

SEC. 5. *And be it further enacted*, That the President be authorized, by and with the advice and consent of the Senate, to appoint four agents for the Indians in the territory of New Mexico, and one agent for those in the territory of Utah, who shall receive an annual salary each of fifteen hundred and fifty dollars, and perform all the duties of agent to such Indians or tribes, as shall be assigned them by the Superintendents of Indian Affairs for these territories respectively, under the direction of the President, or the Secretary of the Department of the Interior.

Indian agents for New Mexico.

For Utah.

SEC. 6. *And be it further enacted*, That the superintendents and agents to be appointed under the provisions of this act, before entering upon the duties of their respective offices, shall give bond in such penalties and with such security, as the President or Secretary of the Interior may require, and shall hold their offices respectively for the term of four years.

Superintendents and agents to give bonds

To hold office four years.

SEC. 7. *And be it further enacted*, That all the laws now in force, regulating trade and intercourse with the Indian tribes, or such provisions of the same as may be applicable, shall be, and the same are hereby, extended over the Indian tribes in the Territories of New Mexico and Utah.

Former applicable laws extended to New Mexico and Utah. (a)

SEC. 8. *And be it further enacted*, That from and after the thirtieth day of June next, the salaries of interpreters lawfully employed in the service of the United States, in California, Oregon, Utah, and New Mexico, shall be five hundred dollars per annum, and of all so employed elsewhere, four hundred dollars.

Salaries of interpreters.

SEC. 9. *And be it further enacted*, That the chief clerk in the office of Indian affairs shall be allowed a salary equal to that of the chief clerk of any other bureau, and that the appointment of four additional clerks in said office be, and is hereby authorized, two of whom shall be allowed a salary of sixteen hundred dollars each, one a salary of fourteen hundred dollars, and one a salary of twelve hundred dollars, and that the payment of the salary of fourteen hundred dollars to one of the clerks in said office out of the Chickasaw fund be discontinued, and that said salary be hereafter paid out of the treasury of the United States. Nor shall further payments be made out of said fund to any clerk or clerks in any of the executive offices.

Chief clerk in office of Indian affairs. Other clerks.

No clerk to be paid from the Chickasaw fund.

For payment of per diem of a special agent at a rate not to exceed four dollars per day, and expenses of transportation, for the purpose of paying off Indians in the old States, and particularly the North Carolina Indians, their removal and subsistence fund under the order and instructions of the Secretary of the Treasury, one thousand dollars.

Special agent to pay off Indians in the old states.

APPROVED, February 27, 1851.

CHAP. XX. — *An Act to reduce and modify the Rates of Postage in the United States, and for other Purposes.* (b) March 3, 1851.

1852, ch. 98.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the thirtieth day of June, eighteen hundred and fifty-one, in lieu of the rates of postage now established by law, there shall be charged the following rates, to wit:—For every single letter in manuscript, or paper of any kind, upon which information shall be asked for, or communicated, in writing, or by marks or signs, conveyed in the mail for any distance between places within the United States, not exceeding three thousand miles, when the postage upon such letter shall have

Rates of postage on letters.

(a) See notes in vol. ii. pp. 6, 139, 140, 146, 652, and acts of 1834, ch. 161; 1847, ch. 66.

(b) See note in vol. ii. 592, & acts of 1845, ch. 43 & 69; 1846, ch. 25, § 3; 1847, ch. 63; 1848, ch. 79; ch. 121, § 10; ch. 175, § 3; 1849, ch. 104; 1850, ch. 75, § 2.

been prepaid, three cents, and five cents when the postage thereon shall not have been prepaid; and for any distance exceeding three thousand miles, double those rates. For every such single letter or paper when conveyed wholly or in part by sea, and to or from a foreign country, for any distance over twenty-five hundred miles, twenty cents, and for any distance under twenty-five hundred miles, ten cents, (excepting, however, all cases where such postages have been or shall be adjusted at different rates, by postal treaty or convention already concluded or hereafter to be made;) and for a double letter there shall be charged double the rates above specified; and for a treble letter, treble those rates; and for a quadruple letter, quadruple those rates; and every letter or parcel not exceeding half an ounce in weight shall be deemed a single letter, and every additional weight of half an ounce, or additional weight of less than half an ounce, shall be charged with an additional single postage. And all drop letters, or letters placed in any post-office, not for transmission, but for delivery only, shall be charged with postage at the rate of one cent each; and all letters which shall hereafter be advertised as remaining over or uncalled for, in any post-office, shall be charged with one cent in addition to the regular postage, both to be accounted for as other postages now are.

Drop letters.
Advertised letters.

Rates of postage on newspapers sent from the office of publication to subscribers.

SEC. 2. *And be it further enacted,* That all newspapers not exceeding three ounces in weight, sent from the office of publication to actual and *bona fide* subscribers, shall be charged with postage as follows, to wit:—All newspapers published weekly only, shall circulate in the mail free of postage within the county where published, and that the postage on the regular numbers of a newspaper published weekly, for any distance not exceeding fifty miles out of the county where published, shall be five cents per quarter; for any distance exceeding fifty miles and not exceeding three hundred miles, ten cents per quarter; for any distance exceeding three hundred miles and not exceeding one thousand miles, fifteen cents per quarter; for any distance exceeding one thousand miles and not exceeding two thousand miles, twenty cents per quarter; for any distance exceeding two thousand miles and not exceeding four thousand miles, twenty-five cents per quarter; for any distance exceeding four thousand miles, thirty cents per quarter; and all newspapers published monthly, and sent to actual and *bona fide* subscribers, shall be charged with one fourth the foregoing rates; and on all such newspapers published semi-monthly shall be charged with one half the foregoing rates; and papers published semi-weekly shall be charged double those rates; tri-weekly, treble those rates; and oftener than tri-weekly, five times those rates. And there shall be charged upon every other newspaper, and each circular not sealed, handbill, engraving, pamphlet, periodical, magazine, book, and every other description of printed matter, which shall be unconnected with any manuscript or written matter, and which it may be lawful to transmit through the mail, of no greater weight than one ounce, for any distance not exceeding five hundred miles, one cent; and for each additional ounce or fraction of an ounce, one cent; for any distance exceeding five hundred miles and not exceeding one thousand five hundred miles, double those rates; for any distance exceeding one thousand five hundred miles and not exceeding two thousand five hundred miles, treble those rates; for any distance exceeding two thousand five hundred miles and not exceeding three thousand five hundred miles, four times those rates; for any distance exceeding three thousand five hundred miles, five times those rates. Subscribers to all periodicals shall be required to pay one quarter's postage in advance, and in all such cases the postage shall be one half the foregoing rates. Bound books, and parcels of printed matter not weighing over thirty-two ounces, shall be deemedailable matter under the provisions of

On other newspapers, and on circulars, periodicals, &c.

this section. And the postage on all printed matter other than newspapers and periodicals published at intervals not exceeding three months, and sent from the office of publication, to actual and *bona fide* subscribers, to be prepaid; and in ascertaining the weight of newspapers for the purpose of determining the amount of postage chargeable thereon, they shall be weighed when in a dry state. And whenever any printed matter on which the postage is required by this section to be prepaid, shall, through the inattention of postmasters or otherwise, be sent without prepayment, the same shall be charged with double the amount of postage which would have been chargeable thereon if the postage had been prepaid; but nothing in this act contained shall subject to postage any matter which is exempted from the payment of postage by any existing law. And the Postmaster-General, by and with the advice and consent of the President of the United States, shall be, and he hereby is, authorized to reduce or enlarge, from time to time, the rates of postage upon all letters and otherailable matter conveyed between the United States and any foreign country, for the purpose of making better postal arrangements with other governments, or counteracting any adverse measures affecting our postal intercourse with foreign countries; and postmasters at the office of delivery are hereby authorized, and it shall be their duty, to remove the wrappers and envelopes from all printed matter and pamphlets not charged with letter postage, for the purpose of ascertaining whether there is upon or connected with any such printed matter, or in such package, any matter or thing which would authorize or require the charge of a higher rate of postage thereon. And all publishers of pamphlets, periodicals, magazines, and newspapers, which shall not exceed sixteen ounces in weight, shall be allowed to interchange their publications reciprocally, free of postage: *Provided*, That such interchange shall be confined to a single copy of each publication: *And provided, also*, That said publishers may enclose in their publications the bills for subscriptions thereto, without any additional charge for postage: *And provided, further*, That in all cases where newspapers shall not contain over three hundred square inches, they may be transmitted through the mails by the publishers to *bona fide* subscribers, at one fourth the rates fixed by this act.

Matters free from postage.
Rates to foreign countries may be reduced or enlarged.

Exchanges.

Proviso.

Proviso.

Proviso.

SEC. 3. *And be it further enacted*, That it shall be the duty of the Postmaster-General to provide and furnish to all deputy postmasters, and to all other persons applying and paying therefor, suitable postage stamps, (a) of the denomination of three cents, and of such other denominations as he may think expedient, to facilitate the prepayment of postages provided for in this act; and any person who shall forge or counterfeit any postage stamp provided or furnished under the provisions of this or any former act, whether the same are impressed or printed on, or attached to, envelopes or not, or any die, plate, or engraving therefor, or shall make or print, or knowingly use or sell, or have in his possession with intent to use or sell, any such false, forged, or counterfeited die, plate, engraving, or postage stamp, or who shall make or print, or authorize or procure to be made or printed, any postage stamps of the kind provided and furnished by the Postmaster-General as aforesaid, without the especial authority and direction of the post-office department, or who, after such postage stamps have been printed, shall, with intent to defraud the revenues of the post-office department, deliver any postage stamps to any person or persons other than such as shall be authorized to receive the same by an instrument of writing, duly executed under the hand of the Postmaster-General and the seal of the post-office department, shall, on conviction

Postage stamps, and

Penalty for forging or counterfeiting, &c., stamps.

1845, ch. 69, § 5.

(a) For previous provision as to stamps, see act of 1847, ch. 63, § 11.

Expenses of stamps and envelopes.

thereof, be deemed guilty of felony, and be punished by a fine not exceeding five hundred dollars, or by imprisonment not exceeding five years, or by both such fine and imprisonment; and the expenses of procuring and providing all such postage stamps and letter envelopes, as are provided for or authorized by this act, shall be paid, after being adjusted by the auditor of the post-office department, on the certificate of the Postmaster-General, out of any money in the treasury arising from the revenues of the post-office department.

Stamps to be defaced by postmasters.

SEC. 4. *And be it further enacted*, That it shall be the duty of every postmaster to cause to be defaced, in such manner as the Postmaster-General shall direct, all postage stamps attached to letters deposited in his office, for delivery, or to be sent by mail; and if any postmaster sending letters in the mail with postage stamps attached shall omit to deface the same, it shall be the duty of the postmaster, to whose office such letters shall be sent for delivery, to deface the stamps and report the delinquent postmaster to the Postmaster-General. And if any person shall use, or attempt to use, in prepayment of postage any postage stamp which shall have been before used for like purposes, such person shall be subject to a penalty of fifty dollars for every such offence, to be recovered in the name of the United States in any court of competent jurisdiction.

Penalty for using, or attempting to use stamps already used.

Advertisement of uncalled for letters.

SEC. 5. *And be it further enacted*, That lists of letters remaining uncalled for in any post-office, in any city, town or village [village] where a newspaper shall be printed, shall hereafter be published once only in the newspaper which, being issued weekly or oftener, shall have the largest circulation within the range of delivery of said office, to be decided by the postmaster at such office, at such times, and under such regulations as the Postmaster-General shall prescribe, and at a charge of one cent for each letter advertised. And the postmaster at such office is hereby directed to post in a conspicuous place in his office, a copy of such list, on the day, or day after the publication thereof; and if the publisher of any such paper shall refuse to publish the list of letters as provided in this section, the postmaster may designate some other paper for such purpose. Such lists of letters shall be published once in every six weeks, and as much oftener, not exceeding once a week, as the Postmaster-General may specially direct: *Provided*, That the Postmaster-General may, in his discretion, direct the publication of German and other foreign letters in any newspaper printed in the German or any other foreign language, which publication shall be either in lieu of or in addition to the publication of the list of such letters in the manner first in this section provided, as the Postmaster-General shall direct.

German and other foreign letters.

Pay of postmasters.

SEC. 6. *And be it further enacted*, That to any postmaster whose commissions may be reduced below the amount allowed at his office for the year ending the thirtieth day of June, eighteen hundred and fifty-one, and whose labors may be increased, the Postmaster-General shall be authorized, in his discretion, to allow such additional commissions as he may deem just and proper: *Provided*, That the whole amount of commissions allowed such postmaster during any fiscal year shall not exceed by more than twenty per centum the amount of commissions at such office for the year ending the thirtieth day of June, eighteen hundred and fifty-one.

Proviso.

Post-offices not to be discontinued, nor mail service diminished, on account of any diminution of revenue arising from this act. Increase.

SEC. 7. *And be it further enacted*, That no post-office now in existence shall be discontinued, nor shall the mail service on any mail route in any of the States or Territories be discontinued or diminished, in consequence of any diminution of the revenues that may result from this act; and it shall be the duty of the Postmaster-General to establish new post-offices, and place the mail service on any new mail routes established, or that may hereafter be established, in the same manner as though this act had not passed.

SEC. 8. *And be it further enacted*, That there shall be paid to the post-office department, in further payment and compensation for the mail service performed for the two houses of congress and the other departments and officers of the government in the transportation of free matter, the sum of five hundred thousand dollars per year, which shall be paid quarterly, out of any moneys in the treasury not otherwise appropriated, and the moneys appropriated to the post-office department by the twelfth section of the act "to establish certain post routes and for other purposes," approved March third, eighteen hundred and forty-seven, and remaining undrawn in the treasury, shall continue subject to the requisition of the Postmaster-General for the service of the post-office department, notwithstanding the same may have so remained undrawn for more than two years after it became subject to such requisition.

Appropriation for government postage.

1847, ch. 63.
Former appropriations made subject to drafts.

SEC. 9. *And be it further enacted*, That there is hereby appropriated out of any moneys in the treasury not otherwise appropriated, the sum of five hundred thousand dollars, to supply any deficiency that may arise in the post-office department.

Appropriation for deficiencies.

SEC. 10. *And be it further enacted*, That it shall be in the power of the Postmaster-General, at all post-offices where the postmasters are appointed by the President of the United States, to establish post routes within the cities or towns, to provide for conveying letters to the post-office by establishing suitable and convenient places of deposit, and by employing carriers to receive and deposit them in the post-office; and at all such offices it shall be in his power to cause letters to be delivered by suitable carriers, to be appointed by him for that purpose, for which not exceeding one or two cents shall be charged, to be paid by the person receiving or sending the same, and all sums so received shall be paid into the post-office department: *Provided*, The amount of compensation allowed by the Postmaster-General to carriers shall in no case exceed the amount paid into the treasury by each town or city, under the provisions of this section.

Letter carriers.

Proviso.

SEC. 11. *And be it further enacted*, That from and after the passage of this act, it shall be lawful to coin at the mint of the United States and its branches, a piece of the denomination and legal value of three cents, or three hundredths of a dollar, to be composed of three-fourths silver and one fourth copper, and to weigh twelve grains and three-eighths of a grain; that the said coin shall bear such devices as shall be conspicuously different from those of the other silver coins, and of the gold dollar, but having the inscription United States of America, and its denomination and date; and that it shall be a legal tender in payment of debts for all sums of thirty cents and under. And that no ingots shall be used for the coinage of the three-cent pieces herein authorized, of which the quality differs more than five thousandths from the legal standard; and that, in adjusting the weight of the said coin, the following deviations from the standard weight shall not be exceeded, namely, one half of a grain in the single piece, and one pennyweight in a thousand pieces. (a.)

New coin of value of 3 cents.

Weight.
Device.

Made a tender.

Weight.

APPROVED, March 3, 1851.

CHAP. XXI.—*An Act making Appropriations for the service of the Post-Office Department during the fiscal Year ending the thirtieth of June, one thousand eight hundred and fifty-two, and for other Purposes.* March 3, 1851.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following

(a) For acts respecting U. S. coins, see note in vol. i. p. 248; Stat. 1849, ch. 109. 1853, ch. 79.

sums be, and the same are hereby appropriated, for the service of the post-office-department, for the year ending the thirtieth of June, one thousand eight hundred and fifty-two, out of any moneys in the treasury arising from the revenues of the said department, in conformity to the act of the second of July, eighteen hundred and thirty-six, and for other purposes, viz:—

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| Transportation of mails. | For transportation of the mails, including the service in California and Oregon. three millions four hundred and seventy-six thousand dollars. |
| Steamship mail to Bremen and Havre. | For transportation of the mails in two steamships from New York, by Southampton, to Bremen, at one hundred thousand dollars for each ship, under the contract with the Ocean Steam Navigation Company of New York; and for transportation by two ships under the same contract, from New York to Havre, at seventy-five thousand dollars each, in addition to an unexpended balance of former appropriations, two hundred and sixty-seven thousand dollars. (<i>a</i> .) |
| Isthmus of Panama. | For transportation of the mails across the Isthmus of Panama, forty-five thousand dollars. |
| Postmasters. | For compensation to postmasters, one million eight hundred and seventy-five thousand dollars. |
| Ship, &c., letters. | For ship, steamboat, and way letters, forty-five thousand dollars. |
| Sundries. | For wrapping paper, thirty-five thousand dollars. For office furniture, nine thousand dollars. For advertising, eighty thousand dollars. For mail bags, thirty-six thousand dollars. For blanks, thirty-five thousand dollars. For mail-locks, keys, and stamps, ten thousand dollars. For mail depredations, and special agents, thirty-five thousand dollars. |
| Clerks in post-offices. | For clerks in the offices of postmasters, four hundred and twenty-five thousand dollars. |
| Sundries. | For miscellaneous items, eighty thousand dollars. For new mail-locks, and keys, twenty-five thousand dollars. For maps of post routes, six thousand dollars. |
| Post-offices in California. | For incidental expenses of post-offices in California, from the dates respectively of their establishment, to the thirtieth of June, eighteen hundred and fifty-one, sixty-six thousand dollars, or so much thereof as may be necessary, in addition to the commissions allowed by law to postmasters; to be expended at such offices in such proportions, and under such regulations, as the Postmaster-General may direct, and to be accounted for as commissions. |
| Letter carriers in Oregon and California. | SEC. 2. <i>And be it further enacted</i> , That the Postmaster-General shall be, and he is hereby, authorized to appoint letter carriers for the delivery of letters from any post-office in California or Oregon, and to allow the letter carriers who may be appointed at any such post-office to demand and receive such sum for all letters, newspapers, or other mailable matter delivered by them, as may be recommended by the postmaster for whose office such letter carrier may be appointed, not exceeding five cents for every letter, two cents for every newspaper, and two cents for every ounce of other mailable matter; and the Postmaster-General shall be, and he is hereby, authorized to empower the special agents of the post-office-department in California and Oregon to appoint such letter carriers in their districts respectively, and to fix the rates of their compensation within the limits aforesaid, subject to, and until the final action of, the Postmaster-General thereon. And such appointments may be made, and rates of compensation modified from time to time, as may be deemed expedient; and the rates of compensation may be fixed and graduated in respect to the distance of |
| Their appointment and compensation. | |

(*a*) See act of 1845, ch. 69; 1846, ch. 31; 1847, ch. 37; 1848, ch. 79 and ch. 98; 1849, ch. 103; 1850, ch. 56.

the place of delivery from the post-office for which such carriers are appointed; but the rate of compensation of any such letter carrier shall not be changed after his appointment, except by the order of the Postmaster-General; and such letter carriers shall be subject to the provisions of the forty-first section of the act entitled "An Act to change the organization of the post-office department, and to provide more effectually for the settlement of the accounts thereof," approved July second, eighteen hundred and thirty-six; except in cases otherwise provided for in this act.

Made subject to provisions of Stat. 1836, ch. 270.

SEC. 3. *And be it further enacted*, That in all cases of fine, penalty, forfeiture, or disability, or alleged liability for any sum or sums of money, by way of damages, or otherwise, under any provision of law relating to the post-office department, or the officers, operations, or business thereof, the Postmaster-General shall be, and he is hereby authorized to prescribe such general rules and mode of proceeding, as shall to him appear expedient for the government of the auditor of the post-office department, in ascertaining the facts in each case in which it shall be certified to him by such auditor, that the interests of the department probably require the exercise of the power conferred by this act; and upon the facts being ascertained as aforesaid, the said auditor shall have power, with the written consent of the Postmaster-General, to mitigate or remit such fine, penalty, or forfeiture, remove such disability, and to compromise, release, and discharge such claims for such sum or sums of money and damages, on such terms as the said auditor shall deem just and expedient; and that in all cases where a judgment shall have been obtained for a debt or damages due the post-office department, and it shall satisfactorily appear by the return of execution or otherwise, that such judgment, or so much thereof as remains unpaid, cannot be collected by due process of law, the said auditor shall be, and he is hereby authorized, with the written consent of the Postmaster-General, to compromise such judgment and accept in satisfaction thereof, less than the amount of such judgment: *Provided*, That the power conferred by this section shall not extend to any case of fine, penalty, forfeiture, disability, alleged liability or claim which shall be incurred, accrue, or arise subsequent to the passage of this act, or to any judgment obtained after the passage thereof.

Fines and forfeitures; their recovery and remission.

Compromise of judgments.

Proviso.

SEC. 4. *And be it further enacted*, That the Postmaster-General is hereby authorized to allow hereafter to the special agents of the post-office department the annual salary of sixteen hundred dollars: *Provided*, That no more shall be expended for this purpose, during the present year, than is already appropriated in this act.

Compensation of special agents.

Proviso.

APPROVED, March 3, 1851.

CHAP. XXII. — *An Act making Appropriations for the Support of the Military Academy for the Year ending the thirtieth June, one thousand eight hundred and fifty-two.*

March 3, 1851.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby appropriated, out of any money in the treasury not otherwise appropriated, for the support of the Military Academy, for the year ending the thirtieth June, one thousand eight hundred and fifty-two.

Appropriation for military academy.

For pay of officers, instructors, cadets, and musicians, eighty-seven thousand four hundred and thirty-six dollars.

Pay of officers, &c.

For commutation of subsistence, two thousand two hundred and sixty-three dollars.

Commutation of subsistence.

For forage of officers' horses, eight hundred and sixty-four dollars:

Forage.