

appears here that the judgment was recovered by the said Batchelder against the petitioner for a *false and scandalous libel*. It appears, from the record, that the only and proper issue made up between the parties was, whether the representation made by the petitioner to the Post Office Department was true or libellous. The cause was fairly investigated, and decided on the production and examination of a great number of witnesses on each side. The testimony of the witnesses was contradictory, and the jury was the only proper tribunal to weigh the credit of the witnesses on each side. The jury, with the whole case before them, decided that the petitioner had made a false and libellous communication to the Post Office Department against the plaintiff. The judge who tried the cause, in effect, certifies to these facts: he does not say that he disapproved of the verdict; he only states that he expected a different one. It was competent to the court to have awarded a new trial if the verdict was against evidence, but no motion for a new trial was submitted by the defendant's counsel, who seemed to acquiesce in the correctness of the verdict.

It appears, therefore, to your committee, that the petitioner has incurred the penalty of the violation of private rights, without even a pretence to the protection of the Government; they, therefore, report the following resolution:

Resolved, That the said petition of the said John Trafton is unreasonable, and that the same be rejected. All which is respectfully submitted.

22d CONGRESS.]

No. 116.

[1st SESSION.

POSTAGE ON NEWSPAPERS AND PERIODICALS.

COMMUNICATED TO THE HOUSE OF REPRESENTATIVES, ON THE 13TH FEBRUARY, 1832.

To the honorable the Senate and House of Representatives of the United States of America in Congress assembled: The memorial of a number of citizens of Boston, engaged or interested in the publication of newspapers and other periodical works, respectfully shows:

That your memorialists being informed that the subject of the reduction of postage is now under discussion before the Congress of the United States; and being engaged or interested in the publication and circulation of various periodical works, both in the newspaper and pamphlet form, which are usually conveyed by mail; and being also persuaded that this question is one of vital importance to the progress of the knowledge of our country, would respectfully submit the following considerations:

While your memorialists cannot unite with those who desire the *entire abolition* of postage, and believe that the security of transmission and delivery would be increased by giving to each postmaster a direct interest in the safety of every package, they would respectfully offer some reasons which appear to them decisive in favor of a *reduction of postage* on newspapers and other periodical publications.

It appears from the late report of the Postmaster General that, during the past year, the Post Office Department has produced a nett revenue of \$47,000.

It appears also that, in former years, there has been a surplus revenue, which has been applied to the establishment of new routes.

It is also stated that there are profits derived from the transmission of letters and periodicals on the great routes, which are constantly applied to pay the expenses of unproductive routes.

In addition to this, it is well known that a large mass of public documents, both written and printed, are continually conveyed by mail, free of postage, to the Government, and to its officers in every part of our country.

All these, your memorialists conceive, are objects of *universal interest*, which ought to be accomplished at the public expense.

In contradiction to this simple principle of a republican government, your memorialists find, on examining the facts above stated, that those who transmit and receive letters or newspapers and other periodicals by mail, on the great and productive routes, not only pay for the transportation of *their own packages*, but for those of the *Government*; not merely for the *entire transportation on these routes*, but for the deficiencies of others which are unproductive; and, in addition to this, they have paid during the past year a *direct tax* of \$47,000, over and above these expenses; and in former years a sum sufficient to defray the expenses of establishing new routes.

Your memorialists would respectfully present this as an *unequal distribution of the public burdens*. They appeal to your honorable body whether it be just that that portion of the community who receive and transmit communications by mail should be taxed exclusively for the transmission of public documents, more than for any other expense of the Government. They would also respectfully inquire whether it be just that the charge for establishing new routes, or sustaining those on which there is too little intercourse to support them, should fall entirely on those who employ the mail on the great routes, rather than upon the Government and the country at large, for whose benefit they are equally designed.

Your memorialists would, therefore, respectfully request that your honorable body would consider whether, by charging to the country at large, through the treasury, the expense of transmitting the public documents, of establishing new post routes, and of maintaining those on which the communication is not sufficient for their support, there would not be more exact justice done; and whether there would not remain a considerable balance to be deducted from the charge on periodical publications, both in the newspaper and pamphlet forms, which now operates as an onerous tax on knowledge.

But, in addition to the claims of public *justice*, your memorialists conceive they may appeal to your honorable body for a reduction of postage on newspapers and pamphlet periodicals on grounds which involve our national interests.

Without the means of transmitting knowledge with *ease*, and *rapidity*, and *cheapness*, a nation, however free in name, must become the blind followers of the wealthy and the well-informed, or the tools of the designing. Every means, therefore, which renders the access to knowledge more difficult or more expensive, directly *increases the power of the few, and diminishes the influence of the many*, and thus tends to weaken the foundations of our Government.

Your memorialists would, therefore, respectfully petition that, at a moment when the prosperous state of our finances allows the duties on some of the luxuries of life to be diminished, this virtual tax on the knowledge which gives life and breath to a republic may also be reduced. Upon those cheap periodicals which are especially designed for the mass of the community, this tax is nearly equal to the original cost of the work.

But, while your memorialists consider the reduction proposed as of high importance to the improvement and character of our country, they do not desire to see it accomplished at the expense of retarding the progress of the mail; and they have found the apprehension entertained by some, that the number of periodicals would be so much increased by a reduction of the postage as to render their transportation, at the present rate of travelling, impracticable.

After a deliberate consideration of this question, they are persuaded that, if the evil should at first appear great, it would rapidly diminish, from the fact that publications of an inferior and unworthy character would give place to those which should be found most valuable, as soon as the rate of postage should be equalized.

Your memorialists would also respectfully suggest that, in their view, means may be adopted to prevent all danger of overburdening the mails on the great routes, where alone it exists. Among these are the diminution of the number of passengers carried by the mail on these routes, where the public are already supplied with ample accommodations of this kind, and substituting, in the place of passengers and baggage, an equal weight of newspapers and other periodicals, to be conveyed by the contractors at the same rate as passengers, as is now done in the mails on the continent of Europe.

That your memorialists might not be misled by general statements, they have collected accounts of the number of sheets of pamphlet periodicals, and estimates of the number of newspapers, sent abroad from this city in the mail and by stage conveyance, with the comparative expense of each method of transportation, estimating the stage conveyance at the same rate for an equal weight as is paid for a passenger and his baggage in the mail stage.

From the estimates made in regard to newspapers, it appears that 1,275,000 sheets of newspapers pay a postage of \$16,500, or \$10,277 79 more than would be paid for their transportation in the same carriage which conveys the mail.

It appears from precise statements that 177,501 sheets of pamphlet periodicals are sent by mail under 100 miles, and pay a postage of \$2,662 51; while the transportation of the same, at the same rate as mail passengers, would only amount to \$266 25, or one-tenth of the postage actually paid: that 254,992 sheets are sent over 100 miles, at a postage of \$6,374 80, which, if sent in the mail stage 300 miles, on the average, would cost \$1,147 50.

On the whole, it appears that on 1,200,000 sheets of newspapers sent from this city, \$10,200 is paid more than the transportation by mail stage; and that on 432,000 sheets of pamphlet periodicals, \$7,500 excess is paid. In this way a tax is levied on the newspapers and periodicals of this city of \$17,700 per annum.

In the case of one publisher, your memorialists find that while he issues 114,570 sheets, on which a postage of \$2,231 25 is charged, he would actually pay only \$372 91 for the transportation of this number of sheets to the same distances by stage conveyance; showing the operation of this system on individual enterprise, which is thus compelled to pay a tax to the Post Office Department of \$1,838 34 annually. Should the same number of sheets be issued in the newspaper form, the postage paid would only amount to \$1,402 50, or one-third less than the price now paid, while the weight to be carried would be increased one-half. In this way a virtual penalty of \$827 73 is annually imposed on the periodical publications of a single house for publishing in the pamphlet form; and a premium to this amount, equivalent nearly to the whole average profit of pamphlet periodicals, is presented to encourage publishing in the newspaper form, and burdening the mail with additional weight. In making these statements, your memorialists do not forget that considerable expense will be necessary for distributing periodicals, the amount of which, however, they are not able to estimate to their own satisfaction.

Your memorialists would also respectfully propose, as a means of relieving the mail from all those documents of considerable weight, whether written or printed, public or private, for which *rapidity* is not important, but which are forwarded by mail because no other *secure* conveyance is offered, the establishment of a subordinate *mail chest*, travelling perhaps at half the present rate of our mails, and conveying packages of books, manuscripts, and periodicals, of a limited weight, at a fair rate of carriage. They would also represent that serious inconvenience is often experienced by publishers, editors, and authors, as well as other individuals, from the fact that, owing to the necessary division of the mail contracts, no proprietor can engage to transmit a package beyond a certain point; and that important packages have been delayed for weeks, or entirely lost, and the circulation of knowledge greatly obstructed.

Your memorialists would therefore pray that, in this or some other mode, those facilities may be afforded for the easy and secure transmission of such articles which are enjoyed by all countries in central Europe, and by which the interests of truth and the cause of justice may often be materially promoted.

Your memorialists deem it superfluous to attempt to show that the knowledge conveyed by larger publications is not less valuable to the people of the United States, in enlarging and elevating those minds which are to form or direct our Government, than that contained in our newspapers, in applying those principles and rousing the people to action. On the same grounds, they cannot but consider the great distinction made in the rates of postage between newspapers and other periodicals as not well founded. The less frequent publication cannot be deemed a sufficient reason; nor yet the difference of form, or the issuing of several sheets in a single day, instead of several successive days. The discussion of the same topics in a newspaper and a periodical work cannot be supposed to render their value essentially different: the one being more direct and immediate, but more transient, in its effects; the other less rapid, but more permanent, in its influence. Nor is it maintained that those subjects of *science* and *art*, of *literature* and *education*, which newspapers *cannot fully discuss*, are not essential to our national character and prosperity. Both classes of periodicals your memorialists regard as *indispensable* to our national welfare, to prevent our falling behind the rest of the world in *knowledge and improvement*. It is believed to be capable of proof, that so long as a periodical has not existed on any particular subject, we have continued to be in arrear of other nations on that subject.

Your memorialists cannot do justice to the *pamphlet periodicals*, without stating that, in consequence of the small size and dryness of the paper, each sheet weighs less than the average of newspapers; and that it might on this ground be claimed that, as they are less burdensome to the mail, they should not be charged with a higher rate. They ought also to state that pamphlet periodicals are not allowed the same reduction of postage when printed on an enlarged sheet which is conceded to newspapers.

It will appear from the document herewith submitted, that while 432,493 sheets of pamphlet periodicals, weighing 21,625 pounds, pay a postage of \$9,037 31, an equal number of newspapers would pay only \$5,593 42, leaving an excess of charge on the pamphlet periodicals issued from this city alone of \$3,437 89; and that an equal weight of newspapers, from the best estimates which can be made, are only charged \$3,698 72, leaving an excess of \$5,338 59 postage on the pamphlet periodicals. In addition to this, editors of newspapers receive all other papers free of postage, while those of other periodicals are refused this privilege.

Your memorialists trust that at this period of the world, and in this country, it will be felt that it is the duty of the Government to emulate some of the enlightened Governments of Europe in rendering every species of knowledge accessible to every citizen of the United States, in facilitating the operations of those on whom it devolves to circulate information, and in removing every *unnecessary obstacle* in the way of those who are anxious to render themselves *wiser men and better citizens*.

Boston, January 17, 1832.

Statement of the periodicals sent yearly by mail from Boston.

	Number of sheets under 100 miles.	Postage at 1½ cent.	Weight.	Expense by stage at 3 cents per pound, the same as passengers.	Excess paid to mail over land carriage.	Excess over what is paid for the same number of sheets of newspapers.
	177,501	\$2,662 51	8,875 pounds.	\$266 25	\$2,396 26	\$887 50
	Number of sheets over 100 miles.	Postage at 2½ cents.	Weight.	Expense by stage at 9 cents per pound, averaging 300 miles.	Excess paid to mail over land carriage.	Excess over what is paid for the same number of sheets of newspapers.
	254,992	\$6,374 80	12,750 pounds.	\$1,147 50	\$5,126 30	\$2,549 92
Total,	432,493	\$9,037 31	21,625 pounds.	\$1,413 75	\$7,522 56	\$3,437 42

Estimate of the newspapers sent yearly by mail from Boston.

	Number of sheets under 100 miles.	Postage at 1 cent.	Weight.	Expense by stage at 3 cents per pound, the same as passengers.	Excess paid to mail over land carriage.	Amount paid less than would be paid for the same number of sheets of periodicals.
	525,000	\$5,250 00	41,000 pounds.	\$1,230 00	\$4,020 00	\$2,625 00
	Number of sheets over 100 miles.	Postage at 1½ cent.	Weight.	Expense by stage at 9 cents per pound, averaging 300 miles.	Excess paid to mail over land carriage.	Amount paid less than would be paid for periodicals.
	750,000	\$11,250 00	55,469 pounds.	\$4,992 21	\$6,257 79	\$7,500 00
Total,	1,275,000	\$16,500 00	96,469 pounds.	\$6,222 21	\$10,277 79	\$10,125 00

22d CONGRESS.]

No. 117.

[1st SESSION.

ERROR IN A CONTRACTOR'S BOND CORRECTED.

COMMUNICATED TO THE HOUSE OF REPRESENTATIVES, MARCH 8, 1832.

Mr. CONNOR made the following report:

The Committee on the Post Offices and Post Roads, to whom was referred the petition of George Bowen, report:

That the petitioner sets forth that, in making and filling a bond for contract, by mistake, the Post Office Department had inserted a sum fifty dollars less than his bid; and, without particularly examining the bond as to the correctness of the sum inserted, he had signed it, not doubting its correctness. The Department not feeling that they were authorized to correct the mistake, he has received fifty dollars per year less than in justice he should, for four years, the term of his engagement with the Department.

The committee, having ascertained at the Post Office Department that the true bid given by Mr. Bowen was for fifty dollars more than was inserted in his bond and paid to him, have therefore resolved that he is entitled to relief, and accordingly report a bill.

GENERAL POST OFFICE DEPARTMENT,

OFFICE OF MAIL CONTRACTS, *March 6, 1832.*

SIR:

I have the honor to acknowledge the receipt of your letter of the 24th ultimo, requesting information relative to the amount paid Mr. George Bowen for carrying the mail on route No. 218, Edgefield, S. C., to Greenville; and, in reply, am instructed to inform you that Mr. Bowen's bid for that route is now on file at the United States Treasury Department; that the original amount of his bid was \$600, but was afterwards altered to \$550, and was so accepted by the Department. In filling his contract for this and other routes, \$500 appears to have been embraced for the route in question, and Mr. Bowen was paid for his services \$500 per annum from January 1, 1827, to December 31, 1830, being four years.

Very respectfully,

O. B. BROWN, *Superintendent.*Hon. H. W. CONNOR, *House of Representatives, Washington, D. C.*