

# US Postal Laws & Regulations

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Railway mail service



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

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

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

#### IV. RAILWAY MAIL SERVICE.

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

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

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

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

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

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

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

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

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

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

#### TO RAILWAY POSTAL CLERKS.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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## CHAPTER SIX.

### POSTMASTERS' ACCOUNTS AND RETURNS.

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

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



**Sec. 736. Carrying the Mail on Waters of the United States.**—The Postmaster-General may cause the mail to be carried in any steamboat or other vessel used as a packet on any of the waters of the United States. (R. S., § 3969.)

**Sec. 737. Inland and Foreign Steamboat Mail Service.**—The Postmaster-General is authorized to contract for inland and foreign steamboat mail service, when it can be combined in one route, where the foreign office or offices are not more than two hundred miles distant from the domestic office, on the same terms and conditions as inland steamboat service, and pay for the same out of the appropriation for inland steamboat service. (Act of March 3, 1885, 23 Stats., 336.)

NOTE.—This clause gives a continuing authority amending the general law. (Opin. of Att'y-Gen., May 27, 1886.)

**Sec. 738. Preference Given to Letters over other Mail Matter.**—When the amount of mail matter to be carried on any mail route is so great as to seriously retard the progress or endanger the security of the letter mail, or materially increase the cost of carriage at the ordinary rate of speed, the Postmaster-General may provide for the separate carriage of the letter mail, at the usual rate of speed; but the other mail matter shall not be delayed any more than is absolutely necessary, having due regard to the cost of expedition and the means at his disposal for effecting the same. (R. S., § 3994.)

**Sec. 739. Discontinuing Service on Post Roads.**—Whenever, in the opinion of the Postmaster-General, the postal service cannot be safely continued, the revenues collected, or the laws maintained on any post road, he may discontinue the service on such road or any part thereof until the same can be safely restored. (R. S., § 3974.)

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## CHAPTER TWENTY-FOUR.

### OF TRANSPORTATION BY RAILROADS.

**Sec. 740. Postmaster-General to Decide what Trains shall Carry the Mail.**—The Postmaster-General shall, in all cases, decide upon what trains and in what manner the mails shall be conveyed. (Act of March 3, 1879, § 3, 20 Stats., 358.)

**Sec. 741. May Contract for Without Advertising.**—The Postmaster-General may enter into contracts for carrying the mail, with railway companies, without advertising for bids therefor. (R. S., § 3942.)

NOTE.—The Post-Office regulations establishing contract sections relate to the whole mail service. They do not compel the Postmaster-General to make time contracts with railway companies, nor prevent him from accepting services which may be determined at will by either party. (*R. R. Co. v. The United States*, 21 Ct. Claims R., 155.)

**Sec. 742. Railway Company must Carry Mails on any Train.**—Every railway company carrying the mail shall carry on any train which may run over its road, and without extra charge therefor, all mailable matter directed to be carried thereon, with the person in charge of the same. (R. S., § 4000.)

**Sec. 743. To Carry Supplies and Special Agents, &c., Free of Charge.**—Railroad companies are required to convey, without specific charge therefor, all mail bags, post-office blanks, stationery supplies, and all duly accredited special agents and post-office inspectors, on the exhibition of their credentials.

**Sec. 744. When Railroad Companies must Deliver Mails into Post-Offices.**—Every railroad company is required to take the mails from and deliver them into all terminal post-offices whatever, except in cities where other provision is made by the Department, and also into all intermediate post-offices which are located not more than eighty rods from the nearest station or railroad office at which such company has an agent, the distance to be measured by the shortest road. The length of the route will be computed and paid for from terminal office to terminal office, except in those cities where the Department causes the mail to be carried between the railroad and post-office, and in such it will be computed from the place where the mail is taken from and delivered to the company.

The Department will provide for the carriage of mails to and from other intermediate post-offices only. At all points where mail trains do not make regular stops, the speed of trains carrying the mails must be slackened to admit the exchange of mails with safety.

The persons employed by railway companies to convey the mails between post-offices and stopping places, when required by this regulation, are agents of the companies, not employés of the postal service, and need not be sworn as such, but must be above the age of sixteen years and of suitable intelligence and character; and postmasters will promptly report to the proper Division Superintendent of the Railway Mail Service, or the General Superintendent thereof, any violation of this requirement.

NOTE.—A well-established practice, such as railroads receiving and delivering mail-matter at all offices within eighty rods of the road without extra charge, must be deemed to have been considered by Congress and the Department when fixing the full rate of compensation for railroad mail transportation, and the pay for such service is included in the general compensation fixed for the routes. Where a railroad company performs such mail-messenger service without objection it is precluded from demanding further compensation than the rates allowed for the transportation of the mails. (*Railroad Company v. The United States*, 21 Ct. Claims, 155.)

**Sec. 745. Mails not to be Carried beyond Termini without Authority.**—In case railroads are extended or trains run beyond the termini of the route on which the transportation of mails is duly authorized, the mails must not be carried beyond such termini of the route until the additional service is ordered by the Second Assistant Postmaster-General.

**Sec. 746. Conditions of Railway Service and Rates of Pay for Same.**—The Postmaster-General is authorized and directed to readjust the compensation hereafter to be paid for the transportation of mails on railroad routes upon the conditions and at the rates hereinafter mentioned:

First. That the mails shall be conveyed with due frequency and speed; and that sufficient and suitable room, fixtures, and furniture, in a car or apartment properly lighted and warmed, shall be provided for route agents to accompany and distribute the mails.

Second. That the pay per mile per annum shall not exceed the following rates, namely: On routes carrying their whole length an average weight of mails per day of two hundred pounds, fifty dollars; five hundred pounds, seventy-five dollars; one thousand pounds, one hundred dollars; one thousand five hundred pounds, one hundred and twenty-five dollars; two thousand pounds, one hundred and fifty dollars; three thousand five hundred pounds, one hundred and seventy-five dollars; five thousand pounds, two hundred dollars, and twenty-five dollars additional for every additional two thousand pounds, the average weight to be ascertained, in every case, by the actual weighing of the mails for such a number of successive working days, not less than thirty, at such times, after June thirtieth, eighteen hundred and seventy-three, and not less frequently than once in every four years, and the result to be stated and verified in such form and manner as the Postmaster-General may direct. (R. S., § 4002.)

**Sec. 747. Compensation of Railroads Reduced Ten Per Centum.**—That the Postmaster-General be, and he is hereby, authorized and directed to readjust the compensation to be paid from and after the first day of July, eighteen hundred and seventy-six, for transportation of mails on railroad routes by reducing the compensation to all railroad companies for the transportation of mails ten per centum per annum from the rates fixed and allowed by the first section of an act, entitled "An act making appropriations for the service of the Post-Office Department for the fiscal year ending June thirtieth, eighteen hundred and seventy-four, and for other purposes," approved March third, eighteen hundred and seventy-three [section 746], for the transportation of mails on the basis of the average weight. (Act of July 12, 1876, § 1, 19 Stats., 79.)

NOTE.—This act does not affect the compensation for railway postal cars, provided

for in the act of March 3, 1873 (Opin. Att'y-Gen. Taft, October 7, 1876), and was not intended to affect existing contracts. (Opin. Att'y-Gen. Taft, December 21, 1876.)

The above statutes apply only to contracts made after their passage, or to such as did not require the performance for a specific period. (*Railway Co. v. U. S.*, 104 U. S., 687. See also 21 Ct. Claims R., 155.)

**Sec. 748. Compensation of Railroads Reduced Five Per Centum More.**—That the Postmaster-General be, and he is hereby, authorized and directed to readjust the compensation to be paid from and after the first day of July, eighteen hundred and seventy-eight, for transportation of mails on railroad routes by reducing the compensation to all railroad companies for the transportation of mails five per centum per annum from the rates for the transportation of mails, on the basis of the average weight fixed and allowed by the [preceding section] first section of an act entitled, "An act making appropriations for the service of the Post-Office Department for the fiscal year ending June thirtieth, eighteen hundred and seventy-seven, and for other purposes," approved July twelfth, eighteen hundred and seventy-six. (Act of June 17, 1878, § 1, 20 Stats., 142.)

**Sec. 749. Congress may Fix Compensation to be Paid Land-Grant Railroads.**—All railway companies to which the United States have furnished aid by grant of lands, right of way, or otherwise, shall carry the mail at such prices as Congress may by law provide; and, until such price is fixed by law, the Postmaster-General may fix the rate of compensation. (R. S., § 4001.)

For rights and obligations of land-grant roads under this section, see 13 Opins. Att'y-Gen., 445, 536; 14 Opin., 428, 663.

The land-grant railroad companies, so called, are under perpetual contract with the United States to transport the mail at such prices as Congress may by law direct, and in the absence of such direction, then such as the Postmaster-General may determine. (*Railroad Co. v. The United States*, 21 Ct. Claims R., 155.)

A land-grant railroad company, carrying the mails under an express contract authorized by law when it was made, is entitled to the contract rate specified therein for the contract term, notwithstanding the reductions of the acts of June 12, 1876, and June 17, 1878. (*R. E. Co. v. The United States*, 104 U. S., 687.) But a land-grant railroad company carrying the mails without express contract was subject to the reduction ordered by said acts. (*R. E. Co. v. The United States*, 21 Ct. Claims, 155.)

Subsidized railroads are bound to transport the mails at fair and reasonable rates, not in excess of those charged to private parties for the same kind of service. (*R. E. Co. v. The United States*, 21 Ct. Claims R., 155.)

**Sec. 750. Compensation to be Paid Land-Grant Railroads.**—That railroad companies whose railroad was constructed in whole or in part by a land grant made by Congress on the condition that the mails should be transported over their road at such price as Congress should by law direct shall receive only eighty per centum of the compensation authorized by this act. (Act of July 12, 1876, § 13, 19 Stats., 82.) (See section 749.)

**Sec. 751. Mails to be Carried on Fastest Trains.**—And if any railroad company shall fail or refuse to transport the mails, when required by the Post-Office Department, upon the fastest train or trains run upon said road, said company shall have its pay reduced fifty per centum of the amount provided by law. (Act of March 3, 1885, 23 Stats., 386; and see 23 Stats., 156.)

**Sec. 752. Mails; how and when to be Weighed.**—The Postmaster-General \* \* \* is hereby directed to have the mails weighed as often as now provided by law by the employés of the Post-Office Department, and have the weights stated and verified to him by said employés, under such instructions as he may consider just to the Post-Office Department and the railroad companies. (Act of March 3, 1875, § 1, 18 Stats., 341.)

**Sec. 753. Railroad Companies to Give Notice of their Readiness for Weighing.**—The transportation of mails is authorized on railroad routes with the understanding that the rate of compensation shall be determined upon returns showing the amount and character of the service, to be made within twelve months from the date of its commencement, or earlier if the Department so elect, and no payment will be made except upon the basis of such returns. The mails should not be weighed until the service is fairly established on the route, and when the company is satisfied that this is accomplished, the fact should be reported to the Second Assistant Postmaster-General, who directs the weighing of mails.

**Sec. 754. To Provide Post-Office Cars.**—In case any railroad company now furnishing railway post-office cars shall refuse to provide such cars, such company shall not be entitled to any increase of compensation under the provisions of the next section. (R. S., § 4003.)

And hereafter when any railroad company fail or refuse to provide railway post-office cars when required by the Post-Office Department, or shall fail or refuse to provide suitable safety heaters and safety lamps therefor, with such number of saws and axes to each car for use in case of accident as may be required by the Post-Office Department, said company shall have its pay reduced ten per centum on the rates fixed in section four thousand and two of the Revised Statutes, as amended by act of June twelfth, eighteen hundred and seventy-six, entitled "An act making appropriations for the service of the Post-Office Department for the fiscal year ending June thirtieth, eighteen hundred and seventy-seven, and for other purposes," and as further amended by the act of June seventeenth, eighteen hundred and seventy-eight, entitled "An act making appropriations for the service of the Post-Office Department for the fiscal year ending June thirtieth, eighteen hundred and seventy-nine, and for other purposes." (Act of March 1, 1881, 21 Stats., 375.)

**Sec. 755. Dimensions of, and Additional Pay for, Post-Office Cars.**—Additional pay may be allowed for every line comprising a daily trip each way of railway post-office cars, at a rate not exceeding twenty-five dollars per mile per annum for cars forty feet in length; and thirty dollars per mile per annum for forty-five-foot cars; and forty dollars per mile per annum for fifty-foot cars; and fifty dollars per mile per annum for fifty-five to sixty-foot cars. (R. S., § 4004.)

NOTE.—This statute does not authorize a pro rata compensation to be paid for cars which are less than forty feet in length.

**Sec. 756. Cars to be Furnished as Required.**—That all cars or parts of cars used for the railway mail service shall be of such style, length, and character, and furnished in such manner, as shall be required by the Postmaster-General, and shall be constructed, fitted up, maintained, heated, and lighted by and at the expense of the railroad companies. (Act of March 3, 1879, § 4, 20 Stats., 358.) (See section 754.)

**Sec. 757. Special Facilities.**—The annual appropriation for the postal service usually provides for necessary facilities on trunk lines; and the Postmaster-General makes special contracts deemed necessary to expedite the transportation of the mails on such lines accordingly.

NOTE.—Where the Postmaster-General contracts for additional postal-car facilities to be paid for out of an appropriation therefor or out of appropriations “hereafter passed for a similar purpose,” and subsequent appropriations are made and the company continues to perform the service, it is entitled to the compensation agreed upon. The provisions of the Revised Statutes (section 87), forbidding the Executive Departments to contract debts in excess of appropriations, must yield to special provisions relating to a particular Department. Such contract may be made for a term of four years; and if it make the liability of the Government conditional upon future appropriations, and they be subsequently made, it is valid. (*N. Y. Central R. R. v. United States*, 21 Ct. Claims, 463.)

**Sec. 758. Specific Requirements of the Service.**—The rates of compensation are computed upon the average weight of mails per day carried the whole length of the route; but the rates fixed by law require not only a certain weight of mails, but also that the mails shall be carried with due frequency and speed, and that suitable room, fixtures, and furniture shall be provided in a car or apartment of car, properly lighted and warmed with safety lamps and safety heaters, for railway postal clerks to accompany and distribute the mails, as accessories to the weight of mails, and that post-office inspectors and special agents be also carried without specific charge therefor. The specific requirements of the service, with regard to these items, will be made known through the General Superintendent of the Railway Mail Service. The requirements as to due frequency and speed, and the size of the mail car or apartment are at all times to be determined by the Department.

**Sec. 759. Financial Agent; Correspondence with Department.**—As soon as service is commenced on a route, the railway company should apply to the Sixth Auditor for instructions respecting the designation of a financial agent to receive and receipt for payment for the service. All communications relative to or affecting the pay for such service should be addressed to the Second Assistant Postmaster-General (Railway Adjustment Division).

**Sec. 760. Railroad Companies Requested to Report Receipts and Expenses.**—That the Postmaster-General shall request all railroad companies transporting the mails to furnish, under seal, such data relating to the operating, receipts and expenditures of such roads as may, in his judgment, be deemed necessary to enable him to ascertain the cost of mail transportation and the proper compensation to be paid for the same; and he shall, in his annual report to Congress, make such recommendations, founded on the information obtained under this section, as shall, in his opinion, be just and equitable. (Act of March 3, 1879, § 6, 20 Stats., 358.)

**Sec. 761. When Mail may be Carried on Railway Routes by Horse Express.**—If the Postmaster-General is unable to contract for carrying the mail on any railway route at a compensation not exceeding the maximum rates herein provided, or for what he may deem a reasonable and fair compensation, he may separate the letter mail from the other mail, and contract, either with or without advertising, for carrying such letter mail by horse express or otherwise, at the greatest speed that can reasonably be obtained, and for carrying the other mail in wagons, or otherwise, at a slower rate of speed. (R. S., § 3999.)

As to FINES and DEDUCTIONS, see chapter twenty-nine.

#### MAIL TRANSPORTATION ON THE PACIFIC RAILROADS.

**Sec. 762. Rates of Pay Therefor and how Applied.**—That the grants aforesaid are made upon the condition that said company shall \* \* \* transport mails \* \* \* upon said railroad for the Government, whenever required to do so by any Department thereof, and that the Government shall at all times have the preference in the use of the same for all the purposes aforesaid (at fair and reasonable rates of compensation, not to exceed the amounts paid by private parties for the same kind of service), and all compensation for services rendered for the Government shall be applied to the payment of said bonds and interest until the whole amount is fully paid. (Act of July 1, 1862, to aid in construction of a railroad and telegraph line from the Missouri River to the Pacific Ocean, § 6, 12 Stats., 493.)

And that only one-half of the compensation for services rendered for the Government by said companies shall be required to be applied to the payment of the bonds issued by the Government in aid of the construction of said roads. (Act of July 1, 1864, amendatory of last mentioned act, § 5, 13 Stats., 358.)

That the whole amount of compensation which may, from time to time, be due to said several railroad companies respectively for services rendered for the Government shall be retained by the United States, one half thereof to be presently applied to the liquidation of the interest paid and to be paid by the United States upon the bonds so issued by it as aforesaid, to each of said corporations severally, and the other half thereof to be turned into the sinking fund hereinafter provided. (Act of May 1, 1878, § 2, 20 Stats., 58.)

NOTE.—The Supreme Court decided, in *U. S. v. Cent. Pac. R. R. Co.*, 118 U. S., 235, that the three acts above mentioned are in *pari materia* and to be construed together; and, so construed, the act of 1878 restores the provisions of the act of 1862 respecting retention of compensation for services performed by the railroad for the United States which had been changed by the act of 1864; and requires the Treasury to withhold all payments for services performed on the roads by the aid of Government grants.

**Sec. 763. Payments to be Withheld.**—The Secretary of the Treasury is directed to withhold all payments to any railroad company and its assigns on account of freights or transportation over their respective roads of any kind, to the amount of payments made by the United States for interest upon bonds of the United States issued to any such company, and which shall not have been reimbursed, together with the five per centum of net earnings due and unapplied, as provided by law. (R. S., § 5260.)

**Sec. 764. Account thereof; how Stated.**—That for the proper adjustment of the accounts of the Union Pacific, Central Pacific, Kansas Pacific, Western Pacific, and Sioux City and Pacific Railroad Companies, respectively, for services which have been or may be hereafter performed for the Government for the \* \* \* transportation of the mails, the Secretary of the Treasury is hereby authorized to make such entries upon the books of the Department as will carry to the credit of said companies the amounts so earned or to be earned by them during each fiscal year and withheld under the provisions of section fifty-two hundred and sixty of the Revised Statutes and of the act of Congress approved May seventh, eighteen hundred and seventy-eight: *Provided*, That this shall not authorize the expenditure of any money from the Treasury, nor change the method now provided by law for the auditing of such claims against the Government: *Provided further*, That this paragraph shall not be so construed as to be a disposition of any moneys due or to become due to or from said companies respectively, or to, in any way, af-



fect their rights or duties or the rights of the United States, under existing laws, it being only intended hereby to enable the proper accounting officers to state on the books of the Treasury the accounts between the Government and said companies respectively. (Act of March 3, 1879, 20 Stats., 420.)

## CHAPTER TWENTY-FIVE.

### OF MAIL-MESSENGER SERVICE.

Sec. 765. Authorized.—That the Postmaster-General be, and he is hereby, authorized to employ such mail-messenger service as may be necessary for the carriage of the mails in connection with railroad and steamboat service, transfer service between depots, over bridges or ferries, between post-offices, post-offices and branch offices or stations, in cases where by the laws and regulations of the Post-Office Department, railroad companies, steamboat companies, and the masters of vessels are not required to deliver into and take from the post-offices the mails carried on their lines or vessels. (Act of March 3, 1887, 24 Stats., 492.)

Sec. 766. Mail-Messenger Service; how Employed.—A mail messenger cannot be employed without express authority from the Second Assistant Postmaster-General; and in no case can a postmaster be allowed compensation for mail messenger service performed by himself, nor can he be interested or concerned in the contract for such service. (See section 773.) Whenever such service is necessary to any office the postmaster will be authorized, by special instructions in each case, to advertise for ten days for sealed proposals to perform the service according to specifications prepared by the Department. He will give notice or advertise as directed, and secure the utmost possible publicity by calling thereto the attention of all persons likely to compete for the service. When the proposals have been received he will forward all of them, unopened and in one envelope, to the Second Assistant Postmaster-General, together with a report of his action, embracing a copy of the notice given, a statement of the manner of giving it, whether any of the persons making proposals are dissolute, dishonest, or irresponsible, and his opinion as to what is a reasonable compensation for the service to be required. The proposals will be opened by the Second Assistant Postmaster-General, and the lowest bidder, if honest and capable, and his proposal be deemed reasonable and advantageous, will be designated by an order as mail-messenger. No further written contract is required; nor will the mail-messenger be designated for a defi-

TITLE VI.  
THE RAILWAY MAIL SERVICE.

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CHAPTER THIRTY-ONE.

ORGANIZATION AND GENERAL PROVISIONS.

**Sec. 894. General Superintendent of Railway Mail Service; Appointment of.**—The Postmaster-General may appoint one agent only to superintend the Postal Railway Service, who shall be paid, out of the appropriation for the transportation of the mail on railways, a salary at the rate of three thousand five hundred dollars a year and his actual expenses while traveling on the business of the Department. (Act of June 17, 1878, 20 Stats., 140, as amended by act of March 3, 1879, § 1, 20 Stats., 356.)

**NOTE.**—The last clause, allowing actual expenses while traveling on the business of the Department, was re-enacted in act of March 1, 1881, 21 Stats., 374.

**Sec. 895. Duties of General Superintendent.**—This officer is charged with the supervision of the distribution and dispatch of mails on all railroads and inland steamboat mail lines, the management of the railway postal-car service, and the general direction of the mail service on railroads and inland steamboats, after the service has been contracted for or recognized under the law, by the Postmaster-General, the direction of the distribution and dispatch of mails from all post-offices, and the instruction of postmasters in relation thereto, and the government of all railway postal clerks under the regulations.

**Sec. 896. His Duties as to Mailability of Doubtful Matter.**—He is further charged with the duty of determining, subject to the laws and regulations, and to appeal to the Postmaster-General, what matter should be absolutely excluded from the mails, and what precautions should be observed to properly secure matter admitted to the mails which, unless so secured, would be liable to destroy, deface, or otherwise damage the contents of the mail bags or harm the person of any one engaged in the postal service. Postmasters are therefore directed to submit questions of this character to the General Superintendent with a full statement of the facts necessary to a proper decision. Division superintendents

will inform the General Superintendent if, in their judgment, any matter is admitted to the mails which should be excluded therefrom. They will also give a statement of any injury to the mails which may come to their knowledge, caused by the admission of such matter, and a statement of the reasons which lead them to apprehend any injury to the mails from the continued admission of such matter. Inquiries regarding doubtful matter should in all cases be accompanied with a sample of the same.

**Sec. 897. Superintendents of Division of Railway Mail Service.**—The Postmaster-General is authorized to appoint “nine assistant superintendents of Railway Mail Service, who may be detailed to act as superintendents of division of Railway Mail Service, who shall each receive a salary of two thousand five hundred dollars per annum and no more.” (Act of June 17, 1878, 20 Stats., 140.)

Nine divisions have been accordingly established, each under charge of a division superintendent, as follows:

**FIRST DIVISION.**—Comprising the New England States.—*Office of Superintendent, Boston, Mass.*

**SECOND DIVISION.**—Comprising New York, New Jersey, Pennsylvania, Delaware, and the Eastern Shore of Maryland.—*Office of Superintendent, New York, N. Y.*

**THIRD DIVISION.**—Comprising Maryland (excluding the Eastern Shore), North Carolina, Virginia, West Virginia, and the District of Columbia.—*Office of Superintendent, Washington, D. C.*

**FOURTH DIVISION.**—Comprising South Carolina, Georgia, Florida, Alabama, Mississippi, and Louisiana.—*Office of Superintendent, Atlanta, Ga.*

**FIFTH DIVISION.**—Comprising Ohio, Indiana, Kentucky, and Tennessee.—*Office of Superintendent, Cincinnati, Ohio.*

**SIXTH DIVISION.**—Comprising Wisconsin, Illinois, Iowa, Nebraska, Minnesota, Upper Peninsula of Michigan, and the Territories of Dakota and Wyoming.—*Office of Superintendent, Chicago, Ill.*

**SEVENTH DIVISION.**—Comprising Missouri, Kansas, Arkansas, Texas, Colorado, the Indian Territory, and New Mexico.—*Office of Superintendent, Saint Louis, Mo.*

**EIGHTH DIVISION.**—Comprising California, Nevada, Oregon, and the Territories of Alaska, Arizona, Idaho, Montana, Utah, and Washington.—*Office of Superintendent, San Francisco, Cal.*

**NINTH DIVISION.**—Comprising the through mails from New York City to Chicago, via Buffalo, Suspension Bridge, Toledo, and Detroit, the lines of the Lake Shore and Michigan Southern Railroad, and the Lower Peninsula of Michigan.—*Office of Superintendent, Cleveland, Ohio.*

**Sec. 898. Classification of Employés of the Railway Mail Service.**—That persons in the Railway Mail Service, known as railway post-office clerks, route agents, local agents, and mail-route messengers, shall, on and after the passage of this act, be designated as railway postal clerks, and divided into five classes, whose salaries shall not exceed the following rates per annum: First-class, not exceeding eight hundred dol-

lars; second class, not exceeding nine hundred dollars; third class, not exceeding one thousand dollars; fourth class, not exceeding one thousand two hundred dollars; and fifth class, not exceeding one thousand four hundred dollars: *Provided*, That the Postmaster-General, in fixing the salaries of clerks in the different classes, may fix different salaries for clerks of the same class, according to the amount of work done and the responsibility incurred by each, but shall not, in any case, allow a higher salary to any clerk of any class than the maximum fixed by this act for the class to which such clerk belongs. (Act of July 31, 1882, 22 Stats., 180.)

NOTE.—The statutes formerly authorized the appointment of as many "route agents" as might be necessary for the prompt and safe transportation of the mail, who were to be paid out of the appropriation for transportation of the mail, at the rate of not less than nine hundred dollars nor more than one thousand two hundred dollars a year each. (R. S., § 4024). "Local agents" were also designated and charged with the duty of superintending the transfer and delivery of all mails at the points where they are stationed. "Mail-route messengers" were employed, under authority of R. S. § 4025, on short lines of railroad and on parts of railroad in process of construction, their duties being similar to but lighter than those of route agents, and their salaries ranging from \$300 to \$700 per annum in proportion to the labors they performed.

**Sec. 899. Appointment of Railway Postal Clerks.**—All original appointments to the position of railway postal clerk are made by the Postmaster-General, upon the recommendation of the General Superintendent, as clerks of class one, and for a probationary period of six months from the date of appointment. No reappointment at or before the expiration of the probationary period will be made, unless the appointee shall have shown himself proficient in his duties, fully competent to perform the same, and shall pass a satisfactory examination upon the duties of his position. Applications should be sent to the General Superintendent.

**Sec. 900. Promotions.**—All promotions are made upon the recommendation of the General Superintendent, based upon the report of the division superintendent, as to good conduct, faithful service, and efficiency; and such report must be accompanied by the clerk's full record, including case examinations and errors in distribution.

**Sec. 901. Recommendations for Promotion.**—When a vacancy occurs through the death, resignation, or transfer of a clerk of a higher grade than class one, the division superintendent will send to the General Superintendent a statement of the service record and efficiency of all clerks in his division of the next lower grade, who are, in his opinion, qualified for performing duty in the grade in which the vacancy exists, and indicate which clerk he deems most worthy of promotion.

**Sec. 902. Assignment of Chief Clerks.**—The General Superintendent may

assign to duty, when necessary, as chief clerks of Railway Mail Service, such postal clerks as in his judgment are best qualified to discharge the duties required of them; and such chief clerks will be required to make examination of the men under their charge; to see that they perform all the duties required of them promptly and thoroughly; that the schemes furnished are kept corrected, and that all orders issued by the General Superintendent and division superintendent are promptly executed. All irregularities, insubordination, inefficiency, and lax morality occurring on routes under their charge must be reported to their division superintendents at once.

**Sec. 903. Railway Post-Offices.**—All railway postal cars and mail apartments in cars and steamboats are designated as “railway post-offices,” for the distribution of mail matter in transit.

**Sec. 904. Uniform for Railway Postal Clerks.**—Postal clerks, route agents, and mail-route messengers shall not be required to wear uniform other than a cap or badge. (Act of March 3, 1879, § 1, 20 Stats., 357.)

The uniform cap required by this section of the law to be worn by employes is regulation navy, three inches deep,  $1\frac{3}{4}$  inch front, with black corded silk band; cloth to be full indigo dark navy blue; lining of cap to be silesia, and oil-glazed cover; the cap to bear upon its front the letters “R. M. S.” in silver, surrounded by a gold wreath.

All clerks (including those detailed to transfer duty) must wear the uniform cap when on duty; that is, from the time they record their departure until they record their arrival, and between the time they go to the post-office to receive mail and the time they deliver it at the terminus.

**NOTE.**—From June 15 to September 15 of each year, in lieu of the cap, a straw hat with rim not to exceed  $3\frac{1}{4}$  inches and crown not exceeding 4 inches may be worn. The straw hat must have upon its front the letters “R. M. S.” in silver, surrounded by a gold wreath.

**Sec. 905. Organization of Working Crews.**—On lines where but one clerk to a car is appointed to perform the duties, and who runs an average of one hundred miles or more per day, he will be of class three, at \$1,000 per annum. If the average daily distance run is less than one hundred and not less than ninety miles, the clerk will be of class two, at \$900 per annum; if the average daily distance run is less than ninety and more than eighty miles, the clerk will be of class two, and the salary will be at the rate of \$10 per annum for each mile of the daily average of miles run. If the average distance run daily is eighty miles or less, the clerk will be of class one, and the salary will be \$10 per annum for each mile of the daily average of miles run.

On lines that have been known as full railway post-office lines, or

that may hereafter be established in like manner, where two clerks are needed, there may be one of class five, at \$1,300 per annum, and one of class four, at \$1,150 per annum.

On lines where three clerks are needed there shall be one of class five, at \$1,300 per annum; one of class four, at \$1,150 per annum; and one of class three, at \$1,000 per annum.

On lines where four clerks are needed there shall be one of class five, at \$1,300 per annum; one of class four, at \$1,150 per annum; one of class three, at \$1,000 per annum; and one of class two, at \$900 per annum.

On lines where more than four clerks are needed such additional clerks shall be of class two or one, except where two distributing cars are run on the same train, when there may be one clerk of class five, at \$1,300 per annum; three of class four, at \$1,150 per annum; one of class three, at \$1,000 per annum; and all additional clerks of class two or one.

The clerk of the highest class in any crew will be designated the "clerk in charge."

Sec. 906. "Helpers."—When it becomes necessary to furnish assistance on any line, the clerk assigned to such duty will be designated a "helper," whether he runs over the entire line or only a portion of it; but such helper shall not be of a higher class nor receive a higher salary than the clerk to whom he is assigned as a helper; and in no case shall the salary of such helper exceed that of a clerk of class two.

Sec. 907. Clerks on Steamboat Lines.—Clerks on steamboat lines will be of class one, at a salary not exceeding \$720 per annum; the salary to be determined by the amount of work to be performed and the importance of the line.

Sec. 908. Transfer Service.—The General Superintendent may, when necessary, detail clerks not above class four, at \$1,150 per annum, at certain important junctions, whose duty it shall be to look after the handling and transfer of mails at railroad depots, and to perform such other work pertaining to the Railway Mail Service as may be required; and when more than one clerk is needed for such duty at the same depot, the additional clerks shall be of classes below class four, but in no case shall more than one clerk of the same class, above class one, be so detailed at the same depot.

Sec. 909. Providing for Emergencies.—To meet emergencies, division superintendents may make any assignment of clerks in their respective divisions which may be for the benefit of the service, but not for a longer period than ten consecutive days at once; and such assignments must be at once reported to the General Superintendent.

**Sec. 910. Chief Clerks and Assistants.**—Clerks who may be detailed to duty at certain important points in charge of one or more lines will be designated “chief clerks,” and such details may be made from clerks of class five, at a salary of \$1,400 per annum. No clerk will be detailed to assist a chief clerk except in special necessary cases.

**Sec. 911. Detail of Clerks.**—Division superintendents may detail clerks from one route to another, but clerks so detailed must be assigned to duty in accordance with these regulations. Clerks may also be detailed for clerical duty pertaining to the Railway Mail Service. All details (except in cases of emergency) must be reported to the General Superintendent for his approval before going into effect.

**Sec. 912. Reassignments.**—When reassignments of clerks to duty are necessary they will be made in accordance with the regulations and orders from the Department governing the organization of working crews. (See section 905.)

**Sec. 913. Salaries to be Regulated by Duties Assigned.**—In no event will a clerk be allowed the salary of a higher class than is by these regulations assigned to the duties actually performed by him, except when ordered to perform duties of a lower grade in case of emergency.

**Sec. 914. Inability of Clerks to Fill Positions to which Assigned.**—Whenever a clerk is unable to perform the duties of the position to which he is assigned, the division superintendent will at once report the facts to the General Superintendent, with a recommendation for reduction or retirement.

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## CHAPTER THIRTY-TWO.

### GENERAL INSTRUCTIONS TO RAILWAY POSTAL CLERKS.

**Sec. 915. Clerks to Carry Instructions.**—Each railway postal clerk, when on duty, must carry with him a copy of the instructions to postal clerks, copies of current orders affecting his line, schemes of distribution, the January Postal Guide for the current year, the latest Monthly Guide, and copies of such schedules of mail trains as may be necessary. Ignorance of instructions will not be considered an excuse for violation or disregard of them, either of which is a sufficient cause for removal. In cases of doubt as to the meaning of any regulation, the division superintendent or chief clerk should be consulted.

**Sec. 916. Clerks to Report Errors Discovered in the Postal Guide.**—Every clerk must report at once to his division superintendent any errors he may detect in the Postal Guide, that they may be reported to the Department for correction.

**Sec. 917. Change of Schedules to be Reported.**—Clerks must notify their division superintendent of all changes of schedules or running of trains upon their respective lines.

**Sec. 918. Clerks to Notify Division Superintendent of Changes Needed in Railway Post-Offices.**—Clerks should notify their division superintendent of any changes needed in their cars, but must not make requests or suggestions to the railway companies as to what changes they think should be made.

**Sec. 919. The Clerk in Charge and his Duties.**—Where there is more than one clerk assigned to duty in a car, the one of the highest class will be designated the clerk in charge, who will have control of and be accountable for all property belonging in or pertaining to the car. It will be his duty to require each clerk of his crew to comply with all instructions, regulations, and orders relating to the service; to have all necessary reports made; to see that all distribution in the car is correct, and that all mails are properly made up and put upon the proper route to their destination.

**Sec. 920. Clerks to Obey Clerk in Charge.**—The other clerks will implicitly obey the orders of the clerk in charge; and no one on duty will consider his labors ended until the whole mail has been properly distributed, pouched, and transmitted.

**Sec. 921. Clerks must Examine Order Books.**—Clerks must, immediately before departure and after arrival, examine all order books or orders left for their guidance, and get all communications addressed to them.

**Sec. 922. Address of Clerks.**—Clerks must keep their division superintendent and chief clerk advised of their full address. Address must also be noted on record of arrival and departure.

**Sec. 923. Residence.**—If clerks for their own convenience take up their residence off the line of the road on which they are performing service, they will not be relieved from responsibility for failure to sign or for failure to take a run. And where a clerk resides so remote from a telegraph or telephone office that he cannot be reached for extra service in cases of emergency, he will be required to change his residence.

**Sec. 924. Period of Duty.**—Clerks must remain on duty the whole length of their allotted runs.

**Sec. 925. Clerks paid for Daily Service.**—The Government pays each clerk for daily service, whether he is on duty or not, and therefore has a right to demand service of him at any time.

**Sec. 926. Clerks on Duty not to Traffic.**—The carrying of freight in postal cars or traffic in merchandise by clerks while on duty is strictly prohibited. They must confine themselves to the duties imposed upon them by the Department.



**Sec. 927. Must not Impart Information to Unauthorized Persons.**—No information must be imparted concerning letters or other mail matter passing through the hands of clerks in the process of distribution, except to those who may be officially authorized to receive such information and at their request.

**Sec. 928. Courtesy Enjoined.**—Clerks must observe, in their official intercourse with the public and with one another, the strictest courtesy; and must endeavor, by active and intelligent effort, to promote the interest of the service. Discussion and loud talking when at work should be avoided.

**Sec. 929. Use of Intoxicating Liquors Prohibited.**—The use of intoxicating liquors by clerks when on duty or while wearing their uniforms is absolutely prohibited, and the frequent and excessive use of the same while off duty will render them liable to dismissal from the service.

**Sec. 930. Clerks Expected to Pay Their Debts.**—Clerks are expected to pay all their just and honest debts, and a persistent and willful failure to do so will be deemed evidence of untrustworthiness sufficient for removal.

**Sec. 931. Clerks Must Assist Post-Office Inspectors.**—In all cases Post-Office inspectors, presenting proper credentials, must be given such official assistance as they may require, and in no case must the fact of a Post-Office inspector being on the train or having ridden thereon be communicated by a postal clerk to any person whatever at any time, either during or after the run. Neither should entry of the fact be made on the trip report or the record of arrivals and departures. No excuse will be taken for any violation of this section.

**Sec. 932. Accidents to be Reported.**—When an accident occurs to a mail train, the clerk in charge will at once make a full report of the same to his division superintendent. This is in addition to notation on trip report. In case any of the clerks are killed or seriously injured, or the mails are burned or injured, the clerk in charge will make a brief telegraphic report to the General Superintendent and also to his division superintendent; but in no case will this relieve such clerk from making a full report in writing to his division superintendent.

**Sec. 933. Rules of Railway Companies Observed.**—The rules and regulations of the railway companies, not in conflict with these regulations, must be respected and obeyed.

#### CARE OF OFFICES AND MAILS.

**Sec. 934. Vigilance Required in Guarding Mails.**—All clerks must use extraordinary vigilance in guarding the mails under their charge, which

must not be left for a moment exposed, day or night, and especially in making transfers where there is considerable portage between trains. Should they become aware that the mails are exposed at any time or place, they are required to note the same upon their trip report for the information of the division superintendent.

**Sec. 935. Clerks must Accompany Mails to and from Post-Offices.**—It is the duty of the clerk who takes the registers to accompany the mails to and from the initial and terminal post-offices of his run. When accompanying the mail on other than regulation wagons, he should always sit in such a position as to be able to instantly discover the loss of a pouch or sack.

**Sec. 936. Clerks not to Leave the Cars.**—Clerks must not leave their cars during a run except for meals, to examine letter boxes at stations, or for purposes of urgent necessity in the interest of the service, and then only for brief periods; and in all cases they should see that the car doors are locked unless another clerk be left on duty therein.

**Sec. 937. Clerks must Examine their Cars at the end of Runs.**—Clerks will thoroughly examine their cars before leaving them, to see that no mail is left therein, and no mail locks. All surplus pouches, sacks, and locks must be sent to the principal terminal post-office of the line.

**Sec. 938. Care of Cars.**—Clerks must not deface or injure the postal cars or other property of the railroad company furnished for the use of the service. The doors of stoves and heaters should be kept closed and fastened when trains are in motion.

**Sec. 939. Waste Paper and Twine to be Examined.**—Waste paper and twine must be preserved and turned in at the terminal post-office, but be carefully examined before being sent from the car, and the label of the sack containing the same shall bear the words "waste paper," the postmark, with date, and full name of clerk in charge. The use of both large and small twine must be curtailed to the lowest possible point to properly perform the service.

**Sec. 940. Turning over Property of Department.**—On the resignation, suspension, or removal of a clerk he shall turn over to his division superintendent the mail keys, photographic commissions, Railway Mail-Service certificates, railroad passes issued to him on account of his position in the service, and all other property and records belonging to the Department in his possession (including the records of registered matter received and forwarded). A refusal to deliver all or any of the above articles of property, on demand, is an indictable offense under the statutes of the United States.

**Sec. 941. Transfer of Property.**—When a clerk is transferred to another line in the same division, the person to whom the post-office property

in his possession is delivered will send to the division superintendent an itemized duplicate receipt for such property.

**Sec. 942. Public Property not to be used for Private Purposes.**—The use of any property of the Department for personal purposes is strictly prohibited.

**Sec. 943. Sale of Postage Stamps by Clerks.**—Clerks are required to keep constantly on hand a supply of postage stamps of the denomination of two cents, for the accommodation of the public at the car. It is a penal offense for a clerk to demand for a postage stamp a sum exceeding that expressed on its face. (See section 174.)

**Sec. 944. Mutilation of Property Prohibited.**—Any mutilation of property furnished for the use of the postal service is strictly prohibited. (See section 953.)

#### CARE OF MAIL BAGS, MAIL LOCKS, AND MAIL KEYS.

**Sec. 945. Securing Mail Locks and Mail Key.**—Clerks when on duty must always wear the mail key securely attached to their clothing by the safety chain. Stray mail keys found must be immediately forwarded to the division superintendent and by him to the Department.

**Sec. 946. Tenure of Mail Keys.**—Every clerk will hold his mail key so long as he shall continue to be connected with the same railway post-office, unless he shall be furnished with another mail key in lieu of it. When a vacancy occurs in a railway post-office, the key of the late incumbent should be transferred to the new railway postal clerk appointed for the same railway post-office. In all exchanges between railway post-office clerks from one railway post-office to another, not temporary and for a brief period, there should be a corresponding exchange of mail keys and receipts in duplicate.

**Sec. 947. Receipts to be Always Taken for Mail-Keys.**—No mail-key must be transferred or exchanged except to a successor in office, nor be furnished nor loaned without special instructions from the division superintendent. No such key, not obtained directly from the division superintendent or from a predecessor in office, must be kept or detained, but promptly returned to the division superintendent with a full report of facts in relation to it. If a mail key be received from a discontinued post-office, or elsewhere, it must be sent without delay to the division superintendent by the clerk receiving it, stating when and from whom it was received by him.

**Sec. 948. Repairing Mail Locks and Keys Forbidden.**—No attempt must be made to have a mail key or a mail lock repaired; nor to pry into the internal mechanism of any mail lock. No damaged or defective mail key must be kept by a clerk, but each one, as soon as it becomes dam-

aged or defective, must be promptly returned to the division superintendent with an explanatory letter. With every application for a new mail key in lieu of one broken, the broken parts must be inclosed, and the number of the broken key stated.

**Sec. 949. Defective Keys to be Reported to the Superintendent.**—When a mail key is perceived to be much worn and becoming defective, timely notice should be given of the fact, always stating the number of the key, so that a new one may be furnished before the old one becomes entirely useless; the latter to be returned to the division superintendent.

**Sec. 950. Care of Mail Keys—Penalty for Loss.**—The careful use of mail locks and the safe keeping of mail keys are essential to the integrity of the postal service. The mail key must never be exposed to public observation nor placed where it may be lost or stolen. It must not be suffered to pass, even for a moment, into the hands of any person not a sworn officer of the Post-Office Department. The loss of a mail key, as it may afford peculiar facilities for stealing from the mails, is an act of carelessness likely to be more pernicious to the service than almost any other a clerk can commit. It is therefore deemed sufficient cause for removing the clerk so offending.

**Sec. 951. Legitimate Use of Mail Bags Restricted to What.**—The legitimate use of mail bags is restricted to the transmission of mailable matter while under the care, custody, and control of the Post-Office Department, through its postmasters and other authorized agents. Their application to any other uses than those of this Department is illegal and strictly forbidden. The stealing, purloining, converting from proper use, or conveying away to the detriment of the service, of any mail bags, is an offense by law, punishable with fine and imprisonment.

**Sec. 952. Mail Bag in Transit becoming Unsound.**—In case a mail bag in transit becomes too unsound to convey the mail with safety to the end of the route, the clerk first discovering its bad condition must transfer the mail to another bag and turn in the unsound bag to the terminal post-office.

**Sec. 953. What Mutilation of a Mail Bag may be Allowed.**—When a mail bag has a damaged or defective lock upon it, which cannot be opened with the proper key in good order, such lock should be removed without further damage, where there are a bag and lock in good condition to substitute for them, by filing or cutting asunder that staple of the bag to which the lock is fastened, if practicable; otherwise in the least injurious manner. No other mutilation of a mail bag is admissible under such or any other circumstances. When the staple is cut, the mail bag must not be used again until a new staple shall have been

applied to it. The fastening-strap of a mail bag must not be cut if the bag can be opened by cutting the staple (see section 871), and must never be spliced nor repaired in any way, but must be replaced, when necessary, with a new one.

**Sec. 954. Hooks Forbidden.**—The use of hooks in handling mail-bags is forbidden to railway postal clerks.

#### ACCESS TO POSTAL CARS AND PERMITS TO RIDE THEREIN.

**Sec. 955. Who may have Access to Postal Cars.**—The postal car is for the exclusive accommodation of the mails and the persons specially appointed to take charge of the same. It is strictly private, not to be entered by any person except Post-Office inspectors, and persons who may be authorized by the General Superintendent and division superintendents of the Railway Mail Service. The conductor of the train will have access to the car in the performance of his duties, and, in case of necessity, other railway employés may pass through, but none of them shall be allowed to remain therein, except on trains made up exclusively of postal cars.

**Sec. 956. Permits to Ride in Postal Cars.**—Permits, signed by the General Superintendent will be required (except for Post-Office inspectors) as authority for riding in postal cars. Without such permit no person except Post-Office inspectors (who will be required by the clerk in charge to show their commissions) will be allowed to ride in postal cars. This applies to all clerks in the service passing over lines to which they are not assigned.

**Sec. 957. Annual Permits not to be Taken up.**—Permits will be taken up by the clerk in charge, who will affix his postmark, with date, also his full name, on the reverse side, and forward to his superintendent with his trip report, noting on the same the points between which the person rode in his car. If it is an annual permit it should not be taken up, but its number and the full name of the holder should be noted on the trip report, and also the points between which the holder rode in the car.

**Sec. 958. Permits not good for Transportation.**—A permit is not to be considered as furnishing transportation to the person holding it, but simply as authority to ride in the car. The clerk in charge must notify the train conductor, so that he may take up ticket or pass, or collect fare.

#### RECORD OF ARRIVALS AND DEPARTURES.

**Sec. 959. Clerks' Record of Arrivals and Departures.**—A record of arrivals and departures will be kept at each terminal post-office, or at some other place at each terminus of a run, to be designated by the superin-

tendent, in which each clerk is required to sign in his own handwriting his full name and the day and hour of the schedule arrival and departure of the train, and of his own arrival at and departure from the post-office or other place where the record is kept. Failure to do so will be regarded as a failure to perform service without excuse, and the clerk will forfeit one day's pay for each failure to so sign, but such forfeiture shall not exceed one day's pay for any number of failures to sign on any one trip. But clerks may be relieved from the forfeitures herein imposed upon application, showing good reason therefor, addressed to the division superintendent, who will forward the same to the General Superintendent with his recommendation.

A substitute will sign his own name and that of the clerk for whom he is working, thus :

JOHN SMITH, *Clerk,*  
By WILLIAM JONES, *Substitute.*

**Sec. 960. No Discretion to be used in Reporting Failures.**—No discretion is allowed a postmaster or other person in charge of a record of arrivals and departures, in reporting any failures on account of any peculiar circumstances attending the case. The failure must be reported promptly, and will be submitted to the Department for decision, together with any statement the clerk may desire to make.

**Sec. 961. Posting Record Book.**—The person in charge of the record of arrivals and departures must fill up the blank spaces at the head of each page before the page is signed upon.

**Sec. 962. Partial Duty to be Noted on Record.**—In case a clerk does not perform duty over the whole length of the route, the portion over which he performed duty must be noted on the record and on trip report.

#### OFFICIAL CORRESPONDENCE.

**Sec. 963. Replies to Official Communications.**—Each clerk is required to date and sign with his official signature and promptly dispatch replies to all official inquiries and other communications. The name of his line is a part of the clerk's official signature. The signature should be made thus :

WM. H. SMITH,  
*R. P. Clerk, N. Y. & Chi. R. P. O.*

**Sec. 964. Form of Official Telegrams.**—Clerks should make official telegrams as brief as possible. The following form is given as an illustration:

FOXTOWN, N. Y., *April 1, 1883.*

JACKSON, *Supt., New York:*

Prairieville and Sumac train four collided with freight train ten miles west of Troyburgh, eight this morning. Smith killed; Adams wounded; postal car demolished; mail badly damaged.

SHEFFIELD, *Clerk.*

No unnecessary words should be used, nor any words omitted that are necessary to make the meaning clear. The division superintendent should be addressed in telegrams by his surname only, with the "Supt." added and the name of the place where he is. The clerk should always sign with his surname only, adding the word "Clerk." If there be two or more clerks on a line having the same surname, each will sign his full name to telegrams. Telegrams should never be sent except in cases of urgent necessity.

**Sec. 965. States in Addresses to be Written in Full.**—All clerks in directing official mail matter will write the names of the county and State without abbreviation.

#### CASE EXAMINATIONS.

**Sec. 966. Examinations.**—Case examinations of clerks will be made, from time to time, upon the official schemes of distribution furnished them, the connection of trains as shown in the "schedule" of mail trains, and such other instructions and orders as relate to the service.

They will also be examined as to their knowledge of the "Instructions" at each case examination. The questions asked will be such as will require an answer giving the substance of each section of the instructions, and the result of the examination will be reported to the Department.

After surrendering the case to the examiner clerks will not be allowed to make any changes with a view to rectifying errors.

On the completion of each examination the clerk examined will be given (on blank R. M. S., 5003) a statement of the result of his examination, and following the words, "action taken," will be written the State on which he will next be examined, and the nature of such examination.

**Sec. 967. Voluntary Examinations.**—Clerks may volunteer for examination at any time, and division superintendents will afford them every facility for this purpose not incompatible with the proper discharge of their duties.

**Sec. 968. Probationary Appointees to be Examined Monthly.**—All probationary appointees will be examined monthly during their probationary term. These examinations will require a knowledge of the instructions, the schemes of distribution which may be furnished, and the railway connections at the various junctions as given in the sched-

ule of mail trains. The result of each examination will be reported to the Department, and on the result of these examinations and the efficiency of the probationers in their work will depend their permanent appointment in the service.

#### NIGHT DUTY.

**Sec. 969. Clerks on Night Lines.**—When there is any mail to be distributed or work to be done on night lines every clerk must be awake and do his full share. When the distribution is entirely finished and all of the work done, there is no objection to a part of the crew going to sleep, but at least one clerk must always be wide awake and on duty. This precaution is absolutely necessary for the proper protection of the registered and other mail against accident, fire, or robbery, as well as for the personal safety of the clerks on duty. These provisions apply also to long lines where it is necessary for a part of the clerks to sleep during the day. As far as practicable the doors of mail cars should be kept locked, especially at night.

#### LEAVES OF ABSENCE, ETC.

**Sec. 970. No Clerk to be Absent without Leave.**—No clerk is allowed to absent himself from his line, or to exchange runs with a clerk on the same or any other line, without the written permission of the division superintendent. Any clerk to whom a leave of absence is granted will be required to furnish a suitable and competent substitute, at his own expense, unless he can make a satisfactory arrangement with the other clerks on his line to perform his duties during his absence; such arrangement to be evidenced by a memorandum in writing, signed by all the parties concerned, and to be filed with the division superintendent. But no clerk or transfer clerk shall be absent for more than sixty days in the aggregate in any one calendar year, nor more than thirty consecutive days, without special authority from the Department. In case of absence on account of sickness a physician's certificate will be required.

**Sec. 971. Paying back Runs.**—When trips are made by one clerk for another, the clerk for whom such trips are made will be required to repay the same either in money or by running an equal number of trips, the method of payment to rest with the clerk making the trips, except in cases of sickness. Such repayment must be made as soon as possible after return to duty. New appointees are responsible for their runs from the date they commence to draw pay.

**Sec. 972. Substitutes for Clerks Absent.**—No person who has been discharged from the service for causes affecting his character and standing



as a clerk or a citizen can be employed as a substitute or in any other capacity, nor can he be permitted to enter or ride in a postal car.

**Sec. 973. In case of Disability Railway Postal Clerk will send Certificate.**—In case a clerk shall be disabled while in the actual discharge of his duties as such, by a railroad or other accident, he shall send to his division superintendent a certificate of his attending physician or surgeon, sworn to before an officer authorized to administer oaths, who has an official seal, setting forth the nature, extent, and cause of his disability and the probable duration of the same. The division superintendent will forward the certificate with his recommendation to the General Superintendent of the Railway Mail Service, who will make his recommendation thereon, and submit the case to the Postmaster-General, who may, in his discretion, grant such disabled clerk leave of absence with pay for periods of not exceeding sixty days each, and not exceeding one year in all. A sworn certificate from the attending physician must accompany every application for additional leave.

When it becomes necessary for the Department to employ an acting clerk by reason of the absence of an injured clerk, the acting clerk shall be of class one, at an annual salary of not exceeding eight hundred dollars per annum.

**Sec. 974. Sending of Resignations.**—Resignations must be sent to the Department through the division superintendent, and as long prior to the date on which they are intended to take effect as possible.

**Sec. 975. No Information to be Given Concerning Vacancies.**—Information regarding vacancies or probable vacancies in the service must not be imparted by clerks, nor must they take any part in procuring appointments.

#### MISCELLANEOUS.

**Sec. 976. Subpœnaed by United States Court.**—When railway postal clerks are subpœnaed by the Government to attend a United States court they are entitled (R. S., § 850) to their actual expenses, but are not entitled to per diem or mileage. Their actual expenses should all be stated in items. They will receive the regular salary of their grade during the time they are attending court. Where clerks reside at the place at which the court is held they are not entitled to expenses. When clerks are subpœnaed, as above stated, it is the duty of the remaining clerks on the line to keep up the run of the clerk or clerks so absent without expense to the Department or the clerk subpœnaed. If the remaining clerks on the line are unable to keep up the run and perform the service, the Department will employ an acting clerk or clerks to keep up the run during the absence of the clerk or clerks so subpœnaed.

Sec. 977. Clerks not Exempt from Jury Duty or Arrest.—Railway postal clerks are exempt from militia duty but are not exempt from road duty. They are exempt from jury duty in some of the States by statute; in others not. They are exempt from arrest on civil process while on duty, but are never exempt from arrest on criminal process. (Section 697.)

## CHAPTER THIRTY-THREE.

### INSTRUCTIONS TO RAILWAY POSTAL CLERKS IN HANDLING ORDINARY MAIL MATTER.

Sec. 978. Receiving Mail at the Cars.—Clerks will receive from the public and dispatch the following described mail matter, but are strictly prohibited from receiving from the public for mailing any matter on which stamps have been canceled :

First-class matter—(letters and postal cards) on which one full rate has been paid ; also soldiers' and sailors' letters unpaid, when duly certified.

Free matter—when inclosed in penalty envelopes or franked by persons authorized to do so by act of Congress.

Letters and postal cards readdressed for forwarding ; the destination of these can be changed as many times as may be necessary to reach the person addressed.

Second-class matter—(newspapers and periodicals from publishers and news agents) when accompanied by a certificate from the postmaster that the postage has been paid.

Third-class matter—newspaper and periodical publications, when sent by other than publishers and news agents, and prepaid in full at the rate of one cent for each four ounces ; all other matter of the third class, at the rate of one cent for each two ounces.

Fourth-class matter (all mailable matter not included in the three preceding classes) which has been fully prepaid by postage stamps, at the rate of one cent per ounce.

NOTE.—None but first-class matter, and second-class matter from one office to another in the county in which it is published, can be forwarded to a new destination without a second payment of postage.

Third and fourth class matter is by law unmailable when not fully prepaid. If clerks know that such matter mailed in their cars is insufficiently prepaid, they should treat it in the same way as other unmailable matter.

Sec. 979. Receiving Mail Outside of Pouches.—Postmasters are required

to dispatch their mail to railway post-offices in pouches, duly locked, except in the case of a few late letters on which they have canceled stamps, which they may deliver in person or by a sworn assistant; but such (canceled) letters cannot be received by the clerk from the mail messenger nor from the public. (See section 532.)

**Sec. 980. Receiving and Delivering Second-Class Mail at Cars.**—The Postmaster-General may provide by order the terms upon which route agents may receive from publishers or any news agents in charge thereof, and deliver the same as directed, if presented and called for at the mail car or steamer, packages of newspapers and other periodicals not received from nor intended for delivery at any post-office (R. S., § 3889). Clerks are prohibited from receiving newspapers and periodicals from publishers and news agents, unless the same are accompanied by a certificate from the postmaster that the postage has been paid. They will deliver them according to the instructions on the packages.

**Sec. 981. Second Class and other Matter Outside of Mail Bags.**—Mail matter must under no consideration be carried outside of the regular mail bags, except second-class matter designed and marked for outside delivery, as provided in section nine hundred and eighty, or matter the form of which prevents it from being carried in the mail bag.

*Second-Class Matter to be Promptly Dispatched.*—Newspapers and periodicals sent to regular subscribers must be promptly dispatched to destination. To the addressee such matter is of at least equal importance with letter mail, and it should be treated with equal care by postal clerks. If it is necessary to withdraw second-class matter from its wrapper in order to ascertain its destination, it may be done, but will not be allowed for any other purpose. Second-class nixes will be treated as prescribed by the regulations and orders. If postal clerks find any second-class matter improperly directed; that is to say, addressed to the wrong post-office or State, they should report the fact on the trip report so that the division superintendent may notify the publisher, but should not change the address or course of the package.

**Sec. 982. Reading Mail Matter in Transit Forbidden.**—Clerks must not remove newspapers or periodicals in the mail from their wrappers, packages, or bundles for the purpose of reading them.

**Sec. 983. Begging Newspapers Forbidden.**—Clerks are forbidden to request proprietors of newspapers to send copies of their papers to them free.

**Sec. 984. Pouches to be Examined.**—When emptying and before using a pouch or sack great care must be taken that no mail is left therein; and to be certain of this the pouch must be held so that the whole interior can be seen, and it must then be examined.

## CANCELLATION AND POSTMARKING.

**Sec. 985. Cancellation of Postage Stamps.**—Postage stamps affixed to letters, packets, or parcels of any description, and all stamped envelopes, newspaper wrappers, and postal cards, must be immediately and effectually canceled by the use of black ink. The use of the postmarking stamp as a canceling instrument is strictly forbidden.

**Sec. 986. Postmarking.**—All mail matter except of the second class deposited in a car for mailing must be postmarked. As to manner of postmarking see section five hundred and eighteen. Postmasters are required by the section referred to to legibly postmark all mail matter of the first-class deposited in their offices. Postal clerks will report the continued violation of this regulation on the part of any postmaster to their division superintendent, who will report the same to the General Superintendent.

## MAKING UP AND DISTRIBUTION OF MAILS.

**Sec. 987. Mail to be Made up by States.**—All mail for States of which no distribution is made must be made up "by States," and facing slips used, in accordance with section five hundred and thirty-six; that is, letter and circular mail for each State must be made up in packages, and newspaper mail in canvas sacks, and the name of the State marked on the slip covering the package and in the sack and on the tag attached to the sack.

**Sec. 988. Separate Mail for Delivery and Mail for Distribution.**—Mail for delivery and mail for distribution at a post-office must always be made up in separate packages, except when the division superintendent orders it combined in one package, in which case the slip covering the package should bear the name of the post-office and State, followed by the letters "D. & D."

**Sec. 989. Direct Packages.**—Making a direct package by railway postal clerks is placing all letters for one post-office in a package by themselves all faced one way, with a plainly addressed letter on the outside, with a facing slip covering the back of the back letter. The slip must be postmarked and bear the name of the clerk making the package and the direction moving. When necessary to include circular mail in a direct package, a letter must be put on the outside of the package.

**Sec. 990. Direct Packages for Washington, D. C.**—All railway post-offices and all post-offices sending more than one long and one short letter by the same dispatch for Washington, D. C., will make separate direct packages of the long and short letters and place addressed slips thereon.

**Sec. 991. Letters must not be Placed in Pouch Loose.**—Letter and circular mail must always be properly "faced up," slipped, and tied in packages, and never placed in the pouch loose.

Sec. 992. **Official Matter to be Pouched with Letter Mail.**—All official matter emanating from any of the Departments of the Government must be treated in every respect as first-class matter, unless the wrapper or envelope distinctly states that the inclosures are printed matter.

Sec. 993. **Signal Service Weather Reports to be Treated as Letter Mail.**—All Signal Service weather reports, whether inclosed in penalty envelopes or prepaid by ordinary stamps, must be treated in all respects like letter mail.

Sec. 994. **Facing Slips to be Used.**—Facing slips must be securely tied upon all packages of letters and circulars, and also placed in each pouch and sack, &c., with the address or destination of the package, pouch, or sack, the postmark of the line, with date, direction moving, and the full name of the clerk making up the same, as indicated in the diagram. Slips must not be used a second time. Clerks will note on their trip reports every instance of a violation of this rule by postmasters, inclosing in the report one of the slips as evidence. Facing slips must be of uniform size,  $5 \times 3\frac{3}{8}$  inches. Facing slips must be prepared before going on duty. Placing the address upon direct slips is optional, except upon packages for Washington, D. C.

*Diagram of slip for R. P. O. package, pouch, or sack.*

N. Y. AND WASH. R. P. O., VA., FROM BOST., SPRING. AND N. Y. R. P. O.	
JOHN SMITH. * W <sup>EST</sup> .	[Postmark.]

\* Or train number.

*Diagram of slip for direct package, pouch, or sack.*

CINCINNATI, OHIO, FROM NASH. AND ST. LOUIS R. P. O.	
SAM'L JONES. * N <sup>ORTH</sup> .	[Postmark:]

\* Or train number.

**Sec. 995. Checking Errors.**—Failure to properly note errors is deemed sufficient cause for dismissal. All errors found in the distribution of a package of letters or in a pouch or sack of newspapers must be noted on the reverse side of the slip, giving the name of the post-office and State, and the county, when included in the superscription, the full name of the clerk noting the errors, and postmark with date, and direction moving, next to postmark, as follows :

<i>LETTERS.</i>	<i>PAPERS.</i>
1 Omaha, Nebr.	1 N. Y., N. Y.
2 South Bend, Ind.	1 Phila., Pa.
1 St. Louis, Mo.	1 Balto., Md.
Wm. Brown.	2 Wash., D. C.
* S. [Postmark].	1 Richmond, Va.
	C. J. Smith.
	* N. [Postmark].

\* Or train number.

**Sec. 996. Disposition of Slips Received.**—All slips received upon packages of letter or circular mail or in pouches or in sacks of newspaper mail, on which errors have been noted, must be preserved and sent to the division superintendent, inclosed with the trip report. Correct newspaper slips will be placed with the waste. Letter and circular slips upon which no errors have been noted after being counted, will be thrown into the waste sack.

**Sec. 997. Absence of Slips.**—If no slips are received on the packages or in pouches or sacks, and errors are found, a slip must be made on which the errors will be noted. A report should also be made to the division superintendent, stating, if possible, the line or post-office from which the mail was received. The label received on the pouch or sack should be sent with the report.

**Sec. 998. Distribution of Mails by Schemes.**—Clerks will carefully distribute and make up mails by the official schemes which may be furnished them, and will conform to any changes that may be made in the same by their division superintendent, and will make up and exchange only such pouches as may be ordered by him.

**Sec. 999. Open and Distribute One Pouch at a Time.**—Clerks will complete the distribution of the contents of one pouch or sack before opening

another, so that any errors in distribution or missent mail may be correctly noted and reported.

**Sec. 1000. Return of Pouches, Sacks, and Printed Labels.**—All pouches and sacks labeled to any railway post-office must be returned as soon as possible to the railway post-office or post-office whence they were dispatched. The only exception to this rule allowed is in railway post-offices when such pouches or sacks are needed for immediate use. Labels on sacks of newspaper mail and slide labels on pouches must be taken off when the sacks or pouches are opened, and returned by first mail to the post-office or railway post-office from which they were received, the wooden labels to be classed with newspaper mail and the slide labels with letter mail.

**Sec. 1001. Printed Labels must not be Defaced.**—Under no circumstances are any printed labels or slides to be defaced, mutilated, or destroyed. Clerks receiving any defaced or mutilated printed labels must forward them to their division superintendent with a special report, giving any information they may be able to obtain, showing by whom the mutilation or defacement was done. Any addition or erasure is a defacement. If printed labels are needed, send list to division superintendent.

**Sec. 1002. Trip Reports to be Sent.**—Trip reports, together with all slips upon which errors have been noted, must be properly filled out and promptly sent to the division superintendent at end of each trip. Be particular to give all the information called for by the trip report.

**Sec. 1003. Unmailable Matter and Articles found Loose in Mail.**—Any clerk in whose car shall be deposited for mailing domestic matter wholly unpaid, or letters on which less than one full rate of postage is paid, or bearing stamps that have been previously used, or stamps cut from stamped envelopes or wrappers, or packages of third or fourth class matter not fully prepaid, shall detain and send the same to his division superintendent.

He will also intercept and withdraw from the mail all liquids not admissible to the mails under sections three hundred and sixty-nine and three hundred and seventy, gunpowder, and other explosives, live or dead animals (except queen bees and their attendant bees and dried insects), poisons, and any articles liable to injure the mails or the persons of those handling them, that may come to his notice, all matter on which the addresses have become detached or erased, all articles found loose in any pouch or sack, or any article which by the rulings of the Department has been declared unmailable, and send the same under cover to his division superintendent, with a special statement giving the name of the post-office or other source from which such matter was received. If any matter which should have been detained by the post-

master as "held for postage," "excess of weight or size," "coin," or "lottery," shall have, through inadvertence, been dispatched from the post-office of mailing, it should not be stopped in transit. All destructive matter withdrawn from the mail should be deposited in the terminal post-office and a special report made to the division superintendent.

**Sec. 1004. Unmailable Matter to be Postmarked.**—Unmailable matter sent to the division superintendent must be postmarked on the back.

**Sec. 1005. Nixes.**—Under this general term is embraced all mail matter not addressed to a post-office, or addressed to a post-office without the name of the State being given, or otherwise so incorrectly, illegibly, or insufficiently addressed that it cannot be transmitted. Whenever such matter dispatched from a post-office or mailed upon the cars may come into the hands of postal clerks for distribution, it should be withdrawn from the mail and sent to the division superintendent. The following are the only exceptions to this rule: Mail addressed to military or naval posts and stations of the Signal and Life-Saving Service which are not post-offices, should be sent to the proper post-office if known. Mail addressed to discontinued post-offices or to offices whose names have been changed, and to watering places and summer resorts which are not post-offices, should be sent to the nearest post-office known. Mail addressed from the Department to new post-offices, marked on the envelope "new office," will be sent to destination in the best manner practicable, in the absence of definite instructions. Nixes sent from a post-office by inadvertence which reach a line from which they can be delivered should be delivered. Nixes mailed upon a line addressed to a local to that line should be delivered to the post-office which has been designated to receive mail so addressed. When clerks know that matter addressed to a post-office without the name of the State being given is intended for the principal city of that name, being for instance, addressed to a well-known citizen, firm, newspaper, corporation, or institution of such principal city, or to a street and number which can only be found therein, it should be sent to that city. Mail of foreign origin addressed to persons in the United States is to be treated in the same manner as domestic mail.

**Sec. 1006. Nixes to be Postmarked and Slipped.**—All nixes sent to the division superintendent must be postmarked on the back and be accompanied by slip addressed to the division superintendent, bearing the full name of the clerk sending the same, the postmark of his line with date, and the word "nixes" in the upper left-hand corner.

**Sec. 1007. Mailable Matter Turned in as Nixes to be Checked as Errors.**—Any such mail matter, the address on which is found in the latest January or monthly Postal Guide or in the general orders will be noted



as errors on the slip accompanying the same and charged against the clerk. All matter supposed to be nixes must be verified with the latest January and monthly Postal Guide and general orders.

**Sec. 1008. Treatment of Books in Canadian Mails, Supposed Dutiable.**—Clerks on railway post-offices exchanging mail with Canada must carefully examine Canadian mails coming into their hands for distribution, and turn into the nearest exchange post-office where there is a custom-house officer all books found in such mails known or supposed to be liable to customs duty, in order that such action may be taken by the postmaster and the customs officer as the case may require. (See section 621.)

**Sec. 1009. Locals Addressed via a Post-Office.**—When mail matter addressed to a place which is not a post-office contains upon it a direction to send via a post-office, the matter should be sent to the post-office indicated.

**Sec. 1010. Address not to be Changed.**—Clerks must not change the address upon any mail matter, and no indorsement upon a letter or addition to the address, in pencil or ink, will be permitted.

**Sec. 1011. Report of Letters under Strap of Pouches.**—Clerks must make a separate report of each instance of letters or postal cards received under the strap or attached to the outside of pouches, giving name of post-office, with county and State.

**Sec. 1012. Mail in Transit not to be Delivered.**—Clerks must not make delivery at the postal car of mail in transit to any person whatever—except to a Post-Office inspector, as provided in section five hundred and sixty-five—although it be known to them that the applicant is the person named in the address: The act of delivery is devolved by law and regulation of the Post-Office Department on the postmaster at the post-office to which the mail is addressed.

**Sec. 1013. Exchange of Pouches.**—Exchange of letter mails must always be made in locked pouches (except in the case of exchanges with Canada and Mexico, when sealed canvas sacks must be used), and, whether there is any letter mail or not, a pouch, duly locked, must be furnished whenever one is due. Any failure to receive any regular exchange must be reported to the division superintendent on the trip report.

**Sec. 1014. Mail Must not be Delivered at Places not Post-Offices.**—Under no circumstances should mail be delivered at any place not a regularly established post-office.

**Sec. 1015. Irregularities to be Reported.**—Every serious irregularity in the transmission of mails should be specially reported, and in the reports, where letters are concerned, the exact postmark, including the hour, should be stated, and in the case of newspapers, whether

received in a pouch or a sack, and if in a sack, whether it contained all second-class, all third-class, or mixed matter; and if all one publication, give the name and date of it. In addition to the above the date, place, exact time of receipt, and train by which received should be given. In all cases the tag and slip of the missent pouch must be sent with the report to the division superintendent.

**Sec. 1016. Missent Matter to be so Stamped.**—Each letter or paper missent to a line must be plainly stamped on the face MISSENT, and the postmark of the line also stamped plainly thereon. This is necessary in order that the responsibility for delays to mail matter may be definitely located. This also applies to registered mail.

**Sec. 1017. Delivery of Mails at Catch Stations.**—At catch stations, where cranes are erected for the exchange of mails without slacking the speed of trains, the pouch must never be kicked off, but must be thrown off by hand to a distance of at least ten feet from the track, so as to prevent it from being drawn under the train. Under no circumstances should mail be thrown on a station platform from a train in motion, except by special instruction of the division superintendent. The utmost care should be taken in deliveries to avoid injury to person or property. If clerks have registered boxes for catch stations, they should not throw them off, but carry them on to the first station where the train stops, to be returned by the next mail train, or in charge of railroad employes if no mail train stops at the catch station. Use none but catcher pouches at catch stations except in case of absolute necessity.

Division superintendents will issue special instructions regarding the delivery of mails at stations where trains do not stop. Accidents frequently occur by reason of the clerks failing to throw the mail a proper distance from the cars, and also by throwing mails upon the platform, from which they rebound under the cars.

**Sec. 1018. Counting Mail.**—In counting mail worked, clerks will count each letter slip as a package of letters, and each label on sacks as a sack of newspaper mail. Packages and sacks merely opened for the purpose of consolidating or verifying the contents of the same should not be counted. The count should only include matter actually distributed.

#### DUTIES OF TRANSFER CLERKS.

**Sec. 1019. Transfer Clerks under Supervision of Division Superintendents.**—Division Superintendents may, with approval of the General Superintendent, detail clerks at certain important junctions to look after the handling of mails at railroad depots, and to perform such other duties pertaining to the Railway Mail Service as may be required.

They will be entirely under the supervision of their division superintendent, and will look to him only for all instructions.

**Sec. 1020. Transfer.**—Transfer clerks are required to superintend and assist, as far as possible, in the transfer of all mails at the points where they are stationed; to inform themselves thoroughly in relation to the routes over which mails should pass that are transferred at that point, in order that they may be able, in cases where mails are missent or incorrectly put off, to dispatch them by the proper trains; to keep themselves correctly informed of the hours of arrival and departure of all trains upon which mails are carried, and to notify their division superintendent, in writing, of any change of schedule whereby railroad connections may be made or missed, to the end that the quickest possible dispatch of mails may be secured.

**Sec. 1021. Record of Errors by Transfer Clerks.**—Division Superintendents will keep a record of all errors in forwarding mail made by transfer clerks in the same manner as that of errors made by other clerks. At the end of every month they will send to each transfer clerk a statement such as is sent to other clerks, showing the errors made in forwarding the mail from the point at which he is stationed.

**Sec. 1022. Vigilance in Guarding Mails.**—Transfer clerks are expected to use extraordinary vigilance in guarding the mails under their charge, which must not be left for a moment exposed, day or night, and especially in making transfers where there is a considerable portage between trains; they should accompany the mails upon the wagon in all cases possible, where there is no authorized clerk in charge of the same, and sit in such position at all times as to be able to instantly detect the loss of a pouch or sack.

**Sec. 1023. Supervision of Messenger Service.**—Transfer clerks will carefully observe the manner of performance of messenger service, and will report to their division superintendent every irregularity therein which comes to their knowledge. And in the receipt of mails they will verify by actual inspection whether or not each wagon is empty before the driver and wagon are allowed to depart.

**Sec. 1024. Daily and Hourly Reports.**—Transfer clerks must keep a daily record of the arrival and departure of mails, mail trains, and mail-wagons at their stations, and make a daily report to their division superintendent of all failures of railroads to make their regular mail connections, and of all irregularities in the transmission of the mails and in the service by mail wagon. A daily report regarding each of these features should be made whether there is a failure or not. The hourly report of service performed must also be made and promptly sent to the division superintendent daily.

**Sec. 1025. Examinations of Transfer Clerks.**—Examinations will be made of transfer clerks from time to time concerning their knowledge of the current titles and numbers of trains arriving at and departing from their stations, the mails to be transferred, and the correct terminal titles of routes with which they ought to be conversant. Case examinations will be made from time to time upon the official schemes of distribution furnished them, the connection of trains as shown in the "schedule" of mail trains, and such other instructions and orders as relate to the service; also as to their knowledge of the "Instructions." The questions will be such as to require answers giving the substance of each section of the instructions. On the completion of each examination the clerk examined will be given (on blank R. M. S., 5003) a statement of the result of his examination, and following the words "action taken" will be written the State on which he will next be examined, and the nature of such examination.

**Sec. 1026. Arrivals and Departures must be Recorded.**—A record of arrivals and departures must be kept at each station where a transfer clerk is assigned, in which each transfer clerk and assistant will sign his exact time of going on duty and leaving duty at station each day. At the end of each month this record will be sent to the division superintendent for inspection, who will return it after inspection to the transfer station for permanent file.

**Sec. 1027. Handling Registered Matter.**—In special cases transfer clerks may be required to receipt for, transfer, and deliver registered packages; in which case the registers must be entered in a book of record, which will be furnished for that purpose, and a receipt obtained from the postmaster or postal clerk to whom the packages are delivered. Transfer clerks are positively prohibited from transferring registered matter except as above instructed.

**Sec. 1028. Care of Government and Railroad Property.**—Great care must be exercised by transfer clerks to keep clean and in good order the rooms which may be assigned for their use by railroad companies, and to permit no waste of gas or water therein. The books and all Government and railroad property in this room or used by them must be maintained in good order. Pouches and sacks must not be allowed to lie about, and no mail must be allowed to lie over or be detained.

**Sec. 1029. Transfer Clerks Governed by General Instructions to Postal Clerks.**—In addition to these special instructions for transfer clerks, they will also be governed by the general instructions to postal clerks, when applicable.

## CHAPTER THIRTY-FOUR.

## GENERAL REGULATIONS RELATIVE TO THE RAILWAY MAIL SERVICE.

Sec. 1030. Carriage of Mail Matter by Railroad Employés.—Conductors on railroad trains, or other persons, whether connected with the Railway Mail Service or not, are subject to fine for carrying letters (sections 710, 711) unless they are inclosed in United States stamped envelopes of proper denomination, properly sealed and addressed (section 716), except such letters or packets relate to some article carried by the same railway car, or to the business of the railroad on which they are carried.

Sec. 1031. Arrival of Mail at Late Hour of Night.—Whenever the mail on any railroad route arrives at a late hour of the night, the railroad company must retain custody thereof by placing the same in a secure and safe room or apartment of the depot or station until the following morning, when it must be delivered at the post-office, or to the mail messenger employed by the Department, at as early an hour as the necessities of the office may require.

Sec. 1032. Departure of Mail at Late Hour of Night.—When a mail departs from a post-office in the night time later than nine o'clock, the division superintendent may authorize the mail messenger or carrier to take the mail to the depot and place it under the personal charge of the railroad agent; but before such authorization is given, the consent of the railroad company to assume responsibility for the keeping of the mail and its proper exchange when the train arrives must first be obtained. Division superintendents will report at once to the General Superintendent all arrangements made for the exchange of mails in this manner.

Sec. 1033. Changes of Service.—Before service is placed upon a new railroad the Second Assistant Postmaster-General will refer the case to the General Superintendent of the Railway Mail Service (on blank No. 2529) for report as to the necessity of service being placed on such line. The General Superintendent will refer the same to the proper division superintendent, who will make his report and recommendation. At the same time he will make a separate report respecting the necessity for the appointment of railway postal clerks, giving the number required. In case of the extension of a line the same rule will be followed and the same reports required. Superintendents should pass over the lines and learn from personal observation as to the necessity for the service before making report.

When reports are received and service authorized on a line, notice will be printed in the Bulletin, under head of "Railroad Service Changes"; and as soon as such notice appears division superintendents

may authorize the dispatch of closed pouches to such post-offices as can be best supplied by the railroad; but this is not intended to grant authority to establish mail-messenger service, nor to make changes therein at stations where the service is performed by the Department until authority is granted for such change. Division superintendents must not extend the runs of clerks over extensions or railroads or place them upon a new line until authority for so doing appears in the Bulletin, under head of "R. P. O. Service Changes."

**Sec. 1034. Delivery of Mail by Mail Messengers.**—It is the duty of mail messengers to deliver the mail on board the trains and into the post-offices.

**Sec. 1035. Letter Boxes at Railroad Depots.**—When it appears that the public convenience will be subserved, the General Superintendent may authorize railroad companies to place letter boxes in their depots for the receipt of mail matter other than that for local delivery; and railway postal clerks will be required to visit such boxes and take mail therefrom at the last moment practicable before the departure of their respective trains.

**Sec. 1036. Mail for Foreign Countries Specially Addressed.**—When mail addressed to foreign countries is specially addressed to go by way of a particular route, railway postal clerks will forward the same, as far as practicable, in accordance with such superscription.

**Sec. 1037. Treatment of Extra-National Correspondence Received from Canada.**—Division superintendents must require railway postal clerks who receive, in mails from Canadian offices made up for their distribution, correspondence addressed to foreign countries other than Canada, to return the same, by the first opportunity, directly to the Canadian offices from which they received it, under labels marked "MISSENT.—SHOULD GO IN CANADIAN MAILS MADE UP FOR NEW YORK OR SAN FRANCISCO POST-OFFICE."

**Sec. 1038. Investigation of Losses.**—Division superintendents are not to investigate cases of loss of mail matter. If, in investigating the causes of a delay or other irregularity in his division, the division superintendent finds that the loss of mail matter is involved in the case, he should at once discontinue investigation and forward the papers, together with all the information obtained by him, to the General Superintendent to be referred to the Chief Post-Office Inspector. If, in his judgment, immediate action should be taken, he may show the papers to the inspector stationed in the same city in which his office is, and if necessary give him a copy of the papers. When losses are reported to a division superintendent he should immediately refer the same to the General Superintendent, and, if in his judgment necessary, notify the local Post-Office inspector as above indicated.

## CHAPTER THIRTY-EIGHT.

## THE HANDLING OF REGISTERED MATTER BY RAILWAY POSTAL CLERKS.

**Sec. 1220. Packages Between Post-Offices and Postal Cars to be Pouched.**—Postal clerks must place their registered packages under cover of a leather pouch (as far as the size of the packages will permit) in conveying them to and from the terminal office and the postal car, and must keep the pouch in their personal charge, and accompany the wagon on which it is conveyed to the train. Registered pouches must also be delivered direct to the terminal post-office, where it is the office of destination; otherwise, direct to the connecting railway postal clerk whenever that is practicable. (See section 1232.)

**Sec. 1221. Railway Postal Clerk's Registry Books.**—Railway postal clerks will be furnished by their division superintendents with registry books provided by the Department, for the purpose of keeping a record of all registered matter passing through their hands. Postal clerks will in no case allow their registry books to go out of their possession until they leave the service.

**Sec. 1222. Record of Matter to be Kept.**—An entry of the number, postmark, date, and address of every registered package, as well as of the lock numbers and labels of every registered pouch and inner sack passing through their hands, must be made in the registry book from the package, pouch, or sack itself, and not from any accompanying memoranda, by every railway postal clerk; and where it is possible, receipt for the packages must be taken direct at the time of their delivery in the proper column of the book. (See section 1071.)

**Sec. 1223. Receiving Registered Matter at Terminal Post-Offices.**—Before leaving the terminal post-office the proper railway postal clerk must receive and receipt for all registered pouches, inner sacks, and registered packages tendered him by the postmaster or proper clerk, and become personally responsible for their care until their delivery into the hands of the proper postmaster or other authorized agent of the Department, or their disposal as required by the regulations of the registry system. Before receipting for a registered package, a registered pouch, or an inner sack the postal clerk must be absolutely sure that it is in good condition, and that an accurate description of it is entered upon the receipt. To this end he must examine closely the package, pouch, or sack, and in either of the two latter cases the lock numbers and label. The lock should also be tried, as required by section

eleven hundred and ninety-eight. To receipt for registered packages, registered pouches, or inner sacks, without making the close examination above required, will be regarded as a serious delinquency. Receipting for registered packages, pouches, or sacks by totals, where two or more are transferred, is positively forbidden.

**Sec. 1224. Receipts for Registered Matter.**—Railway postal clerks must in all cases obtain a receipt for registered matter from the persons to whom it is delivered. In the delivery of registered-package envelopes they should be arranged in the same order in which they are entered on the registry book. Registered matter must not be left at terminal offices under any circumstances without a receipt for the same being first obtained. Receipts for registered matter must always be signed with pen or pencil; stamped signatures are forbidden.

**Sec. 1225. Postmarking and Returning Registered-Package Receipts.**—To protect themselves against fraud in the matter of receipts given to postmasters and others for registered matter, railway postal clerks may affix the imprint of their postmarking stamps on each receipt as many times as there may be packages, and return the package receipts by next mail to the sending postmaster or employé of the Railway Mail Service. (See section 1068.) If a registered package should be received by a postal clerk without an accompanying registered-package receipt, he shall fill out a receipt for it and send it to the postmaster from whom he received the package, and report the fact to his division superintendent.

**Sec. 1226. Registered Matter not to be Delivered to Employés of Railroad Companies.**—Railway postal clerks must not deliver registered matter to messengers employed by a railroad company, nor to any mail carrier, unless specially instructed. It must be placed in the pouch together with the receipt to be signed and returned.

**Sec. 1227. Illegible Postmark on Packages.**—The first recipient of a registered package bearing an illegible postmark should write on the package the name of the office or railway postal car from which it was received.

**Sec. 1228. Comparison of Package with Accompanying Receipt.**—When a registered package is delivered to a railway postal clerk he must carefully examine it and compare it with the receipt, and indorse the condition of the package upon it. He will then note the condition of the package upon the receipt, and date, sign, and return it. (See sections 1083 and 1089.)

**Sec. 1229. Failure to Properly Fill out Package Receipts.**—Registered-package receipts must be properly filled out by the sending postmaster or railway postal clerk. Failure to properly perform this duty should be reported to the division superintendent. (See section 1068.)



**Sec. 1230. The Pouching of Matter by Railway Postal Clerks.**—When registered matter cannot be delivered direct to a postmaster or postal clerk on a connecting car, and it has to be placed in a pouch for delivery to a post-office, the postal clerk will properly fill up a registered-package receipt to accompany it, and place such receipt in the package of letters to be distributed at the post-office. Registered matter in such cases must be placed in a pouch, which must be securely locked and labeled to the connecting post-office. It must never be pouched to distant post-offices direct, so as to pass intermediate post-offices without examination and record. As to the manner of making out package receipts see section one thousand and sixty-eight.

**Sec. 1231. Check Return of Registered-Package Receipts.**—On the return of a registered-package receipt, properly indorsed and signed, the railway postal clerk must check the date of return on his registry book, and retain the receipt for future reference. Should the receipt be not returned within a reasonable time, he will prepare a duplicate and send it to the postmaster for signature. If neither the original nor the duplicate receipt is returned within a proper time, a report of the case, with all the particulars, must be promptly made to the division superintendent.

**Sec. 1232. Matter for Delivery to a Connecting Postal Car.**—When a railway postal clerk arrives at the terminus of his route, he must deliver to a connecting railway postal clerk all registered matter deliverable on the route of such clerk, when practicable. If he fails to meet such railway postal clerk, he must deliver the matter, including registered pouches and inner sacks, into the terminal post-office, with the registered matter deliverable at such office.

**Sec. 1233. Regulations Concerning Registered Pouches and Inner Sacks.**—Railway postal clerks will be governed by all regulations concerning registered pouches and inner sacks, except where such regulations are clearly inapplicable to their duties.