

TITLE 39.—THE POSTAL SERVICE

Chapter 1.—POST OFFICES.

Sec.

9. Rewards for detection of post-office burglars.
 14. Rental of quarters without formal contract. [New.]

9. Rewards for detection of post-office burglars.

Section 9 of Title 39 repeated.—The statutory provision constituting § 9 of Title 39 of this Code was repeated in Act of Mar. 2, 1926, c. 43, § 1, 44 Stat. 156.

14. Rental of quarters without formal contract.—Hereafter the Postmaster General in his discretion may rent quarters for postal purposes without entering into a formal written contract in any case where the amount of the rental does not exceed \$1,000 per annum. (June 3, 1926, c. 455, 44 Stat. 688.)

New section. The Act of June 3, 1926, constituting this section of Title 39 of the appendix was enacted as a new proviso to be added to § 3709 of the Revised Statutes as amended, which appears as § 35 of Title 41, PUBLIC CONTRACTS, of the Code.

Chapter 2.—POSTMASTERS.

Sec.

49. Adjustment of claims of postmasters and Navy mail clerks for losses by burglary and fire.
 57. Compensation of postmasters of fourth class.
 57a. Postmaster of fourth class; apportionment of compensation on change during fiscal year. [New.]
 59. Assignment of fourth-class offices to proper class on increase of receipts.
 60. Advancement of fourth-class offices to appropriate class under unusual conditions; reduction to appropriate class.
 67. Postmasters as disbursing officers in Alaska. [New.]

49. Adjustment of claims of postmasters and Navy mail clerks for losses by burglary and fire.

Section 49 of Title 39 amended.—The provisions of Act of Mar. 17, 1882, c. 41, § 1, 22 Stat. 29, as amended, constituting § 49 of the Code, have been further amended by Act of July 3, 1926, c. 799, 44 Stat. 903, as follows: "That the Act entitled 'An Act authorizing the Postmaster General to adjust certain claims of postmasters for loss by burglary, fire, or other unavoidable casualty,' approved March 17, 1882, as amended, is amended so as to include losses of customs charges collected on dutiable mail articles, but such Act shall apply only to such losses occurring after April 1, 1924."

57. Compensation of postmasters of fourth class.—The compensation of postmasters of the fourth class shall be fixed upon the basis of the whole of the box rents collected at their offices and commissions upon the amount of canceled postage-due stamps and on postage stamps, stamped envelopes, postal cards, stamps on registry matter, including stamps to cover return receipts, insured and collect-on-delivery matter, canceled, on matter actually mailed at their offices, except the stamps affixed to pay the fees for special delivery service and special handling service, and on that part of the value of the stamps on the mail for transportation by air mail, canceled at their offices, equal to the postage which would be required on such mail at the regular domestic rates, and on the amount of newspaper and periodical postage collected in money, and on the postage collected in money on identical pieces of third and fourth class matter mailed under the provisions of the Act of April 23, 1904,¹ without postage stamps affixed, and on postage collected in money on matter of the first class mailed under provisions of the Act of April 24, 1920,² without postage stamps affixed, and on amounts received from waste paper, dead newspapers, printed matter, and twine sold, at the following rates, namely:

¹ "Act of April 23, 1904," should be translated "section 295 of this title."

² "Act of April 24, 1920," should be translated "section 273 of this title."

On the first \$75 or less per quarter the postmaster shall be allowed 160 per centum on the amount; on the next \$100 or less per quarter, 85 per centum; and on all the balance, 75 per centum, the same to be ascertained and allowed by the General Accounting Office in the settlement of the accounts of such postmasters upon their sworn quarterly returns: *Provided*, That in adjusting the quarterly compensation of postmasters of the fourth class the General Accounting Office shall allow such compensation as may be shown by the quarterly returns to be due, not exceeding \$275 for the quarter ending September 30, not exceeding \$550 for the two quarters ending December 31, not exceeding \$825 for the three quarters ending March 31, and not exceeding \$1,100 for the whole fiscal year, exclusive of 3 cents commission on each money-order issued. (Mar. 3, 1883, c. 142, § 2, 22 Stat. 602; Feb. 28, 1925, c. 368, § 1, 43 Stat. 1054; June 4, 1926, c. 476, 44 Stat. 695.)

Section 57 of Title 39 amended.—The provision of Act of Feb. 28, 1925, c. 368, § 1, 43 Stat. 1054, constituting § 57 of Title 39 of the Code, has been amended by Act of June 4, 1926, c. 476, 44 Stat. 695, entitled "An Act to amend the Act of February 28, 1925, fixing the compensation of fourth-class postmasters," to read as above.

57a. Postmaster of fourth class; apportionment of compensation on change during fiscal year.—Whenever during the fiscal year there occurs or is created a change in the postmastership of an office of the fourth class, by death or otherwise, the outgoing postmaster shall receive in the final settlement of his account all his earned compensation for that part of the fiscal year which he has served, but in no case shall such compensation amount to more than such a sum as is determined by taking such a fractional part of \$1,100 as the time he has served in that fiscal year is to the whole fiscal year. (Feb. 28, 1925, c. 368, § 1, 43 Stat. 1055, June 4, 1926, c. 476, 44 Stat. 696.)

New section.

59. Assignment of fourth-class offices to proper class on increase of receipts.—When the total compensation of any postmaster at a post office of the fourth class for the calendar year shall amount to \$1,100, exclusive of 3 cents commission on each money-order issued, and the receipts of such post office for the same period shall aggregate as much as \$1,500, the office shall be assigned to its proper class on July 1 following and the salary of the postmaster fixed according to the receipts. (May 18, 1916, c. 126, § 16, 39 Stat. 163; July 28, 1916, c. 261, § 1, 39 Stat. 418; Feb. 28, 1925, c. 368, § 1, 43 Stat. 1055; June 4, 1926, c. 476, 44 Stat. 696.)

Section 59 of Title 39 amended.—The provision of Act of Feb. 28, 1925, c. 368, § 1, 43 Stat. 1055, constituting § 59 of Title 39 of the Code, has been amended by Act of June 4, 1926, c. 476, 44 Stat. 696, entitled "An Act to amend the Act of February 28, 1925, fixing the compensation of fourth-class postmasters," to read as above.

60. Advancement of fourth-class offices to appropriate class under unusual conditions; reduction to appropriate class.—Whenever unusual conditions prevail, the Postmaster General, in his discretion, may advance any post office from the fourth class to the appropriate class indicated by the receipts of the preceding quarter, notwithstanding the proviso which requires the compensation of fourth-class postmasters to reach \$1,100 for the calendar year, exclusive of commission on each money order issued, and that the receipts of such post office for the same period shall aggregate as much as \$1,500 before such advancement is made: *And provided further*, That when the Postmaster General has exercised the authority herein granted he shall, whenever the receipts are no longer sufficient to justify retaining such post office in the class to which it has been advanced, reduce the grade of such office to the appropriate class

indicated by its receipts for the last preceding quarter. (Feb. 28, 1925, c. 368, § 1, 43 Stat. 1055; June 4, 1926, c. 476, 44 Stat. 696.)

Section 60 of Title 39 amended.—The provision of Act of Feb. 28, 1925, c. 368, § 1, 43 Stat. 1055, constituting § 60 of Title 39 of the Code, has been amended by Act of June 4, 1926, c. 476, 44 Stat. 696, entitled, "An Act to amend the Act of February 28, 1925, fixing the compensation of fourth-class postmasters," to read as above.

67. Postmasters as disbursing officers in Alaska.—Postmasters may be designated by the Postmaster General as disbursing officers for the payment of contractors, emergency carriers, and temporary carriers, for performance of authorized service on power boat and star routes in Alaska. (Apr. 23, 1926, c. 174, 44 Stat. 321.)

New section.

Chapter 7.—POSTAGE.

Sec.

301. Special joint congressional committee to investigate postal rates.
302. Postage on hotel and steamship room keys. [New.]

301. Special joint congressional committee to investigate postal rates.

Section 301 of Title 39 amended.—The provision of Act of Feb. 28, 1925, c. 368, Title II, § 217, 43 Stat. 1070, constituting § 301 of Title 39 of the Code, has been amended by resolution of Dec. 17, 1925, c. 2, 44 Stat. 1, as follows: "That section 217 of the Act reclassifying the salaries of postmasters and employees of the Postal Service, readjusting their salaries and compensation on an equitable basis, increasing postal rates to provide for such readjustment, and for other purposes (Public, Numbered 506, Sixty-eighth Congress), approved February 28, 1925, is hereby extended and continued in full force and effect until not later than the end of the second week of the second regular session of the Sixty-ninth Congress."

302. Postage on hotel and steamship room keys.—On hotel and steamship room keys with metal or fiber tags securely attached thereto, there being indelibly stamped upon such tags explicit post-office address and instructions directing that key and tag be returned to the hotel or steamship of their origin, postage shall be charged at the rate of 5 cents for each two ounces or fraction thereof if postage be collected on delivery. (July 3, 1926, c. 778, 44 Stat. 890.)

New section. The title of the Act constituting the section is "An Act fixing postage rates on hotel and steamship room keys and tags."

Chapter 12.—CONTRACTS FOR CARRYING THE MAILS.

443. Fining contractors.—The Postmaster General may make deductions from the pay of contractors for failure to perform service according to contract and impose fines upon them for other delinquencies, which deductions or fines may be changed or remitted, in his discretion. 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. (R. S. § 3962; May 11, 1926, c. 284, 44 Stat. 499.)

Section 443 of Title 39 amended.—The provision of R. S. § 3962, constituting § 443 of Title 39 of the Code, has been amended by Act of May 11, 1926, c. 284, 44 Stat. 499, entitled "An Act authorizing the Postmaster General to remit or change deductions or fines imposed upon contractors for mail service," to read as above.

The amendment affected the first sentence by inserting, after the word "delinquencies," the words "which deductions or fines may be changed or remitted, in his discretion."

R. S. § 3962, here amended, was derived from the Act of June 8, 1872, c. 335, 17 Stat. 315.

Chapter 13.—AIR MAIL.

464. Same; contracts for transportation of air mail.—The Postmaster General is authorized to contract with any indi-

vidual, firm, or corporation for the transportation of air mail by aircraft between such points as he may designate, and to further contract for the transportation by aircraft of first-class mail other than air mail at fixed rates per pound, including equipment, under such rates, rules, and regulations as he may prescribe, not exceeding \$3 per pound for air mail for the first one thousand miles and not to exceed 30 cents per pound additional for each additional one hundred miles or fractional part thereof for routes in excess of one thousand miles in length, and not exceeding 60 cents per pound for first-class mail other than air mail for the first one thousand miles, and not to exceed 6 cents per pound additional for each additional one hundred miles or fractional part thereof for routes in excess of one thousand miles in length. Existing contracts may be amended by the written consent of the contractor and the Postmaster General to provide for a fixed rate per pound, including equipment, said rate to be determined by multiplying the rate hereinabove provided by a fraction, the numerator of which is the per centum of revenues derived from air mail to which the contractor was previously entitled under the contract, and the denominator of which is eighty. (Mar. 1, 1921, c. 88, § 1, 41 Stat. 1152; Feb. 2, 1925, c. 128, § 4, 43 Stat. 805; June 3, 1926, c. 460, 44 Stat. 692.)

Section 464 of Title 39 amended.—The provisions of Act of Feb. 2, 1925, c. 128, § 4, 43 Stat. 805, constituting § 464 of Title 39 of the Code, has been amended by Act of June 3, 1926, c. 460, 44 Stat. 692, entitled "An Act to amend section 4 of the Air Mail Act of February 2, 1925, so as to enable the Postmaster General to make contracts for the transmission of mail by aircraft at fixed rates per pound," to read as above.

Chapter 15.—RAILWAY SERVICE.

577. Lease of terminal railway post offices.—The Postmaster General may apply a part of the appropriation for rental of space for terminal railway post offices for the distribution of the mails when the furnishing of space for such distribution can not properly be required of railroad companies without additional compensation, to the purpose of leasing premises for the use of terminal railway post offices at a reasonable annual rental, to be paid monthly, for a term not exceeding twenty years. (Mar. 9, 1914, c. 33, 38 Stat. 301; Apr. 24, 1920, c. 161, § 1, 41 Stat. 580; June 3, 1926, c. 456, 44 Stat. 688.)

Section 577 of Title 39 amended.—The provision of Act of Apr. 24, 1920, c. 161, § 1, 41 Stat. 580, constituting § 577 of Title 39 of the Code, has been amended by Act of June 3, 1926, c. 456, 44 Stat. 688, entitled "An Act authorizing the Postmaster General to make monthly payment of rental for terminal railway post-office premises under lease," providing as follows: "That the proviso attached to the appropriation available for rental of space for terminal railway post offices in the Post Office Appropriation Act, approved April 24, 1920 (Forty-first Statutes, page 580), is amended by striking out the word 'quarterly' and inserting in lieu thereof the word 'monthly,' so that said proviso will read as follows:"

The change has been incorporated in the text.

Chapter 17.—FOREIGN MAIL SERVICE.

654. Pay for transporting.—(a) Except as provided in subdivision (b), for transportation of the mails, (1) between the United States or its Territories or possessions and any foreign country, (2) between the United States and its possessions or its naval or military forces abroad, or (3) between any such possession or naval or military forces and any other such possession or naval or military forces, the Postmaster General may allow, in the case of a vessel of the United States, compensation not in excess of the amount of the postage collected on the mail transported on such vessel, and in the case of a foreign vessel, compensation not in excess of the sea transit rates prescribed from time to time by the Universal Postal Union Convention.

* "Section 217 of the Act" should be translated "section 301 of this title."

(b) The provisions of subdivision (a) of this section shall not limit the compensation for transportation of mail which the Postmaster General may pay under contracts entered into in accordance with the provisions of section 4007 of the Revised Statutes⁴ or section 24 of the Merchant Marine Act, 1920.⁵

(c) In the case of mails transported between the United States or its Territories or possessions and any foreign country and in the case of mails transported between the United States and its possessions or its naval or military force abroad, or between any such possession or naval or military force and any other such possession or naval or military forces, payment for such transportation shall be made out of the appropriation for the transportation of foreign mails. (R. S. § 4009; July 3, 1926, c. 793, 44 Stat. 900.)

Section 654 of Title 39 amended.—The provision of R. S. § 4009, constituting § 654 of Title 39 of the Code, has been amended by Act of July 3, 1926, c. 793, 44 Stat. 900, to read as above.

Chapter 18.—POST-OFFICE INSPECTORS.

692. Post-office inspectors; appointment.

Section 692 of Title 39 repeated in part.—The statutory provision constituting § 692 of Title 39 has been repeated in part by Act of Mar. 2, 1926, c. 43, § 1, 44 Stat. 156. The repeated part of the provision begins after the semicolon.

⁴“Section 4007 of the Revised Statutes” should be translated “section 652 of this title.”

⁵“Section 24 of the Merchant Marine Act, 1920” should be translated “section 880 of Title 46, Shipping.”

Chapter 22.—MISCELLANEOUS PROVISIONS RELATING TO THE POSTAL SERVICE.

813a. Reward for invention or suggestion increasing efficiency authorized; limitation; execution of release.—The Postmaster General is hereby authorized to pay a cash reward for any invention, suggestion, or series of suggestions for an improvement or economy in device, design, or process applicable to the Postal Service submitted by one or more employees of the Post Office Department or the Postal Service which shall be adopted for use and will clearly effect a material economy or increase efficiency, and for that purpose the sum of \$2,500 is hereby appropriated: *Provided*, That the sums so paid to employees in accordance with this Act⁶ shall be in addition to their usual compensation: *Provided further*, That the total amount paid under the provisions of this Act⁶ shall not exceed \$1,000 in any month or for any one invention or suggestion: *Provided further*, That no employee shall be paid a reward under this Act⁶ until he has properly executed an agreement to the effect that the use by the United States of the invention, suggestion, or series of suggestions made by him shall not form the basis of a further claim of any nature upon the United States by him, his heirs, or assigns: *Provided further*, That this appropriation shall be available for no other purpose. (Mar. 2, 1926, c. 43, 44 Stat. 156.)

New section. This section is from the Treasury and Post Office Departments Appropriation Act of Mar. 2, 1926, c. 43, 44 Stat. 156, and constitutes § 813a of this title of the appendix.

⁶“Act” should be translated “section.”