

# US Postal Laws & Regulations

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Third-class mail



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NEW YORK, ———, 188—.

Office of ———,  
 The ——— Weekly,  
 37 Park Row. P. O. box 4295.

————— to the ——— Weekly, Dr.

—————, subscription, in advance.

Received payment for the ——— Weekly from ——— to ———.

See section 338, paragraph 10.

A bill may include the names of more than one publication, and their terms of subscription, provided they are all published by the same individual or company, or sent by the same news agent, and may include any period of subscription or any number of shipments to a news agent.

**Sec. 358. Detention of Matter and Collection of Proper Rate.**—When a postmaster at the office of mailing has good reason to believe that a publisher or news agent has deposited matter for mailing at the second-class rate which should be charged with a higher rate, he must detain the suspected matter, notify the publisher or news agent at once of the detention, and report the fact forthwith to the Third Assistant Postmaster-General.

Money collected from publishers upon third-class matter illegally mailed as second class should be converted into ordinary stamps, which should be affixed to a sheet of paper, canceled, and at once mailed to the Third Assistant Postmaster-General, with report of the facts. The stamps so used will be accounted for as sold, and at fourth-class offices also as canceled.

When a publication known by a postmaster to be third-class matter arrives at his post-office, without evidence of having been prepaid by stamps affixed, he will rate up the package at the third-class rate, to be collected, and report the facts as above. If in doubt he may withhold delivery, and forward a copy with his report.

As to second-class matter entitled to be mailed free, see section 421.

As to regulations for wrapping and examination, see sections 376, 377.

#### THIRD-CLASS MATTER.

**Sec. 359. Third-Class Matter Defined and Rate.**—That mail matter of the third class shall embrace books, transient newspapers, and periodicals, circulars, and other matter wholly in print (not included in section twelve), [section 343], proof sheets, corrected proof sheets, and manuscript copy accompanying the same, and postage shall be paid at the rate of one cent for each two ounces or fractional part thereof, and shall fully

be prepaid by postage stamps affixed to said matter. Printed matter other than books received in the mails from foreign countries under the provisions of postal treaties or conventions shall be free of customs duty, and books which are admitted to the international mails exchanged under the provisions of the Universal Postal Union Convention may, when subject to customs duty, be delivered to addresses in the United States under such regulations for the collection of duties as may be agreed upon by the Secretary of the Treasury and the Postmaster-General. (Act of March 3, 1879, § 17, 20 Stats., 359.)

NOTE.—The act of June 9, 1884, quoted as section 351, took transient newspapers and periodicals out of this class, making them second class at a special rate, one cent for each four ounces or fraction thereof.

For regulation relating to collection of customs on mail matter see section 621.

**Sec. 360. Circulars.**—That the term “circular” is defined to be a printed letter, which, according to internal evidence, is being sent in identical terms to several persons. A circular shall not lose its character as such, when the date and the name of the addressee and of the sender shall be written therein, nor by the correction of mere typographical errors in writing. (Act of March 3, 1879, § 18, 20 Stats., 360.)

Respecting the address of a circular, see section 325.

**Sec. 361. Rules as to Circulars.**—The following additional rules will be observed in determining whether matter comes within the definition of a circular:

1. The date, if written, must be the date of the circular, and not the date on which something is acknowledged therein to have been received.
2. Price lists in circulars cannot be changed by writing, except to correct what was originally written by mistake.
3. A printed receipt with the name of the sender or receptor written therein is not a circular, but first-class matter.
4. A printed letter of inquiry, with the name of the person or subject inquired about, written therein by hand, type writer, or addressing machine, is not a circular.
5. A number may be used in a circular in place of an address, as in an assessment card.

**Sec. 362. Bulk Packages for Separate Distribution.**—When circulars, handbills, advertising sheets, or any other printed matter of the third class are sent by mail in bulk from one post-office to another, to be distributed through the boxes or general delivery of the post-office of address, or by letter carriers, the bulk package must not exceed four pounds in weight, and must be fully prepaid at the rate of one cent for each two ounces or fraction thereof, and the proper drop rate at the post-office of destination must be affixed in stamps by the sender to each

separate circular or package (see section 359) in addition to the rate already paid upon the bulk package. Third class matter must be prepaid by stamps affixed to each package to one address.

**Sec. 363. Printed Matter.**—That “printed matter” within the intentment of this act is defined to be the reproduction upon paper, by any process except that of handwriting, of any words, letters, characters, figures, or images, or of any combination thereof, not having the character of an actual and personal correspondence. (Act of March 3, 1879, § 19, 20 Stats. 360.)

**Sec. 364. Further Points of Definition, Rules, &c.**—1. Reproductions from originals, not in the nature of personal correspondence, made by the electric pen, papyrograph, metallograph, chirograph, copygraph, or similar mechanical processes, easy of recognition, “blue prints” reproduced only as copies of the original, photographs containing no writing other than the name of the sender (see section 367), canvassing or prospectus-books containing sample chapters of, or other printed matter relating to, the publication for which such books are used, copy books for use in schools, with printed copy lines and instructions in the art of writing, are within the definition of printed matter.

2. Matter prepared by the type writer and other like methods is inadmissible as third-class matter, and must be regarded as personal correspondence, unless so reproduced as to be circulars within the law.

3. Blank or printed cards and envelopes with printed address thereon may be inclosed as third-class matter; not so when the addresses are written.

4. Printed matter sent in the mails as a sample of the printing thereon is third-class matter; but samples of paper with printing thereon merely to invite attention to the quality or price of the paper is fourth-class matter.

**Sec. 365. Corrections of Proof Sheets.**—The corrections in proof sheets may embrace the alteration of the text or insertion of new matter, as well as the correction of typographical and other errors, and also any marginal instructions to the printer necessary to the correction of the matter, or its proper appearance in print. Part of an article may even be entirely rewritten by way of correction, but not the entire article; and such corrections must be upon the margin of or attached to the proof sheets. Manuscript of one article cannot be inclosed with proof or corrected proof sheets of another.

**Sec. 366. A Package of Third-Class Matter may Contain any number of articles of that class, including binding, mounting, or covering, or portions thereof, loose or attached, of the book inclosed; the rollers on which maps are mounted; the markers for books; pens or pencils con-**



nected with printed pocket or memorandum books; and any covering necessary for safe transmission; but the binding, rollers, pens, pencils, &c., cannot be sent separately from the printed matter to which they pertain at third-class rates.

**Sec. 367. Permissible Additions.**—Upon matter of the third class, or upon the wrapper inclosing the same, the sender may write his own name or address thereon, with the word “from” above and preceding the same, and in either case may make simple marks intended to designate a word or passage of the text to which it is desired to call attention. There may be placed upon the cover or blank leaves of any book or of any printed matter of the third class a simple manuscript dedication or inscription that does not partake of the nature of a personal correspondence. (Act of March 3, 1879, part of § 22, 20 Stats., 360. See sections 356 and 371.)

The words “please send out,” or “post up,” or other similar directions or requests not part of the address nor necessary to delivery, cannot be written or printed upon the wrapper of a package of third-class matter without subjecting it to first-class rates, as prescribed in section three hundred and seventy-five. The words “personal,” or “to be called for,” and return requests and other directions as to delivery, forwarding, or return, are deemed part of the address, and permissible.

#### FOURTH-CLASS MATTER.

**Sec. 368. Defined.**—That mailable matter of the fourth class shall embrace all matter not embraced in the first, second, or third class, which is not in its form or nature liable to destroy, deface, or otherwise damage the contents of the mail bag, or harm the person of any one engaged in the postal service, and is not above the weight provided by law, which is hereby declared to be not exceeding four pounds for each package thereof, except in case of single books weighing in excess of that amount, and except for books and documents published or circulated by order of Congress, or official matter emanating from any of the Departments of the Government or from the Smithsonian Institution, or which is not declared non-mailable under the provision of section thirty-eight hundred and ninety-three of the Revised Statutes as amended by the act of July twelfth, eighteen hundred and seventy-six, or matter appertaining to lotteries, gift concerts, or fraudulent schemes or devices. (Act of March 3, 1879, § 20, 20 Stats., 360.)

Section 3393 R. S. is section 380. As to lottery matter, &c., see section 379.

**Sec. 369. Liquids, &c.; when Admissible.**—Liquids, except as hereinafter provided, poisons, explosive or inflammable articles, live or dead