

US Postal Laws & Regulations

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Unpaid mail



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AT MAILING OFFICES—UNMAILABLE MATTER.

Sec. 523. Unpaid Letters.—All domestic letters deposited in any post-office for mailing, on which the postage is wholly unpaid or paid less than one full rate as required by law, except letters lawfully free, and duly certified letters of soldiers, sailors, and marines in the service of the United States, shall be sent by the postmaster to the Dead-Letter Office in Washington. (R. S., first part of § 3937.) (See section 326.)

Sec. 524. Weight of Matter.—When matter is received for mailing, its weight should be ascertained and postage thereon rated up. The weight at time of mailing determines the postage, as mail matter, from various causes, frequently diminishes in weight during transit. If it be insufficiently paid first-class matter and one full rate shall have been paid, the postmaster will stamp the amount of postage due on it and dispatch the same. For treatment of other deficient matter, see next section.

Sec. 525. Treatment of Unpaid Matter Deposited for Mailing.—When a letter wholly unpaid or prepaid at less than one full rate (two cents), or any second or third class matter of obvious value, such as magazines, pictorials, music, pictures, photographs, books, or pamphlets likely to be of use or value to the addressee, or any parcel of fourth-class matter, not fully prepaid but otherwise mailable, shall be deposited in any post-office, it will be treated as herein directed, namely:

1. It must be postmarked with date of receipt, rated up, and amount of deficient postage noted thereon.

2. If it bear the card or address of the sender, or he be known to, or conveniently ascertainable by, the postmaster, the letter or package will at once be returned to him for proper postage, if he be within the delivery of the office.

3. If the sender thereupon pays the postage the stamps will be affixed, if not done by him, and the matter dispatched.

4. If the sender be not known or conveniently ascertainable, the matter on receipt will be indorsed "HELD FOR POSTAGE," the addressee notified by next mail, by an official postal card (Form 1543) or otherwise, of the detention and amount of postage required, and requested to remit the same.

5. It should then be held awaiting reply, not longer than two weeks. If within that time the required postage is received from the addressee the required amount of stamps will be affixed to the matter so as to cover a portion of the words, "HELD FOR POSTAGE," and the matter dispatched.

6. If the sender shall pay the postage, after dispatch of notice to ad-

Sec. 556. Mail to the Postmaster Himself.—When insufficiently prepaid matter addressed to a postmaster reaches its destination, he may refuse to pay the additional necessary postage and take the matter out of the office, which must then be treated as “refused” matter; but if he takes the matter he must pay the deficient postage.

Sec. 557. Postage Due must be Collected and Stamps Affixed.—No mail matter shall be delivered until the postage due thereon has been paid. (R. S., § 3900). That all mail matter of the first class upon which one full rate of postage has been prepaid shall be forwarded to its destination, charged with the unpaid rate, to be collected on delivery; but postmasters, before delivering the same, or any article of mail matter upon which prepayment in full has not been made, shall affix, or cause to be affixed, and canceled, as ordinary stamps are canceled, one or more stamps equivalent in value to the amount of postage due on such article of mail matter, which stamp shall be of such special design and denomination as the Postmaster-General may prescribe, and which shall in no case be sold by any postmaster nor received by him in prepayment of postage. That, in lieu of the commission now allowed to postmasters at offices of the fourth class upon the amount of unpaid letter postage collected, such postmaster shall receive a commission upon the amount of such special stamps so canceled, the same as now allowed upon postage stamps, stamped envelopes, postal cards, and newspaper and periodical stamps canceled as postages on matter actually mailed at their offices: *Provided*, That the Postmaster-General may, in his discretion, prescribe instead such regulation therefor at the offices where free delivery is established as, in his judgment, the good of the service may require. (Act of March 3, 1879, § 26, 20 Stats., 361.)

That any postmaster or other person engaged in the postal service who shall collect, and fail to account for, the postage due upon any article of mail matter which he may deliver, without having previously affixed and canceled such special stamps, as hereinbefore provided, or who shall fail to affix such stamp, shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be punished by a fine of fifty dollars. (Act of March 3, 1879, § 27, 20 Stats., 362.)

NOTE.—The requirement of the statute is that postage-due stamps shall be affixed on all matter of whatever character on which postage is due, including ship letters, foreign letters, advertised letters, all over-weight matter, and all matter rated below its proper class, notwithstanding the mailing postmaster has failed to charge it.

Sec. 558. Collection of Double Postage.—Double rate should, under the statute (section 320), be charged only on matter reaching its destination with no evidence of any prepayment whatever. A drop letter deposited in an office without prepayment of postage is not subject to

double rates. When it is apparent from the envelope or wrapper that a stamp has been on it and has been wholly or partially lost off, the postmaster may assume the matter to have been prepaid. But the evidence that the stamp has been affixed must be from the blank in the impression of the canceling stamp. In such case, first-class matter will be presumed to have been prepaid one full rate only, as that would entitle it to be forwarded. Letters on which postage-due stamps, but no other, are affixed, arriving at the office of destination, must be charged double rate on delivery, as the postage upon mailing cannot be paid in postage-due stamps. The mailing postmaster should in such cases be reported to the Third Assistant Postmaster-General, who will charge his account with such stamps.

Sec. 559. Time of Affixing Postage-due Stamps.—At all other than free-delivery post-offices postmasters will affix the postage-due stamps when, and not until, the delivery of the matter has been requested; and hence not to matter forwarded by request of the addressees, returned to writer, or sent to the Dead-Letter Office. But at free-delivery post-offices they will be affixed on all deficient matter as soon as received; unless an order is on file for the letter to be forwarded, in which case, if practicable, it will be forwarded without affixing such stamps.

When matter arrives at a post-office with postage due thereon, and the postmaster has no postage-due stamps on hand, he will collect the amount due, and so soon as he shall obtain postage-due stamps affix the amount in such stamps to a sheet of paper, cancel, and forward the same to the Third Assistant Postmaster-General with statement of the facts.

If the postage stamps upon a registered letter or parcel do not cover the proper postage and registration fee, the receiving postmaster must proceed according to section one thousand one hundred and fourteen.

Sec. 560. Credit for Postage Stamps Affixed to Undelivered Matter.—When at free-delivery offices postage-due stamps have been affixed to refused, unclaimed, or other undelivered matter, credit must be claimed therefor, when sent to the Dead-Letter Office, on the dead-letter bill for "postage-due stamps canceled on undelivered mail matter." When returned to writer, or forwarded to another post-office within the United States, a numbered postage-due bill, stating amount due and name of person from whom it is to be collected, must be attached to and sent with the letter. The postmaster receiving the same must detach the bill and return it by next mail with amount of uncanceled postage-due stamps inclosed to the postmaster issuing the bill, who, in case of failure to get a return of bill and stamps within a reasonable time, may obtain proper credit and expose the delinquent postmaster by making a

warding or returning must be filed as a voucher. No order for forwarding should be recognized unless signed by the addressee of the matter, or by some person specially authorized in writing by the addressee to control such matter. In cases of emergency, however, telegraphic orders may be recognized, where the postmaster is satisfied that no fraud is intended.

If postage stamps or money sufficient to pay the postage for forwarding should be furnished by the party addressed, the postmaster at the forwarding office must affix to the matter forwarded the necessary stamps, and cancel them, the same as if the letter or parcel had been originally mailed at his office.

All registered first-class matter and matter in penalty envelopes may be reforwarded as often as the addressee may order.

Sec. 1114. Registry Fee not Prepaid is not to be Collected at Office of Delivery.—If any registered matter on which a fee is chargeable shall, by inadvertence or neglect of the mailing postmaster, or from any cause, be dispatched without full prepayment of postage and registry fee, the postmaster at the office of destination shall collect from the party addressed, when the matter is delivered, the amount of postage that may be due. The amount due as deficiency in the registry fee will be collected by the Department from the delinquent postmaster as a penalty for his neglect, upon receipt of report from the postmaster at the office of destination. Such reports should be made weekly to the Third Assistant Postmaster-General, and should state the number of the letter or parcel, the date of mailing, the post-office of origin, and the amount of the deficiency in each case.

The following rules will render the postmaster's duty plain in such cases :

1. If the letter or parcel should arrive at destination bearing no stamps whatever, the postmaster will rate up the postage at double rates, and collect the same from the party addressed before delivering the matter. The case will be reported by the postmaster in his weekly report to the Third Assistant Postmaster-General, who will require payment of the registry fee by the sending postmaster.

2. If the letter or parcel should arrive at destination partially prepaid, the postmaster will rate up the deficiency in postage (not at double rates, however) and collect the same from the party addressed. The deficiency in fee will be collected by the Third Assistant Postmaster General, as in the preceding case, upon report of the facts by the postmaster in his weekly report.

3. In ascertaining the amount of deficiency on a registered letter or parcel arriving at destination partially prepaid, the postmaster must