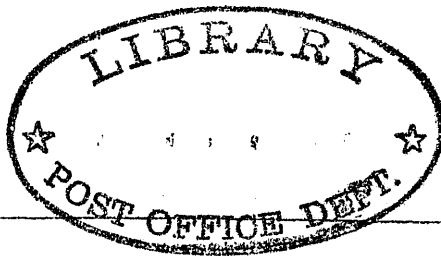


# LAWS AND REGULATIONS

FOR THE GOVERNMENT

OF THE

## POST OFFICE DEPARTMENT.



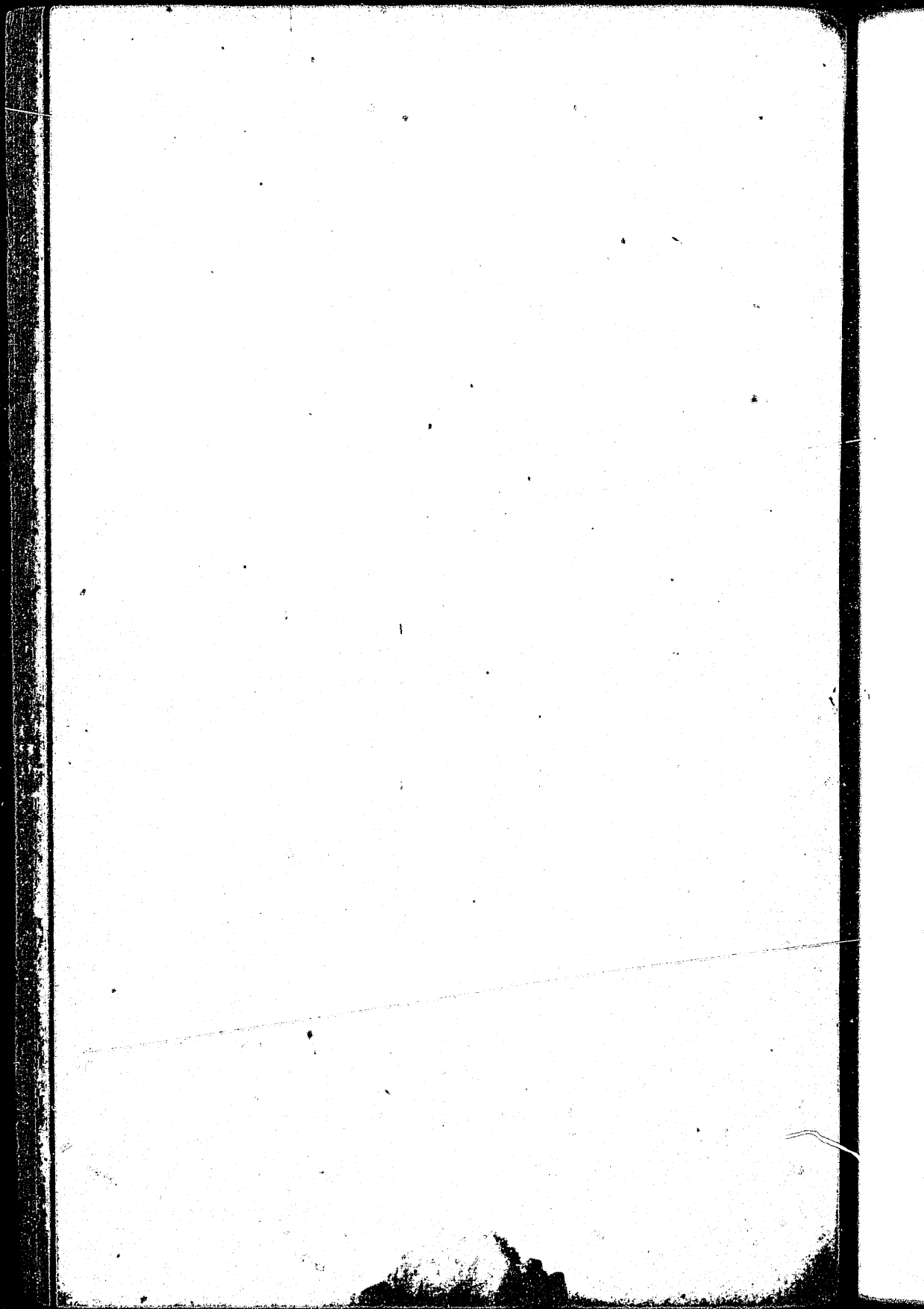
PRINTED BY ORDER OF THE

POSTMASTER GENERAL.

WASHINGTON, D. C.

ALEXANDER AND BARNARD, PRINTERS.

1843.



SECTION 1.—*Be it enacted by the Senate and House of Representatives of the United States of America,* That the Postmaster General be, and he is hereby authorized and required to cause to be collated and printed in pamphlet form, suitably for distribution, a complete edition, of not less than eighteen thousand copies, of the Laws relating to the Post Office Department, together with the Regulations established by said Department for the better conduct of its business; and also a new and complete list of all post offices in the United States; showing their respective distances from Washington, and from the capitals of the States in which the several offices are situated.

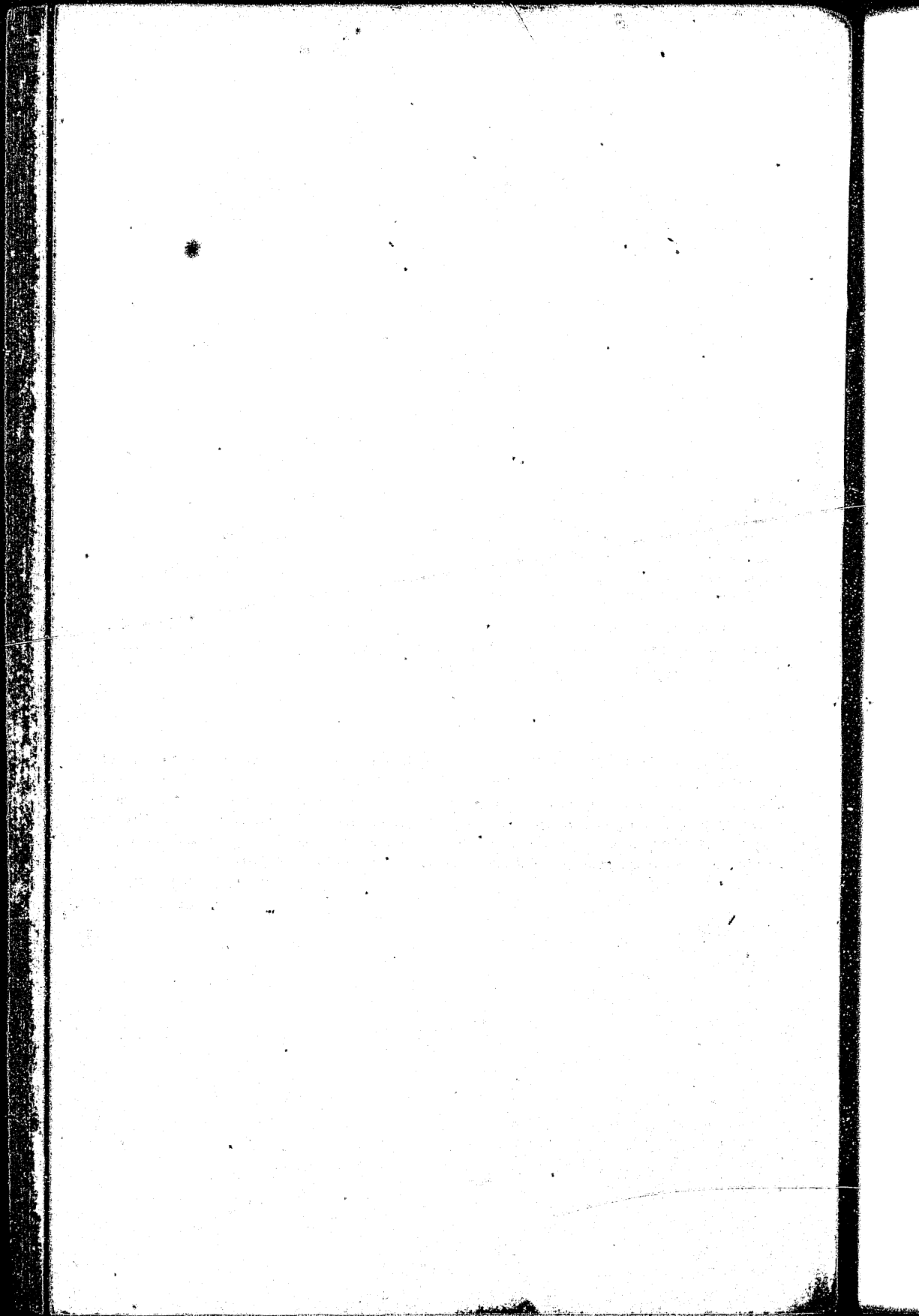
SECTION 2.—*And be it further enacted,* That for the purpose of carrying into effect the provisions of this act, the sum of nine thousand one hundred dollars is hereby appropriated out of any money in the Treasury not otherwise appropriated.—*Approved, August 29th, 1842.*

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In obedience to this law, the following compilation of laws and regulations has been published. The regulations are such as have been adopted by this Department for many years with such alterations and additions thereto, as the change of the law and experience have suggested. They will be regarded and observed by all deputy postmasters and others connected with the service of this Department. Upon the diligence and fidelity of deputy postmasters and contractors in the discharge of their various duties, depend mainly the character and usefulness of the public service of the Post Office Department.

CHARLES A. WICKLIEFE,  
*Postmaster General.*

*August 24, 1843.*





## POST OFFICE LAWS.

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### AN ACT

Concerning Public Contracts.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, from and after the passage of this act, no member of Congress shall, directly or indirectly, himself, or by any other person whatsoever in trust for him, or for his use or benefit, or on his account, undertake, execute, hold or enjoy, in the whole or in part, any contract or agreement, hereafter to be made or entered into with any officer of the United States, in their behalf, or with any person authorized to make contracts on the part of the United States; and if any member of Congress shall, directly or indirectly, himself, or by any other person whatsoever in trust for him, or for his use or benefit, or on his account, enter into, accept of, agree for, undertake or execute, any such contract or agreement, in the whole or in part, every member so offending shall, for every such offence, upon conviction thereof, before any court of the United States, or of the territories thereof, having cognizance of such offence, be adjudged guilty of a high misdemeanor, and shall be fined three thousand dollars; and every such contract or agreement as aforesaid shall, moreover, be absolutely void and of no effect: *Provided, nevertheless,* That in all cases where any sum or sums of money shall have been advanced on the part of the

Members  
of Congress  
not to con-  
tract.

Penalty.

United States, in consideration of any such contract or agreement, the same shall be forthwith repaid; and in case of refusal or delay to repay the same, when demanded, by the proper officer of the department under whose authority such contract or agreement shall have been made or entered into, every person so refusing or delaying, together with his surety or sureties, shall be forthwith prosecuted at law for the recovery of any such sum or sums of money advanced as aforesaid.

**Exception.** SEC. 2. *And be it further enacted,* That nothing herein contained shall extend, or be construed to extend, to any contract or agreement, made, or entered into, or accepted by any incorporated company, where such contract or agreement shall be made for the general benefit of such incorporation or company; nor to the purchase or sale of bills of exchange, or other property, by any member of Congress, where the same shall be ready for delivery, and for which payment shall be made at the time of making or entering into the contract or agreement.

**Condition to be inserted in public contracts.** SEC. 3. *And be it further enacted,* That in every such contract or agreement, to be made, or entered into, or accepted, as aforesaid, there shall be inserted an express condition that no member of Congress shall be admitted to any share or part of such contract or agreement, or to any benefit to arise thereupon.

**Penalty on any officer who shall contract with a member.** SEC. 4. *And be it further enacted,* That if any officer of the United States, on behalf of the United States, shall directly or indirectly, make or enter into any contract, bargain or agreement, in writing or otherwise, other than such as are herein excepted, with any member of Congress, such officer so offending, on conviction thereof, before any court having jurisdiction thereof, shall be deemed and taken to be guilty of a high misdemeanor, and be fined in a sum of three thousand dollars.

**Heads of Departments to report all contracts to Congress.** SEC. 5. *And be it further enacted,* That from and after the passing of this act, it shall be the duty of the Secretary of the Treasury, Secretary of War, Secretary of the Navy, and the Postmaster General, annually, to lay before Congress a statement of all the contracts which have been made in their respective departments, during the year preceding such report, exhibiting in such statement the name of the contractor, the article or thing

contracted for, the place where the article was to be delivered, or the thing performed, the sum to be paid for its performance or delivery, the date and duration of the contract.

[APPROVED, *April 21, 1808.*

## AN ACT

Authorizing the transmission of certain Documents free of postage.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the members of Congress, the delegates from Territories, the Secretary of the Senate, and the Clerk of the House of Representatives, be, and they are hereby, authorized to transmit, free of postage, to any post office within the United States or the Territories thereof, any documents which have been, or may be, printed by order of either House.

Certain documents may be franked by members of Congress, and others.

[APPROVED, *December 19, 1821.*

## AN ACT

To discontinue certain Post Roads and to establish others.

*Sec. 3. And be it further enacted,* That all waters on which steam-boats regularly pass from port to port, shall be considered and established as post roads, subject to the provisions contained in the several acts regulating the post office establishment.

Certain waters declared post roads

[APPROVED, *March 3, 1823.*

## AN ACT

To reduce into one the several Acts for establishing and regulating the Post Office Department.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there be established, at the seat

Postmaster General's powers:	of the Government of the United States, a General Post Office, under the direction of a Postmaster General.
Seal:	The Postmaster General shall appoint two Assistants, and such clerks as may be necessary for the performance of the business of his office, and as are authorized by law; and shall procure, and cause to be kept, a seal for the said office, which shall be affixed to commissions of Postmasters, and used to authenticate all transcripts and copies which may be required from the Department. He shall establish post offices, and appoint Postmasters, at all such places as shall appear to him expedient, on the post roads that are, or may be established by law.
Power of instruction.	He shall give his Assistants, the Postmasters, and all other persons whom he shall employ, or who may be employed, in any of the departments of the General Post Office, instructions relative to their duty. He shall
To convey mail.	provide for the carriage of the mail on all post roads that are, or may be established by law, and as often as he, having regard to the productiveness thereof, and
How often.	other circumstances, shall think proper. He may direct the route or road, where there are more than one, between places designated by law for a post road, which route shall be considered the post road. He shall obtain,
To control accounts.	from the Postmasters, their accounts and vouchers for their receipts and expenditures, once in three months, or oftener, with the balances thereon arising in favor of
To defray expenses.	the General Post Office. He shall pay all expenses which may arise in conducting the post office, and in the conveyance of the mail, and all other necessary expenses arising on the collection of the revenue, and management of the General Post Office. He shall prosecute
To prosecute.	offences against the post office establishment. He shall, once in three months, render to the Secretary of the Treasury a quarterly account of all the receipts and expenditures in the said Department, to be adjusted and settled as other public accounts. He shall, also, superintend the business of the Department, in all the duties
When Senior Assistant acts as P. M. G.	that are, or may be, assigned to it: <i>Provided</i> , That, in case of the death, resignation, or removal from office, of the Postmaster General, all his duties shall be performed by his senior Assistant, until a successor shall be appointed, and arrive at the General Post Office, to perform the business.

SEC. 2. *And be it further enacted,* That the Postmaster General, and all other persons employed in the General Post Office, or in the care, custody, or conveyance of the mail, shall, previous to entering upon the duties assigned to them, or the execution of their trusts, and before they shall be entitled to receive any emolument therefor, respectively take and subscribe the following oath, or affirmation, before some magistrate, and cause a certificate thereof to be filed in the General Post Office: "I, A B, do swear or affirm, (as the case may be) Oath. that I will faithfully perform all the duties required of me, and abstain from every thing forbidden by the laws in relation to the establishment of the post office and post roads within the United States." Every person who shall be, in any manner employed in the care, custody conveyance, or management of the mail, shall be subject to all pains, penalties and forfeitures, for violating the injunctions, or neglecting the duties, required of him by the laws relating to the establishment of the post office and post roads, whether such person shall have taken the oath or affirmation, above prescribed, or not.

SEC. 3. *And be it further enacted,* That it shall be the duty of the Postmaster General, upon the appointment of any Postmaster, to require, and take of such Postmaster, bond, with good and approved security, in Bond. such penalty as he may judge sufficient, conditioned for the faithful discharge of all the duties of such Postmaster, required by law, or which may be required by any instruction or general rule for the government of the Department: *Provided, however,* That, if default shall be made by the Postmaster aforesaid, at any time, Suits within two years after default. and the Postmaster General shall fail to institute suit against such Postmaster, and said sureties, for two years from and after such default shall be made, then, and in that case, the said sureties shall not be held liable to the United States, nor shall suit be instituted against them.

SEC. 4. *And be it further enacted,* That the Postmaster General shall cause a mail to be carried from the nearest post office, on any established post road, to the Court House of any county which is now, or may hereafter be, established in any of the States or Territories of the United States, and which is without a mail; Mail to Court Houses.

Extended  
post routes.

and the road on which such mail shall be transported, shall become a post road, and so continue, until the transportation thereon shall cease. It shall, also, be lawful for the Postmaster General to enter into contracts, for a term not exceeding four years, for extending the line of posts, and to authorize the persons so contracting, as a compensation for their expenses, to receive, during the continuance of such contracts, at rates not exceeding those for like distances, established by this act, all the postage which shall arise on letters, newspapers, magazines, pamphlets, and packets, conveyed by any such posts; and the roads, designated in such contracts, shall, during the continuance thereof, be deemed and considered as post roads, within the provision of this act; and a duplicate of every such contract shall, within sixty days after the execution thereof, be lodged in the office of the Comptroller of the Treasury of the United States.

Mails in  
steam boats  
or packets.

SEC. 5. *And be it further enacted*, That the Postmaster General be authorized to have the mail carried in any steam-boat, or other vessel, which shall be used as a packet, in any of the waters of the United States, on such terms and conditions as shall be considered expedient: *Provided*, That he does not pay more than three cents for each letter, and more than one-half cent for each newspaper conveyed in such mail.

Steam boat  
letters to be  
deposited.

SEC. 6. *And be it further enacted*, That it shall be the duty of every master or manager of any steam-boat, which shall pass from one port or place to another port or place in the United States, where a post office is established, to deliver, within three hours after his arrival, if in the day time, and within two hours after the next sunrise, if the arrival be in the night, all letters and packets addressed to, or destined for, such port or place, to the Postmaster there, for which he shall be entitled to receive, of such Postmaster, two cents for every letter or packet so delivered, unless the same shall be carried or conveyed under a contract with the Postmaster General; and, if any master or manager of a steam-boat shall fail so to deliver any letter or packet, which shall have been brought by him, or shall have been in his care, or within his power, he shall incur a penalty of thirty dollars for every such failure. And every person, employed on board any steam-boat, shall deliver

Penalty.

every letter, and packet of letters, entrusted to such person, to the master or manager of such steam-boat, and before the said vessel shall touch at any other port or place; and for every failure or neglect so to deliver, a penalty of ten dollars shall be incurred for each letter or packet.

SEC. 7. *And be it further enacted*, That no other than a free white person shall be employed in conveying the mail; and any contractor who shall employ, or permit any other than a free white person to convey the mail, shall, for every such offence, incur a penalty of twenty dollars.

Mail carriers to be free whites.

SEC. 8. *And be it further enacted*, That, whenever it shall be made to appear to the satisfaction of the Postmaster General, that any road established, or which may hereafter be established as a post road, is obstructed by fences, gates, bars, or other than those lawfully used on turnpike roads to collect their toll, and not kept in good repair, with proper bridges and ferries, where the same may be necessary, it shall be the duty of the Postmaster General to report the same to Congress with such information as can be obtained, to enable Congress to establish some other road instead of it, in the same main direction.

Obstruction of post routes by fences, &c.

SEC. 9. *And be it further enacted*, That, if any person shall, knowingly and wilfully, obstruct or retard the passage of the mail, or of any driver or carrier, or of any horse or carriage, carrying the same, he shall, upon conviction for every such offence, pay a fine not exceeding one hundred dollars; and if any ferryman shall, by wilful negligence, or refusal to transport the mail across any ferry, delay the same, he shall forfeit and pay, for every ten minutes that the same shall be so delayed, a sum not exceeding ten dollars.

Retarding the mail.

at ferries.

Penalty.

SEC. 10. *And be it further enacted*, That it shall be the duty of the Postmaster General to give public notice, in one newspaper published at the seat of government of the United States, and in one or more of the newspapers published in the State or States, or Territory, where the contract is to be performed, for at least twelve weeks before entering into any contract for carrying the mail, that such contract is intended to be made, and the day on which it is to be concluded, describing the places from and to which such mail is to be conveyed,

Making contracts.

the time at which it is to be made up, and the day and hour at which it is to be delivered. He shall, moreover, within ninety days after the making of any contract, lodge a duplicate thereof, together with the proposals which he shall have received respecting it, in the office of the Comptroller of the Treasury of the United States : *Provided*, That no contract shall be entered into for a longer term than four years.

Post Office  
hours.

SEC. 11. *And be it further enacted*, That every Postmaster shall keep an office, in which one or more persons shall attend on every day on which a mail shall arrive, by land or water, as well as on other days, at such hours as the Postmaster General shall direct, for the purpose of performing the duties thereof; and it shall be the duty of the postmaster, at all reasonable hours, on every day of the week, to deliver, on demand, any letter, paper, or packet, to the person entitled to, or authorized to receive the same; and all letters brought to any post office half an hour before the time of making up the mail at such office, shall be forwarded therein, except at such post-offices where, in the opinion of the Postmaster General, it requires more time for making up the mail, and which he shall accordingly prescribe; but this shall, in no case, exceed one hour.

No fees, &c.  
in G. Post  
Office.

SEC. 12. *And be it further enacted*, That no fees or perquisites shall be received by any person employed in the General Post Office, on account of the duties to be performed by virtue of his appointment.

Rates of  
postage.

SEC. 13. *And be it further enacted*, That the following rates of postage be charged upon all letters and packets, (excepting such as are excepted by law,) conveyed in the mail of the United States, viz: For every letter composed of a single sheet of paper, conveyed not exceeding thirty miles, six cents: Over thirty, and not exceeding eighty, ten cents: Over eighty, and not exceeding one hundred and fifty, twelve and a half cents: Over one hundred and fifty, and not exceeding four hundred, eighteen and three quarters of a cent: Over four hundred, twenty-five cents. And for every double letter, or letter composed of two pieces of paper, double those rates; and for every tripple letter, or letter composed of three pieces of paper, tripple those rates; and for every packet composed of four or more pieces of paper, or one or more other articles, and weighing one



ounce avoirdupois, quadruple those rates; and in that proportion for all greater weights: *Provided*, That no packet of letters, conveyed by the water mails, shall be charged with more than quadruple postage, unless the same shall contain more than four distinct letters. No postmaster shall receive, to be conveyed by the mail, any packet which shall weigh more than three pounds; and the postage marked on any letter or packet, and charged in the post bill which may accompany the same, shall be conclusive evidence in favor of the postmaster who delivers the same, of the lawful postage thereon, unless such letter or packet shall be opened in the presence of the postmaster or his clerk. Every four folio pages, or eight quarto pages, or sixteen octavo, or twenty-four duodecimo pages, or pages of less size than that of a pamphlet or magazine, whatever be the size of the paper of which it is formed, shall be considered a sheet, and the surplus pages of any pamphlet or magazine shall also be considered a sheet; and the Journals of the Legislatures of the several States, not being bound, shall be liable to the same postage as pamphlets. Any memorandum which shall be written on a newspaper, or other printed paper, pamphlet, or magazine, and transmitted by mail, shall be charged with letter postage: *Provided*, The publisher of a newspaper may send a printed or written notice to a subscriber, stating the amount due on his subscription; which notice shall be attached to the margin of the newspaper, and the postmaster who delivers the paper shall charge for such notice the same postage as for a newspaper.

Limit of  
packets to  
three  
pounds.

Pamphlets,  
Magazines,  
and Legisla-  
tive Jour-  
nals.

Memoran-  
dum on a  
newspaper.

SEC. 14. *And be it further enacted*, That the Postmaster General be, and he is hereby, authorized to allow to each postmaster, such commission on the postages by him collected, as shall be adequate to his services and expenses: *Provided*, That his commission shall not exceed the following several rates on the amount received in one quarter, viz:

Postmas-  
ters' com-  
missions on  
letter post-  
age.

On a sum not exceeding one hundred dollars, thirty per cent.

On any sum over and above the first hundred dollars, and not exceeding four hundred dollars, twenty-five per cent.

On any sum over and above the first four hundred,

and not exceeding two thousand four hundred dollars, twenty per cent.

On any sum over and above the first two thousand four hundred dollars, eight per cent.—

Who rise at night.

On newspaper postage.

On free letters.

Mail Register.

Proviso.

Ship Letters.

Except to the postmasters who may be employed in receiving and despatching foreign mails, whose compensation may be augmented, not exceeding twenty-five dollars in one quarter; and excepting to the postmasters at offices where the mail is regularly to arrive between the hours of nine o'clock at night and five o'clock in the morning, whose commission on the first hundred dollars, collected in one quarter, may be increased to a sum not exceeding fifty per cent. The Postmaster General may allow to the postmasters, respectively, a commission of fifty per cent. on the moneys arising from the postage of newspapers, magazines, and pamphlets; and to the postmasters whose compensation shall not exceed five hundred dollars in one quarter, two cents for every free letter, delivered out of the office, excepting such as are for the postmaster himself; and each postmaster, who shall be required to keep a register of the arrival and departure of the mails, shall be allowed ten cents for each monthly return which he makes thereof to the General Post Office. The Postmaster General may allow to the postmaster at New Orleans, at the rate of eight hundred dollars a year in addition to his ordinary commissions. The Postmaster General is hereby authorized to allow to the postmaster of the city of Washington, in addition to the allowance made by this act, for postage collected and for free letters received by him for delivery, a commission of five per cent. on the amount of mails distributed at his office: *Provided, nevertheless,* That the whole annual emolument of the said postmaster, including the extra compensation of eight hundred dollars which is hereby allowed him, shall be subject to the restrictions imposed by the forty-first section of this act.

SEC. 15. *And be it further enacted,* That every letter or packet, brought into the United States, or carried from one port therein to another, in any private ship or vessel, shall be charged with six cents, if delivered at the post office where the same shall arrive; and if destined to be conveyed, by post, to any place, with two cents added to the ordinary rates of postage.

SEC. 16. *And be it further enacted,* That if any postmaster, or other person, authorized by the Postmaster General to receive the postage of letters, shall fraudulently demand or receive any rate of postage, or gratuity, or reward, other than is provided by this act for the postage of letters or packets, on conviction thereof, he shall forfeit, for every such offence, one hundred dollars.

Illegal rates of postage, or rewards.

SEC. 17. *And be it further enacted,* That no ship or vessel, arriving at any port within the United States where a post office is established, shall be permitted to report, make entry, or break bulk, until the master or commander shall have delivered to the postmaster all letters directed to any person or persons within the United States, or the territories thereof, which, under his care, or within his power, shall be brought in such ship or vessel, except such as are directed to the owner or consignee of the ship or vessel. And it shall be the duty of the collector, or other officer of the port empowered to receive entries of ships or vessels, to require, from every master or commander of such ship or vessel, an oath or affirmation, purporting that he has delivered all such letters, except as aforesaid; and if any commander or master of any such ship or vessel shall break bulk before he shall have complied with the requirements of this act, every such offender shall, on conviction thereof, forfeit, for every such offence, a sum not exceeding one hundred dollars.

Masters of vessels to deposit letters.

SEC. 18. *And be it further enacted,* That the postmaster to whom such letters may be delivered, shall pay the master or commander, or other person delivering the same, except the commanders of foreign packets, two cents for each letter or packet; and shall obtain from the person delivering the same, a certificate, specifying the number of letters and packets, with the name of the ship or vessel, and the place from whence she last sailed; which certificate, together with a receipt for the money, shall be, with his quarterly accounts, transmitted to the Postmaster General, who shall credit him with the amount.

Two cents for each.

SEC. 19. *And be it further enacted,* That no stage or other vehicle, which regularly performs trips on a post road, or on a road parallel to it, shall convey letters; nor shall any packet boat or other vessel, which regularly plies on a water declared to be a post road, except such

No letters to be carried on post routes, either by land or water.

Penalty.

as relate to some part of the cargo. For the violation of this provision, the owner of the carriage, or other vehicle, or vessel, shall incur the penalty of fifty dollars. And the person who has charge of such carriage, or other vehicle, or vessel, may be prosecuted under this section, and the property in his charge may be levied on and sold, in satisfaction of the penalty, and costs of suit: *Provided*, That it shall be lawful for any one to send letters by special messenger.

Way letters

SEC. 20. *And be it further enacted*, That the deputy postmasters, and other agents of the Postmaster General, shall duly account, and answer to him, for all way letters which shall come to their hands; and for this purpose, the post riders, and other carriers of the mail, receiving any way letter or letters, (and it shall be their duty to receive them, if presented more than one mile from a post office,) shall deliver the same, together with the postage, if paid, at the first post office to which they shall afterwards arrive; where the postmaster shall duly enter the same, and specify the number, and rate or rates, in the post bill, adding to the rate of each way letter one cent, which shall be paid by the postmaster to the mail carrier from whom such way letters shall be received.

One cent for each.

Detaining, delaying, opening, or destroying, any letter, or packet, &c.

SEC. 21. *And be it further enacted*, That if any person employed in any of the departments of the Post Office establishment, shall unlawfully detain, delay, or open, any letter, packet, bag, or mail of letters, with which he shall be entrusted, or which shall have come to his possession, and which are intended to be conveyed by post; or, if any such person shall secrete, embezzle, or destroy, any letter or packet entrusted to such person as aforesaid, and which shall not contain any security for, or assurance relating to money, as hereinafter described, every such offender, being thereof duly convicted, shall, for every such offence, be fined, not exceeding three hundred dollars, or imprisoned, not exceeding six months, or both, according to the circumstances and aggravations of the offence. And if any person, employed as aforesaid, shall secrete, embezzle, or destroy, any letter, packet, bag, or mail of letters, with which he or she shall be entrusted, or which shall have come to his or her possession, and are intended to be conveyed by post, containing any bank note or bank

Penalty.

post bill, bill of exchange, warrant of the Treasury of the United States, note of assignment of stock in the funds, letters of attorney for receiving annuities or dividends, or for selling stock in the funds, or receiving the interest thereof, or any letter of credit, or note for, or relating to, payment of moneys, or any bond, or warrant, draft, bill, or promissory note, covenant, contract, or agreement, whatsoever, for, or relating to, the payment of money, or the delivery of any article of value, or the performance of any act, matter, or thing, or any receipt, release, acquittance, or discharge of, or from, any debt, covenant, or demand, or any part thereof, or any copy of any record of any judgment, or decree, in any court of law, or chancery, or any execution which may have issued thereon, or any copy of any other record, or any other article of value, or any writing representing the same; or if any such person, employed as aforesaid, shall steal, or take, any of the same out of any letter, packet, bag, or mail of letters, that shall come to his or her possession, such person shall, on conviction for any such offence, be imprisoned not less than ten years, nor exceeding twenty-one years; and if any person who shall have taken charge of the mails of the United States, shall quit or desert the same before such person delivers it into the post office kept at the termination of the route, or some known mail carrier, or agent of the General Post Office, authorized to receive the same, every such person, so offending, shall forfeit and pay a sum not exceeding five hundred dollars for every such offence; and if any person concerned in carrying the mail of the United States, shall collect, receive, or carry any letter, or packet, or shall cause or procure the same to be done, contrary to this act, every such offender shall forfeit and pay, for every such offence, a sum not exceeding fifty dollars.

If containing money, &c.

Stealing, &c.

Penalty to those in Post Office employment.

Quitting, or deserting the mail.

Penalty.

Mail carriers' penalty for carrying letters.

Sec. 22. *And be it further enacted*, That if any person shall rob any carrier of the mail of the United States, or other person entrusted therewith, of such mail, or of part thereof, such offender or offenders shall, on conviction, be imprisoned not less than five years, nor exceeding ten years; and, if convicted a second time of a like offence, he or they shall suffer death; or, if, in effecting such robbery of the mail, the first time, the offender shall wound the person having custody thereof, or put his life

Robbing the mail.

Penalty.

Attempting to rob.	in jeopardy, by the use of dangerous weapons, such offender or offenders shall suffer death. And if any person shall attempt to rob the mail of the United States, by assaulting the person having custody thereof, shooting at him or his horse or mule, or threatening him with dangerous weapons, and the robbery is not effected, every such offender on conviction thereof, shall be punished by imprisonment, not less than two years, nor exceeding ten years.
Stealing the mail, or from the mail, or embezzling, &c.	And, if any person shall steal the mail, or shall steal or take from, or out of, any mail, or from, or out of, any post office, any letter or packet; or, if any person shall take the mail, or any letter or packet therefrom, or from any post office, whether with or without the consent of the person having custody thereof, and shall open, embezzle, or destroy, any such mail, letter, or packet, the same containing any article of value, or evidence of any debt, due, demand, right or claim, or any release, receipt, acquittance, or discharge, or any other article, paper, or thing, mentioned and described in the twenty-first section of this act; or, if any person shall, by fraud or deception, obtain from any person having custody thereof, any mail, letter or packet, containing any article of value, or evidence thereof, or either of the writings referred to, or next abovementioned, such offender or offenders, on conviction thereof, shall be imprisoned, not less than two, nor exceeding ten years.
Penalty.	And, if any person shall take any letter or packet, not containing any article of value, nor evidence thereof, out of a post office, or shall open any letter, or packet, which shall have been in a post office, or in custody of a mail carrier, before it shall have been delivered to the person to whom it is directed, with a design to obstruct the correspondence, to pry into another's business, or secrets; or shall secrete, embezzle, or destroy, any such mail, letter, or packet, such offender, upon conviction, shall pay, for every such offence, a sum not exceeding five hundred dollars, and be imprisoned, not exceeding twelve months.
Opening, prying into, or destroying letters.	SEC. 23. <i>And be it further enacted,</i> That, if any person shall rip, cut, tear, burn, or otherwise injure, any valise, portmanteau, or other bag, used, or designed to be used, by any person acting under the authority of the Postmaster General, or any person in whom his powers are vested, in a conveyance of any mail, letter, packet or newspaper, or pamphlet, or shall draw or break any sta-
Cutting or destroying mail bags or portmanteaus.	

ple, or loosen any part of any lock, chain, or strap, attached to, or belonging to any such valise, portmanteau, or bag, with an intent to rob, or steal any mail, letter, packet, newspaper, or pamphlet, or to render either of the same insecure, every such offender, upon conviction, shall, for every such offence, pay a sum not less than one hundred dollars, nor exceeding five hundred dollars, or be imprisoned, not less than one year, nor exceeding three years, at the discretion of the court before whom such conviction is had.

Loosening  
any strap,  
or lock, &c.

Penalty.

Sec. 24. *And be it further enacted,* That every person, who, from and after the passage of this act, shall procure, and advise, or assist, in the doing or perpetration of any of the acts or crimes by this act forbidden, shall be subject to the same penalties and punishments as the persons are subject to, who shall actually do or perpetrate any of the said acts or crimes, according to the provisions of this act.

Aiders and  
abettors.

Sec. 25. *And be it further enacted,* That every person who shall be imprisoned, by a judgment of court, under and by virtue of the twenty-first, twenty-second, twenty-third, or twenty-fourth sections of this act, shall be kept at hard labor during the period of such imprisonment.

Sec. 26. *And be it further enacted,* That the postmasters shall, respectively, publish, at the expiration of every three months, or oftener, when the Postmaster General shall so direct, in one of the newspapers published at or nearest the place of his residence, for three successive weeks, a list of all the letters remaining in their respective offices, or instead thereof, shall make out a number of such lists, and cause them to be posted at such public places in their vicinity, as shall appear to them best adapted for the information of the parties concerned; and at the expiration of the next three months, shall send such of the said letters as then remain on hand, as dead letters, to the General Post Office, where the same shall be opened and inspected; and if any valuable papers, or matters of consequence, shall be found therein, it shall be the duty of the Postmaster General to return such letter to the writer thereof, or cause a descriptive list thereof to be inserted in one of the newspapers published at the place most convenient to the supposed residence of the owner, if within the United States; and

Advertis-  
sing letters  
on hand.

Dead let-  
ters.

such letter, and the contents, shall be preserved, to be delivered to the person to whom the same shall be addressed, upon payment of the postage, and the expense of publication. And if such letter contain money, the Postmaster General may appropriate it to the use of the Department, keeping an account thereof, and the amount shall be paid by the Department to the rightful claimant so soon as he shall be found.

**Free letters.** *SEC. 27. And be it further enacted,* That letters and packets to and from the following officers of the United States, shall be received and conveyed by post free of postage: Each postmaster, provided each of his letters or packets shall not exceed half an ounce in weight; each member of the Senate, and each member and delegate of the House of Representatives of the Congress of the United States; the Secretary of the Senate, and Clerk of the House of Representatives, provided each letter or packet (except documents printed by the order of either House of Congress,) shall not exceed two ounces in weight, and during their actual attendance in any session of Congress, and sixty days before and after such session, and in case of excess of weight, that excess alone shall be paid for; the President of the United States, Vice President; the Secretary of State, of the Treasury, of War, of the Navy; Attorney General; Postmaster General, and the Assistant Postmasters General; the Comptrollers of the Treasury, Auditors, Register, Treasurer, and Commissioner of the General Land Office; and such individual who shall have been, or may hereafter be, President of the United States; and each may receive newspapers by post, free of postage: *Provided,* That postmasters shall not receive, free of postage, more than one daily newspaper each, or what is equivalent thereto; nor shall members of the Senate, or of the House of Representatives, the Clerk of the House, or Secretary of the Senate, receive newspapers, free of postage, after their privilege of franking shall cease.

**Persons entitled to frank, not to frank for others: Penalty.**

*SEC. 28. And be it further enacted,* That if any person shall frank any letter or letters, other than those written by himself, or by his order on the business of his office, he shall, on conviction thereof, pay a fine of ten dollars, and it shall be the especial duty of postmasters to prosecute for said offence: *Provided,* That the Secretary of the Treasury, Secretary of State, Secretary



of War, Secretary of the Navy, and Postmaster General, may frank letters or packets on official business, prepared in any other public office, in the absence of the principal thereof. And if any person, having the right to receive his letters free of postage, shall receive, enclosed to him, any letter or packet addressed to a person not having that right, it shall be his duty to return the same to the post office, marking thereon the place from whence it came, that it may be charged with postage. And if any person shall counterfeited the hand-writing or frank of any person, or cause the same to be done, in order to avoid the payment of postage, each person, so offending, shall pay, for every such offence, five hundred dollars.

Letters enclosed in free letters.

Counterfeiting franks.

SEC. 29. *And be it further enacted*, That every printer of newspapers may send one paper to each and every other printer of newspapers within the United States, free of postage, under such regulations as the Postmaster General shall provide.

Printers' exchange papers free.

SEC. 30. *And be it further enacted*, That all newspapers conveyed in the mail, shall be under cover, open at one end, and charged with a postage of one cent each, for any distance not more than one hundred miles, and one and a half cents for any greater distance: *Provided*, That the postage of a single newspaper from any one place to another, in the same State, shall not exceed one cent; and the Postmaster General shall require those who receive newspapers by post, to pay always the amount of one quarter's postage in advance: and should the publisher of any newspaper, after being three months previously notified that his paper is not taken out of the office to which it is sent for delivery, continue to forward such paper in the mail, the postmaster to whose office such paper is sent, may dispose of the same, for the postage, unless the publisher shall pay it. If any person employed in any department of the post office, shall improperly detain, delay, embezzle, or destroy, any newspaper, or shall permit any other person to do the like, or shall open, or permit any other to open, any mail, or packet, of newspapers, not directed to the office where he is employed, such offender shall, on conviction thereof, forfeit a sum not exceeding fifty dollars, for every such offence. And if any other person shall open any mail or packet of newspapers, or shall embezzle or destroy

Newspapers. Postage.

Paid in advance.

When sold for postage.

Detaining, embezzling, or destroying them.

Penalty.

the same, not being directed to such person, or not being authorized to receive or open the same, such offender shall, on conviction thereof, pay a sum not exceeding twenty dollars, for every such offence. And if any person shall take, or steal, any packet, bag, or mail of newspapers, from, or out of any post office, or from any person having custody thereof, such person shall, on conviction, be imprisoned, not exceeding three months, for every such offence, to be kept at hard labor during the period of such imprisonment. If any person shall enclose or conceal a letter, or other thing, or any memorandum in writing, in a newspaper, pamphlet, or magazine, or in any package of newspapers, pamphlets, or magazines, or make any writing or memorandum thereon, which he shall have delivered into any post office, or to any person for that purpose, in order that the same may be carried by post, free of letter postage, he shall forfeit the sum of five dollars for every such offence; and the letter, newspaper, package, memorandum, or other thing, shall not be delivered to the person to whom it is directed, until the amount of single letter postage is paid for each article of which the package is composed. No newspapers shall be received by the postmasters, to be conveyed by post, unless they are sufficiently dried, and enclosed in proper wrappers, on which, besides the direction, shall be noted the number of papers which are enclosed for subscribers, and the number for printers: *Provided*, That the number need not be endorsed, if the publisher shall agree to furnish the postmaster, at the close of each quarter, a certified statement of the number of papers sent in the mail, chargeable with postage. The Postmaster General, in any contract he may enter into for the conveyance of the mail, may authorize the person with whom such contract is to be made, to carry newspapers, magazines and pamphlets, other than those conveyed in the mail: *Provided*, That no preference shall be given to the publisher of one newspaper over that of another, in the same place. When the mode of conveyance, and the size of the mail will admit of it, such magazines and pamphlets as are published periodically, may be transported in the mail, to subscribers, at one and a half cents a sheet, for any distance not exceeding one hundred miles, and two and a half cents for any greater distance. And such magazines and pamphlets

Stealing  
them.

Enclosing  
in them let-  
ters, &c. or  
writing on  
them.

Penalty.

To be dried  
and num-  
bered.

Privilege to  
mail carri-  
ers to carry  
newspapers

Proviso.

Periodical  
magazines  
and pamph-  
lets.

Postage.

Not period-  
ical.

as are not published periodically, if sent in the mail, shall be charged with a postage of four cents on each sheet, for any distance not exceeding one hundred miles, and six cents for any greater distance.

SEC. 31. *And be it further enacted*, That, if any postmaster, or other person authorized to receive the postage of letters and packets, shall neglect or refuse to render his accounts, and pay over to the Postmaster General the balance by him due, at the end of every three months, it shall be the duty of the Postmaster General to cause a suit to be commenced against the person or persons so neglecting or refusing: That all suits, which shall be hereafter commenced, for the recovery of debts or balances due to the General Post Office, whether they appear by bond or obligations, made in the name of the existing, or any preceding Postmaster General, or otherwise, shall be instituted in the name of the "Postmaster General of the United States." That certified statements, under the seal of the General Post Office, of the accounts of the several postmasters and contractors, after the same shall have been examined and adjusted at that office, shall be admitted as evidence in all suits brought by the Postmaster General for the recovery of balances or debts due from postmasters or contractors; and also certified copies of the quarterly accounts of postmasters; or, if lodged in the Treasury, copies, certified by the Register, under the seal of his office, shall be admitted as evidence.

Delinquent postmasters

To be sued.

Accounts to be certified under seal.

SEC. 32. *And be it further enacted*, That, if any postmaster shall neglect to render his accounts for one month after the time, and in the form and manner prescribed by law, and by the Postmaster General's instructions, conformable therewith, he shall forfeit double the value of the postages which shall have arisen at the same office in any equal portion of time previous or subsequent thereto; or, in case no account shall have been rendered at the time of trial of such case, then such sum as the court and jury shall estimate, equivalent thereto, to be recovered by the Postmaster General, in an action of debt, on the bond against the postmaster and his securities, and for which the securities shall be liable.

Penalty for defaults.

SEC. 33. *And be it further enacted*, That all pecuniary penalties and forfeitures, incurred under this act, shall be one half for the use of the person or persons informing and prosecuting for the same, and the other

Of fines.

half to the use of the United States, and shall be paid over to the Postmaster General, and accounted for by him as other moneys of the Department.

**Mails beyond sea.** SEC. 34. *And be it further enacted,* That it shall be lawful for the Postmaster General to make provision where it may be necessary, for the receipt of all letters and packets intended to be conveyed by any ship or vessel beyond sea, or from any port in the United States to another port therein; and the letters so received shall be formed into a mail, sealed up, and directed to the postmaster of the port to which such ship or vessel shall be bound; and for every letter or packet so received, there shall be paid, at the time of its reception, a postage of one cent, which shall be for the use of the postmasters respectively receiving the same. And the Postmaster General may make arrangements with the postmasters in any foreign country, for the reciprocal receipt and delivery of letters and packets through the post office.

**Postage.**

**Exemption from militia and jury duty.** SEC. 35. *And be it further enacted,* That the postmasters, postriders, and drivers of the mail stages, shall be exempt from militia duties, and serving on juries, or any fine or penalty for neglect thereof.

**Letter carriers.** SEC. 36. *And be it further enacted,* That letter carriers shall be employed at such post offices as the Postmaster General shall direct, for the delivery of letters in the places, respectively, where such post offices are established; and, for the delivery of each such letter, the letter carrier may receive, of the person to whom the delivery is made, two cents: *Provided,* That no letter shall be delivered to such letter carrier for delivery, addressed to any person who shall have lodged at the post office a written request that the letter shall be detained in the office. And, for every letter lodged at any post office, not to be carried by post, but to be delivered at the place where it is so lodged, the postmaster shall receive one cent of the person to whom it shall be delivered.

**Letter-box letters, one cent.**

**State courts' jurisdiction.** SEC. 37. *And be it further enacted,* That all causes of action arising under this act, may be sued, and all offenders against this act, may be prosecuted, before the justices of the peace, magistrates, or other judicial courts of the several States, and of the several Territories of the United States, they having competent jurisdiction, by the laws of such States or Territories, to the trial of claims and demands of as great value, and of the pros-

utions, where the punishments are of as great extent ; and such justices, magistrates, or judiciary, shall take cognizance thereof, and proceed to judgment and execution, as in other cases.

SEC. 38. *And be it further enacted*, That, in all suits or causes arising under this act, the court shall proceed to trial, and render judgment the first term after such suit shall be commenced : *Provided, always*, That, whenever service of the process shall not have been made twenty days, at least, previous to the return day of such term, the defendant shall be entitled to one continuance, if the court, on the statement of such defendant, shall judge it expedient : *Provided also*, That, if the defendant in such suits shall make affidavit that he has a claim against the General Post Office, not allowed by the Postmaster General, although submitted to him conformably to the regulations of the Post Office, and shall specify such claim in the affidavit, and that he could not be prepared for the trial at such term, for want of evidence, the court, in such case, being satisfied in those respects, may grant a continuance until the next succeeding term ; and the Postmaster General shall be authorized to discharge from imprisonment any person confined in jail, on any judgment in a civil case, obtained in behalf of the Department : *Provided*, It be made to appear that the defendant has no property of any description : *And provided*, That such release shall not bar a subsequent execution against the property of the defendant.

Judgments  
first term.

Provisos.

Postmaster  
General  
may dis-  
charge from  
prison.  
Provisos.

SEC. 39. *And be it further enacted*, That it shall be the duty of the Postmaster General to report, annually, to Congress, every post road which shall not, after the second year from its establishment, have produced one-third of the expense of carrying the mail on the same.

Post roads  
not produ-  
cing one-  
third.

SEC. 40. *And be it further enacted*, That the Adjutant General of the militia of each State and Territory shall have a right to receive, by mail, free of postage, from any Major General or Brigadier General thereof, and to transmit to said Generals, any letter or packet, relating solely to the militia of such State or Territory : *Provided, always*, That every such officer, before he delivers any such letter or package for transmission, shall, in his own proper hand writing, on the outside thereof, endorse the nature of the papers enclosed, and thereto subscribe his name and office, and shall previous-

Adjutant  
General of  
militia's  
frank.

Proviso.

Penalty.

ly furnish the postmaster of the office where he shall deposit the same, with a specimen of his signature. And if any such officer shall frank any letter or package, in which shall be contained any thing relative to any subject other than of the militia of such State or Territory, every offender shall, on conviction of every such offence, forfeit and pay a fine of fifty dollars.

Surplus of Postmasters' emoluments over \$2,000 per annum.

SEC. 41. *And be it further enacted*, That, whenever the annual emoluments of any postmaster, after deducting therefrom the necessary expenditures incident to his office, shall amount to more than two thousand dollars, the surplus shall be accounted for, and paid to the Postmaster General, and by him to be accounted for in the same manner as other moneys accruing from the Post Office establishment.

Postmasters, &c. not to be contractors.

SEC. 42. *And be it further enacted*, That no postmaster, assistant postmaster, or clerk, employed in any post office, shall be a contractor, or concerned in a contract for carrying the mail: *Provided*, That this section shall not interfere with contracts heretofore made.

Increase of pay of contractors restricted.

SEC. 43. *And be it further enacted*, That no additional allowance shall be made, by the Postmaster General, to the contractor or carrier of any mail, on any route, over or beyond the amount stipulated in the contract entered into for the transportation of the mail on such route, unless additional service shall be required; and then no additional compensation shall be allowed, to exceed the exact proportion of the original amount to the additional duties required; and the Postmaster General shall, in all such cases, within thirty days thereafter, transmit to the First Comptroller of the Treasury an account of such additional services, and the compensation to be allowed therefor.

Proposers for contracts who do not comply.

SEC. 54. *And be it further enacted*, That any person or persons, who shall hereafter make any proposal in writing, to carry or transport the mail upon any route or routes, which may be advertised to be let, and such person or persons shall be determined by the Postmaster General to be entitled to the contract, by virtue of such proposition, and such person or persons shall fail or refuse to enter into an obligation, with good and sufficient security, to perform such contract within the time required by the Postmaster General, in such advertisement, such person or persons shall forfeit and pay so

much money as shall be the difference between the amount contained in such proposal, and the amount the Postmaster General shall have to pay for the same transportation of the mail on such route or routes; which sum may be recovered by the Postmaster General in an action on the case. Forfeit.

SEC. 45. *And be it further enacted*, That if any person shall buy, receive, or conceal, or aid in buying, receiving, or concealing, any article mentioned in the twenty-first section of this act, knowing the same to have been stolen or embezzled from the mail of the United States, or out of any post office, or from any person having the custody of the said mail, or the letters sent or to be sent therein; or if any person shall be accessory after the fact to any robbery of the carrier of the mail of the United States, or other person entrusted therewith, of such mail, or of part thereof, every person, so offending, shall, on conviction thereof, pay a fine not exceeding two thousand dollars, and be imprisoned and confined to hard labor for any time not exceeding ten years. And such person or persons, so offending, may be tried and convicted without the principal offender being first tried, provided such principal offender has fled from justice, or cannot be found to be put on his trial. Aiders and abettors of mail robbers.  
Penalty.

SEC. 46. *And be it further enacted*, That all acts and parts of acts which have been passed for the establishment and regulation of the General Post Office, shall be, and the same are hereby, repealed: *Provided*, That the act, entitled "An Act concerning public contracts," approved on the twenty-first of April, one thousand eight hundred and eight, shall not be affected hereby, but shall remain in full force and virtue: *And provided, also*, that nothing herein contained shall be construed to affect, or extend to, any offence committed against the laws, now in force, intended by this act to be repealed; but the same shall be prosecuted, and determined, and punished, according to the said laws; nor to affect any existing contract, or debt, or demand, due to or from the Department; but all such offences, crimes, debts, duties, demands, and contracts, shall be held in force, and adjudged, determined, and executed, according to the present laws in force, as though this act had not passed; nor shall it affect any appointments to office made under the laws hereby repealed. Repeal of former acts.  
Provisos.

[APPROVED, March 3, 1825.]

## AN ACT

To establish certain Post Roads, and to discontinue others.

Certain post routes to be discontinued.

SEC. 2. *And be it further enacted*, That all post routes which hereafter, within the term of three successive years, fail to yield one-fourth of the expense incident to its establishment, shall be discontinued by the Postmaster General, unless in cases where it may be necessary as a connection or continuance of a route or routes: *Provided, also*, That this section shall not be so construed as to deprive the seat of justice, in each county, of one mail going to and from said town.

[APPROVED, March 3, 1825.]

## AN ACT

Amendatory of the Act regulating the Post Office Department.

Commission allowed to postmasters at distributing offices.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Postmaster General be authorized to allow to the postmasters at the several distributing offices, a commission, not to exceed five per cent. on the amount of postage on letters and packets received for distribution. The allowance to commence on the third of March, eighteen hundred and twenty-five: *Provided*, That, if the number of mails received at, and despatched from, any such office, is not increased by the distributing system, then no allowance shall be made therefor, except where special provision is made.

Proviso.

SEC. 2. *And be it further enacted*, That the Postmaster General be authorized to allow to each postmaster one cent for every letter received from any ship or vessel, and mailed by him, *Provided* his usual commission, together with the allowance aforesaid, shall not exceed the sum of two hundred dollars a year. And the letter carriers employed at post offices shall be authorized to receive for each newspaper delivered by them, an half cent, and no more.

Allowance for ship letters received and mailed.

Letter carriers.

SEC. 3. *And be it further enacted*, That no person, other than the Postmaster General, or his authorized agents, shall set up any foot or horse post, for the conveyance of letters and packets, upon any post-road, which is or may be established as such by law. And



every person who shall offend herein, shall incur a penalty of not exceeding fifty dollars, for each letter or packet so carried.

SEC. 4. *And be it further enacted*, That the Commissioners of the Navy Board, the Adjutant General, Commissary General, Inspectors General, Quartermaster General, Paymaster General, the Secretary of the Senate, Clerk of the House of Representatives, and Superintendent of the Patent Office, be authorized to frank, and to receive letters and packets by post, free of postage, and that no other persons or officers, excepting those enumerated herein, and in the act "to reduce into one the several acts establishing and regulating the Post Office Department," passed on the third of March, eighteen hundred and twenty-five, shall be authorized to frank or to receive letters through the mail free of postage.

Franking privilege given to certain officers.

SEC. 5. *And be it further enacted*, That one or more pieces of paper, mailed as a letter, and weighing one ounce, shall be charged with quadruple postage, and at the same rate, should the weight be greater; and quadruple postage shall be charged on all packets containing four pieces of paper. Every printed pamphlet or magazine which contains more than twenty-four pages on a royal sheet, or any sheet of less dimensions, shall be charged by the sheet, and small pamphlets printed on a half or quarter sheet of royal, or less size, shall be charged with half the amount of postage charged on a full sheet; and there shall be printed or written, on one of the outer pages of all pamphlets and magazines, to be sent by mail, the number of sheets they contain; and if such number shall not be truly stated, double postage shall be charged.

Rules for charging letter postage.

Rules for charging pamphlet postage.

SEC. 6. *And be it further enacted*, That no Postmaster or assistant Postmaster shall act as agent for lottery offices, or under any color of purchase, or otherwise, vend lottery tickets; nor shall any Postmaster receive free of postage, or frank, lottery schemes, circulars, or tickets. For a violation of this provision, the person offending shall suffer a penalty of fifty dollars.

No Postmaster or assistant Postmaster to act as agent for lottery offices.

[APPROVED, March 2, 1827.]

## RESOLUTION

Authorizing the Speaker of the House of Representatives to frank letters and packages.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Speaker of the House of Representatives of the United States be, and is hereby, authorized to frank and to receive letters and packages by mail, free of postage. [APPROVED, April 3, 1828.]

Speaker entitled to frank.

## AN ACT

To provide for the appointment of a Solicitor of the Treasury.

Part of Sec. 11. All letters to and from the Solicitor of the Treasury, relating to the duties and business of his office, shall be transmitted by mail free of postage. [APPROVED, May 29, 1830.]

## RESOLUTION

In relation to the transmission of public Documents printed by order of either House of Congress.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That nothing contained in the act to reduce into one the several acts establishing and regulating the Post Office Department, approved March third, one thousand eight hundred and twenty-five, shall be construed to repeal or limit the operation of the act authorizing the transmission of certain documents free of postage, approved December nineteenth, one thousand eight hundred and twenty-one.

Repealing clause of the act of March 3, 1835, limited;

[APPROVED, January 13, 1831.]

## AN ACT

To provide for the appointment of a Commissioner of Indian Affairs, and for other purposes.

Part of Sec. 3. All letters and packages to and from the said Commissioner, touching the business of his office, shall be free of postage.

[APPROVED, July 9, 1832.]

## AN ACT

Making appropriations for the Civil and Diplomatic expenses of Government for the year 1833.

SEC. 6. *And be it further enacted*, That so much of the twenty-seventh section of the act approved third of March, one thousand eight hundred and twenty-five, as restricts the franking privilege of members of Congress to the period of sixty days before and after each session, shall be, and the same is hereby repealed; and it shall be lawful for the said privilege to be exercised by each member of Congress from the period of sixty days before he takes his seat in Congress, until the meeting of the next Congress, and that said privilege shall be extended to all members of the present Congress until the next session.

Repealing clause.

Franking privilege extended.

[APPROVED, March 2, 1833.]

## AN ACT

Authorizing the Governors of the several States to transmit by mail certain Books and Documents.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That it shall be lawful for the Governors of the several States to transmit by mail, free of postage, all laws and reports, whether bound or unbound, and all records and documents of their respective States, which may be directed by the Legislature of the several States to be transmitted to the Executives of other States; and the Governor of the State transmitting the same shall, in addition to his frank, endorse the kind of book or document enclosed, and direct the same to the Governor of the State to which the same may be sent.

[APPROVED, June 30, 1834.]

## AN ACT

Making appropriations for the payment of the Revolutionary and other Pensioners of the United States, for the year 1836.

SEC. 2. *And be it further enacted*, That hereafter no bank notes of less denomination than ten dollars, and that from and after the third day of March, anno Domini eighteen hundred and thirty seven, no bank note of less denomination than twenty dollars shall be offered in payment in any case whatsoever in which money is to be paid by the United States or the Post

certain bank notes not to be offered in payment.

Office Department; nor shall any bank note, of any denomination, be so offered, unless the same shall be payable, and paid on demand, in gold or silver coin, at the place where issued, and which shall not be equivalent to specie at the place where offered, and convertible into gold or silver upon the spot, at the will of the holder, and without delay or loss to him: *Provided*, that nothing herein contained shall be construed to make any thing but gold or silver a legal tender by any individual, or by the United States.

[APPROVED, April 14, 1836.]

### AN ACT

To regulate the Deposites of the Public Money.

SEC. 5. *And be it further enacted*, That no bank shall be selected or continued as a place of deposits of the public money which shall not redeem its notes and bills on demand in specie; nor shall any bank be selected or continued as aforesaid, which shall, after the fourth day of July, in the year one thousand eight hundred and thirty six, issue or pay out any note or bill of less denomination than five dollars; nor shall the notes or bills of any bank be received in payment of any debt due to the United States, which shall, after the said fourth day of July in the year one thousand eight hundred and thirty six, issue any note or bill of a less denomination than five dollars.

[APPROVED, June 23, 1836.]

### AN ACT

To change the organization of the Post Office Department, and to provide more effectually for the settlement of the accounts thereof.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the revenues arising in the Post Office Department, and all debts due to the same, shall, when collected, be paid, under the direction of the Postmaster General, into the Treasury of the United States.

SEC. 2. *And be it further enacted*, That the Postmaster General shall submit to Congress at the next and each succeeding annual session, specific estimates, &c.

Revenues to be paid into the Treasury.

Postmaster General to submit estimates, &c.

mates of the sums of money expected to be required for the service of the Department in the subsequent year, commencing on the first day of July, under the following heads, viz: "Compensation of Postmasters," "Transportation of the Mails," "Ship, steam-boat, and way letters," "Wrapping paper," "Office furniture," "Advertising," "Mail bags," "Blanks," "Mail locks, keys, and stamps," "Mail depredations and special agents," "Clerks for offices," and "Miscellaneous." And the Postmaster General shall render an account to Congress, at each succeeding annual session, of the amounts actually expended for each of the purposes above specified.

SEC. 3. *And be it further enacted*, That the aggregate sum required "for the service of the Post Office Department," in each year, shall be appropriated by law out of the revenue of the Department, and that all payments of the receipts of the Post Office Department into the Treasury, shall be to the credit of the said appropriation. Appropriation made from revenues of the Post Office Department.

SEC. 4. *And be it further enacted*. That the sums appropriated for the service aforesaid shall be paid by the Treasurer in the manner herein directed: *Provided*, That the compensation of Postmasters, the expenses of Post Offices, and such other expenses of the Department for which appropriations have been made, as may be incurred by Postmasters, may be deducted out of the proceeds of their offices, under the direction of the Postmaster General: *And provided, also*, That all charges against the Department by Postmasters, on account of such expenses, shall be submitted for examination and settlement, to the Auditor herein provided for; and that no such deduction shall be valid, unless the expenditure so deducted, be found to have been made in conformity to law: *And provided, also*, That the Postmaster General shall have power to transfer debts due on account of the Department, by Postmasters and others, in satisfaction of the legal demands for which appropriations have been made, of such contractors who may be creditors of the Department, as shall have given bonds, with security, to refund any moneys that may come into their hands over and above the amount. To be paid by the Treasurer. Proviso. Proviso. Proviso.

which may be found due to them on the settlement of their accounts.

**Treasurer to give receipts.** SEC. 5. *And be it further enacted,* That the Treasurer of the United States shall give receipts for all moneys received by him to the credit of the appropriation for the service of the Post Office Department; which receipts shall be endorsed upon warrants drawn by the Postmaster General, and without such warrant no acknowledgement for money received as aforesaid shall be valid.

**Payments to be made on warrants.** SEC. 6. *And be it further enacted,* That the appropriations for the service of the Post Office Department, shall be disbursed by the Treasurer out of the moneys paid into the Treasury for the service of the Post Office Department, upon the warrants of the Postmaster General, registered and countersigned as herein provided, and expressing on their faces the appropriation to which they should be charged.

**Accounts rendered quarterly to the Auditor.** SEC. 7. *And be it further enacted,* That the Treasurer shall render his accounts of the moneys received and paid by him on account of the Post Office Department, quarterly, to the Auditor for the Post Office Department, hereinafter provided for, and shall transmit copies of the same, when adjusted by him, to the two Houses of Congress.

**Auditor to be appointed, and his duties.** SEC. 8. *And be it further enacted,* That there shall be appointed by the President, with the consent of the Senate, an Auditor of the Treasury for the Post Office Department, whose duty it shall be to receive all accounts arising in the said Department, or relative thereto, to audit and settle the same, and certify their balances to the Postmaster General: *Provided,* That if either the Postmaster General, or any person whose account shall be settled, be dissatisfied therewith, he may, within twelve months, appeal to the First Comptroller of the Treasury, whose decision shall be final and conclusive. The said Auditor shall report to the Postmaster General, when required, the official forms of papers to be used by postmasters, and other officers or agents of the Department concerned in its receipts and payments, and the manner and form of keeping and stating its accounts. He shall keep and preserve all accounts, with

**Proviso.**

the vouchers, after settlement. He shall promptly report to the Postmaster General all delinquencies of postmasters in paying over the proceeds of their offices. He shall close the accounts of the Department quarterly, and transmit to the Secretary of the Treasury quarterly statements of its receipts and expenditures. He shall register, charge and countersign, all warrants upon the Treasury for receipts and payments issued by the Postmaster General, when warranted by law. He shall perform such other duties, in relation to the financial concerns of the Department, as shall be assigned to him by the Secretary of the Treasury, [or Postmaster General,] and shall make to them respectively, such reports as either of them may require respecting the same. The said Auditor may frank, and receive free of postage, letters and packets under the regulations provided by law for other officers of the Government. And all letters and packets to and from the Chief Engineer, which may relate to the business of his office, shall be free of postage.

SEC. 9. *And be it further enacted*, That it shall be the duty of the Postmaster General to decide on the official forms of all papers to be used by postmasters, and other officers or agents of the Post Office Department, concerned in its receipts and payments, and the manner and form of keeping and stating its accounts; to enforce the prompt rendition of the returns of postmasters, and of all certificates, acknowledgments, receipts, and other papers, by postmasters and contractors, relative to the accounts of the Department; to control, according to law, and subject to the settlement of the Auditor, the allowances to postmasters, the expenses of post offices, and all other expenses incident to the service of the Department; to regulate and direct the payment of the said allowances and expenses for which appropriations have been made; to superintend the disposition of the proceeds of post offices and other moneys of the Department; to prescribe the manner in which postmasters shall pay over their balances; to grant warrants for money to be paid into the Treasury, and out of the same, in pursuance of appropriations by law, to persons to whom the same shall be certified to be due by the said Auditor: *Provided*, That advances of ne-

Duties of  
Postmaster  
General.

Proviso.

cessary sums to defray expenses may be made by the Postmaster General to agents of the Department employed to investigate mail depredations, examine post routes and post offices, and perform other like services, to be charged by the Auditor for the Post Office Department, and be accounted for in the settlement of their accounts.

Other duties of the Auditor. SEC. 10. *And be it further enacted,* That the Auditor for the Post Office Department shall state and certify, quarterly, to the Postmaster General, accounts of the moneys paid pursuant to appropriations, in each year, by postmasters, out of the proceeds of their offices, towards the expenses of the Department, under each of the heads of the said expenses specified in the second section of this act; upon which the Postmaster General shall issue warrants to the Treasurer of the United States, as in case of the receipt and payment of the said moneys into and out of the Treasury, in order that the same may be carried to the credit and debit of the appropriation for the service of the Post Office Department, on the books of the Auditor for said Department.

Duplicates of contracts, &c. SEC. 11. *And be it further enacted,* That the Postmaster General shall, within sixty days after the making of any contract, cause a duplicate thereof to be lodged in the office of the Auditor of the Post Office Department. Upon the death, resignation, or removal of any postmaster, he shall cause his bond of office to be delivered to the said Auditor; and shall also cause to be promptly certified to him all establishments and discontinuances of post offices, and all appointments, deaths, resignations, and removals of postmasters, together with all orders and regulations which may originate a claim, or in any manner affect the accounts of the Department.

Accoun's, how to be kept. SEC. 12. *And be it further enacted,* That the accounts of the Post Office Department shall be kept in such manner as to exhibit the amounts of its revenues, derived respectively from "letter postages," "newspapers and pamphlets," and "fines;" and the amount of its expenditures for each of the following objects, namely: "compensation of postmasters," "transportation of the mails," "ship, steamboat, and way-letters," "wrapping paper," "office furniture," "advertising," "mail bags," "blanks,



mail locks, keys, and stamps," "mail depredations and special agents," "clerks for offices," and "miscellaneous."

SEC. 13. *And be it further enacted,* That the bonds and contracts of postmasters, mail contractors, and other agents of the Post Office Department, shall hereafter be made to and with the United States of America; and all suits to be commenced for the recovery of debts or balances due by postmasters and others, or upon bonds or contracts made to or with the present or any former Postmaster General, or for any fines, penalties, or forfeitures, imposed by the laws respecting the Post Office Department, or by the Postmaster General, pursuant thereto, shall be instituted in the name of the United States of America; and the demands in such suits shall have all the privileges and priorities in adjudication and payment secured to other claims of the United States, by the existing laws: *Provided,* That actions and suits which may have been instituted in the name of the Postmaster General, previous to the passage of this act, shall not be affected by the provisions of this section.

Bonds and contracts with the U. States, and all suits in its name.

Proviso.

SEC. 14. *And be it further enacted,* That the Auditor of the Post Office Department shall superintend the collection of all debts due to the Department, and all penalties and forfeitures imposed on postmasters, for failing to make returns, or pay over the proceeds of their offices; he shall direct suits and legal proceedings, and take all such measures as may be authorized by law, to enforce the prompt payment of moneys due to the Department.

Auditor to superintend collection of debts.

SEC. 15. *And be it further enacted,* That copies of the quarterly returns of postmasters, and of any papers pertaining to the accounts in the office of the Auditor for the Post Office Department, certified by him, under his seal of office, shall be admitted as evidence in the courts of the United States; and in every case of delinquency of any postmaster or contractor, in which suit may be brought, the said Auditor shall forward to the Attorney of the United States certified copies of all papers in his office, tending to sustain the claim; and in every such case, a statement of the account, certified as aforesaid, shall be admitted as evidence, and the court trying the cause shall be thereupon authorized to give judgment and award execution, subject to the provisions of the thirty-eighth section of the act to reduce into one,

Certified copies of quarterly returns &c. to be evidence, &c.

the several acts establishing and regulating the Post Office Department, approved March third, eighteen hundred and twenty-five. No claim for a credit shall be allowed upon the trial but such as shall have been presented to the said Auditor, and by him disallowed in whole or in part, unless it shall be proved to the satisfaction of the court that the defendant is at the time of the trial in possession of vouchers not before in his power to procure, and that he was prevented from exhibiting to the said Auditor a claim for such credit, by some unavoidable accident. In suits for balances due from postmasters, interest at the rate of six per centum per annum shall be recovered, from the time of the default until payment.

Duties of U.  
States Attor-  
neys.

Sec. 16. *And be it further enacted,* That the Attorneys of the United States, in the prosecution of suits for moneys due on account of the Post Office Department, shall obey the directions which may, from time to time, be given to them by the Auditor for the Post Office Department; and it shall be the duty of each of the said attorneys, immediately after the end of every term of any court in which any of the suits aforesaid shall have been pending, to forward to the said Auditor a statement of all the judgments, orders, and steps which have been made or taken in the same, during the said term, accompanied by a certificate of the clerk, showing the parties to, and amount of, each judgment, with such other information as may be required by the said Auditor. The said attorneys shall direct speedy and effectual process of execution upon the said judgments; and it shall be the duty of the marshals of the United States to whom the same shall be directed, to make to the said Auditor, at such times as he may direct, returns of the proceedings which have taken place upon the said process of execution.

Sums  
wrongfully  
paid to be  
recovered  
by suit.

Sec. 17. *And be it further enacted,* That in all cases where any sum or sums of money have been paid out of the funds of the Post Office Department to any individual or individuals, under pretence that service has been performed therefor when in fact such service has not been performed, or by way of additional allowance for increased service actually rendered, when the additional allowance exceeds the sum which, by the provisions of law, might rightfully have been allowed

therefor, and in all other cases where the moneys of the Department have been paid over to any person in consequence of fraudulent representations, or by the mistake, collusion or misconduct of any officer or clerk of the Department, it shall be the duty of the Postmaster General to cause suit to be brought in the name of the United States of America, to recover back the same, or the excess, as the case may be, with interest thereon.

Sec. 18. *And be it further enacted*, That the Auditor for the Post Office Department shall adjust and settle all balances due from postmasters on account of transactions prior to the first day of July, eighteen hundred and thirty-six. He shall, when necessary, institute suits for the same, and cause them to be effectually prosecuted to judgment and execution; and in cases in which proceedings at law for these or any other balances that are or may become due on account of the Post Office Department, have been or shall be fruitless, may direct the institution of suits in chancery, to set aside fraudulent conveyances or trusts, or attach debts due to the defendants, or obtain any other proper exercise of the powers of equity, to have satisfaction of the said judgments; and the courts of the United States, sitting in chancery, shall have jurisdiction to entertain such bills, and make such decrees and orders thereupon as may be consonant to the principles and usages of equity. The said Auditor shall report to the Postmaster General, to be by him submitted to Congress, at its next annual session, a statement of all the balances and debts due to the Post Office Department as aforesaid, by late postmasters, showing, in each case, the name and office of the principal debtor, the names of the sureties, if any, the amount of the debt, the time at which it accrued, the steps taken to collect the same, and whether they have been successful or not. The said statement shall also classify such of the said balances as may then remain due, into such as are considered collectible, and such as are not, with the whole amount of each class.

Auditor to  
adjust bal-  
ances due  
from post-  
masters, &c.

Sec. 19. *And be it further enacted*, That the Auditor, Auditor, mayors, &c.  
tor for the Post Office Department, or any mayor of a city, justice of the peace, or judge of any court of record in the United States, by him especially designated, shall be authorized to administer oaths and affirmations, in relation to the examination and settlement of the accounts committed to his charge; and if any person shall

mayors, &c.  
may admini-  
ster oaths,  
&c.

knowingly swear or affirm falsely, touching the expenditures of the Post Office Department, or in relation to any account of, or claim against, or in favor of, the said Department, he or she shall, upon conviction thereof, suffer as for wilful and corrupt perjury.

Third Assistant Postmaster General.  
Clerks, &c.

Sec. 20. *And be it further enacted*, That there shall be employed by the Postmaster General, a third Assistant Postmaster General, who may receive and send letters and packets free of postage; and in lieu of the clerks now employed in the Department, one chief clerk, three principal clerks, and thirty-three other clerks, one messenger, and three assistant messengers, and two watchmen.

Clerks to be employed in the office of Auditor.

Sec. 21. *And be it further enacted*, That there shall be employed by the Secretary of the Treasury, in the office of the Auditor for the Post Office Department, one chief clerk, four principal clerks, and thirty-eight other clerks, one messenger, and one assistant messenger; also, three clerks, one at a salary of fourteen hundred dollars per annum, one at a salary of twelve hundred dollars, and one at a salary of one thousand dollars, in the office of the Treasurer of the United States, in lieu of the same number of clerks now employed in the office of the Fifth Auditor of the Treasury, in adjusting the accounts of the Post Office Department.

And in that of the Treasurer of the U. States.

Reports to be made to Congress by the Postmaster General.

Sec. 22. *And be it further enacted*, That it shall be the duty of the Postmaster General to make to Congress, at each annual session thereof, the following several reports:

*First*, A report of all contracts made for the transportation of the mail within the preceding year, stating in each case of contract its date and duration, the name of the contractor, the route or routes embraced in the contract, with the length of each, with the times of arrival and departure at the ends of each route, the mode of transportation contracted for, and the price stipulated to be paid by the Department; also, a statement of all such land and water mails as may have been established or ordered by the Department within the year preceding, other than those let to contract at the annual lettings of mail contracts, specifying, in each case, the route or water-course on which the mail is established, the name of the person employed to transport it, the mode of transportation, the amount paid or to be paid, and the proposed duration of the order or contract.

*Second,* A report of all allowances made to contractors within the year preceding, beyond the sums originally stipulated in their respective contracts, and the reasons for the same; and of all orders made by the Department, whereby additional expense is, or will be incurred, beyond the original contract price on any land or water route, specifying, in each case, the route to which the order relates, the name of the contractor, the original service provided by the contract, the original price, the date of the order for additional service, the additional service required, and the additional allowance therefor; also, a report of all curtailments of expenses effected by the Department within the preceding year, specifying, in each case, the same particulars as required in cases of additional allowances.

*Third,* A report of all incidental expenses of the Department for the year ending on the thirtieth day of June preceding, arranged according to the several objects, as for "wrapping paper," "office furniture," "advertising," "mail bags," "blanks," "mail locks, keys, and stamps," "mail depredations, and special agents," "clerks for offices," "miscellaneous," showing the sum paid under each head of expenditure, and the names of the persons to whom paid, except only that the names of persons employed in detecting depredations on the mail, and other confidential agents, need not be disclosed in said report.

*Fourth,* A report of the finances of the Post Office Department for the year ending on the thirtieth day of June preceding, showing the whole amount of balances due to the Department at the beginning of the year, from postmasters and all others, the whole amount of postage that accrued within the year, the whole amount of the engagements and liabilities of the Department for mail transportation during the year, the amount actually paid during the year, for and on account of mail transportation, and otherwise, stating separately so much of the said amount as may have been paid on account of the transportation of the mail, and for other debts for the same object, in preceding years.

*Fifth,* A report of all fines imposed, and deductions from the pay of contractors made during the preceding year, for failures to deliver the mail, or for any other cause, stating the names of the delinquent contractors, the nature of the delinquency, the route on which it

occurred, the time when it occurred, the time when the fine was imposed, and whether the fine has been remitted, or order for deduction rescinded, and for what reason.

Advertis-  
agents for  
contracts,  
and regula-  
tions respec-  
ting them.

Sec. 23. *And be it further enacted,* That it shall be the duty of the Postmaster General, before advertising for proposals for the transportation of the mail, to form the best judgment practicable as to the mode, time, and frequency of transportation on each route, and to advertise accordingly. No consolidated or combination bid shall be received, and no additional compensation shall be made to any mail contractor, so as that the compensation for additional regular service shall exceed the exact proportion which the original compensation bears to the original services stipulated to be performed; and no extra allowance shall be made to any contractor, by the Postmaster General, for an increase of expedition in the transportation of the mail, unless thereby the employment of additional stock or carriers, by the contractor, shall be rendered necessary; and in such case, the additional compensation shall never bear a greater proportion to the additional stock or carriers rendered necessary, than the sum stipulated in the original contract bears to the stock and carriers necessarily employed in its execution; and when any extra service shall be ordered, the amount of the allowance therefor, in dollars and cents, shall be signified in the order for such service, and be forthwith entered upon the books of the Post Office Department, and no additional compensation shall be paid for any extra regular service rendered before the issuing of such order, and the making of such entry; and every order, entry, or memorandum whatever, on which any action of the Department is to be had, allowance made, or money paid, and every contract, paper or obligation drawn up in said office, by any officer thereof, shall have affixed to it its true date; and every paper relating to contracts or allowances filed in said office shall have the date of its filing endorsed thereon. And whenever it shall become necessary to change the terms of any existing contract in any other manner than that designated in this act, or to enter into a contract for the transportation of the mail at any other time than at the annual letting, the Postmaster General shall give notice in our newspaper published at Wash-

ington City, and in one newspaper published as near as may be to the route on which the services are to be performed, for at least four weeks before changing or making such contract, inviting proposals therefor; which proposals shall be received and opened, and such proceedings thereon had, in all things as at the annual lettings: *Provided, however,* That the Postmaster General may make temporary contracts until a regular letting can take place. Proviso.

Sec. 21. *And be it further enacted,* That proposals for mail contracts shall be delivered to the Department sealed, and shall be kept sealed until the biddings are closed, and shall then be opened and marked in the presence of the Postmaster General and of one of the Assistant Postmasters General, or in the presence of two of the Assistant Postmasters General. And the contracts in all cases shall be awarded to the lowest bidder, except when his bid is not more than five per centum below that of the last contractor, on the route bid for, who shall have faithfully performed his contract. *Provided, however,* That the Postmaster General shall not be bound to consider the bid of any person who shall have wilfully or negligently failed to execute or perform a prior contract. Proposals for contracts.  
Proviso.

Sec. 22. *And be it further enacted,* That it shall be the duty of the Postmaster General to have recorded in a well bound book, a true and faithful abstract of offers made to him for carrying the mail, embracing as well those which are rejected, as those which are accepted. The said abstract shall contain the names of the party or parties offering, the terms on which he or they propose to carry the mail, the sum for which it is offered to contract, and the length of time the agreement is to continue. And it shall also be the duty of the Postmaster General to put on file and preserve the originals of the propositions of which abstracts are here directed to be made, and to report at each session of Congress a true copy from the said record of all offers made for carrying the mail as aforesaid. Offers for carrying the mail to be recorded.

Sec. 23. *And be it further enacted,* That if any person employed in the Post Office Department, or postmaster, shall become interested in any mail contract, or act as agent, with or without compensation, in any matter or thing relating to business in said Department, for Persons employed in Post Office or to be interested in contracts.

any contractor, or person offering to become a contractor, he shall be forthwith dismissed from office, and shall be liable to pay so much money as would have been realized from said contract, to be recovered in an action of debt in any court having jurisdiction thereof, in the name of the United States, for the use of the Post Office Department; and it shall be the duty of the Postmaster General to cause prosecution to be instituted.

Proposals  
for transporting the mail  
to be accompanied by a  
guaranty,  
&c.

SEC. 27. *And be it further enacted,* That every proposal for the transportation of the mail shall be accompanied by a written guaranty, signed by one or more responsible persons, to the effect that he or they undertake that the bidder or bidders will, if his or their bid be accepted, enter into an obligation, in such time as may be prescribed by the Postmaster General, with good and sufficient sureties, to perform the service proposed. No proposal shall be considered, unless accompanied by such guaranty. If, after the acceptance of a proposal, and notification thereof to the bidder or bidders, he or they shall fail to enter into an obligation within the time prescribed by the Postmaster General, with good and sufficient sureties for the performance of the service, then the Postmaster General shall proceed to contract with some other person or persons, for the performance of the said service, and shall forthwith cause the difference between the amount contained in the proposal so guaranteed, and the amount for which he may have contracted for the performance of said service, for the whole period of the proposal, to be charged up against the said bidder or bidders, and his or their guarantor or guarantors, and the same may be immediately recovered by the United States, for the use of the Post Office Department, in an action of debt against either or all of the said persons.

Contracts  
not to be  
made with  
persons who  
have entered  
into combination.

SEC. 28. *And be it further enacted,* That no contract for the transportation of the mail shall knowingly be made by the Postmaster General, with any person who shall have entered into any combination, or proposed to enter into any combination, to prevent the making of any bid for a mail contract by any other person or persons; or who shall have made any agreement or shall have given or performed, or promised to give or perform, any consideration whatever, or to do or not to do any thing whatever, in order to induce any other person



or persons not to bid for a mail contract. And if any person so offending be a mail contractor, he may be forthwith dismissed from the service of the Department; *Provided*, That whenever the Postmaster General shall exercise the power conferred on him by this section, he shall transmit a copy or statement of the evidence on which he acts to Congress, at its next session. Proviso.

SEC. 29. *And be it further enacted*, That no person whose bid for the transportation of the mail may be accepted, shall receive any pay, until he shall have executed his contract according to law and the regulations of the Department; nor shall any payment be made for any additional regular service in the transportation of the mail, unless the same shall have been rendered in obedience to a prior legal order of the Postmaster General. No payment to be made until after execution of contract.

SEC. 30. *And be it further enacted*, That so much of the act concerning the Post Office Department, approved March third, eighteen hundred and twenty-five, as directs that duplicates or copies of contracts or orders made by the Postmaster General shall be lodged in the office of the Comptroller of the Treasury, be repealed. Part of act of March 3, 1835, repealed.

SEC. 31. *And be it further enacted*, That it shall be the duty of the Postmaster General to furnish to the postmasters at the termination of each route, a schedule, specifying the times of arrival and departure at their offices, respectively, of each mail, a copy of which the postmaster shall post up in some conspicuous place in his office; and the Postmaster General shall also furnish a notice in like manner, of any change or alteration in the arrivals and departures which may be ordered by him. And it shall be the duty of every postmaster promptly to report to the Department every delinquency, neglect, or malpractice of the contractors, their agents or carriers, that may come to his knowledge. And the Postmaster General shall cause to be kept, and returned to the Department, at short and regular intervals, by postmasters at the ends of routes, and such others as he may think proper, registers, showing the exact times of the arrivals and departures of the mails. Postmasters to be furnished with schedule of times of arrival and departure.

SEC. 32. *And be it further enacted*, That if any postmaster shall unlawfully detain in his office any letter, package, pamphlet, or newspaper, with intent to prevent the arrival and delivery of the same to the per- Penalty for detaining letters, &c. in a post office.

son or persons to whom such letter, package, pamphlet or newspaper may be addressed or directed in the usual course of the transportation of the mail along the route; or if any postmaster shall, with intent as aforesaid, give a preference to any letter, package, pamphlet, or newspaper, over another which may pass through his office, by forwarding the one and retaining the other, he shall, on conviction thereof, be fined in a sum not exceeding five hundred dollars, and imprisoned for a term not exceeding six months, and shall, moreover, be forever thereafter incapable of holding the office of postmaster in the United States.

Certain postmasters to be appointed by and with the consent of the Senate.

Sec. 33. *And be it further enacted*, That there shall be appointed by the President of the United States, by and with the advice and consent of the Senate, a Deputy Postmaster for each post office at which the commissions allowed to the postmaster amounted to one thousand dollars or upwards in the year ending the thirtieth day of June, one thousand eight hundred and thirty-five, or which may, in any subsequent year, terminating on the thirtieth day of June, amount to or exceed that sum, who shall hold his office for the term of four years, unless sooner removed by the President.

Postmasters and clerks to be exempt from military duty.

Sec. 34. *And be it further enacted*, That assistant postmasters and clerks regularly employed and engaged in post offices, shall be exempt from militia duty, and serving on juries, and from any fine or penalty for neglect thereof.

Advertisements of letters may be made in more than one paper.

Sec. 35. *And be it further enacted*, That advertisements of letters remaining in post offices may, under the direction of the Postmaster General, be made in more than one newspaper: *Provided*, That the whole cost of advertising shall not exceed four cents for each letter.

Postmasters not to receive or frank any package other than such as contain paper or money.

Sec. 36. *And be it further enacted*, That no postmaster shall receive free of postage, or frank any letter or packet composed of, or containing any thing other than paper or money; and for a violation of this provision, the offender shall be dismissed from office, and upon conviction in any court of competent jurisdiction, pay a fine of twenty-dollars. And no person shall hold the office of postmaster who shall not be an actual resident of the city or town wherein the office is situated, or the district of country usually supplied by said office.

Sec. 37. *And be it further enacted*, That when any Release of one or more of the sureties of a postmaster shall notify

to the Postmaster General their desire to be released sureties of a postmaster. from their suretyship, or when the Postmaster General shall deem it necessary, he shall require the said postmaster to execute a new bond, with security, which, when accepted by the Postmaster General, shall be as valid as the bond given upon the original appointment of said postmaster, and the sureties in the prior bond shall be released from responsibility for all acts or defaults of said postmaster, which may be done or committed subsequent to the acceptance of the new bond, the date of which shall be endorsed thereon: *Provided*, Proviso. That payments made subsequent to the execution of the new bond by said postmaster shall be applied first to discharge any balance which may be due on the old bond, unless he shall, at the time of payment, expressly direct them to be applied to the credit of his new account.

Sec 38. *And be it further enacted*, That if any person shall be accessory after the fact, to the offence of Penalty for stealing or taking letters, &c. the mail. stealing or taking the mail of the United States, or of stealing or taking any letter or packet, or enclosure in any letters or packets sent or to be sent in the mail of the United States, from any Post Office in the United States, or from the mail of the United States, by any person or persons whatever, every person so offending as accessory, shall, on conviction thereof, pay a fine not exceeding one thousand dollars, and be imprisoned for a term not exceeding five years; and such accessory after the fact may be tried, convicted, and punished in the district in which his offence was committed, though the principal offence may have been committed in another district, and before the trial of the principal offender: *Provided*, Proviso. such principal offender has fled from justice, or cannot be arrested to be put upon his trial.

Sec. 39. *And be it further enacted*, That in case the Postmaster General shall deem it expedient to establish Express mail. an express mail, in addition to the ordinary mail, on any of the post roads in the United States, for the purpose of conveying slips from newspapers in lieu of exchange newspapers, or letters, other than such as contain money, not exceeding half an ounce in weight, marked "express mail," and public despatches, he shall be authorized to charge all letters and packets carried by such express mail with triple the rates of postage to which letters and packets, not free, may be by law subject, when carried by the ordinary mails.

**Duties of P. M. Genl. to devolve on Assis. P. M. G.** SEC. 40. *And be it further enacted,* That in case of the death, resignation, or absence of the Postmaster General, all his powers and duties shall devolve, for the time being, on the First Assistant Postmaster General.

**Letter carriers.** SEC. 41. *And be it further enacted,* That the Postmaster General shall be authorized, whenever the same may be proper for the accommodation of the public in any city, to employ letter carriers for the delivery of letters received at the post office in said city; except such as the persons to whom they are addressed may have requested, in writing, addressed to the postmaster, to be retained in the post office; and for the receipt of letters at such places in the said city as the Postmaster General may direct, and for the deposit of the same in the post office; and for the delivery by a carrier of each letter received from the post office, the person to whom the same may be delivered shall pay not exceeding two cents; and for the delivery of each newspaper and pamphlet, one half cent; and for every letter received by a carrier to be deposited in the post office, there shall be paid to him, at the time of the receipt, not exceeding two cents; all of which receipts, by the carriers in any city, shall, if the Postmaster General so direct, be accounted for to the postmaster of said city, to constitute a fund for the compensation of the said carriers, and be paid to them in such proportions and manner as the Postmaster General may direct. Each of the said carriers shall give bond with sureties, to be approved by the Postmaster General, for the safe custody and delivery of letters, and for the due account and payment of all moneys received by him.

**Carrying mails on canals.** SEC. 42. *And be it further enacted,* That the Postmaster General shall be authorized, in his discretion, to contract for carrying the mail on the navigable canals of the several States, in all cases where, in his opinion, the public interest and convenience shall require it; and for the time during which mails may be carried on such canals, or any parts thereof, the same are hereby declared to be post roads.

**Salaries of Assistant Postmasters General and others.** SEC. 43. *And be it further enacted,* That the following annual salaries shall be allowed to the Assistant Postmasters General, and to the clerks, messengers, and watchmen provided for the service of the Post Office Department, viz:

To the three Assistant Postmasters General, each, twenty-five hundred dollars;

To the chief clerk, two thousand dollars;

To the three principal clerks, each, one thousand six hundred dollars;

To ten clerks, each, one thousand four hundred dollars;

To fifteen clerks, each, one thousand two hundred dollars;

To eight clerks, each, one thousand dollars;

To the messenger, seven hundred and fifty dollars;

To the three assistant messengers, each, three hundred and fifty dollars;

To the two watchmen, each, three hundred dollars.

SEC. 44. *And be it further enacted*, That the following annual salaries shall be allowed to the Auditor of the Post Office Department, and to the clerks and messengers herein provided for the service of his office, viz:

Salaries of Auditor and others.

To the Auditor, three thousand dollars;

To the chief clerk, two thousand dollars;

To the four principal clerks, each, one thousand six hundred dollars;

To ten clerks, each, one thousand four hundred dollars;

To twenty clerks, each, one thousand two hundred dollars;

To eight clerks, each, one thousand dollars;

To the messenger, seven hundred and fifty dollars; and to the assistant messenger, three hundred and fifty dollars.

SEC. 45. *And be it further enacted*, That the sum of three millions one hundred and fifty thousand dollars be, and the same is hereby appropriated for the service of the Post Office Department, for the year commencing on the first day of July, one thousand eight hundred and thirty-six, out of any moneys in the Treasury, arising from the revenues of the said Department, to be accounted for in the manner pointed out in the second section of this act.

\$3,150,000 appropriated for the year 1836.

SEC. 46. *And be it further enacted*, That this act shall be in force and take effect from the passage thereof.

Act to go into immediate effect.

[APPROVED July 2, 1836.]

## AN ACT

To extend the privilege of sending letters and packages to Polly P. Madison.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That all letters and packages, to and from Polly P. Madison, widow of the late James Madison, shall be received and conveyed by post, free of postage, for and during her life.

[Approved, July 2, 1830.]

## AN ACT

To promote the progress of useful arts, and to repeal all acts and parts of acts heretofore made for that purpose.

The first section establishes the Patent Office, and provides that the Commissioner of Patents "shall be entitled to send and receive letters and packages by mail, relating to the business of the office, free of postage."

[Approved, July 4, 1830.]

## RESOLUTION

To enable the Postmaster General more readily to change the contracts for the conveyance of the mail to the Post Office Department.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Postmaster General be, and he is hereby authorized and empowered to let the contracts for the transportation of the mails in those sections of the United States where they expire on the 31st days of December, 1837, 1838, and 1839, respectively, for four years and six months, so as to cause them to terminate on the 30th day of June, 1842, 1843, and 1844, to the end that the contract may commence on the first day of July, instead of the first day of January.

[Approved, March 2, 1873.]

## AN ACT

To continue the office of Commissioner of Pensions.

*Sec. 3. And be it further enacted,* That the said Commissioner shall receive an annual salary of three thousand dollars; and have the privilege of sending and receiving letters and packets by mail, free of postage.

[Approved, March 3, 1837.]

## A RESOLUTION

Directing the postage on letters sent by the Express Mail, to be paid in advance

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,*  
That the Postmaster General be, and he is hereby directed to cause the postage on all letters sent by the Express mail of the United States, to be paid in advance at the time of depositing them for transportation by said mail.

[APPROVED, October 12, 1837.]

## AN ACT

To modify the last clause of the fifth section of the deposit act of the twenty third of June, 1836,

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*  
That the last clause of the fifth section of the act entitled "an act to regulate the deposits of the public money," approved on the 23d day of June, 1836, declaring that the notes or bills of no bank shall be received in payment of any debt due to the United States which shall, after the fourth day of July, in the year one thousand eight hundred and thirty-six, issue any note or bill of a less denomination than five dollars, shall be, and the same is hereby, so far modified, as that the interdiction as to the reception of the bills and notes shall not continue against any bank which has, since the said fourth day of July, in the year one thousand eight hundred and thirty-six, issued bills or notes of a less denomination than five dollars, or which shall issue any such bills or notes prior to the first day of October, in the year eighteen hundred and thirty-eight; but that, from and after the said last mentioned day, the bills or notes of no bank shall be received in payment of any debt due to the United States, which bank shall after that date, issue, re-issue, or pay out any bill or note of a less denomination than five dollars.

[APPROVED, July 5, 1838.]

## AN ACT

To increase the present Willing's Establishment of the United States, and for other purposes.

Sec. 21. *And be it further enacted,* That all letters and packages on public business, to and from the com-

manding General, the Colonel of Ordnance, the Surgeon General, and the Head of the Topographical Corps, shall be free of postage. [APPROVED, *July 5, 1838.*

### AN ACT

To establish certain Post Routes, and to discontinue others.

SEC. 2. *And be it further enacted,* That each and every railroad within the limits of the United States, which now is, or hereafter may be made and completed, shall be a post route; and the Postmaster General shall cause the mail to be transported thereon, provided he can have it done upon reasonable terms, and not paying therefor, in any instance, more than twenty-five per centum over and above what similar transportation would cost in post coaches. [APPROVED, *July 7, 1838.*

### AN ACT

Further to regulate the transportation of the Mail upon Railroads.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Postmaster General shall not, by virtue of the authority vested in him by the second section of the "Act to establish certain post routes, and to discontinue others," approved July 7th, 1838, allow more than three hundred dollars per mile, per annum, to any railroad company in the United States, for the conveyance of one or more daily mails upon their roads: *Provided,* That nothing in this act contained shall be construed so as in any way to remove or impair the limitations upon the power of the Postmaster General, imposed by that section. [APPROVED, *January 25, 1839.*

### AN ACT

Making appropriations for the Civil and Diplomatic expenses of Government, for the year 1839

SEC. 3. *And be it further enacted,* That no officer in any branch of the public service, or any other person whose salaries, or whose pay or emoluments is or are fixed by law and regulations, shall receive any extra allowance or compensation, in any form whatever, for the disbursement of public money, or the performance of any other services, unless the said extra allowance or compensation be authorised by law.

[APPROVED, *March 3, 1839.*



## AN ACT

To repeal the act entitled, "An act to provide for the collection, safekeeping, transfer, and disbursement of the Public Revenue," and to provide for the punishment of embezzlers of Public Money, and for other purposes.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the act entitled, "An act to provide for the collection, safekeeping, transfer, and disbursement of the public revenue," approved on the fourth day of July, A. D. one thousand eight hundred and forty, be, and the same is hereby, repealed: *Provided, always,* That for any offences which may have been committed against the provisions of the seventeenth section of the said act, the offenders may be prosecuted and punished according to those provisions; and that all bonds executed under the provisions of said act, and all civil rights and liabilities which have arisen or accrued under said act, and the remedies therefor, shall remain and continue as if said act had not been repealed; any thing herein contained to the contrary notwithstanding.

SEC. 2. *And be it further enacted,* That if any officer charged with the safekeeping, transfer, or disbursement of public moneys, or connected with the Post Office Department, shall convert to his own use, in any way whatever, or shall use, by way of investment in any kind of property or merchandise, or shall loan, with or without interest, any portion of the public moneys entrusted to him for safekeeping, transfer, disbursement, or for any other purpose, every such act shall be deemed and adjudged to be an embezzlement of so much of the said moneys as shall be thus taken, converted, invested, used, or loaned, which is hereby declared to be a felony; and the neglect or refusal to pay over, on demand, any public moneys in his hands, upon the presentation of a draft, order, or warrant drawn upon him, and signed by the Secretary of the Treasury, or to transfer or disburse any such moneys promptly, according to law, on the legal requirement of a superior officer, shall be *prima facie* evidence of such conversion to his own use of so much of the public moneys as may be in his hands. Any officer or

Act of 4th July, 1840, repealed.

Proviso; offences already committed against 17th section punishable. Bonds, &c., not affected by the repeal.

Felony for officers charged with safekeeping, transfer, or disbursement of public moneys, or connected with Post Office Department, to use public moneys.

Neglect or refusal to pay over, transfer, or disburse such moneys, *prima facie* evidence of such use.

Punishment  
for said of-  
fence, and  
for advising,  
or knowing-  
ly or will-  
ingly parti-  
cipating  
therein.

agent of the United States, and all persons advising, or knowingly and willingly participating in such embezzlement, upon being convicted thereof before any court of the United States of competent jurisdiction, shall, for every such offence, forfeit and pay to the United States a fine equal to the amount of the money embezzled, and shall suffer imprisonment for a term not less than six months nor more than five years.

[APPROVED, August 13, 1841.]

### AN ACT

Authorizing the transmission of Letters and Packets to and from Mrs. Harrison, free of postage.

Franking  
privilege  
granted.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That all letters and packets carried by post to and from Mrs. Harrison, relict of the late William Henry Harrison, be conveyed free of postage during her natural life.

[APPROVED, September 9, 1841.]

### AN ACT

Making appropriations for the Civil and Diplomatic expenses of Government for the year eighteen hundred and forty-two.

Printing,  
stationery, &  
binding, of  
the Execu-  
tive Depart-  
ments, to be  
furnished by  
contract.

SEC. 1. By part of section 15, of the act of May 18, 1842, it is *Provided*, That the job printing, stationery, and binding of each of the Executive Departments shall, until otherwise directed by law, be furnished by contract, proposals for which shall regularly be advertised in the public prints. The classes, character, and description of the printing being specified in each advertisement as far as that can be done, and it being made a condition in all cases, unless otherwise specifically stated in the advertisement, that the work shall be done in the city of Washington; and the contract shall in each case, so far as the proposals and acceptance shall enable the contract to be made, be given to the lowest bidder, whose bid shall be accompanied by proper testimonials of the ability of the bidder to fulfil his contract.

SEC. 2. By part of section 202, of the act of May 18, 1842, it is *Provided*, That in addition to returns now required to be rendered by postmasters, it shall be the duty of postmasters at New York, Boston, Philadelphia, Baltimore, and New Orleans, and the other several cities of the Union, each and every year hereafter, to render a quarter-yearly account to the Postmaster General, under oath, in such form as the latter shall prescribe, for the purpose of giving full effect to this proviso, of all emoluments or sums by them respectively received for boxes, or pigeon-holes, or other receptacles for letters or papers, and by them charged for to individuals; or for the delivery of letters or papers at or from any place in either of said cities, other than the actual post office of such city; and of all emoluments, receipts, and profits, that have come to their hands by reason of keeping branch post offices in either of said cities; and if, from such accounting, it shall appear that the net amount received by either of the postmasters at either of such cities, for such boxes, and pigeon-holes, and other receptacles for letters and papers, and for delivering letters or papers at or from any place in either of said cities, other than said post office, and by reason of keeping a branch post office in either of said cities, shall, in the aggregate, exceed the sum of three thousand dollars in any one year, such excess shall be paid to the Postmaster General, for the use and purposes of the Post Office Department; and no postmaster shall, hereafter, under any pretence whatsoever, have, or receive, or retain for himself, in the aggregate, more than five thousand dollars per year, including salary, commissions, boxes, and all other fees, perquisites, and emoluments, of any name or character whatsoever, and for any service whatsoever.

Proviso, requiring Postmasters to make returns of all emoluments received from boxes, &c.

If the net receipts exceed \$3,000 a year, the excess shall be paid to the Postmaster General, for the use of the Department.

No postmaster to receive more than \$5,000 a year, salary included.

[APPROVED, May 18, 1842.]

## AN ACT

Legalizing and making appropriations for such necessary objects as have been usually included in the general appropriation bills without authority of law, and to fix and provide for certain incidental expenses of the departments and offices of Government, and for other purposes.

Report of  
clerks and  
other per-  
sons em-  
ployed to be  
annually  
made to  
Congress.

SEC. 11. *And be it further enacted*, That it shall be the duty of the Secretaries of State, of the Treasury, War, and Navy, of the Commissioners of the Navy, of the Postmaster General, of the Secretary of the Senate, and of the Clerk of the House of Representatives, to report to Congress, at the beginning of each year, the names of the clerks and other persons that have been employed, respectively, during the preceding year, or any part thereof, in their respective departments and offices, together with the time that each clerk or other person was actually employed, and the sums paid to each; and, also, whether they have been usefully employed; whether the services of any of them can be dispensed with without detriment to the public service; and whether the removal of any individuals, and the appointment of others in their stead, is required for the better despatch of business; and no greater allowance shall be made to any such clerk, or other person, than is or may be authorized by law, except to watchmen and messengers, for any labor or services required of them beyond the particular duties of their respective stations, rendered at such times as does not interfere with the performance of their regular duties.

No allow-  
ance to be  
made for ex-  
tra services.

SEC. 12. *And be it further enacted*, That no allowance or compensation shall be made to any clerk, or other officer, by reason of the discharge of duties which belong to any other clerk or officer in the same or any other department; and no allowance or compensation shall be made for any extra services whatever which any clerk or officer may be required to perform.

Duty of chief  
clerks to su-  
pervise the  
duties of  
other clerks,  
&c.

SEC. 13. *And be it further enacted*, That it shall be the duty of each chief or principal clerk in the respective departments, bureaus, and other offices, to supervise, under the direction of his immediately superior officer, the duties of the other clerks therein, and to see that their duties are faithfully executed, and that such duties are distributed with equality and uniformity, according to the nature of the case. And

such distribution shall be revised, from time to time, by the said chief or principal clerk, for the purpose of correcting any tendency to undue accumulation or reduction of duties, whether arising from individual negligence or incapacity, or from increase or diminution of particular kinds of business; and such chief or principal clerk shall report monthly to his superior officer any existing defect that he may be aware of in the arrangement or despatch of business; and such defect shall be amended by new arrangements of duties, dismissal of negligent or incompetent officers, or otherwise.

SEC. 14. *And be it further enacted*, That it shall be the duty of the several heads of departments, in communicating estimates of expenditures and appropriations to Congress, and to any of the committees thereof, to specify, as nearly as may be convenient, the sources from which such estimates are derived, and the calculations upon which they are founded; and, in so doing, to discriminate between such estimates as are conjectural in their character, and such as are framed upon actual information and application from disbursing officers; and, in communicating the several estimates, reference shall be given to the laws and treaties by which they are authorized, the dates thereof, and the volume, page, and section in which the necessary provisions are contained.

Manner in which estimates are to be communicated to Congress.

SEC. 15. *And be it further enacted*, That no extra clerk shall be employed in any department, bureau, or office, at the seat of Government, except during the session of Congress, or when indispensably necessary to enable such department, bureau, or office, to answer some call made by either House of Congress at one session, to be answered at another; and not then, except by order of the head of the department in which, or in some bureau or office of which, such extra clerk shall be employed; and no such extra clerk, for copying, shall receive more than three dollars per day, or for any other service more than four dollars per day, for the time actually and necessarily employed.

Employment of extra clerks.

Employ-  
ment of mes-  
sengers, la-  
borers, &c.

Purchase of  
newspapers.

Stationery  
and job prin-  
ting to be  
furnished &  
performed  
by contract.

SEC. 16. *And be it further enacted,* That no messenger, assistant messenger, laborer, or other person, shall be employed in any department, bureau, or office, at the seat of Government, or paid out of the contingent fund appropriated to such department, bureau, or office, unless such employment shall be authorized by law, or shall become necessary to carry into effect some object for which appropriations may be specifically made; and not exceeding one hundred dollars per annum shall be applied by each department (except the Department of State) for the purchase of newspapers for such department, and all the bureaus and offices connected therewith; and such papers shall be preserved as files for said department.

SEC. 17. *And be it further enacted,* That all stationery, of every name and nature, for the use of the two Houses of Congress, and all stationery and job printing, of every name and nature, for the use of the several departments of the Government, and for the bureaus and offices in those departments at Washington, including all stationery, blanks, wrapping paper, and twine, and mail bags, furnished the post offices and collectors' offices throughout the United States, shall hereafter be furnished and performed by contract, by the lowest bidder, as follows: the Secretary of the Senate, the Clerk of the House of Representatives, the head of each department, and such deputy postmasters in the Post Office establishment, and such collectors in the custom-house establishment, as the Postmaster General and the Secretary of the Treasury shall respectively designate for that purpose, shall respectively advertise, once a week, for at least four weeks, in one or more of the principal papers published in the places where such articles are to be furnished, or such printing done, for sealed proposals for furnishing such articles, or the whole of any particular class of articles, or for doing such printing, or the whole of any specified job thereof, to be done at such place, specifying in such advertisement the amount, quantity, and description of each kind of articles to be furnished, and, as near as may be, the nature, amount, and kind of printing to be done; and all such proposals shall be kept sealed until the day specified

in such advertisement for opening the same, when they shall be opened, by or under the direction of the officer making such advertisement, in the presence of at least two persons; and the person offering to furnish any class of such articles, or to perform any specified portion or job of said work, and giving satisfactory security for the performance thereof, under a forfeiture not exceeding twice the contract price in case of failure, shall receive a contract for doing the same, and in case the lowest bidder shall fail to enter into such contract and give such security within a reasonable time, to be fixed in such advertisement, then the contract shall be given to the next lowest bidder who shall enter into such contract and give such security. And in case of a failure to supply the articles or to perform the work, by the person entering into such contract, he and his sureties shall be liable for the forfeiture specified in such contract, as liquidated damages, to be sued for in the name of the United States, in any court having jurisdiction thereof.

SEC. 18. *And be it further enacted*, That all such bids or proposals shall be returned by the person authorized, as aforesaid, to receive the same, to the Executive Department from which such authority is derived, and shall be preserved in said Department, subject to such examination as Congress may at any time order and direct.

Bids and proposals to be preserved, &c.

SEC. 19. *And be it further enacted*, That no part of the contingent fund appropriated to any department, bureau, or office, shall be applied to the purchase of books, periodicals, pictures, or engravings, or other thing, except such books, periodicals, and maps, or other thing, as the head of such department shall deem necessary and proper to carry on the business of such department, and shall, by written order, direct to be procured for that purpose.

Relative to the purchase of books &c.

SEC. 20. *And be it further enacted*, That it shall be the duty of the Secretary of the Senate, at the commencement of every regular session of Congress, to report to the Senate, and of the Clerk of the House of Representatives to report to the House, and of the head of each department to report to Congress, a detailed statement of the manner in which the contingent funds have been expended to be reported to Congress.

Detailed statement of the manner in which the contingent funds have been expended to be reported to Congress.

for each House, and of their respective departments; and for the bureau and offices therein, has been expended, giving the names of every person to whom any portion thereof has been paid; and if for anything furnished, the quantity and price; and if for any services rendered, the nature of such service, and the time employed, and the particular occasion or cause, in brief, that rendered such service necessary; and the amount of all former appropriations in such case on hand, either in the Treasury or in the hands of any disbursing officer or agent. And they shall require of the disbursing officers, acting under their direction or authority, the return of precise and analytical statements and receipts for all the moneys which have been, from time to time, during the next preceding year, expended by them; and the results of such returns, and the sums total shall be communicated annually to Congress, by the said officers, respectively.

[APPROVED, August 26, 1842.]

### AN ACT

To re-organize the Navy Department of the United States.

Franking  
privilege.

SEC. 7. *And be it further enacted, That the chief of each bureau hereby established shall be authorized to frank all communications from his bureau; and all communications to his bureau, on the business thereof, shall be free of postage.*

[APPROVED, August 31, 1842.]

### AN ACT

To authorize the Chief Clerk in the office of the Secretary of State to frank public and official documents sent from that office.

Franking  
privilege.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the right and privilege of franking all public and official documents that may be sent from the office of the Secretary of State be, and hereby is, granted to the chief clerk in that office.*

[APPROVED, February 15, 1843.]



## AN ACT

Regulating the currency of foreign coins in the United States.

Part of SEC. 1. *Be it enacted*, That from and after the passage of this act, foreign gold and silver coins shall pass current as money within the United States, and be a legal tender for the payment of all debts and demands, at the several and respective rates following, and not otherwise, viz: The gold coins of Great Britain and Portugal, of their present standard, at the rate of one hundred cents for every twenty-seven grains of the actual weight thereof; the gold coins of France, Spain, and the dominions of Spain, of their present standard, at the rate of one hundred cents for every twenty-seven grains and two-fifths of a grain of the actual weight thereof; Spanish milled dollars, at the rate of one hundred cents for each, the actual weight whereof shall not be less than seventeen pennyweights and seven grains, and in proportion for the parts of a dollar; crowns of France, at the rate of one hundred and ten cents for each crown, the actual weight whereof shall not be less than eighteen pennyweights and seventeen grains, and in proportion for the parts of a crown.

After the 10th of April, 1806, foreign gold & silver coins to be a legal tender for the payment of all debts and demands, at the rates specified, &c., &c.

Rates of foreign gold.

Rates of foreign silver coins.

[APPROVED, April 10, 1806.]

## AN ACT

Regulating the value of certain foreign silver coins within the United States.

SEC. 1. *Be it enacted, &c.*, That from and after the passage of this act, the following silver coins shall be of the legal value, and shall pass current as money within the United States, by tale, for the payment of all debts and demands, at the rate of one hundred cents to the dollar; that is to say, the dollar of Mexico, Peru, Chili, and Central America, of not less weight than four hundred and fifteen grains each, and those re-stamped in Brazil, of the like weight, of not less fineness than ten ounces, fifteen pennyweights of pure silver in the Troy pound of twelve ounces of standard silver, and the five franc pieces of France, when of not less fineness than ten ounces and sixteen pennyweights in twelve ounces Troy weight of stand-

Certain silver coin to pass by tale.

and silver, and weighing not less than three hundred and eighty-four grains each, at the rate of ninety-three cents each. [APPROVED, *June 25, 1834.*

### AN ACT

Regulating the value of certain foreign gold coins within the United States,

Standard and  
weight of coins

SEC. 1. *Be it enacted, &c.,* That from and after the thirty-first day of July next, the following gold coins shall pass as current within the United States, and be receivable in all payments, by weight, for payment of all debts and demands, at the rates following, that is to say: The gold coins of Great Britain, Portugal and Brazil, of not less than twenty-two carats fine, at the rate of ninety-four cents and eight-tenths of a cent per pennyweight; the gold coins of France nine-tenths fine, at the rate of ninety-three cents and one-tenth of a cent per pennyweight; and the gold coins of Spain, Mexico, and Colombia, of the fineness of twenty carats three grains and seven-sixteenths of a grain, at the rates of eighty-nine cents and nine-tenths of a cent per pennyweight.

[APPROVED, *June 28, 1834.*

### AN ACT

Supplementary to the act entitled "An act establishing a Mint and regulating the coins of the United States."

Weight of sil-  
ver coins.

SEC. 9. *And be it further enacted,* That of the silver coins, the dollar shall be of the weight of four hundred and twelve and one-half grains; the half-dollar of the weight of two hundred and six and one-fourth grains; the quarter-dollar of the weight of one hundred and one-eighth grains; the dime, or tenth part of a dollar, of the weight of forty-one and a quarter grains; and the half-dime, or twentieth part of a dollar, of the weight of twenty grains and five-eighths of a grain. And that dollars, half-dollars, quarter-dollars, dimes, and half-dimes, shall be legal tenders of payment, according to their nominal value, for any sums whatever.

Silver coins a  
legal tender.

SEC. 10. *And be it further enacted*, That of the gold coins, the weight of the eagle shall be two hundred and fifty-eight grains; that of the half-eagle, one hundred and twenty-nine grains; and of the quarter-eagle, sixty-four and one-half grains, and that for all sums whatever, the eagle shall be a legal tender of payment for ten dollars; the half half-eagle for five dollars; and quarter-eagle for two and a half dollars.

Weight of gold coins.

Gold coins to be a legal tender.

SEC. 11. *And be it further enacted*, That the silver coins heretofore issued at the mint of the United States, and the gold coins issued since the thirty-first day of July, one thousand eight hundred and thirty-four, shall continue to be legal tenders of payment for their nominal values, on the same terms as if they were of the coinage provided for by this act.

Gold and silver coins heretofore issued to be a legal tender.

SEC. 12. *And be it further enacted*, That of the copper coins, the weight of a cent shall be one hundred and sixty-eight grains, and the weight of the half-cent eighty-four grains. And the cent shall be considered of the value of one hundredth part of a dollar, and the half-cent of the value of two hundredth parts of a dollar.

Weight of copper coins,

[APPROVED, January 18, 1837.]

### AN ACT

To provide more effectually for the settlement of accounts between the United States and receivers of public money.\*

SEC. 5. That where any revenue officer, or other person, hereafter becoming indebted to the United States, by bond or otherwise, shall become insolvent, or where the estate of any deceased debtor, in the hands of executors or administrators, shall be insufficient to pay all the debts due from the deceased, the debt due to the United States shall be first satisfied; and the priority hereby established shall be deemed to extend, as well as to cases in which a debtor, not having sufficient property to pay all of his debts, shall make a voluntary assignment thereof, or in which the estate and effects of an absconding, concealed, or absent debtor, shall be attached by process of law, as to cases in which an act of legal bankruptcy shall be committed.

Where Revenue officers or other persons become insolvent, or when the estate of any deceased debtor is insufficient, &c., the debt due the United States to be first satisfied.

[APPROVED, March 3, 1797.]

\* See Sec. 13, page 33, Act of 1836, as to the priority of payment to the United States.

NOTE.—The priority of payment claimed by the United States is derived from certain acts of Congress. These several acts are, the act of 31st July, 1789, ch. 5, sec. 21, the act of 4th August, 1790, ch. 35, sec. 45, the act of 1792, ch. 27, sec. 18, the act of 3d of March, 1797, ch. 74, sec. 5, and the act of 2d of March, 1799, ch. 128, sec. 65. All these acts, except that of 1797, confirmed the priority of the United States to custom-house bonds, and bonds taken under the collection act. It was the act of 1797, that went further, and gave a preference to the United States in all cases whatever, whoever might be the debtor, or however he might be indebted. The act of 2d July, 1836, "to change the organization of the Post Office Department," &c., &c., sec. 13, provides that all suits to be commenced for debts or balances due the Department, "shall have all the privileges and priorities in adjudication and payment secured to other claims of the United States by the existing laws." This act clothes the Post Office Department with all the power and privileges as regards priority of payment which exist under the collection act of 1799, and all preceding acts of Congress.

This priority is given by the 5th section of the act of the 3d of March, 1797, ch. 94. It is also given by the 65th section of the collection law, in the words following: "And in all cases of insolvency, or where any estate in the hands of the executors, administrators, or assigns, shall be insufficient to pay all the debts due from the deceased, the debt or debts due to the United States on such bond or bonds shall be first satisfied." In the same section, the Legislature explain their meaning of "insolvency," by declaring that it shall be deemed to extend, as well to cases in which a debtor, not having sufficient property to pay all his debts, shall make a voluntary assignment thereof for the benefit of his creditors, or in which the estate or effects of an absconding, concealed, or absent debtor shall have been attached by process of law, as to cases in which an act of legal bankruptcy shall have been committed. In giving a construction to these statutes, the Supreme Court of the United States has held that they only apply to two general classes of cases, viz: A living insolvent, having an assignee, and a dead insolvent, represented by executors and administrators.—(Conard vs. Nicholl, 4th Peters' Rep., 308.) That the priority of payment, as against living debtors, only where the debtor had become actually and notoriously insolvent, manifested by some open act, as taking the oath of insolvent debtors, under the law of some of the States.—(See 3 Cr., 73; 1 Pet., 439.) It is not a mere inability of the debtor to pay all his debts, but that inability must be manifested in one of the three modes pointed out in the explanatory clause of the 65th section of the act of 1799: The preference of the United States does not extend to cases where the debtor has not made an assignment of the whole of his property. If the assignment leaves out a trivial part of his property for the purpose of evading the act giving the preference, it will be considered as a fraud upon the law, and the court treat it as a total divestment. The deed of assignment must embrace all of the property of the debtor, &c., &c.—(4th vol. Wheaton, 108.) A deed executed by a debtor of the United States, conveying all his property in the possession of the debtor, to trustees, for the payment of his debts, not including the debt of the United States, is an act of insolvency, both within the spirit and letter of the act of Congress giving priority in such cases to debts due the United States over all others; and the priority attaches at the instant that the deed is executed.—(United States et. al. vs. Cochran, et. al., Brocken C. C., Rep. 274.) The preference of the United States will not relate back to the act of insolvency so as to overreach intermediate *bona fide* securities given by the insolvent to creditors. It has been the uniform construction of the 5th section of the act of 1797, (1. Story's Laws, 464,) and of the similar provision in the 65th section of the collection act of 1799, (1 Story's Laws, 630,) that

whether in a case of insolvency, death, or assignment, the property of a debtor passes to the assignee, executor, or administrator, the priority of the United States, operating not to prevent the transmission of the property, but giving them a preference in payment out of the proceeds.—(Brent vs. The Bank of Washington, 10 Peters', 596.) When the priority of the United States has actually attached, there is, strictly speaking, no lien, either general or specific, on the property in the hands of the executors, administrators, assigns, or trustees, as the case may be; but only a claim on the funds in their hands. The priority established, can never attach while the debtor continues the owner and in the possession of the property, although he may be unable to pay his debts, and no evidence can be received of the insolvency of the debtor until he has been divested of his property in one of the modes stated in the collection act. And when he is thus divested of his property, the person who becomes invested with the title is thereby made a trustee for the United States, and is bound to pay their debt first out of the proceeds of the debtor's property.—(Beaston vs. The Farmers' Bank of Delaware, 12 Peters' 133.) The moment the transfer of property takes place under the statute, the person taking it, whether by voluntary assignment or by operation of law, becomes bound to the United States for the faithful performance of the trust.—(1 Peters' Rep. 439; 12 Peters', 131.)

When the insolvency or acts of bankruptcy required by the statutes have actually occurred, the priority immediately attaches; although sometime may elapse before a trustee be formally appointed. Every person indebted to the insolvent, or in the possession of his property, becomes, as to such debt or property, the trustee of the United States from the moment he has notice of their priority. Should he actually pay over the debt, or deliver the property to another creditor, with notice of the claim of the United States, he is responsible. An assignee is not liable under the acts of Congress until notice of the debt due to the United States. But the notice need not be given by the United States; nor is a judgment or suit against him necessary, in order to charge him with notice. The notice must be such as is required in ordinary cases of trustees, and enough to put a prudent man on inquiry.—(2 Wash. C. C. Rep., 196.) Assignees and trustees, administrators and executors, are personally liable if they omit to discharge such debt or debts, if funds actually come into their hands. If a debtor dies without sufficient property to pay his debts, the right to satisfaction out of his estate, in preference to other creditors, is undoubtedly in the United States.—(10 Peters', 612.)

The priority of the United States does not extend so as to take the property of a partner from partnership effects to pay a separate debt due by such partner to the United States, when the partnership effects are not sufficient to satisfy the creditors of the partnership.—(United States vs. Hack et. al., 8 Peters', 271.) If there be any deficiency in the proceeds of any particular estate to pay the mortgages thereon, the mortgagees cannot come in upon the funds and proceeds of the sales of other estates, except as general creditors.



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**REGULATIONS FOR THE GOVERNMENT**

**OF THE**

**POST OFFICE DEPARTMENT.**

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# REGULATIONS

FOR THE

## GOVERNMENT OF THE POST OFFICE DEPARTMENT.

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### ORGANIZATION OF THE POST OFFICE DEPARTMENT.

#### CHAPTER 1.

The duties of the Department are divided and distributed as follows, viz:

SEC. 1. The general supervision of the Post Office Department is lodged by the Constitution and laws with the Postmaster General; and with the view to the more convenient and prompt dispatch of business, the duties of the Department are subdivided among the following bureaus: the Contract Office, under the charge of the First Assistant Postmaster General; the Appointment Office, under the charge of the Second Assistant Postmaster General; the Inspection Office, under the charge of the Third Assistant Postmaster General; and the Miscellaneous branch, under the charge of the Chief Clerk.

#### FIRST ASSISTANT POSTMASTER GENERAL.

##### *Contract Office.*

2. To this office are assigned the duties of arranging the connexions of the mails on all the mail routes in the United States, adjusting the speed of the mails, fixing on the frequency of their trips and the mode of conveyance, making out advertisements for mail contracts, receiving the bids, preparing them for the action of the Postmaster General, preparing forms of contracts, sending them out and seeing to their execution, examining and preparing for decision all propositions for changes in the mail service, fixing on the location of distributing post offices, directing the course and distribution of the mails, and performing all acts appertaining to post roads which are necessary to put the mails in motion, and regulate their conveyance, speed, and connexion.

To this office all proposals for mail service, and all letters relating to the making or changing of contracts and schedules, and everything else having reference to the transportation of mails, should be directed.

## SECOND ASSISTANT POSTMASTER GENERAL.

*Appointment Office.*

3. To this office are assigned all questions which relate to the establishment and discontinuance of post offices, changes of sites and names, appointment and removal of deputy postmasters, as also the giving instructions to deputy postmasters. Deputy postmasters are furnished with stamps and blanks by this bureau.

## THIRD ASSISTANT POSTMASTER GENERAL.

*Inspection Office.*

4. To this office is assigned the duty of seeing that all deputy postmasters at the beginning and ends of routes, and such others as may be directed by the Postmaster General, keep and return registers of the arrival and departure of the mails, according to law; of examining said registers, noting all delinquencies of contractors, and preparing them for the action of the Postmaster General: receiving and preparing for decision all special complaints against contractors; furnishing blanks for mail registers; providing and sending out mail bags and mail locks and keys, and doing all other things which may be necessary to secure a faithful and exact performance of their contract service on the part of contractors.

To this office all mail registers, and all letters complaining of, or reporting contractors, should be directed.

Each of the said offices of the Department is under the control and direction of the Postmaster General.

*Auditor's Office.*

5. The act of 1836, sec. 8, established the office of "*Auditor of the Treasury for the Post Office Department.*" To this office the law assigns the duty of settling all accounts of the Post Office Department, whether of deputy postmasters, contractors, or others.

6. The duty of commencing suit is assigned by the act of 2d of July, 1836, to the Auditor of the Treasury of the Post Office Department.

7. This office reports all balances due to contractors and others, in order to their payment by the Postmaster General, and all delinquencies of deputy postmasters, in paying over their balances according to his instructions.

8. To the Auditor all accounts against or with the Post Office Department, (other than postmasters' quarterly accounts;) all letters in relation to accounts; all letters enclosing the receipts of contractors; all letters returning drafts on deputy postmasters; and all other letters making claims or explanatory of accounts, should be addressed to him.

*Office of the Treasurer of the United States for the service of the Post Office Department.*

9. The 1st section of the act of July, 1836, provides that the revenues arising in the Post Office Department, and all debts due to the same, shall, when collected, be paid, under the direction of the Postmaster General, into the Treasury of the United States.

## CHAPTER 2.

### *Post Roads.*

Post roads are—

10. Those roads which are declared by Act of Congress to be such.—  
*Act March 3, 1823.*

11. All waters on which Steamboats regularly pass from port to port.—  
*Act March 3, 1823.*

12. The navigable canals of the several States.

13. All Railroads in the United States.

14. Those roads on which the Postmaster General causes the mail to be carried from the nearest post offices on legally declared post roads, to court-houses not otherwise provided with the mail.

## CHAPTER 3.

### *Contractors.*

15. The Union is divided into four contract sections, and a letting of contracts occurs consequently every year.

The contract sections are—

16. Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, and New York.

17. New Jersey, Pennsylvania, Delaware, Maryland, and Ohio.

18. Virginia, North Carolina, South Carolina, Georgia, and Florida.

19. Michigan, Indiana, Illinois, Wisconsin, Iowa, Missouri, Kentucky, Tennessee, Alabama, Mississippi, Arkansas, and Louisiana.

20. The contract year commences on the 1st of July, and four of those years constitute the full regular contract term.—*See sec. 4, Act of 1825.*

21. Each contractor is to execute an indenture of contract, and a bond with sureties, also a duplicate contract to be returned, *both of them*, to the contract office, the former to be there filed, and the latter to be reported by it to the Auditor. The contractor will afterwards receive from the Contract Office a counterpart of the contract executed by the Postmaster General.

22. If post offices depend for their supply of the mail, upon postages received, and the postages received should fall short of the amount which the contractor or carrier may be authorized to receive out of them, he can have no claim on the Department for the deficiency.

23. If the surplus exceeds the amount, as stipulated in the contract to be paid by the Department, the surplus is to be held subject to the draft or order of the Department.

24. During the existence of a contract for supplying an office, the deputy postmaster can only pay according to instructions, or in conformity with the contract, and he must forward to the Auditor the receipt of the contractor for such payment immediately upon the close of the quarter.

25. If the contractor remove or refuse to perform the service stipulated in the contract, it becomes the duty of the deputy postmaster to report the fact to the Postmaster General, and to furnish the name of the person (if one can be found) who will enter into contract at the lowest price, for the residue of the term.

26. After the expiration of a contract, and until the Postmaster General has decided upon any offer to enter into a new contract, or upon the expediency of discontinuing the office, or of making some other provision for its supply, deputy postmasters cannot make any payment, unless expressly authorized by him.

27. Contractors are required, in all cases, to carry the entire mail. deputy postmasters will never permit them to leave any part of it.

28. Neither are contractors permitted to leave bags of newspapers and pamphlets at any places on their routes.

29. The Postmaster General may annul the contract for failures on the part of the contractor; for violating the Post Office laws; for disobeying the instructions of the Department; for refusing to discharge a carrier when required by the Department; for assigning the contract without the consent of the Postmaster General.

30. The Postmaster General is prohibited by law from knowingly making a contract for the transportation of the mail with any person who shall have entered into any combination, or proposed to enter into any combination, to prevent the making of any bid for a mail contract by any other person or persons, or who shall have made any agreement, or shall have given or performed, or promised to give or perform, any consideration to do, or not to do, any thing whatever to induce any other person not to bid for a mail contract.

## CHAPTER 4.

### *Proposals for carrying the Mail.*

31. A bid received after the time designated in the proposal, without the guaranty required by law, or that combines several routes in one sum of compensation, cannot be considered in competition with a regular proposal, not adjudged to be extravagant.

32. A bidder may offer on Coach, Railroad, or Steamboat routes, where that transportation is difficult or impracticable at certain seasons, to substitute horse or wagon conveyance, or to intermit service a specified number

of days, weeks, or months. He may propose to omit an office that is inaccessible, or is not on the stage road, the railway, or at a steamboat landing, as the case may be; or he may offer to substitute an inferior mode of supply in such cases. He may propose different days and hours of departure and arrival; provided no more running time is asked, and it is obvious that no mail connexion, or other public accommodation, is prejudiced. He may ask for a specified number of days for more running time to the trip at certain seasons of peculiarly bad roads. But beyond these changes; a proposal for service different from the advertisement will prevent its being considered in competition with a regular bid not set aside for extravagance; and where a bid contains any of the above alterations, their disadvantages will be estimated in comparing it with other proposals.

33. There should be but one route bid for in a proposal.

34. The route, the service, the yearly pay, the bidder's name and residence, and the name of each member of the firm, where a company offers, should be distinctly stated.

35. The proposals should be directed to the First Assistant Postmaster General.

## CHAPTER 5.

### *Deputy Postmasters, by whom appointed.*

36. Postmasters at offices where the commissions amount to one thousand dollars and upwards, per annum, receive their appointment from the President of the United States, with the concurrence of the Senate. *Act of 1836, sec. 33.*

37. Upon the appointment of a deputy postmaster, he is furnished with a letter of appointment and a blank bond. Upon executing the bond, as required, and taking the oath of office, he is authorized to take charge of the office, and not before.

### *Who can hold the office of Deputy Postmaster.*

38. No person can hold the office of deputy postmaster who shall not be an actual resident of the city or town wherein the post office is situated, or the district of country usually supplied by the office. *Act of 1836, sec. 36.*

39. No person can hold the office of deputy postmaster who is not a citizen of the United States.

## CHAPTER 6.

### *Steps to be taken on receiving the appointment.*

40. Every person who receives the appointment of deputy postmaster, will take and subscribe, before a magistrate, the following oaths, viz:

"I, \_\_\_\_\_ do swear, (or affirm, as the case may be,) that I will faithfully perform all the duties required of me, and abstain from every thing forbidden by the laws in relation to the establishment of the Post Office and post roads within the United States."

"I do solemnly swear, (or affirm, as the case may be,) that I will support the Constitution of the United States."—*Act of 1825, sec. 2.—Constitution of the United States, article 6.*

41. These oaths should be certified by the magistrate who administers them.

42. The person appointed will then execute the bond forwarded to him by the Department, and signed in the presence of suitable witnesses, by himself and at least two sureties, the sufficiency of each of whom, for the payment of the sum inserted in the bond, must be shown as required by the form of the bond. *Act of 1825, sec. 3.*

43. In case of the death, removal from the State, or bankruptcy of one or both of the sureties, the deputy postmaster will report the fact to the Department, in order that a new bond may be taken.

44. The oaths and bond are then to be placed in the mail, and transmitted to the Appointment Office.

## CHAPTER 7.

### *Charge of the Office.*

45. The office of deputy postmaster is one of much trust and responsibility, and the appointment proceeds from a confidence reposed in him personally by the Postmaster General. Therefore he cannot be permitted to transfer the entire charge of his office, and the performance of its duties to another; thus creating a sinecure, and virtually substituting in his stead as deputy postmaster, a person unknown to the Department.

46. It follows, also, that though he may have one or more assistants, he is required to have, in person, a general superintendence of his office; since without it, the guaranty afforded to the Department, by the reputation and character which induced the appointment, that the office would be well conducted, is lost.

47. The duties of his office must be performed only by himself, personally, or by a sworn assistant or assistants, whom he may employ to aid him, when necessary; for the care and attention of every one of whom he will be himself responsible to the Department.

48. Every assistant, before he is permitted to have any agency in the business of the office, must take and subscribe the oaths set forth in the preceding chapter, which must be certified by a magistrate, and forwarded to the Department.—*Act of 1825, sec. 2.*

49. On taking charge of a post office, the deputy postmaster will take duplicate inventories of all property belonging to it, being careful to make separate ones of the locks, keys, and mail-bags, also of all instructions,

circulars, orders, &c., also of all letters, packets, newspapers, and pamphlets, and other mail matter on hand, stating the unpaid postage, and footing up the aggregate amount thereof.

50. He will deliver one set of the duplicate inventories, with his receipt thereon, to his predecessor, and transmit the other to the Auditor's Office, one respecting locks, keys, and mail-bags, to the Inspection Office, and that respecting the mail matter on hand, to the Auditor.

51. Precaution should be taken by the deputy postmaster in all cases to appoint an assistant deputy postmaster, where his ordinary assistance is not needed, to prevent the office from being left without a duly qualified person to perform its duties, in case of the necessary absence, the sickness, resignation, or death of the deputy postmaster.

52. The deputy postmaster will cause his clerks, also the letter carriers to take the necessary oaths of office, and send them for file to the Appointment Office before they enter upon their duties. The letter carriers, also, must execute bonds, with sureties.

53. No person under the age of sixteen years should be employed as a mail carrier on any post route, or a clerk in any post office in the United States. The better to enforce this regulation, it is required that the ages of the carriers and clerks be entered upon the oaths of office, which they respectively take before they are transmitted by the contractor or postmaster, to the Department for file. And the special agents of the Department will promptly report all instances of non-compliance with this regulation to the Appointment Office.

54. Deputy postmasters, assistants, and clerks, regularly employed and engaged in post offices, and also post riders, and drivers of mail stages, are by law exempt from militia duty and serving on juries, and from any fine or penalty for neglect thereof.—*Act of 1825, sec. 35; Act of 1836, sec. 34.*

55. A deputy postmaster will suffer no person whatever, except his duly sworn assistants, or clerks and letter-carriers, who may also have been sworn, to have access to the letters, newspapers, and packets in his office, or whatever constitutes a part of the mail, or to the mail keys.

56. Mails may be opened and made up in the view of persons not authorized to handle them, but never within their reach; while discharging these duties, therefore, he will, if a room be appropriated to the use of his office, exclude from it all persons except his assistants regularly employed and sworn.

57. For the safe keeping of letters and packets at post offices, where the business is not so extensive as to require the appropriation of a room to that use, a cheap, plain desk, or case, is to be provided at the expense of the Department, with a good lock and key. But this expense, nor any contingent expense, will be allowed, unless the nett proceeds of the office amount to at least \$5 per quarter.

58. The deputy postmaster will keep his office open for the dispatch of business, every day, except Sunday, during the usual hours of business.

in the place ; and attend at such other hours as may be necessary to receive and dispatch mails.—*Act of 1825, sec. 11.*

59. When the mail arrives on Sunday, he will keep his office open for one hour or more, if the public convenience require it, after the arrival and assortment thereof, unless it be during the time of public worship ; in which case he will keep the office open for one hour or more, if necessary, after the same has ceased.

60. It is expected that a disposition to accommodate will prompt him to search for and deliver a letter, on the application of a person who cannot call in the usual office hours.

61. The deputy postmaster having voluntarily assumed the responsibilities of office, he is not at liberty to abandon them, either by closing his office, or by transferring its management and funds to an irresponsible person. Upon receiving notice, at any time, of a wish to retire, the Department will take measures to select and appoint a suitable successor. But until a successor is appointed, and has been qualified by giving bond, he will continue in charge of the office, either personally or by an assistant, for whose acts he is responsible:

62. If at the expiration of any period for which he may have received an appointment from the President, or Postmaster General, and has not received a new appointment and qualified under it, or a successor has not been appointed and qualified, he will in like manner continue in charge of the office, either personally or by an assistant, for whose acts he is responsible, until one or other of these events happen.

63. Whether the appointment be from the President or the Postmaster General, in the event of death, the responsibility of the bondsmen will continue, for the fidelity of the person left in charge of the office, until a successor is appointed and qualified.

64. And it may be lawful for the sureties or any one of them to perform the duties of deputy postmaster, by themselves or agent until their successor be appointed.

65. All instructions, circulars, and orders received by a deputy postmaster, from any branch, or officer of the Department, are to be filed in the office, and turned over to his successor. In like manner he will turn over to his successor, or in the event of the discontinuance of the office, deliver to the nearest postmaster, *as public property*, all desks, cases, and other furniture or fixtures, and all books, maps, blanks, stationery, and other articles, which have either been furnished to him as postmaster, or have been charged and allowed at any time, whether as contingent expenses in the quarterly account, or as items in the commission, emolument, or other account, and which may remain on hand when the vacancy or discontinuance happens.

66. If, from any cause, a post office ceases to operate, the nearest deputy postmaster on the same route will report the fact to the Department, and open the mails addressed to such office, deliver the letters and papers to the persons entitled to them, and account for the postage, in the returns of his own office.



67. When the Postmaster General shall change the name of an existing Post Office, the order will not take effect until the deputy postmaster shall have executed new bonds and returned them to the Second Assistant Postmaster General. When the bond shall have been thus executed and returned, the name designated by the Postmaster General, will be used from and after the first day of the next succeeding quarter. But no deputy postmaster can change the name of his office, without the order of the Department; and he is expected to be particular in seeing none other substituted than the proper *official* name of his office.

68. In all communications to the Department, as well as in his private correspondence, every deputy postmaster should embrace in the date, the name of his post office, county, (district or parish) and State.

## CHAPTER 8.

The operations of the Department, on the mail routes, and in the post offices, are divided into—

1. The making up and forwarding of mails.
2. The receiving and opening of mails and delivering of letters, newspapers, and packages.
3. The keeping and rendering of accounts and payment of balances.

*Making up and forwarding mails. What may be admitted into the mail*

69. The mails were established for the transmission of intelligence; the articles, therefore, proper to be sent in them are letters, newspapers, and pamphlets.

70. Packages of every description, weighing more than three pounds, are to be excluded, except public documents, printed by order of either House of Congress, legally franked.—*Act of 19th of December, 1821, and Resolution of 13th of January, 1831.*

## CHAPTER 9.

*How the mails should be made up.*

71. Letters received to be sent by mail, should be carefully marked with the name of the Post Office at which they are received, and the initial of the State or Territory, the day of the month on which they are forwarded in the mail, and the rate of postage chargeable on them; or if they be free, with the word *Free*. The name, date, and *Free*, may be either written or stamped on them.

72. At offices where there is much business, the work of rating and marking should be performed as fast as the letters are received, and not left until the time of closing the mail, when, in the hurry of business, many errors might be committed.

73. Letters, however, must bear post mark and post bills must bear the date on which the mail leaves the post office.

74. Deputy postmasters will carefully assort the letters—and all letters

addressed to offices in his own State, or offices, the location of which are known to him in other States, he shall mail direct to such offices, and when the location of the offices are not well known, he shall mail to the distributing office nearest the point addressed by the course of the mail, and write upon the package the name of the office and State *in full*.

75. Way offices on Rail Roads will be supplied by exchanging of pouches as the cars pass, without waiting for time to change the mail, and deputy postmasters at such offices should have the mails ready when the cars come.

76. The number of letters and amount of postage are to be entered under the proper heads in the post bill, to be sent with them; and having written the proper address at the top of the bill, the same must be dated and signed by the deputy postmaster.

77. The post bill being completed, its contents are to be entered in the *Account of mails sent*, stating the name of the office (and State if a different one,) to which the mail is sent, (or if sent to a distributing office the name of such office.)

78. The letters are to be made up into bundles, and the post bill with them, wrapped in a paper of proper strength and tied with twine. If there are more letters for one office than can be conveniently put into one bundle, they should be made up into two or more bundles, and numbered; the post bill being put into the last number.

79. The mails for all the offices to which there are any letters addressed, being in this manner complete, they are to be put into the linen bag or bags destined to receive them; and these bags being securely tied, are to be put into the proper mail portmanteau, which is to be locked, and delivered to the carrier.

80. Post bills, as to year, month and day of the month, should always be *fully* and *plainly* dated; and the date should, in all cases, correspond with the day on which they are, or by due course of mail should be, *actually sent*; without regard to the day on which they may happen to have been made up.

## CHAPTER 10.

### *Receiving and Dispatching mails.*

81. A deputy postmaster will always be in readiness, in person, or by his assistants, to receive the mail when it arrives, and dispatch it with all possible expedition.

82. If no special regulation upon the subject has been made in regard to his office, he is allowed seven minutes only, to change the mail.

83. If the mail be carried in a stage, coach, or sulky, it will be the duty of the driver to deliver it as near the door of his office, as he can come with his vehicle, but he is not required to leave his horses, neither should he be permitted to throw the mail on the ground.

84. He will never detain a mail beyond the time fixed for its depar-

ture, except for the arrival of a pending mail, and in that case it should be dispatched in time to connect with other important mails, at the place of arrival.

85. When the mail is to remain but a few minutes at his office, the mail should be made up and ready to put into the portmanteau, before the time it usually arrives.

86. He will stop all packages which he finds going in the wrong direction, and put them in the right one.

87. In case of a failure of the mail, he will forward all the packages by the next trip.

88. It is inadmissible to send letters in a canvass bag without a leather bag and lock.

89. Never deliver the mail portmanteau to the carrier without being certain that it is locked.

## CHAPTER 11.

### *Opening the mail.*

90. Upon the arrival of the mail, at any post office, the packages addressed to that office and none other will be opened, and the deputy postmaster will find in each one a bill of the contents, called a *post bill*. Compare this bill with the contents, and if they do not agree, note upon the bill the amount of the difference, and whether *undercharged or overcharged*.

91. Every deputy postmaster will then look over the letters thus received, to see if the postages be properly charged or marked on them, and correct the rates on the letters, where he sees mistakes, noting the amount corrected on the bill, as *under or overcharged*.

92. If a deputy postmaster observes any letters that are not within his delivery, and are missent to his office, he will put them in the proper place to be forwarded, noting on the bill the amount forwarded, and writing on the letters the words "*missent and forwarded*." They should be forwarded by the first mail.

93. Upon making up the mail it is the duty of every deputy postmaster when he is of opinion, or has good reason to believe that any letter has been illegally franked, to erase the frank, and charge the same with the legal postage, and the deputy postmaster at the office of delivery of any letter which he believes has been illegally franked, is directed to charge such letter with the legal postage; and if upon an exhibition of any letter franked and rated with postage upon which postage has been charged and collected, it shall appear, that the same was a letter rightfully and legally franked by the person who wrote it, or if written by another at the request of him who franks it upon the business of the office of the person franking, the postage will be refunded, and the proper entries made.

94. These examinations having been made, the deputy postmaster is ready to deliver the letters, newspapers, &c.

95. Having carefully examined the post bills, and found them right,

or discovered and corrected their errors, as well in casting up, as in the particulars abovementioned, every deputy postmaster will enter their contents in the *Account of mails received*, stating the name of the office (and State, if out of his own,) from which each bill came.

96. Every deputy postmaster will enter the amount of unpaid letters, as it is charged in the bill, whether the charge be correct or erroneous. If erroneous, it falls either under the denomination of *undercharged* or *overcharged*, and by an entry of the sum, *under* or *overcharged*, in the proper column, that error is balanced.

97. All letters received by mail are to be entered in the *Account of mails received*, though no post bill accompany them, and the fact should be noted on the account, that no post bill was received.

98. Letters received by mail marked, "paid," by the post office stamp, or in the hand writing of the deputy postmaster, or his clerk, are to be delivered as paid, though they be entered in the bill as unpaid. In such a case the deputy postmaster will make the proper correction on the post bill; inform the deputy postmaster who mailed the letter of the mistake, and request him to make the necessary correction in his *Account of mails sent*. If the error be repeated, deputy postmasters will notify the facts to the Department.

99. When a deputy postmaster opens the mail portmanteau, he should be careful to leave no packets of letters or newspapers addressed to his office in it; and, if his office be at a connecting point of the mails, from which other mails branch, he will carefully examine the packets in the portmanteau, take out all such as are addressed to offices supplied by the branching mails, and give them their proper direction by the earliest conveyance. When this is neglected, it is expected that the first deputy postmaster who discovers it, will return the missent packets, and promptly report the facts to the Department.

100. In opening the mail, it must be kept in secure places.

101. No persons, other than the deputy postmaster, or his sworn assistants are to have access to the mail when opening, or after it is opened.

## CHAPTER 12.

### *Time allowed for opening the mail.*

102. Seven minutes are allowed for opening and closing the mails at all offices where no particular time is specified; but on Railroad and Steamboat routes, there is to be no more delay than is necessary to deliver and receive the bags.

## CHAPTER 13.

### *Distributing Post Offices, for Inland Mails.*

103. Portland, Maine; Boston, Massachusetts; Providence, Rhode Is-

land ; Hartford, Connecticut ; New York, Albany, and Buffalo, New York ; Philadelphia, Northumberland, Erie, and Pittsburg, Pennsylvania ; Baltimore, Maryland ; Washington, District of Columbia ; Petersburg, Norfolk, Abingdon, Kanawha C. H., and Wheeling, Virginia ; Raleigh and Ashville, North Carolina ; Charleston and Yorkville, South Carolina ; Augusta, Savannah, and Columbus, Georgia ; Huntsville and Florence, Alabama ; Natchez, Vicksburg and Columbus, Mississippi ; New Orleans, Louisiana ; Nashville, Cumberland Gap, and Memphis, Tennessee ; Louisville and Maysville, Kentucky ; Cincinnati, Columbus, and Toledo, Ohio ; Detroit, Michigan ; Vincennes and Indianapolis, Indiana ; Shawneetown and Chicago, Illinois ; St. Louis, Missouri ; Jackson, Arkansas.

## CHAPTER 14.

*Distribution, in what manner to be made up.*

104. Distribution offices are established to insure certainty and regularity in the transmission of letters and packets between remote points ; and to this end, besides the usual business of a post office, certain peculiar duties are performed in them.

105. Letters addressed to distributing offices are not, to be stopped or opened at any other office, and when received are not to be entered in the account of mails received for distribution.

106. All post bills proper for distributing offices are to be filled according to the directions in chapter 9, with the contents of each parcel, and addressed, as the case may be, either to the office for delivery, or to the proper distributing office. These post bills are then to be dated, and entered in the *Account of mails sent from the distributing office*.

107. A deputy postmaster at a distributing office will not open and distribute a mail which is addressed to a particular office, though it may pass through this office.

108. If letters be sent by any deputy postmaster to a distributing post office, when they should have been mailed direct to the offices to which they are addressed, the deputy postmaster at such distributing post office, will request the deputy postmaster so sending to correct his practice, and if continued, report him for such violation of instructions.

109. All letters and packets are to be distributed and remailed before the departure of the mail ; and on no account are they to be delayed a single post.

## CHAPTER 15.

*Time allowed for closing Mails at Distributing Offices*

110. The great mails are to be closed at all distributing offices, one hour

before the time fixed for their departure ; and all other mails at those offices, and all mails at all other offices, half an hour before that time, unless the departure is between 9 o'clock, P. M., and 5, A. M., in which case the mail is to be closed at 9, P. M.—*Act of 1825, sec. 11, page 7.*

## CHAPTER 16.

### *Distribution Offices, for Foreign Mails.*

111. The principal post offices for the despatch and receipt of foreign mails, to places beyond sea, are Boston, Massachusetts ; New York, N. York ; Charleston, South Carolina ; and New Orleans, Louisiana.

## CHAPTER 17.

### *Foreign Mails—in what manner to be made up.*

112. When a letter is placed in a post office, to be sent to a seaport by post, and thence by ship to a foreign country, the postage on it for the distance it is to be conveyed by post, must be paid at the place of its reception, otherwise the letter is not to be forwarded.

113. Deputy postmasters at seaports will always receive letters that are offered for places beyond sea. The letters so received, together with those that come in the mail, addressed to foreign countries, should be marked with the name of the office, and the time of reception.

114. As soon as the deputy postmaster finds that a vessel is ready to sail, which will be convenient to carry letters to the place of their destination, he will carefully examine all such letters, and see that there are none among them destined to another place. He will then count them, and enter their number in a bill. If there be few letters, and no bag for them furnished by the master of the vessel, they may be made into a bundle like a common mail, taking care to enclose the certificate with them, and sealing the wrapper with the office seal. If a bag be furnished, the string is to be sealed with the office seal. And if there be many letters, and no bag furnished by the master of the vessel, the deputy postmaster will furnish one, and charge it to the Department.

115. The deputy postmaster will obtain from the master of a ship, a certificate, specifying the number of letters and packets, with the name of the ship or vessel and place from whence she last sailed, and a receipt for the money paid.

116. He will mark the number forwarded to other offices, and the number for delivery at his own office, on each certificate.

117. He will then enter them in the *Account of ship and steamboat letters.*

## CHAPTER 18.

*Postage on Letters.*

118. The following are the rates of postage on single letters, viz :

6 cents,	if conveyed not exceeding 30 miles,		
10	if over 30 and not exceeding 80		
12 $\frac{1}{2}$	" 80	"	150
18 $\frac{3}{4}$	" 150	"	400
25	" 400		

119. Letters composed of two pieces of paper, (or other articles, however small,) are to be charged with double postage; three pieces, with triple; and four pieces, with quadruple postage.—*Act of 1825, sec. 13.*

120. When letters or packets weigh an ounce, or more, they must, in all cases, be charged with single letter postage for every full quarter of an ounce, whether composed of many pieces of paper, or of one only; but fractions of an ounce less than a quarter need not be regarded.

121. It may sometimes be difficult to ascertain whether a letter be single, double, or triple; but after a little experience, the deputy postmaster will generally be able to decide by the feeling.

122. Attaching two pieces of paper together by wafers or otherwise, will not make them one as to the charge of postage.

123. But postage is not to be charged upon a seal affixed to a piece of paper, nor upon the paper constituting the face of such seal, provided the face paper of the seal on the letter, or other instrument of writing, has upon it no writing or private matter, in which case the letter is to be charged with double postage.

124. The distance according to which postage is chargeable, is that on the post road from one office to another, upon which the mail is conveyed, and not that on the shortest way by which a traveller could pass.

125. The distances stated in the list of post offices may be regarded by deputy postmasters, except in a case where he knows them to be incorrect, when the *actual* distance will be his guide.

126. When letters may be sent by several routes from one office to another, the postage on them should be rated according to the distance on the shortest of the routes, if they are conveyed on that route, or if the mail goes most frequently upon it. But if the mail is carried more frequently, certainly, and expeditiously, upon a longer route, *and the letters are sent on such route*, the deputy postmaster will be governed by the distance thereon.

127. Letters should in all cases be sent by the most expeditious routes, unless otherwise ordered by the person sending the same.

128. Some roads form a circuit; that is, the mail starts from one office, and, after passing by several offices, arrives at the place from which it departed, without returning by the same route. In this case, the postage is to be rated according to the shortest distance on the post road between the two offices.

## CHAPTER 19.

*Postage on Ship and Steamboat Letters.*

129. All ship letters and packets are to be charged with a postage of six cents each, when delivered from the office, at which they are first received; when forwarded in the mail to other offices, with two cents, in addition to the ordinary rates of postage. They should all be marked "*Ship*," at the time of receiving them.

130. Masters of foreign packets are not to be paid any thing for letters delivered into the office; such letters are, notwithstanding, to be charged with postage, when delivered from the office, or forwarded by mail.

131. The above rates of postage are not to be increased on letters and packets, carried in a private ship or vessel, from one port in the United States to another, though a *part* of the voyage be over a water declared to be a post road. Thus, the Mississippi river, from New Orleans to the mouth, is a post road; yet letters carried by ship between New Orleans and any other port in the United States, are subject to the usual ship letter postage. But if the *whole* of the water between any two ports, be a post road by law, then inland postage will be charged.

132. Letters and packages that are carried on any of the waters of the United States, in packets, under an arrangement with the Department, are subject to the same postage as if carried in the mail overland, except that more than quadruple postage is not to be charged on any packet so carried, unless it contain more than four distinct letters.

133. Upon letters and packages received from the masters of steamboats, on waters deemed post roads, the persons addressed will be charged, when delivered to them, the same postage as if the letters and packages had been conveyed in the mail overland, except that more than quadruple postage is not to be charged on any package, unless it contain more than four distinct letters.

134. If a letter be received as above, to be sent in the mail to another office, there will be charged the proper rate of postage for the distance between the place at which the letter was placed on board the boat, and the office to which it is addressed; subject to the exception in the preceding section. Letters brought by steamboats should be marked "*Steamboat*," at the time of receiving them.

135. For every letter received by a deputy postmaster at a sea port, to be conveyed to a foreign country, there shall be paid to the deputy postmaster one cent.—*Act of 1825, sec. 34.*

136. The master (except of a foreign packet) is to be paid two cents for each letter and package delivered by him.—*Act of 1825, sect. 18.*

137. If the letters be delivered into the post office by a passenger or sailor, and not in behalf of the master, nothing is to be paid for them; they are, nevertheless, to be charged with ship letter postage, and the number entered in the account of ship letters, with the name of the vessel in which they were brought.



138. For every letter or packet, delivered by the master of a steamboat, every deputy postmaster will pay him two cents, unless his boat carries letters and packets under a contract with the Department. He will take the receipt of the master, specifying the number of letters, and the places from which they were brought.—*Act of 1825, sec. 6.*

139. On ship letters and packets, two cents are to be charged in addition to the ordinary rates when mailed for other places.

140. The account of steamboat letters received, with the sums paid for them, and the postage on such, as are to be delivered from the office, is to be kept in the account of *ship and steamboat letters received*, and as the account of ship letters.

## CHAPTER 20.

### *Postage on Box Letters.*

141. All letters placed in a post office, to be delivered from it to the persons addressed, called "*Box letters*," the deputy postmaster may charge and receive one cent each.

## CHAPTER 21.

### *Postage on Way Letters.*

142. Way letters are such letters as a mail carrier receives on his way between two post offices. The carrier will deliver them to the first post office at which he arrives. The deputy postmaster will inquire of the carrier at what places he received them, and rate them with postage from those places to the offices to which they are directed, writing against the rate, the word "*way*."—*Act of 1825, sect. 20.*

143. If such way letters are within the delivery of the office, the amount of their postage is to be noted on one of the bills received by the same post, and when the bills in the *Account of mails received*, are entered such amount of postage in the column headed *Way letters*, is to be entered also.

144. If any of these way letters are not to be delivered by the deputy postmaster, their postage is not to be entered in that column, but the letters are to be included in the post bill with the other letters for the office to which they are addressed.

145. The deputy postmaster will pay the mail carrier one cent if demanded for each way letter which he delivers to him, and add that cent to the ordinary postage on the letter.

## CHAPTER 22.

*Handbills, Lottery Tickets, Circulars, Advertisements, &c., to be charged with letter postage.*

146. *Corrected proof sheets* are to be charged with postage on pamphlets not periodical, in case the corrections be those only of typographical errors.

but if new matter be introduced by the corrections, the sheets are subject to letter postage.

147. Letter postage is also to be charged on all handbills, printed or written prospectuses, proposals for new publications, circulars written or printed, lottery bills and advertisements, blank forms, sheets of music, deeds, law processes, policies of insurance, and manuscript copy for publication, and upon any memorandum which shall be written on a newspaper, pamphlet or magazine, except it be a notice from a printer of a newspaper to a subscriber, stating the amount due for his subscription.

148. In all cases where dealers in lottery tickets, brokers and others, with the obvious and palpable intent to evade the payment of postage in their correspondence, and not to disseminate general intelligence, send out their lottery schemes, and other matters of private concern, in printed sheets having the form and some of the leading characteristics of newspapers, the same papers are to be taken and considered as handbills chargeable with letter postage, whatever forms they may be made to assume; and although, they borrow the name of a newspaper and may contain a quantity of general matter.

149. Publications containing advertisements and recommendations of goods, &c., &c., are subject to letter postage.

150. Prospectuses of newspapers, accompanying papers, are subject to letter postage.—*Act of 1825, sec. 30.*

151. Engravings sent separately by mail are to be rated and charged with letter postage.

152. Deputy postmasters will charge letter postage on all packets that are closely enveloped and sealed, so that what they contain cannot be known, and on newspapers so enveloped as not to be open at one end.

## CHAPTER 23.

### *Postage on Newspapers.*

153. Newspapers carried not over 100 miles, or any distance within the State in which they are mailed, are to be charged with a postage of one cent each.

154. If carried over 100 miles, and out of the State in which they are mailed, they are to be charged with one and a half cents each.—*Act of 1825, sec. 30.*

155. This postage is chargeable by the *newspaper*, not by the *sheet*. Hence, if two or more newspapers be printed on one sheet, as has been done, full postage is to be charged on each; nor is the postage to be abated on a newspaper printed on less than a whole sheet.

156. Newspaper postage is to be charged upon newspapers, extra newspapers, supplements to newspapers, and the printed or written notices sent by the publishers of newspapers to their subscribers, attached to the

margin of the newspaper, stating the amount due for subscription.—*Act of 1825, sec. 13.*

157. Publishers' receipts cannot be so sent, but *bills* only; and this privilege does not extend to publishers of pamphlets and magazines.

158. A newspaper is a printed sheet containing current intelligence, issued in numbers, at regular intervals. An extra newspaper is a sheet published by the printer of a newspaper, between the regular periods of publishing his paper, and sent to his subscribers, to give them early intelligence of events. A supplement is an additional sheet, issued with a newspaper, for the publication of matter that cannot be comprised in the paper.

159. Newspapers, prices current, ship and commercial lists, with the name of the sender stamped upon it, are subject to letter postage.

160. If any article in a newspaper be printed on a separate slip, under the name of extra, or supplement, or any other name, for the purpose of giving it a wider circulation, it is to be treated as a handbill, and each copy charged with letter postage.

161. Reprints of books or magazines in newspaper form, are likewise to be rated with periodical pamphlet postage.

162. Extras of a paper which contain mainly and chiefly a re-publication of books or private matter must be placed on the footing of periodical pamphlets.—*See Attorney General's opinion.\**

OFFICE OF THE ATTORNEY GENERAL,

March 18, 1842.

SIR,

I have had the honor to receive your letter of the 12th instant, in which you desire my opinion upon the following case.

"The 13th section of the Act of 1825, concerning the General Post Office, provides that all newspapers shall be charged with a postage of one cent for any distance not more than 100 miles, and one and a half-cent for a greater distance.

"The 13th section of the same Act fixes the rate of postage on letters.

"The Shipping and Commercial List and New York Price Current,' a number of which is herewith sent, is claimed by its proprietors to be a newspaper, subject to one cent postage only.

"In December, 1837, this publication, by the Postmaster General was noticed not to be a newspaper, and since then has been charged with letter postage.

"Prior to that time, it was rated by the Postmaster General, to be a newspaper, and subject to newspaper postage.

"Other papers of similar purport, such as 'New-Orleans Price Current, Savannah do., Charleston do.,' have been held subject to letter postage.

"It therefore, in reference to these and many similar publications, becomes important to settle, what is a newspaper within the meaning of the Act of 1825, and whether the papers No. 1. and 2. be newspapers."

The question you propound is one of no ordinary difficulty, because neither any statute, nor any decision of our Courts, so far as I have been able to discover, furnishes the definition you seek.

The only light, a very uncertain one, which we have to follow is the use of the word "newspaper," in common parlance, or in the English Stamp Acts.

A newspaper is defined according to the usage of the commercial world to be a publication in numbers, consisting commonly of single sheets, and published at short stated on intervals, conveying intelligence of passing events."

By the Act of 1 Geo. IV., Chap. 9: (a stamp act) all periodical pamphlets or papers published at intervals not exceeding two days, containing public news, intelligence

163. With the view of enabling deputy postmasters to form a correct opinion in relation to what kind of publications comes within the category of newspapers, &c., and the postage properly chargeable thereon, it has been deemed advisable to insert the opinion of the Attorney General of the United States, which may be examined, in reference to the elucidation of these questions.

## CHAPTER 24.

### *Postage on Pamphlets and Magazines.*

164. Periodical pamphlets and magazines carried in the mail, are subject to the following rates of postage, viz :

Carried not over 100 miles, per sheet,  $1\frac{1}{2}$  cents.

Do. over 100 miles, do.  $2\frac{1}{2}$  cents.—*Act of 1825, sec. 30.*

165. A pamphlet is a small unbound printed book. A magazine is a pamphlet published periodically in numbers, containing articles on science, literature, politics, news, &c., &c.

166. Pamphlets and magazines that are not published periodically, are to be charged for 100 miles or less, 4 cts. on each sheet; over 100 miles, 6 cts.

or occurrences, or any remarks thereon, and not containing more than two sheets, published for a less price than 6d, shall be deemed newspapers, and shall be subject to the same regulations and stamp duties.

This statute, as all other positive legislation, is of course in some degree *arbitrary*; but it suggests at least, one consideration of importance. It is an act imposing a *burthen*, not extending a *privilege*. The clause of the Act on the contrary of which you ask an interpretation, extends a privilege and imposes no burthen. Yet must the construction be just the same as it would be, in case a tax were laid upon newspapers.

Then according to the definition above stated, the requisites of a newspaper, in common parlance are, 1. That it be a *publication in numbers*. 2. That it consist *commonly* (though not necessarily) of single sheets. 3. That it be published at *short and stated intervals*. 4. That it convey intelligence of *passing events*.

According to the statute it must be, 1. Periodically published; 2. At intervals not exceeding two days; 3. That it contain public news, intelligence or occurrences or remarks thereon; 4. That it contain not more than two sheets, and 5. Be published at a price less than 6d.

The statute agrees in the main, with McCulloch's definition; yet we may well doubt how far in the absence of positive legislation, they may serve us as guides in such a case.

1st. Thus it may be admitted that the paper must be published at short and stated intervals; but what is a *short interval*? There are in this country many weekly newspapers, why not *monthly*? Yet it would seem straining a point to call a monthly sheet a newspaper, if the object were to tax it under that denomination; why should it be entitled as such to a privilege?

Still it must be owned, monthly intelligence of passing events may be as interesting and important to large classes of the community, as weekly or daily news, and in some branches of trade even more so.

2d. It may be doubted whether the intervals need be exactly *stated*, i. e. regular, for certainly "extras" are newspapers.

3d. Even price varies almost as much as any other incident.

4th. The "passing events" may be and are infinitely diversified, according to the tastes, the fancies and the wants and the convenience of mankind. The monthly catalogue of new publications, will be interesting to a scholar, a bulletin of battles to a soldier, prices current to a merchant, proceedings of tribunals to a lawyer, theatrical exhibitions or new fashions in dress to the idle and the gay, &c.

167. As paper of any size may be folded in the *folio*, *quarto*, *octavo*, or *duodecimo* form, the deputy postmaster will consider four *folio* pages, eight *quarto* pages, sixteen *octavo* pages, or twenty-four *duodecimo* pages according to the usual acceptance of these terms, *whatever be the size of the paper*, as constituting a sheet.—*Act of 1825, sec. 15*

168. If more than twenty-four pages be printed on paper of a size larger than *royal*, still twenty-four pages are to be taken as a sheet.

169. But if more than twenty-four pages be printed on paper of a size not greater than *royal*, the sheet is not to be limited to twenty-four pages, but be taken to embrace every page on the paper.

170. The surplus pages of any pamphlet or magazine are to be considered a sheet.

171. Pamphlets printed on less than a whole sheet of paper, of a size larger than *royal*, are to be charged with the postage on a full sheet.

172. But if they be printed on the half, or the fourth of a sheet of paper, not greater than *royal*, they are to be charged with half the postage on a full sheet.

173. Publishers of pamphlets and magazines frequently attach to them one or more printed pages, containing advertisements of new publications,

A newspaper is more likely to please a majority of readers, which meets all tastes, yet it cannot be denied that society in its progress, may require here, as in every thing else, a division of labor. Why should a devout man be necessarily scandalized with puffs of opera dancers? a member of some total abstinence society, with tempting sales of wines and spirituous liquors? a plodding man of business with dissertations on books? or a bookish man with columns of business advertisements?

Therefore it is no argument against a paper being a newspaper, that it is confined to a single department, especially if that department happens to be the most universally interesting to a community, as price currents are in every commercial country.

On the whole, the only requisites of a newspaper which I think must be judicially held indispensable are—

1st. That it be *bona fide* published, that is, for everybody's use. For example, the Price Currents, &c., printed at stated intervals, and sent by great Banking and Commercial houses to their customers, are not newspapers: they are not *pro bono publico*, but for private use.

2d. That they be published in numbers, not perhaps with exact regularity, but something approaching to it. Occasional sheets, placards, &c., are not newspapers.

3d. That they convey news, not mere dissertations and discussions, or literary and poetical miscellanies.

4th. That they be in sheets, and in rather a cheap form.

But cases will be perpetually arising in which the Chief of the Post Office Department or the Stamp Bureau would be at a loss what to do without express legislative instructions. If you think them required by the service, I have no doubt they are called for by the state of the law.

As to the papers, No. 1 and 2, in question, I think they can hardly be excluded from the category of newspapers, as the law now stands. But "The Shipping and Commercial List," to be treated as such, must be sent open and without any written signature or note.

I have the honor to be, sir,  
Your obedient servant,

H. S. LEGG

Hon. C. A. WICKLIFFE,  
Postmaster General.

&c. &c. Such pages are to be rated with postage according to the rules herein laid down.

174. The cover of a pamphlet or magazine is not to be rated with postage, unless the matter printed on it be a part of the body of the work, or unless it be used as a vehicle for general advertising.

175 Pamphlets and packages of newspapers or other matter which exceed in weight, one half ounce, are to be charged with postage for the excess over a half-ounce, either as pamphlets, newspapers, or letter postage, as the case may be.

176. Engravings published in pamphlets or magazines are, in respect to postage, to be regarded as the other leaves of the publication, when they are of the same size. But if the engraving occupy a whole sheet, it is to be rated as one sheet.

177. Periodical pamphlet postage will be charged on magazines, Journals of Congress, Journals of the Legislatures of the several States, being unbound, (*Act of 1825 sec. 13,*) Session Acts of Congress and of State Legislatures, Documents printed by order of either House of Congress, or of either House of a State Legislature, including Reports of Committees and Executive Messages, Almanacs, College Catalogues, and Annual Reports or Minutes of Societies.

178. Books, as distinct from pamphlets, are not mentioned in the law, but as they are not likely to be sent by mail, unless through mistake, they may be rated by the sheet, with postage on pamphlets not periodical.

## CHAPTER 25.

### *Paid Letters, Newspapers, and Pamphlets.*

179. If the writer of a paid letter wishes the deputy postmaster at the nearest office to forward the letter by a private opportunity, to a place where there is no post office, it is to be duly forwarded in that manner, when a proper opportunity occurs.

180. Any person who desires it is to be allowed to pay the postage on any letter, newspaper, or pamphlet, which he deposits in the office, to be sent by mail; the rate of postage is to be marked upon it, and against the rate, the word "*Paid,*" at full length. Such paid letters are to be entered in the post bill, and when the mail is made up, in the proper column in the *Account of mails sent.*

181. The postage on the paid newspapers and pamphlets is to be placed at the foot of *Accounts of newspapers and pamphlets received.*

182. In entering the postage received on paid newspapers and pamphlets, sent from his office at the foot of this account, (*see preceding sec.*) the deputy postmaster will distinguish that which is received on newspapers from that received on pamphlets.

183. A deputy postmaster will not deliver a newspaper or pamphlet from his office as paid, though so marked, unless the rate, or amount of postage, be also marked on it.

## CHAPTER 26.

*Abating and Refunding Postage.*

184. If it be demanded, deputy postmasters will remit the postage charged on letters written by deputy postmasters in the discharge of their official duty, such as letters to publishers of newspapers informing them that their papers are not taken out, &c., which should be franked.

185. But the postage on a private letter cannot be remitted, on the ground that the writer might have franked it.

186. If, after a letter has been delivered by a deputy postmaster, an abatement of the postage, which was marked on it, when it was received at the office, be demanded, on the ground of an erroneous estimate of the number of pieces composing it, the deputy postmaster will desire the person to open it in his presence. If he shall do so, and he is then satisfied that the letter is not composed of as many pieces as the postage was rated for, he may refund so much as was overcharged: And, if the letter be composed of more pieces than the postage is rated for, he will demand, and be entitled to receive, the proper additional postage. Unless the letter be opened in his presence, or in that of his assistant, he will not refund any part of the postage.—*Act of 1825, sec. 13.*

187. But, if the postage which the deputy postmaster is asked to refund, was added by him, as an *undercharge*, to the rate marked on the letter, when received in the mail at his office, he may, if he is clearly satisfied that he is mistaken in the number of pieces composing the letter, refund the excess of postage, though the letter was not opened in his presence, or in that of his assistant.

188. He may likewise, though a letter be not opened in his presence, refund an overcharge, caused by an erroneous estimate of the distance on the post road, over which the letter was conveyed.

189. Sometimes packets of newspapers, pamphlets and books, chiefly from abroad, made up in the form of letters, are deposited in a post office, to be sent in the mail. Such packages should be rated with letter postage according to their weight. When they arrive at the office of delivery, if the party to whom they are addressed, would claim an abatement of the letter postage, he should open them in the presence of the deputy postmaster. If they contain only the articles above mentioned, they may be delivered upon the payment of the postage legally chargeable upon those articles.—*See sec. 152.*

190. In all cases other than those stated in the preceding sections, where an abatement of postage on articles sent in the mail is claimed, deputy postmasters will report the facts specially to the Department for its decision.

191. When any abatement of letter postage takes place, it should be speedily noted on the post bill, that came with the overcharged letter.

## CHAPTER 27.

*Collection of Postage.*

192. Deputy postmasters will receive nothing but specie, or its equivalent in payment of postage or of any draft, demand, or deposit, which they may be authorized to collect, or receipt for, on account of the Department.

193. Deputy postmasters are not authorized in any case to give credit for postage.

194. If credit has been given, they cannot detain a letter addressed to the person credited, which is free, or paid, or on which the postage is tendered by him, until he pays the deputy postmaster the amount credited.

195. Neither can they, when there are several letters in the office, addressed to the same person, refuse to deliver him any of them, unless he will pay the postage on all.

196. Deputy postmasters will not fail to make out a detailed return of the names and number of all newspapers mailed and delivered at their office, to subscribers, and the amount of postage on each; and also, the amount of postage collected on irregular and transient newspapers.

197. At the beginning of every post office quarter, deputy postmasters will require the subscribers, and others who receive newspapers regularly through their offices, to pay the quarter's postage thereon in advance; and without such payment, they will not deliver them any papers, even though they tender the postage on them singly.—*Act of 1825, sec. 30.*

198. If a newspaper begin to arrive at the office in the course of the post office quarter, deputy postmasters will demand the postage in advance, of the subscriber, up to the end of that quarter.

199. At the end of a quarter, they may refund the postage on so many of the newspapers as have not arrived at the office during the quarter.

200. The postage on newspapers that come occasionally to the office, and on all pamphlets and magazines, is to be paid on each as they are delivered, and to be entered at the time in a separate list, and accounted for in the account current.

## CHAPTER 28.

*Delivery of Letters.*

201. The persons entitled to letters received by mail, are those whose names are in the address. Deputy postmasters, therefore, in delivering letters, will be governed in all cases by their address.

202. The delivery should be either to the person addressed, or according to his or her order. The order is, in some cases, implied, as where a person is in the habit of receiving his letters through his son, clerk, or servant, and of recognising the delivery to them as proper.

203. If a letter appear to be of value, it will be well, in most cases, to require a written order for its delivery to the person calling, if he or she be not the person addressed.



204. A letter addressed to a firm may be delivered to any member of the firm:—if addressed to several persons, it may be delivered to any one of them.

205. If there be two or more persons of the same name, and a letter addressed to their name be delivered to the wrong person, the deputy postmaster will, if he is fully satisfied that there has been a mistake, instantly reseal the letter in the presence of the person who opened it, and request him to write upon it the words, "*Opened by me through mistake,*" and sign his name; then he will refund the postage paid, and replace the letter in the office.

## CHAPTER 29.

### *Masters of Steamboats to deliver Letters and Packages into Post Offices.*

206. The masters of steamboats that are under contract with the Department will deliver into the post offices, (or the local agent of the Department, if there be any,) at the places at which they arrive, all letters received by them, or any person employed in their boats, at any point along the route.

207. Masters or managers of all other steamboats, are required by law, under a penalty of thirty dollars, to deliver all letters brought by them, or within their care or power, addressed to, or destined for the places at which they arrive, to the deputy postmasters at such places: *except letters relating to some part of the cargo.* All letters addressed to persons, to whom the cargo, or any part of it is consigned, are therefore to be delivered into the post office, to be charged with the proper rates of postage.—*See act of 1825, sects. 6 and 19.*

208. This law is often violated. Deputy postmasters will use diligence to correct the evil, and prosecute for the penalty, in every case where they can obtain testimony.

## CHAPTER 30.

### *Masters of every Vessel from a Foreign Port, to deliver Letters and Packages into Post Offices.*

209. These terms, ship letters and packages, embrace the letters and packages that are brought into the United States, by sea, from foreign countries, and those that are carried from one port in the United States to another, in any private ship or vessel.

210. Every master of a vessel from a foreign port is bound, immediately on his arrival at a sea-port, and before he is permitted to report, make entry, or break bulk, under a penalty not to exceed \$100, to deliver into the post office all letters brought in his vessel, directed to any person in the United States, or the Territories thereof, which are under his care or

within his power, except such letters as are for the owner or consignee of his vessel.

211. It is the special duty of every deputy postmaster at a sea-port, to see that this law is faithfully executed, and to institute prosecutions for every violation of it.

212. If the cargo be not chiefly consigned to one person, no person is considered a consignee, and all letters must be delivered into the post office, except such as are for the owner.

213. Only letters to one person or firm may be retained, as directed to the consignee.

214. Every deputy postmaster will obtain from the master of the ship or vessel, a certificate, specifying the number of letters, with the name of the ship or vessel, and place from which she last sailed, and a receipt for the money paid.

## CHAPTER 31.

### *Letters missent and to be forwarded.*

215. In forwarding letters by mail, deputy postmasters will, in all cases, be governed by the address upon them. If through accident, or mistake, a letter addressed to another office be sent to this office, they will follow the instruction in section 92.

216. Upon such a *missent* letter, they will charge no new postage for forwarding; but if necessary, they will add so much to the postage first marked on it, as will make the full rate of postage from the place where it was originally mailed, to the office named in the address.

217. A deputy postmaster will forward a letter addressed to and lying in his office, to any other office, at the request of the writer thereof, if he knows him to be such, or of the person addressed; and in such case, they will add a new postage for forwarding, to the rate already marked on the letter; the whole postage to be paid when the letter is taken out of the office to which it is forwarded.

218. Orders to forward letters should be in writing, and filed by deputy postmasters.

219. In every case of a letter forwarded, the amount forwarded should be noted on the bill with which the letter was received, if it can be found; if not, upon some other post bill; and it should be entered on the proper line of the *Account of mails received*, in the column headed *overcharged*, and the word "*forwarded*" written immediately after it.

## CHAPTER 32.

### *Return of Letters.*

220. To prevent fraudulent practices, the deputy postmaster will be especially careful not to return any letter put into his office for transmission

by mail, unless it be to the *writer* thereof, or to some one presenting *his* written order.

221. And to enable him to know that the person applying, or sending his order, for the return of a letter is the writer, he may require him, or his messenger, to exhibit to him the same superscription and seal that are upon the letter.—And if the deputy postmaster is satisfied that the handwriting and seal are the same as those upon the letter, he will return it; taking a receipt and preserving it with the paper containing the subscription, and the order, if one were sent.

222. A letter bearing the frank of an individual may be returned to him, or his order.

## CHAPTER 33.

### *Advertising Letters.*

223. At the end of every quarter, all letters then on hand, and which have not been already advertised, are to be entered alphabetically in a list, and advertised. If there is a newspaper published near the office, and the publisher will insert the advertisement three times, at the rate of two cents for each letter mentioned in the advertisement, it is then to be published in such newspaper. If there is no newspaper that has much circulation in the neighborhood of the office, or if the publisher will not advertise the letters for the price abovementioned, then manuscript lists of them are to be made out, and posted at such public places in the town and neighborhood, as shall appear best adapted for the information of the parties concerned.—*Act of 1825, sec. 26.*

224. The newspaper having the most extensive circulation in the vicinity of the office should have the preference, in publishing this notice, and the printer's receipt must specify the number of letters; or if a manuscript list is used, the deputy postmaster must send a copy thereof.

225. The practice of advertising letters remaining in the post office at the end of each quarter, in newspapers not printed in the towns and villages where the post offices are situated, is attended with considerable expense to the Department, without any corresponding benefit to the public. Deputy postmasters, in towns and villages where there is no newspaper published, will hereafter advertise letters in the mode prescribed in the act of Congress of 1825, viz: "make out a number of such lists, and cause them to be posted at such public places in their vicinity, as shall appear to them best adapted for the information of the parties concerned."

226. The 35th section of the act of 2d July, 1836, authorizes the Postmaster General to direct the advertisement to be made in more than one newspaper, provided the cost does not exceed four cents per letter. But neither the additional expense of the advertisement in a second paper, nor of more frequent advertisements in a single paper is to be incurred, at any office, unless specially directed by the Postmaster General.

227. Deputy postmasters at offices where the nett balances average five hundred dollars a quarter, will advertise at the end of every month the letters then on hand, which have not been already advertised.

228. Refused letters are not to be advertised, nor those which the deputy postmaster expects will be immediately taken from the office.

229. Drop and box letters are not to be advertised.

230. Neither is it necessary to advertise free packages, known to contain printed documents, speeches, &c.

## CHAPTER 34.

### *Dead Letters.*

231. Dead letters are such as have been advertised, and have remained on hand, for three months or longer, including refused letters. At the end of every quarter, they should be made up into mails, and forwarded with a bill to the Department, together with the *Quarterly Accounts*.—See the Instructions on the *Account Current*.—*Act of 1825, sec. 26.*

232. No allowance will be made for dead letters returned, unless accompanied by said bill.

233. When any letter from this Department, or any other Department, or office at the seat of Government is not called for within one month from the time of its receipt, or when the person addressed is known to have removed, such letter should be returned to the proper Department, and must not be retained to accompany the dead letters.

234. If the person addressed, is known to have removed, or if a deputy postmaster have any other reason to believe that the letter is misdirected, he will immediately notify the proper Department, or office of the fact, and either be governed by its direction, or return the letters at the end of the month, as the case may be.

## CHAPTER 35.

### *Lost Letters and Mail Depredations.*

235. Money, or other valuable things, sent in the mail, is at the risk of the owner. But, if it be lost, the Department will make every effort in its power to discover the cause, and, if there has been a theft, to punish the offender.

236. In every case of loss by mail, whether supposed to be the result of casualty or of depredation, the Department should be informed without delay, of all the circumstances connected with it. Particular care should be taken, to state the name of the office in which the letter was placed, the day on which it was so placed, and whether by the writer himself, or by another person, the day on which, if at all, it was actual-

ly mailed, the names of the writer and the person addressed, the amount, and if practicable, a particular description of the valuable enclosure, the amount of postage marked on the letter, and whether unpaid or paid, the office to which addressed, and whether mailed direct thereto, or to another office for distribution, and the route by which it was sent, with any further particulars that may aid the Department in its investigation respecting the cause of loss.

237. All necessary expenses that may be incurred in recovering the mail, and in apprehending the robber, will be reimbursed by the Department.

238. In some cases it may be proper to offer a reward, not to exceed fifty dollars, payable on conviction, for the apprehension of the criminal.

239. In every case when the criminal is apprehended, the Attorney of the United States for the District in which the offence was committed, should be promptly informed of the facts, and his advice obtained.

240. If the prosecution be had before the Federal Court for the District, which the Department prefers in every case, where it is convenient, and which should be had there, in all cases, in which State officers refuse to act, the Attorney of the United States will conduct it.

241. Persons arrested for mail depredations should in all cases, when it is practicable, be taken before a district, or circuit judge of the United States, for examination and commitment.

242. In every case it is expected that deputy postmasters will spare no exertions to have justice done, and the guilty punished, by procuring testimony, and giving the prosecution every other aid in their power.

243. Cases of mail robberies should be at once reported to the Department, and information given from time to time, of what further transpires respecting them.

244. At all large offices at which daily mails from other large offices are received, care should be taken to note the fact, if the usual mail from either of those offices fail, for any given day, to arrive, and if subsequent mails arrive, leaving that for a preceding day still due, the mailing office should immediately be written to for information, if any such mail as that supposed to be missing, was actually sent; and if the answer be in the affirmative, a report of the loss should, without further delay, be made to the Department.

245. If a deputy postmaster has reason to believe that a mail has recently been robbed or stolen, in the vicinity of his office, he should at once examine into the evidence of the fact; and, if then satisfied that such robbery or theft has actually occurred, should take immediate and energetic measures for recovering such mail, and for apprehending and prosecuting the offender.

## CHAPTER 36.

*Letter Carriers.*

246. Deputy postmasters are authorized to have letter carriers. They will nominate to the Postmaster General suitable persons to be employed, who are required to give bonds to the United States, to be approved by him.—*Act of July, 1836, sect. 41.*

247. When duly appointed and qualified, the deputy postmaster may, at his risk and responsibility, place in their hands for delivery all letters received, except such as are for persons who may have lodged with him a written request to retain their letters in the office.—*Act of 1825, sect. 36.*

248. Such carriers may charge and receive two cents for every letter and a half cent for every newspaper delivered by them.—*Act of 1836, sect. 36.*

249. The carriers of "the United States City Dispatch Post," in New York, and of other city dispatch posts, wherever established, are authorized to charge and collect three cents on each letter deposited in any part of the city, and delivered at another.—*Act of 1825, sect. 36, and Act of 1836, sect. 41.*

250. It is the duty of the carrier to receive and convey a letter, (and the money for its postage when tendered,) if delivered to him more than a mile from a post office, and to hand it, with the money, if paid, into the first post office at which he arrives. A penalty of \$50 attaches, on failure to do so.—*See sects. 143, 144.*

251. On the letters brought by a mail carrier to be mailed, called way letters, one cent is to be charged, in addition to the usual postage, which is to be rated from the place where the carrier received the letter. It is to be marked "*Way*," and one cent paid to the carrier.

## CHAPTER 37.

*Mail Carriers, and Mail Agents, on Railroad and Steamboat routes.*

252. For the better security of the mails and efficiency of service, the Postmaster General reserves the right of ordering the dismissal of mail carriers, and the power of enforcing it, by annulling the contract in case of refusal.

253. Certain Railroad and Steamboat routes, the Postmaster General provides with *mail agents*, whose business it is—1st. To receive letters written after the mail is closed, also, way letters unpaid or prepaid, accounting to the deputy postmaster at the end of the route for all prepaid postage received, and to hand over said letters to the proper office for delivery or mailing, reporting a list of all such letters to the Auditor of the Department—2d. To assort the mails for the several offices, being entrusted with the key to the iron lock for that purpose—3d. To attend to the de-

livery and reception of mail bags—4th. To report all irregularities of service on the route.

254. On the same class of routes, the Postmaster General appoints mail messengers in certain cases where the post office being an intermediate one on the route, is situated too far from the Steamboat wharf, or the Railroad depot for the ordinary carrier to exchange the bags.

255. On the Ohio river below Louisville and on the Mississippi and Red river, the passage of the mail is engaged by the trip through. Agents assigned to that duty are stationed at Louisville, St. Louis and New Orleans. The evidence of the arrangement and its term, is reported to the Contract Office. The mail bill, executed by the Agent and Captain, and the certificates of the deputy postmasters of the receipt of the mails upon the duplicate of the bill upon which, the Captain obtains payment for the service, is sent to the Inspection Office as proof of performance.

256. The mail agent and mail messenger should take the necessary oaths of office, and transmit them to the Inspection Office.

257. These persons and mail carriers are exempt from militia and jury duty.

258. Mail carriers, contractors, or stage drivers, cannot lawfully carry out of the mail any letter, newspaper, or package, sealed or unsealed, unless it be delivered to the deputy postmaster at the next office as a *Way letter*.—*Act of 1825, sects. 20, 21.*

259. Besides the conveyance of mails under contract and by appointed agents and messengers, letters and packets are transported by ships, steamboats and other vessels, at 2 cents a letter or packet, which in the case of conveyance over the waters of the United States, may by special agreement be raised to 3 cents a letter, and  $\frac{1}{2}$  cent a newspaper.

## CHAPTER 38.

### *Newspapers, Pamphlets, and Magazines*

260. The printers of newspapers should have their papers, that are to be sent by mail, well dried, and made up into packets enclosed in substantial wrappers—one end being left open, and tied with strong twine, if intended for a distant office.—*Act of 1825, sect. 30.*

261. The newspapers that are intended for one office should be put in one packet, if they do not exceed twenty in number: if there be more than that number, they should be put into packets of nearly that number.

262. The printers are to write on the outside of every packet, in plain large hand, the name of the office and State, (together with the name of the county, if there be two places of the same name in the State,) for which the papers are intended. The same direction should also be put on one of the newspapers in each packet.

263. If the foregoing regulations be not complied with by the printers, their newspapers should be returned to them.—*Act of 1825, sect. 30.*

264. Printers often complain of the miscarriage of their papers: deputy postmasters are held responsible for such failures, unless they show that the fault is with the printers, or the contractors. The deputy postmaster must procure from the printer an alphabetical list of the packets he sends, and compare the packets deposited, with it; note the variances, if there be any, and inform the printer of them.

265. A deputy postmaster will not open, nor suffer to be opened, any packet of newspapers, which is not addressed to his office, under a penalty of fifty dollars. The law imposes a penalty of twenty dollars on any person, not authorized to open mails, who shall open any packet of newspapers, not directed to himself.—*Act of 1825, sect. 30.*

266. Every packet of newspapers that has lost its address, should be returned to the publisher, with a letter stating the facts.

267. Newspapers, pamphlets, or magazines, are not to be carried out of the mail, unless it be authorized by the Department: and if it be so authorized, no preference shall be given by the contractor to any one publisher, over another, in the same place.

268. The law does not mention newspapers and pamphlets, placed in post offices, to be delivered without transmission by mail. Deputy postmasters are therefore, not bound to receive and deliver them as such. But it is expected that they will be disposed to accommodate individuals in this respect, as far as may be convenient.

269. The wrappers of all newspapers, pamphlets, and magazines, received by mail for delivery, should be taken off. Frauds are very often attempted, by concealing letters or memoranda in these articles. A wrapper forms no part of the paper or pamphlet; neither is postage paid on it as such, and it is as much the duty of deputy postmasters to take the wrappers from transient papers and examine them in reference to frauds on the revenue as to ascertain whether letters be single or double, or whether the postage be correctly charged. Nothing can be more unjust than to censure a deputy postmaster for vigilance in this branch of his duty.

270. If the address be written on the wrapper only, the deputy postmaster will when he takes it off, write it upon the newspaper or pamphlet

## CHAPTER 39.

*Newspapers not to be read in the office.*

271. Deputy postmasters will not allow newspapers to be read in their offices, by persons to whom they are not addressed; nor lend them out to such, in any case, without the permission of the owners.

## CHAPTER 40.

*When newspapers and pamphlets are not taken out of the office, publishers of the same, to be informed.*

272. In every instance in which newspapers, that come to the office,



are not taken out by the person to whom they are sent, deputy postmasters will give immediate notice of it to the publisher, adding the reason, if known, why the papers are not taken out. If papers be sent for three months after such notice, deputy postmasters may sell them for the postage, unless the publisher shall pay it. Such newspapers should not be transmitted to the Department, neither should pamphlets nor magazines, that are not taken out by the persons to whom they are sent.—*Act of 1825, sec. 30.*

273. If magazines or pamphlets published periodically, and sent to the office, be not taken out by the person to whom they are directed, deputy postmasters will promptly inform the publisher of the fact, and the reason, when known. If the publisher desire them to be returned, it should be done, and on delivering them to him, he will pay the postage both for their transmission and return by mail.

274. Deputy postmasters should inform the publishers of pamphlets and magazines that the law requires them to write, or print, on one of the outer pages, the number of sheets which they contain: if the number be incorrectly stated, the publication will be subject to double postage.—*Act of 1827, sect. 5.*

## CHAPTER 41.

### *Account of unpaid newspapers, &c.—how to be kept.*

275. No account is now required to be kept of the unpaid newspapers and pamphlets sent from any post office: it will be the duty of every deputy postmaster to keep an account of those received by him.

276. Every deputy postmaster will enter in his account the amount of the postage on newspapers, pamphlets and magazines received during the quarter.

277. Every deputy postmaster will enter, at the beginning of his quarters, in the account, *by name*, those newspapers that come regularly to his office, and in the proper column opposite the amount of the quarter's postage which he has received in advance.—*See sec. 197.*

278. A separate memorandum may be kept of the postage on the newspapers and pamphlets that come occasionally to the office; as, also, of the postage on extras and supplements to newspapers, and printers' bills.—*See sec. 196.*

279. Enter in the account, also, *by name*, the periodical pamphlets and magazines that are regularly received during the quarter, and the postage received on them.

280. The occasional newspapers, supplements and extras, will, together, constitute one item in the account which may be entered as "*various newspapers*," and the whole amount of postage chargeable on them, is to be entered in the proper column, on the same line.

281. In like manner, every deputy postmaster will enter as "*various pamphlets*," all pamphlets and magazines that have come occasionally to his office.

## CHAPTER 42.

*Newspapers and Pamphlets from Foreign Countries.*

282. Newspapers and pamphlets from abroad, as distinct from packages, are not mentioned in the law. Masters of vessels are not bound to deliver them; yet if they do, deputy postmasters may, when it is asked, pay two cents for them, and upon delivering them, charge, in addition to the two cents, the lowest rate of postage on them respectively.

## CHAPTER 43.

*The Privilege of Franking.**First Class.*

283. The law gives to certain citizens and officers of government the right to send and receive letters and packets by mail, free of postage, under various restrictions.

284. Citizens and public officers of this class are entitled to send and receive all their own letters, packets, newspapers and pamphlets, free of postage.

Mrs. Madison, relict of James Madison.

Mrs. Harrison, relict of Wm. H. Harrison.

Each individual who has been President of the United States.

The President of the United States.

The Vice President of the United States.

The Speaker of the House of Representatives.

The Secretary of State.

The Secretary of the Treasury.

The Secretary of War.

The Secretary of the Navy.

The Postmaster General.

The Attorney General.

Members of the Senate of the United States.

Members of the House of Representatives.

Delegates in Congress from Territories.

The Comptroller of the Treasury.

The Second Comptroller.

The First, Second, Third, Fourth and Fifth Auditors of the Treasury.

The Auditor of the Treasury for the Post Office Department.

The Treasurer of the United States.

The Register of the Treasury.

The Commissioner of the General Land Office.

The Commissioner of Pensions.

The First, Second and Third Assistants of the Postmaster General.  
 The Adjutant General of the Army.  
 The Inspectors General.  
 The Paymaster General.  
 The Quartermaster General.  
 Secretary of the Senate.  
 Clerk of the House of Representatives.

285. Senators and members of Congress have a right to frank all their own letters, &c., not exceeding two ounces in weight. They have, also, a right to send all public documents printed by order of either House of Congress, whatever may be their weight.

286. This right commences sixty days before the member takes his seat, and continues until the meeting of the next Congress.

287. All matter franked by a member of Congress, weighing over two ounces, should be endorsed by the member, "Public Documents." The member's name must be signed by himself, and should have annexed the initials "M. C."

288. If a letter be mailed before the privilege begins, but be not received until after that time, the postage should be charged.

## CHAPTER 44.

### *Second Class.*

The Solicitor of the Treasury.  
 The Commissioner of Indian Affairs.  
 The Commissioner of Patents.  
 The Chief Engineer.  
 The Commanding General of the Army.  
 The Colonel of Ordnance.  
 The Surgeon General.  
 The Head of the Topographical Corps.  
 Chief of the Bureau of Navy Yards and Docks.  
 Chief of the Bureau of Construction and Repairs.  
 Chief of the Bureau of Provisions and Clothing.  
 Chief of the Bureau of Ordnance and Hydrography.  
 Chief of the Bureau of Medicine and Surgery.

289. Officers of this class are entitled to send and receive, free of postage, all letters and packets, not exceeding three pounds in weight, which pertain to the business of their respective offices.

290. They have no right to frank their private correspondence, or to receive private letters, newspapers or pamphlets, free.

291. As evidence of their public character, public letters sent by them must be endorsed with the words, "on public business," signed with their names in their own handwriting.

292. Every deputy postmaster will charge with postage all letters to or from this class, not bearing on their face evidence of their official character; and the deputy postmaster delivering the same, after it shall be opened, if he shall be satisfied that the package was upon the public business of the officer, whose frank is upon the same, shall correct the charge of postage as overcharged, and refund the same.

## CHAPTER 45.

### *Third Class.*

#### *Deputy Postmasters.*

293. Every deputy postmaster has a right to frank and receive free all his letters, public and private, provided they do not exceed half an ounce in weight.

294. A deputy postmaster cannot receive a pamphlet or magazine free, neither can he send free, by post, a newspaper, pamphlet or magazine, unless done up in a packet not exceeding half an ounce in weight.

295. Pamphlets and packages of newspapers or other matter which exceed in weight one-half ounce, are to be charged with postage for the excess over a half ounce, either as pamphlets, newspapers, or letter postage, as the case may be.\*

296. No deputy postmaster shall receive, free of postage, or frank, any letter or packet composed of, or containing any thing other than paper or money; and for a violation of this provision, the offender shall be dismissed from office, and upon conviction in any court of competent jurisdiction, pay a fine of twenty dollars.—*Act of July 2, 1836, sec. 36.*

297. He cannot frank, nor receive free, letters written by, or addressed to his wife, or any other member of the family.

298. He cannot frank, nor receive free, letters written by, or addressed to a firm of which he is a member; nor is he authorized to frank the letters of any person whatever containing money or other things; and it is not proper for him to enter into the business of agencies for others, and use his frank in the transaction of such business, to the injury of the revenue of the Department.

299. If a deputy postmaster be *bona fide* the agent of another, letters on the subject of his agency may be franked by him and received free, but he cannot become an agent for the purpose of exempting the correspondence of another from the charge of postage. No deputy postmaster or assistant postmaster shall act as agent for lottery offices, or under any color of purchase, or otherwise, vend lottery tickets; nor shall any deputy postmaster receive free of postage, or frank lottery schemes, circulars or tickets. For a violation of this provision, the person offending shall suffer a penalty of fifty dollars.—*Act of 1827, sec. 6*

\* As this section is embraced under its proper head, deputy postmasters will disregard section 175, the said section being misplaced.

300. Deputy postmasters cannot receive and circulate, free of charge, handbills, circulars or advertisements of any description, relating to the private business of others.

301. On receiving them, it is their duty to return them to the person who sends them, under a new envelope, charged with letter postage. If they show them to others, or circulate them without payment of postage, they make themselves liable for the postage, and also to be removed from office.

302. When a deputy postmaster abuses his franking privilege, he violates his oath of office, as well as the law, and will assuredly be removed from office upon detection, and otherwise punished according to law.

## CHAPTER 46.

### *Fourth Class.*

303. Governors of States.

304. Adjutant Generals of the State militia.

305. The Governors of the several States may transmit, free of postage, all laws and reports, whether bound or unbound, and all records and documents of their respective States which may be directed by the Legislature thereof to be transmitted to the Executives of other States, provided they shall not weigh over three pounds each.—*See act 30th July, 1834.*

306. To entitle such laws, reports, records, and documents, to pass free, the Governors must, in addition to writing their names thereon with their style of office, endorse the kind of book or document inclosed, and direct the same to the Governor of the State to which it may be ordered to be sent.

307. The Adjutant General of the militia of each State has a right to receive by mail, free of postage, *from any Major General or Brigadier General thereof*, and to transmit *to said General*, any letter or packet relating solely to the militia of such State or Territory; provided the same shall not weigh more than three pounds.

308. To entitle such letters or packets to pass free, the Officers sending them, having furnished the deputy postmaster with a specimen of his hand-writing and signature, must endorse on the outside of the cover, in his own hand-writing, the nature of the papers inclosed, and thereto subscribe his name and style of office. Neither Governors of States nor Adjutant Generals of the militia can frank or receive free any private matter, or any public matter whatsoever other than that above specified, nor can the Adjutant General send or receive that matter to or from any other person than the Major General or Brigadier General.—*Act of 1825, sec. 40.*

## CHAPTER 47.

*Fifth Class.*

309. The Chief Clerk of the Department of State has the right to frank all public and official documents that may be *sent* from the office of the Secretary of State.

310. This officer has no right to receive any communications free, or to send any but those of a public and official character.

## CHAPTER 48.

*Sixth Class.*

311. Every printer of newspapers may send one paper to each and every other printer of newspapers within the United States, free of postage, under such regulations as the Postmaster General shall provide. This privilege does not extend to an exchange with papers printed in foreign countries.

312. This privilege embraces extras and supplements. The papers so sent by one printer to another are free, though none, nor not so many, be returned in exchange.—*Act of 1825, sec. 29.*

313. But a pamphlet, or a magazine, cannot be received by a printer of a newspaper free of postage. Neither can the publisher of a pamphlet or magazine receive newspapers or magazines free of postage.

314. Printers of newspapers are permitted to send to each other, free of postage, open *slips* containing foreign intelligence, ship news, &c., provided they be not placed in the mail in the form of a letter. If they have that form, letter postage must be charged.

## CHAPTER 49.

*General regulations concerning the Franking Privilege.*

315. If the name of the individual be known as the handwriting of a person entitled to frank, the letter may be regarded as free, although the style of the office be omitted.

316. Deputy postmasters are particularly referred to the provisions of the 28th section of the act of 1825, and the 36 sec. of the act of 20 July, 1836, relating to abuses of the franking privilege. A violation of law in this respect should be reported to the Department, and, when sufficient evidence can be obtained, a prosecution for the penalty should be instituted by the deputy postmaster.

317. Penalties attach, whenever a person franks a letter from another, unless written on the business of his office, by his order; except that the Secretaries of the State, Treasury, War, and Navy Departments, and the Postmaster General, may frank letters and packets, on official

business, prepared in any public office, in the absence of the principal thereof.—*Act of 1825, sec. 28.*

318. If any person shall frank any letter or letters, other than those written by himself, or by his order on the business of his office, he shall, on conviction thereof, pay a fine of ten dollars.—*Act of July 2d, 1836.*

319. In prosecuting for the penalties, deputy postmasters will obtain the aid of the District Attorney of the United States, and for that purpose, report to him the circumstances, and the name of the witnesses in each case; and they will cause the proceedings to be instituted in the District Court of the United States; not only against those who abuse their frank, *but also against those who procure it to be done.*—*Act of 1825, sec. 24.*

320. It is because the letter is actually, or by construction of law, *from* the person authorized to send it free, that it is exempted from postage. The frank is merely the certificate of the fact that it is so. When, therefore, the circumstances connected with the letter are such as to show that it is *not* from such a person, and that the frank on it is in effect, a false certificate, deputy postmasters will, in such cases, charge the letter with postage. If, however, after the postage shall have been charged and paid on such letter, it shall be ascertained by the deputy postmaster that the letter franked was from the person franking it, the postage shall be refunded, and the proper corrections of the bills made.

321. If any person, having the right to receive his letters free of postage, shall receive, enclosed to him, any letter or packet addressed to a person not having that right, it shall be his duty to return the same to the Post Office, marking thereon the place from whence it came, that it may be charged with postage.—*Act of 1825, sec. 28.*

322. If any person shall counterfeit the hand-writing or frank of any person, or cause the same to be done, in order to avoid the payment of postage, each person so offending shall pay, for every such offence, five hundred dollars.—*Act of 1825, sec. 28.*

323. No deputy postmaster or other privileged person can authorize his assistant, clerk, or any other person to write his name for the purpose of franking any letter, public or private.

324. The franking privilege travels with the person possessing it, and can be exercised in but one place at the same time.

325. No deputy postmaster or privileged person can leave his frank behind him upon envelopes to cover his correspondence, public or private, in his absence.

326. If letters or papers be put into a Post Office bearing the frank of a privileged person who notoriously has not been in that vicinity for several days; or if letters or papers marked free, be received at an office directed to a privileged person, but notoriously intended to be received by some person not privileged, whether acting as the agent of the privileged person, or not, it is the duty of the deputy postmasters to charge them with postage.

327. If any letter to, or from a privileged person, be put into, or received

at a Post Office, of greater weight than such person has a right by law to frank, the deputy postmasters will charge the excess with single letter postage for every quarter of an ounce; but deputy postmasters are forbidden by law to receive any packet to be sent by mail, weighing more than three pounds, except Congressional documents.

328. If any deputy postmaster detect such packets or bundles, except Congressional documents duly franked, passing in the mail, he will charge the letter or packet with the excess, and enter the charge in his proper account.

329. Deputy postmasters will not send bound books by mail, whether franked or not, excepting only laws, reports, records or documents of the several States, franked by the Governors, and public documents printed and bound by order of either House of Congress, and so endorsed by the person franking and sending them.

## CHAPTER 50.

### *Accounts and Returns of Deputy Postmasters.*

Sec. 330. At the end of every quarter, which is on the last day of March, June, September and December, every deputy postmaster must make up his accounts, and forward transcripts of them to the Department. The originals should be filed by him with his general account, and will, like it, be held subject to inspection as provided in *Chapter 54, sec. 387*

331. When a deputy postmaster resigns, or is removed from office, he should bring up his accounts to the time he delivers over the office, and forward transcripts of them to the Department. And in such cases, as well as when a deputy postmaster dies, the succeeding postmaster should commence his accounts with the time when he took charge of the office, and forward transcripts of them, up to the first termination of a post office quarter.

332. The accounts of all deputy postmasters are examined and adjusted by the Auditor as they are received, and the errors, if there be any, are carefully corrected.

333. In all cases deputy postmasters are required to sign their accounts, and insert the name of the office, county, (district, or parish,) and State, in the headings of them.

334. When the accounts are signed by an assistant, which should be done only in case of the unavoidable absence or sickness of the deputy postmaster, the name of the postmaster, for whom he signs, should be distinctly written above his own name, followed by the word "by."

335. *All errors* are corrected, on such examination, and such as increase, by as much as fifty cents, the balance due to the United States, are notified to the deputy postmaster, by the Auditor for the Post Office Department.

336. Deputy postmasters, therefore, will understand that any alteration in the balances of their accounts, is occasioned either by the correction of some numerical error, or by some deviation, on their part, from a strict conformity to the law, and these instructions.



## CHAPTER 51.

*Failure to return Quarterly Accounts—penalties.*

337. If any deputy postmaster shall neglect to render his accounts for one month after the time, in the form and manner prescribed by law, and by the Postmaster General's instructions, he shall forfeit double the value of postages which shall have arisen at his office.—*See sec. 32, Act of 1825.*

338. In case no account shall have been rendered at the time of trial of such case, then such sum as the court and jury shall estimate, equivalent thereto, to be recovered by the United States, in an action of debt on the bond against the deputy postmaster and his securities.

## CHAPTER 52.

*Papers and Accounts to be returned to the Post Office Department, by Deputy Postmasters.*

339. The Quarterly Return is composed of the following accounts and papers, viz :

340. A transcript of the *Account of Mails sent* from the office for the quarter.

341. The entries in this account must, of course, be made every post day, before the mail is sent from the office, and at all large offices, it should be transcribed daily.

342. A transcript of the *Account of Mails received* at the office for the quarter. At all large offices, the entries in this account should be made daily, and it should be transcribed daily, so as to prevent any delay, which would otherwise be unavoidable in making it out after the close of the quarter.

343. A transcript of the *Account of Newspapers and Pamphlets received* at the office during the quarter.

344. From the post offices where such accounts should be kept, a transcript of the *Account of Ship and Steamboat Letters received* in the quarter, and the moneys paid for them.

345. A transcript of the *Account of Letters sent by sea* from the offices at sea ports.

346. Blanks for keeping this account are now furnished, and the accounts must be regularly kept at every office where letters are put on ship-board.

347. All the *post bills* received from other offices during the quarter.

348. *Accounts and Receipts for contingent expenses.*

349. The *Dead Letters*, and a bill or bills of them.

350. From Distributing offices, a transcript of the *Account of mails received for distribution.*

351. The *Account Current.*

352. *General account.*

353. The commission account—the emolument account, and the account of any city dispatch-post and the vouchers belonging to them—must also accompany the quarterly account of all deputy postmasters whose duty it is to render such accounts, respectively.

354. Deputy postmasters are required to put up the quarterly returns strongly with paper or cloth, so that the whole return shall come to hand in one package.

355. The separation of the return is a serious inconvenience, inasmuch as a quarterly account cannot be examined and adjusted until the whole of it is received.

## CHAPTER 53.

### *The Account Current.*

356. The *Account Current* consists of 29 articles, viz :

357. Every deputy postmaster will make himself debtor for the whole amount of postage on the unpaid letters which remained on hand at the close of the preceding quarter.

358. Every deputy postmaster will make himself debtor for the whole amount of the postage on unpaid letters, as it is stated in the bills from other offices. This article he will find in the column of *Unpaid Letters* in his *Account of mails received* from other offices.—*See chapter 11.*

359. Every deputy postmaster will make himself debtor for the amount of postage on the way-letters received at his office, for delivery ; this he will find in the 2d column of his *Account of mails received*.—*See chapter 21.*

360. Every deputy postmaster will next debit himself with the amount of letters undercharged. This amount he will find in the 3d column of his *Account of Mails received*.—*See sec. 96.*

361. Every deputy postmaster will next debit himself with the number and amount of ship and steamboat letters received for delivery. This article he will find in the 1st column of his *Account of Ship and Steamboat Letters*.—*Chapter 19.*

362. Every deputy postmaster will next debit himself with the amount of *Paid Letters* sent. This amount he will find in the 2d column of his *Account of Mails sent* from his office.—*See sec. 180.*

363. Every deputy postmaster will next credit himself with the amount of postage on letters which have been overcharged and missent to his office and forwarded. The amount he will find in the 4th column of his *Account of Mails received*. He will find further observations on this subject in section 96.

364. The amount of postage on unpaid *Dead Letters* is next to be entered to his credit. These letters are to be made up into mails, and forwarded with his accounts.—*See chapter 34.*

365. The amount of postage of unpaid letters on hand at the close of the quarter is now to be entered to his credit.

366. This is a temporary credit, given, because the deputy postmaster is already charged with the amount in the second article of his account. The whole sum now entered to his credit, must be entered to his debit in the 1st article of his next account, whether any of the letters be taken up, or be returned as dead letters, or otherwise.

367. Having added together the sums of the first six mentioned articles, and placed the amount in the same line opposite, he will then deduct these articles from that amount, which leaves the balance, being the amount of letter postage collected by him this quarter.

368. The balance, which has been placed on the credit side of the account, is now to be entered to his debit.

369. Every deputy postmaster will next debit himself with the whole amount of postage on the newspapers, magazines and pamphlets, which he has received from other offices during the quarter, together with the amount received on paid newspapers, magazines and pamphlets, sent from his office, carrying the amount out short.

370. This amount he will obtain from his *Account of Newspapers and Pamphlets received*.

371. Every deputy postmaster will deduct the amount of postage on dead pamphlets and magazines, and, likewise, the amount of postage on such newspapers as have continued to come to the office, after he has given the publishers three months notice that they are not taken on. This last deduction is not to be made without due notice having been given to the publisher.—See chapter 40, sec. 272. Nor is it to be made, if he shall have sold the newspapers for the postage. If he has received any part of the postage on the sale, the deduction is not to be made for that part.

372. Deputy postmasters will next add the amount of postages collected on letters, newspapers, pamphlets and magazines together, and place the sum in the line opposite.

373. Every deputy postmaster will next cast his commission on the amount of postage collected on letters during the quarter. The rates of commissions are fixed in the 14th section of the Act of 1825, and recited in chapter 59.

374. Every deputy postmaster will next cast his commission on the amount of postage collected on newspapers and pamphlets, at 50 per cent, and enter it in this place. The commission is to be cast on the balance remaining after the deductions as directed in section 371 are made.

375. If the commission on letters, newspapers and pamphlets do not exceed 500 dollars in one quarter, the deputy postmaster will then set down the number of free letters received by mail, for delivery at the office, and carry the amount, at two cents each, to his credit. This number he will find in the 6th column of his *Account of Mails received*.

376. The deputy postmaster will next set down the number of *Ship and Steamboat Letters*, which he has paid for this quarter, and carry to their amount, at two cents each. These sums he will find in the second and third columns of his *Account of Ship and Steamboat Letters received*.

377. The deputy postmaster will next state the number, and credit himself with the amount paid the mail carrier for way-letters. No form is prescribed for keeping this account.—*See chapter 21.*

378. It now remains for the deputy postmaster to make out his account of *Contingent Expenses*, if any. Deputy postmasters are required to preserve and use the wrappers and twine which come into their offices upon letters and packets received, as far as they can again be safely used. The other articles which may be charged as contingent expenses, are sealing wax, advertising letters, repairs of mail bags.

379. No allowance for furniture will be made to any post office, where the net proceeds do not amount to \$20 per year.

380. A strict observance of the rules herein laid down, in relation to contingent expenses, is indispensable. All vouchers for expenses charged in the quarterly account, or in the Commission or Emolument account, must be transmitted with the said accounts. Unreasonable delay not only implies neglect of the public business, but is calculated to bring suspicion upon the claims withheld; and the Department, therefore, reserves to itself the right to reject all such claims made after the quarterly accounts have been adjusted.

381. Deputy postmasters are prohibited from purchasing supplies for their offices from themselves or from persons associated with them in business, if the articles required can elsewhere be had at a fair price.

382. Deputy postmasters are in the habit of settling their printer's bills only once in two or three years, and then forwarding the advertising account for several quarters at once. This must not be done. All contingent accounts must be forwarded with the returns to which they belong.

383. Deputy postmasters who are allowed to charge, among the contingent expenses, advertisements of the arrivals and departures of the mails will limit such charge to an advertisement of three weeks only—once each week.

384. Besides the printer's account, and receipt for advertising letters on hand, the newspaper containing the advertisement should be transmitted.

385. The deputy postmasters will now strike the balance of the account, which shows how much he is indebted to the Department for postages.

386. As this Account Current is intended to show the net proceeds of the office for the quarter, no balance due on a former quarter, nor any payment to, or collection for, the Department is to be inserted.

## CHAPTER 54.

### *General Account.*

387. Every deputy postmaster will keep in his office a *general account with the United States, for the service of the Post Office Department,*

subject to the inspection of the Postmaster General, or of any general or special Agent of the Department, and a copy of which is to be furnished to the Auditor from time to time, when he may so require.

388. In this general account, every deputy postmaster will credit the United States with the balances due on his quarterly returns as acknowledged, and when notified by the Auditor of any corrections made on examination thereof, he will make the corresponding corrections in the general account, or enter the proper credit therefor.

389. The deputy postmaster will likewise credit all sums collected by, or deposited with him, on account of the Department, and will debit the account with all sums paid over for the general service of the Department, whether by deposit upon draft or upon collection order. A draft office may be required to deposit, or to pay on a collection order, or a collection office to deposit or to pay on a draft.

390. The duplicate quarterly accounts, the duplicate certificates of deposit, the duplicate collection orders and the drafts paid, and also all instructions, are to be filed as vouchers with this account, and be subject to inspection.

391. The deputy postmaster, upon being furnished with a statement of his general account as kept by the Auditor, will immediately compare it with the amount of his account, and at once acknowledge to the Auditor the balance appearing on such statement, or point out the particulars wherein the accounts disagree.

## CHAPTER 55.

### *Collection of Debts.*

392. The collection of debts due to the Post Office Department, whether by deputy postmasters, contractors or other persons, is assigned by the act of July, 1836, to the Auditor of the Treasury for the Post Office Department.

393. When such debts, if collected, would over pay the contractor for the route, on or near which the debtor resides, or when the Auditor finds it otherwise more convenient to employ a deputy postmaster in the vicinity, he will consider himself as a special agent of the Department for this purpose, and will obey such orders as he may receive from the Auditor in respect to such collection.

394. If the debt is collected, the deputy postmaster will give notice thereof to the Auditor, by transmitting his receipt for the amount, and will credit the same in his general account with the United States, for the service of the Post Office Department.

395. If the exertions of the deputy postmaster to collect prove unavailing, he will communicate to the Auditor the causes of the failure, and also the circumstances of the parties, if alive, or of their estates, and the administrators on them, if deceased.

396. If due diligence be not used in making the collection, or if, being unsuccessful, any deputy postmaster fail to return the draft or demand to the Auditor, or otherwise to give notice of such failure, or fail to give any information required in relation to the same, such neglect and want of fidelity will amount to a breach of the condition of his bond, for which the damages will be recoverable; and will moreover be considered just ground of removal from office.

## CHAPTER 56.

### *Paying over money to the use, or for the Service of the Post Office Department.*

397. No moneys are to be paid directly into the Department, neither are any paid out directly by it. The proceeds of postage, therefore, should never be remitted by deputy postmasters to the Department, or to any of its officers or agents, without a special order from the Postmaster General.

398. For the purpose of paying over the funds of the Department, all the Post Offices, except Special Offices, are classed, either as Deposit Offices, Draft Offices, or Collection Offices. These designations are changed from time to time to suit the convenience of the service, and when such changes are necessary, they are notified to the deputy postmasters, respectively, by a circular letter.

399. Deposit offices are such as are ordered to place, quarterly or oftener, their funds in deposit in some Bank or other Depository.

400. Draft offices are those which are ordered to retain their funds in hand to meet drafts drawn by the Postmaster General, and countersigned by the Auditor for the Post Office Department.

401. Collection offices are those which are required to pay over their net proceeds Quarterly to the mail contractor named in their special instructions, upon the production by him, from time to time, of the proper orders and receipts sent to him by the Department.

402. Each deputy postmaster receives special instructions, indicating to which class his office belongs, and the particular manner in which his funds are to be paid over or deposited.

403. A failure, either to deposit according to instructions, or to pay a draft when presented, or to pay over to a contractor upon the production of the proper collection orders and receipts, will be followed by the removal of the delinquent deputy postmaster from his office, unless satisfactorily explained to the Postmaster General.

404. Deputy postmasters who pay the money of the Department to contractors or others, except upon drafts or orders of the Department, do so entirely at their own risk.

405. The deputy postmaster, upon paying a draft, will take a separate receipt from the holder, specifying its date, No. and amount, and will report such payments, and transmit such receipts from time to time as directed to the Auditor for the Post Office Department.

406. Deputy postmasters at draft offices will, in like manner, transmit summary reports to the Department of the moneys received, as they may be directed.

407. Want of funds can never be an excuse for failing to pay, or to deposit; deputy postmasters being prohibited from using, loaning, or in any manner investing the money received for postage; or giving credit for postage.—*Act 1841, sec. 2.*

408. A deputy postmaster cannot refuse to pay a draft or collecting order, because the contractor is indebted to him, nor because there is an unsettled private account between them.

409. Every deputy postmaster under orders to place his funds in a Bank, or other depository, will take duplicate certificates of each deposit, signed by the proper officer of the Bank, or other depository, one of which should be transmitted to the Postmaster General by the first mail thereafter, as the deputy postmaster will not be entitled to a credit therefor until its reception at the Department.

410. The deposit is to be made to the credit of the Treasurer of the United States, for the service of the Post Office Department.

411. The deposit should include the whole amount due, whether for postage at the office, or for collections or deposits made with the deputy postmaster on account of the Department.

412. Deputy postmasters at collection offices must be ready to pay over at the end of each quarter, and will transmit the contractor's receipt to the Auditor for the Post Office Department, by the very first mail after payment is made. Such payments must include the whole amount on hand, whether arising from the postages of the quarter, or any preceding quarters, all errors being corrected,—or from moneys collected by, or deposited with the deputy postmaster. The receipts must never be put up with the quarterly return, but should be sent under a separate envelope, addressed directly to the Auditor.

413. Every deputy postmaster of a "special office," will report to the Postmaster General, at the end of each quarter, the balance in his hands, over and above the sums due the contractor for supplying his office with the mail, in order that the Department may make a proper disposition of such balance.

414. Deputy postmasters at "special offices," when under orders to pay their respective contractors, will not only pay promptly, but lose no time in transmitting to the Auditor for the Post Office Department the receipts taken for their quarterly payments.

415. All payments to the Department, whether upon drafts, or by deposit in Bank, or otherwise, must be in specie or its equivalent; and deputy postmasters, in receiving payment of postages, or other dues to the Department, should always bear in mind that they are bound to pay them over in the legal currency of the United States.

416. No allowance can be made to a deputy postmaster for the depreciation of money received for postage, or for its deficiency in value.



Neither can any allowance or remuneration be made for losses by fire, robbery or theft, nor can compensation be made for collecting or paying over moneys to the Department, not arising from postages at his office.

## CHAPTER 57.

### *Applications for Payment and Renewal of lost drafts or warrants.*

417. In all cases where application is made for the issue of a duplicate draft or warrant, upon the allegation that the original is lost, every such application must be addressed to the Auditor for the Post Office Department, and must be accompanied by a statement, on oath or affirmation, by the applicant, or the person who is the legal holder thereof, showing the time, place and all the circumstances attending the loss or destruction of the draft or warrant, with its number, date, and amount; in whose favor it was issued; when made payable; together with any other particulars relating to it within the knowledge of the applicant.

418. The applicant must also produce a letter or certificate from the cashier of the bank, or the deputy postmaster, on whom the draft or warrant may have been drawn, showing that it has not been paid—also that payment of the same has been forbidden by the parties interested.

419. The duplicate, when issued, shall have the same force and effect as the original.

## CHAPTER 58.

### *Decedent's Estates.*

420. A person presenting a claim against the Post Office Department, which *was* due to a person *then* deceased, must show his authority to receive it, by an authenticated copy of the proceedings of the court, proving the will, or appointing the administrator, as the case may be, accompanied by proof, derived from such record, that he has qualified to discharge his duty, as required by the laws of the State, or Territory, in which he was appointed.

## CHAPTER 59.

### *Emoluments of Deputy Postmasters.*

421. The commissions, allowances, and emoluments of deputy postmasters for their compensation and expenses, are limited by law.—*Act of 1825, sec. 14, and the act of 1842, sec. 2.* In no case can the Department increase them beyond such limit. They are as follows, viz:

422. A commission of 30 per cent. on not exceeding one hundred dollars of letter postage, collected in one quarter.—*See Act of 1825, sec. 14.*



423. Deputy postmasters at whose offices the mail is regularly to arrive between nine o'clock at night, and five o'clock in the morning, are allowed to charge fifty per cent., on not exceeding one hundred dollars collected in one quarter, instead of thirty. But this allowance of fifty per cent. will not be made unless the Account Current be accompanied by a certificate, signed by the deputy postmaster, in one of the following forms, viz :

*Post Office at* 184

424. I certify that my office is situated on route No. and that by the schedule of said route the mail is to arrive at such office at o'clock, and has accordingly arrived on an average during the quarter ending between the hours of 9 in the evening and 5 in the morning.

Deputy Postmaster.

*Post Office at* 184

425. I certify that my office is an intermediate office on route No. and that the average time of the arrival of the mail for the quarter ending has necessarily been between the hours of 9 in the evening and 5 in the morning.

426. A commission of 25 per cent. on letter postages over one hundred dollars, and on a sum not exceeding 300 dollars, collected in one quarter:

427. If more postages on letters than 400 dollars be collected in one quarter, a commission of 20 per cent. on such surplus; the 20 per cent. is not, however, to be cast on a greater sum than 2,000 dollars:

428. A commission of 8 per cent. on such amount of postage collected on letters, in one quarter, as exceeds 2,400 dollars:

429. If the account be for a part only of a quarter, as upon the appointment of the deputy postmaster, or upon his going out of office, the said commission of 30 or 50 per cent., as the case may be, can only be allowed on such sum, (in lieu of the first \$100) in the proportion to \$100, which the period embraced in such account bears to a quarter.

430. Thus, if the amount be for one-half the quarter, the commission of 30 per cent. must be cast on the first sum of \$50. If for one-third part of a quarter, on the first sum of \$33 33; and so on for any other part. The same rule will apply to any other commission mentioned, except the lowest rate.

431. Two cents for every free letter (those addressed to the deputy postmaster excepted) which he receives by post, and delivers; unless his commission, otherwise, amounts to 500 dollars in the same quarter.

432. All free packets of printed matter, (speeches, &c.) though in letter form, are not embraced by the preceding section.

433. A commission of 50 per cent. on the postages collected on newspapers, magazines and pamphlets.

434. The commissions on newspaper postage belongs to the deputy postmaster who collects it, though he may immediately go out of office, and the papers be delivered by his successor.

435. Deputy postmasters who regularly receive and despatch foreign mails, will be allowed a commission of five per cent. on the postages of letters, &c., received from the British Provinces and distributed in the United States, and a commission of two and a half per cent. on letters sent into those Provinces from the United States.

436. For every letter lodged in the office merely for delivery, and not conveyed, or to be conveyed by post, one cent is to be paid by the person who receives the letter.

437. One cent for every letter received to be conveyed by any private ship or vessel beyond sea; This is allowed only to deputy postmasters at seaports.—*Act of 1825, sec. 34.*

438. One cent for every letter received from any ship or vessel, and mailed, provided all his commissions, including this allowance, do not exceed two hundred dollars per year.—*Act of 1827, sec. 2.*

439. Ten cents for every monthly return of a Register of the Arrivals and Departures of the mail, made under the orders of the Department. For weekly registers so rendered, the same compensation will be made—that is to say, ten cents per month, for each route.

440. Every deputy postmaster whose commissions and allowances together, as charged in any quarterly account, exceed \$500 in amount, will render with such quarterly account, an account—to be called the *Commission Account*—stating on one side, the amount of said commissions and allowances; and on the other, his own compensation for the quarter, as limited by law, and the incidental expenses of his office necessarily and actually incurred for said quarter. The charges for incidental expenses must be accompanied by the proper vouchers and receipts, and must specify distinctly the several objects thereof—as rent, fuel, candles, stationery, &c., and the names, ages, rate of compensation and time paid for, of each and every person employed as assistant or clerk. If the amount of the said commissions and allowances fall short of the amount of the said compensation and expenses, the deputy postmaster has no claim on the United States for the deficiency. If the amount exceed such compensation and expenses, the deputy postmaster will add the excess to the balance, to be acknowledged by him as due the United States on his quarterly return for the same quarter.—*Act of 1825, sec. 41.*

441. The deputy postmasters of New-York, Boston, Philadelphia, Baltimore, New Orleans, and every other city of the Union, will, severally, at the end of each quarter, with his quarterly account, render an account under oath, to be called the *Emolument Account*, of all other profits or emoluments by him received during said quarter, stating on one side of said account the full amount of profits or emoluments, with the several sources from which they are derived, whether from box rent, branch offices or otherwise; and on the other side, the expenses in relation to the same

necessarily and actually incurred, accompanied by the proper vouchers. And after deducting said necessary expenses, the deputy postmaster will add any balance remaining on said account, over and above the rate of \$3000 per annum, to the balance, by him acknowledged as due to the United States, on the quarterly return for the same quarter.—*Act of May 18, 1842.*

## CHAPTER 60.

### *Attention to the manner of carrying the Mails.*

442. Every deputy postmaster will consider himself the Sentinel of the Department, in regard to its affairs in his immediate vicinity; and he will carefully observe, and promptly report to it, everything tending to effect its interests, or injure its reputation.

443. It is especially expected that he will keep a vigilant eye upon the manner in which the mails are carried to and from his office. This is amongst the most important of his duties.

444. Every deputy postmaster will report every instance in which the mail is brought to his office by a person not qualified.

445. If a mail-carrier, having the mail in charge, become intoxicated, he will instantly dismiss him, employ another at the expense of the contractor, and report the facts to the Department.

446. Report promptly all irregularities of mail carriers, in charge of the mail, and the causes, when known.

447. If the mail arrive without a lock, ascertain where the fault is, and report it to the Department.

448. If the mail be carried on horse-back, he will see that it be covered with an oil-cloth or bear-skin: If in a stage, that it be carried in a secure dry boot under the driver's feet, or in the box which constitutes the driver's seat: If in a sulky or other vehicle, he will see that it be well protected from the weather.

449. When the newspaper mail, on a stage route, is large, and separate from the letter mail, it may be carried in the boot behind the stage, but it must not be exposed to the weather.

450. Report all instances in which the mails are carried without the securities from the weather, as above directed.

451. Contractors are required, in all cases, to carry the entire mail. Deputy postmasters will never permit them to leave any part of it.

452. Neither are contractors permitted to leave bags of newspapers and pamphlets at any places on their routes. Report every case of this kind that may occur.

453. When the mail stops over-night, where there is a post office, it must be kept in the office.

## CHAPTER 61.

*Registers of the Arrivals and Departures of Mails, to be kept by Deputy Postmasters.*

454. Deputy postmasters at the ends of every mail route, and such other offices as the Postmaster General may direct, are required to keep registers of the arrivals and departures of all mails which are opened at their offices respectively; setting forth the exact time of each arrival and each departure, and the manner of the conveyance, when it varies from the contract, and giving the reasons, when known, for every delinquency or failure to arrive at the time prescribed in the schedules.

455. The deputy postmasters at the ends of routes where the mail is received less than six times a week, are required to return their registers monthly; but where they are received six times a week, or daily, their registers must be punctually returned *weekly*—but this regulation will not exempt deputy postmasters from the duty of making special reports of failures at the time they occur, on important routes.

## CHAPTER 62.

*Failures of Mails.*

456. Failures of mails to arrive at the ends of routes and other points within contract time, cannot but be known in all cases to contractors or their agents.

457. No notice, therefore, is necessary to be given to contractors of failures to arrive at any post office in contract time, as reported by deputy postmasters to the Department.

458. Should a mail at any time fail to arrive at the end of a route, or at any intermediate post office, where the time of arrival is fixed, within the time specified in the contract or schedule, it will be expected of every contractor immediately, by himself or agent, to send his excuse to the Inspection Office, setting forth, *particularly*, the cause of the failure; and if, after waiting a reasonable time, no specific and satisfactory excuse be received, the Third Assistant Postmaster General is directed to present the case thus reported to the Postmaster General for fine.

459. A specific excuse is required for each specific delinquency of any contractor; so that general allegations will not be admitted. If bad roads be alledged, a specific report must be made of what portion of the road was so bad as to obstruct the mails, and what was its peculiar condition; if high waters, it must be shown what water-courses were impassable; and so of all other excuses.

## CHAPTER 63.

*Forfeitures and Fines.*

460. In all cases, there is to be a forfeiture of the pay of the trip when the trip is not run; a forfeiture of at least one-fourth part of it, when the running or arrival is so far behind time as to lose the connection with a depending mail; and a forfeiture of a due proportion of it, when a grade of service is rendered inferior to that in the contract. These forfeitures may increase into penalties of higher amount, according to the nature or frequency of the failure and the importance of the mail.

461. Fines will be imposed, unless the delinquency be satisfactorily explained in due time, for failing to take or deliver at a post office the mail, or any part of it; for suffering it to be wet, injured, lost, or destroyed; for conveying it in a place or manner that exposes it to depredation, loss, or injury; for refusing, after demand, to carry a mail by any coach, railroad car, or steamboat, which the contractor regularly runs on the route, beyond the specified number of trips in the contract; and for not arriving at the time set.

## CHAPTER 64.

*Penalties.*

462. A member of Congress becoming interested in any contract for transporting the mail is guilty of a high misdemeanor, and liable to a fine of \$3000, and every such contract shall be null and void.—*Act of 1808, sec. 1, page 1.*

463. A public officer making any such contract on behalf of the United States, subject to the same fine.—*Ibid.*

464. If any person employed in the Post Office Department, or deputy postmaster, shall become interested in a mail contract, or act as agent, with or without compensation, in any matter or thing appertaining to the business in said Department, for any contractor or person offering to become such, he shall be liable to pay so much money as would have been realized from said contract.—*Act of 1836, sec. 26.*

465. This restriction applies to all assistants and clerks of post offices, whether special or public, and to all interest in or agency for the mails, whether carried on a public or a special route, or from a steamboat or railroad route to any office, under contract, order of the Department, or otherwise.

466. Mail carriers who shall collect, receive, or carry any letter or packet out of the mail, or shall cause or procure the same to be done, every such offender shall forfeit and pay, for every such offence, a sum not exceeding fifty dollars.

467. Masters of steamboats, failing to deliver to the deputy postmaster

of the port, if there be such, within three hours after the arrival, all letters and packets in his charge intended for such place, a fine of \$30 for each offence.—*Sec. 6, act of 1825, page 6.*

468. Persons employed on board of steamboats, failing to deliver all letters and packets entrusted to such persons to the master or manager of such steamboat, for every failure, a fine of \$10 for each letter or packet.—*Sec. 6, act of 1825, page 6.*

469. Retarding or obstructing the passage of the mail, a fine of \$100.—*Sec. 9, act of 1825, page 7.*

470. Neglect of ferryman to convey the mail across a ferry, \$10 for every ten minutes delayed.—*Ibid.*

471. If any deputy postmaster shall unlawfully detain in his office any letter or package, pamphlet or newspaper, with the intent to prevent the arrival and delivery of the same to the persons to whom such papers may be addressed, he shall, on conviction thereof, be fined a sum not exceeding five hundred dollars, and imprisoned for a time not exceeding six months.

472. If any officer connected with the Post Office Department, charged with the safe-keeping, transfer or disbursement of public moneys, shall convert to his own use, by way of investment in any kind of property or merchandise, or shall loan, with or without interest, any portion of the public moneys so entrusted to him, every such act shall be deemed and adjudged to be an embezzlement of so much of said moneys as shall be thus taken, converted, used, or loaned, and subjects him to the penalty imposed by the *act of 1841, sec. 24.*

473. Neglect or refusal of any officer connected with the Post Office Department to pay over, on demand, any public money so entrusted, shall be *prima facie* evidence of such conversion to his own use of so much of the public moneys as may be in his hands.—*Act of 1841, sec. 2.*

474. One-half the penalties recovered in prosecution for violations of the post office laws, shall be for the use of the person or persons informing or prosecuting, and the other half will be paid over to the Department. Where a deputy postmaster prosecutes, he will give information of the fact to the Department, and hold one-half of the penalty collected subject to its order.—*Act of 1825, sec. 33.*

475. If the passage of the mail on any post route in the vicinity of a deputy postmaster be illegally obstructed, he will at once report the facts to the Department, and prosecute the person who caused the obstruction for the penalty provided by law.—*Act 1825, sec. 9.*

## CHAPTER 65.

### *Violations and Evasions of Law.*

476. It is a violation of law to inclose or conceal a letter, or other things, or any memorandum in writing, in any newspaper, pamphlet, or magazine, or in any package thereof, or to make any writing or memo-

random thereon, or on the wrappers inclosing them, except the direction, and deliver the same into any Post Office, or to any person for that purpose.

477. In all such cases, the newspaper, pamphlet, or magazine should be charged with letter postage; and if the person to whom the paper or pamphlet is addressed refuses to pay letter postage thereon, the deputy postmaster will immediately inclose the paper or pamphlet to the deputy postmaster from whose office it came, and request him to prosecute the person who placed it in his office for the penalty of five dollars, prescribed by law.—*See sec. 90, act of 1825.*

478. In order that frauds of this kind may be readily traced and detected, deputy postmasters will be careful to post-mark or stamp every transient paper, magazine, or pamphlet sent from the office with the name of the office and State, and the amount of postage.

479. If the packet be addressed to the office, and contain papers for several persons, only the newspaper in which the letter or memorandum is enclosed, and its contents, should be charged with letter postage.

480. It is the practice of many to address their hand bills to deputy postmasters, by which means they give them an extensive circulation, free of postage. This is an abuse which must be corrected. In every instance where deputy postmasters receive a communication, addressed to him as deputy postmaster, which is of a private character, and designed to promote private interests, with an evident intention of giving circulation to it, without paying postage, the deputy postmaster will return the same to the person who sent it, under a new envelope, with the charge of letter postage endorsed.

481. In every case in which a letter or package is carried out of the mail, in violation of the acts of Congress, that comes to his knowledge, the deputy postmaster will prosecute the persons offending for the penalty provided by law, and report the facts to the Department, stating the name of the carrier and his employer.

482. As the law prohibits a private post or express, on or parallel to a mail line, those who aid and assist or employ such to carry letters or packages, which by law have a right to be sent by the mail, are guilty of a violation of the law of Congress of 1825, and subject to be prosecuted for the penalty under the 24th section of said act.

483. It is a violation of law for mail carriers, stage drivers, or contractors to carry out of the mail any letter or packet, sealed or unsealed, unless it be delivered to the deputy postmaster at the next office as a way letter. *Act of 1825, sections 20 and 21,—see chapter 21.*

484. Upon the arrival of every steamboat or other vessel navigating the waters of the United States at any port where there is a post office, it is the duty of the captain, or other officer having charge of the same, to deliver to the post office at such place, or to the person authorized by the Department as local agent, all letters and packets which he may have, except such as relate to the cargo of such vessel, (under penalty of fifty dollars.) And all persons employed on such boat are required, under



penalty of ten dollars, to deliver to the master or manager of such boat all letters or packets before their arrival at such port. The letters, &c., are to be delivered within three hours after the arrival of the boat, if in the day time. If she arrives in the night, within two hours after the next sun rise.—*Act of 1825, sec. 6.*

485. The law forbids the setting up of any foot or horse post for the conveyance of letters by a stage or other vehicle on a post road or a road parallel thereto.

486. It also forbids the running of a regular private express for the transportation of letters or packets.

## CHAPTER 66.

### *Blanks for Accounts, Post Bills, &c.*

487. Deputy postmasters in the States of Maine, New Hampshire and Vermont will apply to the deputy postmaster of Concord, N. H., for such blanks as are necessary for the use of their offices.

488. Deputy postmasters in the States of Massachusetts, Connecticut, and Rhode Island will apply to the deputy postmaster at Concord, New Hampshire, or Boston, Massachusetts, for such blanks as are necessary for the use of their offices.

489. Deputy postmasters in the State of New York will apply to the deputy postmaster of New York, or Rochester, N. Y., for such blanks as are necessary for the use of their offices.

490. Deputy Postmasters in the State of New Jersey will apply to the deputy postmaster of New York city for such blanks as are necessary for the use of their offices.

491. Deputy Postmasters in the States of Pennsylvania and Delaware will apply to the deputy postmaster of Philadelphia for such blanks as are necessary for the use of their offices.

492. Deputy postmasters in the States of Maryland and Virginia will apply to the Post Office Department at Washington for such blanks as are necessary for the use of their offices.

493. Deputy postmasters in the States of North Carolina, South Carolina, Georgia, Alabama, and Florida Territory will apply to the deputy postmaster of Augusta, Ga., or Raleigh, N. C., (as may be convenient,) for such blanks as are necessary for the use of their offices.

494. Deputy postmasters in the States of Kentucky, Tennessee, Mississippi, Louisiana, Arkansas and Missouri will apply to the deputy postmasters of Louisville, Kentucky, Nashville, Tennessee, or Vicksburg, Mississippi, as may be most convenient, for such blanks as are necessary for the use of their offices.

495. Deputy postmasters in the States of Indiana, Illinois, and the Territories of Iowa and Wisconsin, will apply to the deputy postmaster at Springfield, Illinois, for such blanks as are necessary for the use of their offices.



496. Deputy postmasters in the States of Ohio and Michigan will apply to the deputy postmaster of Columbus, Ohio, for such blanks as are necessary for the use of their offices. (Or such as find it more convenient, may, during the lake navigation season, apply to Rochester, N. Y.)

497. When the postages collected at an office amount to \$100 per quarter, the name of the deputy postmaster will be printed on the post bills.

498. Stamps are only to be procured upon application to the Appointment Office. They are furnished to offices that collect in postages \$100 per quarter.

## CHAPTER 67.

### *Mail Locks and Keys.*

499. Locks and keys are furnished, when wanted, upon application to the Inspection Office. These applications, and all other official statements addressed to the Inspection Office, should be signed by the deputy postmaster only, except in case of sickness or unavoidable absence, when they may be signed by an assistant.

500. Deputy postmasters at the principal offices are supplied with several locks, in order that they may be used when extra portmanteaus are forwarded. In such cases, they should see that the locks are returned, and report any deputy postmaster who shall unnecessarily detain them.

501. The mail key should be kept with great care. It should never be carried out of the office, but be secured therein, under lock, and accessible only to the deputy postmaster and his assistant. It will be deemed highly reprehensible in any deputy postmaster to lose the mail key.

502. Applications for mail keys should be made directly to the Inspection Office, and should state the reason why a new key is wanted. If one be lost or broken, its place may be supplied by borrowing from an adjacent office, until another is furnished by the Inspection Office, when the borrowed key must be returned.

503. In case a key is lost or broken, the chain of the portmanteau ought not to be cut, but the fact should be notified to the next deputy postmaster, who should be requested to take out the packets addressed to his office, and send them out of the mail, until a new key be obtained.

504. Every deputy postmaster, in cases where the mail arrives at his office without a lock upon the bag, should procure a common pad-lock, and lock up the mail therewith, the key of which to be sealed up, and delivered to the carrier, and addressed to the next deputy postmaster on the route.

## CHAPTER 68.

### *Portmanteaus, Mail Pouches, and Mail Bags.*

505. All communications relating to portmanteaus, mail pouches and mail bags to be addressed to the Third Assistant Postmaster General, or to the Inspection Office, Post Office Department.

506. When a deputy postmaster at the end of a route discovers a mail bag to be out of order, he will immediately have it repaired, and charge the amount in his account of contingent expenses, and send a receipt therefor. But if it be so unsound as that the mail will not be secure in it until it gets to the end of the route, the deputy postmaster who first discovers it will have it repaired, even though it should detain the mail.

507. Mails of letters and newspapers, before being put into the mail portmanteau, are to be placed in separate linen bags, where such bags are used; and whenever these bags are worn out, or lost, the deputy postmasters at the ends of routes will apply to the Inspection Office for such bags as may be necessary for the transportation of the mail.

508. All mail bags not in use should be immediately returned to the office from which they were sent. Deputy postmasters who send extra bags should see that they are returned; this they can do by writing to the deputy postmasters who retain them. If they be not returned, the facts should be reported to the Inspection Office.

509. A sufficient number of mail bags should be retained at distributing offices, and at offices where the packages of a large mail are divided and destined for several routes, to send all the packages.

510. When a new mail bag is wanted, application must be made to the Inspection Office, describing the size and the number of the route on which it is to be used. No allowance will be made to deputy postmasters or contractors for mail bags procured by them, without special instructions from the Department.

511. Deputy postmasters whose offices are mail bag depots, may furnish mail bags in cases of emergency, and make a report to the Department, stating the kind of bag and the number of the route upon which it is placed. The established depots from which quarterly returns must be made to the Inspection Office of the number and description of surplus mail bags and mail locks, are as follows :

512. Portland and Bangor, Maine; Portsmouth and Concord, New Hampshire; Montpelier and Bennington, Vermont; Boston, Massachusetts; Providence, Rhode Island; Hartford, Connecticut; New-York city, Albany and Rochester, New-York; Trenton, New Jersey; Philadelphia, Harrisburg and Pittsburg, Pennsylvania; Baltimore, Maryland; Washington, District of Columbia; Richmond and Abingdon, Virginia; Raleigh and Ashville, North Carolina; Charleston and Columbia, South Carolina; Mobile, Tuscaloosa and Huntsville, Alabama; St. Louis and Jefferson City, Missouri; Columbus, Cincinnati and Cleveland, Ohio; Detroit, Michigan; Indianapolis, Indiana; Springfield, Galena and Chicago, Illinois; Little Rock, Arkansas; New Orleans, Louisiana; Nashville, Memphis and Knoxville, Tennessee; Louisville and Maysville, Kentucky; Tallahassee, Florida; Iowa City, Iowa; Madison, Wisconsin.

## CHAPTER 69.

*Post Offices for the dispatch and receipt of Foreign Mails bordering on the British Provinces.*

513. By arrangements made with the proper authorities in the British Provinces, mail communications have been established at several points along the frontiers of the United States. They are as follows:

514. Houlton, Robbinstown and Moose River, Maine; Derby Line, Highgate and Burlington, Vermont; White Hall, Plattsburgh, Rouse's Point, Fort Covington, Ogdensburg, Morristown, Cape Vincent, Oswego, Rochester and Lewistown, New-York; Detroit, Michigan; also, New York City and Albany, by special arrangement, with Toronto, Kingston and Montreal.

## CHAPTER 70.

*Frontier Post Offices Bordering on Texas.*

515. New Orleans and Greenwood, Louisiana.

## CHAPTER 71.

516. Letters received from the British Provinces and from Texas for offices in the United States, are to be rated at the first post office in the United States at which they are received, with the proper postage from the United States line to the office addressed.

517. Letters placed in any office in the United States, addressed to offices in New Brunswick and Canada, are to be rated with the proper postage to the United States line. The postage is not required to be paid in advance, as it will be collected and accounted for by the deputy postmaster of St. Andrews for New Brunswick, and by the Deputy Postmaster General of Canada.

518. Deputy postmasters bordering on the Canadian frontier will keep an exact account of the postage on all letters, newspapers, pamphlets, &c., passing into those Provinces, and keep an account of the postage on all letters, &c., received from those Provinces separate and distinct from the accounts of other mails received at, and sent from, their respective offices.

519. Deputy postmasters will be allowed a compensation of five per cent. on the postages of letters, &c., received from the British Provinces and distributed in the United States, and a commission of two and a half per cent. on letters, &c., sent into those Provinces and Texas from the United States.

520. The postage due to the United States on letters and packets sent to Texas, and all other foreign Governments, except the British Canadian Provinces, must be pre-paid, otherwise they will not be sent by the mail from the post office receiving the same.

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#### ERATUM.

Deputy Postmasters will make the following corrections with the pen.

In page 2 of the Regulations, 8th section and last line, erase "to him."

In page 2, chapter 24, section 192, and last line, erase "recept," and insert "receipt."

In page 15, chapter 18, section 123, and 4th line, erase "private," and insert "printed."

In page 54, chapter 64, section 402, and last line, erase "24," and insert "2."