

The commercial, manufacturing, and agricultural interests of our country are so intimately connected as to require a constant and the most expeditious correspondence betwixt all our seaports, and between them and the most interior settlements. The delay of the mails during the Sunday would give occasion to the employment of private expresses, to such an amount, that probably ten riders would be employed where one mail stage is now running on that day; thus diverting the revenue of that department into another channel, and sinking the establishment into a state of pusillanimity incompatible with the dignity of the Government of which it is a department.

Passengers in the mail stages, if the mails are not permitted to proceed on Sunday, will be expected to spend that day at a tavern upon the road, generally under circumstances not friendly to devotion, and at an expense which many are but poorly able to encounter. To obviate these difficulties, many will employ extra carriages for their conveyance, and become the bearers of correspondence, as more expeditious than the mail. The stage proprietors will themselves often furnish the travellers with those means of conveyance; so that the effect will ultimately be only to stop the mail, while the vehicle which conveys it will continue, and its passengers become the special messengers for conveying a considerable proportion of what would otherwise constitute the contents of the mail.

Nor can the committee discover where the system could consistently end. If the observance of a holiday becomes incorporated in our institutions, shall we not forbid the movement of an army, prohibit an assault in time of war, and lay an injunction upon our naval officers to lie in the wind while upon the ocean, on that day? Consistency would seem to require it. Nor is it certain that we should stop here. If the principle is once established that religion, or religious observances, shall be interwoven with our legislative acts, we must pursue it to its ultimatum. We shall, if consistent, provide for the erection of edifices for the worship of the Creator, and for the support of Christian ministers, if we believe such measures will promote the interests of Christianity. It is the settled conviction of the committee that the only method of avoiding these consequences, with their attendant train of evils, is to adhere strictly to the spirit of the constitution, which regards the General Government in no other light than that of a civil institution, wholly destitute of religious authority.

What other nations call religious toleration, we call religious rights. They are not exercised in virtue of governmental indulgence, but as rights, of which Government cannot deprive any portion of citizens, however small. Despotic power may invade those rights, but justice still confirms them. Let the National Legislature once perform an act which involves the decision of a religious controversy, and it will have passed its legitimate bounds. The precedent will then be established, and the foundation laid for that usurpation of the divine prerogative in this country, which has been the desolating scourge to the fairest portions of the old world. Our constitution recognises no other power than that of persuasion for enforcing religious observances. Let the professors of Christianity recommend their religion by deeds of benevolence; by Christian meekness; by lives of temperance and holiness. Let them combine their efforts to instruct the ignorant; to relieve the widow and the orphan; to promulgate to the world the gospel of their Savior, recommending its precepts by their habitual example; Government will find its legitimate object in protecting them. It cannot oppose them, and they will not need its aid. Their moral influence will then do infinitely more to advance the true interests of religion, than any measures which they may call on Congress to enact.

The petitioners do not complain of any infringement upon their own rights. They enjoy all that Christians ought to ask at the hand of any Government—protection from all molestation in the exercise of their religious sentiments.

*Resolved*, That the committee be discharged from the further consideration of the subject.

20th CONGRESS.]

No. 75.

[2d SESSION.]

### SUNDAY MAILS.

COMMUNICATED TO THE HOUSE OF REPRESENTATIVES, FEBRUARY 3, 1829.

Mr. McKean, from the Committee on the Post Office and Post Roads, to whom were referred certain memorials against the transportation of the mail on the Sabbath, and the delivery of letters, &c. from post offices on that day, reported:

The memorials on this subject, on account of the numerous sources from which they have been received, the number and respectability of the signatures, as well as the intrinsic importance of the question involved, require from the committee and the Legislature the most deliberate and respectful consideration. It is believed that the history of legislation in this country affords no instance in which a stronger expression has been made, if regard be had to the numbers, the wealth, or the intelligence of the petitioners.

They present a subject not entirely clear of difficulty, but one in which they feel a deep interest, and which, in their opinion, intimately concerns the moral character of the country.

It is not considered to be the duty of the committee, nor does it comport with its inclination, to enter at large into the origin of the Sabbath, or the sanctity which belongs to it.

In all Christian countries it is considered not only as a day of rest from secular employment, but one that should be set apart for religious observances. So intimately is it interwoven with the doctrines of Christianity, that it forms an important part of the creed of every Christian denomination. They agree in the principle, though some of them differ as to the day.

The committee believe that a proper observance of the sabbath is calculated to elevate the moral condition of society. In accordance with the recorded example of the Creator of the Universe, and enforced by scripture precepts, one day in seven should be abstracted from ordinary business, and devoted to moral and religious exercises. Wherever these duties have been regarded in the true spirit of Christianity, a moral influence has imposed salutary restraints upon the licentious propensities of men. It has made them better citizens, and better men in all the relations of society, both public and private.

The institution of the Sabbath is respected in various operations of our Government. In the halls of legislation, the courts of justice, and the executive departments, except under peculiar emergencies, business is suspended, not by legal provision, but by force of public opinion. Restraints imposed on the consciences of individuals by human laws, sanctioned by severe penalties, have always failed to produce reformation. They have generally, if not always, made men worse instead of better. Under such exercise of power, Christianity degenerates into an instrument of oppression, and loses all its beauty and moral excellence. It flourishes most unaided by the secular arm.

The committee, therefore, as citizens and legislators, would be ready to repel any attempt to bring the consciences of men under legislative control in this country. A disposition to do so can never proceed from the pure principles of Christianity.

The standard of moral obligation should remain in the scriptures, and all acts which do not interfere with the rights of others should rest between the individual, his conscience, and his God.

The Federal Government was formed for civil, and not religious purposes. The functions which belong to it will have been discharged within the sphere of its operation, in regulating the civil concerns of the nation. It is very properly inhibited from establishing a religious test, or in any manner interfering with the rights of conscience.

But it has been deemed necessary and proper, on many occasions, to require an oath for the due execution of a civil trust, or to elicit the truth in evidence; lands have been reserved for religious purposes, and ministers of religion have been employed as chaplains to Congress, and to act in a similar capacity in the army and navy. In thus recognising by official acts the duties and obligations of religion, the National Government has acted in conformity to public opinion, and, as was believed, within the legitimate boundaries of its powers.

The committee entertain no doubt that the numerous petitioners for the discontinuance of the Sabbath mail, and the delivery of letters, &c. from the post offices, have generally acted from pure motives, and with a reference to what they consider the best interests of the country.

They do not ask Congress to impose certain duties on any portion of citizens which may interfere with their religious opinions, but to relieve from the performance of such duties.

The transportation of the mail is a great governmental operation, and the petitioners believe it should be suspended on the Sabbath, and the post offices closed, out of respect to the day, as well as the business of the legislative, judicial, and executive branches of the Government. They did not, probably, consider that greater difficulty could arise in designating the first day of the week as the Christian Sabbath for this purpose, than had been incurred in the instances referred to. It is not considered by the committee that the petitioners ask the introduction of any new principle into our laws, but the extension of one which has already been recognised. In the policy of the measure desired, the committee believe the petitioners are mistaken, but they do not consider the attempt made by them as tending to form the justly odious combination of church and state.

In the operations of the mail every part of the Union has a deep interest; our agricultural, commercial, manufacturing, and political concerns are all dependant, more or less, on this branch of the Government. It is considered an object of primary importance to distribute intelligence through the mail in less time than it can be disseminated in any other manner. From the letter of the Postmaster General annexed to this report, it will be seen that he has steadily pursued this policy.

On the important lines of communication daily mails are established, and great expedition is required. The improvements which have been made in this respect, the general operations and entire condition of the Department since it was placed under its present head, have elevated its character, and greatly extended its usefulness. By the annexed letter it will be seen that the discontinuance of the Sabbath mail will not only deprive our important commercial towns of the seventh mail, but that great delays must occur in the other six weekly mails. The injurious consequences of these delays are easily seen.

If, at New York, for instance, intelligence be received on Saturday evening of a great increase of price in England or elsewhere of flour, cotton, or any other staples of the country, the mail will not convey this intelligence to the South or West until Monday morning, after a lapse of more than twenty-four hours from the time it was received; and, under the most favorable circumstances, every one of the six mails must be delayed a day on a route of a few hundred miles by the intervention of the Sabbath.

Is it to be believed that men of enterprise and capital will, under such circumstances, wait the tardy movements of the mail? Expresses will be sent in every direction, and speculations to an unlimited amount will be made in the products of the country. Here is a great evil; the Government has failed to afford the means of information to the honest holders of this property, and they become a prey to the speculator, who takes the property for perhaps one-half of its intrinsic value. By the express the Sabbath is violated, and many citizens injured. The committee believe that such are the fluctuations of prices in many articles of commerce in some parts of the country, that a greater number of persons as expresses would often be employed on the Sabbath than are now engaged in the transportation of the mail. If this impression be correct, the cause of morality would not be promoted by the suspension of the mail on the Sabbath. But when, in addition to this consideration, the committee consider that the first duty of the Government is to protect its citizens in their property (and under no circumstances can protection be more needed than in the cases above stated) and the injurious consequences experienced by the industrious citizen whose property is sacrificed, they cannot hesitate in coming to the conclusion that the suspension of the mail on Sunday would be deeply injurious to the important interest of the country, and that the measure would probably produce a greater amount of moral evil than the present system.

If, as suggested by the Postmaster General, all travel on the Sabbath in accommodation stages or expresses were prohibited, to suspend the Sunday mail would produce an injury of a more limited extent; but such a regulation will not probably be adopted by the States, and, if adopted, could not be enforced against public opinion.

The reduction in the revenue of the Department is viewed by the committee as the smallest injury that would be likely to result from the change. It would, however, paralyze the operations of the Department, and render more uncertain the attainment of the primary objects for which it was established.

A well-regulated mail establishment is an indispensable requisite to a free Government, and to the commercial, agricultural, and manufacturing interest of an enterprising and growing people. Every buyer and seller should be informed of the state of the market, at home and abroad, with the greatest possible certainty and expedition. This can only be accomplished through the operations of the mail, regulated and directed by a discriminating mind, intimately acquainted with the local interests of the country. Every part must harmonize like a well-regulated machine, which, though complicated in its structure, has no disorder in its movements.

On the other branch of the case, that of postmasters being compelled, by law, to keep open their offices and deliver letters, newspapers, &c., on the Sabbath, this, the committee believe, is not absolutely necessary for the successful transaction of any branch of business. The merchant or manufacturer could call at the post office on Monday morning, receive his letters, and be informed of any changes in the market before he commences business. It has been suggested, and is believed, that the most disorder is occasioned by a class of individuals not of business habits, and who seldom receive letters by mail, having leisure on the Sabbath, resort to the post office to hear the news, and for pastime.

If no distribution of letters and newspapers were made on Sunday, the arrival of a mail stage in a town or village would excite no unusual attention, and, consequently, could occasion no material interruption to religious worship.

If, as is believed, the House will concur with the committee in opinion that no restraint ought to be imposed on the consciences of individuals by the force of human law, it will present an absurdity, if we permit to remain amongst our legislative acts an express provision requiring a portion of our citizens to perform certain duties on the Sabbath, which they conscientiously believe to be morally wrong.

The committee cannot see why it would not be equally proper to require, by law, our courts of justice to sit on the Sabbath, and that executive and legislative duties should be performed on that day. Would such a law be deemed reasonable? Would the people approve of it, when it might drive from the public service many of the ablest and most useful officers, who would relinquish their stations rather than violate their consciences?

So respectful was the Legislature of Pennsylvania to the conscientious scruples of a small portion of the citizens of that State, that the law directing the return of her annual elections to be made on Saturday was changed to Friday.

The committee conceive that all such cases should be regulated by public opinion, and controlled by emergencies, without any positive legal injunction. It is believed that the statute books contain no provision, except in the instance of postmasters, requiring the performance of official duty on the Sabbath.

In conclusion, the committee earnestly recommend the repeal of so much of the eleventh section of the post office law of March, 1825, as requires postmasters to deliver letters, newspapers, &c. on the Sabbath.

SIR:

POST OFFICE DEPARTMENT, *January 19, 1829.*

My attention has been directed to your communication of the 6th instant, and all the investigation made which the pressing nature of my daily duties would admit. In answer to the first inquiry, "Whether, in my opinion,

a prohibition of the transportation of the mails on the Sabbath, or first day of the week, would tend to impair the revenue of the Department, and, if so, to what probable amount?" I have the honor to state that daily mails are established on all the principal lines of communication on the Atlantic coast from Maine to Georgia, connecting, in this entire range, places of commercial importance. From New York city, by the way of Albany, Utica, and Rochester, to Buffalo, daily mails are conveyed, and also on several lines connecting with the principal route.

Daily mails are also transported from Philadelphia, Baltimore, and Washington, to the western country, including Pittsburg, Wheeling, and other towns situated on the different routes to Cincinnati and Louisville, and six weekly trips to Nashville.

On these various routes there is received annually for postage the sum of \$564,443 71, and there is paid for the transportation of the mail on them the sum of \$234,880 62.

A discontinuance of the seventh mail, it is believed, would not materially lessen the expense of transportation. On many of the above routes the mail is increasing in size, and now often amounts to from fifteen to twenty-five hundred pounds. When a failure occurs, and throws two mails together, they are now so large on some routes as to exclude all passengers from the mail coach. To run six trips weekly requires as many teams as are necessary for a daily mail; and, in many instances, the contractors prefer running their stages daily to six trips weekly, at the same price.

If all travel in private carriages and stage-lines on the Sabbath could be suspended, and private expresses prevented, the revenue of the Department would not be much impaired by the discontinuance of the Sabbath mails. But if lines of stages for the conveyance of passengers continue to run on the principal routes, and private expresses are used, the revenue would probably be lessened between fifty and a hundred thousand dollars annually.

You inquire, secondly, "Whether such prohibition would have the effect to impede the progress and expedition of the mails on the other six days of the week; and, if so, to what probable extent?"

The discontinuance of the Sabbath mail, besides reducing the number of weekly mails to six, will produce, in receiving intelligence from this city, a delay of one day in every sixth mail to Philadelphia; two mails out of six to New York will each be delayed a day; three of the six to Boston will each be delayed a day; four at Portland, and five at Augusta, Maine. These delays will appear at once: by supposing the mail to be taken from Washington city for Philadelphia on Saturday, Sunday will intervene before its delivery at Philadelphia. The mail taken on Friday for New York will be delayed on the Sabbath before it can be delivered at that city, as well as the Saturday mail, which will make, as above stated, a delay of two mails each a day out of six between Washington and New York. The Boston mail, which is taken from Washington on Thursday, will be delayed as above, making a delay of three mails each one day out of the six. Between Washington and Portland, the mail taken on Wednesday from either place must rest on the Sabbath, making a delay of one day each to four mails in the six. A similar delay of five mails out of six will take place between Augusta and Washington.

From Washington city, south, one mail in six will be delayed a day in being conveyed to Richmond and Petersburg, Virginia; three to Fayetteville, North Carolina; five to Charleston, South Carolina; and every mail received at Savannah from Washington will be delayed one day.

From New York city to Albany, one mail in six will be delayed a day; to Buffalo, four mails in summer, and five in winter, out of six, will each be delayed a day.

Between Wheeling and this city there will be a delay of one day each to two mails out of six; to Zanesville three; and four to Cincinnati and Louisville. From Pittsburg to Philadelphia, two mails out of six will each be delayed one day.

The mail from this city to New Orleans will be delayed two mails out of three each three days, and the third mail two days.

It may be difficult at first to comprehend the above delays; but they have been ascertained by arranging a schedule of six weekly mails. The Sabbath, it must be recollected, will occur at different points on each route, and constantly vary, in the progress of the mails, the places of detention.

In your third inquiry, you ask "Whether a discontinuance of the present practice of distributing letters, &c. from the several post offices on the Sabbath, or first day of the week, would tend to impair the revenue of the Department; and, if so, to what probable amount?" It is believed that the revenue of the Department would not be lessened to any considerable amount, if no letters or newspapers, &c. were delivered at the different post offices on the Sabbath.

By the fourth inquiry I am requested to state "Whether a change of the present mode of daily conveyance and distribution of mails would affect the commercial interests of the country; and, if so, in what manner?"

It has been considered of great importance to the commercial and agricultural interests of the country to convey through the mails, into every part of the Union, speedy intelligence of the state of the market at home and in foreign countries. To accomplish this desirable object, and afford the utmost facilities to all commercial transactions, great increase of expedition has been given to the mails within a few years on all the important lines of communication. Some years since, on a sudden rise in the price of cotton, private expresses were despatched to the South from New York and other places, in advance of the mail, and immense speculations were made in the purchase of that article. At that time mail contractors were not prohibited from forwarding such expresses; and, having relays of horses on every route, they were frequently employed in this service at a high rate of compensation. Since that time the contracts have been changed so as to subject any contractor to a forfeiture of his contract if he engage, either directly or indirectly, in the transmission of commercial information, with a view to speculation, more rapidly than the mail. This provision, with the increased expedition which has been given, has rendered it extremely difficult, if not impracticable, for expresses, on the more important routes, to travel more rapidly than the mail is conveyed.

An attempt was recently made to send an express between New York and Philadelphia in advance of the mail, but the enterprising contractor on that route delivered it at the latter place before the express arrived. On this line the mail is transported twelve miles an hour, when necessary to prevent a failure, or any other exigency requires it.

A suspension of the mail on the Sabbath would subject it to the delays before stated, and enable persons in our large cities or elsewhere, on the receipt of intelligence of a change in the price of our great staples, to send expresses without much effort, and speculate on the holders of such property.

In some of our large cities a failure of the mail, or the delay of a few hours in its delivery, has been of serious consequence to persons extensively engaged in commercial operations.

If, as before suggested, private expresses, and all stages for the conveyance of passengers, were suspended on the Sabbath, the discontinuance of the mail on that day would affect less seriously the commercial and other interests of the country.

A daily mail has been in operation on some routes almost ever since the organization of this Department under the Federal Government. Frequent ineffectual applications have been made to Congress to discontinue this mail. It has been viewed by many persons of great intelligence and piety as an evil, but no provision for relief has been adopted. The result of these applications has given a sanction to the policy of the Department, which I have considered as controlling any discretion the Postmaster General might be inclined to exercise on the subject. He cannot act on the moral principle unless he apply it to every daily mail in the Union. This would involve a responsibility which no individual can exercise with impunity, and would be in opposition to the implied sanction of the National Legislature.

It has been, however, the practice of the Department, on each route where a daily mail is not established, so to regulate the conveyance, where practicable, as to make the Sabbath a day of rest.

By the eleventh section of the post office law, every postmaster is required, "at all reasonable hours, *on every day of the week*, to deliver, on demand, any letter, paper, or packet, to the person entitled or authorized to receive the same." Before this law was enacted, no general instructions were given by the Department to deliver letters on the Sabbath; and if Congress, in pursuance of the strong expression made on this subject, shall think proper to repeal this section, I shall consider it to be my duty to rescind the instruction which has been given under it. At present, a postmaster is only required to keep his office open one hour on the Sabbath for the delivery of letters and newspapers.

It is believed that the delivery of letters has been considered as more likely to interrupt religious worship on the Sabbath than the conveyance of the mail. The passage of the mail stage through a village or town on Sunday, if postmasters were not required to distribute letters and newspapers, would excite as little attention as that of any other vehicle.

With great respect, I am your obedient servant,

JOHN McLEAN.

Hon. SAMUEL McKEAN, *Chairman of the Committee on the Post Office and Post Roads.*

21st CONGRESS.]

No. 76.

[1st SESSION.

CONDITION OF THE POST OFFICE DEPARTMENT.

COMMUNICATED TO CONGRESS, BY THE PRESIDENT OF THE UNITED STATES, DECEMBER 8, 1829.

Sir:

POST OFFICE DEPARTMENT, *November 24, 1829.*

I have the honor to submit the following report of the state of this Department:

The General Post Office was established July 26, 1775. There was then but one line of posts, extending from Falmouth, in New England, to Savannah, in Georgia; and the Postmaster General was authorized to establish such cross posts as he should think proper.

In October, 1782, the Postmaster General was required, by act of Congress, to cause the mail to be carried once a week to all the post offices; and by the same act he was authorized to make provision for the transmission of newspapers by mail.

When the Federal Government was organized under the present constitution, in 1789, the post office establishment was revised and perpetuated. There were then, and to the close of 1790, only seventy-five post offices in the United States; and the extent of post roads in the United States in 1790 amounted to 1,875 miles. Now, the number of post offices is eight thousand and four, and the post roads amount to 115,000 miles.

The first line of mail coaches in the United States was established in pursuance of an act of Congress passed September 7, 1785, extending from Portsmouth, in New Hampshire, to Savannah, in Georgia. The transportation of the mail in coaches amounts, at this time, to 6,507,818 miles in one year, and from the 1st day of January next it will be increased to 6,785,810 miles. The whole yearly transportation of the mail in coaches, sulkeys, and on horseback, amounts to about 13,700,000 miles.

The whole amount of postages, (the only source of revenue to the Department,) from 1789 to July 1, 1829, was	-	-	-	-	-	\$26,441,496
The whole expenses of the Department, during the same period, were as follows:						
Compensation to postmasters,	-	-	-	-	-	\$7,829,925
Incidental expenses,	-	-	-	-	-	896,967
Transportation of the mail,	-	-	-	-	-	16,052,513
						<u>24,779,405</u>

Leaving an aggregate amount of revenue of	-	-	-	-	-	\$1,662,091
The revenue of the Department is accounted for as follows:						
Amount of the several payments into the treasury from 1789 to 1828,	-	-	-	-	-	\$1,103,063
Amount of the losses in the transmission of moneys during the same period,	-	-	-	-	-	17,348
Balance, as exhibited on the books of the Department, on the 1st of July, 1829,	-	-	-	-	-	541,680
						<u>\$1,662,091</u>

From this statement it appears that the Department has always been sustained by its own resources, and that no money has, at any time, been drawn from the treasury for the transportation of the mails; but that it has contributed to the revenue of the Government.

The sums paid into the treasury by the different Postmasters General are as follows:

By Timothy Pickering, from December, 1793, to March, 1795,	-	-	-	-	-	\$47,499
By Joseph Habersham, from June, 1795, to September, 1801,	-	-	-	-	-	363,310
By Gideon Granger, from December, 1801, to December, 1813,	-	-	-	-	-	291,579
By Return J. Meigs, from March, 1814, to June, 1823,	-	-	-	-	-	387,209
By John McLean, from July, 1823, to December, 1828,	-	-	-	-	-	13,466
Making, together, the foregoing sum of	-	-	-	-	-	<u>\$1,103,063</u>

The balance of \$541,680, exhibited by the books of this Department on the 1st of July, 1829, covers all the balances due from postmasters and others, of every description, which have been accumulating for forty years, including those of the most doubtful, and many of a desperate character. The report of the late Postmaster General exhibited a balance of \$332,105 10 as the amount of available funds at the disposition of the Department on the 1st of July, 1828. The amount exhibited by the books of the Department on that day is \$616,394; from which it appears that the sum of \$284,289, of old balances, was estimated to be either desperate, or of so uncertain a character as that no reliance could be had upon any part of it; and it is believed, from examination, that this estimate did not essentially vary from what will prove to have been the actual amount of losses from 1789 to 1828.

To the above amount of	-	-	-	-	-	\$284,289
Must be added this sum, due for postages prior to July 1, 1828, which is since found to be desperate,	-	-	-	-	-	22,235
Counterfeit money found on hand,	-	-	-	-	-	\$2,634
Notes of broken banks,	-	-	-	-	-	1,672
						<u>4,306</u>

Making, together, the total amount of losses by bad debts and bad money,	-	-	-	-	-	310,830
Which sum, deducted from the above-mentioned balance of	-	-	-	-	-	541,680

Leaves the actual balance on the 1st of July, 1829,	-	-	-	-	-	\$230,850
The fractions in this statement being omitted.						<u>\$230,850</u>