

US Postal Laws & Regulations

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Special delivery service

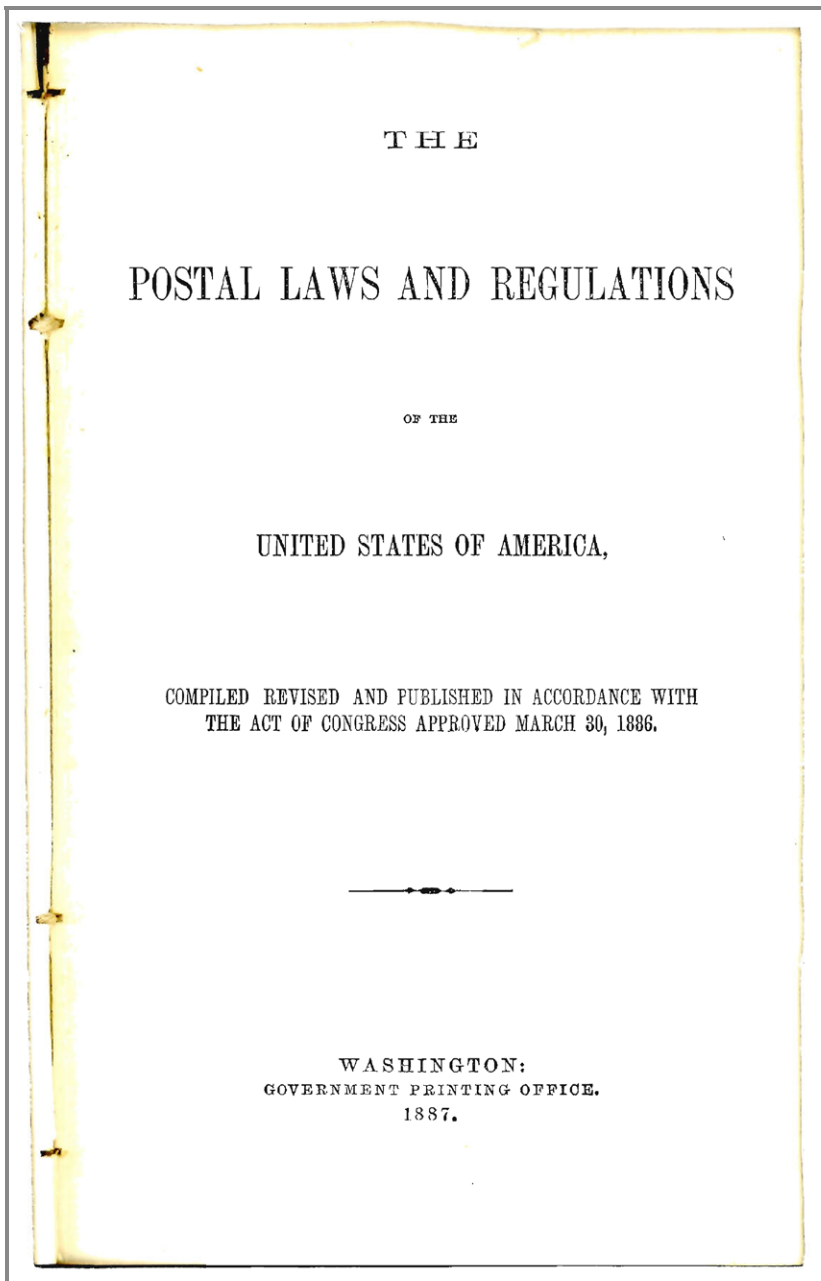


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age on letters handed them for mailing. They should also receive other small articles ofailable matter properly prepaid, but are not required to receive packages cumbersome on account of size, shape, or weight, especially when it would interfere with their regular box collections or delivery.

For DUTY OF CARRIERS AS TO SPECIAL-DELIVERY LETTERS, received for mailing, see section 680.

Sec. 661. Not to Return Deposited Letters.—Carriers are forbidden, under any circumstances, to return to any person whatever letters deposited in the street mailing boxes, but must take them to the post-office, where the person desiring the return of a letter claimed by him may make application for it to the postmaster. (See section 531 *et seq.*)

Sec. 662. No Fee or Extra Postage to be Charged.—No extra postage or carriers' fee shall be charged or collected upon any mail matter collected or delivered by carriers. (R. S., § 3873.)

As to EXEMPTION OF LETTER CARRIERS from militia duty, see section 697.

MISCELLANEOUS.

Sec. 663. Postmasters to Report Operations.—Postmasters must forward a report of the operations of the carrier system, as early after the close of each month as practicable, to the Superintendent of Free Delivery. The blanks furnished for this purpose must be used.

Sec. 664. Supplies for Letter-Carrier Post-Offices.—Street mailing boxes, carriers' satchels, blank bonds, oaths, and nomination blanks for carriers and substitutes, collection time cards, and carriers' furniture, when not otherwise provided, will be furnished on application to the First Assistant Postmaster-General (Division of Free Delivery); blank books and forms, on application to the First Assistant Postmaster-General, Division of Post-Office Supplies; locks and keys for street mailing boxes, on application to the Second Assistant Postmaster-General.

As to PAYMENT OF LETTER CARRIERS, AND ACCOUNTS AT LETTER-CARRIER OFFICES, see sections 229, 254, 255.

CHAPTER TWENTY.

THE SPECIAL-DELIVERY SERVICE.

Sec. 665. First Act of Authorization.—A special stamp of the face valuation of ten cents may be provided and issued, whenever deemed advisable or expedient, in such form and bearing such device as may meet the approval of the Postmaster-General, which, when attached to a letter

in addition to the lawful postage thereon, the delivery of which is to be at a free-delivery office, or at any city, town, or village containing a population of four thousand or over, according to the Federal census, shall be regarded as entitling such letter to immediate delivery within the carrier limit of any free-delivery office which may be designated by the Postmaster-General as a special-delivery office, or within one mile of the post-office at any other office coming within the provisions of this section which may in like manner be designated as a special-delivery office. (Act of March 3, 1885, § 3, 23 Stats., 387.)

That such specially stamped letters shall be delivered from seven o'clock ante meridian up to twelve o'clock midnight at offices designated by the Postmaster-General under section three of this act. (Id., § 4.)

That to provide for the immediate delivery of letters bearing the special stamp, the postmaster at any office which may come within the provisions of this act may, with the approval of the Postmaster-General, employ such person or persons as may actually be required for such service, who, upon the delivery of such letter, will procure a receipt from the party addressed, or some one authorized to receive it, in a book to be furnished for the purpose, which shall, when not in use, be kept in the post-office, and at all times subject to examination by an inspector of the Department. (Id., § 5.)

That to provide for the payment of such persons as may be employed for this service, the postmaster at any office designated by section three of this act shall keep a record of the number of letters received at such office bearing such special stamp, which number shall correspond with the number entered in the receipt books heretofore specified; and at the end of each month he may pay to such person or persons employed a sum not exceeding eighty per centum of the face value of all such stamps received and recorded during that month: *Provided*, That in no case shall the compensation so paid to any one person exceed thirty dollars per month: *And provided further*, That nothing in this act shall in any way interfere with the prompt delivery of letters as now provided by law or regulation of the Post-Office Department. (Id., § 6.)

Sec. 666. Act Extending to All Mail Matter at All Offices.—That every article of mailable matter upon which the special stamp provided for by section three of the act of Congress approved March third, eighteen hundred and eighty-five, entitled "An act making appropriations for the service of the Post-Office Department for the fiscal year ending June thirtieth, eighteen hundred and eighty-six, and for other purposes," shall be duly affixed, shall be entitled to immediate delivery, according to said act, within the carrier-delivery limit of any free-delivery office, and within one mile of any other post-office which the Postmaster-Gen-

eral shall at any time designate as a special-delivery post-office. The postmaster shall be responsible for such immediate delivery of every such article, and shall cause delivery to be made of all such articles received at his office bearing such stamp and entitled to delivery thereat, and may employ any persons, including clerks and assistants, at third and fourth class offices, as messengers, on such terms as he shall fix as compensation for such delivery; and to defray the expense thereof, such postmaster shall be entitled, upon the adjustment of his quarterly account, to eighty per centum of the face value of all such special-delivery stamps received at his office and recorded, according to said act and regulations of the Post-Office Department, during the quarter; and such allowance shall be in full of all the expenses of such delivery: *Provided*, That the Postmaster-General may, in his discretion, direct any free-delivery office to be excepted from the foregoing provisions, and require the delivery to be made entirely by special messengers, according to the provisions of the act to which this is amendatory: *And provided further*, That he may contract for the immediate delivery of all articles from any post-office, at any price less than eight cents per piece, when he shall deem it expedient. (Act of August 4, 1886, § 1, 24 Stats., 220.)

That the Postmaster-General shall prescribe suitable regulations, not inconsistent with the law, for the performance of the immediate-delivery service, the keeping of the records and rendering of accounts thereof, and all matters connected therewith, and may prescribe the hours within which such immediate delivery shall be made at any post-office. (Id., § 2.)

That any postmaster, or any assistant postmaster, clerk, or employé of a postmaster, who shall make any false return or record of the receipt or delivery of any article of mailable matter as being stamped with a special-delivery stamp, or shall make any false return of the number of articles specially delivered from his office, for the purpose of increasing his compensation under the provisions of this act, shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be fined not less than one hundred dollars nor more than five hundred dollars, or imprisoned for a term of not less than thirty days nor more than one year, or both such fine and imprisonment, at the discretion of the court; and whenever, upon evidence deemed satisfactory to him, the Postmaster-General shall determine that any such false return has been made, he may, by order, fix absolutely the compensation of the postmaster for such special delivery during any quarter or quarters which he shall deem affected by such false return, and the Auditor shall adjust the postmaster's account accordingly. (Id., § 3.)

That any person employed to make immediate delivery of letters or

other mail matter under the provisions of this act, or the act of which the same is amendatory, shall be deemed an employé of the postal service, whether he may have been sworn or not, or temporarily or permanently employed, and as such employé shall be liable to any penalties or punishments provided by law for the improper detention, delay, sequestration, rifling, embezzlement, purloining, or destruction of any letter or other article of mail matter, or the contents thereof, intrusted to him for delivery or placed in his custody. (Id., § 4.)

Sec. 667. All Post-Offices Designated as Special-Delivery Offices.—Every post-office in the United States and Territories and the District of Columbia now established, and which shall be established while the acts providing for special-delivery service remain, is designated as a special-delivery office, and will be governed by said acts and the orders and regulations thereunder.

SPECIAL-DELIVERY STAMPS.

Sec. 668. Description of the Special-Delivery Stamps.—The following is a description of the special-delivery stamp now in use:

A line engraving on steel, oblong in form; dimensions, $\frac{1}{8}$ by $1\frac{7}{16}$ inches; color, dark blue. Design: On the left an arched panel bearing the figure of a mail-messenger boy running, and surmounted by the words "United States;" on the right an oblong tablet, ornamented with a wreath of oak and laurel surrounding the words "Secures immediate delivery at any post-office." Across the top of the tablet is the legend "Special Postal Delivery," and at the bottom the words "Ten cents," separated by a small shield bearing the numeral "10."

The issue of these stamps prior to 1886 bears the words "Secures immediate delivery at a special-delivery office," and this issue now entitles the letter or package bearing it to immediate delivery at any post-office.

Sec. 669. How Supplied.—Suitable supplies of the special-delivery stamps will be sent to any post-office in the country which may make requisition for them, and when received they are to be taken up by the postmaster in his postal account and accounted for quarterly in the same manner as postage stamps are accounted for. All offices should be supplied with these stamps. Requisitions must be made upon the office of the Third Assistant Postmaster-General (Stamp Division). The usual form of stamp requisition, which now contains an item covering special-delivery stamps, should be used for this purpose.

Sec. 670. How Sold and Used.—Special-delivery stamps are to be sold by postmasters in any required amount, and to any person who may apply for them, but they can be used only for the purpose of securing the im-

mediate delivery of matter. Under no circumstances are they to be used in the payment of postages of any description or of the registry fee, nor can any other stamps than the special-delivery stamp be employed to secure special delivery.

The special-delivery stamp must be in addition to the lawful postage, and any article of first-class matter not prepaid with at least one full rate of postage, and any parcel of any other class of matter, the postage on which has not been fully prepaid, in accordance with the law and the regulations, must be treated as held for postage, even though bearing a special-delivery stamp.

Sec. 671. How Canceled.—The special-delivery stamps must be effectually canceled at the office of mailing in the same way as ordinary postage stamps are canceled.

REGULATIONS FOR FREE-DELIVERY OFFICES.

Sec. 672. Employment of Special-Delivery Messengers at Free-Delivery Offices.—At free-delivery offices, where no contract shall have been made by the Postmaster-General, as authorized in section six hundred and sixty, for the immediate delivery of articles, the postmasters will from time to time employ as many messenger boys, at their respective offices, as in their judgment will be necessary to secure the prompt delivery of special-delivery letters and packages, observing that, aside from drop letters, their services will be necessary only for a brief time after the arrival of any mail, which in many offices will be but for a portion of the day, and that a proper force must be ready for all mails arriving between 7 A. M. and 11 P. M., and for all drop letters requiring special delivery. The number of messengers necessary, and arrangements for their attendance and service, may vary at different offices to such an extent that minute instructions cannot be laid down; but it must be by experience and careful observation only that they can correctly adjust the force and methods at their offices. It will probably be best to arrange the messengers in tours of duty, assigning appropriate hours to each, so that a suitable force may be on hand to secure immediate delivery at all times within the prescribed hours of the day.

Each messenger, before he enters into service, must take the oath prescribed by law (section 44), on the blank furnished. None but reputable, active, and intelligent boys should be employed, and they should in no case be under thirteen years of age. Substitute letter carriers, when not on duty in place of regular carriers, may be employed as messengers in the special delivery, and receive the same compensation as other messengers; provided that such employment will not interfere with the work of the free-delivery or the special-delivery service.

Sec. 673. Messengers need not be Uniformed.—Messengers need not be uniformed, except in such special cases as may be ordered, but should all be decently and comfortably clad. Substitute letter carriers, when employed as messengers for special delivery, may wear their carrier uniforms.

Sec. 674. Behavior of Messengers.—A special place will be provided in the post-office for the accommodation of the messengers, and, if practicable, it should be so arranged as to prevent their access to other parts of the office, and to mail matter other than that in which they are immediately concerned. Orderly conduct of the messengers while on their trips should be strictly enforced. The necessity of good behavior in the streets when making deliveries or returning should be enjoined, and postmasters should give strict attention to their conduct generally; and no one should be retained who is not diligent, faithful, courteous, and well-behaved.

Sec. 675. Postmasters to Require Efficient Service.—Postmasters should take pains to secure the greatest service from each messenger fairly to be required; to employ no more than shall be actually necessary; and to prevent any combinations or arrangements between the messengers with a view to securing division of the total permissible compensation of the month. They should, by distribution of work and allotment of hours of duty, equalize as far as practicable the compensation of the messengers. To this end, a messenger should not always be assigned to duty during the same periods of each day; but alternations should be made daily, or less frequently, whereby a messenger employed during the busy hours of one day may be assigned to the duller hours of another day. So, too, changes should be made in assignments to night duty, it being the aim to distribute the burdens as well as the compensations impartially among the messengers, so far as the same can be done without detriment to the service. No car fare or other incidental expenses can in any case be allowed to any messenger.

Sec. 676. Delivery Books; how Kept.—Each messenger will be provided with a delivery book (a supply of which will be furnished by the Department) in which will be entered the number and address of each letter, and the date and hour of its receipt by the messenger, and any balance of postage due, stamps for which must be affixed to the letter, and the messenger will collect the amount of such postage due before delivery. Blank spaces will also be provided for the signature of the person to whom the letter is delivered. The books will be retained in the post-office when not in use by the messengers, and after the use has been discontinued for any reason they must be carefully preserved in the post-office, subject to call by the Department. The

messengers should be required to promptly return the book to the office after every tour.

Sec. 677. Payment of Messengers to be made at end of Each Calendar Month.—Compensation of messengers employed can be made only after the end of each calendar month. When the month has expired, the postmaster will compare the total amount of special-delivery stamps on all letters specially delivered from his office as herein directed during such month; and eighty per centum thereof may be applied, if necessary, to the payment of the messengers who made such deliveries. This is the utmost limit of the appropriation for messengers' compensation.

Messengers should be employed with the understanding that they shall receive the full eight cents per letter actually delivered, not exceeding thirty dollars during any one month. But where the business may be reasonably expected, or shall prove, sufficient at any office to warrant it, the postmaster may employ his messengers at a less rate per letter, or by the hour (at not exceeding twelve and one-half cents per hour, calculating eight hours' service per day), or by the month, being certain not exceed the total permissible allowance.

Sec. 678. Payments to Special-Delivery Messengers; how Received For, &c.—In settling with the messengers at the close of each month, postmasters will take receipts from each one, on a regular pay roll, showing the name of the messenger, the number of letters delivered by him as ascertained by the messenger's book and postmaster's record, and the amount paid; and the aggregate of the pay roll must not exceed eighty per cent. of the total value of the special-delivery stamps on letters actually delivered during the month. The pay roll will be in duplicate, one copy to be retained by the postmaster, and one to be sent to the Auditor with the quarterly postal account. (See section 228.)

Sec. 679. Special-Delivery Letters may be Delivered by Carriers; when.—If a letter for special delivery can be expeditiously delivered by a carrier in his regular trip, it may be turned over to such carrier for such purpose—a delivery book to be provided for him and a receipt to be taken by him the same as in case of delivery by messenger. Such carrier will not be entitled to any compensation for such delivery.

Sec. 680. Duty of Letter Carriers Receiving Special Delivery Letters, &c., for Mailing.—Letter carriers, whether assigned to delivery or collection duty and special delivery messengers shall receive all prepaid letters, bearing also special-delivery stamp, which may be handed them on their trips; shall keep such letters separate from other mail matter, and hand them over to the proper officer immediately upon their arrival at the post office. In no case is a letter carrier to turn over directly to a mes-

senger a local letter for special delivery, even though he may be satisfied that such letter will be more speedily delivered. He must turn over to the main office or station where he is employed all special-delivery letters which he may collect.

Sec. 681. Reports of Special-Delivery Business at Free-Delivery Offices to be Made Quarterly.—Reports of the special-delivery business transacted at free-delivery offices will be made quarterly to the Third Assistant Postmaster-General.

Sec. 682. Propositions to Perform Special-Delivery Service to be Reported to Department.—Postmasters at free-delivery offices will forward to the Department any propositions which they receive from corporations or other reliable parties for performing the immediate delivery of mail matter at their respective offices, with a statement of all the facts in each case, and such recommendations as they may see proper to make in the matter.

REGULATIONS FOR OTHER THAN FREE-DELIVERY OFFICES.

Sec. 683. Means of Special Delivery; how Provided at Third and Fourth Class Post-Offices.—Such immediate delivery may, at third and fourth class offices, be made by the postmaster himself, by any assistant or clerk, or by any other competent person whom he may employ as messenger. The postmaster must provide the means and pay the expenses of such delivery, and will be allowed, by whatever suitable person the delivery be made, the full compensation of eighty per centum of the face value of all special-delivery stamps on matter properly delivered from his office and recorded. At second-class offices no compensation can be allowed for delivery made by any salaried clerk or assistant; otherwise the same direction applies.

Sec. 684. Accounts of Special-Delivery Service and Fees.—In rendering his quarterly postal account, the postmaster, at an office other than free delivery, will take credit for the amount of fees to which he is entitled on all letters or parcels specially delivered during the quarter at the rate of eight cents for each letter or parcel specially delivered. The form of the account provides a special item of credit for such fees. (See sections 241, 243.)

REGULATIONS APPLICABLE TO ALL POST-OFFICES.

Sec. 685. Mailing and Dispatch of Special-Delivery Matter.—No effort will be spared by postmasters or other postal officers to expedite the mailing of matter bearing special-delivery stamps. In putting up and dispatching special-delivery matter, postmasters will be governed by the following rules :

First-Class Matter.—1. When dispatched in direct or express pouch

from one post-office to another post-office, or from a railway post-office to a post-office, a separate package should be made when there are five or more letters. When there are less than five letters, they should be placed together on the outside of the letter package, so as to be readily discovered by the person opening the pouch.

2. When dispatched from the post-office to a railway post-office, or from one railway post-office to another, a separate package should be made when there are five or more of these letters addressed to the same post-office; when there are less than five letters, they should be placed upon the outside of a direct package, or immediately under the label slip of a route or State package.

Second, Third, and Fourth Class Matter.—Postmasters and railway postal clerks will in all cases treat matter of the second, third, and fourth classes, bearing special-delivery stamps, the same as first-class matter; that is, it must be placed in pouches and not in sacks. Where possible, it should be tied up in a bundle in such a manner as to disclose its nature immediately on the pouch being opened.

Postmasters and railway postal clerks will report to their division superintendents all failures to comply with the above rules.

Sec. 686. Duty of Postmasters on Arrival of Special-Delivery Matter.—The service contemplated by the law requires that all special-delivery matter shall reach the addressee with the greatest possible expedition after it arrives at the post-office. Postmasters should, therefore, open all mails at once on their arrival, as is required by the regulations, and immediately separate the matter bearing special-delivery stamps, and stamp with the receiving stamp of the office, or write on the envelope or wrapper the name of the office and the date and hour when the matter arrives. Next, the matter must be numbered, and entered according to number in a record as provided in section six hundred and ninety-three, after which it must be delivered without loss of time. Like diligent attention must be given to drop or local matter bearing special-delivery stamps from the time it is deposited in the post-office.

Sec. 687. Postmasters Responsible for Immediate Delivery of all Mailable Matter Bearing Special-Delivery Stamps.—Every postmaster will be held responsible for the immediate delivery, according to the laws and regulations, of every article of mailable matter which may be received addressed to his office, properly stamped with a special-delivery stamp.

Sec. 688. Hours within which Delivery is to be Made.—The hours within which special delivery shall be made at free-delivery post-offices are from 7 A. M. to 11 P. M., unless in special cases otherwise ordered by the Postmaster-General. At other post-offices, the hours are at least from 7 A. M. to 7 P. M., and to the arrival of the last mail, provided this be

not later than 9 o'clock P. M. Special orders may be made for later delivery in particular cases. This requirement does not extend to the transaction of any other postal business after the usual office hours.

Postmasters are not required to make delivery of special-delivery matter on Sunday, nor to keep their offices open in any different manner on that day than provided by regulation. Postmasters will be at liberty, however, to deliver special-delivery letters and parcels arriving on Sundays. (See section 481.)

When an article of special-delivery matter arrives on Saturday night too late for delivery, or on Sunday morning, the postmaster should put a notice thereof in the letter-box of the addressee, or in the general delivery, if he have no box, and deliver the matter on call. If not delivered on Sunday, prompt delivery should be made on Monday morning.

Sec. 689. To Whom Special-Delivery Letters, &c., are to be Delivered.—Special-delivery matter must be delivered to the addressee, or to any one specially authorized to receive his mail matter. In his absence and that of any one having such special authority, such matter may be delivered to any responsible member of the addressee's family, or any partner or clerk of his, or responsible person employed in his office; and to the officer or agent of any firm, incorporated company, or public institution to which addressed. If the mail matter be addressed to a person who is a guest at a hotel and the guest be not in, delivery may be made to the landlord.

If incorrectly addressed to street or number it should be promptly delivered, if the correct address is known or can be ascertained. Matter addressed to a party at his place of business should be delivered at his residence if delivery at place of business be impossible, and *vice versa*.

Sec. 690. Within What Limits Special Deliveries to be Made.—At free-delivery offices delivery of special-delivery letters must be made within the carrier limits of the office; but at all other offices they are required to be delivered only within a radius of one mile from the post-office.

If a letter bearing special-delivery stamp is directed to an address beyond the carrier limits in the one case, or beyond one mile from the post-office in the other, such letter need not be specially delivered, unless the delivery can be made to the person addressed within the limits.

Sec. 691. Receipts to be Taken.—For every special-delivery article delivered the postmaster must take a receipt from the party receiving it; and all receipts for matter delivered during any quarter must be sent as vouchers to the Auditor at the end of such quarter, with the postmaster's postal account for that quarter. A supply of the printed form

of receipt to be used will be furnished by the Department, for which postmasters should make requisition as they may be needed.

Sec. 692. Registered Special-Delivery Matter.—In case of registered letters received for special delivery the usual registered receipts in addition to the special delivery receipts must be taken, and all other requirements of the registry system must be observed.

Sec. 693. Record of Special-Delivery Articles; how Kept.—A record must be kept in the post-office, for which an appropriate book or blank will be furnished by the Department, in which will be entered, in consecutive numbers, according to the receipt of the articles, each and every letter, postal card, parcel, or other article of mailable matter bearing a special-delivery stamp; and this record will show in columns under appropriate headings the number, the postmark, the full address of the article, the date and precise time of its receipt at the office, the name of the person who delivers it, and also the precise time when it was delivered, if delivered, and the name of the person signing the receipt therefor; and, under the head of "REMARKS," the reason for its non-delivery, or for any delay in its delivery, if either occurred, and a statement of what subsequent action was taken with regard to such article, in each such case. The time of delivery and name of receptor will be transcribed from the delivery receipt immediately on its return to the post-office in all cases. If an article is also registered, that fact should be noted, and a proper entry also made in the regular record of registered matter. This record book or blank will be carefully preserved in the post-office.

Sec. 694. Special-Delivery Matter; when and how to be Forwarded.—After a special-delivery article has been taken out for delivery, and has been returned with the information that the person addressed has removed to the delivery of another office, and the article is then forwarded, it is not to be regarded as entitled to special delivery at the office of second address. Every special-delivery article forwarded as above, after an attempt to deliver it has been made, will, so far as it concerns the compensation of the forwarding postmaster, be regarded as delivered. Such article should be indorsed by the forwarding postmaster, "Forwarded, delivery fee paid by office of first address." But where request to forward by a general or special authorization has been given by the addressee in advance of the arrival of the matter, so that no attempt to deliver is necessary, the article should be forwarded without such indorsement, and the postmaster, at the office of final destination, will, in such case, make special delivery of the matter as he would of other special-delivery matter arriving at his office.

Matter other than first class, when forwarded from one office to

another, is not exempt from the postage due for forwarding by bearing a special-delivery stamp. (See section 562.)

Sec. 695. Undelivered Special-Delivery Matter; how Disposed of.—In disposing of undelivered matter intended for special delivery, postmasters will be guided by the regulations applying to the return of other undelivered matter. (See sections 592 to 596.)

Sec. 696. General Instructions.—Postmasters are urgently enjoined to give the most diligent attention to the system of immediate delivery. Its success will depend upon the care of postmasters to secure in every case the desired delivery. No failure in any instance where delivery is possible can be considered excusable. The certainty that a letter bearing the delivery stamp will be urgently transmitted through the mails, for which proper special steps are taken, and immediately delivered, will commend the service to the public, and is demanded by the Department. Every complaint of a failure in such delivery will be promptly investigated, and the responsibility fixed with proper consequences. Postmasters will report to the Department every instance which may be brought to their attention where the laws and regulations in respect to special delivery have been violated.

CHAPTER TWENTY-ONE.

MISCELLANEOUS DUTIES AND RESPONSIBILITIES OF POSTMASTERS.

Sec. 697. Exemptions and Liabilities.— * * All postmasters and persons employed in the transportation of the mail; all ferrymen employed at any ferry on post-roads * * shall be exempted from militia duty. (R. S., § 1629.)

No law of the United States exempts postmasters from jury duty, from obedience to the subpoenas of courts, nor from liability to pay highway taxes in labor, nor any other duty prescribed by the laws of the State or municipality in which they reside, not in conflict with the postal or other laws of the United States.

Postmasters, like other officers, may be liable to individuals who suffer injury in consequence of their misconduct or neglect in the performance of official duties; and the party injured may recover damages in a civil action.

For unlawful refusal to deliver letters, papers, or parcels to a person entitled to them, the postmaster is liable for a conversion. (12 How., U. S., 284; 1 N. Y. 537.) He is liable for the loss of a package through the carelessness of himself or his *unsworn* clerks or servants (11 Me., 495; 1 Brev., 181; 23 Vt., 663.); but to maintain an action against a postmaster in such case the plaintiff must prove that he was damaged by the neglect. (7 Cranch 242.) A postmaster is not liable for the loss of letters sent in the mails by a private party, and lost through the negligence