

ject to be defaced and destroyed with the others, though, perhaps, in a less degree. That the wetness of the papers, when put into the portmanteaus, is a cause of the failure complained of, is corroborated by this circumstance, that such papers more frequently fail of reaching their subscribers than those that are dried when put into the mail.

Secondly. All the papers and packages directed to distant customers, and to be left at different offices and places, are put loose into the portmanteau with others, for subscribers less distant, and as often as the mail is opened the newspapers are all thrown together out of the portmanteaus, in order to find the individual paper or package to be left at such office or place. At such times, there is good reason to suppose papers and small packages are taken away by persons present at opening the portmanteau, to whom they are not directed, but without the knowledge or privity of the Postmasters, or carriers of the mail. Sometimes, also, it may be presumed, single papers and small bundles are unintentionally omitted to be put into the portmanteau again, after they had been turned out, for the purpose of selecting such as are to be left at that particular place.

The committee are, therefore, of opinion, that some further provision ought to be made by law to secure a more certain transmission of newspapers through the United States.

5th CONGRESS.]

No. 8.

[3d SESSION.

ALTERATIONS PROPOSED TO THE POST OFFICE LAWS.

COMMUNICATED TO THE HOUSE OF REPRESENTATIVES, JANUARY 8, 1799.

GENERAL POST OFFICE, *Philadelphia, January 8, 1799.*

SIR: In compliance with the resolution of the House of Representatives of the 14th of June last, I have the honor to lay before them—

First. The draught of an act for establishing the Post Office, with a report explanatory of the alteration of the former acts upon that subject, and of the amendments now offered, with a view of rendering the system more complete.

Secondly. The draught of an act relative to the post roads, in which the establishment of several new post roads, and the alteration and discontinuance of others, is proposed, with remarks on a number of petitions, and a relation of the motives for the establishment of the new roads, and the discontinuance or alteration of others.

And lastly. A report on the petition of Ezekiel Williams.

The regulations relative to the General Post Office and the establishment of post roads have hitherto been comprehended in one act, but no advantage is derived from the connexion of them; the latter is subject to frequent increase and alteration, is very lengthy, and is of no use to any part of the Department, other than the General Post Office, while the former affects every person employed in it, and ought to be furnished them as little encumbered as possible. On that account, I have deemed it most useful to present the business to Congress in separate acts.

I have the honor to be, with great respect, sir, your obedient servant,

JOSEPH HABERSHAM, *Postmaster General.*

The Honorable the SPEAKER of the House of Representatives.

Remarks respectfully submitted to Congress, by the Postmaster General, on the project of "An act to establish the Post Office of the United States," made out conformably to a resolution of the House of Representatives, passed the 14th of March, 1798.

The first section proposes that the Post Office shall be under the direction of a Postmaster General, and points out some of his principal duties. Among other things, it authorizes him to appoint an assistant, a solicitor, a first clerk, a book keeper, and such other clerks as may be found necessary to enable him to perform the duties required of him in the General Post Office.

It has often been imagined that the duties of the Postmaster General were very trifling and simple, even so much so, that some have considered it rather a sinecure, than an office of business; it is presumed that mistake has chiefly arisen from not duly attending to the subject, and, from that cause, such a very small allotment of services as has been hitherto provided was made for the performance of its duties. In other countries, it has been considered an object of more importance, and its execution has been more liberally provided for. The Post Office of Great Britain is now under the direction of two Postmasters General, a secretary, a surveyor, and a comptroller, besides the necessary clerks; the letter office of London is in some measure connected with it, but it is managed by head clerks, and a great number of ordinary clerks. That office superintends the other General Post Offices in Scotland, Ireland, and the provinces; exclusive of that superintendence, it is supposed, from the best information that can be obtained, that its duties are not so great as those of the General Post Office; here, the post roads there not comprehending half so many miles, and the Post Offices not being two-thirds so numerous, as those in this country. The Post Office in Scotland (under the British Post Office) is managed by a Postmaster General, a secretary, a solicitor, and an accountant, besides clerks; the post roads in Scotland hardly extend two thousand miles, and there are only one hundred and eighty Post Offices. If experience has shown the Governments of those countries that such an arrangement is there necessary to the due execution of the business of the General Post Office, it is believed that no one can suppose that the General Post Office here, which superintends nearly seven hundred Post Offices, and the transportation of the mail over post roads that extend more than sixteen thousand miles, can be easily or duly managed by one Postmaster General, an assistant, and the help he can obtain from an allowance too scanty for the employment of four good clerks. The most material parts of the duty have indeed been performed so as to keep the business in motion, but it is believed that all the smaller duties have not been properly performed since the first extension of the post roads under the present form of Government. On the first establishment of the General Post Office, under the former constitution, a Postmaster General and an assistant were provided for its superintendence; then, and for many years afterwards, the whole number of Post Offices did not amount to sixty, and the post roads did not extend two thousand miles: one clerk was then also employed. With only the additional aid of three clerks, the same provision has been continued to this time, although the duties have been gradually increased to more than seven fold.

These circumstances are mentioned, that the alteration might not appear extravagant; the Postmaster General has no disposition to enjoy the emolument the office affords him without rendering his constant services, and no wish to add the least unnecessary expense. It appears to him that additional provision is absolutely necessary in the present state of the office, and that there will be constant employ for all those who are proposed.

In a business so diffusive as the services to be performed in the General Post Office, it is not easy to detail the particulars. The transportation of the mail over post roads that extend sixteen thousand miles, which have many

different branches and connexions, and are divided into many small contracts, to be performed at a great distance from the General Post Office, is a considerable object. Notwithstanding large penalties are provided for failures and delays, and much caution is used to contract only with good men, many failures and delays will happen; some through unavoidable causes, and others, the negligence of contractors; on this subject, a multitude of letters are written by those interested in the regular conveyance of the mail; they require answering, and the performance of the contractors requires also to be constantly examined; to this, also, must be added the misconduct of those who contract, or who are employed by contractors, and, where so many are employed in a toilsome service, it must be expected that many letters must be written on such subjects. It can hardly be supposed that, where seven hundred Postmasters are appointed, that there must not be many vacancies to be supplied, especially where the emoluments to be derived from the office are so inconsiderable as they are at a large proportion of the Post Offices of the United States; and it is a fact that the establishment of new offices, and the appointment of new Postmasters, with attending to complaints, receiving resignations, and making due inquiries for that purpose, is almost sufficient to engross the attention of one person. The business of receiving Postmasters' accounts, four times a year, calling upon them when negligent, and commencing suits when they cannot be otherwise obtained, obtaining their balances in such an extensive country, and prosecuting them for delinquencies, paying contractors, obtaining vouchers, is very considerable. After the accounts are obtained, they are to be examined, the errors corrected, and the Postmasters informed of them; they are to be entered in books, and particular accounts of the receipts and expenditures in the Department are to be made out and rendered to the treasury. More than ten thousand dead letters are to be opened and inspected every quarter; those which have valuable contents are to be returned to the writer, when he can be found, and if not found, registered and filed. The making out contracts, bonds, &c. for carrying the mail, advertisements, receiving and deciding upon proposals, is another considerable business. The contractors and Postmasters amount together to between eight and nine hundred, who are regular correspondents, four times a year, relative to their accounts, balances, and pay, beside their letters relative to the alteration of the arrangements, questions concerning construction of the law, and explanation of instructions. A multitude of letters are also received on subjects relating to the Post Office, from individuals in all parts of the Union. To all these must be added, a great variety of incidents and particulars, such as supplying Postmasters with blanks and keys, the riders with portmanteaus and locks, which must, of necessity, be attached to a business so diffusive.

On a due consideration of the various duties of the office, it is imagined that it will be found that the additional assistance proposed cannot be dispensed with. The existing act leaves the duties of the assistant and clerks to be designated by the Postmaster General; and, as the business of the office may vary, it seems proper still to leave the duties of those to be employed in the General Post Office, to be thus designated. The present situation of the business requires the following arrangement:

The Postmaster General to superintend the business generally; to direct the principal arrangements for carrying the mail; to establish Post Offices; appoint Postmasters; inform them in questions relating to the law and their duty; and attend to the exterior correspondence of the office.

The assistant to keep the moneys of the General Post Office, obtain the balances due from Postmasters, pay the contractors and mail carriers, and other expenses; answer the correspondence relating to money and accounts, attend to keeping the accounts, and prepare them to render to the treasury. The assistant has likewise occasionally to travel the post road, and exercise the powers of the Postmaster General, in case of stoppages of the mail, and thefts committed at Post Offices.

The solicitor to commence suits when accounts are not duly rendered, and for the recovery of balances; to be particularly employed relative to transportation of the mail, in making the subordinate arrangements for its carriage, advertisements, contracts, bonds, obtaining and keeping accounts of its arrival and departure from all parts of the roads, noting and exacting penalties for delays and failures, and answering letters relating to the mail.

A first clerk to be employed in examining accounts, to aid in obtaining them, with their balances, from delinquents, by preparing accounts for suit, notifying Postmasters of corrections in their accounts, and to assist the solicitor in making out contracts, &c.

A book-keeper, to keep the books of the General Post Office, and aid the assistant in making out drafts, accounts current, &c.

One clerk to open and examine dead letters, register and return to the writer such as have valuable contents, and have custody of them when the writer cannot be found, and occasionally attend to other business.

One clerk to assist in examining accounts, and copying the assistant's letters.

One clerk to copy and register letters.

This section is copied chiefly from the third and fourth sections of the act of 1794; and, excepting in the before-mentioned respects, is not materially altered.

Section 2 requires all persons employed to take an oath for the faithful performance of duty: the oath is copied from the former act. Postmasters and contractors, notwithstanding they are expressly forbidden by the act, and by their instructions, frequently employ persons in the care of the mail, who are not sworn, and it has been construed by some of the courts that no person who has not taken the oath prescribed could be considered as legally employed, so as to subject such person to the penalties of the 16th section of the act of 1794. There does not appear to be any such great difference in the scale of crime, and none in the injury to the public, whether the person who violates the law be *sworn or not*, so that in one case a person who has been sworn might be punished with death, while another person, not sworn, but employed in the same manner in other respects, should be subject only to prosecution, as for a simple breach of trust, for committing the same crime. On that account this section provides that persons employed shall be subject to all penalties for violations of the law, whether they have taken or not the oath prescribed.

Section 3 provides a penalty for obstructing the passage of the mail. This section is copied from the 5th of the act of 1794, without alteration.

Section 4. This section prescribes the manner of advertising for contracts to carry the mail, and is but little varied from the 5th section of 1794. That section requires the Postmaster General to advertise "the penalty or penalties for non-performance of the stipulations." As those penalties would make the advertisements long and expensive, if all of them are recited, it seems sufficient to recite only the leading penalties in the advertisement, noting at the same time that proper penalties for other deviations would be stipulated: that part has therefore been omitted in this section. The next alteration extends the time of lodging the contract with the Comptroller, from thirty to ninety days. If the contractors all came to the General Post Office and brought their sureties along with them, the contract might be completed and lodged with the Comptroller within thirty days; but that is not the case; the business is so calculated, that a man desirous of contracting only sends forward his proposals and recommendations to the General Post Office, where, after they are decided upon, the contracts and bonds are made out, and sent to the Postmaster living nearest to the proposer, who attends to the execution, and decides upon the sufficiency of sureties; by this means the contracts are obtained upon more reasonable terms, and there is generally competition and opportunity of choice in several proposers for the same route, which would not be the case if a man was obliged to travel seven or eight hundred miles, to propose for, or to complete a contract. In consequence of this arrangement, however, it frequently happens that a contract is not returned to the General Post Office for several months after it is completed, and cannot be lodged with the Comptroller so soon after its execution as the former act directs.

The Postmaster General is here required to lodge a duplicate of the contract; the former act directs the original to be lodged with the Comptroller: it always has been supposed that this was provided in that act by mistake, as the Comptroller has nothing to do relative to the performance of the contract, or any of its stipulations; and the contract ought, without doubt, to be in possession of that person who is to see that it is performed, and who is to prosecute in cases of failures. A certified duplicate is supposed to be sufficient to answer any purpose intended by lodging it with the Comptroller.

Section 5. This regards the hours of attendance to be required at Post Offices, and is copied, without alteration, from the 7th section of the act of 1794.

Section 6. This section merely provides for the compensation of the persons to be employed in the General Post Office. No alteration is proposed so far as respects the Postmaster General: but an augmentation of the assistant's pay appears to be expedient, on account of the great increase of his duties, and the decrease of the value of money. On the first organization of the Post Office, his salary was rated at two-thirds of that allowed to the Postmaster General; the former act places it at only half that allowance. While the salaries of some of the chief clerks, who, on the first establishment of the present Government, received only eight hundred dollars, have been raised to seventeen and eighteen hundred dollars, the assistant's, who at the same time received a thousand dollars, has been increased only to twelve hundred, while his duties have been increased as much as those of any other officer, perhaps, under the Government of the United States. No reason is perceived why the services of those employed in this office should be so penuriously provided for. I have in this section proposed that the assistant's salary should be sixteen hundred dollars a year, which is only at the same rate that is allowed to the accountants in the War and Navy Offices.

It is supposed that a proper person cannot be found to do the duty of the solicitor for a less compensation than is proposed for him.

Several years since, by the employment of ordinary clerks at a less rate than five hundred dollars a year, provision was made to increase the compensation of those employed in services that required good clerks; that cannot now be done, as no tolerable clerk can be obtained for a less sum than five hundred dollars; on that account specific sums are proposed for a first clerk and book-keeper. In all offices where there is much detail, it is necessary to give such salaries as will induce clerks to account on the service as in some measure permanent; in this office no clerk has become properly acquainted with the duties required of a first clerk and book-keeper under two or three quarters.

The former act restricted the Postmaster General to the employment of a certain number of clerks; as so little unnecessary expense could be incurred in this way, it did not seem proper to continue that restriction, particularly as the business of the office is so rapidly increasing.

Section 7. This section relates to the rates of letter postage. The 9th section of the former act establishes nine different rates of postage for different distances. Such a number of different rates renders the business of rating and marking letters embarrassing, and often occasions mistakes, especially as that business is generally required to be done with great expedition, a very considerable part of the letters to be mailed being dropped into the office the last moment allowed for receiving them, which is but a short time previous to that fixed for the departure of the mail. To facilitate that business, and render it less subject to mistakes, they are now reduced to six. In order to do this, and reduce some of the higher rates of postage, by extending them over greater distances, without, at the same time, reducing the revenue, it has been necessary to make a small increase in the lowest rates. By the rates proposed, the postages of all letters carried over one hundred and fifty miles, and less than six hundred and fifty miles, are something reduced, and most of the postages of those conveyed under one hundred miles are increased. The lowest rate under the former act was six cents, which, considering the trouble of carrying, marking, rating, mailing, and accounting for the letter, seems too small, particularly since money has been so much reduced in value: it has now therefore been raised to eight cents. The advance on the low postages is so small, that the alteration will hardly be noticed, and a postage of twelve and a half cents, or under, is so inconsiderable, that it is freely paid, but in all cases above that sum, it seems something of an object, and it then begins to be called money. It has been an object, in making this arrangement, to regulate it so as not to reduce the revenue. A complete examination of the operation of the new rates could not be made without taking more time than could be spared at this office but by examination at several of the principal offices, it appears that the new rates will produce a small addition to the revenue.

In England, they have only three rates of postage, four pence, five pence and six pence sterling, equal to eight, ten, and twelve cents. The greatest distance from one post office to another there, is about three hundred and sixty miles, and within that extent, they have only three rates for different distances; but under the former act we have seven rates within that distance.

The rates of postage, by water, are now made the same as those by land, except that no packet is to be charged with more than triple postage. Under the former act, the postage of a single letter, by water, was only eight cents, for any distance, which was too small to defray the expense of establishing packets.

The former section left doubts as to the meaning of the words single, double, and packet; they are so expressed here, as to render them certain.

No restriction was made in the former act upon the weight of packets that should be received to be sent by post. In consequence of which, in a few instances, large and inconvenient packages have been sent in the mail, which those to whom they have been directed have refused to take up, on account of the expense. It is therefore proposed to leave it discretionary with the Postmaster to receive or reject such as weigh more than three pounds.

Sec. 8. This section increases the rate on ship letters, received by private vessels, from four to six cents. Two cents of the former rate was paid to the master of the ship, and only two cents of the residue went to the Post Office; this, owing to the number of dead letters, and the commissions of Postmasters, it is supposed, rather brings the office in debt, than produces any advantage to the revenue; and as the rate is so very trifling, it seems that the small advance proposed might be made without being objectionable.

It is also proposed to charge the letters, which are destined to be conveyed by post, only with two cents in addition to the ordinary postage—the ordinary postage being deemed high enough.

Sections 9, 10, 11, 12, and 13, are copied from the former act, without alteration.

Sec. 14. This section provides a punishment for those who, being employed in the Department of the Post Office, shall interrupt the safety of correspondence, and is copied from the sixteenth section of the former act, without alteration, excepting in the second penalty, where it is proposed to substitute corporal punishment in place of the punishment by death.

That punishment is so contrary to the present humane regulations and mild policy of the laws of the separate States, and so shocking to the humane sentiments generally prevalent in this country, that it is hoped the substitute may be adopted. Death is indeed an awful and dreadful punishment; the greatest that man can inflict: and ought to be provided, perhaps, only as the last resource to the safety and well being of society—in cases only of crimes the most aggravated, and where the enormity or repetition leaves no hope of a reform in the criminal; or those who have committed treason, murder, or crimes against personal safety little short of them—crimes which show such an utter depravity as renders it unsafe to have them again mingle with society. In the present case, it is not necessary to examine whether man has a right to inflict that penalty for crimes of a higher cast; it is enough to know that those ideas very considerably prevail among the people in this country, and that the laws where that punishment is provided for such cases, cannot be executed. Such is certainly the fact, and so scrupulous and determined are a great number in that particular, that they will rather neglect their duty, and violate their oaths, than in any manner aid in detecting or convicting such criminals; and so generally is that the case, that although there have been a number of thefts committed on the mail by those employed, and robberies by others, in various parts of the country, and although the villains have been known, and in some instances apprehended, it has been impossible, in any case, with clear proof, to bring them to punishment. The law, in fact, in these respects, from the severity of the punishment, has become useless; and villains, relying on the public humanity, violate it with impunity. It has often been said, and it seems with much truth, that the certainty of the execution of a severe punishment has a much more powerful influence in the prevention of crimes, than laws which provide the greatest; because the criminal, in all countries, has some hope when the punishment is very great, and the crime not the most atrocious, of escape, through the humanity of the public agents, jurors, witnesses, judges, and the pardoning power; but where the punishment is severe, but not so much so as greatly to outrage the feelings of humanity, no such hope can prevail. It is therefore to be wished that a severe punishment, and one which will not at the same time much outrage the prevailing sentiments of justice, or tempt those to whom the execution of the laws are entrusted, or the people at large, to favor escapes, may be provided. Such a one is the substitute supposed to be. That kind of corporal punishment proposed has, of late, been indeed opposed by some as impolitic, considering it to destroy the criminal's hope of retrieving an honest fame, and thence tending to fix his depravity. But others do not believe that experience shows it to have

that effect; and if it did, there does not seem to be any other punishment consonant to the general policy of our laws, adequate to the prevention of such crimes. The public gaols of the United States are not calculated for penitentiary employments; and even if they were, such punishment seems too trivial, compared with the crime. From the number of respectable, but unfortunate debtors, with which the public gaols are crowded, imprisonment has almost ceased to be a scandal. To prevent crimes so easily committed, and so injurious to the public interest, as those under consideration, no punishment promises to be so efficient as the one proposed. Those who have hitherto violated this part of the law, have been young men, having some education, and respectable connexions, to whom the punishment proposed would be more terrible in itself and consequences, than death; and from which they would have no hope to escape, through the humanity of those entrusted with the execution of the laws; and from thence, it is believed, it would have a much more powerful effect in preventing the commission of those crimes, which is the object of the law.

Sec. 15. This section also substitutes corporal punishment for the punishment by death, in the case of robbing the mail; and extends the punishment to stealing of the mail, which was too feebly provided for before. It is doubtless an object to render correspondence as safe as possible: the security of it is of great importance to Government, and essential to an extensive commerce; on these accounts, it has been deemed necessary to increase the punishment for stealing the mail, and to extend penalties to other abuses.

Sec. 16. This section is copied from the 18th section of the former act, and relates to the advertising of letters, and the disposing of those which may become dead.

Sec. 17. This section relates to free letters, and comprises a list of all public officers who are now entitled to receive and send their letters free.

Sec. 18. This section provides a penalty for the abuse of the privilege of franking. That abuse has been carried so far in England that several acts and regulations have been found necessary to be made to prevent it, and, in this country, its frequency already demands provision.

Sec. 19. relates to printers' exchange papers, and is the same as the 21st section of the former act.

Sec. 20. This section relates to newspapers, and comprises the 22d section of 1794 and the 6th section of the act of 1797.

No other regulation to ensure the safety of the carriage of newspapers than what was before provided has yet been hit upon. Indeed, the failures which have been hitherto complained of have generally happened in cases where the papers were to be conveyed a great distance in the mail; and the failure is to be attributed to the damp state in which the papers are too frequently put up, the rains and wet they may meet with in their passage, and the jolting they receive in the carriage. By these means the wrappers become defaced or worn out, and no new direction can be given them, as the papers themselves hardly ever have a particular direction. If printers were to give every paper a particular direction, when the packets become worn out and broken, the Postmasters could repack and direct them: of this several printers have been informed, but they do not choose to take the trouble. In some cases, when a long rain occurs, even that could not be done, as many of the papers are so much damaged and defaced as to become illegible. Letters having proper directions, being more compact, and wrote on finer paper, are not so subject to injury, and rarely, if ever, fail from that cause.

It is not believed that the safety and regularity with which letters pass in the mail is at all owing to any greater care in the Postmasters or the carriers of the mail. The portmanteaus and bags used in both cases are made of leather, lined with oil cloth, and secured by locks; both letters and papers are first put into painted bags, and then into the portmanteau: it does not seem that other precautions can properly be used for saving those newspapers from wet and from wear, which are carried on horseback, than are already taken. The papers, in many cases, are omitted or misdirected by the printers; one of them particularly, who has been the most clamorous on that subject, has had that business done very negligently, and has often attributed miscarriages to the Post Office, when they arose wholly from his own inattention. No material alteration is therefore proposed in this section, except that of authorizing the Postmaster General to require those who receive newspapers to pay the amount of one quarter's postage in advance. In many parts of the United States, there is very little copper coin, so that it is almost impossible to make so small change as a cent, or a cent and a half, and it is very troublesome also to make such change, where it can be done, at larger offices; the trouble of charging each is also as much as the postages are worth, and it is still more to collect them when they are credited; so that some Postmasters complain that they do not receive fifty per cent. of the postages, and others have resigned on that account. The amount of one quarter's postages on a weekly paper, if not sent out of the State, is only thirteen cents—so small that it is presumed no person would complain of any hardship in the regulation.

Sec. 21. This section provides for the compensation of Postmasters, and is copied from the 5th section of the act passed in 1797.

On an attentive consideration of this subject, it does not appear that any better arrangement can be made, or any satisfactory alteration. The rates of commission indeed appear large on the first hundred and three hundred dollars collected; but, when it is considered from what small sums the Postmaster's accounts arise, that a very large proportion of the mails do not amount to half a dollar; that every Postmaster has as well to pack, rate, and enter in his accounts, and, in a bill, the amounts of every mail, as to deliver the letters and receive the price; and that the commission is allowed only on half the postages of the letters that pass through his hands, and into his accounts: so that, instead of thirty, twenty-five, twenty, and eight, he in fact receives only fifteen, twelve and a half, ten, and four per cent. on the gross amount of postages contained in his accounts; it is really not an extravagant per centage. The rate cannot be estimated by the rate of profit of factors and commission merchants: for among them the sale of a single piece of goods, which occasions them no more trouble perhaps than the receiving, despatching, and accounting for, of a single mail, will produce more than many of the Post Offices in half a year.

As the rates now stand, several of the Postmasters, who receive from three to twelve hundred dollars a year for their services, complain, that the compensation is inadequate to the trouble. Although it does not seem necessary to increase the compensation at any Post Office, it is certainly, in many cases, but barely adequate to the labor required, and ought by no means to be reduced.

The only alteration proposed in this section is an allowance of twenty cents to each Postmaster for every monthly return he shall make of the arrival and departure of the mails at his office. Postmasters at the two extremes of every route contracted for are required to keep a register of the arrivals and departures of the contractors, at their offices, which are to be returned to the General Post Office monthly. It is of great importance to have this duty regularly and properly performed, as, without such returns, it is impossible for the Postmaster General to know whether a contractor performs his contract. At the unproductive offices, where such extremes sometimes occur, little attention is paid to this duty; and, as the compensation they receive is of no consideration, they cannot be compelled to do it promptly; it is also a trouble not common to the Postmasters, and it therefore seems expedient to make that small allowance.

Sec. 22. Difficulties have frequently occurred in suing bonds and delinquent Postmasters, from the manner which has, until lately, been adopted, in describing the person to whom the obligation is made. From that cause, it is now necessary to prosecute bonds made to a former Postmaster General, and to sue for debts arising in his time in the individual name of the person who acted as Postmaster General. It is therefore proposed to authorize the carrying on of such suits in the name of "the Postmaster General of the United States."

The rules of the common law also require that the original accounts should be produced in support of suits for the recovery of balances; but the Post Office act directs them to be deposited in the Office of the Treasury, from whence they cannot be withdrawn; it therefore appears necessary that certified copies of Postmasters' accounts should be admitted as evidence in such cases, there being no other means by which their balances can be properly established.

Sec. 23. A number of instances have occurred where those persons to whom the appointment of Postmaster has been tendered have immediately entered upon the duties of the office without giving a bond, and several months have elapsed before a proper person to do the business could be found and qualified. When these persons refuse or

neglect to render their accounts, there is no means of compelling them, in some districts, but by a suit in equity, which is troublesome in its management, tedious, and expensive; and, in other districts, but by an action of account, which, by being seldom resorted to, is little less difficult. A penalty is therefore proposed in this section, and a form of action prescribed to do away those difficulties. Besides the instances above mentioned, other cases have occurred, where, the Postmaster having died, his clerk or assistant has conducted the Office for several months, either before the Postmaster General received information of it, or before he could appoint another in the place of the deceased.

Sections 24, 25, 26, and 27, are copied from the former act, without alterations.

Sec. 28. In some instances, from the great distance of the delinquent or criminal from the place appointed for holding the courts of the United States, it will amount to a double punishment in expense and loss of time to prosecute him before them; and it is desirable, particularly when the smaller offences or delinquencies occur, to prosecute at as little expense to the public and individuals as can be conveniently done. It would, for instance, be a severe punishment upon a ferryman at Pittsburg, who might incur a penalty of five or ten dollars by a wilful delay in crossing the mail, to bring him all the way from Pittsburg to Philadelphia for trial. On this account, it is proposed to authorize the Judiciary of the several States to try offences under this act.

Sec. 29. This section is provided merely to accelerate the proceedings on suits: it is well known that, in some of the States, they are extremely dilatory.

Sec. 30. This section only repeals the former acts, and provides for the prosecutions of offences under them.

JOS. HABERSHAM, *Postmaster General*.

GENERAL POST OFFICE, PHILADELPHIA, *January 8, 1799.*

7th CONGRESS.]

No. 9.

[1st SESSION.]

FURTHER PROVISION FOR TRANSPORTING THE MAIL.

COMMUNICATED TO THE SENATE, MARCH 30, 1802.

Mr. JACKSON, from the committee to whom was referred the resolution of the Senate, of the 12th of March, to inquire what further and more effectual means ought to be provided by law for carrying the mail of the United States, reported the following documents:

SENATE ROOM, *March 17th, 1802.*

SIR:

A committee of the Senate, appointed to inquire what further and more effectual means ought to be provided, by law, for carrying the mail of the United States, request your information on the following points:

1st. Is there any part of the main post road on which the mail is carried in stages, established by, and at the expense of, the United States, and if so, on what part or district of the said road?

2d. What has been the expense of that establishment, and what the income or profit thereof, if any?

3d. Would it at present, or eventually, be profitable to the fund of the Post Office to establish mail stages from Portland, in Maine, to Louisville, in Georgia?

4th. Should that object not be attainable at the present period, or not be expedient, the committee request an estimate of you of the probable expense of establishing a line of mail stages from Petersburg, in Virginia, to Louisville, in Georgia, and the probable advantage, if any, which would accrue, eventually, to the funds of the Post Office from such an establishment.

5th. Whether it be necessary, at the present session, to provide any further means, by law, for the safe carrying the mail, and to regulate contracts made in relation to the same, by penalties or otherwise.

By order of the committee.

I have the honor to be, &c.

JAMES JACKSON, *Chairman*.

HON. GIDEON GRANGER, *Postmaster General U. S.*

GENERAL POST OFFICE, *March 23, 1802.*

SIR:

I have the honor to acknowledge the receipt of your letter, containing the following questions; and in obedience to the request of "the committee of the Senate appointed to inquire what further and more effectual means ought to be provided, by law, for carrying the mail of the United States," transmit the replies herein contained.

Question 1st. Is there any part of the main post road on which the mail is carried in stages, established by, and at the expense of, the United States, and if so, on what part or district of the said road?

Answer. The mail is carried in stages established by the late Postmaster General, and at the expense of the United States, on the post road between the cities of Philadelphia and Baltimore.

Question 2d. What has been the expense of that establishment, and what the income or profit thereof, if any?

Answer. The transportation of the mail by this establishment commenced on the 2d day of May, 1799. The value of the forage and other property belonging to the public has not been ascertained. An exact estimate of the profits cannot be given. The balance of expenditures and receipts at this office, are \$22,469 92, and form a charge against the establishment to that amount, \$22,469 92

The lowest price for which any one could have been procured to transport the mail, per year, together with the offers made for the property on hand, may furnish a tolerably correct estimate of the actual profit resulting to the public from the establishment.

The transportation of the mail for three years, computing up to the 2d day of May next, at \$5,000 per year, the lowest price for which any one would carry it when the public carriages were established, amounts to 15,000 00

The sum repeatedly offered for the public property on the road, exclusive of forage, by persons possessing the means of knowing the profits of the institution, and which it is believed is not the value of it, is 16,000 00

To these may be added—

Cash in the hands of the agents more than sufficient to meet the demands against the establishment, at least 1,400 00

The forage at various stands on the road, estimated at 1,100 00

\$33,500 00

Deduct the above sum of 22,469 92

Balance in favor of the establishment for the three first years, \$11,030 08