

Attorney General
Opinion of June 15, 1881
Unpublished (in Archives of the United States)

1. Letter from Postmaster General Thomas L. James to Attorney General Wayne MacVeagh, dated June 15, 1881

No. 798

June 15th, [18]81

Sir

I have the honor to request that you inform me whether, according to your construction of the law, it is a violation of sections 3982 and 3985 of the Revised Statutes, for an express company to carry for hire, regularly, in sealed or unsealed envelopes, written matter which is by law subject to letter postage when sent by mail, such as manuscript for publication, deeds, transcripts of records, insurance policies, and other written or partly written documents used by insurance and other companies in the transaction of their business.

In other words, will you define the limits of the monopoly of the Post Office Department in the carriage of first class matter, that is, matter which is by law subject, when sent in the mail, to letter postage, and also the exact meaning of the words "letter or packet" as used in the sections of the Revised Statutes referred to.

Questions involving these points are constantly presented to this Department for decision, and I greatly desire your decision thereon.

Very respectfully,
Thomas L. James
Postmaster General

Hon. Wayne MacVeagh
Attorney General

2. Letter from Attorney General Wayne MacVeagh to Postmaster General Thomas L. James, dated June 29, 1881.

Department of Justice
Washington, June 29, 1881.

Sir:

In my opinion, it is no violation of R.S., Secs. 3982 and 3985, for an express company to

transport the documents mentioned in yours of 15th instant., viz., manuscript for publication, deeds, transcripts of record, insurance policies, &c.

It is prohibited, and an offence, to carry "letters or packets." What is a letter I can make no plainer than it is made by the idea which common usage attaches to that term. From the connection in which it is used, I have no doubt that "packets" means a package of letters.

Very respectfully yours,
Wayne MacVeagh
Attorney-General

Hon. Thomas L. James,
Postmaster-General