

TITLE IX.

THE POST-OFFICE DEPARTMENT.

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Establishment of the Post-Office Department.

8 May, 1794, c. 23, s. 3, v. 1, p. 357.

8 June, 1872, c. 335, ss. 1, 2, v. 17, p. 283.

Assistant Postmasters-General.

8 June, 1872, c. 335, s. 2, v. 17, p. 284.

3 March, 1873, c. 226, s. 3, v. 17, p. 508.

Assistant Attorney-General for Post-Office Department.

8 June, 1872, c.

Oath of office.

8 June, 1872, c. 335, s. 15, v. 17, p. 287.

Oath, before whom taken.

8 June, 1872, c. 335, s. 15, v. 17, p. 287.

SEC. 388. There shall be at the seat of Government an Executive Department to be known as the Post-Office Department, and a Postmaster-General, who shall be the head thereof, and who shall be appointed by the President, by and with the advice and consent of the Senate, and who may be removed in the same manner; and the term of the Postmaster-General shall be for and during the term of the President by whom he is appointed, and for one month thereafter, unless sooner removed.

SEC. 389. There shall be in the Post-Office Department three Assistant Postmasters-General, who shall be appointed by the President, by and with the advice and consent of the Senate, and who may be removed in the same manner, and who shall be entitled to a salary of four thousand dollars a year each. [See § 177.]

SEC. 390. There shall be employed in the Post-Office Department one Assistant Attorney-General, who shall be appointed by the Postmaster-General, and shall be entitled to a salary of four thousand dollars a year.

SEC. 391. Before entering upon the duties of his office, and before he shall receive any salary, the Postmaster-General and each of the persons employed in the postal service shall respectively take and subscribe, before some magistrate or other competent officer, the following oath: "I, A. B., do solemnly swear (or affirm) that I will faithfully perform all the duties required of me, and abstain from everything forbidden by the laws in relation to the establishment of post-offices and post-roads within the United States; and that I will honestly and truly account for and pay over any money belonging to the said United States which may come into my possession or control: So help me, God."

SEC. 392. Any officer, civil or military, holding a commission under the United States, is authorized to administer and certify the oath prescribed by the preceding section.

SEC. 393. There shall be in the Post-Office Department :

One chief clerk, at a salary of two thousand two hundred dollars a year.

One superintendent of the Post-Office building and disbursing clerk, at a salary of two thousand three hundred dollars a year.

One topographer, at a salary of two thousand five hundred dollars a year.

One stenographer, at a salary of one thousand eight hundred dollars a year.

One messenger to the Postmaster-General, at a salary of nine hundred dollars a year.

One captain of the watch, at a salary of one thousand dollars a year.

One engineer, at a salary of one thousand six hundred dollars a year.

One assistant engineer, at a salary of one thousand dollars a year.

One carpenter, at a salary of one thousand two hundred and fifty-two dollars a year.

One assistant carpenter, at a salary of one thousand dollars a year.

One fireman and blacksmith, at a salary of nine hundred dollars a year.

Two firemen, at a salary of seven hundred and twenty dollars a year each.

Three female laborers, at a salary of four hundred and eighty dollars a year each.

In the office of the money-order system :

One superintendent, at a salary of four thousand dollars a year.

One chief clerk, at a salary of two thousand dollars a year.

In the office of foreign mails :

One superintendent, at a salary of four thousand dollars a year.

One chief clerk, at a salary of two thousand dollars a year.

In the dead-letter office :

One chief of division, at a salary of two thousand five hundred dollars a year.

In the office of mail-depredations :

One chief of division, at a salary of two thousand five hundred dollars a year.

In the office of the blank-agency :

One superintendent, at a salary of one thousand eight hundred dollars a year.

One assistant superintendent, at a salary of one thousand six hundred dollars a year.

Four assistants, at a salary of one thousand two hundred dollars a year each.

In the office of each of the Assistant Postmasters-General :

One chief clerk, at a salary of two thousand dollars a year.

SEC. 394. The Postmaster-General may designate one of the present fourth-class clerks to act as superintendent of free delivery in the Post-Office Department, at an annual salary of two thousand five hundred dollars : *Provided*, That the salary hereby fixed shall terminate at the end of the fiscal year ending June thirtieth, eighteen hundred and seventy-four.

SEC. 395. The Postmaster-General shall keep the seal heretofore adopted for his Department, which shall be affixed to all commissions of postmasters and others, and used to authenticate all transcripts and copies which may be required from his Department.

SEC. 396. It shall be the duty of the Postmaster-General :

First. To establish and discontinue post-offices.

Second. To instruct all persons in the postal service with reference to their duties.

Third. To decide on the forms of all official papers.

Fourth. To prescribe the manner of keeping and stating accounts.

Fifth. To enforce the prompt rendition of returns relative to accounts.

Clerks and employees.

8 June, 1872, c. 335, ss. 3, 4, v. 17, p. 284.

3 March, 1873, c. 226, s. 3, v. 17, p. 508.

[See §§ 169, 173, 174, 176.]

Superintendent of free delivery.

3 March, 1873, c. 231, s. 1, v. 17, p. 557.

Seal.

8 June, 1872, c. 335, s. 5, v. 17, p. 285.

Duties of Postmaster-General.

8 June, 1872, c. 335, s. 6, v. 17, p. 285.

Locke vs. U. S., 3 Mas., 446.

Sixth. To control, according to law, and subject to the settlement of the Sixth Auditor, all expenses incident to the service of the Department.

Seventh. To superintend the disposal of the moneys of the Department.

Eighth. To direct the manner in which balances shall be paid over; issue warrants to cover money into the Treasury; and to pay out the same.

Ninth. To superintend generally the business of the Department, and execute all laws relative to the postal service. [See §§ 3660-3665, 3668, 3669.]

Property in charge of the Department.

8 June, 1872, c. 335, s. 10, v. 17, p. 286.

SEC. 397. The Postmaster-General shall make out and keep, in proper books, full and complete inventories and accounts of all the property belonging to the United States in the buildings, rooms, offices, and grounds occupied by him and under his charge; and shall add thereto, from time to time, an account of such property as may be procured subsequently to the taking of the same, and also an account of the sale or disposal of any such property, and to report the same to Congress during the first week of each annual session. But this section shall not apply to the supplies of stationery and fuel.

Postal arrangements with foreign countries.

8 June, 1872, c. 335, s. 167, v. 17, p. 304.

SEC. 398. For the purpose of making better postal arrangements with foreign countries, or to counteract their adverse measures affecting our postal intercourse with them, the Postmaster-General, by and with the advice and consent of the President, may negotiate and conclude postal treaties or conventions, and may reduce or increase the rates of postage on mail-matter conveyed between the United States and foreign countries.

Publication of postal conventions.

8 June, 1872, c. 335, s. 20, v. 17, p. 287.

SEC. 399. The Postmaster-General shall transmit a copy of each postal convention concluded with foreign governments to the Secretary of State, who shall furnish a copy of the same to the Congressional Printer for publication; and the printed proof-sheets of all such conventions shall be revised at the Post-Office Department. [See § 210.]

Blank-agency at Washington.

8 June, 1872, c. 335, s. 30, v. 17, p. 289.

SEC. 400. The Postmaster-General may establish a blank-agency for the Post-Office Department, to be located at Washington, District of Columbia.

Foreign dead-letters.

8 June, 1872, c. 335, s. 197, v. 17, p. 308.

SEC. 401. The action of the Post-Office Department respecting foreign dead-letters shall be subject to conventional stipulations with the respective foreign administrations.

Date of orders, entries, contracts, &c., to be indorsed.

8 June, 1872, c. 335, s. 18, v. 17, p. 287.

SEC. 402. Every order, entry, or memorandum whatever, on which any action is to be based, allowance made, or money paid, and every contract, paper, or obligation made by or with the Post-Office Department, shall have its true date affixed to it; and every paper relating to contracts or allowances filed in the Department shall have the date when it was filed indorsed upon it.

Form of bonds and contracts.

8 June, 1872, c. 335, s. 13, v. 17, p. 287.

SEC. 403. All bonds taken and contracts entered into by the Post-Office Department shall be made to and with the United States of America.

Copies of contracts for carrying mail.

8 June, 1872, c. 335, s. 262, v. 17, p. 315.

SEC. 404. The Postmaster-General shall deliver to the Sixth Auditor, within sixty days after the making of any contract for carrying the mail, a duplicate copy thereof.

Orders and regulations affecting accounts.

8 June, 1872, c. 335, s. 29, v. 17, p. 289.

SEC. 405. All orders and regulations of the Postmaster-General which may originate a claim, or in any manner affect the accounts of the postal service, shall be certified to the Sixth Auditor.

Warrant of Postmaster-General, on quarterly statement of Auditor.

8 June, 1872, c. 335, s. 53, v. 17, p. 292.

SEC. 406. Upon the certified quarterly statement by the Sixth Auditor of the payments by postmasters on account of the postal service, the Postmaster-General shall issue his warrant to the Treasurer to carry the amount to the credit of the postal revenues and to the debit of the proper appropriations upon the books of the Auditor.

SEC. 407. The postal revenues and all debts due the Post-Office Department shall, when collected, be paid into the Treasury of the United States, under the direction of the Postmaster-General; and the Treasurer, assistant treasurer, or designated depository receiving such payment, shall give the depositor duplicate receipts therefor.

SEC. 408. All deposits on account of the postal service shall be brought into the Treasury by warrants of the Postmaster-General, countersigned by the Auditor; and no credit shall be allowed for any deposit until such warrant has been issued.

SEC. 409. In all cases of fine, penalty, forfeiture, or disability, or alleged liability for any sum of money by way of damages or otherwise, under any provision of law in relation to the officers, employés, operations, or business of the postal service, the Postmaster-General may prescribe such general rules and modes of proceeding as shall appear to be expedient, for the government of the Sixth Auditor, in ascertaining the fact in each case in which the Auditor shall certify to him that the interests of the Department probably require the exercise of his powers over fines, penalties, forfeitures, and liabilities; and upon the fact being ascertained, the Auditor may, with the written consent of the Postmaster-General, mitigate or remit such fine, penalty, or forfeiture, remove such disability, or compromise, release, or discharge such claim for such sum of money and damages, and on such terms as the Auditor shall deem just and expedient.

SEC. 410. The Postmaster General may discharge from imprisonment any person confined in jail on any judgment in a civil case, obtained in behalf of the Department, if it be made to appear that the defendant has no property of any description.

SEC. 411. The release provided for by the preceding section shall not bar a subsequent execution against the property of the defendant on the same judgment.

SEC. 412. No person employed in the Post-Office Department shall become interested in any contract for carrying the mail, or act as agent, with or without compensation, for any contractor or person offering to become a contractor, in any business before the Department; and any person so offending shall be immediately dismissed from office, and shall be liable to pay so much money as would have been realized from said contract, to be recovered in an action of debt, for the use of the Post-Office Department.

SEC. 413. The Postmaster-General shall make the following annual reports to Congress: [See §§ 195, 196.]

First. A report of all contracts for carrying the mail made within the preceding year, giving in each case the name of the contractor; the date and duration of the contract; the routes embraced therein, with the length of each; the time of arrival and departure at the ends of each route; the mode of transportation; and the price to be paid, together with a copy of the recorded abstracts of all proposals for carrying the mail, as provided by section three thousand nine hundred and forty-eight, Title "THE POSTAL SERVICE."

Second. A report of all land and water mails established or ordered within the preceding year, other than those let to contract at the annual letting, giving in each case the route or water-course on which the mail is established; the name of the person employed to transport it; the mode of transportation; the price to be paid; and the duration of the order or contract.

Third. A report of all allowances made to contractors within the preceding year above the sums originally stipulated in their respective contracts, and the reasons for the same, and of all orders made whereby additional expense is incurred on any route beyond the original contract

Postal revenues and collections to be paid into the Treasury.

8 June, 1872, c. 335, s. 54, v. 17, p. 292.

Deposits, how brought into the Treasury.

8 June, 1872, c. 335, s. 55, v. 17, p. 292.

Investigating and remitting fines, penalties, and forfeitures.

8 June, 1872, c. 335, s. 316, v. 17, p. 325.

Discharge of judgment debtors from imprisonment.

8 June, 1872, c. 335, s. 314, v. 17, p. 324.

Subsequent execution on same judgment.

8 June, 1872, c. 335, s. 314, v. 17, p. 324.

Restriction upon employés being interested in contracts.

8 June, 1872, c. 335, s. 12, v. 17, p. 286.

Reports of Postmaster-General.

8 June, 1872, c. 335, s. 8, v. 17, p. 285

price, giving in each case the route; the name of the contractor; the original service provided for by the contract; the original price; the additional service required; and the additional allowance therefor.

Fourth. A report of all curtailments of expenses effected within the preceding year, giving in each case the same particulars as in the preceding report.

Fifth. A report of the finances of the Department for the preceding year, showing the amount of balance due the Department at the beginning of the year; the amount of postage which accrued within the year; the amount of engagements and liabilities; and the amount actually paid during the year for carrying the mail, showing how much of the amount was for carrying the mail in preceding years.

Sixth. A report of the fines imposed on and the deductions from the pay of contractors, made during the preceding year, stating the name of the contractor; the nature of the delinquency; the route on which it occurred; when the fine was imposed; and whether the fine or deduction has been remitted; and for what reason.

Seventh. A copy of each contract for carrying the mail between the United States and foreign countries, with a statement of the amount of postage derived under the same, so far as the returns of the Department will enable it to be done.

Eighth. A report showing all contracts which have been made by the Department, other than for carrying the mail, giving the name of the contractor; the article or thing contracted for; the place where the article was to be delivered, or the thing performed; the amount paid therefor; and the date and duration of the contract.

Ninth. A report on the postal business and agencies in foreign countries.

Tenth. A report of the amount expended in the Department for the preceding fiscal year, including detailed statements of expenditures made from the contingent fund.

And the Postmaster-General shall cause all of such reports to be printed at the Public Printing Office, either together or separately, and in such numbers as may be required by the exigencies of the service or by law.

SEC. 414. The Postmaster-General shall furnish a copy of his annual estimates to the Secretary of the Treasury prior to the first of November in each year, which shall be reported to Congress by the latter in his regular printed estimates.

Copy of estimates to be furnished to Secretary of Treasury.

8 June, 1872, c. 335, s. 19, v. 17, p. 287.