performance of the proposed service. The contract for such service shall be made to run to the end of the contract term under the general advertisement, shall be made with the lowest responsible bidder whose proposal is in due form, and who, under the law, is eligible as a bidder for such postal service.

See secs. 1847 and 1848 as to temporary service.

Contract sections.
—division of United States into.

General mail lettings.
39 U. S. C. 421.
—advertisements for.

Miscellaneous mail lettings.
39 U. S. C. 422.
1940, May 31,
Public, No. 538.
—before general advertisement.
—advertisement for.

Term of contracts.

Miscellaneous mail lettings defined.

1796. The lettings of 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, shall be denominated "miscellaneous mail lettings," and shall be made under bulletin advertisement to cover the mail service on such routes until the expiration of the contract term, when the service, if continued, shall be embraced in the general advertisement.

Proposals to be accompanied by bond.
39 U. S. C. 426.
Conditions of bond.

1797. 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.

—that service shall be performed.

—liability for failure.

Proposals without bond not to be considered.
Oath of bidder.
—what to contain.

Notes.

Bond of surety companies.
—postmaster's approval not required.
Effect of proposal bond.

NOTES.—When a bond is executed by a surety company acceptable on bonds to the United States, the approval of a postmaster is not required. (See sec. 71.)

A proposal bond given by a bidder for a contract for carrying the mails * * * is an absolute undertaking to pay the amount named therein as liquidated damages in case of condition broken, and not one of indemnity or security to the Government against loss or damage for breach of contract, and in an action thereon the actual damages cannot be inquired into. (145 Federal Reporter, 395; 151 id., 534.)

See sec. 2360 as to penalty for false approval of bond by postmaster.

1798. Before the bond of a bidder, (for carrying the mail) * * * 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 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. (See 18 U. S. C. 231.)

Sureties on bonds of bidders.
39 U. S. C. 427.
—oath to be taken by.
—qualification of.

—interrogatories to be answered by.

Penalty for false swearing.

NOTE.—When a bond is executed by a surety company acceptable on bonds to the United States, the above oath and interrogatories are not required. (See sec. 71.)

Note.
—surety companies.

1799. Proposals for carrying the mails shall be made on the forms prescribed by the Postmaster General, and bidders for service on star and steamboat or other powerboat routes shall propose to transport the mails with "celerity, certainty, and security." (See sec. 1807.)

Form of proposals.

2. A proposal altered in any of its essential terms shall not be considered in competition with proposals submitted in proper form.

—not to be altered.

1800. 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 notice in writing of such withdrawal.

Delivery and opening of proposals.
39 U. S. C. 425.
Before whom opened.

Withdrawal of proposals.

Proposals.
—when not to be considered.

1801. Proposals submitted in response to a general or miscellaneous advertisement, received at the Post Office Department after the limit of time fixed in such advertisement for the receipt of bids, shall not be considered in competition with bids received within the prescribed time: *Provided, however,* That when a bid arrives by mail after the time fixed and it is shown that the nonarrival on time was due solely to the delay in the mails for which the bidder was not responsible, such bid may be considered as having arrived on time. No transfer or assignment shall be made of a bid or any interest therein.

Award, suspension of.

2. The award under a general advertisement for service on any route may be suspended by the Postmaster General for a period not exceeding 60 days after the date stated in such advertisement, with a corresponding allowance of time for the execution of the contract; all bids on any route may be rejected whenever in the judgment of the Postmaster General the interest of the service requires it, and bids accompanied with bonds on which there appears as surety the name of any person who is barred from bidding by reason of being a failing bidder or contractor, or for any other reason, may be disregarded.

Rejection of bids.

Record of proposals.
39 U. S. C. 428.

1802. 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 until the end of the contract term to which they relate after which the proposals that were not accepted may be destroyed or disposed of as waste paper.

Proposals not accepted to be destroyed.

Amounts of proposals not to be divulged.

1803. No postmaster or other employee of the Postal Service shall disclose to anyone the amount of any proposal of which he may have knowledge. Doing so will be considered sufficient cause for removal from the service.

Approval of sureties by postmaster personally.

2. The approval of the sureties shall be by a postmaster or duly appointed acting postmaster, and the certificate shall be signed in person by such official, and not by an assistant postmaster or clerk, either in his own name or in the name of the postmaster.

No extra pay on account of mistakes.

1804. No extra pay shall be allowed a contractor for mail service on account of alleged mistakes or misapprehension as to the amount of service required, nor shall additional pay be allowed should it be shown that the actual distance is greater than that stated in the advertisement, if the points to be supplied are correctly stated.

Offices established during contract term.

2. Post offices in operation and those established during a contract term, as well as railroad stations and junction points, which may be included for supply, shall be visited by the con-

tractor or carrier without allowance of additional pay if the distance be not thereby increased, and for pro rata additional pay if the distance be increased.

1805. Consolidated or combined bids for mail service (proposing one sum for two or more routes) shall not be considered.

1806. The Postmaster General may provide difficult or emergency mail service in Alaska, at a total annual cost of not exceeding \$25,000, including the establishment and equipment of relay stations, in such manner as he may think advisable, without advertising therefor: *Provided*, That the Postmaster General, in his discretion, may fix the postage for the mails carried, or any part thereof, by aircraft to, from, or within Alaska, at rates not exceeding in any case 30 cents per ounce, or 15 cents per half ounce, notwithstanding the domestic air-mail rate authorized by section 463 of this title.

2. (a) That whenever required by the Postmaster General, and air carrier authorized by the Civil Aeronautics Authority under title IV of the Civil Aeronautics Act of 1938 to engage in the transportation of mail in the Territory of Alaska shall, within the limits of such authorization, transport, in addition to mail on which postage shall have been paid at the rate provided by the Act of June 12, 1934 (48 Stat. 933), as amended, any other classes of mail bearing the appropriate postage for its respective class, and the Postmaster General is authorized to require such transportation. The rates of compensation to be paid such carrier for the transportation of all mail shall be fixed by the Civil Aeronautics Authority in accordance with the provisions of the Civil Aeronautics Act of 1938, approved June 23, 1938 (52 Stat. 973). When in the opinion of the Postmaster General the needs of the Postal Service require the transportation of mail by aircraft in the Territory of Alaska, where no transportation of mail by aircraft has been authorized by the Civil Aeronautics Authority under title IV of the Civil Aeronautics Act of 1938, the Postmaster General, notwithstanding any other provision of law, is authorized to contract for the carriage of all classes of mail bearing the appropriate postage for its respective class by aircraft after advertisement in accordance with law. The transportation of mail under contracts entered into under this Act shall not, except for sections 401 (1)

Consolidated bids.

Difficult or emergency service in Alaska.
39 U. S. C. 488.
Supp. V.

1940, Oct. 14.
Public No. 856.

and 416 (b) of the Civil Aeronautics Act of 1938, be deemed to be "air transportation" as that term is defined in the Civil Aeronautics Act of 1938, and the rates of compensation for such transportation of mail shall not be fixed under that Act. The Postmaster General shall transmit a copy of each contract made pursuant to this Act to the Civil Aeronautics Authority at the time it is let. Any such contract shall be canceled upon the issuance by the Civil Aeronautics Authority of an authorization under said title IV of the Civil Aeronautics Act of 1938 to any air carrier to engage in the transportation of mail by aircraft between any of the points named in such contract. That the Postmaster General in his discretion, may fix the postage for the mails carried, or any part thereof, by aircraft to, from, or within Alaska, at rates not exceeding in any case 30 cents per ounce or 15 cents per half ounce, notwithstanding any other provision of law.

(b) Payment for services pursuant to contracts entered into by the Postmaster General under authority of this Act shall be made from the appropriation for star route service in Alaska.

CONTRACTS FOR SERVICE

Contracts in name of United States.
39 U. S. C. 429.
May 31, 1940.
Public, No. 538.

Award to lowest bidder, except.

When bids for star route are exorbitant or unreasonable.
39 U. S. C. 433.

1807. All contracts for carrying the mail shall be in the name of the United States and shall be awarded to the lowest responsible bidder tendering sufficient guaranties for faithful performance in accordance with the terms of the advertisement. Such contracts shall require due celerity, certainty, and security in the performance of the service; 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.

2. Whenever in the judgment of the Postmaster General the bids received for any star route are exorbitant or unreasonable, or whenever he has reason to believe that a combination of bidders has been entered into to fix the rate for star-route service, the Postmaster General may, out of the appropriation for inland transportation by star routes, employ and use such means or methods to provide the desired service as he may deem expedient, without reference to existing law or laws respecting the

employment of personal service or the procurement of conveyances, materials, or supplies.

3. No part of the appropriation for inland transportation by star routes shall be expended for continuance of any star-route service the patronage of which shall be served entirely by the extension of Rural Delivery Service, nor shall any of said sum be expended for star-route service for a patronage a major portion of which has been served by Rural Delivery Service, unless the services of a qualified rural carrier cannot be secured.

4. No proposal for a contract for Star Route Service shall be considered unless the bidder is a legal resident of the county or counties traversed by the roads over which the mails are to be carried, or a legal resident within the counties adjoining such county or counties; except that proposals for carrying the mail tendered by firms, companies, or corporations shall be considered: *Provided*, That such firms, companies, or corporations are actually engaged in business within the counties in which individuals are herein restricted as to residence: *And provided further*, That the term "county," as used herein, shall include parish or other similar primary subdivision of a State.

5. A contractor for service on star, screen, or regulation wagon route shall live on or contiguous to the route, and shall give his personal supervision to the performance of service thereon.

1807½. The Postmaster General may, in his discretion and in the interest of the postal service, readvertise and award new contracts for the purpose of releasing contractors and their sureties under the following conditions: (a) Where a change is ordered in the service involving a material increase or decrease in the amount of service required to such extent as to impose undue hardship on the contractor; (b) where an abnormal or sustained increase in the quantity of mail develops during a contract period or after a bid has been submitted, necessitating larger capacity equipment to maintain the service; (c) where a change in schedule is ordered that will necessitate the contractor being away from the initial terminal an excessively longer or an excessively shorter period than was required in the advertised schedule; (d) where it is found after full investigation that the compensation of such contractors is wholly inadequate and

Restriction on appropriation where star-route and rural free-delivery services are involved.
39 U. S. C. 451.

1940, May 31,
Public No. 588.

Contractor to reside on route.

1940, May 31,
Public No. 588.

that the continuation of the contract would impose undue hardship upon the contractor: *Provided*, That provision (d) shall be effective only upon the giving by the contractor of 90 days' advance notice of his desire to be released: *Provided further*, That such contractor shall waive the 1 month's extra pay authorized by law where contracts are canceled under section (d).

Contracts limited to four years.
39 U. S. C. 436.

1808. Except as otherwise provided by law, no contract for carrying the mail shall be made for a longer term than four years * * *.

Continuation of contracts for six months, authorized.
39 U. S. C. 434.

2. * * * in all cases of regular contracts, 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.

Combinations to prevent bidding.
39 U. S. C. 432.
—contracts not to be made with persons entering.

1809. 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.

—penalty for.

See secs. 1708 and 1772 as to persons disqualified as mail contractors; sec. 2333 as to Members of Congress being interested in contracts.

Failure of bidder to enter into contract or contractor to commence service.
39 U. S. C. 434.
—new contract in case of.

1810. 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 * * *.

1811. * * * 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.

Failure of contractor to perform service.
39 U. S. C. 434.

—new contract in case of.

Duplicate of contracts to be delivered to Bureau of Accounts.
39 U. S. C. 431.

1812. The Postmaster General shall deliver to the Bureau of Accounts in the Post Office Department, within sixty days after the making of any contract for carrying the mail, a duplicate copy thereof.

Change in terms of contracts.—how effected.
39 U. S. C. 438.

1813. Whenever it becomes necessary to change the terms of an existing contract for carrying the mail otherwise than as provided in section 437 of this title (in the United States Code), notice thereof shall be given and proceedings had thereon the same as at the letting of original contracts.

New sureties on contracts.
39 U. S. C. 435.

1814. 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.

Payment on contracts.
39 U. S. C. 439.

1815. 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.

39 U. S. C. 447.

2. 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 of the routes under contract with such person, corporation, or partnership until such failure has been removed and all penalties therefor fully satisfied.

—not to be made until contract is executed.
—withholding of, when.

3. Payments shall be made by warrant on the Treasury direct from the department, after the expiration of each month, and as soon as accounts can be settled, if required evidence of service has been received. (See sec. 1854.)

—how made.

4. Contractors for carrying the mail shall not be paid until the oath prescribed in section 30 is taken and filed in the department. (See sec. 1857.)

Postmasters may be designated to pay for Alaska service.
39 U. S. C. 67.

5. Postmasters may be designated by the Postmaster General as disbursing officers for the payment of contractors, emergency carriers, and temporary carriers, for performance of authorized service on power boat and star routes in Alaska.

6. No postmaster shall make payments unless specifically designated by the department to do so.

ASSIGNMENT OF CONTRACTS FOR SERVICES: SUBLETTING OF
CONTRACTS

1816. No contractor for transporting the mails 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.

Assignment of contracts prohibited.
39 U. S. C. 444.

NOTE.—This section is not in conflict with the provisions of the following section. A contractor may, with the consent of the Postmaster General, make a subcontract with another for the performance of the service undertaken by him, but he continues as contractor and is responsible for the due fulfillment of his contract. Under the above statute a contract cannot be assigned or transferred to another.

See following section, note, as to subcontracts; sec. 2236 as to contracts for transporting foreign mails.

Note.
Distinction between assignment and subletting.

1817. 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 provided by law; 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.

Subletting of contracts.
39 U. S. C. 445.
—Postmaster General may authorize.
—in case of, without permission, to be annulled.

NOTE.—Contractors cannot assign or transfer their contracts so as to relieve themselves from liability. (See preceding section, note.) When the service is sublet their responsibility for the due fulfillment of all the provisions of their contracts is in nowise affected. The term "transfer" as used in this section has been regarded as qualified by "subletting" and as meaning the same thing; and only subcontracts are ever authorized by the Postmaster General.

Note.
Liability of contractors when service sublet.

1818. 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. Such last subcontractor shall enter into a good and sufficient bond, and 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. When a contract is declared void on account of its having been sublet, the contractor shall

Subletting for less than contract price.
39 U. S. C. 447.
—contract to be void.
Contract with subcontractor.

Contractor not to have indemnity.

not be entitled to one month's extra pay as formerly provided. (See sec. 1846.)

Manner of sub-
letting con-
tracts.
39 U. S. C. 446.
Copy of con-
tract to be filed.

1819. 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 Postmaster General a copy of his or their contract; and thereupon it shall be the duty of the Postmaster General to notify the General Accounting Office 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 General Accounting Office, it shall be the duty of said office 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 said office shall pay said amount, upon the certificate of the Postmaster General, to the subcontractor or subcontractors, under the same rules and regulations governing the payments made to original contractors. 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 Postmaster General to certify such fact to the General Accounting Office; and thereupon said office shall settle with the original contractor or contractors, under the same rules as are provided by law for such settlements.

General Ac-
counting Office
to be notified.

General Ac-
counting Office
to pay subcon-
tractor.

Subcontracts.
—applications
to make.

1820. Contractors or subcontractors shall in all cases secure the permission of the Postmaster General before making a subcontract on any route or on part of a domestic air mail route. The application to sublet shall be made separately for service on each route, specifying the number and terminal points thereof, and in domestic air mail service the points between which the service is sublet if not for the entire route.

—forms for, to
be followed.

2. A subcontract shall be executed in the form prescribed by the Postmaster General, shall embrace not more than one route, be executed in triplicate for service upon the whole route, and for a period not less than one year, or for the remainder of the

contract term when less than one year, and one copy thereof shall be filed in the Post Office Department within 30 days after the time when the service is to begin under it: *Provided*, That on domestic air mail routes, a subcontract may be executed for service over part of the route.

3. None of the stipulations in the form of subcontract prescribed by the Post Office Department shall be eliminated therefrom, and no collateral stipulations shall be added thereto, except with the consent of the Postmaster General.

—to conform with stipulations of contract.

4. The subcontractor shall reside on or contiguous to the route and shall be a legal resident of the county or counties traversed by the roads over which the mails are to be carried, or a legal resident within the counties adjoining such county or counties; except that firms, companies, or corporations shall be considered: *Provided*, That such firms, companies, or corporations are actually engaged in business within the counties in which individuals are herein restricted as to residence. (See par. 4, sec. 1807.)

—residence.

5. 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, or render him eligible to contract for another route not contiguous to the route sublet.

Contractor's liability.

6. If the subcontract rate of pay is greater than that named in the contract, the department may pay the subcontractor at the latter rate only, and for the remainder he shall look to the contractor.

—in excess of regular contract, how paid.

1821. 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 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 month 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. Such payment shall not in any case exceed the rate of pay per annum of the contractor or subcontractor.

Lien upon pay of contractors and subcontractors. 39 U. S. C. 448. —persons performing service to have.

—payment of amount of.

PERFORMANCE OF SERVICE

GENERAL

1822. The term "star route" shall mean a post route on which the mails are carried under a formal contract awarded to the lowest bidder tendering sufficient guaranties for faithful per-

Star route. —definition of.

formance in accordance with the terms of the advertisement, and requiring due celerity, certainty, and security in the performance of the service.

Note.

NOTE.—Under this chapter are grouped certain statutes which apply to the transportation of the mails generally, but they are so classified as they are referred to more frequently in connection with this class of transportation.

Official head of route.—what offices are.

1823. Wherever in these regulations the post office at the "head of a route" is referred to it shall mean the post office first named in the statement of the service, whether originally the initial point or subsequently made so by reason of change of the route. An office from which a mail carrier starts to make his trip is not necessarily "the head of the route."

Qualifications of carriers.

1824. No person under 16 years of age shall be permitted to carry mail, nor shall a person who is undergoing sentence of hard labor imposed by a court having criminal jurisdiction be permitted to perform any service under a mail contract. The carriers on star routes shall be persons of good character, reliable, and trustworthy, and of sufficient intelligence properly to handle and deposit mail along the routes.

COLLECTION AND DELIVERY SERVICE ON STAR ROUTES

Further duties of contractors.

1825. Unless otherwise specifically stated in the advertisements, contractors for service on star routes shall, in addition to carrying the mail to the various post offices, be required, at the risk of the addressees, to deliver ordinary mail into all boxes and hang on cranes or posts that may be erected along the routes mail bags and satchels containing mail, and to collect mail from the boxes and collect the bags or satchels from cranes or posts and deposit the same in the proper post office, in accordance with the rules governing such service and without charge to the person sending or receiving the mail. Registered, insured mail, or C. O. D. mail shall not be so delivered unless expressly directed by the addressee in a written order.

Note.

NOTE.—On some routes it is a requirement of the contract that the carrier shall sell stamp supplies and accept and give receipts for applications for money orders and the money therefor, also for matter presented for registration or for insurance and for C. O. D. parcels. On such routes patrons should meet the carrier to purchase stamp supplies or procure receipts for money orders, registered, insured, or C. O. D. matter.

Box delivery.—patrons to provide boxes of standard type.

2. All persons desiring to avail themselves of box delivery and collection service on star routes shall provide suitable boxes which will properly protect the mail or provide suitable sacks or satchels with suitable posts or cranes so erected that the carriers may deliver and collect mail without dismounting from their vehicles: *Provided*, That where traffic conditions make it necessary carriers shall serve only boxes or cranes on the right-hand side of the road in the direction of travel: *And provided further*, That whenever deemed advisable by the department patrons may be required to erect standard approved boxes only.

Intoxicating liquors.

1826. A contractor or carrier on a star route is permitted to transport intoxicating liquors the same as any other freight or express outside of the mails from one point to another while in the

performance of mail service, if such transportation is not in violation of any local, State, or Federal law.

1827. All mail contractors shall be required—

(a) To carry the mail with certainty, celerity, and security, using therefor such means as may be necessary to transport the whole of the mail, whatever may be its size, weight, or increase during the term of the contract, and without additional pay; to carry the mail by the schedule of departures and arrivals stated in the advertisement under which contract is made and within the running time fixed therein, until said schedule is altered by the authority of the Postmaster General, and then to carry according to such altered schedule: *Provided*, That when more than 10 minutes are taken for opening and closing the mails at any office (see sec. 752) the additional time so taken will be allowed in addition to the time fixed in said schedule, unless otherwise provided in the contract; in all cases to carry the mail in preference to passengers and freight, and to their entire exclusion if its weight, bulk, or safety shall so require; and to carry the mail, upon demand, by any conveyance which the contractor regularly runs, or is concerned in running, on the route, beyond the number of trips specified in the contract, in the same manner and subject to the same regulations as are provided concerning regular trips.

(b) To carry the mail in a safe and secure manner and to protect it from becoming wet or otherwise injured.

(c) To take the mail and every part thereof from, and deliver it promptly at, each post office on the route, or that may be established on the route, and into the post office at each end of the route, and into the post office, if one is there kept, at the place at which the carrier stops for the night (see sec. 755); and if no post office is there kept, to lock it in some secure place, at the risk of the contractor. When a carrier cannot drive his conveyance near the door of an intermediate post office, the postmaster shall arrange to take the mail from him, and a carrier shall not enter a post office or other building, leaving his conveyance with mail therein unprotected. In no case shall the mail be thrown on the ground.

(d) To be accountable and answerable in damages for the person to whom the contractor shall commit the care and transportation of the mail, and responsible for his care and faithful performance of the obligations assumed by the contractor and imposed by law; to commit the care or transportation of the mail to no person under 16 years of age, nor to any person prohibited by law from being concerned in a contract for carrying the mails; to discharge any carrier of the mail whenever required so to do by the Postmaster General; to carry without additional charge post-office blanks, mail locks and bags, and other postal supplies, and also post-office inspectors and other agents of the department on the exhibition of their credentials, if a suitable conveyance is used.

Performance of service by contractors. Manner of carrying mail.

Schedules.

Ten minutes for opening and closing the mails.

Extra trips by regular conveyances.

Protection of mail.

Taking mail from and delivering into post offices.

Care of mail overnight.

Liability for carrier.

Transportation of inspectors, supplies, etc.

Exchange of mails at terminus on railroad.
Catcher service.

When to deliver to agent of railway company.

Employment of special carrier.

Certificate of service to be furnished General Accounting Office.

Limitation of service.

Boats used in mail service.

Accommodations for clerk.

Contractors to keep record of pouches and make report.

Letters on mail steamboats.—how disposed of.

(e) Where the service on a star route terminates at a railroad station, to make the exchange of mails, delivering the pouch to and receiving it from the postal clerk on the train; where crane and catcher service is used, to hang the pouch on the crane and remain in charge of it until it is on board the train, and to take charge of the pouch immediately on its being thrown from the mail car; unless the star route terminates at a railroad station at which the railroad company has an agent and the requiring of the carrier to remain at the station and receive the mail from or deliver it to the train would delay the mail for the star route or impose a hardship upon the carrier; in which cases the carrier on the star route shall deliver the mail to and receive it from the agent of the railway company, the agent being required to receive the mail from and place it on the train.

1828. A postmaster at a post office not on an established route may employ, when directed by the department, a suitable person to perform special mail service as often as practicable. The oath of office of the person so employed shall be transmitted to the General Accounting Office.

See sec. 1708 as to persons qualified as carriers, and sec. 1785 as to rate of pay allowed.

2. Immediately after the close of each quarter on March 31, June 30, September 30, and December 31, the postmaster shall transmit to the General Accounting Office, on forms furnished by the office, a certificate of the special carrier's service and a daily transcript of stamps and other stamped paper canceled at his office during the preceding three months. The postmaster shall not pay the special carrier.

3. Special mail service shall be continued until a regular supply is authorized or other instructions are given by the department.

1829. On routes on which steamboat or other power-boat service is performed the contractors shall provide boats which are safe, suitable, and satisfactory to the Postmaster General.

2. The contractor when required by the Postmaster General shall provide and fit up on each boat used in the service a room suitable for the distribution of the mail, with a sleeping apartment attached, for the exclusive use of the postal clerk, and furnish first-class board to such clerk, without additional charge.

3. Contractors on steamboat lines shall keep a record of all pouches due to be received or dispatched by them and check all pouches when received or dispatched. In cases of failure to receive a pouch due, the contractor shall notify the division superintendent, Railway Mail Service.

1830. All letters placed on a mail boat, on which the mails are in charge of a postal clerk, shall be delivered to such clerk; and on these letters the master of the vessel shall not be paid any compensation. None but letters on which at least one full rate of postage has been paid shall be received on such boat, and these shall be duly mailed.

1831. The compensation of the carrier of mail on Lake Winnepesaukee from the post office at Laconia, New Hampshire, who furnishes his own equipment, shall be \$1,800 per annum.

Service on Lake Winnepesaukee, N. H.
39 U. S. C. 208.

1832. The master or other person having charge or control of any steamboat or other vessel passing between ports or places in the United States, arriving at any such port or place where there is a post office, shall deliver to the postmaster or at the post office within three hours after his arrival, if in the daytime, and if at night, within two hours after the next sunrise, all letters and packages 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 package so delivered, unless the same is carried under a contract for carrying the mail; and for every failure so to deliver such letters or packages, the master or other person having charge or control of such steamboat or other vessel, shall be fined not more than one hundred and fifty dollars.

Delivery of letters by master of vessel.
18 U. S. C. 323.

Penalty for failure.

See sec. 516 as to postage on ship letters; sec. 711 as to treatment of such letters in post offices.

1833. The term "ship letters and packages" embraces the letters and packages brought into the United States from foreign countries, or carried from one port in the United States to another, in any 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.

Ship letters defined.

2. Letters from any foreign port brought loose on a vessel which brings also a mail from abroad shall be treated as though included in the mails brought by the carrying vessel and not as "ship letters." (See sec. 2252.)

Foreign letters loose on regular mail steamers not included.

1834. 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.

Compensation for carriage of ship letters.
39 U. S. C. 494.

1835. Postmasters at offices where ship and steamboat letters are delivered shall 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

Certificate of shipmaster showing letters carried.

Payment of shipmaster, and receipt.

shall be delivered into his post office for mailing or delivery, he shall pay to the said master or owner 2 cents, and take his receipt therefor.

See sec. 711 as to manner of rating postage and sec. 712 as to record to be kept.

When fees on ship letters not allowed.

—addressed to foreign country.
—to passengers or sailors.
—to mail vessels or carriers.
—for mail carried over post route.

1836. No fee shall be allowed for ship letters addressed to a foreign country, but they should be marked "Ship." No fee shall be allowed for ship letters delivered to a postmaster by a passenger or sailor; nor to the master of any vessel or any person on board any vessel which carries mail; nor to any carrier on any mail route; nor to the master of a vessel who delivers to a postmaster letters which were carried over a post route; nor for printed matter.

See sec. 516 as to postage on ship letters and printed ship matter; sec. 711 as to treatment of all ship matter at post offices.

CHANGES IN SERVICE: ADDITIONAL SERVICE

Extension of service on route under contract. 39 U. S. C. 442.

1837. The Postmaster General may, in cases where the mail service would be thereby improved, extend service on a mail route under contract, at not exceeding 50 miles and at not exceeding pro rata additional pay: *Provided*, That such extension shall not exceed 50 miles of traveled service route.

Additional service. 39 U. S. C. 440. —compensation for.

1838. 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.

—no compensation for, until ordered.

1940, May 31. Public, No. 538.

2. The Postmaster General may, in his discretion and under such regulations as he may prescribe, allow additional compensation to a star-route contractor for necessary increased travel caused by obstruction of roads, destruction of bridges, discontinuance of ferries, or any other cause occurring during the contract term, but such additional compensation allowed shall not be proportionately greater than the rate established by the contract involved: *Provided*, That the provisions of section 3960 of the Revised Statutes (U. S. C., title 39, sec. 440) that no compensation shall be paid for additional service in carrying the mail until such additional service is ordered,

the sum to be allowed therefor to be expressed in the order and entered upon the books of the department, and that no compensation shall be paid for any additional regular service rendered before the issuing of such order, shall not apply to any service authorized under this paragraph.

3. Additional pay may be allowed for increased travel caused by obstruction of roads, destruction of bridges, discontinuance of ferries, or any other cause, in cases where the increased travel caused thereby amounts to 10 per centum of the official mileage and continues for a period not less than 10 consecutive round trips, or one-way trips if round trips are not required: *Provided*, That payment may be made for such changes continuing less than 10 consecutive trips in cases where the increased mileage amounts to 25 per centum of the official mileage; and provided further that no additional pay shall be allowed for such increased travel amounting to less than \$2.

4. In all cases where the regular line of travel becomes impassable from any cause, the carrier must use the most available road in order to perform full service. He should immediately report the matter to the department and to the postmaster at the head of the route or to the postmaster at the office first named in the statement of service. The postmaster shall forward a special report to the Second Assistant Postmaster General, Division of Railway Mail Service, stating the manner in which it is necessary for the carrier to travel, the increase in distance involved, the date on which the detour began, and the probable date on which regular service may be resumed.

5. No additional pay will be allowed for increased travel under the provisions of this section, unless claim is presented to the department within 60 days after such additional service was rendered.

1839. 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. The Postmaster General shall not 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.

Expedition of service when authorized. 39 U. S. C. 441. —compensation for.

—limitation upon compensation for.

Increased celerity.

—when required, to be without extra pay.

—contractor refusing to meet demand for.

Change of schedules.

Gratuitous exchange of mails.

—postmasters may arrange, in addition to regular service, when.

Extra service.

—not to be required except in emergency.

—report of, to department.

—application for, when permanently necessary.

Unnecessary service not to be required of contractor.

Reduction or discontinuance of service.

—report of, to department.

Discontinuance or curtailment of service.

—reasons for.

—indemnity in case of.

Temporary contract, when authorized.
39 U. S. C. 434.

1840. Whenever it shall become necessary to increase the speed by which the mail is carried on any 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 agree to so continue the service it shall be readvertised for the expedited running time required.

1841. The Postmaster General may change the schedule of the departures and arrivals on any route without increase of pay, provided the running time be not abridged.

1842. Upon application to the Post Office Department permission may be given to postmasters to provide for the gratuitous exchange of mails by sworn carriers, between their offices, either by separate route or by additional trips on an existing route. Until such permission is given postmasters shall not dispatch or receive mail more frequently than required by the schedule of the route on which the mails are regularly carried.

1843. No additional regular trips shall be required of contractors by postmasters or superintendents of Railway Mail Service without first securing authority therefor from the proper bureau officer having charge of the service, except in case of emergency, in which event the service may be required of the contractor; but the fact shall be reported immediately for approval. When permanent additional service becomes necessary application therefor, including a full statement of the facts, shall be made to the proper bureau officer having charge of the service.

1844. Postmasters shall so arrange the schedule of trips on regulation screen-vehicle routes for the receipt and dispatch of mails that the contractors will not be required to perform unnecessary service, and where possible, without detriment to the service, they should combine two or more mails in one trip.

1845. When service in whole or in part becomes unnecessary, for any reason, the postmaster shall report the facts to the proper bureau officer having charge of the service, and if the reduction or discontinuance of service is only temporary, that fact should be stated, and the probable date of resumption given.

1846. The Postmaster General may discontinue or curtail the service on any mail 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, the contractor to be allowed, as full indemnity, one month's extra pay, on the amount of service dispensed with and a pro rata compensation for the amount of service retained and continued.

TEMPORARY SERVICE

1847. 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 according to law: *Provided*, That the cost of temporary service rendered necessary by reason of the failure of any accepted bidder to enter into contract or a contractor to perform service shall be charged to such bidder or contractor: *Provided further*, That the provisions of section 440 of this title, that no compensation shall be paid for additional service in carrying the mail until such additional service is ordered, the sum to be allowed therefor to be expressed in the order and entered upon the books of the department, and that no compensation shall be paid for any additional regular service rendered before the issuing of such order, shall not apply to any service authorized under this paragraph. (See sec. 1838.)

2. When, because of an emergency, it becomes necessary to divert mail in transit the Postmaster General may enter into a temporary contract for transporting such diverted mail over such other route as he may elect.

NOTE.—When a contractor for carrying United States mail fails or refuses to perform the required service, and temporary services cannot be procured within the amount of the contractor's bond, the Postmaster General may employ temporary services on such route at a rate per annum in excess of the amount of the bond and charge same to the contractor. (1 Comptroller General 201.)

1848. Temporary service rendered necessary by reason of the failure of any bidder or contractor to perform the service awarded him under this act (see sec. 1795) may be employed by the Postmaster General without advertisement, at a rate which he may deem reasonable, at the expense of any such failing bidder or contractor.

1849. When any contractor fails to begin the performance of mail service under the contract, or, having begun service, fails to continue the same, the postmaster at the head of the route (i. e., the post office first named in the advertisement and contract—see sec. 1823), or the postmaster where vehicle service is under contract, shall employ temporary service at the lowest rate possible, any other postmasters on the route to communicate to him any offer they may have received for the performance of the service, and if the lowest obtainable rate seems excessive when compared with the contract rate, he shall communicate with the proper bureau officer of the Post Office Department, by wire if

—where service is defaulted, new service required, or no responsible contractor.
—when cost may be charged to bidder or contractor.

—for transporting diverted mails.

Note.
—failure of contractor to perform service.

Temporary service where bidder or contractor under bulletin advertisement fails.
1892, July 26 ;
27 Stat. 268.

Procedure where contractor fails to begin or continue service.

necessary, and request instructions; the cost of any such temporary service to be charged to the contractor, and to continue until the contractor, in person or by agent, appears with proper equipment and takes charge of the route, or until otherwise ordered.

Use of contractor's equipment.

2. In the performance of temporary service postmasters shall not permit the use of any equipment owned by the contractor, subcontractor, or bondsmen of either nor employ the subcontractor or bondsmen of the contractor or subcontractor. If such equipment is used or such person employed as temporary carrier, service so performed shall be considered as being performed for the contractor or subcontractor, and shall not be recognized by the Post Office Department as temporary service.

Postmaster to report.

3. Postmasters shall immediately report to the Post Office Department any action taken in connection with the employment of temporary service and shall not pay for such service.

Restriction on service in lieu of railroad or electric service.

1850. Postmasters shall not require contractors to carry the mails in lieu of railroad or electric and cable car service which has failed, unless specific authority be received from the proper bureau officer of the Post Office Department.

Postmasters not to employ service after expiration of contracts.

1851. 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 shall not employ any service unless expressly authorized to do so by the Post Office Department.

CHAPTER 9

EXAMINATION OF REPORTS OF SERVICE PERFORMED; DEDUCTIONS AND FINES

EXAMINATION OF REPORTS: GENERAL PROVISIONS

Registers of arrivals and departures. 39 U. S. C. 7. Reports, how made.

1852. 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.

—standard time to be observed in.

1853. Standard (railroad) time shall be observed by contractors in performing, and used by postmasters in reporting service on all routes.

Reports of mail service. —by whom to be made.

1854. Postmasters at terminal offices on mail routes, and at such other post offices as the Postmaster General may designate as reporting offices, shall report the performance of the service

upon the blank forms furnished by the department strictly in accordance with the instructions printed thereon. Clerks in charge of terminal R. P. O. and transfer offices may be required to furnish such reports.

2. The regular reports above required shall be forwarded by the first mail after the close of each month to the Post Office Department, and a duplicate of each report shall be retained by the postmaster and carefully preserved, to be turned over to his successor.

—when to be made.

—duplicates of, to be retained.

1855. Every postmaster shall promptly report to the Postmaster General every delinquency, neglect, or malpractice of contractors, their agents or carriers, which comes to his knowledge.

Delinquencies.
39 U. S. C. 51.
—report of.

1856. A special report shall be made by the postmaster to the Post Office Department in each of the following cases:

Special reports,
subjects of.

(a) Mail carried by a person who has not taken the oath.

(b) Mail carried by a person under the prescribed age.

(c) Carrier intoxicated on duty, or when he calls for the mail.

The postmaster in such cases shall suspend the carrier and employ another for the trip or to complete the trip at the lowest obtainable rate.

(d) Failure of carrier to deposit mail in post office in place at which he stops overnight.

(e) Mail arriving without a lock. If the name of the person at fault can be ascertained, it shall be included in the report.

(f) Mails left exposed to damage or depredation.

(g) Failure of carrier to properly protect mail from the weather. The postmaster shall call the carrier's attention to such delinquencies and see that they are corrected.

(h) Failure of carrier to take all the mail on each trip.

(i) Mails unnecessarily thrown upon the ground. Mail pouches or sacks (or contents) damaged by being dragged about or otherwise.

(j) Where any postmaster, assistant postmaster, or clerk employed in any post office, or any member of the immediate family of a postmaster or assistant postmaster is interested in any mail contract or employed either regularly or temporarily as a carrier of the mail.

(k) Extraordinary failures, interruptions, or abandonment of service.

2. Postmasters shall furnish the Post Office Department with any information that may aid it in enforcing the performance of duty on the part of contractors, and in securing regularity, safety, and efficiency in the mail service. All reports shall state the number and terminal points of the route, if known.

Postmasters to
furnish general
information.

See sec. 1827, relative to the requirements of contractors; sec. 1776 relative to the duties of mail messengers; sec. 748 as to delivery of mail to carriers in advance of scheduled time.

1857. All mail carriers, except employees of railroad companies and employees of contractors for steamboat or other power-boat

Oath of mail
carriers.

service, or for star-route service where contractor operates regular passenger busses and carries mail therein, when carrying mail for such companies or contractors, shall, before entering upon their duties as such, take the oath prescribed in section 30: *Provided*, That pilots or other employees carrying mail for a contractor on any international air-mail route may be required to take only that part of the oath relating to faithful performance of duty and to paying over money belonging to the United States.

—supervision by postmasters.

Explanation for delinquencies by contractors.

2. Postmasters shall see that the requirements of this section are strictly complied with.

1858. When mail fails to arrive at the end of a contract route, or at any intermediate scheduled point, within the time fixed in the contract or schedule, the contractor shall promptly send his explanation to the Post Office Department, stating particularly the cause of the failure. A specific explanation shall be furnished by the contractor for each delinquency. Mere general allegations will not be considered. If only part of the trip was performed, the report shall show what part and state the distance traveled.

DEDUCTIONS AND FINES

Deductions and fines for failures and delinquencies.

39 U. S. C. 443, —authority for.

1859. The Postmaster General may make deductions from the pay of contractors for failure to perform service according to contract and impose fines upon them for other delinquencies, which deductions or fines may be changed or remitted, in his discretion. Contractors shall also be answerable in damages to the United States for the proper care and transportation of the mails, and be accountable to the United States for any loss or damage resulting to any of such mail or any part of it by reason of the failure to exercise due care on the part of any of the contractor's officers, agents, or employees in the custody, handling, or transportation thereof. 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.

Note.

NOTE.—The action of the Postmaster General in authorizing deductions, under the provisions of the aforesaid section, for failure to perform service according to contract, is not subject to review. (Allman v. United States, 131 U. S. 31; 20 Comp. Dec. 555.)

See sec. 1726 as to penalty for refusing to furnish railway post-office cars or equip them.

Fines on contractors for foreign mails.

39 U. S. C. 655.

1860. The Postmaster General may impose or remit fines on contractors or carriers transporting the mails by air or water on routes extending beyond the borders of the United States for any unreasonable or unnecessary delay to such mails and for other delinquencies in the transportation of the mails.

GENERAL SERVICE

1861. Fines may be imposed, unless satisfactory excuse be made in due time, for each of the following delinquencies on the part of a contractor, to wit:
- (a) Failure to take the mail, or any part of it, from a post office, or to deliver it thereto, or to deliver it immediately upon arrival. (Note exceptions in sec. 755.)
- (b) Suffering the mail, or any part of it, to become wet, lost, injured, or destroyed, or conveying or keeping it in a place or manner that exposes it to depredation, loss, or injury.
- (c) Refusing, after demand, to transport mail by any coach, car, boat, or other conveyance which the contractor runs or is concerned in running on the route.
- (d) Leaving or putting aside the mail, or any part of it, for the accommodation of passengers, baggage, express, freight, or other matter.
- (e) Habitual failures to observe schedule.
- (f) Other delinquencies or violations of the terms of the contract, or the requirements or regulations of the Post Office Department.

Fines, how and for what imposed.

Failure to take or deliver mail.

Damage to mail.

Refusal to transport mail.

Leaving mail for passengers, etc.

Failure to observe schedule.
Other delinquencies.

2. The fine shall in each case be such sum as the Postmaster General may impose, in view of the gravity of the delinquency, and shall be deducted from the contractor's pay for the service on the route on which the delinquency occurred.

Postmaster General to fix amount of fine.

1862. In addition to the foregoing general causes, fines may be imposed for the following delinquencies in the different classes of service, to wit:

Fines in particular classes of service.

RAILROAD, ELECTRIC, AND CABLE CAR SERVICE

- (a) Leaving mail which arrives at the station before the departure of the train or car for which it is intended.
- (b) Failure to use the first practicable means of forwarding mail which is delayed en route.
- (c) Failure to furnish suitable apartments when required in which to distribute the mail.
- (d) Failure to sound proper signal when approaching mail crane.
- (e) Failure to furnish proper accommodations for the handling, storage, and, if necessary, the distribution of mails in depots.

Leaving mail.

Forwarding of delayed mails.

Failure to furnish apartments in cars.

Failure to sound signal.

Failure to furnish proper accommodations in depots.

STAR SERVICE

- (f) Failure to arrive or depart at time fixed by schedule without satisfactory excuse.
- (g) Intoxication of carrier while in charge of mail.
- (h) Employing a carrier under 16 years of age.
- (i) Failure to deposit all mail in the post office at any place where the carrier stops overnight.
- (j) Employing either as subcontractor or carrier any postmaster, assistant postmaster, clerk in a post office, or any member of the immediate family of a postmaster or assistant postmaster.

Failure to observe schedule.

Intoxication of carrier.
Carrier under age.
Care of mail overnight.

Employing post-office employees.

BOAT SERVICE

Failure to observe schedule.
Failure to furnish apartments.
Inferior grade of service.

- (k) Failure to arrive at time fixed by schedule without satisfactory excuse.
- (l) Failure to furnish necessary facilities for the distribution of mail.
- (m) When a grade of service is rendered inferior to that stipulated in the contract.

VEHICLE SERVICE IN CITIES

Failure to provide sufficient equipment.
Failure to carry mails in prescribed vehicles.

- (n) Failure to provide and maintain in good condition sufficient equipment (motor trucks, wagons, horses, and harness) to perform the service properly.
- (o) Failure to carry the mails in the prescribed vehicles, for unnecessary delays in receiving or delivering mails, or to comply with any or all other terms of the contract.

MAIL-MESSENGER SERVICE

Imperfect service.
Applications from railroad and electric car companies for remission of fines and deductions.

- (p) Failure to perform service properly.
- 2. Applications from railroad and electric-car companies for remission of fines and deductions shall not be considered unless, in the case of fines, the company has previously made reply to the complaint of the officer of the Railway Mail Service within 30 days from the date of his communication relative to the delinquency for which the fine has been imposed, nor unless, in cases of fines and deductions, the application for remission, with evidence in support thereof, is filed in the office of the Second Assistant Postmaster General within six months from the date of notice by the Post Office Department to the railway company that such fine has been imposed or deduction made.

CHAPTER 10

MAIL EQUIPMENT

MAIL BAGS

Term "mail bags,"—what it includes.

1863. The term "mail bags" includes mail pouches and mail sacks. Mail bags shall be of such style, material, and size as will meet the needs of the service. They shall be numbered according to size, beginning with No. 0 for the largest size, No. 1 for the next smaller size, etc.

Mail pouches.

2. The principal styles of mail bags are—

Saddle mail bags.

(a) Mail pouches, designed for locking, and used for the handling of first-class, registered, and air mail.

Catcher mail pouches.

(b) Saddle mail bags, designed for locking, and used only for horseback service on star routes.

(c) Catcher mail pouches, designed for locking, and used exclusively for exchanging mails with moving trains by means of mail cranes and catcher arms.

(d) Canvas mail sacks, equipped with lacing cord and cord fastener, and used for handling ordinary second, third, and fourth class mails. Size 1, equipped also with locking-cord fasteners, are used for parcel-post mails.

Sacks for domestic mail.

(e) Canvas mail sacks, equipped with a neck-strap device for closing with a lead seal, and used for foreign mails.

Sacks for foreign mail.

1864. Mail bags shall be furnished by the department for use exclusively by the Postal Service. They shall not be sold or otherwise disposed of by private parties to the commercial trade, except where specifically authorized by the Post Office Department.

Use of mail bags.
—by Postal Service only.
None sold.

2. The experimental use in the Postal Service of alleged improvements in mail bags or other mail equipment shall not be permitted unless specially authorized by the department.

—experimental use of alleged improvements forbidden.

1865. Mail bags shall be used only for the transmission of mailable matter while under the care, custody, and control of the Post Office Department, through its postmasters and other authorized agents, and shall not be used for other purposes, except as provided in section 1866.

Restrictions on use of mail bags.

2. Mail bags shall not be used for storing records, waste paper, etc., or for personal convenience.

—for storage of records, etc., forbidden.

1866. When in the opinion of the postmaster, material benefits to the Postal Service will result and dispatch of mails will be expedited, mail sacks may be loaned to publishers or others to deliver their mail to the post office, made up for dispatch, in accordance with Railway Mail Service schemes of distribution, or in any other manner that may be prescribed by the local postmaster.

Loan of mail sacks.

2. No sacks shall be loaned by the postmaster except upon presentation of requisition in duplicate on Form 3970 by the party to whom the privilege is extended. The number of sacks loaned will be entered on the postmaster's record, Form 026, and when returned a receipt on Form 3971 will be given the borrower, who will be credited on the postmaster's record with the number of sacks returned.

—restriction on.

—account to be kept.

3. Postmasters shall see that mail sacks which have been loaned are returned to the service within a reasonable time, and shall advise each patron to whom such sacks are loaned that he will be held responsible for the proper care and return of each sack intrusted to him.

—to be returned promptly to the service.

4. The Fourth Assistant Postmaster General, Manufacturing and Repair Branch, shall advise postmasters, on request, of the value of mail sacks.

—value of sacks.

5. The postmaster shall collect from the patron the value of mail sacks not returned and shall account for such collections as postal funds.

—collections for.

6. Mail sacks may be furnished upon specific authorization of the Second Assistant Postmaster General, Division of Railway Mail Service, in each case for shipment of catalogs and other advertising matter in large quantities or carload lots by freight or express or by other means of transportation to post offices into which such matter is to be deposited for dispatch as mail, and for shipment by publishers of second-class mail by freight or express

—for shipments by freight or express, to be finally deposited in the mails.

or by other means of transportation to post offices where such matter has additional entry: *Provided*, That the shipper shall make such distribution as may be required by the Railway Mail Service or the postmaster at shipping point and a record is kept of the number of sacks delivered to the shipper and the number returned to the service at the post office where mailed, the shipper to be held responsible for any shortage. However, such shipments by freight or express or by other means of transportation are not to be consigned to trucking companies to be split up and delivered by them in small lots to several different post offices but must all be entered in the mails at the post office to which such shipment is consigned and no part of such shipment shall be delivered outside of the mails.

Mail sacks containing public documents, etc.

—to be emptied and returned promptly.

Mail bags with defective locks.

—no other mutilation allowed.
—attachments not to be removed, etc.

Postmasters at head of star routes to order bags and locks.

Repair of mail bags.
—to be avoided.
—no allowance for, when.

—when permissible.

—allowance for.

1867. Postmasters who receive canvas mail sacks containing public documents or other official mail matter addressed to Senators or Representatives in Congress or to resident agents of any executive department at Washington, D. C., stationed within the delivery of the post office, may permit such sacks to be taken from the receiving post office for the purpose of conveniently emptying them, but with the distinct understanding that such sacks shall not be withheld from the service for a longer period than one day.

1868. The stitching of the seam of a mail bag may be cut to remove the mail when the lock attached to it cannot be opened. (See sec. 1883.)

2. Mail bags shall not be mutilated otherwise by postmasters or postal employees.

3. Cord fasteners or other attachments shall not be removed willfully from mail bags, and the lacing cord on mail sacks shall not be cut or tied into hard knots.

1869. When a mail bag is needed on a star route, it shall be ordered by the postmaster at the head office (see sec. 1823), and failure on his part to keep the route equipped with suitable bag and lock shall be reported to the Second Assistant Postmaster General, Division of Railway Mail Service.

1870. A postmaster at the head of a star route shall order new mail bags before those in use become unserviceable. (See secs. 1869 and 1871.)

2. The continued use of mail bags on star routes until they become defective from natural wear shall be considered negligence, and may be deemed sufficient reason for disallowing any claim for credit arising from the repair of such bags.

3. A postmaster whose office is located on a star route may have a mail pouch used on said route repaired (no serviceable bag being available to substitute in its place) only when the same has been damaged by unusual accident in transit or mutilated, as authorized by section 1883. Unnecessary repair of pouches shall not be made and sacks shall not be repaired.

4. The receipted bill for money paid by a postmaster for repair of a mail pouch shall accompany his quarterly account as a proper voucher for the allowance of the money as paid and charged by

him, said bill to be accompanied with a letter from the Fourth Assistant Postmaster General, Manufacturing and Repair Branch, authorizing this expenditure. The bill shall state clearly the nature and price of the work done.

1871. All requests for mail bags of all styles in quantities, and requests for saddle bags for use on star, rural, and special routes, shall be addressed to the Second Assistant Postmaster General, Division of Railway Mail Service.

Application for mail bags.—how to address.

2. All requests for mail bags for use on star, rural, and special routes, except saddle bags, shall be addressed as follows:

From post offices in—	To postmasters at—
Maine, New Hampshire, Vermont, Massachusetts, and Rhode Island.	Boston, Mass.
Connecticut, New York, New Jersey, and Pennsylvania.....	New York, N. Y.
Georgia, Florida, Alabama, Mississippi, and Louisiana.....	Atlanta, Ga.
Ohio, Indiana, Kentucky, and Tennessee.....	Cincinnati, Ohio.
Michigan, Wisconsin, Illinois, Iowa, Nebraska, Wyoming, and Idaho.	Chicago, Ill.
Minnesota, North Dakota, South Dakota, and Montana.....	St. Paul, Minn.
Missouri and Arkansas.....	St. Louis, Mo.
Kansas, Oklahoma, Colorado, New Mexico, and Arizona.....	Kansas City, Mo.
Texas.....	Fort Worth, Tex. ¹
Utah, Nevada, California, Oregon, Washington, and Alaska.....	San Francisco, Calif.
Maryland, Delaware, District of Columbia, Virginia, West Virginia, North Carolina, and South Carolina.	Washington, D. C.

¹ Requisition should be addressed to the Superintendent, Railway Mail Service.

3. Separate locked pouches for offices on a star route shall not be furnished, except when authorized by the proper division superintendents of the Railway Mail Service.

—extra pouches for star routes not furnished, except.

1872. Postmasters whose offices are designated as depositories for mail bags and locks shall receive each day all mail equipment addressed to them, and render to the Second Assistant Postmaster General, Division of Railway Mail Service, at the end of each day and month an account, on form blanks prescribed by the department, giving the information indicated thereon.

Mail bag and lock depositories.

—to make daily and monthly reports.

2. Mail bags and locks received for storage shall be kept separate and apart from the equipment in use for the current needs of a depository post office.

Equipment, how kept.

3. Mail bags and locks in the several depositories shall be distributed on orders of the Second Assistant Postmaster General, Division of Railway Mail Service. Postmasters in charge of depositories, however, may withdraw equipment, without special instructions, to meet the needs of their respective offices, and to meet emergency calls from other post offices which admit of no delay.

—to be distributed on orders.

Exceptions.

1873. All defective mail bags shall be promptly dispatched by mail to the Manufacturing and Repair Branch, Washington, D. C.

Defective bags.—where sent.

2. Serviceable empty mail bags shall not be included in bundles containing defective mail bags.

—serviceable bags not to be sent therewith. Bags mutilated in consequence of depredation.

3. Mail bags which have been mutilated as a consequence of depredation upon the mails, however, shall accompany the report made to the nearest post-office inspector in charge, after which, when the case has been closed, or when the inspector has no fur-

ther use for them, they shall be forwarded to the Manufacturing and Repair Branch. (See secs. 443 and 810.)

Labeling and marking of bags.

4. Mail bags sent to the repair shop shall be covered by plainly addressed labels, the face of the label to be marked "Manufacturing and Repair Branch, Washington, D. C.," and to show contents of bundle, the reverse side of label to bear the postmark of dispatching office or line and name of employee having the matter in immediate charge.

Surplus mail bags.

1874. Any serviceable mail bag not actually required for the regular dispatch of mails is surplus equipment.

—not to be held for emergencies.

2. Surplus mail bags shall not be held at any post office to meet possible emergencies unless specially authorized by the Railway Mail Service.

—to be dispatched daily to designated receiving points.

3. All surplus mail bags shall be dispatched daily by mail to receiving points designated by the Railway Mail Service with the exception that postmasters of first- and second-class post offices shall be permitted to hold surplus No. 1 sacks not in excess of 2 days (unless otherwise instructed) if by so doing they can be packed in full bundles and labeled "examined" to save reworking at receiving points. Postmasters and railway postal clerks dispatching mail bags shall obtain the necessary information as to points to which they should dispatch, in cases where they are in doubt, from the superintendent, Railway Mail Service, of the division in which their office or line is located.

—labeling and marking.

4. Each sack containing empty mail bags shall be properly labeled, the face of the label to show the point to which shipment is being made and the contents of the bundle, and the word "examined" when covering full bundles of mail bags or the word "serviceable" when covering less than full bundles, the reverse side of the label to bear the postmark of dispatching office or line and name of the employee having the matter in immediate charge.

Defective mail bags.

5. Defective mail bags shall not be included in these dispatches, but shall be disposed of as directed in section 1873.

See annual Postal Guide as to packing empty mail bags.

Bags belonging to foreign countries. —return of.

1875. Mail bags received from and belonging to foreign countries shall be promptly returned empty, pursuant to the international postal regulations; and such bags shall not be used by postmasters or others.

Cord fasteners and label cases.

1876. Cord fasteners and label cases which become detached from mail bags shall be forwarded by ordinary mail to the Fourth Assistant Postmaster General, Manufacturing and Repair Branch.

Improper use of bags and locks. —to be reported.

1877. Postal employees shall prevent, when possible, any improper use or abuse of mail bags and mail locks, and shall report every instance of which they may be aware of theft or illegal use of such equipment.

MAIL LOCKS

Term "mail locks," —what it includes. —L.A.

1878. The term "mail locks" includes:

(a) The LA lock, which shall be used for locking pouches in which first-class mail matter is conveyed and sacks in which parcel post is conveyed.

(b) The rotary registry lock, which shall be used at authorized post offices and by postal employees specially authorized for locking pouches and sacks containing registered matter only, unless otherwise exceptionally authorized.

—rotary registry.

(c) The brass (star route) registry lock, which shall be used only where specially authorized by the Third Assistant Postmaster General, its principal use being at designated post offices on star routes to lock mail bags containing registered mail and ordinary through mail.

—brass registry.

(d) The letter-box lock, which shall be used for United States collection boxes. (Various kinds of padlocks and "inside" or "arrow" locks.)

—letter box.

(e) Special mail locks, which shall be used when specially authorized.

—special.

See sec. 1233 as to registry dispatches; sec. 1267 as to care of registry locks and keys.

1879. Mail locks shall be used exclusively in the Postal Service and shall not be diverted to private or other uses, nor shall they be sold or otherwise disposed of to private persons.

Use of mail locks.
—restriction.
—never sold.

1880. All requests for mail-pouch locks in quantities shall be addressed to the Second Assistant Postmaster General, Division of Railway Mail Service.

Requests for locks.

2. All requests for mail-pouch locks for use on star, rural, or special routes shall be prepared and addressed as provided in section 1871 for mail bags.

—how to address.

1881. Brass registry locks shall be used only on pouches dispatched to post offices to which the brass-lock system of exchange has been extended.

Brass locks.
—authorized use.

2. A postmaster whose office is without a brass-lock exchange, receiving a pouch addressed to his office and secured with a brass registry lock, shall be guided by section 1883. Should it be necessary to forward the pouch unopened to the next office on the route, as provided for in section 1883, a letter of advice shall be transmitted therewith by each dispatching office.

—how treated when so used.

See sec. 1224 as to brass-lock pouch service.

1882. When a pouch of mail, in transit without lock, is received at an office and the postmaster has no mail lock to put on it, he should lock such pouch with any safe padlock he may have and send the key in a sealed envelope by the carrier to the next postmaster, who, if he has no mail lock, shall use the same padlock on the pouch and forward the key in the same manner.

Pouch without lock.
—how treated.

2. The first postmaster who has a mail lock shall attach it to the pouch and immediately return the padlock to its owner.

—supplying of lock.

3. If a postmaster has no mail lock or private lock and key with which to secure the mail, he should purchase an inexpensive padlock and key. The bill for such lock and key should be presented, like other accounts, in his quarterly statement to the General Accounting Office if he desires credit for the same. When the price of a purchased lock and key is claimed and intended to be included in the "quarterly statement," such lock and key

—credit for, if purchased by postmaster.

should be promptly forwarded, after discontinuance of its use, to the Fourth Assistant Postmaster General, Manufacturing and Repair Branch.

Defective locks on pouches.
—how treated.

1883. When a lock attached to a pouch or sack cannot be opened the stitching of the seam of the bag may be cut and another bag and lock, if available, placed in service. A padlock may be purchased in accordance with section 1882, if necessary.

—at terminal office.

2. In case no other bag is available and the foregoing provision cannot be complied with, the pouch or sack shall be passed unopened to the next office on the route, and so on, if necessary, until it reaches a terminal office, where the postmaster shall release the mail as above provided.

Defective locks.—disposition of.

1884. Whenever a mail lock of any kind is found to be defective in the slightest degree, it shall be withdrawn immediately from service. Defective LA locks, rotary locks, and all other defective locks except letter-box locks, shall be sent by ordinary mail to the Fourth Assistant Postmaster General, Division of Building Operations and Supplies, Manufacturing and Repair Branch, Washington, D. C., but rotary locks shall not be included in the same package with other locks. All defective letter-box locks shall be forwarded to the Fourth Assistant Postmaster General, Division of Building Operations and Supplies, Manufacturing and Repair Branch, by registered mail, with a letter of advice.

2. Defective mail locks which are returned to the department shall not be replaced unless accompanied with a requisition for good locks in lieu of those defective.

Surplus locks.—LA and rotary registry.

1885. Any serviceable LA ordinary mail lock or rotary registry lock not actually required for the regular dispatch of mails is surplus equipment and shall not be held by any postmaster or transfer clerk to meet possible emergencies of the service without special permission from the department.

—disposition of.

2. (a) Surplus LA locks and rotary locks shall be dispatched daily by offices of the first class, terminal railway post offices, transfer offices, and railway post office lines, by ordinary mail to receiving points designated by the Railway Mail Service. Postmasters and railway postal clerks dispatching locks shall obtain the necessary information as to the points to which they should dispatch, in cases where they are in doubt, from the superintendent, Railway Mail Service, of the division in which their office or line is located.

(b) Offices of the second, third, and fourth classes dispatching pouches of mail to railway post office lines shall include daily in the pouches all surplus locks. Offices of the second, third, and fourth classes not dispatching mail to railway post office trains shall send surplus locks daily to the nearest office making dispatches of mail in pouches to railway post office trains.

(c) Rotary locks shall have the hasps closed and when dispatched in pouches with mail shall be wrapped, separately from other locks in course of transmission, if it seems probable that dispatching the locks in the pouch tied together and without wrapping would cause damage to mail in the pouch. Separate pouches

closed with iron locks and containing only rotary locks shall be used in transmitting rotary locks when the number of locks is such that damage to mail might occur were the locks inclosed in a pouch with mail matter. Packages or pouches containing only surplus rotary locks, or supplies of rotary locks being issued, shall be marked "Rotary locks," in order that they may be properly handled at destination. The package or pouch shall show by postmark the name of the dispatching office. Locks must not be dispatched in catcher pouches.

(d) Surplus rotary locks in course of return or supplies of rotary locks being issued shall not be registered or billed unless the locks are in course of transmission to or from a Naval vessel or Naval organization located at a point beyond the continental United States, not including Alaska.

1886. Surplus brass registry locks shall be forwarded promptly, by ordinary mail, to the nearest lock depository.

1887. Each application for letter-box locks shall be addressed to the Fourth Assistant Postmaster General, Manufacturing and Repair Branch, and shall state explicitly the combination and number of locks wanted and why they are needed.

2. When letter-box locks are sent to an office, the card form of receipt and inventory forwarded therewith shall be filled in carefully and verified, and then returned to the Fourth Assistant Postmaster General, Manufacturing and Repair Branch.

3. Postmasters shall keep an accurate and separate account of each combination of letter-box locks issued to their respective offices. The inventory submitted by a postmaster shall account for every letter-box lock of the combination to which said inventory refers with which his office is charged, and any discrepancy must be explained by letter accompanying the inventory.

4. Postmasters at letter-carrier offices shall keep on hand such letter-box locks in excess of the number of collection boxes in actual use as may be authorized by the department.

5. Surplus letter-box locks shall be kept in a safe, or other secure place, in the post office, and when any of them are issued to replace defective ones, the latter shall be returned to the department promptly in accordance with section 1884.

6. All letter carriers should be expressly instructed (through the superintendent of carriers) that it is forbidden (1) to put oil or grease in mail locks, (2) to pry open the case of such locks, (3), to injure a letter box in order to remove a defective lock.

7. The shackle of a letter-box *padlock* may be sawed when it is on a letter box and cannot be opened with a key, but not until the carrier has properly reported the matter to the post office and a new key has been tried in the lock. Should it be necessary to remove a damaged "inside" or Arrow street letter-box lock, a most satisfactory method is as follows: Carefully center the screws with a center punch, then drill a hole at least three-sixteenths inch deep, using a breast drill and a number 22 twist drill; drive out the screws with a drive punch the same size as the drill; remove the lock; then retap the holes with a three-sixteenth-inch 32-

Surplus brass
registry locks.

Letter-box
locks.
—application
for.
—combination
to be stated.
—receipt and
inventory.

—accounts to
be kept.

—surplus num-
ber to be kept.

—surplus
allowed.

—care of.

—shackle may
be sawed.

pitch, or number 10, 32-pitch tap. For cast-iron type of box, holes should be drilled to a depth of at least three-eighths inch. If the foregoing method is not feasible, remove the screws by any available method that will not injure the lock or box. No attempt shall be made to open a letter box by the methods described until a new key has been tried in the lock.

Repairs forbidden.

1888. Mail locks shall not be repaired nor shall oil or grease be applied to them.

Locks in improper hands.—to be reclaimed.

1889. Postal employees shall reclaim, when possible, and transmit to the Second Assistant Postmaster General, Division of Railway Mail Service, all mail locks found to be in improper hands or applied to any other than their lawful use.

Locks.—thefts and loss to be reported.

1890. In case of theft or loss of a letter-box lock, or theft of any other kind of mail lock, a report, stating the facts and circumstances relating to such theft or loss, shall be made immediately to the proper inspector in charge, and also to the Fourth Assistant Postmaster General, Manufacturing and Repair Branch.

MAIL KEYS AND SAFETY CHAINS

Term "mail keys,"—what it includes.

1891. The term "mail keys" includes all keys issued by the department for use in connection with the mail locks referred to in section 1878. The ordinary mail keys in general use are known as LA keys.

Mail keys shall be furnished to whom.

1892. Mail keys shall be furnished to postmasters, postal clerks, and post-office inspectors, and such other subordinates of the Postal Service as may be authorized by the department to use them.

Application for, to be addressed to whom.

1893. Application for mail keys and safety key chains shall be addressed to the Fourth Assistant Postmaster General, Manufacturing and Repair Branch, and prompt request shall be made for new keys which may be needed to replace broken, lost, or damaged ones.

Receipts for, record of and accounting for mail keys. Key number. Receipts for keys.

1894. A mail key which is the subject of correspondence should be referred to by its number and combination.

2. The form of receipt which accompanies every mail key issued for service shall be filled in and signed by the proper person and immediately returned to the Fourth Assistant Postmaster General, Manufacturing and Repair Branch.

Mail key charged by number.

3. Each mail key bears a different number. Every postmaster or employee to whom mail keys are furnished shall be charged therewith and held to a strict account therefor. When a postmaster receives a mail key he shall make a record, to be kept in his post office, of the date of its receipt, the number of the key, and its combination. In case of letter-box keys the combination shall be shown on the record.

Record to be kept.

4. Postmasters shall obtain and file in their offices receipts from letter carriers for mail keys issued to them.

Receipts to be obtained from carriers. Mail keys from discontinued offices, etc.

5. Postmasters shall acquaint themselves with the mail keys charged to their respective offices; and any other mail keys com-

ing into their possession from discontinued post offices, or other source, shall be forwarded promptly, by registered mail, to the Fourth Assistant Postmaster General, Manufacturing and Repair Branch, accompanied with a letter of advice.

1895. Mail keys shall be kept with special care and shall not be exposed to public observation nor allowed to pass into the hands of mail contractors, drivers, mail messengers, or other unauthorized persons.

Safe-keeping of mail keys.

2. Every mail key, excepting those furnished as extras, shall be kept attached to a safety key chain until the key is returned to the Fourth Assistant Postmaster General, Manufacturing and Repair Branch.

To be kept on safety chains.

3. The LA mail keys in use at post office shall be attached by means of a long safety chain and screw-eye to the receiving table or other fixture, having in view the safety of the key.

The LA key in use at post offices.

4. Postmasters and other postal employees shall report to the Fourth Assistant Postmaster General, Manufacturing and Repair Branch, all instances of loss or accident to, or of any unlawful or improper use of, mail keys which come to their knowledge. In all cases the combination, as well as number of key, shall be indicated.

Losses, etc., to be reported.

1896. When extra mail keys are furnished for use in cases of emergency, they shall be locked in a safe place in the post office, accessible to only the postmaster and his assistant.

Use and care of extra keys.

1897. No attempt shall be made to have a mail key repaired.

Unserviceable mail keys and chains. Bags to be passed unopened.

2. If the only mail key in an office supplied by star, rural, or special route be broken, or is so defective as not to open the mail locks, the bags shall be passed unopened to the next postmaster on the route with a written request that the letters for said office be delivered in a sealed package, by the mail carrier, until a new key can be obtained from the department. (See secs. 1868 and 1883.)

3. When a mail key of any kind is returned to the department, it shall be addressed to the Fourth Assistant Postmaster General, Manufacturing and Repair Branch, and be forwarded by registered mail, accompanied with a letter of advice. Broken (all parts), defective, and stray mail keys shall be forwarded without delay. Mail keys and locks shall not be sent to the Post Office Department in the same package.

How to return keys.

Defectives, strays, etc.

—not inclosed.

4. Safety key chains which are badly worn and endanger the safety of mail keys shall not be used.

Safety chains.

1898. No mail key shall be transferred or exchanged except to a successor in office, nor loaned without special instructions from the department.

Mail keys not to be transferred, except.

1899. The failure of a mail key in apparently good condition to open the mail-pouch lock for which designed indicates that the lock is defective, and the postmaster shall be guided by section 1883.

Proof of defective locks.

MISCELLANEOUS PROVISIONS

Equipment in the service.—reports to be made.

1900. The Second Assistant Postmaster General, Division of Railway Mail Service, shall submit to the Fourth Assistant Postmaster General, Manufacturing and Repair Branch, when requested, periodically such data as may be desired relative to mail pouches, sacks, and locks in the service.

Repairs to bags and locks, where made.

1901. Repairs to mail bags and mail locks shall be made in the Manufacturing and Repair Branch at Washington, D. C.

TITLE ELEVEN

RAILWAY MAIL SERVICE

CHAPTER 1

ORGANIZATION AND SUPERVISION

2001. Authority to appoint the following-named officers of the Railway Mail Service may be found in the statutes cited: **Authority to appoint.**

General superintendent, R. S. 4020; June 17, 1878 (20 Stat. 140); June 2, 1900 (31 Stat. 258), appropriation act.

Assistant general superintendent, April 16, 1890 (28 Stat. 56).

One chief clerk (to be employed in the Post Office Department), April 16, 1890 (28 Stat. 56).

Nine division superintendents, June 17, 1878 (20 Stat. 140).

Two division superintendents, February 29, 1888 (25 Stat. 43).

One division superintendent (to be assigned to duty at New Orleans, La.), May 27, 1908 (35 Stat. 413).

One division superintendent (thirteenth), March 1, 1909 (35 Stat. 660), and subsequent appropriation acts.

One division superintendent (fourteenth), March 4, 1911 (36 Stat. 1335), and subsequent appropriation acts.

One division superintendent (fifteenth), August 24, 1912 (37 Stat. 548), and subsequent appropriation acts.

Assistant superintendents, R. S. 4017; June 2, 1900 (31 Stat. 259), and subsequent appropriation acts.

Assistant division superintendents, June 2, 1900 (31 Stat. 259), and subsequent appropriation acts.

One assistant division superintendent (to be assigned to duty at New Orleans, La.), May 27, 1908 (35 Stat. 406).

Chief clerks, June 2, 1900 (31 Stat. 259), and subsequent appropriation acts.

Assistant chief clerks, June 5, 1920 (41 Stat. 1052), and subsequent appropriation acts.

2002. The Postmaster General is authorized and directed to adjust the compensation of division superintendents, assistant division superintendents, assistant superintendents at large, assistant superintendent in charge of car construction, chief clerks, assistant chief clerks, and clerks in charge of sections in offices of division superintendents, Railway Mail Service, to correspond, so far as may be practicable, to the rates established

Salaries of officials, Railway Mail Service.
39 U. S. C.
602a.
Supp. V.

by sections 661 to 674 of title 5 (Classification Act of 1923), for positions in the departmental service in the District of Columbia. Any appropriation available on or after May 26, 1936, for the payment of the compensation of employees in the Railway Mail Service shall be available for payment of compensation in accordance with the rates adjusted in accordance with the provisions of this section.

2. Clerks in charge of sections in the offices of division superintendents shall continue to be rated as assistant chief clerks.

Note.

NOTE.—Reclassification under this act was made effective August 16, 1936.

Duties of General Superintendent.
—management of service.

2003. The General Superintendent of the Railway Mail Service is charged with the general management and supervision of the Railway Mail Service and the employees thereof.

See sec. 11 as to other duties of General Superintendent; secs. 587 to 591 and 594 as to preparation of matter for mailing, to be under direction of General Superintendent; sec. 1730 as to establishment of new or additional railroad and railway post-office car service.

Divisions of the Railway Mail Service.
Division superintendent.
—duties of.

2004. The Railway Mail Service shall be divided into 15 divisions, each in charge of a division superintendent.

2005. The division superintendent shall supervise the operation of the service and clerks assigned to his division; see that the Postal Laws and Regulations and all departmental orders are complied with; prepare schemes of distribution and schedules for use as guides to the correct dispatch of the mails; prepare semi-monthly pay sheets and quarterly pay rolls showing the names of the employees and the amounts of salaries and travel allowances to be paid by checks issued by postmasters at division headquarters of the Railway Mail Service (see sec. 238); make investigations ordered by the department, and of irregularities occurring within his territory, except losses (see sec. 2102), taking corrective action when necessary, and report upon all essential matters to the General Superintendent.

Assistant division superintendent.
—duties of.

2006. The assistant division superintendent shall aid the superintendent in the conduct of all work incident to the division, perform such duties as may be assigned to him by the division superintendent, and, in the absence of the latter, shall be in charge as acting superintendent.

Chief clerks, assignment.

2007. The general superintendent may assign chief clerks of Railway Mail Service at such points as he may deem advisable to be in charge of one or more lines or offices constituting a district.

Assistant chief clerks, assignment.

2. There shall be assigned to the office of a chief clerk an assistant chief clerk and such additional clerks as may be found necessary.

Chief clerks, duties.

3. Chief clerks shall see that clerks under their charge perform all duties required of them promptly and thoroughly, that schemes and Book of Instructions furnished are kept corrected, and that all orders from the department and division superintendent are

promptly executed. All irregularities, insubordination, inefficiency, and lax morality coming to their attention shall be reported to the division superintendent. They shall examine mailing clerks in post offices of the first and second classes where there are no superintendents of mails and perform such other duties as may be specially delegated to them.

2008. The Postmaster General may apply a part of the appropriation for rental of space for terminal railway post offices for the distribution of the mails when the furnishing of space for such distribution cannot properly be required of railroad companies without additional compensation, to the purpose of leasing premises for the use of terminal railway post offices at a reasonable annual rental to be paid monthly, for a term not exceeding twenty years. (See secs. 85 and 476.)

Terminal railway post offices.
39 U. S. C., 577.

2. Terminal railway post offices may be established at points where mails can be advantageously distributed or combined. The force at a terminal railway post office may include the transfer clerks employed to supervise the handling of the mails or to transfer registered matter, and such other clerks as may be necessary.

Force may include transfer clerks.

2009. The Superintendent and the Assistant General Superintendent and Chief Clerk of the Railway Mail Service shall be paid their necessary and actual expenses while traveling on the business of the department.

Traveling expenses of officers, Railway Mail Service.
39 U. S. C. 601.

2. Supervisory employees of the Railway Mail Service shall be paid their actual expenses as fixed by law.

39 U. S. C. 604.

NOTE.—This section relates to expenses incurred while traveling under special orders and not to the expenses of railway postal clerks while engaged on their runs.

Note.

3. The General Superintendent, Assistant General Superintendent, Chief Clerk, and supervisory employees of the Railway Mail Service and railway postal clerks, while traveling on official business and away from their designated posts of duty, shall be allowed, in lieu of their actual expenses for subsistence and all fees or tips to porters and stewards, a per diem at the rate of \$5.00 within the limits of the continental United States and an average of \$6.00 beyond the limits of the continental United States, unless otherwise provided. (See Act of June 30, 1932, 47 Stat. 382.)

Per-diem allowance.

See sec. 26 as to travel allowances for inspectors and supervisory employees, and sec. 60 as to general travel allowances.

4. Hereafter officers and regular clerks in the Railway Mail Service, when arbitrarily transferred under orders of the Department from one official station to another for permanent duty, and who actually have to change their residence, may be allowed their actual and neces-

1940, June 25,
Public No. 662.

sary transportation expenses for moving their household goods, including packing and drayage, not in excess of three thousand five hundred pounds.

1940, Oct. 10,
Public No. 839.

5. Expenses which now or hereafter may be authorized by law to be paid from Government funds for the packing, crating, drayage, and transportation of household goods and personal effects of civilian officers and employees of any of the executive departments or establishments of the United States when transferred from one official station to another for permanent duty shall hereafter be allowed and paid, when specifically authorized or approved by the head of the department or establishment concerned, under such rules and regulations as may be prescribed by the President, which regulations shall prescribe, among other matters, the maximum weight of the property, not to exceed five thousand pounds gross or the equivalent thereof when transportation charges are based on cubic measurement, which may be packed, crated, hauled, transported, and unpacked at Government expense: *Provided*, That no part of such expenses shall be paid from Government funds where the transfer is made at the request and primarily for the convenience or benefit of the officer or employee: *Provided further*, That nothing herein shall affect the allowance and payment of expenses for, or incident to, the transportation of effects of officers and employees of the Foreign Service, Department of State, except where the transfer is made at the request and primarily for the convenience or benefit of the officer or employee.

Travel allow-
ances, railway
postal clerks.
39 U. S. C. 633.

2010. In addition to the salaries provided by law, the Postmaster General may make travel allowances in lieu of actual expenses, at fixed rates per annum, not exceeding in the aggregate the sum annually appropriated, to railway postal clerks, acting railway postal clerks, and substitute railway postal clerks, including substitute railway postal clerks for railway postal clerks granted leave with pay on account of sickness, assigned to duty in railway post-office cars, while on duty, after ten hours from the time of beginning their initial run, under such regulations as he may prescribe, and in no case shall such an allowance exceed \$3 per day.

2. After the expiration of ten hours from the time required to report for duty at the initial point or service head-out of the assign-

ment or run, one item (75 cents) of travel allowance will be granted for each six hours or fraction thereof until actual return to the point where run ends.

3. Substitute railway postal clerks shall be credited with full time while traveling under orders of the department to and from their designated headquarters to take up an assignment, together with actual and necessary travel expenses, not to exceed \$3 per day, while on duty away from such headquarters. When a substitute clerk performs service in a railway post office starting from his official headquarters he shall be allowed travel expenses under the law applying to clerks regularly assigned to the run.

Travel expenses, substitutes.
39 U. S. C. 615.

CHAPTER 2

RAILWAY POSTAL CLERKS

APPOINTMENT, GRADES, AND SALARIES

2011. (a) The Postmaster General may appoint railway postal clerks in such manner and of such respective grades and salaries as may be provided for in the annual appropriation acts for the service of the Post Office Department, for the purpose of sorting and distributing the mail in railway post offices, railway post-office terminals and transfer offices, and for service in the offices of division superintendents and chief clerks, and as transfer clerks and such other services as may pertain to the Railway Mail Service. Such clerks shall be designated as railway postal clerks.

Appointment; grades and salaries of railway postal clerks.
39 U. S. C. 609.

(b) The Postmaster General shall classify and fix the salaries of railway postal clerks, under such regulations as he may prescribe, in the grades provided by law. He may assign to the offices of division superintendents and chief clerks such railway postal clerks as may be necessary and fix their salaries within the grades provided by law without regard to the classification of railway post offices.

39 U. S. C. 608.

2. (a) Railway postal clerks shall be divided into two classes, class A and class B, and into seven grades, with annual salaries as follows: Grade 1, salary \$1,900; grade 2, salary \$2,000; grade 3, salary \$2,150; grade 4, salary \$2,300; grade 5, salary \$2,450; grade 6, salary \$2,600;

Classes, grades, salaries of railway postal clerks.
39 U. S. C. 610 and 606.

grade 7, salary \$2,700. Laborers in the Railway Mail Service shall be divided into two grades, with annual salaries as follows: Grade 1, salary \$1,500; grade 2, \$1,600.

39 U. S. C. 612.

(b) In the readjustment of the service to conform to the grades herein provided, each grade shall include clerks in the grade of the same number existing on December 31, 1924.

Salary on entering service.
39 U. S. C. 611.

3. (a) All original appointments shall be made to the rank of substitute railway postal clerk, * * *.

Ratio of substitutes.
39 U. S. C. 834,
Supp. V.

(b) The ratio of classified substitute railway postal clerks, * * * classified substitute laborers, * * * to regular railway postal clerks, * * * laborers, * * * shall be not more than one classified substitute to six regular employees, or fraction thereof, respectively * * *. *Provided*, That where the ratio of substitutes is now in excess of these ratios, no additional classified substitutes shall be appointed until these ratios are established: *Provided further*, That the provisions of this section shall not operate to furlough or dismiss (1) any classified substitute railway postal clerks, * * * or laborers * * *.

Pay and probationary period of substitutes.
39 U. S. C. 614.

4. Substitute railway postal clerks shall be paid for services actually performed at the rate of \$1,850 per annum, the first year of service to constitute a probationary period, and when appointed regular clerks shall receive credit on the basis of one year (for each three hundred and five days of road service, or three hundred and six days of any other service of eight hours) of actual service performed as a substitute and be appointed to the grade to which such clerk would have progressed had his original appointment as a substitute been to grade 1. Any fractional part of a year's substitute service will be included with his service as a regular clerk in determining eligibility for promotion to the next higher grade following appointment to a regular position.

Eight hours, clerks' daily service.
39 U. S. C. 613
and 629.

5. Service of clerks shall be based on an average of not exceeding eight hours daily for three hundred and six days per annum, including proper allowances for all service required on lay-off periods. Clerks required to perform service in excess of eight hours daily, as herein provided, shall be paid in cash at the annual rate of pay or granted compensatory time at their option for such overtime. Railway postal clerks assigned to terminal railway post offices and transfer offices and laborers

in the Railway Mail Service shall be required to work not more than eight hours a day, and the eight hours of service shall not extend over a longer period than ten consecutive hours, but in cases of emergency, or if the needs of the service require, they may be required to work in excess of eight hours a day, and for such additional service they shall be paid in proportion to their salaries as fixed by law.

See par. 9 of this section for hours of service for clerks assigned to road duty.

6. When the needs of the service require the employment on Sundays or holidays of laborers or railway postal clerks at terminal railway post offices and transfer offices, they shall be allowed compensatory time on one day within six days next succeeding the Sunday, except the last three Sundays in the calendar year, and on one day within thirty days next succeeding the holiday and the last three Sundays in the year on which service is performed: *Provided, however,* That the Postmaster General may, if the exigencies of the service require it, authorize the payment of overtime for service on the last three Sundays in the calendar year or on Christmas Day in lieu of compensatory time.

Compensatory
time for Sun-
days and holi-
days.
39 U. S. C. 616.

7. (a) Railway postal clerks and substitute railway postal clerks shall be credited with full time when deadheading under orders of the department.

Deadheading.
39 U. S. C. 636.

(b) Clerks assigned to road duty shall be credited with full time for delays to trains equal to the period of time between the scheduled arrival and actual arrival of the train at destination of run.

39 U. S. C. 630.

8. * * * railway postal clerks, substitute railway postal clerks, and laborers in the Railway Mail Service, who are required to perform night work, shall be paid extra for such work at the rate of 10 per centum of their hourly pay per hour: *Provided,* That night work is defined as any work done between the hours of six o'clock postmeridian and six o'clock antemeridian.

Night work.
—compensa-
tion.
39 U. S. C. 828.

9. When the needs of the service require * * * employees of the Railway Mail Service * * * to perform service on Saturday they shall be allowed compensatory time for such service on 1 day within 5 working days next succeeding the Saturday on which the excess service was performed: *Provided,* That employees

Saturday
service.
—compensa-
tory time.
39 U. S. C. 832,
Supp. V.

who are granted compensatory time on Saturday for work performed the preceding Sunday or the preceding holiday shall be given the benefits of this section on 1 day within 5 working days following the Saturday when such compensatory time was granted: *Provided further*, That the Postmaster General may, if the exigencies of the service require it, authorize the payment of overtime for service on the last three Saturdays in the calendar year in lieu of compensatory time, * * * *And provided further*, That for the purpose of extending the benefits of this section to railway postal clerks the service of said railway postal clerks assigned to road duty shall be based on an average not exceeding 6 hours and 40 minutes per day for 305 days per annum, including a proper allowance for all service required on lay-off periods as provided in Post Office Department circular letter numbered 1348, dated May 12, 1921; and railway postal clerks required to perform service in excess of 6 hours and 40 minutes daily, as herein provided, shall be paid in cash at the annual rate of pay or granted compensatory time, at their option, for such overtime.

See sec. 238 as to payment of salaries and travel allowances to officials and employees of the Railway Mail Service.

Substitute laborers.
39 U. S. C. 607.

10. Substitute laborers in the Railway Mail Service shall be paid for services actually performed at the rate of 55 cents per hour, and when appointed to the position of regular laborer the substitute service performed shall be included in eligibility for promotion to grade 2 on the basis of 306 days of 8 hours constituting a year's service.

Note.

NOTE.—Probationary term for laborers and substitute laborers: Six calendar months prior to the Executive order of June 24, 1938, effective February 1, 1939, and 1 year subsequent to February 1, 1939.

Railway postal clerks appointed under civil-service rules.

2012. Original appointments to the position of railway postal clerk shall be made by the Postmaster General under the civil-service rules and regulations.

Vacancies filled by appointment of substitute.

2. Any vacancy in the regular force of clerks shall be filled by the appointment of the first substitute in the State entitled by proper apportionment to the appointment.

Vacancies in substitute force.

3. Vacancies in the substitute force shall be filled by certification of the Civil Service Commission from the Railway Mail Service register of the State in which the vacancy exists.

4. Vacancies in the substitute laborer force shall be filled by certification of the Civil Service Commission from the postal laborer register for the locality in which the vacancy exists, and

vacancies in the regular laborer force shall be filled by the appointment of the first substitute laborer for the locality entitled to the appointment.

2013. Railway post-office lines shall be divided into two classes, class A and class B, and clerks assigned to class A lines shall be promoted successively to grade 4 and clerks in charge to grade 5. Clerks assigned to class B lines shall be promoted successively to grade 5 and clerks in charge to grade 6. Lines in class A existing on December 31, 1924, shall be continued in class A, and lines in class B existing on that date shall be continued in class B.

Promotions in
Railway Mail
Service.
39 U. S. C. 617.

2. The terminal railway post-office system shall be maintained for the purpose of handling and distributing mail not handled or distributed in railway post-office lines or post offices, and the clerks in said terminal railway post offices shall be classified as railway postal clerks and progress successively to grade 4. Clerks in charge of terminals, tours, or crews consisting of less than twenty employees shall be of grade 5. Clerks in charge of terminals, tours, or crews consisting of twenty or more employees shall be of grade 6. When a terminal railway post office is operated in three tours there shall be a relief clerk in charge: *Provided*, That the clerk in charge of terminals having seventy-five or more employees shall be of grade 7: *Provided further*, That no employee in the Postal Service shall be reduced in rank or salary as a result of the provisions of this section.

Terminal
clerks.
39 U. S. C.
618a.

3. Transfer offices shall be divided into two classes, class A and class B; those having less than five employees shall be assigned to class A, and those having five or more employees to class B. Clerks in class A shall be promoted successively to grade 4, and clerks in charge of tours to grade 5. Clerks in class B shall be promoted successively to grade 5, and clerks in charge of tours to grade 6.

Transfer
clerks.
39 U. S. C. 619.

4. A clerk in charge is defined as a clerk in charge of a railway post office, terminal railway post office, or transfer office whether he performs service alone or has a crew of clerks under his supervision, or of a tour or a crew within a tour of a terminal railway post office or transfer office.

Clerk in charge.
—definition of.
39 U. S. C. 620.

Clerks in division superintendent's and chief clerk's offices.
39 U. S. C. 621. Supp. V.

5. Clerks assigned to the office of division superintendent or chief clerk shall be promoted successively to grade 4, and in the office of division superintendent, four clerks may be promoted to grade 5 and eight clerks to grade 6, and in the office of chief clerk, one clerk may be promoted to grade 5 and two clerks to grade 6: *Provided*, That clerks assigned to the position of stenographer may be promoted successively to grade 2, and in division superintendents' offices not exceeding one stenographer may be promoted successively to grade 3: *And provided further*, That no employee shall be reduced in salary as a result of this section.

Examiners.
39 U. S. C. 622.

6. Examiners shall be promoted successively to grade 6 and assistant examiners to grade 5 whether assigned to the office of division superintendent or chief clerk.

Laborers.
39 U. S. C. 607.

7. Laborers shall be promoted to grade 2 after one year's satisfactory service in grade 1. In the readjustment of the service to conform to the grades herein provided for laborers, each grade shall include laborers in the grade of the same number existing on December 31, 1924.

Successive promotions.
39 U. S. C. 611.

8. (a) * * * Promotions shall be made successively at the beginning of the quarter following a total satisfactory service of three hundred and six days in the next lower grade.

Promotions regardless of increase in salaries.
39 U. S. C. 627.

(b) * * * All employees provided for in this chapter in automatic grades who have not reached the maximum grades to which they are entitled to progress automatically, shall be promoted at the beginning of the quarter following the completion of one year's satisfactory service since their last promotion, regardless of any increases granted them by the provisions of this chapter.

Restorations.
39 U. S. C. 627.

9. Whenever an employee provided for in this chapter shall have been reduced in salary for any cause, he may be restored to his former grade or advanced to an intermediate grade at the beginning of any quarter following the reduction, and a restoration to a former grade or advancement to an intermediate grade shall not be construed as a promotion within the meaning of the law prohibiting advancement of more than one grade within one year. * * *

Promotion withheld.
39 U. S. C. 625.

10. Whenever the promotion of an employee provided for in this chapter is withheld because of unsatisfactory

service, such employee may be promoted at the beginning of the second quarter thereafter, or any subsequent quarter, on evidence that his record has been satisfactory during the intervening period.

11. When railway postal clerks are transferred from one assignment to another because of changes in the service, their salaries shall not be reduced by reason of such change.

Arbitrary transfers.
39 U. S. C. 632.

12. A clerk of any grade of any classification of railway post offices, terminal railway post offices, transfer offices, or in the office of a division superintendent or chief clerk, may be transferred and assigned to any classification of railway post offices, terminal railway post offices, transfer offices, or to an office of a division superintendent or chief clerk, under such regulations as the Postmaster General may deem proper.

39 U. S. C. 624.

13. Clerks in the highest grade in their respective lines or other assignments shall be eligible for promotion to positions of clerks in charge in said lines or corresponding positions in other assignments, and clerks assigned as assistant chief clerks and clerks in grade 6, or higher rank, in their respective divisions, shall, after 1 year of continuous service in such capacity, be eligible for promotion to positions of chief clerks in said division for satisfactory, efficient, and faithful service, under such regulations as the Postmaster General shall prescribe.

Promotions to clerks in charge, assistant chief clerks, and chief clerks.
39 U. S. C. 626.

14. In filling positions below that of chief clerk no clerk shall be advanced more than one grade in a period of a year.

Advance only one grade a year.
39 U. S. C. 628.

15. In determining the efficiency and faithfulness of a clerk, consideration shall be given to readiness and willingness in the performance of duty; capability, as shown by amount and accuracy of work done; familiarity with and observance of rules and regulations; regularity in keeping up runs; and knowledge of distribution and connections.

Factors in determining efficiency, etc.

16. Eligibility for promotion to clerk in charge shall include all requirements of the preceding paragraphs of this section, and the clerk shall be especially adapted to the assignment and competent to direct a crew to the best advantage.

Clerks in charge, eligibility for.

17. Eligibility for promotion to the position of chief clerk shall be based upon the following factors: Experience, record, efficiency, faithfulness, adaptability, impartiality, and capacity as a supervisory officer.

Chief clerk, eligibility for.

2014. Railway postal clerks, except those who are assigned to clerical duties in which they do not have access to the mails, shall

Railway postal clerks' bonds.

give bond to the United States in the sum of \$1,000 each, with good and approved security and in such form as may be prescribed by the Department. Each clerk shall pay the premium on his bond promptly when due. Bonds shall be filed with the general superintendent.

2. When a collection is made on the bond of a railway postal clerk, such clerk shall, if he remains in the service, furnish a new bond effective from the date collection was made on the old bond.

ASSIGNMENT TO DUTY

Assignment of clerks.

—emergency.

Temporary assignments.

—to be made by written order.

—order to be accepted as authority.

—telegraphic or oral order must be accepted when.

Runs not to be extended.

—on extensions or new lines.

Residence of postal clerks. 39 U. S. C. 631.

—to be on route.

—exception.

2015. Assignments of railway postal clerks to duty upon lines and in offices shall be made by the General Superintendent.

2. When emergencies arise, division superintendents may make any assignment of clerks in their respective divisions which will be for the benefit of the service; but such assignments shall not be for a longer period than 30 consecutive days, and shall be promptly reported to the General Superintendent.

3. When the necessities of the service require the temporary assignment of an extra railway postal clerk to a crew, the order of assignment shall, when possible, be in writing, and shall be presented to the clerk in charge of the railway post office to which the clerk is assigned. This order shall be accepted as authority to admit the clerk to the car and assign him to duty. When it is impossible to give a written order, an order by telegraph or telephone or an oral one shall be accepted.

2016. Division superintendents shall not extend the runs of clerks over extensions of railroads, or place them upon new lines, without authority from the General Superintendent.

2017. All clerks appointed to the Railway Mail Service and to perform duty on railway post offices shall reside at some point on the route, or at some point convenient thereto in the discretion of the general superintendent of the Railway Mail Service, to which they are assigned: *Provided*, That railway postal clerks appointed prior to February 28, 1895, and now performing such duty shall not be required to change their residence except when transferred to another line.

ABSENCES FROM DUTY, LEAVES, ETC.

Employment and payment of substitute when clerk is absent on other than annual leave. 39 U. S. C. 637.

2018. When any clerk in the Railway Mail Service is absent from duty for any cause other than the 15 days' annual leave with pay allowed by law, the Postmaster General, under such regulations as he may prescribe, may authorize the employment of a substitute for such work, and payment therefor from the lapsed salary of such absent clerk, at a rate not to exceed the pay of the grade of work performed by such substitute.

2019. Substitute employees in the Railway Mail Service may be granted annual and sick leave with pay in proportion to time actually employed after they have performed 2,448 hours of substitute service: *Provided*, That not more than the 15 days' annual leave and 10 days' sick leave with pay due regular employees each year may be credited in any one fiscal year, and that sick leave may not be granted for an illness or disability incurred at a time when the substitute is on leave of absence, granted at his own request, other than annual leave, or when the substitute is not available for duty. Temporary employees and those employed jointly by the Post Office Department and railroad, bus, steamboat and express companies shall not be granted annual leave or sick leave with pay.

NOTE.—See section 44.

2. Clerks may not be granted annual leave in excess of that accumulated to their credit at the rate of $1\frac{1}{4}$ days a month until they have been in the service for one year. Clerks who have been in the service for one year or more may be granted their full 15 days' vacation at any time during the fiscal year when their services can best be spared.

3. Annual leave with pay may accumulate to the credit of regular employees in the Railway Mail Service at the rate of $1\frac{1}{4}$ days a month from April 1, 1933, and any portion not taken in one fiscal year may accumulate and be granted in any succeeding fiscal year. (See sec. 44.)

4. Sick leave with pay shall be granted clerks, upon satisfactory evidence of illness, at the rate of 10 days a year, exclusive of Saturdays, Sundays, and holidays, to be cumulative, but no sick leave with pay in excess of 6 months shall be granted during any one fiscal year. When an employee is attended by a physician during the period of his illness, and in other cases where deemed advisable to protect the interests of the service, he shall furnish a physician's certificate with his application for sick leave. (See sec. 44.)

NOTE.—The Act of May 15, 1939, also excludes Saturdays from annual leave.

See sec. 24 as to employees of the Post Office Department, and secs. 47 and 48 as to leave for military duty.

2020. A railway postal clerk shall not absent himself from his line, or exchange runs with a clerk on the same or any other line, without the written permission of the division superintendent or chief clerk; nor shall a clerk leave his home during the periods of rest without notifying the division superintendent or chief clerk of his exact whereabouts, so that he can be reached by letter or telegram.

2. Leave of absence without pay may be granted by the chief clerk or division superintendent for periods not exceeding 30 consecutive days and not exceeding 60 days in any one fiscal year. Should further leave be desired, special authority shall be obtained from the General Superintendent.

Annual and sick leave.

Employees not entitled to leave.

No annual leave in excess of that earned first year.

Always for fiscal year in which taken.

Leave carried over.

Sick leave.

Note.

Clerks not to be absent without permission.

Absence without pay.

SEPARATIONS FROM SERVICE AND REINSTATEMENTS

Resignations.
—how
tendered.

2021. Resignations shall be sent to the General Superintendent through the division superintendent, and as long prior to the date on which they are intended to take effect as possible. A clerk transferred to another branch of the service shall submit his resignation from the Railway Mail Service.

Clerks dis-
charged on ac-
count of charac-
ter not to act as
substitutes.
Reinstatement.

2022. No person who has been discharged from the service for causes affecting his character and standing as a clerk or a citizen shall be employed as a substitute or in any other capacity.

2023. Ex-Railway Mail Service employees who were separated from the service without delinquency or misconduct or against whom no charges were pending and whose records were good—free from all objectionable features—and who had evinced a disposition to readily comply with all instructions of the department, may be considered for reinstatement at the discretion of the department in accordance with civil-service regulations. (See sec. 49.)

2. When vacancies exist and experienced employees are needed, a former railway postal clerk may be reinstated at one grade below that which he held when he resigned from the service, provided that he had not been formerly reinstated. A clerk who has resigned twice may be reinstated two grades below the salary he was receiving at the time of his second resignation, and if he has resigned three times, three grades below the salary he was receiving at the time of his third resignation: *Provided*, That former substitutes, and employees of grade 1, and former employees returning by reexamination under the Executive order of July 9, 1929, may be reinstated as substitutes: *Provided further*, That where the records show that a clerk resigned on account of illness or was dropped without prejudice at the expiration of one year's leave on this account, he may be reinstated at the same salary he was receiving at the time of his resignation with all seniority rights.

Retransfers.

3. Clerks who have been appointed or transferred to some other branch of the Postal Service and who apply for return to the Railway Mail Service may, at the discretion of the department and with the approval of the Civil Service Commission, be reappointed or retransferred at their former grades, but not above grade 5, and seniority will be at the foot of grade. If a clerk is reappointed or retransferred within one year, he may return at the foot of the grade to which he would have been automatically promoted had he remained in the Railway Mail Service.

Widows of vet-
erans, World
War.

4. The widow of a veteran of the war with Germany formerly in the competitive classified service who was the wife of such veteran while he was in the military service may be reinstated in any part of the competitive classified service within five years from the date of cessation of her husband's military service by death or otherwise without discredit.

5. The question of reinstatement is one of administrative discretion, and not to be granted except when consistent with the interests of the public service.

Reinstatement not a right to be demanded.

Opinion of the Attorney General, August 27, 1902, 24 Atty. Genl. 103.

2024. * * * railway postal clerks shall not be required to wear uniform other than a cap or badge.

Uniform. 39 U. S. C. 638.

2. The railway postal clerk's badge shall be in such form as may be prescribed by the Postmaster General.

Badge.

3. Every railway postal clerk, except those assigned to clerical duty in offices of superintendents and chief clerks, shall wear this badge on the outside of the outer garment, over the left breast, during the entire time he is on duty.

—where worn.

4. Clerks shall keep their badges in good condition and turn them in with other Government property when leaving the service. A record of all badges, with the names of the clerks holding them, shall be kept by each division superintendent or chief clerk.

—care.

—record.

2025. Railway postal clerks shall be examined from time to time upon the official schemes of distribution furnished them, the connections of trains and such other instructions and orders as relate to the service; also at least once a year as to their knowledge of the Book of Instructions for 10 consecutive years, after which they shall be examined thereon at least once in three years.

Case examinations.

2026. The Postmaster General may withhold promotion from, suspend, reduce, or remove any railway postal clerk for dereliction of duty or misconduct.

Offenses. —discipline for.

2. Violations of the regulations by, or misconduct of, railway postal clerks shall be reported to the division superintendent, who shall if necessary transmit such report, with his recommendation thereon, to the General Superintendent.

—reports.

3. Whenever a clerk commits an offense of such a serious character as seems to warrant immediate removal, the division superintendent may temporarily suspend him and shall submit the case to the General Superintendent, and in no other case shall he suspend a clerk without the approval of the General Superintendent.

—serious.

Suspensions, approval of.

2027. When a railway postal clerk is subpoenaed to attend court as a witness for the Government, his salary shall continue, and he will be paid by the United States marshal his necessary and actual expenses incurred going to and returning from and while in attendance on the court, such expenses to be stated in items and sworn to. (See 28 U. S. C. 604 and 608.)

Clerks subpoenaed as witnesses in United States court. —salary to continue. —expenses of, to be paid.

2. While a clerk is in attendance at court as a witness for the Government a substitute may be employed to keep up his run.

3. A clerk subpoenaed as a witness for the Government by a court shall furnish an official certificate of an officer of the court issuing the subpoena, showing the number of days and the dates on which the clerk was in attendance on the court.

Certificate of court.

NOTE.—When a clerk resides at the place at which the court is held he is not entitled to expenses.

Note.

Clerks exempt from arrest on civil process, when.

2028. Railway postal clerks while on duty are exempt from arrest on civil process.

See sec. 46 as to militia duty, and sec. 2357 as to obstructing the mails.

Debts of postal clerks.

2029. Railway postal clerks shall pay their just and honest debts. When a complaint regarding indebtedness of a clerk is received the division superintendent or chief clerk shall acknowledge its receipt to complainant and then advise the clerk thereof, ascertaining his intended action in the matter, and inform the complainant accordingly. If a dispute arises as to the validity of the claim, the matter shall be considered one for adjustment between the interested parties or by a court. (See sec. 56.)

Government property to be turned in upon resignation, removal, etc.

2030. Upon the separation of a railway postal clerk from the service he shall turn over to the division superintendent or chief clerk the mail keys, travel commission, badge, and all other property and records belonging to the Post Office Department in his possession (including all records of registered matter). In case of extended suspension he shall in like manner turn in his keys, commission, and badge. (See sec. 2338 and 2341.)

CHAPTER 3

RAILWAY POST OFFICES

MANAGEMENT AND CARE OF RAILWAY POST OFFICES AND MAILS

Railway post offices.
—postal cars, etc., designated as.
Examination of postal cars.
—no mail to be left therein.
—nor locks, except.

2031. All railway postal cars and mail apartments in cars and steamboats in use for the distribution of mail matter in transit shall be designated as railway post offices.

2032. Railway postal clerks shall thoroughly examine their cars upon entering and before leaving them to see that no mail has been or is left therein.

2. Mail locks shall not be left in postal cars, except when securely locked in drawers or closets or to secure drawers and closets or the car itself when necessary.

Care of cars.

2033. Railway postal clerks shall not deface or injure the postal cars or other property of the railroad company. Cars shall be kept clean and in orderly condition. Waste paper or twine shall not be thrown upon the floor or permitted to lie about. Clerks shall not expectorate upon floor or walls of car or in the waste sack, nor deposit any foreign matter in the latter, nor use the water cooler for refrigerating purposes.

Use of lights.

2. Care and economy shall be exercised in the use of lights and electric fans.

3. Clerks shall refrain from placing lighted cigars and cigarettes on tables or label holders and shall not place bridges or other metal fixtures in overhead paper boxes. Safety rods shall not be used for storage of mail or fixtures.

Clerk in charge.
—duties.

2034. Where two or more railway postal clerks are assigned to duty in a crew, one shall be designated as clerk in charge. He

shall have charge of the car (or cars); be accountable for all property belonging in or pertaining thereto; keep informed of the mail space authorized and needed on his run and advise his chief clerk whenever an economy therein appears to be possible; require each clerk of crew to comply with all instructions, regulations, and orders relating to the service; have all reports made; see that all mails are properly made up and dispatched, special care being given to local exchanges, and that registered matter is carefully handled and safeguarded; that the clerks use their utmost endeavor to complete the distribution. The remaining clerks of the crew shall obey the orders of the clerk in charge.

2. Correspondence relative to service performed by the crew shall, when practicable, be sent to the clerk in charge for attention and report.

—correspondence.

2035. Clerks shall not leave their cars during a run except for meals, or for purposes of urgent necessity in the interests of the service, and then only for brief periods.

Absence from postal cars.

2. Clerks shall keep the doors of their cars locked, especially end doors, and particularly at nighttime. They shall not leave the car without locking it unless another clerk is left on duty therein, except for the purpose of collecting from letter boxes which are in full view of the car door.

—locking of doors.

2036. Clerks in charge shall not admit unauthorized persons to railway post offices, transfer offices, and terminal railway post offices.

Admission to railway post offices.

2. Only the following persons shall be permitted to enter railway post offices: The Postmaster General, Assistant Postmasters General, officials of the Railway Mail Service, and post-office inspectors upon the presentation of their commissions or proper credentials, clerks actually on duty, transfer clerks and terminal railway post-office clerks in the performance of their official duties only, such as supervising the loading and unloading of mails and receiving and delivering registered matter, conductors and other railroad employees in the performance of their official duties only, and those presenting admits properly signed. Such admits shall be good only during the period for which issued. If an admit is presented which has become void, it shall be taken up and forwarded to the division superintendent.

—unauthorized persons not to be admitted.
—who may be.

3. An admit issued to a railroad employee shall be honored only on mail trains not provided with a baggage car or coach, except as heretofore noted.

—to railroad employees, when to be honored.

4. An admit shall not entitle the holder to transportation. When any person is riding in a railway post office upon an admit the clerk in charge shall notify the conductor of the train.

—not good for transportation.

5. An annual admit shall not be taken up, but its number and the full name of the holder and the points between which he rode shall be noted on the trip report.

—annual, to be noted on trip report.

6. Railway postal clerks not on duty, though accredited to the line over which they are passing, shall not enter or ride in the railway post office without special authority. However, a clerk who works one way only and is deadheading back to initial point

Clerks off duty not to be admitted.

—except.

of run shall be permitted to ride in mail cars and his name shall be noted on the trip report.

Extra duty required of clerks deadheading to and from their homes, when.

7. In actual emergencies a clerk who is deadheading to and from his home may be called upon to perform extra duty by the clerk in charge, and in such case his name shall be noted on the trip report, showing the points between which duty was performed. (See secs. 2015 and 2037.)

Admission of conductors and railroad employees.

8. Conductors and other railroad employees shall not be allowed to enter railway post offices except in the discharge of their official duties, and when they have attended to such duties they shall immediately leave the car.

Illness of clerk while on run.

2037. When a railway postal clerk becomes unable from any cause to discharge his duties, the nearest clerk available may be called upon for assistance and he shall promptly respond; but such cases shall be confined to those of absolute necessity. The occurrence shall be noted on trip report, and special report also be made.

All clerks of a crew to assist until work is done.

2038. In the distribution of mail and other work to be done every clerk of a crew shall do his full share and shall assist other clerks until all work is completed.

Guarding the mails, vigilance in.

2039. All employees shall use the utmost vigilance in protecting the mails under their charge, especially where there are transfers involving considerable trucking between depots, vehicles, or trains. Mail shall not be exposed to inclement weather or depredation, day or night.

Report of exposure.

2. Whenever clerks become aware that the mails are so exposed they shall safeguard them if possible, and note the fact upon their trip reports.

See secs. 1743 and 1744 as to care of mails arriving and departing at late hour of night, etc., by railroad companies.

Clerk shall accompany registered mail, when.

2040. The railway postal clerk who takes charge of the registered mail shall accompany the same to and from initial and terminal post offices of his run unless otherwise specially authorized. When accompanying the mail on regulation vehicle he shall see that it is securely locked, and on other than regulation vehicles he shall sit in such a position as to be able instantly to detect the loss of a pouch or sack. (See sec. 2097.)

Crossing ferries, etc.

2. In crossing a ferry, being caught in street blockade, or other hindrance, or while mail is being trucked between office and vehicle, or vehicle and train, clerk shall keep mail under constant surveillance.

Accidents to mail trains.—how to be reported.

2041. When an accident occurs to a mail train, the clerk in charge shall at once make full report through the chief clerk to the division superintendent. The report shall include the following: Extent of injury to clerks and mail, place of occurrence, date, hour, cause, extent of delay, speed, number, and consist of train, class of each car, whether storage end of mail car is run next to engine, to what extent each car in train was damaged; in case of fire state how and where it originated, and if practicable the origin or destination and character of any mail that may have been lost, damaged, or destroyed—this report to be in addition to notation on trip report.

2. In case of loss of life or serious injuries to clerks, or if mails are destroyed, a brief telegraphic report shall be made to the division superintendent and chief clerk, but this shall not relieve such clerk from making a full report in writing to the division superintendent.

3. When circumstances warrant, the division superintendent shall make telegraphic report to the General Superintendent.

Death, serious injury destruction of mail, etc., to be reported by wire.

When division superintendent to wire General Superintendent

CARE OF MAIL EQUIPMENT AND OTHER PROPERTY

2042. Every railway postal clerk assigned a mail key shall wear it on his person securely attached to his clothing by the safety chain at all times while on duty, and also when off duty, except when it is impracticable to do so, in which case key must be kept in a safe place. (See sec. 1895.)

2. Every railway postal clerk shall retain his mail key so long as he is connected with the same chief clerk's district, unless otherwise directed.

3. Mail keys shall not be transferred or exchanged except as provided by regulations, nor loaned without special instructions from the division superintendent or chief clerk.

4. When a railway postal clerk makes application for leave of absence for 60 days, he shall turn in his mail key and badge to the division superintendent or chief clerk, who shall give a receipt therefor and take charge thereof while the clerk is absent from duty.

2043. When a mail key is worn and becoming defective, timely notice shall be given of the fact, stating the number of the key. A new key shall be furnished to the clerk, who shall return the old one to the chief clerk.

2. Railway postal clerks shall promptly send all damaged or defective mail keys with broken parts, if any, to the chief clerk with an explanatory letter.

See secs. 1888 and 1897 prohibiting repairs to mail locks and keys.

2044. Mail keys received from discontinued post offices or elsewhere shall not be retained, but shall be promptly forwarded to the division superintendent with a full report of the facts in relation thereto; when known, the name and address of the person from whom the key was received shall be given.

2045. When a pouch or sack becomes damaged in transit to such an extent as to jeopardize the safety of the mails, the contents shall be transferred to another bag and the damaged bag forwarded to the Manufacturing and Repair Branch, the clerk noting on trip report cause of the damage, if known. If the sack is of foreign origin, both the sack and contents shall be inclosed in a domestic sack labeled to the exchange office through which the mail is due to be dispatched.

2046. Railway postal clerks shall not carry an excessive amount of equipment and shall promptly dispose of all surplus. Damaged equipment shall not be used.

Care of mail keys.

Mail keys in possession of clerks.
—to be held while in same division.
—not to be transferred, etc., except.

—to be turned in when clerk absent over 60 days.

Worn and defective keys.
—report of, to superintendent.
—new key to be furnished.

Damaged mail keys be returned.

Disposition of keys not received in regular manner.

Mail bags becoming damaged in transit.

Surplus equipment.

—disposition of.

2. All surplus pouches, sacks, and locks shall be forwarded to the depository designated by the division superintendent. Pouches and sacks shall be carefully examined to see that no mail is left therein, and be properly labeled to show by whom made up, and the number and kind of pouches or sacks inclosed. If possible, the different sized sacks and pouches shall be packed separately.

Equipment in transit not to be interfered with.

3. Serviceable equipment the labels of which are marked "Examined" shall not be used en route to the depository addressed, except when none marked "Serviceable" is available. When bundles marked either "Examined" or "Serviceable" are opened and only a part of the contents withdrawn the clerk using the equipment shall forward the residue to the designated depository under his own "Serviceable" label.

See secs. 1865 and 1868 as to use and mutilation of mail bags, and sec. 744 as to books.

Report of excessive amount of equipment.

4. Railway postal clerks shall note on trip report the receipt from any local office or other source of an excessive amount of equipment, especially catcher pouches.

Waste paper and twine.

2047. Waste paper and twine shall be preserved and turned in at the terminal post office in a special sack furnished for that purpose. Before being dispatched it shall be carefully examined and the sack labeled with "Waste" tag (Form 5156) properly filled out and postmarked.

Economy in use of twine.

2. Due economy shall be observed in the use of twine. When conditions permit it shall be reused. When any is left in car, it shall be locked in a drawer or other receptacle.

GENERAL PROVISIONS

Instructions, schemes, etc.
—clerks to carry copy of.

2048. Every railway postal clerk, when on duty, shall carry travel commission and revolver assigned to him, the Book of Instructions, copy of any special orders issued for his guidance, schemes of his distribution, and copies of such schedules of mail routes as may be necessary. Railway postal clerks shall see that letter cases and paper racks are labeled in accordance with official diagrams.

—letter cases and paper racks properly labeled.

Changes and errors in schedules and guides.
—report of, to superintendent.

2049. Railway postal clerks shall notify their division superintendent or chief clerk of all changes in schedules or running of trains upon their respective lines, or of errors in published schedules and Official Postal Guides.

Order books at terminals to be examined.

2050. A file of division general orders, as well as special orders, shall be kept at certain designated points, in which nothing but official matter shall be posted. Immediately before departure and after arrival clerks shall examine these order books and obtain all communications addressed to them.

Official notices
—where posted.

2. Official notices only may be posted in postal cars, transfer offices, and terminal railway post offices.

Construing regulations.

2051. Whenever there is doubt as to the meaning of any regulation, the division superintendent or chief clerk shall be consulted.

Official communications.
—replies to.

2052. Each railway postal clerk shall date and sign with his official signature, including the name of his line, and promptly

dispatch replies to all official inquiries and other communications. The signature shall be made thus:

John Doe,

Clerk, N. Y. & Chi. R. P. O.

—signature to.

2053. Clerks shall not send official telegrams except in urgent cases, and shall make them as brief as may be consistent with clearness. The following form is illustrative:

Official tele-
gram.

LUDLOW, VT., June 1, 1932.

SUPERINTENDENT RAILWAY MAIL SERVICE,
Boston, Mass.:

Form of.

Alburg-Boston train ten derailed near Ludlow noon today. Johnson severely, Miller slightly, injured; car badly damaged; mail safe.
Dom, Clerk.

Official business.
Collect—Government rate.

2. Advantage shall be taken of the night service at lower rates when it will serve the same purpose as a "day" message, marking the message "Night." When filing official telegrams for transmission, clerks shall, if requested by the telegraph office, show travel commission or badge for identification purposes. If the telegraph office refuses to transmit an official message "collect," clerk shall prepay it at Government rate, take receipt therefor, and forward receipt and copy of the message to his chief clerk for reimbursement.

Night.

3. When telegrams are sent from points where a representative of the Railway Mail Service is located they shall be indorsed "Charge" instead of "Collect" and shall be sent by (or through) and billed to the representative.

4. Telegrams asking that runs be provided for or leave of absence granted *and replies thereto* are personal and shall be paid for by applicant at commercial rates.

Personal to be
prepaid.

2054. Lay-off periods which are granted for proper rest shall not be utilized by clerks for the purpose of engaging in any business or vocation for profit either as principal or as agent for others that will interfere with their official duties or in which their employment in the Postal Service will give them an advantage over others not in the service engaged in a similar business or vocation, or in any business involving soliciting or canvassing. Clerks should not so overtax their physical strength during lay-off periods as to prevent their being in a refreshed condition when resuming active duty.

Clerks must
not engage in
other business.

2. Clerks shall not carry freight in railway postal cars or traffic in merchandise while on duty.

—not to carry
freight on cars.

2055. In order to reduce fire hazard, clerks in air-mail field post offices, mail cars, terminals, and transfer offices, shall not smoke while receiving mail from the public, visiting letter boxes, loading or unloading mail, or while hanging or closing racks. Smoking on duty is a privilege and not a right, and shall not be indulged in to the detriment of the service or a clerk's work or to the discomfort of nonsmoking employees.

Smoking.

2. No person shall smoke or carry lighted cigars, cigarettes, or pipes in mail storage cars while same are being loaded, unloaded,

—in storage
cars prohibited.

or while in transit. Railway postal clerks and transfer clerks shall prevent any violation of this regulation.

Clerks to remain on duty during entire run.

—to protect vacant runs.

Postage stamps.
—clerks to keep supply for sale.

Conduct of clerks.

—must be courteous.

Intoxicating liquors.

—use of, on duty prohibited.

—excessive use of, off duty.

Post-office inspectors.

—to be given assistance.

—presence of, on train not to be reported.

Supervisory officer of Railway Mail Service, presence of, on train to be reported.

—except.

Information concerning mail matter.

—not to be given except to persons entitled thereto.

Rules of railroad companies.

—to be observed when not in conflict with these regulations.

2056. Railway postal clerks shall remain on duty the whole length of their allotted runs and shall not exchange runs without authority. When off duty they shall protect any run that they are advised is vacant.

2057. Clerks in charge of railway post offices shall keep on hand a supply of 1-cent and 3-cent postage stamps for the accommodation of the public at the car; and such stamps shall not be sold for more than their face value.

2058. Railway postal clerks shall observe in their official intercourse with the public and with one another the strictest courtesy, and endeavor, by active and intelligent effort, to promote the interest of the service. Discussion and loud talking when at work shall be avoided.

2059. Railway postal clerks shall not use intoxicating liquors when on duty, and the frequent and excessive use of the same while off duty will be sufficient cause for dismissal from the service.

2060. Post-office inspectors presenting proper credentials shall be given such official assistance as they may require, and the fact that a post-office inspector is on the train or has ridden thereon shall not be communicated by a railway postal clerk to any person whatever at any time, either during or after the run. Entry of the fact shall not be made on the trip report.

2. The presence of a supervisory officer of the Railway Mail Service in the car shall be noted on trip report unless instructions are given to the contrary.

2061. No information shall be imparted concerning mail matter passing through the hands of railway postal clerks in the discharge of their duties, except to persons who are entitled thereto under the regulations. (See sec. 702.)

2062. The rules and regulations of the railroad companies over whose lines a railway postal car passes, not in conflict with these regulations, shall be respected and obeyed.

CHAPTER 4

TREATMENT OF MAIL MATTER IN THE RAILWAY MAIL SERVICE

RECEIPT OF MAIL AT POSTAL CARS

Delivery of mail to railway post offices.

Railway postal clerks may accept mail.

—from a postmaster or assistant.

2063. Mail shall not be placed in a postal car unless there is a clerk on duty.

2064. Railway postal clerks shall accept from a postmaster or sworn assistant loose mail matter on which the stamps have been canceled, but matter bearing canceled stamps shall not be accepted from mail messengers or the public, except matter of the first class readdressed for forwarding, or outside packages in

transit when received from mail messengers or from canceled air mail trips. (See sec. 746.)

2. Railway postal clerks shall accept from the public, unless otherwise ordered, all mail matter of the first class upon which the proper rate of postage is paid; all matter in penalty envelopes or bearing the frank of any person entitled thereto by law; soldiers' and sailors' letters unpaid when duly certified; and matter of the first class upon which the stamps are canceled when readdressed for forwarding. They shall not accept from the public mail matter of the second, third, or fourth class except that they may accept from representatives of manufacturers or distributors of serums or pharmaceutical supplies shipments of such articles when endorsed "Emergency—This package has been weighed and necessary postage affixed. If any additional postage is found to be due at destination, same is guaranteed by the sender."

2065. A correct list of pouches due to be received and dispatched shall be kept and checked as the pouches are delivered from or received into the car, except at local offices where not more than one pouch is exchanged. In cases where it is not practicable to check pouches as they are delivered from or received into the car, clerk in charge will check pouches to be delivered from the car at the time piling is made for dispatch, and in case of pouches due to be received, check shall be made immediately after loading of mail is completed. When a railway post office or a post office makes up two or more pouches for the same address, the pouch label shall indicate the sequence of the pouch in the series, numbers to be used in regular order for that purpose, thus, the first pouch "1," the second "2," the third "3," and so on, the label of the last pouch to bear, in addition to its proper number, a cross, thus, "X," to indicate the last pouch of the series. In case of failure to receive any regular pouch, and the cause of the failure is not known, the chief clerk shall be immediately notified by special report. In cases where it is known pouch has been lost, destroyed, or stolen, the chief clerk shall be notified by telegraph.

List of pouches received and dispatched.

2. If irregular or emergency pouches are received or dispatched entry thereof shall be noted on the record and proper check made.

Irregular or emergency pouches.

3. Where it is necessary for a post office to use more than one pouch for the same dispatch of air mail, and the pouches are closed with rotary locks, or part are closed with rotary locks and part with LA locks, all of the pouches comprising the dispatch shall be numbered and marked as one series.

See secs. 753 and 762 as to record of pouches to be kept at post office; sec. 1734 as to railroad companies; sec. 1779 as to mail messengers.

2066. The Postmaster General may provide by order the terms upon which railway postal clerks 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

Second-class matter.
39 U. S. C. 639.
—Postmaster General may provide for receipt and delivery of, by postal clerks.

and other periodicals not received from or intended for delivery at any post office.

—can only be accepted by clerks when accompanied by certificate of postmaster.

—outside delivery to news agents or agents of publishers only.

—notice on wrapper.

—on trains to which no railway postal clerk is assigned.

—baggage men not to receive, direct from publishers. —except.

Second-class matter.
—received from publishers at depots.
—certificate required.

—in case no certificate is offered.

—in case of discrepancies in weight or number of sacks.

Letter boxes in railroad depots.
—mail to be collected from.

2. Railway postal clerks may receive newspapers and periodicals from publishers and news agents only when accompanied with a certificate from the postmaster at the office of publication that the postage has been paid.

3. Second-class matter marked to be delivered outside the mails shall be so delivered only when addressed to news agents, or agents of publishers, and shall be treated according to instructions upon the package.

4. Publishers shall have printed in bold type on wrapper of mail packages for outside delivery the words, "U. S. mail for outside delivery at publisher's risk."

5. When newsdealer packages are forwarded as mail on trains upon which no railway postal clerk is assigned, the baggageman shall deliver the packages as outside matter at place shown in the manifest, and while in his custody they shall be considered as mail matter.

6. Baggage men shall not receive second-class mail directly from the publisher on postmasters' certificates unless specially authorized to do so by the department through the division superintendent.

2067. When railway postal, transfer, or terminal railway postal clerks are authorized to receive second-class matter direct from publishers, accompanied with a certificate signed by the postmaster, they shall insist on a certificate with each load offered showing number of sacks, the weight of the mail, and that the postage has been paid thereon; otherwise the matter shall not be accepted for mailing.

2. When matter is offered without a certificate that fact shall be communicated to the publisher or the postmaster, if time will permit, with request that a certificate be furnished; if not furnished, the matter shall be refused.

3. In case of apparent discrepancy in either the weight or number of sacks, the papers shall, if practicable, be weighed at the time of receipt by the clerks and proper correction noted on the accompanying certificate, being careful not to deface the original as furnished by the postmaster. The certificate, together with report, shall then be mailed to the postmaster and also report made to the division superintendent, in addition to proper notation on trip or daily report. When, in case of discrepancy, the sacks cannot be weighed or the discrepancy otherwise reconciled, the matter shall not be accepted.

2068. Railway postal clerks shall visit letter boxes maintained at railroad stations (see sec. 1737) and collect mail therefrom at the last moment practicable before the departure of their respective trains unless such duty is performed by a transfer clerk. Care shall be taken to lock the box after collection is made.

OPENING, DISTRIBUTION, AND DISPATCH OF MAIL

2069. Railway postal clerks shall carefully distribute mails by the official schemes furnished, which shall be kept corrected to conform to changes published in general orders.

2. Only such pouches as may be ordered by the division superintendent or chief clerk shall be made up, except when necessary to make an emergency pouch to advance mails, in which event note thereof shall be made on trip report.

2070. Railway postal clerks shall complete the distribution of the contents of one pouch or sack before opening another.

2. The address label shall be removed from a pouch or sack when it is opened.

2071. Before using and after emptying a pouch or sack it shall be thoroughly examined to see that no mail is left therein; it shall be held so that the whole interior can be seen and examined.

2072. Letters and circular mail shall be made up in packages and not placed in the pouch or sack loose. The twine used shall be tied in a hard knot, and no more used than necessary to make package secure.

2073. A "direct package" shall be made by placing all ordinary letters for one post office in a package by themselves, all faced one way, with a plainly addressed letter on the outside and a slip bearing date, line, and name of the clerk making the package on the back.

2. Air-mail letters shall be made up in separate packages when there are five or more for one post office, railway post office, or route. Less than five for connecting lines shall be placed at the top of the working package under the registered and special-delivery letters, if any, with facing slip endorsed to show air mail is included, except if no further air-mail dispatch can be had, distribution may be made in usual manner.

See sec. 1081 as to special-delivery mail, and sec. 1223 as to registered mail.

2074. Newspapers and periodicals sent to regular subscribers shall be promptly dispatched to destination. Such matter shall not be withdrawn from its wrapper except to ascertain its destination, or, if necessary, the name and date.

2075. Postage stamps affixed to mail matter and all stamped envelopes, newspaper wrappers, and postal cards deposited in railway post offices shall be immediately and effectually canceled by the use of black ink. The postmarking portion of the postmarking and canceling stamp shall not be used to cancel postage stamps. (See sec. 754.)

2076. The railway postal clerk shall legibly postmark all mail deposited in a postal car for mailing except that of the second class mailed by publishers and metered mail received under proper authorization.

See sec. 719 as to manner of postmarking.

Official schemes.
—mails to be distributed by.

—pouches to be made up and exchanged as ordered.

Distribution of mail in one pouch to be completed before opening another.

Labels to be removed from sack when opened.

Examination of pouches.

—to be made on emptying, etc.

Letters and circulars.
—to be properly tied.

Direct packages.
—what are.

—how made.
—slip on.

—air mail.

Second-class matter to be promptly dispatched.
—not to be opened.

Cancellation of stamps.

—on matter deposited in railway post office.
—use of postmarking stamp for, forbidden.

Postmarking.
—of mail deposited in car for mailing.

—to show date of starting trip, when.

Failure of postmasters to postmark matter to be reported.
Matter to be carried in mail bags.
 —except certain second-class and bulky matter.

Facing slips or labels.
 —when and how used.

—not to be used second time.
 —clerks to report violations.

—economy in use.

Irregularities in transmission of mail.
 Special report required.

Errors of distribution and dispatch.
 —checking of.

—when charged.

—how noted.

2. On trains running in more than one day the postmarking stamp during the entire trip shall show the date the train is scheduled to start.

3. The continued violation by a postmaster of section 719, requiring the legible postmarking of all matter of the first class before dispatch shall be reported to the division superintendent.

2077. Mail matter shall not be carried outside of the regular mail bags except second-class matter marked for outside delivery, as provided in section 2066, or matter the character, form, or weight of which prevents it from being carried in the mail bags or makes it liable to damage the mail.

2078. Facing slips or labels shall be placed upon all packages of letters and circulars and in the label holder of all pouches and sacks, with proper address indicated thereon, except that the address shall be omitted from slips used on direct letter packages. When used as a label for a pouch or a sack the name of the railway post office of dispatch shall also be shown. Train numbers may be omitted from paper sack-labels by authority of the division superintendent. All slips shall bear the postmark showing number of train and date the trip was scheduled to start and name of clerk. Where connection is made with any line at a point distant from the office making up the pouch or line sack, the name of the junction or other point at which the connection is made shall also be shown on the address label.

2. Facing slips shall not be used a second time. Railway postal clerks shall note every instance of a violation of this rule, inclosing the slips as evidence.

3. Blank facing slips shall not be wasted, and but one slip placed upon a package, and only one label shall be placed in the label holder of a pouch or sack.

2079. Special reports shall be made of serious irregularities in the transmission of mails. Exact postmarks shall be given, as also the source, date, place, and time of receipt and from what train, if known; also, if all one publication, the name and date thereof. If mail is first class, indicate origin and give other information desired. Note shall also be made on trip report, and slips from mishandled mail shall be inclosed therewith.

2080. Every railway postal clerk shall note all errors in the proper routing and expeditious dispatch of the mails. Every railway postal clerk is bound to perform this duty and must loyally and conscientiously comply with rules governing the same.

2. An error shall be charged when a piece of mail is not dispatched in accordance with the scheme, schedule, or special instructions, but nixie matter dispatched with State where "exception schemes" are used shall not be charged.

3. Errors shall be noted on reverse side of slip or label, giving name of the post office and State, slip or label be postmarked with date, and be signed with full name of clerk noting the errors. Such notation shall include the entire number of pieces of mail erroneously distributed, in the following form:

LETTERS.
1 Omaha, Nebr.
2 So. Bend, Ind.
1 St. Louis, Mo.
W. Brown.
(Postmark.)

PAPERS.
1 N. Y., N. Y.
1 Phila., Pa.
1 Balto., Md.
2 Wash., D. C.
1 Richmond, Va.
C. J. Smith.
(Postmark.)

4. Slips or labels upon which errors have been noted shall be inclosed with trip reports to chief clerk or superintendent as may be directed. —report of.

5. A missent package of letters and papers shall be checked on the pouch or sack label as follows: Missent packages.

Missent pkg.
of ----- letters (or papers),
all for -----
Frank Jackson.
(Postmark.)

—how checked and reported.

and the label shall be forwarded to the chief clerk, with the trip report. If there is no slip on the pouch or sack, check on a blank slip and forward as above. When checking errors found in a package made up for a post office and bearing an unaddressed slip, the office shall be noted at the foot of the slip, over the signature of the clerk, as follows: "Found in package for -----." In this connection a package of papers is construed to mean a tie-out under a separate label of more than one piece of separately wrapped and addressed mail matter other than letters.

6. Misdirected packages of letters or papers shall be checked in the same manner as a missent package, except the word "Misdirected" shall be substituted for "Missent." Misdirected packages. —how checked and reported.

7. Missent or misdirected pouches or sacks shall be reported as above. The labels shall be forwarded in all cases. In relabeling a missent or misdirected pouch or sack the new label should contain the correct destination as well as the name of the post office or railway post office by which originally made up, and the slip shall bear the postmark of the railway post office to which missent. Missent and misdirected pouches. —how reported.

8. When there are no slips or labels on packages or in pouches or sacks, reports shall be made thereof, stating if possible the line with train number or post office from which the mail was received. Report to be made when there are no slips on packages.

9. All slips or labels on which no errors have been noted, after being counted, shall be disposed of as waste, unless otherwise instructed. When no errors slips treated as waste.

2081. Each letter or daily paper missent to a line shall be plainly stamped or marked on the face, "Missent," and the postmark of the line also stamped thereon. Missent matter to be stamped.

Change of address or indorsement on matter forbidden.

Counting mail worked.

—what to include.

Each clerk to furnish statement of amount of mail distributed, etc.

—basis for trip report of clerk in charge.

Trip reports.
—to be promptly made out and sent to superintendent.

Partial service to be noted.

Unmailable matter.
—to be withdrawn and turned in at terminal office.
—wholly unpaid matter.
—insufficiently paid first-class matter.
—special-delivery matter.
—matter bearing invalid stamps.
Parcel-post matter to be turned into terminal office.

—liquids, explosives, poisons, etc.

2082. Railway postal clerks shall not change the address upon any mail matter nor make any personal or unofficial or unauthorized indorsement upon a letter or addition to the address.

2083. In counting mail worked each letter slip shall be counted as a package of letters, and each label on a sack of papers as a sack of paper mail. Packages and sacks merely opened for the purpose of consolidating or verifying the contents shall not be counted. The count shall include only matter actually distributed, but report shall be made of mails received unworked or left undistributed.

2. Each clerk in crew shall furnish to the clerk in charge a memorandum on Form 5014, with his signature, at the end of the trip of the amount of mail distributed, number of registers handled, also the number of errors checked. The slips shall be attached. Irregularities noted shall be entered under "Remarks." In recording irregularities concerning newspapers the name of publication, the date of issue, and the full address shall be given. Form 5014 shall be completed in harmony with the nature of clerk's assignment. The clerk in charge shall use such record in preparing trip report and retain the memoranda for at least 30 days thereafter.

2084. Trip reports, together with all the slips upon which errors have been noted, shall be properly filled out and promptly sent to the chief clerk at the end of each trip.

2. All the information called for by the trip report shall be given, and a duplicate of each report shall be kept for one year.

3. When a railway postal clerk does not perform duty over the whole length of his run, the portion over which he performed duty shall be noted on the trip report.

UNMAILABLE, SHORT-PAID, AND UNPAID, IMPROPERLY ADDRESSED
MATTER AND NIXIES

2085. Railway postal clerks shall detain and turn in at the terminal offices of their runs all domestic matter collected from station boxes or deposited in the car for mailing on which postage is wholly unpaid (see sec. 723); all matter of the first class on which less than one full rate of postage is paid (see sec. 513); all matter except letters bearing a special-delivery stamp on which no other postage is paid (see sec. 1080); all matter bearing stamps that have been previously used or cut from stamped envelopes or wrappers (see sec. 715); and all matter of the second, third, and fourth classes collected from station boxes or deposited in the car for mailing (see sec. 714).

2. Parcel-post matter received by railway postal clerks from station boxes or deposited in their car when turned in to the terminal office for the run shall be covered by a slip of the clerk marked "For examination and rating; deposited in postal car at -----."

3. Railway postal clerks shall also withdraw from the mail all liquids not admissible to the mails under sections 588 and 590,

gunpowder and other explosives, live animals (except as prescribed in section 594), poisons, and any article liable to injure the mails or the persons handling the same, and which have been declared unmailable by the rulings of the Post Office Department (see sec. 588), perishable articles found loose or without address, and matter relating to lotteries, as described in section 601 (see sec. 2203), and turn the same into the terminal post office accompanied with the pouch or sack label and a report giving the name of the post office or other source from which such matter was received, and at the same time make a special report of the matter to the division superintendent or chief clerk. All matter on which the addresses have been detached or erased and all articles found loose in any pouch or sack shall be forwarded under cover to the postmaster at headquarters of the division superintendent, accompanied with the pouch or sack label and a special report giving the name of the post office or other source from which such matter was received. Articles of apparent value of \$1 or more shall be registered.

—matter without addresses.
—articles found loose in the mails.

4. When money is found loose in the mails the identical notes or coins found shall be turned in.

—Identical money found loose in the mails.
Certain matter not to be detained.

5. Matter which should have been detained at the mailing office as "held for postage," "excess of weight or size," shall not be stopped in transit. (See sec. 726.)

6. Mail matter of the first class deposited or received in a postal car unsealed or in a mutilated or otherwise bad condition shall be stamped or marked with the words "Received unsealed," or "Received in bad order," as the case may be, together with the postmark of the line, and where necessary such matter shall be sealed.

Matter received in bad order to be so stamped.

7. Railway postal clerks shall report to the division superintendent the receipt of any matter which from its character or form they think is liable to injure the mails or the persons of those handling them and any injury caused by the admission of such matter which may come to their knowledge, which reports shall be forwarded to the General Superintendent. (See sec. 813.)

Report of matter liable to injure mails.

2086. Railway postal clerks on steamboat routes to whom prepaid letters are delivered shall place the same in the mails. Letters wholly unpaid shall not be accepted, but if they come into the possession of a clerk they shall be deposited in the post office at the terminal of the route.

Loose letters on steamboat routes.
—how treated.

See sec. 1830 as to treatment of such letters on steamboats.

2087. The general term "nixies" shall embrace all mail matter not addressed to a post office, or addressed to a post office without the name of a State being given, or otherwise so incorrectly, illegibly, indefinitely, or insufficiently addressed that it cannot be transmitted. Such matter, except parcels marked "Perishable," dispatched from a post office or mailed upon the cars, shall be withdrawn from the mail and sent to the postmaster at the headquarters of the division superintendent or to such office as the division superintendent may designate. Nixies consisting of par-

Nixies.
—meaning of term.

—where to be sent.

—to be post-marked, etc.

Exceptions to rule.
—matter for military and naval posts, etc.

—matter for discontinued, resort, etc., offices.

—matter from department to "new office."

—nixies which can be delivered.

—nixies addressed to local to line on which mailed.

—matter without State, when office is known.

—matter addressed county and State.

Treatment of matter not addressed to but via a post office.

Mail of foreign origin same as domestic.

Matter improperly treated as nixies.

Nixie to be verified with Guide and general orders.

Change of address or indorsement on matter forbidden.

Errors to be noted.

cels marked "Perishable" shall be delivered to the terminal post office. Nixies shall be postmarked on the back and covered by a slip addressed as heretofore instructed, with the word "Nixies" in the upper left corner.

2. The following exceptions, however, shall be observed :

(a) Mail addressed to military or naval posts and stations of the Weather Bureau and Life Saving Service which are not post offices shall be sent to the proper post office, if known.

(b) Mail addressed to discontinued post offices shall be sent as directed in the order of discontinuance. Mail addressed to offices whose names have been changed shall be sent to the office of the new name. Mail addressed to watering places and summer resorts which are not post offices shall be sent to the nearest post office known.

(c) Mail from the Post Office Department addressed to new post offices, marked on the envelope "New office," shall be sent to destination in the best manner practicable, in the absence of definite instructions.

(d) Nixies which reach a line from which they can be delivered shall be delivered to the proper post office.

(e) Nixies mailed upon a line addressed to a local to that line shall be delivered to the post office which has been designated to receive mail so addressed.

(f) Matter addressed to a post office without the name of the State being given, which is known to be intended for the principal city of that name, shall be forwarded accordingly.

(g) Matter addressed to a place not a post office but bearing the name of a known county and State shall be examined by a clerk on a line making distribution of that State by general scheme. If then not known, it shall be forwarded to the county seat of the county addressed.

(h) 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 shall be sent to the post office indicated.

(i) Mail of foreign origin addressed to persons in the United States shall be treated in the same manner as domestic mail.

(j) Mail shall not be treated as nixies on account of incorrect spelling when the destination is undoubted.

(k) All matter supposed to be nixies shall be verified with the latest annual and monthly Postal Guide and general orders.

(l) When second-class matter improperly addressed is received clerks shall not change the address or course of the package, but shall treat it in accordance with the regulations.

3. When mail matter is treated as nixies and the address thereon is found in the latest annual or monthly Postal Guide or in the general orders, it shall be noted as an error on the slip accompanying the same and charged against the clerk.

FOREIGN AND DUTIABLE MATTER

2088. When mail matter addressed to foreign countries is specially addressed to go by way of a particular vessel, steamship line, or route, railway postal clerks shall forward the same accordingly, as far as practicable. (See sec. 2212.)

2089. When mail matter addressed to foreign countries other than Canada is received in mails from Canadian offices made up for distribution, postal clerks shall forward such mails in accordance with the foreign scheme applicable to mails of domestic origin for the foreign countries involved.

2090. Clerks in railway post offices exchanging mail with Canada shall carefully examine all Canadian mails, and turn into the nearest exchange post office or other designated post office where there is a customhouse officer all books and merchandise known or supposed to be liable to customs duty, and all musical compositions in any form found in such mails. (See sec. 2229.)

2091. Closed mails for foreign countries made up at United States exchange post offices, and those of foreign origin and destination in transit through the United States, and diplomatic pouches dispatched from Washington, D. C., shall be accompanied with waybills or registry bills showing the number, origin, and address of the sacks of registered mail. Ordinary closed mails shall be billed in bulk, with only the total number of such sacks shown on the waybills.

2. This section shall not apply to mails regularly exchanged between the United States and Canada or Mexico, but closed mails passing through the United States to or from Canada or Mexico shall be accompanied with waybills.

3. With the exception of mails exchanged between Canada, Cuba, and Mexico (mails from any of which countries, when addressed to either of the others, will pass through the United States under the original waybill prepared by the foreign office of origin from which the mails will be checked), waybills shall be prepared by the first United States post office or railway post office of receipt, and the mails shall be checked therefrom by all railway postal clerks who handle them, except that where it is impracticable to check such mails while in transit in a car, it will be sufficient to check them when loaded into the car and again when unloaded therefrom. Any shortage shall be reported. If a railway postal clerk receives such mails without a waybill, he shall note the failure on trip or daily report and make a waybill on the required form.

4. All foreign sealed sacks made up abroad and labeled to United States post offices, and direct sacks made up in sea post offices and addressed to a United States post office, shall be forwarded intact to their destination, to be opened only in the post office to which they are addressed. This paragraph shall not apply to mails made up in foreign countries for the United States, which sea post offices maintained on ocean steamships may be ordered to open.

Foreign mail addressed via particular routes.

—to be sent when practicable.

Matter for foreign countries in mails from Canada.

—to be forwarded in accordance with foreign scheme.

Dutiable matter in mails from Canada.

—to be sent to exchange office.

Musical compositions.

Closed foreign mails.

—to be accompanied with waybill.

—except mails exchanged with Canada and Mexico.

Waybills to be prepared by clerks, when.

—failure to supply waybills to be reported.

Foreign sealed sacks, etc.

—forwarded intact, when.

DELIVERY OF MAIL FROM CARS

Exchange of letter mail.
 —to be by locked pouches.
 —except with Canada and Mexico.

Local stations where trains do not stop.
 —delivery of mail at.

—notice to postmaster of failure to catch or deliver.

—point of delivery at.

Care in delivery from moving trains.

Registered boxes, fragile or certain parcel-post matter, put off at point where train does stop.
Withdrawal of matter from mails.
 —when may be made.

—record of.

Delivery of mail in transit.
 —clerks must not make.

Transfer clerks.

2092. Letter mail shall be forwarded in locked pouches except that exchanged with Canada, Cuba, and Mexico, which shall be inclosed in sealed sacks. A pouch duly locked shall be exchanged if due at each local and terminal office whether or not there is any letter mail.

2093. At local stations where train does not stop for exchange of mails and no special facilities have been provided either for making the delivery or for receipt of the mail by roadside device, it must not be merely pushed over sill or door, but shall be thrown off downward and outward to a distance sufficient to be clear of the train. Catcher pouches only shall be used, except in cases of emergency. The clerk shall notify postmaster by return mail where there has been a failure to catch or deliver.

2. Division superintendents shall issue special instructions regarding the point of delivery of mails at catcher or local stations to prevent accidents.

3. Mail shall not be thrown on a station platform from a train in motion, except by special instructions of the division superintendent. The utmost care shall be taken in deliveries to avoid injury to person, mail, equipment, or property. When the amount of mail is greater than one clerk can deliver with safety, it shall be divided and put out from different doors.

4. Registered boxes, fragile matter, or matter which because of its size or form is liable to injury shall not be thrown from a moving train, but shall be put off at a point where the train stops, for delivery by a local train. (See sec. 1274.)

2094. When a request is received by a railway postal clerk from a postmaster, post-office inspector, division superintendent, or chief clerk to withdraw certain unregistered matter from the mails and return it to the office of origin, as provided in section 730, such request shall be complied with, and a record thereof, giving the address on the letter or other matter, return card, postmark, etc., be made on the trip report, and the original telegram or letter requesting the withdrawal be transmitted with the report. If the matter requested is not in the office, a telegram to that effect shall be sent and the proper record made on the trip report.

See sec. 1292 as to registered matter.

2095. Railway postal clerks shall not make delivery at the postal car of mail in transit, although it be known to them that the applicant therefor is the person named in the address, except as provided in sections 776, 2086, and 2098.

TRANSFER SERVICE

2096. The General Superintendent may assign railway postal clerks, when necessary, to perform duty at important junctions, to be designated "transfer clerks."

2. Transfer clerks shall supervise the handling and transfer of mails at railroad depots where they are stationed; keep themselves correctly informed of the routes over which mails should pass that are transferred at that point, of the time of arrival and departure of all trains upon which mails are carried, and the mail space authorized and space needed on such trains; notify their chief clerk or division superintendent in writing of any changes of schedules which affect mail connections; and perform such other work (such as filling runs, furnishing supplies, etc.) as may be directed.

—duties of.
—to inform themselves about routes.
—about arrival and departure of mails.

3. Transfer clerks shall keep informed as to the current space authorizations in the several trains departing from the railroad depots at which they are stationed; supervise the loading of storage cars; keep a record of the space used in closed-pouch trains; and issue requests for such additional space as may be required.

2097. Transfer clerks may be required to accompany the mails while being conveyed by vehicle service when considered necessary.

Guarding the mails.

2098. Transfer clerks when specially instructed by the General Superintendent may deliver mail to the party addressed. (See sec. 776.)

Delivery of mail to parties addressed.
—when may be made.
Mail-messenger service.

2099. Transfer and terminal railway post-office clerks shall carefully observe the manner of performance of messenger and vehicle service and the handling of mails by railroad employees, and report to the chief clerk every irregularity therein which comes to their knowledge.

—irregularities in, to be reported to chief clerk.

2. Vehicles delivering mail shall not be allowed to depart until they have been carefully inspected to ascertain whether any mail has been left therein, and departing vehicles containing mails shall be examined to see that they are securely locked.

Vehicles delivering mail to be examined.

2100. The rooms assigned for use of transfer offices and terminal railway post offices shall be kept clean and orderly. Economy in the use of water and lights shall be exercised. Government and other property shall be kept in good order. Locks, equipment, and supplies shall not be allowed to lie about promiscuously.

Government and railroad property.
—transfer clerks to care for.

2101. In addition to these special instructions for transfer and terminal railway post-office clerks, they shall also be governed by the general instructions to railway postal clerks when applicable.

Transfer and terminal clerks to be guided by general instructions.

LOSS OF OR DAMAGE TO MAIL MATTER

2102. Division superintendents and chief clerks, Railway Mail Service, shall not investigate cases of loss of mail matter.

Investigation of losses of mail matter.

2. If, in investigating the causes of a delay or other irregularity in his division, a superintendent or chief clerk finds that a loss of mail matter is involved in the case, he shall at once discontinue the investigation and forward the papers, together with all the information obtained by him, to the inspector in charge of the proper division. If in the judgment of the division superintendent immediate action should be taken, he shall show the papers to

—cases involving losses to be reported to inspector.

—when may notify inspector.

the local post-office inspector and, if necessary, give him a copy thereof.

Reports, how made.

3. When losses are reported to a division superintendent, he shall immediately refer the same to the inspector in charge of the proper division and, if in his judgment necessary, notify the local post-office inspector.

Damage to mail matter.—division superintendents to investigate.

4. Superintendents and chief clerks shall investigate the damage to mail matter in the exchange of mails by railway postal clerks, reported to them under section 810; also complaint of damage to an individual piece of any class of domestic mail matter, except registered, insured, or collect-on-delivery mail reported to them under section 810. When registered mail is damaged in exchanging mails, or a postal employee or mail contractor is shown to be in fault in any case, the report of the investigation giving full information, including statement of equipment damaged and disposition of damaged mail, shall be forwarded to the General Superintendent; in other cases, reports of investigation shall be filed in the offices of superintendents. Complainants shall be advised of action taken. Reports received by superintendents of fourth-class mail tagged "Bad order," as prescribed in section 705, shall be filed in their offices.

—report to general superintendent.

REGISTERED MATTER IN THE RAILWAY MAIL SERVICE

General registry regulations.

2103. Railway postal clerks shall carefully study and become fully conversant with the regulations and instructions pertaining to the handling of registered matter. (See Title Seven and Official Postal Guide.) These shall be strictly complied with except where clearly inapplicable.

—to be followed, when.

Duty of member of crew assigned as registry clerk.

2104. An experienced member of the crew shall be assigned as registry clerk who shall have the care and custody of all registered mail received and dispatched from his car, and shall be in waiting when pouches are opened or closed to take charge of any registered matter that may be dispatched or contained therein. If he is compelled to leave the car temporarily, or before the end of the run, he shall have permission to do so from the clerk in charge; and before leaving the car he shall turn over the registered matter to the person designated by the clerk in charge, taking a receipt for the same.

Transfer of registered matter.—when and how to be made by transfer clerks.

2105. Transfer clerks shall receipt for, transfer, and deliver registered matter. When such delivery is made, the registered articles shall be entered in a record book which shall be furnished for that purpose, and a receipt obtained from the postmaster or postal clerk to whom the articles are delivered.

CHAPTER 5

FULL AND APARTMENT RAILWAY POST-OFFICE CARS

CONSTRUCTION, EQUIPMENT, AND SANITATION

2106. All cars or parts of cars used for the Railway Mail Service shall be of such construction, 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, lighted, and cleaned by and at the expense of the railroad companies.

Construction and maintenance of cars. (Space basis act.)
39 U. S. C. 537.

2. If any railroad company carrying the mails shall fail or refuse to provide cars or apartments in cars for distribution purposes when required by the Postmaster General, or shall fail or refuse to construct, fit up, maintain, heat, light, and clean such cars and provide such appliances for use in case of accident as may be required by the Postmaster General, it shall be fined such reasonable sum as may, in the discretion of the Postmaster General, be deemed proper.

Penalty for failure to furnish and maintain cars or apartments.
39 U. S. C. 567.

3. All new full and apartment railway post-office cars shall be constructed of steel or equally indestructible material, and shall conform in construction and arrangement to the departmental specifications approved July 20, 1938, and any subsequent modification thereof.

New cars to be constructed of steel and conform to specification.

4. Full and apartment railway post-office cars previously accepted for service shall be brought up to the specifications mentioned in all material respects wherever operating conditions render strengthening, standardization, or improvements necessary. Approval of the General Superintendent, Railway Mail Service, shall be obtained before any changes in construction or fixtures are made.

Strengthening and standardizing old cars.

5. Cars originally built for other traffic shall not be acceptable for conversion into full and apartment railway post-office cars unless they are reconstructed to fully meet departmental specifications. Such conversions shall be approved by the General Superintendent, Railway Mail Service, before the work is started.

Conversion of cars.

6. The principal mechanical officer of the railroad company shall furnish a certificate of construction on R. M. S. Form 5292 for each new and rebuilt steel or steel underframe mail car.

Certificate of construction required.

2107. The ends and underframe of steel underframe apartment railway post-office cars shall conform to the departmental specifications for all-steel cars. The section moduli of the metal vertical end members shall be not less than 65, distributed as required by the specifications.

Construction requirements for steel underframe cars.

2. Superstructure of steel underframe cars shall conform either to former plan No. 1 or the specification of August 25, 1914, for

construction of wooden cars, reinforced by metal vertical end members, or framing members of the superstructure may be steel shapes. Steel sheathing applied to superstructure on outside shall not be rated as an additional strength factor.

Note.

NOTE.—Cars which do not meet the above underframe and superstructure requirements shall not be rated as "steel underframe."

Construction and reinforcement of wooden cars.

3. Wooden apartment railway post-office cars which are to be reconstructed and continue as such shall be sound in material and construction and shall conform substantially to former plan No. 1 or the specification of August 25, 1914, for wooden cars. They shall be reinforced by metal members when necessary to render them acceptable for operation under the provisions of section 2109.

Narrow-gage requirements.

4. Wooden mail apartment cars for narrow-gage lines shall conform to requirements of departmental circular of May 31, 1916.

Inspections by departmental representative.

2108. New and reconstructed railway post-office cars shall be inspected by representatives of the department, in accordance with instructions issued by the General Superintendent, Railway Mail Service.

Report of cars to be built or reconstructed.

2. Railway and car-building companies shall advise the General Superintendent, Railway Mail Service, concerning the proposed construction or reconstruction of mail cars and dates when such cars will be ready for inspection.

Notices of "shoppings."

3. Railway companies shall notify the Railway Mail Service of the "shopping" of any mail cars at the time such cars are received at the shops, so that representatives of the service may inspect the cars and call attention to needed betterments. Notice shall be given also when cars are to be "outshopped," in order that inspection may be made by the Railway Mail Service if considered necessary.

Cars not to be "outshopped" until repairs are acceptably made.

4. Railway companies shall not "outshop" and return to service any full or apartment railway post-office car for which changes or betterments have been requested unless such repairs have been made in a manner acceptable to the Railway Mail Service.

All-steel cars required in full R. P. O. service.

2109. Cars operated in full railway post-office authorizations shall be of all-steel construction.

Steel apartment cars required in steel trains.

2. Apartment railway post-office cars for operation in trains where a majority of the cars are steel shall be of steel construction.

Steel underframe cars may not operate between steel equipment.

3. Steel underframe mail apartment cars shall not be operated between steel cars, nor between the engine and a steel car adjoining, nor in any train where a majority of the cars in the train are of steel construction.

Wooden cars must be equal in strength to majority of other cars in train.

4. Wooden mail apartment cars shall not be operated between steel or steel underframe equipment. In all operations the mail apartment car shall be at least equal in construction strength to a majority of the other cars in the train, except as provided in paragraph 6.

Wooden cars—suitability under certain operating.

5. Wooden mail apartment cars for main-line operations in heavy trains (more than four cars) or on fast schedules (averaging more than 27 miles per hour between termini) shall be substan-

tially equal in construction to former plan No. 1 or the specification of August 25, 1914. Wooden mail apartment cars with limited reinforcement on longitudinal sills, but having suitable reinforcement on both ends, may be operated in branch-line trains or in light trains (not exceeding four cars) on main lines having an average speed of not more than 27 miles per hour. In light trains running partly on main lines or wholly on branch lines, with an average speed of less than 27 miles per hour, wooden mail apartment cars without metal reinforcements or longitudinal sills may be operated, provided such cars have the approved track-rail reinforcement or equivalent on both ends.

6. Wooden mail apartment cars intended for operation in "mixed" trains or as trailers to self-propelled cars shall be substantially equal in construction to former plan No. 1 or the specification of August 25, 1914. In the "mixed trains" the mail car shall be operated in the rear-end consist, followed only by passenger coach or caboose, and shall have full-length metal draft gear applied when deemed necessary.

Wooden cars in mixed trains and in trailer service.

7. Mail cars, whether of steel, steel-underframe, or wooden construction, which have the letter cases in the end shall not be operated with the letter end next to the engine.

Cars not to be operated with letter end next to engine.

8. When practicable, one or more cars shall be operated between the engine and the Railway Post Office car.

2110. Drinking-water containers in full and apartment cars shall be of a type approved by the General Superintendent, Railway Mail Service, and shall conform to the standard fixtures specification. Drinking water shall be furnished in accordance with United States Public Health Service requirements. Ice and fresh water shall be supplied as frequently as climatic conditions render it necessary.

Drinking-water containers.

2. Flushing hoppers shall be installed in accordance with standard fixtures specifications in all new and remodeled cars and in old cars when deemed advisable by the Railway Mail Service. Toilet paper shall be provided in all cars.

Hoppers.

3. All mail cars and such fixtures as water coolers and hoppers shall be regularly and thoroughly cleaned after each trip, and where such cars are in continuous use more than 24 hours they shall be cleaned en route when necessary.

Cleaning of cars.

2111. All cars and parts of cars used in mail service shall be adequately lighted and equipped with light fixtures in accordance with standard construction specifications, including auxiliary lights for use in event of failure of the primary lighting system.

Lighting of cars.

NOTE.—When the primary lighting system fails to provide sufficient illumination for completion of the distribution for a period of more than 30 minutes, it shall be regarded as a total light failure. When this condition prevails for 30 minutes or less, or when the distribution is retarded or rendered difficult by insufficient light, it shall be regarded as a partial light failure.

Note.

2. When any of the passenger, baggage, or express cars regularly operated in a train are lighted by electricity, the mail car or apartment shall be lighted by electricity as the primary system.

Electric lights required.

Storage battery required.

3. Each electrically lighted full or apartment mail car, either axle-generator or head-end system, shall be equipped with storage battery of the required capacity.

Electric fans required.

4. Electric fans shall be installed in all electrically lighted full and apartment mail cars.

Heating of cars.

5. Heating of full and apartment mail cars shall be in accordance with the standard construction specifications. Guards over heat pipes and radiators in all cars shall be constructed and installed as required by the specifications, in order to prevent damage to mails.

Stoves, devices for safety.

6. Stoves are not to be installed in full and apartment mail cars without the approval of the Railway Mail Service, and shall not be accepted as the auxiliary heating system unless of a safety type approved by the department. The safety features include automatic fastening for stove door, with double doors preferred, baffle plate to prevent fire or live coals escaping through the smoke-flue opening, and metal casing to prevent overheating of closely surrounding objects.

Mail cars not to be used for other traffic.

2112. All full and apartment mail cars shall have lettering painted on the outside in accordance with the standard construction specifications. Such cars, and parts of cars, bearing the legend "United States Mail," or "U. S. Mail," shall be reserved exclusively for carrying the mails and shall not be used for any other class of traffic.

See secs. 2355 as to penalty for unlawful use of sign "U. S. mail."

"No admission" notices.

2. Two "No admission" notices, properly framed, shall be placed in each full car, and one notice in each apartment car. Such notices shall be located in cars so as to be readily observed on entering at side doors.

TITLE TWELVE

INTERNATIONAL POSTAL SERVICE

CHAPTER 1

GENERAL PROVISIONS

POSTAL CONVENTIONS

2201. 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 or other charges on mail matter conveyed between the United States and foreign countries: *Provided*, That the decisions of the Postmaster General construing or interpreting the provisions of any treaty or convention which has been or may be negotiated and concluded shall, if approved by the President, be final and conclusive upon all officers of the United States.

Postal conventions with foreign countries.
5 U. S. C. 372.

—to be negotiated by the Postmaster General.

2202. 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 Public Printer for publication; and the printed proof sheets of all such conventions shall be revised at the Post Office Department.

Publication of postal conventions.
5 U. S. C. 373.

2. There shall be printed in slip form * * * seven hundred and sixty copies of * * * postal conventions, and treaties, which shall be distributed as follows: To the House document room, * * * one hundred copies of private laws; to the Senate document room, * * * one hundred copies of private laws; to the Department of State, five hundred copies of all laws; and to the Treasury Department, sixty copies of all laws. Postal conventions and treaties shall be distributed as private laws.

Printing and distribution of copies.
44 U. S. C. 191.

21 Op. Atty. Gen. 405.

CHAPTER 2

TREATMENT OF MAILS

CLASSIFICATION AND CONDITIONS, POSTAGE AND FEES

Classification in regular mails.

2203. The exchange of all mailable matter in the regular (not parcel post) mails between the United States and foreign countries is governed by the Universal Postal Union Convention and other conventions in force. Mail matter is classified by the Universal Postal Union Convention as follows:

- (a) Letters.
- (b) Post cards (single and reply-paid).
- (c) Commercial papers.
- (d) Prints.
- (e) Raised prints for the blind.
- (f) Samples of merchandise.
- (g) Small packets.

The exchange of parcel-post mail between the United States and foreign countries is governed by conventions or agreements concluded with each country or group of countries.

Care in accepting matter for mailing.

2. Postmasters shall exercise care in the acceptance of matter for mailing to foreign countries, whether in the regular or parcel-post mails, in order to assure correct classification and proper prepayment, proper and substantial packing, complete and legible addressing, and the withholding of articles prohibited admission.

See sec. 597 and sections referred to therein concerning matter generally unmailable in the domestic mails (or unmailable except under certain conditions as to packing, etc.) and, therefore, also unmailable to foreign countries: However, in connection with paragraph (e) of sec. 597, see Postal Guide, Part II, for limits of weight and dimensions allowed for mail matter for foreign countries. Also, see secs. 2204, 2214, 2217, and 2223 as to treatment of unmailable matter and unpaid and short-paid matter; sec. 2212 as to preparation at exchange offices of mail for foreign countries; sec. 2352 as to penalty for importation of obscene matter; sec. 2353 as to penalty for officers aiding in importation of obscene matter; sec. 2354 as to penalty for importation of lottery matter; and sec. 2227 as to undeliverable articles of foreign origin.

Note.
Postal Guide to be consulted for detailed information.

Norm.—See Official Postal Guide, Part II, for list of foreign countries and colonies; for information as to free matter; optional and compulsory prepayment; postage rates, and transit charges, surcharges (including air-mail) and fees, and for detailed information concerning treatment and classification as well as concerning articles prohibited generally in the regular and parcel-post mails exchanged between the United States and all foreign countries, and articles specially prohibited to individual countries as shown under the country items of each country concerned.

Treatment of unpaid or short-paid matter for foreign countries.

2204. Mail matter addressed to a foreign country, unprepaid or insufficiently prepaid to authorize its dispatch, where full or partial prepayment of postage is required, shall be returned promptly to the sender if known, or, if the sender is not known, shall be sent at once to the proper branch of the Division of Dead Letters and Dead Parcel Post. Notice of retention for postage shall not be sent to the addressees in such cases.

See Official Postal Guide, Part II, for information relative to optional and compulsory prepayment; sec. 2214 as to treatment at exchange offices of all short-paid parcel-post packages and registered articles in the regular mails for foreign countries; and sec. 2223 as to collection at delivering offices of postage due on short-paid matter from foreign countries.

2. All matter addressed to or received from foreign countries, except such as is merely in transit across the territory of the United States, which by sections 598 to 601 is prohibited transmission in the domestic mails shall be withdrawn from the mails, whether at office of origin, of address, or at an exchange office, the same as domestic matter, and treated as provided in section 725. As to matter prohibited by sec. 588, see sec. 728.

Unmailable matter.

—treatment of.

See sec. 2232 as to matter from foreign countries under seal suspected to contain obscene or immoral articles and lottery matter.

3. Whenever orders shall be issued to postmasters at exchange offices by the Postmaster General forbidding the forwarding of any mail matter to any person or concern located in a foreign country conducting a lottery or fraudulent enterprise, such matter shall be treated as prescribed in said order (see sec. 604), except that matter merely in transit across the territory of the United States shall not be detained under such orders.

Matter addressed to lottery and fraudulent concerns.—held on order of Postmaster General, how treated.

See sec. 1472 as to orders forbidding certification of money orders.

2205. Articles intended for special delivery may be sent only to certain foreign countries listed in the Official Postal Guide, Part II. The special-delivery fee shall be 20 cents, (except in the case of Canada to which the United States domestic special-delivery fees apply) in addition to the regular postage, which shall be prepaid by United States special-delivery or other stamps affixed to the cover. There shall also be affixed to the cover an *Exprès* (Special Delivery) label (Form 2977), or the cover shall be marked boldly in red ink, "*Exprès*" directly below but not on the stamps. Articles intended for special delivery but insufficiently prepaid shall be marked by the postmasters, "Not in special-delivery mail," and dispatched to destination as ordinary mail matter whenever such articles cannot be returned to the sender for the deficiency in fee without seriously delaying the dispatch thereof.

Special-delivery matter to foreign countries.

See Official Postal Guide, Part I, as to special-delivery fees to Canada (United States domestic fees), and Part II as to special-delivery fees to other foreign countries.

2206. Articles for foreign countries may be sent by air mail where such service (United States or foreign) is available. Such articles are subject to an additional charge or fee which shall be fully prepaid. This fee shall be stated separately in some cases, while in others the postage and air-mail fee may be combined. The air-mail fees vary according to the extent of the air transportation furnished.

Air mail service.

See Official Postal Guide, Part II, and airmail leaflet, as to use of the blue "*Par Avion—By Air Mail*" label and certain other special markings and as to the various fees and air-mail routes or services available.

2207. The registry fees on international mail shall be in addition to the regular postage, both of which shall be prepaid by stamps affixed unless otherwise authorized.

Registry fee.

2. The registry fee for all Postal Union articles of whatever class addressed to foreign countries shall be 15 cents, which shall not cover risks for losses due to *force majeure* (causes beyond control) in connection with registered *Postal Union* mail. The reg-

istry fee for international *parcel-post* packages shall be 15 cents unless otherwise stated in current Official Postal Guide, Part II.

Note.

NOTE.—The term “force majeure” (major force) is generally interpreted to mean causes which could not be prevented by human agencies, such as earthquakes, tempests, wars, etc.

Fee not to cover two or more articles.

3. Two or more articles tied or otherwise fastened together shall not be registered as one article unless inclosed in the same envelope or wrapper.

See sec. 2234 as to indemnity for international registered mail.

Registry mark.

2208. All registered matter shall be plainly marked on the face and postmarked the same as required in the domestic service. (See sec. 1216).

Postmark.

See secs. 718 and 720 as to canceling and postmarking.

Backstamping of articles at exchange offices.

2. All registered matter to or from foreign countries, or in transit through the United States, shall be backstamped at exchange offices with the date of dispatch or receipt over the crossing of the upper and lower flaps without covering any other postmark, except transit matter sent in sealed bags.

See sec. 2218 as to registered articles from foreign countries which do not show the registry mark.

Return receipt.—demand therefor to be written on envelope or wrapper.

2209. (a) When the sender of any registered article addressed to a foreign country desires a return receipt therefor, he shall write on the envelope or wrapper the words “Avis de reception,” or the letters “A. R.,” which are equivalent to “Return receipt requested.”

Where prepared.

(b) Return receipts (Form 2865) requested for international registered articles mailed at first-, second-, and third-class post offices shall be prepared at such offices. Return receipts for international registered articles mailed at fourth-class offices shall be prepared at the United States exchange offices, unless the postmasters at the offices of mailing have been specially authorized to prepare such receipts.

Complaints of failure to receive.

(c) Complaints of failure to receive return receipts for registered articles addressed to foreign countries and requests for such receipts after articles have been mailed, should be made and disposed of in accordance with section 811.

See Official Postal Guide, Part II, as to fees for return receipts and fees for inquiries or complaints concerning registered or insured mail.

Registered articles found in the ordinary mail.

2210. A registered article (as distinguished from an article merely marked to indicate that the sender desired it registered) to or from a foreign country found in the ordinary mail not marked “Not in the registered mail” shall be removed from the ordinary mail wherever found and given the safeguards provided for registered mail. Report of the finding shall be made to the Second Assistant Postmaster General, Division of International Postal Service.

See sec. 1329 as to treatment.

2. The instructions in section 1205 also apply to articles mailed in this country for delivery in foreign countries but not to articles originating in foreign countries.

REFUNDS OF POSTAGE AND FEES

2211. All applications under the provisions of the law cited in section 584 for the refund of postage paid on international mail, ordinary, registered, insured, and collect-on-delivery, shall be addressed to the Second Assistant Postmaster General, Division of International Postal Service, and be accompanied with a full statement of the facts and, when possible, the envelope or wrapper in which the matter was mailed. Postmasters shall not make refunds until instructed by the department. Applications for refund.

2. The Second Assistant Postmaster General, Division of International Postal Service, may on requests therefor authorize refunds of fees collected for international return receipts when such receipts or their equivalent are not obtained because of some fault of the Postal Service; and may also authorize refunds of fees for inquiries or complaints, when they were caused by some irregularity of the Postal Service, in connection with international ordinary, registered, insured, or collect-on-delivery mail. Refund of fees, when.

NOTE.—Requests for refunds of fees for registration or insurance or for amounts of less than 10 cents will not be considered. Note.

3. Upon receipt of instructions to make a refund a postmaster shall pay the amount authorized out of the postal receipts in his possession and shall require the person to whom the payment is made to give a receipt therefor in duplicate on a Form 2995 furnished by the department, which will accompany the department's instructions. The "original" receipt shall be sent promptly to the Second Assistant Postmaster General, Division of International Postal Service, in the case of all international mail, ordinary, registered, insured, and collect-on-delivery; the "duplicate" shall be retained in the post-office files. —repayment.

4. Credit for the amount of the refund shall be claimed by the postmaster in the quarterly postal accounts. —credit to be claimed.

MAILS DISPATCHED TO FOREIGN COUNTRIES

2212. Mails shall be exchanged with foreign countries through post offices and railway post offices duly authorized to act as "exchange offices." Exchange offices.

2. Mails shall be prepared and dispatched to the proper exchange office in accordance with the instructions as set forth in the current Official Postal Guide, Part II, as modified by special instructions issued by the Second Assistant Postmaster General. Manner of preparation and dispatch of mails.

3. The labels of United States mail sacks dispatched by sea shall be the following colors: *Vermillion red* for Postal Union registered articles; *white* for ordinary (unregistered) letters, including ordinary post cards (or mixed ordinary correspondence, that is, letters, post cards, and other articles); *light blue* for ordinary other articles (that is, "prints," including samples and small packets); *green* for sacks containing only empty sacks, which covered Postal Union mails, upon return to origin of the empty sacks; and *yellow ochre* for parcel post. The yellow ochre labels of sacks containing registered parcels shall be endorsed with a bold "R," Labels.

those containing insured parcels with a bold "V," and those containing c. o. d. parcels with the letters "C. O. D." Sacks containing only empty sacks, which covered parcel-post mails, should be returned to origin in sacks bearing yellow ochre labels plainly marked in black ink with the words "Empty Parcel Post Sacks (Sacs Vides)."

"Specially addressed" correspondence.

4. Correspondence, "specially addressed"—that is, marked for transmission by a particular vessel or designated route—shall be dispatched accordingly, if practicable, and if the vessel conveys mail or the route is open for the transmission of mail. In case of postponement of a sailing, or an arrival too late for dispatch by the vessel for which intended, such correspondence shall be dispatched by the first available vessel. In an appropriate case the envelope of the article shall be stamped "Too late." However, these regulations so far as they relate to specially addressed correspondence of United States origin shall be subject to change by instructions from the Post Office Department.

Foreign registered mail.

2213. Postal employees in billing to domestic post offices or railway post offices registered matter addressed to, or received from, foreign countries shall use the particulars required in the domestic service. (See sec. 1220.) The name of original post office and State (or country) and not the name of the United States exchange office of original receipt, or other office from which the mail is received, unless it is the office of mailing, shall be recorded. If the postal employee is unable to obtain all of this information from the registered articles or accompanying bills or package receipts, he shall record a full description of all of the particulars which are obtainable, including the post office and State (or country) of destination, followed by the word "Foreign."

—record.

See secs. 2212, 2216, and 2223 as to dispatch and receipt of international mails; secs. 1310 to 1312 as to damaged or unsealed articles.

Making up registered matter for foreign countries by exchange post offices.

2. United States exchange offices making up registered mail for foreign countries shall be governed by the provisions of the Universal Postal Convention or other convention in force or by special instructions issued from time to time in the Official Postal Guide, Part II, or otherwise.

Dispatch of registered matter to foreign countries.

3. Registered mail for foreign countries shall be dispatched to the post office or railway post office in the United States specially authorized to exchange registered matter with such countries. (See Official Postal Guide, Part II.) When the quantity or bulk does not warrant making up a jacket envelope, sack, or pouch addressed to the proper United States exchange office, postmasters should dispatch the mail as a single piece or a hand piece in the general direction of such exchange office. If the original cover is in bad order it shall be reinclosed in a penalty or "bad-order" envelope, or, if practicable, repaired with official sealing stamps (See sec. 1310).

—how made.

Separate jackets for international and domestic mail.
—Indorsement of jackets con-

4. Separate registered jackets shall be used for international and domestic mail. Jackets containing registered matter for the countries named shall be marked "Canada," "Cuba," "Mexico," or "Panama," respectively. Registered jackets containing regis-

tered mail for any other foreign country shall be marked "Foreign," unless addressed direct to a foreign country served through a Pacific coast exchange office.

5. Registered mail for foreign destinations proper for dispatch via San Francisco, Calif., San Pedro, Calif., Portland, Oreg., Seattle, Wash., or Tacoma, Wash., shall, when the quantity or bulk of matter for each foreign country justifies, be inclosed in a jacket, pouch, or sack addressed simply to the country of destination—"China," "Japan," "Australia," etc. Separate registered sacks, or pouches, marked to indicate that they contain international parcel-post mail, shall be used in dispatching parcel-post registered matter for trans-Pacific destinations.

6. Registered mail for two or more countries scheduled for dispatch from a Pacific coast exchange office by the same vessel shall, when in sufficient quantity or bulk, be inclosed in one jacket, pouch, or sack, addressed simply to the countries of destination.

7. Pouches, sacks, and jackets, containing only mail addressed to trans-Pacific countries, as well as single pieces, shall be reinclosed in pouches, sacks, or jackets, addressed to the proper exchange office when it is known that they will reach the exchange office at least 24 hours in advance of the sailings. In other cases they shall be dispatched as hand pieces.

See Official Postal Guide, Part II, for further information concerning dispatch of registered mails; and sec. 2229 as to customs treatment; sec. 2227 as to undeliverable matter; and sec. 2222 as to use of waybills in some cases.

2214. When a short-paid or unpaid registered article in the regular mails (except when it has been forwarded as provided in sec. 2223) is received at an exchange office for dispatch to a foreign country, the postmaster at such exchange office shall attach ordinary postage stamps sufficient to cover the deficiency, forward the article to its destination, and notify the postmaster at the mailing office, on Form 2863, of the amount of such deficiency. On receipt of such notice the postmaster at the mailing office shall immediately remit this amount, in uncanceled ordinary postage stamps, to the postmaster at the exchange office, with the return of the notice. (See secs. 245 and 2207.) If the postmaster at the mailing office fails to make such remittance, the postmaster at the exchange office shall report the matter to the Second Assistant Postmaster General, Division of International Postal Service.

2. When a short-paid or unpaid parcel-post package (ordinary, registered, insured, or collect-on-delivery) is received at an exchange office for dispatch to a foreign country, the postmaster at such exchange office shall forward the parcel to its destination in the same manner as though fully prepaid (without affixing additional postage); and send to the office of mailing a card notice (Form 2918, appropriately changed if other than an ordinary parcel is involved) containing instructions to the effect that the amount of the deficiency is to be collected from the sender and postage-due stamps to cover the short payment affixed to the address side of the card and canceled, and that the card be then

taining matter for foreign countries.

Labeling of pouches, sacks, and jackets for trans-Pacific destinations.

Separate equipment for international parcel-post mail.

Dispatch of mail for several countries by same vessel.

—reinclosing, when.

Treatment at exchange offices of short-paid registered matter in the regular mails for dispatch abroad.

Treatment at exchange offices of short-paid parcel-post packages for dispatch abroad.

forwarded to the Second Assistant Postmaster General, Division of International Postal Service, Washington, D. C. In those instances where it is not possible to collect the deficient postage from the sender, the card should be forwarded to the Second Assistant Postmaster General, Division of International Postal Service, Washington, D. C., with appropriate explanation.

Treatment of undelivered foreign registered mail at exchange offices.

2215. Exchange offices receiving undelivered registered mail of foreign origin for return shall promptly return it to the proper exchange office of the country of origin, or of the country named in the sender's address, if shown. In the registry list or the appropriate table of the letter bill used in billing the returned registered matter shall be shown, in addition to other particulars used in billing registered mail to foreign countries, in the column headed "Observations," the office and State (or country) of address.

FOREIGN MAILS RECEIVED

Foreign sealed sacks, etc.

—forwarded intact, when.

2216. All foreign sealed sacks made up abroad and labeled to United States post offices, and direct sacks made up in sea post offices and addressed to a United States post office, shall be forwarded intact to their destination, to be opened only in the post office to which they are addressed. This paragraph shall not apply to mails made up in foreign countries for the United States, which sea post offices maintained on ocean steamships may be ordered to open.

See sec. 753, par. 4, as to disposition of labels taken from sealed sacks or pouches made up by a sea post office.

Comparison of sacks with waybills.

2. When mails are received at exchange post offices where vessels land, the sacks shall be counted, and if found to agree with the waybills thereof the exact time of receipt shall be entered on the waybill and the same signed as a receipt of the mails, any errors being noted on the waybill before signing. Registry (red label) sacks shall be checked in this service by offices of origin and offices of destination.

Record at exchange offices of registered mail from foreign countries.—how recorded.

3. Postmasters at exchange offices shall keep such record of registered mail received from foreign countries as will show the particulars required by section 2213 concerning registered mail dispatched to foreign countries. When lists received with registered mail from foreign countries do not show the information required the lists shall be completed and the omission made the subject of a bulletin of verification.

Mail for addressees at other post offices.

4. Postmasters at ports of arrival of mail from foreign countries may deliver any matter in such mail directed to any other post office to the person addressed upon being satisfied of his identity.

See sec. 776 as to conditions for delivery of mail at other than the office to which addressed, and sec. 2229, joint regulations governing the treatment of dutiable matter.

Short-paid matter from foreign countries.

2217. Except as otherwise stated in current Official Postal Guide, Part II, short-paid or unpaid Postal Union articles received in the mails from foreign countries are liable to a charge to be paid by the addressee on delivery of the article, as stated in the current Official Postal Guide, Part II.

2. In the case of unpaid or short-paid articles being returned to senders as undeliverable, the senders shall be charged with the amount which would have been collected of the addressee if the article had been delivered. Mail matter which does not bear the stamp "T" (tax to be paid) shall be considered as fully paid and treated accordingly, unless there is an obvious error.

Insufficiently prepaid matter returned to sender.

2218. Registered articles mailed in foreign countries received at United States exchange post offices or railway post offices not marked "Registered" or "R" or otherwise, to indicate that they are registered, shall be appropriately marked by such exchange offices above or near the original foreign registration number.

Marking of registered articles at exchange offices.

2. When postmasters at United States exchange offices receive registered matter of foreign origin unaccompanied with foreign return receipt blanks, but for which it is apparent that the senders desire receipts, they shall supply the United States form of foreign registry receipts (Form 2865) before dispatching the matter to interior offices, and the irregularity shall be made the subject of a bulletin of verification.

—at exchange offices matter unaccompanied by return receipt blanks.

2219. United States special-delivery stamps attached to articles mailed abroad and contained in mails for the United States shall be canceled in the sea post office or the United States exchange post office which opens the mails and distributes the articles therein contained. In case said stamps were canceled in the foreign mailing office, the articles shall nevertheless be delivered by special messenger.

United States special-delivery stamps affixed to articles mailed abroad.

2. An article mailed in a foreign country with which special-delivery service is in effect, intended for special delivery in this country, and having affixed thereto United States special-delivery stamp or stamps would, insofar as the country of origin is concerned, be short-paid the amount of the special-delivery fee applicable in the country of origin, and (if given special-delivery treatment by the country of origin) would be subject to the collection from the addressee of double the amount of the deficiency as the special-delivery fee, as well as the postage, should be prepaid with stamps issued by the country of origin. However, on receipt in this country, the value of the United States special-delivery stamp shall be applied against the total amount of postage due to be collected from the addressee. If such article is not given special-delivery service in the country of origin, it shall be treated in this country as not in the special-delivery mail. If special-delivery service is not in operation with the country of origin, the articles shall be given special-delivery service without additional special-delivery fee upon their receipt in this country.

2220. Mail sacks received from and belonging to foreign countries shall be promptly returned empty, pursuant to the international postal regulations; and such sacks shall not be used by postmasters or others.

Sacks belonging to foreign countries.—return of.

2221. Foreign closed transit mails—that is, mails made up in one foreign country addressed to another and sent to the United States to be forwarded onward to destination—shall not be opened.

Foreign closed transit mails.—not to be opened.

—examination as to condition of.

2. Foreign closed transit mails received at exchange offices shall be examined, and if they are unsealed or the seals are damaged or sacks or covers are torn or damaged, the imperfections shall be corrected or the damage repaired as far as practicable.

Verification of dispatches.

3. In the verification of dispatches of foreign closed transit mails, exchange offices shall proceed in the manner set forth in the Universal Postal Convention or other conventions in force and issue appropriate bulletins of verification to the foreign exchange offices concerned when necessary.

WAYBILLS

Closed foreign mails.

2222. Closed mails for foreign countries made up at United States exchange post offices, and those of foreign origin and destination, except ordinary mails from foreign countries for Mexico, in transit through the United States, and diplomatic pouches dispatched from Washington, D. C., shall be accompanied with waybills showing the number, origin, and address of the sacks of registered mail. Ordinary closed mails shall be billed in bulk, with only the total number of such sacks shown on the waybills.

—to be accompanied with waybill.

Waybills to be prepared by certain offices.

2. With the exception of mails exchanged between Canada, Cuba, and Mexico (mails from any of which countries, when addressed to either of the others, will pass through the United States under the original waybill prepared by the foreign office of origin from which the mails will be checked), waybills shall be prepared by the first United States post office or railway post office of receipt, and the mails shall be checked therefrom by all railway postal clerks who handle them, except that where it is impracticable to check such mails while in transit in a car it shall be sufficient to check them when loaded into the car and again when unloaded therefrom. Any shortage shall be reported. If a railway postal clerk receives such mails without a waybill, he shall note the failure on trip or daily report and make a waybill on the required form. (See sec. 2216.)

—failure to supply waybills to be reported.

Waybill not to accompany mails exchanged with Canada and Mexico.

3. This section shall not apply to mails regularly exchanged between the United States and Canada or Mexico.

4. Separate steamer waybills in triplicate shall be issued for the sacks to be delivered at each port. One copy shall be retained by the commander of the vessel after receipt for the mails has been obtained thereon from the Postal Service at port of debarkation and two copies shall be handed over with the mails at port of debarkation, one of which, after acknowledgement, to be returned to the United States post office that issued the waybills. Unless special arrangements are made, the red-label sacks shall be entered on the waybills by the number of such sacks from each office of origin for each office of destination and totaled. The total number of ordinary letter and prints sacks shall be entered as one item, and the total number of parcel-post sacks also shall be entered as one item. The three totals (red label, letters and prints, and parcel post) shall be added and the grand total shown on the waybill.

AT DELIVERING OFFICES

2223. On receipt of foreign matter at the office of address it shall be delivered (see secs. 777 to 797, also sec. 1323 for registered mail), the same as domestic mail matter, except as otherwise provided. Regular (not parcel post) mail matter from any foreign country received in the United States shall be reforwarded from the United States post office of original destination to any other United States post office, or to any foreign country, without charge of additional postage therefor, or, if a registered article, without charge of an additional registry fee. See Official Postal Guide, Part II, for detailed instructions.

Treatment of foreign matter at offices of delivery.

See secs. 2215, 2218, 2224 to 2227 as to registered matter; sec. 2229 as to customs duties; sec. 2231 as to copyright matter.

2. Postage due on unpaid or short-paid matter, as indorsed thereon at the exchange office (see sec. 2217), shall be collected and postage-due stamps affixed, the same as in the case of domestic mail matter (see sec. 768).

Postage due.

See sec. 253 as to credit for value of postage-due stamps; sec. 2204 as to treatment of matter prohibited transmission in the mails.

3. Parcel-post packages originating in foreign countries shall be delivered to addressees subject to the conditions prescribed in section 2229 and the Official Postal Guide, Part II.

Parcel-post packages.—delivery of.

4. Parcel-post packages which cannot be delivered or are not redirected, as well as those originating in the United States and returned as undeliverable, shall be treated as indicated in the Official Postal Guide, Part II.

—undeliverable, treatment of.

2224. Return receipts describing foreign matter sent to interior post offices in the United States from exchange post offices after being properly signed by the addressee or his agent with ink or indelible pencil, if practicable, and postmarked shall be returned without cover (if card form of return receipt) and free of postage, by ordinary mail, direct to the address of the sender of the article. When registered mail is signed for by an authorized agent of the addressee the name of both the addressee and the agent shall appear on the card.

Return receipts sent to interior offices.

2. If a sender's registry return receipt does not accompany a piece of foreign origin, and the piece is not marked "Avis de reception" or with the letters "A. R." (return receipt demanded by the sender), or with words to that effect, it may be assumed that no sender's registry return receipt is required.

—return receipt not accompanying foreign piece.

3. When it is apparent to the postmaster at the interior office of delivery that a return receipt is desired by the sender of a registered piece of foreign origin, and no return receipt blank accompanies the piece, he shall supply a sender's return receipt, on Form 2865, or, in case he has no such form, he shall use Form 3811, noting thereon the fact that no receipt accompanied the piece when received at his office, and report the omission to the department, giving the name of the United States exchange office through which received.

Matter specially held for delivery.

2225. When a postmaster has good reason to believe that registered undelivered articles in the regular mails of foreign origin, bearing no time limit for their return, can be delivered to the person addressed if held for a period not exceeding two months, he may indorse them "Specially held for delivery" and retain them accordingly. Articles, ordinary and registered, indorsed "poste restante" (General delivery), "To be called for," or other words indicating they are for a transient person, and those addressed to a sailor or a passenger on a vessel expected to arrive, may also be held for not longer than two months.

INTERNATIONAL REPLY COUPONS

International reply coupons.

2226. International reply coupons of the denomination of 9 cents shall be issued to postmasters and sold to the public for use in prepaying international reply postage.

Redemption.

2. Unused reply coupons issued in the United States may, whether damaged or undamaged, be redeemed in postage stamps (8 cents) from original purchasers.

Foreign.

3. International reply coupons issued by foreign countries shall be redeemed by postmasters in postage stamps of a value sufficient to prepay postage on a single-rate ordinary letter to the country which issued the coupon.

Parts of, not to be redeemed.

4. To be acceptable for redemption, each coupon shall be in whole condition. Parts or pieces of coupons shall not be redeemed.

Note.

NOTE.—International reply coupons are sold and exchanged pursuant to the current Universal Postal Convention and the regulations for its execution. (See Official Postal Guide, Part I and Part II.)

DISPOSITION OF FOREIGN DEAD MATTER

Disposition of foreign dead and undeliverable matter. 5 U. S. C. 375. —treatment of.

2227. The action of the Post Office Department respecting foreign dead letters shall be subject to conventional stipulations with the respective foreign administrations.

Undeliverable matter—period of detention.

2. (a) Except as stated in subparagraph (b) hereof (concerning certain ordinary articles without value); in paragraph 5 (concerning certain articles from Canada and Mexico); in section 808 (concerning undeliverable-second-class matter from Canada), and in paragraph 6 (concerning articles having postage due stamps affixed), undelivered or unclaimed registered and ordinary articles (except parcel post) from all foreign countries shall be returned to the country of origin (through the proper United States exchange office in the manner hereinafter provided) at the end of 30 days *unless* (1) they bear requests of the senders for return in case of nondelivery by a certain date or within a specified time not longer than two months, in which case they shall be returned at the expiration of the period indicated by the senders, or (2) they are specially held for delivery as provided in section 2225.

(b) Ordinary prints without value from any foreign country, and ordinary post cards without value and ordinary samples without value from Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Cuba, Dominican Republic, Ecuador, Guatemala, Haiti, Honduras (Republic of), Mexico, Morocco (Spanish Zone), Nicaragua, Panama, Paraguay, Peru, Rio de Oro, Salvador (El), Spain (including Balearic Islands, Canary Islands, and the Spanish Offices in Northern Africa), Spanish Guinea, Uruguay, and Venezuela, which do not bear a request for return and the name and address of the sender, shall be destroyed at the office of address (or shall be disposed of as waste in the manner prescribed in sec. 101). Registered prints, post cards, and samples without value shall be regarded as articles of value to the sender, and returned as above provided.

—prints and post cards.

NOTE.—See Official Postal Guide, Part II, as to treatment of undeliverable international parcel-post packages, and sec. 2229 as to return of undelivered dutiable and supposed dutiable articles.

Note.

3. Before post offices of destination send undeliverable articles from foreign countries to the proper United States exchange offices for return to the senders, they shall mark them, clearly and concisely, in the French language (on the right half of the front in the case of post cards and prints in the form of cards and on the back in the case of other articles) to show the cause of nondelivery, in the following form: "Inconnu" (unknown), "Refusé" (refused), "En voyage" (traveling), "Parti" (removed), "Nonréclamé" (unclaimed), "Décédé" (deceased), etc., there being no objection to the addition in the English language of the cause of nondelivery. On the front of all such articles, besides the postmark of the office of origin, they shall also be marked "Retour" (return), and the entire original address shall be canceled, but not obscured, so as to avoid the possibility of the articles being dispatched again to the United States post office of original address. The date stamp of the office of destination shall be applied to the front of post cards and to the back of letters returned to senders.

—reason for nondelivery to be shown on mail matter.

4. (a) Undeliverable ordinary matter to be dispatched to the proper exchange post offices for return to the senders, shall be made up in letter packages, bundles, or tie sacks, under facing slips or sack labels marked "Postmaster ----- Foreign, Rebutts." Undeliverable registered articles shall be dispatched to the proper United States exchange offices by registered mail with other registered matter.

Return of undeliverable foreign articles.

(b) The ordinary undelivered articles received at United States exchange offices shall be returned to the proper foreign exchange offices in separate bundles or sacks with the labels thereof plainly indorsed "Rebutts" (undeliverable mail matter). Undelivered registered articles shall be entered on the registry list (or under the appropriate table of the letter bill) in the same manner as registered matter addressed to the country concerned.

5. Undelivered and unclaimed articles from Canada and Mexico, bearing neither requests for their return nor the names or addresses of senders, shall be dispatched to the dead letter branch at

—from Canada and Mexico not bearing request.

Boston, Mass.; New York, N. Y.; Chicago, Ill.; San Francisco, Calif.; or Washington, D. C., as provided in section 817.

Matter having due stamps affixed.

6. Undelivered articles of foreign origin having postage-due stamps affixed shall be sent to the proper branch of the Division of Dead Letters and Dead Parcel Post as required by sections 253 and 817.

—return receipt to remain with article.

7. When undelivered registered articles of foreign origin are accompanied with return receipts, such receipts shall be left attached to the registered articles to which they relate.

—when addressee is deceased.

8. When a registered article of foreign origin is addressed to a deceased person, delivery may be made only to the legal representative of the addressee. If such delivery cannot be made, the article shall be indorsed with the cause thereof and disposed of as prescribed in paragraph 1 of this section. If the article is claimed by a relative of the deceased addressee, who desires to communicate with the sender with a view to having sender direct disposition of the article through the foreign postal administration of origin, such relative may, if possible, be furnished with the sender's name and address, and the article specially held not longer than three months, unless it bears a request for its return in a shorter period.

Foreign articles addressed in care of consul.

9. Articles (ordinary or registered) for sailors or any other person addressed in care of a consul and returned by him to the local post office as unclaimed shall be treated the same as other undelivered articles as above provided. The amount of any postal charges collected from the consul on such articles shall be repaid to him by the postmaster.

See secs. 1329 and 2210 as to matter intended for registration found in the ordinary mail.

CHAPTER 3

WITHDRAWAL AND CHANGE OF ADDRESS

Recall of matter or change of address.

2228. The sender of any article (ordinary or registered) addressed for delivery in a foreign country may cause it to be withdrawn from the mails and returned, or have its address changed before delivery to the addressee, provided the legislation of the country of destination of the article allows such withdrawal or alteration. When application is made for the recall of an article or the change of the address thereon, the conditions prescribed in section 730 relative to withdrawing letters from the domestic mails shall be complied with; and, in addition, the sender shall furnish a facsimile of the address of the article, and shall pay (by means of postage stamps affixed to his application, which shall be canceled by the postmaster) the amount chargeable on a registered single-rate letter to the country concerned. If the request is to be made by cablegram, the application shall be accompanied with an amount sufficient to prepay the cablegram at the usual rate. When these conditions have been complied with the postmaster shall forward the application, accompanied

with the facsimile of the address, to the Second Assistant Postmaster General, Division of International Postal Service, who shall request the foreign postal administration interested to comply with the sender's directions.

NOTE.—The laws of certain foreign countries do not allow the withdrawal or change of address of any mail article. Some countries prohibit withdrawal or change of address of regular mail articles but allow it for parcel post. See Official Postal Guide, Part II, for detailed information.

Note.

2. Postmasters receiving requests from senders or addressees for the return of an article for or from a foreign country, or for change or correction of the address thereon, shall not comply with same except by permission of the department. Such requests shall be referred to the Second Assistant Postmaster General, Division of International Postal Service, and the article held until instructions concerning it are received.

—postmaster shall not comply with requests.

3. When application is made for the return of an article or the change of the address thereon before it has been dispatched from the United States, it shall be returned to the sender upon his compliance with the requirements of section 730 or 1292. With respect to air-mail articles, postmasters shall, in addition to complying with the provisions of section 730, furnish information as to whether the relative article is intended for conveyance from the United States by air or by surface transportation.

—before dispatch.

CHAPTER 4

JOINT REGULATIONS ADOPTED BY THE SECRETARY OF THE TREASURY AND THE POSTMASTER GENERAL GOVERNING THE TREATMENT OF MAIL MATTER RECEIVED FROM FOREIGN COUNTRIES INVOLVING THE CUSTOMS REVENUE

2229. In order to safeguard the revenue and expedite delivery of the mails, collectors of customs shall detail representatives for duty at exchange post offices and at other post offices to which mails of foreign origin may be forwarded for customs examination. Postmasters shall provide proper facilities for treatment of such mails by customs officers, and shall furnish them with information regarding prospective arrivals thereof.

Detail of customs officers; facilities to be provided, and information as to arrivals of mail furnished, by postmasters.

2. (a) Customs officers should be present at the opening and distribution of the mails, and segregate all articles known or believed to contain merchandise or printed matter, including those mailed originally in the United States and returned for any reason. Such articles shall be stamped "Supposed liable to customs duty," except those which are to be redispached without customs examination, under seal, from New York, Chicago, San Francisco, and Seattle. (See par. 10 (b).) Articles subsequently found on examination to contain dutiable matter shall be stamped "Examined by U. S. Customs (at -----): Duty to be collected," in addition to having the entry form attached, in case of articles for informal entry. Articles found not to contain dutiable matter

Segregation of the mails.

Stamping.

Registered articles.

shall be stamped "Passed free U. S. Customs (at _____)" and the "Supposed liable" impression effectively canceled. Registered articles shall be segregated and treated only in the presence of an authorized representative of the postmaster. Unregistered parcel-post articles, books, and printed matter shall, when practicable, be delivered immediately to customs officers for examination. All articles containing or supposed to contain plants or plant products, including seeds and bulbs of all kinds, shall, before customs clearance, be referred to a plant quarantine inspector of the United States Department of Agriculture for examination and fulfillment of the requirements of the law.

When customs officers can not be present.

(b) When it is not possible for customs officers to be present, the segregation shall be made by postal employees, in order that the mails may not be delayed unnecessarily. All articles known or believed to contain merchandise, except as indicated above, shall be properly stamped and held by the postmaster for inspection by customs officers.

Articles which escape examination at exchange office.

(c) Should an article supposed or known to be dutiable escape examination at an exchange post office of receipt, the postmaster handling it either in transit or for delivery shall withhold delivery and submit the article to the nearest customs officer.

Treatment of mail packages returned from foreign countries.

(d) If merchandise returned from foreign countries in mail packages which have remained continuously in the custody of the International Postal Service, is found to correspond with the outward customs declaration, and the packages are in substantially the same condition in which they were when dispatched from the United States, the packages, after customs examination, shall be returned to the postmaster free of informal or formal customs entry requirements. The examining customs officer shall, however, determine whether or not any drawback was allowed or paid, or internal revenue tax remitted in the exportation of the merchandise. If so, such amounts shall be collected prior to release of the merchandise from customs custody.

Mails in transit.

(e) Foreign mails in transit shall not be submitted for inspection by United States customs officers.

Reports to be made of unnecessary delays on part of customs. Postal employees to scrutinize matter of foreign origin handled by them.

(f) Unnecessary delay by customs officers in the treatment of articles submitted to them for examination shall be reported to the Second Assistant Postmaster General by the postmaster.

3. Post-office, sea post, railway postal, and terminal railway postal clerks shall scrutinize letters handled by them (particularly sealed envelopes which may contain merchandise or prohibited articles), also newspapers mailed by others than publishers, and packages, sealed and unsealed, of foreign origin, including matter from Canada, Cuba, Mexico, the Republic of Panama, and United States postal agencies, naval vessels, and naval stations abroad, whether or not such articles are marked "Supposed liable to customs duty." Railway postal, sea post, and terminal railway postal clerks shall forward supposed dutiable articles to the post office nearest the end of their run or nearest their terminal railway post office at which there is a customs officer, in locked pouches, sealed sacks, or sealed enve-

velopes, labeled "For customs inspection." Supposed dutiable articles shall not be stamped or otherwise treated by railway postal or terminal railway postal clerks. Postmasters, upon receipt of the supposed dutiable articles, shall treat them in accordance with these regulations.

4. Packages of letters labeled to "States," "Cities," or to "R. P. O." lines may be forwarded intact, provided the address label or wrapper be stamped "Supposed liable to customs duty." Postal employees shall treat such mail in accordance with the instructions in paragraph 3.

Made-up packages of letters may be forwarded intact.

5. (a) Articles addressed to ambassadors, ministers, and *chargés d'affaires*, representing foreign governments in the United States, shall be delivered to the addressees without submission to customs officers.

Articles for ambassadors, etc.

(b) Articles intended for the personal use of members of the families of ambassadors, ministers, and *chargés d'affaires*, or for members and *attachés* of foreign embassies and legations or members of their families, may be admitted free of customs duty, upon the Treasury Department's instructions to the collector of customs in each instance, which instructions will be issued only upon request of the Department of State.

—for members of families of ambassadors, etc.

(c) Articles addressed to members and *attachés* of foreign embassies and legations and to consular and other representatives not heretofore mentioned, bearing the official seal of a foreign government or inclosed in its official envelope, and indicating from casual examination, without breaking the seal, that they contain only official communications or documents, or office supplies, or equipment, shall be forwarded immediately to the addressees without customs examination. Sealed and unsealed articles addressed to "consular and other representatives" referred to in this paragraph, when believed to contain dutiable merchandise, shall be subject to usual customs treatment.

—members and *attachés* of embassies and legations, etc.

(d) Mail articles for representatives of foreign governments resident in Washington, D. C., shall not be detained for examination or other customs treatment at the exchange post office of first receipt in the United States. Such articles shall be forwarded by mail to the customs authorities in Washington, accompanied by card Form 3511, in entry form envelope, addressed to the collector of customs, in care of the postmaster, Washington, D. C., in the manner set forth in paragraph 13 (a).

Representatives of foreign governments in Washington, D. C.

6. Articles containing merchandise of any character must not be forwarded in diplomatic or other official pouches, as such articles are subject to the Customs Laws and Regulations.

Matter not to be forwarded in diplomatic pouches.

7. Articles addressed to officials of the United States Government, known or believed to contain only official documents, shall be forwarded immediately to the addressees. Such articles, when known or believed to contain merchandise, shall be treated as provided in these regulations for other similar articles.

Articles for U. S. Government officials.

8. (a) The importation of merchandise in sealed mail articles will be permitted, provided the sealed letter or other sealed article bears on the address side thereof the label (Form C 1) provided by the postal convention, or the indorsement "May be

Sealed articles containing merchandise to bear indorsement authorizing examination

tion of contents.

opened for customs purposes before delivery to the addressee," or words of similar purport indicating that the article may be opened by customs officers without recourse to the addressee—the privacy of the seal being definitely waived. Such articles shall be treated as provided in paragraphs 10 (a) and 10 (b), 12 (a) and 12 (b), and 13 (a) to 13 (c). Sealed articles not so labeled or indorsed, and which from the outward appearances are believed to contain merchandise, shall be treated as hereinafter provided. (See pars. 12 (c) and 13 (d).)

—to be opened immediately on receipt.

(b) The foregoing requirement as to label or indorsement shall not apply to parcels mailed under the provisions of the parcel-post conventions between the United States and foreign countries. Such parcels if sealed may be opened by customs officers immediately upon receipt and after examination resealed with official seals.

Customs declarations and invoices.

9. (a) A customs declaration (on the form provided by the foreign mailing office) giving an accurate description and the value of the contents shall accompany each parcel post shipment and be securely attached thereto. Commercial shipments by parcel post shall also be accompanied by commercial invoices. In case the shipment consists of more than one package, the invoice shall be placed in the package to which the postal form of customs declaration is attached. There shall be enclosed with the contents of all mail articles containing merchandise dispatched under the respective mail classifications of the Universal Postal Union Conventions, an invoice in the case of commercial shipments, or a statement of value in the case of merchandise not purchased or consigned for sale, giving an accurate description and value of the merchandise. If impracticable to enclose the invoice or statement within a sealed article, the same shall be securely attached to the article.

Consular invoices for mail shipments exceeding \$100.

(b) When the aggregate value of a single mail shipment exceeds \$100, a consular invoice shall be furnished, except as otherwise provided by the customs regulations. Customs entry will be facilitated by sending such invoices with the mail shipment. When this is done no other invoice or statement is required. When an invoice or statement is required to be sent with any mail shipment, the particular package containing the same shall be marked on the address side "Invoice Enclosed." Single shipments not exceeding \$100 in value mailed abroad at different times (as shown by the declaration or other mailing indicia) and which reach customs at approximately the same time should not be combined for the purpose of requiring formal customs entry, unless there was an obvious intent to evade payment of the lawful customs duty.

Articles for delivery to addressees at New York, Chicago, San Francisco, and Seattle.

10. (a) Articles of all classes supposed liable to customs duty not exceeding \$100 in value, received at New York, Chicago, San Francisco, and Seattle, for delivery within their distribution districts, as shown in the special distribution scheme, shall be given customs treatment as provided in paragraphs 12 (a) to 12 (c). When the value exceeds \$100, such articles shall be treated in accordance with paragraphs 13 (a) to 13 (d).

(b) All articles, including shipments for formal entry, for delivery at points outside the distribution districts of these four exchange offices shall be left in the custody of the postmaster, without customs examination, for redispach to other distributing post offices, in accordance with the special distributing scheme, in sealed sacks, sealed Post Office Department penalty envelopes, or sealed registered sacks or jackets, as may be appropriate. No mail matter other than articles supposed to be liable to customs duty shall be sent in such dispatches. The sack labels or address side of the penalty envelopes or jackets shall be conspicuously marked "Supposed liable to customs duty; treat in accordance with section 2229, Postal Laws and Regulations of 1940." Upon receipt at the distributing post offices the dispatches shall be opened in the presence of customs officers and the mail handled as provided in paragraphs 12 (a) to 12 (c) and 13 (a) to 13 (d).

—for delivery outside the distribution districts thereof.

(c) The dispatching postmaster shall forward by the same mail, not registered, apart from the dispatches to which they relate, card notices advising the collector of customs as to the respective number of sacks, envelopes, and jackets forwarded, and the date, R. P. O., and number of train on which dispatched. The dispatches shall be addressed to the main post office at which the customs officer is located, and not to a post-office station unless a customs officer is located at or near such place.

Advice as to dispatches.

11. (a) In order to hasten the delivery to other post offices of mail articles reaching exchange post offices from foreign countries by air mail, (1) sealed articles not marked as required, by paragraph 8 (a); (2) motion-picture and news-reel films; and (3) sample shipments of tobacco (when necessary for customs purposes) shall, after customs inspection, be redispached in postal equipment, without other customs or postal treatment, to appropriate distributing post offices, as set forth in the special distribution scheme, for compliance there with the postal and customs requirements applicable to these special articles of merchandise. Other mail articles shall be inclosed in the dispatches if there is insufficient time between arrival and departure of airplanes at post offices of first receipt to accord the articles customs examination and affix mail entries thereto. Shipments for formal entry should also be inclosed in the dispatches. Should it be found impracticable to inclose in the dispatches formal entry shipments, film packages, or samples of tobacco, or other articles, such articles shall be redispached in accordance with paragraph 13 (a). Films received from foreign countries otherwise than through the mails, if accepted by the postmaster from the custody of the customs officer for transmission in the domestic mails, shall be redispached in the same manner and for the same purposes as films received in the mails. The mail articles referred to in this paragraph shall be treated in other respects in accordance with these regulations.

Articles from abroad by air-mail; customs examination at interior offices.

(b) Mails shall not be segregated or examined for customs purposes at intermediate points en route to continental United States. However, in order to obviate congestion at ports of first receipt in the United States, closed dispatches may be made up en route by postmasters to include all classes of mail articles, but such

Mails not to be given customs examination en route to United States.

dispatches shall be addressed only to post offices covered by the special distribution scheme, and the segregation and customs treatment of the mails shall be accomplished at such post offices and customs ports contiguous thereto.

Treatment of shipments not exceeding \$100 in value.

12. (a) Sealed articles indorsed as required in paragraph 8 (a), and unsealed articles, supposed liable to customs duty, shall be opened by customs representatives (registered matter and sealed matter only in the presence of a representative of the postmaster), contents examined and appraised, duty assessed, and entry form attached when dutiable and where the value does not exceed \$100, unless the article is subject to seizure, in which case it shall be treated in accordance with paragraphs 21 (a) to 21 (d).

Sealed articles to be redeveloped after treatment by customs.

(b) Immediately after customs treatment, all sealed articles (other than parcel post) except those which are opened by or in the presence of the addressee and delivered at the time of such opening, shall be securely repacked and resealed by a postal employee, in the presence of the customs employee who participated in the opening, so that the article will be in the same condition as when opened or in a better condition. Where practicable, each article shall be reenclosed in a special Post Office Department penalty envelope, readdressed and resealed by the postal employee. Articles too large to be enclosed in the special penalty envelope, as well as articles of nominal value, shall be resealed by the use of adhesive tape, mucilage, or wax, and the official adhesive seal of the Post Office Department. The postal employee shall sign or initial the envelope or wrapper covering each article repacked and resealed by him; and in case the article is found to be in bad order shall, after bringing the matter to the attention of the customs employee, note on the cover of the article over his signature, a report of the irregularity.

Sealed articles not bearing necessary indorsement.

(c) When a sealed article believed to contain merchandise is not indorsed (or labeled), as required by paragraph 8 (a), the postmaster shall notify the addressee to appear and open it in the presence of postal and customs officers, or furnish written authority whereby the article may be opened (the collector of customs may be so designated to act for the addressee). After the article is opened the postmaster shall submit same to the customs officer, but only after receipt has been given in the case of a registered article. Such sealed articles shall be retained by the postmaster until opened, except as provided in paragraphs 21 (a) to 21 (d), relating to seizures. If the articles shall be found to contain merchandise unconditionally free of duty and free of internal-revenue tax, or the aggregate value of the merchandise is not more than \$1 and it is free of internal-revenue tax, it may be delivered to the addressee. If the articles shall be found to contain merchandise subject to duty (including conditionally free merchandise) with an aggregate value exceeding \$1, or subject to internal-revenue tax irrespective of its value, such merchandise shall be subject to seizure and forfeiture as having been imported contrary to law. Under the authority contained in section 618 of the Tariff Act of 1930, any forfeiture so incurred is hereby mitigated to an amount equal to 10 percent of the duty (actual

or potential) provided there is no evidence indicating to the collector that failure to label or indorse the package was due to wilful negligence or to an intent to defraud the revenue. If there is any such evidence, or for any other reason the collector believes that it would not be in the interest of the United States to grant this relief, the matter will be reported to the Bureau for instructions. The mail entry (customs Form 3419 or 3420) shall be used for the entry of shipments not exceeding \$100 in value in undorsed articles, and the duty and mitigated forfeiture shall be entered as separate items thereon. If the addressee fails to respond to the postmaster's notice within 30 days, or the article remains undelivered after 30 days, such article shall be treated as undeliverable mail matter, to be disposed of in accordance with the Postal Regulations, except as provided in Joint Regulations 20 (a) to 20 (c) and 21 (a) to 21 (d). (See also 13 (d) as to shipments subject to formal entry.)

13. (a) When a single shipment exceeds \$100 in value and is addressed for delivery at a customs port or station, the customs officer handling the shipment at the exchange post office of first receipt or at the distributing office to which the shipment has been redispached, in accordance with the special distribution scheme, shall transmit therewith customs card Form No. 3511, using mail entry tag envelope, addressed to the collector of customs, in care of the Postmaster at destination; attach the tag envelope to the package, and return the latter to the postmaster for dispatch to destination. When the shipment consists of more than one package, customs label Form 3435 also shall be used. The postmaster at destination shall submit such packages to the customs officer, who shall sign card Form 3511 and return it to the issuing collector, who shall note its return on customs Form 3515. The customs officer handling the shipment at the office where the merchandise has been examined and found to be subject to formal entry shall also prepare, in quadruplicate, customs Form 3509 (notification to addressee or consignee to make formal entry) and mail the original copy to the addressee or consignee; send one copy to the comptroller of customs of the comptroller district in which the port of destination is located; forward one copy to the collector of customs, or deputy collector of customs, where the addressee or consignee is located, and retain the remaining copy as an office record.

Shipments
over \$100 in
value.

(b) When addressed to a point which is not a customs port or station, the customs officer handling the shipment at the office where the merchandise has been examined and found to be subject to formal entry shall prepare, in quadruplicate, Customs Form 3509, notifying the addressee or consignee to make formal entry at the port where said form was issued. The customs officer shall mail the original copy of the form to the addressee or consignee; send one copy to the comptroller of customs of the district in which the form is issued; deliver one copy to the entry division at his port, and retain the remaining copy as an office record.

—at points not
a customs port
or station.

(c) When a mail shipment treated in accordance with paragraph 13 (a) is returned to the sender or forwarded outside the

—undeliver-
able articles.

jurisdiction of the United States, the collector delivering the shipment to the postmaster for that purpose shall obtain the latter's indorsement as to the dispatch of the shipment on the collector's copy of Form 3509 and forward it to his comptroller, who shall notify the collector of the port at which the form was issued. When a shipment treated in accordance with paragraph 13 (b) is so returned or forwarded, the collector of the port at which Form 3509 was issued shall obtain the postmaster's indorsement on the form and forward it to his comptroller. When for any other reason the merchandise is not entered, the collector of customs having custody of the shipment shall indorse Form 3509 to show the disposition of the merchandise and forward the form to his comptroller.

Sealed articles
not bearing
necessary
indorsement.

(d) Sealed articles not endorsed or labeled as required by Joint Regulations 8 (a), which are found after opening in accordance with Joint Regulations 12 (c) to contain merchandise valued at more than \$100, shall be subjected to formal entry in accordance with Joint Regulations 13 (a) and 13 (b). In such cases, the customs officers preparing the notice to the addressees to make formal entry (customs Form 3509) shall note thereon that the shipment is subject to such duty and mitigated forfeiture as may be applicable thereto in accordance with the provisions in Joint Regulations 12 (c), and that such amounts (except the duty, if entered conditionally free) must be deposited prior to the release of the merchandise. The collector of customs at the place where formal entry is made shall record the transaction on customs Form 5211 and schedule the penalty when collected on customs Form 5161-B. The duty shall be accounted for as such in the regular manner.

Forwarding
after customs
treatment.

14. After the merchandise has been examined, appraised, and assessed with duty, and the entry form is attached thereto in the case of shipments valued at less than \$100, it shall be retained by or returned to the postmaster for delivery or dispatch to destination, or for appropriate treatment under the Postal Laws and Regulations, except as indicated in paragraphs 21 (a) to 21 (d), relating to matter subject to seizure.

Care to be
exercised in
repacking of
parcels.

15. (a) Postal and customs employees shall exercise proper care in examining and repacking the contents of parcels handled by them, particularly those parcels containing delicate instruments, articles of glass, china, and other fragile articles, liquids and easily liquefiable substances, to see that such are repacked in the same condition in which they were found when the parcel was opened or in better condition. All original tags, wrappers, labels, customs declarations, and other enclosures shall be repacked with the contents of the parcel. When mail parcels have been placed in customs custody for examination, postal employees upon accepting the parcels from customs shall satisfy themselves that each parcel is securely repacked and rewrapped (both as to contents and coverings) in condition safely to bear handling and onward transportation in the mails. When in the judgment of the postal employee, a parcel is not in condition to bear without damage subsequent handling in the Postal Service, it shall be

placed in satisfactory condition jointly by the postal and customs employees involved. When it can be shown that the parcel or its contents suffered damage as the result of negligence or improper handling, the employee at fault will be held personally responsible for the damage.

(b) When a damaged or rifled parcel reaches a customs employee, a damage slip, customs Form 6423, or a shortage slip, customs Form 6425, as the occasion may require, containing a report of the irregularity, shall be enclosed with the contents, and written report made promptly to the postmaster. The damage or rifling shall be taken into account in the appraisement of the merchandise and assessment of duty. When a damaged or rifled parcel is received by the postal employee, he shall note on the address side thereof the nature and extent of the irregularity, followed by his signature.

Action taken
in case of
damaged or
rifled article.

(c) Envelopes containing entry forms shall be so affixed to mail articles that they will not become mutilated or detached in transit. When possible they shall be placed under and attached to the twine used in wrapping the parcel, where the twine crosses on the address side. Upon receipt of such mail articles with entry form attached, postmasters shall make appropriate records for tracing and accounting purposes. Any postmaster receiving or handling an article from which the entry form has become detached shall endeavor to locate the entry form and reaffix the same to the article, and if unable to do so shall hold the article and communicate with the collector of customs at the office where the article was examined as shown by the stamp thereon.

Affixing entry
forms.

16. (a) Postmasters and Navy mail clerks or assistants, upon delivery of dutiable articles to addressees, shall collect the duty (or fine) and immediately forward same by means of certified checks or official postal checks, with the mail entry, as directed thereon, accompanied by customs receipt Form 3437, in duplicate, in penalty envelope, by ordinary mail, to the customs officer who issued the entry. The customs officer shall promptly acknowledge receipt.

Postmasters to
collect duty
and forward
same to cus-
toms officer.

(b) If it is impossible to make remittance by certified checks or official postal checks, then the duty (or fine) collected shall be remitted at once in the form of currency in the registered mails, and all the requirements of section 111 of the Postal Laws and Regulations as to describing the money and witnessing its inclosure shall be followed by the postmaster at the remitting office.

—remittances,
how made.

The mail entry and customs receipt Form 3437, in duplicate, shall also accompany the cash remittance.

(c) The receiving customs officer shall designate two employees, both of whom shall take part in opening each registered package containing a remittance in currency, and shall examine and count the contents and compare the same with the remittance letter. If any discrepancy is found in the amounts, it shall be carefully noted on the letter, over the initials of both witnesses, and on the letter envelope, which shall be forwarded to the post-office inspector in charge of the division in which the office of mailing is

—to be care-
fully checked
by customs
officer.

—discrepancy
reported.

located, with a report giving a description of the missing money, as entered in the remittance letter. The postmaster or other remitting officer shall at the same time be notified by the receiving customs officer of the discrepancy, the particulars of which shall be clearly specified.

Failure of postmaster to make prompt returns.

(d) Customs officers issuing mail entries shall review their records of such entries weekly and promptly request postmasters on Form 3439 to account for entries not returned within 30 days after the date of issuance thereof accompanied by the duty or proper evidence of exemption from duty. Should the postmaster fail to make proper accounting within a reasonable time, the facts shall be reported to the Chief Inspector, Post Office Department, Washington, D. C., for investigation. In the case of delinquencies arising at ports of entry other than headquarters ports, the report to the chief inspector shall be made through the headquarters port. The chief inspector shall promptly advise the collector of customs of the result of the investigation.

Entries covering undelivered articles.

(e) Mail entries covering undeliverable articles shall be returned to the collector of customs who issued them, after first being marked by postmasters to show the reason for nondelivery of the articles and the disposition made thereof. The parcels shall be similarly marked to show why delivery was not made and forwarded to the proper exchange post office for return to the country of origin, unless the contents thereof are liable to deterioration or corruption, in which case they may be destroyed by the postal officials, if having no commercial value. If having commercial value, they shall be delivered, with the mail entries covering the same, to the nearest customs officer for disposition as unclaimed or seized articles. The customs officer receiving and disposing of such articles shall make proper notation on the mail entry and return it to the customs officer who issued it. Appropriate note shall be made in the post-office records. (See par. 15 (c).)

—articles liable to deterioration.

—affixed to articles forwarded.

(f) When an article covered by a mail entry is redirected to another post office, the postmaster at the forwarding office shall notify the customs officer who issued the entry, and shall inclose the entry in a properly readdressed penalty envelope securely attached to the article covered thereby.

Duty not to be refunded by postmasters.

17. (a) Amounts collected on mail entry forms shall not be refunded by postmasters. Should an addressee be dissatisfied with the charges he should notify in writing the postmaster who shall hold the package and report the facts to the collector of customs who issued the entry, forwarding such papers or statements as the addressee may submit. The mail article shall not be delivered until authority therefor is given by the collector of customs. The addressee may decline to accept delivery, in which event the parcel shall be marked by the postmaster "Refused" and disposed of pursuant to the provisions of paragraph 20 of these Regulations.

Addressee dissatisfied.

(b) If the addressee of a parcel covered by an informal mail entry objects to the rate or amount of duty assessed or to the valuation placed upon the merchandise for customs purpose and the

collector is satisfied by a report of a customs officer who has reexamined the merchandise or by other sufficient evidence that the objection is well founded, the collector may reclassify the merchandise or, with the concurrence of the appraising officer, amend the value, even though the merchandise has been delivered to the addressee, provided such action is taken before liquidation or within sixty days thereafter. Informal mail entries may be reliquidated to allow a claim of the addressee after the expiration of sixty days after liquidation only if a protest has been filed in the form and manner prescribed in section 514 of the tariff act.

Reexamination
may be made
by collector.

18. The postmaster or assistant postmaster of the United States at any post office where customs officers are not stationed is authorized to administer any oaths required to be made to statements in customs documents by importers of merchandise, not exceeding \$100 in value, through the mails.

Administration
of oath.

19. Navy mail clerks or assistants shall mark with the words "Supposed liable to customs duty" all articles addressed for delivery in the United States or any of its possessions, mailed on board United States naval vessels, which may contain matter subject to United States customs duty. All articles of foreign origin received for delivery on board United States naval vessels in the waters of the United States which may contain matter subject to United States customs duty, but not marked "Supposed liable to customs duty," and not showing evidence of having been passed upon by United States customs officers, shall be marked "Supposed liable to customs duty" and forwarded to the nearest collector of customs for treatment in accordance with these regulations. If the vessel is in foreign waters, articles may be delivered without submission to customs officers or the collection of duty; and if accompanied by a mail entry form, such form shall be indorsed to show that the vessel was in foreign waters when delivery was made, and then returned to the customs officer who issued it. Articles of merchandise of foreign origin may enter the area (both land and water) of the Guantanamo Bay naval station free of customs duty, but such articles are subject to duty upon their subsequent entry into the United States.

Navy mail
service.

20. (a) If the addressee fails to respond within 30 days to a notice sent him as required by paragraph 12 (c)—13 (a) or 13 (b), the article shall be treated as undelivered, except in the case of a registered article, which, under the Postal Regulations, is required to be held for a longer period, and except also as provided in paragraphs 21 (a) to 21 (d) for articles subject to seizure.

Failure of ad-
dressee to
respond to
notice.

(b) If the addressee of an article declines to accept delivery, it shall be rewrapped or reenveloped, marked "Refused," and treated as other undeliverable mail matter, except as provided in paragraphs 21 (a) to 21 (d) for articles subject to seizure. In the case of registered matter, the receipt also shall be marked "Refused."

"Refused"
articles.

(c) If for any reason an undelivered article known or supposed to be dutiable is not returned to the country of origin, it shall be delivered to the proper customs officer for disposition under the customs laws and regulations governing seized or unclaimed articles, as the case may be.

Delivery to
customs of
articles not
returned to
country of
origin.

Articles liable to seizure.

21. (a) Articles arriving at a post office where no customs officer is located, and with respect to which the postmaster may have information as to their seizable character, shall be detained by the postmaster and, except when known or supposed to contain lottery matter, shall be forwarded to the nearest customs officer for appropriate treatment under the customs laws and regulations. Sealed articles not indorsed as required by paragraph 8 (a) should first be opened by the addressee. In the case of registered articles the addressee's receipt should be obtained. If the addressee refuses to receipt for or open the article, it shall be delivered to the customs officer for disposition under the customs laws and regulations.

—brought into the United States contrary to law and placed in the mails.

(b) Except when known or supposed to contain lottery matter, articles brought into the United States contrary to law and placed in the mails shall, upon the production to the postmaster or postal employee of satisfactory evidence to that effect, be marked "Imported contrary to law: Seizable." Unsealed articles not registered, when so marked, shall be delivered immediately to the nearest customs officer to be treated as required by the customs laws and regulations. Sealed articles and all registered articles when so marked shall be forwarded to the post office of delivery to be opened by the addressee (after receipt has been given in the case of a registered article) in the presence of the postmaster, who shall then deliver the article to the nearest customs officer for treatment, as provided above for unsealed articles. If the addressee refuses to receipt for or open the article, it shall be delivered to the customs officer for disposition under the customs laws and regulations.

—prohibited importation.

(c) All articles (except lottery matter) which are prohibited importation and all articles subject to seizure as being imported or brought into the United States in any manner contrary to law, including articles subject to seizure under the customs laws because of a false or fraudulent invoice or declaration covering the same, or for any willful act or omission on the part of any consignor, seller, owner, importer, consignee, or agent, by means whereof the United States shall or may be deprived of the lawful duties, shall be immediately taken and held by customs officers for appropriate treatment under the customs laws. All articles known or believed to contain merchandise, of which the addressee refuses to take delivery, or declines to make formal entry when requested by the customs officer in cases where the appraised value exceeds the value shown in the declaration or invoice, shall be delivered to customs officers for treatment under the customs laws upon production to postmasters of satisfactory evidence of fraudulent intent on the part of any of the persons mentioned in this section. In all cases where articles are seized by customs officers, they shall notify the addressee of that fact and the reason therefor. Such reason shall be noted also on the receipt covering registered mail.

—under fraudulent invoice.

—of which addressee refuses to take delivery or make entry.

Lottery matter.

(d) Mail articles of all classes, sealed or unsealed, which, upon inspection or examination, are found to contain or are supposed to contain lottery matter prohibited importation under section

2232, or enclosures pertaining thereto, shall be retained by the Postal Service, or delivered to that service by the Customs Service, for disposition under the Postal Laws and Regulations. (See sec. 2204.) If such a mail article is found to contain other merchandise, the article shall be held by, or delivered to, the Customs Service for appropriate treatment under the Customs Laws and Regulations.

22. The requirements of the customs laws and regulations relating to the marking of imported merchandise to indicate the country of origin shall be strictly enforced. When merchandise imported by mail, not meeting those requirements, is not to be delivered from the post office where it has been given a customs examination, the examining customs officer shall place in the envelope containing the mail entry a copy of customs Form 3475, containing instructions to the postmaster concerning the marking to be required before delivery. When the mail article is to be delivered from the post office where it has been given customs examination, the customs officials shall require compliance with the provisions of the law and regulations. Mail shipments for formal entry shall be accorded treatment as prescribed for other formal entry shipments. Upon failure of an addressee to comply with the requirements, the article and the mail entry shall be treated as set forth in paragraph 16 (e) for undelivered articles.

23. Postmasters and other postal employees shall permit customs officers to examine newspapers received in the mails from foreign countries as often as they may desire to do so, and shall assist in such examination when necessary.

24. (a) Postal and customs officers and employees shall keep themselves informed as to the law and regulations covering obscene, seditious, and lottery matter, copyrighted, trade-marked, and other articles prohibited importation in the mails. The transportation in the regular mails or parcel post from any foreign country into the United States of any consignment of gold coin, gold bullion, or gold dust, having a value in excess of \$50, is prohibited. The importation by mail of explosives of all kinds, intoxicating liquors, opium, morphine, cocaine, and other narcotics is prohibited. The importation of firearms capable of being concealed on the person, except under the conditions set forth in section 607 of the Postal Laws and Regulations, or any subsequent revision thereof or amendment thereto, is likewise prohibited (U. S. C. title 18, sec. 361). Mail shipments of admissible arms, implements of war, and other nonexplosive munitions of war designated in the President's Proclamation No. 2237 of May 1, 1937, referred to in section 12 (i) of the Neutrality Act of 1939 (Public, No. 54, 76th Congress), or in any proclamation of the President hereafter made under the authority of said section 12 (i), shall be detained by customs until an import license from the Secretary of State has been submitted. Likewise, firearms, as that term is defined in the National Firearms Act (U. S. C. title 26, sec. 1132), as amended, shall be detained by customs until an import permit from the Commissioner of Internal Revenue has been submitted by the addressee. If the import

Merchandise to be marked and stamped by addressees in accordance with customs laws.

Examination of newspapers

Employees to keep informed as to laws and regulations governing importations by mail.

license and the import permit are found to be in proper form, the mail parcel shall be endorsed by customs showing that it is entitled to entry, and released to the postmaster for delivery or dispatch to destination in the mails, subject to any duties that may accrue and to other customs requirements applicable thereto. Plants and plant products, including seeds and bulbs of all kinds, may be imported into the United States only under the conditions set forth in the Plant Quarantine Act, amendments thereto, and regulations thereunder. All such articles shall be submitted through customs officials to plant quarantine inspectors of the United States Department of Agriculture for fulfillment of the requirements of the law. Viruses, serums, toxins, and other biological products covered by the act of July 1, 1902 (Secs. 1-7, 32 Stat. 728-729; U. S. C., title 42, secs. 141-148) may be imported only in accordance with the provisions of the act and the regulations thereunder and shall, therefore, in all cases be submitted to customs representatives, who shall, before returning the merchandise to the country of origin, communicate with the addressee to determine whether such importations are in compliance with the law and regulations. (See secs. 588, 595 to 605, 2203, 2204, 2231, and 2232.)

Detailed information in Official Postal Guide.

(b) Instructions applicable to the foregoing and to other articles prohibited importation, or requiring special treatment based on postal and customs laws and regulations, and also list of post offices where customs officers are located, will be found in the current annual Official Postal Guide, Part II.

Distribution scheme.

25. The postal and customs officers at the ports of New York, Chicago, San Francisco, and Seattle shall be furnished with copies of the special scheme of mail distribution referred to in these regulations.

INSTRUCTIONS GOVERNING THE HANDLING OF DUTIABLE MAIL AND ACCOUNTING FOR CUSTOMS DUTIES AT OFFICES OF DELIVERY

Handling of dutiable mail.

2230. The following regulations shall be followed in the handling of dutiable mail (mail which has undergone customs examination and for which the customs mail entry has been issued), and in accounting for the customs duty at offices of delivery.

Labeling of sacks.

2. At ports of entry, dutiable ordinary mail for other post offices shall, if the quantity justifies, be dispatched in direct sacks labeled "Customs mail" in addition to the name of the post office. If the quantity does not justify separate sacks, dutiable ordinary mail shall be combined with nondutiable ordinary mail but the sack labels shall be indorsed "Customs mail." Dutiable registered mail shall be dispatched under registration, in separate sacks or combined with nondutiable registered mail, as may be appropriate, with labels indorsed "Customs mail."

Examination for dutiable articles.—record of.

3. All incoming mail shall be carefully examined upon receipt at a post office to detect dutiable articles, and a record of same shall be made immediately on Form 2985, all articles covered by one mail entry being entered together. This record shall show the date of receipt; port of entry; registry number or numbers,

if registered; insurance number or numbers, if insured; mail entry number; the number of pieces covered by the mail entry; the name and address of addressee; amount of duty; the delivery, customs clearance, and demurrage charges in appropriate cases; amount of any C. O. D. charges; and the date duty and charges are paid and duty remitted. If the mail is reforwarded or returned to sender, or disposed of in any other manner without collection of duty, indorsement shall be made on the record to show what disposition has been made. A periodical checking of the record shall be made to insure prompt accounting for customs duty or, if undeliverable, the prompt and proper disposition of the articles and the relative mail entries.

4. Dutiable mail shall, so far as possible, be delivered by city, village, or rural carriers, who shall collect the duty upon delivery. If delivery cannot be made by carriers, after the first attempt, delivery notices on Form 2921 shall be mailed immediately to addressees.

Delivery and collection of duty.

5. (a) Registered dutiable mail, including registered C. O. D. parcels, shall be charged to the carriers on the record of registered matter received for delivery, Form 3867. Ordinary, insured, and insured C. O. D. dutiable parcels shall be charged to the carriers on the record of C. O. D. parcels received for delivery, Form 3814-C, either with the C. O. D. parcels or separately, as may be deemed advisable, the mail entry number to be entered in the column headed "C. O. D. number," and the word "Dutiable" in the column headed "Office and State of origin," and the amount of duty in the amount column. When a mail entry calls for more than one parcel, the number of parcels shall be indicated.

Dutiable mail charged to carrier.

(b) In the case of articles to be forwarded to another post office, the customs officer who made the mail entry shall be notified and proper indorsement thereof shall be made on Form 2985, and in the case of articles to be returned to sender the mail entry shall be returned to the customs officer, indorsed to show the reason for nondelivery; the name of the exchange office to which the article is dispatched for return to origin; the date of its return; and the mail entry signed. Suitable record shall be made on Form 2985.

—forwarding or return of dutiable article.

(c) All dutiable matter, registered, insured, and C. O. D., as well as ordinary, should be recorded in connection with the registry work, but if that is deemed inadvisable, there shall be a centralization of the records somewhere in the office.

—record of dutiable matter.

(d) Ordinary dutiable articles shall be sent to stations, branches, or sections of the main office for delivery, entered on C. O. D. Form 3814-C in the same manner as for delivery by carriers, except that only dutiable articles shall be entered on the form, and the bills shall be serially numbered for each station or delivery point. The ordinary dutiable articles should be dispatched with C. O. D. parcels, but if that is not practicable they shall be dispatched with letter mail, unless there are sufficient to justify a separate sack or sacks, in which event the sack or sacks shall be labeled "Customs mail." The Form 3814-C shall be prepared in duplicate and the original be sent with the articles

—dutiable articles sent to stations for delivery.

to the station or other delivery point, where it shall be the official record. Registered dutiable articles shall be charged on Forms 3853 or 3854 and dispatched with registered mail.

—dutiable articles received at stations.
—record of.

(e) If a dutiable article is received at a station or branch without being charged by the main office, whether because it has been missent from or overlooked at the main office, or because it is received directly, in due course, from a railway post office or another post office, and if the article is deliverable at the station or branch at which received, or is deliverable at a station or branch to which it can be more easily forwarded from the station or branch at which received than from the main office, the article shall be recorded, with appropriate notation on Form 3814-C, and prepared for delivery or forwarding, and the station or branch shall notify the main office of the particulars of receipt and disposition, furnish the information necessary for the main office record on Form 2985, and note on Form 3814-C the action taken. On receipt of such a notification the main office shall furnish the station or branch sending it with an acknowledgment. If an article so received at a station or branch is not deliverable there, and cannot be readily forwarded to another point of delivery, it shall be dispatched to the main office for record and disposition, and notation be made on Forms 3814-C, 3853, or 3854.

Report of dutiable mail delivered.

6. All employees at the main office and stations making delivery of dutiable mail shall enter daily on the consolidated daily report to bookkeeper or designated supervisory official all C. O. D. funds collected, Form 3814-D; the amount of customs funds collected, the entry to be separate from entries concerning C. O. D. funds and marked to indicate the amounts consisting of customs funds, and Forms 3814-C, 3853, or 3854 to be suitably indorsed.

Dutiable mail returned to main office.

7. All dutiable mail which for any reason cannot be delivered at stations shall be properly indorsed as required by section 2229, and returned to the main office, together with the mail entries, Forms 3814-C, 3853, or 3854 to be suitably indorsed.

Customs collections to be remitted.

8. All customs funds collected at stations, or at delivery units of main office, shall be remitted daily to the postal cashier, together with the mail entries which have been signed by the addressees, and with a list of the mail entries contained in the remittance, the list to consist only of mail entry numbers and amounts.

Record of customs receipts and disbursements.
—daily deposits.

9. The postal cashier shall keep a record of customs funds on Form 025, unless he makes his daily financial statement on Form 3961-A, in which event he shall keep the record of customs receipts and disbursements on Form 3961-A (instead of Forms 025 or E/A-16). He shall make daily deposits or remittances of customs funds to collectors of customs accompanied with the mail entries and lists in duplicate of the mail entries on customs Form 3437, and retain one copy of the lists on customs Form 3437. If these remittances are made by mail, checks should be used instead of cash.

10. At post offices organized on the 2-division plan, stations and delivery units of the main office shall prepare the lists of mail entries in triplicate, one copy to accompany the remittance of funds to the postal cashier, one copy to be sent to the bookkeeper, and one copy to be retained.

Record under 2-division plan.

11. After the original of customs Form 3437 has been received by the collector of customs, the postal cashier shall refer it to the bookkeeper, who shall initial it and return it to the postal cashier. Copy of customs Form 3437 received from stations making remittances shall be sent by cashier to main office customs unit for checking with file of delivery record Form 2985. After checking Form 2985, the customs Form 3437 shall be returned to the cashier for filing.

Procedure in handling customs funds.

12. At post offices organized on the 2-division plan, the bookkeeper shall keep a record of the receipts and remittances of customs funds on Form 025, unless the postal cashier makes his daily financial statement on Form 3961-A, in which event the bookkeeper shall not use Form 025 or E/A-16, but in lieu thereof shall make an accurate verification of the postal cashier's daily report on Form 3961-A. The record of the receipts shall be obtained from the lists received from stations and delivery units of the main office, and the record of the remittances from the receipted copies of customs Form 3437.

Procedure under 2-division plan.

13. Station examiners shall check the records of dutiable mail in connection with their regular examinations of stations to ascertain if all dutiable mail forwarded to stations has been properly accounted for or is on hand. They shall list the mail entries on hand, and have this list furnished to the main office for checking against the Form 2985.

Examination of stations.

14. The station examiners when checking the customs parcels on hand shall remain at the station until such time (morning or afternoon) as all parcel-post wagons and carriers having customs parcels out for delivery and collection of charges have returned to the station and made their returns.

Station examiners remain at station until all returns made.

15. The station examiners shall see that the assistant superintendent or other postal employee assigned to the work, when checking the parcels on hand at the close of each day's business, checks the customs charges appearing on each parcel, totals the charges, and ascertains whether or not the total agrees with the total shown on the daily report form of the station customs clerk. Also that the same employee checks the number of parcels reported held from the previous day with the number of parcels shown on the previous day's report.

Duties of station examiners.

16. At the larger offices modifications of this plan may be authorized by the Second Assistant Postmaster General, Division of International Postal Service.

Method at large offices.

CHAPTER 5

PROHIBITIONS

Articles prohibited importation by copyright act, how treated.

2231. The joint regulations governing the treatment of dutiable and supposed dutiable articles received in the mails from foreign countries (see sec. 2229) shall govern also in the treatment of articles which contain or which are supposed to contain matter prohibited importation by the copyright law (17 U. S. C. 30 to 33), except as hereinafter modified.

Unsealed correspondence prohibited importation.—treatment of.

2. Unsealed correspondence and packages (registered and unregistered) of all kinds which, upon examination, prove to contain articles prohibited importation by the copyright act shall be retained by customs officers, who will notify the addressee of the facts of the case. If an application is not made within a reasonable time to the Secretary of the Treasury for permission to return such articles to the country of export, the customs officers shall take appropriate steps to forfeit the articles, as provided in the copyright law (17 U. S. C. 32).

Sealed articles supposed to contain matter prohibited by copyright act.—treatment of.

3. Sealed articles supposed to contain matter prohibited importation by the copyright act shall be appropriately marked to indicate that fact at the exchange office of receipt. The same conditions shall apply in regard to the marking, opening, and disposition of such sealed articles by the addressee or authorized agent as are required in the case of the opening and treatment of sealed "supposed liable to customs duty" pieces. If the customs officer finds an article contains matter prohibited importation by the copyright act, he shall notify the addressee of the facts through the postmaster at the office of delivery. If an application is not then made within a reasonable time to the Secretary of the Treasury for permission to return the article to the country of export, the customs officer shall take appropriate steps to forfeit the matter, as provided in the copyright law (17 U. S. C. 32).

Receipts of customs officers to be taken.

4. Receipt shall be taken for articles submitted to customs officers as prohibited importation under the copyright law and proper record made on the post-office records of the disposition of such articles as are not returned to be disposed of through the mails.

Importation of obscene or immoral articles and lottery matter prohibited. 19 U. S. C. 1305.

2232. All persons are prohibited from importing into the United States from any foreign country any book, pamphlet, paper, writing, advertisement, circular, print, picture, or drawing containing any matter advocating or urging treason or insurrection against the United States, or forcible resistance to any law of the United States, or containing any threat to take the life of or inflict bodily harm upon any person in the United States, or any obscene book, pamphlet, paper, writing, advertisement, circular, print, picture, drawing, or other rep-

resentation, figure, or image on or of paper or other material, or any cast, instrument, or other article which is obscene or immoral, or any drug or medicine or any article whatever for the prevention of conception or for causing unlawful abortion, or any lottery ticket, or any printed paper that may be used as a lottery ticket, or any advertisement of any lottery. No such articles, whether imported separately or contained in packages with other goods entitled to entry, shall be admitted to entry; and all such articles and, unless it appears to the satisfaction of the collector that the obscene or other prohibited articles contained in the package were inclosed therein without the knowledge or consent of the importer, owner, agent, or consignee, the entire contents of the package in which such articles are contained, shall be subject to seizure and forfeiture as hereinafter provided: *Provided*, That the drugs hereinbefore mentioned, when imported in bulk and not put up for any of the purposes hereinbefore specified, are excepted from the operation of this subdivision: *Provided further*, That the Secretary of the Treasury may, in his discretion, admit the so-called classics or books of recognized and established literary or scientific merit, but may, in his discretion, admit such classics or books only when imported for noncommercial purposes.

—articles may be seized and forfeited.

—drugs imported in bulk excepted.

NOTE.—The act provides that the seizures and forfeitures referred to in this section shall be made at the instance of the collector of customs.

Note.

2. (a) Postmasters and railway postal clerks at offices of first receipt shall watch the mails from foreign countries and if any sealed letters in their usual and ordinary form not endorsed as required in section 2229, paragraph 8 (a), are suspected of containing lottery matter or advertisement of any lottery, they shall be stamped or endorsed "Supposed to contain matter prohibited importation. See sec. 2232, P. L. & R.," and forwarded at once to destination; but this shall not apply to matter originating in a foreign country and merely in transit across the territory of the United States to another country.

—disposition of articles supposed to contain prohibited matter.

(b) Sealed letters in their usual and ordinary form not endorsed as required by section 2229, paragraph 8 (a), and all other mail articles from abroad suspected of containing prohibited matter specially mentioned in paragraph 1 of this section (other than lottery matter or advertisement of any lottery) shall be disposed of as required in section 2229, paragraphs 21 (a), (b), and (c).

(c) Upon receipt of letters at an office of delivery stamped or endorsed "Supposed to contain matter prohibited importation. See sec. 2232, P. L. & R.," the postmaster at the main office or station

shall notify the addressees to appear and open the letters in his presence, or furnish written authority whereby the letters may be opened (the postmaster may be so designated to act for the addressee). In the case of registered letters, the addressee's receipt should be obtained or that of a person authorized by the addressee in writing to receive it. (See sec. 1323, par. 1 (b).) The letters, if found to contain lottery matter, shall be forwarded daily to the Post Office Inspector in Charge of the Division in which the office of address is located. (See sec. 2227, as to disposition of such letters not opened as provided for by this section.)

(d) Postmasters at offices of delivery shall watch mail from foreign countries in order to insure proper treatment of any letters supposed to contain prohibited matter which may not have been properly stamped as provided for in paragraph 2 (a) of this section, and shall stamp or endorse such letters "Supposed to contain matter prohibited importation. See sec. 2232, P. L. & R." and shall treat the letters in accordance with paragraph 2 (c) of this section.

See secs. 725, 726, and 2204 as to treatment of and disposition to be made of unmailable matter; sec. 2229 as to matter liable or supposed liable to United States customs duties; sec. 2353 as to penalty for officer aiding in importing obscene matter; section 2354 as to penalty for importing lottery matter.

Gold imports.

3. The transportation in the regular mails or parcel post from any foreign country into the United States of any consignment of gold coin, gold bullion, or gold dust, having a value in excess of \$50, is prohibited.

CHAPTER 6

LOSSES, DAMAGE, AND COMPLAINTS

Loss of registered mail addressed to foreign countries.

2233. (a) Inquiries as to, or complaints of the loss of (see current Postal Guide, Part II, relative to fees), registered mail addressed to any foreign country, except Canada, made at a first- or second-class office, shall be handled by executing form 542. Particulars of dispatch from the office of origin shall be inserted, and the form forwarded to the inspector in charge of the division in which the office of origin is located. Inquiries at third- and fourth-class offices shall be executed on Form 1510 and forwarded to the foregoing inspector in charge.

—from foreign countries.

(b) Inquiries as to, or complaints of the loss of, registered mail from foreign countries, except Canada, shall be reported on Form 542 (first- and second-class offices) or 1510 (third- and fourth-class offices) and the form forwarded to the inspector in charge of the division in which the office of destination is located, with the certificate of mailing (registry receipt) attached; if the certificate cannot be submitted, the complainant shall be requested to have complaint made at the mailing office.

Complaints, foreign registered mail, how made.

2. Rifting, damage, delay, or wrong delivery of registered mail to or from foreign countries shall be reported in all instances on Form 1510 and the form forwarded direct to the inspector in charge of the division in which the American post office of origin

or destination is located. The envelope or wrapper shall be submitted, if possible.

3. (a) Inquiries as to, or complaints of the loss of (see current Postal Guide, Part II, relative to fees), registered and ordinary (not insured) mail addressed to Canada shall be procured on Form 1510, the particulars of dispatch from the office of origin entered on the back with other appropriate data, and the form mailed to the postmaster at the office of address in Canada in the usual official penalty envelope indorsed to show the proper Canadian Province. The Canadian service will use a form similar to Form 1510, and when such form is received it shall be returned with reply to the point in Canada from which received.

Inquiries for registered and ordinary mail addressed to Canada.

(b) Inquiries as to, or complaints of the loss of, registered and ordinary mail from Canada shall be exchanged with the office of mailing in Canada under paragraph 3 (a) insofar as it is applicable, but unless the certificate of mailing (registry receipt) can be furnished in registry cases, the complainant shall be requested to have complaint made at the office of mailing.

—from Canada.

(c) Loss of registered and ordinary mail to or from Canada as disclosed by correspondence under the foregoing, or otherwise, shall be reported to the inspector in charge of the division of origin or destination in the case of ordinary mail, first- and second-class offices also complying with section 810, paragraph 4 (a).

Losses to be reported.

(d) Inquiries or complaints (see current Postal Guide, Part II, relative to fees) as to insured mail addressed to Canada not coming under subparagraph (e) shall be handled as prescribed by paragraph 3 (a), except that Form 2855 shall be substituted for Form 1510. If loss or rifling is disclosed, the Second Assistant Postmaster General, Division of International Postal Service, shall notify the chief inspector.

Inquiries for insured mail addressed to Canada.

(e) Complaints of loss of insured mail addressed to Canada where the sender has ascertained that the addressee claims non-receipt, or has submitted other reasonable evidence to that effect, or that proper efforts have been made, without result, to determine whether the article was received, shall be executed on Form 2855 and sent to the proper Canadian district superintendent of postal service as shown in the Postal Guide, Part II, for completion and transmission to the Second Assistant Postmaster General, Division of International Postal Service; at the same time Form 1510 shall be executed, showing the date the Form 2855 was sent to Canada, and disposed of under section 810, paragraph 4 (a).

Complaints, how made.

(f) Claims for damage or partial loss of insured mail addressed to Canada shall be filed on Form 2855, which shall then be treated as provided in subparagraph (e); at the same time, in cases of rifling, Form 1510 shall also be executed, showing the date the Form 2855 was sent to Canada, and disposed of under section 810, paragraph 4 (a).

Claims, how made.

(g) Forms 2855, if indorsed to show delivery of insured mail intact in Canada, will be returned to postmasters in this country by Canadian district superintendents, who will in other cases send

the forms direct to the Second Assistant Postmaster General, Division of International Postal Service, after the addressee's declaration has been secured. Forms intended for the latter official, received by postmasters, shall be promptly forwarded, but if not properly completed, postmasters shall return them to the Canadian district superintendent for completion.

Complaints of loss, rifling, etc., of insured parcels mailed in Canada.

(h) Complaints of loss, rifling, damage, delay, or wrong delivery of insured parcels mailed in Canada, filed at a post office in this country, shall be executed on Form 1510; and if loss, rifling, or wrong delivery is indicated, the form shall be executed in duplicate. The form shall be sent to the postmaster at the office of mailing in Canada in the usual penalty envelop endorsed to show the proper Canadian Province, and when executed in duplicate, in accordance with the foregoing, the duplicate, endorsed to show the date of reference of the original to Canada, shall be forwarded to the inspector in charge of the division in which the office of destination is located, first- and second-class offices in cases of loss or rifling, also complying with section 810, paragraph 4 (a). When loss, rifling, or wrong delivery is indicated from correspondence received from the Canadian service, report on Form 1510 shall likewise be made to the inspector in charge in accordance with the foregoing.

Inquiries or complaints relative to foreign insured parcels.

4. (a) Inquiries as to disposition or complaints—see current Postal Guide, Part II, as to fees—(as distinguished from prima facie loss, rifling, damage, delay, or wrong delivery) relative to insured parcels addressed to any foreign country (except Canada) with which insured mail is exchanged, shall be handled as prescribed in paragraph 1 (a).

(b) When such inquiries develop into cases of loss, rifling, damage, delay, or wrong delivery, they shall be promptly referred to the Second Assistant Postmaster General, Division of International Postal Service, with the information obtained.

Claim for indemnity for foreign insured mail, how made.

5. (a) Loss, rifling, damage, or wrong delivery of insured parcels addressed to foreign countries, except Canada, being reasonably evidenced and the sender desiring to claim indemnity, application therefor shall be made on Form 2855; at the same time, Form 1510 shall be executed if loss or rifling occurred, and endorsed "Claim for indemnity filed on _____ (date)."

(b) Forms 2855 and 1510 shall be transmitted direct to the Second Assistant Postmaster General, Division of International Postal Service. If inquiry by that official discloses apparent loss or rifling before receipt by the foreign Administration, Form 1510 shall be transmitted to the chief inspector with appropriate information.

Indemnity not claimed.

(c) If indemnity is not desired in cases involving loss or rifling, only Form 1510 need be executed. It shall be endorsed conspicuously at the top "Indemnity not claimed," and sent direct to the inspector in charge of the division in which the office of mailing is located.

Inquiries as to disposition of insured mail from foreign countries.

6. Inquiries as to disposition (as distinguished from prima facie loss, rifling, damage, delay, or wrong delivery) of insured parcels mailed in foreign countries, except Canada, with which

insured mail is exchanged shall be transmitted direct to the inspector in charge of the division in which the office of destination is located. The inspection service shall advise the Second Assistant Postmaster General, Division of International Postal Service, of the result of any investigation made.

7. (a) Prima facie loss, rifling, damage, delay, or wrong delivery of insured parcels mailed in foreign countries, except Canada, shall be reported direct to the Second Assistant Postmaster General, Division of International Postal Service, without preliminary investigation, unless inquiry, complaint, or claim is received direct at the office of address. The foregoing official shall notify the chief inspector where inquiry discloses apparent loss, rifling, or wrong delivery in this service. If an inquiry, complaint, or claim is received direct at the office of address, the postmaster shall enter in the mailing postmaster's portion of a Form 2855 the particulars of mailing and obtain the affidavit of the addressee on the form and then transmit the papers as indicated above; at the same time, if loss, rifling, or wrong delivery in this service is apparent, Form 1510 shall be executed. The Form 1510 shall be endorsed to show the date of reference of Form 2855 to the Second Assistant Postmaster General, Division of International Postal Service, and sent to the inspector in charge of the division in which the office of destination is located, first- and second-class offices, in cases of loss or rifling, also complying with section 810, paragraph 4 (a). When Form 1510 is sent to the inspector in charge, Form 2855 shall be completed to show to what inspector in charge Form 1510 is sent.

Reports of loss, rifling, etc., of insured parcels mailed in foreign countries.

(b) When the office of address is also the exchange office of original receipt, the report to the Second Assistant Postmaster General, Division of International Postal Service, shall show whether a bulletin of verification was sent, and if so, what information was contained therein as to the article.

(c) Before the addressee's affidavit is executed there shall be entered under "Declaration of sender" a description of the original contents of the parcel, if known.

8. (a) Inquiries as to disposition—see current Postal Guide, Part II, relative to fees—(as distinguished from prima facie loss, rifling or damage, delay, or wrong delivery) of ordinary foreign mail, except to or from Canada, shall be handled as prescribed by paragraph 9.

Inquiries as to ordinary foreign mail.

(b) On requests therefor the Second Assistant Postmaster General, Division of International Postal Service, may authorize refunds to be made of fees collected for inquiries covering international ordinary mail, and the Third Assistant Postmaster General, Division of Classification, may authorize such refunds in connection with domestic ordinary mail, if it is subsequently found that the inquiries were due to some irregularity which was the fault of the Postal Service. (See sec. 584.)

—refund of fees, when.

NOTE.—See current Postal Guide, Part II, and Supplements as to inquiries regarding registered and insured articles addressed for delivery in foreign countries.

Loss of ordinary foreign mail to be reported.

9. Loss of ordinary mail to or from foreign countries, except Canada, if complaint is made at a first- or second-class office, shall be reported on Form 541 or Form 540 (parcel-post mail). The form shall be forwarded direct to the inspector in charge of the division in which the United States post office of origin or destination is located. Complaints made at third- or fourth-class offices shall be executed on Form 1510 and forwarded direct to the foregoing inspector in charge.

Rifling, damage, etc., of ordinary foreign mail to be reported.

10. Rifling, damage, delay, or wrong delivery of ordinary mail to or from foreign countries shall be reported on Form 1510 direct to the inspector in charge of the division in which the United States post office of origin or destination is located. (See par. 11 as to parcels entirely devoid of contents.)

Treatment of foreign parcels, except registered, found in transit devoid of contents.

11. (a) When parcels (except registered) entirely, rather than partially, devoid of contents, to or from foreign countries, are observed in transit, whether in the Railway Mail Service, in post offices, or elsewhere, the postal employees making such discovery shall completely execute Form 5258 in duplicate. The original, together with the wrapper or container, shall be forwarded to the domestic office of origin or address, as the case may be, *unless insured C. O. D. parcels of foreign origin are involved*. In the latter event the original Form 5258, together with the wrapper or container, shall be forwarded to the Second Assistant Postmaster General, Division of International Postal Service, who shall appropriately advise the country of origin. Duplicate Form 5258, with the sack label, shall be forwarded at the same time to the inspector in charge of the division in which the condition of the parcel was first observed.

Postmaster to file form, etc.

(b) Postmasters receiving original Form 5258, together with the wrapper or container, shall file the form as an office record and deliver the wrapper or container to the sender or addressee, if desired. If an insured or insured C. O. D. parcel is involved, notation shall be made on the delivery record as to the disposition of the wrapper or container, and particularly whether it was desired by the sender or addressee.

(c) If the wrapper or container of an insured or Pan American ordinary parcel of foreign origin is not desired by *the addressee*, the wrapper or container, together with a statement of the facts in the case, shall be forwarded to the Second Assistant Postmaster General, Division of International Postal Service, who shall appropriately advise the country of origin.

(d) Wrappers or containers (except registered) not delivered to the sender or addressee for any reason and not required to be transmitted to the Second Assistant Postmaster General, Division of International Postal Service, under the foregoing, may be treated as waste paper.

Reports from exchange offices.

12. Loss, rifling, damage, or other mistreatment of mail disclosed by the exchange of bulletins of verification from exchange offices shall be reported to the inspector in charge of the division in which the exchange office is located with full particulars of the mail involved, except that the damage of registered or ordinary mail shall not be so reported unless (a) loss of contents occurred,

or, (b) the damage occurred in the postal service of this country, or, (c) an inquiry is received concerning an article mentioned in the bulletin.

See secs. 809 and 810; also sec. 811 as to return receipts for foreign mail, and sec. 812 as to investigation of loss, rifling, and damage of foreign mail.

CHAPTER 7

INDEMNITY—REGULAR (POSTAL UNION) MAIL

2234. In case of the loss of an article accepted for registration under the provisions of the Universal Postal Union Convention, the sender shall be entitled to indemnity not exceeding 50 francs (\$9.65). However, in the case of the loss of an article accepted for registration under the provisions of the current Convention of the Postal Union of the Americas and Spain, the sender shall have the right to indemnity which shall not in any case exceed \$1.93. The limit of indemnity payable for the loss of registered mail exchanged with Canada and Newfoundland shall be \$25 for any one article.

Indemnity for lost foreign registered matter.

2. Indemnity shall be paid in any amount claimed within the above-stated limits for the loss of a registered article of any class and, except in the case of Canada and Newfoundland, regardless of its value.

—limit of.

3. No indemnity will be paid—

(a) Unless claims for the loss of registered articles are made within one year from the date of mailing, counting from the day following the posting of the registered article.

—restriction as to payment.
—claims must be made within one year.

(b) For any registered article which was not lost while in the custody of the mails.

(c) For a registered article, the contents of which fall within the prohibitions of the current Universal Postal Convention.

(d) For damage to, or the partial loss or rifling of any registered article, unless it was mailed in the United States and responsibility for the damage, partial loss, or rifling rests with the Postal Service of the United States, and then for the value of the loss only, not exceeding 50 francs (\$9.65) for articles accepted for registration under the provisions of the Universal Postal Union Convention and not exceeding \$1.93 for articles accepted for registration under the provisions of the current Convention of the Postal Union of the Americas and Spain, and, in case of damage, only under the conditions specified for the payment of indemnity for damage or loss in the domestic registered mails, although indemnity may be allowed for the actual loss sustained, within the limit of 50 francs (\$9.65), or \$1.93, as the case may be, on account of the complete damage, partial loss, or rifling of any registered article in the international mails, provided that the foreign countries interested agree with the United States reciprocally to pay like indemnity in such cases.

(e) Administrations shall cease to be responsible for registered articles the delivery of which they have effected under the conditions prescribed by their domestic regulations; also, for articles addressed "general delivery" or held at the disposal of the addressees, responsibility shall cease upon delivery to a person who has proved his identity in accordance with the regulations in force in the country of destination, and whose name and description are in conformity with the indications of the address.

(f) When the registered articles cannot be accounted for as a result of the destruction of the service records due to a case of "force majeure" (beyond control).

(g) For any registered article lost under circumstances constituting a case of "force majeure" (causes beyond control), the decision to be made, in accordance with its domestic legislation, by the country responsible for the loss.

Domestic regulations applicable.

4. The regulations governing indemnity for the loss of registered articles in the domestic mails shall, as far as applicable, govern indemnity for the loss of registered articles in the international mails, except as otherwise specially provided. (See secs. 1380 to 1382.)

Note.

NOTE.—See the Official Postal Guide, Part II, under the general items relating to indemnity for international mail and under the parcel post item of the particular country concerned for the conditions under which indemnity may be paid for the loss, rifling, or damage of ordinary registered, and insured parcels and for C. O. D. registered and C. O. D. insured parcels.

CHAPTER 8

OCEAN MAIL SERVICE

GENERAL PROVISIONS

Foreign mails.
39 U. S. C. 653.
—how transported.

2235. 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.

CONTRACT SERVICE

Transporting mails between United States and foreign countries.
39 U. S. C. 652.

2236. The Postmaster General may, after advertising for proposals, enter into contract for the transportation of the mail between the United States and any foreign country whenever the public interests will thereby be promoted.

See sec. 1789 as to combining international and inland steamboat service; sec. 2239 as to assignment of mail contracts; sec. 1705 as to contracts for transporting domestic mails over foreign territory; sec. 1782 as to transporting international mails by aircraft; sec. 2237 as to transportation on American built and documented vessels; secs. 2245 and 2246 as to sea post offices.

2. * * * 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.

Time limitation on contracts.
39 U. S. C. 449.

2237. All mails of the United States shipped or carried on vessels shall, if practicable, be shipped or carried on American-built vessels documented under the laws of the United States, * * *.

United States mails to be carried on American-built vessels, if practicable.
46 U. S. C. 880.

NOTE.—The balance of section 880 of Title 46 U. S. C. has been omitted as having no application to the Post Office Department.

2. (a) All mails of the United States carried on vessels between ports between which it is lawful under the navigation laws for a vessel not documented under the laws of the United States to carry merchandise shall, insofar as practicable, be carried on vessels of United States registry.

Vessels used for carrying mails; agents and employees of Post Office Department.
46 U. S. C. 1145, Supp. V.

(b) Every steamship company carrying the mails shall carry on any ship it operates and without extra charge therefor the persons in charge of the mails and when on duty and traveling to and from duty, and all duly accredited agents and officers of the Post Office Department and post-office inspectors while traveling on official business, upon the exhibition of their credentials.

2238. 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.

Discontinuance of foreign mail transportation contracts.
39 U. S. C. 656.

2239. 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.

Assignment of contracts prohibited.
39 U. S. C. 444.

NOTE.—A contractor may, with the consent of the Postmaster General, make a subcontract with another for the performance of the service undertaken by him, but he continues as contractor and is responsible for the due fulfillment of his contract. Under the above statute a contract can not be assigned or transferred to another.

Note. Distinction between assignment and subletting.

NONCONTRACT SERVICE

2240. (a) Except as provided in subdivision (b), for transportation of the mails, (1) between the United States or its Territories or possessions and any foreign country, (2) between the United States and its possessions or its naval or military forces abroad, or (3) between any such possession or naval or military forces and any

Compensation for transportation of foreign mails.
39 U. S. C. 654.

other such possession or naval or military forces, the Postmaster General may allow, in the case of a vessel of the United States, compensation not in excess of 80 cents a pound for letters and post cards and 8 cents a pound for other articles (including parcel post), and in the case of a foreign vessel, compensation not in excess of the sea transit rates prescribed from time to time by the Universal Postal Union Convention * * *.

Contract service excepted. Id.

(b) The provisions of subdivision (a) of this section shall not limit the compensation for transportation of mail which the Postmaster General may pay under contracts entered into in accordance with the provisions of section 652 of this title (sec. 2236) * * *.

Service to be paid from appropriation for "transportation of foreign mails." Id.

(c) In the case of mails transported between the United States or its Territories or possessions and any foreign country and in the case of mails transported between the United States and its possessions or its naval or military forces abroad, or between any such possession or naval or military forces and any other such possession or naval or military forces, payment for such transportation shall be made out of the appropriation for the transportation of foreign mails.

Definite rates. —United States steamships.

2. Unless otherwise specially provided, payment shall be made for the transportation of United States mails and foreign closed transit mails on steamships of both United States registry and foreign registry at the rates of 5.25 cents a pound for mails consisting of letters and post cards and 0.7 cent a pound for mails consisting of other articles, including parcel post, for distances up to 300 nautical miles; 14 cents a pound for mails consisting of letters and post cards and 1.75 cents a pound for mails consisting of other articles, including parcel post, for distances from 300 up to 1,500 nautical miles, and 21 cents a pound for mails consisting of letters and post cards and 2.8 cents a pound for mails consisting of other articles, including parcel post, for all distances exceeding 1,500 nautical miles.

Rates for mails transhipped at Canal Zone.

3. As an exception to the rates specified in paragraph 2 of this section, payment shall be made at the rates specified in the schedule stated below (unless service be covered by contract), for service by vessels of United States registry and by vessels of foreign registry which are entitled to pay from the United States, in transporting mails the United States is obligated to convey, that may be performed:

(a) Onward from the Canal Zone covering mails dispatched from Canal Zone ports to any ports, except those in continental United States;

—foreign steamships.

(b) From any port in the countries signatory to the conventions of the Postal Union of the Americas and Spain (except con-

tinental United States, Canada, and Spain, and Havana, Cuba, for mails forwarded from continental United States for transshipment) to any other port (except ports in continental United States, Canada, and Spain, and Havana, Cuba, for mails destined to the United States); also from ports in the West Indies or South America of countries not signatory to the conventions of the Postal Union of the Americas and Spain, to any other port (except ports in continental United States, Canada, and Spain, and Havana, Cuba, for mails destined to the United States), covering regular mails originating in signatory countries.

(c) Between Puerto Rico and the Virgin Islands or between Puerto Rico (or the Virgin Islands) and the Dominican Republic, and

(d) Between Cuba and any port in Florida:

	Letters and cards	Other articles, including parcel post where conveyance is obligated
	<i>Cents per lb.</i>	<i>Cents per lb.</i>
Up to 600 nautical miles.....	4	1.00
From 600 to 1,800 nautical miles.....	7	1.25
Over 1,800 nautical miles.....	12	1.75

4. As a further exception to the rates specified in paragraph 2 of this section, payment for parcel-post mails dispatched to and via Scandinavian ports on vessels of Swedish registry, the compensation for which is payable to the Postal Administration of Sweden, shall be made at the rate of 4.76 cents per pound.

2241. Unless otherwise specially provided, the sums to be allowed for the transportation by railroad across the Isthmus of Panama, of United States and foreign closed transit mails shall be \$0.0525 per pound for letters and post cards and \$0.007 per pound for other articles, including parcel post.

Rates for railroad service across the Isthmus of Panama.

CHAPTER 9

FOREIGN AIR MAIL SERVICE

2242. Nothing in this chapter shall be deemed to abrogate or affect any arrangement made by the United States with the postal administration of any foreign country with respect to transportation of mail by aircraft, or to impair the authority of the Postmaster General to enter into any such arrangement with the postal administration of any foreign country.

Transportation of mail.
49 U. S. C. 485
(h), Supp. V.

2. The Postmaster General may, in any case where service may be necessary by a person not a citizen of the United States who may not be obligated to transport the

mail for a foreign country, make arrangements, without advertising, with such person for transporting mail by aircraft to or within any foreign country.

49 U. S. C. 485
(1), Supp. V.

2243. Any air carrier holding a certificate to engage in foreign air transportation and transporting mails of foreign countries shall transport such mails subject to control and regulation by the United States. The Postmaster General shall from time to time fix the rates of compensation that shall be charged the respective foreign countries for the transportation of their mails by such air carriers, and such rates shall be put into effect by the Postmaster General in accordance with the provisions of the postal convention regulating the postal relations between the United States and the respective foreign countries, or as provided hereinafter in this subsection. In any case where the Postmaster General deems such action to be in the public interest, he may approve rates provided in arrangements between any such air carrier and any foreign country covering the transportation of mails of such country, under which mails of such country have been carried on scheduled operations prior to January 1, 1938, or in extensions or modifications of such arrangements, and may permit any such air carrier to enter into arrangements with any foreign country for the transportation of its mails at rates fixed by the Postmaster General in advance of the making of any such arrangement. The Postmaster General may authorize any such air carrier, under such limitations as the Postmaster General may prescribe, to change the rates to be charged any foreign country for the transportation of its mails by such air carrier within that country or between that country and another foreign country.

2. In any case where such air carrier has an arrangement with any foreign country for transporting its mails, made or approved in accordance with the provisions of subdivision (1) of this subsection, it shall collect its compensation from the foreign country under its arrangement, and in case of the absence of any arrangement between the air carrier and the foreign country consistent with this subsection, the collections made from the foreign country by the United States shall be for the account of such air carrier: *Provided*, That no such air carrier

shall be entitled to receive compensation both from such foreign country and from the United States in respect of the transportation of the same mail or the same mails of foreign countries.

3. In the case of any air carrier holding a contract under the provisions of the Act of March 8, 1928, as amended (45 Stat. 248), providing for the carriage of mails of foreign countries for the account of the United States, this subsection shall apply only upon the cancellation of such contract as provided in this section.

4. (a) In all cases where, pursuant to the provisions of subsection (i) (2) of section 405 of the Civil Aeronautics Act of 1938, approved June 23, 1938 (52 Stat. 973; U. S. C., 1934 edition, Supp. V, title 49, sec. 401, and the following), the Postmaster General shall have heretofore fixed and put into effect, or shall hereafter fix and put into effect, the rates of compensation to be charged foreign countries for the transportation of their mail by air carriers and where the collections from such foreign countries of the amounts owing by them for such transportation are required by such subsection to be made by the United States for the account of such air carriers, the Postmaster General may simplify and expedite the settlement of accounts for such carriage by offsetting against any balance due a foreign country resulting from the transaction of international money order business or otherwise, such amounts as may be then due from such country to the United States and to the United States for the account of such carriers; and the Postmaster General and the General Accounting Office shall thereupon give the foreign country involved the appropriate credit for such payment by offset, paying to the carrier that portion of the amount so charged as may be owing to the carrier for its services in transporting the mail of such foreign country and depositing as "miscellaneous postal receipts" that portion of the amount so charged as may be due the United States on its own account: *Provided*, That no adjustment of accounts authorized by this Act shall apply to appropriations for fiscal years prior to the fiscal year 1940: *Provided further*, That any adjustments made under the authority of this section shall be subject to the right of the United States to deduct from any sums due or thereafter becoming due to a carrier such amounts as may have been paid it on

1940, August 27,
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account of foreign countries which amounts, for any reason, the United States shall have been unable to collect, either by offset or otherwise, from the debtor country.

(b) In any case where collections are to be made by the United States from a foreign country for the transportation of mails of such countries for the account of an air carrier pursuant to section 405 (i) (2) of the Civil Aeronautics Act, whether such transportation occurred before or after the passage of this Act, the Postmaster General, taking into consideration the state of the balance carried in the appropriation, in his discretion, is hereby authorized to make advances to such air carrier out of sums appropriated for "balances due foreign countries", upon determination by the Postmaster General from time to time of the amounts due from any such foreign countries for transportation, and thereafter such amounts shall be collected by the United States from foreign countries by set-off, or otherwise, in the manner hereinbefore provided, and the appropriation for payment of "balances due foreign countries" shall be reimbursed by collections so made by the United States: *Provided, however,* That if the United States shall fail to collect any such amount or any part of such amount from such foreign country owing same within twelve months after the United States has paid such amount to the carrier, the United States may deduct such uncollected amounts from any sums owing by it to the carrier.

(c) The General Accounting Office shall make the necessary credits and debits in the respective appropriations and accounts involved and adopt such procedure as may be necessary to conform to and effect the purposes of this Act.

2244. In any case where air transportation is performed between the United States and any foreign country, both by aircraft owned or operated by one or more air carriers holding a certificate under this subchapter and by aircraft owned or operated by one or more foreign air carriers, the Postmaster General shall not pay to or for the account of any such foreign air carrier a rate of compensation for transporting mail by aircraft between the United States and such foreign country, which, in his opinion, will result (over such reasonable period as the Postmaster General may determine, taking account of ex-

Rates for
transportation
of mail.
49 U. S. C. 486
(f), Supp. V.

change fluctuations and other factors) in such foreign air carrier receiving a higher rate of compensation for transporting such mail than such foreign country pays to air carriers for transporting its mail by aircraft between such foreign country and the United States, or receiving a higher rate of compensation for transporting such mail than a rate determined by the Postmaster General to be comparable to the rate such foreign country pays to air carriers for transporting its mail by aircraft between such foreign country and an intermediate country on the route of such air carrier between such foreign country and the United States.

See secs. 1782, 2242, and 2243 for authorization and other details of operation of service.

CHAPTER 10

SEA POST SERVICE

2245. The Postmaster General is authorized to expend such sums as may be necessary, not to exceed the amounts appropriated by Congress, to cover the cost to the United States for maintaining sea post service on ocean steamships conveying the mails to and from the United States; * * *

Maintenance
of sea post
service.
39 U. S. C. 667.

2246. Sea post offices duly authorized by the Post Office Department shall be established and operated on such ocean steamships as may be designated.

Sea post offices.

2. United States sea post clerks shall be of two classes; clerks of class 1 shall receive pay at the rate of \$2,400 per annum, each; clerks of class 2, who shall be clerks in charge, shall receive pay at the rate of \$2,600 per annum, each. In addition thereto, they shall be entitled to first-class accommodations on the steamships to which they are assigned and to commutation for board and lodging while in foreign countries and possessions of the United States, at rates fixed by the Post Office Department. They shall be subject to the ship's discipline to the same extent as passengers.

Sea post clerks.
—compensation
and
subsistence.

3. Vacancies in the sea post service shall be filled by transfer from the Railway Mail Service or from the classified personnel of first- and second-class post offices engaged in the distribution of mail in accordance with the postal regulations and instructions of the Second Assistant Postmaster General. Each unsuccessful applicant should renew his application at the expiration of one year. If the application is not renewed it shall be taken for granted that the transfer is no longer desired. Employees receiving a salary of less than \$2,100 per annum shall not be eligible for transfer.

Appointments.
—how made.

Temporary assignment as substitute sea-post clerks. 39 U. S. C. 640.

4. The Postmaster General is authorized to assign railway postal clerks and substitute railway postal clerks to temporary employment as substitute sea-post clerks whenever, in his opinion, such employment is necessary. Such employees shall receive credit on their Railway Mail Service records for the time employed in the sea-post service, but shall be allowed the salary and expenses of a Class 1 sea-post clerk, payable out of the appropriation available for maintaining sea-post service, in lieu of any other salary and expense.

Bonds of clerks.

5. United States sea post clerks shall give bond to the United States, with good and approved security, in the sum of \$1,000 each. Each clerk shall pay the premium chargeable to himself. Bonds shall be filed with the Second Assistant Postmaster General.

See sec. 69 as to renewal of bonds; sec. 1830 as to letters mailed on vessels carrying sea post clerks.

Retirement.

6. All sea post clerks who have reached the age of 65 years and rendered at least 15 years of service shall be eligible for retirement under the provisions of section 41.

See sec. 40 concerning the payment of compensation in the case of disability or death of sea post clerks.

CHAPTER 11

NAVY MAIL SERVICE

Navy mail clerks and assistants. 39 U. S. C. 134.

2247. Enlisted men of the United States Navy or Marine Corps may, upon selection by the Secretary of the Navy, be designated by the Post Office Department as "Navy mail clerks" and "Assistant Navy mail clerks," who shall be authorized to receive and open all pouches and sacks of mail addressed to naval vessels, to make proper delivery of such mail, to receive matter for transmission in the mails, to receipt for registered matter (keeping an accurate record thereof), to keep and have for sale an adequate supply of postage stamps, to make up and dispatch mails, and other postal duties as may be authorized by the Postmaster General, all in accordance with such rules and regulations as may be prescribed by the commanding officer of the vessel or of the squadron to which the vessel is attached. Such enlisted men may also be designated as Navy mail clerks and assistant Navy mail clerks with expeditionary forces on shore or for duty at stations and shore establishments un-

Appointments. Duties.

der the Navy Department where the services of such mail clerks and assistant mail clerks are necessary. Each mail clerk and assistant mail clerk shall take the oath of office prescribed for employees of the Postal Service and shall be amenable in all respects to naval discipline, except that, as to their duties as such clerks, the commanding officers of the vessels upon which they are stationed shall require them to be governed by the Postal Laws and Regulations of the United States. Whenever necessity arises therefor, any assistant mail clerk may be required by the commanding officer of the vessel upon which he is stationed, or of the squadron to which said vessel is attached, to perform the duties of mail clerk. They shall receive as compensation for such services from the Navy Department, in addition to that paid them of the grade to which they are assigned, such sum, in the case of mail clerks not to exceed \$500 per annum, and in that of assistant mail clerks not to exceed \$300 per annum, as may be determined and allowed by the Navy Department.

Oaths.

Compensation.

2. Every Navy mail clerk and assistant Navy mail clerk shall give bond to the United States in such penal sum as the Postmaster General may deem sufficient for the faithful performance of his duties as such clerk.

Bond.
39 U. S. C. 135.

3. No Navy mail clerk or assistant Navy mail clerk shall be deemed to be fully qualified until his oath and bond have been executed, and accepted by the Postmaster General, and his designation is in effect.

4. Post Office Department supplies, equipment, and funds (the property of the United States) shall be issued to a bonded Navy mail clerk in accordance with the instructions in the current edition of the pamphlet "The Navy Mail Service," and he shall be the sole custodian of such postal effects and shall be wholly responsible for their safekeeping at all times except when he may deliver them or a portion of them for temporary custody to an assistant Navy mail clerk or a commissioned officer designated by the commanding officer, as provided in the aforesaid pamphlet. Postal effects shall be receipted for upon receipt from postmasters and upon each change of custody within the Naval Service.

Postal effects.

5. Naval post offices in charge of Navy mail clerks or assistant Navy mail clerks on board naval vessels, or with the expeditionary forces on shore, shall be attached to the post office at New York, New York. Naval post offices in charge of Navy mail clerks or assistant Navy mail clerks, established at shore establishments under the jurisdiction of the Navy Department in this country

Naval post
offices shall
be attached
to U. S. post
offices.

and its possessions, shall be attached to the nearest post office, preferably of the first or second class.

Note.

NOTE.—The pamphlet, "The Navy Mail Service," containing detailed instructions for the guidance of Navy mail clerks and assistant Navy mail clerks is published by the Post Office Department, and is furnished each naval post office and postmaster concerned.

CHAPTER 12

POSTAL AGENCIES

Agencies in foreign countries.
39 U. S. C. 672.
1940, October 5,
Public. No. 798.

2248. The Postmaster General may establish postal agencies at such foreign seaports or airports at which United States mail steamers or airships touch to land and receive mails, as may in his judgment promote the efficiency of the foreign mail service; and he may pay the postal agents employed thereat a reasonable compensation for their services, in addition to the necessary expenses for office rent, furniture, clerk hire, and incidental expenses.

Agents on ocean steamers.
39 U. S. C. 673.

—on what routes.

2249. The Postmaster General may appoint an agent in charge of the mail 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 Janeiro, who shall be allowed, out of the appropriation for transportation of the mail, a salary of two thousand dollars a year.

—compensation.

See sec. 2246 as to sea post-office clerks.

CHAPTER 13

MISCELLANEOUS

Carriage by vessels of mail not received from post office forbidden.
39 U. S. C. 496.

2250. 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 500 of this title (sec. 1712); 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

Officer of port to require oath of master of vessel not to violate this section.

care or control, and will not receive or convey any letter or packet contrary to the provisions of this section.

2251. 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 other 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 or other person having charge or control of such vessel when arriving, and be taken from the United States post office when departing, and the postage justly chargeable by law paid thereon; and for refusing or failing to do so, or for conveying such letters or other mailable matter, or any letters or other mailable matter, 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 fined not more than one thousand dollars.

See secs. 1833 to 1836 as to ship letters.

2. Mails for dispatch by outgoing steamers shall be delivered from the post office and steamship companies shall haul the sacks to the steamers. Each truck (or wagon) shall be provided with a man to ride on the rear and protect the mail. The red-label sacks shall be separately delivered to the steamship company's representative at the post office; sacks and seals shall be carefully examined at time of receipt; and when a rack (open) truck is used the sacks shall be covered by a tarpaulin. The registered (red label) sacks shall be specially protected during transfers and on board vessels. Unless special arrangements are made, mails shall be ready for delivery at the post office in time, designated by the postmaster, to connect with the conveying steamer.

2252. Except as otherwise provided by treaty or convention, the Postmaster General may require the transportation by any steamships of mail between the United States and any foreign port at the compensation fixed under authority of law. Upon refusal by the master or the commander of such steamship or vessel to accept the

Letters carried in foreign vessels to be deposited in post office.
18 U. S. C. 326.

Punishment for failure.

Steamship companies to haul and protect mail.

Duty of steamship companies to carry mail tendered.
18 U. S. C. 326.

mail when tendered by the Postmaster General or his representative, the collector or other officer of the port empowered to grant clearance, on notice of the refusal aforesaid, shall withhold clearance until the collector or other officer of the port is informed by the Postmaster General or his representative that the master or commander of the steamship or vessel has accepted the mail or that conveyance by his steamship or vessel is no longer required by the Postmaster General.

Vessels to deliver letters at post office before entry.
18 U. S. C. 327.

2253. No vessel arriving within a port or collection district of the United States shall be allowed to make entry or break bulk until all letters on board are delivered to the nearest post office, and the master or other person having charge or control thereof has signed and sworn to the following declaration before the collector or other proper customs officer:

Oath.

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 to the post office at ----- every letter and every bag, packet, or parcel of letters which was on board the said vessel during her last voyage, or which were in my possession or under my power or control.

Penalty for failure.

And any master or other person having charge or control of such vessel who shall break bulk before he has delivered such letters shall be fined not more than one hundred dollars.

See secs. 1832 and 2251 as to delivery at post office of letters and other mailable matter; sec. 1832 as to payment for ship letters; sec. 516 as to postage on ship letters, and Official Postal Guide, Part II, as to postage on other mail matter.

Fines on steamship and aircraft carriers transporting mails beyond borders of the United States.
39 U. S. C. 655.

2254. The Postmaster General may impose or remit fines on contractors or carriers transporting the mails by air or water on routes extending beyond the borders of the United States for any unreasonable or unnecessary delay to such mails and for other delinquencies in the transportation of the mails.

Responsibility of steamship companies; fines.

2. Steamship companies shall be answerable to the United States for the safety of the mail intrusted to them, and accountable for any loss or damage resulting to any of such mail by reason of failure on the part of any of their officers, agents, or employees to exercise due care in the custody, handling, or transportation thereof. In case of delinquencies, fines may be imposed or deductions made from the company's pay.

2255. Whoever shall carry any letter or packet on board any vessel which carries the mail, otherwise than in such mail, except as otherwise provided by law, shall be fined not more than fifty dollars, or imprisoned not more than one month, or both.

Carrying letters out of the mail on vessels. 18 U. S. C. 308.

Punishment.

2256. Funds received from the transportation of mails on behalf of foreign countries arising under the Postal Union Convention and other postal conventions, and balances due the United States from foreign countries which are paid by remittances to the Post Office Department, upon periodical adjustments, shall be deposited in the Treasury as "foreign-mail transit service."

Receipts from transportation, foreign mails.

—how accounted for.

2257. 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.

Transportation through United States of mails of Canada and countries adjoining the United States. 39 U. S. C. 669.

Withdrawal of privilege.

See sec. 1705 as to contracts for transporting domestic mails over foreign territory; sec. 2201 as to authority of Postmaster General to make postal conventions with foreign countries.

2258. The Postmaster General, under the direction of the President of the United States, is 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 customhouse officers and other United States agents designated or appointed for that purpose shall enforce or carry into effect the foregoing

Retaliatory postage on certain-foreign matter. 39 U. S. C. 671.

—may be imposed, when.

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.

See sec. 2251 as to letters brought to United States on foreign vessels.

Correspondence with foreign officials.—how conducted.

2259. Postmasters, except those at exchange offices in certain cases, shall not correspond with foreign postal officials on postal business. All matters of this kind requiring foreign correspondence shall be reported to the Second Assistant Postmaster General, Division of International Postal Service, except where otherwise directed herein. (See secs. 9, 11, 12, 809, and 1367.)

For additional laws and regulations applicable to matters in the International Postal Service not included in this title, see the following sections :

Canadian mail for foreign destinations-----	2089
Diplomatic correspondence-----	614, 776
Forwarding to foreign countries mail with due stamps affixed-----	773
Letters under cover to postmaster-----	772
Loss of foreign mail involving indemnity, investigation of-----	812
Metric postal balances-----	96
Money-order service, international-----	1403, 1458 to 1476
Offenses against foreign mail in transit-----	2359
Publications, foreign-----	523
Regulations, orders and inquiries-----	438, 439
Return receipts for foreign mail-----	811
Routed, specially, foreign mail-----	2088
Second-class matter for Canada, Cuba, Mexico, and Panama-----	538
Ship letters defined-----	1833
Unmailable matter-----	597

TITLE THIRTEEN

CRIMES AND OFFENSES

PROSECUTION OF OFFENSES UNDER POSTAL LAWS: JURISDICTION OF COURTS

2301. The district courts (of the United States) shall have original jurisdiction as follows:

Second. Of all crimes and offenses cognizable under the authority of the United States.

Sixth. Of all cases arising under the postal laws.

Ninth. Of all suits and proceedings for the enforcement of penalties and forfeitures incurred under any law of the United States.

Courts having jurisdiction of postal offenses. District courts United States. 28 U. S. C. 41.

2. All causes of action arising under the postal laws may be sued, and all offenders against the same (postal laws) 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 * * * 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.

State courts, etc. 39 U. S. C. 825.

3. The crimes and offenses defined in this title (U. S. Code, Title 18) shall be cognizable in the district courts of the United States, as prescribed in section 41 of Title 28.

Jurisdiction of district courts. 18 U. S. C. 546.

See sec. 285 as to jurisdiction of courts in civil cases under the postal laws.

2302. For any crime or offense against the United States, the offender may, by any justice or judge of the United States, or by any United States commissioner, 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

Preliminary proceedings. 18 U. S. C. 591.—before whom.

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. 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.

Removals.

Reports of violations of laws.—how made.

2303. Postmasters and all others in the Postal Service shall report *immediately* to the proper inspector in charge any violation of the postal laws, or other laws herein referred to, that may come to their notice, not otherwise specifically provided in these regulations. If the postmaster has reason to believe that a *postal law violator* can be arrested by speedy action he shall at once report all the facts and evidence *by telephone or telegram* to the local inspector and *by letter* to the inspector in charge of the division in which his office is located. If the local inspector is not available he shall make such report at once to the nearest United States marshal or deputy marshal *or to a responsible local officer of the law*.

See sec. 443 as to report of robbery of post office; secs. 809, 810, and 2233 as to reports of loss, damage, delay, wrong delivery, nondelivery, or improper handling of mail matter.

Arrests for violations of postal laws.—when made at instance of postmaster.

2304. When an arrest for the alleged violation of any postal law is made at the instance of a postmaster, the prisoner shall be put in custody of the United States marshal for the proper district, or his deputy, at the earliest possible moment.

Preliminary hearings in case of.

2305. Persons arrested for mail depredations or other violations of the postal laws shall be taken before a United States commissioner or district judge for examination or commitment.

Hearing before whom.

2. 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 to examine and hold to bail, and if such officer has any doubt as to his jurisdiction his attention shall be called to section 591, Title 18, United States Code, given as section 2302.

Report of arrests made by other than United States officers.

2306. 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 shall be promptly informed of the facts, and his advice and, if necessary, his personal attention be obtained.

OFFENSE AGAINST THE GOVERNMENT AND THE REVENUES

2307. Whoever, having knowledge of the actual commission of the crime of murder or other felony cognizable by the courts of the United States, conceals and does not as soon as may be disclose and make known the same to some one of the judges or other persons in civil or military authority under the United States, shall be fined not more than \$500, or imprisoned not more than three years, or both.

Misprision of felony.
18 U. S. C. 251.

2308. Whoever 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 fined not more than five thousand dollars, or imprisoned not more than five years, or both.

Embezzling public moneys, etc.
18 U. S. C. 100.

Punishment.

2309. Any officer connected with, or employed in, the Internal Revenue Service of the United States, and any assistant of such officer, who shall embezzle or wrongfully convert to his own use any money or other property of the United States, and any officer of the United States, or any assistant of such officer, who shall embezzle or wrongfully convert to his own use any money or property which may have come into his possession or under his control in the execution of such office or employment, or under color or claim of authority as such officer or assistant, whether the same shall be the money or property of the United States or of some other person or party, shall, where the offense is not otherwise punishable by some statute of the United States, be fined not more than the value of the money and property thus embezzled or converted, or imprisoned not more than ten years, or both.

Embezzlement of money or property not otherwise punishable.
18 U. S. C. 183.

Punishment.

2310. Whoever directly commits any act constituting an offense defined in any law of the United States, or aids, abets, counsels, commands, induces, or procures its commission, is a principal.

"Principals" defined.
18 U. S. C. 550.

2311. Whoever shall receive, conceal, or aid in concealing, or shall 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,

Receiving, etc., stolen public property.
18 U. S. C. 101.

Punishment. stolen, or purloined by any other person, knowing the same to have been so embezzled, stolen, or purloined, shall be fined not more than five thousand dollars, or imprisoned not more than five years, or both; and such person may be tried either before or after the conviction of the principal offender.

Misappropriating postal funds or property.
18 U. S. C. 355.

2312. Whoever, being a postmaster or other person employed in or connected with any branch of the Postal Service, shall loan, use, pledge, hypothecate, or convert to his own use, or shall deposit in any bank, or exchange for other funds or property, except as authorized by law, any money or property coming into his hands or under his control in any manner whatever, in the execution or under color of his office, employment, or service, whether the same shall be the money or property of the United States or not; or shall fail or refuse to remit to or deposit in the Treasury of the United States or in a designated depository, or to account for or turn over to the proper officer or agent, any such money or property, when required so to do by law or the regulations of the Post Office Department, or upon demand or order of the Postmaster General, either directly or through a duly authorized officer or agent, shall be deemed guilty of embezzlement; and every such person, as well as every other person advising or knowingly participating therein, shall be fined in a sum equal to the amount or value of the money or property embezzled, or imprisoned not more than ten years, or both. Any failure to produce or to pay over any such money or property, when required so to do as above provided, shall be taken to be prima facie evidence of such 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 account books of the General Accounting Office. But nothing herein 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 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 so to do by the Postmaster General,

Punishment.

Prima facie evidence.

Deposits, etc., permitted.

for the purpose of remitting surplus funds from one post office to another.

See sec. 120 as to deposit of postal funds; sec. 1515 as to deposit of money-order funds; secs. 138, 2323, and 2324 as to offenses concerning postage stamps, etc.

2313. Whoever, being an officer, clerk, agent, employee, or other person charged with the payment of any appropriation made by Congress, shall pay to any clerk or other employee of the United States a sum less than that provided by law, and require such employee to receipt or give a voucher for an amount greater than that actually paid to and received by him, is guilty of embezzlement, and shall be fined in double the amount so withheld from any employee of the Government and imprisoned not more than two years.

Receipting for larger sums than are paid.
18 U. S. C. 172.

Punishment.

2314. Every officer or agent of the United States who, having received public money which he is not authorized to retain as salary, pay, or emolument, fails to render his accounts for the same as provided by law shall be deemed guilty of embezzlement and shall be fined in a sum equal to the amount of the money embezzled and imprisoned not more than ten years.

Failure of officer to render accounts.
18 U. S. C. 176.

Punishment.

2315. Whoever, being a postmaster or other person engaged in the Postal Service, 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 the special stamp provided by law, or shall fail to affix such stamp, shall be fined not more than fifty dollars.

Failing to account for postage due, etc.
18 U. S. C. 332.

2316. Every officer or other person charged by any act of Congress with the safekeeping of the public moneys who shall loan, use, or convert to his own use, or shall deposit in any bank or exchange for other funds, except as specially allowed by law, any portion of the public moneys intrusted to him for safekeeping, shall be guilty of embezzlement of the money so loaned, used, converted, deposited, or exchanged, and shall be fined in a sum equal to the amount of money so embezzled and imprisoned not more than ten years.

Custodian failing to keep, etc., public moneys.
18 U. S. C. 175.

Punishment.

See secs. 120 and 121 as to deposits of postal funds in banks; sec. 1515 as to deposit of money-order funds in banks; sec. 2318 as to penalty where bankers receive unlawful deposits.

2317. Whoever, having money of the United States in his possession or under his control, shall fail to deposit

Failure to deposit as required.
18 U. S. C. 177.

Punishment.

it with the 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 General Accounting Office, shall be deemed guilty of embezzlement thereof, and shall be fined in a sum equal to the amount of money embezzled and imprisoned not more than ten years.

Banker, etc., receiving unauthorized deposit of public money.
18 U. S. C. 182.

2318. Every banker, broker, or other person not an authorized depository of public moneys, who shall knowingly receive 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 shall use, transfer, convert, appropriate, or apply 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 shall violate any provision of this section is guilty of embezzlement of the public money so deposited, loaned, transferred, used, converted, appropriated, or applied, and shall be fined not more than the amount embezzled, or imprisoned not more than ten years, or both.

Punishment.

Disbursing officers unlawfully using, etc., public money.
18 U. S. C. 173.

2. Whoever, being a disbursing officer of the United States, or a person acting as such, shall in any manner convert to his own use, or loan with or without interest, or deposit in any place or in any manner, except as authorized by law, any public money intrusted to him; or shall, for any purpose not prescribed by law, withdraw from the Treasurer, or any authorized depository, or transfer, or apply, any portion of the public money intrusted to him, shall be deemed guilty of an embezzlement of the money so converted, loaned, deposited, withdrawn, transferred, or applied, and shall be fined not more than the amount embezzled or imprisoned not more than ten years, or both.

Punishment.

See sec. 2316 as to unlawful deposits in banks; secs. 120 and 1515 as to authorized deposits of postal and money-order funds.

False returns by postmasters to increase compensation.

18 U. S. C. 329.

2319. Whoever, being a postmaster or other person employed in any branch of the Postal Service, shall make, or assist in making, or cause to be made, a false return, statement, or account to any officer of the United States, or shall make, assist in making, or cause to be made, a

false entry in any record, book, or account, required by law or the rules or regulations of the Post Office Department to be kept in respect of the business or operations of any post office or other branch of the Postal Service, for the purpose of fraudulently increasing his compensation or the compensation of the postmaster or any employee in a post office; or whoever, being a postmaster or other person employed in any post office or station thereof, shall induce, or attempt to induce, for the purpose of increasing the emoluments or compensation of his office, any person to deposit mail matter in, or forward in any manner for mailing at, the office where such postmaster or other person is employed, knowing such matter to be properly mailable at another post office, shall be fined not more than five hundred dollars, or imprisoned not more than two years, or both.

Punishment.

2. Any postmaster, or any assistant postmaster, clerk, or employee 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, 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; * * *

False returns
of special-
delivery
business.
39 U. S. C. 172.

Punishment.

3. Whoever, being an officer, clerk, agent, or other person holding any office or employment under the Government of the United States and, being charged with the duty of keeping accounts or records of any kind, shall, with intent to deceive, mislead, injure, or defraud the United States or any person, make in any such account or record any false or fictitious entry or record of any matter relating to or connected with his duties, or whoever with like intent shall aid or abet any such officer, clerk, agent, or other person in so doing; or whoever, being an officer, clerk, agent, or other person holding any office or employment under the Government of the United States and, being charged with the duty of receiving, holding, or paying over moneys or securities

Records and
accounts.
18 U. S. C. 189.

—false entry.

—false report.

to, for, or on behalf of the United States, or of receiving or holding in trust for any person any moneys or securities, shall, with like intent, make a false report of such moneys or securities, or whoever with like intent shall aid or abet any such officer, clerk, agent, or other person in so doing, shall be fined not more than five thousand dollars, or imprisoned not more than ten years, or both.

Presenting false claims, etc.
18 U. S. C. 80.

2320. Whoever shall make or cause to be made or present or cause to be presented, for payment or approval, to or by any person or officer in the civil, military, or naval service of the United States, or any department thereof, or any corporation in which the United States of America is a stockholder, any claim upon or against the Government of the United States, or any department or officer thereof, or any corporation in which the United States of America is a stockholder, knowing such claim to be false, fictitious, or fraudulent; or whoever shall knowingly and willfully falsify or conceal or cover up by any trick, scheme, or device, a material fact, or make or cause to be made any false or fraudulent statements or representations, or make or use or cause to be made or used any false bill, receipt, voucher, roll, account, claim, certificate, affidavit, or deposition, knowing the same to contain any fraudulent or fictitious statement or entry, in any matter within the jurisdiction of any department or agency of the United States or of any corporation in which the United States of America is a stockholder, shall be fined not more than \$10,000 or imprisoned not more than 10 years, or both.

Punishment.

Collecting unlawful postage.
18 U. S. C. 330.

2321. Whoever, being a postmaster or other person authorized to receive the postage of mail matter, shall fraudulently demand or receive any rate of postage or gratuity or reward other than is provided by law for the postage of such mail matter, shall be fined not more than one hundred dollars, or imprisoned not more than six months, or both.

Punishment.

Using, etc., canceled stamps.
18 U. S. C. 328.

2322. Whoever shall use or attempt to use in payment of postage, any canceled postage stamp, whether the same has been used or not; or shall remove, attempt to remove, or assist in removing, the canceling or defacing marks from any postage stamp, or the superscription from any stamped envelope, or postal card, that has once been used in payment of postage, with the intent to use the same

for a like purpose, or to sell or offer to sell the same, or shall knowingly have in possession any such postage stamp, stamped envelope, or postal card, with intent to use the same, or shall knowingly sell or offer to sell any such postage stamp, stamped envelope, or postal card, or use or attempt to use the same in payment of postage; or whoever unlawfully and willfully shall remove from any mail matter any stamp attached thereto in payment of postage; or shall knowingly use or cause to be used, in payment of postage, any postage stamp, postal card, or stamped envelope, issued in pursuance of law, which has already been used for a like purpose; shall, if he be a person employed in the Postal Service, be fined not more than five hundred dollars, or imprisoned not more than three years, or both; and if he be a person not employed in the Postal Service, shall be fined not more than five hundred dollars, or imprisoned not more than one year, or both.

Punishment.
—postal
employees.
—other
persons.

2323. Whoever shall forge or counterfeit any postage stamp, or any stamp printed upon any stamped envelope, or postal card, or any die, plate, or engraving therefor; or 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; or shall make, or knowingly use or sell, or have in possession with intent to use or sell, any paper bearing the watermark of any stamped envelope, or postal card, or any fraudulent imitation thereof; or 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 said department; or shall, after such postage stamp, stamped envelope, or postal card has been printed, with intent to defraud, deliver the same to any person not authorized by an instrument in writing, duly executed under the hand of the Postmaster General and the seal of the Post Office Department, to receive it, shall be fined not more than five hundred dollars, or imprisoned not more than five years, or both.

Counterfeiting,
etc., postage
stamps.
18 U. S. C. 348.

Punishment.

Secreting or embezzling tools and materials for printing securities.
18 U. S. C. 269.

2. Whoever, without authority from the United States, shall secrete within, embezzle, or take and carry away from any building, room, office, apartment, vault, safe, or other place where the same is kept, used, employed, placed, lodged, or deposited by authority of the United States, any bedpiece, bedplate, roll, plate, die, seal, type, or other tool, implement, or thing used or fitted to be used in stamping or printing, or in making some other tool or implement used or fitted to be used in stamping or printing any kind or description of bond, bill, note, certificate, coupon, postage stamp, revenue stamp, fractional currency note, or other paper, instrument, obligation, device, or document, now or hereafter authorized by law to be printed, stamped, sealed, prepared, issued, uttered, or put in circulation on behalf of the United States; or whoever, without such authority, shall so secrete, embezzle, or take and carry away any paper, parchment, or other material prepared and intended to be used in the making of any such papers, instruments, obligations, devices, or documents; or whoever, without such authority, shall so secrete, embezzle, or take and carry away any paper, parchment, or other material printed or stamped, in whole or part, and intended to be prepared, issued, or put in circulation on behalf of the United States as one of the papers, instruments, or obligations hereinbefore named, or printed or stamped, in whole or part, in the similitude of any such paper, instrument, or obligation, whether intended to issue or put the same in circulation or not, shall be fined not more than five thousand dollars, or imprisoned not more than ten years, or both.

Punishment.

Uttering, etc., forged obligations.
18 U. S. C. 265.

3. Whoever, with intent to defraud, shall pass, utter, publish, or sell, or attempt to pass, utter, publish, or sell, or shall bring into the United States or any place subject to the jurisdiction thereof, with intent to pass, publish, utter, or sell, or shall keep in possession or conceal with like intent, any falsely made, forged, counterfeited, or altered obligation or other security of the United States, shall be fined not more than five thousand dollars and imprisoned not more than fifteen years.

Punishment.

Note.

NOTE.—U. S. Code, Title 18, sec. 264, prohibits the importation of counterfeit stamps.

2324. Whoever shall forge, or counterfeit, or knowingly utter or use any forged or counterfeit postage stamp or revenue stamp of any foreign Government shall be fined not more than five hundred dollars, or imprisoned not more than five years, or both: *Provided, however,* That nothing in this section shall be held to repeal or modify section 350 of this title.

Counterfeiting,
etc., foreign
stamps.
18 U. S. C. 349.

Punishment.

2. Whoever shall forge or counterfeit any postmarking stamp, or impression thereof with intent to make it appear that such impression is a genuine postmark, or shall make or knowingly use or sell, or have in possession with intent to use or sell, any forged or counterfeited postmarking stamp, die, plate, or engraving, or such impression thereof, shall be fined not more than \$1,000 or imprisoned not more than five years, or both.

Counterfeiting
postmarking
stamp.
18 U. S. C.
349a, Supp. V.

Punishment.

2325. Whoever, with intent to defraud, shall falsely make, forge, counterfeit, engrave, or print, or cause or procure to be falsely made, forged, counterfeited, engraved, or printed, or shall willingly aid or assist in falsely making, forging, counterfeiting, engraving, or printing, any order in imitation of or purporting to be a money order issued by the Post Office Department, or by any postmaster or agent thereof; or whoever shall forge or counterfeit the signature of any postmaster, assistant postmaster, chief clerk or clerk, upon or to any money order, or postal note, or blank therefor provided or 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 to any receipt or certificate of identification thereon; or shall falsely alter, or cause or procure to be falsely altered in any material respect, or knowingly aid or assist in falsely so altering any such money order or postal note; or shall, with intent to defraud, pass, utter, or publish any such forged or altered money order or postal note, knowing any material signature or indorsement thereon to be false, forged, or counterfeited, or any material alteration therein to have been falsely made; or shall issue any money order or postal note without having previously received or paid the full amount of money payable therefor, with the purpose of fraudulently obtaining or receiving, or fraudulently en-

Counterfeiting,
etc., money
orders.
18 U. S. C. 347.

abling any other person, either directly or indirectly, to obtain or receive from the United States, or any officer, employee, or agent thereof, any sum of money whatever; or shall, with intent to defraud the United States, or any person, transmit or present to, or cause or procure to be transmitted or presented to, any officer or employee, or at any office of the Government of the United States, any money order or postal note, knowing the same to contain any forged or counterfeited signature to the same, or to any material indorsement, receipt, or certificate thereon, or material alteration therein unlawfully made, or to have been unlawfully issued without previous payment of the amount required to be paid upon such issue, shall be fined not more than five thousand dollars, or imprisoned not more than five years, or both.

Punishment.

Issuing money orders without payment.
18 U. S. C. 333.

2326. Whoever, being a postmaster or other person employed in any branch of the Postal Service, shall issue a money order without having previously received the money therefor, shall be fined not more than five hundred dollars.

Punishment.

Forging bonds, bids, public records, etc.
18 U. S. C. 72.

2327. Whoever 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, contract, 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, or have in his possession with the intent to utter or publish as true, any such false, forged, altered, or counterfeited bond, bid, proposal, contract, 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 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, contract, 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 fined not

Transmitting forged, etc., papers.

Punishment.

more than one thousand dollars, or imprisoned not more than ten years, or both.

2328. It shall not be lawful to design, engrave, print, or in any manner make or execute, or to utter, issue, distribute, circulate, or use, any business or professional card, notice, placard, circular, handbill, or advertisement, in the likeness or similitude of any bond, certificate of indebtedness, certificate of deposit, coupon, United States note, Treasury note, gold certificate, silver certificate, fractional note, or other obligation or security of the United States which has been or may be issued under or authorized by any act of Congress heretofore passed or which may hereafter be passed; or to write, print, or otherwise impress upon any such instrument, obligation, or security, any business or professional card, notice, or advertisement, or any notice or advertisement of any matter or thing whatever. Whoever shall violate any provision of this section shall be fined not more than five hundred dollars.

Imitating securities or printing advertisements thereon.
18 U. S. C. 292.

Punishment.

2. The words "obligation or other security of the United States" shall be held to mean all bonds, certificates of indebtedness, national-bank currency, coupons, United States notes, Treasury notes, gold certificates, silver certificates, fractional notes, certificates of deposit, bills, checks, or drafts for money, drawn by or upon authorized officers of the United States, stamps and other representatives of value, of whatever denomination, which have been or may be issued under any act of Congress, and canceled United States stamps.

"Obligation or other security of the United States" defined.
18 U. S. C. 261, Supp. V.

3. Whoever, with intent to defraud, shall falsely make, forge, counterfeit, or alter any obligation or other security of the United States shall be fined not more than five thousand dollars and imprisoned not more than fifteen years.

Forging or counterfeiting securities.
18 U. S. C. 262.

Punishment.

2329. Whoever shall kill, as defined in sections 273 and 274 of the Criminal Code, any United States marshal or deputy United States marshal or person employed to assist a United States marshal or deputy United States marshal, any officer or employee of the Federal Bureau of Investigation of the Department of Justice, post-office inspector, Secret Service operative, any officer or enlisted man of the Coast Guard, any employee of any United States penal or correctional institution, any officer, em-

Killing Federal officer.
18 U. S. C. 253, Supp. V.
1940, June 13, Public, No. 627.

ployee, agent, or other person in the service of the customs or of the internal revenue, any immigrant inspector or any immigration patrol inspector, any officer or employee of the Department of Agriculture or of the Department of the Interior designated by the Secretary of Agriculture or the Secretary of the Interior to enforce any Act of Congress for the protection, preservation, or restoration of game and other wild birds and animals, any officer or employee of the National Park Service, any officer or employee of, or assigned to duty in, the field service of the Division of Grazing of the Department of the Interior, or any officer or employee of the Indian field service of the United States, while engaged in the performance of his official duties, or on account of the performance of his official duties, shall be punished as provided under section 275 of the Criminal Code.

Punishment.

Interference with officer.
18 U. S. C. 254.

2. Whoever shall forcibly resist, oppose, impede, intimidate, or interfere with any person designated in section 253 of this title while engaged in the performance of his official duties, or shall assault him on account of the performance of his official duties, shall be fined not more than \$5,000, or imprisoned not more than three years, or both; and whoever, in the commission of any of the acts described in this section, shall use a deadly or dangerous weapon shall be fined not more than \$10,000, or imprisoned not more than ten years, or both.

Punishment.

Conspiring to commit offense against.
18 U. S. C. 88.

2330. 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, each of the parties to such conspiracy shall be fined not more than ten thousand dollars, or imprisoned not more than two years, or both.

Punishment.

Falsely pretending to be United States officer.
18 U. S. C. 76. Supp. V.

2331. Whoever, with intent to defraud either the United States or any person, shall falsely assume or pretend to be an officer or employee acting under the authority of the United States, or any department, or any officer of the Government thereof, or under the authority of any corporation owned or controlled by the United States, and shall take upon himself to act as such, or 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, or any

corporation owned or controlled by the United States, any money, paper, document, or other valuable thing, shall be fined not more than one thousand dollars, or imprisoned not more than three years, or both.

Punishment.

2332. Whoever not being an officer, agent, or employee of the United States shall falsely represent himself to be such officer, agent, or employee, and in such assumed character shall arrest or detain any person, or shall in any manner search the person, buildings, or other property of any person, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than one thousand dollars, or imprisoned for not more than one year, or by both such fine and imprisonment.

Falsely representing to be an officer, etc.
18 U. S. C. 77a.
Supp. V.

Punishment.

2. (a) Hereafter the manufacture, sale, or possession of any badge, identification card, or other insignia, of the design prescribed by the head of any department or independent office of the United States for use by any officer or subordinate thereof, or of any colorable imitation thereof, or the photographing, printing, or in any other manner making or executing any engraving, photograph, print, or impression in the likeness of any such badge, identification card, or other insignia, or of any colorable imitation thereof, is prohibited, except when and as authorized under such regulations as may be prescribed by the head of the department or independent office of which such insignia indicates the wearer is an officer or subordinate.

Illegal possession of official badge or other insignia.
18 U. S. C. 76a.
Supp. V.

(b) Any person who offends against the provisions of section 76a of this title shall, upon conviction, be punished by a fine not exceeding \$250 or by imprisonment for not exceeding six months, or by both such fine and imprisonment.

Punishment.
18 U. S. C. 76b.

2333. Whoever, being elected or appointed a Member of or Delegate to Congress, or a Resident Commissioner, shall, after his election or appointment and either before or after he has qualified, and during his continuance in office, or being an officer or agent of the United States, shall directly or indirectly take, receive, or agree to receive, from any person, any money, property, or other valuable consideration whatever, for procuring, or aiding to procure, any contract, appointive office, or place, from the United States or from any officer or department

Member of Congress taking consideration for procuring contract, etc.
18 U. S. C. 202.

Offering Member of Congress consideration to procure contract, etc.

Punishment.

Contracts voidable.

Accepting, etc., bribe by Member of Congress.
18 U. S. C. 199.

thereof, for any person whatever, or for giving any such contract, appointive office, or place to any person whomsoever; or whoever, directly or indirectly, shall offer, or agree to give, or shall give, or bestow, any money, property, or other valuable consideration whatever, for the procuring, or aiding to procure, any such contract, appointive office, or place, shall be fined not more than ten thousand dollars and imprisoned not more than two years; and shall, moreover, be disqualified from holding any office of honor, profit, or trust under the Government of the United States. Any such contract or agreement may, at the option of the President, be declared void.

2. Whoever, being elected or appointed a Member of or Delegate to Congress, or a Resident Commissioner, shall, after his election or appointment and either before or after he has qualified, and during his continuance in office, directly or indirectly, ask, accept, receive, or agree to receive, any money, property, or other valuable consideration, or any promise, contract, undertaking, obligation, gratuity, or security for the payment of money or for the delivery or conveyance of anything of value to him or to any person with his consent, connivance, or concurrence, for his attention to, or services, or with the intent to have his action, vote, or decision influenced, on any question, matter, cause, or proceeding, which may at any time be pending in either House of Congress or before any committee thereof, or which by law or under the Constitution may be brought before him in his official capacity, or in his place as such Member, Delegate, or Resident Commissioner, shall be fined not more than three times the amount asked, accepted, or received, and imprisoned not more than three years; and shall, moreover, forfeit his office or place, and thereafter be forever disqualified from holding any office of honor, trust, or profit under the Government of the United States.

Punishment.

Receiving pay by Senator or Member of Congress in matters affecting United States.
18 U. S. C. 203.

2334. Whoever, being elected or appointed a Senator, Member of or Delegate to Congress, or a Resident Commissioner, shall, after his election or appointment and either before or after he has qualified, and during his continuance in office, or being the head of a department, or other officer or clerk in the employ of the United States, shall, directly or indirectly, receive, or agree to

receive, any compensation whatever for any services rendered 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, shall be fined not more than ten thousand dollars and imprisoned not more than two years; and shall moreover thereafter be incapable of holding any office of honor, trust, or profit under the Government of the United States.

Punishment.

Officers interested in claims against United States.
18 U. S. C. 198, and 198a.

2335. Whoever, being an officer of the United States, or a person holding any place of trust or profit, or discharging any official function under, or in connection with any executive department of the Government of the United States, or under the Senate or House of Representatives of the United States, shall act as an agent or attorney for prosecuting any claim against the United States, or in any manner, or by any means, otherwise than in discharge of his proper official duties, shall aid or assist in the prosecution or support of any such claim, or receive any gratuity, or any share of or interest in any claim from any claimant against the United States, with intent to aid or assist, or in consideration of having aided or assisted, in the prosecution of such claim, shall be fined not more than five thousand dollars, or imprisoned not more than one year, or both. Members of the National Guard of the District of Columbia who receive compensation for their services as such shall not be held or construed to be officers of the United States, or persons holding any place of trust or profit, or discharging any official function under or in connection with any executive department of the Government of the United States within the provision of section 198 of this title.

Punishment.

OFFENSES AGAINST PROPERTY BELONGING TO, OR IN USE BY,
THE POST OFFICE DEPARTMENT

2336. Whoever 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 in such post office, or building, or part thereof, so used, any

Breaking into and entering post office.
18 U. S. C. 315.

Punishment. larceny or other depredation, shall be fined not more than one thousand dollars and imprisoned not more than five years.

Note. NOTE.—The acts making appropriations for the Postal Service for several years past have contained provisions for the payment of rewards for the detection, arrest, and conviction of post-office burglars, robbers, and highway mail robbers; and that rewards may be paid, in the discretion of the Postmaster General, when an offender of the class mentioned was killed in the act of committing the crime or in resisting lawful arrest. (See Official Postal Guide.)

Robbery of personal property of the United States.
18 U. S. C. 99. **2337.** Whoever shall rob another of any kind or description of personal property belonging to the United States, or shall feloniously take and carry away the same, shall be fined not more than \$5,000, or imprisoned not more than ten years, or both.

Stealing post-office property.
18 U. S. C. 313. **2338.** Whoever shall steal, purloin, or embezzle any mail bag or other property in use by or belonging to the Post Office Department, or shall appropriate any such property to his own or any other than its proper use, or shall convey away any such property to the hindrance or detriment of the public service, shall be fined not more than two hundred dollars, or imprisoned not more than three years, or both.

Stealing United States property.
18 U. S. C. 82, Supp. V. **2339.** Whoever shall take and carry away or take for his use, or for the use of another, with intent to steal or purloin, or shall willfully injure or commit any depredation against, any property of the United States, or any branch or department thereof, * * * shall be punished as follows:

Punishment. If the value of such property exceeds the sum of \$50, by a fine of not more than \$10,000 or imprisonment for not more than ten years, or both; if the value of such property does not exceed the sum of \$50, by a fine of not more than \$1,000 or by imprisonment in a jail for not more than one year, or both. Value, as used in this section, shall mean market value or cost price, either wholesale or retail, whichever shall be the greater.

Injuring mail bags, etc.
18 U. S. C. 312. **2340.** Whoever 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 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 fined not more than five hundred dollars, or imprisoned not more than three years, or both.

Punishment.

2341. Whoever 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, or any key to any lock box, lock drawer, or other authorized receptacle for the deposit or delivery of mail matter; or whoever shall knowingly and unlawfully make, forge, or counterfeit, or cause to be unlawfully made, forged, or counterfeited, any such key, or 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 whoever, being engaged as a contractor or otherwise in the manufacture of any such mail lock or key, 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 it is the contractor for furnishing the same or engaged in the manufacture thereof in the manner authorized by the contract, or the agent of such manufacturer, shall be fined not more than five hundred dollars and imprisoned not more than ten years.

Stealing or
forging mail
locks or keys.
18 U. S. C. 314.

Punishment.

2342. Whoever shall willfully or maliciously injure, tear down, or destroy any letter box or other receptacle intended or used for the receipt or delivery of mail on any mail route, or shall break open the same, or shall willfully or maliciously injure, deface, or destroy any mail deposited therein, or shall willfully take or steal such mail from or out of such letter box or other receptacle; or shall willfully aid or assist in any of the aforementioned offenses, shall for every such offense be punished by a fine of not more than one thousand dollars or by imprisonment for not more than three years. (See sec. 947.)

Injury to letter
boxes, etc.
18 U. S. C. 321.

Punishment.

2. Whoever shall knowingly or willfully deposit any mailable matter such as statements of accounts, circulars, sale bills, or other like matter, on which no postage has been paid, in any letter box established, approved, or

Depositing
mailable mat-
ter in letter
boxes without
postage.
18 U. S. C.
321a.

Punishment. accepted by the Postmaster General for the receipt or delivery of mail matter on any mail route with intent to avoid payment of lawful postage thereon; or shall willfully aid or assist in any of the aforementioned offenses, shall for every such offense be punished by a fine of not more than \$300.

Special-delivery messenger deemed a carrier, etc.
39 U. S. C. 174.

2343. Every special-delivery messenger, when actually engaged in carrying or delivering letters or other mail matter under contract, directly or indirectly, with the Post Office Department, or employed by the Post Office Department, shall be deemed a carrier or person intrusted with the mail and having custody thereof within the meaning of sections 320, 321, and 324 of Title 18.

Unlawfully entering post-office car, etc.
18 U. S. C. 316.

2344. Whoever, by violence, shall enter a post-office car, or any apartment in any car, steamboat, or vessel, assigned to the use of the mail service, or shall willfully or maliciously assault or interfere with any postal clerk in the discharge of his duties in connection with such car, steamboat, vessel, or apartment thereof, or shall willfully aid or assist therein, shall be fined not more than one thousand dollars, or imprisoned not more than three years, or both.

Punishment

OFFENSES AGAINST THE MAILS

Postmaster or postal employe detaining, destroying or embezzling mail matter.
18 U. S. C. 318.

2345. Whoever, being a postmaster or other person employed in any department of the Postal Service, shall unlawfully detain, delay, or open any letter, postal card, package, bag, or mail 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 carrier, messenger, agent, or other person employed in any department of the Postal Service, or forwarded through or delivered from any post office or station thereof established by authority of the Postmaster General; or shall secrete, embezzle, or destroy any such letter, postal card, package, bag, or mail; or shall steal, abstract, or remove from any such letter, package, bag, or mail, any article or thing contained therein, shall be fined not more than five hundred dollars or imprisoned not more than five years, or both.

Punishment.

Postmasters, etc., detaining or destroying newspapers.
18 U. S. C. 319.

2346. Whoever, being a postmaster or other person employed in any department of the Postal Service, shall improperly detain, delay, embezzle, or destroy any news-

paper, 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; or whoever 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; or whoever shall take or steal any mail or package of newspapers from any post office or from any person having custody thereof, shall be fined not more than one hundred dollars, or imprisoned not more than one year, or both.

By other persons.

Punishment.

2347. Whoever shall steal, take, or abstract, or by fraud or deception obtain, or attempt so to obtain, from or out of any mail, post office, or station thereof, or other authorized depository for mail matter, or from a letter or mail carrier, any letter, postal card, package, bag, or mail, or shall abstract or remove from any such letter, package, bag, or mail, any article or thing contained therein, or shall secrete, embezzle, or destroy any such letter, postal card, package, bag, or mail, or any article or thing contained therein; or whoever shall steal, take, or abstract, or by fraud or deception obtain any letter, postal card, package, bag, or mail, which has been left for collection upon or adjacent to a collection box or other authorized depository of mail matter; or whoever shall buy, receive, or conceal, or aid in buying, receiving, or concealing, or shall unlawfully have in his possession, any letter, postal card, package, bag, or mail, or any article or thing contained therein, which has been so stolen, taken, embezzled, or abstracted, as herein described, knowing the same to have been stolen, taken, embezzled, or abstracted; or whoever shall take any letter, postal card, or package out of any post office, or station thereof, or out of any authorized depository for mail matter or from any letter or mail carrier, or which has been in any post office or station thereof, or other authorized depository, 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 open, secrete, embezzle, or destroy the same, shall be fined not more than \$2,000 or imprisoned not more than five years, or both.

Stealing, secreting, embezzling, etc., mail matter.
18 U. S. C. 317.
Supp. V.

See sec. 2345 as to similar offenses by persons in Postal Service; sec. 947 as to letter boxes.

Punishment of accessories after the fact.
18 U. S. C. 551.

2348. Whoever, except as otherwise expressly provided by law, being an accessory after the fact to the commission of any offense defined in any law of the United States, shall be imprisoned not exceeding one-half the longest term of imprisonment, or fined not exceeding one-half the largest fine prescribed for the punishment of the principal, or both, if the principal is punishable by both fine and imprisonment; or if the principal is punishable by death, then an accessory shall be imprisoned not more than ten years.

Assaulting mail custodian with intent to rob, and robbing mail.
18 U. S. C. 320, Supp. V.

2349. Whoever shall assault any person having lawful charge, control, or custody of any mail matter or of any money or other property of the United States, with intent to rob, steal, or purloin such mail matter, money, or other property of the United States, or any part thereof, or shall rob any such person of such mail matter, or of any money, or other property of the United States, or any part thereof, shall, for the first offense, be imprisoned not more than ten years; and if in effecting or attempting to effect such robbery he shall wound the person having custody of such mail, money, or other property of the United States, or put his life in jeopardy by the use of a dangerous weapon, or for a subsequent offense, shall be imprisoned twenty-five years.

Punishment.
Using weapon, etc.
Punishment.

See sec. 2342 as to injury to letter boxes, etc.

Using mails to promote frauds.
18 U. S. C. 338.

2350. Whoever, having devised or intending to devise any scheme or artifice to defraud, or for obtaining money or property by means of false or fraudulent pretenses, representations, or promises, or to sell, dispose of, loan, exchange, alter, give away, distribute, supply, or furnish or procure for unlawful use any counterfeit or spurious coin, bank note, paper money, or any obligation or security of the United States, or of any State, Territory, municipality, company, corporation, or person, or anything represented to be or intimated or held out to be such counterfeit or spurious article, or any scheme or artifice to obtain money by or through correspondence, by what is commonly called the "sawdust swindle," or "counterfeit-money fraud," or by dealing or pretending to deal in what is commonly called "green articles," "green coin," "green goods," "bills," "paper goods," "spurious Treasury notes," "United States goods," "green cigars," or any other names or terms intended to be un-

Counterfeit money.

derstood as relating to such counterfeit or spurious articles, shall, for the purpose of executing such scheme or artifice or attempting so to do, place, or cause to be placed, any letter, postal card, package, writing, circular, pamphlet, or advertisement, whether addressed to any person residing within or outside the United States, in any post office, or station thereof, or street or other letter box of the United States, or authorized depository for mail matter, to be sent or delivered by the Post Office Establishment of the United States, or shall take or receive any such therefrom, whether mailed within or without the United States, or shall knowingly cause to be delivered by mail according to the direction thereon, or at the place at which it is directed to be delivered by the person to whom it is addressed, any such letter, postal card, package, writing, circular, pamphlet, or advertisement, shall be fined not more than one thousand dollars, or imprisoned not more than five years, or both.

Punishment.

2. Whoever, for the purpose of conducting, promoting, or carrying on, in any manner, by means of the Post Office Establishment of the United States, any scheme or device mentioned in section 338 of this title, or any other unlawful business whatsoever, shall use or assume, or request to be addressed by, any fictitious, false, or assumed title, name, or address, or name other than his own proper name, or shall take or receive from any post office of the United States, or station thereof, or any other authorized depository of mail matter, any letter, postal card, package, or other mail matter addressed to any such fictitious, false, or assumed title, name, or address, or name other than his own proper name, shall be punished as provided in section 338 of this title.

Using fraudulent fictitious address.
18 U. S. C. 339.

Punishment.

See secs. 597, 601, and 604 as to nonmailable of green goods and fraudulent matter; sec. 605 as to identification of persons claiming mail bearing fictitious addresses, etc.

2351. Whoever shall, under a threat of informing, or as a consideration for not informing, against any violation of any law of the United States, demand or receive any money or other valuable thing, shall be fined not more than \$2,000, or imprisoned not more than one year, or both.

Extortion by informer.
18 U. S. C. 250.

2. (a) Whoever shall knowingly deposit or cause to be deposited in any post office or station thereof, or in any authorized depository for mail matter, to be sent or de-

Threatening letters in domestic mails.
18 U. S. C.
338a, Supp. V.

livered by the Post Office Establishment of the United States, or shall knowingly cause to be delivered by the Post Office Establishment of the United States according to the direction thereon, any written or printed letter or other communication, with or without a name or designating mark subscribed thereto, addressed to any other person, and containing any demand or request for ransom or reward for the release of any kidnaped person; or whoever, with intent to extort from any person any money or other thing of value, shall deposit, cause to be deposited, or cause to be delivered, as aforesaid, any letter or other communication containing any threat to kidnap any person or any threat to injure the person of the addressee or of another, shall be fined not more than \$5,000 or imprisoned not more than 20 years, or both.

(b) Whoever shall knowingly deposit or cause to be deposited in any post office or station thereof, or in any authorized depository for mail matter, to be sent or delivered by the Post Office Establishment of the United States, or shall knowingly cause to be delivered by the Post Office Establishment of the United States according to the direction thereon, any written or printed letter or other communication with or without a name or designating mark subscribed thereto, addressed to any other person and containing any threat to kidnap any person or any threat to injure the person of the addressee or of another shall be fined not more than \$1,000, or imprisoned not more than 5 years, or both.

(c) Whoever, with intent to extort from any person any money or other thing of value, shall knowingly deposit or cause to be deposited in any post office or station thereof, or in any authorized depository for mail matter, to be sent or delivered by the Post Office Establishment of the United States, or shall knowingly cause to be delivered by the Post Office Establishment of the United States according to the direction thereon, any written or printed letter or other communication, with or without a name or designating mark subscribed thereto, addressed to any other person and containing any threat to injure the property or reputation of the addressee or of another, or the reputation of a deceased person, or any threat to accuse the addressee or any other person of a crime shall be fined not more than \$500, or imprisoned not more than 2 years, or both.

(d) Any person violating this section may be prosecuted in the judicial district in which such letter or other communication is deposited in such post office, station, or authorized depository for mail matter, or in the judicial district into which such letter or other communication was carried by the United States mail for delivery according to the direction thereon: *Provided*, That any defendant in an indictment hereunder, relating to communications originating in the United States, shall, upon motion duly made, be entitled as a matter of right to be tried in the district court of the United States in which the matter mailed or otherwise transmitted was first set in motion; that is, in the mails or in commerce between the States.

3. (a) Whoever shall knowingly deposit or cause to be deposited in any post office or station thereof, or in any authorized depository for mail matter, of any foreign country any written or printed letter or other communication addressed to any person within the United States, for the purpose of having such communication delivered by the Post Office Establishment of such foreign country to the Post Office Establishment of the United States and by it delivered to such addressee in the United States, and as a result thereof such communication is delivered by the Post Office Establishment of such foreign country to the Post Office Establishment of the United States and by it delivered to the address to which it is directed in the United States, and containing any demand or request for ransom or reward for the release of any kidnaped person; or whoever, with intent to extort from any person any money or other thing of value, shall deposit or cause to be deposited, as aforesaid, any letter or other communication for the purpose aforesaid, containing any threat to kidnap any person or any threat to injure the person of the addressee or of another, shall be fined not more than \$5,000 or imprisoned not more than 20 years, or both.

(b) Whoever shall knowingly deposit or cause to be deposited in any post office or station thereof, or in any authorized depository for mail matter, of any foreign country any written or printed letter or other communication addressed to any person within the United States, for the purpose of having such communication delivered by the Post Office Establishment of such foreign country

Threatening
letters in foreign
mails.
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to the Post Office Establishment of the United States and by it delivered to such addressee in the United States, and as a result thereof such communication is delivered by the Post Office Establishment of such foreign country to the Post Office Establishment of the United States and by it delivered to the address to which it is directed in the United States, and containing any threat to kidnap any person or any threat to injure the person of the addressee or of another, shall be fined not more than \$1,000 or imprisoned not more than 5 years, or both.

(c) Whoever, with intent to extort from any person any money or other thing of value, shall knowingly deposit or cause to be deposited in any post office or station thereof, or in any authorized depository for mail matter, of any foreign country any written or printed letter or other communication, addressed to any person within the United States for the purpose of having such communication delivered by the Post Office Establishment of such foreign country to the Post Office Establishment of the United States and by it delivered to such addressee in the United States, and as a result thereof such communication is delivered by the Post Office Establishment of such foreign country to the Post Office Establishment of the United States and by it delivered to the address to which it is directed in the United States, and containing any threat to injure the property or reputation of the addressee or of another, or the reputation of a deceased person, or any threat to accuse the addressee or any other person of a crime, shall be fined not more than \$500 or imprisoned not more than 2 years, or both.

(d) Any person violating this section may be prosecuted either in the district into which such letter or other communication was carried by the United States mail for delivery according to the direction thereon, or in which it was caused to be delivered by the United States mail to the person to whom it was addressed: *Provided*, That any defendant in an indictment hereunder, relating to communications originating in the United States, shall, upon motion duly made be entitled as a matter of right to be tried in the district court of the United States in which the matter mailed or otherwise transmitted was set first in motion; that is, in the mails or in commerce between the States.

2352. Whoever shall bring or cause to be brought into the United States, or any place subject to the jurisdiction thereof, from any foreign country, or shall therein knowingly deposit or cause to be deposited with any express company or other common carrier, for carriage from one State, Territory, or District of the United States or place noncontiguous to but subject to the jurisdiction thereof, to any other State, Territory, or District of the United States, or place noncontiguous to but subject to the jurisdiction thereof, or from any place in or subject to the jurisdiction of the United States, through a foreign country, to any place in or subject to the jurisdiction thereof, or from any place in or subject to the jurisdiction of the United States to a foreign country, any obscene, lewd, or lascivious, or any filthy book, pamphlet, picture, motion-picture film, paper, letter, writing, print, or other matter of indecent character, or any drug, medicine, article, or thing designed, adapted, or intended for preventing conception, or producing abortion, or for any indecent or immoral use; or any written or printed card, letter, circular, book, pamphlet, advertisement, or notice of any kind giving information, directly or indirectly, where, how, or of whom, or by what means any of the hereinbefore mentioned articles, matters, or things may be obtained or made; or whoever shall knowingly take or cause to be taken from such express company or other common carrier any matter or thing the depositing of which for carriage is herein made unlawful, shall be fined not more than five thousand dollars, or imprisoned not more than five years, or both.

2353. Any officer, agent, or employee of the Government of the United States who 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 books, pamphlets, papers, writings, advertisements, circulars, prints, pictures, or drawings containing any matter advocating or urging treason or insurrection against the United States, or forcible resistance to any law of the United States, or containing any threat to take the life of or inflict bodily harm upon any person in the United

Importing and transporting obscene books, etc.
18 U. S. C. 396.

Punishment.

Aiding in obscene literature trade, etc.
19 U. S. C. 1305.

States, 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 more than \$5,000, or by imprisonment at hard labor for not more than ten years, or both.

Punishment.

See sec. 598 as to obscene matter in the mails; sec. 2352 as to importation of obscene matter; sec. 2232 for instructions to postmasters.

Importing, etc.,
lottery tickets,
etc.
18 U. S. C. 387.

2354. Whoever shall bring or cause to be brought into the United States or any place subject to the jurisdiction thereof, from any foreign country, for the purpose of disposing of the same, any paper, certificate, or instrument purporting to be or to represent a ticket, chance, share, or interest in or dependent upon the event of a lottery, gift enterprise, or similar scheme, offering prizes dependent in whole or in part upon lot or chance, or any advertisement of, or list of the prizes drawn or awarded by means of, any such lottery, gift enterprise, or similar scheme; or shall therein knowingly deposit or cause to be deposited with any express company or other common carrier for carriage, or shall carry, from one State, Territory, or District of the United States, or place noncontiguous to but subject to the jurisdiction thereof, to any other State, Territory, or District of the United States, or place noncontiguous to but subject to the jurisdiction thereof, or from any place in or subject to the jurisdiction of the United States through a foreign country to any place in or subject to the jurisdiction thereof, or from any place in or subject to the jurisdiction of the United States to a foreign country, any paper, certificate, or instrument purporting to be or to represent a ticket, chance, share, or interest in or dependent upon, the event of any such lottery, gift enterprise, or similar scheme, or any advertisement of, or list of the prizes drawn or awarded by means of, any such lottery, gift enterprise, or similar scheme, or shall knowingly take or receive, or cause to be taken or received, any such paper, certificate, instrument, advertisement, or list so brought, deposited, or transported, shall, for the first offense, be fined not more than one thousand dollars, or imprisoned not more than two years, or both; and for any subsequent offense shall be imprisoned not more than two years.

Interstate, etc.,
carriage.

Punishment.

OFFENSES IN CONNECTION WITH THE TRANSPORTATION OF
THE MAILS

2355. It shall be unlawful to paint, print, or in any manner to place upon or attach to any steamboat or other vessel, or any car, stagecoach, vehicle, or other conveyance, not actually used in carrying the mail, the words "United States Mail," or any words, letters, or characters of like import; or to give notice, by publishing in any newspaper or otherwise, that any steamboat or other vessel, or any car, stagecoach, vehicle, or other conveyance, is used in carrying the mail, when the same is not actually so used; and every person who shall violate, and every owner, receiver, lessee, or managing operator thereof, who shall cause, suffer, or permit the violation of any provision of this section, shall be liable, and shall be fined not more than one thousand dollars, or imprisoned not more than two years, or both.

Vehicles, etc.,
claiming to be
mail carriers.
18 U. S. C. 311.

Punishment.

2356. Whoever shall knowingly and willfully obstruct or retard the passage of the mail, or any carriage, horse, driver, or carrier, or car, steamboat, or other conveyance or vessel carrying the same, shall be fined not more than one hundred dollars, or imprisoned not more than six months, or both.

Obstructing the
mail.
18 U. S. C. 324.

Punishment.

2357. Whoever, being a ferryman, shall delay the passage of the mail by willful neglect or refusal to transport the same across any ferry, shall be fined not more than one hundred dollars.

Ferryman de-
laying mail.
18 U. S. C. 325.

Punishment.

NOTE.—Mail carriers are not exempt from the obligations to pay toll or ferriage.

Note.

2358. Whoever, having taken charge of any mail, 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 employee in the Postal Service authorized to receive the same, shall be fined not more than five hundred dollars, or imprisoned not more than one year, or both.

Deserting the
mail.
18 U. S. C. 322.

Punishment.

2359. Every foreign mail, shall, while being transported across the territory of the United States under authority of law, be taken and deemed 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

Offenses against
foreign mail in
transit.
18 U. S. C. 359.

Punishment. 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 or information for any such offense, the mail, or any part thereof, may be alleged to be, and on the trial of any such indictment or information it shall be deemed and held to be, a mail or part of a mail of the United States.

Postmaster illegally approving bond, etc.
18 U. S. C. 352.

2360. Whoever, being a postmaster, 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 a 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 fined not more than five thousand dollars, or imprisoned not more than one year, or both.

Punishment.

See sec. 1797 as to bond to accompany bids for transporting the mails; sec. 1798 as to swearing falsely as to responsibility of bidder.

Postmaster acting as lottery agent.
18 U. S. C. 337.

2361. Whoever, being a postmaster or other person employed in the Postal Service, shall act as agent for any lottery office, or under color of purchase or otherwise, vend lottery tickets, or shall knowingly send by mail or deliver any letter, package, postal card, circular, or pamphlet advertising any lottery, gift enterprise, or similar scheme, offering prizes dependent in whole or in part upon lot or chance, or any ticket, certificate, or instrument representing any chance, share, or interest in or dependent upon the event of any lottery, gift enterprise, or similar scheme offering prizes dependent in whole or in part upon lot or chance, or any list of the prizes awarded by means of any such scheme, shall be fined not more than one hundred dollars, or imprisoned not more than one year, or both.

Punishment.

See secs. 601 to 604 as to lottery matter in the mails.

Criminal statutes made applicable to postal-savings funds.
39 U. S. C. 765.

2362. All the safeguards provided by law for the protection of public moneys, and all statutes relating to the embezzlement, conversion, improper handling, retention, use, or disposal of postal and money-order funds and the

punishments provided for such offenses are hereby extended and made applicable to postal-savings depository funds, and all statutes relating to false returns of postal and money-order business, the forgery, counterfeiting, alteration, improper use or handling of postal and money-order blanks, forms, vouchers, accounts, and records, and the dies, plates, and engravings therefor, with the penalties provided in such statutes, are hereby extended and made applicable to postal-savings depository business, and the forgery, counterfeiting, alteration, improper use or handling of postal-savings depository blanks, forms, vouchers, accounts, and records, and the dies, plates, and engravings therefor.

2363. If two or more persons in any State, Territory, or District conspire to prevent, by force, intimidation, or threat, any person from accepting or holding any office, trust, or place of confidence under the United States, or from discharging any duties thereof; or to induce by like means any officer of the United States to leave any State, Territory, District, or place, where his duties as an officer are required to be performed, or to injure him in his person or property on account of his lawful discharge of the duties of his office, or while engaged in the lawful discharge thereof, or to injure his property so as to molest, interrupt, hinder, or impede him in the discharge of his official duties, each of such persons shall be fined not more than five thousand dollars, or imprisoned not more than six years, or both.

Conspiring to prevent officer from performing duties.
18 U. S. C. 54.

2. The words "Postal Service," wherever used in this chapter (Criminal Code, chapter eight, entitled "Offenses against the Postal Service"), shall be held and deemed to include the "Post Office Department."

Definition.
18 U. S. C. 301.

NOTE.—All statutes relating to offenses against the Postal Service could not properly be grouped under this title, inasmuch as many of them contained provisions relative to the civil administration of the Postal Service. These statutes will be found under their appropriate headings, as follows:

Note.

SEC. 20. Violation of law relating to efficiency ratings.

SEC. 51. Soliciting, receiving, or making assessments or subscriptions either directly or indirectly for political purposes by or from any officer or employee of the United States.

Other statutes relating to offenses against the Postal Service.

SEC. 52. Discharging, promoting, degrading clerk or employee, or threatening so to do, for making or refusing to make a political contribution.

SEC. 54. Unlawful to give or receive consideration for appointment to public office.

SEC. 57. Official accepting bribe.

SEC. 62. Member of Congress interested in public contracts.

SEC. 65. Postal employees interested in mail contracts.

SEC. 78. Failure to make reports.

- SEC. 85. Collusion among bidders.
- SEC. 138. Selling stamps, etc., for more or less than the lawful price chargeable therefor.
- SEC. 214. Expenditures in excess of appropriations.
- SEC. 269. Postmaster's neglect to render accounts.
- SEC. 299. Offenses for which penalty is recoverable by suit.
- SEC. 401. Conducting post office without authority.
- SEC. 444. False dating of pension vouchers by fourth-class postmasters.
- SEC. 535. Submitting false evidence as to character of publication.
- SEC. 537. Failing to mark paid editorials.
- SEC. 582. Inclosing higher class in lower class matter.
- SEC. 588. Sending through the mails poisons, liquors, etc.
- SEC. 596. Failing to mark package containing plants so that contents may be ascertained.
- SEC. 598. Depositing to be sent by mail or receiving obscene, lewd, or lascivious books, pamphlets, pictures, papers, writings, prints, or indecent publications, or 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, etc., articles, or things may be obtained.
- SEC. 599. Depositing in or taking from the mails any letter or other matter bearing on its outside indecent, obscene, scurrilous, or threatening language, delineations, epithets, or terms.
- SEC. 600. Use of mails for transmission of treasonable matter.
- SEC. 601. Depositing to be sent by mail or receiving letters or circulars concerning lotteries, etc.
- SEC. 606. Depositing matter concerning procurement of divorce in foreign country.
- SEC. 607. Depositing firearms for mailing or delivery.
- SEC. 615. Unlawful use of official or penalty envelope, label, or indorsement to avoid payment of postage or registry fee on private matter.
- SEC. 617. Using penalty indorsement for census matter to avoid payment of postage.
- SEC. 918. Unlawfully wearing uniform of a letter carrier.
- SEC. 947. Depositing mailable matter without postage with intent to avoid payment of postage.
- SEC. 1211. Using registration indorsement for census matter to avoid payment of registry fee.
- SEC. 1381. False claims for indemnity for lost registered matter.
- SEC. 1710. Conveying mail by private express.
- SEC. 1713. Transporting persons unlawfully conveying mail.
- SEC. 1714. Sending letters by private express.
- SEC. 1715. Carrying letters out of the mail over post routes.
- SEC. 1716. Illegal carrying of mail by carriers and others.
- SECS. 1719 and 2253. Vessel failing to deliver letters at post office.
- SECS. 1720 and 2255. Carrying letters out of mail on vessels.
- SEC. 1798. Swearing falsely as to responsibility of a surety on a bidder's bond, etc.
- SEC. 1832. Failure of master of vessel to deliver letter.
- SEC. 2251. Foreign vessels carrying mail, failure to deliver into post office.

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The following section numbers in the 1932 edition are changed in this edition.
Section numbers not listed are unchanged in this edition.

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