

HISTORY OF LAWS
RELATING TO THE POSTAL MONOPOLY
OF THE UNITED STATES

POSTAL CODE OF 1872

Act of June 8, 1872, Ch 335, 17 Stat. 283 (42nd Congress, 2d Session)

CHAP. CCCXXXV. — *An Act to revise, consolidate, and amend the Statutes relating to 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 shall be established, [17 Stat. 284] at the seat of government of the United States of America, a department to be known as the Post-office Department.

SEC. 2. That the principal officers of the Post-office Department shall be one Postmaster-General and three assistant postmasters-general, who shall be appointed by the President, by and with the advice and consent of the Senate, and who may be removed in the same manner, and the term of office of the Postmaster-General shall be for and during the term of the President by whom he is appointed, and for one month thereafter, unless sooner removed.

SEC. 3. That the Postmaster-General may appoint the following employees in the Post-office Department: one chief clerk for the Postmaster-General and one for each of the assistant postmasters-general, one superintendent of post-office building and disbursing clerk; one superintendent and one chief clerk of the money-order system, one superintendent and one chief clerk of foreign mails, one topographer for Post-office Department, one assistant attorney-general for the Post-office Department, one chief of division for the office of mail depredations, one chief of division of dead-letters, one superintendent of the blank agency, one assistant superintendent and four assistants, fourteen clerks of class four, sixty-one clerks of class three, fifty clerks of class two, seventy-one clerks of class one, fifty-seven female clerks, one messenger for the Postmaster-General and one for each of the assistant postmasters-general, four assistant messengers, ten watchmen, twenty-five laborers, one engineer, one assistant engineer, one carpenter, one assistant carpenter, one fireman and blacksmith, two firemen, three female laborers, and such a number of temporary clerks, female clerks, folders, watchmen, and laborers as may be required.

SEC. 4. That the annual salaries of the officers, clerks, and others employed in the Post-office Department shall be as follows:

Of the Postmaster-General, eight thousand dollars;

Of the assistant postmasters-general, three thousand five hundred dollars each;

Of the superintendent of the money-order system, three thousand dollars;

Of the superintendent of foreign mails, three thousand dollars;

Of the topographer of the Post-office Department, two thousand five hundred dollars;

Of the assistant attorney-general of the Post-office Department, four thousand dollars;

Of the chief of division for the office of mail depreations, twenty-five hundred dollars;

Of the chief of division of dead-letters, two thousand five hundred dollars;

Of the superintendent of post-office building and disbursing officer, two thousand three hundred dollars;

Of the chief clerk to the Postmaster-General, two thousand two hundred dollars;

Of the chief clerks to the assistant postmaster-general, the chief clerk of the superintendent of the money-order office, and the chief clerk; of the superintendent of foreign mails, two thousand dollars each;

Of the superintendent of the blank-agency, one thousand eight hundred dollars; of the assistant superintendent, one thousand six hundred dollars; of the four assistants, one thousand two hundred dollars each;

Of the clerks of class four, one thousand eight hundred dollars each;

Of the clerks of class three, one thousand six hundred dollars each;

Of the clerks of class two, one thousand four hundred dollars each;

Of the clerks of class one, one thousand two hundred dollars each;

Of the female clerks, nine hundred dollars each;

Of the messenger to the Postmaster-General, nine hundred dollars;[17 Stat. 285]

Of the messengers to the assistant postmasters-general, eight hundred and forty dollars each;

Of the assistant messengers, watchmen, and laborers, eight hundred dollars each;

Of the engineer, one thousand six hundred dollars;

Of the assistant engineer, one thousand dollars;

Of the carpenter, one thousand two hundred and fifty-two dollars;

Of the assistant carpenter, one thousand dollars;

Of the fireman and blacksmith, nine hundred dollars;

Of the firemen, seven hundred and twenty dollars each;

Of the female laborers, four hundred and eighty dollars each.

SEC. 5. That the Postmaster-General shall procure and cause to be kept a seal for his department, which shall be affixed to all commissions of postmasters and others, and used to authenticate all transcripts and copies which may be required from his department.

SEC. 6. That the Postmaster-General shall establish and discontinue post-offices; instruct all persons in the postal service with reference to their duties; decide on the forms of all official papers; prescribe the manner of keeping and stating accounts; control, according to law, and subject to the settlement of the auditor, all expenses incident to the service of the department; superintend the disposition of the moneys of the department; direct the manner in which balances shall be paid over; issue warrants to cover money into the treasury, and to pay out the same; and generally superintend the business of the department, and execute all laws relative to the postal service.

SEC. 7. 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.

SEC. 8. That the Postmaster-General shall make the following reports to Congress at each annual session:

A report of all contracts for carrying the mail made within the preceding year, giving in each case the name of the contractor; the date and duration of the contract; the routes embraced therein, with the length of each; the time of arrival and departure at the ends of each route; the mode of transportation; and the price to be paid, together with a copy of the recorded abstracts of all proposals for carrying the mail, as provided by section two hundred and forty-eight.

A report of all land and water mails established or ordered within the preceding year, other than those let to contract at the annual letting, giving 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 price to be paid, and the duration of the order of contract.

A report of all allowances made to contractors within the preceding year above the sums originally stipulated in their respective contracts, and the reasons for the same, and of all orders made whereby additional expense is incurred on any route beyond the original contract price; giving in

each case the route, the name of the contractor, the original service provided for by the contract, the original price, the additional service required, and the additional allowance therefor.

A report of all curtailments of expenses effected within the preceding year, giving in each case the same particulars as in the preceding report.

A report of the finances of the department for the preceding year, showing the amount of balance due the department at the beginning of the year; the amount of postage which accrued within the year; the amount of engagement and liabilities; and the amount actually paid during the year for carrying the mail, showing how much of said amount was for carrying the mail in preceding years. **[17 Stat. 286]**

A report of the fines imposed on, and the deductions from the pay of contractors, made during the preceding year; stating the name of the contractor, the nature of the delinquency, the route on which it occurred, when the fine was imposed, and whether the fine or deduction has been remitted, and for what reason.

A copy of each contract for carrying the mail between the United States and foreign countries, with a statement of the amount of postage derived under the same, so far as the returns of the department will enable it to be done.

A report showing all contracts which have been made by the department, other than for carrying the mail; giving 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 amount paid therefor, and the date and duration of the contract.

A report of the clerks and other persons employed in the department during the year, or any part thereof; giving the names of the persons, the time they were actually employed, and the sum paid each; whether they have been usefully employed; whether the services of any can be dispensed with without detriment to the public service; and whether the removal of any, and the appointment of others in their stead, is required for the better despatch of business.

A report on the postal business and agencies in foreign countries.

And the Postmaster-General shall cause all of such reports to be printed at the public printing office, either together or separately, and in such numbers as may be required by the exigencies of the service or by law.

SEC. 9. That the Postmaster-General shall submit to Congress at each annual session a statement of the amount expended during the preceding fiscal year, and an estimate of the amount that will be required for the ensuing fiscal year, under each of the following heads: "Transportation of the mails;" "compensation of postmasters;" "compensation of clerks in post-offices;" "compensation of letter carriers;" "compensation of blank agents and assistants;" "mail depredateions and special agents;" "postage-stamps and envelopes;" "ship, steamboat and way letters;" "dead

letters;" "mail-bags"; "mail-locks, keys, and stamps;" "wrapping-paper;" "office furniture;" "advertising;" "balances to foreign countries;" "rent, light and fuel for post-offices;" "stationery;" and "miscellaneous;" showing the sums paid under each head, and the names of the persons to whom payments are made out of the miscellaneous fund; but the names of persons employed in detecting depredations on the mail, and of other confidential agents, need not be disclosed.

SEC. 10. That the Postmaster-General shall lay before Congress, during the first week in each annual session, detailed statements of the expenditures made from the contingent fund of his department. He shall also make out and keep, in proper books, full and complete inventories and accounts of all the property belonging to the United States in the buildings, rooms, offices, and grounds occupied by him and under his charge, and to add thereto from time to time an account of such property as may be procured subsequent to the taking of the same, and also an account of the sale or disposal of any such property, and to report the same to Congress as aforesaid: *Provided*, That this section shall not apply to the supplies of stationery and fuel which shall be accounted for as now provided by law.

SEC. 11. That all persons employed in any branch of the postal service shall be exempt from militia duty, and from serving on juries, or from any penalty for neglect thereof.

SEC. 12. That no person employed in the Post-office Department shall become interested in any contract for carrying the mail, or act as agent, with or without compensation, for any contractor or person offering to become a contractor, in any business before the department; and any person so offending shall be immediately 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, for the use of the Post-office Department.

SEC. 13. That all bonds taken and contracts entered into by the Post-office Department, shall be made to and with the United States of America.

SEC. 14. That no person employed in the postal service shall receive any fees or perquisites on account of the duties to be performed by virtue of his appointment.

SEC. 15. That before entering upon the duties, and before they shall receive any salary, the Postmaster-General and all persons employed in the postal-service, shall respectively take and subscribe, before some magistrate or other competent officer, the following oath or affirmation: "I, A. B., do solemnly 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 post-offices and post-roads within the United States; and that I will honestly and truly account for and pay over any money belonging to the said United States which may come into my possession or control: So help me, God." And this oath or affirmation may be taken before any officer, civil or military, holding a commission under the United States, and such officer is hereby authorized to administer and certify such oath or affirmation.

SEC. 16. That every person employed in the postal service shall be subject to all the pains, penalties and forfeitures for violation of the laws relating to such service, whether he has taken the oath or affirmation prescribed in the preceding section or not.

SEC. 17. That telegrams between the several departments of the government and their officers and agents, in their transmission over the lines of any company to which has given the right of way, timber or station lands from the public domain, shall have priority over all other business, at such rates as the Postmaster-General shall annually fix.

SEC. 18. That every order, entry, or memorandum whatever, on which any action is to be based, allowance made, or money paid, and every contract, paper, or obligation made by or with the Post-office Department, shall have its true date affixed to it; and every paper relating to contracts or allowances filed in the department shall have the date when it was filed indorsed upon it.

SEC. 19. That the Postmaster-General shall furnish a copy of his annual estimates to the Secretary of the Treasury prior to the first of November in each year, which shall be reported to Congress by the latter in his regular printed estimates.

SEC. 20. That the Postmaster-General shall transmit a copy of each postal convention concluded with foreign governments to the Secretary of State, who shall furnish a copy of the same to the congressional printer, for publication; and the printed proof-sheets of all such conventions shall be revised at the Post-office Department.

SEC. 21. That there shall be appointed by the President, by and with the advice and consent of the Senate, an auditor of the treasury for the Post-office Department.

SEC. 22. That the said auditor shall receive all accounts arising in the Post-office Department, or relative thereto, with the vouchers necessary to a correct adjustment thereof, and shall audit and settle the same and certify the balances thereon to the Postmaster-General. He shall keep and preserve all accounts and vouchers after settlement. 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 report to the Postmaster-General, when required to do so, the manner and form of keeping and stating the accounts of the department, [17 Stat. 288] and the official forms of papers to be used in connection with its receipts and expenditures. He shall report to the Postmaster-General all delinquencies of postmasters in rendering their accounts and returns, or in paying over money-order funds and other receipts, at their offices. He shall register, charge, and countersign all warrants upon the treasury for receipts and payments upon the treasury for receipts and payments issued by the Postmaster-General, when warranted by law. And he shall perform such other duties in relation to the financial concerns of the department as may be assigned to him by the Secretary of the Treasury, and make to said secretary, or to the Postmaster General, such reports respecting the same as either of them may require.

SEC. 23. That the said auditor shall superintend the collection of all debts due the department, and all penalties and forfeitures imposed for any violation of the postal laws, and take all such other

measures as may be authorized by law to enforce the payment of such debts and the recovery of such penalties and forfeitures. He shall also superintend the collection of all penalties and forfeitures arising under other statutes, where such penalties and forfeitures are the consequence of unlawful acts affecting the revenues or property of the Post-office Department.

SEC. 24. That the said auditor, or the mayor of any city, any justice of the peace, or the judge of any court of record, may administer oaths or affirmations in relation to the examination and settlement of the accounts committed to the charge of said auditor; and if any person shall knowingly swear or affirm falsely touching any expenditure on account of, or in favor of or against, said department, he shall, on conviction thereof, for every such offence, forfeit and pay not exceeding two thousand dollars, and be imprisoned at hard labor not exceeding five years, according to the aggravation of the offence.

SEC. 25. That if either the Postmaster General or the person whose accounts have been settled shall be dissatisfied with the settlement of said auditor, he may, within twelve months, appeal to the first comptroller of the treasury, whose decision shall be final and conclusive.

SEC. 26. That the Secretary of the Treasury may appoint in the office of the auditor for the Post-office Department one chief clerk, nine clerks of class four, forty-four clerks of class three, sixty-four clerks of class two, thirty-seven clerks of class one, one messenger, one assistant messenger, and eleven laborers.

SEC. 27. That the annual salaries of the auditor for the Post-office Department, and the clerks, messengers, and laborers in his office, shall be as follows:

Of the auditor, three thousand dollars;

Of the chief clerk, two thousand dollars;

Of the clerks of class four, one thousand eight hundred dollars each; and two hundred dollars additional to one of said clerks as disbursing clerk;

Of the clerks of class three, one thousand six hundred dollars each;

Of the clerks of class two, one thousand four hundred dollars each;

Of the clerks of class one, one thousand two hundred dollars each;

Of the messenger, eight hundred and forty dollars;

Of the assistant messenger, seven hundred dollars;

Of the laborers, six hundred dollars each.

SEC. 28. That whenever the office of any postmaster shall become vacant by reason of death, resignation, suspension, or by the expiration of the commission of a postmaster of his rejection by the Senate, or by the neglect or refusal of any person to take charge of the post-office to which he is appointed, it shall be the duty of the Postmaster-General or the President (as the case may be) to supply such vacancy without delay, and it shall be the duty of the Postmaster-General promptly to notify the auditor of the change; and every postmaster and his sureties shall be responsible under their bond for the safe-keeping of the public property of [17 Stat. 289] the post office, and the due performance of the duties thereof, until the expiration of the commission, or until a successor shall have been duly appointed and qualified, and shall have taken possession of the office: *Provided, nevertheless,* That in cases where there shall be a delay of sixty days in supplying such vacancy, the sureties may terminate their responsibility by giving notice, in writing, to the Postmaster-General, such termination to take effect ten days after sufficient time shall have elapsed to receive a reply from the Postmaster-General: *And provided also,* That the Postmaster General may, when the exigencies of the service require, place such office in charge of a special agent until the vacancy can be regularly filled; and when such special agent shall have taken charge of such post office, the liability of the sureties of the postmaster shall cease.

SEC. 29. That all orders and regulations of the Postmaster-General which may originate a claim, or in any manner affect the accounts of the postal service, shall be certified to the auditor for the Post Office Department.

SEC. 30. That the Postmaster-General may establish a blank agency, for the Post-office Department, to be located at Washington, District of Columbia.

SEC. 31. That the Postmaster-General may employ two special agents for the Pacific coast, and such number of other special agents as the good of the service and the safety of the mail may require.

SEC. 32. That the salary of the special agents of the Post-office Department shall be at the rate of not more than one thousand six hundred dollars per annum; and they shall be allowed for travelling expenses, while actually employed in the service, a sum not exceeding five dollars a day.

SEC. 33. That whenever a special agent is required to collect or disburse any public money, he shall, before entering upon such duty, give bond in such sum and form, and with such security, the Postmaster-General may approve.

SEC. 34. That the Postmaster General may employ, when the service requires it, the assistant postmasters-general and superintendents in his department as special agents, and he may allow them therefor not exceeding the amount expended by them as necessary travelling expenses while so employed.

SEC. 35. That the Postmaster General may appoint two agents to superintend the railway postal service, who shall be paid out of the appropriation for the transportation of the mail, at the rate of two thousand five hundred dollars per annum salary, with an allowance for travelling and

incidental expenses, while actively employed in the service, of more than five dollars a day; and the auditor of the treasury for the Post-office Department shall charge to the appropriation for mail transportation the salary and per diem of the assistant superintendents of the postal railway service; and to the appropriation for the free-delivery system, the salary and per diem of the special agent detailed for that service; and the salary and per diem of the special agents employed in the money-order service shall be paid out of the proceeds of that service.

SEC. 36. That the Postmaster-General may establish resident mail agencies at the ports of Panama and Aspinwall (New Granada), Havana (Cuba), and Saint Thomas, and such other foreign ports at which United States mail steamers touch to land and receive mails, as may in his judgment promote the efficiency of the foreign mail service; and may pay the agents employed by him at such ports out of the appropriation for transportation of the mail a reasonable compensation for their services and the necessary expenses for office-rent, clerk-hire, office-furniture, and other incidentals, to be allowed him at each of such agencies.

SEC. 37. That the Postmaster-General may appoint an agent in charges of the mail on board of each of the mail-steamers on the routes between [17 Stat. 290] San Francisco, Japan, and China, between San Francisco and Honolulu (Hawaiian Islands), and New York to Rio Janeiro, who shall be allowed, out of the appropriation for transportation of the mail, an annual salary of two thousand dollars each.

SEC. 38. That the Postmaster-General may establish, in connection with the mail-steamer service to Japan and China, a general postal agency at Shanghai, China, or at Yokohama, Japan, with such branch agencies at any other ports in China and Japan as he shall deem necessary for the prompt and efficient management of the postal service in those countries, and he may pay the postal agents employed thereat a reasonable compensation for their services, in addition to the necessary expenses for rent, furniture, clerk-hire, and incidental expenses.

SEC. 39. That the Postmaster-General may employ as many route-agents as may be necessary for the prompt and safe transportation of the mail, who shall be paid out of the appropriation for transportation of the mail, at the rate of not less than nine hundred nor more than one thousand two hundred dollars per annum.

SEC. 40. That the Postmaster-General may appoint clerks for the purpose of assorting and distributing the mail in railway post-offices, who shall be paid out of the appropriation for transportation of the mail, at the rate of not more than one thousand four hundred dollars per annum to the head clerks, nor more than one thousand two hundred dollars per annum to the other clerks.

SEC. 41. That the accounts of the postal service shall be kept in such a manner as to exhibit the amount of revenues derived respectively from "letter-postage;" "book, newspaper, and pamphlet postage;" "registered letters;" "box-rents and branch offices;" "postage-stamps and envelopes;" "dead-letters;" "fines and penalties;" "revenue from money-order business;" and "miscellaneous;" and the amount of expenditures for each of the following objects, namely: "Transportation of the mail;" "compensation of postmasters;" "compensation of letter-carriers;" "compensation of clerks

for post-offices;" "compensation of blank-agents and assistants;" "mail depredations and special agents;" "postage-stamps and envelopes;" "ship, steamboat, and way letters;" "dead-letters;" "mail-bags;" "mail locks and keys;" and "postmarking and cancelling stamps;" "wrapping-paper;" "twine;" "letter-balances;" "office furniture;" "advertising;" "balances to foreign countries;" "rent, light and fuel for post offices;" and "stationery" and "miscellaneous."

SEC. 42. That unclaimed money in dead-letters for which no owner can be found; all money taken from the mail by robbery, theft, or otherwise, which may come into the hands of any agent or employee of the United States, or any other person whatever; all fines and penalties imposed for any violation of the postal laws, except such part as may by law belong to the informer or party prosecuting for the same; and all money derived from the sale of waste paper or other public property of the Post-office Department, shall be deposited in the treasury, under the direction of the Postmaster-General as part of the postal revenue. And the Postmaster-General is hereby directed to cause to be placed to the credit of the Treasurer of the United States for the service of the Post-office Department, the net proceeds of the money-order business; and the receipts of the Post-office Department derived from this source during each quarter shall entered by the auditor of the Treasury for the Post-office Department, in the accounts of said department, under the head of "revenue from money-order business."

SEC. 43. That all postages, box-rents, and other receipts at post-offices shall be accounted for as part of the postal revenues; and any part thereof which the postmaster has neglected to collect, he shall be charged with and held accountable for the same as if he had collected it.

SEC. 44. That postmasters may allow box-holders who decide to do so [17 Stat. 291] to provide lock-boxes or drawers for their own use, at their own expense, which lock-boxes or drawers, upon their erection in any post office, shall become the property of the United States, and be subject to the direction and control of the Post-office Department, and shall pay a rental at least equal to that of other boxes in the same office, or, if there be no other rental shall be accounted for as other box-rents.

SEC. 45. That any officer, agent, postmaster, clerk, or other person employed in any branch of the Postal Service having temporary custody of any money taken from dead-letters; any money derived from the sale of waste paper or other public property of the Post-office Department; or any money derived from any other source which by law is part of the postal revenues, who shall wilfully neglect to deposit the same in the treasury of the United States, or in some other depository authorized to receive the same, shall be deemed guilty of embezzlement, and be subject to a fine not exceeding double the sum so retained, or to imprisonment not exceeding three years, or both, at the discretion of the court. And any person intrusted by law with the sale of postage-stamps of stamped envelopes, who shall refuse or neglect to account for the same, or who shall pledge or hypothecate or unlawfully dispose of them, for any purpose whatever, shall be deemed guilty of embezzlement, and shall be subject to the same penalty and punishment as are provided in this section for the embezzlement of money.

SEC. 46. That the money required for the postal service in each year shall be appropriated by

law out of the revenues of the service.

SEC. 47. That payments of money out of the treasury on account of the postal service shall be in pursuance of appropriations made by law, by warrants of the Postmaster-General, registered and countersigned by the auditor of the Post-office Department, and expressing on their face the appropriation to which they should be charged.

SEC. 48. That all payments on account of the postal service shall be made to persons to whom the same shall be certified to be due by the auditor; but advances of necessary sums to defray expenses may be made by the Postmaster-General to agents employed to investigate mail depredations, examine post routes and offices, and on other like services, to be charged to them by the auditor, and to be accounted for in the settlement of their accounts.

SEC. 49. That the Postmaster-General may transfer debts due to the department from postmasters and other to such contractors as have given bonds, with security, to refund any money that may come into their hands over and above the amount found due them on the settlement of their accounts; but such transfers shall only be in satisfaction of legal demands for which appropriations have been made.

SEC. 50. That in all cases where money has been paid out of the funds of the Post-office Department under the pretence that service has been performed therefor, when, in fact, such service has not been performed, or as additional allowance for increased service actually rendered, when the additional allowance exceeds the sum which, according to law, might rightfully have been allowed therefor, and in all other cases where money of the department has been paid to any person in consequence of fraudulent representations, or by the mistake, collusion, or misconduct of any officer or other employee in the postal service, the Postmaster-General shall cause suit to be brought to recover such wrong or fraudulent payment or excess, with interest thereon.

SEC. 51. That when the Postmaster-General is satisfied that money or property stolen from the mail, or the proceeds thereof, has been received at the department, he may, upon satisfactory evidence as to the owner, deliver the same to him.

SEC. 52. That the auditor for the Post-office Department shall state and **[17 Stat. 292]** certify quarterly to the Postmaster-General *on* [an] account of the money paid by postmasters out of the receipts of their offices, and pursuant to appropriations, on account of the expenses of the postal service, designating the heads under which such payments were made.

SEC. 53. That upon the certified quarterly statement by the auditor for the Post-office Department of the payments by postmasters on account of the postal services, the Postmaster-General shall issue his warrant to the treasurer to carry the amount to the credit of the postal revenues and to the debit of the proper appropriations upon the books of the auditor.

SEC. 54. That the postal revenues, and all debts due the Post-office Department, shall, when collected, be paid into the treasury of the United States, under the direction of the Postmaster-

General; and the treasurer, assistant treasurer, or designated depository receiving such payment shall give the depositor duplicate receipts therefor.

SEC. 55. That all deposits on account of the postal services shall be brought into the treasury by warrants of the Postmaster-General, countersigned by the auditor; and no credit shall be allowed for any deposit until such warrant has been issued.

SEC. 56. That the Postmaster-General may transfer money belonging to the postal services between the treasurer, assistant treasurer, and designated depositories, at his discretion, and as the safety of the public money and the convenience of the service may require.

SEC. 57. That all fines and penalties imposed for any violation of any law relating to the Post-office Department, or of any other law where such violation affects the revenue or property of the Post-office Department, shall, when collected or recovered, be paid into the treasury, to the credit of the United States, for the use of the Post-office Department, excepting, however, such part thereof as may, by law, belong to the party informing or prosecuting for the same.

SEC. 58. That the Postmaster-General may dispose of any quarterly returns of mails sent or received, preserving the accounts-current and all accompanying vouchers, and use such portions of the proceeds as may be necessary to defray the cost of separating and disposing of them; but the accounts shall be preserved entire for at least two years.

SEC. 59. That the Postmaster-General may provide, by regulations, for the disposition of printed and mailable matter which may remain in any post office, or in the department, not called for by the party addressed; but if the publisher of any refused or uncalled-for newspaper or other periodical shall pay the postage due thereon, such newspaper or other periodical shall be excepted from the operation of this section.

SEC. 60. That when any postmaster shall be required to execute a new bond, all payments made by him after the execution of such new bond may, if the Postmaster-General or the auditor shall deem it just, be applied first to discharge any balance which may be due from said postmaster under his old bond.

SEC. 61. That the Postmaster-General shall establish post offices at all such places on post-roads established by law as he may deem expedient, and he shall promptly certify such establishment to the auditor for the Post-office Department.

SEC. 62. That any person who shall, without authority from the Postmaster-General, set up or profess to keep any office or place of business bearing the sign, name, or title of post office, shall forfeit and pay, for every such offence, not more than five hundred dollars.

SEC. 63. That postmasters of the fourth and fifth class shall be appointed and may be removed by the Postmaster-General, and all other shall be appointed any may be removed by the President, by and with the advice and consent of the Senate, and shall hold their offices for four years unless

sooner removed or suspended according to law, and all appointments [17 Stat. 293] and removals shall be notified to the auditor for the Post-office Department.

SEC. 64. That every postmaster shall reside within the delivery of the office to which he is appointed.

SEC. 65. That every postmaster, before entering upon the duties of his office, shall give bond, with good and approved security, and in such penalty as the Postmaster-General shall deem sufficient, conditioned for the faithful discharge of all duties and trusts imposed on him either by law or the rules and regulations of the department; and where an office shall be designated as a money-order office, the bond of the postmaster shall contain an additional condition for the faithful performance of all duties and obligations in connection with the money-order business. On the death, resignation, or removal of a postmaster, his bond shall be delivered to the auditor for the Post-office Department. The bond of any married woman who may be appointed postmaster shall be binding upon her and her sureties, and she shall be liable for misconduct in office as if she were sole.

SEC. 66. That when any of the sureties of a postmaster shall notify the Postmaster-General of their desire to be released from their surety-ship, or when the Postmaster-General deems a new bond necessary, he shall require the postmaster to execute such new bond, with security, which, when accepted by the Postmaster-General, shall be as valid as the bond given upon the original appointment of such postmaster, and the sureties in the prior bond shall be released from responsibility for all acts or defaults of such postmaster which may be done or committed subsequent to the last day of the quarter in which such new bond shall be executed and accepted.

SEC. 67. That if on the settlement of the account of any postmaster it shall appear that he is indebted to the United States, and suit therefor shall not be instituted within three years after the close of such account, the sureties on his bond shall not be liable for such indebtedness.

SEC. 68. That every postmaster shall keep an office in which one or more persons shall be on duty during such hours of each day as the Postmaster-General may direct, for the purpose of receiving, delivering, making up, and forwarding all mail-matter received thereat.

SEC. 69. That all letters brought to any post office half an hour before the time for the departure of the mail shall be forwarded therein; but at offices where, in the opinion of the Postmaster-General, more time for making up the mail is required, he may prescribe accordingly, not exceeding one hour.

SEC. 70. That the Postmaster-General shall furnish to the postmasters at the termination of each route a schedule of the time of arrival and departure of the mail at their offices, respectively, to be posted in a conspicuous place in the office; and the Postmaster-General shall also give the postmaster notice of any change in the arrival and departure that may be ordered; and he shall cause to be kept and returned to the department, at short and regular intervals, registers, showing the exact times of the arrivals and departures of the mail.

SEC. 71. That every postmaster shall keep a record, in such form as the Postmaster-General shall direct, of all postage-stamps and envelopes and of all postal books, blanks, and property received from his predecessor, or from the department or any of its agents: and also of all receipts in money for postages and box-rents, and of all other receipts on account of the postal service, and of any other transactions which may be required by the Postmaster-General; and these records shall be preserved and delivered to his successor, and shall be at all times subject to examination by any special agent of the department.

SEC. 72. That each postmaster shall render to the Postmaster-Gen- [17 Stat. 294] eral, under oath, and in such form as the latter shall prescribe, a quarterly account of all moneys received or charged by him or at his office, for postage, rent of boxes or other receptacles for mail-matter, or by reason of keeping a branch-office, or for the delivery of mail-matter in any manner whatever.

SEC. 73. That the Postmaster-General may require a sworn statement to accompany each quarterly account of a postmaster, to the effect that such account contains a true statement of the entire amount of postage, box-rents, charges, and moneys collected or received at his office during the quarter; that he has not knowingly delivered, or permitted to be delivered, any mail-matter on which the postage was not at the time paid; that such account exhibits truly and faithfully the entire receipts collected at his office, and which, by due diligence, could have been collected; and that the credits he claims are just and right. And any false swearing therein shall render him liable to the pains and penalties of perjury.

SEC. 74. 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 the regulations of the Postmaster-General, such postmaster and his sureties shall forfeit and pay double the amount of the gross receipts at said office during any previous or subsequent equal period of time; and if at the time of trial, no account shall have been rendered, they shall forfeit and pay such sum as the court and jury shall estimate to be equivalent thereto, to be recovered in an action of debt on the bond.

SEC. 75. That postmaster shall keep safely, without loaning, using, depositing in an unauthorized bank, or exchanging for other funds, all the public money collected by them, or which may come into their possession until it is ordered by the Postmaster-General to be transferred or paid out.

SEC. 76. That the postmaster at Washington and postmaster at cities where there is an assistant treasurer shall deposit the postal revenues and all money accruing at their office with such assistant treasurer as often as once a week at least, and as much oftener as the Postmaster-General may direct.

SEC. 77. That postmaster shall promptly report to the Postmaster-General every delinquency, neglect, or malpractice of the contractors, their agents, or carriers, which may come to their knowledge.

SEC. 78. That no postmaster, assistant postmaster, or clerk employed in any post office shall

be a contractor or concerned in any contract for carrying the mail.

SEC. 79. That no postmaster shall act as agent for any lottery-office, or under any color of purchase, or otherwise, vent lottery-tickets; not postage; and for any violation of the provisions of this section the person offending shall forfeit and pay fifty dollars.

SEC. 80. That the compensation of postmasters shall be a fixed annual salary, to be divided into five classes, exclusive of the postmaster at New York city, whose salary shall be six thousand dollars per annum. The salary of the first class shall be not more than four thousand dollars nor less than three thousand dollars; of the second class, less than three thousand dollars, but not less than two thousand dollars; of the third class, less than two thousand dollars, but not less than one thousand dollars; of the fourth class, less than one thousand dollars, but not less than two hundred dollars; of the fifth class, less than two hundred dollars, and the salaries of the first, second, and third classes shall be in even hundreds of dollars; of the fourth class, in even tens of dollars; and of the fifth class, in even dollars.

SEC. 81. That at all newly established offices, the Postmaster-General may temporarily fix the salary until the returns of such office shall enable him to properly adjust the same, but the compensation shall in no case be [17 Stat. 295] thus temporarily fixed at more than the salary of an office of the fifth class.

SEC. 82. That the salaries of postmasters shall be re-adjusted by the Postmaster-General once in two years, and in special cases as much oftener as he may deem expedient; and when the quarterly returns of any postmaster of the third, fourth, or fifth class show that the salary allowed is twenty per centum less than it would be on the basis of commission, the Postmaster-General shall re-adjust the same.

SEC. 83. That in re-adjusting the salary of a postmaster, the amount thereof shall be ascertained by adding, to the whole amount of box-rents, commissions on the other postal revenues of the office at the following rates: On the first one hundred dollars or less, sixty per centum; on all over one hundred dollars, and not over four hundred dollars, fifty per centum; on all over four hundred dollars and not over two thousand four hundred dollars, forty per centum; on all over two thousand four hundred dollars, fifteen per centum. And in order to ascertain the amount of the postal receipts of each office, the Postmaster-General shall require postmasters to state, under oath, at such times and for such periods as he may deem necessary in each case, the amount of stamps cancelled, the amount of box-rents received, the amount of unpaid postages collected, and the amount of postage on printed and other mailable matter: *Provided, however,* That whenever, by reason of the extension of free delivery of letters, the box-rents of any post-office are decreased, the Postmaster-General may allow, out of the receipts of such office, a sum sufficient to maintain the salary thereof at the amount at which it had been fixed before the decrease in box-rents.

SEC. 84. That the Postmaster-General shall make all orders assigning or changing the salaries of postmasters in writing, and record them in his journal, and notify the change to the auditor; and any change made in such salaries shall not take effect until the first day of the quarter next following

such order: *Provided*, That in cases of an extraordinary increase or decrease in the business of any post office, the Postmaster-General may adjust the salary of the postmaster at such post office, to take effect from the first day of the quarter or period the returns for which form the basis of re-adjustment.

SEC. 85. That no postmaster shall, under any pretence whatever, have, receive, or retain for himself, in the aggregate, more than the amount of his salary and his commission on the money-order business as hereinafter provided.

SEC. 86. That the Postmaster-General may designate offices at the intersection of mail-routes as distributing or separating offices; and where any such office is of the third, fourth, or fifth class, he may make a reasonable allowance to the postmaster for the necessary cost of clerical services arising from such duties.

SEC. 87. That the Postmaster-General may allow to the postmaster at New York city, and to the postmasters at offices of the first and second classes, out of the surplus revenues of their respective offices, that is to say, the excess of box-rents and commissions over and above the salary assigned to the office, a reasonable sum for the necessary cost of rent, fuel, lights, furniture, stationery, printing, clerks, and necessary incidentals, to be adjusted on a satisfactory exhibit of the facts, and no such allowance shall be made except upon the order of the Postmaster-General.

SEC. 88. That the salary of a postmaster, and such other expenses of the postal service authorized by law as may be incurred by him, and for which appropriations have been made, may be deducted out of the receipts of his office, under the direction of the Postmaster-General.

SEC. 89. That vouchers for all deductions made by a postmaster out of the receipts of his office, on account of the expenses of the postal service, shall be submitted for examination and settlement to the auditor for the [17 Stat. 296] Post-office Department, and no such deduction shall be valid unless found to be in conformity with law.

SEC. 90. That whenever, by reason of the presence of a military or naval force near any post office, or from any other cause, unusual business accrues thereat, the Postmaster-General shall make a special order allowing reasonable compensation for clerical service, and a proportionate increase of salary to the postmaster during the time of such extraordinary business.

SEC. 91. That the Postmaster-General may discontinue any post office where the safety and security of the postal service and revenues are endangered from any cause whatever, or where the efficiency of the service shall require such discontinuance, and he shall promptly certify such discontinuance to the auditor for the Post-office Department.

SEC. 92. That letter-carriers shall be employed fro the free delivery of mail matter, as frequently as the public convenience may require, at every place containing a population of fifty thousand within the delivery of its post office, and at such other places as the Postmaster-General may direct.

SEC. 93. That the salary of letter-carriers shall be fixed by the Postmaster-General, and shall not exceed eight hundred dollars per annum; but on satisfactory evidence of diligence, fidelity, and experience, he may increase their salary to any sum not exceeding one thousand dollars per annum; and in San Francisco, California, he may pay such additional salaries to carriers as will secure the services of competent persons.

SEC. 94. That the Postmaster-General may prescribe a uniform dress to be worn by letter-carriers, and any person not connected with the letter-carrier branch of the postal service who shall wear the uniform which may be prescribed shall be deemed guilty of a misdemeanor, and, on conviction thereof, for every such offence shall be fined not more than one hundred dollars, or imprisoned not more than six months, or both, at the discretion of the court.

SEC. 95. That the Postmaster-General may establish, in places where letter-carriers are employed, and also in other places where, in his judgment, the public convenience requires it, receiving-boxes, for the deposit of mail-matter, and shall cause the matter deposited therein to be collected as often as public convenience may require.

SEC. 96. That any person who shall wilfully and maliciously injure, tear down, or destroy, any letter-box, pillar-box, or other receptacle established by the Postmaster-General for the safe deposit of matter for the mail or for delivery, or who shall wilfully and maliciously assault any letter-carrier, when in uniform, while engaged on his route in the discharge of his duty as a letter-carrier, and any person who shall wilfully aid or assist therein, shall, on conviction thereof, for every such offence, forfeit and pay not less than one hundred nor more than one thousand dollars, or be imprisoned not less than one nor more than three years, according to the circumstances and aggravation of the offence.

SEC. 97. That each letter-carrier shall give bonds, with sureties, to be approved by the Postmaster-General, for the safe custody and delivery of all mail-matter, and the faithful account and payment of all money received by him.

SEC. 98. That the Postmaster-General, when the public convenience requires it, may establish within any post office delivery one or more branch-offices, for the receipt and delivery of mail-matter and the sale of stamps and envelopes; and he shall prescribe the rules and regulations for the government thereof. But no letter shall be sent for delivery to any branch-office contrary to the request of the party to whom it is addressed.

SEC. 99. That the rate of postage on newspapers, excepting weeklies, periodical not exceeding two ounces in weight, and circulars when the same are deposited in a letter-carrier office for delivery by the office or [17 Stat. 297] its carriers, shall be uniform at one cent each; but periodical weighing more than two ounces shall be subject to a postage of two cents each, and these rates shall be prepaid by stamps.

SEC. 100. That no extra postage or carriers' fees shall be charged or collected upon any mail-matter collected or delivered by carriers.

SEC. 101. That all expenses of letter carriers, branch-offices, and receiving-boxes, or incident thereto, shall be kept and reported in a separate account, and shall be shown in comparison with the proceeds from postage on local mail-matter at each office, and the Postmaster-General shall be guided in the expenditures for this branch of the service by the income derived therefrom.

SEC. 102. That to promote public convenience, and to insure greater security in the transfer of money through the mail, the Postmaster-General may establish, under such rules and regulations as he may deem expedient, a uniform money-order system, at all suitable post offices, which shall be designated as "money-order offices."

SEC. 103. That the Postmaster-General may conclude arrangements with the post departments of foreign governments, with which postal conventions have been or may be concluded, for the exchange, by means of postal orders, of small sums of money, not exceeding fifty dollars in amount, at such rates of exchanges, and compensation to postmasters, and under such rules and regulations as he may deem expedient; and the expenses of establishing and conducting such system of exchange may be paid out of the proceeds of the money-order business.

SEC. 104. That the postmaster at a money-order office shall issue, in such manner and form as the Postmaster-General may prescribe, and order for a specified sum of money, payable by the postmaster at any other money-order office which the person applying therefor may select; but no money-order shall be delivered until the amount thereof, and the proper fee therefor, have been deposited with the postmaster issuing it; *Provided*, That the postmaster of every city where branch post offices or stations are established and in operation, subject to his supervision, is hereby authorized, under the direction of the Postmaster-General, to issue, or to cause to be issued, by any of his assistants or clerks in charge of branch post offices or stations, postal money-orders payable at his own or at any other money-order office, or at any branch post office or station of his own, or of any other money-order office, as the remitters thereof may direct; and that the postmaster and his sureties shall in every case be held accountable upon his official bond for all moneys received by him or his designated assistants or clerks in charge of stations from the issue of money-orders under the provisions of this act, and for all moneys which may come into his or their hands, or be placed in his or their custody by reason of the transaction by them of money-order business. And all the provisions of law now in force respecting the issue and the payment of money-orders, and the disposal of money-order funds in the custody of postmasters, shall apply to all money-orders issued under the authority given by this act, and to all moneys received from the issue thereof.

SEC. 105. That any postmaster who shall issue a money-order without having previously received the money therefor shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be fined not less than fifty nor more than five hundred dollars.

SEC. 106. That in case of the sickness or unavoidable absence from his office of the postmaster of any money-order post-office, he may, with the approval of the Postmaster-General, authorize the chief clerk, or some other clerk employed therein, to act in his place, and to discharge all the duties required by law of such postmasters: *Provided*, That the official bond given by the principal of the office shall be held to cover and apply to the acts of the person appointed to act in

his place in such cases: *And [17 Stat. 298] provided further*, That such acting officer shall, for the time being, be subject to all the liabilities and penalties prescribed by law for the official misconduct in like cases of the postmaster for whom he shall act.

SEC. 107. That no money-order shall be issued for more than fifty dollars, and the fees therefor shall be, for order not exceeding ten dollars, five cents; exceeding ten and not exceeding twenty dollars, ten cents; exceeding twenty and not exceeding thirty dollars, fifteen cents; exceeding thirty and not exceeding forty dollars, twenty cents; exceeding forty dollars, twenty-five cents.

SEC. 108. That the Postmaster-General shall supply money-order offices with blank forms of application for money-orders, which each applicant shall fill up with his name, the name and address of the party to whom the order is to be paid, the amount, and the date of application; and all such applications shall be preserved by the postmaster receiving them for such time as the Postmaster-General may prescribe.

SEC. 109. That the Postmaster-General shall furnish money-order offices with printed or engrave forms for money-orders, and no order shall be valid unless it be drawn upon such form.

SEC. 110. That the postmaster issuing a money-order shall send a notice thereof by mail, without delay, to the postmaster on whom it is drawn.

SEC. 111. That no money-order shall be valid and payable unless presented to the postmaster on whom it is drawn within one year after its date; but the Postmaster-General, on the application of the remitter or payee of any such order, may cause a new order to be issued in lieu thereof.

SEC. 112. That the payee of a money-order may, by his written indorsement thereon, direct it to be paid to any other person, and the postmaster on whom it is drawn shall pay the same to the person thus designated, provided he shall furnish such proof as the Postmaster-General may prescribe that the indorsement is genuine, and that he is the person empowered to receive payment; but more than one indorsement shall render an order invalid and not payable, and the holder, to obtain payment, shall be required to apply in writing to the Postmaster-General for a new order in lieu thereof, returning the original order, and making such proof of the genuineness of the indorsements as the Postmaster-General may require.

SEC. 113. That after a money-order has been issued, if the purchaser desires to have it modified or changed, the postmaster who issued the order shall take it back and issue another in lieu of it, for which a new fee shall be exacted.

SEC. 114. That the postmaster issuing a money-order shall repay the amount of it upon the application of the person who obtained it, and the return of the order, but the fee paid for it shall not be returned.

SEC. 115. That whenever a money-order has been lost, the Postmaster-General, upon the application of the remitter or payee of such order, may cause a duplicate thereof to be issued, without

charge, providing the party losing the original shall furnish a certificate from the postmaster by whom it was payable that it had not been, and would not thereafter be, paid, and a similar certificate from the postmaster by whom it was issued that it had not been, and would not thereafter be, repaid.

SEC. 116. That any person who shall, with intent to defraud, falsely make, forge, counterfeit, engrave, or print, or cause or procure to be falsely made, forged, counterfeited, engraved, or printed, or willingly aid or assist in falsely making, forging, counterfeiting, engraving, or printing any order in imitation of or purporting to be a money-order issued by the Post-office Department, or any of its postmasters or agents, or any material signature or indorsement thereon; any person who shall falsely alter, or cause or procure to be altered, or willingly aid or assist in falsely altering [17 Stat. 299] any such money-order; any person who shall, with intent to defraud, pass, utter, or publish, or attempt to pass, utter, or publish, as true, any such false, forged, counterfeited, or altered money-order, knowing the same, or any signature or indorsement thereon, to be false, forged, counterfeited, or altered, every such person shall be deemed guilty of felony, and, on conviction thereof, shall be imprisoned at hard labor for not less than two nor more than five years, and be fined not exceeding five thousand dollars.

SEC. 117. That all payments and transfers to and from money-order offices shall be under the direction of the Postmaster-General. He may transfer money-order funds from one postmaster to another, and from the postal revenue to the money-order funds; and he may transfer money-order funds to creditors of the department, to be replaced by equivalent transfers from the postal revenue.

SEC. 118. That the Postmaster-General may transfer to the postmaster at any money-order office, by warrant on the treasury, countersigned by the auditor for the Post-office Department, and payable out of the postal revenues, such sum as may be required over and above the current revenues at his office to pay the money-orders drawn upon him.

SEC. 119. That the Postmaster-General shall require each postmaster at a money-order office to render to the Post-office Department weekly, semi-weekly, or daily accounts of all money-orders issued and paid; of all fees received for issuing them; of all transfers and payments made from money-order funds; and of all money received to be used for the payment of money-orders or on account of money-order business.

SEC. 120. That the auditor for the Post-office Department shall keep the accounts of the money-order business separately, and in such manner as to show the number and amount of money-orders issued at each office, the number and amount paid, the amount of fees received, and all the expenses of the money-order business.

SEC. 121. That all money received for the sale of money-orders, including all fees thereon, all money transferred from the postal revenues to the money-order funds, all money transferred or paid from the money-order funds to the service of the Post-office Department, and all money-order funds transferred from one postmaster to another, shall be deemed and taken to be money-order funds and money in the treasury of the United States. And it shall be the duty of the assistant treasurer of the United States to open, at the request of the Postmaster-General, an account of

"money-order funds" deposited by postmasters to the credit of the Postmaster-General, and of drafts against the amount so deposited, drawn by him and countersigned by the auditor.

SEC. 122. That any postmaster, assistant, clerk, or other person employed in or conveyed with the business or operations of any money-order office who shall convert to his own use, in any way whatever, or loan, or deposit in any bank, or exchange for other funds, any portion of the money-order funds, shall be deemed guilty of embezzlement; and any such person, as well as every other person advising or participating therein, shall, on conviction thereof, for every such offence, be imprisoned for not less than six months nor more than ten years, and be fined in a sum equal to the amount embezzled; and any failure to pay over or produce any money-order funds intrusted to such person shall be taken to be prima-facie evidence of embezzlement; and upon the trial of any indictment against any person for such embezzlement, it shall be prima-facie evidence of a balance against him to produce a transcript from the money-order account-books of the auditor for the Post-office Department. But nothing herein contained shall be construed to prohibit any postmaster depositing, under the direction of the Postmaster-General, in a national bank designated by the Secretary of the Treasury for that purpose, to his own credit as postmaster, any money-order or other funds in his charge, nor prevent his negotiating drafts or other evidences of debt through such [**17 Stat. 300**] bank, or through United States disbursing officers, or otherwise, when instructed or required to do so by the Postmaster-General, for the purpose of remitting surplus money-order funds from one post office to another, to be used in payment of money-orders. That disbursing officers of the United States shall be required to issue, under regulations to be prescribed by the Secretary of the Treasury, duplicates of lost checks drawn by them in favor of any postmaster on account of money-order or other public funds received by them from some other postmaster.

SEC. 123. That postmasters at money-order offices may be allowed, as compensation for issuing and paying money-orders, not exceeding one third of the whole amount of fees collected on orders issued, and one fourth of one per centum on the gross amount of orders paid at their respective offices, provided such compensation, together with the post master's salary, shall not exceed four thousand dollars per annum, except in the case of the postmaster at New York city, as hereinbefore provided.

SEC. 124. That the Postmaster-General may pay out of the proceeds of the money-order business the cost of stationery and such incidental expenses are necessary for the transaction of that business.

SEC. 125. That the Postmaster-General may employ such an additional number of clerks at money-order offices as may be necessary for conducting the operations of the money-order system, who shall be paid out of the proceeds of the money-order business.

SEC. 126. That for the greater security of valuable mail-matter, the Postmaster-General may establish a uniform system of registration.

SEC. 127. That mail matter shall be registered only on the application

of the party posting the same, and the fee therefor shall not exceed twenty cents in addition to the regular postage, to be, in all cases, prepaid; and all such fees shall be accounted for in such manner as the Postmaster

rect: Provided, That letters upon the official business of

the Post-office Department which require registering shall be registered ('A free of charge, and pass through the mails free of charge.

SEC. 128. That a receipt shall be taken upon the delivery of any registered mail-matter, showing to whom and when the same was delivered, which shall be returned to the sender, and be received in the courts as prima-facie evidence of such delivery.

SEC. 129. That the Post-office Department, or its revenue, shall not be liable for the loss of any registered mail-matter.

SEC. 130. That mailable matter shall be divided into three classes: first, letters; second, regular printed matter; third, miscellaneous matter.

SEC. 131. That mailable matter of the first class shall embrace all correspondence, wholly or partly in writing, except book-manuscripts and corrected proof-sheets passing between authors and publishers.

SEC. 132. That mailable matter of the second class shall embrace matter exclusively in print, and regularly issued at stated periods from a known office of publication, without addition by writing, mark, or sign.

SEC. 133. That mailable matter of the third class shall embrace all pamphlets, occasional publications, transient newspapers, magazines, hand-bills, posters, unsealed circulars, prospectuses, books, book-manuscripts, proof-sheets, corrected proof-sheets, maps, prints, engravings, blanks, flexible patterns, samples of merchandise not exceeding twelve ounces in weight, sample cards, phonographic paper, letter envelopes, postal envelopes and wrappers, cards, plan and ornamental paper, photographic representations of different types, seeds, cuttings, bulbs, roots, scions, and all other matter which may be declared mailable by law, and all other articles not above the weight prescribed by law, which are not, from their form or nature, liable to destroy, deface, or otherwise injure the contents of the mail-bag or the person of any one engaged in the postal service. All liquids, potions, glass, explosive materials, and [17 Stat. 301] obscene books shall be excluded from the mails. All matter of the third class, excepting books and other printed matter, book-manuscripts, proof-sheets, and corrected proof-sheets, shall not exceed twelve ounces in weight, and all matter of the third class shall be subject to examination and to rates of postage as hereinafter provided. Samples of metals, ores, and mineralogical specimens shall not exceed twelve ounces in weight, and shall be subject to examination and to rates of postage as hereinafter provided.

SEC. 134. That no package weighing more than four pounds shall be received for conveyance

by mail, except books published or circulated by order of Congress.

SEC. 135. That the Postmaster-General shall furnish to the post-offices exchanging mails with foreign countries, and to such other offices as he may deem expedient, postal balances denominated in grams of the metric system, fifteen grams of which shall be the equivalent, for postal purposes, of one-half ounce avoirdupois, and so on in progression.

SEC. 136. That the Postmaster-General may prescribe by regulation the manner of wrapping and securing for the mails all matter not charged with letter-postage nor lawfully franked, so that it may be conveniently examined by postmasters; and if not so wrapped and secured, it shall be subject to letter-postage.

SEC. 137. That postmasters at the office of delivery may remove the, wrappers and envelopes from mail-matter not charged with letter-postage nor lawfully franked, when it can be done without destroying them, for the purpose of ascertaining whether there is upon or connected with any such matter any thing which would authorize or require the charge of a higher rate of postage thereon.

SEC. 138. That no newspapers shall be received to be conveyed by mail unless they are sufficiently dried and inclosed in proper wrappers.

SEC. 139. That where packages of newspapers or other periodicals are received at a post-office, directed to one address, and the names of the subscribers to whom they belong, with the postage for a quarter in advance, is banded to the postmaster, he shall deliver such papers or periodicals to their respective owners.

SEC. 140. That postmasters shall notify the publisher of any newspaper, or other periodical, when any subscriber shall refuse to take the same from the office, or neglect to call for it for the period of one month.

SEC. 141. That publishers of newspapers and periodicals may print or write, upon their publications sent to regular subscribers, the address of the subscriber, and the date when the subscription expires, and may inclose therein bills and receipts for subscription thereto, without subjecting such publications to extra postage.

SEC. 142. That any person who shall inclose or conceal any letter, memorandum, or other thing in any mail-matter not charged with letter- postage, or make any writing or memorandum thereon, and deposit, or cause the same to be deposited, for conveyance by mail at a less rate than letter-postage, shall, for every such offence, forfeit and pay five dollars, " and such mail-matter or inclosure shall not be delivered until the postage

is paid thereon at letter rates; but no extra postage shall be charged for a card printed or impressed upon an envelope or wrapper.

Sec 143. That contractors or mail-carriers may convey, out of the mail, newspapers for sale or distribution to subscribers.

SEC. 144. That the Postmaster-General may provide by order the L terms upon which route-agents may receive from publishers or any news

agents in charge thereof, and deliver the same as directed, if presented, and called for at the mail-car or steamer, packages of newspapers and other periodicals not received from or intended for delivery at any post office.

SEC. 145. That any postmaster who shall unlawfully detain in his [17 Stat. 302] office any letter or other mail-matter, the posting of which is not prohibited by law, with intent to prevent the arrival and delivery of the same to the person to whom it is addressed, shall, on conviction thereof, forfeit and pay not exceeding five hundred dollars, and be imprisoned not exceeding six months, and he shall be forever thereafter incapable of holding the office of postmaster.

SEC. 146. That any person employed in any department of the postal service, who shall unlawfully detain, delay, or open any letter, packet,

or mail of letters intrusted to him, or which shall have come into his possession, and which was intended to be conveyed by mail, or carried or delivered by any mail-carrier, mail-messenger, route-agent, letter-carrier, or other person employed in any department of the postal service, or forwarded through or delivered from any post-office or branch post-office established by authority of the Postmaster-General; any such person who shall secrete, embezzle, or destroy any such letter, packet, bag, or mail of letters, as aforesaid, which shall not contain any for or assurance relating to money or other thing of value, every such person shall, on conviction thereof, for every such offence, forfeit and pay a penalty of not exceeding five hundred dollars, or be imprisoned not more than one year, or both, at the discretion of the court.

SEC. 147. That any person who shall take any letter, postal card, or packet which shall not contain any article of value or evidence thereof out of a post-office or branch post-office, or from a letter or mail carrier, or which has been in any post-office or branch post-office, or in the custody of my letter or mail carrier, before it shall have been delivered to the person to whom it was directed, with a design to obstruct the correspondence. or pry into the business or secrets of another, or shall secrete, embezzle, or destroy the same, shall, on conviction thereof, for every such offence, forfeit and pay a penalty not exceeding five hundred dollars, or be imprisoned at hard labor not exceeding one year, or both, at the discretion of the court.

SEC. 148. That no obscene book, pamphlet, picture, print, or other publication of a vulgar or indecent character, or any letter upon the envelope of which, or postal card upon which scurrilous epithets may have been written or printed, or disloyal devices printed or engraved, shall be carried in the mail; and any person who shall knowingly deposit, or cause to be deposited, for mailing or for delivery, any such obscene publication, shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall, for every such offence, be fined not more than five hundred dollars, or imprisoned not

more than one year, or both, according to the circumstances and aggravation of the offence.

SEC. 149. That it shall not be lawful to convey by mail, nor to deposit

in a post-office to be sent by mail, any letters or circulars concerning illegal lotteries, so-called gift-concerts, or other similar enterprises offering, prizes, or concerning schemes devised and intended to deceive and defraud in the public for the purpose of obtaining money under false pretences, and a penalty of not more than five hundred dollars nor less than one hundred dollars, with costs of prosecution, is hereby imposed upon conviction, in any federal court, of the violation of this section.

SEC. 150. That postage on all mail-matter must be prepaid by stamps at the time of mailing, unless herein otherwise provided for.

SEC. 151. That all mail-matter deposited for mailing, on which at least if one full rate of postage has been paid as required by law, shall be forwarded to its destination, charged with the unpaid rate, to be collected on delivery.

SEC. 152. That if any mail-matter, on which by law the postage is required to be prepaid at the mailing office, shall by inadvertence reach its destination without such prepayment, double the prepaid rates shall be charged and collected on delivery. **[17 Stat. 303]**

SEC. 153. That no mail-matter shall be delivered until the postage due thereon has been paid.

SEC. 154. That no box at any post-office shall be assigned to the use of any person until the rent thereof has been paid for at least one quarter in advance for which the postmaster shall give a receipt.

SEC. 155. That the Postmaster-General may provide by regulation for transmitting unpaid and duly certified letters of soldiers, sailors, and marines in the service of the United States to their destination.

SEC. 156. That on all mail-matter which is wholly or partly in writing, except book-manuscripts and corrected proofs passing between I and publishers, and local or drop letters; on all printed matter which is 80 marked as to convey any other or further information than is conveyed by the original print. except the correction of mere typographical errors; on all matter which is sent in violation of law or the regulations of the department respecting inclosures; and on all matter to which no specific rate of postage is assigned. postage shall be charged at the rate of three cents for each half-ounce or fraction thereof.

SEC. 157. That letters commonly known as drop or local letters, delivered through the post-office or its carriers, shall be charged with postage at the rate of two cents where the system of free delivery is established, and one cent where such system is not established, for each half-ounce or fraction thereof.

SEC. 158. That on newspapers and other periodical publications, not exceeding four ounces in weight, sent from a known office of publication to regular subscribers, postage shall be charged at the following rates per quarter, namely: on publications issued less frequently than once a week, at the rate of one cent for each issue; issued once a week, five cents; and five cents additional for each issue more frequent than once a week. And an additional rate shall be charged for each additional four ounces or fraction thereof in weight.

SEC. 159. That on newspapers and other periodicals sent from a known office of publication to regular subscribers, the postage shall be paid before delivery, for not less than one quarter, nor more than one year; which payment may be made either at the office of mailing or delivery, commencing, at any time; and the postmaster shall account for said postage in the quarter in which it is received.

SEC. 160. That the Postmaster-General may provide by regulations for carrying small newspapers, issued less frequently than once a week, in packages to one address, from a known office of publication to regular subscribers, at the rate of one cent for each four ounces or fraction thereof.

SEC. 161. That persons known as regular dealers in newspapers and periodicals may receive and transmit by mail such quantities of either as they may require, and pay the postage thereon as received, at the same rates, pro rata, as regular subscribers to such publications who pay quarterly in advance.

SEC. 162. That the Postmaster-General may prescribe by regulation an affidavit, in form, to be taken by the publisher, or by the clerk, agent, or servant of the publisher, of any newspaper or other periodical which may by law be sent to regular subscribers without prepayment of postage, at the mailing office, to the effect that neither he nor any other proprietor, clerk, agent, or employee within his knowledge will send, cause or permit to be sent through the mail, without prepayment by postage-stamps, any copies of such newspaper or other periodical (naming it) except to bona fide and regular subscribers thereto; and if any such newspaper or other periodical shall be thus unlawfully sent, with the knowledge or consent of such proprietor, or his agent, clerk, or servant in charge of such business, or if such affidavit shall, when required by the Postmaster-General or any special agent of the Post-office Department, be refused, the person guilty [17 Stat. 304] of the offence, or refusing to make the affidavit, shall forfeit and pay fifty dollars in each case.

SEC. 163. That on mailable matter of the third class, except as herein stated, postage shall be charged at the rate of one cent for each two ounces or fraction thereof. Double these rates shall be charged for books, samples of metals, ores, minerals, and merchandise.

SEC. 164. That packages of woollen, cotton, or linen clothing, not exceeding two pounds in weight, may be sent through the mail to any noncommissioned officer or private in the army of the United States, if prepaid, at the rate of one cent for each one ounce or fraction thereof, subject to such regulation as the Postmaster-General may prescribe.

SEC. 165. That the rate of United States postage on mail-matter sent to or received from foreign countries with which different rates have not been established by postal convention or other arrangement, when forwarded by vessels regularly employed in transporting the mail, shall be ten cents for each half-ounce or fraction thereof on letters, unless reduced by order of the Postmaster-General; two cents each on newspapers; and not exceeding two cents per each two ounces, or fraction thereof, on pamphlets, periodicals, books, and other printed matter, which postage shall be prepared [prepaid] on matter sent and collected on matter received; and to avoid loss to the United States in the payment of balances, the Postmaster-General may collect the unpaid postage on letters from foreign countries in coin or its equivalent.

SEC. 166. That all letters conveyed by vessels not regularly employed in carrying the mail shall, if for delivery within the United States, be rated with double postage, to cover the fee paid to the vessel.

SEC. 167. That for the purpose of making better postal arrangements with foreign countries, or to counteract their adverse measures affecting, our postal intercourse with them, the Postmaster-General, by and with the advice and consent of the President, may negotiate and conclude postal treaties or conventions, and may reduce or increase the rates of postage on mail-matter conveyed between the United States and foreign countries.

SEC. 168. That the Postmaster-General shall prepare postage-stamps of suitable denominations, which, when attached to mail-matter, shall be evidence of the payment of the postage thereon.

SEC. 169. That the Postmaster-General shall provide suitable letter and newspaper envelopes, with such water-marks or other guards against counterfeits as he may deem expedient, and with postage-stamps with such device and of such suitable denominations as he may direct, impressed thereon; and the said envelopes shall be known as "stamped

envelopes," and shall be sold, as nearly as may be, at the cost of procuring them, with the addition of the value of the postage-stamps impressed thereon; but no stamped envelope furnished by the government shall contain any lithographing or engraving. and no printing except a printed request to return the letter to the writer; and letters and papers inclosed in them (the postage-stamp in every case being of a denomination sufficient to cover the postage properly chargeable thereon) shall pass in the mail as prepaid matter.

SEC. 170. That to facilitate letter correspondence and provide for the transmission of the mails, at a reduced rate of postage, of messages, orders, notices, and other short communications, either printed or written in pencil or ink, the Postmaster-General shall be, and he is hereby, authorized and directed to furnish and issue to the public, with postage-stamps impressed upon them, "postal cards," in manufactured of good stiff paper, of such quality, form, and size, AS he shall deem best adapted for general use; which cards shall be used as a means of postal intercourse, under rules and regulations to be prescribed by the Postmaster-General, and when so here- used shall be transmitted through the mails at a postage charge of one cent each, including the cost of their

manufacture.[17 Stat. 305]

SEC. 171. That the Postmaster-General may, from time to time, adopt such improvements in postage-stamps and stamped envelopes as he may deem advisable; and when any such improvement is adopted it shall be subject to all the provisions herein respecting postage-stamps or stamped envelopes.

SEC. 172. That postage-stamps and stamped envelopes shall be furnished by the Postmaster-General to all postmasters, and shall be kept for sale at all post-offices; and each postmaster shall be held accountable for all such stamps and envelopes furnished to him.

SEC. 173. That postage-stamps and stamped envelopes may be sold at a discount to certain designated agents, who will agree to sell again without discount, under rules to be prescribed by the Postmaster-General; but the quantities of each sold to any one agent at one time shall not exceed one hundred dollars in value, and the discount shall not exceed five per centum on the face value of the stamps, nor the same per centum on the current price of the envelopes when sold in less quantities.

SEC. 174. That postage-stamps shall not be sold for any larger sum than the value indicated on their face, nor stamped envelopes for more ~ than is charged therefor by the Post-office Department for like quantities; and any person connected with the postal service who shall violate this provision shall be deemed guilty of a misdemeanor, and, on conviction thereof shall be fined in any sum not less than ten nor more than five hundred dollars.

SEC. 175. That postage-stamps affixed to all mail-matter or the stamped envelopes in which the same is inclosed, when depositing for mailing or delivery, shall be defaced by the postmaster at the mailing office in such manner as the Postmaster-General may direct; and if any mail-matter e forwarded without the stamps or envelopes being;, so defaced, the postmaster at the office of delivery shall deface them, and report -the delinquent postmaster to the Postmaster-General.

SEC. 176. That any person employed in any branch of the postal service who shall wilfully and unlawfully remove from any mail-matter any postage-stamp affixed thereto in payment of the postage, shall, on conviction thereof, for every such offence, be fined not more than one hundred dollars, or be imprisoned not more than six months, at the discretion of the court.

SEC. 177. That any person who shall use or attempt to use, in payment of the postage on any mail-matter conveyed, by mail or otherwise, postage-stamp or stamped envelope, or any stamp cut from any such stamped envelope, which has been before used for a like purpose, shall forfeit and pay fifty dollars. And any person who shall counterfeit in the frank of any person entitled to the franking privilege, or wilfully in otter or u--e any counterfeit frank with the intent to avoid the payment of postage, shall, on conviction thereof, be deemed guilty of a misdemeanor, and be punished by a fine not less than fifty dollars nor more than five hundred dollars, or by imprisonment not less than three months nor more than twelve months, or by both fine and imprisonment, in the discretion of the court.

SEC. 178. That any person who shall forge or counterfeit any postage

stamp, or any stamp printed upon any stamped envelope, postal card, or any die, plate, or engraving therefor; any person who shall make, or print, or knowingly use or sell, or have in possession, with intent to use or sell, any such forged or counterfeited postage-stamp, stamped envelope, postal card, die, plate, or engraving; any person who shall e, or knowingly use or sell, or have in possession with intent to use or sell any paper bearing the water-mark of any stamped envelope, postal card, or any fraudulent imitation thereof; any person who shall make or print, or authorize or procure to be made or printed, any postage- [17 Stat. 306] stamp, stamped envelope, or postal card, of the kind authorized and provided by the Post-office department, without the special authority and direction of said department; any person who shall, after such postage

stamps, stamped envelopes, or postal card, have been printed, and with intent to defraud the postal revenue, deliver the same to any person not authorized by an instrument of writing duly executed under the hand of the Postmaster-General and the seal of the Post-office Department to receive them, every such person shall, on conviction thereof, be deemed guilty of a felony, and be punished by a fine not exceeding five hundred dollars, or by imprisonment not exceeding five years, or by both fine and imprisonment, in the discretion of the court.

SEC. 179. That any person who shall forge or counterfeit, or knowingly .., utter or use any forged or counterfeited postage-stamp of any foreign government, shall be deemed guilty of a felony, and, on conviction thereof, shall be punished by imprisonment of not less than two nor more than ten years, at the discretion of the court.

SEC. 180. That authority to frank mail-matter is conferred upon and

to limited to the following persons:

First. The President, by himself or his private secretary, to cover mail-matter.

Second. The Vice-President, to cover all mail-matter.

Third. The chiefs of the several executive departments.

Fourth. Senators, Representatives, and Delegates in Congress, and the secretary of the Senate and clerk of the House of Representatives, to cover their correspondence, all printed matter issued by the authority of Congress, and all speeches, proceedings, and debates in Congress.

Fifth. Such principal officers of the executive departments, being heads of bureaus or chief clerks, as the Postmaster-General may by regulation prescribe, to cover official communications only.

Sixth. Postmasters, to cover official communications to other postmasters only.

Seventh. Assessors and collectors and their assistants and deputies, for the interchange of official communications only.

And no person entitled by law to the franking privilege shall exercise the said privilege otherwise than by his written autograph signature on the matter franked; and all mail-matter not thus franked shall be charged with the legal rate of postage thereon.

SEC. 181. That the franking privilege of Senators, Representatives, and Delegates in Congress, and the secretary of the Senate and clerk of the House, shall commence with the term for which they are elected, and expire with the first Monday of December following such term.

SEC. 182. That all books or publications which may be procured or published by order of Congress shall be considered as public documents, and may be franked as such.

SEC. 183. That the maximum weight for franked and free mail-matter shall be four ounces, except petitions to Congress, congressional and executive public documents, periodical publications interchanged between publishers, and packages of seeds, cuttings, roots, and scions, the weight of which latter may be fixed by regulation of the Postmaster-General.

SEC. 184. That the following mail-matter shall be allowed to pass free in the mail:

First. All mail-matter sent to the President or Vice-President.

Second. Official communications addressed to chiefs, heads of bureaus, chief clerks, or franking officer of either of the executive departments.

Third. Letters and printed matter sent to Senators, Representatives, or Delegates in Congress, the secretary of the Senate, or the clerk of the House of Representatives.

Fourth. Petitions to Congress. [17 Stat. 307]

Fifth. Copyright matter to the librarian of Congress, if marked on the package, "copyright matter."

Sixth. All publications sent or received by the Smithsonian Institution, marked on each package, "Smithsonian Exchange."

Seventh. Newspapers, periodicals, and magazines reciprocally interchanged between publishers, and not exceeding sixteen ounces in weight; to be confined to a single copy of each publication.

Eighth. Weekly newspapers, one copy to each actual subscriber within the county where the same is printed and published; but carriers shall not be required to distribute such papers unless postage is paid upon them at the usual rates.

Ninth. Notices to the publishers of the refusal or neglect of subscribers to take newspapers, magazines, or other periodicals from the post-office; to be sent under such regulations as the Postmaster-General may prescribe

Tenth. Dead-letters returned to the writers thereof.

Eleventh. Medals, certificates of thanks, or other testimonials, which have been, or may be, awarded, by the legislatures of the several States and Territories, to the soldiers thereof; to be sent by the adjutant-generals of said States and Territories, under such regulations as the Postmaster-General may prescribe.

SEC. 185. That all mail-matter to and from Mary Lincoln, widow of the late President Abraham Lincoln, shall be conveyed free during her natural life.

SEC. 186. That all mail-matter not hereinbefore specially made free must be prepaid by postage-stamps.

SEC. 187. That if any person, having the right to receive letters free, shall receive inclosed to him any letter or packet addressed to a person not having that right, it shall be his duty to return such letter or packet to the post-office, marking thereon the place from whence it came, that it may be charged with postage.

SEC. 188. That the Postmaster-General may direct the publication of the list of non-delivered letters at any post office by a written list posted in some public place, or, when he shall deem it for the public interest, he may direct the publication of such list in the daily or weekly newspaper regularly published within the post-office delivery which has the largest circulation within such delivery; and where no daily paper is published within the post office delivery, such list may be published in the daily newspaper of any adjoining delivery having the largest circulation within the delivery of the post-office publishing the list; and in case of dispute as to the circulation of competing newspapers, the postmaster shall receive evidence and decide upon the fact. Such list shall be published as frequently as the Postmaster-General may deem proper, but not oftener than once a week.

Sec 189. That the list of non-delivered letters addressed to persons foreign-born may be published in a newspaper printed in the language most used by them, which shall be selected in the manner prescribed in the preceding section.

SEC. 190. That, under such regulations as the Postmaster-General may prescribe, all post-masters are hereby authorized to register, in the manner prescribed by law, but without payment of any registration fee, all letters containing fictitious or other currency of the United States which shall be by them sent by mail to the treasurer of the United States for redemption; and it shall be the duty of the postmaster at the city of Washington, in the District of Columbia, to register, in like manner, without charge, all letters containing new currency returned for currency redeemed, which

shall be received by him from the said treasurer in sealed packages, with the word "register" over the official signature of the said treasurer. [17 Stat. 308]

SEC. 191. That every postmaster shall post, in a conspicuous place in his office, a copy of each list of non-delivered letters immediately after its publication.

SEC. 192. That the compensation for publishing the list of non-delivered letters shall in no case exceed one cent for each letter so published.

SEC. 193. That all letters published as non-delivered shall be charged with one cent in addition to the regular postage, to be accounted for as part of the postal revenue.

SEC. 194. That the Postmaster-General may regulate the period during which undelivered letters shall remain in any post-office, and when they shall be returned to the dead-letter office; and he may make regulations for their return from the dead-letter office to the writers, when they cannot be delivered to the parties addressed.

SEC. 195. That all domestic letters, deposited in any post-office for mailing, on which the postage is wholly unpaid or paid less than one full rate as required by law, except letters lawfully free, and duly certified letters of soldiers, sailors, and marines in the service of the United States shall be sent by the postmaster to the dead-letter office in Washington: *Provided*, That in large cities and adjacent districts of dense population having two or more post-offices within a distance of three miles of each other, any letter mailed at one of such offices and addressed to a locality within the delivery of another of such offices, which shall have been inadvertently prepaid at the drop or local letter rate of postage only, may be forwarded to its destination through the proper office, charged with the amount of the deficient postage, to be collected on delivery.

SEC. 196. That dead-letters containing valuable inclosures shall be registered in the dead-letter office; and when they cannot be delivered to the party addressed nor to the writer, the contents thereof shall be disposed of, and a careful account shall be kept of the amount realized in each case, which shall be subject to reclamation by either the party addressed or the sender, for four years from the registry thereof; and all other letters of value or of importance to the party addressed or to the writer, and which cannot be returned to either, shall be disposed of as the Postmaster-General may direct.

SEC. 197. That the action of the Post-office Department respecting foreign dead-letters shall be subject to conventional stipulations with the respective foreign administrations.

SEC. 198. That when the writer of any letter on which the postage is shall indorse upon the outside thereof his name and address, such letter shall not be advertised, but after remaining to which it is directed thirty days, or the time the writer may direct, shall be returned to him without additional charge for postage, and if not then delivered shall be treated as a dead-letter.

SEC. 199. That free letters shall be forwarded from one post-office to another, at the request

of the party addressed, without tout additional charge for postage.

SEC. 200. That all the waters of the United States shall be post-roads during the time the mail is carried thereon, as provided in section two hundred and nineteen.

SEC. 201. That all railways and parts of railways which are now or hereafter may be put in operation are hereby declared to be post-roads.

SEC. 202. That all canals during the time the mail is carried thereon are hereby declared to be post-roads.

SEC. 203. That all plank-roads during the times the mail is carried thereon are hereby declared to be post-roads.

SEC. 204. That the road on which the mail is carried to supply any court-house which may be without a mail, as provided in section two hundred and sixteen, and the road on which the mail is carried, under [17 Stat. 309] section two hundred and twenty-one, providing for extending the line of posts, shall, during the time such mail is carried thereon, be post-roads.

SEC. 205. That all letter carrier routes established in any city or town, for the collection and delivery of mail-matter by carriers, are hereby declared to be post-roads.

SEC. 206. That when there is more than one road between places designated by law for a post-road, the Postmaster-General may direct on which shall be considered the post-road.

SEC. 207. That the Postmaster-General may change the terminus of post roads connecting with or intersecting railways when the service can be be thereby improved.

SEC. 208. That whenever, in the opinion of the Postmaster-General, the postal service cannot be safely continued, the revenues collected, or the laws maintained on any post-road, he may discontinue the service on such road or any part thereof until the same can be restored.

SEC. 209. That the Postmaster-General may, when he deems it advisable, contract for the transportation of the mails to and from any post-office; but where such service is performed over a route not established by w, it shall be his duty to report the same to Congress at its meeting next thereafter, and said service shall cease at the end of the next session of Congress, unless said route is established a post-route by Congress.

SEC. 210. That the Postmaster-General shall arrange the railway routes on which the mail is carried, including those in which the service is partly by railway and partly by steamboat, into three classes, according to the size of the mails, the speed at which they are carried, and the frequency and importance of the service, so that each railway company shall receive, as far as practicable, a proportionate and just rate of compensation, according to the service performed.

SEC. 211. That the pay for carrying the mail on any railway of the T first class shall not exceed three hundred dollars per mile per annum; on any railway of the second class it shall not exceed one hundred dollars per mile per annum; and on any railway of the third class it shall not exceed fifty dollars per mile per annum; but if one-half the service on any railway is required to be performed in the night-time, the Postmaster-General may pay twenty-five per centum in addition to the above maximum rates.

SEC. 212. That if the Postmaster-General is unable to contract for carrying the mail on any railway-route at a compensation not exceeding the maximum rates herein provided, or for what he may deem a reasonable and fair compensation, he may separate the letter-mail from the other mail, and contract, either with or without advertising, for carrying such letter-mail by horse express or otherwise, at the greatest speed that can reasonably be obtained, and for carrying the other mail in wagons, or otherwise, at a slower rate of speed.

SEC. 213. That every railway company carrying the mail shall carry on any train which may run over its road, and without extra charge therefor, all mailable matter directed to be carried thereon, with the person in charge of the same.

SEC. 214. That all railway companies to which the United States have h furnished aid by grant of lands, right of way, or otherwise, shall carry the mail at such prices as Congress may by law provide; and, until such price is fixed by law, the Postmaster-General may fix the rate of compensation.

SEC. 215. That the Postmaster-General shall provide for carrying the mail on all post-roads established by law, as often as he, having due regard to productiveness and other circumstances, may think proper.

SEC. 216. That the Postmaster-General shall cause a mail to be carried e nearest post-office on any established post-road, to the court-house out' of any county in the United States which is without a mail. [17 Stat. 310]

SEC. 217. That the Postmaster-General may contract for carrying the mail on the navigable canals of the several States, when, in his opinion, the public interest or convenience requires it.

SEC. 218. That the Postmaster-General may contract for carrying the mail on any plank-road in the United States when the public interest or convenience requires it.

SEC. 219. That the Postmaster-General may cause the mail to be carried in any steamboat or other vessel used as a packet on any of the waters of the United States.

SEC. 220. That the Postmaster-General may, if he deem it for the public interest, make contracts for any period not exceeding one year, for carrying the mail in steamships between any of the ports of the United States.

SEC. 221. That the Postmaster-General may enter into contracts for extending the line of posts to supply mails to post-offices not on any established route, and, as a compensation for carrying the mail under such contracts, may allow not exceeding two-thirds of the salary paid to the postmaster at such special offices.

SEC. 222. That the master of any vessel of the United States, bound to from any port therein to any foreign port, or from any foreign port to any port of the United States, shall, before clearance, receive on board and securely convey all such mails as the Post-office Department, or any diplomatic or consular officer of the United States abroad, shall offer; and he shall promptly deliver the same, on arriving at the port of destination, to the proper officer, for which he shall receive two cents for every letter so delivered; and upon the entry of every such vessel returning from any foreign port, the master thereof shall make oath or affirmation that ha has promptly delivered all the mail placed on board said vessel before clearance from the United States; and if he shall fail to make such oath - or affirmation, the said vessel shall not be entitled to the privileges of a vessel of the United States.

SEC. 223. That the master of any steamboat passing between ports or places in the United States, and arriving at any such port or place where there is a post-office, shall deliver to the postmaster, within three hours after his arrival, if in the day-time, and if at night, within two hours after t the nest sunrise, all letters and packets brought by him, or within his power or control and not relating to the cargo, addressed to or destined for such port or place, for which he shall receive from the postmaster two cents for each letter or packet so delivered, unless the same is carried under a contract for carrying the mail; and for every failure to so deliver such letters and packets, the master or owner of said steamboat shall forfeit and pay one hundred and fifty dollars.

SEC. 224. That the Postmaster-General may pay, to the master or owner of any vessel not regularly employed in carrying the mail, two cents for each letter carried by such vessel between ports or places in the United States, or from any foreign port to any port in the United States; but all such letters shall be deposited in the post-office at the port of arrival.

SEC. 225. That any person who shall paint, print, or in any manner place upon or attach to any steamboat or other vessel, or any stage-coach or other vehicle, not actually used in carrying of the mail, the United States mail," or any words, letters, or characters of like import; any person who shall give notice, by publishing in any newspaper or otherwise, that any steamboat or other vessel, or any stage-coach or other vehicle is used in carrying the mail, when the same is not actually so used, every person so offending, or wilfully aiding, or abetting therein, shall, on conviction thereof, for every such offence, forfeit and pay not less than one hundred dollars nor more than five hundred dollars.

SEC. 226. That every route-agent, postal clerk, or other carrier of the [17 Stat. 311] mail shall receive any mail-matter presented to him, if properly prepaid by stamps, and deliver the same for mailing at the next post-office at which he arrives; but no fees shall be allowed him therfor.

SEC. 227. That any person concerned in carrying the mail, who shall collect, receive, or carry any letter or packet, or cause or procure the same to be done, contrary to law, shall, on conviction

thereof, for every such offence, forfeit and pay not exceeding fifty dollars.

SEC. 228. That no person shall establish any private express for the conveyance of letters or packets or in any manner cause or provide for the conveyance of the same by regular trips or at stated periods, over any post-route which is or may be established by law, or from any city, town or place to any other city, town or place between which the mail is regularly carried; and every person so offending, or aiding or assisting therein, shall for each offence, forfeit and pay one hundred and fifty dollars.

SEC. 229. That the owner of every stage-coach, railway car, steamboat or other vehicle or vessel, which shall, with the knowledge of any owner in whole or in part, or with the knowledge or connivance of the driver, conductor, master or other person having charge of the same, convey any such person acting or employed as a private express for the conveyance of letters or packets and actually in possession of the same for the purpose of conveying them contrary to the spirit, true intent, and meaning of this law shall, for every such offence, forfeit and pay one hundred and fifty dollars.

SEC. 230. That no person shall transmit by private express or other unlawful means, or deliver to any agent of such unlawful express, or deposit, or cause to be deposited, at any appointed place, for the purpose of being transmitted, any **letter** or packet, and for every such offence the party so offending shall forfeit and pay fifty dollars.

SEC. 231. That no stage-coach, railway-car, steamboat, or other vehicle or vessel which regularly performs trips at stated periods on any post-route, or from any city, town, or place to any other city, town, or place between which the mail is regularly carried, shall carry, otherwise than in the mail, any letters or packets, except such as relate to some part of the cargo of such steamboat or other vessel, or to some article carried at the same time by the same stage-coach, railway-car, or other vehicle, except as provided in section two hundred and thirty-nine; and for every such offence the owner of the stage-coach, railway-car, steamboat, or other vehicle or vessel shall forfeit and pay one hundred dollars; and the driver, conductor, master, or other person having charge thereof, and not at the time owner of the whole or any part thereof, shall in like manner forfeit and pay for every such offence fifty dollars.

SEC. 232. That no person shall carry any letter or packet on board and vessel which carries the mail otherwise than in such mail, except as provided in section two hundred and thirty-nine; and for every such offence, the party offending shall forfeit and pay fifty dollars.

SEC. 233. That no vessel departing from the United States for any foreign port shall receive on board or convey any **letter** or packet originating in the United States which has not been regularly received from the post-office at the port of departure, and which does not relate to the cargo of said vessel, except as provided in section two hundred and thirty-nine; and every collector, or other officer of the port empowered to grant clearances shall require from the master of such vessel, as a condition of clearance, an oath or affirmation that he has not received on board, has not under his care or control, and will not receive or convey any letter or packet contrary to the provisions of this

section.

SEC. 234. That no vessel arriving within any port or collection-district of the United States shall be allowed to make entry or break bulk until all letters on board are delivered at the nearest post-office, and the master thereof has signed and sworn to the following declaration, before the collector or other proper customs-officer: [17 Stat. 312]

"I, A. B., master of the ____, arriving from ____, and now lying in the port of ____, do solemnly swear (or affirm) that I have, to the best of my knowledge and belief, delivered, at the post-office at ____, every letter, and every bag, packet, or parcel of letters, which were on board the said vessel during her last voyage, or which were in my possession or under my power or control."

And any master who shall break bulk before he has delivered such letters shall, on conviction thereof, forfeit not exceeding one hundred dollars for every such offence, one-half to the officer making the seizure, and the other to the use of the United States.

SEC. 235. That any special agent of the Post-office Department, when instructed by the Postmaster-General to make examinations and seizures, and the collector or other customs-officer of any port without special instructions, shall carefully search all vessels for letters which may be on board or which have been conveyed contrary to law.

SEC. 236. That any special agent of the Post-office Department, collector, or other customs-officer, or United States marshal or his deputy, may at all times seize all letters and bags, packets or parcels, containing letters which are being carried contrary to law or board any vessel or on any post-route, and convey the same to the nearest post-office, or may, by the direction of the Postmaster-General or Secretary of the Treasury, detain them until two months after the final determination of all suits and proceedings which may, at any time within six months after such seizure, be brought against any person for sending or carrying, such letters.

SEC. 237. That every package or parcel seized by any special agent of the Post-office Department, collector, or other customs-officer, or United States marshal or his deputies, in which any **letter** is unlawfully concealed, shall be forfeited to the United States, and the same proceedings may be had to enforce the forfeiture as are authorized in respect to goods, wares, and merchandise forfeited for violation of the revenue laws; and all laws for the benefit and protection of customs-officers making seizures for violating said revenue laws shall apply to officers making seizures for violating the postal laws.

SEC. 238. That nothing herein contained shall be construed to prohibit the conveyance or transmission of **letters** or packets by private hands without compensation, or by special messenger employed for the particular occasion only.

SEC. 239. That all letters inclosed in stamped envelopes (the postage-stamp in every case being of a denomination sufficient to cover the postage that would be chargeable thereon if the same

were sent by mail) may be sent, conveyed, and delivered otherwise than by mail, provided such envelope shall be duly directed and properly sealed, so that the letter cannot be taken therefrom without defacing the envelope, and the date of the letter or of the transmission or receipt thereof shall be written or stamped upon the envelope. But the Postmaster-General may suspend the operation of this section upon any mail-route where the public interest may require such suspension.

SEC. 240. That when the amount of mail-matter to be carried on any mail-route is so great as to seriously retard the progress or endanger the security of the letter-mail, or materially increase the cost of carriage at the ordinary rate of speed, the Postmaster-General may provide for the separate carriage of the letter-mail at the usual rate of speed; but the other mail-matter shall not be delayed any more than is absolutely necessary, having due regard to the cost of expedition and the means at his disposal for effecting the same.

SEC. 241. That any person who shall knowingly and wilfully obstruct or retard the passage of the mail, or any carriage, horse, driver, or carrier carrying the same, shall, on conviction thereof, for every such offence, forfeit and pay not exceeding one hundred dollars. **[17 Stat. 313]**

SEC. 242. That any ferryman who shall delay the passage of the mail by wilful neglect or refusal to transport the same across any ferry shall, for every ten minutes such mail may be so delayed, forfeit and pay ten dollars.

SEC. 243. That before making any contract for carrying the mail, other than those hereinafter excepted, the Postmaster-General shall give public notice by advertising once a week for six weeks in one or more, not exceeding five, newspapers published in the State or Territory where the service is to be performed, one of which shall be published at the seat of government of such State or Territory; and such notice shall describe the route, the time at which the mail is to be made up, the time at which it is to be delivered, and the frequency of the service; and the Postmaster-General shall direct, by special order in each case, the newspapers in which mail-lettings, or other proposals relative to the business of his department, shall be advertised, and no publisher shall be paid for such advertisements without having been requested by the Postmaster-General to publish the same.

SEC. 244. That proposals for carrying the mail shall be delivered sealed, and so kept until the bidding is closed, and shall then be opened and marked in the presence of the Postmaster-General, and one of the assistant postmasters-general or of two of the assistant postmasters-general or of any other two officers of the department, to be designated by the Postmaster-General; and any bidder may withdraw his bid at any time before twenty-four hours previous to the time fixed for the opening of proposals, by serving upon the Postmaster-General or the second assistant postmaster-general, notice in writing of such withdrawal.

SEC. 245. That every proposal for carrying the mail shall be accompanied by a written guarantee, signed by one or more responsible persons and undertaking that, within such time after the bid is accepted as the Postmaster-General may prescribe, the bidder will enter into an obligation, with good and sufficient sureties, to perform the service proposed; and no proposals shall be considered unless accompanied by such guarantee.

SEC. 246. That each bid for carrying the mail shall hereafter have affixed to it the oath of the bidder, taken before an officer qualified to administer oaths that he has the ability pecuniarily to fulfil his obligations, and that the bid is made in good faith and with the intention to enter into contract and perform the service, in case his bid shall be accepted; and that the signatures of his guarantors are genuine, and that he believes said guarantors pecuniarily responsible for and able to pay all damages the United States shall suffer by reason of the bidder's failing to perform his obligations as such bidder.

SEC. 247. That any postmaster or other officer of the Post-office Department who shall affix his signature to the certificate of sufficiency of guarantors or sureties before the guaranty or contract is signed by the guarantors or sureties, or shall knowingly make any false or illusory certificate, shall be forthwith dismissed from office, and shall be deemed guilty of a misdemeanor, and shall, on conviction thereof, be punished by a fine not exceeding one thousand dollars, or by imprisonment not exceeding one year, or both.

SEC. 248. That the Postmaster-General shall have recorded, in a book to be kept for that purpose, a true and faithful abstract of all proposals made to him for carrying the mail, giving the name of the party offering, the terms of the offer, the sum to be paid, and the time the contract is to continue; and he shall put on file and preserve the originals of all such proposals.

SEC. 249. That all contracts for carrying the mail shall be in the name of the United States, and shall be awarded to the lowest bidder tendering sufficient guarantees for faithful performance, without other reference to the mode of transportation than may be necessary to provide for the **[17 Stat. 314]** due celerity, certainty, and security thereof; but the Postmaster-General shall not be bound to consider the bid of any person who has wilfully or negligently failed to perform a former contract.

SEC. 250. That no contract for carrying the mail shall be made with any person who has entered, or proposed to enter, into any combination to prevent the making of any bid for carrying the mail, or who has made any agreement, or given or performed, or promised to give or perform, any consideration whatever to induce any other person not to bid for any such contract; and if any person so offending is a contractor for carrying the mail, his contract may be annulled; and for the first offence the person so offending shall be disqualified to contract for carrying the mail for five years, and for the second offence shall be forever disqualified.

SEC. 251. That after any regular bidder or contractor for the transportation of the mail upon any route shall have failed to enter into contract, and commence the performance thereof as herein provided, the Postmaster-General shall proceed to contract with the next lowest bidder for such service, who will enter into a contract and perform the same, unless the Postmaster-General shall consider such bid too high, in which case he shall re-advertise such service. And in all cases of regular contracts hereafter made the contract may, in the discretion of the Postmaster-General, be continued in force beyond its express terms for a period not exceeding six months, until a new contract with the same or other contractors shall be made by the Postmaster-General. The Postmaster-General may contract, without advertisement, for a period not to exceed twelve months,

for the carriage of the mail on such route during the time that shall necessarily elapse between the failure of either of the accepted bidders to enter into a contract and the time when the next accepted bidder under the old or a new advertisement shall enter upon his contract; and the difference between the price proposed in the accepted bid and that paid for intermediate service shall be charged to the failing bidder or bidders, and may be recovered in the name of the United States for the use of the Post-office Department, in an action on the case. And when the contract shall be made and concluded, the difference between the accepted bid of the failing bidders and the amount payable under the contract for the service of two years shall be forthwith charged against the failing bidder or bidders; and an action for such sum in the nature of liquidated damages shall accrue to the United States for the use of the Post-office Department immediately upon the execution of the final contract. And both causes of action mentioned in this section may be joined in one suit.

SEC. 252. That no bidder for carrying the mails shall be released from his obligation under his bid or proposal, notwithstanding an award made to a lower bidder, until a contract for the designated service shall have been duly executed by such lower bidder and his sureties, and accepted, and the service entered upon by the contractor to the satisfaction of the Postmaster-General.

SEC. 253. That hereafter all bidders upon every mail route for the transportation of the mails upon the same where the annual compensation for the service on such route at the time exceeds the sum of five thousand dollars, shall accompany their bids with a certified check or draft, payable to the order of the Postmaster-General upon some solvent national bank, which check or draft shall not be less than five per centum on the amount of one year's pay proposed in such bid, if the bid exceed five thousand dollars per annum. In case any bidder, on being awarded any such contract, shall fail to execute the same, with good and sufficient sureties, according to the terms on which such bid was made and accepted, [17 Stat. 315] and enter upon the performance of the service to the satisfaction of the Postmaster-General, such bidder shall forfeit the amount so deposited to the United States, and the same shall forthwith be paid into the treasury for the use of the Post-office Department; but if such contract shall be duly executed and the service entered upon as aforesaid, such draft or check so deposited shall be returned to the bidder.

SEC. 254. That any person or persons bidding, for the transportation of the mails upon any route which may be advertised to be let, and receiving, an award of the contract for such service, who shall wrongfully refuse or fail to enter into contract with the Postmaster-General in due form, and perform the service described in his or their bid or proposal, shall be deemed guilty of a misdemeanor, and, on conviction thereof, be punished by a fine not exceeding five thousand dollars and by imprisonment for a term not exceeding twelve months.

SEC. 255. That the Postmaster-General, whenever he may deem it consistent with the public interest, may accept new surety upon any contract existing or hereafter made for carrying the mails, in substitution for and release of any existing surety.

SEC. 256. That no contract for carrying the mail shall be made for a longer term than four years, and no contract for carrying the mail on the sea shall be made for a longer term than two years.

SEC. 257. That whenever, by reason of any error, omission, or other cause, any route which should properly be advertised for the regular letting is omitted, it shall be the duty of the Postmaster-General to advertise the same as soon as the error or omission shall be discovered, and the proposals for such route shall be opened as soon as possible after the other proposals in the same contract section; and the contract made under such supplementary advertisement shall run, as nearly as possible, from the beginning to the end of the regular contract term, and, during the time necessarily lost by reason of such error, omission, or other cause, the Postmaster-General shall provide for the carrying of the mail on such route at as low a rate as possible, without advertising.

SEC. 258. That whenever it becomes necessary to change the terms of an existing contract for carrying the mail otherwise than as provided in sections two hundred and sixty and two hundred and sixty-one, notice thereof shall be given and proceedings had thereon the same as at the letting of original contracts.

SEC. 259. That no person whose bid for carrying the mail is accepted shall receive any pay until he has executed his contract according to law and the regulations of the department.

SEC. 260. That compensation for additional service in carrying the mail shall not be in excess of the exact proportion with the original compensation bears to the original service; and when any such additional service is ordered, the sum to be allowed therefor shall be expressed in the order, and entered upon the books of the department; and no compensation shall be paid for any additional regular service rendered before the issuing of such order.

SEC. 261. That no extra allowance shall be made for any increase of expedition in carrying the mail unless thereby the employment of additional stock and carriers is made necessary, and in such case the additional compensation shall bear no greater proportion to the additional stock and carriers necessarily employed than the compensation in the original contract bears to the stock and carriers necessarily employed in its execution.

SEC. 262. That the Postmaster-General shall deliver to the auditor for the Post-office Department, within sixty days after the mailing of any contract for carrying the mail, a duplicate copy thereof.

SEC. 263. That the Postmaster-General, after advertising for proposals, may enter into contracts or make suitable arrangements for transporting [17 Stat. 316] the mail through any foreign country, between any two points in the United States, and such transportation shall be by the speediest, safest, and most economical route; and all contracts therefor may be revoked whenever any new road or canal shall be opened affording a speedier, more economical, and equally safe transportation between the same points; but in case of the revocation of any such contract, a fair indemnity shall be awarded to the contractor.

SEC. 264. That the Postmaster-General may contract with the owner or master of any steamboat plying upon the waters of the United States, or of any steamship or other vessel plying between ports of the United States, for carrying the mail for any length of time less than four years,

and without advertising for proposals therefor, whenever the public interest and convenience will thereby be promoted; but the price paid for such service shall in no case be greater than the average price paid under the last preceding or then existing regular contract on the same route.

SEC. 265. That the Postmaster-General may enter into contracts for carrying the mail, with railway companies, without advertising for bids therefor; and the Postmaster-General may allow any railroad company with whom he may contract for the carrying of the United States mail, and who furnish railway post-office cars for the transportation of the mail, such additional compensation beyond that now allowed by law as he may think fit, not exceeding, however, fifty per centum of the said rates.

SEC. 266. That the Postmaster-General may make deductions from the pay of the pay of contractors, for failures to perform service according to contract, and impose fines upon them for other delinquencies. He may deduct the price of the trip in all cases where the trip is not performed; and not exceeding, three times the price if the failure be occasioned by the fault of the contractor or carrier.

SEC. 267. That the Postmaster-General may, after advertising, for proposals, enter into contracts for the transportation of the mail between the United States and any foreign country whenever the public interests will thereby be promoted.

SEC. 268. That the mail between the United States and any foreign port, or between ports of the United States touching at a foreign port, shall be transported in steamships; but the Postmaster-General may have such transportation performed by sailing-vessels when the service can be facilitated thereby.

SEC. 269. That for transporting, the mail between the United States and any foreign port, or between ports of the United States touching at a foreign port, the Postmaster-General may allow as compensation, if by a United States steamship, any sum not exceeding the sea and United States inland postage, and if by a foreign steamship or by a sailing vessel, any sum not exceeding the sea postage, on the mail so transported.

SEC. 270. That the Postmaster-General may impose fines on contractors for transporting the mail between the United States and any foreign country, for any unreasonable or unnecessary delay in the departure of such mail, or the performance of the trip; but the fine for any one default shall not exceed one-half the contract price for the trip.

SEC. 271. That no contractor for transporting the mail within or between the United States and any foreign country shall assign or transfer his contract, and all such assignments or transfers shall be null and void.

SEC. 272. That every contract for transporting the mail between the United States and any foreign country shall contain, besides the usual stipulation for the right of the Postmaster-General to discontinue the same, the further stipulation that it may be terminated by Congress.

SEC. 273. That the Postmaster-General may, by and with the advice [17 Stat. 317] and consent of the President, make any arrangements deemed just and expedient for allowing the mails of Canada, or any other country adjoining the United States, to be transported over the territory of the United States, from one point in such country to any 1 other point in the same, at the expense of the country to which the mail belongs, upon obtaining a like privilege for the transportation of the United States mail through the country to which the privilege is granted; but such privilege may at any time be annulled by the President or Congress from and after one month succeeding the day on which notice of the act of the President or Congress is given to the chief executive or head of the post-office department of the country whose privilege is to be annulled.

SEC. 274. That every foreign mail shall, while being transported across the territory of the United States under the provisions of the preceding section, be deemed and taken to be a mail of the United States, so far as to make any violation thereof, or depredation thereon, or offence in respect thereto, or any part thereof, an offence of the same grade, and punishable in the same manner and to the same extent as though the said mail was a mail of the United States; and in any indictment for any such offence, the said mail, or any part thereof, may be alleged to be, and on the trial of any such indictment it shall be deemed and held to be, a mail or part of a mail of the United States.

SEC. 275. That the Postmaster-General or the Secretary of State is hereby authorized to empower the consuls of the United States to pay the foreign postage on such letters destined for the United States be detained at the ports of foreign countries for the non-payment of postage, which postage shall be by the consul marked as paid by him, and the amount thereof shall be collected in the United States as other post age, on the delivery of the letters, and repaid to said consul, or credited on his account at the State Department.

SEC. 276. That the Postmaster-General, under the direction of the President of the United States, is hereby authorized and empowered to charge upon, and collect from, all letters and other mailable matter carried to or from any port of the United States, in any foreign packet-ship or other vessel, the same rate or rates of charge for American postage which the government to which such foreign packet or other vessel belongs imposes upon letters and other mailable matter conveyed to or from such foreign country in American packets or other vessels as the postage of such government, and at any time to revoke the same; and it shall be the duty of all custom-house officers and other United States agents designated or appointed for that purpose to enforce or carry into effect the foregoing provision, and to aid or assist in the collection of such postage; and to that end it shall be lawful for such officers and agents, on suspicion of fraud, to open and examine, in the presence of two or more respectable persons, being citizens of the United States, any package or packages supposed to contain mailable matter found on board such packets or other vessels or elsewhere, and to prevent, if necessary, such packets or other vessels from entering, breaking bulk, or making, clearance until such letters or other mailable matter are duly delivered into the United States post-office.

SEC. 277. That all letters or other mailable matter conveyed to or from any port of the United States by any foreign packet or ship, except such sealed letters relating to said ship or vessel, or any part of the cargo, thereof as may be directed to the owner or owners, consignee or consignees, of said

ship or other vessel, shall be so subject to postage charge as aforesaid, whether addressed to any person in the United States or elsewhere, provided it is done by the packet or other ship of a foreign country imposing postage on letters or mailable matter conveyed to or from such country by any packet or other ship of the United States; and [17 Stat. 318] such letters or other mailable matter carried in foreign packet ships or other vessels, except such unsealed letters relating, to the ship or vessel or any part of the cargo thereof, as may be directed to the owner or owners, consignee or consignees, as aforesaid, are hereby required to be delivered into the United States post-office by the master or commanders of all such packets or other vessels when arriving, and to be taken from a United States post-office when departing, and the postage paid thereon justly chargeable by this act; and for refusing or failing to do so, or for conveying said letters or any letters intended to be conveyed in any ship or vessel of such foreign country over or across the United States, or any portion thereof, the party offending shall, on conviction, forfeit and pay not exceeding one thousand dollars for each offence.

SEC. 278. That any person who shall wilfully or maliciously injure, deface, or destroy any mail-matter, deposited in any letter-box, pillar-box, or other receptacle established by authority of the Postmaster-General for the safe deposit of matter for the mail or for delivery, or who shall wilfully aid or assist in injuring such mail-matter, shall, on conviction thereof, for every such offence, forfeit and pay not more than five hundred dollars, or be imprisoned not more than three years, at the discretion of the court.

SEC. 279. That any person employed in any department of the postal service who shall secrete, embezzle, or destroy any letter, packet, bag, or mail of letters intrusted to him, or which shall come into his possession, and which was intended to be conveyed by mail, or carried or delivered by any mail-carrier, mail-messenger, route-agent, letter-carrier, or other person employed in any department of the postal service, or forwarded through or delivered from any post-office or branch post-office established by authority of the Postmaster-General, and which shall contain any note, bond, draft, check, warrant, revenue-stamp, postage-stamp, stamp-envelope, postal card, money-order, certificate of stock, or other pecuniary obligation or security of the government, or of any officer or fiscal agent thereof, of any description whatever; any bank-note, bank post-bill, bill of exchange, or note of assignment of stock in the funds; any letter of attorney for receiving annuities or dividends, selling stock in the funds, or collecting the interest thereof; any letter of credit, note, bond, warrant, draft, bill, 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; any receipt, release, acquittance, or discharge of or from any debt, covenant, or demand, or any part thereof; any copy of the record of any judgment or decree in any court of law or chancery, or any execution which may have issued thereon; any copy of any other record, or any other article of value, or writing representing the same; any such person who shall steal or take any of the things aforesaid out of any letter, packet, bag, or mail of letters which shall have come into his possession, either in the regular course of his official duties, or in any other manner whatever, and provided the same shall not have been delivered to the party to whom it is directed, every such person shall, on conviction thereof, for every such offence, be imprisoned at hard labor not less than one nor more than five years.

SEC. 280. That the fact that any letter, packet, bag, or mail of letters shall have been deposited in any post-office or branch post-office established by authority of the Postmaster-General, or in any other authorized depository for mail-matter, or in charge of any postmaster, assistant, clerk, carrier, agent, or messenger employed in any department of the postal service, shall be taken and held to be evidence that the same was tended to be conveyed by mail within the meaning of this statute.

SEC. 281. That any person who shall steal the mail, or steal or take from or out of any mail, or post-office, branch post-office, or other authorized depository for mail-matter, any letter or packet; any person who [17 Stat. 319] shall take the mail, or any letter or packet therefrom, or from any post office, branch post-office, or other authorized depository for mail-matter, with or without the consent of the person having custody thereof, and open, embezzle or destroy, any such mail, letter, or package which shall contain any note, bond, draft, check, warrant, revenue-stamp, postage-stamp, stamped envelope, money-order, certificate of stock, or other peculiar obligation or security of the government, or of any officer or fiscal agent thereof, of any description whatever; any bank-note, bank post-bill, bill of exchange, or note of assignment of stock in the funds; any letter of attorney for receiving annuities or dividends, selling stock in the funds, or collecting the interest thereof; any letter of credit, note, bond, warrant, draft, bill, promissory note, covenant, contract, or agreement whatsoever for or relating to the payment or the delivery of any article of value, or the performance of any act, matter or thing; any receipt, release, acquittance, or discharge of or from any debt, covenant, or demand, or any part thereof; any copy of the record of any judgment or decree in any court of law or chancery, or any execution which may have issued thereon; any copy of any other record, or any other article of value, or any writing representing the same; any person who shall, by fraud or deception, obtain from any person having custody thereof, any such mail, letter or packet containing any such article of value aforesaid, every such person, not being employed in any department of the postal service, shall, on conviction thereof, for every such offence, be imprisoned at hard labor not less than one nor more than five years.

SEC. 282. That any person who shall be accessory after the fact to the offence of stealing or taking any letter, postal card, or other mail-matter, or any inclosure therein, or to any other offence against the postal laws, shall, on conviction thereof, forfeit and pay not exceeding one thousand dollars, and be imprisoned not exceeding five years; and any 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 such trial, conviction, and punishment may be before that of the principal offender, when such principal offender has fled from justice or cannot be arrested to be put on trial.

SEC. 283. That any person. who shall buy, receive, or conceal, or aid in buying, receiving, or concealing any note, bond, draft, check, warrant, revenue stamp, postage-stamp, stamped envelope, postal card, money-order, certificate of stock, or other pecuniary obligation or security of the government, or of any officer or fiscal agent thereof, of any description ever; any bank-note, bank post-bill, bill of exchange, or note of assignment of stock in the funds; any letter of attorney for receiving annuities or dividends, selling stock in the funds, or collecting the interest thereof; any letter of credit, note, bond, warrant, draft, bill, 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 per-

formance of any act, matter, or thing; any receipt, release, acquittance, or discharge of or from any debt, covenant, or demand, or any part thereof; copy of the record of any judgement or decree in any court of law or chancery, or any execution which may have issued thereon; any copy of any other record, or any other article of value or writing representing the same, knowing any such article or thing to have been stolen or embezzled from the mail, or out of any post-office, branch post-office, or other authorized depository for mail-matter, or from any person having custody thereof, every such person shall, on conviction thereof, for every such offence, forfeit and pay not exceeding two thousand dollars, and be confined at hard labor not exceeding five years; and such offender may be tried, convicted, and punished without the principal offender being, first tried, when said principal offender has fled from justice, or cannot be found to be put on trial. [17 STAT. 320]

SEC. 284. That any person employed in any department of the postal service who shall improperly detain, delay, embezzle, or destroy any newspaper, or permit any other person to detain, delay, embezzle, or destroy the same, or open, or permit any other person to open any mail or package of newspapers not directed to the office where he is employed, shall, on conviction thereof, for every such offence, forfeit and pay not exceeding fifty dollars, and if any other person shall open, embezzle, or destroy any mail or package of newspapers not being directed to him, and not being authorized to open or receive the same, every such person shall, on conviction thereof, for every such offence, forfeit and pay not exceeding twenty dollars. And any person who shall take or steal any mail or package of newspapers from any post-office, or from any person having custody thereof, every such person shall, on conviction thereof, for every such offence, be imprisoned at hard labor not exceeding three months.

SEC. 285. That any person who shall rob any carrier, agent, or other person intrusted with the mail, of such mail, or any part thereof, shall, on conviction thereof, be imprisoned at hard labor not less than five nor more than ten years; and if convicted a second time of a like offence, or if, in effecting such robbery the first time, the robber shall wound the person having custody of the mail, or put his life in jeopardy by the use of dangerous weapons, such offender shall be imprisoned at hard labor for the term of his natural life.

SEC. 286. That any person who shall be accessory after the fact to any robbery of the carrier, agent, or other person trusted with the mail, of such mail, or any part thereof, shall, on conviction thereof, for every such offence, forfeit and pay not exceeding two thousand dollars, and be imprisoned at hard labor not exceeding ten years; and such accessory after the fact may be tried, convicted, and punished without the principal offender being first tried, when said principal offender has fled from justice, or cannot be found to be put on trial.

SEC. 287. That any person who shall attempt to rob the mail by assaulting the person having custody thereof, shooting at him or his horse, or threatening him with dangerous weapons, and shall not effect such robbery, shall, on conviction thereof, be imprisoned at hard labor not less than two nor more than ten years.

SEC. 288. That any person who shall have taken charge of the mail and shall voluntarily quit or desert the same before he has delivered it into the post-office at the termination of the route, or

to some known mail-carrier, messenger, agent, or other employee of the Post-office Department authorized to receive the same, shall, on conviction thereof, for every such offence, forfeit and pay not exceeding five hundred dollars, and be imprisoned not less than three months nor more than one year.

SEC. 289. That all laws defining punishment for depredations committed upon the mail shall extend to and have full force in the Indian country.

SEC. 290. That any person who shall steal, purloin, or embezzle any mail-bag or other property in use by or belonging to the Post-office Department, or shall, for any lucre, gain, or convenience, appropriate any such property to his own or any other than its proper use, or who shall, for any lucre or gain, convey away any such property to the hindrance or detriment of the public service; every such person, his aides, abettors, and counsellors, shall if the value of the property be twenty-five dollars or more, be deemed guilty of felony, and on conviction thereof, for every such offence, shall be imprisoned not exceeding three years; and if the value of the property be less than twenty-five dollars, the party offending shall be imprisoned not more than one year, or be fined not less than ten nor more than two hundred dollars.

SEC. 291. That any person who shall tear, cut, or otherwise injure **[17 STAT. 321]** any mail-bag, pouch, or other thing used or designed for use in the conveyance of the mail, or who shall draw or break any staple, or loosen any part of any lock, chain, or strap attached thereto, with intent to rob or steal any such mail, or to render the same insecure, shall, on conviction thereof, for every such offence, forfeit and pay not less than one hundred nor more than five hundred dollars, or be imprisoned at hard labor not less than one nor more than three years, at the discretion of the court.

SEC. 292. That any person who shall steal, purloin, embezzle, or obtain by any false pretence, or shall aid or assist in stealing, purloining, embezzling, or obtaining by any false pretense, any key suited to any lock adopted by the Post-office Department, and in use on any of the mails or bags thereof; any person who shall knowingly and unlawfully make, forge, or counterfeit, or cause to be unlawfully made, forged, or counterfeited, or knowingly aid or assist in making, forging, or counterfeiting, any such key; any person who shall have in his possession any such mail lock or key, with the intent unlawfully or improperly to use, sell, or otherwise dispose of the same, or to cause the same to be unlawfully or improperly used, sold, or otherwise disposed of; any person engaged as contractor or otherwise in the manufacture of any such mail locks or keys who shall deliver, or cause to be delivered, any finished or unfinished lock or key used or designed for use by said department, or the interior part of any such lock, to any person not duly authorized, under the hand of the Postmaster-General and the seal of the Post-office Department, to receive the same (unless the person receiving is the contractor for furnishing the same, or engaged in the manufacture thereof in the manner authorized by the contract, or the agent for such manufacturer), every such person shall be deemed guilty of felony, and, on conviction thereof, shall be imprisoned not exceeding ten years.

SEC. 293. That any person who shall forcibly break into, or attempt to break into any post-office, or any building used in whole or in part as a post-office, with intent to commit therein larceny or other depredation, shall, on conviction thereof, be fined not more than one thousand dol-

lars, and imprisoned at hard labor not more than five years, according to the circumstances and aggravation of the case, in the discretion of the court.

SEC. 294. That if any person or persons shall falsely make, alter, forge, or counterfeit, or cause or procure to be falsely made, altered, forged, or counterfeited, or willingly aid or assist in the false making, altering, forging, or counterfeiting, any bond, bid, proposal, guarantee, security, official bond, public record, affidavit, or other writing for the purpose of defrauding the United States; or shall utter or publish as true, or cause to be uttered or published as true, any such false, forged, altered or counterfeited bond, bid, proposal, guarantee, security, official bond, public record, affidavit, or other writing, for the purpose of defrauding the United States, knowing the same to be false, forged, altered, or counterfeited; or shall transmit to, or present at, or cause or procure to be transmitted to, or presented at, the office of any officer of the United States, any such false, forged, altered, or counterfeited bond, bid, proposal, guarantee, security, official bond, public record, affidavit, or other writing, knowing the same to be false, forged, altered, or counterfeited, for the purpose of defrauding the United States, every such person shall be deemed and adjudged guilty of felony, and, being thereof duly convicted, shall be sentenced to be imprisoned, and kept at hard labor, for a period not exceeding ten years, or be fined not exceeding on thousand dollars, or both of said punishments, in the discretion of the court.

SEC. 295. That if any offence shall be committed in any place which has been, or shall hereafter be, ceded to and under the jurisdiction of the United States, which offence is not prohibited, or the punishment thereof is not specially provided for by any law of the United States, such offence [17 STAT. 322] shall, upon conviction in any court of the United States having cognizance thereof, be liable to, and receive the same punishment as the laws of the State in which such place is or may be situated, now in force, provided for the like offence when committed within the jurisdiction of such State; and no subsequent repeal of any such State law shall affect any prosecution for such offence in any of the courts of the United States.

SEC. 296. 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.

SEC. 297. That if any person employed in any department of the post-office establishment of the United States shall, wilfully and knowingly, use, or cause to be used, in prepayment of postage any postage stamp, postal card, or stamped envelope issued, or which may hereafter be issued, by authority of any act of Congress or of the Postmaster-General, which has already been once used for a like purpose, or shall remove, or attempt to remove, the cancelling or defacing marks from any such postage-stamp, or stamped envelope, or postal card, with intent to use, or cause the use of the same, a second time, or to sell, or offer to sell, the same, or shall remove from letters or other mail-matter deposited in or received at a post-office the stamps attached to the same in payment of postage, with intent to use the same a second time for a like purpose, or to sell, or offer to sell, the same, every such offender shall, upon conviction thereof, be deemed guilty of felony, and shall be imprisoned for not less than one year nor more than three years.

SEC. 298. That if any person not employed in any department of the post-office establishment of the United States shall commit any of the offences described in the preceding section, every such person shall, on conviction thereof, be deemed guilty of a misdemeanor, and be punished by imprisonment for not less than six months nor more than one year, or by a fine of not less than one hundred dollars nor more than five hundred dollars, for each offence, or by both such fine and imprisonment, in the discretion of the court.

SEC. 299. That the Postmaster-General of the United States may empower, by a letter of authorization under his hand, to be filed among the records of his department, any special agent or other officer of the post-office establishment to make searches for mailable matter transported in violation of law; and that the agent or officer so authorized may open and search any car or vehicle passing, or lately before having passed, from any place at which there is a post-office of the United States to any other such place, and any box, package, or packet, being, or lately before having been, in such car or vehicle, and any store or house (other than a dwelling-house) used or occupied by any common-carrier or transportation company in which such box, package, or packet may be contained, whenever said agent or officer has reason to believe that mailable matter, transported contrary to law, may therein be found.

SEC. 300. That the Postmaster-General may, upon evidence satisfactory to him that any person, firm, or corporation is engaged in conducting any fraudulent lottery, gift-enterprise, or scheme for the distribution of money, or of any real or personal property, by lot, chance, or drawing of any kind, or in conducting any other scheme or device for obtaining money through the mails by means of false or fraudulent pretences, representations, or promises, forbid the payment by any postmaster to any such person, firm, or corporation of any postal money-order drawn to the order or in favor of him or of them, and may provide by regulations for the return to the remitters of the sums named in such money- [17 STAT. 323] orders. And the Postmaster-General may also, upon like evidence, instruct postmasters at any post-offices at which registered letters shall arrive directed to any such person, firm, or corporation, to return all such registered letters to the postmasters at the offices at which they were originally mailed, with the word "fraudulent" plainly written or stamped upon the outside of said letters; and all such letters so returned to such postmasters shall be by them returned to the writers thereof, under such regulations as the Postmaster-General may prescribe: *Provided*, That nothing in this act contained shall be so construed as to authorize any postmaster or other person to open any letter not addressed to himself.

SEC. 301. That if any person having devised or intending to devise any scheme or artifice to defraud, or be effected by either opening or intending to open correspondence or communication with any other person (whether resident within or outside of the United States), by means of the post-office establishment of the United States, or by citing such other person to open communication with the person so devising or intending, shall, in and for executing such scheme or artifice (or attempting so to do), place any letter or packet in any post-office of the United States, or take or receive any therefrom, such person, so misusing the post office establishment, shall be guilty of a misdemeanor, and shall be punished with a fine of not more than five hundred dollars, with or without such imprisonment, as the court shall direct, not exceeding eighteen calendar months. The indictment information, or complaint may severally charge offences to the number of three when committed

within the same six calendar months; but the court thereupon shall give a single sentence, and shall proportion the punishment especially to the degree in which the abuse of the post office establishment enters as an instrument into such fraudulent scheme and device.

SEC. 302. That all letters, packets, or other matter which may be seized or detained for violation of law shall be returned to the owner or sender of the same, or otherwise disposed of as the Postmaster-General may direct.

SEC. 303. That all suits arising under the postal laws, or the regulations of 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 by law to other claims of the United States.

SEC. 304. That all causes of action arising under the postal laws may be sued, and all offenders against the same may be prosecuted, before the circuit or district courts of the United States.

SEC. 305. That all causes of action arising under the postal laws may be sued, and all offenders against the same may be prosecuted, before the justices of the peace, magistrates, or other judicial courts of the several States and Territories, having competent jurisdiction by the laws thereof, to the trial of claims and demands of as great value, and of prosecutions 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. 306. That in all suits or causes arising under the postal laws the court shall proceed to trial and render judgment the first term after commencement of suit; but whenever service of process shall not be made at least twenty days previous to the return-day of such term, the defendant shall be entitled to one continuance, if on his statement the court shall deem it expedient: and if said defendant shall make affidavit that he has a claim against the Post-office Department, which has been submitted to and disallowed by the auditor for said department, and shall specify such claim in his affidavit, and that he could not be prepared for trial at such term for want of evidence, the court, being satisfied in these respects, may grant a continuance until the next succeeding term. **[17 STAT. 324]**

SEC. 307. That no claim for a credit shall be allowed upon the trial of any suit for delinquency against a postmaster, contractor, or other officer, agent, or employees of the Post-office Department, unless the same shall have been presented to the auditor for such department and by him disavowed, in whole or in part, unless it shall be proved to the satisfaction of the court, that the defendant is, at the time of 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.

SEC. 308. That in all suits for balances due the Post-office Department, interest thereon shall be recovered from the time of the default until payment at the rate of six per centum per annum.

SEC. 309. That in the prosecution of any suit for money due the Post-office Department, the United States attorney shall obey the direction which may be given him by the Department of Justice; and immediately after the end of every term of any court in which any suit has been pending, said attorney shall forward to the Department of Justice a statement of any judgment or order made, or step taken in the same, during such term, accompanied by a certificate of the clerk, showing, the parties to and amount of every such judgment, with such other information as the Department of Justice may require. And the said attorney shall direct speedy and effectual execution upon said judgment, and the United States marshal to whom the same is directed shall make returns of the proceedings thereon to the Department of Justice at such times as it may direct.

SEC. 310. That when proceedings at law for money due the Post-office Department shall be fruitless, the said Department of Justice may direct the institution of a suit in chancery in any United States district or circuit court, to set aside fraudulent conveyances or trusts, or attach debts due the defendant, or obtain any other proper exercise of the powers of equity to have satisfaction of a judgment against such defendant.

SEC. 311. That in case of delinquency of any postmaster, contractor, or other officer, agent, or employee of the Post-office Department, which suit may be brought, the auditor for said department shall forward to the Department of Justice certified copies of all papers in his office tending to sustain the claim.

SEC. 312. 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, and transcripts from the money-order account books of said office, when certified by the auditor under the seal of his office, shall be admitted as evidence in the courts of the United States, both in criminal and civil cases.

SEC. 313. That in all suits for the recovery of balances due from postmasters, a copy, duly certified under the seal of the auditor for the Post-office Department, of the statement of any postmaster, special agent or other person employed by the Postmaster-General or the auditor for that purpose, that he has mailed a letter to such delinquent postmaster at the post-office where the indebtedness accrued, or at his last usual place of abode; that a sufficient time has elapsed for said letter to have reached its destination in the ordinary course of the mail; and that payment of such balance has not been received within the time designated in his instructions shall be received as sufficient evidence in the courts of the United States or other courts, that a demand has been made upon the delinquent postmaster; but when the account of a late postmaster has been once adjusted and settled, and a demand has been made for the balance appearing to due, and afterward allowances were made or credits entered, it shall not be necessary to make a further demand for the new balance found to be due.

SEC. 314. That the Postmaster-General may discharge from imprisonment any person confined in jail on any judgment in a civil case, obtained [17 STAT. 325] in behalf of the department, if it be made to appear that the defendant has no property of any description, but such release shall not bar a subsequent execution against the property of the defendant on the same judgment.

SEC. 315. 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 that such judgment, or so much thereof as remains unpaid, cannot be collected by due process of law, the auditor for the said department may, with the written consent of the Postmaster-General, compromise such judgment and accept in satisfaction less than the full amount thereof.

SEC. 316. That in all cases of fine, penalty, forfeiture, or disability, or alleged liability for any sum of money by way of damages or otherwise, under any provision of law in relation to the officers, employees, operations, or business of the postal service, the Postmaster-General may prescribe such general rules and modes of proceeding as shall appear to be expedient, for the government of the auditor for the Post-office Department, in ascertaining the fact in each case in which said auditor shall certify to him that the interests of the department probably require the exercise of the power conferred by this and the preceding section; and upon the fact being ascertained, said auditor may, with the written consent of the Postmaster-General, mitigate or remit such fine, penalty, or forfeiture, remove such disability, or compromise, release, or discharge such claim for such sum of money and damages, and on such terms as the said auditor shall deem just and expedient.

SEC. 317. That one-half of all pecuniary penalties and forfeitures incurred for the violation of any law in relation to the postal service shall be for the use of the person informing and prosecuting for the same, and the other for the use of the United States, except where other disposition thereof is specially provided.

SEC. 318. That in all cases where debts are due from defaulting or delinquent postmasters, contractors, or other officers, agents, or employees of the Post-office Department, a warrant of attachment may issue against all real and personal property and legal and equitable rights belonging to such officer, agent, or employee, and his sureties, or either of them, in the following cases:

First. When such officer, agent, or employee, and his sureties, or either of them, is a non-resident of the district where such officer, agent, or employee was appointed, or has departed from such district for the purpose of permanently residing out of the same, or of defrauding the United States, avoiding the service of civil process.

Second. When such officer, agent, or employee, and his sureties, or either of them, has conveyed away, or is about to convey away, his property, or any part thereof, or has removed, or is about to remove, the same, or any part thereof, from the district wherein it is situated, with intent to defraud the United States.

And when any such property has been removed, certified copies of the warrant may be sent to the marshal of the district into which the same has been removed, under which certified copies he may seize said property and convey it to some convenient point within the jurisdiction of the court from which the warrant originally issued. And alias warrants may be issued in such cases upon due application, and the validity of the warrant first issued shall continue until the return-day thereof.

SEC. 319. That application for such warrant of attachment may be made by any district or

assistant district attorney, or by any other person authorized by the Postmaster-General, before the judge, or in his absence, before the clerk of any court of the United States having original jurisdiction of the cause of action. And such application shall be made upon an affidavit of the applicant, or some other credible person, stating the existence of either of the grounds of attachment enumerated in the preceding section, and upon production of legal evidence of the debt. [17 STAT. 326]

SEC. 320. That upon such application, and upon due order of a judge of the court, or, in his absence, without such order, the clerk shall issue a warrant for the attachment of all the property of any kind belonging to the person specified in the affidavit, which warrant shall be executed with all possible dispatch by the marshal, who shall take the property attached, if personal, into his custody, and hold the same subject to all interlocutors or final orders of the court.

SEC. 321. That any time within twenty days before the return-day of such warrant, the party whose property is attached may, on giving notice to the district attorney of his intention, file a plea in abatement, traversing the allegations of the affidavit, or denying the ownership of the property attached to be in the defendants, or either of them, in which case the court may, upon application of either party, order an immediate trial by jury of the issues raised by the affidavit and plea; but the parties may, by consent, waive a trial by jury, in which case the court shall decide the issues raised. Any party claiming ownership of the property attached, and a specific turn thereof, shall be confined to the remedy herein afforded, but his right to an action of trespass, or other action for damages, shall not be impaired hereby.

SEC. 322. That when the property attached shall be sold on an interlocutory order of the court, or when it shall be producing any revenue, the money arising from such sale or revenue shall be invested in securities of the United States, under the order of the court, and all accretions shall be held subject to the orders of the same.

SEC. 323. That immediately upon the execution of any such warrant of attachment, the marshal shall cause due publication thereof to be made, in case of absconding debtors for two months, and of non-residents for four months. The publication shall be made in some newspaper published in the district where the property is situate, and the details thereof shall be regulated by the order under which the warrant is issued.

SEC. 324. That after the first publication of such notice of attachment, as required by law, every person indebted to, or having possession of a property belonging to, the said defendants, or either of them, and having knowledge of such notice, shall account and answer for the amount of a debt, and the value of such property; and any disposal or attempt to dispose of any such property, to the injury of the United States, shall be illegal and void. And when the person indebted to, or having possession of the property of, such defendants, or either of them, shall be known to the district attorney or marshal, such officer shall see that personal notice of attachment is served upon such person; but the want of such notice shall not invalidate the attachment.

SEC. 325. That upon application of the party whose property has been attached, the court, or any judge thereof, may discharge the warrant of attachment as to the property of the applicant,

provided such applicant shall execute to the United States a good and sufficient penal bond, in double the value of the property attached, to be approved by a judge of the court, and with condition for the return of said property, or to answer any judgment which may be rendered by the court in the premises.

SEC. 326. That nothing herein contained shall be construed to limit or abridge, in any manner, such rights of the United States as have accrued or been allowed in any district under the former practice of, or the adoption of State laws by, the United States courts.

SEC. 327. That the following acts and parts of acts and resolutions and parts of resolutions are hereby repealed, but such repeal shall not be construed to affect or extend to any crimes or offences heretofore committed, and which are punishable under any law hereby repealed; but all such crimes and offences shall be prosecuted, determined, and punished, according to the said laws, the same as if this act had not passed; nor shall such repeal be construed to affect any appointment to office, or any contract, [17 STAT. 327] debt or demand under or by virtue of the said laws, but all such appointments, contracts, debts, and demands shall have full force and effect, the same as if this act had not passed. That the references to the said acts hereby repealed are to the same as contained in the edition of the Statutes at Large, published by Little, Brown, and Company, under and by virtue of the resolution of March three, eighteen hundred and forty-five, and the continuation thereof.

Act of March 3, 1791, chapter 23, volume 1 page 218 in part, namely, section 2.

May 8, 1794, chapter 23, volume 1, page 354, in part, namely, sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, and 28.

March 3, 1797, chapter 19, volume 1, page 509, in part, namely sections 4, 5, 6, 7, 8, and 9.

June 22, 1798, chapter 66, volume 1, page 569.

March 2, 1799, chapter 43, volume 1, page 733.

December 15, 1800, chapter 1, volume 2, page 88, in part, namely, sections 1 and 2.

February 18, 1802, chapter 5, volume 2, page 130, in part, namely, so much as relates to franking, and free mail-matter of Delegates.

May 3, 1802, chapter 48, volume 2, page 189, in part, namely, sections 3, 4, 5, 6, and 7.

March 26, 1804, chapter 34, volume 2, page 275, in part, namely, sections 3 and 4.

March 3, 1807, chapter 43, volume 2, page 444, in part, namely, section 1.

April 30, 1810, chapter 37, volume 2, page 592.

January 17, 1811, chapter 4, volume 2, page 615.

January 14, 1813, chapter 9, volume 2, page 790.

February 27, 1813, chapter 34, volume 2, page 805.

July 13, 1813, chapter 9, volume 3, page 4.

April 18, 1814, chapter 75, volume 3, page 130, in part, namely, sections 3 and 4.

February 27, 1815, chapter 65, volume 3, page 220.

April 9, 1816, chapter 43, volume 3, page 264.

March 3, 1819, chapter 107, volume 3, page 536.

March 13, 1820, chapter 28, volume 3, page 548.

December 19, 1821, chapter 1, volume 3, page 649.

May 8, 1822, chapter 127, volume 3, page 702, in part, namely, section 3.

March 3, 1823, chapter 33, volume 3, page 764, namely, section 3.

March 3, 1825, chapter 46, volume 4, page 95, in part, namely, sections 2, 3, and 4.

March 3, 1825, chapter 64, volume 4, page 102.

March 2, 1827, chapter 61, volume 4, page 238.

March 2, 1827, chapter 62, volume 4, page 239.

May 24, 1828, chapter 99, volume 4, page 303, in part, namely, so much of section 1 as authorizes the employment of additional clerks and fixes their salaries.

May 9, 1836, chapter 59, volume 6, page 17, in part, namely, so much of section 1 as relates to the duties of the Postmaster-General.

July 2, 1836, chapter 270, volume 5, page 80.

July 7, 1838, chapter 172, volume 5, page 271, in part, namely, section 2.

[17 STAT. 328] Act of January 25, 1839, chapter 4, volume 5, page 314.

July 30, 1842, chapter 107, volume 5, page 498, in part, namely, section 1, and so much of section 3 as authorizes the employment of additional clerks.

August 20, 1842, chapter 255;, volume 5, page 538, in part, namely, section 1.

February 15, 1843, chapter 31, volume 5, page 600.

March 3, 1845, chapter 43, volume 5, page 732.

March 23, 1845, chapter 69, volume 5, page 748.

March 3, 1845, chapter 71, volume 5, page 752, part, namely, section 8.

March 1, 1847, chapter 33, volume 9, page 147.

March 2, 1847, chapter 37, volume 9, page 152, in part, namely, the several provisos in section 5, relating to the compensation of deputy-postmasters and the franking privilege to the same, and authorizing the employment of the assistant postmasters-general as special agents, and allowing them compensation therefor, and all of section 3.

March 3, 1817, chapter 63, volume 9, page 188, in part, namely section 8, 10, 11, 12,13, and 14.

May 17, 1848, chapter 43, volume 9, page 230.

May 27, 1848, chapter 47, volume 9, page 231, in part, namely section 4.

June 27, 1848, chapter 79, volume 9, page 241.

August 14, 1848, chapter 178, volume 9, page 306, in part, namely section 3.

March 2, 1849, chapter 89, volume 9, page 333.

May 15, 1850, chapter 10, volume 9, page 433, section 2.

September 27, 1850, chapter 78, volume 9, page 473, in part, namely, section 2.

March 3, 1851, chapter 20, volume 9, page 587.

March 3, 1851, chapter 21, volume 9, page 391, in part, namely, sections 2, 3, and 4.

March 3, 1851, chapter 48, volume 9, page 637, in part, namely, section 2.

August 30, 1832, chapter 98, volume 10, page 38.

August 31, 1852, chapter 111, volume 10, page 110, in part, namely, sections 2 and 3.

August 31, 1852, chapter 113, volume 10, page 121, in part, namely, sections 3, 4, 3, 6, 7, 8, 9, and 10.

March 3, 1853, chapter 97, volume 10, page 189, in part, namely, so much of section 3 as relates to clerks in the Post-office Department.

March 3, 1853, chapter 103, volume 10, page 223, in part, namely, sections 3, 4, and 8.

March 3, 1833, chapter 146, volume 10, page 249, in part, namely sections 3, 4, 6, 6, 7, and 8.

February 2, 1834, chapter 8, volume 10, page 266.

April 22, 1834, chapter 52, volume 10, page 276, in part, namely, so much of sections 1, 2, and 3 as relates to the salaries of clerks and officers of the Post-office Department.

May 31, 1834, chapter 60, volume 10, page 290, in part, namely, section 4.

June 22, 1854, chapter 61, volume 10, page 298.

July 27, 1851, chapter 109, volume 10, page 312.

August 4, 1854, chapter 242, volume 10. page 546, in part, namely, so much of section 6 as provides for additional clerks to the Postmaster-General and the sixth auditor. **[17 STAT. 329]**

Act of August 5, 1854, chapter 270, volume 10, page 588, in part, namely, section 4.

March 3, 1855, chapter 173, volume 10, page 641.

March 3, 1855, chapter 201, volume 10, page 683, in part, namely, sections 1, 2, 4, and 5.

August 18, 1856, chapter 129, volume 11, page 81, in part, namely, section 4.

January 2, 1857, chapter 2, volume 11, page 153. May 24, 1858, chapter 46, volume 11, page 293.

June 12, 1858, chapter 154, volume 11, page 319, in part, namely, section 2.

June 14, 1858, chapter 162, volume 11, page 337, in part, namely, section 2.

June 11, 1838, chapter 164, volume 11, page 364, in part, namely, sections 4 and 5.

April 3, 1860, chapter 11, volume 12, page 11.

April 6, 1860, chapter 13, volume 12, page 11.

June 15, 1860, chapter 131, volume 12, page 37, in part, namely, the several provisos of section 1, and all of sections 2 and 4.

February 27, 1861, chapter 57, volume 12, page 151, in part, namely, sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, and 14, and so much of section 16 as relates to the rate of postage on printed matter between the States and Territories east of the Rocky Mountains and the States and Territories on the Pacific.

February 28, 1861, chapter 61, volume 12, page 177.

March 2, 1861, chapter 73, volume 12, page 204, in part, namely, sections 2, 4, and 5.

July 24, 1861, chapter 12, volume 12, page 272.

January 21, 1862, chapter 9, volume 12, page 332.

April 16, 1862, chapter 56, volume 12, page 379.

April 17, 1862, chapter 58, volume 12, page 381, in part, namely, section 4.

June 2, 1862, chapter 95, volume 12, page 413, in part, namely, sections 2 and 3.

July 16, 1862, chapter 188, volume 12, page 588.

March 3, 1863, chapter 71, volume 12, page 701.

January 22, 1864, chapter 4, volume 13, page 2.

March 16, 1864, chapter 35, volume 13, page 30.

March 25, 1864, chapter 40, volume 13, page 36, in part, namely, sections 1, 2, 4, 5, 6, and 7.

June 1, 1864, chapter 102, volume 13, page 93.

June 23, 1864, chapter 133, volume 13, page 184, in part, namely, section 6.

July 1, 1864, chapter 197, volume 13, page 333.

July 4, 1864, chapter 241, volume 13, page 382.

January 20, 1863, chapter 16, volume 13, page 421.

February 23, 1865, chapter 47, volume 13, page 432.

March 3, 1865, chapter 89, volume 13, page 504.

March 3, 1863, chapter 96, volume 13, page 515.

March 3, 1865, chapter 97, volume 13, page 515, in part, namely, sections 1, 2, and 3.

February 10, 1866, chapter 9, volume 14, page 3.

February 16, 1866, chapter 10, volume 14, page 3.

May 18, 1866, chapter 85, volume 14, page 48, in part, namely, sections 3 and 4.

June 12, 1866, chapter 114, volume 14, page 59.

July 13, 1866, chapter 184, volume 14, page 98, in part, namely, section 65.

July 28, 1866, chapter 297, volume 14, page 324, in part, namely, **[17 STAT. 330]** the proviso in section 1, relating to the pay of female folders in the dead-letter office.

Act of January 22, 1867, chapter 11, volume 14, page 378.

February 18, 1867, chapter 41, volume 14, page 393, in part, namely, section 3.

February 18, 1867, chapter 43, volume 14, page 393, in part, namely, section 2.

March 9, 1868, chapter 22, volume 15, page 40, in part, namely, so much as relates to the printing of postal conventions, and confers the franking privilege on the congressional printer.

July 27, 1868, chapter 246, volume 13, page 194.

Resolution of April 3, 1828, number 1, volume 4, page 320.

January 13, 1831, number 1, volume 4, page 495.

October 12, 1837, number 1, volume 5, page 207.

June 15, 1844, number 14, volume 3, page 718.

February 20, 1845, number 4, volume 5, page 796.

July 12, 1832, number 14, volume 10, page 174, in part, namely section 1.

August 6, 1832, number 16, volume 10, page 147.

March 3, 1863, number 33, volume 12, page 830.

June 6, 1866, number 15, volume 14, page 337.

March 9, 1868, number 14, volume 13, page 248.

Act of March 3, 1871, chapter 121, volume 16, page 572, in part, namely, section 4.

April 27, 1872, relating to proposals and contracts for transportation of the mails, and for other purposes.

APPROVED, June 8, 1872.