

TITLE XLVI.
THE POSTAL SERVICE.

CHAPTER ONE.

POST-OFFICES AND POSTMASTERS.

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SEC. 3829. The Postmaster-General shall establish post-offices at all such places on post-roads established by law as he may deem expedient, and he shall promptly certify such establishment to the Sixth Auditor. And every person who, without authority from the Postmaster-General, sets up or professes to keep any office or place of business bearing the sign, name, or title of post-office, shall, for every such offense, be liable to a penalty of not more than five hundred dollars.

SEC. 3830. Postmasters of the fourth and fifth class shall be appointed and may be removed by the Postmaster-General, and all others shall be appointed and may be removed by the President, by and with the advice and consent of the Senate, and shall hold their offices for four years unless sooner removed or suspended according to law. All appointments and removals shall be notified to the Sixth Auditor.

SEC. 3831. Every postmaster shall reside within the delivery of the office to which he is appointed.

SEC. 3832. Every person employed in the postal service shall be subject to all penalties and forfeitures for violation of the laws relating to such service whether he has taken the oath of office or not.

SEC. 3833. All causes of action arising under the postal laws may be sued, and all offenders against the same may be prosecuted, before the justices of the peace, magistrates, or other judicial courts of the several States and Territories having competent jurisdiction by the laws thereof, to the trial of claims and demands of as great value, and of prosecutions where the punishments are of as great extent; and such justices, magistrates, or judiciary shall take cognizance thereof, and proceed to judgment and execution as in other cases. [See §§ 5463-5480.]

SEC. 3834. Every postmaster, before entering upon the duties of his office, shall give bond, with good and approved security, and in such penalty as the Postmaster-General shall deem sufficient, conditioned for the faithful discharge of all duties and trusts imposed on him either by

Establishment of post-offices.

8 June, 1872, c. 335, ss. 61, 62, v. 17, p. 292.

Ware vs. U. S., 4, Wall., 633.

Appointment and removal of postmasters.

Ibid., s. 63.

Residence of postmaster.

Ibid., s. 64, p. 293.

Effect of omission to take oath.

Ibid., s. 16, p. 287.

Suits and prosecutions in State courts.

Ibid., s. 305, p. 323.

Bond of postmaster.

Ibid., s. 65, p. 293.

law or the rules and regulations of the Department; and where an office is designated as a money-order office, the bond of the postmaster shall contain an additional condition for the faithful performance of all duties and obligations in connection with the money-order business. On the death, resignation, or removal of a postmaster, his bond shall be delivered to the Sixth Auditor. The bond of any married woman who may be appointed postmaster shall be binding upon her and her sureties, and she shall be liable for misconduct in office as if she were sole.

Application of payments made after giving new bond.

Ibid., s. 60, p. 292.

Limit of time of sureties' liability.

Ibid., s. 28, p. 289.

Postmaster General *vs.* Rice, Gilp., 554; Postmaster General *vs.* Fendall, 1 McLean, 217; *U. S. vs.* Mark's sureties, 3 Wall. C. C., 358.

SEC. 3835. Whenever any postmaster is required to execute a new bond, all payments made by him after the execution of such new bond may, if the Postmaster-General or the Sixth Auditor deem it just, be applied first to discharge any balance which may be due from such postmaster under his old bond.

SEC. 3836. Whenever the office of any postmaster becomes vacant, the Postmaster-General or the President shall supply such vacancy without delay, and the Postmaster-General shall promptly notify the Sixth Auditor of the change; and every postmaster and his sureties shall be responsible under their bond for the safe-keeping of the public property of the post-office, and the due performance of the duties thereof, until the expiration of the commission, or until a successor has been duly appointed and qualified, and has taken possession of the office; except that in cases where there is a delay of sixty days in supplying a vacancy, the sureties may terminate their responsibility by giving notice, in writing, to the Postmaster-General, such termination to take effect ten days after sufficient time shall have elapsed to receive a reply from the Postmaster-General; and the Postmaster-General may, when the exigencies of the service require, place such office in charge of a special agent until the vacancy can be regularly filled; and when such special agent shall have taken charge of such post-office, the liability of the sureties of the postmaster shall cease.

Renewing bond.

Ibid., s. 66, p. 293.

SEC. 3837. Whenever any of the sureties of a postmaster notify the Postmaster-General of their desire to be released from their suretyship, or when the Postmaster-General deems a new bond necessary, he shall require the postmaster to execute such new bond, with security. When accepted by the Postmaster-General, the new bond shall be as valid as the bond given upon the original appointment of such postmaster, and the sureties in the prior bond shall be released from responsibility for all acts or defaults of the postmaster which may be done or committed subsequent to the last day of the quarter in which such new bond shall be executed and accepted.

Sureties on bond; how released.

Ibid., s. 67, p. 293.

SEC. 3838. If on the settlement of the account of any postmaster it shall appear that he is indebted to the United States, and suit therefor shall not be instituted within three years after the close of such account, the sureties on his bond shall not be liable for such indebtedness.

Post-offices to be kept open.

Ibid., s. 68, p. 293.

SEC. 3839. Every postmaster shall keep an office in which one or more persons shall be on duty during such hours of each day as the Postmaster-General may direct, for the purpose of receiving, delivering, making up, and forwarding all mail-matter received thereat.

Making up the mail.

Ibid., s. 69, p. 293.

SEC. 3840. All letters brought to any post-office half an hour before the time for the departure of the mail shall be forwarded therein; but at offices where, in the opinion of the Postmaster-General, more time for making up the mail is required, he may prescribe accordingly, not exceeding one hour.

Arrival and departure of the mail.

Ibid., s. 70, p. 293.

SEC. 3841. The Postmaster-General shall furnish to the postmasters at the termination of each route a schedule of the time of arrival and departure of the mail at their offices, respectively, to be posted in a conspicuous place in the office; and he shall also give them notice of any change in the arrival and departure that may be ordered; and he shall cause to be kept and returned to the Department, at short and regular intervals, registers, showing the exact times of the arrivals and departures of the mail.

SEC. 3842. Every postmaster shall keep a record, in such form as the Postmaster-General shall direct, of all postage-stamps, envelopes, postal books, blanks, and property received from his predecessor, or from the Department or any of its agents; of all receipts in money for postages and box-rents, and of all other receipts on account of the postal service, and of any other transactions which may be required by the Postmaster-General; and these records shall be preserved and delivered to his successor, and shall be at all times subject to examination by any special agent of the Department.

Records at post-offices.

Ibid., s. 71, p. 293.

SEC. 3843. Every postmaster shall render to the Postmaster-General, under oath, and in such form as the latter shall prescribe, a quarterly account of all moneys received or charged by him or at his office, for postage, rent of boxes or other receptacles for mail-matter, or by reason of keeping a branch office, or for the delivery of mail-matter in any manner whatever.

Quarterly accounts of receipts.

Ibid., s. 72, p. 293.

SEC. 3844. The Postmaster-General may require a sworn statement to accompany each quarterly account of a postmaster, to the effect that such account contains a true statement of the entire amount of postage, box-rents, charges, and moneys collected or received at his office during the quarter; that he has not knowingly delivered, or permitted to be delivered, any mail-matter on which the postage was not at the time paid; that such account exhibits truly and faithfully the entire receipts collected at his office, and which, by due diligence, could have been collected; and that the credits he claims are just and right.

Quarterly accounts to be sworn to.

Ibid., s. 73, p. 294.

SEC. 3845. Whenever any postmaster neglects to render his accounts for one month after the time, and in the form and manner prescribed by law and the regulations of the Postmaster-General, he and his sureties shall forfeit and pay double the amount of the gross receipts at such office during any previous or subsequent equal period of time; and if, at the time of trial, no account has been rendered, they shall be liable to a penalty of such sum as the court and jury shall estimate to be equivalent thereto, to be recovered in an action on the bond.

Neglect to render accounts; penalty.

Ibid., s. 74.

SEC. 3846. Postmasters shall keep safely, without loaning, using, depositing in an unauthorized bank, or exchanging for other funds, all the public money collected by them, or which may come into their possession, until it is ordered by the Postmaster-General to be transferred or paid out.

Money to be safely kept.

Ibid., s. 75.

SEC. 3847. Any postmaster, having public money belonging to the Government, at an office within a county where there are no designated depositories, treasurers of mints, or Treasurer or assistant treasurers of the United States, may deposit the same, at his own risk and in his official capacity, in any national bank in the town, city, or county where the said postmaster resides; but no authority or permission is or shall be given for the demand or receipt by the postmaster, or any other person, of interest, directly or indirectly, on any deposit made as herein described; and every postmaster who makes any such deposit shall report quarterly to the Postmaster-General the name of the bank where such deposits have been made, and also state the amount which may stand at the time to his credit.

Custody of Government money in hands of postmasters.

3 March, 1873, c. 272, v. 17, p. 604.

SEC. 3848. The postmaster at Washington, and postmasters at cities where there is an assistant treasurer, shall deposit the postal revenues and all money accruing at their office, with such assistant treasurer, as often as once a week at least, and as much oftener as the Postmaster-General may direct.

Frequent deposits of revenues.

8 June, 1872, c. 335, s. 76, v. 17, p. 294.

SEC. 3849. Every postmaster shall promptly report to the Postmaster-General every delinquency, neglect, or malpractice of the contractors, their agents or carriers, which comes to his knowledge.

Report of delinquencies.

Ibid., s. 77.

SEC. 3850. No postmaster, assistant postmaster, or clerk employed in any post-office shall be a contractor or concerned in any contract for carrying the mail.

Postmasters not to be contractors.

Ibid., s. 78.

- Postmasters not to be lottery agents.** SEC. 3851. No postmaster shall act as agent for any lottery-office, or under any color of purchase, or otherwise, vend lottery-tickets; nor shall he receive or send any lottery-scheme, circular, or ticket free of postage. For any violation of this section the offender shall be liable to a penalty of fifty dollars.
- Ibid., s. 79.**
- Salaries of postmasters.** SEC. 3852. The compensation of postmasters shall be a fixed annual salary, for rating which they shall be divided into five classes, exclusive of the postmaster at New York city, whose salary shall be six thousand dollars per annum. The salary of postmasters of the first class shall not be more than four thousand dollars nor less than three thousand dollars; of the second class, less than three thousand dollars, but not less than two thousand dollars; of the third class, less than two thousand dollars, but not less than one thousand dollars; of the fourth class, less than one thousand dollars, but not less than two hundred dollars; of the fifth class, less than two hundred dollars; and the salaries of the first, second, and third classes shall be in even hundreds of dollars; of the fourth class, in even tens of dollars; and of the fifth class, in even dollars.
- Ibid., s. 80.**
- Salaries at new offices.** SEC. 3853. At all newly established offices, the Postmaster-General may temporarily fix the salary until the returns of such office shall enable him to properly adjust the same, but the compensation shall in no case be thus temporarily fixed at more than the salary of an office of the fifth class.
- Ibid., s. 81.**
- Re-adjusting salaries.** SEC. 3854. The salaries of postmasters shall be re-adjusted by the Postmaster-General once in two years, and in special cases as much oftener as he may deem expedient; and when the quarterly returns of any postmaster of the third, fourth, or fifth class show that the salary allowed is twenty per centum less than it would be on the basis of commission, the Postmaster-General shall re-adjust the same.
- Ibid., s. 82, p. 296.**
- Basis of re-adjusting salaries.** SEC. 3855. In re-adjusting the salary of a postmaster, the amount thereof shall be ascertained by adding, to the whole amount of box-rents, commissions on the other postal revenues of the office at the following rates: On the first one hundred dollars or less, sixty per centum; on all over one hundred dollars, and not over four hundred dollars, fifty per centum; on all over four hundred dollars, and not over two thousand four hundred dollars, forty per centum; on all over two thousand four hundred dollars, fifteen per centum. And in order to ascertain the amount of the postal receipts of each office, the Postmaster-General shall require postmasters to state, under oath, at such times and for such periods as he may deem necessary in each case, the amount of stamps canceled, the amount of box-rents received, the amount of unpaid postages collected, and the amount of postage on printed and other mailable matter. Whenever, by reason of the extension of free delivery of letters, the box-rents of any post-office are decreased, the Postmaster-General may allow, out of the receipts of such office, a sum sufficient to maintain the salary thereof at the amount at which it had been fixed before the decrease in box-rents.
- Ibid., s. 83.**
- Orders changing salaries.** SEC. 3856. The Postmaster-General shall make all orders assigning or changing the salaries of postmasters in writing; and record them in his journal, and notify the change to the Sixth Auditor; and any change made in such salaries shall not take effect until the first day of the quarter next following such order. But in cases of an extraordinary increase or decrease in the business of any post-office, the Postmaster-General may adjust the salary of the postmaster at such post-office, to take effect from the first day of the quarter or period the returns for which form the basis of re-adjustment.
- Ibid., s. 84.**
- Limit of pay of postmasters.** SEC. 3857. No postmaster shall, under any pretense whatever, have, receive, or retain for himself, in the aggregate, more than the amount of his salary and his commission on the money-order business as herein-after provided.
- Ibid., s. 85.**
- No employé to receive fees.** SEC. 3858. No person employed in the postal service shall receive any fees or perquisites on account of the duties to be performed by virtue of his appointment.
- Ibid., s. 14, p. 287.**

SEC. 3859. The Postmaster-General may designate offices at the intersection of mail-routes as distributing or separating offices; and where any such office is of the third, fourth, or fifth class he may make a reasonable allowance to the postmaster for the necessary cost of clerical services arising from such duties.

Allowances at distributing offices.

Ibid., s. 86, p. 295.

SEC. 3860. The Postmaster-General may allow to the postmaster at New York City, and to the postmasters at offices of the first and second classes, out of the surplus revenues of their respective offices, that is to say, the excess of box-rents and commissions over and above the salary assigned to the office, a reasonable sum for the necessary cost of rent, fuel, lights, furniture, stationery, printing, clerks, and necessary incidentals, to be adjusted on a satisfactory exhibit of the facts, and no such allowance shall be made except upon the order of the Postmaster-General.

Expenses at post-offices.

Ibid., s. 87.

SEC. 3861. The salary of a postmaster, and such other expenses of the postal service authorized by law as may be incurred by him, and for which appropriations have been made, may be deducted out of the receipts of his office, under the direction of the Postmaster-General.

Deductions out of receipts.

Ibid., s. 88.

SEC. 3862. Vouchers for all deductions made by a postmaster out of the receipts of his office, on account of the expenses of the postal service, shall be submitted for examination and settlement to the Sixth Auditor, and no such deduction shall be valid unless found to be in conformity with law.

Deductions to be audited.

Ibid., s. 89.

SEC. 3863. Whenever unusual business accrues at any post-office, the Postmaster-General shall make a special order allowing reasonable compensation for clerical service, and a proportionate increase of salary to the postmaster during the time of such extraordinary business.

Extra labor at offices.

Ibid., s. 90, p. 296.

U. S. vs. Wright, 11 Wall., 648.

SEC. 3864. The Postmaster-General may discontinue any post-office where the safety and security of the postal service and revenues are endangered from any cause whatever, or where the efficiency of the service requires such discontinuance, and he shall promptly certify such discontinuance to the Sixth Auditor.

Discontinuing offices.

Ibid., s. 91.

Reeside vs. U. S., 8 Wall., 38.

CHAPTER TWO.

CARRIERS, BRANCH OFFICES, AND RECEIVING-BOXES.

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3865. Letter-carrier delivery.
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3867. Uniform for carriers; penalty for unauthorized wearing.
3868. Receiving-boxes.
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3871. Branch offices.
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3873. Extra postage or carriers' fees prohibited.
3874. Expenses of carriers and branch offices.

SEC. 3865. Letter-carriers shall be employed for the free delivery of mail-matter, as frequently as the public convenience may require, at every place containing a population of fifty thousand within the delivery of its post-office; and may be so employed at every place containing a population of not less than twenty thousand within the delivery of its post-office.

Letter-carrier delivery.

8 June, 1872, c.

335, s. 92, v. 17, p. 296.

3 March, 1873, c.

231, s. 1, v. 17, p.

557.

SEC. 3866. The salary of letter-carriers shall be fixed by the Postmaster-General, and shall not exceed eight hundred dollars per annum; but on satisfactory evidence of diligence, fidelity, and experience, he may increase their salary to any sum not exceeding one thousand dollars a year each; and in San Francisco, California, he may pay such additional salaries to carriers as will secure the services of competent persons.

Salaries to carriers.

8 June, 1872, c.

335, s. 93, v. 17, p.

296.

Uniform for carriers; penalty for unauthorized wearing.

Ibid., s. 94.

SEC. 3867. The Postmaster-General may prescribe a uniform dress to be worn by letter-carriers, and any person not connected with the letter-carrier branch of the postal service who shall wear the uniform which may be prescribed shall, for every such offense, be punishable by a fine of not more than one hundred dollars, or by imprisonment for not more than six months, or both.

Receiving-boxes.

Ibid., s. 95.

SEC. 3868. The Postmaster-General may establish, in places where letter-carriers are employed, and in other places where, in his judgment, the public convenience requires it, receiving-boxes for the deposit of mail-matter, and shall cause the matter deposited therein to be collected as often as public convenience may require.

Injuring receiving-boxes, penalty.

Ibid., s. 96.

SEC. 3869. Every person who willfully and maliciously injures, tears down, or destroys any letter-box, pillar-box, or other receptacle established by the Postmaster-General for the safe deposit of matter for the mail or for delivery, or who willfully and maliciously assaults any letter-carrier, when in uniform, while engaged on his route in the discharge of his duty as a letter-carrier, and every person who willfully aids or assists therein, shall for every such offense be punishable by a fine of not less than one hundred dollars, and not more than one thousand, or by imprisonment for not less than one year and not more than three.

Bonds of carriers.

Ibid., s. 97.

SEC. 3870. Every letter-carrier shall give bonds, with sureties, to be approved by the Postmaster-General, for the safe custody and delivery of all mail-matter, and the faithful account and payment of all money received by him.

Branch offices.

Ibid., s. 98.

SEC. 3871. The Postmaster-General, when the public convenience requires it, may establish within any post-office delivery one or more branch offices for the receipt and delivery of mail-matter and the sale of stamps and envelopes; and he shall prescribe the rules and regulations for the government thereof. But no letter shall be sent for delivery to any branch office contrary to the request of the party to whom it is addressed.

Rate of postage on newspapers.

Ibid., s. 99.

SEC. 3872. The rate of postage on newspapers, excepting weeklies, periodicals not exceeding two ounces in weight, and circulars, when the same are deposited in a letter-carrier office for delivery by the office or its carriers, shall be uniform at one cent each; but periodicals weighing more than two ounces shall be subject to a postage of two cents each, and these rates shall be prepaid by stamps.

Extra postage or carriers' fees prohibited.

Ibid., s. 100.

SEC. 3873. No extra postage or carriers' fees shall be charged or collected upon any mail-matter collected or delivered by carriers.

Expenses of carriers and branch offices.

Ibid., s. 101.

SEC. 3874. All expenses of letter-carriers, branch offices, and receiving-boxes, or incident thereto, shall be kept and reported in a separate account, and shall be shown in comparison with the proceeds from postage on local mail-matter at each office, and the Postmaster-General shall be guided in the expenditures for this branch of the service by the income derived therefrom.

CHAPTER THREE.

MAIL-MATTER.

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3875. Division of mail-matter.	3887. Inclosing letters in printed matter ; penalty.
3876. First-class matter.	3888. Carrying newspapers out of mail.
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3878. Third-class matter.	3890. Detaining letters ; penalty.
3879. Limit of weight of mail-package.	3891. Detaining, opening, or destroying letters ; penalty.
3880. Metric postal balances.	3892. Intercepting or secreting letters ; penalty.
3881. Wrapping and securing matter.	3893. Obscene books, &c., not to be carried in mail ; penalty.
3882. Removing wrappers.	3894. Gift enterprises, &c., circulars not mailable ; penalty.
3883. Newspapers to be dried and in wrappers.	3895. Letters seized to be returned to sender.
3884. Papers and periodicals to one address.	
3885. Notice of refusal to receive newspapers.	
3886. Inclosures in regular printed matter.	

SEC. 3875. Mailable matter shall be divided into three classes :

First. Letters.

Second. Regular printed matter.

Third. Miscellaneous matter.

SEC. 3876. Mailable matter of the first class shall embrace all correspondence, wholly or partly in writing, except book-manuscripts and corrected proof-sheets passing between authors and publishers.

SEC. 3877. Mailable matter of the second class shall embrace all matter exclusively in print, and regularly issued at stated periods from a known office of publication, without addition by writing, mark, or sign.

SEC. 3878. Mailable matter of the third class shall embrace all pamphlets, occasional publications, transient newspapers, magazines, handbills, posters, unsealed circulars, prospectuses, books, book-manuscripts, proof-sheets, corrected proof-sheets, maps, prints, engravings, blanks, flexible patterns, samples of merchandise not exceeding twelve ounces in weight, sample cards, phonographic paper, letter envelopes, postal envelopes and wrappers, cards, plain and ornamental paper, photographic representations of different types, seeds, cuttings, bulbs, roots, scions, and all other matter which may be declared mailable by law, and all other articles not above the weight prescribed by law, which are not, from their form or nature, liable to destroy, deface, or otherwise injure the contents of the mail-bag or the person of any one engaged in the postal service. All liquids, poisons, glass, explosive materials, and obscene books shall be excluded from the mails. All matter of the third class, excepting books and other printed matter, book-manuscripts, proof-sheets, and corrected proof-sheets, packages of seeds, cuttings, bulbs, roots, and scions, shall not exceed twelve ounces in weight, and packages of seeds, cuttings, bulbs, roots, and scions, shall not exceed four pounds in weight ; and all matter of the third class shall be subject to examination and to rates of postage as hereinafter provided. Samples of metals, ores, and mineralogical specimens shall not exceed twelve ounces in weight, and shall be subject to examination and to rates of postage as hereinafter provided.

SEC. 3879. No package weighing more than four pounds shall be received for conveyance by mail, except books published or circulated by order of Congress.

SEC. 3880. The Postmaster-General shall furnish to the post-offices exchanging mails with foreign countries, and to such other offices as he may deem expedient, postal balances denominated in grams of the metric system, fifteen grams of which shall be the equivalent for postal purposes, of one half-ounce avoirdupois, and so on in progression.

Division of mail-matter.

Ibid., s. 130.

First-class matter.

Ibid., s. 131.

Second-class matter.

Ibid., s. 132.

Third-class matter.

8 June, 1872, c. 335, s. 133, v. 17, p. 300.

9 Jan., 1873, c. 21, v. 17, p. 406.

Limit of weight of mail-package.

Ibid., s. 134.

Metric postal balances.

27 July, 1863, c. 281, v. 14, p. 301.

8 June, 1872, c. 335, s. 135, v. 17, p. 301.

Wrapping and securing matter.

8 June, 1872, c. 335, s. 136, v. 17, p. 301.

Removing wrappers.

Ibid., s. 137.

Newspapers to be dried and in wrappers.

Ibid., s. 138.

Papers and periodicals to one address.

Ibid., s. 139.

Notice of refusal to receive newspapers.

Ibid., s. 140.

Inclosures in regular printed matter.

Ibid., s. 141.

Inclosing letters in printed matter, penalty.

Ibid., s. 142.

Carrying newspapers out of mail.

Ibid., s. 143.

Delivery of newspapers by route-agents.

Ibid., s. 144.

Detaining letters; penalty.

Ibid., s. 145.

Detaining, opening, or destroying letters; penalty.

Ibid., s. 146, p. 302.

SEC. 3881. The Postmaster-General may prescribe by regulation the manner of wrapping and securing for the mails all matter not charged with letter-postage, so that it may be conveniently examined by postmasters; and if not so wrapped and secured, it shall be subject to letter-postage.

SEC. 3882. Postmasters at the office of delivery may remove the wrappers and envelopes from mail-matter not charged with letter-postage, when it can be done without destroying them, for the purpose of ascertaining whether there is upon or connected with any such matter anything which would authorize or require the charge of a higher rate of postage thereon.

SEC. 3883. No newspapers shall be received to be conveyed by mail unless they are sufficiently dried and inclosed in proper wrappers.

SEC. 3884. Where packages of newspapers or other periodicals are received at a post-office, directed to one address, and a list of the names of the subscribers to whom they belong, with the postage for a quarter in advance, is handed to the postmaster, he shall deliver such papers or periodicals to their respective owners.

SEC. 3885. Postmasters shall notify the publisher of any newspaper, or other periodical, when any subscriber shall refuse to take the same from the office, or neglect to call for it for the period of one month.

SEC. 3886. Publishers of newspapers and periodicals may print or write, upon their publications sent to regular subscribers, the address of the subscriber, and the date when the subscription expires, and may inclose therein bills and receipts for subscriptions thereto, without subjecting such publications to extra postage.

SEC. 3887. Any person who shall inclose or conceal any letter, memorandum, or other thing in any mail-matter not charged with letter-postage, or make any writing or memorandum thereon, and deposit or cause the same to be deposited for conveyance by mail at a less rate than letter postage, shall, for every such offense, be liable to a penalty of five dollars; and such mail-matter or inclosure shall not be delivered until the postage is paid thereon at letter-rates. But no extra postage shall be charged for a card printed or impressed upon an envelope or wrapper.

SEC. 3888. Contractors or mail-carriers may convey, out of the mail, newspapers for sale or distribution to subscribers.

SEC. 3889. The Postmaster-General may provide by order the terms upon which route-agents may receive from publishers or any news agents in charge thereof, and deliver the same as directed, if presented and called for at the mail-car or steamer, packages of newspapers and other periodicals not received from or intended for delivery at any post-office.

SEC. 3890. Any postmaster who shall unlawfully detain in his office any letter or other mail-matter, the posting of which is not prohibited by law, with intent to prevent the arrival and delivery of the same to the person to whom it is addressed, shall be punishable by a fine of not more than five hundred dollars, and by imprisonment for not more than six months, and he shall be forever thereafter incapable of holding the office of postmaster.

SEC. 3891. Any person employed in any department of the postal service, who shall unlawfully detain, delay, or open any letter, packet, bag, or mail of letters intrusted to him, or which has come into his possession, and which was intended to be conveyed by mail, or carried or delivered by any mail-carrier, mail messenger, route-agent, letter-carrier, or other person employed in any department of the postal service, or forwarded through or delivered from any post-office or branch post-office established by authority of the Postmaster-General; or who shall secrete, embezzle, or destroy any such letter, packet, bag, or mail of letters, although it does not contain any security for or assurance relat-

ing to money or other thing of value, shall be punishable by a fine of not more than five hundred dollars, or by imprisonment for not more than one year, or by both.

SEC. 3892. Any person who shall take any letter, postal card, or packet, although it does not contain any article of value or evidence thereof, out of a post-office or branch post-office, or from a letter or mail carrier, or which has been in any post-office or branch post-office or in the custody of any letter or mail carrier, before it has been delivered to the person to whom it was directed, with a design to obstruct the correspondence, or pry into the business or secrets of another, or shall secrete, embezzle, or destroy the same, shall, for every such offense, be punishable by a fine of not more than five hundred dollars, or by imprisonment at hard labor for not more than one year, or by both.

SEC. 3893. No obscene, lewd, or lascivious book, pamphlet, picture, paper, print, or other publication of an indecent character, or any article or thing designed or intended for the prevention of conception or procuring of abortion, nor any article or thing intended or adapted for any indecent or immoral use or nature, nor any written or printed card, circular, book, pamphlet, advertisement, or notice of any kind giving information, directly or indirectly, where, or how, or of whom, or by what means either of the things before mentioned may be obtained or made, nor any letter upon the envelope of which, or postal card upon which indecent or scurrilous epithets may be written or printed, shall be carried in the mail; and any person who shall knowingly deposit, or cause to be deposited, for mailing or delivery, any of the hereinbefore mentioned articles or things, or any notice or paper containing any advertisement relating to the aforesaid articles or things, and any person who, in pursuance of any plan or scheme for disposing of any of the hereinbefore mentioned articles or things, shall take, or cause to be taken, from the mail any such letter or package, shall be deemed guilty of a misdemeanor, and shall, for every offense, be fined not less than one hundred dollars, nor more than five thousand dollars, or imprisoned at hard labor not less than one year nor more than ten years, or both. [See § 1785.]

SEC. 3894. No letter or circular concerning illegal lotteries, so-called gift-concerts, or other similar enterprises, offering prizes, or concerning schemes devised and intended to deceive and defraud the public for the purpose of obtaining money under false pretenses, shall be carried in the mail. Any person who shall knowingly deposit or send anything to be conveyed by mail in violation of this section shall be punishable by a fine of not more than five hundred dollars nor less than one hundred dollars, with costs of prosecution.

SEC. 3895. All letters, packets, or other matter which may be seized or detained for violation of law shall be returned to the owner or sender of the same, or otherwise disposed of as the Postmaster-General may direct.

Intercepting or secreting letters; penalty.

Ibid., s. 147.

U. S. *vs.* Lancaster, 2 McLean, 431.
U. S. *vs.* Pend, 2 Crnt., 265.

Obscene books, scurrilous and disloyal letters, and lottery circulars not mailable; penalty.

Ibid., ss. 148, 149.
3 March, 1873, c. 158, s. 2, v. 17, p. 599.

Gift enterprise, &c., circulars not mailable; penalty.

8 June, 1872, c. 335, ss. 148, 149, v. 17, p. 302.

Letters seized to be returned to senders.

Ibid., s. 302, v. 17, p. 323.

CHAPTER FOUR.

POSTAGE.

Sec.	Sec.
3896. Prepayment of postage.	3904. Drop-letter postage.
3897. Third-class matter.	3905. Postage on regular printed matter.
3898. Disposal of partly paid and unpaid letters.	3906. Certain postage to be paid quarterly.
3899. Fraudulent receipt of postage; penalty.	3907. Postage on packages of small papers.
3900. Postage to be paid before delivery.	3908. Postage to regular dealers.
3901. Box-rents to be prepaid.	3909. Affidavit of publishers; penalty.
3902. Unpaid soldiers' and sailors' letters.	3910. Postage on transient, &c., matter.
3903. Postage on letters and letter-matter.	3911. Clothing to soldiers by mail.
	3912. Postage on foreign mail-matter.
	3913. Postage on irregular sea-letters.

SEC. 3896. Postage on all mail-matter must be prepaid by stamps at the time of mailing, unless herein otherwise provided for.

Prepayment of postage.

Ibid., s. 150, p. 302.

Third-class matter.

SEC. 3897. All mail-matter of the third class must be prepaid in full in postage-stamps at the office of mailing.

3 Jan., 1873, c. 21, v. 17, p. 407.

Disposal of partly paid and unpaid letters.

SEC. 3898. All mail-matter deposited for mailing, on which one full rate of postage has been paid as required by law, shall be forwarded to its destination, charged with any portion of the proper postage which may be unpaid, to be collected on delivery. But if any mail-matter, on which by law the postage is required to be prepaid at the mailing-office, shall by inadvertence reach its destination without any prepayment, double the prepaid rates shall be charged and collected on delivery.

8 June, 1872, c. 335, ss. 151, 152, v. 17, p. 302.

Fraudulent receipts of postage; penalty.

SEC. 3899. If any postmaster, or other person authorized by the Postmaster-General to receive the postage of letters, shall fraudulently demand or receive any rate of postage, or gratuity, or reward, other than is provided by this section, for the postage of letters or packets, he shall be punishable by a fine of one hundred dollars.

Ibid., s. 296, p. 322.

Postage to be paid before delivery.

SEC. 3900. No mail-matter shall be delivered until the postage due thereon has been paid.

Ibid., s. 153, p. 303.

Box-rents to be prepaid.

SEC. 3901. No box at any post-office shall be assigned to the use of any person until the rent thereof has been paid for at least one quarter in advance, for which the postmaster shall give a receipt.

Ibid., s. 154.

Unpaid soldiers' and sailors' letters.

SEC. 3902. The Postmaster-General may provide by regulation for transmitting unpaid and duly certified letters of soldiers, sailors, and marines in the service of the United States, to their destination.

Ibid., s. 155.

Postage on letters and letter-matter.

SEC. 3903. On all mail-matter which is wholly or partly in writing, except book-manuscripts and corrected proofs passing between authors and publishers, and local or drop letters; on all printed matter which is so marked as to convey any other or further information than is conveyed by the original print, except the correction of mere typographical errors; on all matter which is sent in violation of law or the regulations of the Department respecting inclosures; and on all matter to which no specific rate of postage is assigned, postage shall be charged at the rate of three cents for each half-ounce or fraction thereof.

Ibid., s. 156.

Drop-letter postage.

SEC. 3904. Letters commonly known as drop or local letters, delivered through the post-office or its carriers, shall be charged with postage at the rate of two cents where the system of free delivery is established, and one cent where such system is not established, for each half-ounce or fraction thereof.

Ibid., s. 157.

Postage on regular printed matter.

SEC. 3905. On newspapers and other periodical publications, not exceeding four ounces in weight, sent from a known office of publication to regular subscribers, postage shall be charged at the following rates per quarter, namely: On publications issued less frequently than once a week, at the rate of one cent for each issue; issued once a week, five cents; and five cents additional for each issue more frequent than once a week. And an additional rate shall be charged for each additional four ounces or fraction thereof in weight.

Ibid., s. 158.

Certain postage to be paid quarterly.

SEC. 3906. On newspapers and other periodicals sent from a known office of publication to regular subscribers, the postage shall be paid before delivery, for not less than one quarter, nor more than one year; which payment may be made either at the office of mailing or delivery, commencing at any time; and the postmaster shall account for such postage in the quarter in which it is received.

Ibid., s. 159.

Postage on packages of small papers.

SEC. 3907. The Postmaster-General may provide by regulations for carrying small newspapers, issued less frequently than once a week, in packages to one address, from a known office of publication to regular subscribers, at the rate of one cent for each four ounces or fraction thereof.

Ibid., s. 160.

Postage to regular dealers.

SEC. 3908. Persons known as regular dealers in newspapers and periodicals may receive and transmit by mail such quantities of either as they may require, and pay the postage thereon as received, at the same rates, pro rata, as regular subscribers to such publications who pay quarterly in advance.

8 June, 1872, c. 335, s. 161, v. 17, p. 303.

Ibid., s. 161.

SEC. 3909. The Postmaster-General may prescribe, by regulation, an affidavit, in form, to be taken by the publisher, or by the clerk, agent, or servant of the publisher, of any newspaper or other periodical which may by law be sent to regular subscribers without prepayment of postage at the mailing-office, to the effect that neither he nor any other proprietor, clerk, agent, or employé within his knowledge will send, cause or permit to be sent through the mail, without prepayment by postage-stamps, any copies of such newspaper or other periodical (naming it) except to bona-fide and regular subscribers thereto; and if any such newspaper or other periodical shall be thus unlawfully sent, with the knowledge or consent of such proprietor, or his agent, clerk, or servant in charge of such business, or if such affidavit shall, when required by the Postmaster-General or any special agent of the Post-Office Department, be refused, the person guilty of the offense, or refusing to make the affidavit, shall be liable to a penalty of fifty dollars in each case.

Affidavits of publishers; penalty.

Ibid., s. 162.

SEC. 3910. On mailable matter of the third class, except as herein stated, postage shall be charged at the rate of one cent for each two ounces or fraction thereof. Double these rates shall be charged for books, samples of metals, ores, minerals, and merchandise.

Postage on transient, &c., matter.

Ibid., s. 163, p. 304.

SEC. 3911. Packages of woolen, cotton, or linen clothing, not exceeding two pounds in weight, may be sent through the mail to any non-commissioned officer or private in the Army of the United States, if prepaid, at the rate of one cent for each one ounce or fraction thereof, subject to such regulations as the Postmaster-General may prescribe.

Clothing to soldiers by mail.

Ibid., s. 164.

SEC. 3912. The rate of United States postage on mail-matter sent to or received from foreign countries with which different rates have not been established by postal convention or other arrangement, when forwarded by vessels regularly employed in transporting the mail, shall be ten cents for each half-ounce or fraction thereof on letters, unless reduced by order of the Postmaster-General; two cents each on newspapers; and not exceeding two cents per each two ounces, or fraction thereof, on pamphlets, periodicals, books, and other printed matter, which postage shall be prepaid on matter sent and collected on matter received; and to avoid loss to the United States in the payment of balances, the Postmaster-General may collect the unpaid postage on letters from foreign countries in coin or its equivalent.

Postage on foreign mail-matter.

Ibid., s. 165.

SEC. 3913. All letters conveyed by vessels not regularly employed in carrying the mail shall, if for delivery within the United States, be charged with double postage, to cover the fee paid to the vessel.

Postage on irregular sea-letters.

Ibid., s. 166.

CHAPTER FIVE.

POSTAGE-STAMPS AND ENVELOPES.

Sec.
3914. Postage-stamps.
3915. Stamped envelopes.
3916. Postal cards.
3917. Improvements in stamps and envelopes.
3918. Sale of stamps at post-offices.
3919. Stamps and envelopes at a discount.
3920. Selling stamps at more than face; penalty.

Sec.
3921. Stamps to be defaced.
3922. Removing stamps from mail matter.
3923. Re-use of stamps; penalty.
3924. Removal and re-use of old stamps by employé; penalty.
3925. The same by persons not in post-office employ.

SEC. 3914. The Postmaster-General shall prepare postage-stamps of suitable denominations, which, when attached to mail-matter, shall be evidence of the payment of the postage thereon.

Postage-stamps.

8 June, 1872, c. 335, s. 163, v. 17, p. 304.

SEC. 3915. The Postmaster-General shall provide suitable letter and newspaper envelopes, with such water-marks or other guards against counterfeits as he may deem expedient, and with postage-stamps with such device and of such suitable denominations as he may direct, im-

Stamped envelopes.

Ibid., s. 169.

pressed thereon; and such envelopes shall be known as "stamped envelopes," and shall be sold, as nearly as may be, at the cost of procuring them, with the addition of the value of the postage-stamps impressed thereon; but no stamped envelope furnished by the Government shall contain any lithographing or engraving, nor any printing except a printed request to return the letter to the writer. Letters and papers inclosed in such stamped envelopes shall, if the postage-stamp is of a denomination sufficient to cover the postage properly chargeable thereon, pass in the mail as prepaid matter.

<p>Postal cards. Ibid., s. 170.</p>	<p>SEC. 3916. To facilitate letter correspondence, and to provide for the transmission in the mails, at a reduced rate of postage, of messages, orders, notices, and other short communications, either printed or written in pencil or ink, the Postmaster-General is authorized and directed to furnish and issue to the public, with postage-stamps impressed upon them, "postal cards," manufactured of good stiff paper, of such quality, form, and size as he shall deem best adapted for general use; which cards shall be used as a means of postal intercourse, under rules and regulations to be prescribed by the Postmaster-General, and when so used shall be transmitted through the mails at a postage charge of one cent each, including the cost of their manufacture.</p>
<p>Improvements in stamps and envelopes. Ibid., s. 171.</p>	<p>SEC. 3917. The Postmaster-General may, from time to time, adopt such improvements in postage-stamps and stamped envelopes as he may deem advisable; and when any such improvement is adopted it shall be subject to all the provisions herein respecting postage-stamps or stamped envelopes.</p>
<p>Sale of stamps at post-offices. Ibid., s. 172.</p>	<p>SEC. 3918. Postage-stamps and stamped envelopes shall be furnished by the Postmaster-General to all postmasters, and shall be kept for sale at all post-offices; and each postmaster shall be held accountable for all such stamps and envelopes furnished to him.</p>
<p>Stamps and envelopes at a discount. Ibid., s. 173, p. 305.</p>	<p>SEC. 3919. Postage-stamps and stamped envelopes may be sold at a discount to certain designated agents, who will agree to sell again without discount, under rules to be prescribed by the Postmaster-General; but the quantities of each sold to any one agent at one time shall not exceed one hundred dollars in value, and the discount shall not exceed five per centum on the face value of the stamps, nor the same per centum on the current price of the envelopes when sold in less quantities.</p>
<p>Selling stamps at more than face; penalty. Ibid., s. 174.</p>	<p>SEC. 3920. Postage-stamps shall not be sold for any larger sum than the value indicated on their face, nor stamped envelopes for more than is charged therefor by the Post-Office Department for like quantities. Any person connected with the postal service who shall violate this provision shall be punishable by a fine of not less than ten dollars, nor more than five hundred.</p>
<p>Stamps to be defaced. Ibid., s. 175.</p>	<p>SEC. 3921. Postage-stamps affixed to all mail-matter or the stamped envelopes in which the same is inclosed, shall, when deposited for mailing or delivery, be defaced by the postmaster at the mailing-office, in such manner as the Postmaster-General may direct; and if any mail matter shall be forwarded without the stamps or envelopes being so defaced, the postmaster at the office of delivery shall deface them, and report the delinquent postmaster to the Postmaster-General.</p>
<p>Removing stamps from mail-matter; penalty. Ibid., s. 176.</p>	<p>SEC. 3922. Any person employed in any branch of the postal service who shall wilfully and unlawfully remove from any mail-matter any postage-stamp affixed thereto in payment of the postage, shall be punishable by a fine of not more than one hundred dollars, or by imprisonment for not more than six months.</p>
<p>Re-use of stamps; penalty. Ibid., s. 177.</p>	<p>SEC. 3923. Any person who shall use or attempt to use, in payment of the postage on any mail-matter conveyed by mail or otherwise, any postage-stamp or stamped envelope, or any stamp cut from any such stamped envelope, which has been before used for a like purpose, shall be liable to a penalty of fifty dollars.</p>

SEC. 3924. If any person employed in any department of the Post-Office Establishment of the United States shall willfully and knowingly use, or cause to be used, in prepayment of postage, any postage-stamp, postal card, or stamped envelope issued, or which may hereafter be issued, by authority of any act of Congress, or of the Postmaster-General, which has already been once used for a like purpose, or shall remove, or attempt to remove, the canceling or defacing marks from any such postage-stamp, or stamped envelope, or postal-card, with intent to use or cause the use of the same a second time, or to sell, or offer to sell, the same, or shall remove from letters or other mail matter deposited in or received at a post-office the stamps attached to the same in payment of postage, with intent to use the same a second time for a like purpose, or to sell, or offer to sell, the same, every such offender shall be deemed guilty of felony, and shall be imprisoned for not less than one year nor more than three years.

Removal and re-use of old stamps by employé; penalty.

Ibid., s. 297, p. 322.

SEC. 3925. If any person, although not employed in any department of the Post-Office Establishment, shall commit any of the offenses described in the preceding section, every such person shall be deemed guilty of a misdemeanor, and be punishable by imprisonment for not less than six months nor more than one year, or by a fine of not less than one hundred dollars nor more than five hundred dollars, for each offense, or by both.

The same by persons not in post-office employ.

Ibid., s. 298.

CHAPTER SIX.

REGISTERED LETTERS.

Sec.

3926. System of registration authorized.

3927. Registered matter and fees.

3928. Receipt for delivery of registered matter.

Sec.

3929. Registered letters to lotteries, &c., may be returned.

SEC. 3926. For the greater security of valuable mail-matter, the Postmaster-General may establish a uniform system of registration. But the Post-Office Department or its revenue shall not be liable for the loss of any mail-matter on account of its having been registered.

System of registration authorized.

8 June, 1872, c. 335, ss. 126, 129, v. 17, p. 300.

SEC. 3927. Mail-matter shall be registered only on the application of the party posting the same, and the fee therefor shall not exceed twenty cents in addition to the regular postage, to be, in all cases, prepaid; and all such fees shall be accounted for in such manner as the Postmaster-General shall direct. But letters upon the official business of the Post-Office Department which require registering shall be registered free of charge, and pass through the mails free of charge.

Registered matter and fees.

Ibid., s. 127.

SEC. 3928. A receipt shall be taken upon the delivery of any registered mail-matter, showing to whom and when the same was delivered, which shall be returned to the sender, and be received in the courts as prima-facie evidence of such delivery.

Receipt for delivery of registered matter.

Ibid., s. 128.

SEC. 3929. The Postmaster-General may, upon evidence satisfactory to him that any person is engaged in conducting any fraudulent lottery, gift-enterprise, or scheme for the distribution of money or of any real or personal property, by lot, chance, or drawing of any kind, or in conducting any other scheme or device for obtaining money through the mails by means of false or fraudulent pretenses, representations, or promises, instruct postmasters at any post-offices at which registered letters arrive directed to any such person, to return all such registered letters to the postmasters at the offices at which they were originally mailed, with the word "fraudulent" plainly written or stamped upon the outside of such letters; and all such letters so returned to such postmasters shall be by them returned to the writers thereof, under such regulations as the Post-

Registered letters to lotteries, &c., may be returned.

Ibid., s. 300, p. 322.

master-General may prescribe. But nothing contained in this Title shall be so construed as to authorize any postmaster or other person to open any letter not addressed to himself.

CHAPTER SEVEN.

UNCLAIMED, DEAD, AND REQUEST LETTERS.

Sec.

3930. Advertising letters.
 3931. Advertising foreign letters.
 3932. Registry of letters containing fractional currency.
 3933. Posting lists of advertised letters.
 3934. Pay for advertising letters.
 3935. Charge on advertised letters.

Sec.

3936. Return of undelivered letters.
 3937. Unpaid letters to dead-letter office.
 3938. Proceeds of valuable dead letters.
 3939. Request letters to be returned.
 3940. Forwarding letters from one office to another.

Advertising letters.

8 June, 1872, c. 335, s. 188, v. 17, p. 307.

SEC. 3930. The Postmaster-General may direct the publication of the list of non-delivered letters at any post-office by a written list posted in some public place, or, when he shall deem it for the public interest, he may direct the publication of such list in the daily or weekly newspaper regularly published within the post-office delivery which has the largest circulation within such delivery; and where no daily paper is published within the post-office delivery, such list may be published in the daily newspaper of any adjoining delivery having the largest circulation within the delivery of the post-office publishing the list; and in case of dispute as to the circulation of competing newspapers, the postmaster shall receive evidence and decide upon the fact. Such list shall be published as frequently as the Postmaster-General may deem proper, but not oftener than once a week.

Advertising foreign letters.

Ibid., s. 189.

SEC. 3931. The list of non-delivered letters addressed to foreign-born persons may be published in a newspaper printed in the language most used by them, which shall be selected in the manner prescribed in the preceding section.

Registry of letters containing fractional currency.

Ibid., s. 190, p. 307.

SEC. 3932. Under such regulations as the Postmaster-General may prescribe, all postmasters are authorized to register in the manner prescribed by law, but without payment of any registration fee, all letters containing fractional or other currency of the United States, which shall be by them sent by mail to the Treasurer of the United States for redemption; and the postmaster at the city of Washington, in the District of Columbia, shall register, in like manner, without charge, all letters containing new currency returned for currency redeemed, which shall be received by him from the Treasurer, in sealed packages, marked with the word "register" over the official signature of the said Treasurer.

Posting lists of advertised letters.

Ibid., s. 191, p. 308.

Pay for advertising letters.

Ibid., s. 192, p. 308.

Charge on advertised letters.

Ibid., s. 193, p. 308.

SEC. 3933. Every postmaster shall post, in a conspicuous place in his office, a copy of each list of non-delivered letters immediately after its publication.

Return of undelivered letters.

Ibid., s. 194, p. 308.

SEC. 3934. The compensation for publishing the list of non-delivered letters shall in no case exceed one cent for each letter so published.

SEC. 3935. All letters published as non-delivered shall be charged with one cent in addition to the regular postage, to be accounted for as part of the postal revenue.

SEC. 3936. The Postmaster-General may regulate the period during which undelivered letters shall remain in any post-office, and when they shall be returned to the dead-letter office; and he may make regulations for their return from the dead-letter office to the writers, when they cannot be delivered to the parties addressed.

SEC. 3937. All domestic letters deposited in any post-office for mailing, on which the postage is wholly unpaid or paid less than one full rate as required by law, except letters lawfully free, and duly certified letters of soldiers, sailors, and marines in the service of the United States, shall be sent by the postmaster to the dead-letter office in Washington. But in large cities and adjacent districts of dense population, having two or more post-offices within a distance of three miles of each other, any letter mailed at one of such offices and addressed to a locality within the delivery of another of such offices, which shall have been inadvertently prepaid at the drop or local letter rate of postage only, may be forwarded to its destination through the proper office, charged with the amount of the deficient postage, to be collected on delivery.

Unpaid letters to dead-letter office.

Ibid., s. 195, p. 308.

SEC. 3938. Dead letters containing valuable inclosures shall be registered in the dead-letter office; and when they cannot be delivered to the party addressed nor to the writer, the contents thereof shall be disposed of, and a careful account shall be kept of the amount realized in each case, which shall be subject to reclamation by either the party addressed or the sender, for four years from the registry thereof; and all other letters of value or of importance to the party addressed or to the writer, and which cannot be returned to either, shall be disposed of as the Postmaster-General may direct.

Proceeds of valuable dead-letters.

Ibid., s. 196, p. 308.

SEC. 3939. When the writer of any letter on which the postage is prepaid shall indorse upon the outside thereof his name and address, such letter shall not be advertised, but after remaining uncalled for at the office to which it is directed thirty days, or the time the writer may direct, shall be returned to him without additional charge for postage, and if not then delivered shall be treated as a dead letter.

Request to be returned.

Ibid., s. 198, p. 308.

SEC. 3940. Prepaid letters shall be forwarded from one post-office to another, at the request of the party addressed, without additional charge for postage.

Forwarding letters from one office to another.

Ibid., s. 199.

CHAPTER EIGHT.

CONTRACTS FOR CARRYING THE MAIL.

<p>Sec. 3941. Advertising for proposals. 3942. Contracts with railways without advertising. 3943. Contracts for carrying home-mails by owners of vessels. 3944. Proposals to be sealed; how to be opened. 3945. Guarantee of proposals. 3946. Oath to accompany bid. 3947. Certificate of the postmaster as to the sufficiency of guarantor. 3948. Bids to be recorded and preserved. 3949. Contracts to lowest bidder. 3950. Combination to prevent bids. 3951. Failure of bidder to give bond; proceedings.</p>	<p>Sec. 3952. Release of bidder. 3953. Bids to be accompanied by certified check. 3954. Penalty for failure to enter into contract. 3955. New sureties. 3956. Limit of time of contract. 3957. Changing terms of contract. 3958. Notice of intention to change terms of contract. 3959. Payment on contract. 3960. Pay for additional regular service. 3961. Allowance for additional expedition. 3962. Fining mail-contractors. 3963. Mail-contracts not assignable.</p>
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SEC. 3941. Before making any contract for carrying the mail, other than those hereinafter excepted, the Postmaster-General shall give public notice by advertising once a week for six weeks in one or more, not exceeding five, newspapers published in the State or Territory where the service is to be performed, one of which shall be published at the seat of government of such State or Territory; and such notice shall describe the route, the time at which the mail is to be made up, the time at which it is to be delivered, and the frequency of the service; and the Postmaster-General shall direct, by special order in each case, the newspapers in which mail-lettings, or other proposals relative to the business of his Department, shall be advertised, and no publisher shall be paid for such

Advertising for proposals.

8 June, 1872, c. 335, s. 243, v. 17, p. 313.

advertisements without having been requested by the Postmaster-General to publish the same. [See § 3827.]

Contracts with
railways without
advertising.

SEC. 3942. The Postmaster-General may enter into contracts for carrying the mail, with railway companies, without advertising for bids therefor.

8 June, 1872, c. 335, s. 265, v. 17, p. 316.

Contracts for
carrying home-
mails by owners of
vessels.

SEC. 3943. The Postmaster-General may contract with the owner or master of any steamboat plying upon the waters of the United States, or of any steamship or other vessel plying between ports of the United States, for carrying the mail for any length of time less than four years, and without advertising for proposals therefor, whenever the public interest and convenience will thereby be promoted; but the price paid for such service shall in no case be greater than the average price paid under the last preceding or then existing regular contract on the same route.

Ibid., s. 264.

Proposals to be
sealed, how to be
opened.

SEC. 3944. Proposals for carrying the mail shall be delivered sealed, and so kept until the bidding is closed, and shall then be opened and marked in the presence of the Postmaster-General, and one of the assistant postmasters-general, or of two of the assistant postmasters-general, or of any other two officers of the Department, to be designated by the Postmaster-General; and any bidder may withdraw his bid at any time before twenty-four hours previous to the time fixed for the opening of proposals, by serving upon the Postmaster-General, or the second assistant postmaster-general, notice in writing of such withdrawal.

Ibid., s. 244, p.
313.

Guarantee of
proposals.

SEC. 3945. Every proposal for carrying the mail shall be accompanied by a written guarantee, signed by one or more responsible persons, and undertaking that, within such time after the bid is accepted as the Postmaster-General may prescribe, the bidder will enter into an obligation, with good and sufficient sureties, to perform the service proposed; and no proposals shall be considered unless accompanied by such guarantee.

Ibid., s. 245.

Oath to accom-
pany bid.

SEC. 3946. Each bid for carrying the mail shall hereafter have affixed to it the oath of the bidder, taken before an officer qualified to administer oaths, that he has the pecuniary ability to fulfill his obligations, and that the bid is made in good faith and with the intention to enter into contract and perform the service, in case his bid shall be accepted; and that the signatures of his guarantors are genuine, and that he believes the guarantors pecuniarily responsible for and able to pay all damages the United States shall suffer by reason of the bidder's failing to perform his obligations as such bidder.

Ibid., s. 246.

Certificate of the
postmaster as to
sufficiency of guar-
antor.

SEC. 3947. Any postmaster or other officer of the Post Office Department who shall affix his signature to the certificate of sufficiency of guarantors or sureties before the guarantee or contract is signed by the guarantors or sureties, or shall knowingly make any false or illusory certificate, shall be forthwith dismissed from office, and shall be deemed guilty of a misdemeanor, and be punishable by a fine of not more than one thousand dollars, or by imprisonment for not more than one year, or by both.

Ibid., s. 247.

Bids to be re-
corded and pre-
served.

SEC. 3948. The Postmaster-General shall have recorded, in a book to be kept for that purpose, a true and faithful abstract of all proposals made to him for carrying the mail, giving the name of the party offering, the terms of the offer, the sum to be paid, and the time the contract is to continue; and he shall put on file and preserve the originals of all such proposals.

Ibid., s. 248.

Contracts to low-
est bidder.

SEC. 3949. All contracts for carrying the mail shall be in the name of the United States, and shall be awarded to the lowest bidder tendering sufficient guarantees for faithful performance, without other reference to the mode of transportation than may be necessary to provide for the due celerity, certainty, and security thereof; but the Postmaster-General shall not be bound to consider the bid of any person who has willfully or negligently failed to perform a former contract.

Ibid., s. 249.

SEC. 3950. No contract for carrying the mail shall be made with any person who has entered, or proposed to enter, into any combination to prevent the making of any bid for carrying the mail, or who has made any agreement, or given or performed, or promised to give or perform, any consideration whatever to induce any other person not to bid for any such contract; and if any person so offending is a contractor for carrying the mail, his contract may be annulled; and for the first offense the person so offending shall be disqualified to contract for carrying the mail for five years, and for the second offense shall be forever disqualified.

Combinations to prevent bids.

Ibid., s. 250.

SEC. 3951. After any regular bidder or contractor for the transportation of the mail upon any route shall have failed to enter into contract, and commence the performance thereof as herein provided, the Postmaster-General shall proceed to contract with the next lowest bidder for such service, who will enter into a contract and perform the same, unless the Postmaster-General shall consider such bid too high, in which case he shall re-advertise such service. And in all cases of regular contracts hereafter made the contract may, in the discretion of the Postmaster-General, be continued in force beyond its express terms for a period not exceeding six months, until a new contract with the same or other contractors shall be made by the Postmaster-General. The Postmaster-General may contract, without advertisement, for a period not to exceed twelve months, for the carriage of the mail on such route during the time that shall necessarily elapse between the failure of either of the accepted bidders to enter into a contract and the time when the next accepted bidder under the old or a new advertisement shall enter upon his contract; and the difference between the price proposed in the accepted bid and that paid for intermediate service shall be charged to the failing bidder or bidders, and may be recovered in the name of the United States for the use of the Post-Office Department, in an action on the case. And when the contract shall be made and concluded, the difference between the accepted bid of the failing bidders and the amount payable under the contract for the service of two years shall be forthwith charged against the failing bidder or bidders; and an action for such sum in the nature of liquidated damages shall accrue to the United States for the use of the Post-Office Department immediately upon the execution of the final contract. And both causes of action mentioned in this section may be joined in one suit.

Failure of bidder to give bond; proceedings.

Ibid., s. 251.

SEC. 3952. No bidder for carrying the mail shall be released from his obligation under his bid or proposal, notwithstanding an award made to a lower bidder, until a contract for the designated service shall have been duly executed by such lower bidder and his sureties, and accepted, and the service entered upon by the contractor to the satisfaction of the Postmaster-General.

Release of bidder.

Ibid., s. 252.

SEC. 3953. Hereafter all bidders upon every mail-route for the transportation of the mails upon the same, where the annual compensation for the service on such route at the time exceeds the sum of five thousand dollars, shall accompany their bids with a certified check or draft, payable to the order of the Postmaster-General upon some solvent national bank, which check or draft shall not be less than five per centum on the amount of the annual pay on such route at the time such bid is made; and in case of new service, not less than five per centum of the amount of one year's pay proposed in such bid, if the bid exceed five thousand dollars per annum. In case any bidder, on being awarded any such contract, shall fail to execute the same, with good and sufficient sureties, according to the terms on which such bid was made and accepted, and enter upon the performance of the service to the satisfaction of the Postmaster-General, such bidder shall forfeit the amount so deposited to the United States, and the same shall forthwith be paid into the Treasury for the use of the Post-Office Department; but if such contract shall be duly executed and the service entered upon to the satisfaction of the Postmaster-General, such draft or check so deposited shall be returned to the bidder.

Bids to be accompanied by certified check.

Ibid., s. 253.

Penalty for failure to enter into contract.

Ibid., s. 254, p. 315.

SEC. 3954. Any person or persons bidding for the transportation of the mails upon any route which may be advertised to be let, and receiving an award of the contract for such service, who shall wrongfully refuse or fail to enter into contract with the Postmaster-General in due form, and perform the service described in his or their bid or proposal, shall be deemed guilty of a misdemeanor, and be punishable by a fine of not more than five thousand dollars, and by imprisonment for not more than twelve months.

New sureties.

Ibid., s. 255.

SEC. 3955. The Postmaster-General, whenever he may deem it consistent with the public interest, may accept new surety upon any contract existing or hereafter made for carrying the mails, in substitution for and release of any existing surety.

Limit of time of contract.

Ibid., s. 256.

SEC. 3956. No contract for carrying the mail shall be made for a longer term than four years, and no contract for carrying the mail on the sea shall be made for a longer term than two years.

Changing terms of contract.

Ibid., s. 257.

SEC. 3957. Whenever, by reason of any error, omission, or other cause, any route which should properly be advertised for the regular letting is omitted, it shall be the duty of the Postmaster-General to advertise the same as soon as the error or omission shall be discovered, and the proposals for such route shall be opened as soon as possible after the other proposals in the same contract section; and the contract made under such supplementary advertisement shall run, as nearly as possible, from the beginning to the end of the regular contract term, and, during the time necessarily lost by reason of such error, omission, or other cause, the Postmaster-General shall provide for the carrying of the mail on such route at as low rate as possible, without advertising.

Notice of intention to change terms of contract.

Ibid., s. 258.

SEC. 3958. Whenever it becomes necessary to change the terms of an existing contract for carrying the mail otherwise than as provided in the preceding section, notice thereof shall be given and proceedings had thereon the same as at the letting of original contracts.

Payment on contract.

Ibid., s. 259.

SEC. 3959. No person whose bid for carrying the mail is accepted shall receive any pay until he has executed his contract according to law and the regulations of the Department.

Pay for additional regular service.

Ibid., s. 260.

SEC. 3960. Compensation for additional service in carrying the mail shall not be in excess of the exact proportion which the original compensation bears to the original service; and when any such additional service is ordered, the sum to be allowed therefor shall be expressed in the order, and entered upon the books of the Department; and no compensation shall be paid for any additional regular service rendered before the issuing of such order.

Allowance for additional expedition.

Ibid., s. 261.

SEC. 3961. No extra allowance shall be made for any increase of expedition in carrying the mail unless thereby the employment of additional stock and carriers is made necessary, and in such case the additional compensation shall bear no greater proportion to the additional stock and carriers necessarily employed than the compensation in the original contract bears to the stock and carriers necessarily employed in its execution.

Fining mail-contractors.

Ibid., s. 266, p. 316.

SEC. 3962. The Postmaster-General may make deductions from the pay of contractors, for failures to perform service according to contract, and impose fines upon them for other delinquencies. He may deduct the price of the trip in all cases where the trip is not performed; and not exceeding three times the price if the failure be occasioned by the fault of the contractor or carrier.

Mail-contracts not assignable.

Ibid., s. 271.

SEC. 3963. No contractor for transporting the mail within or between the United States and any foreign country shall assign or transfer his contract, and all such assignments or transfers shall be null and void.

CHAPTER NINE.

CARRYING THE MAIL.

<p>Sec. 3964. What are post-roads. 3965. Provisions for carrying the mail. 3966. Mail to every court-house. 3967. Carrying the mail on canals. 3968. Carrying the mail on plank-roads. 3969. Carrying the mail on waters of the United States. 3970. Carrying home-mail in steamships. 3971. Extending line of posts; compensation. 3972. Selecting post-roads. 3973. Change of post-road terminus. 3974. Discontinuing service on post-roads. 3975. Contracts for service over routes not established by law. 3976. United States vessels to carry mails; oath; penalty. 3977. Delivery of letters by master of steamboat to postmaster. 3978. Mail-carrying by vessel not in mail-service. 3979. Claiming to be carriers of United States mail; penalty. 3980. Prepaid way-letters to be received. 3981. Illegal carrying by carriers and others; penalty.</p>	<p>Sec. 3982. Private expresses prohibited; penalty. 3983. Carrying person acting as express; penalty. 3984. Sending letters by private express; penalty. 3985. Carrying letters out of the mail over post-route; penalty. 3986. Carrying letters out of the mail on board vessel; penalty. 3987. Foreign letters not to be carried, except; oath. 3988. Vessels to deliver letters at post-office; oath; penalty. 3989. Searching vessels for letters. 3990. Seizing and detaining letters. 3991. Disposal of seizures. 3992. Conveying letters without compensation. 3993. Letters in stamped envelopes may be carried out of the mail. 3994. Separating letter-mail for expedition. 3995. Obstructing the mail; penalty. 3996. Delaying the mail at a ferry; penalty.</p>
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SEC. 3964. The following are established post-roads:

All the waters of the United States, during the time the mail is carried thereon.

All railroads or parts of railroads which are now or hereafter may be in operation.

All canals, during the time the mail is carried thereon.

All plank-roads during the time the mail is carried thereon.

The road on which the mail is carried to supply any court-house which may be without a mail, and the road on which the mail is carried under contract made by the Postmaster-General for extending the line of posts to supply mails to post-offices not on any established route, during the time such mail is carried thereon.

All letter-carrier routes established in any city or town for the collection and delivery of mail matters. [See §2476.]

SEC. 3965. The Postmaster-General shall provide for carrying the mail on all post-roads established by law, as often as he, having due regard to productiveness and other circumstances, may think proper.

SEC. 3966. The Postmaster-General shall cause a mail to be carried from the nearest post-office on any established post-road to the court-house of any county in the United States which is without a mail.

SEC. 3967. The Postmaster-General may contract for carrying the mail on the navigable canals of the several States, when, in his opinion, the public interest or convenience requires it.

SEC. 3968. The Postmaster-General may contract for carrying the mail on any plank-road in the United States, when the public interest or convenience requires it.

SEC. 3969. The Postmaster-General may cause the mail to be carried in any steamboat or other vessel used as a packet on any of the waters of the United States.

SEC. 3970. The Postmaster-General may, if he deem it for the public interest, make contracts for any period not exceeding one year, for carrying the mails in steamships between any of the ports of the United States.

What are post-roads.

8 June, 1872, c. 335, ss. 200-205, v. 17, pp. 308, 309.

Provisions for carrying the mail.

Ibid., s. 215, p. 309.

Mail to every court-house.

Ibid., s. 216, p. 309.

Carrying the mail on canals.

Ibid., s. 217, p. 310.

Carrying the mail on plank-roads.

Ibid., s. 218, p. 310.

Carrying the mail on waters of the United States.

Ibid., s. 219, p. 310.

Carrying home-mail in steamships.

Ibid., s. 220, p. 310.

Extending line of posts; compensation.

Ibid., s. 221, p. 310.

Selecting post-roads.

Ibid., s. 206, p. 309.

Change of post-road terminus.

Ibid., s. 207.

Discontinuing service on post-road.

Ibid., s. 208.

Contract for service over routes not established by law.

Ibid., s. 209.

United States vessels to carry mails; oath; penalty.

Ibid., s. 222, p. 310.

Delivery of letters by master of steamboat to postmaster.

Ibid., s. 223.

Mail-carrying by vessels not in mail service.

Ibid., s. 224.

Claiming to be carriers of the United States mail; penalty.

Ibid., s. 225.

SEC. 3971. The Postmaster-General may enter into contracts for extending the line of posts to supply mails to post-offices not on any established route, and, as a compensation for carrying the mail under such contracts, may allow not exceeding two-thirds of the salary paid to the postmaster at such special offices.

SEC. 3972. When there is more than one road between places designated by law for a post-road, the Postmaster-General may direct which shall be considered the post-road.

SEC. 3973. The Postmaster-General may change the terminus of post-roads connecting with or intersecting railways when the service can be thereby improved.

SEC. 3974. Whenever, in the opinion of the Postmaster-General, the postal service cannot be safely continued, the revenues collected, or the laws maintained on any post-road, he may discontinue the service on such road or any part thereof until the same can be safely restored.

SEC. 3975. The Postmaster-General may, when he deems it advisable, contract for the transportation of the mails to and from any post-office; but where such service is performed over a route not established by law, he shall report the same to Congress at its meeting next thereafter, and such service shall cease at the end of the next session of Congress, unless such route is established a post-route by Congress.

SEC. 3976. The master of any vessel of the United States bound from any port therein to any foreign port, or from any foreign port to any port of the United States, shall, before clearance, receive on board and securely convey all such mails as the Post-Office Department, or any diplomatic or consular officer of the United States abroad, shall offer; and he shall promptly deliver the same, on arriving at the port of destination, to the proper officer, for which he shall receive two cents for every letter so delivered; and upon the entry of every such vessel returning from any foreign port, the master thereof shall make oath that he has promptly delivered all the mail placed on board said vessel before clearance from the United States; and if he shall fail to make such oath the vessel shall not be entitled to the privileges of a vessel of the United States. [See § 4203.]

SEC. 3977. The master of any steamboat passing between ports or places in the United States, and arriving at any such port or place where there is a post-office, shall deliver to the postmaster, within three hours after his arrival, if in the day-time, and if at night, within two hours after the next sunrise, all letters and packets brought by him, or within his power or control and not relating to the cargo, addressed to or destined for such port or place, for which he shall receive from the postmaster two cents for each letter or packet so delivered, unless the same is carried under a contract for carrying the mail; and for every failure to so deliver such letters and packets, the master or owner of the steamboat shall be liable to a penalty of one hundred and fifty dollars.

SEC. 3978. The Postmaster-General may pay, to the master or owner of any vessel not regularly employed in carrying the mail, two cents for each letter carried by such vessel between ports or places in the United States, or from any foreign port to any port in the United States; but all such letters shall be deposited in the post-office at the port of arrival.

SEC. 3979. Any person who shall paint, print, or in any manner place upon or attach to any steamboat or other vessel, or any stage-coach or other vehicle, not actually used in carrying the mail, the words "United States mail," or any words, letters, or characters of like import; or any person who shall give notice, by publishing in any newspaper or otherwise, that any steamboat or other vessel, or any stage-coach or other vehicle, is used in carrying the mail, when the same is not actually so used; or any person willfully aiding or abetting therein, shall, for every such offense, be punishable by a fine of not less than one hundred dollars nor more than five hundred dollars.

SEC. 3980. Every route-agent, postal clerk, or other carrier of the mail shall receive any mail-matter presented to him, if properly prepaid by stamps, and deliver the same for mailing at the next post-office at which he arrives; but no fees shall be allowed him therefor.

SEC. 3981. Any person concerned in carrying the mail, who shall collect, receive, or carry any letter or packet, or cause or procure the same to be done, contrary to law, shall, for every such offense, be punishable by a fine of not more than fifty dollars.

SEC. 3982. No person shall establish any private express for the conveyance of letters or packets, or in any manner cause or provide for the conveyance of the same by regular trips or at stated periods, over any post-route which is or may be established by law, or from any city, town, or place to any other city, town, or place between which the mail is regularly carried; and every person so offending, or aiding or assisting therein, shall for each offense be liable to a penalty of one hundred and fifty dollars.

SEC. 3983. The owner of every stage-coach, railway-car, steamboat, or other vehicle or vessel, which shall, with the knowledge of any owner, in whole or in part, or with the knowledge or connivance of the driver, conductor, master, or other person having charge of the same, convey any person acting or employed as a private express for the conveyance of letters or packets, and actually in possession of the same for the purpose of conveying them, contrary to the spirit, true intent, and meaning of this Title, shall, for every such offense, be liable to a penalty of one hundred and fifty dollars.

SEC. 3984. No person shall transmit by private express or other unlawful means, or deliver to any agent of such unlawful express, or deposit, or cause to be deposited, at any appointed place, for the purpose of being transmitted, any letter or packet; and for every such offense the party offending shall be liable to a penalty of fifty dollars.

SEC. 3985. No stage-coach, railway-car, steamboat, or other vehicle or vessel which regularly performs trips at stated periods on any post-route, or from any city, town, or place to any other city, town, or place, between which the mail is regularly carried, shall carry, otherwise than in the mail, any letters or packets, except such as relate to some part of the cargo of such steamboat or other vessel, or to some article carried at the same time by the same stage-coach, railway-car, or other vehicle, except as provided in section three thousand nine hundred and ninety-three; and for every such offense the owner of the stage-coach, railway-car, steamboat, or other vehicle or vessel shall be liable to a penalty of one hundred dollars; and the driver, conductor, master, or other person having charge thereof, and not at the time owner of the whole or any part thereof, shall for every such offense be liable to a penalty of fifty dollars.

SEC. 3986. No person shall carry any letter or packet on board any vessel which carries the mail otherwise than in such mail, except as provided in section three thousand nine hundred and ninety-three; and for every such offense the party offending shall be liable to a penalty of fifty dollars.

SEC. 3987. No vessel departing from the United States for any foreign port shall receive on board or convey any letter or packet originating in the United States which has not been regularly received from the post-office at the port of departure, and which does not relate to the cargo of such vessel, except as provided in section three thousand nine hundred and ninety-three; and every collector, or other officer of the port empowered to grant clearances, shall require from the master of such vessel, as a condition of clearance, an oath that he has not received on board, has not under his care or control, and will not receive or convey any letter or packet contrary to the provisions of this section.

Prepaid way-letters to be received.

Ibid., s. 226.

Illegal carrying by carriers and others, penalty.

Ibid., s. 227, p. 311.

Private expresses prohibited; penalty.

Ibid., s. 228.

Carrying person acting as express; penalty.

Ibid., s. 229.

Sending letters by private express; penalty.

Ibid., s. 230.

Carrying letters out of the mail over post-routes; penalty.

Ibid., s. 231.

Carrying letters out of the mail on board vessel; penalty.

Ibid., s. 232.

Foreign letters not to be carried, except; oath.

Ibid., s. 233.

Vessels to deliver letters at post-office; oath; penalty.

Ibid., s. 234.

SEC. 3988. No vessel arriving within any port or collection-district of the United States shall be allowed to make entry or break bulk until all letters on board are delivered at the nearest post-office, and the master thereof has signed and sworn to the following declaration, before the collector or other proper customs officer:

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

And any master who shall break bulk before he has delivered such letters shall be liable to a penalty of not more than one hundred dollars, recoverable, one-half to the officer making the seizure, and the other to the use of the United States.

Searching vessels for letters.

Ibid., s. 235, p. 312.

SEC. 3989. Any special agent of the Post-Office Department, when instructed by the Postmaster-General to make examinations and seizures, and the collector or other customs officer of any port, without special instructions, shall carefully search all vessels for letters which may be on board or which have been conveyed contrary to law.

Seizing and detaining letters.

Ibid., s. 236.

SEC. 3990. Any special agent of the Post-Office Department, collector, or other customs officer, or United States marshal or his deputy, may at all times seize all letters and bags, packets or parcels, containing letters which are being carried contrary to law on board any vessel or on any post-route, and convey the same to the nearest post-office, or may, by the direction of the Postmaster-General or Secretary of the Treasury, detain them until two months after the final determination of all suits and proceedings which may, at any time within six months after such seizure, be brought against any person for sending or carrying such letters.

Disposition of seizures.

Ibid., s. 237.

SEC. 3991. Every package or parcel seized by any special agent of the Post-Office Department, collector, or other customs officer, or United States marshal or his deputies, in which any letter is unlawfully concealed, shall be forfeited to the United States, and the same proceedings may be had to enforce the forfeiture as are authorized in respect to goods, wares, and merchandise forfeited for violation of the revenue laws; and all laws for the benefit and protection of customs officers making seizures for violating revenue laws shall apply to officers making seizures for violating the postal laws. [See Title xxxiv, Chap. 10.]

Conveying letters without compensation.

Ibid., s. 238.

SEC. 3992. Nothing herein contained shall be construed to prohibit the conveyance or transmission of letters or packets by private hands without compensation, or by special messenger employed for the particular occasion only.

Letters in stamped envelopes may be carried out of the mail.

Ibid., s. 239.

SEC. 3993. All letters inclosed in stamped envelopes, if the postage-stamp is of a denomination sufficient to cover the postage that would be chargeable thereon if the same were sent by mail, may be sent, conveyed, and delivered otherwise than by mail, provided such envelope shall be duly directed and properly sealed, so that the letter cannot be taken therefrom without defacing the envelope, and the date of the letter or of the transmission or receipt thereof shall be written or stamped upon the envelope. But the Postmaster-General may suspend the operation of this section upon any mail-route where the public interest may require such suspension.

Separating letter-mail for expedition.

Ibid., s. 240.

SEC. 3994. When the amount of mail-matter to be carried on any mail-route is so great as to seriously retard the progress or endanger the security of the letter-mail, or materially increase the cost of carriage at the ordinary rate of speed, the Postmaster-General may provide for the separate carriage of the letter-mail at the usual rate of speed; but the other mail-matter shall not be delayed any more than is absolutely necessary, having due regard to the cost of expedition and the means at his disposal for affecting the same.

SEC. 3995. Any person who shall knowingly and willfully obstruct or retard the passage of the mail, or any carriage; horse, driver, or carrier carrying the same, shall, for every such offense, be punishable by a fine of not more than one hundred dollars.

Obstructing the mail; penalty.

Ibid., s. 241.

U. S. vs. Kirby, 7 Wall., 482.

SEC. 3996. Any ferryman who shall delay the passage of the mail by willful neglect or refusal to transport the same across any ferry shall, for every ten minutes such mail may be so delayed, be liable to a penalty of ten dollars.

Delaying the mail at a ferry; penalty.

Ibid., s. 242, p. 313.

CHAPTER TEN.

RAILWAY-SERVICE.

Sec.	Sec.
3997. Railway-routes to be classified.	4001. Pay for carrying mail on railways receiving Government aid.
3998. Rates of pay for carrying mail on railways.	4002. Conditions of railway-service.
3999. When mail may be carried on railway routes by horse-express.	4003. Refusal to provide postal cars.
4000. Railway-companies to carry mail on any train.	4004. Additional pay.
	4005. Length and fitting of cars.

SEC. 3997. The Postmaster-General shall arrange the railway-routes on which the mail is carried, including those in which the service is partly by railway and partly by steamboat, into three classes, according to the size of the mails, the speed at which they are carried, and the frequency and importance of the service, so that each railway company shall receive, as far as practicable, a proportionate and just rate of compensation, according to the service performed.

Railway-routes to be classified.

Ibid., s. 210, p. 309.

SEC. 3998. The pay for carrying the mail on any railway of the first class shall not exceed three hundred dollars per mile per annum; on any railway of the second class it shall not exceed one hundred dollars per mile per annum; and on any railway of the third class it shall not exceed fifty dollars per mile per annum; but if one-half the service on any railway is required to be performed in the night-time, the Postmaster-General may pay twenty-five per centum in addition to the above maximum rates.

Rates of pay for carrying mail on railways.

Ibid., s. 211.

SEC. 3999. If the Postmaster-General is unable to contract for carrying the mail on any railway-route at a compensation not exceeding the maximum rates herein provided, or for what he may deem a reasonable and fair compensation, he may separate the letter-mail from the other mail, and contract, either with or without advertising, for carrying such letter-mail by horse-express or otherwise, at the greatest speed that can reasonably be obtained, and for carrying the other mail in wagons, or otherwise, at a slower rate of speed.

When mail may be carried on railway routes by horse-express.

Ibid., s. 212.

SEC. 4000. Every railway company carrying the mail shall carry on any train which may run over its road, and without extra charge therefor, all mailable matter directed to be carried thereon, with the person in charge of the same.

Railway company to carry matter on any train.

Ibid., s. 213.

SEC. 4001. All railway companies to which the United States have furnished aid by grant of lands, right of way, or otherwise, shall carry the mail at such prices as Congress may by law provide; and, until such price is fixed by law, the Postmaster-General may fix the rate of compensation.

Pay for carrying mail on railways receiving Government aid.

Ibid., s. 214.

SEC. 4002. The Postmaster-General is authorized and directed to re-adjust the compensation hereafter to be paid for the transportation of mails on railroad-routes upon the conditions and at the rates hereinafter mentioned:

Conditions of railway service.

3 March, 1873, c. 231, s. 1, v. 17, p. 558.

First. That the mails shall be conveyed with due frequency and speed; and that sufficient and suitable room, fixtures, and furniture, in a car or apartment properly lighted and warmed, shall be provided for route-agents to accompany and distribute the mails.

Second. That the pay per mile per annum shall not exceed the following rates, namely: On routes carrying their whole length an average weight of mails per day of two hundred pounds, fifty dollars; five hundred pounds, seventy-five dollars; one thousand pounds, one hundred dollars; one thousand five hundred pounds, one hundred and twenty-five dollars; two thousand pounds, one hundred and fifty dollars; three thousand five hundred pounds, one hundred and seventy-five dollars; five thousand pounds, two hundred dollars, and twenty-five dollars additional for every additional two thousand pounds, the average weight to be ascertained, in every case, by the actual weighing of the mails for such a number of successive working-days, not less than thirty, at such times, after June thirtieth, eighteen hundred and seventy-three, and not less frequently than once in every four years, and the result to be stated and verified in such form and manner as the Postmaster-General may direct.

Refusal to provide postal cars.

3 March, 1873, c. 231, s. 1, v. 17, p. 558.

Additional pay for postal cars.

Ibid.

Length and fitting of cars.

Ibid.

SEC. 4003. In case any railroad-company now furnishing railway post-office cars shall refuse to provide such cars, such company shall not be entitled to any increase of compensation under the provisions of the next section.

SEC. 4004. Additional pay may be allowed for every line comprising a daily trip each way of railway post-office cars, at a rate not exceeding twenty-five dollars per mile per annum for cars forty feet in length; and thirty dollars per mile per annum for forty-five-foot cars; and forty dollars per mile per annum for fifty-foot cars; and fifty dollars per mile per annum for fifty-five to sixty-foot cars.

SEC. 4005. The length of cars required for such post-office railway-car service shall be determined by the Post-Office Department, and all such cars shall be properly fitted up, furnished, warmed, and lighted for the accommodation of clerks to accompany and distribute the mails.

CHAPTER ELEVEN.

FOREIGN MAIL-SERVICE.

Sec.

4006. Foreign mail-transportation contracts.

4007. Contracts for carrying mails between the United States and foreign countries.

4008. Foreign mail, how transported.

4009. Pay for transporting foreign mail.

4010. Fine of mail-contractors for delay.

4011. Discontinuing foreign mail-transportation contracts.

Sec.

4012. Transportation of Canadian mail through the United States.

4013. Offenses against foreign mail *in transitu*.

4014. Payment of postage by consuls.

4015. Rates of postage on letters carried in any foreign vessel.

4016. Letters carried in a foreign vessel to be deposited in a post-office.

Foreign mail-transportation contracts.

8 June, 1872, c. 335, s. 263, v. 17, p. 315.

SEC. 4006. The Postmaster-General, after advertising for proposals, may enter into contracts or make suitable arrangements for transporting the mail through any foreign country, between any two points in the United States, and such transportation shall be by the speediest, safest, and most economical route; and all contracts therefor may be revoked whenever any new road or canal shall be opened affording a speedier, more economical, and equally safe transportation between the same points; but in case of the revocation of any such contract, a fair indemnity shall be awarded to the contractor.

SEC. 4007. The Postmaster-General may, after advertising for proposals, enter into contracts for the transportation of the mail between the United States and any foreign country whenever the public interests will thereby be promoted.

Contracts for carrying mails between United States and foreign countries.

Ibid., s. 267, p. 316.

SEC. 4008. The mail between the United States and any foreign port, or between ports of the United States touching at a foreign port, shall be transported in steamships; but the Postmaster-General may have such transportation performed by sailing-vessels when the service can be facilitated thereby.

Foreign mail, how transported.

Ibid., s. 268.

SEC. 4009. For transporting the mail between the United States and any foreign port, or between ports of the United States touching at a foreign port, the Postmaster-General may allow as compensation, if by a United States steamship, any sum not exceeding the sea and United States inland postage; and if by a foreign steamship or by a sailing-vessel, any sum not exceeding the sea-postage, on the mail so transported.

Pay for transporting foreign mail.

Ibid., s. 269.

SEC. 4010. The Postmaster-General may impose fines on contractors for transporting the mail between the United States and any foreign country, for any unreasonable or unnecessary delay in the departure of such mail, or the performance of the trip; but the fine for any one default shall not exceed one-half the contract price for the trip.

Fine of mail-contractors for delay.

Ibid., s. 270.

SEC. 4011. Every contract for transporting the mail between the United States and any foreign country shall contain, besides the usual stipulation for the right of the Postmaster-General to discontinue the same, the further stipulation that it may be terminated by Congress.

Discontinuing foreign mail-transportation contracts.

Ibid., s. 272.

SEC. 4012. The Postmaster-General may, by and with the advice and consent of the President, make any arrangements which may be deemed just and expedient for allowing the mails of Canada, or any other country adjoining the United States, to be transported over the territory of the United States from one point in such country to any other point in the same, at the expense of the country to which the mail belongs, upon obtaining a like privilege for the transportation of the United States mail through the country to which the privilege is granted; but such privilege may at any time be annulled by the President or Congress from and after one month succeeding the day on which notice of the act of the President or Congress is given to the chief executive or head of the post-office department of the country whose privilege is to be annulled.

Transportation of Canadian, &c., mail through the United States.

Ibid., s. 273.

SEC. 4013. Every foreign mail shall, while being transported across the territory of the United States under the provisions of the preceding section, be deemed and taken to be a mail of the United States, so far as to make any violation thereof, or depredation thereon, or offense in respect thereto, or any part thereof, an offense of the same grade, and punishable in the same manner and to the same extent as though the mail was a mail of the United States; and in any indictment for any such offense, the mail, or any part thereof, may be alleged to be, and on the trial of any such indictment it shall be deemed and held to be, a mail or part of a mail of the United States.

Offenses against foreign mail in transitu.

Ibid., s. 274, p. 317.

SEC. 4014. The Postmaster-General or the Secretary of State is hereby authorized to empower the consuls of the United States to pay the foreign postage on such letters destined for the United States as may be detained at the ports of foreign countries for the non-payment of postage, which postage shall be by the consul marked as paid by him, and the amount thereof shall be collected in the United States as other postage, on the delivery of the letters, and repaid to said consul, or credited on his account at the State Department.

Payment of postage by consuls.

Ibid., s. 275.

SEC. 4015. The Postmaster-General, under the direction of the President of the United States, is hereby authorized and empowered to charge upon, and collect from, all letters and other mailable matter carried to or from any port of the United States, in any foreign packet-ship or other vessel, the same rate or rates of charge for American post-

Rates of postage on letters carried in any foreign vessel.

Ibid., s. 276.

age which the government to which such foreign packet or other vessel belongs imposes upon letters and other mailable matter conveyed to or from such foreign country in American packets or other vessels as the postage of such government, and at any time to revoke the same; and all custom-house officers and other United States agents designated or appointed for that purpose shall enforce or carry into effect the foregoing provision, and aid or assist in the collection of such postage, and to that end it shall be lawful for such officers and agents, on suspicion of fraud, to open and examine, in the presence of two or more respectable persons, being citizens of the United States, any package or packages supposed to contain mailable matter found on board such packets or other vessels or elsewhere, and to prevent, if necessary, such packets or other vessels from entering, breaking bulk, or making clearance until such letters or other mailable matter are duly delivered into the United States post-office. [See §§ 4203, 4212.]

Letters carried in a foreign vessel to be deposited in a post-office.

Ibid., s. 277.

SEC. 4016. All letters or other mailable matter conveyed to or from any part of the United States by any foreign vessel, except such sealed letters, relating to such vessel, or any part of the cargo thereof, as may be directed to the owners or consignees of the vessel, shall be subject to postage-charge, whether addressed to any person in the United States or elsewhere, provided they are conveyed by the packet or other ship of a foreign country imposing postage on letters or mailable matter conveyed to or from such country by any vessel of the United States; and such letters or other mailable matter carried in foreign vessels, except such sealed letters, relating to the vessel, or any part of the cargo thereof, as may be directed to the owners or consignees, shall be delivered into the United States post-office by the master of such vessel when arriving, and be taken from a United States post-office when departing, and the postage paid thereon, justly chargeable by this Title, and for refusing or failing to do so, or for conveying such letters or any letters intended to be conveyed in any vessel of such foreign country over or across the United States, or any portion thereof, the party offending shall be punishable by a fine of not more than one thousand dollars for each offense.

CHAPTER TWELVE.

SPECIAL, LOCAL, AND ROUTE AGENTS.

Sec.	Sec.
4017. Special agents; their salary and allowance.	4022. Agents on mail-steamers to foreign ports.
4018. When special agents to give bond.	4023. Postal agencies in China and Japan.
4019. Assistant Postmasters-General, &c., as special agents.	4024. Route-agents.
4020. Railway-service agents and their pay.	4025. Clerks in railway post-offices.
4021. Resident agents on Isthmus of Panama, &c.	4026. Searches authorized.

Special agents, their salary and allowances.

8 June, 1872, c. 335, ss. 31, 32, v. 17, p. 289.

When special agents to give bond.

Ibid., s. 33.

SEC. 4017. The Postmaster-General may employ two special agents for the Pacific coast, and such number of other special agents as the good of the service and the safety of the mail may require. Such agents shall be entitled to a salary at the rate of not more than one thousand six hundred dollars a year each, and shall each be allowed for traveling and incidental expenses, while actually employed in the service, a sum not exceeding five dollars a day.

SEC. 4018. Whenever a special agent is required to collect or disburse any public money, he shall, before entering upon such duty, give bond in such sum and form, and with such security, as the Postmaster-General may approve.

SEC. 4019. The Postmaster-General may employ, when the service requires it, the Assistant Postmasters-General and superintendents in his Department as special agents; and he may allow them therefor not exceeding the amount expended by them as necessary traveling expenses while so employed.

Assistant Postmasters-General, &c., as special agents.

Ibid., s. 34.

SEC. 4020. The Postmaster-General may appoint two agents to superintend the railway postal-service, each of whom shall be paid out of the appropriation for the transportation of the mail, a salary at the rate of two thousand five hundred dollars a year, with an allowance for traveling and incidental expenses, while actively employed in the service, of not more than five dollars a day; and the Sixth Auditor shall charge to the appropriation for mail transportation the salary and per diem of the assistant superintendents of the postal railway-service; and to the appropriation for the free-delivery system the salary and per diem of the special agent detailed for that service; and the salary and per diem of the special agents employed in the money-order service shall be paid out of the proceeds of that service.

Railway-service agents and their pay.

Ibid., s. 35.

SEC. 4021. The Postmaster-General may establish resident mail-agencies at the ports of Panama and Aspinwall, in New Granada; Havana, in Cuba; at Saint Thomas, and at such other foreign ports at which United States mail-steamers touch to land and receive mails, as may, in his judgment, promote the efficiency of the foreign mail-service; and may pay the agents employed by him at such ports, out of the appropriation for transportation of the mail, a reasonable compensation for their services, and the necessary expenses for office-rent, clerk-hire, office-furniture, and other incidentals, to be allowed him at each of such agencies.

Resident agents on Isthmus of Panama, &c.

Ibid., s. 36.

SEC. 4022. The Postmaster-General may appoint an agent in charge of the mail on board of each of the mail-steamers on the routes between San Francisco, Japan, and China; between San Francisco and Honolulu, in the Hawaiian Islands, and between New York and Rio Janeiro, who shall be allowed, out of the appropriation for transportation of the mail, a salary of two thousand dollars a year each.

Agents on mail-steamers to foreign ports.

Ibid., s. 37.

SEC. 4023. The Postmaster-General may establish, in connection with the mail-steamship service to Japan and China, a general postal agency at Shanghai, in China, or at Yokohama, in Japan, with such branch agencies at any other ports in China and Japan as he shall deem necessary for the prompt and efficient management of the postal service in those countries; and he may pay the postal agents employed thereat a reasonable compensation for their services, in addition to the necessary expenses for rent, furniture, clerk-hire, and incidental expenses.

Postal agencies in China and Japan.

Ibid., s. 38, p. 290.

SEC. 4024. The Postmaster-General may employ as many route-agents as may be necessary for the prompt and safe transportation of the mail, each of whom shall be paid, out of the appropriation for transportation of the mail, a salary at the rate of not less than nine hundred nor more than one thousand two hundred dollars a year each.

Route-agents.

Ibid., s. 39.

SEC. 4025. The Postmaster-General may appoint clerks for the purpose of assorting and distributing the mail in railway post-offices, each of whom shall be paid, out of the appropriation for transportation of the mail, a salary at the rate of not more than one thousand four hundred dollars a year each to the head clerks, nor more than one thousand two hundred dollars a year each to the other clerks.

Clerks in railway post-offices.

Ibid., s. 40.

SEC. 4026. The Postmaster-General may, by a letter of authorization under his hand, to be filed among the records of his Department, empower any special agent or other officer of the Post-Office Establishment to make searches for mailable matter transported in violation of law; and the agent or officer so authorized may open and search any car or vehicle passing, or having lately before passed, from any place at which there is a post-office of the United States to any other such place, or any box, package, or packet, being, or having lately before been, in such car or vehicle, or any store or house, other than a dwelling-house, used or occupied by any common carrier or transportation company, in which

Searches authorized.

Ibid., s. 299, p. 322.

such box, package, or packet may be contained, whenever such agent or officer has reason to believe that mailable matter, transported contrary to law, may therein be found.

CHAPTER THIRTEEN.

THE MONEY-ORDER SYSTEM.

Sec.	Sec.
4027. Money-order system established.	4040. Replacing lost orders.
4028. Foreign money-order exchanges.	4041. Payment of money-orders issued in favor of lotteries, &c., may be suspended.
4029. Issuing money-orders.	4042. Transfer of money-order funds.
4030. Issuing order before payment; penalty.	4043. Transfer by warrant to money-order funds.
4031. Who to act during the absence of postmaster.	4044. Report of money-order funds.
4032. Amount of orders and fees.	4045. What to be money-order funds.
4033. Blank applications for orders.	4046. Embezzlement of money-order funds; penalty; explanation.
4034. Orders to be on printed blanks.	4047. Pay for issuing and paying money-orders.
4035. Notice of orders drawn to be sent.	4048. Money-order incidentals.
4036. Order to be good for one year.	
4037. Indorsement of orders.	
4038. Changes and modification of orders.	
4039. Repayment of orders.	

Money-order system established.

8 June, 1872, c. 335, s. 102, v. 17, p. 297.

Foreign money-order exchanges.

Ibid., s. 103, p. 297.

Issuing money-orders.

1 June, 1872, c. 256, s. 2, v. 17, p. 201.

8 June, 1872, c. 335, s. 104, v. 17, p. 297.

Issuing order before payment; penalty.

8 June, 1872, c. 335, s. 105, v. 17, p. 297.

Who to act during absence of postmaster.

Ibid., s. 106, p. 297.

SEC. 4027. To promote public convenience, and to insure greater security in the transfer of money through the mail, the Postmaster-General may establish and maintain, under such rules and regulations as he may deem expedient, a uniform money-order system, at all suitable post-offices, which shall be designated as "money-order offices."

SEC. 4028. The Postmaster-General may conclude arrangements with the post departments of foreign governments, with which postal conventions have been, or may be, concluded, for the exchange, by means of postal orders, of small sums of money, not exceeding fifty dollars in amount, at such rates of exchange, and compensation to postmasters, and under such rules and regulations as he may deem expedient; and the expenses of establishing and conducting such system of exchange may be paid out of the proceeds of the money-order business.

SEC. 4029. The postmaster of every city where branch post-offices or stations are established and in operation, subject to his supervision, is authorized, under the direction of the Postmaster-General, to issue, or to cause to be issued, by any of his assistants or clerks in charge of branch post-offices or stations, postal money-orders, payable at his own or at any other money-order office, or at any branch post-office or station of his own, or of any other money-order office, as the remitters thereof may direct; and the postmaster and his sureties shall, in every case, be held accountable upon his official bond for all moneys received by him or his designated assistants or clerks in charge of stations, from the issue of money-orders, and for all moneys which may come into his or their hands, or be placed in his or their custody by reason of the transaction by them of money-order business.

SEC. 4030. Any postmaster who issues a money-order without having previously received the money therefor shall be deemed guilty of a misdemeanor, and shall be fined not less than fifty nor more than five hundred dollars.

SEC. 4031. In case of the sickness or unavoidable absence from his office of the postmaster of any money-order post-office, he may, with the approval of the Postmaster-General, authorize the chief clerk, or some other clerk employed therein, to act in his place, and to discharge all the duties required by law of such postmaster; and the official bond given by the principal of the office shall be held to cover and apply to

the acts of the person appointed to act in his place in such cases; and such acting officer shall, for the time being, be subject to all the liabilities and penalties prescribed by law for the official misconduct in like cases of the postmaster for whom he shall act.

SEC. 4032. No money-order shall be issued for more than fifty dollars, and the fees therefor shall be, for orders not exceeding ten dollars, five cents; exceeding ten and not exceeding twenty dollars, ten cents; exceeding twenty and not exceeding thirty dollars, fifteen cents; exceeding thirty and not exceeding forty dollars, twenty cents; exceeding forty dollars, twenty-five cents.

SEC. 4033. The Postmaster-General shall supply money-order offices with blank forms of application for money-orders, which each applicant shall fill up with his name, the name and address of the party to whom the order is to be paid, the amount and the date of application; and all such applications shall be preserved by the postmaster receiving them for such time as the Postmaster-General may prescribe.

SEC. 4034. The Postmaster-General shall furnish money-order offices with printed or engraved forms for money-orders, and no order shall be valid unless it be drawn upon such form.

SEC. 4035. The postmaster issuing a money-order shall send a notice thereof by mail, without delay, to the postmaster on whom it is drawn.

SEC. 4036. No money-order shall be valid and payable unless presented to the postmaster on whom it is drawn within one year after its date; but the Postmaster-General, on the application of the remitter or payee of any such order, may cause a new order to be issued in lieu thereof.

SEC. 4037. The payee of a money-order may, by his written indorsement thereon, direct it to be paid to any other person, and the postmaster on whom it is drawn shall pay the same to the person thus designated, provided he shall furnish such proof as the Postmaster-General may prescribe that the indorsement is genuine, and that he is the person empowered to receive payment; but more than one indorsement shall render an order invalid and not payable, and the holder, to obtain payment, must apply in writing to the Postmaster-General for a new order in lieu thereof, returning the original order, and making such proof of the genuineness of the indorsements as the Postmaster-General may require.

SEC. 4038. After a money-order has been issued, if the purchaser desires to have it modified or changed, the postmaster who issued the order shall take it back and issue another in lieu of it, for which a new fee shall be exacted.

SEC. 4039. The postmaster issuing a money-order shall repay the amount of it upon the application of the person who obtained it, and the return of the order; but the fee paid for it shall not be returned.

SEC. 4040. Whenever a money-order has been lost, the Postmaster-General, upon the application of the remitter or payee of such order, may cause a duplicate thereof to be issued, without charge, providing the party losing the original shall furnish a certificate from the postmaster by whom it was payable that it has not been, and will not thereafter be, paid; and a similar certificate from the postmaster by whom it was issued that it has not been, and will not thereafter be, repaid.

SEC. 4041. The Postmaster-General may, upon evidence satisfactory to him that any person is engaged in conducting any fraudulent lottery, gift-enterprise, or scheme for the distribution of money, or of any real or personal property, by lot, chance, or drawing of any kind, or in conducting any other scheme or device for obtaining money through the mails by means of false or fraudulent pretenses, representations, or promises, forbid the payment, by any postmaster, to any such person of any postal money-order drawn to his order or in his favor, and may provide by regulations for the return, to the remitter, of the sums named in such money-orders. But this shall not authorize any person to open any letter not addressed to himself.

Amount of orders and fees.

Ibid., s. 107, p. 298.

Blank applications for orders.

Ibid., s. 108.

Orders to be on printed blanks.

Ibid., s. 109.

Notice of orders drawn to be sent.

Ibid., s. 110.

Order to be good for one year.

Ibid., s. 111.

Indorsement of orders.

Ibid., s. 112.

Changes and modification of orders.

Ibid., s. 113.

Repayment of orders.

Ibid., s. 114.

Replacing lost orders.

Ibid., s. 115.

Payment of money-orders issued in favor of lotteries, &c., may be suspended.

Ibid., s. 300, p. 323.

Transfer of money order funds.

Ibid., ss. 117, 118, p. 299.

Transfer by warrant to money-order funds.

Ibid., s. 118.

Report of money-order funds.

Ibid., s. 119.

What to be money-order funds.

Ibid., s. 121.

Embezzlement of money-order funds penalty; explanation.

8 June, 1872, c. 335, s. 122, v. 17, p. 299.

3 March, 1873, c. 272, v. 17, p. 604.

Pay for issuing and paying money-orders.

8 June, 1872, c. 335, s. 123, v. 17, p. 300.

SEC. 4042. All payments and transfers to and from money-order offices shall be under the direction of the Postmaster-General. He may transfer money-order funds from one postmaster to another; and from the postal revenue to the money-order funds; and he may transfer money-order funds to creditors of the Department, to be replaced by equivalent transfers from the postal revenues.

SEC. 4043. The Postmaster-General may transfer to the postmaster at any money-order office, by warrant on the Treasury, countersigned by the Sixth Auditor, and payable out of the postal revenues, such sum as may be required over and above the current revenues at his office to pay the money-orders drawn upon him.

SEC. 4044. The Postmaster-General shall require each postmaster at a money-order office to render to the Post-Office Department weekly, semi-weekly, or daily accounts of all money-orders issued and paid; of all fees received for issuing them; of all transfers and payments made from money-order funds; and of all money received to be used for the payment of money-orders or on account of money-order business.

SEC. 4045. All money received for the sale of money-orders, including all fees thereon, all money transferred from the postal revenues to the money-order funds, all money transferred or paid from the money-order funds to the service of the Post-Office Department, and all money-order funds transferred from one postmaster to another, shall be deemed and taken to be money-order funds and money in the Treasury of the United States. And it shall be the duty of the assistant treasurer of the United States to open, at the request of the Postmaster-General, an account of "money-order funds" deposited by postmasters to the credit of the Postmaster-General, and of drafts against the amount so deposited, drawn by him and countersigned by the Sixth Auditor.

SEC. 4046. Every postmaster, assistant, clerk, or other person employed in or connected with the business or operations of any money-order office who converts to his own use, in any way whatever, or loans, or deposits in any bank, except as authorized by this Title, or exchanges for other funds, any portion of the money-order funds, shall be deemed guilty of embezzlement; and any such person, as well as every other person advising or participating therein, shall, for every such offense, be imprisoned for not less than six months nor more than ten years, and be fined in a sum equal to the amount embezzled; and any failure to pay over or produce any money-order funds intrusted to such person shall be taken to be prima-facie evidence of embezzlement; and upon the trial of any indictment against any person for such embezzlement, it shall be prima-facie evidence of a balance against him to produce a transcript from the money-order account-books of the Sixth Auditor. But nothing herein contained shall be construed to prohibit any postmaster depositing, under the direction of the Postmaster-General, in a national bank designated by the Secretary of the Treasury for that purpose, to his own credit as postmaster, any money-order or other funds in his charge, nor prevent his negotiating drafts or other evidences of debt through such bank, or through United States disbursing officers, or otherwise, when instructed or required to do so by the Postmaster-General, for the purpose of remitting surplus money-order funds from one post-office to another, to be used in payment of money-orders. Disbursing officers of the United States shall issue, under regulations to be prescribed by the Secretary of the Treasury, duplicates of lost checks drawn by them in favor of any postmaster on account of money-order or other public funds received by them from some other postmaster.

SEC. 4047. Postmasters at money-order offices may be allowed, as compensation for issuing and paying money-orders, not exceeding one-third of the whole amount of fees collected on orders issued, and one-fourth of one per centum on the gross amount of orders paid at their respective offices, provided such compensation, together with the postmaster's salary, shall not exceed four thousand dollars per annum, except in the case of the postmaster at New York City.

SEC 4048. The Postmaster-General may pay out of the proceeds of the money-order business the cost of stationery and such incidental expenses as are necessary for the transaction of that business.

Money-order incidentals.

Ibid., s. 124.

CHAPTER FOURTEEN.

ACCOUNTS AND REVENUES.

Sec.	Sec.
4049. Manner of keeping accounts.	4056. Transfer of debts to contractors.
4050. Miscellaneous and money-order receipts.	4057. Suits to recover wrongful or fraudulent payments.
4051. Postal revenue to be accounted for.	4058. Delivery of stolen money to owner.
4052. Box-holders may provide lock-boxes.	4059. Disposal of fines, penalties, and forfeitures.
4053. Neglect to deposit postal revenues.	4060. Accounts to be preserved two years.
4054. Revenues to be appropriated for postal service.	4061. Disposal of uncalled-for printed matter.
4055. Payments, how made; advances.	

SEC. 4049. The accounts of the postal service shall be kept in such a manner as to exhibit separately the amount of revenue derived from the following sources respectively:

Manner of keeping accounts.

8 June, 1872, c. 335, s. 41, v. 17, p. 290.

First. Letter-postage.

Second. Book, newspaper, and pamphlet postage.

Third. Registered letters.

Fourth. Box-rents and branch offices.

Fifth. Postage-stamps and envelopes.

Sixth. Dead letters.

Seventh. Fines and penalties.

Eighth. Revenue from money-order business.

Ninth. Miscellaneous.

And they shall exhibit separately the amount of expenditure made for each of the following objects respectively:

First. Transportation of the mail.

Second. Compensation of postmasters.

Third. Compensation of letter-carriers.

Fourth. Compensation of clerks for post-offices.

Fifth. Compensation of blank-agents and assistants.

Sixth. Mail depreedations and special agents.

Seventh. Postage-stamps and envelopes.

Eighth. Ship, steamboat, and way letters.

Ninth. Dead-letters.

Tenth. Mail-bags.

Eleventh. Mail locks and keys.

Twelfth. Post-marking and canceling stamps.

Thirteenth. Wrapping-paper.

Fourteenth. Twine.

Fifteenth. Letter-balances.

Sixteenth. Office-furniture.

Seventeenth. Advertising.

Eighteenth. Balances to foreign countries.

Nineteenth. Rent, light, and fuel for post-offices.

Twentieth. Stationery.

Twenty-first. Miscellaneous. [See § 3668.]

SEC. 4050. Unclaimed money in dead letters for which no owner can be found; all money taken from the mail by robbery, theft, or otherwise, which may come into the hands of any agent or employé of the United States, or any other person whatever; all fines and penalties imposed for any violation of the postal laws, except such part as may by law belong to the informer or party prosecuting for the same; and all money derived from the sale of waste paper or other public property

Miscellaneous and money-order receipts.

Ibid., s. 42.

of the Post-Office Department, shall be deposited in the Treasury, under the direction of the Postmaster-General, as part of the postal revenue. And the Postmaster-General shall cause to be placed to the credit of the Treasurer of the United States, for the service of the Post-Office Department, the net proceeds of the money-order business; and the receipts of the Post-Office Department derived from this source during each quarter shall be entered by the Sixth Auditor in the accounts of such Department, under the head of "revenue from money-order business."

Postal revenue to be accounted for.

Ibid., s. 43.

SEC. 4051. All postages, box-rents, and other receipts at post-offices, shall be accounted for as part of the postal revenues; and each postmaster shall be charged with and held accountable for any part of the same, accruing at his office, which he has neglected to collect, the same as if he had collected it.

Box-holders may provide lock-boxes.

Ibid., s. 44.

SEC. 4052. Postmasters may allow box-holders who desire to do so to provide lock-boxes or drawers for their own use, at their own expense, which lock-boxes or drawers, upon their erection in any post-office, shall become the property of the United States, and be subject to the direction and control of the Post-Office Department, and shall pay a rental at least equal to that of other boxes in the same office, or, if there be no other boxes in such office, of boxes in other offices of the same class, which rental shall be accounted for as other box-rents.

Neglect to deposit postal revenues.

Ibid., s. 45, p. 291.

SEC. 4053. Any officer, agent, postmaster, clerk, or other person employed in any branch of the postal service having temporary custody of any money taken from dead letters; any money derived from the sale of waste paper or other public property of the Post-Office Department; or any money derived from any other source which by law is part of the postal revenues, who shall willfully neglect to deposit the same in the Treasury of the United States, or in some other depository authorized to receive the same, shall be deemed guilty of embezzlement, and be punishable by a fine of not more than double the sum so retained, or by imprisonment for not more than three years, or both. And any person intrusted by law with the sale of postage-stamps or stamped envelopes, who shall refuse or neglect to account for the same, or who shall pledge or hypothecate or unlawfully dispose of them, for any purpose whatever, shall be deemed guilty of embezzlement, and shall be punishable by the like fine and imprisonment as are provided in this section for the embezzlement of money.

Revenues to be appropriated for postal service.

Ibid., s. 46.

SEC. 4054. The money required for the postal service in each year shall be appropriated by law out of the revenues of the service.

[See §§ 3641-3644.]

Payments, how made; advances.

Ibid., s. 48.

SEC. 4055. All payments on account of the postal service shall be made to persons to whom the same shall be certified to be due by the Sixth Auditor; but advances of necessary sums to defray expenses may be made by the Postmaster-General to agents employed to investigate mail depredations, examine post routes and offices, and on other like services, to be charged to them by the Auditor, and to be accounted for in the settlement of their accounts. [See § 3674.]

Transfer of debts to contractors.

Ibid., s. 49.

SEC. 4056. The Postmaster-General may transfer debts due to the Department from postmasters and others to such contractors as have given bonds, with security, to refund any money that may come into their hands over and above the amount found due them on the settlement of their accounts; but such transfers shall only be in satisfaction of legal demands for which appropriations have been made.

Suits to recover wrongful or fraudulent payments.

Ibid., s. 50.

SEC. 4057. In all cases where money has been paid out of the funds of the Post-Office Department under the pretense that service has been performed therefor, when, in fact, such service has not been performed, or as additional allowance for increased service actually rendered, when the additional allowance exceeds the sum which, according to law, might rightfully have been allowed therefor, and in all other cases where money of the Department has been paid to any person in consequence of fraudulent representations, or by the mistake, collusion, or misconduct of any

officer or other employé in the postal service, the Postmaster-General shall cause suit to be brought to recover such wrong or fraudulent payment or excess, with interest thereon.

SEC. 4058. Whenever the Postmaster-General is satisfied that money or property stolen from the mail, or the proceeds thereof, has been received at the Department, he may, upon satisfactory evidence as to the owner, deliver the same to him:

Delivery of stolen money to owner.

Ibid., s. 51.

SEC. 4059. All penalties and forfeitures imposed for any violation of law affecting the Post-Office Department for its revenue or property shall be recoverable, one-half to the use of the person informing and prosecuting for the same, and the other half to be paid into the Treasury for the use of the Post-Office Department, unless a different disposal is expressly prescribed. All fines collected for violations of such laws shall be paid into the Treasury for the use of the Post-Office Department. [See § 958.]

Disposal of fines, penalties, and forfeitures.

8 June, 1872, c. 335, ss. 57, 317, v. 17, pp. 292, 325.

SEC. 4060. The Postmaster-General may dispose of any quarterly returns of mails sent or received, preserving the accounts-current and all accompanying vouchers, and use such portions of the proceeds as may be necessary to defray the cost of separating and disposing of them; but the accounts shall be preserved entire for at least two years.

Accounts to be preserved two years.

Ibid., s. 58, p. 292.

SEC. 4061. The Postmaster-General may provide, by regulations, for disposing of printed and mailable matter which may remain in any post-office, or in the Department, not called for by the party addressed; but if the publisher of any refused or uncalled-for newspaper or other periodical shall pay the postage due thereon, such newspaper or other periodical shall be excepted from the operation of such regulations.

Disposal of uncalled-for printed matter.

Ibid., s. 59.

[See Title ix, "The Post-Office Department," §§ 383-414.]